

## Thinking of buying a property?

Before you buy a property you should get as much information as possible about it. You should also understand how it can be used or modified in the future based on its zoning, the rules in the District Plan and any Building Act requirements.

It can also be helpful to think about how the surrounding properties or environment might change over time.

Useful things to consider and check are:

- Do all the buildings have building consents and have they been inspected by Council?
- Do the building plans on file match what you see on site?
- Where are the drains on the property?
- Is there a protected tree on the property?
- Is the property in a flood prone area?
- Is there an archaeological site nearby?
- Is there a consent notice on the certificate of title of the property?
- Is the view able to be built out by the neighbours?
- Are there businesses operating from adjacent properties?
- How close to the boundary could I build a deck or can I extend the lounge?

## 5. COUNCIL WEBSITE

Council's website ([www.whakatane.govt.nz](http://www.whakatane.govt.nz)) has a copy of the District Plan which contains the rules that determine how a property can be used and what activities require resource consent. Planning maps, which show the zoning of a property, can also be viewed. Council's online mapping service allows you to view utilities and land parcel information for a particular property. Council's Rating Information Database can also be accessed from the website, and provides rating information including the current capital value for that property. You can download a number of other brochures including: applying for resource consents; subdividing; and building on Māori land. Advice about building, the Fencing Act, and relocating a dwelling is also available. The Council's Development Contribution Policy is also available on the website.

## 6. CERTIFICATE OF TITLE

Council can provide a copy of a Certificate of Title for a small charge. However we recommend that you ask the real estate agent or your lawyer to provide you with one instead. It is very important that you discuss any of the notations on the Certificate of Title with your lawyer before purchasing a property.

### FURTHER INFORMATION

This brochure is published by the Whakatāne District Council and is intended to provide general information only. It is not intended as a legal document and may not be applicable to all circumstances. For further information, please contact the Whakatāne District Council.

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# Buying a Property



The real estate agent and current owner should be able to answer many of your questions. However, you can also get valuable information from the Council. There are six main sources of information we can provide.

## 1. LIM REPORTS

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LIM stands for Land Information Memorandum. It is a report prepared by Council in relation to matters affecting land and buildings on a particular property. Basically it is an official legal summary of all Council's records for the property.

For example, it will provide details on the following:

- Services such as stormwater, water supply and wastewater
- Known hazards
- Government valuation of the property and rates levied for the current year
- Zoning of the property
- Information about activities occurring in the immediate area that may affect the property
- Building consents
- Resource consents
- Minimum floor level requirements
- Location of archaeological sites
- Some indication of information that is contained on Council's confidential file system.

Council strongly recommends that you obtain a LIM report either before making an offer, or as a condition of Sale and Purchase. Your lawyer may also recommend that you obtain a LIM.

### How long does it take to get a LIM?

A LIM report will be prepared by Council in 10 working days (or less, if possible).

The Whakatāne District Council does not provide a fast track service, so please ensure you leave enough time to apply for and obtain a LIM report.

## 2. PROPERTY FILES

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Council has created a file for each property in the District. Most of the information related to the property is then stored on this file. It is an historical record of the property, and includes any changes or events that have occurred on it or to it (as far as Council is aware).

### Why do I need to check the property file?

The file contains copies of building consents and plans. You should check that the buildings on the property all have building consents and that the layout of the buildings matches the approved plans.

A discrepancy might mean that un-consented work has taken place.

The property file may also contain:

- Resource consents
- Technical and engineering reports such as geotechnical reports
- Service connection information
- Site plans
- Code of Compliance Certificates for building work
- General correspondence
- Development contribution information
- Legal information.

Council staff are available to answer questions if you require help.

It is important to know that some information (such as complaints and some commercially sensitive information) will be stored on a confidential property file which you cannot view, unless approval is obtained.

### How can I view a property file?

You can request to view a property file by contacting the Customer Services Centre of Council. They need time to get the file, so it is a good idea to call a day or so ahead to arrange a viewing. There is a small charge to view a file. See Council's Fees and Charges for more information.

### Can I get a copy of a property file?

Yes. You can either request that individual pages be copied for a small fee, or you can request a copy of a

whole file. There is a charge and it will take a few days for staff to copy an entire file for you. See Council's Fees and Charges for more information.

## 3. SUBDIVISION FILES

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When someone applies to subdivide a property, the Council creates a subdivision file. All of the information related to the subdivision process is kept on that file, rather than on a property file.

Subdivision files may contain:

- Survey plans
- Site Plans
- Easement information
- Technical and engineering reports such as geotechnical investigations
- Service connection and infrastructure detail
- Ground level information
- Hazard information
- Archaeological reports
- Development contribution assessments
- Copies of consent notices or covenants
- Advice or information relating to future development.

### How can I view a Subdivision file?

You can request to view a subdivision file by contacting the Customer Services Centre of Council. They need time to get the file so it is a good idea to call a day or so ahead to arrange a viewing. There is a small charge to view a subdivision file. See Council's Fees and Charges for more information.

If you have questions about the information in a file, Council staff are available to help.

## 4. MAPS

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Council has aerial photographs of your property which may help identify land features. Council also has maps showing the location of infrastructure and the zoning of the property. These maps are provided as part of a LIM report but you can request that a map be prepared separately. There is a small fee for the preparation of a property specific map or photo. We also have an online mapping system on our Council website which shows some property information.