

22 March 2007

Dear Stakeholders and Customers

### **Future Proofing Core Survey and Title Records**

LINZ has prepared the attached information paper to bring you up to date on current work to develop a strategy for management of core survey and title paper records in the future. The paper provides background to this work and looks at storage and preservation of original core survey and title paper records and ways to facilitate continued access to the records when public counters close on 1 July 2008.

Our staff, stakeholders and customers are all attached to paper records and the rich information contained within them. Given the interest in these records, LINZ is working hard to find solutions that work for our business customers and also meet the needs of the various groups who require access to the records for research purposes.

LINZ acknowledges the issues and concerns that have been raised by customers about the management of core survey and title paper records in the past. Going forward, we hope that the development of this strategy will be seen as an exciting opportunity to address many of these concerns.

The detailed solutions are still being developed but the strategy will focus on delivering the following outcomes:

- Core survey and title paper records will be preserved for future generations. They will be stored according to Archives NZ standards to prevent deterioration of original records;
- Where necessary, access to view original paper records will be maintained for records that are not capable of being provided electronically;
- Electronic access to core survey and title land records will be enhanced. Electronic delivery of information provides benefits on many levels. It reduces paper handling and deterioration of originals and makes the information more widely available to any person with a computer (or access to one in a café or library).

## **Timing**

These changes will not happen overnight and it is likely that the strategy will consist of several phases to coincide with LINZ's move towards 100% electronic lodgement of new transactions.

Between now and June 2007, the strategy will continue to be developed and this will be presented to the Minister for Land Information by 30 June 2007.

Implementation will depend on the Minister's response to the strategy, but LINZ will communicate with stakeholders, customers and the public about ways they can obtain copies of survey and title records when public counters close on 1 July 2008.

If agreed, some of the changes will take several years to fully implement. For example LINZ is working in partnership with Archives New Zealand to design a process that enables records of archival value to be available when necessary for LINZ business purposes (to LINZ staff and our transacting customers), and ensure they are protected to the standards Archives NZ requires.

We are aware there is much interest from a variety of sectors around the management of these records. LINZ will keep stakeholders and customers informed of progress.

The following documents support the information paper:

- LINZ family tree/whakapapa
- Current locations of LINZ core survey and title paper records
- Retention/Disposal Schedule between LINZ and Archives New Zealand
- Questions and answers relating to the Core Survey and Title Paper Records Information Paper

They are available at:

<http://www.linz.govt.nz/core/titlesandrecords/currentprojects/corepaperrecords/index.html>

## **Key points**

- Research has established that customers have a strong preference for electronic delivery, but sometimes it is necessary to view or order a copy of an original paper record.
- Access to the records will be maintained. LINZ will provide or facilitate remote electronic access irrespective of location. Physical access to original documents will be provided via appropriate repositories.
- LINZ has no intention of destroying any records of archival value.
- LINZ is working closely with Archives NZ who have ultimate responsibility for storage and access to Crown records 25 years and older (that are no longer required for business purposes).

Despite the different uses for LINZ survey and title records and views about how they should be managed, there are some common areas I believe we can all agree on such as the importance of preserving original paper records with archival value and providing access to survey and title information, irrespective of location.

We look forward to providing stakeholders and customers with constructive solutions for future-proofing core survey and title records.

Yours sincerely



Brendan Boyle  
Chief Executive

**Core Survey and Title Paper Records**  
**Information Paper**

**March 2007**

# Management of Core Survey and Title Paper Records in a Digital Environment

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# Glossary

## **Cadastral Survey**

Cadastral survey means the determination and description of the boundaries of rights in land. A cadastral survey is carried out by a cadastral surveyor.

A Survey Plan or Cadastral Plan is a key part of the official record of a cadastral survey.

## **Certificate of Title**

A record of ownership and interests registered under the Land Transfer Act 1952 (also called a Title).

## **Conveyancer**

A conveyancer is a person qualified to undertake land transactions. At present these are lawyers and landbrokers. When the Lawyers and Conveyancers Act 2006 comes into force conveyancers will be those registered with the New Zealand Society of Conveyancers.

