

Valuation Number: 07151/145.07
GIS ID: 3725/0004/000

31 July 2019

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Delivery Method; Email

LAND INFORMATION MEMORANDUM — 4 PHOENIX DRIVE, WHAKATANE

Please find attached a Land Information Memorandum for the above property. This LIM is issued on 31 July 2019 and is accurate as at that date only.

If you have any comments or questions in regard to this Land Information Memorandum please contact us on the numbers below.

Yours faithfully



Kara Dowthwaite
Team Leader Environment

Address all correspondence to:

Chief Executive, Whakatāne District Council, Private Bag 1002, Whakatāne 3158 | Phone 07 306 0500 | info@whakatane.govt.nz

DATE OF ISSUE	31 JULY 2019		
VALUATION NUMBER	07151/145.07	GIS NUMBER	3725/0004/000
1 NAME OF PROPRIETOR			
Phoenix Drive Property Investments Limited			
2 LOCATION			
4 Phoenix Drive, Whakatāne			
3 LEGAL DESCRIPTION			
Lot 1 Deposited Plan 378419			
4 PHYSICAL DESCRIPTION			
House/Unit Number	4	Street	Phoenix Drive
RD Number		Suburb/Area	
Town	Whakatāne	Post Code	3120
5 AREA			
2.7460 hectares (more or less)			
6 ZONING			
Large Format Retail under the Whakatāne District Plan			
ATTACHMENTS			
<ul style="list-style-type: none"> Record of Title Legal Description Map Culture and Heritage Map Underground Services Map Floor Plan(s) Easement Instrument(s) Easement Instrument(s) Keys to Map District Plan Map(s) Community Facilities Map Permit(s) and Consent(s) Resource Consent decision letter(s) Consent Notice(s) Geotechnical Investigation Reports 			

7 SPECIAL FEATURES	COMMENTS
• Potential erosion	No information available
• Avulsion (the sudden removal of land, by the change in a river's course, or by flooding, to another person's land)	No information available
• Falling debris	No information available
• Subsidence	No information available
• Landslide and Debris Flow	No information available

<ul style="list-style-type: none"> • Alluvion (the deposit of earth, sand, etc, left during a flood) 	<i>No information available</i>
<ul style="list-style-type: none"> • Inundation 	<i>No information available</i>
<ul style="list-style-type: none"> • High winds 	<i>No information available</i>
<ul style="list-style-type: none"> • Fill (compacted/uncompacted) 	<i>No information available</i>
<ul style="list-style-type: none"> • Hazardous contaminants, including dangerous goods 	<p><i>This site is a confirmed Hazardous Activities and Industries List (HAIL) site (Site ID: WHK 83). It is registered under the category of "Wood treatment or preservation including the commercial use of anti-sapstain chemicals during milling, or bulk storage of treated timber outside"</i></p> <p><i>All activities on site need to comply with National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health.</i></p> <p><i>Further information in relation to HAIL information can be obtained from the Bay of Plenty Regional Council. You can request this information via: https://www.boprc.govt.nz/do-it-online/request-or-enquire/hail-request/.</i></p>
<ul style="list-style-type: none"> • Historic sites 	<p><i>The property has a recorded archaeological/wahi tapu/historic site in the vicinity, please refer to the attached Culture and Heritage Map for the location of the sites.</i></p> <p><i>Further information may be available from Heritage NZ Pouhere Taonga. The archaeological/wahi tapu/historic site(s) cannot be damaged, modified or destroyed without first obtaining consent under Heritage NZ Pouhere Taonga Act 2014. In addition, resource consent may be required from the Whakatāne District Council to undertake some activities within the identified site.</i></p>
<ul style="list-style-type: none"> • Drainage restrictions 	<i>No information available</i>
<ul style="list-style-type: none"> • Reserves (existing/proposed) 	<i>This property is within the vicinity of Council owned and maintained land; refer to the Community Facilities Map for the location.</i>
<ul style="list-style-type: none"> • Easements 	<i>Please refer to the attached Record of Title to confirm whether any easements exist over this property</i>
<ul style="list-style-type: none"> • Other legal restrictions (eg, building line restrictions) 	<i>Please refer to the attached Record of Title.</i>

