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UK LAND REGISTRY BUILDING UP TO E-CONVEYANCING

You could be forgiven for thinking that a land registry servicing the world's fourth-largest property market would not have too much to learn from the more modestly-sized operations in Australasia. But Peter Collis, Chief Land Registrar and Chief Executive for Britain's Land Registry, found plenty of interest at the 33rd Australasian Registrars' Conference hosted by LINZ in Wellington from 26-28 October.

The sheer scale of the Land Registry's operation is quite breathtaking by New Zealand standards. Covering both England and Wales, the Land Registry is steward for the guaranteed title of £3.5 trillion worth of property. Its 8,000 staff receive and process over 31 million applications each year, and maintain more than 20 million registers of title.

2 Founded in 1862, the Land Registry has undergone a series of changes in the past 15 years that have seen its operations put on a more business like and accessible footing, with some parallels to the changes seen in New Zealand

One of the most significant reforms in Britain has been the Land Registration Act 2002 and Land Registration Rules 2003, which came into force two years ago. These completely replaced the law for land registration, and it was the first such overhaul in 75 years. The new legislation has simplified and modernised land registration, provides for more information on a title about the rights and interests affecting land, and it clears a way for the development of electronic conveyancing.

Peter Collis says the Land Registry is building towards e-conveyancing in 'blocks', some of which are already operating. For example, through Land Registry Direct, which has about 80,000 users, register and title plans can now be viewed and downloaded. Mortgage discharges can also be registered online – about 300,000 such transactions have been done in the past two years, most with no manual intervention required.

There are compelling reasons to go the whole distance to a full e-conveyancing system, Peter says. "The process currently takes up to 16 weeks. There's a lack of transparency and the potential for poor standards of conveyancing. For buyers and sellers this means uncertainty, risk and anxiety."

As any property buyer will know, sales are often linked to a whole matrix of other deals. If one falls over, it can bring down the linked transactions too. Recognising this, the Land Registry is introducing a "chain matrix" model to its e-conveyancing system. With one conveyancer initiating a chain matrix it will

LINZ WELCOME FOR AUSTRALASIAN LAND REGISTRARS

Land administration is up there beside taxation as one of the two biggest areas of focus for e-government internationally, LINZ Chief Executive Brendan Boyle told delegates at the Australasian Registrars' Conference.

"We are starting to see some exciting developments coming to fruition in e-government in Canada, the United Kingdom, Ireland, Australia, New Zealand and parts of Asia," he said.



LINZ Chief Executive
Brendan Boyle.
Conference themes
included e-conveyancing
and legislative reform

Getting e-government systems in place is one thing, but persuading customers to use them is a whole new issue, he added. "In New Zealand we have found the stronger business and technology culture in the survey profession has seen them quickly take up electronic delivery and lodgement. While the law profession has not been such early adopters, we are starting to see some good progress in this sector also."

Brendan said that the electronic environment has opened up new possibilities for the way land information can be integrated with other data. "People can do things with this information that wasn't possible with paper-based systems. This means our role is also changing as we move to keep up with the way people transact business involving land."

National systems for guaranteeing land title were not immune from the growing plague of "phishing" scams and internet-based fraud, he reminded delegates. ("Phishing" happens when fraudsters email a user, falsely claiming to be an established legitimate enterprise, in an attempt to scam the user into surrendering private information that will be used for identity theft.)



Peter Collis, Britain's Chief Land Registrar: New Zealand's approach to land titles 'well thought through'.

Looking further ahead, the Land Registry plans to have all of its data and records electronically accessible within 10 years, by which time he expects most property conveyancing will also be done electronically.

The Australasian Registrars' gathering was an excellent opportunity to network with others using Torrens-type land title systems, Peter says. "In some parts of the world land title is treated very differently. For example in Spain, only the deeds are registered, not the land itself. In the United States there is a relatively 'light' system for guarantee of title, but it is underpinned by insurance."

He says the New Zealand approach to land titles through *Landonline* and *e-dealing* was well thought through.

