



THE SURVEY REGULATIONS 1959

COBHAM, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 18th day of March 1959

Present:

THE RIGHT HON. W. NASH PRESIDING IN COUNCIL

PURSUANT to the Surveyors Act 1938, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, and on the recommendation of the Survey Board, hereby makes the following regulations.

REGULATIONS

1. Title—These regulations may be cited as the Survey Regulations 1959.

2. Arrangement of regulations—These regulations are arranged as follows:

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3. Interpretation—In these regulations, unless the context otherwise requires,—

“Board” means the Survey Board constituted under the Surveyors Act 1938:

“Chief Surveyor” means a Chief Surveyor appointed under the Land Act 1948; and includes his deputy:

“Plan” includes all plans resulting from any survey:

“Rural survey” means any survey that is not a town survey:

“Survey” means any survey required or made under any Act relating to or affecting title to land, whether the title is in fee simple or any lesser interest:

“Surveyor” means a person registered as a surveyor under the Surveyors Act 1938:

“Surveyor-General” means the Surveyor-General appointed under the Land Act 1948; and includes his deputy:

“Town survey” means any survey within a city, or a borough, or a town district that does not form part of a county; and includes a survey made under the provisions of the Land Subdivision in Counties Act 1946.

4. Surveyor to comply with departmental rules—A surveyor making any survey under these regulations shall comply with all departmental rules and directions issued by the Surveyor-General supplementary to these regulations and not contrary thereto, and shall conform to accepted good survey practice where procedure is not laid down by these regulations.

5. Surveyor to comply with requisition by Chief Surveyor—On receipt of a requisition from the Chief Surveyor to amend a survey plan or to supply information concerning it which is not contained in the field notes or shown on the plan, and which in the opinion of the Chief Surveyor is necessary to complete the plan or survey in terms of these regulations, the surveyor concerned shall promptly comply with the requisition.

6. Disputes to be settled by Surveyor-General—In the event of a dispute arising between the Chief Surveyor and a surveyor as to whether any survey made under these regulations has been properly effected, the matter may be referred to the Surveyor-General, who shall inquire into it, and his finding shall be communicated to the Chief Surveyor and the surveyor and shall be final and binding on both parties.

7. Information to be obtained—(1) Before making any survey, the surveyor shall obtain all requisite information respecting the subject land and adjacent lands in the offices of the District Land Registrar and the Chief Surveyor of the district in which the land is situated.

(2) For this purpose, original plans, block sheets and index maps, field books, and traverse books shall be open to surveyors and professional draughtsmen, without fee, during office hours and under the supervision of the officer having charge of those records.

(3) The information so obtained must be used only for the purpose of effecting surveys under these regulations, and no surveyor shall use any such information, or permit any such information to be used, so as to infringe the copyright of the Crown or of any other person.

8. Duty of surveyor—(1) It shall be the duty of every surveyor making surveys under these regulations to study the interests of the State in all his operations. He shall search for and, when found, connect to old marks necessary to prove the accuracy of the survey, and he shall supply to the District Land Registrar and the Chief Surveyor all information obtained by him relating to the survey that will aid in securing accuracy and completeness in the title to the land.

(2) Surveyors shall report to the Chief Surveyors all disturbance or likelihood of disturbance to trigonometrical stations and standard survey marks; and surveyors engaged on Government work shall renew or repair any such stations and marks, or report their inability to do so.

(3) Surveys shall be executed by a surveyor holding a practising certificate as required by the Surveyors Act 1938, and plans shall bear his signature.

(4) Surveys shall be carried out with such equipment and by such methods as will readily attain the standards of accuracy herein defined, and it shall be the duty of every surveyor at all times to apply such checks and tests to his work as may be necessary to obtain those standards.

9. Field notes—(1) The field notes of a survey shall be a record of all observations and measurements made by the surveyor and of the marks made on the ground by the surveyor for the purposes of these regulations.

(2) Field notes shall be neatly and clearly recorded in hard black pencil in such a way that any surveyor or competent draughtsman may draw a correct plan of the survey.

(3) Field notes shall be recorded in a book of approved size or on approved loose leaves.

(4) The original pencil notes shall not be obliterated or inked over or erased. Every alteration made by the surveyor shall be clearly written and erroneous entries shall be crossed out.

(5) The first page of the field notes of each survey in a field book shall show the title of the survey, with particulars of the district, block, town, or other reference as will sufficiently identify the land surveyed, the date of commencing the survey, and the signature of the surveyor. Each page of the field book shall be initialled by the surveyor and dated.

(6) The surveyor shall ensure that all distances shown in his field notes are in terms of the Imperial Standard of Length, and, on request, shall supply to the Chief Surveyor a certificate of comparison of the measuring band used on the survey with that standard.

