

Policy:	Discretionary information in the preparation of Land Information Memoranda
Department:	Environmental Services
Approved by:	Policy and Services Committee
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1. Purpose

- 1.1 The purpose of this policy is to describe how the Council will exercise its discretion under section 44A(3) of the Local Government Official Information and Meetings Act 1987 (LGOIMA).

2. Scope

- 2.1 This policy relates to Land Information Memoranda (LIM) issued under section 44A of LGOIMA.

3. Objectives

- 3.1 That the Council's approach to issuing LIMs is consistent in terms of the information that is included and that LIMs issued contain appropriate information..

4. Principles

- 4.1 As a guiding principle, the Council will disclose all information it holds that is relevant to the current and future use of the subject land, and any external factors that the Council is aware of, that may influence how the land is used in the future.
- 4.2 When possible, information specific to the subject land will be provided. In circumstances where only generic information that could be relevant to the subject land is available, this will be provided or referred to at an appropriate level of detail.

5. Background

- 5.1 On request, the Council must prepare a LIM on any land in the district, in accordance with section 44A(1) of LGOIMA. Section 44A(2) identifies some items of information which must be included in any LIM issued. Section 44A(3) further states:

“A territorial authority may provide in the memorandum such other information concerning the land as the authority considers, at its discretion, to be relevant.”

6. Discretionary Information to be included

- 6.1 In addition to the information the Council must provide in accordance with section 44A(2) of LGOIMA, the Council will exercise its discretion pursuant to section 44A(3) and include the following information where it is held:
1. Resource consents that have been issued by the Council or applications for resource consent that have been lodged with the Council for land adjoining or adjacent to the subject land.
 2. Council capital works programs that are planned or proposed on land adjoining or adjacent to the subject land.

3. Information about natural hazards known to the Council that are currently not shown on the district plan maps.
4. Whether the subject land is within or adjoining a statutory acknowledgment area arising from treaty settlement legislation.
5. The location of the subject land in relation to the following established landmarks that generate noise:
 - Stratford Speedway
 - Stratford Sale yards
 - Stratford Power Station
6. The location of the subject land in relation to high-hazard or industrial land uses such as:
 - Commercial poultry sheds
 - Oil and gas exploration or production facilities.
7. The location of the subject land in relation to areas that are proposed or currently metered for water use. If the subject property is fitted with a council owned water meter, a LIM shall identify this and highlight the requirement for a final meter reading as part of any change of ownership.
8. The status of any major policy reviews being undertaken by Council that may be relevant to the subject land, including:
 - Annual Plan or Long Term Plan review
 - District Plan review
 - Bylaw review
 - Council Policy review.