



Western Australia

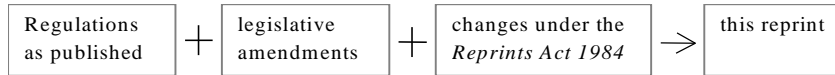
Licensed Surveyors Act 1909

# **Licensed Surveyors (Guidance of Surveyors) Regulations 1961**

**Reprint 4: The regulations as at 6 June 2008**

## Guide for using this reprint

### *What the reprint includes*



### *Endnotes, Compilation table, and Table of provisions that have not come into operation*

1. Details about the original regulations and legislation that has amended its text are shown in the Compilation table in endnote 1, at the back of the reprint. The table also shows any previous reprint.
2. Transitional, savings, or other provisions identified in the Compilation table may be important. The table may refer to another endnote setting out the text of these provisions in full.
3. A table of provisions that have not come into operation, to be found in endnote 1a if it is needed, lists any provisions of the regulations being reprinted that have not come into operation and any amendments that have not come into operation. The full text is set out in another endnote that is referred to in the table.

### *Notes amongst text (italicised and within square brackets)*

1. If the reprint includes a regulation that was inserted, or has been amended, since the regulations being reprinted were made, editorial notes at the foot of the regulation give some history of how the regulation came to be as it is. If the regulation replaced an earlier regulation, no history of the earlier regulation is given (the full history of the regulations is in the Compilation table).

Notes of this kind may also be at the foot of Schedules or headings.

2. The other kind of editorial note shows something has been —
  - removed (because it was repealed or deleted from the law); or
  - omitted under the *Reprints Act 1984* s. 7(4) (because, although still technically part of the text, it no longer has any effect).

The text of anything removed or omitted can be found in an earlier reprint (if there is one) or one of the written laws identified in the Compilation table.

### *Reprint numbering and date*

1. The reprint number (in the footer of each page of the document) shows how many times the regulations have been reprinted. For example, numbering a reprint as “Reprint 3” would mean that the reprint was the 3<sup>rd</sup> reprint since the regulations were published. Reprint numbering was implemented as from 1 January 2003.
2. The information in the reprint is current on the date shown as the date as at which the regulations are reprinted. That date is not the date when the reprint was published by the State Law Publisher and it is probably not the date when the most recent amendment had effect.

Reprinted under the  
*Reprints Act 1984* as  
at 6 June 2008

Western Australia

## Licensed Surveyors (Guidance of Surveyors) Regulations 1961

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Western Australia

Licensed Surveyors Act 1909

## Licensed Surveyors (Guidance of Surveyors) Regulations 1961

### General

#### 1. Citation

These regulations may be cited as the *Licensed Surveyors (Guidance of Surveyors) Regulations 1961*<sup>1</sup>.

[2. *Omitted under the Reprints Act 1984 s. 7(4)(f).*]

#### 3. Terms used in these regulations

In these regulations unless the context requires otherwise —

“**guideline**” means a guideline referred to in regulation 3A;

“**plans**” includes diagrams;

“**surveyor**” means a surveyor licensed under the Act whose name appears on the register;

“**Surveyor General**” includes as well any other person appointed by the Governor to approve plans of authorised surveys;

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“**the Act**” means the *Licensed Surveyors Act 1909*, as amended.  
[*Regulation 3 amended in Gazette 5 Sep 2000 p. 5054.*]

**3A. Guidelines**

- (1) From time to time the Board may make guidelines as to the practices to be followed by surveyors.
- (2) Copies of the guidelines are to be made available at the offices of the Board.

[*Regulation 3A inserted in Gazette 5 Sep 2000 p. 5054.*]

**4. Duties of surveyors**

- (1) It is the duty of every surveyor making surveys under these regulations —
  - (a) to work in a professional manner and to study the interests of the State in all his or her operations;
  - (b) to disclose all doubts, discrepancies and difficulties; and
  - (c) to afford to the Surveyor General all information obtained by him or her in the due performance of surveys entrusted to him or her.
- (2) Before commencing a survey, the surveyor shall obtain the relevant survey information from —
  - (a) the department of the Public Service principally assisting in the administration of the *Land Administration Act 1997*; and
  - (b) the department of the Public Service principally assisting in the administration of the *Mining Act 1978*; and
  - (c) the Western Australian Land Information Authority established by the *Land Information Authority Act 2006* section 5.

[*Regulation 4 inserted in Gazette 4 Apr 1997 p. 1758; amended in Gazette 5 Sep 2000 p. 5054; 29 Dec 2006 p. 5899.*]



**5. Accuracy**

The necessity for the greatest practical accuracy cannot be too strongly impressed upon surveyors. In many instances no means exist by which errors can be immediately detected. If, therefore, it is found that a surveyor's work is not up to the necessary standard of accuracy, or is generally unreliable, or that he has in other respects neglected to comply with these regulations, he will be dealt with under section 21 of the Act.

**6. Knowledge of Acts and regulations**

A surveyor conducting authorised surveys under the regulations should make himself conversant with the provisions of the Act and all other Acts and regulations a knowledge of which is necessary to enable him to efficiently discharge his duties as a surveyor.