(7) The field notes of each survey shall accompany the plan of the survey when being lodged for examination with the Chief Surveyor or the District Land Registrar.

10. Bearings—(1) Bearings shall in every case be measured in degrees, minutes, and seconds of arc in sexagesimal measurement, commencing at 0° , the north point of the true meridian of the initial station of the circuit, and thence through east, south and west, in that order, returning to the north point at 360° .

(2) Bearings shall be measured with a theodolite, all bearings being recorded and mean bearings deduced. Corrections for origin and closure on check bearings are to be applied and the deduced bearing shown in the field book. For computations and plan the seconds of the deduced bearing shall be rounded off as follows:

Rural Surveys:

10 chains and under .....	.....	To nearest 1' 00"
Over 10 chains .....	.....	To nearest 0' 30"

Town Surveys:

5 chains and under .....	.....	To nearest 1' 00"
Over 5 chains .....	.....	To nearest 0' 30"

11. Origin of coordinates and bearing—(1) The origin of coordinates and bearings shall be obtained from—

- (a) The triangulation system; or
- (b) The standard survey; or
- (c) Surveys approved under these or former regulations; or
- (d) Any other surveys executed by registered surveyors which the Chief Surveyor at his discretion accepts as suitable for the purposes of these regulations; or
- (e) Two independent stellar or solar observations, where other means are impracticable.

(2) The reliability of any two marks for the purpose of this regulation shall be proved by testing their agreement with a third approved mark.

(3) Subject to the foregoing provisions of this regulation, the following methods of survey shall, for the purposes of this regulation, be acceptable:

- (a) By direct traverse; or
- (b) By well-conditioned connecting triangle; or
- (c) By resection from at least four favourably situated trigonometrical stations, provided those stations are part of a modern triangulation system.

12. Check bearings—(1) Where a traverse through dense bush consists of more than twenty lines, check bearings shall be observed to stations of the traverse from some well established point. The number of stations between such check bearings shall depend upon the nature of the country and length of the traverse lines, but check bearings shall be observed at approximately every twentieth station where lines are short, that is, averaging up to 5 chains. Where lines average more than 5 chains, or where due to the nature of the country difficulty is experienced in obtaining accurate angular observations of the traverse lines, check bearings shall be observed at approximately every tenth station. Stellar or solar azimuths may be used for checking purposes when other means are impracticable.

(2) Where lines are in excess of 100 chains, check bearings shall be applied to the stations at both ends of the lines.

(3) In country other than bush, check bearings shall be observed to approximately every tenth station, except when lines average more than 10 chains, when check bearings shall be observed at stations not more than 100 chains apart. The nature and location of check bearings shall always depend upon the circumstances of the particular case, and must be governed by the nature of the country, the length of the lines, and the visibility at the time of observation.

13. Angular and linear errors—The surveyor shall use such equipment and methods as will ensure—

- (a) That the bearing of any line shown on the plan shall not differ from the true bearing expressed in terms of the origin of bearings of the survey by more than the following limits of error:

Town Surveys:

10 chains and under	.....	By not more than 1' 00"
Over 10 chains	.....	By not more than 0' 30"

Rural Surveys: The limit of error prescribed for town surveys, increased by 100 per cent; and

- (b) That the length of any line shown on the plan shall not differ from its true length in terms of the Imperial Standard of Length by more than the following limits of error:

Town Surveys: 0.10 links, plus 0.01 links for each completed 100 links of measured line.

Rural Surveys: The limit of error prescribed for town surveys, increased by 100 per cent.

14. Traverse computations and closures—(1) All traverses shall be computed and coordinated in terms of the meridian and perpendicular of the initial station of the meridional circuit, and, where necessary, the coordinates shall be adjusted to conform to the projection laid down for that circuit.

(2) Those coordinates shall be computed in the case of rural surveys to the nearest one-tenth of a link, and in the case of town surveys to the nearest one-hundredth of a link. The first station of a traverse shall be a mark, the coordinated position of which is well established, and the closure of other points on the traverse with well established marks or with the initial point after completing the traverse circuit shall not exceed the following limits:

Town Surveys:

Easy country: 0.10 links, increased by 0.02 links for each chain of length in the circuit.

Rough country: The limits of error prescribed for circuits in easy country, increased by 25 per cent.

Rural Surveys: The limits of error prescribed for town surveys, increased in each case by 50 per cent:

Provided that, in cases where the traverse circuit comprises in part or in whole traverse or boundary lines adopted from prior surveys, the closing limits prescribed in this subclause may be increased at the discretion of the Chief Surveyor.

15. Boundaries to be marked—(1) Boundaries shall be marked at every angle and, where necessary, at points on the boundary line, by one or other, according to circumstances, of the types of marks specified in regulation 17 hereof. Straight boundary lines shall be cleared where necessary and distinctly marked at intervals not exceeding 30 chains, which may be varied to suit the conformation of the country. Advantage should be taken of the most prominent and favourable positions on the line for the markings so that the direction may be seen from mark to mark.

