



**YOUR NATIONAL SOURCE  
FOR LAND AND PPSR INFORMATION**  
[www.landinfo.net.nz](http://www.landinfo.net.nz)

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### **Introduction**

**We trust you will find this publication a helpful addition to your resources. For further information regarding LANDinfoNET Limited and our services, including full Land and PPSR search and registration, please visit [www.landinfo.net.nz](http://www.landinfo.net.nz)**

**::: AN EXTENSION OF YOUR OFFICE :::**

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### **Comments from the General Manager, Janelle Weir**

#### **Welcome to 2007**

2007 marks 35 years in business for LANDinfoNET, from the amalgamation of Graham & Graham (since 1972) and Beresfort Legal Agency (since 1981) by David Graham. We are here to stay and innovate with the changing face of LAND and PPSR information. Both David and myself are looking forward to ensuring our high degree of service and innovation continues to be upheld for the next 35 years.

If you're anything like us, you're full steam ahead, nose to the grindstone and the holidays seem like a distant memory. All of us here at LANDinfoNET are looking forward to another year of continued success and another year of giving all of our clients the best service possible. We have some exciting projects on the go this year, you would have all ready experienced, the emailing of our invoices, and our new website which will be switched on in March. The new site has some fantastic features outlined in detail further.

eDealing is again a large focus of this newsletter, due to the impending mandatory requirement imposed in May this year. The good news for those of you that are not currently eDealing is that LANDinfoNET have an eDealing service option to suit you.

LANDinfoNET invites anyone who would like to know more about our service to phone or click on the link at the bottom on the next article and register their details. We will then contact you personally to outline how we can save you time and hassle, reduce your risk of liability and offer your firm peace of mind.

## **Feature Article: Associating Licences with that of an Agent**

In the latest issue of the LINZ publication 'Landwrap' (November/December 2006 - Issue 29) an article appeared entitled "**Best Practice When Using a Search & Registration Agent For eDealing**". Many were puzzled after reading the article and we would like to clarify a few points for you.

The Landwrap article outlines the two ways of linking or associating a firm with an agents licence to enable an agent to act as the Primary Contact in an eDealing. In explaining the two options, we have also outlined LANDinfoNET's practice.

One way to link the licences is to associate the law firms' licence with the agents' eDealing licence. This practice would allow all law firms associated with the agent's licence to see all dealings prepared against their licence, which would include that of other conveyancing professionals. This method raises confidentiality and security issues. **LANDinfoNET do not use this option.**

The second and preferred method is to associate LANDinfoNET's eDealing licence with that of the law firm. This practice allows LANDinfoNET's registration staff to become an extension of your firm and check, prepare, view and submit all instruments against the Conveyancing Professionals' eDealing licence. This option ensures both your firm and client retain the same confidentiality as in the paper environment allowing your firm to remain in control of the dealing. **This is the option that LANDinfoNET utilize.**

To further address the issues of security and confidentiality raised in the article:

- Every LANDinfoNET staff member has their own digital certificate and never share
- We pre check all documentation prior to "auto registration"
- We act in the Primary Contact role only and, as in the paper environment do not have the ability to certify and sign **(as stated in the article and in the opinion of the NZLS an agent cannot "certify and sign" documentation on behalf)**. In view of this you should be wary of dealing with agents that are offering this type of eDealing service
- If any changes are made to the dealing after it has been certified and signed then that certification and signing are wiped and the dealing has to be re-certified and re-signed by yourself before the dealing can be submitted. Again this ensures that you have total control over the dealing.
- We see no more information than in the paper environment
- We are highly trained and have been successfully undertaking eDealings in the primary contact role now for over 8 months.

**LANDinfoNET act only under express instructions from you, our client, as in the paper environment you are in control throughout the entire process.**

The article clearly states, an agent's role is to lift the administration load by preparing and releasing instruments and assisting with the final submission.

This is the role that LANDinfoNET fills by acting as Primary Contact for your firm.

We are now associated with numerous firms and conducting many eDealing's for solicitors on a daily basis. We see this as a natural progression from the paper environment in providing our service and expertise to both reduce risk and time spent on preparation and administration. Should you wish LANDinfoNET to become associated with you or to learn more from our team of experts please do not hesitate to contact **Wayne Martin** or **David Barker** on **0800 106 206**

## **LANDinfoNET's eDealing Training Solution – Would your firm benefit from some expert training?**

As you are undoubtedly aware, the first mandatory deadline is approaching fast. It will be mandatory in May for all discharges to be electronically transacted. Progressively from there, registering a basic transfer and mortgage will also become mandatory.

Some of you are eDealing comfortably already in house, and others are utilizing LANDinfoNET's eDealing service. However, some of you will be requiring some assistance in setting up and training your staff for this significant change prior to May.

Unfortunately LINZ's free one on one eDealing training ceased in November last year.

If you or your staff are feeling unprepared about the impending auto registration of discharges, transfers and mortgages, LANDinfoNET are now offering a one on one training program you may benefit from.

