

## Important:

This article was published on Thursday, 1 August 2013 - 1:09pm. The information is accurate at the time and is used for reference purposes only.

For up-to-date information please [visit the Land Information New Zealand website \(http://www.linz.govt.nz\)](http://www.linz.govt.nz).



## [Landwrap August 2013 - Issue 101 \(/news/2013-08/landwrap-august-2013-issue-101\)](/news/2013-08/landwrap-august-2013-issue-101)

Landwrap August 2013 - Issue 101

- [Improvements to Online Plan Layout functionality, and decommission of Offline Plan Generation functionality \(/news/2013-09/improvements-online-plan-layout-functionality-and-decommission-offline-plan-generation\)](/news/2013-09/improvements-online-plan-layout-functionality-and-decommission-offline-plan-generation)



Current usage of Offline Plan Generation functionality is limited so LINZ have made a strategic decision to remove this functionality so that maintenance resources can be redirected to other areas such as Online Plan Generation.

Land Survey Landonline

- [Firm mergers and closures in Landonline \(/kb/118\)](/kb/118)

What you need to do in Landonline when firms merge or close.

Landonline

- [Vendor A&I forms – Tips to ensure the purchaser’s details are captured correctly \(/kb/126\)](/kb/126)

Compliance trends have shown that often the vendor’s authority and instruction (A&I) form does not record the name of the purchaser(s), or the A&I form records the purchaser’s name incorrectly.

Titles

- [\*\*Instructions from ANZ \(/kb/117\)\*\*](#)

ANZ advises that the majority of their instructions for new mortgages, variations, and discharges are sent using their SOLD email service.

Titles

- [\*\*LINZ cannot deposit plans with lapsed section 223 approvals \(/kb/116\)\*\*](#)

A Territorial Authority (TA) cannot extend the time limit for the Registrar-General of Land to deposit a subdivision plan.

Survey Titles

- [\*\*e-lodged instruments may only affect one instrument \(/kb/122\)\*\*](#)

A rule of thumb for e-dealing instruments is that the structured text view and the attached image should match. This relates to both title references and existing instruments affected by the new instrument.

Titles

- [\*\*Don't lose access to the PositionZ real time service \(/news/2013-09/don%E2%80%99t-lose-access-positionz-real-time-service\)\*\*](#)

LINZ will be removing the generic login "PositionZ-RT" from our system.

Data Geodetic

- [\*\*Final stages of review of standard: lodgement of cadastral survey datasets \(/news/2013-09/final-stages-review-standard-lodgement-cadastral-survey-datasets\)\*\*](#)

This page contains the article Standard for lodgement of cadastral survey datasets.

Land Survey Landonline

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## Articles referenced within this issue

[\*\*Improvements to Online Plan Layout functionality, and decommission of Offline Plan Generation functionality \(/news/2013-09/improvements-online-plan-layout-functionality-and-decommission-offline-plan-generation\)\*\*](#)

Current usage of Offline Plan Generation functionality is limited so LINZ have made a strategic decision to remove this functionality so that maintenance resources can be redirected to other areas such as Online Plan Generation.

The intended timeline for decommissioning Offline Plan Generation (OPG) is as follows:

- **October 2013** – Remove ability to download OPG Application from Landonline Website. Current support documentation will remain until OPG is fully decommissioned.
- **Mid 2014** (proposed 3.10 release) – Remove ability to export OPG packages from Landonline and decommission the File Transfer Service. Users will still be able to upload OPG packages direct to Landonline.
- **Late 2014 or early to mid 2015** (i.e. in a subsequent Landonline Release) – Remove ability to import OPG packages into Landonline.

With the proposed decommissioning of Offline Plan Generation, LINZ is making improvements to Online Plan Layout a priority for the next Landonline Release.

When considering which enhancements to progress, we have considered all requests for improvement in this area on the [Landonline enhancement Wiki \(//www.linz.govt.nz/esurvey/wiki/\)](http://www.linz.govt.nz/esurvey/wiki/), and some additional feedback from New Zealand Institute of Surveyors branch meetings. These requests were then narrowed down based on a combination of their importance to survey users and what we believed could reasonably be progressed within a release.

Some of the changes under consideration are fully self-contained in the software module provided to us by Onstream Systems, so we hope to release these changes later this year. All remaining items will be included in the release (3.10) currently planned for mid 2014.

The early release will contain up to twenty small changes, some of which allow existing functionality to be accessed more quickly, e.g. from the toolbar, and others that provide better zooming, panning and page edits.

The later release will include some bigger ticket items such as the highly requested ability to modify diagram extents and auto-save functionality.

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## [Firm mergers and closures in Landonline \(/kb/118\)](#)

What you need to do in Landonline when firms merge or close.

