Information Pack For

104 Amyes Road, Hornby

Professionals Christchurch Limited
MREINZ - Licensed Real Estate Agent
W prof.co.nz

33 Halswell Road
Hoon Hay
Christchurch 8025

P 03 338 5924
F 03 338 1480
E service@prof.co.nz

Professionals

FOR SALE

3 | 1 | 2 | 415 sqm

GOODBYE LANDLORD – YOUR NEW HOME AWAITS!

Step inside this updated three-bedroom home and discover comfort, privacy, and convenience all in one. Set on a compact 415m² section, the house has been tastefully refreshed with a brand-new bathroom and a new log burner, ensuring cosy living through the cooler months. The open-plan living area flows seamlessly to a private, sunny outdoor space. A double garage and off-street parking add practicality.

ADDRESS

104 Amyes Road, Hornby, 8024

Professionals Christchurch Limited

33 Halswell Road, Hoon Hay
p. 03 338 5924
professionals.co.nz/PROF04595
Licensed REAA 2008

AGENTS

Murray Lloyd - 027 288 7355
murrayl@prof.co.nz

House Location	104 Amyes Road, Hornby, Christchurch, 8042	
Type of Cover on Home	Sum Insured Replacement	

Sum Insured		**$460,870**

This amount excludes GST which is payable in addition to the Sum Insured. You need to be satisfied this amount is sufficient to rebuild your home.

Home Area	Total House Area	101 sqm
	Total Attached Garage Area	36 sqm
	Total Additional Self-Contained Units Area	0 sqm
	Total Home Size	**137** sqm

Type of Home	Home (Freestanding)
House Occupied By	Rental
Number of Self Contained Units Insured	1
Number of Levels	1
Year Built	1953
Construction Type	Concrete Block
Water Supply	Reticulated Water Supply

Interested Party
Bank of New Zealand

RPNZ document ordering service

Certificate of Title with diagram: CB46C/530

Property: 104 Amyes Road, Hornby, Christchurch City

Legal Description: Lot 1 Deposited Plan 81489

CoreLogic Reference: 3260809/1

Processed: 11 September 2025

RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD

Search Copy

R.W. Muir
Registrar-General
of Land

Identifier **CB46C/530**
Land Registration District **Canterbury**
Date Issued 10 November 1999

Prior References
CB637/27

Estate Fee Simple
Area 415 square metres more or less
Legal Description Lot 1 Deposited Plan 81489
Registered Owners
Colyn Investments Limited

Interests

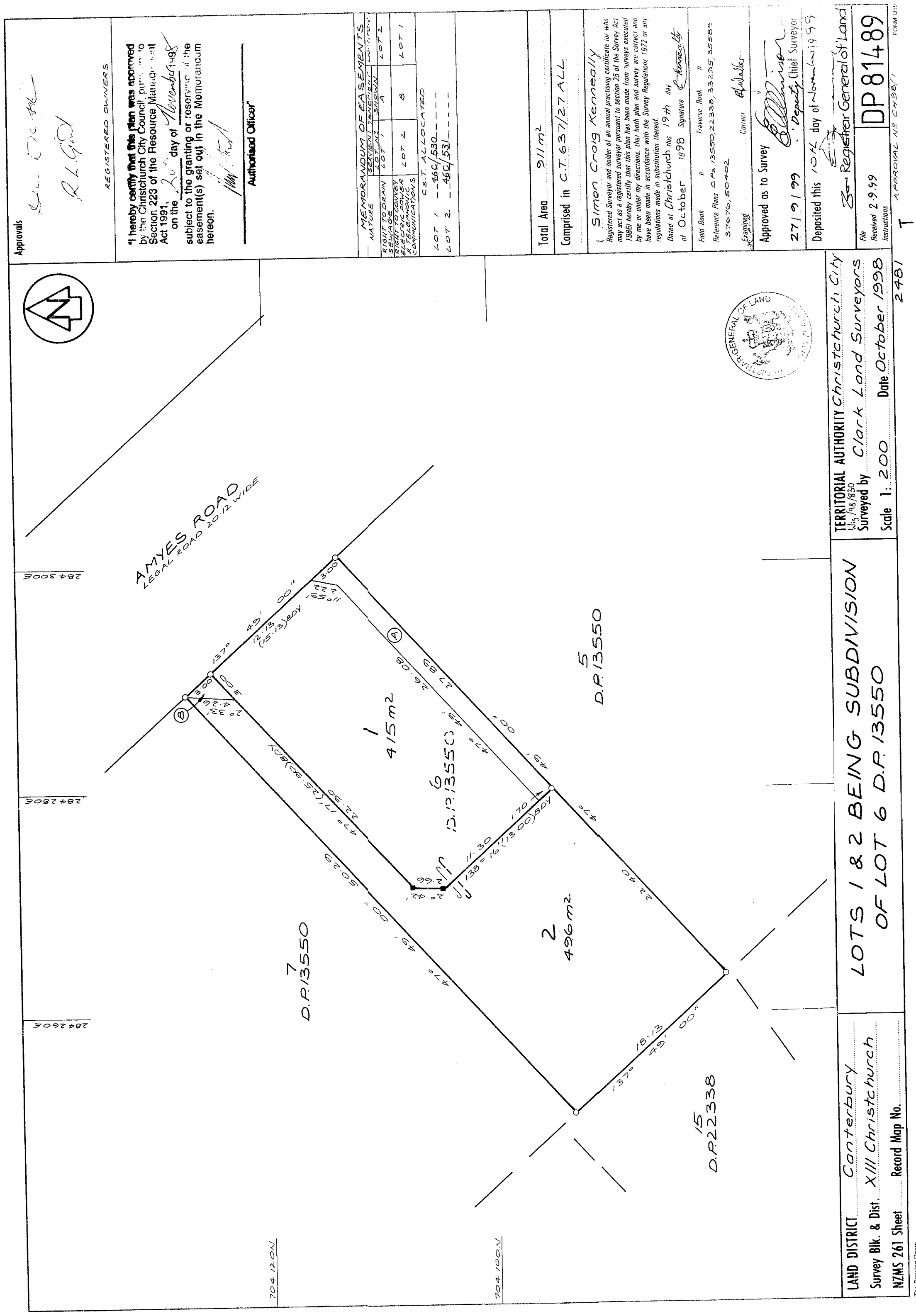
A433225.2 Easement Certificate specifying the following easements - 10.11.1999 at 11.26 am

