

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

Submit this form online at: onlineservices.ccc.govt.nz; or

Email to: 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 or email DutyPlanner@ccc.govt.nz

About this form

This form should be used where the owner of an elderly person's housing unit wishes to discharge (remove) an encumbrance because the unit has been converted into a residential unit able to be occupied by anyone. The conversion must either be located in the Residential Medium Density zone and comply with Rule 14.5.1.1 P3 of the Christchurch District Plan, or have obtained a resource consent.

A [fee](#) is payable when this form is submitted. We will send you an invoice 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 charged 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.

1. Property details

Address (including unit number):

Legal description:

Title number:

- I have provided a Record of Title showing the existing encumbrance. *This can be obtained from Land Information New Zealand:*
<https://www.linz.govt.nz/land/land-records/order-copy-land-record/land-record-order-form>.

2. District Plan requirements

Rule 14.5.1.1 P3 of the District Plan allows the conversion of an elderly person's housing unit into a residential unit that can be occupied by anyone, if certain requirements are met. Before the encumbrance can be discharged the Council must be satisfied that the converted unit complies with all of these requirements, or a resource consent has been obtained for any requirements not met.

Has a resource consent been granted for the conversion of the EPH unit(s) into a residential unit? Yes No

If Yes, what is the resource consent number:

OR

If not, please check and confirm that the unit meets all of the requirements listed below, and **attach supporting information (e.g. site and floor plans)**.

| | | | |
|----|---|------------------------------|-----------------------------|
| 1. | The site is located in the Residential Medium Density zone in the Christchurch District Plan. You can check this using the District Plan Property Search . | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 2. | The unit was existing on 6 December 2013 when the rule became operative (i.e. it was constructed and able to be occupied). Details: <input type="text"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

| | | |
|--|------------------------------|-----------------------------|
| <p>3. Each converted unit must have a minimum gross floor area of 35m², excluding terraces, garages, sundecks and verandahs.</p> <p>Details:</p> <div style="border: 1px solid black; height: 40px; width: 100%;"></div> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <p>4. Each converted unit must have a separate outdoor living space readily accessible from its living area that is at least 30m² with a minimum dimension of 3 metres.</p> <p>Details:</p> <div style="border: 1px solid black; height: 40px; width: 100%;"></div> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

If you have any questions about these rules please contact our Duty Planner at Duty.Planner@ccc.govt.nz

Any other comments:

3. 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 to do this. 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.

Full names and signatures of all registered owners of the unit(s), including any joint owners:

| | | | |
|-------------------|--|-------------------|--|
| Signature: | | Signature: | |
| Full name: | | Full name: | |
| Date: | | Date: | |
| Signature: | | Signature: | |
| Full name: | | Full name: | |
| Date: | | Date: | |

Attach an additional page if necessary

4. Owner's contact details:

Full name (including middle name):

OR

Registered Company / Trust /
Organisation name:

Contact person / Trustee names:

Landline:

Mobile :

Email:

Postal Address:

5. Owner's solicitor:

Name:

Name of firm:

Landline:

Mobile :

Email:

Postal Address:

6. Invoicing details:

The invoice for the processing fee to be made out to:

Owner

Solicitor

Other (specify below)

Other name:

Email:

Postal Address:

7. Privacy information

The information on this form is required for the Council to process your request. All information submitted is required to be kept available for public record, therefore the public (including business organisations, media 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 sensitive information in your request please let us know.

The Council is subject to the Privacy Act 1993. For a full privacy statement see: <https://ccc.govt.nz/the-council/how-the-council-works/privacy-statement/>. If you would like to request access to, or correction of, your details, please contact us.