



Cadastral Surveyors Licensing Board  
of New Zealand

## **CSLB Bulletin No 10**

**October 2023**

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Tena koutou katoa

The Board has recently completed the annual licensing renewals, and has reached a milestone with the proposed new competency assessment framework review for graduates seeking an initial licence. It is now time to reflect and bring you up to date since our last newsletter (August 2022).

### **Board Membership**

There have been several changes to the membership of the Board since last year, including the recent appointment of 4 new members by the Minister for Land Information.

Former Chair Vicki Nalder, substitute surveyor member Nicholas Davies, lay member Jane Davel, and substitute lay member Apulu Autagavaia recently completed their terms on the Board.

The current members are –

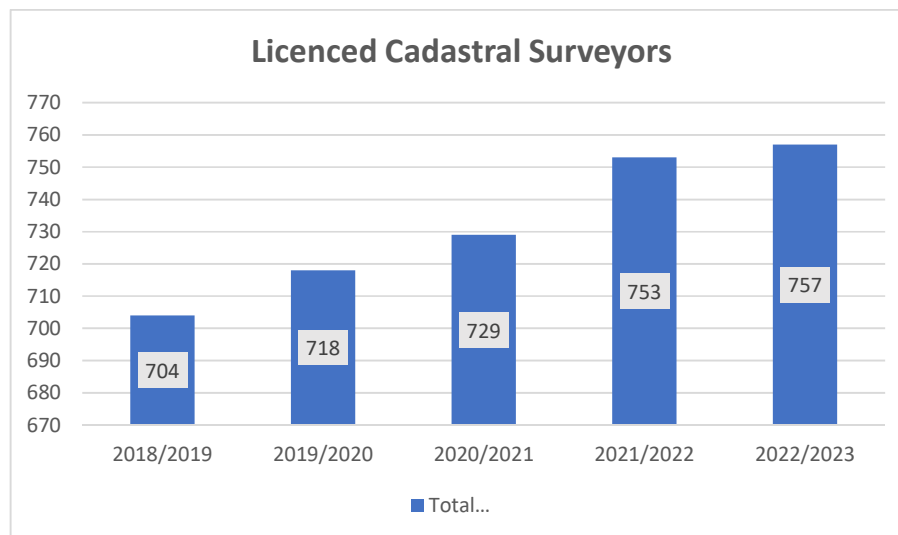
- Neale Faulkner (Chair) and Craig McInnes, were reappointed as surveyor members by the Minister as nominees of bodies representing licensed cadastral surveyors;

- Laura Coll McLaughlin and Clare Tolan, both new surveyor members were appointed directly by the Minister;
- Pengbo Jiang is the new lay member of the Board, who has never been a licensed cadastral surveyor and is not employed in the surveying profession. He was appointed by the Minister so the Board has the views of non-surveyors in its deliberations;
- Mr Colin McElwain was reappointed by the Minister as the substitute surveyor member of the Board;
- Sundeep Daggubati was appointed by the Minister as the new substitute lay member of the Board.
- Surveyor-General, Anselm Haanen, is an *ex-officio* member of the Board pursuant to section 13(1)(b) Cadastral Survey Act 2002;

## Board Statistics

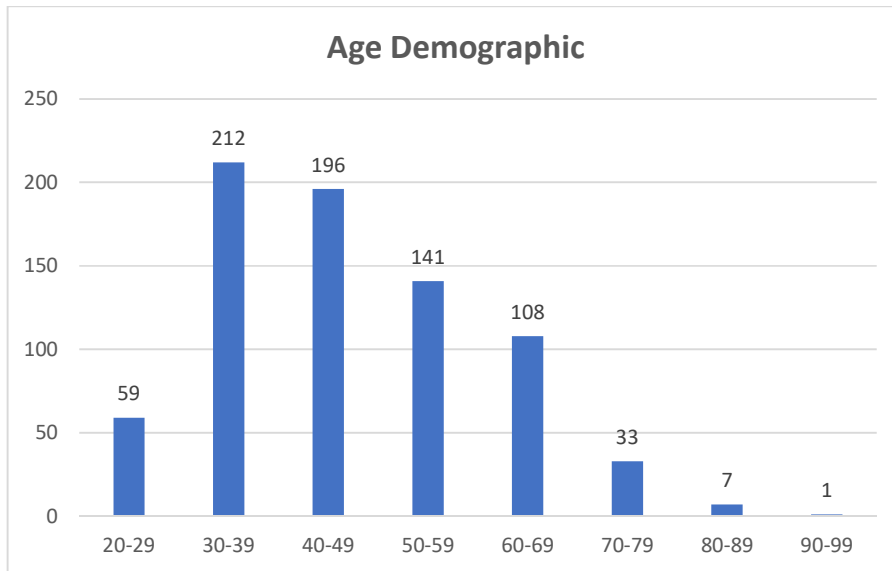
The Board reports annually to the Minister for Land Information.