Type	Servient Tenement	Easement Area	Dominant Tenement	Statutory Restriction
Drain sewage	Lot 1 Deposited Plan 81489 - herein	A DP 81489	Lot 2 Deposited Plan 81489 - CT CB46C/531	
Convey electric power and telephonic communications	Lot 2 Deposited Plan 81489 - CT CB46C/531	B DP 81489	Lot 1 Deposited Plan 81489 - herein	

The above easements will be subject to Section 243(a) Resource Management Act 1991 when created

5542417.3 Mortgage to Bank of New Zealand - 3.4.2003 at 9:00 am

7815155.2 Variation of Mortgage 5542417.3 - 14.5.2008 at 9:00 am



LOTS 1 & 2 BEING SUBDIVISION OF LOT 6 D.P. 13550
AMYES ROAD
LEGAL ROAD 20.12 WIDE
1
415m²
2
496m²
5
D.P. 13550
7
D.P. 13550
15
D.P. 22338
MEMORANDUM OF EASEMENTS
C.S.T. ALLOCATED
LOT 1 - 46C/530
LOT 2 - 46C/531
Total Area 911m²
Comprised in C.T. 637/27 ALL
Simon Craig Kennealy
Dated at Christchurch this 19th day of October 1998
Approved as to Survey
Deposited this 10th day of November 1999
Deputy Chief Surveyor
Registrar General of Land
DP 81489
TERRITORIAL AUTHORITY Christchurch City
Surveyed by Clark Land Surveyors
Scale 1: 200
Date October 1998
LAND DISTRICT Canterbury
Survey Blk. & Dist. XIII Christchurch
NZMS 261 Sheet
Record Map No.
"I hereby certify that this plan was approved by the Christchurch City Council pursuant to Section 223 of the Resource Management Act 1991, on the 20th day of November 1998 subject to the granting or reserving of the easement(s) set out in the Memorandum hereon.
Authorised Officer"
REGISTERED OWNERS
Approvals

104 Amyes Road, Hornby, Christchurch

Land Value	$250,000
Capital Value	$540,000
Local Council	Christchurch City Council

PROPERTY DETAILS 6

LAND ZONING 4

Foundation Technical Category (TC1) 1

District Plan 1

Clean Air Zone 1

CWMS 1

HAZARDS ...

SCHOOLS ...

CONSENTS ...

LOCAL ATTRACTIONS ...

COUNCIL SERVICES ...

P OTOS ...

Land Information New Zealand, Environment Cante… Powered by Esri

Property Information

Property address	104 AMYES ROAD, HORNBY, CHRISTCHURCH
Legal description	Lot 1 DP 81489
Property area (hectares)	0.0415
Valuation number	23433 33900

Latest rating valuation

Note: This is based on market conditions as at 1 August 2022.

If your valuation is adjusted mid-year, this may not adjust your rates until the following 1 July. The next city-wide revaluation will be applied from 1 July 2026.

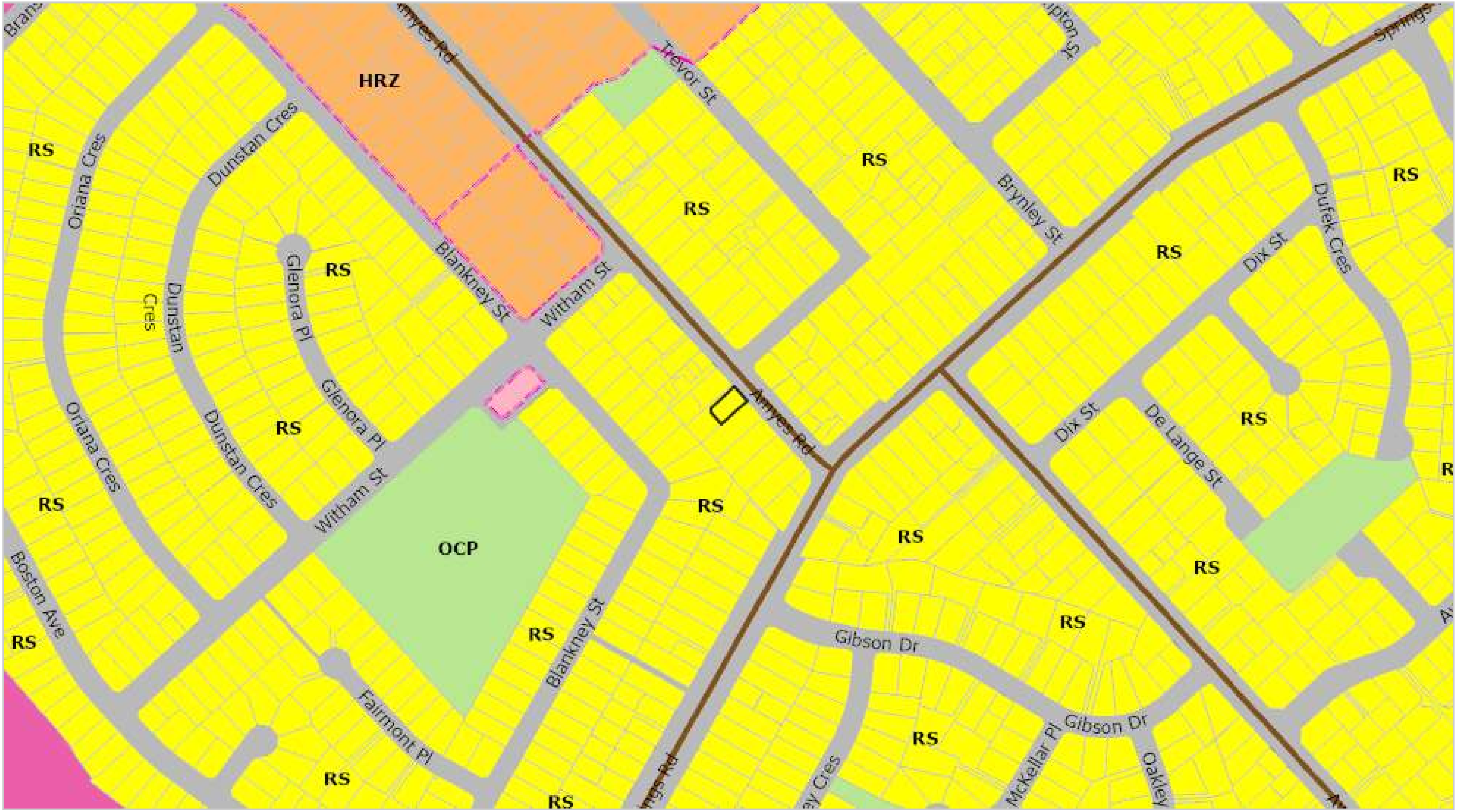
Land value	$250,000
+ Value of improvements	$290,000
= Capital value	**$540,000**

Rates information

Rate account number	73075357
Current rating year	2025/2026
Current year rates instalments	Instalment 1: $847.50 Instalment 2: $847.50 Instalment 3: $847.50 Instalment 4: $847.82
Current year's rates	$3,390.32

Up-to-date valuations: Amended valuations, as a result of new improvements to a property or settled objections, may not show on our website for up to 3 weeks.

