



THE SURVEY REGULATIONS 1972, AMENDMENT NO. 1

KEITH HOLYOAKE, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 5th day of December 1977

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

IN PURSUANCE to the Surveyors Act 1966, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, and on the advice of the Minister of Lands given on the recommendation of the Survey Board, hereby makes the following regulations.

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REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Survey Regulations 1972, Amendment No. 1, and shall be read together with and deemed part of the Survey Regulations 1972* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 1st day of January 1978.

2. Interpretation—(1) Regulation 2 of the principal regulations is hereby amended by inserting, after the definition of the term "Class C survey", the following definitions:

"Compiled plan" means a plan prepared from existing survey records:

"'Computed plan' means a plan prepared pursuant to the proviso to section 167 (1) of the Land Transfer Act 1952 or pursuant to a similar dispensation granted by the Chief Surveyor:"

(2) Regulation 2 of the principal regulations is hereby further amended by adding to the definitions of the terms "easy to hilly country" and "rough country" the words "to the horizontal".

3. Surveys—Regulation 3 of the principal regulations is hereby amended by revoking subclause (1), and substituting the following subclause:

"(1) Every survey shall be executed by—

"(a) A surveyor who holds an annual practising certificate issued under section 33 of the Surveyors Act 1966; or

"(b) A surveyor who may act as a registered surveyor pursuant to the proviso to section 33 (2) of that Act; or

"(c) A person acting under the direction of a surveyor described in paragraph (a) or paragraph (b) of this subclause.

"Every plan shall bear the signature of the surveyor executing the survey or under whose direction the survey is executed."

4. Duty of surveyor—Regulation 4 (1) of the principal regulations is hereby amended by omitting the words "Every surveyor shall, when making a survey to which these regulations apply, keep in mind the responsibilities of the Crown which may arise as a consequence of any wrongful or inaccurate survey", and substituting the words "It shall be the duty of every surveyor, when making a survey to which these regulations apply, to have regard to the interests and responsibilities of the Crown in respect of that survey".

5. Field information—The principal regulations are hereby amended by revoking regulation 9, and substituting the following regulation:

"9. (1) Field information shall be recorded either on field notes in accordance with subclause (2) of this regulation, or on the plan in accordance with subclause (3) of this regulation.

"(2) The following provisions shall apply to field notes:

"(a) Field notes accompanying a plan for lodging shall be the original field notes and shall be recorded on approved loose leaves or in an official field book. Official field books that are not filled shall be returned to the surveyor on completion of the plan examination for use on other surveys. Filled field books shall be retained as official records:

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

"(c) The original pencil notes shall not be obliterated or inked over or erased, and every alteration made by the surveyor shall be clearly written and erroneous entries shall be clearly crossed out:

"(d) The first page of the field notes of each survey shall show the title of the survey, particulars of the district, block, town, or such other reference as shall sufficiently identify the land surveyed, and the date of commencing the survey, and shall be signed by the surveyor. Each page of the field notes shall be initialled by the surveyor and dated:

"(e) The field notes of a survey shall record the type of equipment used for the survey including the number of the measuring band, and in the case of electromagnetic distance measuring equipment the make, model, and serial number of the equipment:

"(f) The field notes of a survey shall contain a record of all observations and measurements made by the surveyor and of the marks found or placed by the surveyor for the purposes of these regulations. The field notes shall also show all location ties and offsets to occupation and natural features made in accordance with good survey practice.

"(3) Where the original field notes are not lodged with the plan, the survey plan shall record—

"(a) Location ties and offsets to occupation and natural features made in accordance with good survey practice, by diagram or (if necessary) a separate plan of diagrams; and

"(b) The type of equipment used for the survey including the number of the measuring band, and in the case of electromagnetic distance measuring equipment the make, model, and serial number of the equipment.

"(4) A comprehensive report on the survey and boundary definition shall be lodged with each plan."

6. Bearings—Regulation 11 of the principal regulations is hereby amended—

(a) By omitting from subclause (1) the words "in sexagesimal measurement"

(b) By omitting from subclause (2) the words "Bearings for Class C surveys may be measured with a magnetic compass":

(c) By omitting from subclause (3) the words ", and where necessary, magnetic declination,":

(d) By omitting so much of the table in subclause (4) as relates to surveys of Class C.

7. Origin of co-ordinates and bearings—(1) Regulation 12 (4) (c) of the principal regulations is hereby amended by omitting the words "triangulation system", and substituting the words "control survey".

(2) Regulation 12 of the principal regulations is hereby further amended by adding the following subclauses:

"(5) The origin of co-ordinates and bearings, and the number of the plan from which they are derived, shall be shown on every survey plan.

"(6) Wherever practicable co-ordinates and bearings shall be expressed in terms of the Geodetic Datum 1949."

8. Angular and linear errors—Regulation 14 of the principal regulations is hereby amended—

(a) By omitting so much of the table in subclause (1) as relates to surveys of Class C:

(b) By omitting so much of the table in subclause (2) as relates to surveys of Class C:

(c) By revoking subclause (3) (c).

9. Traverse computations and closures—(1) Regulation 15 (2) (b) of the principal regulations is hereby revoked.

(2) Regulation 15 of the principal regulations is hereby further amended by revoking subclause (3), and substituting the following subclause:

“(3) The closure of the traverse on to well established marks, or with the original or initial point of the survey after completing the traverse circuit shall not exceed the following limits:

(a) Class A surveys	.....	.....	.....	1:5000
(b) Class B surveys—				
Easy to hilly	.....	.....	.....	1:3500
Rough	.....	.....	.....	1:2500

Provided that, on short or minor circuits, misclosures of not more than 0.03 m shall be permitted.”

10. Elimination of close—(1) Regulation 16 (1) of the principal regulations is hereby amended by inserting, after the words “Bowditch Rule”, the words “(or any other systematic method approved by the Chief Surveyor for this purpose)”.

(2) Regulation 16 of the principal regulations is hereby further amended by revoking subclause (2), and substituting the following subclause:

“(2) The correction to each ordinate shall be proportional to the length of the corresponding traverse line, and shall be applied so as to diminish the whole error in northing or easting.”

11. Traverse sheets—Regulation 17 of the principal regulations is hereby amended by adding the words “Misclosures in major circuits shall be shown on the approved sheets.”.

12. Boundaries to be marked—Regulation 18 of the principal regulations is hereby amended by adding the following subclause:

“(4) The only boundaries of reciprocal or other rights of way that need be pegged on Class A surveys shall be the peripheral boundaries.”

13. Irregular boundaries—Regulation 20 (2) of the principal regulations is hereby revoked.

14. Boundary marks—(1) Regulation 21 (1) (c) of the principal regulations is hereby amended by omitting the words “and has dimensions similar to that of a wooden peg”.

(2) Regulation 21 (2) (a) of the principal regulations is hereby amended by omitting the words “not less than 50 cm long”, and substituting the words “or tube of appropriate length”.

15. Permanent reference marks—(1) Regulation 24 (2) (c) of the principal regulations is hereby amended by omitting the words “to guarantee permanence, and where possible set in concrete”, and substituting the words “and length to guarantee permanence, and where necessary set in concrete”.

(2) Regulation 24 (4) of the principal regulations is hereby amended by inserting, after the word “distant”, the words “by traverse”.

(3) Regulation 24 (5) of the principal regulations is hereby revoked.

16. Hanging traverses—Regulation 25 of the principal regulations is hereby amended by inserting, after the word “distance”, the words “and pegging ties”.

17. Computation of areas—Regulation 27 of the principal regulations is hereby amended by revoking subclauses (2) and (3), and substituting the following subclause:

“(2) Areas of parcels—

“(a) Less than 1 hectare (10 000 m²) shall be shown in square metres (m²), although for computation purposes a tolerance of 1 part in 1000 will be acceptable. Any area of finite dimensions shown on a plan shall have an area of at least one square metre:

“(b) One hectare (10 000 m²) and larger shall be shown in hectares (ha), normally to 4 decimal places of a hectare, although for computation purposes a tolerance of ± 1 part in 1000 will be acceptable, and areas may be rounded up or down within this tolerance.”

18. Plan drawings—(1) Regulation 29 (2) of the principal regulations is hereby amended by adding the words “The co-ordinates of the origin point and of at least 2 other permanent reference marks shall be shown in tabular form.”.

(2) Regulation 29 of the principal regulations is hereby further amended by revoking subclause (3), and substituting the following subclauses:

“(3) The other plan mentioned in subclause (1) of this regulation shall be the title plan which shall show all boundary marks placed by the survey (including arc pegs and line pegs), all areas, all boundary dimensions (including intermediate distances and totals), and all such other information and appellations as are necessary for the issue of title.

“(4) Notwithstanding subclauses (1) to (3) of this regulation, where—

“(a) Complete boundary information for a title plan can be compiled from surveys already approved and all boundary positions have been marked; or

“(b) A computed plan is prepared—
it shall not be necessary to prepare a survey plan.”

19. Symbols for survey marks or stations—Regulation 31 (2) of the principal regulations is hereby amended by revoking paragraphs (f) and (g), and substituting the following paragraphs:

“(f) An old mark found and renewed shall be shown by the appropriate symbol for the old mark, and the new mark shall be indicated in the notation.

“(g) Every traverse station shall have its distinguishing number 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.”

20. Plan details—Regulation 33 of the principal regulations is hereby amended—

(a) By revoking paragraph (a) of subclause (1), and substituting the following paragraph:

“(a) All new traverse and observed lines shall be shown by a pecked line, i.e., ----- 0.25 mm and observed lines shall be annotated with the expression ‘obs’”;

(b) By omitting from subclause (3) the word “electronic”, and substituting the word “electromagnetic”;

(c) By revoking subclause (6):

(d) By omitting from subclause (8) (e) the words “Road sides other than new boundary”, and substituting the words “Boundaries other than boundaries of new parcels”;

(e) By omitting from subclause (8) (h) the words “C.T. boundary”, and substituting the words “and abutting C.T. boundaries”;

21. Plans to be lodged—Regulation 36 (2) of the principal regulations is hereby amended by inserting, after the words “Survey plans”, the words “accompanied by a copy of the title plans”.

22. Maori land plans—(1) Regulation 38 (2) of the principal regulations is hereby amended by omitting the word “Public”, and substituting the word “legal”.

(2) Regulation 38 of the principal regulations is hereby further amended by adding the following subclause:

“(5) An unmounted copy of a title plan (as defined in regulation 29 (3) of these regulations) approved by the Chief Surveyor shall be deemed to be a survey plan for the purposes of rule 34 (4) of the Maori Land Court Rules 1958.”

23. Land transfer plans—Regulation 39 (4) of the principal regulations is hereby amended by adding the following paragraph:

“(f) Where it is proposed to create an easement over adjoining land.”

24. Unit and flat plans—The principal regulations are hereby amended by revoking regulation 41, and substituting the following regulation:

“41. (1) In this regulation,—

“‘Flat plan’ means a plan prepared for the purposes of section 4 of the Companies Amendment Act 1964;

“‘Unit plan’ means a plan that is intended to be deposited under section 4 of the Unit Titles Act 1972.

“(2) Every unit plan and flat plan shall be prepared by a registered surveyor on the approved plan form. Notwithstanding any other provision of these regulations, a survey plan shall not be required except in cases where it is necessary to define any boundary or buildings adjacent thereto.

“(3) The title of the plan shall show the legal description of the land and where applicable the name of the building.

“(4) On every unit plan there shall be a schedule showing—

“(a) The address of the body corporate;

“(b) A unit description and approximate floor area of each unit; and

“(c) The unit entitlement for each unit and the total entitlement for all units.

The Schedule shall also provide for the supplementary record sheet reference, and the certificate of title reference for each unit, to be shown thereon.

“(5) There may be included on a flat plan a schedule describing the parts of the property that are reserved for the exclusive use of licensees of particular flats and providing for the certificate of title reference for each licence to be shown.

“(6) Unless otherwise stated on the plan, the common boundary or part of the common boundary of the unit or flat with another unit or flat or with the common property shall, where that boundary or part thereof lies within a wall, fence, floor, or ceiling, be the median of that wall, fence, floor, or ceiling, as the case may be.

“(7) The following provisions shall relate to unit plans and flat plans:

“(a) A site diagram shall be drawn on the plan showing title boundaries of the site together with bearings and distances, abutments, easements, and building lines:

“(b) The main and any ancillary buildings shall be accurately plotted on the site diagram. The site boundaries shall be drawn in a distinctive manner so that they are clearly apparent in relation to other detail:

“(c) Where any of the buildings are on or within 1 metre of the boundaries, or the relationship of any building to the boundary is obscure, the correct relationship shall be shown on the plan by offsets derived from field measurements. In such cases the surveyor's field notes shall be lodged with the plan:

“(d) The dimensions and positions relative to the boundary of the overlapping portions of buildings shall be shown on the plan and are to be excluded from any lease or title to be registered:

“(e) A floor diagram shall be drawn on the plan showing accurately the extent and shape of each principal and accessory unit:

“(f) Only the external perimeter walls shall be shown. Internal room walls and details of furniture and fittings shall not be shown. Dimensions of the perimeter walls are not required; but dimensions of areas which are not physically partitioned may be shown:

“(g) Identical floors of multi-storey buildings may be shown as one diagram entitled, “Identical floor plan, floors to”;

“(h) The floor diagram shall have the same orientation as the site diagram.

“(8) An elevation of all multi-storey buildings showing all floors, basements, and roof areas shall be plotted together with their levels, which shall be referred to a permanent bench mark established on or close to the site. The datum of levels used and the location and description of the bench mark shall be shown on the plan.

“(9) All external and internal areas which are common property shall be clearly labelled.

"(10) Each unit shall be clearly labelled with a separate number or letter. Accessory units shall be labelled 'A.U.' together with a separate number and where appropriate identified with the principal unit. In the case of multi-storey developments, the appellation of the principal unit shall be identified with the floor number.

"(11) Lines on unit plans and flat plans shall be shown as follows:

"(a) Site and unit boundaries by a solid line 0.7 mm thick:

"(b) Internal lease boundaries by a solid line 1.0 mm thick:

"(c) Other internal detail on unit plans by a solid line 0.25 mm thick:

"(d) Rights of user and common area boundaries on flat plans by a solid line 0.25 mm thick:

"(e) Areas to be excluded from licences or unit titles by a pecked line 0.25 mm thick."

25. Redefinition surveys—The principal regulations are hereby amended by revoking regulation 42, and substituting the following regulation:

"42. (1) Where a surveyor is carrying out a title survey that does not require a title plan he shall prepare a survey plan in the conventional manner and shall forward it to the Chief Surveyor for approval as to survey data only. Regulations 9, 17 to 20, 24, 27, 29, 32, and 37 to 41 of these regulations shall not apply in respect of any such survey plan.

"(2) Where—

"(a) A resurvey is made of the boundary of any land for which a limited title is issued; or

"(b) A resurvey is made of any land for which the original survey is not capable, in the surveyor's opinion, of being defined without the production of a title plan—
a title plan of the land shall be produced.

"(3) A survey plan shall be made in all cases except where the reinstatement of pegs of an approved plan of survey does not involve the placing of additional new marks."

26. Class C surveys—The principal regulations are hereby amended by inserting, after regulation 42, the following regulation:

"42A. (1) No Class C survey shall be carried out without the prior approval of the Chief Surveyor. Where the Chief Surveyor considers that it is not possible to carry out a particular Class C survey in accordance with this regulation because of the remoteness of the land or the difficulty of access thereto, he may exempt the surveyor carrying out the survey from any of the provisions of this regulation on such terms and conditions as he thinks fit.

"(2) Notwithstanding any other provision of these regulations,—

"(a) Every Class C survey shall be connected to at least 2 permanent reference marks (as defined in regulation 24 (2) of these regulations). Where necessary, the marks shall be increased in size and witnessed to ensure that the control framework endures;

"(b) In every Class C survey, permanent reference marks shall be placed at intervals not exceeding 1500 m and shall be sited to

ensure stability, permanence, and maximum intervisibility between adjacent permanent reference marks and to boundary positions;

"(c) No point on any boundary in a Class C survey shall be more than 1500 m in a direct line from a permanent reference mark; and

"(d) In every Class C survey, all control traverses, triangulation, permanent and reference mark connections, and connections to adjoining Class A or Class B surveys shall be executed to Class B standards.

"(3) Notwithstanding any other provision of these regulations, in every Class C survey—

"(a) Boundaries may be natural or physical features such as water courses, riverbanks, shorelines, terraces, ridges, spurs, fences, stone walls, hedgerows, formed roads or tracks, or similar physical features that are capable of positive identification and definition within the prescribed limits of error and are reasonably permanent;

"(b) Such equipment and methods shall be used that will ensure that the plotted or mathematically calculated position of every point on every boundary does not deviate by more than 1 part in 200 from the true position in terms of the controlling framework and permanent reference marks; and

"(c) Intersections of Class C boundaries with Class A or Class B boundaries shall be defined and marked to Class B standards.

"(4) In every Class C survey, traverse sheets shall be required for all work carried out to Class A or Class B standards.

"(5) Notwithstanding any other provision of these regulations, areas of parcels in Class C surveys shall be determined to an accuracy of not less than 1 part in 200, and may be determined entirely by planimeter. Areas shall be shown in hectares to 3 significant figures and may be rounded up or down within a tolerance of 1 in 200.

"(6) All classes (A, B, or C) of survey may be shown on the one plan, but all Class C work shall be clearly annotated as such on the plan.

"(7) In every Class C survey, the nature of all boundary features shall be specifically described on the title plan."

27. Certificate by surveyor—The Schedule to the principal regulations is hereby amended by inserting in the form of certificate by surveyor, after the words "annual practising certificate", the words "(or who may act as a registered surveyor pursuant to the proviso to section 33 (2) of the Surveyors Act 1966)".

28. Savings—All surveys, matters, and proceedings commenced under the principal regulations before the day these regulations come into force and that are pending or in progress on the day these regulations come into force, may be completed, continued, and enforced in every way as if these regulations had not come into force.

P. G. MILLEN,
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 make a number of, largely minor, amendments to the Survey Regulations 1972. In particular—

- (a) A new regulation 42A relating to Class C surveys is inserted; and
- (b) Provisions relating to flat plans prepared for the purposes of section 4 of the Companies Amendment Act 1964 are included in regulation 41.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 8 December 1977.

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