### **On this page:**

- [Firm mergers \(#merger\)](#)
- [Firm closures \(#closure\)](#)
- [Where to send your letter \(#where\)](#)

### **Firm mergers**

When Landonline firms amalgamate or consolidate multiple branches, LINZ needs to merge them in Landonline.

For this to occur, a letter signed by a partner/director of both merging firms is required, advising that a merger is occurring or that a firm wants to consolidate their Landonline account. The information to be included in the letter has recently changed, with new information required shown in bold below.

The letter needs to state:

- which firms are merging and what the new firm will be known as
- the specific Landonline licence(s) moving across, e.g. two e-dealing licences
- which users will be moving to the new firm
- which users are not to be moved
- what the new firm's address will be
- if the existing Management Contact, Trusted Contact, Billing Contact and System Manager are to remain in the new firm
- updated email, phone and fax information for users moving across
- an acknowledgement that the new firm will accept any Landonline debt belonging to the old firm.

Please be aware that the instruction letter must contain each bullet point listed above. Any information missing will result in the letter being returned to your firm for correction.

You will not need to fill out any of the online [Change your details](https://www.linz.govt.nz/land/landonline/change-your-details) ([//www.linz.govt.nz/land/landonline/change-your-details](https://www.linz.govt.nz/land/landonline/change-your-details)) forms as LINZ's Sign Up team will action the above for you.

For conveyancing firms, the Landonline account is kept open in the background to enable completion of any outstanding e-dealings of the old firm. Any new e-dealings need to be set up in the new firm's workspace.

Merging survey firms need to transfer plans to a surveyor in the new firm before closure of the old firms.

## **Firm closures**

To close a Landonline firm, a letter of instruction on company letterhead signed by a partner/director or Trusted Contact of the firm is required.

The letter needs to state:

- That the firm is to be closed (include firm name and firm code)
- That any remaining users are to be disassociated
- That any outstanding amounts will be paid within 30 days of firm closure
- A billing address for any final invoices
- A web form is not required as LINZ's Sign Up team will action the above for you.

Please be aware that the instruction letter must contain each bullet point listed above. Any information missing will result in the letter being returned to your firm for correction.

## **Where to send your letter**

Letters for both mergers and closures should be sent to:

Landonline Sign Up  
Land Information New Zealand  
Private Bag 3028  
Hamilton 3240

If you wish to discuss the any of the above before forwarding instructions, please call Customer Support on 0800 665 463, or send an email to [customersupport@linz.govt.nz](mailto:customersupport@linz.govt.nz) (<mailto:customersupport@linz.govt.nz>)

Last Updated:  
3 February 2015

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## [Vendor A&I forms - Tips to ensure the purchaser's details are captured correctly \(/kb/126\)](#)

Compliance trends have shown that often the vendor's authority and instruction (A&I) form does not record the name of the purchaser(s), or the A&I form records the purchaser's name incorrectly.

The vendor's A&I form is the lawyer's proof of authority to lodge the Transfer. Therefore it is important the A&I form is completed in its entirety with all names recorded in full before execution by the client. Errors or omissions in A&I forms may require the lawyer to go back to the relevant party(s) to have the A&I form amended.

To help minimise any rework, here are some useful tips to ensure the purchaser(s) details are recorded correctly in the vendor's A&I form:

### **1. Complete the purchaser details within the Create A&I Form screen**

Some firms use the Create A&I Form functionality within Landonline. Within the Create A&I Form screen the Name of Other Party details is a free-text field. Lawyers need to click into this field and enter the full names of the purchaser(s) to ensure these populate into the vendor's A&I.

### **2. Reflect that the Transfer may involve a nomination**

When the agreement for sale and purchase (ASP) lists the name of the purchaser 'and/or nominee', the vendor's lawyer may be unsure who will ultimately be the purchaser. In these situations, the vendor's A&I form must record the name of the purchaser and include the words 'and/or nominee'.

### **3. Ensure the firm's checking systems assist to identify any errors or omissions of this nature so that they can be corrected early in the process.**

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## [Instructions from ANZ \(/kb/117\)](#)

ANZ advises that the majority of their instructions for new mortgages, variations, and discharges are sent using their SOLD email service.

Instructions sent from the ANZ SOLD email service are not physically signed by an ANZ staff member. Practitioners can take comfort that instructions received from the ANZ SOLD email service can be relied on as authority to act on behalf of ANZ.

### **ANZ SOLD email to be retained as evidence**

Practitioners are reminded to retain ANZ's covering SOLD email for any mortgage instructions sent via their SOLD service. The email includes the name and title of the ANZ staff member authorised to provide the instructions, and authenticates the accompanying letter of instruction for the mortgage, variation or discharge.

