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**LINZS10001**

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**Interim standard for the  
integration of movable  
marginal strips into the  
cadastre**

**LINZ standard**

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Land Information New Zealand

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# TABLE OF CONTENTS

<b>TERMS AND DEFINITIONS .....</b>	<b>3</b>
<b>FOREWORD .....</b>	<b>4</b>
<b>1 Introduction .....</b>	<b>6</b>
<b>1.1 Scope .....</b>	<b>6</b>
<b>1.2 Intended use of interim standard .....</b>	<b>6</b>
<b>1.3 Effective date.....</b>	<b>6</b>
<b>2 Compliance with Surveyor-General's Rules and Ruling .....</b>	<b>6</b>
<b>3 Spatial capture .....</b>	<b>6</b>
<b>4 Retention of marginal strip boundaries.....</b>	<b>7</b>
<b>5 Spatial capture accuracy .....</b>	<b>7</b>
<b>6 Parcel status .....</b>	<b>7</b>
<b>7 Recording Gazette notices.....</b>	<b>7</b>
<b>7.1 Exemptions .....</b>	<b>7</b>
<b>7.2 Exchanges .....</b>	<b>8</b>

## TERMS AND DEFINITIONS

Term/Abbreviation	Definition
associated primary parcel	a primary parcel that includes a marginal strip parcel within its boundaries by dimension and by area
cadastre	has the meaning set out in section 4 of the Cadastral Survey Act 2002
CSD	a cadastral survey dataset as defined in section 4 of the Cadastral Survey Act 2002
<i>Gazette</i>	the <i>New Zealand Gazette - Te Kahiti o Aotearoa</i> , the official newspaper of the Government of New Zealand
LINZ	Land Information New Zealand
marginal strip parcel	a movable marginal strip reserved pursuant to sections 24(1), 24(2), 24A, 24AA, or 24E of the Conservation Act 1987 and which has been defined as a parcel in a CSD in accordance with the Ruling
Rules	Rules made by the Surveyor-General under section 49 of the Cadastral Survey Act 2002
Ruling	<i>Surveyor-General's Ruling 2007/1: Representation of movable marginal strips in cadastral survey datasets</i>

## FOREWORD

Section 24 of the Conservation Act 1987 specifies that whenever the Crown sells or otherwise disposes of any land, the Crown retains a strip of land (a “marginal strip”) along the landward margin of any qualifying foreshore, lake, river or stream. The Government has directed its departments, when disposing of Crown-owned land on or after 1 July 2007, to identify and survey waterways that qualify for the reservation of marginal strips in accordance with the Surveyor-General’s requirements.

### Purpose of interim standard

The purpose of this interim standard is to ensure that marginal strip information provided in a cadastral survey dataset (CSD) is integrated into the cadastre in a way that satisfies statutory requirements and cadastral outcomes and objectives.

### Rationale for interim standard

Land Information New Zealand (LINZ) is tasked with meeting the Government’s desired economic, social, and environmental outcomes in relation to its mandated subject areas. Accordingly, end outcomes, intermediate outcomes, objectives, and sub-objectives have been developed to clearly articulate the regulatory framework for each subject area.

A risk-based approach is then used to determine the optimum level of intervention. If there is a high risk of not achieving an objective or sub-objective, then generally a higher level of intervention is required. Similarly, a low risk of not achieving an objective or sub-objective means a low level of intervention is necessary. The desired intervention is then developed to manage the identified risks and thereby achieve the relevant sub-objectives, objectives and, therefore, the outcome.

The Surveyor-General has issued this interim standard to mitigate the risk of not achieving one of the cadastral survey end outcomes:

<b>Cadastral survey end outcome</b>
Holders of rights and responsibilities (restrictions) in land confidently know the boundaries to which they apply so that they can efficiently identify, trade and use their rights.

### Feedback on the interim standard

When developing a new standard for integrating new cadastral surveys into the cadastre by the chief executive, the Surveyor-General will take into account any feedback from users of this interim standard.

- (a) Comments are invited, preferably in electronic format, on the technical content, wording, and general arrangement of this interim standard.
- (b) Electronic comments should be sent by email to [regulatorysubmissions@linz.govt.nz](mailto:regulatorysubmissions@linz.govt.nz) or on a disc. Other formats - comments should preferably be typewritten. Please do not return a marked-up document in place of comments.

- (c) Please provide your name and organisation (if applicable). Please place relevant clause numbers beside each comment.
- (d) Please provide supporting reasons and suggested wording for each comment. Where you consider that specific content is too simplistic, too complex, or too detailed, provide an alternative.
- (e) Normally no acknowledgement of comment is sent. All comments received will be put before the relevant drafting committee.