LANDinfoNET can offer you either of two solutions:

1. **UTILIZE LANDinfoNET's EDEALING SOLUTION:** *At no extra cost to you, our expert team can associate our eDealing license with that of your firms', provide the A&I forms and any training required for us to get you eDealing through assisting you by acting in the primary contact role. Or;*
2. **LANDinfoNET CAN TRAIN YOUR TEAM FOR EDEALING:** *At an affordable cost to you, our experienced team can provide one on one, or one to many training to your firm on how to conduct your e-capable transactions online and in-house.*

Whichever solution your office requires, we can help. Our training methods are thorough, relevant and involve live transactions should you have any on hand. It utilizes LINZ training guides and wizards (so that you can access them later should you require). The training is conducted by our expert team including David Barker, LT consultant, and Evan Yeates, LT consultant (and ex LINZ eDealing trainer) who are very experienced in eDealing and have been doing so successfully for more than 8 months now. Give David Barker or Wayne Martin a call 0800 106 206 or email [edealing@landinfo.net.nz](mailto:edealing@landinfo.net.nz) to find out more.

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## **LANDinfoNET Launches it's New & Improved Website**

Finally after much blood sweat and tears, we are proud to announce the launch of our newly enhanced website in March.

In response to client feedback we have implemented changes to the functionality of

our website that has significantly enhanced the benefits and usability to you. This article will provide information on what you can expect next time you log on after March 5th.

### **The look of the New Site**

The look of our site has largely remained the same in terms of our colours and logo, however you will notice firstly that when you go to [www.landinfo.net.nz](http://www.landinfo.net.nz) you will be asked to log in. If you are currently a client **your username is your email address and your password is "pass"**, please change your password to one of your choosing.

Once logged on, our system knows who you are, where you are from and your contact details. You will have the convenience of not having to input this information into the request forms each time as you currently do. The logon page also includes a forgot my password button. If you forget your password all you need to do is select this button and then enter your email address and your password will be emailed to you instantly.

You can quickly access online tools to place a land request order, or register/search on the PPSR by selecting the service you require from the menu located in the centre of the screen. You can choose from Land, Companies, PPSR, Tools and User Options.

### **Additional Benefits**

Located under 'user options' you have the ability to locate and view invoices.

Also under 'user options', there is a price calculator to help you ascertain an estimate of costs prior to ordering.

Under 'tools' you have free access to our spatial mapping software, LANDinfoMAP.

On the centre screen once you have logged into the website, you have the ability to see your last 30 days jobs and their status progress through our system.

### **In house Training**

If your office is located in either the Auckland or Hamilton areas, your office may benefit from expert in house training on how to best utilise our new website. If this interests you, please email [janellew@landinfo.net.nz](mailto:janellew@landinfo.net.nz). If you are outside these areas, don't worry, we can easily assist you over the phone, 0800 106 206.

### **We Want to Hear From you**

In order for us to continue with our commitment to provide you with the best online services possible, we would like to hear from you about what you think. Please email any comments or suggestions you have regarding the new upgrade of the website to [janellew@landinfo.net.nz](mailto:janellew@landinfo.net.nz).

We look forward to introducing you to our new site. Should you need any help at all navigating the site, please contact any of our help team on **0800 106 206**.

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## **LINZ Issues**

### **Land covenants and vestings - By Evan Yeates**

When land is to be vested upon the deposit of a plan as road or reserve under sections 238 or 239 of the Resource Management Act 1991 one of the requirements under section 224(b)(i) of the Resource Management Act 1991 is that every registered proprietor of an interest in the land must consent to the vesting of the land.

Generally this does not pose too onerous a task when the interest holder is a mortgagee but can become a major problem when it is a land covenant created in a moderate to large stage development.

It is very important when creating a stage subdivision to ensure that any balance parcel that may be subdivided later is not made subject to a land covenant during any stage of the subdivision. As one can easily imagine securing the consent of all dominant owners (including their mortgagee's) of lots created in stage one before stage two can proceed can prove a massive undertaking.

There are four possible solutions if this situation arises:

1. Surrender the land covenant as to the land to be subdivided or
2. Provide consent by all dominant owners and their mortgagees or
3. Have the land covenant extinguished as to the balance parcel using a court order pursuant to Section 126G Property Law Act 1952
4. Have the land covenant extinguished as to the lots on the plan that are to vest using a court order pursuant to Section 126G Property Law Act 1952

The first two options require execution of documents by all dominant owners and their mortgagee's; option three requires service upon all dominant owners and any mortgagee's but the last option has at this stage been successfully used without involvement of the other parties.

One creative proposal to this vexing situation is the inclusion of a termination condition in the instrument creating the land covenants. In essence, the instrument would provide that the covenants will automatically cease to have any effect on any allotment that will vest as road or reserve, in any subsequent stage of the subdivision.

LINZ have confirmed that such an approach is feasible, provided the termination of the covenants is linked to an easily ascertainable event, prior to deposit of the plan, such as its approval by the territorial authority, or approval as to survey by LINZ.

### **Contacting the LANDinfoNET Consultants**

Our Land Transfer Consultants Roger Fielding, David Barker, Evan Yates and Elaine Hancock are always available for consultancy and technical advice issues on any matters. Please do not hesitate to contact them with any queries that you have.