<ul style="list-style-type: none"> Any other special features 	<p><i>This site is located within Earthquake Zone 2 as prescribed in Figure 5.4 of NZS3604:2011 Code of Practice for Timber Framed Buildings.</i></p> <p><i>This site is located within Corrosion Zone C as prescribed in Figure 4.2 of NZS3604:2011 Code of Practice for Timber Framed Buildings.</i></p> <p><i>This site is located in the Coastlands Tsunami Evacuation area. In the case of a Tsunami, please refer to the attached Tsunami Evacuation Route Map.</i></p> <p><i>There are various known active earthquake fault lines in the Whakatāne District. Please refer to the GNS Science mapping for further information http://data.gns.cri.nz/af/.</i></p> <p><i>The site adjoins other sites with different zonings under the Whakatāne District Plan (Industrial Zone and Light Industrial Zone). Planning controls applicable to each zone may differ significantly. As such, the subject site may experience potential environmental effects or reduced amenity values not anticipated by the underlying zoning.</i></p> <p><i>Part of this property is located within 300 metres of a community oxidation pond (refer District Plan Map). Rule 11.2.15.1 of the Whakatāne District Plan may be applicable to any future project affecting this area.</i></p> <p><i>The LIM site is adjacent to the Whakatāne Board Mill Site, as shown in the Whakatāne District Plan. Please refer to Rule 6.2.12 of the Whakatāne District Plan for further information.</i></p>
8 SERVICES	COMMENTS
<ul style="list-style-type: none"> Stormwater 	<i>This property is connected to Council's stormwater disposal system.</i>
<ul style="list-style-type: none"> Sewer 	<i>This property is connected to the public sewerage reticulation system.</i>
<ul style="list-style-type: none"> Water 	<i>Metered Supply</i>
<ul style="list-style-type: none"> Trade Waste Consent 	<p><i>The property (4 Phoenix Drive 07151/145.07) has an existing conditional trade waste discharge consent issued to Bunnings Warehouse on 1 July 2018 under the Council's Combined Water Bylaw 2017 and said consent expires on 30 June 2021; copy attached. Business owners are advised to renew said consent before the expiry date. However, when any of the following changes:</i></p> <ol style="list-style-type: none"> <i>the holder of the consent;</i> <i>the owner of the Premises; or</i> <i>the use of the consent</i> <p><i>a new application for a conditional trade waste discharge consent shall be made to the Whakatane District Council.</i></p> <p><i>Trade Waste Case No. 244</i></p> <p><i>Trade Waste Consent No. 274</i></p>
9 RATES	COMMENTS
<ul style="list-style-type: none"> Year ending 30 June 2020 	<i>\$45,049.78</i>
<ul style="list-style-type: none"> Number of instalments 	<i>4</i>
<ul style="list-style-type: none"> Date of next instalment 	<i>23 August 2019</i>
<ul style="list-style-type: none"> Current balance or arrears 	<i>\$11,262.49 due 23 August 2019</i>
<ul style="list-style-type: none"> Date of valuation 	<i>September 2016</i>
<ul style="list-style-type: none"> Land value 	<i>\$1,370,000</i>
<ul style="list-style-type: none"> Capital value 	<i>\$6,480,000</i>

10 WATER		COMMENTS	
• Annual water supply charge		\$202.43	
• Last reading date		21 May 2019	
• Consumption		8476m ³	
• Amount		\$15,127.40	
• Arrears outstanding		\$0.00	
11 BUILDINGS			
(a) Details of Building Permits			
No information available			
(b) Details of Building Consents			
Date	Consent No	Project	Date Code Compliance Certificate Issued
13 January 2006	14249	The Hub Retail Centre Stage 2 - Bunnings	16 June 2006
5 May 2006	14609	Racking – Bunnings	16 June 2006
14 March 2018	170575	Installation of new canopies – Bunnings	10 September 2018
16 February 2018	180031	Alterations to the pallet racking – Bunnings	CCC not yet issued
(c) Details of any other Certificate/Notice/Order or Requisition Affecting Buildings			
Due to the quantity and nature of material present on site, Licensing pursuant to HASNO legislation will apply.			
Compliance Schedule 513, copy attached			
Building Warrant of Fitness expiry 16 June 2020, copy attached			
(d) Certificate Issued by a Building Certifier Pursuant to the Building Act 1991 or the Building Act 2004			
No information available			
(e) Information notified to the territorial authority under Section 124 of the Weathertight Homes Resolution Services Act			
No information available			
12 USE OF LAND			
(a) Details of Resource Consents (Subdivision /Land Use) or Certifications of Compliance Issued for Land			

Resource consent 61.8.849 (Subdivision) dated 19 June 1989 (copy of decision letter attached)

Resource Consent 24.2.05.163 (Land Use) dated 4 October 2005. A copy of the decision letter is attached.

Resource Consent 24.2.05.217 (Land Use) dated 14 October 2005. A copy of the decision letter is attached.

Resource Consent 24.2.05.208 Certificate of Compliance dated 3 November 2005. A copy of the decision letter is attached.

Resource Consent 24.2.05.221 (Land Use) dated 7 March 2006. A copy of the decision letter is attached.

Resource Consent 24.2.04.134 (Land Use) dated 17 May 2006. A copy of the decision letter is attached.

Resource Consent 24.3.04.55 (Subdivision) change in conditions Stage 1, dated 25 May 2006. A copy of the decision letter is attached.