(2) In bush country where complete chainage of the boundary is not necessary, then, subject to the approval of the Chief Surveyor, only such cutting of the line shall be required as will ensure adjoining marks being visible from each other, but it must be sufficient to enable the distances from such marks along the line to be arrived at to show approximately on the plans the position of the marks. Under all circumstances the lines must be cut for a distance of at least 5 chains from the boundary corners at each end to such a position that the boundary may be readily ranged and the distance to the mark determined for noting on the plan.

(3) Every survey mark defining an angle in a boundary shall be connected to a traverse mark or a witness mark situated at a distance by traverse of, generally, not more than $2\frac{1}{2}$ chains therefrom in a town survey and not more than 5 chains therefrom in a rural survey, which may be varied to suit the conformation of the country. No survey mark defining an angle in the boundary shall be itself a witness mark.

(4) When the land under survey is rough and inaccessible then, with the prior approval of the Chief Surveyor, the boundaries of the land may in special cases be defined by tacheometric, plane table, or compass surveys.

16. Measurements to natural boundaries—Offset measurements fixing natural boundaries from traverse lines shall be taken at intervals sufficient to delineate those boundaries accurately, but no such measurements shall exceed two chains in length:

Provided that, where the natural boundary is tortuous or is located in rough inaccessible country, the length of this measurement may be varied to suit the physical features:

Provided also that fixation may also be determined by tacheometric, plane table, or compass surveys. Field notes and data required for these alternative methods shall accompany the plan of the survey.

or from aerial photography

17. Boundary marks—(1) Boundary pegs shall be either—

- (a) Concrete pegs, not less than 18 in. long with a minimum cross section of 9 square inches, square-pointed, chamfered, and reinforced by a steel rod of a minimum length and diameter of 15 in. and $\frac{1}{2}$ in. respectively, and driven or set to finish not more than 2 in. above ground level; or
- (b) Wooden pegs of durable timber of a kind approved by the Chief Surveyor, not less than 21 in. long, with a minimum cross section of 6 square inches, square-pointed and chamfered, and driven to finish not more than 3 in. above ground level. In bush, wooden boundary marks shall have an iron pin 15 in. long driven alongside the northern face of the mark.

(2) Where concrete or wooden pegs are impracticable, iron tubes 24 in. long and of at least $\frac{1}{2}$ in. internal diameter, or metal bolts, spikes, or rods 18 in. long and of at least $\frac{1}{2}$ in. diameter, shall be used, and shall be driven or set to finish not more than 2 in. above ground level.

(3) Where the presence of rock, cement, permanent pavement, stone, or rubble walls, or other permanent material or structure, makes it impossible to use the boundary marks specified in the foregoing provisions of this regulation, a metal plug shall be used, grouted if necessary into the base material to ensure stability. The height of the mark above ground level shall be shown on the plan where applicable.

(4) A sound fence post may serve as a boundary mark.

(5) In rural surveys of open country, trenches or lockspits 4 ft long, 9 in. wide, and 6 in. deep, commencing 2 ft from the boundary mark, and indicating the directions of the boundaries, shall be dug at all boundary corners. Where the country comprises rock or rubble formation, the boundary mark shall be surrounded by a circle of stones, with lines of stones indicating the direction of the boundary.

(6) Where a boundary corner or boundary line falls on a permanent structure or other obstacle in such a manner that it is not possible to use any of the marks prescribed in this regulation, the exact position of the structure or obstacle shall be defined by survey. The relationship between the structure or obstacle and the boundary corner or boundary line shall be shown in diagrammatical form on the plan of the survey, together with its age and description.

(7) Permanence and stability are the main considerations in any boundary marking, and where necessary the length of any driven marks shall be increased accordingly.

(8) Wherever possible boundary marks shall be branded with the broad arrow, the number of the parcel or parcels, the letter R facing the road frontage, and the letters RW facing a right of way, where applicable.

18. Traverse and witness marks—(1) Traverse and witness marks required for the purpose of regulation 15 (3) hereof shall normally be one of the types specified in paragraph (b) of subclause (1) or in subclause (2) of regulation 17 hereof, shortened by 6 in.

(2) Wooden pegs shall be used only when it is impracticable to use concrete or metal marks, and shall have the traverse point marked by a substantial tack.

(3) All witness and traverse marks shall be placed in positions that are as safe as possible from foreseeable disturbance and shall normally be driven below ground level. Where there is any risk of disturbance or

destruction by cultivation, by road formation or maintenance, by malicious interference, or by fire, marks shall be driven as deep as is considered necessary for reasonable preservation. The depth of any mark driven deeper than 9 in. shall be shown in the field notes and on the plan. Traverse and witness marks shall be so located and driven that they cannot be mistaken for boundary marks.