To comply with LINZ e-dealing documentary evidence requirements (attachment below), both the SOLD email and the letter of instruction must be retained.

If the transaction is subsequently selected by LINZ for compliance review purposes, both the letter of instruction and covering SOLD email must be made available to the Registrar-General of Land as provided in section 164C of the Land Transfer Act 1952.

## **File Attachments**

- [Registrar-General of Land e-dealing Compliance Review \(https://www.linz.govt.nz/system/files\\_force/media/knowledgebase-attachments/DocumentaryEvidenceDealingCertifications.pdf?download=1\)](https://www.linz.govt.nz/system/files_force/media/knowledgebase-attachments/DocumentaryEvidenceDealingCertifications.pdf?download=1) PDF | 69.14 KB

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## **[LINZ cannot deposit plans with lapsed section 223 approvals \(/kb/116\)](#)**

A Territorial Authority (TA) cannot extend the time limit for the Registrar-General of Land to deposit a subdivision plan.

Section 224(h) of the Resource Management Act provides that the survey plan approval under s223 RMA must be less than three years old for the survey plan to be deposited under the Land Transfer Act 1952. The expiry date is the third anniversary of the date of TA approval.

In **Ruck & Or v Horowhenua District Council** [2013] NZEnvC 175 ENV-2012-WLG-000113, the Applicants proposed that the power in section 37 RMA to, "in any particular case, extend a time period specified in this Act..." could be used by the Council to extend the time period in which an approved survey plan can be deposited, namely the three year period prescribed by section 224(h) RMA. The Court considered that the Applicants' contention foundered on a basic proposition (at [55]):

*"...namely that the powers vested in consent or territorial authorities by s37 can be applicable only to the functions that those territorial authorities undertake under RMA."*

Further (at [57]):

*"...it is the Registrar-General whose powers are subject to the restriction contained in s224(h). We do not consider that s37 was intended to give consent or territorial authorities some general overarching*

*power to extend time limits applying to functions under RMA in which they have no part, in this case the time limit for the Registrar to deposit a subdivision plan."*

It was not, therefore, in the Council's power to enable the Applicants' approved survey plans to be deposited after the three year time period had expired.

In the light of this Environment Court decision, LINZ cannot deposit plans with lapsed section 223 approvals on the basis that the council has purported to extend the three year time period in s224(h), pursuant to s37 RMA.

**The consent remains subject to the five year lapse period provided under section 125(1) RMA.**

The Court clarified that further survey plans can be submitted for approval up until the five year lapse date passes. It held (at [47]):

*"We determine that the correct manner in which to interpret s125(2) is that the provision contained therein as to the lapsing of consent applies in respect of any specific plan submitted by a subdivider pursuant to s223. Any given survey plan approved pursuant to s223 must be deposited within the three year window from date of approval of that survey plan failing which the subdivision consent lapses in respect of that particular plan, without removing the ability for a subdivider to submit further survey plans during the five year period provided by s125(1)."*

