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SUBMISSION::

Cadastral Surveyors Licensing Board Standards – 2020

Date: 29 March 2021

To: secretary@cslb.org.nz

This submission is on behalf of the *Institute of Cadastral Surveying* (ICS).

The ICS is an organisation whose membership is actively engaged in cadastral surveying.

This response represents the collective views of the ICS, and is based on the experience and wisdom of our members whom are passionate about maintaining the integrity and value of the survey system. It is also submitted in the best interests of landowners and the public - our clients.

The ICS have:

- sought and **received feedback** from members on the proposed standard – and this feedback is incorporated within this submission;
- encouraged members to make **individual submissions** on the Rules Review.

The ICS generally supports the intention behind the revision of these standards and applauds the effort that has gone into producing a well-rounded document which is a great improvement on the current 2013 standards.

We have identified a small number of minor but nonetheless important details within the standard document which in our view warrant amendment or at least further consideration. These are set out below in the table headed **Feedback on Standards Document**. In addition, we have given consideration to the specific requirements and competencies outlined in the standards. Our feedback on these is set out below in the table headed **Feedback on Requirements and Competencies**.

While there was as ever some diversity of opinions in the feedback received, we have endeavoured to highlight all salient points, and where there is thought to be a consensus within the organisation or alignment with the overall principles of the organisation we have put forth the ICS view.

We thank you for the opportunity to provide feedback on the proposed CSLB Standards, and trust that you will be able to incorporate the consensus of all submissions received in the best interests of the survey system, and in terms of the Cadastral Survey Act 2002.

Questions and clarifications can be directed to the ICS Secretary (Brent George) – sec@ics.org.nz

FEEDBACK ON STANDARDS DOCUMENT:

Paragraph	Description	Narrative
Standard: 6(1), 14(1) Schedule 1: 4(3)(e)(iii)	Use of the phrase 'Cadastral Survey Datasets' in the context of LCS certification	It is the long-standing view of the ICS that LCS is certifying the dataset , not the wider CSD which has a specific legal meaning.
Standard: 12(3)(b), 12(3)(c) Schedule 1: 9(2)(a)	Requirement for supply of information to the Board and communication skills specifically in English	The Board may have an obligation to permit the use of Te reo Māori in these contexts. Even were this not the case the view was expressed in some submissions to the ICS that particularly given the CSLB's own wish (expressed most recently in the 2020 CSLB Annual Report) to see more diversity within the surveying profession, it is important that linguistic barriers such as this be removed.
Standard: 10(4)(a), 12(4)(c)	References to "...the New Zealand Laws and Regulations examination"	<p>This examination is not defined in the Interpretation section of the Standard. It is presumed to refer to the Cadastral Law Examination currently administered by S+SNZ.</p> <p>In the view of the ICS an examination testing understanding, comprehension and application of NZ Laws and Regulations is a fundamental requirement, and it is noted in passing that the current Cadastral Law Examination does not fulfill this scope, being a rote-learning test.</p>
Standard: 13(2)(a)	"...evidence that they have maintained their skills in cadastral surveying as required by the competencies..."	It would be useful to clarify that this clause refers to the competencies in Schedule 1.
Schedule 1: 3(3)	"Knowledge of specific legislation..."	In the view of the ICS, if a fairly exhaustive list is specified here it should be widened to specify the Local Government Act 1974. If such a list is to form part of the standard, the standard will need to be updated at times of reform such as repeal of the RMA.
Schedule 1: 4(2)	"Knowledge of topographic, marine and hydrographic surveying..."	According to the Collins Dictionary a marine surveyor is "a person who carries out surveys of ships to determine seaworthiness, etc". This would appear to fall somewhat outside the remit of cadastral surveying.
Schedule 1: 6(4)(a)(ii)	"...the relevant national standards, district and regional plans and other statutory and regulatory documents that affect the subdivision of land..."	This paragraph should refer in addition to National Policy Statements, which lie between the RMA and national standards

FEEDBACK ON REQUIREMENTS AND COMPETENCIES:

Paragraph	Description	ICS Feedback:
Standard: 9(1)	Classes of application	It was noted in feedback received by the ICS and also in questions submitted by non-ICS members during the CSLB Standards Webinar on 16/3/21 that it would be desirable for the standard to include an avenue for applicants who do not hold a tertiary qualification in surveying, for example experienced technician surveyors. Some feedback to the ICS held a view to the contrary, that an experienced technician would receive some dispensation from the academic requirements of a degree, and that a tertiary qualification should remain a minimum requirement.
Standard: 10(3)(a)	“[The applicant must] have completed at least 2 years of post-graduate practical training under the guidance of a licensed cadastral surveyor in New Zealand, including at least 1 year (or such lesser period as the Board may determine) of practical training in surveys involving the subdivision of land and boundary definition”	It was noted in feedback received by the ICS that this to some extent duplicates requirements of the S+SNZ Admissions Panel, the current ‘assessment panel’. While the ICS recognises the need for such a requirement in this standard, it would in our view be better if this requirement wasn’t duplicated elsewhere (eg in the Admissions Panel annual circular). Some feedback suggested that the Board might offer a discount for prior (pre university) experience.
Standard: 10-12	Requirement for a 4 year tertiary qualification	It was noted in feedback received by the ICS that this may be unduly restrictive, for example in cases where applicants have been exempted from the first year of a tertiary qualification on the basis of prior experience or study.
Standard: 14(1)	<p>“An applicant who has completed a minimum of three approved cadastral survey datasets in the preceding 2 year period is considered, unless the Board decides otherwise, to have the required level of competence for the renewal of a licence.</p> <p>(2) All the datasets referred to in subclause (1) must have involved boundary definition, and at least one must have involved the subdivision of land.</p>	<p>It was noted in feedback received by the ICS, and also in questions submitted by non-ICS members during the CSLB Standards Webinar on 16/3/21 that 1.5 datasets a year was felt unlikely to preserve a surveyor’s familiarity with surveying practice and the cadastral survey system, and that six datasets over a two-year period would represent a more reasonable level of participation.</p> <p>Other submissions suggested that the minimum suggested in the draft standard was adequate, and gave flexibility to allow (eg) for surveyors to take an OE or long holiday without having to requalify. One submitter recounted having returned to cadastral surveying without difficulty after a 20 year absence.</p>