"You should get credit for that. LINZ was initially faced with a problem of low uptake for *e-dealing*, and I have been impressed with their efforts to overcome that. Lifting the rate of electronic transactions for land title lodgement from 2.5 to 15 percent in one year is a good result."

allow end users to keep up with developments as they occur and minimise delays.

The e-conveyancing model will also feature electronic funds transfer and the Land Registry will provide a basic access channel to the centralised service – although large providers will be free to set up their own channels.

The full system will be ready for piloting in 2007, and Peter is expecting the 65,000 conveyancers operating in England and Wales to take full advantage – especially the larger operators.

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"There's no reason to think we should be any safer than others from these new challenges," he said. "There are some interesting new technology developments happening in biometric identification. While these are driven largely by anti-terrorism measures, it's important that we keep abreast of changes."

Brendan said that land registrars, as stewards and guardians of government systems for land title, need to take these kinds of threat very seriously. "It's a behavioural and security issue. We cannot afford for people to lose confidence in the integrity of a state-guaranteed system."

CONFERENCE THEMES

Electronic conveyancing was a key theme of the conference, says to LINZ Registrar-General, Robbie Muir. "We are fortunate to have a nationally standardised system, whereas in Australia, there are separate land registries for the states and territories. The Australian land registries are increasingly working towards greater uniformity, particularly in relation to their e-conveyancing initiatives and have recently set up a national project office to facilitate this.

"Another interesting contrast is the relationship with the banks. In Australia, banks tend to lodge their own mortgage documents directly with the land registries and therefore have a particular interest in the move towards greater standardisation."

Legislative reform to standardise land registration was another conference theme. Robbie says New Zealand, like other countries, will need to update legislation eventually,

although there is no timeframe for this as yet. "The current Land Transfer Act was amended to allow for automation of the register and electronic lodgement, but it is a patchwork of amendments to a 1952 Act which is itself based on older legislation."

He says the move to follow most Australian jurisdictions and open up the conveyancing market here in New Zealand also requires a legislative change through the Lawyers and Conveyancers Bill, which is still in the parliamentary process. If such legislation is a passed, an important aspect will be the implementation of a suitable regulatory regime for non-lawyer conveyancers with appropriate consumer protection mechanisms.

Robbie says the three-day conference was intense but rewarding. "We had excellent feedback from the 21 delegates, some of whom had travelled half-way around the world to be with us. After all the effort that went into planning the event it was great to have it go so well." Next year's conference will be hosted in Perth, Australia.

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CHARTING NEW WATERS

Adam Greenland has moved from monitoring the constantly shifting bed of the Thames River and its 400 square mile estuary to take up the role of Senior Hydrographic Surveyor at LINZ.



4



Adam Greenland:
building relationships
with New Zealand's
maritime community.

Starting his career in the merchant marine in 1979, Adam spent the last 16 years with the Port of London Authority, latterly as Deputy Port Hydrographer.

He joined LINZ in October and heads a five-person hydrographic team within the Customer Services Group.

As the national hydrographic authority, LINZ provides navigational charts, nautical information and to mariners.

Adam is the team's hydrographic specialist – a role he is eminently qualified for. In addition to his hydrographic survey experience in the challenging environment of the Thames River and estuary, he is Chairman of the International Federation of Surveyors (FIG) Commission 4: Hydrography. His four-year term ends in 2006. The FIG Commission provides a forum for the international hydrographic community and develops guidelines and publications of topical interest.

That role fits nicely with his role at LINZ, where he will be building relationships with hydrographic surveying and charting providers and the maritime community generally. There is also a strong international focus through LINZ's

relationship, not only with FIG, but also the International Hydrographic Organisation (IHO).

Adam says there is an international shortage of hydrographic survey skills, and he has done his bit to help restore the balance. In the United Kingdom he helped set up and teach an approved MSc course in hydrographic surveying. The practical FIG/IHO/ICA-accredited Cat A course was a joint venture between the Port of London Authority and University College London.

The day-to-day work for the LINZ team includes the updating and production of regular nautical publications such as the fortnightly NZ Notices to Mariners, annual tide predictions and other hydrographic data made available through the LINZ website.

Contracting out hydrographic surveys and charting is a major part of Adam's role. He works closely with the LINZ Regulatory Group on the development of standards, and sets the priorities and specifications for the survey and charting programme.