**Roger** 0508 534 251 LANDinfoNET Limited [rogerf@landinfo.net.nz](mailto:rogerf@landinfo.net.nz)

**David** 0508 534 251 LANDinfoNET Limited [davidb@landinfo.net.nz](mailto:davidb@landinfo.net.nz)

**Evan** 0508 534 251 LANDinfoNET Limited [evany@landinfo.net.nz](mailto:evany@landinfo.net.nz)

**Elaine** 0508 534 251 LANDinfoNET Limited [elaineh@landinfo.net.nz](mailto:elaineh@landinfo.net.nz)

**Roger, Dave, Evan and Elaine have a prior cumulative experience of working with LINZ as senior Land Registrar for over 70 years, please ensure you utilise their ongoing knowledge and resources as an "extension of your office". A team of registration clerks support Roger, Elaine, Evan and Dave to ensure they are free for high-end consultancy.**

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## Average Time for New Titles to Issue and Plans to Approve

LINZ TIME FRAMES - RECENT AVERAGES		
Type of Registration	LINZ Performance standard time frames 90% processed within:	Average based on our experiences:
Ordinary	15 working days	10 working days
Parallel	15 + 25 working days	20 working days
New title	15 working days	11 working days

For your information above is the table setting out LINZ's guidelines and the average time we are experiencing currently for registration to be completed. These averages are fairly consistent throughout New Zealand.

At LANDinfoNET Limited we are continuing to look at systems to create efficiencies so you and your clients benefit. With this in mind, we publish these averages as a regular feature of our newsletter to assist you with providing information to your clients.

Please be aware we are unable to request LINZ to give priority or urgency ahead of other dealings until the expiration of LINZ's performance standard time frames (shown ABOVE).

Should you feel circumstances permit for you to request priority over other prior lodged new title documentation, please forward to us a formal letter addressed to the Processing Centre Manager of LINZ, outlining your reasons for special priority. We will submit this letter on your behalf and advise you of LINZ's intention.

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## PPSR Issues

### Upcoming Expiries – By *Janelle Weir, General Manager*

As you will be aware financing statements registered on the PPSR during the transitional period and during May 2002 will be coming up for expiry in May this year. **Unless renewed prior to this, they will expire.**

This means, to maintain priority of a financing statement, it will need to be renewed BEFORE it expires. Once expired, priority is lost and cannot be regained.

If LANDinfoNET registered a financing statement on your behalf you will receive written notification from us of the upcoming expiry approximately six weeks prior to the expiry.

To make things easy for you, we have stored all the pins and passwords for you, so all you will have to do is instruct us to either a) renew the registration or b) let it automatically expired. If you require lost pins and passwords for financing statement renewals not originally registered by LANDinfoNET, we are able to assist you in retrieving this information.

If you would like any information regarding your registrations please don't hesitate to

give any of our PPSR officers a call, and they will be happy to assist you.

**Janelle Weir** General Manager/PPSR Consultant.

[janellew@landinfo.net.nz](mailto:janellew@landinfo.net.nz)

Free Phone: 0800 106 206

**Marian Kempster** PPSR Officer.

[mariank@landinfo.net.nz](mailto:mariank@landinfo.net.nz)

Free phone: 0508 534 251

**Tracy Bradley** PPSR Officer.

[tracyb@landinfo.net.nz](mailto:tracyb@landinfo.net.nz)

Free phone: 0800 106 206

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## Real Estate Updates

The increased confidence New Zealanders now have in house price appreciation, (the ASB Housing Confidence Survey said 43% of respondents thought house prices would rise further) and the stable number of property transactions reflect clear signs of a steady housing market. Summer activity is traditionally strong and there's no sign of it weakening off yet.

The Real Estate Institute of New Zealand records the period from January 06 compared to January 07 having an increase of the median sale price of \$27,000 taking it to \$327,000 easing slightly from Decembers figure of \$330,000. For the same period, it records an increase of number of sales to 1206 taking it from 6360 to 7566 with days to sell of 38. For the whole period between January 06 and January 07, sale numbers fluctuated slightly but remained at similar levels.

Quotable Value said that residential property prices grew 9.2% over 2006, compared with the year before and the average sale price for a property rose to \$348,886.

Both stats, although varying slightly, are evident signs of a continuing strong market.

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## A Big Thank You

Once again thank you for your continued support, we hope that you find this newsletter and the information it contains useful. We wish you all continued success for the rest of 2007.

If you have any questions regarding this newsletter, please contact Wayne Martin, our Key Accounts Manager, on 0800 106 206 or [waynem@landinfo.net.nz](mailto:waynem@landinfo.net.nz)

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**Feel free to phone our call free number 0800 106 206 and ask for Wayne Martin for further information.**

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**Regards The LANDinfoNET Limited team**

**An extension of your office.**

**Auckland** Freephone **0800 106 206** :: **Hamilton** Freephone **0508 534 251**

**visit us at [www.landinfo.net.nz](http://www.landinfo.net.nz)**

**Disclaimer:**

Although every effort has been made to ensure the accuracy of the information within this newsletter, we are not liable for the results of any action taken on the basis of the information given or any errors or omissions.

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