



APPLICATION FOR AN CANCELLATION OF EASEMENT

s243e CERTIFICATE



Resource Management Act 1991

PLEASE COMPLETE ALL MANDATORY FIELDS* OF THIS FORM.

This form provides contact information and details of your application. If your form does not provide the required information it will be returned to you to complete. Until we receive a completed form and payment of the initial fee, your application may not be accepted for processing.

**THIS FORM IS NOT REQUIRED IF THE EASEMENT CANCELLATION IS BEING
PROCESSED AS PART OF A S223 OR S224C APPLICATION**

APPLICANT //

- Must be a person or legal entity (limited liability company or trust).
- Full names of all trustees required.
- The applicant name(s) will be responsible any associated costs

*Applicant's Full Name / Company /Trust:

All trustee names (if applicable):

Contact Name if company or trust:

*Postal Address:

*Post code:

*Contact details supplied must be for the applicant and not for the agent acting on their behalf and must include a valid postal address

*Email Address:

*Phone Numbers: Day

Mobile:

CORRESPONDENCE DETAILS //

If you are acting on behalf of the applicant e.g. agent, consultant or architect please fill in your details in this section.

Name & Company:

Phone Numbers: Day

Mobile:

Email Address:



Our preferred methods of corresponding with you are by **email** and **phone**.
The **decision** will be sent to the Correspondence Details by **email** unless requested otherwise.

INVOICING DETAILS //

Invoices will be made out to the applicant but can be sent to another party if paying on the applicant's behalf.
For more information regarding payment please refer to the Fees Information section of this form.

Please select a preference for who should receive any invoices and how they would like to receive them.

Applicant:

☐

Agent:

☐

Other, please specify:

Email:

☐

Post:

☐

Please provide an email AND full postal address.

*Attention:

*Postal Address:

*Post code:

*Email:



ADDITIONAL INFORMATION //

Please provide below any additional information that is required under the relevant provisions of the District Plan, Local Government Act 1974, Resource Management Act 1991 or any regulation.

Information Required to be submitted



Aware of initial fee



Cover Letter advising full details for each easement (e.g. related Easement Instrument and details of Burdened and Benefited land) and explanation for why it is appropriate to cancel each easement (e.g. any alternative arrangements in place for services, approvals from Benefited landowners etc) - see website for more details: <https://www.qldc.govt.nz/services/resource-consents/land-developments-and-subdivisions>



Copies of the Easement Instruments and Title Plans that created the original easements



A draft s243e certificate for checking <https://www.qldc.govt.nz/services/resource-consents/application-forms-and-fees>



Other (please specify)



Please ensure documents are scanned at a minimum resolution of 300 dpi

Each document should be no greater than 10mb

Applications and documents to be upload via **our Community Portal only**

Please note your application will not be accepted until all of the required information has been supplied to Queenstown Lakes District Council.



SITE DETAILS - Legal description field must list legal descriptions for all sites pertaining to the application

Address / Location to which this application relates:

Legal Description: Can be found on the Record of Title or Rates Notice – e.g Lot x DPxxx (or valuation number)



FEES INFORMATION

Section 36 of the Resource Management Act 1991 deals with administrative charges and allows a local authority to levy charges that relate to, but are not limited to, carrying out its functions in relation to receiving, processing of applications under this Act.

An invoice for an initial fee will be sent out typically within 1-2 business days of receipt of correctly completed application. Your application will not be processed until this invoice is paid. When making payment please use the application reference. Incorrectly referenced payments will be refunded directly to your bank account and you will be required to resubmit payment using the correct application reference.

If the initial fee charged is insufficient to cover the actual and reasonable costs of work undertaken on the application you will be required to pay any additional amounts. These will be invoiced monthly and are payable by the 20th of the month.

Please be advised that all legal fees associated with the processing of this consent, including checking and registration of all legal documents by Council's solicitors, are to be borne by the Applicant. Legal fees will be invoiced separately by our legal providers and require payment to be made direct to Council's solicitors via their nominated account.

A list of Charges and Fees is available on our website.



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PRIVACY INFORMATION

The information that you have provided on this form is public information and is gathered for a lawful purpose to ensure the efficient functioning of Council's duties, powers and functions under the Resource Management Act 1991, the Building Act 2004 and the Local Government Act. The information will enable Council to adequately assess your application in accordance with the statutory processes under the Resource Management Act 1991. The information may also be collected for and disclosed to, the Ministry for the Environment and Queenstown Lakes District Council, for the purpose of statistical analysis, so that the Agencies can efficiently undertake their statutory duties. The information will be stored on a public register (Council's eDocs website) and is available to the public in accordance with the terms and conditions set out on the eDocs website.

While available to the public through the eDocs portal, any disclosure of the information on the website must be in accordance with the Local Government Official Information and Meetings Act 1987 and must not be used for a purpose other than for the reason it was collected. Members of the public should not share or distribute this information for any purpose that is not a lawful purpose set out under relevant legislation.

Any unauthorised use, disclosure, or distribution of this information by third parties may constitute a breach of the Privacy Principles set out under the Privacy Act 2020 and may be reported to the Privacy Commissioner which could result in legal sanctions.



PAYMENT // An initial fee is payable upon receiving the initial fee invoice following the lodgment of this application.

Please wait for the initial fee invoice to be issued and **use the application reference on the invoice for your payment.**

This fee **MUST** be paid with the correct application reference in order for the processing to begin.

Incorrectly referenced payments will be refunded directly to your bank account and you will be required to resubmit payment using the correct application reference.

Amount to Pay - as per Fees and Charges Schedule - please select from drop down list below:



APPLICATION & DECLARATION

The Council relies on the information contained in this application being complete and accurate. The Applicant must take all reasonable steps to ensure that it is complete and accurate and accepts responsibility for information in this application being complete and accurate.

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If signing as **the Applicant:**

I/we hereby represent and warrant that I am/we are aware of all of my/our obligations arising under this application including, in particular but without limitation, my/our obligation to pay all fees and administrative charges (including debt recovery and legal expenses) payable under this application as referred to the Fees Information section.

OR:

☐

If signing as **agent of the Applicant:**

If signing as agent of the Applicant, I/we hereby represent and warrant that I am/we are authorised to act as agent of the Applicant in respect of the completion and lodging of this application and that the Applicant / Agent who details are in the invoicing section is aware of all of his/her/its obligations arising under this application including, in particular but without limitation, his/her/its obligation to pay all fees and administrative charges (including debt recovery and legal expenses) payable under this application as referred to the Fees Information section.

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I hereby apply for the Proposal described above and I certify that, to the best of my knowledge and belief, the information given in this application is complete and accurate.

Signed (by or as authorised agent of the Applicant) **

Name (of person signing) PLEASE PRINT

Firm/Company

Dated

**If this form is being completed on-line you will not be able, or required, to sign this form and the on-line lodgment will be treated as confirmation of your acknowledgement and acceptance of the above responsibilities and liabilities and that you have made the above representations, warranties and certification.

