

Land Information Memorandum (LIM)



What is a Land Information Memorandum (LIM)?

A LIM is a Land Information Memorandum. A LIM is a document, prepared when it is requested by you, giving information relating to a specific property. The Council is obliged to make it available under section 44A of the Local Government Official Information and Meetings Act 1987.

A LIM is the most comprehensive report you can get on a property. The report is prepared by the Council providing historical and current information on commercial and residential properties, with information from its records on matters affecting the land and any buildings on a particular property.

Why should I get a LIM?

LIM's are commonly used by people such as prospective purchasers and sellers of a property, lawyers, real estate agents and valuers.

If you are buying or selling a property, a LIM may answer some important questions about the land or any buildings on the property. Knowing this information may be vital before a property sale or purchase is finalised.

What is in a LIM?

A LIM must contain information such as:

- special land features or characteristics known to the Council and not on the District Plan, such matters as potential erosion, removal of land by water action, falling debris, subsidence, slippage, flooding, the deposition of silt from flooding and the presence of hazardous contaminants that are likely to be relevant to the land and are known to the Council
- private and public storm water and sewerage drains shown in Council's records
- drinking Water that Greater Wellington Regional Council has provided to Upper Hutt City Council under Section 69ZH Health Act 1956 – whether the land is supplied with drinking water, and if so—the type of supply, any conditions applicable to the supply, if owner supplied, any information Upper Hutt City Council has about the supply
- any rates owing
- any consent, certificate, notice, order or requisition affecting the land or any building on the land previously issued by the Council under the Building Act 2004, or any other Act
- any consents or certificates that are issued by any Building Certifiers
- Weathertight Homes claims advised to Upper Hutt City Council by the Department of Building and Housing
- information provided to Upper Hutt City Council by any statutory organisation which has the power to classify land or buildings
- information that has been notified to the Council by a network utility operator under the Building Act 1991 or 2004
- the use to which the land may be put and any conditions attached to that use
- subdivision and developments – any known developments.

A LIM may contain:

- such other information concerning the land which the Council considers – at its discretion – to be relevant.

It does not provide interpretation of this information or advice on how to interpret or utilise this information. You should seek your own independent and professional advice on what the information means.

NOTE: Council can only provide information that it holds at the time the Report is written. Some issues may exist that the Council is unaware of and has no information on; for example, previous owners may have carried out work without reference to Council.

Frequently Asked Questions

Is property information available without having to apply for a LIM?

Yes. Limited property related information can be obtained from the Council's Rates and Planning Officers and by searching the building information on micro fiche and computer at Reception. Copies are also available after payment of the printing or photocopying fees charged in accordance with the Council's fees and charges. **Information obtained in this way is not a LIM.**

How long will a LIM take to process?

The Council is required to issue your LIM within ten [10] working days; after you have paid and provided the necessary information. *(Information marked with an * on the Online Form, right)*

"Working Days" means any day that is not a Saturday, Sunday, Good Friday, Easter Monday, Anzac Day, Labour Day, Queen's Birthday, Waitangi Day or a day between 25 December and 15 January inclusive.

A regional anniversary day is a working day for the purposes of a LIM.

"Day 1" is the first working day after the day on which the request is received.

What is the cost of a LIM?

There is no set fee, but a deposit of the minimum fee of \$285.00 is required. The fee is calculated on the basis of the time required to prepare your LIM.

Deposit covers up to:

- 3 hours officer time, and
- 100 pages of printing - a USB stick or electronic delivery option is available instead of a printed copy.

Additional costs

- \$80/hour for Councils time
- \$0.10c per additional printed page (per side).
- Courier delivery \$10.00

An invoice will be issued for all officer time and/or printing in excess of the amounts included in the deposit.

Is there a cancellation fee?

Yes. You will be charged \$25 plus \$25 per day for each day from the day you lodged your LIM application with Council, or the actual costs incurred up to the date of cancellation, whichever is greater. These costs will be deducted from your deposit. If the costs incurred up to the date of cancellation exceed the deposit, you will be invoiced for the balance.

Can my LIM be fast tracked?

There is no fast track facility but all LIMs are processed as quickly as possible.

NOTE: Please be sure that all the information requested on the form is included so that we can start preparing your LIM from the date you lodge it.

