



Minutes of the Board meeting held on 10 February 2023

9.00am by Zoom

In attendance were Colin McElwain (CM), Craig McInnes (CKM), Jane Davel (JD), Nick Davies (ND, substitute), Neale Faulkner (NF - Chair), Anselm Haanen (SG), Phil Napper (PN, Secretary).

1 Apologies: Vicki Nalder

2 Agenda:

Additional items – noted by NF to be covered under General Business.

3 Minutes of last meeting

The minutes of the previous meeting of 25 November 2022 were accepted, subject to a name correction under 6(iii)(b). There were no matters arising.
Moved NF/JD.

4 Administration

(i) Conflicts of interest:

No new conflicts were raised. Register to be updated after new members appointed.

(ii) Secretary's Report:

The Secretary's report was taken as read.

(iii) Correspondence:

The correspondence report was taken as read.

NF raised recent concerns from the YP's group about last year's law examination being too difficult. Following independent comparisons with previous exams and pass/fail rates by NF and CM, they had concluded that the exam was not an outlier and was fit for purpose. NF to contact S+S NZ and request that they publish a summary of the 2022 exam results, as they have done for the previous 2 years.

(iv) Financial Report:

The Board agreed to increase the Secretary hourly rate to \$95+gst/hr. There was some discussion about changing the job title to better reflect the full range of skills and responsibilities required for the role. NF to follow up with PN. Moved NF/AH.

The following Committee payments were ratified (Moved AH/ND) –

27/11/2022	Neale Faulkner	CRSBANZ	\$342.50
28/11/2022	Vicki Nalder	competency meeting	\$430.00
28/11/2002	Jane Davel	competency meeting	\$430.00
30/11/2022	Colin McElwain	competency meeting; risk register	\$645.00

The financial report was accepted. Moved CKM/CM.

Budget – it was agreed to –

Maintain the annual licence fee at \$226.09 ex gst for the upcoming year;

Maintain the secretary fees at \$50,000 and increase the competency assessment review to \$30,000 to cover probable consultant assistance;

Delete lines 27 and 28 as there should be no expenses against S+S NZ and Survey School activities (already covered under ad hoc committees).

Moved JD/CM subject to –

clarification of the depreciation amounts with BakerTilly;

NF/PN to consult with solicitor and BakerTilly about the current level of bank deposits, and the Board's risk mitigation, should the Board face a financial claim outside the scope of the present liability insurance cover.

5 Applications for Licences

(i) Initial Licence applications:

The following new licence applications approved by email were ratified – E Clarke, C Donaldson, S Frewin, C Page, M Harting, J Eichstaedt
Moved CKM/ND.

(ii) Licence re-applications:

The application from M Dyer approved by email was ratified. Moved ND/CKM.

(iii) Overseas applications and enquiries:

[s 9(2)(a)]

It was agreed that the standard path (as a graduate) for obtaining a Certificate of Competency is required before applying for a licence. Dispensation could be sought for some prior experience however this would be based on merit as determined by the examinations panel in consultation with the Board. Moved CM/CKM.

6 Regulatory Matters

(i) Report from Surveyor-General:

No report was provided for this meeting. CKM thanked the SG for the helpful guidelines and knowledgebase for surveyors on the LINZ website, with appreciation to be passed on to staff members.

(ii) ASG Compliance Report:

The ASG report was taken as read, and accepted by the Board.

(iii) s7(1)(d) Notices:

(a) [s 9(2)(a)] It was agreed to accept the responses from [s [s 9(2)(a)] and not to place them on the watch-list for licence renewal.
Moved CKM/JD.

(b) [s 9(2)(a)] The Board noted [s 9(2)(a)] brief response, and also reviewed the field and office audits carried out by LINZ.

The Board was encouraged that the office audit found improvements in his office

QA processes. However, there was some concern that the field audit found critical and significant non-compliances in 2 of his surveys.

