

4 July 2022

U Pandit & A Semwal
By email: pandit_urmila@yahoo.com

Dear Urmila & Alok

PURCHASE OF 10 GOODLAND PLACE ROLLESTON

I have reviewed the LIM and Title and report on same as follows:

RECORD OF TITLE

Attached is copy of the title (667116) and site plan. You shall own the whole of Lot 35 DP478087 containing 852m².

Please compare what you recall about the property's boundaries against the boundaries shown in the attached plan. The boundaries for Lot 35 are outlined in bold on the attached plan DP478087. The small round circles at corners of the boundaries depict where marker pegs should be present in the ground. If you are in any doubt as to where the boundaries of the property are, then we recommend that you engage the services of a Surveyor to clarify this for you. ***If you believe that there could be any discrepancies with the boundaries, then let us know at your earliest convenience.***

This title provides fee simple ownership, being the highest form of ownership available in New Zealand. There are several matters affecting the Title as follows;

Subject to s3 Geothermal Energy Act 1953

This Act reserves the right to tap, take, use and apply geothermal energy in favour of the Crown.

Subject to s6 & s8 Mining Act 1971

This Act reserves gold, silver and minerals in favour of the Crown.

Subject to s5 Coal Mines Act 1979

This Act reserves coal in favour of the Crown.

Subject to s261 Coal Mines Act 1979

This Act reserves the river bed in favour of the Crown.

Subject to s3 Petroleum Act 1937

This Act reserves petroleum in favour of the Crown.

Subject to s8 Atomic Energy Act 1945

This Act reserves uranium in its natural condition in favour of the Crown.

The above are not matters of concern for your property purchase.

Subject to s11 Crown Minerals Act 1991

This notation relates to land originally devolved from Crown or State Owned Enterprises and cannot be removed from the title. It reserves mines and minerals in favour of the Crown.

Subject to Part IV A Conservation Act 1987

This reserves the foreshore for the Crown, which is known as a marginal strip reservation. As your property is far away from the foreshore then it is not of concern to you. This notation relates to land originally devolved from Crown or State Owned Enterprises, and cannot be removed from the title.

Redundant appurtenant easement – A325845.8

An appurtenant easement is noted on the title. This means that this property that you wish to purchase has rights over other property (known as the servient land) for the purposes of conveying electricity.

Given the subdivision of the area since this easement became effective in 2014, it appears that the property that you wish to purchase may now be physically separated from the servient land.

This appurtenant right will not affect your enjoyment of this property in any way whatsoever.

Consent Notices –9901652.13 & 9901652.14, copies enclosed

These are limitations put on the title by the Council when they originally permitted the subdivision to proceed. Please refer to the attached documents for details of your obligations in respect of these Consent Notices. You will see that the Council have the following requirements:

- Unless a resource consent has been granted otherwise, the maximum height of any fence between the front of the building and the street/private right of way/share access shall be one metre. For lots that have frontage to more than one road/private right of way/shared access any fencing on the secondary road boundary is to be no higher than 1.8 metres.
- All development and activities on the lot are subject to the Living Z zone rules. Any activity that does not comply with the rules for permitted activity will require a resource consent.
- If the lot has frontage to an area specifically formed for a parking layby then the vehicle crossing to the lot is not to be constructed across the parking layby without prior approval of the Councils roading department.
- Any fence erected within 5 metres of any reserve and parallel to that boundary shall not exceed 1 metre in height except that where a fence or other screening structure is over 1 metre in height then the whole of that structure shall be 50% visually transparent. No fence screening structure shall exceed 1.8 metres in height. Note that a fence or other screening structure is not the exterior wall of a building or accessory building.

Land covenant in easement – 9901652.18 – copy enclosed

Land covenants restrict what you can and cannot do on your land. You can assume that similar covenants are registered on all the other lots of the subdivision detailed on the attached plan, but there is no guarantee that this is the case. These covenants are a private matter between the owners, and if somebody believes that a covenant has been breached, then it is up to them to enforce it. The Council or other outside parties will not get involved. Please read through the Schedule of the attached document, to ensure that the property currently complies with the covenants, and to ensure that you can abide by the covenants imposed. This document also outlines the process should there be any breach of covenant.

In accordance with clause 36 of this document, the developer should have provided their written consent for the original plans and specifications of the dwelling as this was a requirement continuing for 10 years from the dated of registration being 1.12.2014. Obtaining a copy of this authority your records is recommended for re-sale purposes, in the event that future purchasers of the property require this confirmation. I will ask the sellers solicitor to provide a copy of this original consent (if available).

Easement Instrument – 9901652.19

An easement is a right to use another owners land for a stated purpose (ie access, drainage, conveying of electricity, water, communications etc). With easements, the land owner must not interrupt or interfere with the designated portion of land, and maintenance costs are shared by those who benefit from having the easement, unless damage is a direct result of a landowners own actions.