Resource Consent 24.3.05.30 (Subdivision) dated 28 August 2006. Copies of the decision letters are attached dated 28/08/06 and 7 September 2006.

Resource Consent 24.2.06.193 (Land Use) dated 20 December 2006. A copy of the decision letter is attached.

Resource Consent 24.3.07.08 (Subdivision) dated 15 August 2007. A copy is of the decision letter is attached.

- Cancellation of requirement for easement dated 17 March 2008. A copy is attached.
- Variation to Consent Notices Stages 2 & 3, dated 11 December 2008. A copy is attached.
- Partial cancellation of Consent Notices dated 23 December 2009. A copy is attached.

Resource Consent 24.3.07.52 (Subdivision) dated 27 November 2007. A copy of the decision letter is attached.

Resource Consent 24.3.07.55 (Subdivision) dated 30 May 2008. A copy of the decision letter is attached.

Resource Consent SS-2014-8292-00 (Subdivision) dated 10 November 2014. A copy of the decision letter is attached.
SR-2017-8292-01 dated 20 June 2017. A copy of the decision letter is attached.

Resource Consent CC-2017-8678-00 (Subdivision) dated 13 October 2017. A copy of the decision letter is attached.

Council has received an application under Section 348 of the Local Government Act to establish a right of way over areas shown as "A", "F" and "N" shown on LT 512743. The Council reference for this is SR-2019-8292-02. Council has not yet issued a decision.

The property is adjacent to the Carter Holt Harvey Whakatane Mill, which operates under resource consent.

(b) Details of licences held

No information available

(c) Details of any other Certificate/Notice/Order of Requisition Affecting the Use of the Land

Consent Notice 7650916.2, copy attached
Consent Notice Variation 8377086.1, copy attached
Easement Instrument 7650916.4, copy attached
Easement Instrument 7650916.5, copy attached
Easement Instrument 7650916.6, copy attached
Easement Instrument 7650916.7, copy attached
Easement Instrument 8324397.1, copy attached
Easement Instrument 8351319.3, copy attached

(d) Details of Conditions Affecting the Use of Land

Council records indicate that a Council stormwater line runs through part of the property. Any building work in the vicinity of the stormwater line would need to with the relevant provisions of Whakatane District Council Combined Waters Bylaws and/or appropriate engineering approval.

Minimum Platform Level

Should redevelopment of the site be proposed, a site specific minimum building platform may have to be established in accordance with the advice from the Bay of Plenty Regional Council. You can obtain this advice from: <https://www.boprc.govt.nz/do-it-online/request-or-enquire/flood-level-report/>

13 INFORMATION NOTIFIED TO COUNCIL BY AN STATUTORY ORGANISATION HAVING POWER TO CLASSIFY LAND OR BUILDINGS

(a) Requiring Authority

No information available

(b) Heritage Protection Authority

No information available

14 INFORMATION NOTIFIED TO COUNCIL BY ANY NETWORK UTILITY OPERATOR PURSUANT TO THE THE BUILDING ACT 2004	
<i>No information available</i>	
15 SECTION 69ZH OF THE HEALTH ACT 1956 – DRINKING WATER SUPPLIER	
(ba) Any information that has been notified to the territorial authority by a drinking-water supplier under Section 69ZH of the Health Act 1956	
<i>No information available</i>	
(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 networked supplier	<i>Drinking water is supplied by a networked supplier.</i>
(ii) if the land is supplied with drinking water by a networked supplier, any conditions that are applicable to that supply	<i>No information available</i>
(iii) if the land is supplied with water by the owner of the land, any information the territorial authority has about the supply	<i>No information available</i>
16 ANY OTHER INFORMATION CONSIDERED TO BE RELEVANT	
<p><i>It is recommended that you also consider, or obtain professional advice on, the planning provisions of the Whakatāne District Plan as it affects this property. A copy of the Whakatāne District Plan is available for viewing on the Council's website www.whakatane.govt.nz or at all public libraries and Council offices in the District.</i></p> <p><i>Future development of the property, including subdivision, may require the payment of a monetary contribution for additional demands that may be placed on community infrastructure by the use or development of the land. Monetary contributions may be payable for roads, water, stormwater and wastewater services. If you are anticipating further development of the land, you are advised to read the Development Contributions Policy in the Long-term Plan 2018-2028.</i></p> <p><i>Aerial photographs attached as part of this LIM should not be relied upon when determining the property boundaries. A surveyor should be engaged should the users of this LIM wish to determine the boundaries of this property.</i></p>	
17 DISCLAIMER	
<p>This Land Information Memorandum has been prepared for the purposes of Section 44A of the Local Government Official Information and Meetings Act 1987 and contains all the information known to the Whakatāne District Council relevant to the land described. It is based on a search of Council records only, and there may be other information relating to the land which is not known by Council. The Council has not undertaken any inspection of the land or any buildings on it for the purpose of preparing the Land Information Memorandum. Accordingly, the Council is unable to verify that the consents held in our file match the buildings on the property. You are advised to peruse our file. The LIM Co-ordinator will hold the file for five working days. Please contact to arrange a suitable time to view the file (Telephone 07 3060500). The applicant is solely responsible for ensuring that the land is suitable for a particular purpose</p> <p>The information available to Council is undergoing a digitisation process. Quality assurance is still being undertaken. We recommend that you contact the Council if there are any concerns.</p>	