## **Core Paper Survey and Title Records**

For the purposes of this project these records are described as the following documents:

- field books
- deeds
- traverse records
- indexes
- documents
- titles
- plans
- maps
- lodgements
- files and folders
- registers
- microfilm

## **Instrument**

Any printed or written document, map, or plan relating to the transfer of or other dealing with land, or evidencing title thereto [including a memorandum within the meaning of section 155A (1) of the Land Transfer Act].

**Landonline**

An automated survey and title system that enables processing of dealings in land ownership and provides nationwide access to land information. Designed for land professionals.

**LINZ**

Land Information New Zealand.

**LOL**

Landonline.

**RGL**

Registrar-General of Land.

**SG**

Surveyor-General.

**Skylight**

LINZ's internet ordering system.

**Title**

A record of ownership and interests in land registered under the Land Transfer Act.

# Executive Summary

## **Future-proofing core survey and title paper records**

As LINZ moves towards a 100% electronic lodgement environment, paper is being phased out. Continuing to run both a paper and an electronic system is uneconomic and would be more costly for LINZ and our customers in the long run. It is also consistent with Government's desire to deliver services electronically.

A key aspect of changes to LINZ is the Core Survey and Title Paper Records project.

The aim of this project is to design a strategy that enables core survey and title paper records to be accessed when required, stored appropriately and preserved for the future. These changes present a major opportunity for LINZ to improve arrangements for core survey and title paper records with outcomes that will benefit all New Zealanders now and in the future.

LINZ is scheduled to provide the Minister for Land Information with a strategy for managing core survey and title paper records by 30 June 2007.

This information paper informs stakeholders and customers of the direction LINZ intends this strategy to take, including the key issues for the future management of core survey and title paper records access, storage and preservation.

Specifically this paper details the following areas affecting the way core survey and title paper records are managed:

- the strategic and business context – the implications of digitisation, LOL and the move to 100% e-lodgement
- the effect of public counters closing and changes to how records are accessed
- the basis on which the LINZ strategy will be developed including assumptions, legal and other considerations, and the criteria and options for solving access and storage issues.

## 1. Purpose of this Paper

LINZ is scheduled to report to the Minister for Land Information by 30 June 2007 with a strategy for managing core survey and title paper records. The purpose of this information paper is to inform stakeholders and customers of the direction LINZ intends this strategy to take including the key issues, access, storage and preservation options.

Specifically, the paper details the following areas impacting on how core survey and title paper records are managed:

- the strategic and business context – the implications of digitisation, LOL and the move to 100% e-lodgement
- the effect of public counters closing and changes to how records are accessed
- the basis on which the LINZ strategy will be developed: assumptions, legal and other considerations, and the criteria and options for solving access and storage issues.

## 2. Background to the changes being made

### **Landonline - online service for surveyors, lawyers and other land professionals<sup>1</sup>**

The move to 100% e-lodgement and the need to manage core survey and title paper records completes a process that began with Landonline (LOL) going live in 2000.

LOL was designed in close collaboration with all business stakeholders, including surveyors, lawyers, conveyancers and local authorities to ensure their needs were incorporated and to provide opportunities for users to review and improve their workflows and service to their clients. In a process spanning five years, LINZ has converted over 7 million physical records into digital records that are now held in LOL. These include titles, title instruments, plans, parcels and geodetic survey marks dating back over 150 years. Today, all lodgements are processed straight into LOL. Only documents or records that are too fragile or too large to convert to digital records, or are too infrequently accessed are unavailable in LOL.

### **First movement of paper records when LOL went live**

As LOL was rolled out, seven of twelve LINZ branch offices were closed. The paper records from closed offices were relocated to LINZ's five offices in Auckland, Hamilton, Wellington, Christchurch and Dunedin. Any paper records not required for day-to-day business were stored offsite.<sup>2</sup>

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<sup>1</sup> Landonline is the online service for surveyors, lawyers and other land professionals, providing access to New Zealand's only authoritative database for land title and survey information. It enables land professionals to search and to lodge title dealings and survey data digitally. Landonline is subscriber based.