**7. Other instructions**

A surveyor effecting any authorised survey under the Act shall comply with —

- (a) guidelines under these regulations;
- (b) directions or guidelines under other Acts under which the survey is effected,

unless the surveyor can show that compliance is inappropriate in the particular circumstances of the survey or that an equivalent alternative action has been taken.

*[Regulation 7 amended in Gazette 5 Sep 2000 p. 5054.]*

**Field notes**

**8. Field books**

- (1) Field notes shall be recorded in books provided or approved by the Surveyor General. Except as provided by regulation 55B the original notes taken in the field shall be lodged. Where, in cases of accidental destruction or mutilation, it is not possible to lodge

the original notes, replacements or copies, with the written approval of the Surveyor General, may be lodged provided a written signed statement, stating which parts are copies, is made on the index page immediately following the certificate, referred to in regulation 17. The use of ball point pens and biro type pencils is prohibited. Great care must be taken by a surveyor that his field notes show everything he does or finds to exist on the ground.

- (2) If a survey is an authorised survey referred to in paragraph (c) of the definition of “Authorised Survey” in section 3(1) of the Act, a field book is to be lodged only if there is in that survey —
  - (a) a material variation from existing surveys;
  - (b) the placement of additional reference marks; or
  - (c) the replacement of deteriorated survey marks.
- (3) A field book required by subregulation (2) to be lodged is to be lodged within 6 months after the date of completion of the relevant authorised survey.

*[Regulation 8 amended in Gazette 26 Sep 1986 p. 3705;  
4 Apr 1997 p. 1758.]*

**9. Making of field notes**

Field notes shall be kept in a neat and professional manner, and indexed and referenced in such a way that a qualified draftsman may be able to prepare a plan therefrom. Minute figuring or lettering must be avoided. A margin of at least 10 millimetres must be left at each edge of the pages.

*[Regulation 9 amended in Gazette 1 Sep 1972 p. 3411.]*

**10. Recording of field notes**

Field notes shall be recorded in the field in ink. When it is not practicable to use ink in the field a hard pencil may be used. In such cases the surveyor shall ink in the notes himself. Black or blue-black ink shall be used generally and may be used

throughout. Red ink may be used to show offset or traverse lines and values, reference marks and values and such other detail as seems desirable in the interests of clarity. No other colours shall be used by the surveyor. The use of purple ink is reserved for the examining staff.

*[Regulation 10 amended in Gazette 26 Oct 1990 p. 5382.]*

**11. Distances**

Distances shall be recorded in metres to the nearest 0.005 metre except that for short lengths where circumstances require greater accuracy, such as distances to offsets, reference marks, buildings and structures, etc., values should be recorded to the nearest millimetre.

*[Regulation 11 inserted in Gazette 1 Sep 1972 p. 3411; amended in Gazette 5 Sep 2000 p. 5055.]*

**12. Calculated or original values**

Any distance or angle not measured by the surveyor shall be designated “cal.” or “orig.” according to whether it has been calculated by him or copied from earlier survey data.

**13. Abbreviations and symbols**

A boundary line shall be indicated by a full ink line; a traverse line or a tie line across a road by a broken black line or full red line. A circle shall indicate a post, peg or intermediate spike actually in position upon completion of the survey. A cross shall indicate a reference mark. A filled square will indicate a faced peg. Except in the case of newly placed marks each circle shall have its appropriate description or symbol — e.g., “O.P.” or “P.F.”, etc. It is important to describe clearly the condition of old marks for which a search has been made; whether they have been found in a suitable condition to positively identify a point; or whether some remains have been found sufficient only to indicate the point approximately; or whether the mark has disappeared. A practise to be avoided is to show a circle with

the description "O.P. gone." If the O.P. is gone and not replaced the circle should be cancelled by a cross. The use of the abbreviation "O.P.R." without any further explanation is not to be used. The position of all new trenches shall be shown in the field book.

*[Regulation 13 amended in Gazette 4 Aug 1965 p. 2223.]*

**14. Survey marks**

- (1) Any post, peg and intermediate spike shall be recorded in the field notes as a circle and any variation from a standard centred mark is to be described by an annotation.
- (2) Any old post, peg or intermediate spike of a Crown survey shall be shown —
  - (a) if found and recorded in the field notes, as "O.M.";
  - (b) if renewed to preserve its identity for a longer period (whether during a Crown survey or a freehold survey), as "O.M.R.";
  - (c) if adjusted, as "O.M.adj.";
  - (d) if gone, as "O.M.G."; or
  - (e) if gone and replaced by a new post, peg or spike (whether during a Crown survey or a freehold survey), as "O.M.G.R."
- (3) Any old post, peg or intermediate spike of a freehold survey shall be shown —
  - (a) if found and recorded in the field notes, as "M.F.";
  - (b) if renewed to preserve its identity for a longer period (whether during a freehold survey or a Crown survey), as "M.F.R.";
  - (c) if adjusted, as "M.F.adj.";
  - (d) if gone, as "M.G."; or

- (e) if gone and replaced by a new post, peg or spike (whether during a freehold survey or a Crown survey), as “M.G.R.”.

- (4) In this regulation —  
“gone”, in relation to a post, peg, or intermediate spike, means not in evidence after a competent search is conducted.

