

W7, which is common to both pleadings, says "In November '78 ... (reads) ... the first cluster plan" and then a complaint is made in W8 that in August '79, that's 26 years ago, "The council for an ulterior purpose ... (reads) ... of the Sale of Land Act". Just to fill you in a little bit because there are a few references to s.9 of the Sale of Land Act which provided at the time that you could tell - I think it's that you could sell two lots on a plan of subdivision - I'll tell you what it is "Where a proprietor subdivided any land" - I'll start again.

Essentially, you can lodge a two lot plan of subdivision and you don't have to show roads, streets and so on on the plan and you can get it approved and off you go. But if you want to subdivide into more than two you have to show the roads and so on on the plan of subdivision. They have to be all marked. That's, as I understand it, the short version.

What's said is to get around having to show roads or water on the plan, Mr Buchanan put forward to the council a series of plans. So whereas previously he might have had an 18 lot plan, he said, we'll do it in a slightly different way. What we'll do is we'll have two nine lot plans and then we don't have to show any roads - sorry, nine two lot plans, I think that's the complaint as I understand it.

There were further plans lodged and it's said this was an ulterior purpose of getting around s.9 of the Sale of Land Act and that the council did it maliciously and in para W10 that when sealing the or

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