<p>Standard: 14(3)(b)</p>	<p>[An applicant who does not meet the requirements of subclauses (1) and (2) must have] “maintained their knowledge, understanding and ability by means of private study, attendance at seminars, workshops, or other appropriate means in relation to the competencies.”</p>	<p>The ICS notes that this reflects the current requirements, and is presumed to be intended primarily for government and academic staff who do not have an opportunity to undertake cadastral surveys.</p> <p>It was noted in feedback received by the ICS that it would be exceedingly difficult, or indeed impossible for an LCS to maintain their practising competence in this way. It is acknowledged that the law does not allow for a ‘non-practising’ qualification, however the ICS is concerned that this does expose the cadastre to a degree of risk. At the same time, some feedback received by the ICS expressed a strong view that those reviewing Datasets needed to have the same qualifications as those certifying them (and to be held to the same standards) and that the regime proposed in the standard was the only way that they could see that this would be possible.</p>
<p>Schedule 1</p>		<p>The ICS received some feedback suggesting that the standard is overly broad in scope, taking in matters (such as resource management planning and land development engineering) that are not necessarily relevant to the abilities required by many cadastral surveyors in their work.</p> <p>It would be fair to say that there is quite a diversity of views on this subject, even within ICS.</p>
<p>Schedule 1 2(3)</p>	<p>Competencies in survey measurement</p>	<p>The ICS received feedback:</p> <p>Questioning the relevance of geodetic surveying to cadastral surveys, given that the establishment and maintenance of geodetic networks is work that is unrelated to cadastral surveying, and which may well be undertaken and overseen by non-licensed practitioners.</p> <p>Expressing the view that the ability to calibrate survey equipment is no longer a realistic requirement given technological advances.</p>
<p>Schedule 1: 5(2)(iii)</p>	<p>[An understanding of] “...the basic principles of spatial information systems management and operations, their development process, and the application of cadastral information to these systems.”</p>	<p>The feedback received by the ICS universally regarded this requirement as being outside the remit of cadastral surveyors.</p> <p>The ICS agrees that while an ability to interact with GIS systems and to understand aspects of spatial data are important competencies, knowledge around the operation and maintenance of such systems is irrelevant to cadastral surveying.</p>

<p>Schedule 1: 7(2) & (4)(a)(i)</p>	<p>[An ability to] "...understand the subdivision engineering principles and requirements necessary to comply with regulatory consents for safe, stable and sustainable subdivision and avoid inappropriate development because of natural hazards, as required by section 106 of the Resource Management Act 1991."</p> <p>[an understanding of] "...the basic principles of soil properties, land stability, inundation and other natural hazards, as they relate to the subdivision of land; and"</p>	<p>Most of the feedback received by the ICS expressed the view that this requirement falls outside the training and the remit of cadastral surveyors, and should not form part of the standard. The reasoning for this is that it is up to Local Authorities to pass judgement on whether subdivisions should be permitted under s.106 RMA, and in the event that a Local Authority requires further evidence to support an application, this would invariably be sought from a suitably qualified professional. We do not consider that LCS should necessarily be such a suitably qualified professional.</p> <p>The ICS also received feedback supporting the proposed wording.</p>
<p>Schedule 1: 7 (4)(a)(iii)</p>	<p>[An understanding of] "...the types of regulatory documents that control the provision of access and services to a subdivision, such as national standards, district and regional plans, local authority codes of practice, and other relevant legislation."</p>	<p>Feedback received by the ICS suggested that this requirement for the most part unnecessarily duplicates the requirements in Schedule 1 6(4)(a)(ii)</p>
<p>Schedule 1: 8(2)</p>	<p>[Accordingly, the competencies required in professional conduct are the ability to] "...participate in ongoing professional education and development in relation to cadastral surveying."</p>	<p>Feedback received by the ICS generally expressed the view that this provision is poorly worded.</p> <p>In the first instance the <u>ability</u> to participate in ongoing CPD is meaningless if not followed through on, and indeed the standard includes no general requirement for CPD for license renewal.</p> <p>Likewise, the inclusion of the word professional education is restrictive in that many surveyors will not undertake further formal education beyond tertiary study and initial licensing (as distinct from continuing professional development). In this context we would characterise formal education as involving assessment by examination or other means.</p>