

LAND INFORMATION MEMORANDUM

LIM Reference: LIM230726

Prepared by: Shelley Lines

Corporate Information Officer Marlborough District Council

Phone (03) 520 7400

Date: 21 December 2023

Site Details

Marlborough District Council Property Number	Property Location / Street Address	Property Owners	Legal Description	Area
150068	6799 SH 6, Rai	P M Jones &	LOT 1 DP 5816 BLK II	0.1149
		T L McCormick	HERINGA SD	Hectares



Applicant Details

Name:	B Hunter



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Statutory Information

Issued in accordance with Section 44A, Local Government Official Information and Meetings Act 1987 Refer Appendix A

Section A: Special features or characteristics of the land

Riparian Margins - Riverbed Identified in PMEP

This property contains land within 8 metres of a river, watercourse or Council maintained drain. There are rules that apply to development, and activities within this 8 metre margin and Resource Consent may be required. Further queries should be directed to Councils Duty Planner via Councils website https://www.marlborough.govt.nz/services/resource-consents/duty-planner-service-information/duty-planner-enquiry-form?ed-step=1

Liquefaction and Lateral Spread Hazard Risk

The Marlborough District is subject to seismic events, and this can have an impact on land stability through liquefaction/lateral spread. As a general guide, unconsolidated, non-cohesive sediments in combination with a high ground water table are prerequisites for liquefaction/lateral spread.

The Marlborough District Council has produced two reports called the Liquefaction Vulnerability Study: Lower Wairau Plains and the Marlborough District Council Liquefaction Assessment Guidelines. The reports are available on Council's website and should be reviewed by anyone intending to take an interest in property in Marlborough https://www.marlborough.govt.nz/services/building-services/liquefaction

If ground conditions indicate that a particular site may be subject to liquefaction and lateral spread in a seismic event, it is recommended that these ground conditions be investigated and reported upon by a suitably qualified person to address the potential for liquefaction/lateral spread to occur.

If land is potentially likely to be subject to liquefaction a specific Foundation Design to mitigate the effects of liquefaction may be required to support an application for a building consent. The obtaining of professional advice, especially involving a person or organisation qualified in geotechnical investigation where liquefaction/lateral spread may be indicated, is recommended.

Where this Land Information Memorandum (LIM) contains information about hazards on the property, such information is in general terms and is not a representation by Council as to the actual conditions of the subject land.

This LIM should not be relied upon in making assessments about the particular hazard or load bearing capacity of the land and any decisions about such capacity should be made with appropriate professional advice obtained by anyone intended to take an interest in the land.

Section B: Information on private and public stormwater and sewerage drains as shown in Council records

Not Reticulated

Council does not provide reticulated stormwater or sewer services to this property.

Wastewater System Maintenance

The wastewater system on this property requires continuing maintenance. Persons taking an interest in this property should contact the manufacturer of the system or suitably qualified person for full maintenance requirements. Further information is available from Council's website. https://www.marlborough.govt.nz/services/my-property/wastewater-management

Drainage Plans

No as-built drainage plans were located for this property.



Section C: Drinking Water

Drinking Water Supply

Records indicate drinking water supply to this property may be from a well. The current owner should be contacted to confirm water supply.

General Rules - Water

Reference should be made to the General Rules section of the Proposed Marlborough Environment Plan relating to taking of water for stock and domestic use.

Drinking Water Standards

Persons taking an interest in this property should make themselves aware of the source and quality of the drinking water supply. This supply may or may not be potable according to the Health Act 1956, The Building Act and the latest Drinking Water Standards for New Zealand.

Additional information can be obtained from the Taumata Arowai website

https://www.taumataarowai.govt.nz/for-water-suppliers/new-compliance-rules-and-standards/ or the Nelson Marlborough Health website https://www.nmdhb.govt.nz/public-health-service/environmental-health/drinking-water/

Section D: Information on any rates owing in relation to the land

Property Number	Current Annual Rates	Rates to clear to 30 June 2024
150068	\$1,610.38	\$821.23

Energy Efficiency Scheme

An application has been or is in the process of being accepted by Council for an Energy Efficiency targeted rate and the amount will be repaid over 9 years by a targeted rate on the above property. Please contact the Rates Office for further information regarding the start date, end date, annual rate, service amount and interest rate.