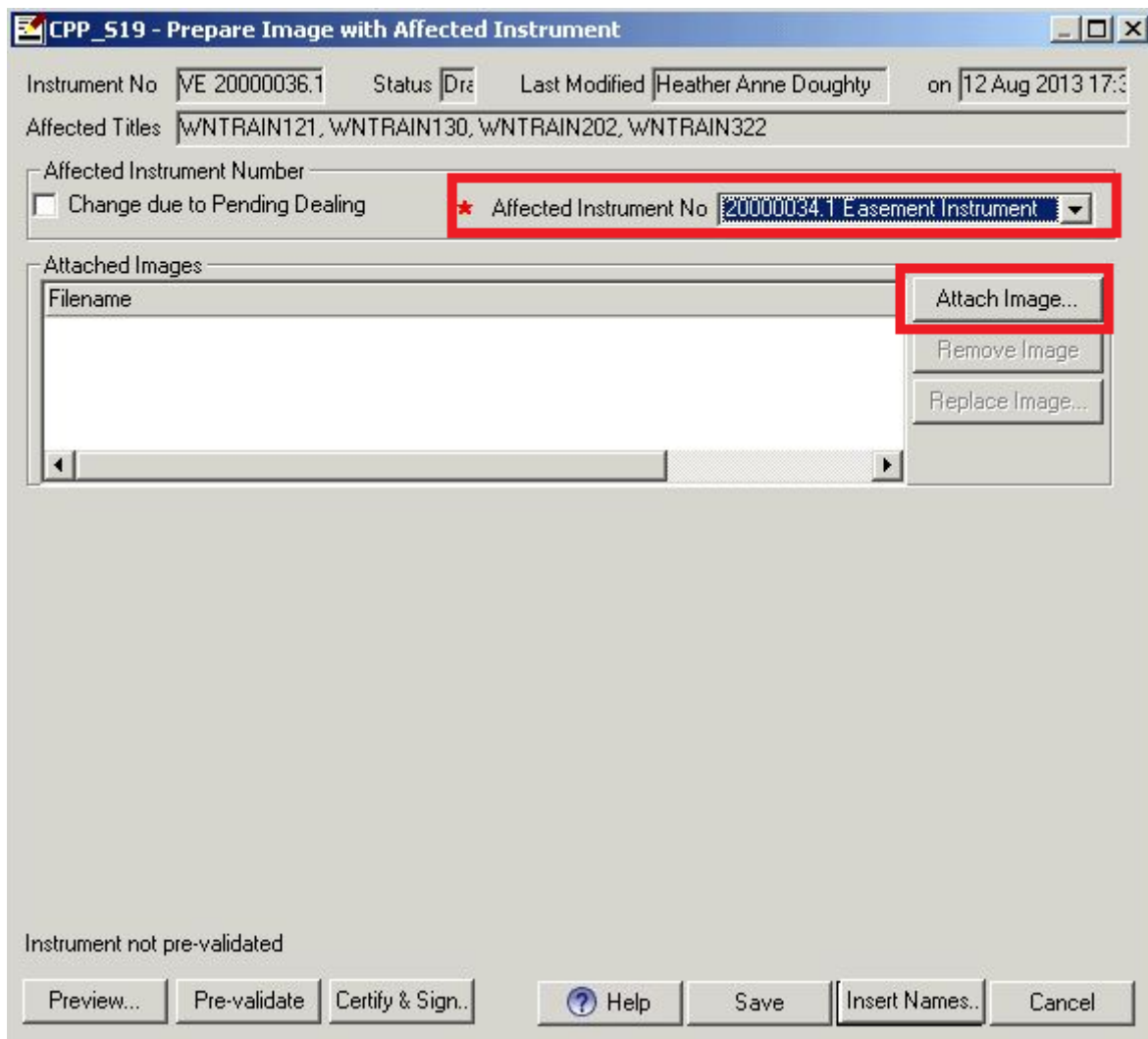
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## **[e-lodged instruments may only affect one instrument \(/kb/122\)](#)**

A rule of thumb for e-dealing instruments is that the structured text view and the attached image should match. This relates to both title references and existing instruments affected by the new instrument.

A common issue seen by LINZ staff is an e-lodged instrument where the structured text view shows it affecting one instrument, but the attached image showing additional affected instruments.

Most e-lodged surrender/discharge/release/variation instruments, such as VE - Variation of Easement, only allow one instrument to be affected in the structured text view (in the "Affected Instrument No" field) therefore the image attached should only refer to the selected instrument.



If you are required to vary/surrender/discharge/release two different instruments you will have to prepare two separate e-lodge instruments, one for each instrument. This is the same process as you would currently use for discharging mortgages by e-dealing (albeit without attaching images) and applies to all e-lodge instruments that require an “Affected Instrument No”.

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## [Don't lose access to the PositionNZ real time service \(/news/2013-09/don%E2%80%99t-lose-access-positionz-real-time-service\)](/news/2013-09/don%E2%80%99t-lose-access-positionz-real-time-service)

LINZ will be removing the generic login “PositionNZ-RT” from our system.

The real time GNSS service will remain free and open to the public however customers will require a user/company specific username and password after 1 October 2013 to access PositionNZ GNSS real time streams.

Please email [CRM\\_geodetic@linz.govt.nz](mailto:CRM_geodetic@linz.govt.nz) (mailto:CRM\_geodetic@linz.govt.nz) to request a preferred username.



[More information on PositioNZ-rt \(//www.linz.govt.nz/positionz-rt\)](http://www.linz.govt.nz/positionz-rt)



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## **[Final stages of review of standard: lodgement of cadastral survey datasets \(/news/2013-09/final-stages-review-standard-lodgement-cadastral-survey-datasets\)](/news/2013-09/final-stages-review-standard-lodgement-cadastral-survey-datasets)**

This page contains the article Standard for lodgement of cadastral survey datasets.

The [Standard for lodgement of cadastral survey datasets \(//www.linz.govt.nz/news/2013-04/draft-standard-lodgement-cadastral-survey-datasets\)](http://www.linz.govt.nz/news/2013-04/draft-standard-lodgement-cadastral-survey-datasets) is currently in the final stages of review. It is expected that the standard will come into effect late September 2013.

In early September, LINZ will email all e-survey users with more information and a link to the Standard. A printed copy will also be sent to each licensed cadastral surveyor.

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