Christchurch District Plan Property Search **All Layers**



Map Legend

Land Use Zones

Labels

Zone Labels

Zone

IG	Industrial General Zone
IH	Industrial Heavy Zone
OCP	Open Space Community Parks Zone
OWM	Open Space Water and Margins Zone
RGA	Residential Visitor Accommodation Zone
RMD	Residential Medium Density Zone
RS	Residential Suburban Zone
SPS	Specific Purpose (School) Zone
	Transport Zone
CCZ	City centre zone
HRZ	High Density Residential Zone
NCZ	Neighbourhood Centre Zone

Other Notations

Road Hierarchy

- Collector
- Major Arterial
- Minor Arterial
- Central City Local Distributor
- Central City Main Distributor

Other Notations

- Policy 3 Area

104 Amyes Road Property Search Results

The information below is relevant to the selected property. Click on the blue text below for more details.

Land Use Zones

Zone

RS Residential Suburban Zone

Other Notations

Airport Protection

Christchurch International Airport Protection Surfaces

This property is on the following planning maps: 37

Qualifying Matters

District Plan Waterway

- Downstream Waterway (except Mona Vale)
- Downstream Waterway (Mona Vale)
- Environmental Asset Waterway

Electrical Transmission Corridors

- Electricity Transmission Corridors and Infrastructure

Industrial Interface

- Industrial Interface

Environment Canterbury
Regional Council
Kaunihera Taiao ki Waitaha

Customer Services
P. 03 353 9007 or 0800 324 636

PO Box 345
Christchurch 8140

P. 03 365 3828
F. 03 365 3194
E. ecinfo@ecan.govt.nz

www.ecan.govt.nz

Dear Sir/Madam

Thank you for submitting your property enquiry from our Listed Land Use Register (LLUR). The LLUR holds information about sites that have been used or are currently used for activities which have the potential to cause contamination.

The LLUR statement shows the land parcel(s) you enquired about and provides information regarding any potential LLUR sites within a specified radius.

Please note that if a property is not currently registered on the LLUR, it does not mean that an activity with the potential to cause contamination has never occurred, or is not currently occurring there. The LLUR database is not complete, and new sites are regularly being added as we receive information and conduct our own investigations into current and historic land uses.

The LLUR only contains information held by Environment Canterbury in relation to contaminated or potentially contaminated land; additional relevant information may be held in other files (for example consent and enforcement files).

Please contact Environment Canterbury if you wish to discuss the contents of this property statement.

Yours sincerely

Contaminated Sites Team

Property Statement
from the Listed Land Use Register

Visit ecan.govt.nz/HAIL for more information or
contact Customer Services at ecan.govt.nz/contact/ and quote ENQ428848

Date generated: 10 September 2025
Land parcels: Lot 1 DP 81489

Area of Enquiry
Sites intersecting area of enquiry
Investigations intersecting area of enquiry
N

The information presented in this map is specific to the property you have selected. Information on nearby properties may not be shown on this map, even if the property is visible.

Sites at a glance

Sites within enquiry area

There are no sites associated with the area of enquiry.

More detail about the sites

There are no sites associated with the area of enquiry.

Disclaimer

The enclosed information is derived from Environment Canterbury's Listed Land Use Register and is made available to you under the Local Government Official Information and Meetings Act 1987.

The information contained in this report reflects the current records held by Environment Canterbury regarding the activities undertaken on the site, its possible contamination and based on that information, the categorisation of the site. Environment Canterbury has not verified the accuracy or completeness of this information. It is released only as a copy of Environment Canterbury's records and is not intended to provide a full, complete or totally accurate assessment of the site. It is provided on the basis that Environment Canterbury makes no warranty or representation regarding the reliability, accuracy or completeness of the information provided or the level of contamination (if any) at the relevant site or that the site is suitable or otherwise for any particular purpose. Environment Canterbury accepts no responsibility for any loss, cost, damage or expense any person may incur as a result of the use, reference to or reliance on the information contained in this report.

Any person receiving and using this information is bound by the provisions of the Privacy Act 1993.

Environment Canterbury Regional Council
Kaunihera Taiao ki Waitaha

Listed Land Use Register

What you need to know

Everything is connected

What is the Listed Land Use Register (LLUR)?

The LLUR is a database that Environment Canterbury uses to manage information about land that is, or has been, associated with the use, storage or disposal of hazardous substances.

Why do we need the LLUR?

Some activities and industries are hazardous and can potentially contaminate land or water. We need the LLUR to help us manage information about land which could pose a risk to your health and the environment because of its current or former land use.

Section 30 of the Resource Management Act (RMA, 1991) requires Environment Canterbury to investigate, identify and monitor contaminated land. To do this we follow national guidelines and use the LLUR to help us manage the information.

The information we collect also helps your local district or city council to fulfil its functions under the RMA. One of these is implementing the National Environmental Standard (NES) for Assessing and Managing Contaminants in Soil, which came into effect on 1 January 2012.

For information on the NES, contact your city or district council.

How does Environment Canterbury identify sites to be included on the LLUR?

We identify sites to be included on the LLUR based on a list of land uses produced by the Ministry for the Environment (MfE). This is called the Hazardous Activities and Industries List (HAIL)[1]. The HAIL has 53 different activities, and includes land uses such as fuel storage sites, orchards, timber treatment yards, landfills, sheep dips and any other activities where hazardous substances could cause land and water contamination.

We have two main ways of identifying HAIL sites:

- We are actively identifying sites in each district using historic records and aerial photographs. This project started in 2008 and is ongoing.
- We also receive information from other sources, such as environmental site investigation reports submitted to us as a requirement of the Regional Plan, and in resource consent applications.

[1] The Hazardous Activities and Industries List (HAIL) can be downloaded from MfE's website www.mfe.govt.nz, keyword search HAIL

How does Environment Canterbury classify sites on the LLUR?

Where we have identified a HAIL land use, we review all the available information, which may include investigation reports if we have them. We then assign the site a category on the LLUR. The category is intended to best describe what we know about the land use and potential contamination at the site and is signed off by a senior staff member.