(4) Where there is any danger of striking underground services, the length of the mark shall be reduced. In paved footways, streets, or roads a metal plug, as prescribed in regulation 17 (3) hereof, may be used.

(5) Permanence and stability are the main considerations in the marking of traverse and witness stations, and where necessary the length of any driven marks shall be increased accordingly.

19. Curved boundaries—Boundaries defined by curves shall be marked on the ground by pegs or other accepted marks on the curve in such manner that the offset from the middle of the chord between adjacent ground marks shall not exceed 2 links, nor shall those ground marks be at greater intervals than 1 chain apart, but in every case a curve shall be marked by at least one peg or mark in addition to the pegs or marks at the tangent points.

20. Permanent reference marks—(1) All surveys shall be connected to at least two permanent reference marks in such a manner that no boundary mark shall be distant from two such marks more than 30 chains in rural surveys and 20 chains in town surveys, the distance being measured along traverse lines.

(2) For the purpose of this regulation the term "a permanent reference mark" means—

- (a) A trigonometrical station; or
- (b) A standard survey block or metal tube; or
- (c) A metal tube of not less than $\frac{1}{2}$ in. internal diameter and 18 in. long driven at least 18 in. into the ground, of sufficient stability to guarantee permanence; or
- (d) A metal bolt, spike, or pin securely cemented into the mother rock or into a boulder or masonry of more than 5 cubic yards in content; or
- (e) Such other mark as the Chief Surveyor, having regard to the permanence and definiteness, accepts.

(3) Those reference marks shall be placed, wherever practicable, on traverse lines not more than 30 chains apart, in positions free from disturbance, so far as may be reasonably inferred, and may be traverse stations not serving as boundary marks, and wherever possible they shall be so sited that adjoining marks are reciprocally intervisible. The interval between permanent reference marks may be varied to suit the conformation of the country.

(4) Permanent reference marks shall be sited and established to ensure the greatest stability, permanence, and convenience for future reference. Generally, where the conformation of the country will permit, they shall be located on the line between a traverse station and a triangulation station or other permanent reference mark. Unless freedom from disturbance or destruction can be reasonably inferred, permanent reference marks shall not be located on any road formation. Permanent reference marks may be located at offsets to a traverse where it is not possible to comply with the foregoing requirements.

21. Hanging traverses—Hanging traverses shall not be accepted, except in cases where it is not possible to obtain a closed circuit, and in such cases all lines and angles shall be measured twice. Those check measurements and observations shall in all cases be recorded in the field notes, but need not be shown on the plan. For the purpose of this regulation, a hanging traverse is a line or a series of lines which do not form part of a closed circuit.

22. Elimination of close—In new traverses forming a complete surround or traverses connecting two standard blocks or two triangulation stations, where these have been adjusted to conform with the "geodetic triangulation", the closing error is to be eliminated by the Bowditch rule, by distributing the closing error according to the following:

"As the total length of the traverse is to the length of each line, so is the whole error in latitude or departure to the correction of the corresponding latitude or departure, each correction being so applied as to diminish the whole error in latitude or departure."

23. Traverse sheets—Traverse coordinate values of all main traverse stations and of all boundary angle marks, together with the appropriate references to sources of the initial values used, shall be tabulated on approved sheets:

Provided that, where a number of intermediate marks are placed on a line between two standard blocks or other well established traverse marks, or where a number of intermediate lot-boundary corner marks are placed on a boundary line as in ordinary suburban subdivision, the coordinates of those intermediate marks need not be tabulated, except when necessary for the calculation of boundaries.

24. Computation of triangles and azimuths—Where connecting triangles have been observed, or where azimuths have been determined astronomically, the necessary computations shall accompany the plan.

25. Computation of areas—(1) Areas of parcels and severed parts, which shall be allotted separate lot numbers, shall be accurately computed, and to avoid fractional quantities the computed area may be rounded off by dropping not more than $\frac{1}{16}$ per cent or 1 perch in each 10 acres.

(2) Where the area is bounded by irregular lines or a large number of sides, a planimeter may be used to obtain the areas of small parts, provided at least 80 per cent of the total area is computed mathematically.

(3) In the case of lands being taken for roads, railways, or other purpose through other lands, the area of each portion being part of a title, or for which the District Land Registrar might, without further survey, rightfully issue a title, shall be mathematically computed:

Provided that, with the permission of the Chief Surveyor, small areas of little value may be determined by approved graphic methods.

26. Plan forms and scales—(1) All plans shall be drawn in a neat and workmanlike manner on mounted drawing paper of the best quality, measuring 30 in. by 30 in. or 20 in. by 20 in., and plotted on scales that will suitably and clearly illustrate the details of the work, and where necessary intricate detail shall be shown in diagram.

