



Western Australia

Licensed Surveyors Act 1909

Licensed Surveyors (General Surveying Practice) Regulations 1961

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Licensed Surveyors (General Surveying Practice) Regulations 1961

Contents

Part 1 — Preliminary matters		
1.	Citation	1
3.	Terms used in these regulations	1
Part 2 — General duties of surveyors		
3A.	Guidelines	3
4.	Duties of surveyors	3
5.	Accuracy	4
6.	Knowledge of relevant legislation	4
7.	Other instructions	4
Part 3 — Field records		
8.	Keeping and lodging field records for authorised surveys	6
9.	Distances	7
12.	Calculated or original values	7
16.	Names	7
17.	Certification of field record	7
Part 4 — Field work		
20.	Calibration	9
22.	Connection to old alignment	9
22A.	Connections to standard survey marks	9
22B.	Re-establishment using standard survey marks	10
23.	Remarking connecting boundary between old and new surveys	10
24A.	Additional reference marks in relation to corners	11

Contents

25.	Re-establishment of original Crown surveys	11
25A.	Certificates relating to re-establishment surveys	12
26.	New alignments	13
26A.	Special surveys	13
27.	Azimuth	14
28.	Old surveys: adjustment of distances	14
29.	Old surveys: adjustment of angles	15
34.	Limits of error of closure	15
35.	Distribution of miscloses	16
35A.	Calculation of areas	16

Part 5 — Survey marks

Division 1 — Marking boundaries generally

36.	Specification of survey marks	17
37.	Placement of reference marks	19
38.	Specifications of reference marks	19
39.	Intermediate marks	20
40A.	Streets, rights-of-way, pedestrian access ways, drainage reserves and railways: additional requirements	20
40.	Kilometre posts	21
41.	Shorter boundaries	21
42.	Road surveys	22

Division 2 — Marking lease boundaries

47.	Marking boundaries of pastoral and timber leases	22
-----	--	----

Division 3 — Other matters relating to marking

48.	Positioning of marks	23
49.	Methods of marking	23
50.	Line clearing	23
51.	Damage to survey marks	23
53A.	Certificate required if plan not lodged within 2 years	24

Part 6 — Drafting

54.	Certificate on plan	25
55.	Drafting	25

**Part 7 — Surveys of land in special
survey areas**

55A.	Application of this Part	26
------	--------------------------	----

55BA.	Early lodgment for dealings	26
55BB.	Standard requirements for survey	26
55B.	Field records for subdivisions in special survey areas	27
55C.	Network summary	28
55E.	Final survey certificate	28
55F.	Lodgment of final survey certificate and field record	29

Part 8 — Miscellaneous matters

56.	Grounds for disciplinary action	31
-----	---------------------------------	----

Notes

	Compilation table	32
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Defined terms

Licensed Surveyors (General Surveying Practice) Regulations 1961

Part 1 — Preliminary matters

[Heading inserted in Gazette 26 Jul 2013 p. 3455.]

1. Citation

These regulations may be cited as the *Licensed Surveyors (General Surveying Practice) Regulations 1961*¹.

[Regulation 1 amended in Gazette 26 Jul 2013 p. 3456.]

[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 —
field record, in relation to a survey, means the field record of the survey;

guideline means a guideline referred to in regulation 3A;

lodge means to lodge with the Western Australian Land Information Authority;

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;

r. 3

the Act means the *Licensed Surveyors Act 1909*, as amended.

[*Regulation 3* amended in *Gazette* 5 Sep 2000 p. 5054;
26 Jul 2013 p. 3456.]

Part 2 — General duties of surveyors

[Heading inserted in Gazette 26 Jul 2013 p. 3456.]

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 the surveyor's operations;
 - (b) to disclose all doubts, discrepancies and difficulties as soon as practicable after discovering them; and
 - (c) to afford to the Surveyor General all information obtained by the surveyor in the due performance of surveys entrusted to the surveyor.
- (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.

r. 5

[Regulation 4 inserted in Gazette 4 Apr 1997 p. 1758; amended in Gazette 5 Sep 2000 p. 5054; 29 Dec 2006 p. 5899; 26 Jul 2013 p. 3456-7.]