This information is correct at the time of printing and does not include any transactions or dishonours currently in process. The charging of rates is based on information currently held by Council. Any change to this information can affect rates charged.

Section E: Consents, certificates, notices, orders or requisitions affecting the land or any buildings on the land

Summary of Building Applications

Application Number	Description	Application Received	Application Issued	Status
BC220065	Free-Standing Jayline FR300 Solid Fuel Heater	31 January 2022	8 February 2022	Code Compliance Certificate Issued 1 April 2022

Solid Fuel Heaters

Solid fuel heaters and flues require regular cleaning, maintenance and safety checks. Council does not warrant the condition of the units. Anyone intending to take an interest should arrange for the units to be independently checked.



Summary of Planning Consents

Application Number Type of Consent		Status	Date of Decision
7/01/1045	Subdivision - Allotment Creation	Granted	4 August 1981

The consent application listed above has been included as it relates to the property subject of this LIM. Unless specifically stated, no assessments have been made as to the current status of the consent, including the consent's compliance status and if the consent has been given effect to or has lapsed. Anyone intending to take an interest in this property should undertake their own enquires as to the status of the consent. The decisions have been attached (**refer Appendix C**) for your reference.

Building Line Restriction

The contents of Notice No. K4014 on the Record of Title, relating to Building Line Restrictions should be noted. Application to remove Building Line Restriction may be made to Council at any time. No assurance is possible that any application would be approved. Further queries may be addressed to Council's Resource Management Administration Officer, Mrs Yvonne Lamb, phone (03) 520 7400.

Section F: Information notified to Council under Section 124 of the Weathertight Homes Resolution Services Act 2006

No information was located in Council records regarding any notification under Section 124 of the Weathertight Homes Resolution Services Act 2006 in relation to this property.

Section G: Use to which the land may be put and any conditions attaching to that use

Zoning – Proposed Marlborough Environment Plan

On 9 June 2016 Council notified the then Proposed Marlborough Environment Plan (PMEP) and on 20 February 2020 decisions were notified.

The PMEP will replace the operative planning documents and combines the documents into one. The documents being replaced being the Marlborough Regional Policy Statement, the Marlborough Sounds Resource Management Plan and the Wairau Awatere Resource Management Plan. Now that a decision on the PMEP has been notified, all rules in the PMEP have legal effect.

Parties who were involved in the PMEP process had the opportunity to lodge an appeal in respect of the decision. The period to do so has now closed. There have been 51 appeals lodged which will now be mediated or considered by the Environment Court. These appeals affect some, but not all parts of the PMEP. Those rules that are affected by an appeal will keep the same legal status they had following notification of the decision on 21 February 2020. Those rules that are unaffected by an appeal will have increased legal status becoming Treated As Operative with the corresponding existing rule in the Marlborough Sounds Resource Management Plan and the Wairau Awatere Resource Management Plan becoming inoperative.

Council recommends referring to the online Appeals version of the PMEP. This version is amended periodically to reflect the resolution of appeals.

https://www.marlborough.govt.nz/your-council/resource-management-policy-and-plans/proposed-marlborough-environment-plan/decisions-on-the-pmep/appeal-process/appeals-version-of-the-pmep

Zoning - PMEP

The property is zoned Urban Residential Two in the Proposed Marlborough Environment Plan. An area of this property is unzoned due to a waterbody or drain which crosses the property.



Designated Land - PMEP

This property adjoins land identified in the Proposed Marlborough Environment Plan, Appendix 14 - Schedule of Designated Land, and is designated for state highway purposes. The Requiring Authority is New Zealand Transport Agency.

Zoning Maps

Planning Maps attached (**refer Appendix B**). These Maps may not give all of the information from the Plans that are relevant to the property.

Maps included:

• Zoning Map – PMEP

Zoning - Operative Plan

The property is zoned Urban Residential in the Marlborough Sounds Resource Management Plan.

Development

This LIM does not contain any information about any potential financial contributions or development levies which may arise if the property is developed. These contributions and levies depend on the nature of the particular development and the application of the relevant provisions of Council's regulatory documents to the particular development. Any person wishing to develop the property should take independent advice in relation to these matters.

Planning Map Information

Whilst all effort is made to ensure the correct information is provided, colours, symbols and cadastral boundaries on the attached map(s) are indicative only and may differ from that shown in the Resource Management Plans. Reference should always be made to the planning maps of the Resource Management Plans for confirmation of zoning information. These can be viewed at the Council offices on request.