Kara Dowthwaite
Team Leader Environment

RID DOCUMENT

Date: 22 July 2019

Valuation Number: 07151 145 07

Location: 4 PHOENIX DRIVE

Legal Description: LOT 1 DP 378419

Area (Ha): 2.7460

Valuation Date: 1 September 2016

	Normal Values	Special Values (if applicable)
Land Value:	1,370,000	
Improve Value:	6,480,000	
Capital Value:	7,850,000	
Tree Value:	0	

Contiguous Property:

2020 Year's Assessed Rates: 45,049.78

Instalment 1: 23 Aug 2019

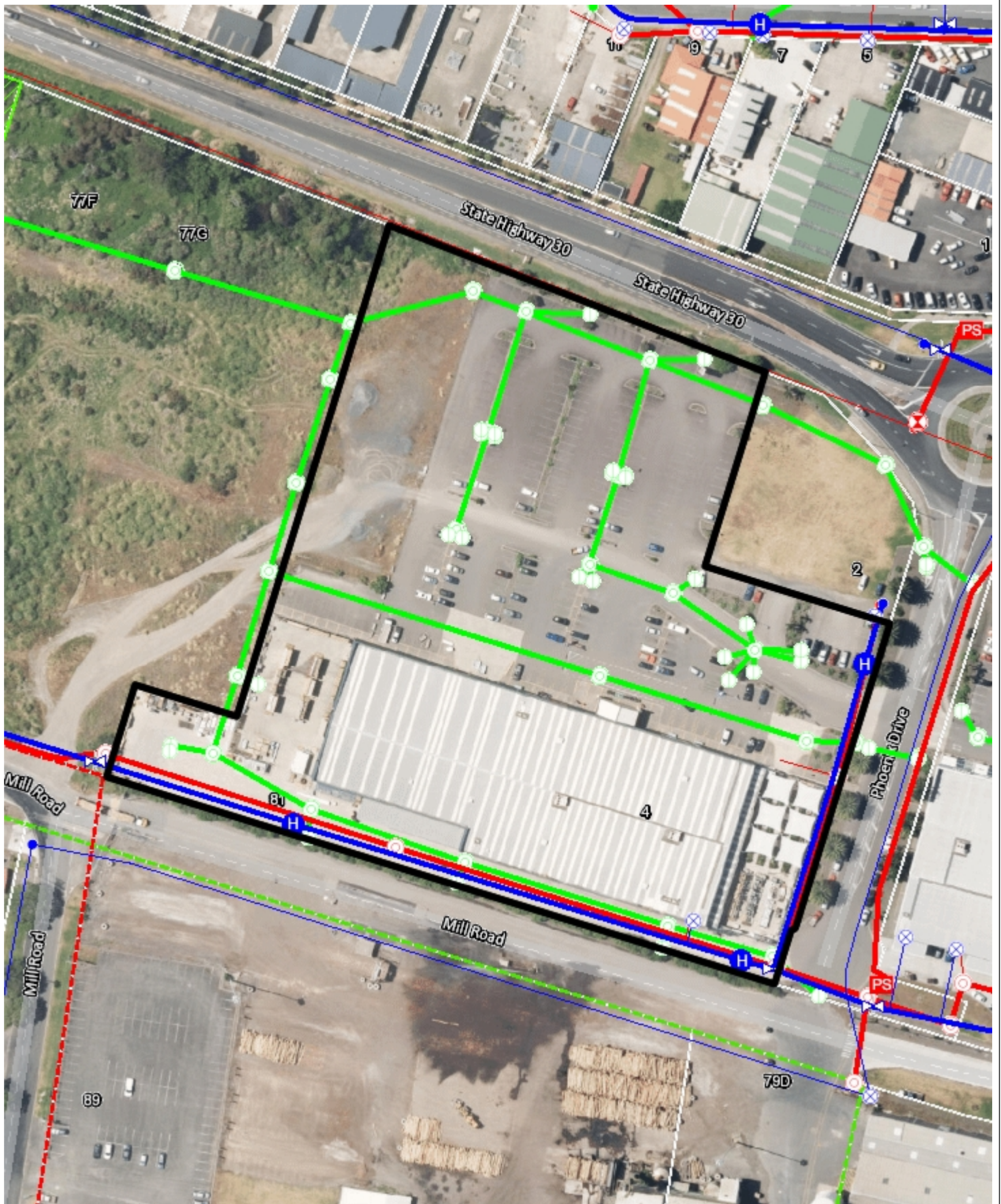
Instalment 2: 22 Nov 2019

Instalment 3: 21 Feb 2020

Instalment 4: 22 May 2020

LIM Services Map

Date Printed: 19 July 2019



DISCLAIMER: Aerial Photography flown between 2001 and 2007, depending on the area. Parcel boundaries are to be taken as approximate only, not