An easement can be noted on the title as;

- "subject to" (meaning other land owners have rights over this property) or
- "appurtenant hereto" (meaning this land owner has rights over other property)

"Subject to" services easement

A designated portion of this land labelled "A" (refer the attached plan DP478087) has been allocated for right of way, right to drain water and sewage, right to convey water, electric power, telecommunications and computer media.

As land owner, you must not do or construct anything on this designated area which may interfere or interrupt the efficient operation of the easement. If necessary, you must grant reasonable access to the land for repair or maintenance. Costs are to be borne by the users of the facility on a fair and reasonable basis.

"Appurtenant to" easement

A designated portion of this land labelled "B" (refer the attached plan DP478087) has been allocated for right of way, right to drain water and sewage, right to convey water, electric power, telecommunications and computer media.

As such, this land gains the benefit and use of another persons land for the stated purpose. The neighbouring land owners must not do or construct anything on this designated land which may interfere or interrupt the efficient operation of this easement. If necessary, you as land owner will be entitled to reasonable access to the neighbours land for repair or maintenance, at your own cost, unless damage is a result of the land owners actions.

Right of way

A right of way is a right to pass at any time over property owned by another. This right extends to any persons with vehicles and machinery and any person whom the parties may invite. The right of way must be kept clear at all times, which includes ensuring that it is clear of parked vehicles.

You have the obligation to contribute with the other user of the right of way towards the cost of maintenance and upkeep of the right of way to an appropriate standard. Furthermore the land owner of the Right of Way is entitled to recover the cost of repairing any damage to the right of way made by any deliberate or negligent act of the other land owner and their invitees using the right of way.

Schedule 5 of the Property Law Act 2007 outlines the rights and obligations in regard to right of ways, and can be viewed on this webpage;

<http://www.legislation.govt.nz/act/public/2007/0091/latest/DLM969733.html>

Fencing Covenant in Transfer 11941204.1 – copy enclosed

Fencing covenants are normally placed on the title by a subdividing owner so that they are not required to contribute towards half of the costs of erecting boundary fences in the subdivision. If your adjoining properties are no longer owned by the original subdivider, then your adjoining neighbours must contribute equally towards the cost of fences in accordance with the Fencing Act.

The Fencing Act outlines owners rights and obligations, and can be accessed via the following link <http://www.legislation.govt.nz/act/public/1978/0050/latest/DLM21807.html>

Please urgently advise if there is any aspect of the title which you believe to be unsuitable for your requirements.

Land Information Memorandum

A Land Information Memorandum provides details on the character of the land, hazards, soil conditions, drainage, rates, building permits and any legislation affecting the land.

Rates

The rates for this property are \$1,969.65 per annum.

Planning/Resource Management

Zoning – Rolleston Living Z.

The Council has undertaken a review of the Operative District Plan and through this process it has developed a Proposed District Plan which provides clear objectives, policies and rules to manage the effects of land use activities on the environment, but also sets a clear direction for out district's

development and reflects our communities' needs and expectations. It also incorporates any changes of legislation, national and regional policy statements, environmental standards and other regulations.

As a result, some of the Proposed rules apply from the date of notification – 5 October 2020. These are generally rules that relate to the things we look after, like listed historic notable trees, Sites and Areas of Significance to Maori, indigenous biodiversity and provisions associated with protecting the natural character of surface water bodies. In some cases, resource consent may be required under either or both the operative and proposed district plans.

Your current property zoning may also change as a result of the District Plan Review and the bulk and location requirements for your zone may also change, therefore we recommend you read the Proposed District Plan in full to see what the potential impacts may be.

The Proposed District Plan can be viewed in ePlan format at: www.selwyn.govt.nz/proposedplan

Alternatively a summary guide which outlines the key changes between the Proposed and Operative plans and more information about the District Plan Review process can be found at: www.selwyn.govt.nz/districtplanreview

Please note this information is subject to change following the close of submissions and decisions/appeals.

A Resource Consent was granted 21.12.12 to create 220 Lots in a staged subdivision. A Section 224 Issued 29.11.16 for this consent.

A Resource Consent was granted also on 21.12.12 to undertake earthworks associated with the subdivision.

Please note that these consents are what is available in the Council's general property information and there may be others that have not been added to the property record.

Plains Flood Management Overlay and Liquefaction Damage Unlikely Overlay

The District Plan Review has considered the potential effects of Natural Hazards such as flooding, tsunami, wildfire and geotechnical hazards such as land instability, liquefaction and fault lines on properties across the District. This property is identified by the Proposed District Plan as being located within a Natural Hazard Overlay.