<sup>2</sup> Information about where records are held can be found in the supporting documents to this paper at: <http://www.linz.govt.nz/core/titlesandrecords/currentprojects/corepaperrecords/index.html>

### **LOL provides wider access for land professionals**

As 98% of records are accessed from electronic land information held in LOL, users can search and locate records outside their region or area and bulk search more easily.

### **Non-LOL customers**

Customers who don't use LOL can access records directly from LINZ via LOL terminals at public counters in processing centres, via the Skylight<sup>3</sup> ordering system, via mail or fax. Alternatively records can be obtained through a search agent.

With the move to 100% e-lodgement and counter closures LINZ now needs to design a strategy that enables core survey and title paper records to be accessed when required, stored appropriately and preserved for the future.

## **3. Considerations and Challenges**

Some of the matters that need to be considered in designing the strategy for access, storage and preservation of core survey and title paper records include:

### **Legislation**

LINZ must act within its statutory obligations and wider legislation<sup>4</sup> to maintain the integrity of New Zealand's land system.

### **Treaty of Waitangi obligations**

LINZ recognises the need Maori have for access to core survey and title paper records for research. LINZ will work closely with Archives New Zealand (Archives) to ensure original Crown survey and title records with archival value are preserved, and access to them is provided (Public Records Act 2005 applies – see Part 5).

A goal of the strategy is for LINZ to provide or facilitate wider remote access to electronic records for Maori, and all customers.

### **Customers have differing drivers**

Land professionals and members of the public require access to core survey and title paper records for matters relating to land transactions. This is core LINZ business.

Other groups (e.g. researchers, historians, genealogists) access core survey and title paper records to mine the rich historic information contained in them. This is not core business for LINZ but it is a valid use of these public records.

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<sup>3</sup> The public can order land records remotely using 'Skylight' – LINZ's internet ordering system available at [www.linz.govt.nz](http://www.linz.govt.nz)

<sup>4</sup> The Cadastral Survey Act 2002; Land Transfer Act 1952; Deeds Registration Act 1908; Public Records Act 2005; Official Information Act 1982. Under the Land Transfer Act 1952 and the Land Transfer (Computer Registers and Electronic) Amendment Act 2002, the Registrar-General of Land is responsible for keeping the register that records land transactions<sup>4</sup> – whether the register is paper or electronic – and to provide public access to it.

Research has shown that 92% of customers prefer to access records electronically.<sup>5</sup>

### **Implications of counter closures**

Public counters will no longer be open from 1 July 2008. The strategy will provide alternative options so the public can access land records (paper and electronic).

### **Management of Crown records**

Managing core survey and title paper records is part of LINZ's statutory role.

As the official guardian of Crown records, Archives also has a significant part to play – it has authority over the storage and access conditions of all LINZ core survey and title paper records that are 25 years and older.

LINZ and Archives are working closely together to ensure the paper records are stored and accessible – meeting both business and archival purposes.

### **Need to maintain the historic record**

Core survey and title paper records form a meaningful part of the historic fabric of New Zealand. They are in varying states of repair. They need to be maintained for future generations and their accessibility ensured. Many sets of these documents go back to the early days of European settlement in New Zealand. Some of the older paper documents are deteriorating – particularly those documents still being handled.

### **Scanning records**

Despite some benefits, the cost of scanning *all* paper records is not feasible because:

- the paper system was phased out when LOL was rolled out
- there are too few requests to justify the cost of scanning 30 million paper records
- the complexity and costs associated with developing effective finding aids make this unrealistic.

Recommendations for a scanning programme will form part of the strategy and this is discussed under Part 8 – Preservation.

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<sup>5</sup> LINZ Paper Records Research 2005, BRC Marketing and Social Research.