to be substituted for site specific survey. May contain LINZ data: Crown Copyright Reserved Note: Placenames may not conform to LINZ guidelines 2008. DISCLAIMER: While Whakatane District Council (WDC), has exercised all reasonable skill and care in controlling the contents of this information, WDC accepts no liability in contract, tort or otherwise howsoever, for any loss, damage, injury or expense (whether direct, indirect or consequential) arising out of the provision of this information or its use by you. *Position of all assets & historical sites are approximate, actual positions are to be verified on site.

SCALE 1: 1,500

76.2 0 76.2 Meters

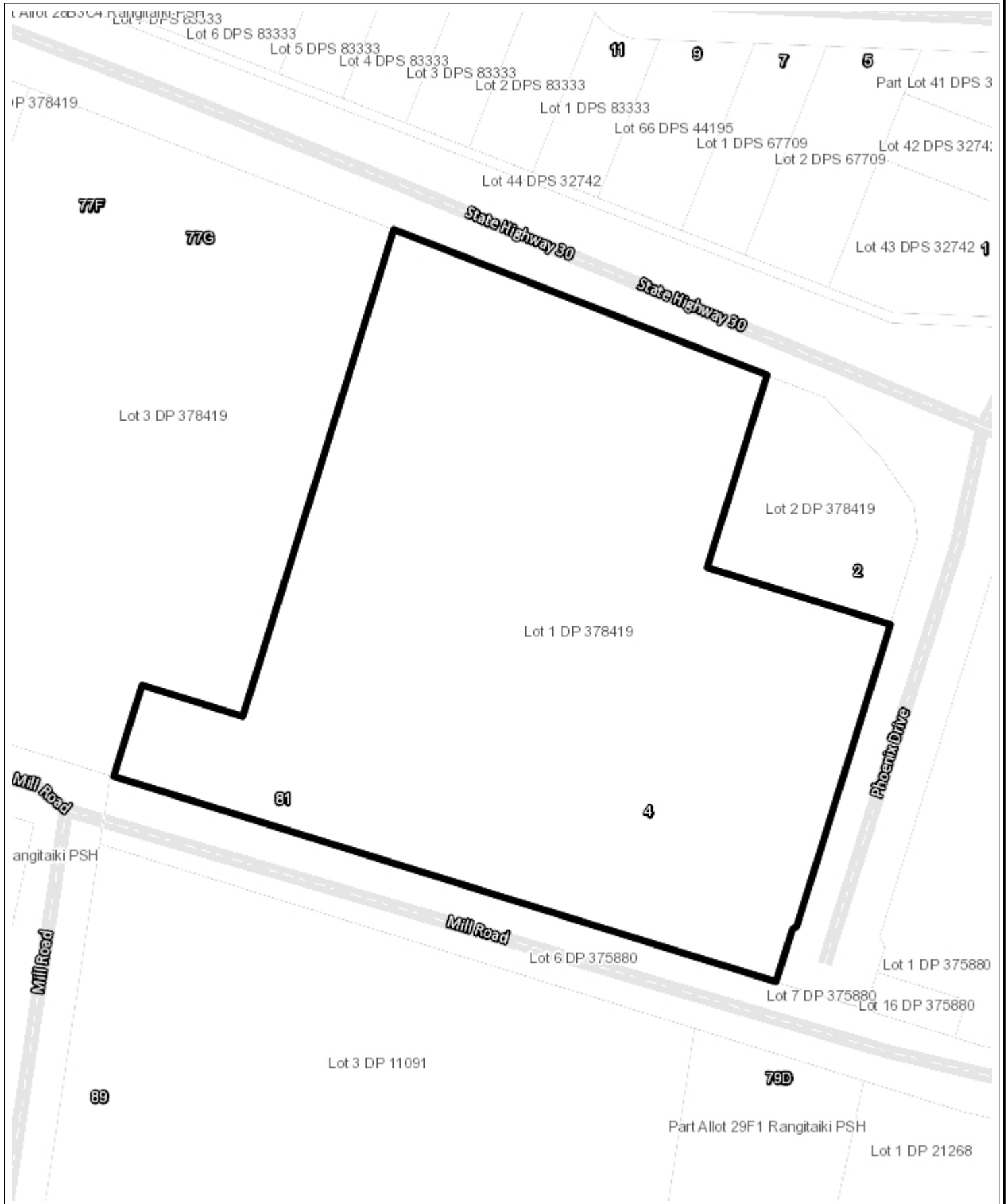
Projection: NZGD_2000_New_Zealand_Transverse_Mercator

