

Existing use certificate application

Under Section 139A, Resource Management Act 1991

Notes for the applicant

Use this form to apply for an existing use certificate. An existing use certificate normally is requested when a person wants an existing use right documented for legal certainty. It's your responsibility to provide clear evidence that all the tests under Section 10 of the RMA have been met.

If you have any questions, email planning@wcc.govt.nz or phone the Resource Consents team on 04 801 3590.

Send the completed application to:

Resource Consents
Wellington City Council
PO Box 2199
Wellington 6140

Or email the completed application to:

planning.admin@wcc.govt.nz

Site

No.	Street:	Suburb:
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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 (*Record of Title*) no older than three months.

Applicant details

Full name:

Postal address:

Phone (*day*):

Mobile:

Email:

Fax:

Your agent (if applicable)

Name:

Postal address:

Phone (*day*):

Mobile:

Email:

Fax:

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:

Email:

Fax:

Description of use

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

(Continue on another page 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 another page 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 another page 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 another page 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 \$ _____ paid by (please tick the applicable box):

Credit card Internet banking Council service desk (receipt attached)

I understand that the Council may invoice me for the actual and reasonable costs incurred to process this application - as identified in Section 36 of the Resource Management Act and the Council's current fee schedule.

Additional fees

If we spend additional time processing requests or incur expenses we need to invoice additional fees. This may happen during processing or once a decision on your application is made. We only charge for amounts over \$65. Likewise, refunds will only be made for unused amounts over \$65.

Our payment terms

Additional fees are 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 application processing costs. If you are an agent, you will need to obtain the signature of the person(s) responsible for paying the fees before submitting the resource consent application to the Council.

How to pay

Internet banking

The Council's bank account number is 06 0582 0106111 00. Use "RC" followed by the site address as a reference.

Online

Pay online using your credit card. Visit wellington.govt.nz/payonline, choose Property from the dropdown box and follow the instructions.

Phone

You can pay over the phone with your credit card. Phone us on 04 801 3718.

In person

You can make payments by debit card at Wellington City Council service desks at:

Te Awe Library, 29 Brandon Street,
8am-5pm, Monday to Friday

Johnsonville Library, 34 Moorefield Road,
10am-5pm, Monday to Friday

We also accept Visa, MasterCard and American Express.

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 additional invoices to

Full name:

Postal address:

Applicant/Agent/Other (*give details*):Phone (*day*):

Mobile:

Email:

Fax:

I have read and understand the above conditions.

Signed:

Date:

Notes for the applicant

The Council may request further information under Section 139A (3) of the Resource Management Act 1991, to determine whether it must issue the certificate.

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 2020, you have the right to see and correct personal information.

Signature of applicant(s) or agent

Declaration for the applicant or authorised agent or other

I/we confirm that I/we have read and understood the notes above. If a private or family trust is the applicant, at least two New Zealand-based trustees are required to provide contact details and sign this form.

Applicant's name:

Applicant's signature:

Date:

Applicant's name:

Applicant's signature:

Date:

Applicant's name:

Applicant's signature:

Date:

Declaration for the agent authorised to sign on behalf of the applicant

As authorised agent for the applicant, I confirm that I have read and understood the above notes and confirm that I have fully informed the applicant of their/its liability under this document, including for fees and other charges, and that I have the applicant's authority to sign this application on their/its behalf.

Agent's full name:

Agent's signature:

Date:

How would you prefer to be communicated with?

via email (*please ensure you have provided your email address on page 1*)

via post, ie hardcopy