## 4. Core Survey and Title Paper Records

Core survey and title paper records are all hard copy records under LINZ's stewardship. The types of records held are described below. Asterisks indicate where some or all record types are contained in LOL.

- **Field books:** 49,000 notebooks contain survey observations recorded in the field by the surveyor. They show bearings and distances between each survey mark involved in a survey. Older books may have place names or physical features. Some old books also have scenic drawings made by surveyors in the field. They date from 1840. Generally these documents are not in LOL.
- **Deeds:** approximately 2,000 volumes date from 1840. They provide a record of all transactions under the Deeds systems and associated indexes including of Registered Crown Grants. These are the original record of property ownership before the current land titles system. An unknown number of these records are still live and remain in the Deeds system. These documents are not in LOL.
- **Traverse records:** approximately 5,000 books. These record calculations and co-ordinates derived from surveyor's field work. They comprise schedules of coordinates assigned to each survey mark placed by surveyors. These documents date from 1840. Generally these are not in LOL.
- **Indexes:** approximately 150 linear metres of paper held on site. These are pointers to further information and a cross-reference to other records. LINZ has a large range of land record indexes - listings of subjects that let the reader locate all references to a particular topic throughout a record. These documents date from 1840. Most are not in LOL.
- **Documents (instruments)\*:** approximately 11,500 metres held off site and 5,000 linear metres held on site. These are all documents relating to registration under the land transfer system. There are hundreds of types of legal instruments – such as transfer of ownership, mortgage, discharge of mortgage or easement. Some documents date back more than 130 years. LOL contains all live data at time of conversion and has been added to since, but there is a very large volume not captured in LOL.
- **Titles\*:** approximately 935 linear metres of paper held off site and 200 linear metres on site. These are records of ownership and registered interests. Some titles date back more than 150 years. Note that cancelled titles are not all held in digital form. Images of all titles (live and superseded) are held in LOL.
- **Cadastral plans\*:** approximately 900 linear metres held off site and 600 linear metres on site. These plans support statutory action or registration and show the legal boundaries of properties. Surveyors produce these plans and are legally required to submit them to LINZ for approval when land is to be

subdivided. The approval and deposit of the plan by LINZ enables titles to be issued. Older plans may contain settlers' names, English and Maori place names, and some plans date back more than 150 years. Most but not all cadastral plans are held in LOL. Large format roll plans (usually Maori Land or Survey Office type plans) are not held in LOL.

- **Cadastral maps:** approximately 28 linear metres held off site and 20 linear metres on site. Maps can be called, among other things, record maps, record sheets or block sheets. These are not held in LOL. Note: topographic maps are not within scope of the core survey and title paper records project.
- **Lodgements:** approximately 650 linear metres off site and 70 linear metres held on site. These provide a record of documents lodged for registration (i.e. mortgages, leases etc) lodged by LINZ or anyone. These documents date from 1840 and are not held in LOL.
- **Files and folders:** Approximately 2,000 linear metres held off site and 500 linear metres on site. They contain official correspondence relating to records or information collected by staff for official purposes which does not form part of the office file management system, including District Land Registrar or Registrar General of Land judgements on acceptance of certain lodgements. These documents are not held in LOL.
- **Registers:** approximately 200 linear metres held on site. These are a record of authoritative information on land transactions. Where an index is a pointer to other associated records, a register is considered to contain authoritative data. The register may be the only or main record of a particular action. Most of these are not held in LOL.
- **Microfilm:** approximately 55 cabinets measuring 1 square metre. These are photographic images of official records such as survey plans\*, deeds books, abstracts etc. Some films are in LOL (e.g. survey plans), but not all.

*Note:* Topographic maps, hydrographic charts and Crown property records (including unregistered Crown grants and Crown purchase deeds) are not included in the scope of this project at this time. This project will provide the basis for their treatment in the future.

## 5. The Current Public Records Regime

### Archives New Zealand

Archives New Zealand is the official guardian of New Zealand's heritage documents. Its role is:

- to ensure governments' activities are recorded and the records are kept permanently; and
- to provide access to these records.