5. Accuracy

- (1) The necessity for the greatest practical accuracy cannot be too strongly impressed upon surveyors.
- (2) In many instances no means exist by which errors can be immediately detected.
- (3) If it is found that —
 - (a) a surveyor's work is not up to the standard of accuracy that is required under a written law or is otherwise necessary; or
 - (b) a surveyor's work is generally unreliable; or
 - (c) a surveyor has in other respects neglected to comply with these regulations,

the finding may be taken into account in determining whether there is proper cause for disciplinary action under section 21 of the Act in respect of the surveyor.

[Regulation 5 amended in Gazette 26 Jul 2013 p. 3457-8.]

6. Knowledge of relevant legislation

A surveyor conducting authorised surveys under these regulations should be conversant with the provisions of all written laws a knowledge of which is necessary to enable the efficient discharge the surveyor's duties.

[Regulation 6 inserted in Gazette 26 Jul 2013 p. 3458.]

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 demonstrate to the Surveyor General 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;
26 Jul 2013 p. 3458.]*

Part 3 — Field records

[Heading inserted in Gazette 26 Jul 2013 p. 3458.]

8. Keeping and lodging field records for authorised surveys

- (1) A surveyor must keep a field record for each authorised survey conducted by the surveyor.
- (2A) The field record for an authorised survey must be kept in such a manner that another surveyor would readily gain from the record a complete understanding of the methodology and scope of the survey, including the marks used.
- (2B) The field record for an authorised survey must show everything that was done, or found on the ground, in the course of the survey.
- (2C) The field record for an authorised survey that establishes one or more boundaries must be lodged with the plan of the authorised survey.
- (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 record 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 record required by subregulation (2) to be lodged is to be lodged within 6 months after the date of completion of the relevant authorised survey.
- (4) The Board may request a surveyor to give to the Board a copy of the field record for an authorised survey conducted by the surveyor.
- (5) A surveyor must comply with a request made under subregulation (4).

*[Regulation 8 amended in Gazette 26 Sep 1986 p. 3705;
4 Apr 1997 p. 1758; 26 Jul 2013 p. 3459-60.]*

9. Distances

- (1) Distances must be recorded as observed and reduced to a precision of at least 0.005 metres.
- (2) Referencing distances and offset distances must be recorded with the highest precision practicable.
- (3) The reference surface of each distance must be stated.

[Regulation 9 inserted in Gazette 26 Jul 2013 p. 3460.]

[10, 11. Deleted in Gazette 26 Jul 2013 p. 3460.]

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 the surveyor or copied from earlier survey data.

[Regulation 12 amended in Gazette 26 Jul 2013 p. 3460.]

[13-15. Deleted in Gazette 26 Jul 2013 p. 3460.]

16. Names

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

17. Certification of field record

- (1) The surveyor who carried out an authorised survey must certify, in the form set out in the Table, the field record.

Table

Certificate

I,, licensed surveyor, certify that I accept full responsibility for this field record and the authorised

r. 17

survey it represents and certify that both comply with the relevant written laws in relation to which the survey was carried out and this field record is lodged.

.....

Name:

Dated:

- (2) Each page of the field record on which notes about the survey appear —
- (a) must be initialled by the surveyor; and
 - (b) must bear the date on which the field work recorded on that page of the field record was carried out.

[Regulation 17 inserted in Gazette 26 Jul 2013 p. 3460-1.]

Part 4 — Field work

[Heading inserted in Gazette 26 Jul 2013 p. 3461.]

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

20. Calibration

- (1) A surveyor shall calibrate measuring equipment at regular intervals (not exceeding 2 years) 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; amended in Gazette 26 Jul 2013 p. 3461.]

[21. Deleted in Gazette 5 Sep 2000 p. 5056.]

22. Connection to old alignment

- (1) Each survey must be connected to a previous survey unless otherwise provided by a regulation or guideline.
- (2) In all re-establishment the position indicated by reliable 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; 26 Jul 2013 p. 3462.]

