

Planning Unit

Application for an Existing Use Certificate

Section 139A - Resource Management Act 1991

Send or deliver your application to: Selwyn District Council, PO Box 90, Rolleston 7643 or rcapps@selwyn.govt.nz

For enquiries phone: (03) 347-2800 or email: contactus@selwyn.govt.nz

1. Application

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 the required deposit together with plans, a certificate of title and other supporting information.

Has a copy of the application been submitted electronically, i.e. on a flash drive or disk?

(Note: Providing an electronic copy can reduce the overall administration costs associated with the application.)

☐ Yes ☐ No

2. The Agent

Name of Agent (include the contact persons name if a company, trust or similar):

Landline:

Mobile:

Email:

Postal Address:

3. The Applicant

(Note: The Applicant is responsible to the Council for all costs associated with this application)

Full Name:

Landline:

Mobile:

Email:

Postal Address:

Signature of Applicant (Or person authorised to sign on behalf of Applicant)

Signature:

Date:

Name:

4. The Site

Location of the proposed activity (street address):

Legal description of application site (state legal description (see the Certificate of Title) as at the date of application and, if titles are not yet available include details of relevant lot numbers and subdivision consent number):

5. 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 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:

Was there any pre-application advice/discussion prior to this application being made? ☐ Yes ☐ No

If Yes, what was the Planner's Name?

6. 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:

7. Character, Intensity & 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:

8. Continuity of the Use

Please confirm whether or not the use has been continuous since the time it required consent. Provide evidence of continuity of use where available, for example company records, photos, or phone bills (including dates). If the activity has ceased at all during this time, state the period for which it ceased:

9. 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.)

☐ Not applicable – no alterations, extensions or reconstruction proposed

10. Privacy Information

All the relevant information on this form is required to be provided under the Resource Management Act 1991 for Selwyn District Council to process your application. Under this Act this information has to be made available to members of the public, including business organisations. The information contained in this application may be made available to other departments of the Council. You have the right to access the personal information held about you by the Council which can be readily retrieved. You can also request that the Council correct any personal information it holds about you.

11. Information

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.
2. The required **deposit** must be paid before processing of this application will start.
3. This application under the Resource Management Act 1991 is in addition to any building consent application required under the Building Act 2004.
4. When this application is lodged with the Selwyn District Council, it becomes public information and is available for public inspection. If there is commercially sensitive information in the proposal, please let us know.
5. **If your application is inadequate, it may be returned to you unprocessed.** If additional information is required, you will be advised and processing of the application will be suspended until the information is received. To avoid delays and cost it is in your best interests to submit a complete application.

Office Check

☐ Information received and complete **yes / no** Resource consent #: _____ Date: _____

☐ Receipt #: _____