

Resource Consents Unit

Request for discharge of encumbrance: Family flat 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 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 a family flat wishes to discharge (remove) an encumbrance because the flat has been converted into a residential unit able to be occupied by anyone, in accordance with Permitted Activity 14.4.1.1 P9 of the Proposed Christchurch Replacement 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.

Please note that a development contribution for the establishment of a second household unit on the site will usually be required if a building consent or resource consent is needed for the conversion, in accordance with the [Development Contributions Policy](#). Any required development contribution must be paid before the encumbrance is discharged. To check whether a development contribution will be required, and the amount, please contact one of our Development Contributions Assessors on 941 8999.

Property address

Address of property on which the family flat is located:

Street Address:

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

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.

District Plan requirements

For the encumbrance to be discharged the Council must be satisfied that the requirements of Rule 14.4.1.1 P9 of the Christchurch District Plan are complied with, or that a resource consent has been obtained for any breach of this rule.

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

Resource Consent number(s) (if consent was obtained for construction of the flat originally, or for any breach of the rule):
.....

Building consent requirements

The conversion of the flat may require a building consent for fire rating if the flat is attached to, or located within 2 metres of, the main dwelling. It is recommended that you check with a Building Consent Officer to confirm this before submitting this form. If a building consent is needed the consent must be obtained and the work completed before the encumbrance is discharged.

Does the conversion require a building consent? Yes No

If Yes: Building consent reference number:

Date of final inspection:

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 property (if in joint ownership).

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:

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 14.4.1.1 P9 of the Christchurch District Plan for the conversion of a family flat into a residential unit that can be occupied by anyone. For an encumbrance to be removed the Council must be satisfied that all of these requirements are met, 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	Rule 14.4.1.1 P9 Conversion of family flats
<input type="checkbox"/>	<p>1. The site is located in one of the following zones in the Christchurch District Plan (<i>select as relevant</i>):</p> <p><input type="checkbox"/> Residential Suburban</p> <p><input type="checkbox"/> Residential Suburban Density Transition</p>
<input type="checkbox"/>	<p>2. The family flat 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>
<input type="checkbox"/>	<p>3. The new residential unit converted from the family flat has a minimum gross floor area of 35m², excluding terraces, garages, decks and verandas. (<i>Please attach floor plan of unit</i>)</p> <p>Floor area:.....</p>
<input type="checkbox"/>	<p>4. A total outdoor living space area of least 90m², with a minimum dimension of 6m, is provided on the site. The total area can be provided as a single continuous area or divided into two separate spaces where each of the two units has a separate outdoor living space of 30m² which is readily accessible from that unit.</p> <p>Comment:.....</p> <p>.....</p>
<input type="checkbox"/>	<p>6. The new unit created from the family flat has one parking space, and the original residential unit must provide either one or two parking spaces depending on its size (1 space for units less than 150m², 2 spaces for units greater than 150m²). (<i>Please show the location of parking spaces for both on a site plan</i>).</p> <p>Comment:.....</p> <p>.....</p> <p>.....</p>
	<p>Any other comments:</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.