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

r. 22B

- (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. Remarking connecting boundary between old and new surveys

- (1) This regulation applies if a surveyor is required under regulation 22 to connect a new survey to an old survey.
- (2) In this regulation —
connecting boundary, in relation to a new survey, means the boundary connecting the new survey to an old survey.
- (3) The surveyor must range sufficient of the connecting boundary to verify its alignment.
- (4) For the purposes of subregulation (3), it is sufficient if the surveyor uses —
(a) 3 reliable, reasonably spaced marks; or
(b) fewer such marks as approved by the Surveyor General.
- (5) For the purposes of subregulation (3) —
(a) all portions of any old survey line must be carefully measured; and
(b) if the land being surveyed is rural land and the measurements taken in accordance with paragraph (a) are found to be in disagreement with the measurements

previously accepted in relation to the old survey line by an average of more than 1:4000 — the old survey line must be carefully remeasured and the results of the remeasure must be recorded in the field record.

- (6) The surveyor must, as necessary —
- (a) replace the posts and pegs used in the old survey to mark the connecting boundary; and
 - (b) clearly indicate the direction of the connecting boundary.

[Regulation 23 inserted in Gazette 26 Jul 2013 p. 3462-3.]

[24. Deleted in Gazette 26 Jul 2013 p. 3462.]

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 a 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; amended in Gazette 26 Jul 2013 p. 3463.]

25. Re-establishment of original Crown surveys

- (1) 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.

r. 25A

- (2) However, 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 must, within 3 months after completing the new survey, forward to the Surveyor General a full report, sketch and field record showing the position of and describing all old survey marks and improvements on or near the boundary line.
- (3) 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.
- (4) The original and amended positions of the marks must be clearly recorded in the field record and a full report on the positions of those marks must be forwarded to the Surveyor General within 3 months after completion of the new survey.

[Regulation 25 amended in Gazette 26 Jul 2013 p. 3464-5.]

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 all relevant written laws.

.....

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; amended in Gazette 26 Jul 2013 p. 3465.]

26. New alignments

- (1) 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.
- (2) Boundaries with calculated distances must be cleared and marked in accordance with these regulations.
- (3) 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; 26 Jul 2013 p. 3465-6.]

26A. Special surveys

- (1) The Surveyor General may authorise a survey to be conducted by a method other than in accordance with these regulations.

r. 27

- (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. Azimuth

- (1) The direction of a survey line with reference to the meridian must be determined —
 - (a) by observation; or
 - (b) by applying the correction for convergence from the nearest point of observation for azimuth.
- (2) An azimuth may be adopted from an adjoining survey unless there appears to be a reason to doubt its accuracy.
- (3) The derivation of azimuth must be obtained at intervals of not more than 8 kilometres.

[Regulation 27 inserted in Gazette 26 Jul 2013 p. 3466.]

28. Old surveys: adjustment of distances

If an old survey line is being re-established, this information must be recorded in the field record —

- (a) the actual distance measurements taken in the survey for that purpose;
- (b) the distance measurements previously accepted.

[Regulation 28 inserted in Gazette 26 Jul 2013 p. 3466.]

29. Old surveys: adjustment of angles

If an old survey line is being re-established, this information must be recorded in the field record —

- (a) the actual measurement of the value of each angle taken in the survey for that purpose;
- (b) the value of each angle previously accepted.

[Regulation 29 inserted in Gazette 26 Jul 2013 p. 3467.]

[30. Deleted in Gazette 26 Jul 2013 p. 3466.]

[31. Deleted in Gazette 5 Sep 2000 p. 5057.]

[32, 33. Deleted in Gazette 26 Jul 2013 p. 3466.]

34. Limits of error of closure

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 record 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:

r. 35

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; 26 Jul 2013 p. 3467.]

35. Distribution of miscloses

An angular or linear misclose must be adjusted according to a mathematically sound process that is generally accepted as good survey practice.

[Regulation 35 inserted in Gazette 26 Jul 2013 p. 3467.]

35A. Calculation of areas

The result of calculating an area must be recorded in the field record —

- (a) if the result is less than one hectare — in square metres to the nearest square metre; or
- (b) if the result is equal to or greater than one hectare — in hectares to at least 5 significant figures and at least 3 decimal points.