For further information/clarification of this section or for specific planning queries please contact Council's Duty Planner. Duty planner requests must be booked via Council's Website . Copies of the District Plans are available to view on Council's website www.marlborough.govt.nz or at Council's offices.

Section H: Information regarding this property which has been notified to Council by any other statutory organisation

No information was located in Council records, which has been notified to this Council from any other statutory organisation for this property.

Section I: Information regarding this property which has been notified to Council by a network utility operator

Electrical Code of Practice - Notified to Council from Transpower

Should any new buildings or structures on this property be proposed, the applicant must ensure that the proposed building or structure complies with the clearances prescribed in the New Zealand Electrical Code of Practice for Electricity Safety Distances (NZECP34:2001) in relation to any electricity lines. It is the responsibility of the applicant to ensure compliance with NZECP34:2001, and if necessary to contact the line owner to determine whether the proposed building or structure will comply, prior to commencing any site activity or construction.



Discretionary Information

The following information is information which is held by Council but which is not required to be provided by section 44A(2) of the Local Government Official Information and Meetings Act 1978. It is information which Council is providing in its discretion under section 44A(3) of the Act. The Applicant has, in requesting this LIM, accepted that Council is providing this information on the basis that Council has no liability in connection with its provision. This information should be received and considered on the basis that it is expressly provided as discretionary and not statutory information such that Council is not legally responsible for its provision.

Additional Rates Information

Property Number	Assessment Number	Land Value	Improvement Value	Year of Valuation
150068	20280 18100	\$79,000.00	\$206,000.00	2020

The 2023 revaluation was released in October 2023 and is used for rating purposes from 1 July 2023 to 30 June 2027 (3 years).

New property valuations effective as at 1 July 2023 have been prepared for Marlborough District Council by Quotable Value Ltd. Council rates will be updated based on the new 2023 rating valuations from 1 July 2024.

Further information on the new rating values can be found on Council's website. https://experience.arcgis.com/experience/3e782a9b45c54dd3bfe57d87b1785c6c

The provision of Council services in Marlborough is subject to ongoing review through processes such as the 2021-2031 Long Term Plan and Annual Plans. Copies of these are available on Council's website: https://www.marlborough.govt.nz/your-council/long-term-and-annual-plans-policies-and-reports

Further information on rates and revaluations can be found here:

https://www.marlborough.govt.nz/services/rates

Marlborough District Ground Conditions

Within the Marlborough District there are areas where hazards affect the property and ground conditions are such that the load bearing capacity of the land is low. It is not possible for Council to identify each area where such conditions exist.

As part of its Blenheim Urban Growth Study, Council has obtained a number of reports about the risk of liquefaction in the event of seismic activity. The reports are available on Council's website and should be reviewed by everyone intending to take an interest in property in Marlborough. This LIM (or the liquefaction reports) are not intended to provide an assessment of geotechnical risk affecting particular properties.

Where this LIM contains information about hazards on the property or load bearing capacity of the land, such information is in general terms and is not a representation by Council as to the actual conditions of the subject land.

This LIM should not be relied upon in making assessments about the particular hazard or load bearing capacity of the land and any decisions about such capacity should be made with appropriate professional advice obtained by anyone intended to take an interest in the land.

All Building Consent applications for new structures will need to be accompanied by a report which states the actual conditions found on site.

Access

Access to this property is via a private right of way not maintained by Council.

State Highway

For information regarding State Highways please contact Marlborough Roads, phone (03) 520 8330.



No Building Permit for Dwelling

The Marlborough District Council file for this property does not include a building permit for the dwelling on this property. It does not follow that a building permit was necessary at the time, nor does it follow that no permit was issued. All that can be said is that there is no record held on the current file. Anyone intending to take an interest in the property must make their own independent assessment of the property.

Lead

Historically lead was widely used in paint in New Zealand. White lead was banned in paint in 1965, while red lead and lead chromate were still in use until the late 1970s and early 1980s. Buildings constructed prior to 1985 are more likely to have lead-based or paint containing lead present on fixtures and fittings, and building components such as doors, skirtings, stairs, windows and frames. Lead present in paint becomes most hazardous when in a deteriorated state or when paint is being removed during renovations. Lead paint is a health risk through inhalation or ingestion of lead contaminated dust and soil which may be present on internal surfaces or in soils around buildings.