(2) Scales smaller than 10 chains to 1 in. may be used only with the permission of the Chief Surveyor.

27. Plotting—(1) All plans shall be accurately plotted. Except in the case of railway land plans, or by express permission of the Chief Surveyor, all plans shall be plotted with the meridian parallel with the edge of the paper and the north point upwards.

(2) Meridian and perpendicular plotting-lines shall be drawn in blue colour, and, where the scale is not larger than 10 chains to 1 in., these are to be at even multiple distances of 50 chains or 100 chains from the circuit initial; in larger scales the lines shall be at even distances of 10 chains or 5 chains, according to scale. At least two meridian and two perpendicular lines shall be shown on the plan, and each such line shall show the value in terms of the circuit initial.

(3) Those lines shall be used for setting off the boundary and traverse stations from their computed coordinates. A protractor may be used for filling in topographical detail.

28. Colouring on plans—(1) Artists' colours of the best permanent quality, in cake or moist form, shall be used. Liquid or waterproof inks, with the exception of indian ink, shall not be used.

(2) The distinguishing colours to be used on a plan shall be as set out in the following table:

Feature	Colour
Legal public road or street	Burnt sienna.
Road or street to be dedicated	Red wash.
Land to be taken for road or public purpose	Alternating washes of blue, sepia, and orange and any other colour or colours not conflicting with those elsewhere used on the plan for other purposes.
Closed roads	Green wash.
Easements and rights-of-way	Yellow or blue wash.
Railways	Purple wash.
Riverbank, coast, and other reserves	Red wash, reduced to broad marginal band if extensive.
Crown and Maori land	Red border.
Land under Land Transfer Act	Green border.
Areas permanently under water	Blue wash or broad marginal band of blue.
Bush-covered and scrub-covered areas	Green wash or broad marginal band with black symbol, but on Land Transfer plans black symbol alone.
Ground relief	Grey or sepia shading or form or contour lines in burnt sienna.
Swamp	Blue dotted line with symbol.

(3) In addition to the colour notation as set out in subclause (2) of this regulation, the purpose and nature of all areas shall be written on the plan.

(4) The plan of the area forming the subject of the survey shall show this area and each subdivision or severed portion thereof, bordered or coloured with the appropriate distinguishing colour prescribed for that particular class of survey.

29. Symbols for survey marks—(1) Survey marks or stations shall be shown on the plan as follows:

Type of Mark	Symbol
(a) New wooden peg	Small red circle.
(b) Old wooden peg adopted but not found	Small black circle.
(c) Old wooden peg found, whether or not measurements were made thereto	Small black circle filled solid.
(d) Old wooden peg found and renewed	Red circle enclosing small black circle filled solid.
(e) Metal tube	Two concentric blue circles.
(f) Old metal tube adopted but not found	Two concentric black circles.
(g) Old metal tube found	Two concentric blue circles the inner filled solid.
(h) Metal mark	Small blue circle.
(i) Old metal mark adopted but not found	Small black circle.
(j) Old metal mark found	Small blue circle filled solid.
(k) New wooden peg and metal mark together	Red circle enclosing small blue circle.
(l) Post	Small black square filled solid.
(m) New concrete peg	Small yellow circle.
(n) Old concrete peg adopted but not found	Small black circle.
(o) Old concrete peg found	Small yellow circle filled solid.

Provided that, when, because of special circumstances, the mark employed does not conform to those prescribed in this regulation, the symbol for that mark shall be accompanied by a descriptive note on the plan.

(2) Traverse and triangulation stations shall have their distinguishing numbers or names shown, except that, in the case of long traverses where the stations are numbered consecutively, it shall be sufficient to show as many numbers as will enable the number of every station to be readily determined.

30. Conventional signs—The conventional signs or symbols used on survey plans are to be in accordance with accepted survey practice. Care must be taken to see that their use does not obliterate or confuse any more essential detail of the plan.

31. Lines on plan—(1) All traverse, boundary, and bearing lines on the plan shall be shown in firm lines in accordance with the following table:

Type of Line	Colour of Line	Colour of Distance	Colour of Bearing
Measured and observed	Red		
Observed only	Blue	Red	Blue
Observed, with distance calculated	Blue	Black	Blue
Measured offsets and offset intervals	Red	Red	Blue
Ranged	Blue	Black	Blue
Calculated	Black	Black	Black
Adopted	Black	Black	Black
Natural water feature boundary	Blue		
Irregular boundary other than water feature	Black		

(2) When boundary lines are adopted from prior surveys, it shall not be necessary to show the traverse details upon which those lines depend, but a reference to the plan from which they are adopted shall be shown.

