

11. APPLICATION FOR EXISTING USE CERTIFICATE

General Manager responsible:	General Manager Regulatory and Democracy Group, DDI 941-8549
Officer responsible:	Environmental Policy and Approvals Manager
Author:	John Gibson, Planning Administration Manager

PURPOSE OF REPORT

1. The purpose of this report is to make a recommendation on whether the Council can issue an Existing Use Certificate pursuant to Section 139A of the Resource Management Act 1991 for an activity at 154 Leinster Road as a retirement home with 29 attached units. Section 139A was inserted into the Act in 2005 and there is currently no delegated authority to a Hearings Panel or to an Officer Committee to issue a certificate. This application therefore has to be considered by the Council (refer attached).

EXECUTIVE SUMMARY

2. Section 139A of the Resource Management Act 1991 allows for a person to request a council to issue a certificate stating that the use of the land is allowed by Section 10 of the Act. In this case the application is accompanied by sufficient evidence to establish that the site has been in use as a retirement home with 29 attached units for a continuous period dating back to 1998. Staff have made a rigorous examination of the evidence and are satisfied that an Existing Use Certificate can be issued.

FINANCIAL AND LEGAL CONSIDERATIONS

3. Nil.

STAFF RECOMMENDATIONS

It is recommended that the Council agree to issue, pursuant to Section 139A of the Resource Management Act 1991, an Existing Use Certificate for the use of the land at 154 Leinster Road (Lot 1 DP 75516) as a retirement home with 29 attached units.