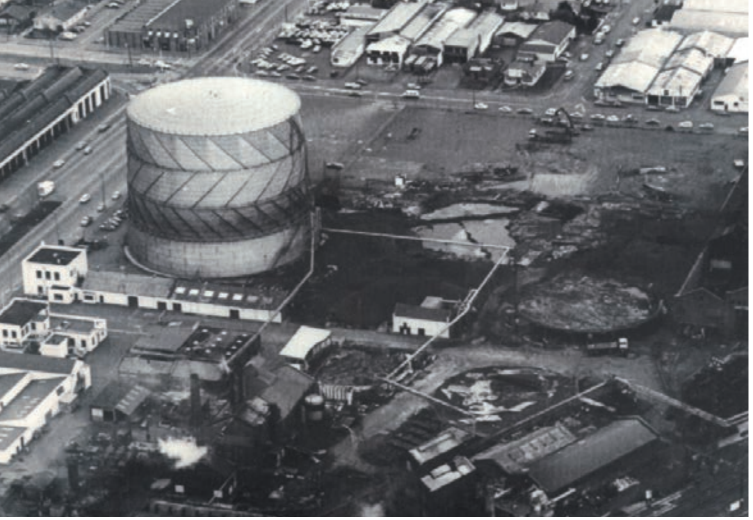
Please refer to the Site Categories and Definitions factsheet for further information.

What does Environment Canterbury do with the information on the LLUR?

The LLUR is available online at www.llur.ecan.govt.nz. We mainly receive enquiries from potential property buyers and environmental consultants or engineers working on sites. An inquirer would typically receive a summary of any information we hold, including the category assigned to the site and a list of any investigation reports.

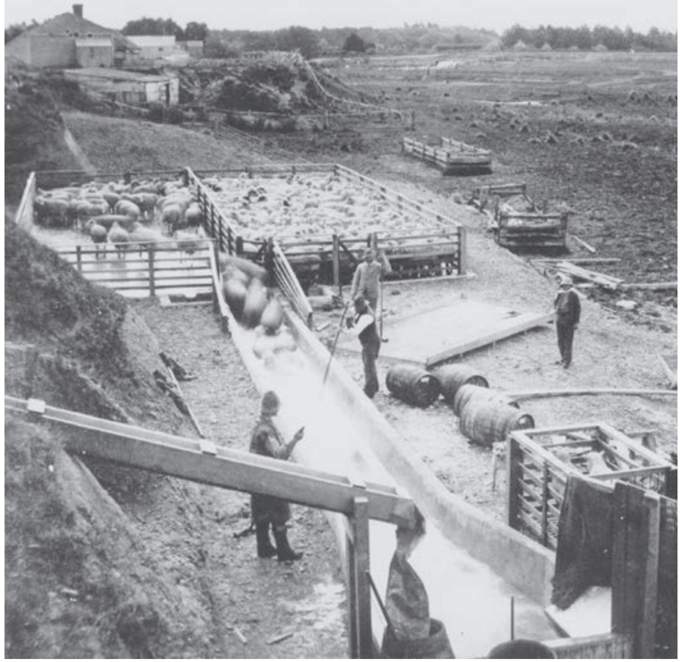
We may also use the information to prioritise sites for further investigation, remediation and management, to aid with planning, and to help assess resource consent applications. These are some of our other responsibilities under the RMA.

If you are conducting an environmental investigation or removing an underground storage tank at your property, you will need to comply with the rules in the Regional Plan and send us a copy of the report. This means we can keep our records accurate and up-to-date, and we can assign your property an appropriate category on the LLUR. To find out more, visit www.ecan.govt.nz/HAIL.



IMPORTANT!

The LLUR is an online database which we are continually updating. A property may not currently be registered on the LLUR, but this does not necessarily mean that it hasn't had a HAIL use in the past.



Sheep dipping (ABOVE) and gas works (TOP) are among the former land uses that have been identified as potentially hazardous. (Photo above by Wheeler & Son in 1987, courtesy of Canterbury Museum.)

My land is on the LLUR – what should I do now?

IMPORTANT! Just because your property has a land use that is deemed hazardous or is on the LLUR, it doesn't necessarily mean it's contaminated. The only way to know if land is contaminated is by carrying out a detailed site investigation, which involves collecting and testing soil samples.

You do not need to do anything if your land is on the LLUR and you have no plans to alter it in any way. It is important that you let a tenant or buyer know your land is on the Listed Land Use Register if you intend to rent or sell your property. If you are not sure what you need to tell the other party, you should seek legal advice.

You may choose to have your property further investigated for your own peace of mind, or because you want to do one of the activities covered by the National Environmental Standard for Assessing and Managing Contaminants in Soil. Your district or city council will provide further information.

If you wish to engage a suitably qualified experienced practitioner to undertake a detailed site investigation, there are criteria for choosing a practitioner on www.ecan.govt.nz/HAIL.

I think my site category is incorrect – how can I change it?

If you have an environmental investigation undertaken at your site, you must send us the report and we will review the LLUR category based on the information you provide. Similarly, if you have information that clearly shows your site has not been associated with HAIL activities (eg. a preliminary site investigation), or if other HAIL activities have occurred which we have not listed, we need to know about it so that our records are accurate.

If we have incorrectly identified that a HAIL activity has occurred at a site, it will be not be removed from the LLUR but categorised as Verified Non-HAIL. This helps us to ensure that the same site is not re-identified in the future.

Contact us

Property owners have the right to look at all the information Environment Canterbury holds about their properties.

It is free to check the information on the LLUR, online at www.llur.ecan.govt.nz.

If you don't have access to the internet, you can enquire about a specific site by phoning us on (03) 353 9007 or toll free on 0800 EC INFO (32 4636) during business hours.

Contact Environment Canterbury:

Email: ecinfo@ecan.govt.nz

Phone:
Calling from Christchurch: (03) 353 9007
Calling from any other area: 0800 EC INFO (32 4636)

Environment Canterbury Regional Council
Kaunihera Taiao ki Waitaha

Everything is connected

Promoting quality of life through balanced resource management.

www.ecan.govt.nz E13/101

Listed Land Use Register

Site categories and definitions

When Environment Canterbury identifies a Hazardous Activities and Industries List (HAIL) land use, we review the available information and assign the site a category on the Listed Land Use Register. The category is intended to best describe what we know about the land use.

If a site is categorised as **Unverified** it means it has been reported or identified as one that appears on the HAIL, but the land use has not been confirmed with the property owner.

If the land use has been confirmed but analytical information from the collection of samples is not available, and the presence or absence of contamination has therefore not been determined, the site is registered as:

Not investigated:

- A site whose past or present use has been reported and verified as one that appears on the HAIL.
- The site has not been investigated, which might typically include sampling and analysis of site soil, water and/or ambient air, and assessment of the associated analytical data.
- There is insufficient information to characterise any risks to human health or the environment from those activities undertaken on the site. Contamination may have occurred, but should not be assumed to have occurred.