(3) As far as practicable, distances and bearings shall be written along the line or as close thereto as possible. In special cases only may these particulars be written in tabular form on the plan.

(4) Boundary distances shall be shown boldly and clearly. If this is not possible, the symbol "bdy" shall be written alongside the distance.

32. Title and details of plan—The title and details of a plan shall be as follows:

(a) *Title*—The title of the survey shall state the correct appellation of the land to be dealt with and shall be clearly printed in black in the appropriate position on the plan. The reference to the certificate of title affected shall also be shown.

The correct title reference of all sections and lots abutting on the area comprised in the survey shall be shown. Where closed roads have not been assigned section numbers, they shall be shown and marked "closed road".

(b) *Districts and District Boundaries*—The names of the land district, local body district, survey block and district, and registration district or Maori block shall be shown in black, together with the title on the plan.

When the survey comprises an area located in two or more districts, the names of those districts and their boundaries, in pecked line, shall in addition be shown on the face of the plan in the distinguishing colours as follows:

Land district	.....	.....	.....	Black.
Local body district	.....	.....	.....	Cadium red.
Survey block and district	.....	.....	.....	Ultramarine.
Registration district	.....	.....	.....	Burnt sienna.
Maori block	.....	.....	.....	Yellow.

The numbers of the sections or lots of the survey district, registration district, or Maori block shall be shown in the same distinguishing colour as the name.

The numbers and boundaries of the lots of a previous Land Transfer plan shall be shown in neutral colour when required for title purposes.

(c) *Plan References*—All reference-plan numbers shall be shown on the face of the plan in their correct relation to the lots or original sections affected, and shall be prefixed by the appropriate letters set out in the third column of the following table, and the letters and numbers shall be of the colour prescribed in the second column of that table, namely:

Type of Plan	Colour	Letters
Crown and statutory	Blue	S.O.
Maori	Red	M.L.
Land Transfer	Green	D.P. or L.T.*
Mining	Yellow	M.

*The symbol D.P. denotes a plan deposited by the District Land Registrar, and the symbol L.T. denotes a plan which has not been deposited by the District Land Registrar.

- (d) *Field Notes, Scale, and Consents*—The plan shall refer to the field notes of the survey by the number and the page of the field book.

The scale of the plan shall be shown on the plan.

The plan shall bear all consents and endorsements required under the provisions of any statute applicable to the survey, and shall be verified by the surveyor by a certificate or declaration to the effect that the surveys have been personally executed by him and that these regulations have been complied with, and such other particulars as are set out in the appropriate form of verification in the Schedule to these regulations.

- (e) *Plan Details (Areas, Distances, and Easements)*—The plan of the area forming the subject of the survey shall show the area bordered with the appropriate colour hereinbefore prescribed for that particular class of survey, and each subdivision or severed portion shall likewise be bordered in the same colour with, in the case of regular boundaries, the distances and bearings of each boundary, whether of the whole or any part, written in figures.

A number shall be assigned to each separate parcel of land shown on the plan. This number and the area of the parcel in acres, roods, and perches shall be written on each parcel as nearly centrally as may be, and the total area of the land being dealt with shall be shown in the margin.

The positions of all easements are to be accurately shown, and, where rights-of-way have been or are to be created, the sites should be coloured in a yellow or blue wash, different rights created by the easement being clearly indicated.

- (f) *Details of Occupation*—Buildings with their eaves or projecting portions abutting on, overlapping, or closely approaching the boundaries shall be accurately fixed and their position in relation to the boundary clearly specified and delineated on the plan. When the wall of a building or structure is erected on or adjoining a boundary, and that wall is used as a party wall or party-wall rights thereto have been created by grant or prescription, the wall must be described as a party wall on the plan, and the position of the boundary in relation to the wall must be shown by diagrams, illustrating any change or changes in the thickness of the wall.

The position of the title boundary relative to the occupation shall be accurately shown, and the nature, description, and age of the feature or occupation shall be stated.

- (g) *Miscellaneous Details*—Swamps, terraces, or irregular fences are inadmissible as boundaries unless they are reduced to right lines:

Provided that nothing in this paragraph shall be deemed to authorise a surveyor to lay down a boundary elsewhere than upon the existing line of that boundary, or where the evidence available is insufficient to enable him with certainty to delineate the line of a boundary, to excuse him from supplying to the District Land Registrar or Chief Surveyor all information known to him relating to the premises.

The nominal and occupied widths of all roads and streets adjoining or within the area under survey, together with the names of those roads and streets, shall be shown on the plan.

In preparing plans (other than for the Navy Department, the Army Department, or the Air Department) no reference whatever must be made thereon to forts or any works of defence.

33. Measurements—(1) The actual measurements found to exist on the ground shall be shown on the plan, notwithstanding that those measurements may not agree with those previously recorded.

