

Property Council New Zealand

Submission on proposals for regulations for natural hazard information in LIMs

28 October 2024

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The Department of Internal Affairs
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Submission on proposals for regulations for natural hazard information in Land Information Memorandum (LIM)

1. Summary

- 1.1. Property Council New Zealand (“Property Council”) welcomes the opportunity to submit a response to the Department of Internal Affairs (“DIA”) on proposals for regulations for natural hazard information in LIM (“the proposed regulations”).
- 1.2. Property Council supports DIA proposed regulations for natural hazard information in LIMs. We believe the proposed changes will provide greater consistency and certainty to both councils and users of LIMs.

2. Recommendations

- 2.1 At a high level, Property Council supports the proposals and makes the following recommendations:
 - As part of the implementation, DIA to provide examples of good practice to territorial authorities and technical consultants.

3. Introduction

- 3.1. Property Council is the leading not-for-profit advocate for New Zealand’s most significant industry, property. Our organisational purpose is, “Together, shaping cities where communities thrive”.
- 3.2. The property sector shapes New Zealand’s social, economic and environmental fabric. Property Council advocates for the creation and retention of a well-designed, functional and sustainable built environment, in order to contribute to the overall prosperity and well-being of New Zealand. We aim to support the development of a resource planning system that is both efficient and effective.
- 3.3. Property is New Zealand’s largest industry and fastest growing source of employment. There are nearly \$2.2 trillion in property assets nationwide, with property providing a direct contribution to GDP of \$50.2 billion (15 percent) and employment for around 235,030 New Zealanders every year.
- 3.4. We connect over 10,000 property professionals and represent the interests of over 550 members organisations across the private, public, and charitable sectors.
- 3.5. This document provides Property Council’s feedback on [proposals for regulations for natural hazard information in land information memoranda \(“LIMs”\)](#). These proposed regulations have been drafted to support local authorities implement changes to the Local Government Official Information and Meetings Act (the “LGOIMA”). These changes are due to come into effect on 1 July 2025. Comments and recommendations are provided on issues relevant to Property Council’s members.

4. Information in LIMs to be more consistent to readers and be in plain language

- 4.1. Property Council supports the proposed regulations for territorial authorities adopting the broad headings covering each class of the most common natural hazards, plus a catch-all heading for any other natural hazards. We also support territorial authorities adding sub-headings for more specific hazards. Additionally, to make it clearer for readers, we support the proposal for territorial authorities noting if they have no known information for each class of natural hazard.
- 4.2. To ensure territorial authorities adopt a consistent approach, Property Council supports the proposed regulations to include minimum consistent key details describing each technical report included in the LIM.
- 4.3. Property Council supports the proposed regulations requiring territorial authorities to include known maps of natural hazards affecting a property within a LIM. If available, we also support territorial authorities providing a link to an online natural hazard mapping portal/s which provides these maps.
- 4.4. Property Council supports the proposed regulations requiring the natural hazard section within a LIM including a plain language summary for each new piece of known natural hazard information. This must be clear, concise, well-organised and appropriate to the intended audience. Given the costs, we agree with the proposal that territorial authorities need not retrospectively create summaries for existing information.
- 4.5. We recommend, as part of the implementation, examples of good practice summaries could be made available to help territorial authorities and technical consultants. This will help DIA achieve their purpose of having a more consistency across New Zealand.

5. Provide greater certainty to Councils

- 5.1. The proposed regulations require regional councils only share information they know about natural hazards at a regional level with the territorial authorities. This will ensure that a more regional approach can occur, over a site-specific approach. Property Council supports this proposal, due to the significant nature of resource required to produce a site-by-site approach.
- 5.2. Property Council supports the proposed regulations that when a territorial authority shares natural hazard information provided by a regional council in LIMs, it must not change the wording of information provided by the regional council. Also, it must note where the information came from and include information on how to access the regional council's information via an online portal if available.
- 5.3. The proposed regulations will limit local authorities' liability. We support the onus remaining on the property buyer to undertake their own risk assessments and the purpose of the LIM remain as a disclosure tool.

6. Conclusion

- 6.1. Property Council supports the intention that LIM information on natural hazards is provided in a consistent, clear, concise and easy to understand manner. We support the intention that the onus remains on the property buyer to undertake their own risk assessments and limit local authorities' liability. For any further enquiries, please do not hesitate to contact Terry Jones, Senior Advocacy Advisor, via email: terry@propertynz.co.nz or cell: 027 338 0694.

Yours Sincerely,



Leonie Freeman
CEO Property Council New Zealand