The following is some information about licensed surveyors that will be included in the Annual Report to 30 June 2023.

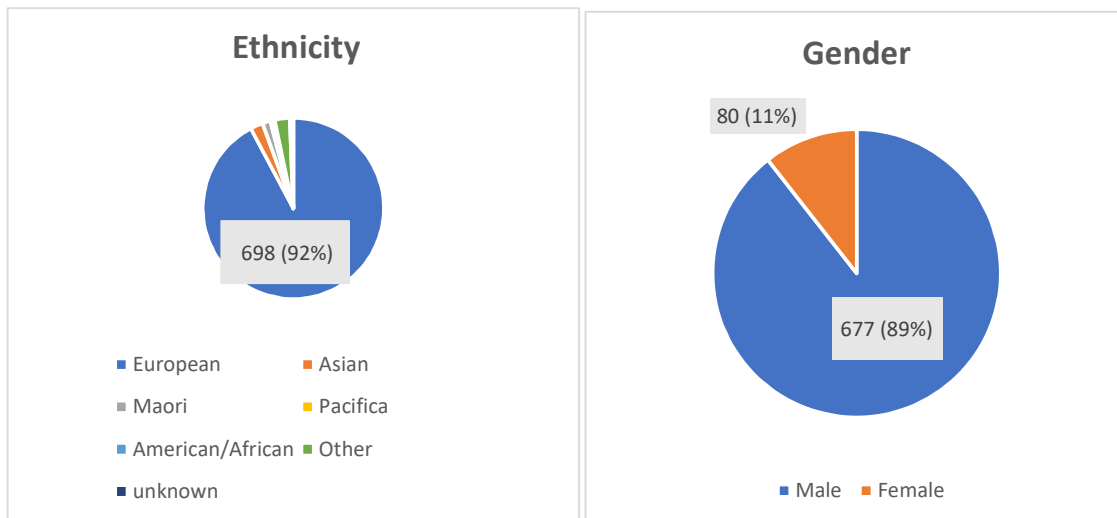


The overall number of licensed cadastral surveyors has been steadily increasing over recent years and at the end of June 2023 was 757, 4 more than last year.

The number renewing their annual license this year was 723 compared with 726 last year.



The demographic has remained relatively stable with the largest increase seen in the younger members (30-39), with a corresponding drop in the 60-69 group.



Ethnicity and Gender remained relatively constant compared with last year.

## **Licence Renewals**

The updated Standards for Licensing Cadastral Surveyors came into force on 1 August 2021, and were used for the first time for annual licence renewals last year.

As in previous years, a minimum number of approved datasets (3) is accepted as providing sufficient evidence of competence for annual licence renewals. The large majority of surveyors fell into this category, with licence applications being approved based on an applicant's most up to date Landonline records.

Approximately 15% of surveyors do not submit the required number of approved datasets in which case evidence of competence needs to be submitted before the Board can issue an annual licence.

There was an improvement in the quality and amount of information provided as evidence this year, with most applications being of a high standard. However, there was still some inconsistency with some applications not fully addressing recent experience or CPD relative to all 8 areas of competency required to hold a licence. The competencies are fully explained in Schedule 1 of the Standards and can be found on the homepage of the Board's website. <https://www.cslb.org.nz/>

The renewal application Form 4 contains a number of suggested activity options that may be appropriate in individual circumstances. In all cases the activities should clearly describe how they relate to each of the 8 competencies. The Board will be introducing a template next year to assist with providing the supporting documentation. Form 4 is usually available in April each year when invitations to renew annual licenses are sent out to all licensed cadastral surveyors.

The Board continues to receive late or incomplete evidential information which creates additional administration and involves considerable Board time. Also, missing or incorrect name and/or invoice number references are sometimes provided when payments are made. An additional fee will be introduced next year to recover the Boards administration costs dealing with late or incomplete evidential information.

## **Competency Assessment Framework Review for Initial Licensing**

Submissions to the review of the competency assessment framework for graduates seeking an initial licence have recently closed. The Board wishes to thank those individuals and groups who took the time to make a submission, the detail of which has been very informative and will be considered.

A committee of the Board is currently reviewing all the submissions, and will continue the work required to fully develop the new framework in a timely manner. Before any changes are made there will be extensive consultation and an implementation plan will be formulated to ensure a smooth transition to the new framework for graduates, or current candidates who have already commenced the requirements for assessment under the existing system.

No changes to the current examination system administered by S+SNZ on behalf of the Board will occur next year. It is anticipated that any change will not be implemented until the later part of 2024 at the earliest, which will include a transitional period.

A Webinar about the redesign was held in August. A copy of the recording can be downloaded at <https://www.youtube.com/watch?v=mZArNcf8QZs>.