[Regulation 35A inserted in Gazette 26 Jul 2013 p. 3467-8.]

Part 5 — Survey marks

[Heading inserted in Gazette 26 Jul 2013 p. 3468.]

Division 1 — Marking boundaries generally

[Heading inserted in Gazette 26 Jul 2013 p. 3468.]

36. Specification of survey marks

- (1A) The corners and angles of a boundary or land parcel must be marked in accordance with this regulation.
- (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 record.
 - (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; 26 Jul 2013 p. 3468.]*

37. Placement of reference marks

- (1) This regulation applies in relation to the survey of a boundary.
- (2) Two reference marks must be placed —
 - (a) if it is the boundary of a land parcel that is greater than 4 hectares — at each angle of the boundary; or
 - (b) if it is the boundary of a land parcel that is equal to or less than 4 hectares — at key points along the boundary; or
 - (c) if it is another boundary — at each corner and angle of the boundary.
- (3) Each of those reference marks must be related by distance and, if practicable, direction to an alignment.
- (4) The distance between those reference marks must be measured, and recorded in the field record, to the nearest millimetre.
- (5) A single reference mark (without trenching) must be placed at each instrument point that is not otherwise permanently marked.
- (6) The objective of the placement of a reference mark is to ensure its long term stability and accessibility.

[Regulation 37 inserted in Gazette 26 Jul 2013 p. 3468-9.]

38. Specifications of reference marks

- (1) 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.
- (2) 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.

- (3) A full description of alternative marks used must be shown in the field record.
- (4) 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;
amended in Gazette 26 Jul 2013 p. 3469-70.]*

39. Intermediate marks

- (1) 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.
- (2) 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.
- (3) A full description of alternative marks used must be shown in the field record.

*[Regulation 39 inserted in Gazette 9 Nov 1979 p. 3520;
amended in Gazette 26 Jul 2013 p. 3470.]*

40A. Streets, rights-of-way, pedestrian access ways, drainage reserves and railways: additional requirements

- (1) This regulation applies in relation to the survey of a street, right-of-way, pedestrian access way, drainage reserve or railway in addition to regulations 37, 38 and 39.
- (2) Each corner and angle of the street, right-of-way, pedestrian access way, drainage reserve or railway must be marked by a peg or post as specified in paragraph (b) of the Table to regulation 36 the exposed portion of which must be coloured red.

- (3) At any truncated corner of the street, right-of-way, pedestrian access way, drainage reserve or railway —
- (a) the intersection of 2 adjoining alignments must be marked with a single reference mark; and
 - (b) 2 other reference marks, each being related by angle and distance to those alignments, must be placed in positions so as to minimise the chance of disturbance and to enable the re-establishment of both alignments.
- (4) If a corner or angle of the street, right-of-way, pedestrian access way, drainage reserve or railway is not intervisible with an adjoining corner or angle, the intermediate instrument point (being the point from which both corners or angles are visible) must be marked by a single reference mark (without trenching) and the distance to that point from each of those corners or angles must be recorded in the field record.

[Regulation 40A inserted in Gazette 26 Jul 2013 p. 3471.]

40. Kilometre posts

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

[Regulation 40 inserted in Gazette 1 Sep 1972 p. 3412; amended in Gazette 26 Jul 2013 p. 3472.]

41. Shorter boundaries

- (1) 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.
- (2) 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; 26 Jul 2013 p. 3472.]*

42. Road surveys

- (1) When marking both sides of a new road, the angle posts on both sides will be referenced according to regulation 37.
- (2) Where a surveyor is instructed to mark only one side of a road, the surveyor must 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.

[Regulation 42 amended in Gazette 26 Jul 2013 p. 3472-3.]

[43, 44. Deleted in Gazette 26 Jul 2013 p. 3473.]

[Heading deleted in Gazette 26 Jul 2013 p. 3473.]

[45, 46. Deleted in Gazette 26 Jul 2013 p. 3473.]

Division 2 — Marking lease boundaries

[Heading inserted in Gazette 26 Jul 2013 p. 3473.]

