

Entry onto land - information for land owners

Who surveys boundaries in New Zealand?

In New Zealand land boundaries can only be surveyed by a licensed cadastral surveyor, or a person acting under the direction of a licensed cadastral surveyor.

Most licensed cadastral surveyors are private practitioners; they are not employed directly by the Government. The Surveyor-General (a Government official) sets rules for licensed cadastral surveyors to follow. An independent licensing authority monitors their professional conduct.

In addition, most licensed cadastral surveyors are members of one or more professional bodies, which expect high standards of professional behaviour.

Why does a surveyor need to access my land?

Licensed cadastral surveyors usually locate boundaries using old boundary marks (usually pegs) or other survey marks from previous surveys. It is important for licensed cadastral surveyors to have access to these marks and other survey evidence, since it can impact on the quality of their surveys.

Sometimes marks are located on private land, possibly buried under a lawn or a garden. They could also be a barely noticeable steel pin set in a concrete path or driveway.

Marks are almost always located outdoors, so the surveyor should not need to enter your house or any other buildings on your land.

Just because a surveyor needs to use a mark on your land does not mean that the survey will affect your boundaries, since the survey could be dealing with land some distance away.



What if I don't want a survey mark on my land?

In New Zealand, survey marks are protected by law - including any located on private land. It is an offence under the Cadastral Survey Act 2002 to knowingly or recklessly remove them or alter their positions. You could face a fine if you damage or remove a survey mark.

What are my rights?

You can ask to see identification that confirms the person asking for permission to enter your land is a licensed cadastral surveyor or a person working under the direction of a licensed cadastral surveyor. A list of licensed cadastral surveyors is available on the internet at <http://www.cslb.org.nz/>

You are entitled to refuse the surveyor entry on to your land. If you do give permission for entry, you may ask the surveyor and their assistants to leave at any stage.

However, surveyors can ask the Surveyor-General to give them written authorisation to enter your land. If this happens, you must allow them access to your land at reasonable times.

This gives the surveyor permission to enter your land, but does not give them permission to enter your house, or other buildings on your land. If the survey is being carried out for public work or a proposed public work, surveyors can also seek authorisation from a Minister of the Crown or a local authority like your council.

Where can I find more information?

If you would like to speak to someone about the information in this pamphlet, you can contact:
The New Zealand Institute of Surveyors, the professional body for New Zealand Surveyors, on (04) 471 1774
Land Information New Zealand, the government department responsible for recording survey information, on 0800 665 463.