

Circular Memorandum No. 5 / 2018

TOPIC:	Compliance with Survey Directions, Tasmania Varied requirement 1 to Survey Directions, Tasmania Varied requirement 2 to Survey Directions, Tasmania Deferred marking guidelines Plans of survey and survey notes deposited in the Central Plan Office
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DATE:	19 th December 2018
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All Registered Land Surveyors

Compliance with Survey Directions, Tasmania

At the OSG workshops held in July 2018 and November 2018 and in [Circular 4/2018](#) practitioners were reminded that every survey of land for a purpose listed in Schedule 1 of the *Survey Directions, Tasmania* is required to comply with all requirements of those Directions unless formal dispensation is sought from the Surveyor General under Clause 2.1.10.

Following the July 2018 workshops a paper describing possible altered requirements for some re-mark surveys (adopting the definition “re-mark (or repeg) survey” from the *Survey Directions, Tasmania*) and clearer guidelines around when deferred marking was appropriate was circulated to Registered Land Surveyors. There was general agreement with the recommendations outlined in that paper on these matters and instructions to practitioners on how to apply these requirements are outlined in this circular.

Variations to the standard requirements of the *Survey Directions, Tasmania* may be applied to re-mark surveys where the specific circumstances outlined below apply and the exemption under Section 2.1.10 applying by virtue of this circular is clearly annotated in the SIO survey notes prepared for the re-mark survey.

Legislation requires Registered Land Surveyors attest to the marking of boundaries in accordance with the *Survey Directions, Tasmania* at the date they certify a survey plan and doesn't provide surveyors with discretion in the timing of marking. Guidelines have been developed which outline the process to follow to obtain an exemption to allow pegging to be deferred until some future time after plan lodgement.

Varied requirement 1 to Survey Directions, Tasmania

- If a **re-mark (or repeg) survey** only re-instates existing boundary marks found and / or places new additional boundary line marks (not corner marks) between existing boundary marks found then the re-mark survey is exempt from the requirements of Section 2.1.2 (GDA94 datum and coordination) of the [Survey Directions, Tasmania 140918](#).

- For this variation to apply the SIO survey notes must include the statement “*This re-mark survey is exempt from the requirements of Section 2.1.2 of the Survey Directions, Tasmania 140918. This exemption was granted by the Surveyor General under section 2.1.10 of the said Survey Directions, Tasmania in varied requirement 1 of OSG Circular Memorandum No. 5/2018.*”

Varied requirement 2 to Survey Directions, Tasmania

- If a **re-mark (or repeg) survey** only re-instates existing boundary marks found and/or places any number of new boundary marks on a survey previously coordinated on GDA94 under the requirements of Section 2.1.2 of the *Survey Directions, Tasmania* in force at any time then that re-mark survey is exempt from the requirements of all of 2.1.2.3, 2.1.2.4 and 2.1.2.5 and the element requiring coordinates to be recorded on plans and / or survey notes per Section 2.1.2.2 of the [Survey Directions, Tasmania 140918](#).
- For this variation to apply the SIO survey notes must include the statement “*This re-mark survey is exempt from the requirements of Section 2 all of 2.1.2.3, 2.1.2.4 and 2.1.2.5 and the element requiring coordinates to be recorded on plans and / or survey notes per Section 2.1.2.2 of the Survey Directions, Tasmania 140918. This exemption was granted by the Surveyor General under section 2.1.10 of the said Survey Directions, Tasmania in varied requirement 2 of OSG Circular Memorandum No. 5/2018.*”

Deferred marking guidelines

It is recognised that in some instances it is not practical or desirable to mark boundaries until a certain milestone is reached that may be after lodgement of the survey plan with the registering authority. I am prepared to consider applications to delay the marking of boundaries normally required to be marked in accordance with the *Survey Direction, Tasmania* at the time of attestation of the survey plan prior to lodgement, provided the following circumstances are met:

- All requests to defer marking boundaries must be emailed to osg@dpipwe.tas.gov.au or made in writing to “Michael Giudici, Surveyor General, Land Tasmania, DPIPWE, GPO Box 44, Hobart 7000”.
- The request must be provided in advance of the lodgement of the survey plan with the registering authority and:
 - include an explanation of the circumstances that warrant not marking the boundaries until sometime in the future;
 - clearly indicate for which boundaries the exemption is being sought;
 - confirm that the current owner and any government authority with an interest in the location of the boundaries for which marking is being deferred have agreed to the deferred marking;
 - propose a date by which the boundaries will be marked - in order for the exemption request to be considered the proposed date must satisfy potential purchasers need for the boundary to be obvious on the ground.
- Should the request be approved and a variation to the requirements under clause 2.1.10 be granted, the surveyor will be formally advised of the wording to include on the survey notes confirming the exemption and the conditions applying. A record of all granted requests is kept and provides an important protection for surveyors.
- I, or my delegates, will endeavour to provide an answer to the deferred marking request by the next working day but practitioners should allow three working days for a response.
- My office will monitor these exemptions closely and should the marking not be completed by the nominated date I will immediately invoke my powers under Section 23 and 24 of the *Surveyors Act 2002*.

The most common circumstance in which it is envisaged an exemption request will be granted is where it is known construction works or other activities on site after the lodgement of the survey plan will definitely lead to the destruction of marks that will need to be subsequently replaced by a re-mark survey.

Survey plans and notes deposited in the Central Plan Office

As noted in November 2018 workshops and outlined in the presentation summary subsequently emailed to all practitioners on 30 November 2018 the Land Titles Office is currently reviewing the plan examination processes associated with its acceptance of a plan and notes supporting a survey of land.

In relation to survey plans lodged in the Central Plan Office (CPO), which is administered by me, I advise that surveys requested by my office that are required to comply with the requirements of the *Survey Directions, Tasmania* either by virtue of being a “survey of land” under the legislation or because of a specific request in the instruction issued to the surveyor are increasingly not meeting those requirements, particularly in relation to marking of surveyed boundaries or the required quality for drafting outlined on the [DPIPWE website](#).

Registered land surveyors are reminded that all survey plans and notes prepared under instruction from my office must comply with those minimum requirements or I will require them to be amended and re-lodged.

A handwritten signature in black ink, appearing to read 'M Giudici', with a stylized flourish at the end.

Michael Giudici
SURVEYOR GENERAL