

Resource Consents Unit

# Request for discharge of encumbrance: Elderly person's housing unit conversion

Submit this form online at: [onlineservices.ccc.govt.nz](http://onlineservices.ccc.govt.nz); or

Email to: [resourceconsentapplications@ccc.govt.nz](mailto:resourceconsentapplications@ccc.govt.nz); or

Deliver to: Resource Consents Unit, Christchurch City Council, 53 Hereford Street, Christchurch; or

Send to: Resource Consents Unit, Christchurch City Council, PO Box 73013, Christchurch Mail Centre, Christchurch 8154.

For enquiries phone: (03) 941 8999

## Information about this form:

This form is to be used where the owner of an elderly person's housing unit in the **Residential Medium Density** zone wishes to discharge (remove) an encumbrance because the unit has been converted into a residential unit able to be occupied by anyone, in accordance with Rule 14.5.1.1 P3 of the Christchurch District Plan.

A [fee](#) is payable when this form is submitted. If the form is submitted by email we will send you an invoice together with information about payment methods.

Where more than one unit on a site has been converted, requests to discharge the encumbrance from all of the converted units can be submitted on the same form. Additional fees may be incurred for multiple discharges.

Please note that in addition to Council requirements, there may be separate Body Corporate requirements that need to be complied with in order for your unit to be converted for general occupancy. It is recommended that you check with the Body Corporate for your unit, and/or your solicitor, before submitting this form.

## Property address

Address of property on which the elderly person's housing unit is located:

Street Address: .....

Legal Description: Lot:..... DP: ..... CT: .....

I have provided a Certificate of Title (Computer Register) showing the existing encumbrance. Note: This can be obtained from Land Information New Zealand: <https://apps.linz.govt.nz/survey-titles/order-copy/>.

OR

I request that the Council obtain a copy of the Certificate of Title (Computer Register) from Land Information New Zealand and on-charge the cost to me.

## District Plan requirements

For the encumbrance to be discharged the Council must be satisfied that the requirements of Rule 14.5.1.1 P3 of the Christchurch District Plan are complied with, or that a resource consent has been obtained for any breach of the rule.

I have completed the checklist on page 3 and provided supporting information to confirm compliance.

Resource Consent number(s) (if resource consent was obtained for the construction of the unit or any breach of the rule):

.....

## Request for discharge of encumbrance

Before the Council's solicitors can discharge the encumbrance it is necessary for you to request the Council to instruct its solicitors accordingly. Please sign the following clause and provide the details below, and return this form to the Council. The Council's solicitors will then prepare the encumbrance discharge and advise you/your solicitor when the discharge has been registered.

**The owner(s) has/have read, understood and accept the Council's requirements and ask the Council to instruct its solicitors to prepare the discharge of encumbrance in accordance with the above requirements.**

Signed: .....

Signed: .....

Full Name: .....

Full Name: .....

Date: .....

Date: .....

Signed: .....

Signed: .....

Full Name: .....

Full Name: .....

Date: .....

Date: .....

*Full names of all of the registered owners of the unit(s), including any joint owners. Attach an additional page if necessary.*

### Owner's contact details:

Name: .....

Company: .....

Mailing Address: .....

.....

Phone (Landline): .....

Mobile: .....

Fax: .....

Email: .....

### Owner's solicitor:

Name: .....

Firm Solicitor works for: .....

Address: .....

.....

Phone (Landline): .....

Mobile: .....

Fax: .....

Email: .....

*If this request relates to more than one unit, please attach contact details for any other owners.*

## Invoicing details

The Invoice for the processing fee is to be made out to:

Owner       Solicitor

Other (specify below):

Name: ..... Email: .....

Postal Address: ..... Post Code: .....

## Checklist

This Checklist outlines the requirements of Rule 14.5.1.1 P3 of the District Plan for the conversion of an elderly person's housing unit into a residential unit that can be occupied by anyone. Before an encumbrance can be discharged the Council must be satisfied that the converted unit complies with all of these requirements, or resource consent has been obtained for any breach of this rule.

Please complete all sections and attach any necessary supporting information (e.g. site and floor plans).

Complies	Requirements of Rule 14.5.1.1 P3
<input type="checkbox"/>	<p>1. The site is located in the Residential Medium Density zone in the Christchurch District Plan.</p>
<input type="checkbox"/>	<p>2. The unit was existing on 6 December 2013 when the rule became operative (i.e. constructed and able to be occupied).</p> <p>Comment: .....</p> <p>.....</p> <p>.....</p> <p>.....</p>
<input type="checkbox"/>	<p>3. Each converted unit will have:</p> <p>a. A minimum gross floor area, excluding terraces, garages, sundecks and verandahs, of 35m<sup>2</sup>; and</p> <p>b. A separate outdoor living space readily accessible from its living area that it at least 30m<sup>2</sup> with a minimum dimension of 3 metres.</p> <p>Comment: .....</p> <p>.....</p> <p>.....</p> <p>.....</p>
	<p>Any other general comments: .....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>

*If you have any questions about these rules please contact the Duty Planner at [Duty.Planner@ccc.govt.nz](mailto:Duty.Planner@ccc.govt.nz).*