Council's records do not include a building permit for the dwelling therefore it is considered that the existing dwelling is likely to have been painted with paint containing lead. Please note, there is no Council record on file of a lead contamination assessment/inspection made on the property.

Potential purchasers should undertake their own due diligence and anyone seeking further information regarding lead contamination, its affects and remedial options should contact the Marlborough District Council at hail.enquiry@marlborough.govt.nz

Marlborough Sounds Future Access Study

Following the storm events of July 2021 and August 2022, Council have commissioned Stantec NZ to undertake the Marlborough Sounds Future Access Study. This study is to consider how a sustainable Transport Network can be provided to the Sounds Communities. This may mean changes to how properties currently gain access.

Further information for the study and/or updates is available by using the following link.

 $\frac{https://www.marlborough.govt.nz/services/roads-and-transport/marlborough-sounds-future-access-study}{access-study}$

Weather Event August 2022

Some Marlborough Sounds roads have been severely damaged in the recent storm events. They remain very fragile and may be closed following further rain events or while undertaking repairs.

Below is the link to the Marlborough Roads August Weather Event 2022 roading updates.

https://www.marlborough.govt.nz/services/alerts

Water Issues

Water issues are complex, particularly in rural areas where properties are not connected to a town supply. Information supplied with a LIM in relation to water matters is deemed to be correct as of the date of the LIM only and not beyond that date. Resource consents for water do not ordinarily run with the land and so it is particularly important that independent professional advice is obtained where water supply to the property is dependent on a resource consent.

Earthenware Pipes

Marlborough was affected by a series of earthquakes including what is known as the "Kaikoura" earthquake on 14 November 2016. Since then, Council has discovered damage to underground earthenware sewerage pipes which from part of Council's own sewerage network. The damage is such that Council is anticipating that these pipes will need to be replaced within the next ten years. Council does not know, specifically, whether there has been similar damage to earthenware sewerage pipes which are part of any private sewerage network, but it is possible that there has been similar damage.

If the property to which this LIM relates is serviced by a private sewerage network which contains earthenware pipes, those pipes may be damaged and need replacing.



Building Materials

Buildings constructed in the main before 2000 may well have materials containing asbestos within them, as such materials were commonly used in those times. Asbestos is a health risk when it is disturbed and breathed in as fine fibres. Those contemplating taking an interest in this property should make their own assessment of the products used in those buildings which were constructed in the time period indicated above and take such advice as is appropriate.

Restrictions and Responsibilities

Should the ownership structure for the property be a cross-lease, unit title, company ownership structure, there may be specific restrictions and responsibilities on any development related to the property based on the controls within that structure. Council does not enforce such restrictions. These are internal requirements as between various owners within the structure. Anyone intending to take an interest should obtain their own independent advice.

Buildings in Relation to Boundaries

Sometimes, for various reasons, buildings on land are not correctly sited. They may be too close to boundaries, stop banks, waterways, across boundaries or they may be wholly or partly sited on adjacent property or on legal road. Often Council will be unaware of a particular building since it may be an exempt structure in terms of Schedule 1 of the Building Act. Any person considering taking an interest in this property, should address the question whether any building may be incorrectly sited and take such advice as is appropriate. Aerial photos or other material issued as part of this LIM may assist but this material may have been superseded or may not be accurate so independent checking in all appropriate cases is recommended.

HAIL Register Review

Council is responsible for maintaining a Hazardous Activities and Industries List (HAIL) for the Marlborough Region. If the Land subject to this LIM is identified on the HAIL register it merely indicates that there may have been an activity or industry undertaken on the land where hazardous substances have been used or stored that could cause contamination if these substances escaped from safe storage, were disposed of on the site, or were lost to the environment through their use.

The register may not, however, capture earlier land uses or activities where records were less reliable, so Council is undertaking a systematic review of historical aerial photos and other information sources in its possession which may be indicative of the presence of contaminates. Therefore, the results of this review, as it relates to the property the subject of this LIM, will be reflected in the HAIL register or separately disclosed by Council in this LIM.

Methamphetamine

Potential purchasers should be aware that Council is not obliged to and does not maintain information about whether a property may be subject to contamination from methamphetamine. This LIM does not address this issue and anyone seeking information about contamination from methamphetamine in relation to this property needs to make enquiries elsewhere.