Archives New Zealand regulates the long-term retention and preservation of, and access to, public records, under the provisions of the Public Records Act 2005.

The 2005 Act reflects the changes in technology, legislation and record-keeping practices that have occurred over the past 47 years. It also provides a more enabling style of legislation.

The objectives of the legislation are to:

- promote accountability between the Crown, the public, and government agencies
- enhance public confidence in the integrity of public records
- enhance and promote our historical and cultural heritage
- encourage partnership and goodwill envisaged by the Treaty of Waitangi in relation to public records.

The Public Records Act 2005 provides three mechanisms enabling the good governance of the public records:

- i) control over disposal<sup>6</sup>
- ii) transfer of significant material to the custody of Archives NZ and
- iii) provision of access rights.

LINZ is working closely with Archives New Zealand to ensure that the core survey and title paper records are responsibly looked after for future generations of New Zealanders.

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<sup>6</sup> Note that "disposal" is a technical term under the Public Records Act 2005 and refers to the final decision concerning the fate of records. Disposal in relation to a public record or local authority record means: (a) the transfer of control of a record; or (b) the sale, alteration, destruction, or discharge of a record.

## **LINZ core survey and title records**

LINZ authorises and keeps a register of changes in rights to freehold land. The system gives an accurate and up-to-date picture of registered ownership. The register comprises electronic and paper records and is open to public inspection.

### **How to find core survey and title paper records – now**

Just like a library, all LINZ core survey and title paper records have unique identifiers, or reference numbers. There are over 30 million records.

Before a customer can obtain a copy of a record, they need to provide:

- a unique identifier/reference number of the record (e.g. Certificate of Title reference or Survey Plan number)
- the land district
- record type

Customers who use LOL or a public terminal can search using the registered proprietors' name and/or address. Skylight does not have this capability.

A variety of channels enables customers to obtain survey and title records. Customers can:

- access LOL (subscriber-based system for land professionals)
- post in a request to a processing centre
- fax in a request to a processing centre
- use 'Skylight'
- employ a search agent
- employ a LOL-registered user who offers a public search service
- visit a processing centre and use the public terminals (self help)

## **6. Who uses Core Survey and Title Paper Records?**

LINZ core survey and title paper records are primarily used by LINZ customers and staff:

### **Customers use these records to:**

- identify registered transactions – when property is 'dealt with'
- identify registered interests
- confirm property legal boundaries
- confirm survey measurements
- research

### **LINZ staff use these records to:**

- record interests and encumbrances against parcels of land
- register title transactions
- validate new survey information.

Users of core survey and title paper records (in alphabetical order) include:

- banks
- genealogists
- geographers
- historians
- homeowners/buyers
- iwi
- lawyers and conveyancers
- New Zealand city and district councils
- New Zealand utility companies (e.g. power and gas companies)
- New Zealand government departments and agencies (e.g. Department of Conservation)
- real estate agents
- researchers
- search agents
- surveyors
- trampers.

### **Land professionals**

Land professionals such as conveyancers, cadastral surveyors and territorial authorities use LOL. As previously noted, they require access to paper records for matters relating to land transactions, including searching the land register (the land register comprises electronic records and paper records).

### **Other customers**

Anyone can search the register to inspect land records. These records hold rich historic information that is of particular interest to historians, researchers and genealogists.

Customers also use our core survey and title paper records for:

- identifying owners and interests in land
- Treaty of Waitangi research
- researching land
- genealogical research

When counters close, LINZ recognises these people will need access to electronic and paper records.

## **7. Principles for decision-making**

LINZ's strategy for the future management of core survey and title paper records will be based on the following assumptions:

- all aspects of any solutions will meet legislative requirements
- while land professionals and their needs to access the records for business purposes are the focus of the strategy, public access to the land register must also be maintained
- record sets of historic value require preservation. LINZ is working in partnership with Archives to achieve this
- although the business delivery focus of LINZ is digital, some customers will continue to want to view original historic records, and, for the protection of these original documents, this needs to take place in appropriate conditions and reading rooms
- Archives approval is required before any disposal of records – including destruction. Archives has the ultimate responsibility for the storage of and access to Crown records 25 years and older
- customers will be able to obtain the record they require in a useful form wherever they are stored
- consistent arrangements for records will be made across record sets
- solutions will be cost effective.

