

Institute of Cadastral Surveying (Inc)

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ICS workshop 2013

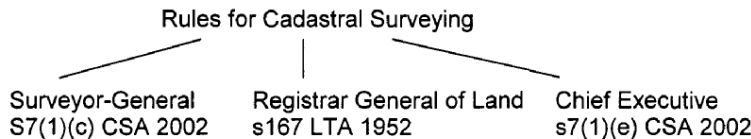
(Presented by Bruce Speirs – ICS)

300,000 plan images

We are endeavouring to be able to market these by the end of the year.

LTA review

We have suggested to RGL that he bring forward regulation regarding cadastral surveys in an overarching structure in terms of enabling legislation, including rules 10.2 & 10.3 of current Rules for Cadastral Survey 2010, which are actually s167 LTA 1952 requirements.



We have also asked RGL to bring us into the policy stage of developing regulation regarding cadastral survey matters, as the SG has agreed to do with his regulations from the CSA 2002.

CSD

The SG maintains that other parties can add to a CSD after a Cadastral Surveyor has certified such a CSD. This is inconsistent with common sense and we decided to summarise and document everything to date for availability in any future legal action. During this process the High Court transcript was reviewed, and it proved possible to develop a structure for the CSD consistent with the SG's evidence.

See structure diagram.

The resultant structure is a surprise, as it is not the CSD as defined in the CSA 2002 that a Cadastral Surveyor is certifying, but the Cadastral Survey or dataset of Cadastral Survey.

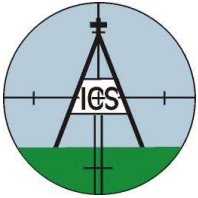
LINZ have never properly identified the structure of the CSD, and as a result have intermixed the CSD term with the dataset certified by Cadastral Surveyors throughout their paperwork.

This would appear to have resulted in an error in the Order in Council for the Digital lodgement of Cadastral Surveys in 2007 (CSD specified), which may in fact mean that only Cadastral Surveyors can request the issue of new Computer Registers.

s167 LTA 1952 may require a plan for deposit purposes, which in terms of s69(2) of the CSA 2002 is a CSD, whereas it should reference a Cadastral Survey.

The CSA 2002 itself has many examples of the inappropriate use of the term CSD when dataset of Cadastral Survey is meant, and a review of the Act is probably necessary.

Further, the Rules for Cadastral Survey 2010 need to relate to Cadastral Surveys, not CSD's (eg. Rule 8 is headed Cadastral Survey Datasets, whereas the rules are only for Cadastral Surveys) and a review is urgently required.



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The Chief Executive is currently developing requirements for lodging CSD's, whereas these should be for Cadastral Surveys.

Also, Landonline has many examples of the inappropriate use of the term CSD.

Action

We need to be in the policy stages of RGL developing regulation affecting Cadastral Surveying under the LTA 1952 review.

All parties need to identify and understand structures being used in LTA review.

We have advised both the Law Society and LINZ of our CSD findings, and both should be exploring the consequences of the LINZ failure to distinguish between the dataset of Cadastral Survey being certified by the Cadastral Surveyor, and the CSD.

Order in Council for lodgement of CSD's needs to be addressed.

CSA 2002 review is required.

RSC 2010 review needs to come forward from 2015 to 2014.

[Refer to the ICS CSD Definition Structure Diagram "ICS CSD-definition.PDF"]