For further information visit <https://yoursay.selwyn.govt.nz/selwyndistrictplanreview> or contact the Planning Department.

Building

A Building Consent issued on 4.5.2021 for a 4 bedroom Domestic Dwelling with attached garage. A Code Compliance Certificate for this work issued 21.12.2021. (copy included in the LIM).

Please note that building owners can carry out certain types of building work without the need to obtain building consent approval (see Schedule 1 of the Building Act 2004). If the Council holds any information of this nature in regard to exempt works they do not check or review documentation.

Services

Water: The property is connected to the Rolleston water supply. Water connections are metered and charges are a rate payable on the property. This is billed every 6 months for every cubic metre of water used.

Please note the Council's advice regarding loss of water and their suggestions for personal management.

Sewer – Rolleston sewer scheme is connected.

Stormwater – to a soakhole.

A copy of the drainage plan is attached.

Land and Building Classifications

No known archaeological sites, historical trees or historical places on this property.

This property is located within an area under the Greater Christchurch Urban Development Strategy.

This property is located within an area under the Christchurch, Rolleston and Environs Transportation Study. More information can be obtained from the Council website listed in the LIM.

Flightpaths for the Christchurch International Airport take air traffic over this general area.

This property is located within the Lowes Road ODP (Operational District Plan) area or Living Z Zone. There are restrictions in relation to fencing which must be complied with. Read the land notes in relation to fencing so that when you erect fences on the property you do comply with these. As already noted there are Consent Notices on the title which also record the fencing requirements.

This property is located within the area encompassed by the Greater Christchurch Urban Development Strategy which an initiative to plan and manage the growth of the Greater Christchurch Region.

It is noted that the Council holds Geotechnical Assessments Reports for this property and these can be obtained from the Management Team at the Council.

LLUR

I have conducted a LLUR search which shows if there is (or has been) any contaminants noted on the property. A copy of this report is attached. You will note that the land was previously used for agricultural purposes and testing of the soil was carried out.

Land Transport Requirements

This property maybe affected by proposed roading and access changes relating to the Waka Kotahi NZ Transport agency Rolleston Flyover. Please refer to www.nzta.govt.nz/rollestonflyover for further information.

Special Land Features

Wind Region A

Snow Zone N4

Earthquake Zone 2

Approximate altitude 54m

Exposure Zone B – low. There is low risk from wind-blown sea-spray salt deposits.

The above features are in relation to NZ Building Standards.

There is no known alluvion, avulsion, erosion, landfill, hazardous contamination or slippage for the property.

Flooding: Flood Management Area - 500 year event

The Council is undertaking a District Plan Review and through this process the Council has obtained and holds information showing that this property may be susceptible to flooding from the Selwyn River and/or in heavy rainfall events. The two reports are outlined below and can be found at <https://apps.canterburymaps.govt.nz/SelwynNaturalHazards/>:

ECan report R19/41 – Selwyn Land Information Memorandum L211298 7 River/Waikirikiri floodplain investigation. The report identifies areas that may be affected by flooding from the Selwyn River/Waikirikiri.

DHI Water and Environment Ltd report – Regional Policy Statement Modelling for SDC – District Plan. The report identifies areas that may be affected by flooding in heavy rainfall events in the Selwyn District. For more information, please contact the Selwyn District Council: phone: 0800 SELWYN (735 996), email contactus@selwyn.govt.nz or visit 2 Norman Kirk Drive, Rolleston.

Ground water level is less than 30 metres below ground

Soil Type: Lismore stony silt loam.

Liquefaction and Subsidence: Council does not hold site specific information on subsoil classifications or ground bearing capacities. Therefore the applicant will need to carry out site subsoil investigations to verify 'Good Ground' can be achieved on the site and to determine the subsoil classification in accordance with NZS1170. Verification of site investigation data will need to be submitted as part of the documentation for Building Consent.

The definition of 'Good Ground' can be found in the Definitions section of the NZ Building Code Handbook, and appropriate test methods are detailed in either NZS3604, or NZBC B1/VM4.

Neighbouring Resource Consents

Finally, the LIM contains a map of resource consents for properties granted for properties within a 100m radius of the property. We recommend that you familiarise yourself with these and the activities being undertaken.

REVIEW

In respect of this LIM report I can only comment on the content provided in the LIM from the Council. I have not viewed the property myself and am not qualified to comment on any building aspects. I advise you to read the whole LIM report and if you have any queries/concerns that you

contact the Council to clarify. While I have summarised the contents of LIM and pointed out any aspects I think may be of interest/concern it is your responsibility to ensure that you are happy with the property and the surrounding area.

Yours faithfully

Property Transfer Office

A handwritten signature in black ink, appearing to read 'Karen Faalilo', with a small flourish at the end.

Karen Faalilo

Conveyancing Practitioner