Survey and Spatial NZ Stakeholder Workshop

Environment Court Judgment re Conversion of cross-lease title to freehold title

What was the case about?

Declaration sought that crosslease title conversion was not a subdivision under s218 RMA

S+SNZ supported Don McKay's application (Cost about $20k excl staff & volunteer time)

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Judgment

Application declined **BUT** Judge commented on scope of council power to impose conditions on subdivision:

"the consent authority should generally approach such an application in a way that is mindful of the possibility that there may be few, if any, material environmental implications warranting a full-scale assessment of the proposal as if it were a new development" [55]

Options re Judgment

Board considered 4 options & selected one:

1. ~~Appeal~~
2. ~~Advocate for legislative change~~
3. Advocate for less onerous council conditions
4. ~~Do nothing~~

Advocate for Legislative Change

- we *can't drive* legislative change

- legislation takes a *long time* from policy development to actual law (2-3 years min)

- *low priority* 1999 Law Commission Report recommendations not yet implemented.
Large effort by NZIS at that time, for no result.

Advocate for less onerous council conditions

Start by developing an effective argument in letter to TA's - propose solutions:

Controlled Activity – minimise assessment required

Acceptance of "fit for purpose" as Engineering standard for title conversions :

- **accept common private drains in easements**
- **accept existing pavements**

Advocate for less onerous council conditions

- **Branches/CSNZ use letter on TA contacts at all levels**
- **Seek follow up meetings to influence & advocate**
- **Record & Map the response of TA's**
- **Spread the argument to news media, LGNZ, property organisations e.g. PINZ, REINZ, Property Council, NZPI**

S+SNZ Requirements:

Experts with technical knowledge (2 practitioners) –

Andrew Blackman & Warren Haynes >>consult interested members

Advocacy skills - (National Office)

Karin Knedler - Advocacy & Policy Manager

WORK ON IT TOGETHER

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Other ideas?