
LAND INFORMATION MEMORANDUM AUDIT

On behalf of
KAIPARA DISTRICT COUNCIL



JUNE 19
2020

PAUA PLANNING LTD

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AUDIT REPORT

Purpose

To assess the current process of producing LIM reports and to determine whether 25 randomly selected LIM reports produced in February and March 2020 met the requirements set out in s44A of the Local Government Official Information and Meetings Act 1987.

EXECUTIVE SUMMARY

There are some opportunities to improve the current process of LIM reporting in terms of time and cost efficiencies, as well as suggestions to make the final output more user-friendly for the those who read the reports. The key findings of this report are:

- Many other councils in New Zealand offer an express LIM service for which a higher fee is charged. It is suggested that Kaipara District Council offer an urgent LIM service for a higher fee, thereby increasing the revenue generated by the LIMs team.
- Direct input of information from each department to a shared LIM report database will speed up the process and eliminate the possibility of errors caused by double-handling information.
- Regular training and collaboration of all staff involved in producing LIM reports will be beneficial.
- Improved usage of hyperlinks to relevant information on the KDC website will provide a higher level of customer service by making information more accessible.
- KDC is currently in the process of converting all stored property information to a digital format. This is anticipated to speed up the LIM process and reduce the possibility of human errors.

Overall, it was found that LIM reports produced by KDC are of a high standard and that the requirements of the LGOIMA are being met by Kaipara District Council in terms of processing time and content of LIM reports.

AUDIT PROCEDURE

Telephone interviews were carried out with a representative from each department involved in providing information for LIM reports. Due to the Covid-19 restrictions under Level 4 and 3 these interviews were unable to be carried out in person.

The people interviewed were:

- Linda Osborne (Administration Manager)
- Pamela Henare (LIMs officer)
- Dina Tetzner (Post Approval Officer (Subdivision))
- Arran Arrieta (Roading Co-ordinator, Whangarei Office)
- Hannah Davies (Building Technical Support)
- George Lewis (Team Leader Monitoring and Compliance)
- Crystal Paniora (Water Services Administrator)
- Matthew Bayly (Planner)

Paua Planning were provided with 25 randomly selected LIM reports from February and March 2020 and the associated property files in electronic format, except for one property file that was not available, with a copy of the working notes and interdepartmental emails attached. Copies of the draft LIM process maps for each department were also provided.

An excel spreadsheet was created to record the following information:

- LIM reference, address, valuation number
- Application date, date of issue, number of working days to process, whether the timeframe was met;
- Whether the required information was provided, where applicable, under the following categories:
 - zoning map,
 - special feature map,
 - land feature (e.g. erosion, inundation),
 - private SW/WW,
 - Public SW/WW,
 - drinking water,
 - rates owing,
 - consent/certificate/notice order,
 - building completion,
 - building certificate,
 - weathertight home,
 - statutory information,
 - network utility provider,
 - any other relevant information.

LIM information and application forms on the websites of various other Councils in New Zealand were researched and a sample of LIM reports from three Councils (Auckland Council, Waikato District Council and Tauranga District Council) were also reviewed for comparison purposes.

ANALYSIS

Strengths

- Overall, the 25 LIM reports met the requirements of s44A of the Local Government Official Information and Meetings Act 1987 in terms of the information provided.
- All 25 reports were issued within the required 10 working day timeframe.
- KDC is currently working with NRC to add current flooding layers to the KDC maps which will improve the reliability of information relating to inundation.
- Process maps of the LIM process for each department have already been drafted. These are a helpful tool for training of new staff and managing the LIM process.
- The entire LIM reporting process has been digitised since late March 2020, just before New Zealand entered the Level 4 lockdown restrictions due to COVID-19. The processing of LIM reports was therefore able to continue during lockdown.

Weaknesses

- A number of reports were lacking in some way – for example, an incorrect zoning map or information on consents for “related” properties that are not relevant to the site in question.
- Information was found to be missing from some LIM reports – for example, a subdivision consent or information regarding a vehicle crossing permit.
- Some comments provided by email from departments were omitted from the final LIM report.

Opportunities

- Allow each department to input their information directly to each LIM report within the central database rather than forwarding it to the LIM team for input. This will reduce possibilities of information handling errors.
- Hold regular LIM team meetings to provide training updates and allow for discussion of problems between departments and ideas for improvements.
- Amend the LIM report template as follows:
 - Where hyperlinks are provided to the Kaipara District Plan, ensure each link directs the user to the specified page rather than the home page and leaving the user to search from there.
 - Provide a hyperlink to the District Plan page of the KDC Website in the “Planning/Resource Management” section.