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LINZ TO ISSUE NOTICES TO MARINERS

Mariners who discover new or suspected dangers to navigation, or shortcomings in charts and publications report these to LINZ through the LINZ website, the "H Note" form in the Nautical Almanac or the LINZ toll free number 0800 665 463.

Where these are verified, they are issued as Notices to Mariners (NTMs).

From 1 January 2006, LINZ will take over the production and distribution of NTMs. Issued fortnightly, the Notices feature safety-related corrections to existing charts. LINZ will be producing the notices in-house, using a new software package: Caris RMS.

While the transition will be invisible to the Mariners who receive the notices, the move will streamline the process. NTMs have traditionally been distributed by mail or via the LINZ website and are also available via email as PDF files. Adam Greenland says recipients are being actively encouraged to take this electronic option for a speedier and more straightforward service. "It is likely that the electronic distribution of the notices will eventually replace mailed copies altogether," he says.

For hydrographic information visit www.linz.govt.nz and click on the 'Hydrography' link.

A RIVER ALMOST CAN'T RUN THROUGH IT

The Crown, a local authority and the private sector have pooled resources to tackle a potentially serious environmental problem in Southland's Mararoa River.

LINZ is contributing to the Environment Southland-led project to remove crack willows from the bed of the Mararoa River.

An infestation of crack willow (*Salix fragilis*) has been gradually choking the bed of the river in its lower reaches for the past 30 to 40 years. This has reduced the capacity of the channels to carry increased water flows and created a serious risk of flooding and loss of fertile soils outside the river's natural course.

Funding to 'unplug' a 20 kilometre stretch of the Mararoa River has been secured through a process of inter-agency cooperation that has brought together the varied groups that each have an interest in the river negotiating a safe course.

The major contributor to the \$2.9 million project is Meridian Energy (\$1.08m), which has water rights for the Mararoa River, and wants to avoid any flooding backflow carrying willow debris which could damage the Manapouri lake control structure. LINZ (\$350,000) is responsible for weed and pest control in Crown-owned lakes and riverbeds; the Department of Conservation (\$60,000) is interested in the restoration of natural ecosystems and Transit New Zealand (\$300,000) is mindful of the potential damage flooding could do to its roads and bridges. The balance of the cost is to be met by the region's ratepayers, who are also keen to see the Mararoa River keep within its banks.

Environment Southland (ES) will lead the five-year project to clear the riverbed of the willows and other vegetation. ES Project Manager Ken McGraw says the willows will be cleared progressively, working upstream.

"The first work should begin in late January 2006, when we will begin aerial spraying of the willow with glyphosate," Ken explains. "This will be followed 6-8 weeks later by removal of the dead trees. Some will be burned, some stumps will be taken out and buried and we are hoping that some of them can be chipped for use in boilers powering local lumber mills."

Ken says there is no major engineering work involved, and the objective is to restore the river to a low-energy, stable multi-braid system with a fairway cleared of woody vegetation. "We are expecting to have to do follow-up spraying to control any regrowth and any gorse or broom that colonises the cleared areas."

Wooded margins on the banks will be preserved to help keep the river confined to its natural course when it floods.

"It is an unusual project, because we are protecting a whole range of values associated with the river," he says. "As well as protecting the adjacent farmland from flooding, it is an ecological restoration project and the river also tourism and other amenity values."

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INTERNATIONAL HYDROGRAPHERS MEET IN NZ

Capacity building for hydrographic survey in the South West Pacific was one of the issues to emerge during the South West Pacific Hydrographic Commission's meeting in Wellington last month – one of two key International Hydrographic Organisation (IHO) meetings hosted by LINZ.

LINZ National Topographer/Hydrographer John Spittal, who chaired the meeting, says there is a worldwide shortage of skilled hydrographers, with graduates being snapped up by the wealthier countries. A technical tour of the Pacific to help encourage governments to build regional capacity is one IHO initiative – possibly led by New Zealand.

A good work programme resulted from the meeting. New Zealand's main roles will be to lead the Commission, organise the technical visits for the IHO and ensure that a regional voice is heard in worldwide IHO initiatives.