It was agreed that [s 9(2)(a)] should stay on the watch-list for licence renewal. In particular, a full response is expected about the supervision and conduct of all the field aspects of his surveys, to ensure full compliance with the Surveyor-General's Rules. Moved CM/ND.

(iv) Complaint:

It was agreed to accept the complaint from [s 9(2)(a)] for investigation. PN to write to LCS [s 9(2)(a)] advising him of the complaint and inviting a response from him, including the reasons for carrying out the survey(s). PN to also write to [s 9(2)] advising him that the complaint has been formally "received" under section 35(3) of the Cadastral Survey Act 2002. The civil matters mentioned under 'consequential loss' in the complaint are to be noted as being outside the Boards jurisdiction. Moved JD/CM.

7 Risk register:

CM will update the register to cover the following items before circulating to the Board (NF to send to the Boards solicitor for his information) – code of conduct, emergency/disaster, professional misconduct complaints.

8 General Business

(i) Website and database security:

The Board reviewed the response from BC Systems about their current systems and protective measures. It was agreed that it is important to have good cyber security in place, supported by an audit of the current system.

NF offered to contact VN about a possible audit by [s 9(2)(a)] who carried out the original audit of BC Systems. Alternative providers have already been suggested by CKM, and a proposal has already been received from Grant Thornton. BC Systems response about improvements to their backup schedule (item 4) is also to be followed up by NF.

There was also some concern about the level of private information being collected from LCS's which could be linked to an individual and whether it is all needed, how long it is retained and where. PN to review licence application forms and check current obligations under the Privacy Act with the Boards solicitor.

(ii) IT Support - contract:

PN spoke to the draft contract as a possible service agreement with BC Systems. It was acknowledged that the nature of the arrangement with BC Systems has changed significantly since they were first engaged in 2018. JD noted the following for further attention and review by the Boards solicitor – set the service level, define ownership of intellectual property, cover database administration and risk management, add the level of reporting we need including safeguarding of personal information held, and include reciprocal indemnity clauses. It was agreed to firm up the services now being provided, and to suggest hourly rates instead of lump sum payments, unless by prior agreement.

(iii) Competency framework:

CKM spoke to his report to the Board. It was agreed that most of the framework is ready for consultation; however, the Professional Challenge needs further work. It was noted that the Victorian proposal includes a written examination which may need further investigation. CKM noted that the committee will need to get some

feedback on some options with the Challenge from S+S NZ and the Survey School before going to wider consultation. Someone independent will also be needed soon to write up the consultation document.

(v) Other Items:

(a) CRSBANZ – NF noted that the Australian jurisdictions are working towards common competencies for cadastral survey (only) and that they are similar to the CSLB licensing Standards competencies. Feedback from the various Universities is also required to ensure consistent competencies. The Victorian framework could be utilised nationally across all the jurisdictions.

(b) Board appointments: NF noted recent advice from LINZ that there will be a further delay until new appointments are confirmed.

Next meetings –

Monday 3 July 2023 in Wellington (previously 23 June) including a possible hearing 2 or 3 July;
 Monday 17 July 2023 by Zoom (previously 7 July);
 Friday 10 November 2023 in Wellington.

The chair closed the meeting at 12:30pm.

Action Items

No	Item	By	Action	Done
1	4(iii)	NF	Law exam results	
2	4(iv)	PN/NF	Secretary contract	✓
3	4(iv)	PN/NF	Bank deposits	
4	5(iii)	PN	Overseas enquiry	✓
5	6(iii)	PN	s7(1)(d) letters	✓
6	6(iv)	PN	Complaint letters	✓
7	7	CM/NF	Risk register	
8	8(i)	NF/PN	Website	
9	8(ii)	PN/NF	IT contract	
10	8(iii)	NF/CKM/PN/AH	Competency framework	

Note – items ticked are completed since meeting.

Minutes Approved

W C Faulkner

3/7/2023

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Chair

Manny

Secretary

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