Prepared By:



LIM Property Map

Date Printed: 19 July 2019



DISCLAIMER: Aerial Photography flown between 2001 and 2007, depending on the area. Parcel boundaries are to be taken as approximate only, not to be substituted for site specific survey. May contain LINZ data: Crown Copyright Reserved Note: Placenames may not conform to LINZ guidelines 2008. DISCLAIMER: While Whakatane District Council (WDC), has exercised all reasonable skill and care in controlling the contents of this information, WDC accepts no liability in contract, tort or otherwise howsoever, for any loss, damage, injury or expense (whether direct, indirect or consequential) arising out of the provision of this information or its use by you. *Position of all assets & historical sites are approximate, actual positions are to be verified on site.

SCALE 1: 1,500

76.2 0 76.2 Meters

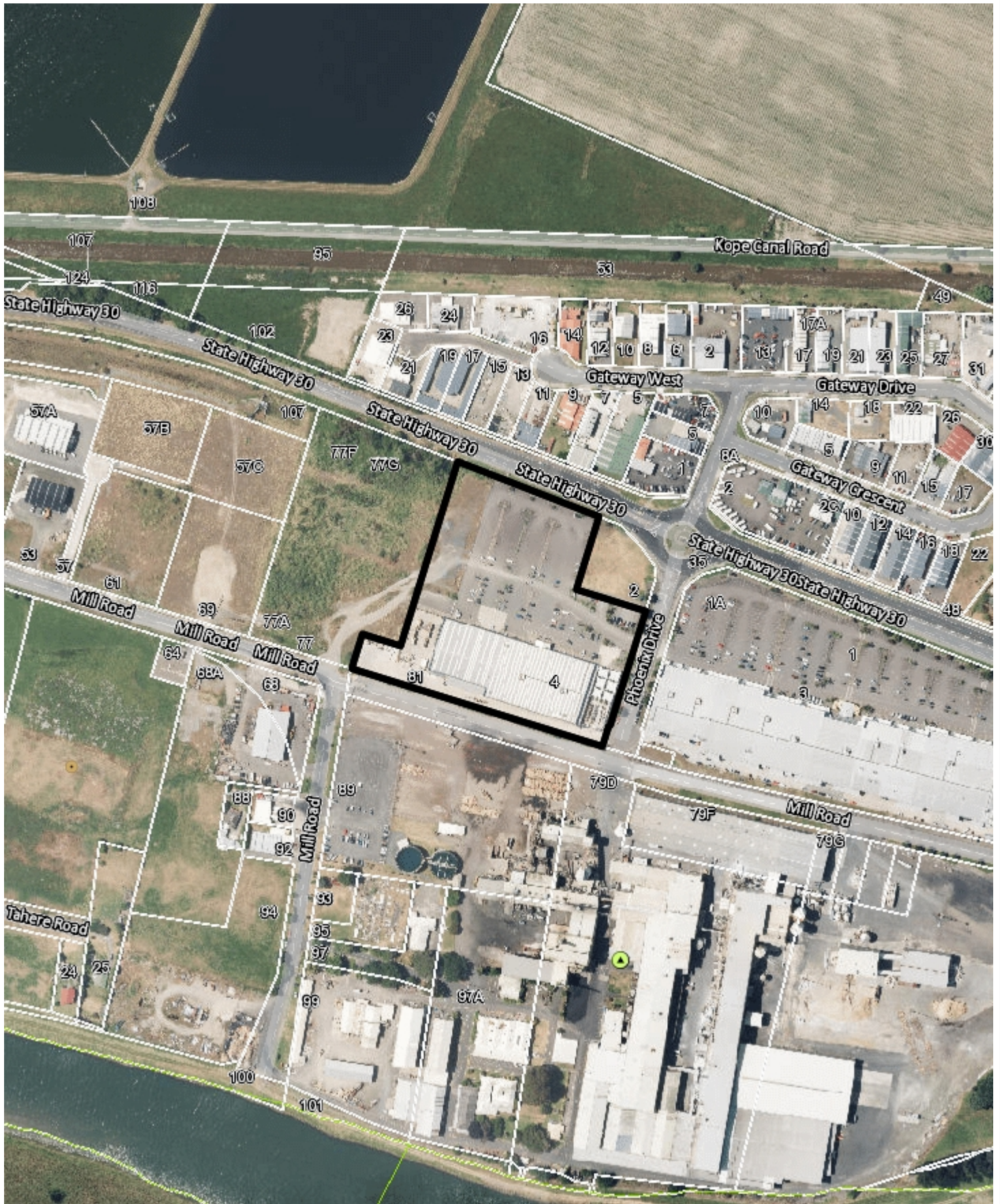
Projection: NZGD_2000_New_Zealand_Transverse_Mercator