If analytical information from the collection of samples is available, the site can be registered in one of six ways:

At or below background concentrations:

The site has been investigated or remediated. The investigation or post remediation validation results confirm there are no hazardous substances above local background concentrations other than those that occur naturally in the area. The investigation or validation sampling has been sufficiently detailed to characterise the site.

Below guideline values for:

The site has been investigated. Results show that there are hazardous substances present at the site but indicate that any adverse effects or risks to people and/or the environment are considered to be so low as to be acceptable. The site may have been remediated to reduce contamination to this level, and samples taken after remediation confirm this.

Managed for:

The site has been investigated. Results show that there are hazardous substances present at the site in concentrations that have the potential to cause adverse effects or risks to people and/or the environment. However, those risks are considered managed because:

- the nature of the use of the site prevents human and/or ecological exposure to the risks; and/or
- the land has been altered in some way and/or restrictions have been placed on the way it is used which prevent human and/or ecological exposure to the risks.

Partially investigated:

The site has been partially investigated. Results:

- demonstrate there are hazardous substances present at the site; however, there is insufficient information to quantify any adverse effects or risks to people or the environment; or
- do not adequately verify the presence or absence of contamination associated with all HAIL activities that are and/or have been undertaken on the site.

Significant adverse environmental effects:

The site has been investigated. Results show that sediment, groundwater or surface water contains hazardous substances that:

- have significant adverse effects on the environment; or
- are reasonably likely to have significant adverse effects on the environment.

Contaminated:

The site has been investigated. Results show that the land has a hazardous substance in or on it that:

- has significant adverse effects on human health and/or the environment; and/or
- is reasonably likely to have significant adverse effects on human health and/or the environment.

If a site has been included incorrectly on the Listed Land Use Register as having a HAIL, it will not be removed but will be registered as:

Verified non-HAIL:

Information shows that this site has never been associated with any of the specific activities or industries on the HAIL.

Please contact Environment Canterbury for further information:

(03) 353 9007 or toll free
on 0800 EC INFO (32 4636)
email ecinfo@ecan.govt.nz

Environment Canterbury Regional Council
Kaunihera Taiao ki Waitaha

E13/102

Rental Assessment

104 Amyes Road
HORNBY

99.8%

OF TENANTS PAID THEIR RENT ON TIME

99.4%

OF HOMES WERE OCCUPIED

to 30 September 2025

17 October 2025

Dear Colin,

Thank you for the opportunity to provide a rental assessment for this property. After viewing photographs and the listing information (site unseen), we note the property consists of:

Property Details:
- Three bedrooms
- One bathrooms
- Double external access garage plus additional off street parking

Key Rental Features:
- New bathroom and log burner installed
- Separate laundry and separate toilet
- Close proximity to Hornby Hub, Dress Smart and transport links

To provide a rental assessment we compare this property against current advertised properties, recently let properties, current rental statistics, and market feedback.

We would expect to achieve a rental figure in the range of:

$570 - $610 per week

We would be more than willing to offer our services to help successfully rent the property to suitable tenants. If you have any queries or require further information regarding Harcourts Holmwood Property Management service, please do not hesitate to contact me.

Kind regards,

Lynne Cawthorn

#1 Business Development Manager Harcourts NZ 2021-23 & 2024-25
#2 Business Development Manager Harcourts NZ 2023-24
#1 Business Development Manager Harcourts International 2021
#2 Business Development Manager Harcourts International 2023
#1 Business Development Manager REINZ Awards for Excellence 2022

021 655 505 | lynne.cawthorn@harcourts.co.nz
175 Papanui Road, Merivale | 03 348 0796 | holmwood.co.nz

Please note: This assessment is valid for 30 days from the date of this assessment. This report is a market appraisal and does not purport to be a valuation, registered or otherwise. It provides an indication only of the amount the subject property may rent for. It has been prepared based on information provided by the owner and incorporates no warranty or guarantee as to the accuracy of the information which the owner has provided. The rental estimate is provided on the presumption that the home meets all legislative requirements under the Residential Tenancies Act and other relevant legislation, regulations, and policies (including all Acts or Regulations in amendment, consolidation or substitution therefor). This report is solely to provide information to the property owner and /or addressee. Any person, other than the property owner or addressee who relies on this report for any purpose does so in all respects at their own risk.

Harcourts Holmwood
my kind of people
Licensed Agent REAA 2008

LYNNE CAWTHORN
Investment Specialist

021 655 505
lynne.cawthorn@harcourts.co.nz
175 Papanui Road, Merivale
03 351 5534
holmwood.co.nz
Holmwood Real Estate Ltd
Licensed Agent REAA 2008

DEDICATED TO PROVIDE A HIGH LEVEL OF SERVICE TO BOTH HER OWNERS AND TENANTS

Lynne joined the Holmwood Property Management team with over 35 years' experience in the Real Estate and Property Management industries.

Lynne is hardworking and enthusiastic about her role and is dedicated to provide a high level of service to her clients.

She has covered roles such as administration, staff trainer, office manager and she had over 12 years' experience as a Property Manager before becoming our Investment Specialist. Lynne is often commended for her communication, time management and organisational skills, while her motivation and dedication to her clients is a real asset.

She has an excellent eye for selecting the right property manager for the right property and owner. Lynne enjoys working with people and can get along with those from all walks of life. Outside of work Lynne enjoys spending time with family and friends, walking her dog Willow and keeping fit!

If it's a reliable, enthusiastic and experienced person you seek, then Lynne Cawthorn is an obvious choice!

FINALIST
BUSINESS DEVELOPMENT MANAGER
REINZ Awards for Excellence 2023

#1 BUSINESS DEVELOPMENT MANAGER
Harcourts New Zealand 2021-23 & 2024-25
Harcourts International 2021

#2 BUSINESS DEVELOPMENT MANAGER
Harcourts International 2023

#1 BUSINESS DEVELOPMENT MANAGER
REINZ Awards for Excellence 2022

Harcourts Holmwood
my kind of people

Professionals

Deadline Sale Process

The sale will be conducted on the following basis:

1. In the event that more than one offer has been made for the property then the sale will become a Multi-Offer and the following will apply:
   (a) That the Salesperson will advise the Purchasers that there is more than one offer on the property.
   (b) That the Purchasers should make the best offer they can.
   (c) The Vendor may accept or reject any or all offers at the Vendor's sole discretion.
   (d) The Vendor may again at their sole discretion:
      - Choose not to accept any offers made, or
      - Counter offer with one and only one of the purchasers, or
      - Negotiate with one and only one of the Purchasers, or
      - Negotiate with more than one of the Purchasers

2. The Vendor reserves the right to consider offers prior to the deadline

3. In the event that offers are being presented to the Vendor prior to the deadline, all parties who have registered their interest in the property will be notified of the date and time that offers will be presented to the Vendor. Purchasers are urged to register their interest in the property in writing at the first available opportunity.