Affected Party Approvals

When an Affected Party approval is given for a property, the environmental effects of the resource consent are not considered against that property and does not change if ownership of the property changes. Anyone intending on taking an interest in this property may wish to confirm with the current owner if there have been any affected party approvals given for any resource consents that may have ongoing implications for this property.



Additional Information (Refer Appendix D):

• Aerial photograph (Please note: Boundary lines are indicative only) - Dated: 2023

SHELLEY LINES
CORPORATE INFORMATION OFFICER

Disclaimer

- The information in this LIM is provided to meet Council's obligations under the Local Government Official Information and Meetings Act 1987.
- The information which Council is required to provide is deemed to be correct on the date of issue of the LIM only and not beyond that date. Council has no obligation to advise of any changes to this information which may occur after the LIM is issued.
- The Discretionary Information is provided on the basis that Council disclaims liability for the provision
 of this information and that the requestor of the LIM accepts that Council has disclaimed such
 liability.
- This LIM may only be relied upon by the requestor of the LIM.
- The matters addressed in this LIM are addressed using information from Council's records. This
 information may not be sufficient or sufficiently recent in a particular case to adequately deal with any
 issue in relation to the property. Some information in Council's records is supplied by third parties
 and it may not be accurate. No inspection of the property has been made for the purpose of issuing
 this LIM.
- Persons intending to make decisions in relation to the property are encouraged to take appropriate professional advice including legal and engineering advice.



Appendix A - Section 44A

Local Government Official Information and Meetings Act 1987 Section 44A Land Information Memorandum