Answers to the questions raised during the webinar are posted on the Board's website at <https://www.cslb.org.nz/news.html>

## Notices of Significant Failures

The Board continues to receive significant failure notices from the Surveyor-General under s7(1)(d) Cadastral Survey Act 2002, which sometimes result in the requirement to correct the error under s52 of the Act.

Last year the Board received 6 notices to comply with the Rules for cadastral survey which is consistent with the last few years. The Board reviews all the notices from the Surveyor-General in detail and usually asks the surveyor for an explanation of how and why the errors occurred, and what action the surveyor has taken to prevent similar errors occurring again. Depending on the surveyor's response, the Board might take further action. One of the steps the Board always takes in monitoring these surveyors is a more in depth review of their applications before their licences are renewed. This review continues for an average of two to three years after receiving the notice. In some cases, the Board has asked applicants for additional information to confirm their competency before renewing their licence.

The most common causes of significant failures continue to be the failure to gather and interpret all the necessary evidence to determine the correct location of boundaries and poor quality assurance procedures. This often results in incorrect boundary marking, and incorrect boundary dimensions and parcel areas in datasets.

## Professional Misconduct Hearings

As part of its role the Board receives and investigates complaints of professional misconduct against licensed cadastral surveyors that are found to be within its jurisdiction. Since 2019 there have been a total of 8 complaints formally received, 6 of which were from members of the public, 1 from the office of the Surveyor-General and 1 from a licensed cadastral surveyor. Following investigation 2 of these complaints were accepted and the surveyors were found guilty of professional misconduct.

They are summarised as follows –

The **first** was a complaint from the Assistant Surveyor-General which was heard in November 2021. It related to a high number of serious non-compliances which resulted in the incorrect definition of parcels that records of title were issued for and concerned:

1. Negligence in the conduct of 2 cadastral surveys (clause 2(1)(a) under Schedule 2 of the Cadastral Survey Act 2002); and,
2. Certification to the accuracy of the 2 cadastral surveys without carrying out all the requirements of these cadastral surveys in accordance with the Rules for Cadastral Survey 2010 (clause 2(1)(d) under Schedule 2 of the Cadastral Survey Act 2002); and,

3. Failure, without reasonable cause, to perform duties imposed on licensed cadastral surveyors by the Rules for Cadastral Survey 2010 in respect of the 2 cadastral surveys (clause 2(1)(l) under Schedule 2 of the Cadastral Survey Act 2002).

The Board ordered that the surveyor be supervised by a licensed cadastral surveyor for a period of 12 months; and to develop a comprehensive Quality Assurance system to determine errors in cadastral survey datasets prior to their lodgement, which will be reviewed by the Board for any licence renewal applications for a period of 3 years.

The surveyor was ordered to pay the Board \$8,550.00 plus GST as a contribution towards the costs and expenses of and incidental to the Board investigating and holding a hearing about the complaint.

A notice stating the effect of the Order was sent to Survey and Spatial New Zealand and the Institute of Cadastral Surveying Inc. with a request that the notice be published in their respective journals, together with the Council of Reciprocating Survey Boards of Australia and New Zealand (CRSBANZ).

Poor cadastral surveys have a significant effect on landowners and undermine confidence in the cadastre.

The **second** was a complaint from a member of the public which was heard in July this year and concerned:

1. The placement of a boundary mark incorrectly representing the extents of a title in relation to a water boundary without taking all the available evidence into account (clause 1(a) under Schedule 2 of the Cadastral Survey Act 2002); and,
2. The placement of boundary marks without lodging an associated dataset with LINZ within 6 months of their placement (clause 1(l) under Schedule 2 of the Cadastral Survey Act 2002).

The Board ordered that the surveyor's licence be suspended for a minimum period of 3 months; and to undertake a period of research, and present documentation to address the matters raised in the complaint, to the satisfaction of the Board.

The surveyor was ordered to pay the Board \$7,075.00 plus GST as a contribution towards the costs and expenses of and incidental to the Board investigating and holding a hearing about the complaint.

A notice stating the effect of the Order was sent to Survey and Spatial New Zealand and the Institute of Cadastral Surveying Inc. with a request that the notice be published in their respective journals, together with the Council of Reciprocating Survey Boards of Australia and New Zealand (CRSBANZ).

The correct placement and official recording of boundary marks is critical to the integrity of the cadastre.

## Contact Details

As always, it is vitally important that all licensed cadastral surveyors keep their contact details up to date. Not only is it a legislative requirement, but it ensures that you receive the annual invitations for licence renewal which are sent out by email between April and June each year. All applications as well as the fee are required by 30 June each year to ensure licenses do not lapse.

The best way to contact the Board is by email to [secretary@cslb.org.nz](mailto:secretary@cslb.org.nz)

*N C Faulkner*

**Neale Faulkner**

Chair, Cadastral Surveyors Licensing Board