

Application for existing use certificate (s.10)

Development, Planning & Compliance

Wellington.govt.nz/services/reconsent

See section 139A of the Resource Management Act (RMA) 1991

SR No.

Send or deliver your application to Development, Planning & Compliance
PO Box 2199, 101 Wakefield Street, Wellington.

For enquiries, phone 801 3590 or Fax 801 3165 or email planning@wcc.govt.nz

Please answer all questions fully. When seeking an existing use certificate, the applicant must satisfy the Council, by providing clear evidence, that all the tests under section 10 of the RMA have been met.

Site

No. _____ Street _____ Suburb _____

Legal description _____

Please provide:

Site plan (1:100/200) showing legal boundaries, outlines of all buildings and structures, north point, site area, etc.

Certificate of title (computer freehold register) no older than three months.

Applicant's details

Name _____

Postal address _____

Phone (day) _____ Mobile _____ Fax _____

Email _____

Your agent (if applicable)

Name _____

Postal address _____

Phone (day) _____ Mobile _____ Fax _____

Email _____

Owner of the site that is the subject of this application

State the name(s) and address of the owner(s) of the site described above. If these are the same as for the applicant, tick this box and go to the next question.

Name _____

Postal address _____

Phone (day) _____ Mobile _____ Fax _____

Description of the use

Please describe in detail the use for which you are seeking an existing use certificate.

(Continue on a separate sheet if necessary.)

Lawful establishment of the use

Describe how and when the use was lawfully established (*eg that an activity or building met the legal requirements at the time*).

Please provide:

evidence that would prove the lawful establishment of the use (*eg archived Council plans, building permits, consents, Council approvals, correspondence, photos or any type of record*).

(Continue on a separate sheet if necessary.)

Continuity of the use

If the use would require resource consent to establish, please confirm whether or not the use has been continuous since it required resource consent. If the activity has ceased during this time, state the period during which it ceased.

Please provide:

evidence of continuity of use where available, (*eg company records, photos, or phone bills*).

(Continue on a separate sheet if necessary.)

Character, intensity and scale of the use

Describe in detail the character, intensity and scale of the effects of the use at present. If the use would now require resource consent, describe in detail how the character, intensity and scale of the effects of the use are the same or similar to those that were apparent before the use required resource consent. *(Does it look the same or similar, is there the same number of units, same staff numbers, are the hours of operation the same?)*

(Continue on a separate sheet if necessary.)

Reconstruction, additions or alterations to a building

If you are planning to reconstruct, alter or add to a building, does the proposed work increase the degree to which the building fails to comply with any rule in the District Plan *(eg is the building any higher or wider)?*

Please provide:

detailed plans (elevations/floor plans, etc) of existing and proposed building(s) showing compliance/non-compliance with District Plan rules (if applicable).

If no additions, alterations or reconstruction work are proposed, tick this box.

Fees

An initial fee must be paid before we can process your application.

I enclose the initial fee of \$_____. I understand that the Council may invoice me for the actual and reasonable costs incurred in processing this application as identified in section 36 of the Resource Management Act and the Council's current schedule of fees.

Additional fees

Further charges will be invoiced if there is additional time spent processing requests or for expenses incurred. Additional fees may be charged once a decision on your application is made or during processing. Additional fees will only be charged for amounts over \$65. Likewise, refunds will only be made for unused amounts over \$65.

Our terms of payment

Payment of additional fees is due by the 20th of the month following an invoice. If payment is not received, you will be liable for all legal and collection fees.

The declaration below must be signed by the person(s) or entity responsible for paying the costs of processing this application. If you are an agent, you will need to obtain the signature of the person(s) responsible for paying the fees before submitting the application to the Council.

Declaration

Subject to my rights under sections 357B and 358 of the RMA to object to any costs, I undertake to pay all costs associated with this application. I also agree to pay all the costs (including debt-collection or legal fees) of recovering any unpaid costs.

Send all invoices to:

Full name _____ Address _____

Applicant/Agent/Other (give details) _____

Phone _____ Email _____

I have read and understand the above conditions.

Signed _____ Date _____

Notes for the applicant

Incomplete applications will be returned. The Council may also request further information under Section 92 of the Resource Management Act 1991, to better understand the potential effects of the proposal.

Once this application is lodged with the Council, it becomes public information. If there is sensitive information in the proposal, please let us know.

Privacy information

The information you have provided on this form is required so that your application can be processed under the Resource Management Act 1991, and so that statistics can be collected by Wellington City Council. The information will be stored on a public register and held by Wellington City Council.

Under the Privacy Act 1993, you have the right to see and correct personal information.