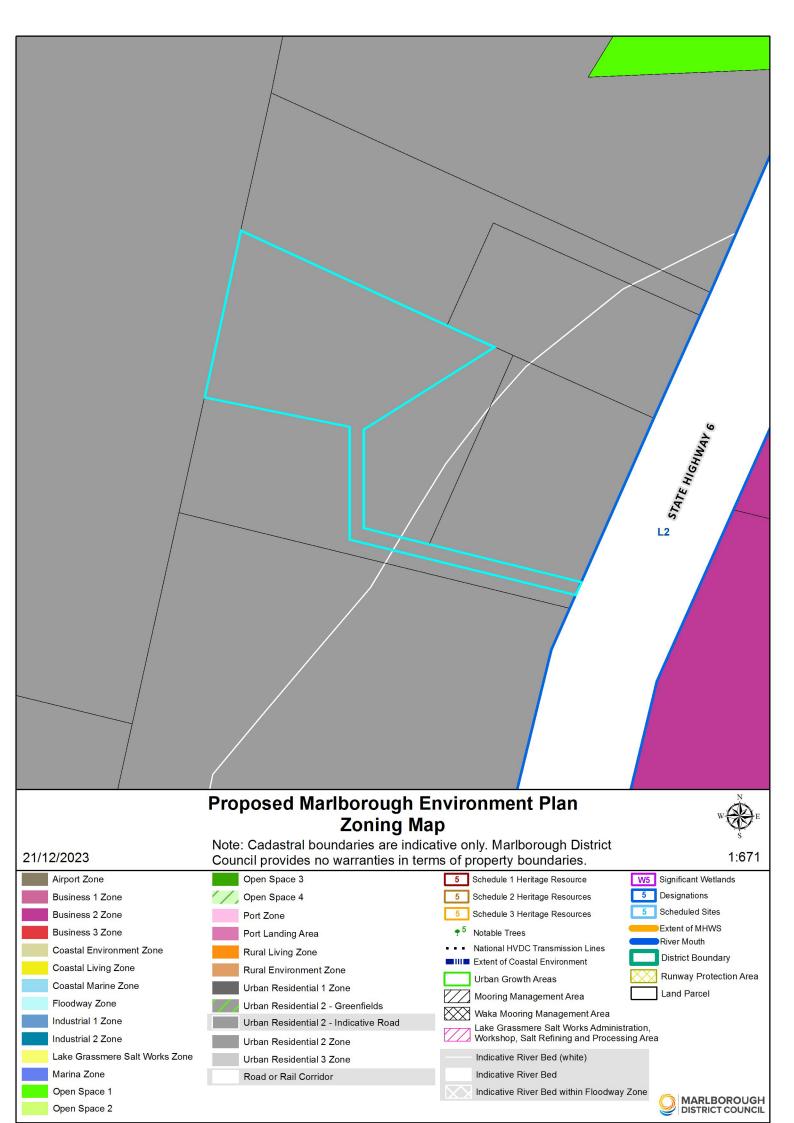
- 1. A person may apply to a territorial authority for the issue, within 10 working days, of a Land Information Memorandum in relation to matters affecting any land in the district of the authority.
- 2. The matters which shall be included in that memorandum are:
 - (a) Information identifying each (if any) special feature or characteristic of the land concerned, including but not limited to potential erosion, avulsion, falling debris, subsidence, slippage, alluvion, or inundation, or likely presence of hazardous contaminants, being a feature or characteristic that:
 - (i) Is known to the territorial authority; but
 - (ii) Is not apparent from the district scheme under the Town and Country Planning Act or a District Plan under the Resource Management Act 1991.
 - (b) Information on private and public stormwater and sewerage drains as shown in the territorial authority's records:
 - (ba) [Repealed]
 - (bb) information on-
 - (i) whether the land is supplied with drinking water and if so, whether the supplier is the owner of the land or a drinking water supplier:
 - (ii) if the land is supplied with drinking water by a drinking water supplier, any conditions that are applicable to that supply:
 - (iii) if the land is supplied with water by the owner of the land, any information the territorial authority has about the supply:
 - (iv) any exemption that has been notified by Taumata Arowai to the territorial authority under section 57 of the Water Services Act 2021:
 - (c) Information relating to any rates owing in relation to the land.
 - (ca) if the land concerned is located in a levy area that is subject to a levy order under the Infrastructure Funding and Financing Act 2020, information about—
 - (i) the levy period:
 - (ii) how liability for a levy on the land is assessed:
 - (iii) amounts of any unpaid levy:
 - (cb) if the land concerned is located in a project area that is subject to a targeted rates order under the Urban Development Act 2020, information about—
 - (i) the financial years to which the order applies; and
 - (ii) how liability for targeted rates under that Act on the land is calculated; and
 - (iii) amounts of any unpaid targeted rates under that Act:
 - (d) information concerning any consent, certificate, notice, order, or requisition affecting the land or any building on the land previously issued by the territorial authority (whether under the Building Act 2004 or any other Act).
 - (da) the information required to be provided to a territorial authority under section 362T(2) of the Building Act 2004:
 - (e) Information concerning any certificate issued by a building certifier pursuant to the Building Act 2004.
 - (ea) Information notified to the territorial authority under section 124 of the Weathertight Homes Resolution Services Act 2006.
 - (f) Information relating to the use to which that land may be put and conditions attaching to that use.
 - (g) Information, which in terms of any other Act, has been notified to the territorial authority by any statutory organisation having the power to classify land or buildings for any purpose.
 - (h) Any information which has been notified to the territorial authority by any network utility operator pursuant to the Building Act 2004.



- 3. In addition to the information provided for under subsection (2) of this section, a territorial authority may provide in the memorandum such other information concerning the land as the authority considers, at its discretion, to be relevant.
- 4. An application for a Land Information Memorandum shall be in writing and shall be accompanied by any charge fixed by the territorial authority in relation thereto.
- 5. In the absence of proof to the contrary, a Land Information Memorandum shall be sufficient evidence of the correctness as at the date of its issue, of any information included in it pursuant to subsection (2) of this section.
- 6. Notwithstanding anything to the contrary in this Act, there shall be no grounds for the territorial authority to withhold information specified in terms of subsection (2) of this section or to refuse to provide a Land Information Memorandum where this has been requested.

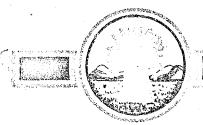


Appendix B – Maps





Appendix C – Planning Consent Decision



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P.O. BOX 19

BLENHEIM, N.Z.

TELEPHONE 83-249

APQ: MAB
IN REPLY QUOTE REFERENCE 7/19/1045 Min A2489

FOR ENQUIRIES ASK FOR Mr Quirk

4th August, 1981

Messrs Gilbert, Moore & Haymes, Registered Surveyors, P.O. Box 380, BLENHEIM.

