



R7

APPLICATION FOR CERTIFICATE OF COMPLIANCE
Under Section 139 of the Resource Management Act 1991

Please read information overleaf:

Applicant Name:
(full name)

Location:
.....
.....
(Street, Road, Locality, etc)

Legal Description:
(eg. Sec 610 Waimate TN)

Description of the activity:
.....
.....
.....
.....
(Provide more information on separate sheets if necessary)

Postal address for service of applicant:

Address:
.....
.....

Phone:

I have enclosed the \$150.00 processing fee. I have checked the operative Waimate District Plan to ensure that the activity described above is a permitted activity or could be lawfully carried out without a resource consent. I have included all other relevant information.

Signature:

Date:/...../.....

Information about Certificates of Compliance

What is a certificate of compliance?

A certificate of compliance is a formal document having the legal effect of a resource consent, valid for two years and protected from the effect of subsequent plan changes.

When should I apply for a certificate of compliance?

If you are intending to do something that is a permitted activity under an operative plan, and you think this activity will not be allowed or would require a resource consent under a proposed plan. You should apply before the proposed plan is publicly notified. A draft plan will give some guidance on what is likely to be in a proposed plan.

An example at the district level would be an activity that is permitted under the operative District Plan that will be an activity requiring resource consent or prohibited in the Proposed District Plan.

A fictitious example would be if an owner of a property wanted to build a new garage located on a street boundary. The operative District plan places no limits on where the garage should be located. A Draft Plan has shown intention of the Council to require all new garages to be at least 7 metres back from any road boundary. The proposed District Plan is about to be notified in two months. The owner pours the new foundations but is forced to wait for the rest of the materials for the garage to arrive. The owner has shown their intention to build the garage but if the building is not completed before the Proposed District Plan is notified they will be required to apply for a resource consent before they can continue.

A certificate of compliance would give protection from this situation if it has been granted before the proposed plan is notified.

Where does the certificate of compliance come from?

Section 139 of the Resource Management Act 1991 set out the requirements for a certificate of compliance, its format, the time limit for handling an application, and other matters.

How long does it take to get a certificate of compliance?

A certificate of compliance shall be issued within 20 working days from when it is received by the Waimate District Council or from the date that further information is requested is provided, whichever is the later.

What information should I include?

In addition to the information to be provided on the other side of this page you should include all relevant information to allow an assessment of whether the activity is permitted activity under the operate district plan. This may include:

- Site information ie. Drawings of location, distances to boundaries, neighbouring houses and buildings, access, area of buildings and property;
- Further description of activity eg. Days and hours of operation, noise levels, number of persons involved;
- Any adverse effects to be considered and the way in which they will be avoided, remedied or mitigated' or
- Alternatives that were considered.

Note: An application should have a satisfactory level of detail corresponding to the significance of the application. Providing a good amount and quality of information will ensure that there will be no delays while further information is requested.