47. Marking boundaries of pastoral and timber leases

- (1) The boundaries of pastoral and timber leases shall be marked in a similar manner to other lands, with the exception that the intermediate marks may be placed at intervals of not more than 500 metres.
- (2) 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.
- (3) 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; 26 Jul 2013
p. 3473-4.]*

Division 3 — Other matters relating to marking

[Heading inserted in Gazette 26 Jul 2013 p. 3474.]

48. Positioning of marks

A mark must clearly indicate the position of the boundary that the mark is intended to indicate.

[Regulation 48 inserted in Gazette 26 Jul 2013 p. 3474.]

49. Methods of marking

If there are no improvements indicating the direction of a boundary, the direction must be clearly indicated by trenches, stakes, stone pointers or other appropriate marks on the ground.

[Regulation 49 inserted in Gazette 26 Jul 2013 p. 3474.]

50. Line clearing

- (1) Subject to environmental considerations, any new boundary line must be cleared sufficiently to indicate the position of the boundary.
- (2) A boundary line or part of a boundary line that has not been cleared in accordance with subregulation (1) must be shown in the field record as not having been cleared.

[Regulation 50 inserted in Gazette 26 Jul 2013 p. 3475.]

51. Damage to survey marks

- (1) A person must not remove or deface a survey mark.
Penalty: a fine of \$1 000.
- (2) A surveyor must report the removal or defacement of a survey mark to the Surveyor General as soon as practicable after becoming aware of it.

[Regulation 51 inserted in Gazette 26 Jul 2013 p. 3475.]

[52, 53. Deleted in Gazette 26 Jul 2013 p. 3474.]

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

Where a plan 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;
amended in Gazette 26 Jul 2013 p. 3475.]*

Part 6 — Drafting

[Heading inserted in Gazette 26 Jul 2013 p. 3475.]

54. Certificate on plan

A certificate in the form in the Table to this regulation shall be written on every plan, other than a compiled plan within the meaning of the *Transfer of Land (Surveys) Regulations 1995* regulation 4(1), and signed by the surveyor.

Table

Certificate

I hereby certify that this plan is accurate and is a correct representation of the —

- (a) *survey; and/or
- (b) *calculations from measurements recorded in the field records,

[* delete if inapplicable]

undertaken for the purposes of this plan and that it complies with the relevant written law(s) in relation to which it is lodged.

..... Date Licensed surveyor

[Regulation 54 inserted in Gazette 26 Oct 1990 p. 5383; amended in Gazette 4 Apr 1997 p. 1760; 10 Feb 2006 p. 661; 26 Jul 2013 p. 3476.]

55. Drafting

Plans shall be accurately plotted in accordance with the requirements of the Department concerned or the Western Australian Land Information Authority, as the case requires.

[Regulation 55 amended in Gazette 29 Dec 2006 p. 5900.]

Part 7 — Surveys of land in special survey areas

[Heading inserted in Gazette 26 Jul 2013 p. 3476.]

55A. Application of this Part

This Part applies to a subdivision in a special survey area declared under regulation 26A(4).

[Regulation 55A inserted in Gazette 26 Jul 2013 p. 3476.]

55BA. Early lodgment for dealings

A plan of survey for a subdivision may be lodged in order for dealings before completion of field marking if the survey is in accordance with this Part.

[Regulation 55BA inserted in Gazette 26 Jul 2013 p. 3477.]

55BB. Standard requirements for survey

- (1) The subdivision must have adequate connections to the State geodetic network in accordance with the guidelines issued by the Surveyor General under regulation 26A(5).
- (2) Sufficient control points must be placed in safe and protected areas so as to survive the engineering and construction works.
- (3) The corners of each lot in the subdivision must be marked prior to the plan of survey being lodged in order for dealings.
- (4) Notification to the Western Australian Land Information Authority can be by lodgment of a certificate in a form that is the same as, or sufficiently similar to, the Initial Survey Certificate set out in the guidelines issued by the Surveyor General under regulation 26A(5).
- (5) A certificate lodged under subregulation (4) must state —
 - (a) that the marks referred to in subregulation (3) are in place; and
 - (b) that final marking will be carried out when the subdivision has been completed.