4. That the terms and conditions of any offer will remain confidential to the Purchaser and the Agent or Salesperson drafting our offer.

5. The Vendor reserves the right to extend the deadline. Should the deadline be extended then all Purchasers who have registered an interest in the Property will be advised by the Salesperson at the first available opportunity.

ATTENTION

PROVING YOUR IDENTITY

From 1 July 2018, lawyers and conveyancers are required to verify the identity[1] of their clients in accordance with anti-money laundering legislation. If your lawyer cannot verify your identity in line with the legislation, they will not be able to act for you. If your lawyer cannot act for you, you may not be able to satisfy the conditions of your property purchase and will not be able to settle your property purchase or sale.

As identity verification can take days and sometimes weeks if a trust or company is involved, we **strongly recommend** that you contact your lawyer as soon as possible to have your identity verification completed.

The below gives an **indication** of some the documents your lawyer may ask you to present in person or as a certified document as part of this process:

Individuals:

Passport, NZ Firearms Licence or NZ Driver Licence with another document such as a bank statement or statement issued by a Government agency. You will also need to provide a document with your residential address (for example, a utility bill).

Trusts:

The Trust Deed and, for all trustees and settlors, the information required for individuals as noted above, together with information regarding the Trust's source of funds or wealth. Additional information may also be required for beneficiaries and appointers.

Companies:

Details of the company, together with the information for individuals noted above for every individual with more than a 25% shareholding, all individuals with effective control of the company and all individuals acting on behalf of the company. Information regarding source of funds or wealth may also be required.

Note: The above list is not exhaustive and is indicative only. Your lawyer will assist you with the specific requirements in relation to your situation.

[1] Lawyers are required to complete a "Customer Due Diligence" process in accordance with the Anti-Money Laundering and Countering Financing of Terrorism Act 2009

REINZ REAL ESTATE INSTITUTE OF NEW ZEALAND

Table 1: Residential risk assessment based on age of home, presence of asbestos-containing materials and activities that could increase or decrease risk to people

Building age	Possible asbestos-containing materials present	Status of asbestos-containing materials if present	Activities impacting asbestos-containing materials and exposure	Risk level
Pre-1940 unrenovated	None likely			None or negligible risk
Pre-1940, renovations performed 1950–1985	Exterior – corrugated cement roofing, Fibrolite or Hardiplank cladding, Fibrolite eaves	Cracks, chips or breaks in roofing or exterior cement sheeting (walls and eaves)	Materials wet during removal, not sanded or drilled, OR materials sealed/encapsulated	Extremely low risk
			Present when damaged materials were sanded or drilled	Possible short-term exposure – very low risk
		Materials undamaged and well-maintained (sealed and painted)		Extremely low risk
	Interior – textured ceilings, wall linings, vinyl flooring	Decorative ceiling crumbling or removed, vinyl flooring uplifted or old wall board crushed or drilled	Present during removal, but clean-up thorough	Possible short-term exposure – very low risk
			Home furnishings contaminated with dust, not cleaned or removed	Low risk but possible ongoing low-level exposure*
		Materials intact		Extremely low risk
1940–1990	Exterior – corrugated cement roofing, Fibrolite or Hardiplank cladding, Fibrolite eaves	Cracks, chips or breaks in roofing or exterior cement sheeting (walls and eaves)	Materials wet during removal, not sanded or drilled, OR materials sealed/encapsulated	Extremely low risk
			Present when damaged materials were sanded or drilled	Possible short-term exposure – very low risk
		Materials undamaged and well maintained (sealed and painted)		Extremely low risk
	Interior – textured ceilings, wall linings, vinyl flooring	Decorative ceiling crumbling or removed, vinyl flooring uplifted or old wall board crushed or drilled	Present during removal but clean-up thorough	Possible short-term exposure – very low risk
			Home furnishings contaminated with dust, not cleaned or removed	Low risk but possible ongoing low-level exposure*
		Materials intact		Extremely low risk
Post-1990	None likely			None or negligible risk

□ = possible presence of a hazard but probable low risk, □ = minimised risk, □ = ongoing presence of the hazard and higher risk.

* 'Risk' depends on the amount of asbestos-containing materials and extent of disturbance/works carried out. Although the risk is low in absolute terms, it will increase with time if steps are not taken to remove the asbestos fibres after work has been completed.

Ministry of Health Website https://www.health.govt.nz/your-health/healthy-living/environmental-health/hazardous-substances/asbestos/asbestos-home

Buying or selling your property?

New Zealand Residential Property Sale and Purchase Agreement Guide

REA
REAL ESTATE AUTHORITY
TE MANA PAPAWHENUA

This guide tells you...

- what a sale and purchase agreement is
- what's in a sale and purchase agreement
- what happens after you sign the sale and purchase agreement
- what happens if you have a problem
- where to go for more information

Where to go for more information

This guide is available in other languages. You can find translated copies of this guide on rea.govt.nz and settled.govt.nz.

The New Zealand Residential Property Agency Agreement Guide is also available on settled.govt.nz. The guide tells you more about the agreement you sign with the agency helping to sell your property.

We welcome any feedback you have on this publication.

The information in this guide was accurate when published. However, the requirements this information is based on can change at any time. Up-to-date information is available at rea.govt.nz.

Key things to know about sale and purchase agreements

- A sale and purchase agreement is a legally binding contract between you and the other party involved in buying or selling a property.
- You must sign a written sale and purchase agreement to buy or sell a property.
- You need to read and understand the sale and purchase agreement before you sign it.
- Even if a standard sale and purchase agreement is being used, you should always get legal advice before you sign the agreement and throughout the buying and selling process.
- You can negotiate some of the terms and conditions in a sale and purchase agreement.
- You can include additional clauses, such as what to do if there are special circumstances. Your lawyer plays an important role in providing advice on what the sale and purchase agreement should say.
- A sale and purchase agreement becomes unconditional once all the conditions are met.
- In most cases, the real estate professional is working for the seller of the property, but they must treat the buyer fairly.
- If your real estate professional or anyone related to them wants to buy your property, they must get your written consent to do this. They must also give you a valuation of your property by an independent registered valuer.
- The sale and purchase agreement is only available in English. You may need assistance interpreting it if English is not your primary language.