*[Regulation 14 inserted in Gazette 5 Sep 2000 p. 5055-6.]*

**15. Topography**

Offsets to and intersections with natural or other features shall be recorded. The topographical features of the land, the nature of the water supply, soil and vegetation along and adjacent to the lines of survey shall also be recorded.

**16. Names**

All known names of rivers, creeks, hills, lakes, localities, etc., shall be recorded.

**17. Certificate**

- (1) Each page of a field book, where notes appear, shall be initialled by the surveyor and shall bear the date on which the survey was made.
- (2) The surveyor shall certify the field notes by signing a certificate in the form in the Table to this regulation.

**Table**

Certificate

This is to certify that —

- (a) the survey recorded in these field notes has been carried out \*by me personally/ \*under my own personal supervision, inspection and field check in strict

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accordance with the *Licensed Surveyors (Guidance of Surveyors) Regulations 1961* and the relevant law in relation to which it is lodged; and

- (b) these field notes are the actual results of observations, measurements, calculations and adopted values made or obtained in accordance with the *Licensed Surveyors (Guidance of Surveyors) Regulations 1961*.

Date.....

.....  
Licensed Surveyor

(\*strike out whichever does not apply)

*[Regulation 17 inserted in Gazette 26 Oct 1990 p. 5382;  
amended in Gazette 4 Apr 1997 p. 1758.]*

### **Field work**

*[18, 19. Repealed in Gazette 5 Sep 2000 p. 5056.]*

### **20. Calibration**

- (1) A surveyor shall calibrate measuring equipment at regular intervals in accordance with accepted practice.
- (2) The Surveyor General is to arrange for a standard or standards to be available to enable surveyors to comply with subregulation (1).

*[Regulation 20 inserted in Gazette 5 Sep 2000 p. 5056.]*

*[21. Repealed in Gazette 5 Sep 2000 p. 5056.]*

### **22. Connection to old alignment**

Each survey must be connected to a previous survey unless otherwise provided by a regulation or guideline. In all re-establishment the position indicated by the reference marks should be generally accepted in preference to that indicated by the post or peg if there is disagreement between them.

*[Regulation 22 amended in Gazette 5 Sep 2000 p. 5056.]*

**22A. Connections to standard survey marks**

- (1) In accordance with the guidelines, authorised surveys are to be connected on a map grid approved by the Board.
- (2) For the purposes of subregulation (1) guidelines are to be made specifying —
  - (a) the map grids approved by the Board; and
  - (b) the extent of the connection.

*[Regulation 22A inserted in Gazette 5 Sep 2000 p. 5056.]*

**22B. Re-establishment using standard survey marks**

- (1) When an authorised survey has been connected to a geodetic station in accordance with regulation 22A any re-establishment of the alignments and boundaries established by the survey may, at the option of the surveyor, be based on that connection.
- (2) For the purposes of subregulation (1) guidelines are to be made specifying details of the re-establishment.

*[Regulation 22B inserted in Gazette 5 Sep 2000 p. 5056-7.]*

**23. Proof of old alignment**

In all cases where a new survey is connected with an old one, the surveyor shall range sufficient of the old boundary to verify the alignment thereof. Normally a minimum of 3 reliable reasonably spaced marks in agreement constitutes a satisfactory alignment, provided that in special cases the Surveyor General may approve of a survey based on a lesser number. All portions of old survey lines so used shall be carefully measured and, if in rural lands found to be in disagreement to the extent of more than 1:4000 average with the previous value, they shall be re-measured.

*[Regulation 23 amended in Gazette 1 Sep 1972 p. 3411.]*

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**24. Renovation of survey**

In connecting with old surveys, the surveyor must renew the posts and pegs, if at all decayed, and also clear out the trenches.

**24A. Additional reference marks in relation to corners**

If a surveyor uses reference marks at a corner of a location, road, street or subdivisional lot to re-establish alignments for his or her survey, whether near or far from the subject parcel, and those reference marks cannot confidently be expected to remain safe from disturbance in the long term, the surveyor must establish additional reference marks in a place which is confidently expected to be safe from such disturbance.

*[Regulation 24A inserted in Gazette 4 Apr 1997 p. 1759.]*

**25. Re-establishment of surveys**

When re-establishing original Crown surveys the surveyor must adhere to the principle of the unchangeableness of the position of the boundary marks except as hereinafter mentioned, and where they have been originally established on the ground by a Government surveyor in pursuance of the survey system at that time in force they must be regarded as the true positions even if found by the new survey not to be in the exact position assigned to them; but to prevent the perpetuation of patent errors in original surveys and to guard against fraud in case where a material disagreement is found to exist between a new and an old survey, the surveyor shall forward a full report and a sketch showing the position of and describing all old survey marks and improvements on or near the boundary line. Where original intermediate marks are not truly aligned between the corners the surveyor may correct the alignment of them provided that no improvements are affected by the alteration. The original and amended positions of the marks must be clearly recorded in the field book and a full report thereon must be made to the Surveyor General.



