

Resource Consents Unit

# Application for an Existing Use Certificate

Resource Management Act 1991 - s.139A

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

Email your application 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 73014, Christchurch Mail Centre, Christchurch 8154.

For enquiries phone: (03) 941 8999

## About this form

This form is to be used for an application under Section 139A of the Resource Management Act 1991 where an applicant seeks certification that a particular land use has existing use rights pursuant to Section 10 of the Resource Management Act 1991. It must be accompanied by plans and other supporting information.

A deposit (minimum application fee) is required to be paid before processing will commence (refer Resource Management [Fee Schedule](#)). An invoice will be issued when the application has been received.

Applications are checked for completeness prior to acceptance. Please ensure that you have compiled your documents carefully to avoid delays in accepting your application.

## 1. Pre-application information

Have you had a pre-application meeting or other discussions with Council staff about this proposal?  Yes  No

If yes, what was the name of the planner or other staff member(s)? .....

Date of pre-application meeting (if applicable): ..... Meeting reference no: .....

## 2. Application site

Location of the proposed activity (street address): .....

Legal description of application site (as at the date of application): .....

I have provided a Certificate of Title (Computer Register) less than 3 months old, including a copy of any consent notice, covenant or other encumbrance to which the Council is a party. Note: These 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) and any relevant encumbrances from Land Information New Zealand and on-charge the cost to me.

## 3. Applicant details

Please note that the **applicant** is responsible for the fees associated with this application, unless specified otherwise in Section 5. Please note it is The Council's practice to communicate with the agent and the applicant.

Full name (including middle name): .....

OR

Registered Company / Trust / Organisation name: .....

Contact person / Trustee names: .....

Landline: ..... Mobile: .....

Email: .....

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

## 4. Agent details

Name: .....  
Name of firm: .....  
Landline: ..... Mobile: .....  
Email: .....  
Postal Address: ..... Post Code: .....

## 5. Invoicing details

All consent-related invoices are to be made out in the name of:

- Applicant       Agent  
 Existing 'on-account' customer (state name of PMO/organisation): .....  
 Other (specify below):

Name: .....  
Email: .....  
Postal Address: ..... Post Code: .....

*(Please note: any refunds will be paid to the receipted name unless written authorisation has been received from the receipted person or company)*

## 6. Description of the Use

Please describe in detail the use for which you are seeking certification, and the way(s) in which the use contravenes a current rule or rules in the City/District Plan. Please also provide a scaled site plan showing the site layout and buildings/areas used for the activity, and any other plans and supporting information necessary to establish what rules are breached (*continue on additional pages if necessary*):

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## 7. Lawful Establishment of the Use

Please describe in detail how and when the use was lawfully established. Attach evidence to prove the lawful establishment of the use (including dates), for example extracts from past Council plans, building permits / consents, Council approvals, correspondence, photos, or other types of records (*continue on additional pages if necessary*):

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## 11. Declaration

I have completed all relevant sections of this form, and I understand that my application may be returned as incomplete if it does not include all of the relevant information.

I understand that the fees paid on lodgement **are a deposit only**, and that the Council will invoice all costs actually and reasonably incurred in processing this application.

All of the information provided with this application is, to the best of my knowledge, true and correct. I understand that all information submitted as part of an application is required to be kept available for public record, therefore the public (including business organisations and other units of the Council) may view this application, once submitted. It may also be made available to the public on the Council's website. If there is commercially sensitive information in your application please let us know. If you would like to request access to, or correction of, your details, please contact the Council.

**Signature of Applicant:** (or person authorised to sign on behalf of applicant)

..... Date: .....

Print name: .....

If you are signing this application on behalf of a company/trust/other entity (the applicant), you are declaring that you are duly authorised to sign on behalf of the applicant to make such an application.

## 12. Fee information

The required deposit (Minimum Application Fee) must be paid before processing of the application will start. A further invoice will be sent **to the applicant** when the processing of this application has been completed if the cost of processing it exceeds the deposit paid. If the cost of processing the application is less than the deposit a refund will be issued to the **person who paid the fee**.

Where the application fee is to be charged to an **account holder** no deposit is required. Instead the actual fees will be invoiced on completion of processing.

Interim invoices may be issued on a monthly basis for all applications, including where the applicant is an account holder.

The Resource Management Fees Schedule can be viewed at: <http://www.ccc.govt.nz/consents-and-licences/resource-consents/fees-and-charges/resource-management-fees>

**DEBT RECOVERY** - Where an invoiced amount has not been paid by the stated due date, the Council may commence debt recovery action. The Council reserves the right to charge interest, payable from the date the debt became due, and recover costs incurred in pursuing recovery of the debt.

## 13. Additional notes for the applicant

1. All applicants are asked to check the accuracy of the information supplied. Inaccuracies in information supplied can cause difficulties at a later date, such as additional costs, delays and legal proceedings initiated by the Council and/or by other persons. Inaccuracies may also result in possible revocation of any certificate issued (if the Council is satisfied any inaccuracies were material in satisfying the Council that it must issue the certificate).
2. This application is for certification under the Resource Management Act 1991. In processing the application the Council can only consider relevant matters under the Resource Management Act. Please be aware that there may be a range of other matters which could affect your ability to carry out the proposed development or activity, and it is your responsibility to investigate these.
3. If your proposal involves building work or change of use of a building you may also require a building consent under the Building Act 2004. This must be applied for separately. Dependant on the nature of the proposal, other consents or licences may also be required under such legislation as the Health Act 1956 and the Sale of Liquor Act 1989.
4. The costs incurred in receiving and checking incomplete applications are invoiced to the applicant. To avoid delays and cost please ensure that you submit a complete application.
5. If further information is required after your application is accepted, you will be advised as soon as possible and processing of the application will be suspended until the information is received.