



Application for an Existing Use Rights Certificate



Resource Management Act (1991) Section 139A

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

Base Fee:

A deposit (Base application fee) of \$700 is required to be paid before processing will commence. An invoice will be issued when the application has been received. Additional costs on top of the base fee may be incurred in processing the application and will be charged at the hourly rates of staff accordingly.

Applicant Details:

Name of Applicant: _____

Address of Applicant: _____

Location of Activity: _____

Legal Description: _____
(from your rates notice)

Valuation Number: _____
(from your rates notice)

Telephone Number: (Home) _____ (Work) _____

To be contacted by email; please provide address:

Email: _____

Description of Use

Please describe in detail the use for which you are seeking an existing use certificate and the ways in which the use contravenes a current rule or rules in the District Plan.

Please also provide a scaled site plan showing the site layout and building areas used for the activity and any other plans and supporting information necessary to establish what rules are breached.

(use separate sheet if necessary)

Lawful establishment of Use

Describe how and when the use was lawfully established (e.g.: That an activity or building met the legal requirement at the time)

Please provide evidence that would prove the lawful establishment of the use (e.g.: Achieved council plans, building permits, consents, council approvals, correspondence, photos or any type of record)

(use separate sheet if necessary)

Character, Intensity and Scale of the Use

Please describe in detail the character, intensity and scale of the effects of the use at present, and how these effects are the same or similar in character, intensity or scale to those which existed before the use required consent.

(use separate sheet if necessary)

Continuity of the use

Please confirm whether the use has been continuous since the time if required consent. Provide evidence of continuity of use where available, for example company records, photos or phone bills (including dates). if the activity has ceases at all during this time, state the period for which it ceased (use separate sheet if necessary)

Reconstruction, Alterations or extensions to a Building

If reconstruction, alteration or extension to a building is proposed, does the proposed work increase the degree to which the building fails to comply with any rule in the District plan? (Note: If the answer is yes, existing use rights will not apply and the Council will be unable to issue an existing use Certificate)

Fees

I enclose the base fee as indicated below and I understand that I will be invoiced for any additional actual costs relating to this application:

Base Fee: **\$700**

Name & Address of Appointed Agent (if applicable):

Telephone Number: (Home)_____ (Work)_____
(Cell)_____ Fax No:_____

To be contacted by email; please provide address:

Email:_____

NOTE:

- 1. The applicant and his/her agent are liable for all fees and charges relating to this application. In the event of non- payment, the applicant and/or the agent will be liable for all legal and other costs of recovery.*
- 2. Where this application is completed and signed by an agent, the invoice for the fees will be sent to the agent and all communication regarding the application will be with the agent.*

SIGNATURE OF APPLICANT (OR APPROVED AGENT)

Date

Please note:

Existing Use certificate is not a building consent.

If your proposal involves new construction, structural re-modelling, plumbing, a relocated a building, or change of use you will also require building consent. If you have any questions, please contact Joy Koops at the Council on 03 319 5026.

You may also require consent from Canterbury Regional Council. Please contact them directly at 319-5781 for issues such as discharge, earth works, and water divergence.

Please remember Council is happy to answer any questions you may have. Pre-application appointments are available and many consents can be successfully completed by the applicant and few require notification.