## 8. Opportunities – Components of the Proposed Strategy

This section of the paper describes what LINZ envisages in each of these areas.

### **Knowledge gathering**

*Capture and record all authoritative sources of information (including tacit corporate knowledge) to describe how records are differently described across the country, where they are located and how they have been used over time.*

This work is well underway. Valuable knowledge about the records and how they inter-relate is being gathered. The strategy will describe this work in more detail and include the mechanisms for ensuring that important knowledge about the records is maintained for future generations.<sup>7</sup>

### **Storage and retrieval**

*Provide or arrange for storage and retrieval of all paper records.*

LINZ, in collaboration with Archives, will define a streamlined alternative that will result in the paper records currently stored in LINZ processing centres being moved to other facilities over time. Such facilities could be provided by contracted providers (as is currently the case with a large number of paper records) or by establishing a central facility for the storage and access to all LINZ core survey and title paper records – on its own or in partnership with Archives.

A risk management strategy in case of disaster would be established.

Apart from a feasible cost-benefit analysis, characteristics of a successful solution will include:

- streamlined and standardised operations
- cost efficiencies
- service efficiencies
- ability to rectify past cataloguing/packing errors
- a managed process for handing over records of archival value to Archives.

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<sup>7</sup> A copy of the LINZ family history/whakapapa is one of the supporting documents to this paper. It can be downloaded from <http://www.linz.govt.nz/core/titlesandrecords/currentprojects/corepaperrecords/index.html>

### **Access to core survey and title paper records**

*Provide or facilitate appropriate access to core survey and title paper records – either electronically or physically.*

Access to core survey and title paper records will continue to be made available to LINZ customers via:

- LOL
- ‘Skylight’ (it currently does not have browse/search capability. LINZ envisages upgrading this tool to make it more user friendly)
- employing a registered LOL user who offers a public search service
- employing a search agent
- posting in a request to LINZ
- faxing in a request to LINZ.

Where necessary, LINZ will facilitate access to view original records. LINZ will take into account customer needs relating to proximity when viewing original records.

In addition, depending on the assessment of the record sets in terms of requirement and cost, LINZ will undertake a scanning programme to enable more records to be accessed electronically (see information about this under Preservation).

### **Increasing remote access to core survey and title paper records – possible options**

The strategy will also focus on increasing electronic access for the public. Several possibilities are being considered:

- LINZ could work with other organisations who are LOL licensees, frequented by the public to establish agency arrangements
- enhance/replace the Skylight internet ordering system with a more sophisticated and innovative web service to provide easy and open access through the LINZ website – this would act as a virtual counter.

There is still a great deal of work to do in defining what is required and feasible, but the goal is to provide e-access and e-search to current and historic core survey and title records remotely through the internet.

### **Preservation**

*Ensure paper records are preserved, and that the form of access provided to them does not put them at further risk of deterioration.*

LINZ and Archives will work in partnership to agree on a protocol taking into account legislation, business needs for the records, resources and capability of both agencies.

As a matter of priority, records of archival value, such as field books, traverse sheets and deeds registers, may be transferred to Archives via a process developed between LINZ and Archives. Whether or not they are scanned first will be determined by the cost of doing so versus the demand for access to them.

## **9. Process From Here**

- The final strategy will be presented to the Minister for Land Information by 30 June 2007. This will take into account the views of land professionals and others with an interest in the management of land records.
- Implementation of the strategy.

During implementation, issues in the management of land records will continue to be discussed with land professionals and others who have an interest.

Any questions or comments can be sent to: [corepaperrecords@linz.govt.nz](mailto:corepaperrecords@linz.govt.nz)