- (6) Final marking must be completed not more than 14 days after the day of practical completion of the engineering and construction works.
- (7) These documents must be lodged with the Western Australian Land Information Authority within 14 days after the day on which final marking is completed —
 - (a) the plan of survey for the subdivision;
 - (b) a field record referencing the final marking;
 - (c) a Final Survey Certificate referred to in regulation 55E.
- (8) The plan and the field record must be annotated “Reg. 26A-referencing/final marking deferred”.
- (9) The surveyor who carried out the survey must take reasonable steps to ensure —
 - (a) that it is disclosed to purchasers of lots on the plan referred to subregulation (8) that access to the land may not be possible at the date of settlement; and
 - (b) that those purchasers are advised of any changes to the timeframe for practical completion of the engineering and construction works.

[Regulation 55BB inserted in Gazette 26 Jul 2013 p. 3477-8.]

55B. Field records for subdivisions in special survey areas

- (1) Every subdivision (involving one or more plans) must be effected through a control survey network, integral with the re-establishment of the original boundaries and be shown in a lodged field record.
- (2) The marks of the 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.
- (3) The field record shall contain —

r. 55C

- (a) Western Australian Planning Commission file number;
- (b) re-establishment survey;
- (c) graphic summary of control network including observed values and adjusted, adopted values;
- (d) 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; 26 Jul 2013 p. 3478-9.]

55C. Network summary

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

[Regulation 55C inserted in Gazette 26 Sep 1986 p. 3705; amended in Gazette 26 Jul 2013 p. 3480.]

[55D. Deleted 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 Surveyor General in relation to a survey conducted in accordance with this Part.

Table
Certificate

I hereby certify that —

- (a) I accept full responsibility for the plan shown on Plan No. and the authorised survey it represents;

- (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 (General Surveying Practice) 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 Records 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; 26 Jul 2013 p. 3480-1.]

55F. Lodgment of final survey certificate and field record

- (1) 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 record recording referencing detail.
- (2) The field record 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.

r. 55F

*[Regulation 55F inserted in Gazette 26 Sep 1986 p. 3706;
amended in Gazette 26 Oct 1990 p. 5384; 4 Apr 1997 p. 1761;
26 Jul 2013 p. 3481.]*

Part 8 — Miscellaneous matters

[Heading inserted in Gazette 26 Jul 2013 p. 3482.]

56. Grounds for disciplinary action

Whether a surveyor has or has not acted in accordance with these regulations may be taken into account in determining whether there is proper cause for disciplinary action under section 21 of the Act in respect of the surveyor.

[Regulation 56 inserted in Gazette 26 Jul 2013 p. 3482.]



Notes

¹ This is a compilation of the *Licensed Surveyors (General Surveying Practice) 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> ²	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
Reprint of the <i>Licensed Surveyors (Guidance of Surveyors) Regulations 1961</i> approved 22 Feb 1971 (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
Reprint of the <i>Licensed Surveyors (Guidance of Surveyors) Regulations 1961</i> as at 20 Jan 1986 (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 (General Surveying Practice) Regulations 1961

Citation	Gazettal	Commencement
<i>Licensed Surveyors (Guidance of Surveyors) Amendment Regulations 2000</i>	5 Sep 2000 p. 5053-61	5 Sep 2000
Reprint of the Licensed Surveyors (Guidance of Surveyors) Regulations 1961 as at 2 Aug 2002 (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)
Reprint 4: The Licensed Surveyors (Guidance of Surveyors) Regulations 1961 as at 6 Jun 2008 (includes amendments listed above)		
<i>Licensed Surveyors (Guidance of Surveyors) Amendment Regulations 2013</i>	26 Jul 2013 p. 3449-82	r. 1 and 2: 26 Jul 2013 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Oct 2013 (see r. 2(b))

² Now known as the *Licensed Surveyors (General Surveying Practice) Regulations 1961*, citation changed (see note under r. 1)

Defined Terms

Defined terms

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

Defined term	Provision(s)
connecting boundary	23(2)
field record.....	3
gone.....	14(4)
guideline.....	3
lodge	3
plans	3
surveyor	3
Surveyor General	3
the Act.....	3