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- Include a standard advice note and hyperlink to relevant information where a site is subject to a land and building classification, eg within a statutory acknowledgement area.
Note: it is essential that any hyperlinks included on LIM reports are checked for accuracy on a regular basis in case a webpage is changed or removed.
 - Ensure all maps provided with LIM reports have a title and legend.
 - Standardise the marking of sites on the planning and special features map so that they're clearly indicated.
 - Include "Special Features, e.g. Inundation" as a separate line in the Planning comment table to prompt planners to check for inundation and other features.
 - Add a note in the "Building" section advising applicants that any site plans and floor plans held by Council will be provided, and if further plans are required they can be requested separately. (Add hyperlink to relevant part of KDC website).
 - Improve wording in the "Sewer and Water" section to provide clarity, as detailed in the "Drinking Water" section below.
 - Include a standard statement on each LIM report referring to the Weathertight Homes Resolution Services Act 2006 and include this in the comment table for the Building department to ensure any relevant information is captured.
 - Where consents on adjoining sites are referred to, it would be helpful to provide the relevant address rather than the valuation number.

Threats

- Potential for existing long-term staff to leave, taking their extensive knowledge of the Kaipara District and historical issues with them, particularly the subdivision and monitoring department.
- Interruptions to the electronic data storage system.
- LIM reports may sometimes be viewed by staff as less essential than other Council work and are not prioritized.

BREAKDOWN OF ANALYSIS

Timeframes

- Section 44A(1) of the Local Government Official Information and Meetings Act 1987 (LGOIMA) specifies that LIM reports are to be issued within 10 working days.
- All 25 LIM reports were completed within the 10 working day timeframe:
 - 2 reports were issued in 4 working days
 - 5 reports were issued in 5 working days
 - 5 reports were issued in 6 working days

- 9 reports were issued in 7 working days
- 3 reports were issued in 8 working days
- and 1 report was issued in 9 working days.

Zoning and Special Features Maps

- One LIM report included an incorrect zoning map which did not show the site in question and another report did not include the planning map legend.
- It was noted that a number of zoning and special feature maps attached to LIM reports either did not mark the site at all or, if the site was marked, it was not always indicated clearly and the site was difficult to find. This was a particular problem for sites in rural areas where the maps have a much smaller scale. Some sites were indicated with a small red cross which was often difficult to spot, while others were marked more clearly with a large red arrow. In some reports the site was marked on the zoning map but not on the special features map.
- In general, the indication of sites on the attached maps were of mixed clarity.

Land Feature (e.g. inundation, erosion etc.)

- In general, special land features were indicated on LIM reports where applicable. In one report however, the LIM report did not mention any special land features yet the attached NRC map shows that part of the site is within the Coastal Erosion Hazard Zone.
- There seem to be some inconsistencies with reporting on special land features between departments. For example, in more than one report inundation was picked up by the Planning department and not by Infrastructure or Monitoring. This could be because each department accesses different sources of information (e.g. NRC Natural Hazards map), which should ensure that any special land features are captured between the three different departments.
It was noted that the comment tables that are filled in by each department includes “Inundation” as a separate line in the Infrastructure and Monitoring tables but is not mentioned in the Planning table. Where Inundation was noted by the Planning department, it was included in “Additional comments”. It is suggested that “Special Features, eg Inundation” is included as a separate line in the Planning comment table to prompt planners to check for inundation and other features.
- During the telephone interviews with staff the flooding maps were mentioned as sometimes being inaccurate and not up to date. Staff rely on the NRC maps and it was noted that KDC is currently working with NRC to add current flooding layers to the KDC maps.

Stormwater and Wastewater – Private and Public

- All 25 reports reviewed included information about both private and public stormwater and wastewater. As Built plans of private drainage were attached to the reports where available.
- Maps of public underground services (stormwater, wastewater and water) were attached to every report. It was noted that these maps have no title. The maps for sites that are serviced by the public network were relatively self-explanatory as they include a legend showing stormwater and wastewater lines etc.,

however rural sites that are not connected to the public network only show the site boundaries and have no legend, making the maps difficult to interpret. It is recommended that titles are added to all maps for clarity.