How do I apply for a LIM?

Complete the Council's LIM Application Form, in full and lodge with the Council.

LIM application forms are available from:

- Upper Hutt City Council Civic Administration Building
- by downloading the LIM application form (right)
- or by completing the form online (use the link on the menu, right)

A current (no older than three [3] months) search copy of the Certificate of Title (Computer Register) is required with your LIM Application. To get a copy of your Certificate of Title, contact LINZ:

Phone: 0800 665 463

www.linz.govt.nz (Land Information New Zealand) and search "Ordering a Land Record"

If you have any questions about the form, please contact the Customer Services Team on (04) 527 2169 or email askus@uhcc.govt.nz

How do I submit my application?

Drop off

Council's Administration Building
838-842 Fergusson Drive
Upper Hutt

Post

UPPER HUTT CITY COUNCIL
Private Bag 907
Upper Hutt 5140

Apply online

<http://www.upperhuttcity.com/homes-property/lims/apply-for-a-lim/>

Email

askus@uhcc.govt.nz

How do I pay?

You can pay by:

- Cheque
- Cash
- EFTPOS
- Internet banking
- Credit Card via UHCC website

If Council has received your Application by an online application, an invoice will be generated and returned via your email address supplied. You must use this invoice for making your payment.

Credit card payments are accepted using the Online Service <http://eservices.uhcc.govt.nz/lims/pay>. Please note that credit card payments are subject to a 1.4% service fee charge.

What are the delivery options and costs?

Collect

Council's Administration Building

838-842 Fergusson Drive

Upper Hutt

Free

Electronic delivery

An electronic LIM Report is a two email process, the first email you receive creates a Kiteworks account for the email address provided in your LIM Application. The second email contains the link to Kiteworks to access the folders that contain your LIM Report. It is recommended that you download the files because the link expires in 10 days. **Note the link to your LIM expires in 10 days.**

Free

Standard Post

(please note Council takes no further responsibility once it has been posted)

Free

Courier

(signature required)

\$10.00

For further information regarding LIMs, please contact the Council LIM Officer, phone (04) 5272-125.

Application for Land Information Memorandum (LIM)



FOR COUNCIL USE ONLY

Received / /

LIM NO: _____

Courier charge invoiced?

Yes No* if it is courier delivery,
reason why not charged

Invoice No. _____

Valuation Number: _____

PROPERTY DETAILS

A SEARCH COPY OF THE CERTIFICATE OF TITLE MUST ACCOMPANY THIS APPLICATION.

Street Address: _____

Name of Property
(if any) _____

Legal Description Lot _____ DP _____

Is there a swimming pool on site?
 Yes No Unknown

Is there a spa pool on site?
 Yes No Unknown

LIM Format

Printed and bound copy USB Stick Electronic Delivery

DELIVERY METHOD for Printed and Bound or USB Stick only

Ring to collect Courier when ready
(additional \$10.00 charge applies –signature required) Post when ready
(please note Council takes no further responsibility once it has been posted)

APPLICANT DETAILS

Name: _____

Contact Name
if different to above _____

Address _____

Mailing/Courier Address:
if different to above _____

Phone mobile: _____ Phone _____ Phone work: _____

Email: _____

Signature: _____ Date: _____
Applicant / On Behalf of Applicant

- NOTE:**
1. For processing to start a **deposit of \$285.00** GST incl., the minimum fee, must accompany this application and any additional processing costs will be invoiced separately once the LIM is completed.
 2. Please allow **10 working days** for processing
 3. Each Parcel of Land requires a separate LIM application. (Form 261)
 4. Cancellation fee applies
 5. Not all properties have building consents, code compliance certificates, planning permits, drainage permits and floor plans due to changes in regulatory regimes.

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 1977 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) any information that has been notified to the territorial authority by a drinking-water supplier under [section 69ZH](#) of the Health Act 1956:
 - (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 networked supplier:
 - (ii) if the land is supplied with drinking water by a networked 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:
 - (c) information relating to any rates owing in relation to the land:
 - (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 1991, 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 1991 or 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 attached 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 1991 or the [Building Act 2004](#).
- (3) In addition to the information provided for under subsection (2), 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).
- (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) or to refuse to provide a land information memorandum where this has been requested.