**25A. Certificates relating to re-establishment surveys**

- (1) If a survey is an authorised survey referred to in paragraph (c) of the definition of “Authorised Survey” in section 3(1) of the Act, the surveyor carrying out that survey shall within 30 days after its completion give to the registered proprietor of the land surveyed and the client of that surveyor copies of a certificate in the form in the Table to this subregulation.

**Table**

*Licensed Surveyors Act 1909*  
**SURVEYOR’S CERTIFICATE**

I, ....., licensed surveyor, certify that on the ..... day of ....., I re-established the boundaries of \* ..... as shown on the attached \*\* sketch/plan and that the survey was performed in accordance with the provisions of the *Licensed Surveyors (Guidance of Surveyors) Regulations 1961* and the *Licensed Surveyors (Transfer of Land Act 1893) Regulations 1961*.

.....  
Date Licensed surveyor

\* Insert parcel identifier.  
 \*\* Delete “sketch/” or “/plan”, whichever is appropriate.

- (2) A surveyor who has given copies of a certificate under subregulation (1) must —
  - (a) keep a duplicate of the certificate for 7 years after it was made; and
  - (b) if requested to do so by the secretary or a person authorised by the Chairman on behalf of the Board, make that duplicate available to the secretary or that person.

*[Regulation 25A inserted in Gazette 4 Apr 1997 p. 1759.]*

**26. New alignments**

- (a) All new boundary lines shall be accurately ranged and measured except where distances and alignments can be computed from connections with another fully ranged line such as the opposite side of a road, an offset, traverse, or similar line parallel or nearly so. Boundaries with calculated distances shall be fully cleared and marked unless otherwise provided by a regulation or guideline.
- (b) Where a new survey line intersects an unsurveyed boundary of leasehold land or freehold land, the intersection shall be marked in accordance with these regulations.

*[Regulation 26 amended in Gazette 4 Aug 1965 p. 2223;  
5 Sep 2000 p. 5057.]*

**26A. Special surveys**

- (1) The Surveyor General may authorise a survey to be conducted by a method other than in accordance with these regulations.
- (2) The Board may authorise the conduct of types of surveys by methods other than those set forth in these regulations.
- (3) The Surveyor General or the Board, as the case requires, may issue directions or guidelines applying to a survey or type of survey conducted in accordance with an authorisation under subregulation (1) or (2).
- (4) The Surveyor General may declare an area to be a special survey area within which special conditions apply.
- (5) The conditions referred to in subregulation (4) are to be specified in guidelines under these regulations.

*[Regulation 26A inserted in Gazette 5 Sep 2000 p. 5057.]*

**27. Offsets and traverses**

In ranging an old line or running a new line, the true line should be run for preference. If an offset is necessary, a parallel offset

should be used if possible. If a skew offset is necessary it should be in one line only for the full length of the true line or the portion picked up. In any exceptional case in which it is necessary to run a series of traverse lines in place of an offset line a special report must be lodged with the field book.

**28. Connection traverse**

Long lines of feature and connection surveys shall be marked in accordance with regulation 47.

*[Regulation 28 inserted in Gazette 4 Aug 1965 p. 2223.]*

*[29. Repealed in Gazette 5 Sep 2000 p. 5057.]*

**30. Azimuth**

The direction of a survey line with reference to the meridian shall be determined by observation, or by applying the correction for convergence from the nearest point of observation for azimuth. A bearing may be adopted from an adjoining survey unless there appears reason to doubt its accuracy. Carried on bearings of survey lines shall be adjusted so as to show true bearings in the field book to the nearest minute. Observations for azimuth shall be obtained at intervals of not more than 8 kilometres.

*[Regulation 30 amended in Gazette 1 Sep 1972 p. 3411; 5 Sep 2000 p. 5057.]*

*[31. Repealed in Gazette 5 Sep 2000 p. 5057.]*

**32. Adjustment of distances**

- (1) The actual distance measurement of each old line re-established must be recorded in the field book. If the distance differs from the previously accepted distance for that line by more than 1:4000 the line shall be measured again. Upon confirmation of the discrepancy the newly measured distance shall be adopted.
- (2) There shall be recorded in the field book not only the actual measurement referred to in subregulation (1) but also the

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previously accepted distance referred to in that subregulation and the difference between that measurement and that distance.

*[Regulation 32 amended in Gazette 1 Sep 1972 p. 3411; 4 Apr 1997 p. 1759-60; 5 Sep 2000 p. 5058.]*

**33. Adjustment of angles**

- (1) The actual measurement of each angle in a survey shall be recorded in the field book. If it differs by more than 30 seconds in value from the previous value the measurement shall be repeated and upon confirmation of the discrepancy the newly measured value shall be adopted.
- (2) There shall be recorded in the field book not only the actual measurement referred to in subregulation (1) but also the previous value referred to in that subregulation and the difference between that measurement and that previous value.

*[Regulation 33 amended in Gazette 4 Apr 1997 p. 1760; 5 Sep 2000 p. 5058.]*

**34. Limits of error of closure**

The normal limits of error of closure are set out in sections (a) and (b) herein, provided that the Surveyor General may vary the limits on consideration of the particular survey and the examining officer's report. As accurate surveys and a high standard of work shall be the first object of surveyors, they will be expected to obtain as nearly as possible a true closure.

(a) Angular:

City and suburban..... 10 seconds per angle  
Rural..... 15 seconds per angle

For lines with intermediate set-ups add 5 seconds for each.

The position of intermediate set-ups should be shown in the field book and marked by a spike without trenches.

Limit of closure:

City and suburban..... 1 minute  
Rural..... 3 minutes

(b) Linear:

Linear closure shall be determined by the following formula:

The square root of the sum of the squares of the differences in latitude and in departure divided by the total perimeter.

The linear closure shall not exceed the ratio of 1 in 8000 for surveys of city and suburban lands and 1 in 4000 for surveys of rural lands.

*[Regulation 34 amended in Gazette 1 Sep 1972 p. 3411.]*

**35. Distribution of misclose**

Angular miscloses shall be distributed evenly between angles unless there is good reason to the contrary. Linear miscloses shall be distributed according to the Bowditch Rule:

As the total length of the traverse is to the length of each line, so is the whole error in latitude or departure to the correction of the corresponding latitude or departure, each correction being so applied as to diminish the whole error in latitude or departure.

*[Regulation 35 amended in Gazette 1 Sep 1972 p. 3411.]*

**35A. Calculation of areas**

For all areas, latitudes and departures shall be calculated to the nearest 0.01 metre. When the resulting calculation for area does not exceed one hectare it shall be recorded to the nearest square metre. For areas of one hectare and greater, areas shall be shown in hectares to 4 decimal places of a hectare.

*[Regulation 35A inserted in Gazette 1 Sep 1972 p. 3411.]*

**Marking rural lands (except feature surveys)**

**36. Specification of survey marks**

- (1) Posts and pegs are to be made from jarrah, jam (wood) wandoo, steel, concrete or polypropylene.
- (2) Survey marks are to be placed so that they are firm and stable.
- (3) The size of posts or pegs is determined by the area enclosed by the perimeter upon which they are placed in accordance with the Table to this regulation.
- (4) Where pegs or posts are placed on 2 adjoining perimeters of different categories the larger size is to be used on the angles of the common boundary.
- (5) Where a mark specified in the Table to this regulation is inappropriate, an alternative mark which —
  - (a) is of equivalent durability and stability to the specified mark; and
  - (b) is identifiable as a cadastral mark; and
  - (c) sufficiently resembles a standard mark so as to be identifiable as such by the public,may be used.
- (6) Where, in accordance with subregulation (5), an alternative mark is used a full description of the mark is to be shown in the field notes.
- (7) Where practicable all exposed portions of posts and pegs —
  - (a) shall be coloured white; or
  - (b) if they are hardwood pegs 75 mm square, may be coloured red.
- (8) All concrete posts are to be topped by a secure non-corrosive metal plate.

- (9) The numbers of all relevant land parcels are to be marked on the post or peg on the side or top respectively facing the parcel and in the direction so as to be read from within the parcel with —
- (a) where the land is rural land, “R” marked towards the road abuttal; or
  - (b) where the land is urban land, “R” marked towards the road abuttal where it would add to clarity.

**Table**

- (a) Area over 4 hectares:  
A hardwood post, pointed at the top, 100 mm square, at least 0.6 m long, a concrete post, 60 mm square, at least 0.45 m long, a steel post or peg, 60 mm square, at least 0.9 m long or a mark made from polypropylene, 75 mm square, at least 0.45 m long.
- (b) Area 4 000 square metres to 4 hectares:  
A peg, 75 mm square, at least 0.35 m long, a concrete post 60 mm square, at least 0.45 m long or a steel peg 75 mm square, at least 0.6 m long.
- (c) Area under 4 000 square metres:  
A peg, 50 mm square, at least 0.35 m long or a concrete post, 50 mm square, at least 0.4 m long.

*[Regulation 36 inserted in Gazette 5 Sep 2000 p. 5058-9; amended in Gazette 12 Sep 2003 p. 4075; 22 Apr 2005 p. 1342-3.]*

**37. Where to place reference marks**

At every angle of a location, allotment etc., containing an area exceeding 4 hectares, and at key points for smaller areas, or at the angles of any other boundary lines, 2 reference marks shall

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be placed, each being related by distance to the alignments. The distance between the 2 marks shall be measured and recorded in the field book to the nearest millimetre. Where practicable each reference mark is to be related by angle or otherwise to an alignment.

A single reference mark without trenching shall be placed at every instrument point not being otherwise permanently marked. A set up for producing a line shall be so marked. The distance to these marks shall be recorded.

*[Regulation 37 inserted in Gazette 9 Nov 1979 p. 3520; amended in Gazette 5 Sep 2000 p. 5059.]*

**38. Specifications of reference marks**

A reference mark shall be an iron spike at least 0.01 metres in diameter and 0.4 metres long, driven flush into a paved surface or sunk, where practicable, at least 0.25 metres below an unpaved surface.

Where such marks are not reasonably available or conditions are unsuitable for their use, alternative marks of other materials of equivalent durability and stability may be used. A full description of alternative marks used must be shown in the field notes.

Marks with a head or lip such as bridge nails or dog spikes should not be placed in situations where they are to be excavated for use.

*[Regulation 38 inserted in Gazette 9 Nov 1979 p. 3520.]*

**39. Intermediate marks**

On all permanent boundaries that exceed 250 metres in length a mark consisting of an iron spike at least 0.01 metres in diameter and 0.4 metres long driven flush, shall be placed exactly on the alignment at intervals not exceeding 250 metres such that from each mark at least one other mark is visible forward and backward.



Where such marks are not reasonably available or conditions are unsuitable for their use, alternative marks of other materials of equivalent durability and stability may be used. A full description of alternative marks used must be shown in the field notes.

*[Regulation 39 inserted in Gazette 9 Nov 1979 p. 3520.]*

**40. Kilometre posts**

If the length of any boundary exceeds 2 kilometres, numbered referenced kilometre posts shall be placed on the boundary. Posts and reference marks shall be similar to those placed at angles.

*[Regulation 40 inserted in Gazette 1 Sep 1972 p. 3412.]*

**41. Shorter boundaries**

When 2 or more adjoining boundary lines are 100 metres or less in length the mark to be placed at the angle between them may be as specified in paragraph (c) of the Table to regulation 36. If, as in the case of traverse of a natural feature or the marking of a winding road or a railway boundary, there are more than 5 consecutive boundaries less than 100 metres long, reference spikes may be omitted from every second pair of angles.

*[Regulation 41 amended in Gazette 1 Sep 1972 p. 3412; 5 Sep 2000 p. 5060.]*

**42. Road surveys**

When marking both sides of a new road, the angle posts on both sides will be referenced according to regulation 37. Where a surveyor is instructed to mark only one side of a road, he shall set out posts for the angle points on the opposite side of the road, according to its width and reference them, as specified above, but without intermediate marks or trenches or line clearing.

**43. Road frontage posts**

All posts on a road shall be marked on the side facing the road with the letter "R".

**44. Isolated surveys**

At each corner of every isolated block of rural land, the nearest sound tree (if within 40 metres of the corner) shall be marked with a broad arrow, and under it the number of the block, cut into the solid wood (the sap-wood having been first removed) at least 0.020 metres. The bearing and distance of the broad arrow (which is the point of reference) from the corner must be carefully recorded in the field notes and on the diagram or plan. Reference marks shall be placed as required by regulation 37.

*[Regulation 44 amended in Gazette 1 Sep 1972 p. 3413.]*

**Marking of town and suburban lands**

**45. Town corner pegs**

Each corner and angle of a street, right-of-way, pedestrian access way, drainage reserve or railway shall be marked by a peg or block as specified in paragraph (b) of the Table to regulation 36 with the exposed portion coloured red and marked with numbers as for rural lands. Reference marks will be placed at each such corner in accordance with regulations 37 and 38. At truncated corners the intersection shall be marked by a single reference mark and 2 other reference marks, each being related by azimuth and distance to the alignments, shall be placed in positions chosen so as to minimize the chance of disturbance and to enable future re-establishment of both alignments. Where the corners are not intervisible the intermediate instrument point shall be marked by a single reference mark without trenches and the distance to it recorded.

*[Regulation 45 inserted in Gazette 9 Nov 1979 p. 3520; amended in Gazette 5 Sep 2000 p. 5060; 12 Sep 2003 p. 4075.]*

**46. Town subdivision pegs**

The remaining corners and angles of allotments shall be marked by pegs or blocks as specified in the Table to regulation 36, with the exposed portion coloured white. At key points on the boundaries of any lot containing an area exceeding 4 hectares reference marks shall be placed in accordance with regulations 37 and 38.

*[Regulation 46 inserted in Gazette 9 Nov 1979 p. 3520; amended in Gazette 5 Sep 2000 p. 5060; 12 Sep 2003 p. 4076.]*

**Marking pastoral and timber leases**

**47. Marking boundaries of pastoral and timber leases**

The boundaries of pastoral and timber leases shall be marked in a similar manner to other rural lands, with the exception that the intermediate marks may be placed at intervals of not more than 500 metres. These marks may be flat-topped pegs, 0.075 metres square, and 0.4 metres long, sunk 0.3 metres in the ground, with consecutive numbers clearly cut or stamped thereon, or spikes or bottles. Kilometre posts shall be placed as provided in regulation 40, and alternative use of concrete blocks as specified in paragraph (a) of the Table to regulation 36 shall be permitted.

*[Regulation 47 inserted in Gazette 1 Sep 1972 p. 3413; amended in Gazette 5 Sep 2000 p. 5060.]*

**Marking generally**

**48. Departmental marks**

The Departmental marks referred to in these regulations to be placed on posts, pegs, trees, etc., shall be —

Department within the meaning of the *Land Administration Act 1997* ↑

Department within the meaning of the *Mining Act 1978* Δ

Western Australian Land Information Authority T.

*[Regulation 48 amended in Gazette 4 Apr 1997 p. 1761;  
5 Sep 2000 p. 5060; 29 Dec 2006 p. 5900.]*

**49. Centring of marks**

In all marking carried out under these regulations, the centre of every post, peg, block or spike shall be placed with precision over the point which it is intended to indicate and such post, peg, block or spike shall be truly perpendicular.

**50. Size and position of trenches**

- (1) All posts, pegs, concrete blocks, intermediate marks or their alternatives (but not reference marks) shall be trenched except where improvements already indicate the direction of the line or make trenching impracticable or where an alternative to trenching has been approved by the Surveyor General.
- (2) The size of trenches shall be one metre long, 0.25 metres wide and 0.25 metres deep.
- (3) All posts, pegs, etc., will be trenched in the direction of boundary lines commencing 1.5 metres from the post, peg, etc., except in the case of the intermediate marks as specified in regulation 39 where they will commence one metre from the mark.

*[Regulation 50 inserted in Gazette 23 Sep 1983 p. 3799.]*

**51. Method of marking where trench cannot be made**

In any place where, on account of rock or other causes, a hole or trench cannot be sunk or cut, a cross shall be cut in the rock to indicate the exact position of the corner post or intermediate mark, and the post or mark must be placed exactly over the cross and protected by a cairn of stones, with neat pointers of stones, one metre long in the direction of the boundary lines.

*[Regulation 51 amended in Gazette 1 Sep 1972 p. 3413.]*

**52. Line clearing**

- (1) New boundary lines are to be cleared sufficiently to indicate the boundary by removal of all scrub above the line of vision.
- (2) Trees within 0.5 m of the boundary are to be blazed on the side facing the line.
- (3) If a tree too large to remove is on line, a triangle is to be cut into the wood on each side of the tree with the apex of each triangle on the line.
- (4) New boundary lines which are not run are to be cleared and trenched.
- (5) Subregulation (1) does not apply if, in the opinion of a surveyor in the particular circumstances of a survey, line clearing is not necessary in light of —
  - (a) the kind of development proposed for the land; and
  - (b) the need to conserve flora on the land.
- (6) If a boundary or part of a boundary is not cleared, this is to be recorded in the field notes for the survey.

*[Regulation 52 inserted in Gazette 5 Sep 2000 p. 5060-1.]*

**53. Damage to survey marks**

The removal or defacement of any survey mark is a misdemeanour under the provisions of *The Criminal Code*. Any such misdemeanour coming under the notice of a surveyor should be reported to the Surveyor General.

**53A. Certificate required if plan or diagram not lodged within 2 years**

Where a plan or diagram of a survey is not lodged within 2 years from the time of ground marking, the surveyor shall lodge a certificate to the effect that the survey has been inspected and that all marks are intact.

*[Regulation 53A inserted in Gazette 24 Feb 1970 p. 553.]*



**Early preparation of Certificate of Title**

*[Heading inserted in Gazette 26 Sep 1986 p. 3705.]*

**55A. Surveys must comply with these regulations**

Plans will not be examined and Certificates of Title partially prepared prior to completion of field marking unless the survey is in accordance with the regulations 55A to 55F. The survey should also conform with any guidelines under the regulations unless the surveyor can show that compliance is inappropriate in the particular circumstances of the survey or that an equivalent alternative action has been taken.

*[Regulation 55A inserted in Gazette 26 Sep 1986 p. 3705; amended in Gazette 4 Apr 1997 p. 1760.]*

**55B. Contents of field book**

Every subdivision (involving one or more plans) to be examined must be effected through a control survey network, integral with the re-establishment of the original boundaries and be shown in a registered field book. The control survey network must be marked and measured before examination, and the marks of this control survey should be placed as far as possible so as to remain undisturbed throughout the installation of services and until permanent cadastral survey marking is completed.

This field book shall contain —

- (i) Western Australian Planning Commission file number;
- (ii) re-establishment survey;
- (iii) graphic summary of control network including observed values and adjusted, adopted values;
- (iv) connections between control network and re-establishment survey.

*[Regulation 55B inserted in Gazette 26 Sep 1986 p. 3705; amended in Gazette 4 Apr 1997 p. 1761.]*

**r. 55C**

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**55C. Network summary**

Observed and adjusted values for the control survey network shall be shown on the network summary in the field book. Distances and angles shown must result in zero closures (or negligible miscloses due to rounding errors only) for all polygons, including new (precalculated) lots.

*[Regulation 55C inserted in Gazette 26 Sep 1986 p. 3705.]*

*[55D. Repealed in Gazette 4 Apr 1997 p. 1760.]*

**55E. Final survey certificate**

A final survey certificate in the form in the Table to this regulation shall be signed and given by the surveyor to the Inspector of Plans and Surveys in relation to a survey conducted in accordance with regulations 55A to 55F.

**Table**  
Certificate

I hereby certify that —

- (a) the plan of survey shown on Plan No. .... has been surveyed \* by me personally/ \* under my own personal supervision, inspection and field check;
- (b) the plan of survey is an accurate representation of the results, observations, measurements, calculations and adopted values which have been validated and found to be accurate and in strict accordance with the *Licensed Surveyors (Guidance of Surveyors) Regulations 1961* and in particular regulations 23 and 34 of those regulations;
- (c) the plan of survey conforms with the relevant law in relation to which it is lodged; and



- (d) the marks shown on the plan of survey and in referencing Field Books Nos. .... were in place on.....  
(date)

Date.....  
Licensed Surveyor

(\*strike out whichever does not apply)

*[Regulation 55E inserted in Gazette 26 Oct 1990 p. 5383-4; amended in Gazette 4 Apr 1997 p. 1760.]*

**55F. Contents of field book**

Before any examined plan will be passed for dealings, the surveyor must lodge the certificate required by regulation 55E in relation to the plan and the field book recording referencing detail.

This field book shall contain —

- (i) Western Australian Planning Commission file number and plan number;
- (ii) road casements sufficient to show positioning of reference marks;
- (iii) 4 connections from the control network to the subdivision.

*[Regulation 55F inserted in Gazette 26 Sep 1986 p. 3706; amended in Gazette 26 Oct 1990 p. 5384; 4 Apr 1997 p. 1761.]*

**56. Penalty**

Any person committing a breach of any of the foregoing regulations, either by act or omission shall on conviction be liable to a penalty not exceeding \$1 000.

*[Regulation 56 amended by Act No. 113 of 1965 s. 8(1); amended in Gazette 4 Apr 1997 p. 1761.]*



## Notes

<sup>1</sup> This reprint is a compilation as at 6 June 2008 of the *Licensed Surveyors (Guidance of Surveyors) Regulations 1961* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

### Compilation table

Citation	Gazettal	Commencement
<i>Licensed Surveyors (Guidance of Surveyors) Regulations 1961</i>	28 Nov 1961 p. 3253-60	1 Jan 1962
Untitled regulations	4 Aug 1965 p. 2223	4 Aug 1965
<i>Decimal Currency Act 1965</i> assented to	21 Dec 1965	Act other than s. 4-9: 21 Dec 1965 (see s. 2(1)); s. 4-9: 14 Feb 1966 (see s. 2(2))
Untitled regulations	24 Feb 1970 p. 553	24 Feb 1970
<b>Reprint of the <i>Licensed Surveyors (Guidance of Surveyors) Regulations 1961</i> approved 22 Feb 1971</b> (see <i>Gazette</i> 4 Mar 1971 p. 583-93) (includes amendments listed above)		
Untitled regulations	1 Sep 1972 p. 3411-13	1 Sep 1972
Untitled regulations	9 Nov 1979 p. 3519-20	9 Nov 1979
<i>Licensed Surveyors (Guidance of Surveyors) Amendment Regulations 1982</i>	26 Feb 1982 p. 648	26 Feb 1982
<i>Licensed Surveyors (Guidance of Surveyors) Amendment Regulations 1983</i>	23 Sep 1983 p. 3799	23 Sep 1983
<b>Reprint of the <i>Licensed Surveyors (Guidance of Surveyors) Regulations 1961</i> as at 20 Jan 1986</b> (see <i>Gazette</i> 5 Feb 1986 p. 367-82) (includes amendments listed above)		
<i>Licensed Surveyors (Guidance of Surveyors) Amendment Regulations 1986</i>	26 Sep 1986 p. 3705-6	19 Jan 1987 (see r. 2 and <i>Gazette</i> 31 Dec 1986 p. 5027)
<i>Licensed Surveyors (Guidance of Surveyors) Amendment Regulations 1990</i>	26 Oct 1990 p. 5382-4	25 Nov 1990 (see r. 2)
<i>Licensed Surveyors Amendment Regulations 1997 Pt. 2</i>	4 Apr 1997 p. 1757-67	5 Apr 1997 (see r. 2 and <i>Gazette</i> 4 Apr 1997 p. 1750)

**Licensed Surveyors (Guidance of Surveyors) Regulations 1961**

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<b>Citation</b>	<b>Gazettal</b>	<b>Commencement</b>
<i>Licensed Surveyors (Guidance of Surveyors) Amendment Regulations 2000</i>	5 Sep 2000 p. 5053-61	5 Sep 2000
<b>Reprint of the Licensed Surveyors (Guidance of Surveyors) Regulations 1961 as at 2 Aug 2002</b> (includes amendments listed above)		
<i>Licensed Surveyors (Guidance of Surveyors) Amendment Regulations 2003</i>	12 Sep 2003 p. 4074-6	12 Sep 2003
<i>Licensed Surveyors (Guidance of Surveyors) Amendment Regulations 2005</i>	22 Apr 2005 p. 1342-3	22 Apr 2005
<i>Licensed Surveyors (Guidance of Surveyors) Amendment Regulations 2006</i>	10 Feb 2006 p. 660-1	10 Feb 2006
<i>Licensed Surveyors (Guidance of Surveyors) Amendment Regulations (No. 2) 2006</i>	29 Dec 2006 p. 5899-900	1 Jan 2007 (see r. 2 and <i>Gazette</i> 8 Dec 2006 p. 5369)
<b>Reprint 4: The Licensed Surveyors (Guidance of Surveyors) Regulations 1961 as at 6 Jun 2008</b> (includes amendments listed above)		

**Defined Terms**

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**Defined Terms**

*[This is a list of terms defined and the provisions where they are defined.  
The list is not part of the law.]*

<b>Defined Term</b>	<b>Provision(s)</b>
gone.....	14(4)
guideline.....	3
plans .....	3
surveyor .....	3
Surveyor General .....	3
the Act.....	3