LINZ is required to undertake its functions with a high degree of transparency. Accordingly, please be aware that any information provided to LINZ may be discussed with or provided to other parties. Please identify any information that you wish to remain confidential and provide reasons for this. You should also be aware that LINZ is subject to the Official Information Act 1982.

## References

This interim standard must be read in conjunction with the following:

Cadastral Survey Act 2002

Conservation Act 1987

LINZ 2002, *Surveyor-General's Rules for Cadastral Survey 2002/2*, Office of the Surveyor-General, LINZ, Wellington

LINZ 2002, *SG Standard 6: Standard for cadastral network adjustment*, Office of the Surveyor-General, LINZ, Wellington

LINZ 2002, *SG Standard 7: Standards for cadastral parcel topology*, Office of the Surveyor-General, LINZ, Wellington

LINZ 2007, *Surveyor-General's Ruling 2007/1: Representation of movable marginal strips in cadastral survey datasets*, Office of the Surveyor-General, LINZ, Wellington

# 1 INTRODUCTION

This interim standard has been developed to specify interim requirements for integrating marginal strip information into the cadastre, incorporating changes from the Ruling. It is intended that this interim standard will be replaced by a new version of the Surveyor-General's standard for integrating new cadastral surveys into the cadastre by the chief executive (required by s 7(1)(e) of the Cadastral Survey Act 2002); which is currently under development.

## 1.1 Scope

This interim standard specifies the requirements for the integration of marginal strip data that is provided in a CSD in accordance with the Ruling.

## 1.2 Intended use of interim standard

This interim standard is intended for use by LINZ Customer Services when

- (a) integrating new cadastral surveys into the cadastre on behalf of the chief executive of LINZ under s 9(d) of the Cadastral Survey Act 2002, and
- (b) recording marginal strips under delegation from the Surveyor-General, pursuant to s 24D(3) of the Conservation Act 1987.

## 1.3 Effective date

This interim standard comes into effect on 1 July 2007.

# 2 COMPLIANCE WITH SURVEYOR-GENERAL'S RULES AND RULING

A CSD must comply with the Rules and the Ruling before the data is integrated into the cadastre.

# 3 SPATIAL CAPTURE

Marginal strip parcels depicted in a CSD in accordance with the Ruling must be spatially captured and integrated into the tertiary parcel topology network as defined in *SG Standard 7: Standards for cadastral parcel topology*. These parcels are permitted to extend across primary parcel boundaries within the land being disposed.

A marginal strip parcel must be represented in the cadastre in such a way that it does not misrepresent the extent of the associated primary parcel, or of any other secondary or tertiary parcels.

## 4 RETENTION OF MARGINAL STRIP BOUNDARIES

The boundaries of a marginal strip parcel recorded in the cadastre must only be replaced by the boundaries of a new marginal strip parcel created in accordance with the Ruling.

The boundaries of a marginal strip parcel in the cadastre must be maintained in the correct spatial relationship to other boundaries, in accordance with *SG Standard 6: Standard for Cadastral Network Adjustment*.

## 5 SPATIAL CAPTURE ACCURACY

Spatial capture accuracy must be sufficient to ensure that the extent and general shape of the marginal strip and associated water body in the integrated cadastre accurately reflects that represented in the approved CSD.

## 6 PARCEL STATUS

A marginal strip parcel must be given the status of “current” when it has been determined that the CSD defining the parcel complies with the Rules and the Ruling.

A marginal strip parcel that has been exchanged for another strip of land pursuant to section 24E of the Conservation Act 1987 must be given the status of “historic”.

### Commentary

Note that an exchange of a marginal strip parcel for another strip of land is notified in the *Gazette* under s 24E of the Conservation Act 1987. See also paragraph 7.2 below for requirements relating to recording these notices.

The status of a marginal strip parcel must not be changed when the associated primary parcel is given the status of “historic”.

The status of a marginal strip parcel must be set to “historic” at the time that a new definition for that marginal strip is integrated into the cadastre.

## 7 RECORDING GAZETTE NOTICES

### 7.1 Exemptions

Any notice in the *Gazette* declaring that section 24 of the Conservation Act 1987 shall not apply to a proposed disposition, pursuant to section 24B of the Conservation Act 1987, must be recorded in the existing cadastral record and linked to the associated primary parcel, if that parcel is not registered under the Land Transfer Act 1952.

## 7.2 Exchanges

Any notice in the *Gazette* authorising the exchange of a marginal strip for another strip of land, pursuant to section 24E of the Conservation Act 1987, must be recorded in the cadastre and linked to:

- (a) the original marginal strip parcel; and
- (b) the new marginal strip parcel, or to the associated primary parcel if the new marginal strip is not defined by survey.