- Standard blurbs are included in the reports for different scenarios. For example, where a site has an on-site wastewater system, information relating to the Wastewater Drainage Bylaw 2016 is included along with a link to the bylaw on the KDC website. The link directs the user to the main Bylaw page of the website rather than directly to the Wastewater Drainage Bylaw page.

Drinking Water

- All reports included information about the supply of water, and where a site is connected to the public supply the water network is shown on the maps attached to each report. For sites connected to public supply information was given about the water account.
- It is suggested that the standard wording regarding water supply on the LIM report is amended for clarity. Rather than stating: “Water Not available”, something along the lines of “Drinking Water: The site is / is not connected to a public water supply” may be more helpful for readers of the LIM report.

Rates Owning

- All reports included rating information along with any outstanding rates in relation to the site.
Disclaimer: This audit has not reviewed the accuracy of rating information provided and it is assumed that the rating information taken from Council’s MagiQ system is correct.
- Standard wording is included in each Rates section of the LIM report referring the reader to both the KDC Long Term Plan 2018/2028 and to the KDC Development Contribution Policy 2018. A link is provided that directs the reader to the home page of the KDC website. From there, it is fairly easy to search for the Long Term Plan, however the Development Contributions Policy is more difficult to find. It is recommended that links are provided to each of the specific pages referred to for ease of access.

Consent; Certificate; Notice; Order

- All reports reviewed included reference to consents, certificates, notices and orders where applicable, however a number of reports included consents etc. that were related to the parent property and are not relevant to the site in question. This results in excessive information that can be confusing for the report reader. For example, one report included historical consents for a relocated dwelling and new kiln in 1974 on the parent property that has no relevance for the subject site. Many reports relating to subdivided sites include consents that are “Found on related property” that may not be relevant to the subject site. Also, consent notices were often included that are applicable to other subdivided lots and not the subject site. It is acknowledged that subdivided site files often contain many consents and it takes time and expertise to go through these files and pull out the relevant consents and consent notices. On balance, it is considered that it is preferable to provide too much information in a LIM report rather than run the risk of leaving out pertinent information.
- It is recommended that regular training is provided to staff to ensure the accuracy of subdivision information provided with LIM reports.

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- At least one staff member interviewed commented that there is a problem with the MagiQ database not linking property information properly and that this is currently being worked on.

Building Completion and Building Certificate

- All reports reviewed included building plans (site plan and floor plan) and Code Compliance Certificates where applicable and available. While additional plans (eg elevations) may be held on the property file it is not considered necessary to provide these with LIM reports as they are not usually needed in order to determine if the site contains unconsented buildings and they can be requested separately if necessary. It is recommended that a note advising applicants of this is included in the “Building” section of the LIM report.
- A standard note at the end of each report advises that final inspections on buildings were not mandatory prior to 1 January 1993 and that an independent qualified person should be consulted if an evaluation of buildings is required.

Weathertight Homes

- Section 44A(2)(ea) of the Local Government Official Information and Meetings Act requires that information notified to the territorial authority under section 124 of the Weathertight Homes Resolution Services Act 2006 (the WHRS Act) is provided in a LIM report. None of the reports reviewed mentioned this requirement, possibly because no homes on the subject sites have been subject to the WHRS Act. However, it would be prudent to include this in the comment table for the Building department along with a standard statement on each LIM report referring to this requirement for the sake of completeness.

Statutory Classification

- This comes under the “Land and Building Classifications” section of the KDC LIM report. Only one LIM report included information on statutory classifications, stating that the site is “Within Areas of Significance to Maori”. This relates to the Historic Heritage chapter of the Kaipara District Plan and although it is clearly marked as such on the attached “Sites, Features and Units” map there is no further information provided about what this means. It is suggested that where sites are within statutory acknowledgment areas etc, a standard advice note and hyperlink are included to provide further information.

Network Utility Operator

- Every LIM report reviewed included a standard blurb stating that “Information related to the availability of supply, authorisations etc (eg electricity or gas) can be obtained from the relevant Network Utility Provider.”