ATTENTION: Mr Haymes

Dear Sirs,

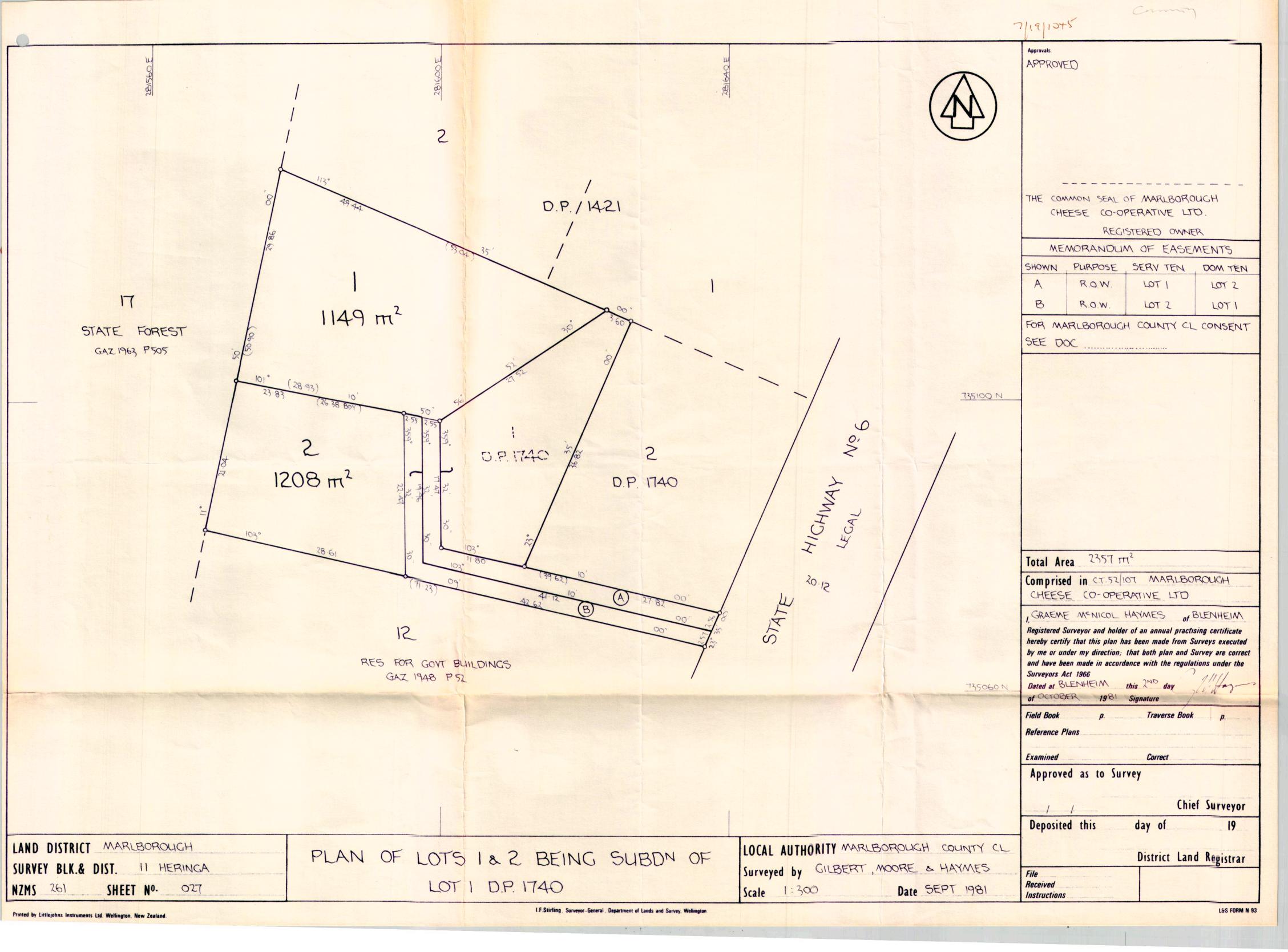
Re: Scheme Plan of Subdivision Rai Valley Dairy Co Limited

Council at its meeting held on the 31st July 1981 considered a scheme plan of subdivision of lot 1 D.P. 1740 and resolved that such plan be approved pursuant to Section 279 of the Local Government Act 1974 subject to payment of a reserve fund contribution.

A copy of the plan has been made available to the Valuation Department for a valuation for the purpose of assessing such contribution.

Yours faithfully,

A.P. Quirk, COUNTY SECRETARY.





Appendix D – Additional Information