Prepared By:



Culture and Heritage Map

Date Printed: 19 July 2019



DISCLAIMER: Aerial Photography flown between 2001 and 2007, depending on the area. Parcel boundaries are to be taken as approximate only, not to be substituted for site specific survey. May contain LINZ data: Crown Copyright Reserved Note: Placenames may not conform to LINZ guidelines 2008. DISCLAIMER: While Whakatane District Council (WDC), has exercised all reasonable skill and care in controlling the contents of this information, WDC accepts no liability in contract, tort or otherwise howsoever, for any loss, damage, injury or expense (whether direct, indirect or consequential) arising out of the provision of this information or its use by you. *Position of all assets & historical sites are approximate, actual positions are to be verified on site.

SCALE 1: 4,000

203.2

0

203.2 Meters



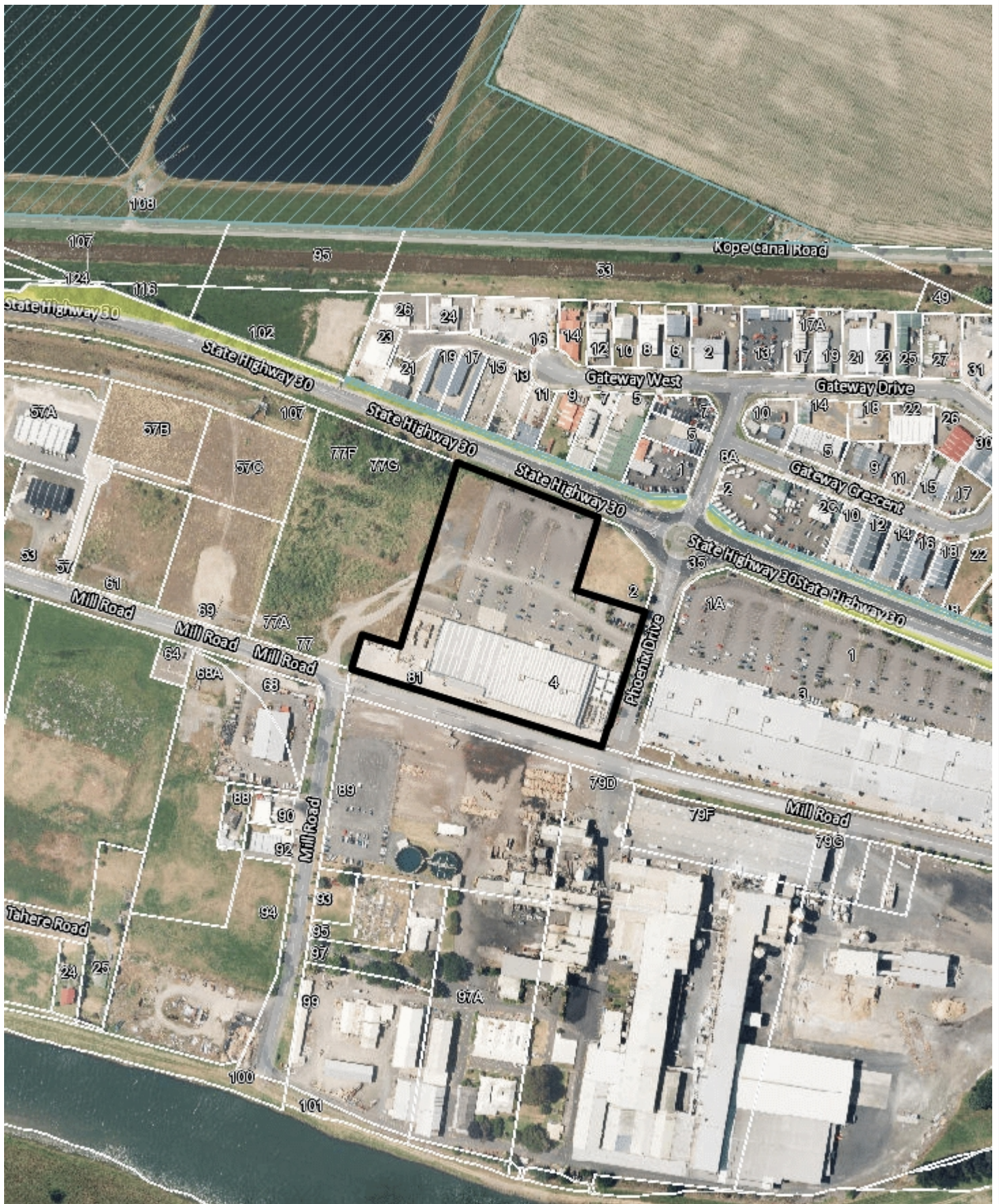
Projection: NZGD_2000_New_Zealand_Transverse_Mercator

Prepared By:



Community Facilities Map

Date Printed: 19 July 2019



DISCLAIMER: Aerial Photography flown between 2001 and 2007, depending on the area. Parcel boundaries are to be taken as approximate only, not to be substituted for site specific survey. May contain LINZ data: Crown Copyright Reserved Note: Placenames may not conform to LINZ guidelines 2008. DISCLAIMER: While Whakatane District Council (WDC), has exercised all reasonable skill and care in controlling the contents of this information, WDC accepts no liability in contract, tort or otherwise howsoever, for any loss, damage, injury or expense (whether direct, indirect or consequential) arising out of the provision of this information or its use by you. *Position of all assets & historical sites are approximate, actual positions are to be verified on site.

