



ANALYSIS

<p>Title</p> <p>1. Short Title and commencement</p> <p>2. Land information memorandum</p>	<p><i>Land Information Memoranda</i></p> <p>44A. Land information memorandum</p>
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1991, No. 151

An Act to amend the Local Government Official Information and Meetings Act 1987 [20 December 1991]

BE IT ENACTED by the Parliament of New Zealand as follows:

1. Short Title and commencement—(1) This Act may be cited as the Local Government Official Information and Meetings Amendment Act (No. 2) 1991, and shall be read together with and deemed part of the Local Government Official Information and Meetings Act 1987 (hereinafter referred to as the principal Act).

(2) This Act shall come into force on the 1st day of December 1992.

2. Land information memorandum—The principal Act is hereby amended by inserting, after section 44, the following heading and section:

“Land Information Memoranda

“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:
- “(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 or any other Act):
- “(e) Information concerning any certificate issued by a building certifier pursuant to the Building Act 1991:
- “(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.

“(3) In addition to the information provided for under subsection (2) of this section, 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) of this section.

“(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) of this

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Information and Meetings
Amendment (No. 2)*

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section or to refuse to provide a land information
memorandum where this has been requested.”

This Act is administered in the Department of Internal Affairs.
