



APPLICATION FORM FOR AN EXISTING USE CERTIFICATE

PLEASE FILL IN ALL THE FIELDS

Application details

I/We

(must be the FULL name(s) of an individual or an entity registered with the New Zealand Companies Office. Family Trust names and unofficial trading names are not acceptable: in those situations, use the trustee(s) and director(s) names instead) hereby apply for an Existing Use Certificate, pursuant to section 139A of the Resource Management Act 1991.

Site location/description

I am/We are the: (☐ owner, ☐ occupier, ☐ lessee, ☐ prospective purchaser etc) of the site (tick one)

Street address of site:

Legal description:

Certificate of Title:

Contact details

Name: (☐ applicant ☐ agent (tick one))

Address:

Postcode:

Phone (daytime):

Email:

Chosen contact method (this will be the first point of contact for all communications for this application)

I wish the following to be used as the address for service (tick one): ☐ Email ☐ Post ☐ Other:

Planning application fees payment details (who are we invoicing)

THIS FORM MUST BE COMPLETED FOR ALL PLANNING APPLICATIONS THAT ATTRACT A FEE. ALL FIELDS ARE MANDATORY.

This information is required to assist us to process resource consent invoices and refunds at lodgement and the end of the process. If you have any queries about completing this form, please email planning@dcc.govt.nz

Deposit payment payee details:

Full name of deposit payee (person or company):

Mailing address of deposit payee (please provide po box number where available):

Email address of deposit payee:

Daytime contact phone number:

Important Note: The Payee will automatically be invoiced for the deposit and/or any additional costs. Should a portion of the deposit be unspent, it will be refunded to the payee.

Ownership of the site

Who is the current owner of the site?

If the applicant is not the site owner, please provide the site owner's contact details:

Address:

Postcode:

Phone (daytime):

Email:

Current use of the site

Please describe in detail the current use of the site. For example, describe the type of activity being carried out. Discuss the bulk and location of buildings, parking provision, traffic movements, manoeuvring, noise generation, signage, hours of operation, number of people on-site, number of visitors etc. Please provide plans showing what is existing.

Lawful establishment of the current use

Describe how and when the current use was lawfully established in the space below. The reference to 'lawfully established' is in regards to an activity that was once permitted in the District Plan, or was a predominant use in a older district scheme, or did not require any planning permission. Consideration of whether something was lawfully established will involve tracing back in time from the current activity until it was most recently a permitted activity or a predominant use. Evidence is required confirming that the activity at that point in time was established in accordance with the relevant rules in place then. Evidence will also need to be provided confirming that any changes made since then were also lawfully established. Attach evidence that proves the lawful establishment of the use, for example extracts from past Council district plans or district schemes, building permits/building consents/Council approvals, correspondence, photos or any other type of record.

Activity for which existing use certificate sought

Current Use	Proposed New Use
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If a proposed new use is intended, please describe this in detail. For example, describe the type of activity to be carried out. Discuss the expected bulk and location of buildings, parking provision, traffic movements, manoeuvring, noise generation, signage, hours of operation, number of people on-site, number of visitors etc. Please also describe the character, intensity, and scale of the proposed activity.

Rules being breached

Please state the current District Plan zoning, any overlays, and state which rules are being breached by the existing use or will be breached by the proposed new use.

Please also state the date upon which the most recent rule requiring resource consent for the use came into force (state month, year and the relevant rule).

Effects of use on date of most recent rule coming into force

Please describe in detail the effects of the use of the site when the most recent rule requiring resource consent for the activity came into force. For example, describe effects relating to the bulk and location of buildings, parking provision, traffic movements, manoeuvring, noise generation, signage, hours of operation, number of people on-site, number of visitors etc.

Effects of activity for which existing use certificate sought

Please describe in detail the effects of the activity for which the existing use certificate is sought. For example, describe effects relating to the bulk and location of buildings, parking provision, traffic movements, manoeuvring, noise generation, signage, hours of operation, number of people on-site, number of visitors etc.

Comparison of effects in terms of character, intensity and scale

Compare the effects of the activity on the date the most recent rule requiring resource consent for the activity came into force with the effects of the activity for which the existing use certificate is sought. Comment on whether the effects are the same or similar in character, intensity and scale.

Continuity of the use

Has the current activity been discontinued for a period of more than 12 months? You only need to consider the period between the most recent rule coming into force and the current date (as long as existing use rights have been retained between the use first being lawfully established and the date of the most recent rule coming into force).

Reconstruction, alteration or extension to buildings

Has there been any reconstruction or alteration of, or extension to, any building that increases the degree to which the building fails to comply with any rule in the District Plan? Consider the period between the date of the most recent rule coming into force and the current date. Also consider any proposed new reconstructions, alterations or extensions and whether they will increase the degree of non-compliance with any rule.

Declaration

I certify that, to the best of my knowledge and belief, the information given in this application is true and correct.

Subject to my/our rights under section 357B and 358 of the RMA to object to any costs, I agree to pay all the fees and charges levied by the Dunedin City Council for processing this application, including a further account if the cost of processing the application exceeds the deposit paid.

Signature of Applicant Agent (tick one):

Date:

Privacy – Local Government Official Information and Meetings Act 1987

You should be aware that this document becomes a public record once submitted. Under the above Act, anyone can request to see copies of applications lodged with the Council. The Council is obliged to make available the information requested unless there are grounds under the above Act that justify withholding it. While you may request that it be withheld, the Council will make a decision following consultation with you. If the Council decides to withhold an application, or part of it, that decision can be reviewed by the Office of the Ombudsmen.

Please advise if you consider it necessary to withhold your application, or parts of it, from any persons (including the media) to (tick those that apply):

Avoid unreasonably prejudicing your commercial position

Protect information you have supplied to Council in confidence

Avoid serious offence to tikanga Maori or disclosing location of waahi tapu

Fees

Council recovers all actual and reasonable costs of processing your application. Most applications require a deposit and costs above this deposit will be recovered. If the total is below the initial deposit, you will be sent a refund of the unspent money. A current fees schedule is available on www.dunedin.govt.nz or from Planning staff. Planning staff also have information on the actual cost of applications that have been processed. This can also be viewed on the Council website.

Further assistance

Please discuss your proposal with us if you require any further help with preparing your application. The Council does provide pre-application meetings without charge to assist in understanding the issues associated with your proposal and completing your application. This service is there to help you.

Please note that we are able to provide you with planning information but we cannot prepare the application for you. You may need to discuss your application with an independent planning consultant if you need further planning advice.

City Planning Staff can be contacted as follows:

In Writing: Dunedin City Council, PO Box 5045, Dunedin 9054

In Person: Customer Services Centre, Ground Floor, Civic Centre, 50 The Octagon

By Phone: (03) 477 4000

By Email: planning@dcc.govt.nz

There is also information on our website at www.dunedin.govt.nz.

Information requirements

Completed and signed Application Form

Site Plan, Floor Plan and Elevations (where relevant)

Supporting information (where relevant), such as previous District Plan/District Scheme Extracts, Building Consent/Permit documentation, affidavits/statements from people, etc

Certificate of Title (less than 3 months old) including any relevant restrictions (such as consent notices, covenants, encumbrances, building line restrictions)

Payee details

Application fee (cash, eftpos, direct credit or credit card (surcharge may apply))

In order to ensure your application is not rejected or delayed through requests for further information, please make sure you have included all of the necessary information.

OFFICE USE ONLY

Has the application been completed appropriately (including necessary information)? Yes No

Application: Received Rejected

Received by: Counter Post Courier Other:

Comments:

(Include reasons for rejection and/or notes to handling officer)

Planning Officer:

Date: