

**Reprint  
as at 24 April 2017**



## **Rules for Cadastral Survey 2010**

(SR 2010/492)

Under section 49 of the Cadastral Survey Act 2002, the Surveyor-General hereby makes the following rules.

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**Note**

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.  
Note 4 at the end of this reprint provides a list of the amendments incorporated.

**These rules are administered by Land Information New Zealand.**

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## Rules

### 1 Title and commencement

- (a) These Rules may be cited as the Rules for Cadastral Survey 2010.
- (b) The Rules come into effect on 24 May 2010.

### 2 Terms and definitions

For the purposes of these Rules, the following terms and definitions apply.

accept	in relation to a boundary, means to adopt a boundary and boundary points and not have to comply with an accuracy standard. ‘Acceptance’ and
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	‘accepted’ have corresponding meanings.
adopt	to incorporate in a CSD information from a prior CSD that has already been integrated into the cadastre or, in the absence of suitable CSD information, from an estate record held by the tenure system manager. ‘Adoption’ and ‘adopted’ have corresponding meanings.
approved CSD	a CSD which has been approved as being in terms of cadastral survey rules or regulations, and excludes those lodged only for recording purposes
arc boundary	a boundary that follows part of the circumference of a circle
balance non-primary parcel	the portion of an easement or covenant parcel that is intended to remain after a part has been surrendered
balance parcel	the portion of one of the following primary parcels that is intended to remain after a part has been removed by survey: <ul style="list-style-type: none"> <li>(a) a railway parcel that is not in a computer freehold register, or</li> <li>(b) a road parcel, or</li> <li>(c) a fixed marginal strip parcel, or</li> <li>(d) the bed of a lake, river, stream, or the sea</li> </ul>
block shift	deep-seated movement that has consistent horizontal and/or vertical translation and rotation in a manner that maintains shape but not necessarily position or orientation
boundary mark	a cadastral survey mark positioned at a boundary point
boundary point	a uniquely identified point on a parcel boundary, whether marked or unmarked
boundary reinstatement survey	a survey that places one or more boundary marks on a boundary point or

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	line already defined in an approved CSD, where:
	(a) the end points for that boundary are not required by rules 6.2(a)(vi) or (vii) to be defined by survey, and
	(b) the survey does not create a new parcel
cadastral survey dataset	as defined in s 4 of the Cadastral Survey Act 2002
cadastral survey network mark	a survey mark of a class specified by the Surveyor-General as suitable for the connection of a cadastral survey to the national survey control network
cadastre	as defined in s 4 of the Cadastral Survey Act 2002
centreline easement	an easement which is spatially represented by one or more lines along its centre
Chief Executive	as defined in s 4 of the Cadastral Survey Act 2002
common marine and coastal area	as defined in s 9 of the Marine and Coastal Area (Takutai Moana) Act 2011
company lease	as defined in s 2 of the Resource Management Act 1991
conflict	a difference that exceeds the applicable accuracy standards:
	(a) between the estate boundary and the boundary recorded in a CSD integrated into the cadastre, or
	(b) between the same boundary as recorded in different CSDs integrated into the cadastre, or
	(c) between the same boundary as recorded in a CSD integrated into the cadastre and other evidence including field evidence
	(d) and which has not been resolved by one or more CSDs already integrated into the cadastre

cross lease	as defined in s 2 of the Resource Management Act 1991
CSD	cadastral survey dataset
CSD Plan	a plan as specified in rule 9 or rule 11
deep-seated movement	ground movement caused by the deformation of bedrock which may be sudden, or slow and imperceptible, and excludes shallow movement that is limited to surface layers (eg, flow caused by liquefaction of soils, slumping, or landslip)
defined by adoption	an existing boundary or boundary point that is not defined by survey or accepted
defined by survey	a boundary defined in terms of rule 6.1
disturbed	in relation to an old survey mark, means that the mark is in a position different from that originally placed and does not include a change of position due to deep-seated movement
esplanade strip	as defined in s 2 of the Resource Management Act 1991
estate boundary	the boundary of an estate recorded in a tenure system for: <ul style="list-style-type: none"> <li>(a) a fee simple estate, or</li> <li>(b) Māori freehold land, or</li> <li>(c) Māori customary land, or</li> <li>(d) land of the Crown, or</li> <li>(e) a stratum estate, or</li> <li>(f) a leasehold estate</li> </ul>
extensive rural boundary point	a class B boundary point in a rural area where each new primary parcel that includes that point has an area of more than 500 ha or is intended to be in a title with a total area of more than 500 ha
extinguished	in relation to an existing parcel means no longer available for the assignment of rights
fixed marginal strip	a marginal strip under s 24(3) of the Conservation Act 1987



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ground movement	means both deep-seated movement and/or shallow surface movement resulting from a natural event including landslip, earthquake, slumping, or surface flow
Hawke's Bay interim title	a certificate of title issued under s 6 or s 8 of the Land Transfer (Hawke's Bay) Act 1931
higher class	a class of accuracy which has more precise tolerances than another; for example, class A is higher than class B, which is higher than class C
irregular boundary	a boundary that is depicted as an irregular line but is not a water boundary
irregular line	a line consisting of a series of connected vertices that are usually irregularly spaced and not on a single alignment
lower class	a class of accuracy which has less precise tolerances than another; for example, class C is lower than class B, which is lower than class A
Māori customary land	as defined in s 4 of the Te Ture Whenua Māori Act 1993
Māori freehold land	as defined in s 4 of the Te Ture Whenua Māori Act 1993
marginal strip	as defined in s 2 of the Conservation Act 1987
monumentation CSD	a CSD for a boundary reinstatement survey that is in accordance with rule 11
movable marginal strip	a marginal strip as defined in s 2 of the Conservation Act 1987 except those created under s 24(3) of that Act
non-boundary mark	a survey mark which is not on a boundary point
non-primary parcel	any parcel that is not a primary parcel and includes the following examples: (a) an easement, including an esplanade strip or an access strip, (b) a covenant,

	(c) a lease or an area associated with a lease,
	(d) a licence or a permit area,
	(e) a unit or common property for the purposes of the Unit Titles Act 2010,
	(f) a movable marginal strip, and
	(g) a roadway or a restricted roadway that is an encumbrance over a primary parcel
occupation	the physical features that describe the extent of an occupier's use of land
official geodetic datum	a geodetic datum approved by the Surveyor-General and in force at the time of survey
official geodetic projection	a projection in terms of an official geodetic datum approved by the Surveyor-General for use in a specific area and in force at the time of survey
official vertical datum	a vertical datum approved by the Surveyor-General and in force at the time of survey
old boundary mark	a boundary mark that is an old survey mark
old survey mark	a survey mark measured to on the survey which is from the national survey control system or from a CSD that has already been integrated into the cadastre
parcel	an area or space that is a single contiguous portion of land separately identified in a CSD or in the integrated cadastre
parcel intent	a description of a right or interest intended to be assigned to a parcel
permanent structure	a building or recognisable physical structure that is likely to remain undisturbed for 50 years or more
permanent structure boundary	a boundary related to a permanent structure in accordance with rule 6.9
primary parcel	any parcel that is intended to be:

- (a) owned by the Crown, with the exception of a movable marginal strip parcel,
  - (b) held in fee simple,
  - (c) Māori freehold land or Māori customary land,
  - (d) part of the common marine and coastal area,
  - (e) the bed of a lake or river,
  - (f) road or railway, or
  - (g) vested in a local authority
- PRM a permanent reference mark in accordance with rule 7.4
- reduced level a height in terms of a vertical datum
- reinstated means a new survey mark has been placed in the position of a previous survey mark that has not been found
- renewed means a new survey mark has been placed in the same position as an old survey mark that has been found
- residue parcel the residual portion of a primary parcel:
- (a) which remains as a result of a survey:
    - (i) for removal of limitations as to parcels, or
    - (ii) for an adverse possession claim, or
    - (iii) to change the registration of land from the Deeds Registration Act 1908 to the Land Transfer Act 1952,
  - (b) or which is:
    - (i) being defined as part of the bed of a lake, river, or common marine and coastal area, and
    - (ii) not currently recorded in the cadastre as the bed of a lake, river, or part of the

	common marine and coastal area, and
	(iii) not intended to vest, and
	(iv) not intended to have a new estate record.
right-line boundary	a boundary that follows the shortest distance between two boundary points
Rules	Rules for Cadastral Survey 2010
stratum boundary	a boundary, not being a permanent structure boundary, that defines the upper or lower extent of a parcel
survey mark	as defined in s 4 of the Cadastral Survey Act 2002
Title Plan	a plan as specified in rule 10
underlying parcel	the parcel, whether primary or non-primary, whose interests are or will be directly affected or encumbered by a non-primary parcel
vector	a bearing and distance between two points
vertical control mark	a survey mark in the national survey control system and being a class of mark specified by the Surveyor-General as suitable for the vertical control of cadastral surveys
water boundary	a boundary set at the landward margin of: <ul style="list-style-type: none"> <li>(a) a river bed or a stream bed,</li> <li>(b) a lake bed, or</li> <li>(c) the common marine and coastal area or other tidal area,</li> </ul> and includes a natural boundary where this term is used in enactments to refer to a boundary at a water margin

Rule 2 **accept**: amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

Rule 2 **block shift**: inserted, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

Rule 2 **boundary reinstatement survey**: amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

Rule 2 **common marine and coastal area**: inserted, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

Rule 2 **company lease**: inserted, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

Rule 2 **cross lease**: inserted, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

Rule 2 **deep-seated movement**: inserted, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

Rule 2 **disturbed**: amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

Rule 2 **extinguished**: amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

Rule 2 **ground movement**: inserted, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

Rule 2 **irregular boundary**: amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

Rule 2 **non-primary parcel**: amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

Rule 2 **primary parcel**: amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

Rule 2 **residue parcel**: amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

Rule 2 **water boundary**: amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

### 3 Accuracy standards

#### 3.1 Accuracy of non-boundary survey marks

The accuracy requirements for non-boundary marks on a survey are set out in Table 1.

**Table 1: Accuracy requirements for non-boundary marks on a survey**

	<b>The horizontal and vertical accuracy between...</b>	<b>must not exceed<sup>a</sup>...</b>
(a)	all new and old non-boundary marks ...	$\sqrt{[0.025^2 + (dist \times 0.0001)^2]}$ m, at the 95 % confidence level
(b)	any two new non-boundary marks, old non-boundary marks, or adopted cadastral survey network marks.	$0.03 \text{ m} + dist \times 0.00015 \text{ m}$
(c)	any two new or old non-boundary marks ...	0.50 m
<sup>a</sup> Where <i>dist</i> is the horizontal distance between the points in metres in the case of horizontal accuracy, and the vertical distance between the points in the case of vertical accuracy.		

#### 3.2 Accuracy class of boundaries

##### 3.2.1 Class A

Class A accuracies:

- (a) must be used for a boundary and its associated boundary points that are:
  - (i) in an urban area, or
  - (ii) are intended as a result of a survey to be in an urban area;
- (b) must be used for the boundary and the associated boundary points of any parcel that is not in an urban area, but is used, or is intended as a result of a survey to be used, for intensive commercial, industrial, or residential purposes; and
- (c) may be used in any other circumstances.

### 3.2.2 Class B

Class B accuracies must be used for a boundary and its associated boundary points except where:

- (a) rule 3.2.1 requires class A to be used, or
- (b) class C or class D is used in accordance with rules 3.2.3 and 3.2.4.

### 3.2.3 Class C<sup>1</sup>

Class C accuracies may be used for:

- (a) a primary parcel boundary and its associated boundary points that are defined by adoption where this boundary is either:
  - (i) part of a new parcel over 20 ha that comprises more than 80 % of the existing primary parcel being extinguished, or
  - (ii) part of a new parcel over 100 ha,and
  - (iii) its boundary points do not meet class B accuracy tolerances in rule 3.3.1(a)(iv), or
  - (iv) it is part of a title that is to remain limited as to parcels or remain a Hawke's Bay interim title, or
  - (v) it is a water boundary or an irregular boundary;

or

- (b) a non-primary parcel boundary and its associated boundary points where this boundary intersects or coincides with a primary parcel boundary that is defined by adoption and which meets the criteria in (a);
- (c) any other boundary, with the approval of the Surveyor-General.

### 3.2.4 Class D<sup>2</sup>

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<sup>1</sup> See rule 16.1 for class C covenant boundaries.

- (a) Class D must be used for a boundary or boundary point that has been accepted in terms of rule 6.3.
- (b) Class D accuracies may be used for a non-primary parcel boundary and its associated boundary points where this boundary intersects or coincides with a primary parcel boundary that meets the criteria for an accepted boundary in rule 6.3

### 3.2.5 Class of boundaries and boundary points

- (a) The accuracy class that applies to a boundary point must be the highest class of the boundaries connected to that point.
- (b) A boundary or boundary point defined by survey must be either class A or class B, unless otherwise approved by the Surveyor-General.

## 3.3 Accuracy of right-line boundaries and arc boundaries

### 3.3.1 Accuracy of boundary points<sup>3</sup>

- (a) The accuracy requirements for each class of boundary point on parcels created on the survey are set out in Table 2.

**Table 2: Accuracy requirements for boundary points on a survey**

	<b>Boundary class</b>	<b>The horizontal and vertical accuracy between...</b>	<b>must not exceed<sup>a</sup>...</b>
(i)	A	all boundary points, other than adopted points, and irrespective of these points being marked or not...	$\sqrt{[0.04^2 + (dist \times 0.0001)^2]}$ m at the 95 % confidence level
(ii)	A	any boundary point and any other boundary point, including adopted points and irrespective of these points being marked or not...	$0.06 \text{ m} + dist \times 0.00015 \text{ m}$
(iii)	B	all boundary points, other than adopted points, and irrespective	$\sqrt{[0.20^2 + (dist \times 0.0004)^2]}$ m at the 95 % confidence level

<sup>2</sup> See rules 16.3(c) and 17.1(d) where non-primary parcel relationship with underlying parcel is not accurate and rule 18.2(a) where ground movement may have occurred.

<sup>3</sup> See rule 18.1(a) where deep-seated ground movement has caused a difference in a boundary to exceed accuracy tolerances

	<b>Boundary class</b>	<b>The horizontal and vertical accuracy between...</b>	<b>must not exceed<sup>a</sup>...</b>
		of these points being marked or not...	
(iv)	B	any boundary point and any other boundary point, including adopted points and irrespective of these points being marked or not...	$0.30 \text{ m} + dist \times 0.0006 \text{ m}$
(v)	C	all boundary points, other than adopted points, and irrespective of these points being marked or not...	$\sqrt{[0.60^2 + (dist \times 0.002)^2]} \text{ m}$ , at the 95 % confidence level
(vi)	C	any boundary point and any other boundary point, including adopted points and irrespective of these points being marked or not...	$1.00 \text{ m} + dist \times 0.003 \text{ m}$
(vii)	D	not specified	
<sup>a</sup> Where <i>dist</i> is the horizontal distance between the points in metres in the case of horizontal accuracy, and the vertical distance between the points in the case of vertical accuracy.			

- (b) Where any two boundary points in (a) have different applicable accuracy classes, the lower class of boundary accuracy applies between those two points.
- (c) The accuracy standards in (a) also apply between the boundary points of a non-primary parcel and the boundary points of its underlying parcel where that underlying parcel is not created by the survey.<sup>4</sup>

### 3.3.2 Accuracy sufficient to avoid overlap

Irrespective of rule 3.3.1, the relationship between a new boundary and any other boundary, including a boundary that is accepted or defined by adoption,

<sup>4</sup> See rule 16.3 for accuracy between covenant parcel and underlying parcel and rule 17 where the relationship between a non-primary parcel and its underlying parcel is not accurate.



must be determined to a sufficient level of accuracy to address the risk of incompatible rights overlapping.

### **3.4 Accuracy of water boundaries and irregular boundaries**

- (a) The position of a water boundary or an irregular boundary, including a boundary defined by adoption, must be determined to a sufficient level of accuracy to take into account:
  - (i) the risk of overlap or ambiguity in boundaries, including the water boundary on the other side of the water body,
  - (ii) any statutory requirement applying to the width or size of the related water bodies,
  - (iii) the potential for the margin of the water body to move and for the related water boundary to move or become permanent as a result of that movement,
  - (iv) the nature of the physical feature that defines the boundary, and
  - (v) the value of the land and the intensity of the land use.
- (b) Rule 3.4(a) does not apply to water and irregular boundaries accepted under rule 6.3.

### **3.5 Accuracy of permanent structure boundary witnessing<sup>5</sup>**

- (a) Every boundary point on a permanent structure boundary that is permitted by rules 6.9(b)(iii) to (v) to be non-coincident with the permanent structure must be witnessed by a clearly identified point on the structure.
- (b) The relationship between a boundary point and the witness point described in (a) must comply with the accuracy specified in rule 3.6.
- (c) If a permanent structure boundary and any other boundary are:
  - (i) within 1 m of each other when both boundaries are class A, or
  - (ii) within 3 m of each other in other cases,then the accuracy between the boundary points of both boundaries must comply with the applicable accuracy standards in rule 3.3.

### **3.6 Accuracy of boundary witnessing**

The horizontal and vertical accuracy between a boundary point required to be witnessed by rule 7.3.1 and all old and new non-boundary marks within the distances specified in rule 7.3.2(a) or (b) as applicable must not exceed the tolerances specified in Table 3.

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<sup>5</sup> See rule 18.1(a) where deep-seated ground movement has caused a difference in a boundary to exceed accuracy tolerances.

**Table 3: Tolerances for boundary witnessing**

Class of boundary point	Tolerance (m)
A	0.04
B	0.20
C	0.60
D	not applicable

**3.7 Vector accuracy**

A vector must meet the accuracy standards applicable between its end points.

Rule 3.1(b): amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

Rule 3.2.3(b): amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

Rule 3.2.4(a): amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

Rule 3.2.4(b): amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

Rule 3.3.1(a): amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

Rule 3.3.1(c): inserted, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

Rule 3.4(b): inserted, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

Rule 3.6: amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

**4 Datums****4.1 Horizontal datum - orientation**

- (a) Every bearing in a cadastral survey that defines or marks a new primary parcel boundary point must be oriented in terms of an official geodetic projection applicable to the area.<sup>6</sup>
- (b) The requirement in (a) does not apply if the survey does not make a new field measurement or if the survey is a boundary reinstatement survey.
- (c) Every bearing in a cadastral survey must be expressed in terms of the same horizontal projection.
- (d) The requirement in (c) does not apply to magnetic bearings for boundaries that are accepted in terms of rule 6.3.

**4.2 Horizontal datum - connection**

<sup>6</sup> See rules 16.4 or 17.1 for orientation requirements for some covenant parcels or where the relationship between a non-primary parcel and its underlying parcel is not accurate.

If one or more cadastral survey network marks exist within the distance specified in Table 4 of any new boundary point, new boundary mark, or old boundary mark on a primary parcel being created, then at least one of those cadastral survey network marks must be connected by vectors to the survey.<sup>7</sup>

**Table 4: Distance for boundary point connection to cadastral survey network mark**

Class of boundary point	Distance (m)
A	500
B	1000
C	2000
D	not applicable

#### 4.3 Vertical datum

A reduced level in a cadastral survey must be in terms of:

- (a) an official vertical datum when a vertical control mark is within:
  - (i) 200 m of any class A boundary point that is defined by the use of a reduced level, or
  - (ii) 500 m of any class B boundary point that is defined by the use of a reduced level; or
- (b) an alternative vertical datum or assumed vertical datum, if (a) does not apply.

Rule 4.1(b): amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012-go6961.

Rule 4.1(d): amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012-go6961.

## 5 Parcels

### 5.1 Accounting for parcels

- (a) Where a CSD creates a new primary parcel:
  - (i) all land in existing primary parcels being extinguished must be included in one or more new primary parcels, residue parcels, or balance parcels, and
  - (ii) where the new primary parcel has a stratum boundary, all space occupied by existing primary parcels being extinguished must be included in one or more new primary parcels, residue parcels, or balance parcels.

<sup>7</sup> See rules 16.4 or 17.1 for connection requirements for some covenant parcels or where the relationship between a non-primary parcel and its underlying parcel is not accurate.

- (b) Where a CSD creates a new non-primary parcel to identify part of an existing easement or covenant to be surrendered, the remainder of that easement or covenant must be a balance non-primary parcel, or be replaced by a new non-primary parcel.

## **5.2 Overlap of non-primary parcels**

A non-primary parcel must not cross an underlying primary parcel boundary unless that non-primary parcel is in a unit title development.

## **5.3 Parcel areas**

- (a) An area must be assigned to:
  - (i) each primary parcel except where it is a residue parcel or balance parcel. The area must include the areas of all movable marginal strips in that primary parcel,
  - (ii) each parcel intended for a lease except where the parcel is defined by one or more permanent structure boundaries, and
  - (iii) each portion of land being claimed as accretion.
- (b) Where a parcel requires an area under (a) and its shape varies with height, the area must be for the polygon described by the extent of the parcel when vertically projected onto a horizontal plane.
- (c) The area assigned to a parcel in (a):
  - (i) must be correctly calculated from its boundary information,
  - (ii) may be rounded to one part in 1000 or 0.0001 ha, whichever is greater, and
  - (iii) must not be less than 0.0001 ha.

## **5.4 Width of parcel**

- (a) A new primary parcel must be at least 0.10 m wide at its maximum width where its boundaries are class A, or 0.20 m where its boundaries are class B, C, or D.
- (b) The requirement in (a) does not apply to a balance parcel, a residue parcel or an existing parcel that is already under-width.

## **5.5 Parcel appellation**

### **5.5.1 General land appellation**

- (a) Every new parcel other than a parcel of Māori freehold land [refer to rule 5.5.3], a balance parcel, a balance non-primary parcel, or a residue parcel, must be identified in a CSD using the following components in this order:
  - (i) a parcel type [refer to rule 5.5.2],
  - (ii) a unique parcel identifier [refer to rule 5.5.4], and
  - (iii) the CSD type and number.

- (b) Appellations for the following parcels must have the prefix ‘Part’:
  - (i) balance parcels that have existing unique parcel identifiers,
  - (ii) balance non-primary parcels, and
  - (iii) residue parcels, except those specified in (c).
- (c) A residue parcel which is being defined as the bed of a lake, river, or part of the common marine and coastal area must not be given an appellation.

### 5.5.2 Parcel-type components

The parcel type component of the appellation in rule 5.5.1(a)(i) must be as specified in Table 5.

**Table 5: Parcel type component of appellation**

Type of parcel	Parcel type component
primary parcel in a Land Transfer CSD	Lot
primary parcel in a Survey Office CSD	Section
unit title development	Principal Unit, Accessory Unit, Future Development Unit, or Common Property (as applicable)
movable marginal strip parcel	Marginal Strip
esplanade strip parcel	Esplanade Strip
any other non-primary parcel	Area

### 5.5.3 Māori land appellation

- (a) Every new parcel of Māori freehold land must be described in a CSD using the following components in this order:
  - (i) a block name,
  - (ii) a unique parcel identifier [refer to rule 5.5.4], and
  - (iii) the type and number of the CSD creating the parcel.
- (b) Irrespective of (a), an alternative legal description that has been confirmed by the Māori Land Court may be used for components (i) and (ii).

### 5.5.4 Unique parcel identifier

- (a) The unique parcel identifier specified in rules 5.5.1(a)(ii) and 5.5.3(a)(ii) must follow the format specified in Table 6.
- (b) Each number must be a positive integer.

- (c) Each letter must be uppercase.
- (d) Other characters or spaces must not be included in the parcel identifier.
- (e) The parcel identifier must be unique within a CSD, irrespective of the parcel type.

**Table 6: Unique parcel identifier format**

Parcel tenure type	Unique parcel identifier format
Lot	number
Section	number
Māori Block	sequence of alternating letters and numbers
Unit as part of a unit title development	number which may only be followed by a letter
Common property as part of a unit title development	(no identifier)
Lease or licence	number which may only be followed by a letter
Right associated with any other non-primary parcel including a movable marginal strip or an esplanade strip	letter which may only be followed by another letter

Rule 5.5.1(c): amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012-go6961.

Rule 5.5.4: amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012-go6961.

## 6 Boundaries

### 6.1 Duty of surveyor when defining a boundary by survey

When defining a boundary by survey, a cadastral surveyor must:

- (a) gather all evidence relevant to the definition of the boundary and its boundary points,
- (b) interpret that evidence in accordance with all relevant enactments and rules of law, and
- (c) use that evidence to determine the correct position of the boundary and boundary points in relation to other boundaries and boundary points.

### 6.2 Boundaries to be defined by survey

- (a) Unless permitted to be accepted by rule 6.3, the following boundaries or boundary points must be defined by survey:
  - (i) a new water boundary or irregular boundary,

- (ii) a new boundary point, including the terminal point of an arc boundary,
  - (iii) an existing irregular boundary that has been converted into one or more right-line boundaries,
  - (iv) an existing class A boundary or boundary point on a primary parcel that is less than 0.4 ha and comprises less than 90 % of the parcel that it is replacing and which is being extinguished,
  - (v) an existing boundary point that is being marked,
  - (vi) a boundary or boundary point that is subject to conflict, unless it is a class C boundary in terms of rule 3.2.3,
  - (vii) a boundary where its extent and location as defined in an approved CSD are insufficient for the determination of its compliance with the applicable accuracy standard,
  - (viii) an existing boundary point of a parcel where its limitation as to parcels is being uplifted,
  - (ix) an existing boundary point of a parcel subject to a claim for adverse possession,
  - (x) an existing boundary point of a parcel where the interim nature of a Hawke's Bay interim title is being removed,
  - (xi) a point that is on the boundary of a parcel which was created on a CSD previously approved under *LINZS10000: Interim standard for computed cadastral survey datasets for Māori freehold land*<sup>8</sup>, and
  - (xii) a boundary point on a primary parcel boundary that was previously used only as a non-primary parcel boundary point.
- (b) Boundaries and boundary points not specified in (a) may also be defined by survey.
- (c) Rule 6.2(a)(iv) does not apply:
- (i) to a boundary point along an existing boundary which only defines the end point of an abutting parcel boundary, or
  - (ii) where all the parcel's boundaries are primary parcel boundaries defined in approved CSDs and are right lines or arcs, and all the boundary points meet the accuracy standards in rule 3.3.1(a)(ii).

### 6.3 Acceptance of a boundary<sup>9</sup>

The following boundaries and boundary points may be accepted:

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<sup>8</sup> LINZ 2006, LINZS10000: Interim standard for computed cadastral survey datasets for Māori freehold land, Office of the Surveyor-General, LINZ, Wellington)

- (a) an existing primary parcel boundary and its associated boundary points where there is no risk of this boundary encroaching on another parcel, and this boundary is:
  - (i) part of a new primary parcel over 20 ha that comprises more than 80% of the existing primary parcel being extinguished,
  - (ii) *[Revoked]*  
and the boundary
  - (iii) is a right-line boundary that does not have a boundary bearing or a boundary distance in a CSD that has been integrated into the cadastre, or
  - (iv) has a magnetic bearing and the reorientation of the bearing cannot be determined without measurement, or
  - (v) is part of the balance of a title that is to remain limited as to parcels or remain a Hawke's Bay interim title and its boundary points do not meet the class C boundary accuracy specified in rule 3.3.1(a)(vi), or
  - (vi) is an existing irregular boundary whose location is not dependent on the location of a water boundary;
- (b) an existing boundary and boundary points of a balance parcel or residue parcel that is not common with another new parcel on the survey, and
- (c) an existing boundary and its associated boundary points that are part of a new primary parcel over 100 ha and the boundary is not in common with another new parcel on the survey that is 100 ha or less.

#### **6.4 Boundaries defined by adoption**

A boundary or boundary point that is not defined by survey or accepted must be defined by adoption.

#### **6.5 Form of boundary**

- (a) A parcel boundary must be defined in its horizontal extent by:
  - (i) a right-line boundary, or
  - (ii) an arc boundary, or
  - (iii) a water boundary, or
  - (iv) an irregular boundary, or
  - (v) a permanent structure boundary.

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<sup>9</sup> For other accepted boundaries see rule 16.3(c) for some covenants, 17.1(d) for some non-primary parcels, 18.2(a) where ground movement and rule 19.1 for some existing unit and cross lease parcel boundaries.



- (b) The vertical extent of a parcel, where the vertical extent is limited, must be defined by:
  - (i) a stratum boundary, or
  - (ii) a permanent structure boundary.

#### **6.6 Irregular boundary**

- (a) Irregular boundaries are only permitted in terms of this rule or rule 6.7.
- (b) An existing irregular boundary that is not a previous water boundary must be converted to one or more right-line boundaries, except that it may remain as an irregular boundary if:
  - (i) it is accepted in terms of rule 6.3, or
  - (ii) it is a class C boundary in terms of rule 3.2.3.
- (c) Irrespective of (b), the landward boundary of a movable marginal strip or esplanade strip must be an irregular boundary, except where it coincides with an underlying parcel boundary.

#### **6.7 Water boundary**

- (a) Where the margin of the water body defining a water boundary has moved but the boundary has not moved, that boundary:
  - (i) must be converted to one or more right-line boundaries, or
  - (ii) may become an irregular boundary if it meets the criteria for class C boundaries in rule 3.2.3.
- (b) Where the margin of the water body has moved and:
  - (i) entitlement to accretion is not being claimed, or
  - (ii) entitlement to a dried up water body is not being claimed,then the water boundary may continue to be a water boundary depicted in its former position.
- (c) An existing water boundary that will become redundant when a parcel is added to an existing water body must be an irregular boundary.

#### **6.8 Stratum boundary**

A stratum boundary must be:

- (a) a surface that is mathematically described where at least one point has a reduced level, or
- (b) a surface of a water body or the bed of a water body.

#### **6.9 Permanent structure boundary**

- (a) A permanent structure boundary may only be used for a parcel that is intended for:
  - (i) a right under the Unit Titles Act 2010, where at least part of the permanent structure is on the same underlying parcel(s) as the unit development, but may encroach onto an adjoining parcel, or

- (ii) a lease where the lease boundary is located in relation to a permanent structure, where at least part of the permanent structure is on the same underlying parcel as that lease, but may encroach onto an adjoining parcel, or
  - (iii) a right over or appurtenant to a base right described in (i) or (ii), where this right will expire before or at the same time as the base right, and at least part of the permanent structure is on the same underlying parcel as that base right, or
  - (iv) an easement whose use is directly related to the permanent structure and the right is expected to become redundant if that permanent structure ceases to exist.
- (b) A permanent structure boundary must:
- (i) follow a described part of a permanent structure, or
  - (ii) be a straight line between clearly identified points on the interior or exterior of a permanent structure, or
  - (iii) be a straight line connecting boundary points located from clearly identified points on the interior or exterior of a permanent structure, provided that those boundary points are no more than 20 m horizontally from the permanent structure, or
  - (iv) be at a constant offset from a clearly identified interior or exterior part of a permanent structure, or
  - (v) where it is a surface, be unambiguously located from clearly identified points on the interior or exterior of a permanent structure.
- (c) Irrespective of (b), the outline of a future development unit is a permanent structure boundary for the purposes of these Rules.

#### **6.10 Boundary intersection to be defined**

A boundary point must be defined by survey at every new intersection of a primary parcel boundary with another primary parcel boundary on the survey, including a primary stratum boundary.

Rule 6.2(a)(iv): amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

Rule 6.2(a)(xii): inserted, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

Rule 6.2(c): inserted, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

Rule 6.3(a): amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

Rule 6.3(a)(i): amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

Rule 6.3(a)(ii): revoked, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

Rule 6.3(c): inserted, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

Rule 6.6(b)(i): amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

Rule 6.6(c): amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

Rule 6.7(c): amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

Rule 6.9(a): amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

Rule 6.9(b)(iii): amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

## **7 Ground marking**

### **7.1 Boundaries to be marked**

The following boundary points must be marked, where practicable:

- (a) each new boundary point on a new primary parcel, unless:
  - (i) it is a boundary point that is only between new parcels that are all intended to remain in Crown ownership, or
  - (ii) it is on a survey under the jurisdiction of the Māori Land Court, or
  - (iii) it is a boundary point that is only between parcels that are required to be, or as a result of the survey will be required to be, held in common ownership, or
  - (iv) it is on a boundary where the parcels on each side of that boundary are required to be, or as a result of the survey will be required to be, subject to reciprocal rights of way, or
  - (v) it is unlikely that it will need to be physically located in the foreseeable future because of the terrain, ground cover, or protected vegetation, or
  - (vi) the boundary point is readily identifiable by occupation along the boundary;
- (b) each boundary point on an existing boundary of a new primary parcel, that is required to be defined by survey by rules 6.2(a)(vi) to (x), unless:
  - (i) a reliable mark is already in place, or
  - (ii) it is part of a parcel where the title is to remain limited as to parcels and the boundary point is not in common with a new parcel where the limitation is not going to remain; and
- (c) each primary parcel boundary point that results from an existing irregular class A boundary that is being converted to one or more right-line boundaries.

### **7.2 New boundary marks**

- (a) A new boundary mark must be:

- (i) a wooden peg, chamfered at the top, with a minimum width of 45 mm and at least 3000 mm<sup>2</sup> in cross-section, or
  - (ii) a post, or
  - (iii) any other type of peg that is clearly labelled as a boundary mark, or
  - (iv) if (i), (ii), and (iii) are impractical, any other type of mark which must, if practical, be clearly labelled as a boundary mark.
- (b) A new boundary mark must be:
- (i) soundly anchored in place, and
  - (ii) readily visible, where practical.

### 7.3 Witnessing of boundary points

#### 7.3.1 Boundaries to be witnessed

The following points on a cadastral survey must be witnessed<sup>10</sup>:

- (a) every boundary point on a primary parcel boundary that is being defined by survey,
- (b) every new boundary point on a parcel where the purpose of the parcel is for a lease and the boundary is not a permanent structure boundary,
- (c) every new or old boundary mark on the boundary of a parcel under survey<sup>11</sup>, and
- (d) every new stratum boundary point.

#### 7.3.2 Number and distance of witness marks

- (a) A cadastral survey must have at least one witness mark within the applicable horizontal distance specified in Table 7 for each of the boundary points specified in rule 7.3.1.

**Table 7: Distances between a boundary point and a witness mark**

Class of boundary point	Distance (m)
A	150
B	500
C	1000
D	not applicable

<sup>10</sup> See rule 17.1 for witness mark requirements for non-primary parcel boundary points where underlying parcel boundaries are not accurate.

<sup>11</sup> See rule 16.2 for an exemption from witness mark requirements for some covenant parcel boundary points.

- (b) In the case of an extensive rural boundary point, the class B distance in Table 7 may be increased to 1000 m if the survey is connected by vectors to one or more cadastral survey network marks.
- (c) A survey that requires a witness mark under rule 7.3.2 must include a minimum of three witness marks if all boundaries are class A, or a minimum of four witness marks if any boundaries are class B or C.
- (d) Irrespective of (c), a boundary reinstatement survey must include a minimum of one witness mark.

### **7.3.3 Witness marks**

- (a) An adopted mark cannot serve as a witness mark.
- (b) A witness mark must be in a different position to the boundary point it is witnessing, and be:
  - (i) made of sufficiently durable material,
  - (ii) set in sufficiently stable material, and
  - (iii) located in a suitable position,so that it can be reasonably expected to survive and remain useable for at least 10 years.

### **7.3.4 Witnessing stratum boundary points**

In the case of a stratum boundary point that requires witnessing by rule 7.3.1(d):

- (a) at least one of its witness marks required by rule 7.3.2(a) must have a reduced level, and
- (b) if one or more vertical control marks exists within the distance specified in rule 7.3.2(a), then one of those marks, providing it satisfies the criteria for a witness mark in rule 7.3.3, must be used to witness the stratum boundary point unless it is impracticable to do so.

## **7.4 Permanent marks**

### **7.4.1 Number of permanent reference marks<sup>12</sup>**

- (a) Every cadastral survey that is required to have a witness mark by rule 7.3.2 must include a minimum of two permanent reference marks (PRMs).
- (b) Irrespective of (a), a boundary reinstatement survey is not required to include a permanent reference mark.

### **7.4.2 Distances between permanent reference marks and a boundary point**

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<sup>12</sup> See rule 16.4 for PRM requirements for some covenant parcels.

- (a) At least two PRMs required by rule 7.4.1 must be within the applicable horizontal distance specified in Table 8 of at least one boundary point that is required to be witnessed by rule 7.3.1.

**Table 8: Distances between permanent reference marks and a boundary point**

Class of boundary point	Distance (m)
A	300
B	500
C	1000
D	not applicable

- (b) In the case of an extensive rural boundary point, the class B distance in Table 8 may be increased to 1000 m if the survey is connected by vectors to one or more cadastral survey network marks.

#### 7.4.3 Permanent reference marks

- (a) An adopted mark cannot serve as a PRM.
- (b) A PRM must be in a different position to a new boundary point, and be
- (i) made of sufficiently durable material,
  - (ii) set in sufficiently stable material, and
  - (iii) located in a suitable position,
- so that it can be reasonably expected to survive and remain useable for at least 50 years,
- (c) A PRM that complies with the distance requirements specified in rule 7.3.2(a) or (b) may be used as a witness mark.
- (d) Two PRMs must also have reduced levels if any of the witness marks are required to have reduced levels.

#### 7.5 Unique survey mark name

- (a) The following survey marks and points must be given a unique name:
- (i) a new PRM, new witness mark or new non-boundary survey point, and
  - (ii) a renewed, reinstated or disturbed PRM, witness mark, or non-boundary mark.
- (b) The unique name in (a) must consist of the following components in this order:
- (i) an abbreviation that describes the physical mark type, where applicable,
  - (ii) a unique alpha-numeric identifier, and
  - (iii) the CSD type and number.

- (c) An undisturbed old mark with a unique name must retain that name.

## 7.6 Disturbed mark to be treated as new<sup>13</sup>

An old survey mark that is determined as being disturbed must be treated as a new mark at its new location.

Rule 7.1(a): amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

Rule 7.1(b): amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

Rule 7.1(c): amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

Rule 7.3.2(c): amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

Rule 7.3.3(b): amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

Rule 7.4.2(a): amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

Rule 7.4.3(b): amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

## 8 Cadastral survey datasets

### 8.1 Content of a CSD

A CSD must include:

- (a) a CSD Plan in accordance with rule 9;
- (b) a Title Plan, in accordance with rule 10, whenever a new parcel is being created;
- (c) the appellation of each parcel that is to be extinguished;
- (d) except for boundaries accepted under rule 6.3, sufficient vectors to enable the relationship:
  - (i) between all non-boundary marks and points to be ascertained and verified in accordance with the accuracy standards in rule 3.1,
  - (ii) between all boundary points to be ascertained and verified in accordance with the accuracy standards in rule 3.3,
  - (iii) between all boundary points and non-boundary marks to be ascertained and verified in accordance with the accuracy standards in rule 3.6, and
  - (iv) between non-primary parcel boundary points and their underlying parcel boundary points to be ascertained and verified in accordance with the accuracy standards;

<sup>13</sup> See rule 18.3 for unproven marks affected by ground movement.

- (e) a minimum of two vectors for each boundary point and each new survey mark except for those boundary points that have been accepted under rule 6.3;
- (f) where a reduced level is included:
  - (i) the origin mark used to obtain the reduced level,
  - (ii) the reduced level of the origin mark, and
  - (iii) the source of the origin information.

## 8.2 Survey report

- (a) A CSD must include a survey report that contains the following<sup>14</sup>:
  - (i) the purpose for which the survey was conducted,
  - (ii) the basis for determining the orientation of bearings,
  - (iii) the basis for any bearing adjustment applied to an adopted bearing or scale adjustment applied to an existing distance,
  - (iv) a description of the type of equipment and methods used to ensure compliance with the accuracy standards specified in these Rules,
  - (v) details of any conflict and how this was resolved,
  - (vi) reasons for not relying on an old survey mark,
  - (vii) information about old survey marks not located or reasons why they were not searched for,
  - (viii) an assessment of the adequacy of the number and location of old survey marks used to define boundaries,
  - (ix) reasons for, and details of decisions made regarding each existing boundary defined by survey, and the information considered in order to reach those decisions,
  - (x) details to support acceptance of a boundary in terms of rule 6.3,
  - (xi) where a movable marginal strip is included in a CSD, a description of the method used to determine its existence,
  - (xii) the accuracy class of each water and irregular boundary and information about the accuracy of the determination of any water boundary or irregular boundary and the factors taken into account, as specified in rule 3.4,
  - (xiii) reasons why it was impracticable to mark any boundary point in terms of rule 7.1 or impracticable to use a vertical control mark as a witness mark in terms of rule 7.3.4(b),

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<sup>14</sup> See rule 16.5 for additional reporting requirements for class C covenant parcels and rule 17.2 for reporting of a non-primary parcel where underlying parcel boundaries are not accurate.



- (xiv) details to support an exemption from marking a boundary point under the provisions in rules 7.1(a)(i) to (vi),
  - (xv) reference to any prior correspondence with LINZ on issues relevant to the application of these Rules to the CSD, and
  - (xvi) notification from the Māori Land Court of a non-standard appellation used under rule 5.5.3(b).
- (b) Where any of the information required in (a) is not included in the survey report, the report must state:
- (i) where the information is located in the CSD, or
  - (ii) that the requirement for that information does not apply.

### **8.3 Units of measure for CSDs**

#### **8.3.1 General**

The requirements in rule 8.3 apply to all CSDs.

#### **8.3.2 Units**

- (a) Each distance and reduced level must be expressed in metres.
- (b) Each bearing and angle must be expressed in sexagesimal degrees, minutes, and seconds notation.
- (c) Each area must be expressed in hectares.
- (d) Each bearing, distance, reduced level, and area must be recorded to sufficient significant figures to reflect the accuracy requirements specified in these Rules.

#### **8.3.3 Distance and area reduction**

Each horizontal distance and area must be reduced to the ellipsoid used for the official geodetic datum.

#### **8.3.4 Bearings**

Each bearing must be expressed clockwise from north.

#### **8.3.5 Vertical angles**

A vertical angle must be expressed in terms of the horizontal plane.

### **8.4 Adopted information to match source**

Except for the conversion of units of measure or the application of a bearing adjustment, all adopted information, including accepted information, must be copied without change.

### **8.5 CSD to be lodged for boundary marking**

- (a) When a boundary mark is placed on a cadastral survey that does not create a parcel, a CSD of the survey must be lodged within six months of that placement.

- (b) Where a boundary point referred to in (a) has been marked more than once within the six-month period, only one CSD is required to be lodged, recording the last placement.
- (c) Where the criteria in rule 11.1 are satisfied, a monumentation CSD may be used.

Rule 8.1(d): amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

Rule 8.1(d)(iv): inserted, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

Rule 8.1(e): amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

Rule 8.2(a)(xii): amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

## **9 CSD Plan**

### **9.1 CSD Plan information**

A CSD Plan must include:

- (a) a list of CSDs used and, where a CSD number is not unique, the land district of the CSD,
- (b) a description of the mark and its location for any PRM identified in the CSD, where that information is not already recorded in the cadastre, and
- (c) a statement of certification in accordance with rule 13, once the CSD has been certified by the cadastral surveyor.

### **9.2 Datum information**

A CSD Plan must include:

- (a) the horizontal datum and circuit projection where a bearing is included, and
- (b) the vertical datum where a reduced level is included.

### **9.3 Vector information**

A CSD Plan must include:

- (a) the source CSD type and number for each adopted vector, distance, bearing, and arc in the CSD,
- (b) any bearing adjustments applied to each CSD from which a bearing was adopted in the CSD, and
- (c) information identifying whether every bearing, distance, and arc included in the CSD Plan has been calculated, measured, or adopted.

### **9.4 Boundary information**

A CSD Plan must include:

- (a) the accuracy class of each boundary,

- (b) the source CSD type and number for each adopted permanent structure boundary, adopted water boundary, and adopted irregular boundary, including where these are accepted, and
- (c) a description of the physical feature where it defines a water boundary.

### **9.5 Information about occupation and physical features<sup>15</sup>**

- (a) A CSD Plan must include the following occupation information:
  - (i) the nature of the physical feature,
  - (ii) the age of the physical feature,
  - (iii) the relationship, by vector, distance, or description, between the occupation and the boundary or boundary position, and
  - (iv) details of each mark that has the appearance of a boundary mark but which is not in the cadastre.
- (b) Occupation information must be provided in relation to each of the following:
  - (i) a new boundary point defined by survey on an existing primary parcel boundary,
  - (ii) an existing boundary point that is being marked, and
  - (iii) a boundary point required to be defined by survey by rules 6.2(a)(vi) to (x), whether marked or not, and its related boundary lines. In this case the information must be provided in the form of a diagram.
- (c) Information must be provided on the nature of a physical feature and its relationship, by vector, distance, or description, to a new boundary or boundary point where that feature is relevant to the boundary.

### **9.6 Diagram of Survey**

#### **9.6.1 CSD Plan to include Diagram of Survey**

A CSD Plan must include a Diagram of Survey.

#### **9.6.2 Survey mark and point information**

With the exception of boundary points accepted under rule 6.3(c), a Diagram of Survey must include:

- (a) a depiction of all survey marks used for the purposes of the cadastral survey,
- (b) an abbreviation that describes the physical mark type for each new or old survey mark, other than a peg or post,

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<sup>15</sup> See rule 18.1(b) for diagrammatic occupation information where a boundary has been changed because of ground movement.

- (c) an abbreviation that describes the former physical mark type for each old survey mark that has been renewed,
- (d) the identifier for each:
  - (i) survey mark or point where an identifier is required by rule 7.5(b),
  - (ii) survey mark or point where an identifier already exists,
- (e) the former identifier for each disturbed survey mark and each survey mark that has been renewed,
- (f) the source CSD type and number for each old survey mark, each adopted survey mark and point, each disturbed mark, and each mark that has been renewed,
- (g) a notation indicating that an existing survey mark has been renewed or found disturbed,
- (h) the reduced level of each witness mark, where required under rule 7.3.4(a), and the reduced level of each PRM, where required under rule 7.4.3(d), and
- (i) the name from the national survey control system for each mark used from that system, in which case (b) to (g) do not apply.

### 9.6.3 Parcel information<sup>16</sup>

- (a) A Diagram of Survey must depict the extent of all parcels, including all residue parcels, but need not include any balance parcel or balance non-primary parcel.
- (b) A parcel on a Diagram of Survey must be represented as a polygon or polyhedron, unless (c) applies.
- (c) A parcel may be represented as a centreline where it is for an existing centreline easement and:
  - (i) the extent of that easement to be retained is completely within a single underlying parcel, or
  - (ii) its width is unknown.
- (d) A Diagram of Survey must depict the appellation of each new parcel, which can be in abbreviated form provided it is unique.
- (e) A Diagram of Survey must depict an area for each new parcel as required by rule 5.3.
- (f) A Diagram of Survey:

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<sup>16</sup> See rule 19.2 for parcel depiction requirements where unit or lease boundaries have been accepted.

- (i) must depict the relationships between a parcel and its boundaries and boundary points in the horizontal extent, and where applicable in the vertical extent,
  - (ii) irrespective of (i), need not depict boundary points of an existing non-primary parcel boundary defined in a CSD integrated into the cadastre.
- (g) A Diagram of Survey must depict the spatial relationship between:
- (i) all primary parcel boundaries on the survey, including a primary stratum boundary, and
  - (ii) the boundaries of a non-primary parcel and sufficient boundaries of its underlying parcel so that its location within the underlying parcel is clear and unambiguous.
- (h) A Diagram of Survey must depict:
- (i) an estate boundary where it passes through the land under survey, clearly annotated with the estate record references,
  - (ii) land being claimed as accretion, with the description 'accretion',
  - (iii) the name of the water body, or where no name is available a simple description, for a residue parcel subject to rule 5.5.1(c), or the description 'erosion' if the land has been eroded,
  - (iv) the name, or where no name is available a simple description, for any road, railway, or water body that abuts a new parcel, and
  - (v) the description 'marginal strip' for a balance parcel that is a fixed marginal strip.

#### **9.6.4 Parcel information for a unit title development**

In addition to rule 9.6.3, a Diagram of Survey for a unit title development must depict the spatial relationship between:

- (a) each unit boundary and each other non-primary parcel boundary, and
- (b) each non-primary parcel boundary and each underlying primary parcel boundary where the primary parcel boundary coincides with the estate boundary.

#### **9.6.5 Parcel information for a cross lease development**

In addition to rule 9.6.3, a Diagram of Survey for a cross lease development must depict the spatial relationship between:

- (a) each cross lease area boundary and each other non-primary parcel boundary, and
- (b) each non-primary parcel boundary and each underlying parcel boundary.

#### **9.6.6 Parcel information for a movable marginal strip**

A movable marginal strip that is included in the CSD must be depicted on a Diagram of Survey as being contained within its underlying primary parcel.

### 9.6.7 Water boundaries

A Diagram of Survey must:

- (a) depict a water boundary as an irregular line at a scale that:
  - (i) clearly shows its shape and relationship to other boundaries, as required by rule 9.6.3(g), and
  - (ii) is adequate to meet the accuracy required by rule 3.4;
- (b) where the former position of a water boundary is being depicted in terms of rule 6.7(b), depict the relationship of the physical water's edge to the boundary, or include a statement clearly indicating that the parcel boundary and the water's edge are not coincident; and
- (c) describe the legal water boundary including where it is a stratum boundary.

### 9.6.8 Irregular boundaries

A Diagram of Survey must depict an irregular boundary as an irregular line at a scale that:

- (a) clearly shows its shape and relationship to other boundaries, as required by rule 9.6.3(g), and
- (b) is adequate to meet the accuracy required by rule 3.4.

### 9.6.9 Permanent structure boundaries

A Diagram of Survey must:

- (a) depict each permanent structure boundary at a scale that clearly shows the shape and location of the boundary in relation to other boundaries in the CSD,
- (b) show sufficient information to define the relationship of each permanent structure boundary to each nearby parcel boundary as required by rule 9.6.4 and in accordance with rule 3.5,
- (c) show the permanent structure and its spatial relationship to the permanent structure boundary, including any parts that extend beyond the boundary,
- (d) have a description of every permanent structure from which the permanent structure boundary is located by reference, and
- (e) where a permanent structure boundary is not coincident with a permanent structure, show sufficient information to enable any point on the boundary to be accurately ascertained in relation to the permanent structure, in accordance with the accuracy standards specified in rule 3.5(b).

### 9.6.10 Stratum boundaries<sup>17</sup>

For each stratum boundary that is mathematically described, a Diagram of Survey must show sufficient:

- (a) vectors,

- (b) bearings,
- (c) distances,
- (d) reduced levels,
- (e) mathematical formulae, or
- (f) similar information,

to enable the relationship between any position on the stratum boundary surface and any other boundary as required by rule 9.6.3(g) to be ascertained in accordance with the accuracy standards specified in rules 3.3 and 3.6.

#### 9.6.11 Parcel annotations

A Diagram of Survey must depict the annotations set out in Table 9, clearly related to the relevant parcels.

**Table 9: Parcel annotations for Diagrams of Survey**

Parcel	Annotation
existing centreline easement of unknown width	‘width unknown’
parcel area derived from class D boundaries	‘area not determined by survey’
land in a parcel intended to remain in a title limited as to parcels	‘Limited as to parcels’
land in a parcel intended to remain in a Hawke’s Bay interim title	‘Hawke’s Bay interim title’
land in a parcel intended for disposal by the Crown, or land already subject to Part 4A of the Conservation Act 1987	‘Subject to Part 4A Conservation Act 1987’

#### 9.6.12 Boundary annotations<sup>18</sup>

A Diagram of Survey must depict the annotations set out in Table 10, clearly related to the relevant boundaries.

**Table 10: Boundary annotations for Diagrams of Survey**

Boundary	Annotation
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<sup>17</sup> See rule 19.2 for stratum boundary requirements where unit or lease boundaries have been accepted.

<sup>18</sup> For other annotations see rule 16.5 for some covenants, rule 17.2 where underlying parcel boundaries are not accurate, rule 18.1 where deep-seated movement has caused a change in a boundary, and rule 18.2 where ground movement may have occurred.

boundary accepted in terms of rule 6.3(a)(iii) and no dimension is available	'bearing unknown' or 'distance unknown' as applicable
boundary accepted in terms of rule 6.3(a)(iv) and only magnetic bearing available	'magnetic bearing'
boundary accepted in terms of rule 6.3(c)	'boundary accepted from existing survey'

### 9.6.13 Vectors

- (a) A Diagram of Survey must include sufficient vectors to enable the relationship:
- (i) between all non-boundary marks and points to be ascertained in accordance with the accuracy standards in rule 3.1,
  - (ii) between all boundary points to be ascertained in accordance with rule 3.3, and
  - (iii) between all boundary points and non-boundary marks to be ascertained in accordance with the accuracy standards in rule 3.6.
- (b) The requirements for vectors in (a) do not apply to:
- (i) an existing non-primary parcel boundary depicted in accordance with rule 9.6.14(b)(i), or
  - (ii) accepted boundaries and boundary points.
- (c) With the exception of a boundary that has been accepted, a Diagram of Survey must include sufficient vectors, that meet the accuracy standards specified in rule 3.3, to determine the position of the end points of each:
- (i) water boundary, and
  - (ii) irregular boundary, including the points where the width of a movable marginal strip or esplanade strip changes.
- (d) A Diagram of Survey must include each adopted vector used for the purposes of boundary definition.
- (e) Where it is impractical to clearly show a vector on a Diagram of Survey, the line for the vector must be shown and the vector must be included in the CSD Plan.

### 9.6.14 Boundary dimensions

- (a) For each parcel that is required to be included in a Diagram of Survey by rule 9.6.3(a), the Diagram of Survey must show the following:
- (i) the vector for each right-line boundary,
  - (ii) the chord bearing, arc distance, and radius for each arc boundary, and



- (iii) the width of each movable marginal strip or esplanade strip that is depicted in the CSD.
- (b) Irrespective of (a)(i) and (ii):
  - (i) where a non-primary parcel boundary is depicted in terms of rule 9.6.3(f)(ii), a reference to the CSD from which the boundary has been sourced will be sufficient,
  - (ii) where a boundary is accepted in terms of rule 6.3(a)(iii) to (v), the Diagram of Survey must show the adopted boundary dimensions where they exist,
  - (iii) where a boundary is accepted in terms of rule 6.3(b), the vector for the boundary is not required, and
  - (iv) where a boundary is accepted in terms of rule 6.3(c), the vector for the boundary is not required, and a reference to the CSD from which the boundary has been sourced will be sufficient.

#### **9.6.15 Interpretation of information on a Diagram of Survey**

On a Diagram of Survey:

- (a) all information must be clear and unambiguous,
- (b) all information must be legible when printed at A3 size, and
- (c) a north point must be shown on each sheet.

Rule 9.3(a): amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012-go6961.

Rule 9.3(b): amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012-go6961.

Rule 9.6.2: amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012-go6961.

Rule 9.6.3(g)(ii): amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012-go6961.

Rule 9.6.11: amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012-go6961.

Rule 9.6.12: amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012-go6961.

Rule 9.6.13(c): amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012-go6961.

Rule 9.6.14(b)(iv): inserted, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012-go6961.

## **10 Title Plan**

### **10.1 Title Plan information**

A Title Plan must include the following information:

- (a) the name of the territorial authority,
- (b) the name of the certifying cadastral surveyor and the survey firm,

- (c) the date of certification, once the CSD has been certified by the cadastral surveyor,
- (d) on each sheet, the CSD type and number, and the sheet number and the total number of sheets,
- (e) the parcel intent for each new parcel,
- (f) the appellation of each underlying parcel, and
- (g) all notations, memorials, or other matters required by law and referenced to the relevant parcels.

## **10.2 Easement information**

### **10.2.1 New easement information**

- (a) A Title Plan must include the following:
  - (i) a memorandum containing information about a new easement where the easement is required by a territorial authority, or
  - (ii) a schedule containing information about a new easement where the easement is not a requirement of a territorial authority.
- (b) A memorandum or schedule required by (a) must be in tabular form and must include the following information:
  - (i) the heading ‘Memorandum of Easements’ or ‘Schedule of Easements’ as appropriate,
  - (ii) the easement parcel identifier,
  - (iii) the purpose of the easement,
  - (iv) the servient tenement, and
  - (v) the dominant tenement or grantee as appropriate.

### **10.2.2 Existing easement information**

- (a) A Title Plan must include information about each existing subject easement that is to be retained, and in the case of a unit title development, each existing appurtenant easement that is to be retained.
- (b) The information required by (a) must be provided as a schedule in tabular form and must include the following information:
  - (i) the heading ‘Schedule of Existing Easements’,
  - (ii) the easement parcel identifier,
  - (iii) the purpose of the easement,
  - (iv) the creating document reference, and
  - (v) the servient tenement.

## **10.3 Covenant information**

- (a) A Title Plan must include a notation for each new covenant or existing covenant that is to be retained.

- (b) The notation required by (a) must include the following information:
  - (i) the covenant parcel identifier,
  - (ii) the parcel intent, and
  - (iii) in the case of an existing covenant, the creating document reference.

## **10.4 Diagram of Parcels**

### **10.4.1 Title Plan to include Diagram of Parcels**

A Title Plan must include a Diagram of Parcels.

### **10.4.2 Parcel information<sup>19</sup>**

- (a) A Diagram of Parcels must depict the horizontal extent and, where applicable, the vertical extent of each parcel included in the CSD, and all residue parcels, but need not include any balance parcel or balance non-primary parcel.
- (b) A parcel on a Diagram of Parcels must be represented as a polygon or polyhedron, unless (c) applies.
- (c) A parcel may be represented as a centreline where it is for an existing centreline easement and:
  - (i) the extent of the easement to be retained is completely within a single underlying parcel, or
  - (ii) its width is unknown.
- (d) Each parcel on a Diagram of Parcels must be depicted in its entirety on at least one sheet drawn to scale with:
  - (i) its boundaries,
  - (ii) its appellation, which can be in an abbreviated form provided it is unique,
  - (iii) in the case of a non-primary parcel, the appellation of the underlying parcel which can be in an abbreviated form provided it is unique, and
  - (iv) an area if required by rule 5.3. An area must not be shown for a movable marginal strip.
- (e) A Diagram of Parcels must depict the spatial relationship between:
  - (i) each non-primary parcel and its entire underlying parcel, and
  - (ii) each cross lease area and each other non-primary parcel.with the exception of a unit title development (refer to rule 10.4.3).

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<sup>19</sup> See rule 19.2 for parcel depiction requirements where unit or lease boundaries have been accepted.

- (f) A Diagram of Parcels must depict:
- (i) an estate boundary where it passes through the land under survey, clearly annotated with the estate record references,
  - (ii) land being claimed as accretion, with the description ‘accretion’,
  - (iii) the name of the water body, or where no name is available a simple description, for a residue parcel subject to rule 5.5.1(c), or the description ‘erosion’ if the land has been eroded,
  - (iv) the name, or where no name is available a simple description, for any road, railway, or water body that abuts a new parcel,
  - (v) the description ‘marginal strip’ for a balance parcel that is a fixed marginal strip,
  - (vi) any territorial authority boundary that passes through a parcel, clearly annotated with the names of the relevant territorial authorities, and
  - (vii) a suitable notation referenced to the relevant parcel where an enactment requires a CSD to show a vesting or other information.

#### **10.4.3 Parcel information for a unit title development**

In addition to rule 10.4.2, a Diagram of Parcels for a unit title development must clearly depict the spatial relationship between:

- (a) each unit and each other non-primary parcel, and
- (b) each non-primary parcel and the estate boundary.

#### **10.4.4 Parcel information for a movable marginal strip**

A movable marginal strip that is included in the CSD must be depicted on a Diagram of Parcels as being contained within its underlying primary parcel.

#### **10.4.5 Water boundaries**

A Diagram of Parcels must:

- (a) depict a water boundary as an irregular line at a scale that clearly shows its shape and relationship to other boundaries of the parcel,
- (b) where the former position of a water boundary is being depicted in terms of rule 6.7(b), depict the relationship of the physical water’s edge to the boundary or include a statement clearly indicating that the parcel boundary and the water’s edge are not coincident, and
- (c) describe the legal water boundary including where it is a stratum boundary.

#### **10.4.6 Irregular boundaries**

A Diagram of Parcels must depict an irregular boundary as an irregular line at a scale that clearly shows its shape and relationship to other boundaries of the parcel.

#### 10.4.7 Permanent structure boundaries

A Diagram of Parcels must:

- (a) depict each permanent structure boundary at a scale that clearly shows the shape and location of the boundary in relation to other boundaries in the CSD,
- (b) show the permanent structure and its spatial relationship to the permanent structure boundary, including any parts that extend beyond the boundary, and
- (c) have a description of every permanent structure from which the permanent structure boundary is located by reference.

#### 10.4.8 Parcel annotations<sup>20</sup>

A Diagram of Parcels must depict the annotations set out in Table 11, clearly related to the relevant boundaries or parcels.

**Table 11: Annotations for Diagrams of Parcels**

Parcel	Annotation
existing centreline easement of unknown width	‘width unknown’
parcel area derived from class D boundaries	‘area not determined by survey’
land in a parcel intended to remain in a title limited as to parcels	‘Limited as to parcels’
land in a parcel intended to remain in a Hawke’s Bay interim title	‘Hawke’s Bay interim title’
land in a parcel intended for disposal by the Crown, or land already subject to Part 4A of the Conservation Act 1987	‘Subject to Part 4A Conservation Act 1987’
accepted boundary under rule 6.3(c)	‘boundary accepted from existing survey’

#### 10.4.9 Boundary dimensions

A Diagram of Parcels must show the following:

- (a) a distance for each right-line or arc boundary together with the boundary points related to this distance, unless it is:

<sup>20</sup> For other annotations see rule 16.5 for some covenants, rule 17.2 where underlying parcel boundaries are not accurate, rule 18.1 where deep-seated movement has caused a change in a boundary, and rule 18.2 where ground movement may have occurred.

- (i) an existing non-primary parcel boundary already defined in a CSD integrated into the cadastre, or
- (ii) a boundary that is accepted in terms of rule 6.3(a)(iii) or (v). In this case the diagram must show the adopted boundary distance where it exists, or
- (iii) a boundary that is accepted in terms of rule 6.3(b) or (c); and
- (b) the width of each movable marginal strip or esplanade strip that is depicted in the CSD.

#### 10.4.10 Interpretation of information on a Diagram of Parcels

On a Diagram of Parcels:

- (a) all information must be clear and unambiguous,
- (b) all information must be legible when printed at A4 size, and
- (c) a north point must be shown on each sheet.

Rule 10.4.2(a): amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

Rule 10.4.2(e): amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

Rule 10.4.2(f)(vii): inserted, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

Rule 10.4.8: amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

Rule 10.4.9(a)(iii): amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

## 11 Monumentation CSD

### 11.1 Monumentation CSD usage

- (a) A monumentation CSD must only be used to record the placement of a boundary mark on an existing boundary point where:
  - (i) the boundary point is a class A or class B boundary point, and
  - (ii) the boundary mark has been placed in terms of an old non-boundary survey mark, and
  - (iii) the boundary point and that old survey mark are recorded in a CSD that has been approved as to survey, and
  - (iv) the accuracy on that survey between the boundary point and the old survey mark meets the boundary witnessing accuracy standard specified in rule 3.6.
- (b) A monumentation CSD must not be used where a boundary point is required to be marked by rules 7.1(b) or (c).

### 11.2 Monumentation CSD exempt from certain rules

The cadastral survey for a monumentation CSD is not required to comply with the following rules:

- (a) 4.1(a), Horizontal datum – orientation,
- (b) 4.2, Horizontal datum – connection,
- (c) 7.3, Witnessing of boundary points,
- (d) 7.4, Permanent marks,
- (e) 8.1(a), (d), and (e), Content of a CSD, and
- (f) 8.2, Survey report.

### **11.3 Monumentation CSD Plan**

- (a) A monumentation CSD must include a CSD Plan.
- (b) The CSD Plan in (a) must include the following:
  - (i) a statement of certification in accordance with rule 13, once the CSD has been certified by the cadastral surveyor,
  - (ii) the horizontal datum and circuit projection,
  - (iii) the type and number of the CSD that witnessed each marked boundary point,
  - (iv) occupation information in relation to each new boundary mark, and
  - (v) a Diagram of Survey in accordance with rule 11.4.

### **11.4 Diagram of Survey in a monumentation CSD Plan**

#### **11.4.1 Information on a Diagram of Survey**

A Diagram of Survey must clearly depict the survey and include:

- (a) each new boundary mark together with all boundaries that meet at that boundary mark,
- (b) the appellation for each parcel that adjoins the boundary point that has been marked,
- (c) the old non-boundary survey mark in terms of which the boundary mark was placed, and
- (d) one or more vectors joining the new boundary mark and the old non-boundary survey mark.

#### **11.4.2 Survey mark information**

The following information must be included for each survey mark in a Diagram of Survey:

- (a) an abbreviation that describes the physical mark type for each new or old survey mark, other than a peg or post;
- (b) the identifier for each:
  - (i) survey mark or point where an identifier is required by rule 7.5(b),
  - (ii) survey mark or point where an identifier already exists; and
- (c) the source CSD type and number for old survey marks.

### 11.4.3 Interpretation of information on a Diagram of Survey

On a Diagram of Survey:

- (a) all information must be clear and unambiguous,
- (b) all information must be legible when printed at A3 size, and
- (c) a north point must be shown on each sheet.

Rule 11.1(a): amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012-go6961.

Rule 11.2: amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012-go6961.

## 12 Diagram plan symbols and text










### 12.1 Symbol and text depiction

- (a) Information on a Diagram of Survey and a Diagram of Parcels must conform to the symbol and text requirements specified in this section.
- (b) All symbols and text must be black in colour.

### 12.2 Survey mark symbols

- (a) The symbols in Table 12 must be used for survey marks.
- (b) When a survey mark serves more than one purpose, a symbol higher up the table takes precedence over a symbol below it.
- (c) The symbol for a reinstated mark or a disturbed survey mark in its disturbed 'new' position must be the same as that for a new mark.
- (d) The symbol for a renewed survey mark must be the same as that for an old mark.

**Table 12: Symbols for survey marks**

Mark type		Symbol
permanent reference mark that meets the requirements of rule 7.4	new	
	old	
witness mark that meets the requirements of rule 7.3	new	
	old	
boundary post except where accepted under rule 6.3(c)	new	
	old	
	adopted	
unmarked point except where accepted under rule 6.3(c)	new	
	adopted	










Mark type		Symbol
other survey mark including a control mark or boundary mark	new	○
	old	●
	adopted	○

### 12.3 Line styles

- (a) The styles and widths specified in Table 13 must be used for lines.
- (b) When a line serves more than one purpose, a style higher up the table takes precedence over a style below it.
- (c) The width of a thick line must be at least twice the width of a thin line.

**Table 13: Line styles and widths**

Line types	Line style	Line width
new primary, unit, or lease parcel boundary		thick
other non-primary parcel boundary		thin
measured vector		thin
calculated vector		thin
adopted vector or line		thin
estate boundary		thin
adjacent primary parcel boundary		thin

### 12.4 Font size for text

- (a) The font size for each appellation and area must be significantly larger than the font size used for vectors, dimensions, descriptions, and survey mark information.
- (b) The font size for each parcel annotation required by rules 9.6.11 and 10.4.8 must be significantly larger than the font size used for appellations.

Rule 12.2: amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

Rule 12.3: amended, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

## 13 Certification

Every CSD must be certified and dated by the cadastral surveyor as follows:

‘I [*name*], being a licensed cadastral surveyor, certify that:

- (a) this dataset provided by me and its related survey are accurate, correct and in accordance with the Cadastral Survey Act 2002 and the Rules for Cadastral Survey 2010, and
- (b) the survey was undertaken by me or under my personal direction.’

#### **14 Retention of field information**

All relevant field information must either:

- (a) be included in the CSD to which it relates, provided that it is in a form that ensures permanent usability, or
- (b) be retained for a period of at least seven years from certification and made available to the Surveyor-General or the Chief Executive on request.

#### **15 Revocation and savings**

- (a) The Surveyor-General’s Rules for Cadastral Survey 2002/2 are revoked when the Rules for Cadastral Survey 2010 come into effect.
- (b) A survey commenced under the Surveyor-General’s Rules for Cadastral Survey 2002/2 that, prior to the commencement of these Rules, had appellations which would be required to change as a result of these Rules may continue to use those appellations if this change would make the resource consent of subdivision, obtained before the coming into effect of these Rules, invalid.

#### **16 Alternative requirements for covenant parcels**

##### **16.1. Class C for covenant boundaries**

Class C accuracies may be used for the boundaries and associated boundary points of a non-primary parcel where:

- (a) the parcel is for a covenant, and
- (b) class B accuracies would otherwise be required.

##### **16.2 Boundary witnessing for covenant boundaries**

A boundary point on a covenant parcel that is marked by a post is exempt from the witnessing requirements in rule 7.3.1(c) where that point is:

- (a) class B or class C, and
- (b) not coincident with an underlying parcel boundary.

##### **16.3 Accuracy between covenant and underlying parcels**

- (a) The relationship between the boundaries of a covenant parcel and the boundaries of its underlying parcel need not be determined accurately where classes B or C would otherwise apply and the underlying parcel is not being created by the survey.

- (b) Irrespective of (a), the relationship between the covenant parcel boundaries and the underlying parcel boundaries must be determined to sufficient accuracy to ensure that each covenant parcel boundary or boundary point is either coincident with an underlying parcel boundary or is contained within the underlying parcel.
- (c) Where (a) has been applied, class D must be used for a covenant parcel boundary or boundary point that coincides or intersects with its underlying parcel boundary. In this case, a covenant parcel boundary point that coincides with an underlying parcel boundary point must be accepted.

**16.4 Survey requirements where inaccurate relationship between covenant and underlying parcels**

Where a new covenant parcel is being defined in terms of rule 16.3(a):

- (a) every bearing, other than an existing magnetic bearing, must be oriented in terms of an official geodetic projection applicable to the area;
- (b) at least one cadastral survey network mark must be connected by vectors to the survey;
- (c) for each contiguous portion of land to be covenanted, which may be made up of one or more parcels:
  - (i) there must be at least two PRMs, each within the applicable horizontal distance specified in Table 14 of at least one new boundary point that is not on an underlying parcel boundary, and
  - (ii) the horizontal and vertical accuracy between every PRM within the applicable distance of a boundary point must not exceed the applicable tolerances specified in Table 14.

**Table 14: Distances and tolerances between PRMs and a boundary point**

Class of boundary point	Distance (m)	Tolerance (m)
A	Not available	
B	500	0.20
C	1000	0.60
D	Not applicable	

**16.5 CSD requirements for covenant parcels**

- (a) The survey report must note where class C has been used in terms of rule 16.1 or where class D has been used in terms of rule 16.3.
- (b) The Diagram of Survey, where class D has been used in terms of rule 16.3, must depict the annotation ‘class D’ clearly related to all class D boundaries and vectors.

- (c) The Diagram of Parcels, where class D has been used in terms of rule 16.3, must depict the annotation ‘not defined by survey’ clearly related to all class D boundaries.

Rule 16: inserted, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

## **17 Alternative requirements for non-primary parcels**

### **17.1 Accuracy between non-primary and underlying parcels**

- (a) The provisions in (d) must be used where:
- (i) the underlying parcel is not being created by the survey, and
  - (ii) the accuracy of all the intersections of the non-primary parcel boundaries with the underlying primary parcel boundaries cannot be determined in accordance with the applicable accuracy standards specified in rule 3.3.1, or
  - (iii) where there are no intersections, the relationship between the non-primary parcel boundaries and all of the underlying primary parcel boundaries cannot be determined in accordance with the applicable accuracy standards specified in rule 3.3.1.
- (b) Where the non-primary parcel is for a unit or lease, (a)(i) does not apply and all intersection points must meet the applicable accuracy standards specified in rule 3.3.1.
- (c) Irrespective of (a), the relationship between the non-primary parcel boundaries and the underlying parcel boundaries must be determined to sufficient accuracy to ensure that each non-primary parcel boundary or boundary point is either:
- (i) coincident with an underlying parcel boundary, or
  - (ii) is contained within the underlying parcel.
- (d) Where (a) applies, all of the following apply:
- (i) class D must be used for a non-primary parcel boundary or boundary point that coincides or intersects with its underlying parcel boundary. A non-primary parcel boundary point that coincides with an underlying parcel boundary point must be accepted.
  - (ii) every bearing, other than an existing magnetic bearing, must be oriented in terms of an official geodetic projection applicable to the area,
  - (iii) at least one cadastral survey network mark must be connected by vectors to the survey, and
  - (iv) the new non-primary parcel boundary points, except those that coincide with an underlying parcel boundary, must be witnessed as if specified under rule 7.3.1. Where rules 3.6, 7.3.2(a) and 7.4.2(a) refer to rule 7.3.1, then rule 17.1(d)(iv) must apply.

## **17.2 CSD requirements for non-primary parcels**

- (a) The survey report must note where class D has been used in terms of rule 17.1.
- (b) A Diagram of Survey, where class D has been used in terms of rule 17.1, must depict the annotation ‘class D’ clearly related to all class D boundaries and vectors.
- (c) A Diagram of Parcels, where class D has been used in terms of rule 17.1, must depict the annotation ‘not defined by survey’ clearly related to all class D boundaries.

Rule 17: inserted, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

## **18 Boundaries affected by ground movement**

### **18.1 Re-establishing boundaries affected by deep-seated movement**

- (a) Where deep-seated movement has distorted an existing boundary in excess of the applicable accuracies in rules 3.3.1, 3.4, and 3.5, that boundary must reflect that distortion which may require the creation of new boundary angles.
- (b) Where a new boundary angle has been created under (a):
  - (i) the boundary must be part of a new parcel,
  - (ii) information about occupation and physical features in terms of rule 9.5 must be provided in the form of a diagram,
  - (iii) the Diagram of Survey and Diagram of Parcels must prominently depict the following annotation clearly related to the relevant boundary:

‘Boundary includes new angles due to deep-seated movement’.
- (c) Boundaries on land subject to uniform block shift must be re-established in terms of that block shift.

### **18.2 Acceptance of boundaries affected by ground movement**

- (a) An existing boundary which meets the criteria for class C under rule 3.2.3 and which may have been displaced by ground movement greater than the accuracies for class C in rules 3.3.1(a)(vi) or 3.4, must be either:
  - (i) accepted and become class D, or
  - (ii) be defined by survey.
- (b) Where a boundary is accepted under (a)(i), the Diagram of Survey and Diagram of Parcels must prominently depict the following annotation clearly related to the relevant boundary:

‘Boundary not surveyed since ground movement’.

### **18.3 Unproven marks**

- (a) An old survey mark that the survey has not determined as being either disturbed or undisturbed may be included in a CSD where:
  - (i) the mark has been affected by ground movement, and
  - (ii) the mark is not being used to re-establish a boundary.
- (b) The Diagram of Survey must include a notation indicating each mark that is unproven.

#### **18.4 Survey report for boundaries affected by ground movement**

In addition to the reporting requirements under rule 8.2, a survey report must include the information considered, reasons for, and details of decisions made regarding each existing boundary or boundary point affected by ground movement that is defined by survey.

Rule 18: inserted, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012-go6961.

### **19 Use of existing unit and lease parcel boundaries**

#### **19.1 Existing boundaries may be accepted**

- (a) All of the boundaries of an existing unit parcel may be accepted where:
  - (i) that parcel was included in a CSD certified under regulations or rules prior to the Rules for Cadastral Survey 2010, and
  - (ii) no changes are being made to the parcel boundaries and computer register.
- (b) Where (a) has been applied, the existing parcel appellation must be retained.
- (c) A new unit parcel may use a boundary of an unchanged unit parcel provided for in (a) where it is common with that unchanged parcel and that unchanged unit is not a Future Development Unit. A new stratum boundary point that coincides with an accepted boundary is not required to be witnessed.
- (d) The provisions in (c) may also apply to an existing company or cross lease parcel.

#### **19.2 Information for parcels that have been retained**

Where all of the boundaries of an existing parcel have been accepted under rule 19.1:

- (a) the Diagram of Survey and Diagram of Parcels must depict the boundaries and their relationships to other boundaries and structures in the same manner as on the source CSD; and
- (b) in the case of a stratum boundary, the Diagram of Survey must include:
  - (i) the height datum,
  - (ii) the heighted non-boundary marks together with their related information, and

- (iii) the reduced levels of the stratum boundary.

Rule 19: inserted, on 1 January 2013, by notice published in the *Gazette* on 1 November 2012, 2012–go6961.

## 20 Cadastral survey rules for greater Christchurch

### 20.1 Terms and definitions

The following terms and definitions apply to all cadastral surveys in greater Christchurch for the purposes of rule 20:

**affected boundary** means a boundary where:

- (a) earthquake movement has changed it in excess of the relevant accuracy tolerances, and
- (b) it has not been defined in terms of that earthquake movement and recorded in an approved CSD

**Canterbury earthquakes** has the same meaning as in section 4 of the Canterbury Property Boundaries and Related Matters Act 2016

**disturbed**, in relation to an old survey mark, means the mark is in a position different from that originally placed, but does not include a change in position due only to earthquake movement

**earthquake movement** means the movement of land within the meaning of section 8(2) of the Canterbury Property Boundaries and Related Matters Act 2016

**greater Christchurch** has the same meaning as in section 4 of the Canterbury Property Boundaries and Related Matters Act 2016

**reinstated** means a new survey mark has been placed in the position of a previous survey mark that has not been found, including a position that has changed due to earthquake movement.

### 20.2 Certain rules do not apply to greater Christchurch

Rule 18 (Boundaries affected by ground movement) does not apply to a cadastral survey in greater Christchurch.

### 20.3 Defining by survey or acceptance of affected boundaries

- (a) For boundaries of a new primary parcel:
  - (i) all affected boundaries that are class A or class B must be defined by survey, irrespective of rules 6.2(a)(iv) and 6.2(c),
  - (ii) (i) does not apply where it is a boundary of a balance parcel or residue parcel in terms of rule 6.3(b),
  - (iii) (i) does not apply to a water boundary where rule 6.7(b) is being applied, and
  - (iv) where the criteria for class C in rule 3.2.3(a)(i) to (v) have been met and physical evidence or existing information indicates that the affected boundary exceeds the accuracy tolerances for class C,

that boundary and its associated boundary points must be defined by survey unless rule 6.3 allows the boundary to be accepted.

- (b) Where a water boundary is to continue to be depicted in its former position in terms of rule 6.7(b), the boundary must be accepted and be class D, and the Diagram of Survey and Diagram of Parcels must clearly annotate the boundary with “Boundary not surveyed since the Canterbury earthquakes”.

#### **20.4 Defining and referencing affected boundaries**

- (a) The determination of the correct orientation, extent, and position of an affected boundary must reflect earthquake movement.
- (b) Where a boundary on a primary parcel, or a stratum boundary, or a lease parcel boundary that is not a permanent structure boundary is an affected boundary and is defined by survey:
  - (i) every bearing must be orientated in terms of an official geodetic projection applicable to the area,
  - (ii) if 1 or more cadastral survey network marks exist within the distance specified in Table 4 in rule 4.2 of any boundary point that is defined by survey, at least 1 of those cadastral survey network marks must be connected by vectors to the survey,
  - (iii) each boundary point that is defined by survey must be witnessed as if this were a requirement set out in rule 7.3.1 (Boundaries to be witnessed),
  - (iv) the survey must include a minimum of 3 witness marks if all boundaries are class A, or a minimum of 4 witness marks if any boundaries are class B or class C, irrespective of rule 7.3.2(d), and
  - (v) the survey must include a minimum of 2 PRMs, irrespective of rule 7.4.1(b).
- (c) Rules 8.5(c) and 11 (Monumentation CSD) must not be used for an affected boundary or associated boundary point.

#### **20.5 Occupation and physical features in diagram**

Where an affected boundary and its associated boundary points are being defined by survey, information about occupation and physical features as set out in rules 9.5(a) and (c) must be provided in the form of a diagram for the boundary and each boundary point.

#### **20.6 Defining non-primary parcel boundaries and underlying boundaries**

- (a) An affected boundary on an underlying parcel that is class A or class B must be defined by survey if a new non-primary parcel boundary coincides with or intersects it.
- (b) For a new unit title or cross lease development:



- (i) every affected boundary of the underlying parcel must be defined by survey, and
  - (ii) a new underlying parcel must be created where (i) applies or where the redefinition of an affected boundary on the underlying parcel has not already been recorded in the relevant tenure system.
- (c) For an existing unit title development where a computer register for an existing unit is being retained:
  - (i) an underlying boundary that is an affected boundary and is not coincident with or intersected by a new non-primary parcel boundary may be accepted as class D, and
  - (ii) where (i) has been applied, the Diagram of Survey must clearly annotate the boundary with “Boundary not surveyed since the Canterbury earthquakes”.
- (d) A CSD that includes a new non-primary parcel, but not a new underlying parcel, may record the redefinition of a coincident or intersected underlying boundary where:
  - (i) the redefinition has not already been recorded in the relevant tenure system, and
  - (ii) the redefinition of all of the boundaries of the underlying parcel are not being recorded in that tenure system.
- (e) Where a CSD records a redefinition of an underlying parcel boundary in terms of (d), the Diagram of Parcels must clearly:
  - (i) depict the appellation of the underlying parcel,
  - (ii) depict all redefined underlying boundaries,
  - (iii) depict the relationship between each redefined boundary and other underlying parcel boundaries,
  - (iv) annotate each redefined boundary with “Redefined boundary of [underlying parcel appellation]”, and
  - (v) include in the dataset description panel of the Diagram of Parcels a reference to the new non-primary parcel(s) followed by “and partial redefinition of [underlying parcel appellation]”.
- (f) Irrespective of (a), the affected boundary on the underlying parcel is not required to be defined by survey where the boundary is not class A and the parcel is over 20 ha and is not being extinguished by the survey.
- (g) Where (f) has been applied:
  - (i) a new non-primary parcel boundary or boundary point that coincides with or intersects the affected boundary must be class D and the boundary point must be accepted, and

- (ii) the Diagram of Survey and Diagram of Parcels must clearly annotate the coincident class D boundary with “Boundary not surveyed since the Canterbury earthquakes”.

### **20.7 Boundaries to be marked**

Where practicable, each boundary point on an affected boundary of a primary parcel that is defined by survey must be marked unless:

- (a) a reliable mark is already in place,
- (b) any provision in rule 7.1(a)(i) to (vi) applies, or
- (c) it is part of a parcel where the title is to remain limited as to parcels and the boundary point is not in common with a new parcel where the limitation is not going to remain.

### **20.8 Removing boundary marks**

- (a) An old boundary mark that does not mark a boundary point may be removed or driven below the ground surface, provided there is no boundary conflict.
- (b) Where a mark has been removed in terms of (a), the mark must be treated as a new non-boundary mark and the Diagram of Survey must include:
  - (i) a depiction of the mark,
  - (ii) an abbreviation that describes the physical mark type,
  - (iii) the identifier, if it already exists,
  - (iv) the source CSD type and number of the mark,
  - (v) a notation indicating the mark has been removed, and
  - (vi) sufficient vectors so as to comply with rule 9.6.13.
- (c) Rule 20.8 constitutes prior written approval of the Surveyor-General under section 55(5) of the Cadastral Survey Act 2002.

### **20.9 Water body centreline boundaries**

- (a) An existing irregular boundary may remain as an irregular boundary where it follows the centreline of a water body, irrespective of rule 6.6.
- (b) Where (a) has been applied, the Diagram of Survey and Diagram of Parcels must clearly annotate the boundary with “Boundary follows centreline”.
- (c) Where (a) has been applied and entitlement due to accretion is not being claimed where the margin of the water body has moved, the irregular boundary may continue to be depicted in its former position, irrespective of rule 20.3.
- (d) Where (c) has been applied, the boundary must be accepted and be class D, and the Diagram of Survey and Diagram of Parcels must clearly

annotate the boundary with “Boundary not surveyed since the Canterbury earthquakes”.

**20.10 Reduced level for unaffected stratum boundaries**

Where an existing stratum boundary is not affected, but its reduced level recorded in the cadastre is not in terms of earthquake movement, in complying with:

- (a) rule 9.6.10 (Stratum boundaries), a reduced level corrected for earthquake movement must be provided, and
- (b) rule 8.2 (Survey report), the report must provide the basis for determining the change in reduced level.

Rule 20: inserted, on 24 April 2017, by rule 4 of the Cadastral Survey Amendment Rules 2017 (LI 2017/43).

Dated at Wellington this 15th day of April 2010.

Donald Bruce Grant,  
Surveyor-General.

Issued under the authority of the Legislation Act 2012.  
Date of notification in *Gazette*: 15 April 2010.

## Reprints notes

### **1** *General*

This is a reprint of the Rules for Cadastral Survey 2010 that incorporates all the amendments to those rules as at the date of the last amendment to them.

### **2** *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

### **3** *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

### **4** *Amendments incorporated in this reprint*

Cadastral Survey Amendment Rules 2017 (LI 2017/43)

Notice of Amendment to the Rules for Cadastral Survey 2010 *Gazette* 2012–go6961