LINZ also hosted the Hydrographic Commission on Antarctica (HCA) meeting at the International Antarctic Centre in Christchurch last month.

"The HCA meeting provides an excellent forum to help coordinate the hydrographic-related activities of various organisations in Antarctica, and encourage the sharing of information," John adds.

GIS COMMUNITY UPDATED ON GEOSPATIAL STRATEGY

With more than 300 geographic information systems (GIS) specialists gathered in Wellington early last month, it was an ideal opportunity for LINZ to update some of the country's leading users of geospatial information on government initiatives.

The occasion was the 10th annual conference of the New Zealand ESRI Users' Group. ESRI – or Environmental Systems Research Institute – has been developing and supplying GIS software for 30 years. There are an estimated 300,000 users worldwide, including LINZ.

LINZ Manager Policy, Kevin Kelly, brought the conference up to date on the development of a national geospatial strategy as well as other GIS-related initiatives.

Development of the strategy was being led by LINZ, but was truly an all-of-government enterprise, Kevin said. "More than 50 statutes depend on geospatial information, covering everything from registration of voters, to safety of life and sea, to allocating school funding." The combined local and central government spending on collecting, purchasing, maintaining and using geospatial information exceeds \$100 million per annum.



"In addition to the Government, however, a successful geospatial strategy involves industry players. The strategy is confined to the government geospatial sector for the time being, but any strategy relies on the confidence and support of industry."

Problems identified in the way geospatial information is currently managed presented some significant barriers to progress and innovation, he said. "The consensus from submissions received [to the geospatial information discussion document released in November 2004] is that we are not getting the most out of our geospatial information resources. If central and local government spending on geospatial information exceeds \$100 million, then the marginal benefits of improved coordination are likely to be significant."

Looking at the submissions, Kevin said a high-level vision could be: "Trusted geospatial information that is available, accessible, shared and useable, to support New Zealand's safety

GLENARIFFE TENURE REVIEW IMPLEMENTED: EIGHT MORE UNDER WAY

Around 3,200 hectares of Canterbury's Crown pastoral leasehold land will become available to the public following the implementation of the tenure review for the Glenariffe pastoral lease.

Substantive proposals for a further eight pastoral leases have been signed by the lessees. When implemented, these reviews will see a further 4,070 hectares become public conservation land and 16,489 hectares passing to freehold ownership.

The implementation of the tenure review for the 4,799-hectare Glenariffe Pastoral Lease was completed in September, when 1,593 hectares passed to freehold title.

Linking the Rakaia River valley with the northern headwaters of the Ashburton River, the 3,206 hectares of new public conservation land takes in a small area of swamp next to the Rakaia River as well as extensive tussock grasslands and alpine tops, along with a remnant of mixed hardwood forest above the Double Hill Road.

An easement up Glenrock Stream will allow public access for trampers and mountain bikers to Turtons Saddle and Donald Hill, or down to the Ashburton River's headwaters. The review will also enhance angling access to two prime trout streams, with the setting off of marginal strips.

The Glenariffe tenure review adjoins Crown land on Black Hill Range – previously Glenariffe Pastoral Occupation Licence – and the new public conservation area created by a tenure review on the neighbouring Double Hill pastoral lease.

SUBSTANTIVE PROPOSALS ACCEPTED

The leaseholders of eight properties between Mid Canterbury and Central Otago have accepted substantive proposals for tenure review. Fencing and surveying have to be completed before the land can be transferred to freehold or become conservation land.

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and security, growing an inclusive, innovative economy for the benefits of all, and protecting and enhancing the environment.”

He said the geospatial strategy needs to be based on four key building blocks:

- **Data:** an agreed set of datasets developed with emerging trends and rapidly changing needs kept in mind.
- **Access:** a portal has emerged as the favoured approach.
- **Technology standards:** interoperability to allow combining of resources across agency boundaries.
- **Strong governance:** for a seamless and coordinated approach across government.

Submissions on the discussion paper had favoured a four-tiered governance structure to ensure good coordination across government. A summary of submissions was delivered to the Government in May 2005. It is hoped the strategy will be endorsed early in the New Year.