(2) Where the definite location of a boundary is indeterminate owing to the absence of evidence supplied by approved Crown land surveys or undisputed occupation of the requisite age, sufficient measurements must be made of the adjoining properties to establish the fact that no encroachment is made upon the land of the adjoining titles.

34. Plans the property of Crown—(1) A plan received by the District Land Registrar or Chief Surveyor from a surveyor or other person for examination shall be held on behalf of the surveyor and be deemed to remain constructively in the surveyor's possession until the completion of examination, and the surveyor may notify the Chief Surveyor that the examination is not to be completed without the surveyor's consent.

(2) Upon completion of examination the plan shall become the property of the Crown.

35. Plans to be lodged—Plans lodged with the Chief Surveyor or District Land Registrar for examination shall be in good order and condition, and the Chief Surveyor or District Land Registrar may refuse to receive any plan which has been damaged by folding or in any way which impairs its legibility or permanence.

36. Land plans—In the case of land required for public purposes, including land to be taken for road and railway purposes, the following provisions, in addition to those specified in the foregoing provisions of these regulations, shall be observed:

Survey

- (a) The surveyor shall mark the intersection of the boundaries of the land to be taken, with all existing title, section, or subdivisional boundaries, irrespective of ownership, in such a manner that a separate title for each portion taken can issue.
- (b) Where the intersection mark is likely to be disturbed or to be inaccessible during construction, when the land survey is carried out before construction, reference marks or witness marks shall be placed on the extension of the intersection lines.
- (c) In the case of railway surveys the surveyor shall adhere to the centre-line marks of the engineering survey, and shall as far as possible adhere to the intersection marks of the engineering survey. Where discrepancies are found in the marking of tangent or of intersection marks on the engineering survey, the surveyor shall mark new tangent and intersection marks from which the original tangent and intersection marks shall be fixed by traverse.

- (d) The provisions of regulation 20 hereof shall apply to road and railway surveys, the interval between reference marks being in accordance with the interval prescribed for rural surveys.

The surveyor shall set out the railway curves in the same manner as the curves for the engineering survey.

Plans and Plotting

- (a) All railway land plans shall be drawn on a scale of 3 chains to 1 in. on the best-quality mounted drawing-paper 30 in. square.
- (b) The engineering-survey chainage shall be shown in red and each chain mark marked and each tenth numbered, discrepancies found in the engineering survey being shown as long or short chains.
- (c) The relationship between the two surveys from the commencing-point shall be shown every half mile.
- (d) Where, on account of a defective original survey or of deviations subsequently decided on, the length of the engineering survey is incorrect, there shall also be shown on each sheet, at every 10 chains, the correct mileage from the commencing point.
- (e) Separate land plans shall show all of the land taken from contiguous land in the one ownership. This is not necessary when the plan comprises several sheets.

Colouring, Descriptions, and Areas of Land Taken

- (a) Areas taken for road or railway from each ownership shall be distinctly coloured in the wash colours prescribed in regulation 28 hereof, and those colours shall be shown along the boundaries affected.
- (b) Severed areas to which section 31 of the Public Works Act 1928 applies shall be coloured lightly and bordered in a deeper shade of the same colour as that used for other areas taken from the same title, section, or subdivision.
- (c) The title description and area of each portion taken and each severance shall be shown on the plan in such a manner that, if necessary, the District Land Registrar can issue a separate title for the portion or severance.
- (d) All land taken shall be described in accordance with the appellation of the land at the time of the survey.
Crown land applied for any public purpose shall be described as "Crown land".

Road, Railway, and Stream Crossings

- (a) All roads crossing railways that are to be left open to the public shall be coloured burnt sienna.
- (b) If any part of a road crossed by a railway is to be closed to the use of the public and occupied exclusively by the railway, the portion to be closed shall be coloured green and bordered in a deeper shade of the same colour.
- (c) No private crossings on railways shall be shown or coloured in any way.
- (d) Where a road or railway crosses a stream, the stream bed crossed shall be shown as land to be taken and coloured accordingly.

Roads to be Closed

Closed roads shall be coloured green, and when fronting more than one property – that is, contiguous land in the one ownership – shall be subdivided so as to allow of the inclusion of the separate areas in adjoining properties.

Ownership and Occupation

Land plans shall show the names of owners and occupiers, together with the title reference of the area or areas affected. The names of Maori owners need not be shown, the words "Maori owners" being sufficient.

