



The Cadastral Survey Rules 2021 (Rules) have made changes to survey capture and terminology. This factsheet outlines the changes that will be the most relevant to lawyers.

### When do the changes happen?

The Rules come into effect on 30 August 2021. The Rules are now available on the [New Zealand Legislation website](#).

There will be a transition period between 30 August 2021 and 25 February 2022. Surveys already started under the Rules for Cadastral Survey 2010 can still be lodged until 25 February 2022. After that date Cadastral Survey Datasets (CSDs) can only be certified by a surveyor in terms of the 2021 Rules.

During the transition period, CSDs may be certified and lodged in terms of either the 2010 or 2021 Rules. The Surveyor Declaration on the Title Plan shows which Rules the CSD has been prepared under.

### New terms

The Rules use new terms:

- Title Diagram (replaces Diagram of Parcels)
- Survey Diagram (replaces Diagram of Survey)
- Record of Survey (replaces CSD Plan).

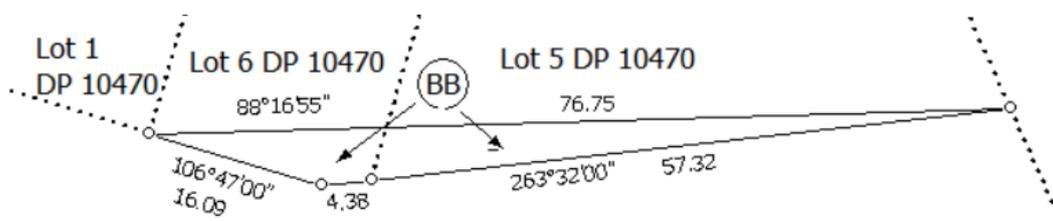
Easement memoranda and schedules will now refer to benefited and burdened land to reflect the change of terms made earlier in the Land Transfer Act 2017 (LTA).

### Relevant changes

**Non-primary parcels can cross primary parcels where they are held in the same record of title.**

Non-primary parcels (such as a parcel depicting easement, covenant or lease areas) will now be able to cross primary parcels (e.g. fee simple parcels) that are held in the same record of the title.

The example below illustrates how this rule will be shown on a plan.



Lots 5 and 6 on DP 10470 are held in one title.

The newly created easement area defined as 'BB' can cross both Lot 5 and 6. Previously this would have been defined in two separate easement areas.

The schedule of easements will show each primary parcel as the burdened land. Area 'BB' is shown over lot 5 and 6 DP 10470 in the burdened land column.

<b>Schedule of Easements in Gross</b>			
Last Edited: 23 Jun 2021 10:56:06			
<u>Purpose</u>	<u>Shown</u>	<u>Burdened Land</u> <u>(Servient Tenement)</u>	<u>Grantee</u>
Right to convey electricity	BB	Lot 5 DP 10470, Lot 6 DP 10470	Orion NZ

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## Title plan to show easements and land covenants to be removed

A title plan now must include details of the easements which are to be surrendered (which includes easements extinguished under s113-115 LTA) and land covenants to be revoked. This will be shown by a surveyor in a schedule or notation on the title plan and will ensure that it is clear which surrender or revocation instruments must be lodged as part of the following titles dealing.

The easement schedule showing the surrender of easement or revocation of land covenant should be a prompt to prepare the relevant surrender or revocation instrument for lodgement with the titles dealing.

Example of an easement schedule showing the surrender of an easement:

Land Registration District	Survey Number
<b>Canterbury</b>	<b>LT 4000004</b>
Territorial Authority (the Council)	
<b>Selwyn District</b>	

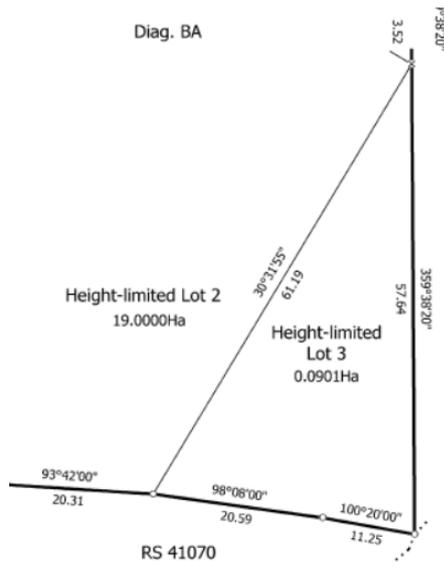
<b>Schedule of Existing Easements to be Surrendered</b>			
Last Edited: 24 Jun 2021 09:47:05			
<u>Purpose</u>	<u>Shown</u>	<u>Burdened Land</u> <u>(Servient Tenement)</u>	<u>Creating Document Reference</u>
Right to convey electricity	Marked A DP 407637	Lot 1 DP 407637	E 7975781.7

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## Definition of easement to be surrendered or land covenant to be revoked

If the underlying parcel is not being created by the survey (i.e. no new title is being created), and part of an existing easement or covenant is being surrendered/extinguished/revoked, the survey must now define both the portion of the parcel to remain and portion to be surrendered. Easements to be surrendered will be identified with a parcel intent of 'Easement to be surrendered' in the CSD plan. Covenants to be revoked will be identified with a parcel intent of 'Covenant to be revoked'.

## Appellations updated to include new 'height limited' parcel type



Where a parcel is restricted in height (i.e. is a strata parcel), the appellation will include the prefix 'height-limited'. This applies to lots, areas and sections only. (Height limited parcels are not the same as units for stratum estates under the Unit Titles Act 2010.)

Currently titles containing strata parcels with upper and/or lower limits can be hard to identify. The title is still recorded as being a fee simple title but will not include an area and should instead include parts of the plan showing the upper and/or lower limits of the parcel.

The appellation shown on the title, as well as the title plan or record of survey, will now specifically record that a lot is height-limited.

### Record of Survey - LT 430909

Created Parcels	Parcel Intent	Area	RT Reference
Parcels			
Lot 1 Deposited Plan 430906	Fee Simple Title	20.6114 Ha	
Height-limited Lot 2 DP 430909	Fee Simple Title	19.0000 Ha	
Area A Deposited Plan 430909	Easement		
Area AA Deposited Plan 430909	Easement		
Area BB Deposited Plan 430909	Easement		
Height-limited Lot 3 DP 430909	Fee Simple Title	0.0901 Ha	
<b>Total Area</b>		<b>39.7015 Ha</b>	

## Landonline

Changes to Landonline will be implemented to take effect on 30 August 2021. Capture of CSDs in Landonline using the 2021 Rules cannot take place until this date.



### Find out more

Additional information can be found on our website:

[Cadastral Survey Rules 2021 \(CSR 2021\) Implementation](#)

or by scanning on the QR code.

## Updated standards and guidelines

Any standards or guidelines issued by the Registrar-General of Land that are affected by the change of Rules will be updated.