What a sale and purchase agreement is

A sale and purchase agreement is a legally binding contract between you and the other party involved in buying or selling a property. It sets out all the details, terms and conditions of the sale. This includes things such as the price, any chattels being sold with the property, whether the buyer needs to sell another property first or needs a property inspection and the settlement date.

A sale and purchase agreement provides certainty to both the buyer and the seller about what will happen when.

What's in a sale and purchase agreement

Your sale and purchase agreement should include the following things.

Basic details of the sale

Different sale methods like tender or auction might mean the sale and purchase agreement can look different, but all sale and purchase agreements should contain:

- the names of the people buying and selling the property
- the address of the property
- the type of title, for example, freehold or leasehold
- the price
- any deposit the buyer must pay
- any chattels being sold with the property, for example, whiteware or curtains
- any specific conditions you or the other party want fulfilled
- how many working days you have to fulfil your conditions (if there are any conditions)
- the settlement date (the date the buyer pays the rest of the amount for the property, which is usually also the day they can move in)
- the rate of interest the buyer must pay on any overdue payments (such as being late on paying the deposit or the remaining amount at the settlement date).

General obligations and conditions you have to comply with

The sale and purchase agreement includes general obligations and conditions that you will need to comply with. For example, these may include:

- access rights – what access the buyer can have to inspect the property before settlement day
- insurance – to make sure the property remains insured until the settlement date and outline what will happen if any damage occurs before settlement day
- default by the buyer – the buyer may have to compensate the seller if they don't settle on time, for example, with interest payments
- default by the seller – the seller may have to compensate the buyer if they don't settle on time, for example, by paying accommodation costs
- eligibility to buy property in New Zealand – people who have migrated to New Zealand may not be permitted to immediately buy property or may need to get consent from the Overseas Investment Office.

Your lawyer will explain these clauses to you.

Check...

Always check your sale and purchase agreement with a lawyer before signing.

Buying or selling a property where the owner isn't able to participate, like a mortgagee sale or deceased estate, can mean the real estate professional has limited information about the property. It pays to allow for this when deciding what conditions the buyer and seller might need.

Remember...

Before you sign a sale and purchase agreement, whether you're the buyer or the seller, the real estate professional must give you a copy of this guide. They must also ask you to confirm in writing that you've received it.

Specific conditions a buyer may include

Some buyers will present an unconditional offer, which means there are no specific conditions to be fulfilled. Some buyers will include one or more conditions (that must be fulfilled by a specified date) in their offer such as:

- title search – this is done by the buyer's lawyer to check who the legal owner of the property is and to see if there are any other interests over the property such as caveats or easements
- finance – this refers to the buyer arranging payment, often requiring bank approval for a mortgage or loan
- valuation report – a bank may require the buyer to obtain a valuation of the property (an estimate of the property's worth on the current market) before they agree to a loan
- Land Information Memorandum (LIM) – provided by the local council, this report provides information about the property such as rates, building permits and consents, drainage, planning and other important information
- property inspection – a buyer paying for an inspection provides an independent overview of the condition of the property rather than relying on an inspection that has been arranged by the seller
- engineer's or surveyor's report – similar to the above but more focused on the entire section and the structure of the property
- sale of another home – the buyer may need to sell their own home in order to buy another.

The real estate professional helps the buyer and the seller to include the conditions they each want. Even though the real estate professional works for the seller, they also have to deal fairly and honestly with the buyer. While they're not expected to discover hidden defects, they can't withhold information and must tell the buyer about any known defects with the property. If a buyer needs time to check a property for defects, including a property inspection condition may be important.

What happens after you sign the sale and purchase agreement

Signing the sale and purchase agreement is not the end of the sale or purchase process.

Both parties work through the conditions until the agreement is unconditional

A conditional agreement means the sale and purchase agreement has one or more conditions that must be met by a specified date and before the sale goes through.

The buyer pays the deposit. Depending on what the sale and purchase agreement says, the buyer may pay the deposit when they sign the agreement or when the agreement becomes unconditional. If the deposit is made to the real estate agency, it must be held in their agency's trust account for 10 working days before it can be released to the seller.

An agreement for sale and purchase commits you to buy or sell

Once you've signed the sale and purchase agreement and any conditions set out in it have been met, you must complete the sale or purchase of the property.

The length of time between the conditions being met and the settlement date varies. Settlement periods can be lengthy if the property hasn't been built yet or the sale and purchase agreement includes conditions for one party to buy or sell another property. The real estate professional has obligations to keep you informed of important updates that come up during this time.

Pre-settlement inspection

This is the chance for the buyer to check the property and chattels are in the same condition they were when the sale and purchase agreement was signed and to check that the seller has met any conditions, for example, there is no damage to walls or chattels haven't been removed from the property.

It's important to raise any concerns you find at the pre-settlement inspection with your lawyer and the real estate professional as soon as possible to allow enough time for an issue to be resolved. If it's less than 24 hours before settlement, the vendor may not be obligated to set things right.

Payment of a commission

Once the sale is complete, the seller pays the real estate professional for their services. The real estate agency usually takes the commission from the deposit they're holding in their trust account. The seller should make sure the deposit is enough to cover the commission. The real estate professional cannot ask the buyer to pay for their services if they have been engaged by the seller.

The buyer pays the rest

The buyer pays the remainder of the amount for the property on the day of settlement, usually through their lawyer.

Buying a tenanted property

If the property is tenanted, the agreement for sale and purchase should specify this. It may also contain a specific date for possession that may differ from the settlement date.

If the buyer requires the property to be sold with 'vacant possession', it is the seller's responsibility to give the tenant notice to vacate in accordance with the tenant's legal rights.

It is recommended that you seek legal advice if you are buying a property that is currently tenanted.

What happens if you have a problem

If something has gone wrong, first discuss your concern with the real estate professional or their manager. All agencies must have in-house procedures for resolving complaints.

If you can't resolve the issue with the real estate agency or you don't feel comfortable discussing it with them, you can contact the Real Estate Authority (REA). We can help in a number of ways if your complaint is about the real estate professional. For example, we can help you and the real estate professional or agency to resolve the issue and remind them of their obligations under the Real Estate Agents Act 2008. When you contact us, we'll work with you to help you decide the best thing to do.

Call us on 0800 367 7322, email us at info@rea.govt.nz or visit us online at rea.govt.nz

About settled.govt.nz

Settled.govt.nz guides you through home buying and selling.

Buying or selling your home is one of the biggest financial decisions you will make. It's a complex and sometimes stressful process with potentially significant emotional and financial impacts if things go wrong.

