

Resource Consents Unit

Request for discharge of encumbrance: Elderly person's housing unit conversion

Submit this form online at: onlineservices.ccc.govt.nz; or

Email to: resourceconsentapplications@ccc.govt.nz; or

Deliver to: Resource Consents Unit, Christchurch City Council, 53 Hereford Street, Christchurch; or

Send to: Resource Consents Unit, Christchurch City Council, PO Box 73013, Christchurch Mail Centre, Christchurch 8154.

For enquiries phone: (03) 941 8999

Information about this form:

This form is to be used where the owner of an elderly person's housing unit in the **Residential Medium Density zone** wishes to discharge (remove) an encumbrance because the unit has been converted into a residential unit able to be occupied by anyone, in accordance with **Rule 14.5.1.1 P3** of the Christchurch District Plan.

A [fee](#) is payable when this form is submitted. We will send you an invoice with information about payment methods.

Where more than one unit on a site has been converted, requests to discharge the encumbrance from all of the converted units can be submitted on the same form. Additional fees may be incurred for multiple discharges.

Please note that in addition to Council requirements, there may be separate Body Corporate requirements that need to be complied with in order for your unit to be converted for general occupancy. It is recommended that you check with the Body Corporate for your unit, and/or your solicitor, before submitting this form.

Property address

Address of the property on which the elderly person's housing unit is located:

Street Address:

Legal Description: Lot:..... DP: Title no:

I have provided a Record of Title showing the existing encumbrance. Note: This can be obtained from Land Information New Zealand: <https://www.linz.govt.nz/land/land-records/order-copy-land-record/land-record-order-form>.

District Plan requirements

Rule 14.5.1.1 P3 of the District Plan allows the conversion of an elderly person's housing unit into a residential unit that can be occupied by anyone, if certain requirements are met. Before the encumbrance can be discharged the Council must be satisfied that the converted unit complies with all of these requirements, or a resource consent has been obtained for any requirements not met.

Please check and confirm that the unit meets all of the requirements listed below, and attach supporting information (e.g. site and floor plans).

<p>1. The site is located in the Residential Medium Density zone in the Christchurch District Plan. You can check this using the District Plan Property Search.</p> <p><i>Note: The District Plan rule allowing conversions in other residential zones expired in April 2018, so if the property is not in the Residential Medium Density zone a resource consent will need to be applied for and granted before the encumbrance can be removed.</i></p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
<p>2. The unit was existing on 6 December 2013 when the rule became operative (i.e. it was constructed and able to be occupied).</p> <p>Comments:</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>

<p>3. Each converted unit must have a minimum gross floor area of 35m², excluding terraces, garages, sundecks and verandahs.</p> <p>Comments:</p>	<p>Yes <input type="checkbox"/></p>	<p>No <input type="checkbox"/></p>
<p>4. Each converted unit must have a separate outdoor living space readily accessible from its living area that is at least 30m² with a minimum dimension of 3 metres.</p> <p>Comments:</p>	<p>Yes <input type="checkbox"/></p>	<p>No <input type="checkbox"/></p>

If any of the above requirements are not met, a resource consent is needed for the encumbrance to be discharged (either for the original construction of the EPH unit or for any breach of the above rules):

Resource consent number:

Any other comments:

If you have any questions about these rules please contact the Duty Planner at Duty.Planner@ccc.govt.nz

Request for discharge of encumbrance

Before the Council's solicitors can discharge the encumbrance it is necessary for you to request the Council to instruct its solicitors to do this. Please sign the following clause and provide the details below, and return this form to the Council. The Council's solicitors will then prepare the encumbrance discharge and advise you/your solicitor when the discharge has been registered.

<p>The owner(s) has/have read, understood and accept the Council's requirements and ask the Council to instruct its solicitors to prepare the discharge of encumbrance in accordance with the above requirements.</p>	
<p>Signed:</p> <p>Full Name:</p> <p>Date:</p>	<p>Signed:</p> <p>Full Name:</p> <p>Date:</p>
<p>Signed:</p> <p>Full Name:</p> <p>Date:</p>	<p>Signed:</p> <p>Full Name:</p> <p>Date:</p>
<p><i>Full names of all of the registered owners of the unit(s), including any joint owners. Attach an additional page if necessary.</i></p>	
<p>Owner's contact details:</p> <p>Name:</p> <p>Mailing Address:</p> <p>.....</p> <p>Phone (Landline): Mobile:</p> <p>Fax: Email:</p>	

Owner's solicitor:

Name:

Firm Solicitor works for:

Address:

.....

Phone (Landline):

Mobile:.....

Fax:

Email:

If this request relates to more than one unit, please attach contact details for any other owners.

Invoicing details

The Invoice for the processing fee is to be made out to:

Owner Solicitor Other (specify below):

Name: Email:

Postal Address:

Privacy information

The information on this form is required for the Council to process your request. All information submitted is required to be kept available for public record, therefore the public (including business organisations, media and other units of the Council) may view this request, once submitted. It may also be made available to the public on the Council's website. If there is sensitive information in your request please let us know.

The Council is subject to the Privacy Act 1993. For a full privacy statement see: <https://ccc.govt.nz/the-council/how-the-council-works/privacy-statement/>. If you would like to request access to, or correction of, your details, please contact us.