Implementation of an all-of-government geospatial strategy will not be starting from a zero base. For example, an online access project was initiated in February this year. In addition, the New Zealand Geospatial Metadata Standard was developed in 2004. “This is a step in the right direction because it provides a standard narrative with which to search geospatial datasets,” Kevin said. “Work on the provision of a portal for geospatial

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WHY A GEOSPATIAL STRATEGY?

Geospatial information supports the infrastructure of our society and economy, and up to 80% of government information has a geospatial component. There are some problems with our current system of geospatial information relating to access, utilisation, coordination and responsiveness. A national geospatial strategy will address issues such as these, and help define the Government’s future role in geospatial information.

SPECIAL BRIEFING FOR AGENCY LEADERS

It is not often that the chief executives and chief information officers of central and local government agencies with an interest in geospatial information are gathered in one place. LINZ Chief Information Officer Tony Lester took advantage of this confluence at the ESRI Users’ Group Conference Executive Stream, when he spoke to the top managers on the development of a geospatial strategy. He says they were keen to see how a strategy will link with specific initiatives, and the briefing was an excellent opportunity to network at the highest level with those who will be most involved in the strategy implementation.



THE PROPERTIES ARE:

| CROWN PASTORAL LEASE | LOCATION | AREA TO BE RETAINED BY CROWN (ha) | AREA TO BE PASSED FREEHOLD (ha) |
|----------------------|------------------|-----------------------------------|---------------------------------|
| Mt Alford | Mid Canterbury | 118 | 761 |
| Tenehaun | Mid Canterbury | 1,188 | 1,647 |
| The Gorge | Mid Canterbury | 146 | 729 |
| Scotsburn | Mid Canterbury | 66 | 444 |
| Simon’s Hill | South Canterbury | 407 | 6,019 |
| Ben Dhu | South Canterbury | 396 | 3,523 |
| Cattle Flat | Queenstown Lakes | 1,619 | 2,966 |
| Obelisk Creek | Central Otago | 130 | 400 |
| Total area | | 4,070 | 16,489 |

TENURE REVIEW SUMMARY

Of the original 304 Crown pastoral leases, 46 have now passed through tenure review. Of these reviews, 25 have so far been fully implemented. (Implementation is considered complete when the necessary surveying and fencing has been completed, conservation la□ the review.) A further 145 pastoral leases are engaged in earlier stages of tenure review.

| TENURE REVIEW PROGRESS AS AT 17 NOVEMBER 2005 | NUMBER OF LEASES | LAND TO CROWN | LAND TO FREEHOLD |
|---|------------------|---------------|------------------|
| Tenure review implementation complete | 25 | 51,177 | 70,605 |
| Final Proposal (substantive proposal) signed off; implementation under way. | 21 | 41,352 | 67,592 |

VALUATION, MARKET RENT REVIEW UPDATE

As we reported in the October issue of *Landscan*, LINZ has commissioned reviews into the valuation methodology used in tenure review, and the implications of introducing market rents for pastoral leases.

Owing to a larger than expected range of interested parties wishing to participate in the interview stage of the review, the team of three independent valuers carrying out the work had the timeframe for interviews extended.

The review team's draft report is expected in December. The next step will be to provide the report to the Minister for Land Information and possibly Cabinet before it goes back for comment to lessees and other interest groups.

The final report is expected to be produced in the New Year.

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information is now at the conceptual design stage, and the next step will be to prepare a business case to Government."

The ANZLIC (Australian and New Zealand Spatial Information Council) Metadata Project is providing a common metadata standard for both countries, with an on-line tool expected to be available early next year – another project providing a better framework for geospatial data sharing.

Summing up, Kevin said in order to overcome the problems surrounding management of geospatial information and to take advantage of the opportunities of 'joined-up government': "We must build on the new technologies, take a collaborative strategic view of our geospatial resources, and work together – central and local government, Crown entities and industry. I am confident we are heading in the right direction."

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Photo: Rene Heid

*SEASON'S GREETINGS
FROM LAND INFORMATION
NEW ZEALAND*

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