Procedure

- (a) Two tracing-cloth or photostat copies, correctly coloured, of all land plans shall be prepared, photostat copies to be clear and readable.
- (b) No reference shall be made on land plans to the Act under which the land is to be taken.
- (c) In drawing up the schedule of land to be taken for road and road to be closed, all areas in one title shall be grouped together and all areas in one ownership shown consecutively.
- (d) All land plans with their relative documents, excepting railway land plans, which shall be forwarded to the Head Office of the Ministry of Works, shall be referred to the District Engineer of the Ministry of Works for his approval before submission to the Chief Surveyor.
- (e) *See Tech. Circ. No. 190.*

37. **Maori land plans**—In the case of plans for purposes of the Maori Affairs Act 1953, the following provisions, in addition to those specified in regulations 4 to 35 hereof, shall be observed:

- (a) The boundary of the area forming the subject of the survey is to be shown by a marginal border of a tint of red colour:
- (b) The position of all remarkable hills, ridges, pas, eelweirs, graves, cultivations, tracks, battlefields, villages, rahui, and boundary marks within the area shall be shown on the plan in correct relation to the boundaries, and the aboriginal names of these features shall also be given as far as possible. The courses of rivers and streams, margins of swamps, lakes, coastlines, bush, and other natural or artificial feature shall be delineated upon the plan:
- (c) Legal public roads intersecting or abutting on the area are to be shown coloured burnt sienna, and unsurveyed formed roads are to be surveyed and shown, but not coloured. Roadways constituted by the Maori Land Court are to be shown by pink colour:
- (d) The plan is to be on best-quality mounted drawing-paper of a size of 30 in. square or 20 in. square, except that, with the special permission of the Chief Surveyor in writing, a size larger than 30 in. square may be permitted:

- (e) A copy of the plan, on mounted tracing cloth, omitting all survey detail except boundary distances, is to accompany the plan, and on this the area and its abutments shall be so placed as to allow of a marginal area of at least 100 square inches being available for Court notes:
- (f) When an original area is found on partition to be more or less than as stated, either on account of defective prior survey or otherwise, the areas of the new partitions shall be adjusted *pro rata* in every case unless the Court directs otherwise.

38. Land Transfer plans—(1) All Land Transfer plans shall show the title references of the land to be dealt with and all abutting lands, together with the numbers of deposited plans affected and adjoining.

(2) The plan shall be signed by the registered proprietor or other person affected, as the case may require, or by his lawfully authorised attorney or agent. The plan shall be lodged with the District Land Registrar, but shall not be deposited by him until it has been approved as to the survey by the Chief Surveyor.

39. Surveys not requiring plans—Where a surveyor carries out a land title survey a plan of which is not required to be lodged by the provisions of these regulations, the field notes of the survey, duly certified, shall be lodged with the Chief Surveyor for record.

40. Revocation and savings—(1) The Survey Regulations 1947* are hereby revoked.

(2) All departmental rules and regulations, all requisitions, appointments and generally all acts of authority, and all certificates, plans, documents, matters, acts and things which originated or had effect under the regulations hereby revoked and are of continuing effect at the commencement of these regulations shall enure for the purposes of these regulations as fully and effectually as if they had originated under the corresponding provisions of these regulations, and accordingly, shall, where necessary, be deemed to have so originated.

(3) All surveys, matters, and proceedings commenced under the regulations hereby revoked and pending or in progress at the commencement of these regulations may be completed, continued, and enforced under these regulations.

*S.R. 1947/153

SCHEDULE

Reg. 32 (d)

CERTIFICATE BY SURVEYOR

I, A.B., of [Place of abode], registered surveyor and the holder of an annual practising certificate, hereby certify that this plan has been made from surveys executed by me, that both plan and survey are correct, and have been made in accordance with the regulations under the Surveyors Act 1938.

Dated at, this day of, 19.....

A.B.,
Registered Surveyor.

SCHEDULE—continued

STATUTORY DECLARATION VERIFYING PLAN

(Land Transfer Plans)

I, A.B., of [Place of abode], registered surveyor and the holder of an annual practising certificate, hereby solemnly and sincerely declare that this plan has been made from surveys executed by me, that both plan and survey are correct, and have been made in accordance with the regulations under the Surveyors Act 1938.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the Oaths and Declarations Act 1957.

A.B.,
Registered Surveyor.

Declared at _____, this _____ day of _____, 19____, before
me—

Justice of the Peace
(or Solicitor,
or Notary Public,
or other person authorised to take
statutory declarations).

T. J. SHERRARD,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations replace, with modifications, the Survey Regulations 1947, which regulate the conduct of surveys. The principal changes are as follows:

- (a) There is a slight relaxation in the limits of errors for surveys.
- (b) The employment of tacheometric, plane table, and prismatic compass methods is permitted in special cases.
- (c) The use of concrete pegs is permitted.
- (d) Greater emphasis is placed on the permanency of reference marks.
- (e) The number of survey stations that require to be tabulated on traverse sheets is reduced.
- (f) The use is permitted of other than land title surveys as datums for new land title surveys.

Issued under the authority of the Regulations Act 1936.

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These regulations are administered in the Department of Lands and Survey.

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