SCALE 1: 4,000

203.2

0

203.2 Meters



Projection: NZGD_2000_New_Zealand_Transverse_Mercator

Prepared By:



District Plan Map

Date Printed: 19 July 2019



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SCALE 1: 1,500

76.2 0 76.2 Meters













Projection: NZGD_2000_New_Zealand_Transverse_Mercator

Prepared By:














LIM Services Legend




















Stormwater

-  Inlet
-  Manhole
-  Miscellaneous
-  Node
-  Pump Station
-  Open Drain
-  Dam
-  Connection
-  Main
-  Rising Main
-  Soakage Area
-  Scheme

Waste Water

-  Valve
-  Pump Station
-  Node
-  Miscellaneous
-  Manhole
-  Outlet
-  Connection
-  Main
-  Riser Main
-  Facility
-  Scheme











Water Supply

-  Back Flow Preventer
-  Hydrant
-  Bulk Meter
-  Customer Meter
-  Air Release
-  Control Valve
-  Isolation Valve
-  Isolation Valve Closed
-  Non Return Valve
-  Pump Station
-  Bore (Source)
-  Bore BOPRC
-  Node
-  Toby
-  Connection
-  Main
-  Rider Main
-  Reservoir
-  Scheme

LIM Culture and Heritage Legend

-  District Plan Cultural and Built Heritage Site
-  NZ Historic Places Trust Register
-  Ngati Awa Historical Site
-  NZAA Archaeological Site
-  Marae Location
- Tuwharetoa Settlement
-  Tuwharetoa Settlement Area
-  Maori Whenua

LIM Community Facilities Legend

-  Aquatic Centres
-  Public Conveniences
-  Sports Facilities Grounds
-  Council Owned/Administered Land
-  Commercial
-  Community Halls
-  Operational Properties
-  Other Properties
-  Pensioner Housing
-  Asset Boundaries

LIM District Plan Legend

Coastal Hazards

- Variable ERZ Levels
- 2060 Erosion Risk Zone
- 2100 Erosion Risk Zone
- Current Erosion Risk Zone
- 103.3m Moderate Inundation Risk Zone
- 103.6m Moderate Inundation Risk Zone
- 104.0m Moderate Inundation Risk Zone
- 104.1m Extreme Inundation Risk Zone
- 104.55m Extreme Inundation Risk Zone
- 104.7m Extreme Inundation Risk Zone
- Variable Extreme Inundation Risk Zone

Natural Hazard

- Natural Hazard (NHaz 4)
- Natural Hazard

Planning Zones

- Business Centre
- Coastal Protection (CPZ)
- Commercial
- Community and Cultural
- Education
- Industrial
- Large Format Retail
- Light Industrial
- Residential
- Urban Living
- Mixed Use
- Active Reserve
- Deferred Residential
- Rural Coastal
- Rural Foothills
- Rural Ohiwa
- Rural Plains

Landscape, Natural and Cultural Features

- Significant Specimen Trees
- Significant Identified Ridgeline
- Outstanding Natural Feature and Landscape
- Significant Amenity Landscape
- Significant Indigenous Biodiversity Site
- Cultural Heritage Site
- Cultural & Built Heritage Sites (Points)
- Cultural & Built Heritage Sites (Polygons)

Features

- Amenity Building Line
- Pedestrian Street
- Restricted Vehicle Access
- Road Widening
- Gas Transmission Pipeline Corridor
- National Grid Centre Line
- Railway Corridor Buffer 100m
- Designation
- State Highway
- Limited Access Road
- District Arterial Roads
- Coastal Environment Line
- 12m Height Restriction
- Oxidation Pond Buffer (300m)
- Key Urban Space
- Omeheu Spray Irrigation Scheme
- Proposed Road
- Strand Character Area
- WHK River Greenway concept
- Statutory Acknowledgements

Area Specific Overlays

- Bird Nesting Vehicle Restriction Area
- Edgecumbe Dairy Factory Site
- Edgecumbe Dairy Noise Contour
- Awakeri Quarry Buffer
- Mill Waste Contaminated Site
- Whakatane Board Mill
- Kawerau Geothermal Exploration Area
- Overland Flow Paths