

PRESENTERS



Richard Hern, Wynn Williams, Auckland

Richard has a well-earned reputation for his highly developed technical skills in insurance law and litigation/dispute resolution. He is recommended and recognised by The Legal 500 Asia Pacific 2017 for his work in Insurance law. He is also recognised as a Leader in his field by Chambers Asia Pacific 2018 legal rankings.



Nigel Grant, Christchurch City Council, Christchurch

Nigel is the Team Leader for Environmental Health. The team is responsible for a range of issues including Health Nuisances, Noise, and Contaminated Land. During his seven years with Council he has been involved in several complex issues involving contamination of properties. Nigel has had extensive involvement with Public Health during his career and has worked in a variety of settings in both Local Government and Public Health Units which included managing the Southern DHB Public Health Unit. He holds a Post Graduate Diploma in Public Health from the Otago School of Preventative and Social Medicine.

The statements and conclusions contained in this paper are those of the author(s) only and not those of the New Zealand Law Society. This booklet has been prepared for the purpose of a Continuing Legal Education course. It is not intended to be a comprehensive statement of the law or practice, and should not be relied upon as such. If advice on the law is required, it should be sought on a formal, professional basis.

CONTENTS

METHAMPHETAMINE..... 1

INTRODUCTION 1

NZS 8510:2017 TESTING AND DECONTAMINATION OF METHAMPHETAMINE-CONTAMINATED PROPERTIES 1

METHAMPHETAMINE CONTAMINATION AND PROSPECTIVE PURCHASERS 2

METHAMPHETAMINE CONTAMINATION AND REAL ESTATE AGENTS..... 3

Case law 4

TAKE HOME MESSAGES FROM THE CASE LAW 7

METHAMPHETAMINE CONTAMINATION AND VENDORS 7

METHAMPHETAMINE CONTAMINATION AND LANDLORDS 8

What is “habitable”? 8

What if the landlord did not know there was contamination? 9

PROPERTY MANAGERS 9

Case law 9

TAKE HOME MESSAGES FROM THE CASE LAW 11

TENANTS 12

BEST PRACTICE FOR LANDLORDS 12

LOCAL AUTHORITY PERSPECTIVE ON RECORD KEEPING AND LEGISLATIVE REQUIREMENTS 13