Cost of LIM Reports

- The current cost of obtaining a LIM report from Kaipara District Council is a flat fee of \$315.00. The cost of LIM reports from 13 other Councils around New Zealand was researched with the average cost of a standard LIM being \$262.44. Eight of the Councils charge more for LIM reports on rural or commercial sites, and six of the Councils provide an urgent or express LIM report service, for which a higher fee is charged. The average fee for an urgent LIM is \$434.00. (See attached list of Councils and LIM information).
- The time taken to provide information for LIM reports is not recorded by KDC staff. The staff interviewed were asked to estimate the time spent on reports for simple/straightforward sites and for more complex sites. The estimates given are shown below:

Department	Straightforward site	Complex site
LIMs team	3 hours	2 days
Planning / Subdivision	5 min + 5 min	3 hours + 15 min
Roading	-	-
Building	30 min	1 day
Monitoring	5 min	20 min
Water/Infrastructure	5 min	10 min
Total:	Approx: 4 hours	Approx: 3.5 days

“Complex sites” generally refer to sites that have been subdivided and require additional time to extract the relevant information for the specific site in question. It does not therefore appear that LIM reports for rural or commercial sites take significantly longer than residential sites and an increased charge for rural or commercial LIM reports would not be justified.

There may however be scope for KDC to provide urgent LIM reports for a higher fee. 19 of the 25 reports sampled were produced within 5-7 days. Where an urgent LIM is required, for example within 3 days, a higher fee could be charged. This would require amended service level agreements with each department to ensure urgent reports are prioritized and completed within specified timeframes. A change to the current process of compiling LIM reports whereby each department inputs their information directly into each LIM report would help expedite the process.

Comparison with LIM reports from other District Councils

LIM reports were obtained from three other District Councils (Auckland Council, Tauranga City Council and Waikato District Council). In general, the LIM reports from Kaipara District Council are of a high standard and include all the required information in a succinct and easily understood manner.

- The layout of each LIM report is quite different. Compared to the other reports, the KDC reports are clear and easy to follow and understand.

- The rating section of the KDC LIM reports includes the name of the current owner(s) of the site while two of the other LIM reports surveyed (from Tauranga City Council and Auckland Council) did not include this information. The Waikato District Council LIM report did include the names of the current property owners. This information is not required to be provided under the Local Government Official Information and Meetings Act 1987 and it is queried whether this information is necessary as the property owners are listed on the Certificate of Title.
- The Waikato District Council LIM report includes information on refuse and recycling collection, including the day of collection for the site in question. While this information is not required under s44A of LGOIMA it does deliver a high level of customer service.
- No building consent plans were included with the LIM report from Auckland Council. While s44A of LGOIMA does not specifically require building consent plans to be provided, such plans are helpful for the applicant to determine if the site contains any unconsented buildings.

The KDC LIM reports include several notes at the end of the report for the applicant's information. Comments on these notes are in red as follows:

1. *Final inspections on buildings were not mandatory prior to 1 January 1993. Should an evaluation of the building be required an independent qualified person should be consulted. In the interests of safety, an inspection of any fireplace within the dwelling may be requested of Council at any time, after paying the appropriate fee.*
2. *Every care has been taken to ensure that the information supplied by the Council on this form is accurate. The Council relies on information available to it, and will not be held responsible for incomplete or inaccurate information provided, or for any errors or omissions made in good faith.*
3. *Please note that the property was neither inspected nor visited in the course of the preparation of this Land Information Memorandum.*
4. *Other information may be held by other authorities, for example the Northland Regional Council or Heritage New Zealand.*
5. *This Land Information Memorandum is a disclosure of information (which may be historical) held by the Council at the time of application and is subject to change.*
Add note that "This LIM report is valid as at the date of issue only."
6. *Any enquiry not accompanied by a fee will be invoiced separately. (All prices are GST inclusive.)*
Add note that processing of the LIM report will not begin until the appropriate fee has been received by Council.
7. *No Certificate of Title was supplied with this application for this Land Information Memorandum. The Council therefore does not warrant that the information supplied is related to the correct property.*
This appears to be a standard note on all LIM reports, including those where a CT was provided with the application. A more appropriate wording would be: "If no Certificate of Title was supplied with this application for this Land Information Memorandum, the Council does not warrant that the information supplied is related to the correct property."
8. *Any Resource or Building consents run with the land; if the project is incomplete, there may be existing/additional charges to pay for which the new owner will be liable.*
It is recommended that applicants are advised to make an appointment with a planner or building officer to discuss any such consents.

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9. *A Development Contribution and or Financial Contribution may be payable if development is carried out, the effect of which is to require new or additional assets or assets of increased capacity and as a consequence Council incurs capital expenditure to provide appropriately for those assets and that capital expenditure is not otherwise funded or provided for. Future rating policies are outlined in Council's Long Term Plan 2018-2028.*

It would be helpful to provide a hyperlink to the Long Term Plan [here](#).