Settled.govt.nz provides comprehensive independent information and guidance for home buyers and sellers. You can find information about the risks and how they can impact you and get useful tips on how to avoid some of the major potential problems.

Settled.govt.nz will help to inform and guide you through the process from when you're thinking of buying or selling right through to when you're moving in or out. You'll find valuable information, checklists, quizzes, videos and tools. From understanding LIMs, to sale and purchase agreements, to when to contact a lawyer, settled.govt.nz explains what you need to know.

Settled.govt.nz is brought to you by the Real Estate Authority – Te Mana Papawhenua (REA).

For more information

For more information on home buying and selling, visit settled.govt.nz or email info@settled.govt.nz

About the Real Estate Authority – Te Mana Papawhenua (REA)

REA is the independent government agency that regulates the New Zealand real estate profession.

Our purpose is to promote and protect the interests of consumers buying and selling real estate and to promote public confidence in the performance of real estate agency work.

What we do

Our job is to promote a high standard of conduct in the real estate profession and protect buyers and sellers of property from harm.

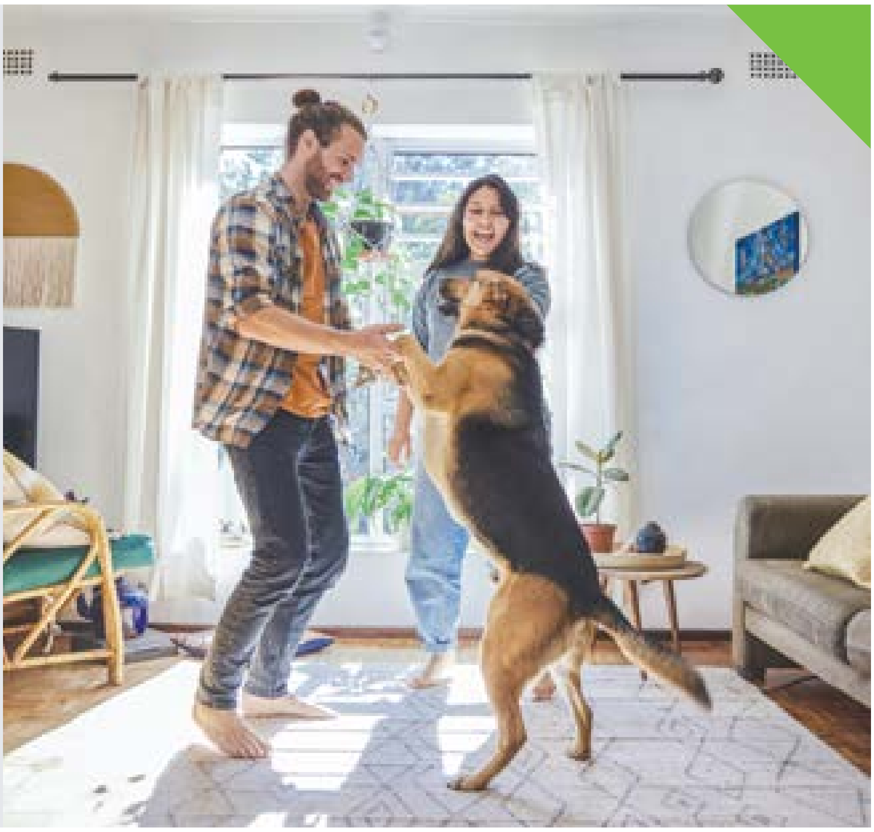
- We provide independent information for people who are buying and selling property through our settled.govt.nz website.
- We provide guidance for real estate professionals and oversee a complaints process.
- We license people and companies working in the real estate industry.
- We maintain a Code of Conduct setting out the professional standards real estate professionals must follow.
- We maintain a public register of real estate professionals that includes information about disciplinary action taken in the last 3 years.

The Real Estate Agents Authority is a Crown agent, established under the Real Estate Agents Act 2008. The Real Estate Authority is the operating name of the Real Estate Agents Authority.

For more information

To find out more about REA, visit rea.govt.nz, call us on 0800 367 7322 or email us at info@rea.govt.nz

settled.govt.nz



Approved under section 133 of the Real Estate Agents Act 2008. Effective from 14 October 2022.

Can you buy a home in New Zealand to live in?

Most overseas people are not able to buy homes in New Zealand to live in, but some can apply to the Overseas Investment Office for consent.

You don't need consent if...

- You are a New Zealand, Australian or Singaporean citizen.
- You have a New Zealand, Australian or Singaporean Permanent Resident visa and live in New Zealand.*
- You have a New Zealand Resident visa and live in New Zealand.*

*You have lived in New Zealand for at least 183 days in the past 12 months.

You must apply for consent to buy one home to live in if...

- You have a New Zealand Permanent Resident or Resident visa and do not live in New Zealand.*
- You have an Australian or Singaporean Permanent Resident visa and do not live in New Zealand.*

*To get consent you'll need to live in New Zealand, and if you stop living here, you'll have to sell.

You can't buy one home to live in if...

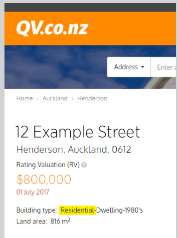
- You have a Temporary visa, such as a visitor, student, working holiday, or work visa (you don't have a Permanent Resident or Resident visa).

  There are other ways you may be able to invest in property.

Check if you can buy

Visit the Ministry of Business, Innovation & Employment website at https://www.newzealandnow.govt.nz/overseas

What types of homes are affected?



These laws apply to homes that are classed as 'residential' or 'lifestyle' on the District Valuation Roll. You can check properties on websites, such as www.qv.co.nz, or ask the local council.

Everyone must make a 'Statement'

All buyers must complete a Residential Land Statement to say whether they are eligible to buy. Your conveyancer can help you do this.

If you must apply or cannot buy, it is especially important that you first talk to your conveyancer before you sign the sale and purchase agreement. If you need to sign it urgently, you can make the agreement conditional on the consent of the Overseas Investment Office.

If you need consent, but sign an unconditional agreement without it, you may face significant penalties. If you make a false statement, you could be fined up to $300,000.

Apply for consent

To apply to the Overseas Investment Office for consent to buy one home to live in visit www.linz.govt.nz/oio/live.

Learn more

This leaflet gives general guidance for people who want to buy a home to live in. There are special rules for overseas people who want to invest in New Zealand property, but not live in it, including buying rental property or land that is rural or next to a lake, river, reserve or the sea.

These rules are complex, and you will need the help of a New Zealand property lawyer. Visit the Overseas Investment Office at www.linz.govt.nz/oio to learn more.