

GUIDELINE - SURVEYS RELATING TO PROPERTY BOUNDARIES

This guideline is provided by the Surveyors Board of Queensland to inform of the legislative requirements about surveying (identification and marking) property boundaries in Queensland.

The guideline is relevant to all users of property INCLUDING government, utility providers, private sector users, property developers, builders, and the general public.

A property boundary is any boundary relating to a right or an interest in land and may include:

- A property boundary between neighbours or owners, including between private and government owned land;
- A boundary defining a lease of land;
- A boundary defining a secondary interest (e.g. easement; covenant; profit à prendre).

The terminology *cadastral boundary* may also be used as it has the same meaning as *property boundary*.

Who can perform a property boundary (cadastral) survey?

Under the *Surveyors Act 2003*, there are two specific requirements that are relevant:

1. The person undertaking the survey must be a registered cadastral surveyor or a registered person supervised by a registered cadastral surveyor (*Section 75(1)(a) & (b)*); and
2. To provide the cadastral survey service or charge a fee, the registered person / company must also have a consulting surveyor endorsement (*Sections 75(2) & 76*).

This means that property boundaries can only be determined or identified by a registered cadastral surveyor.

When is a consulting cadastral surveyor required to be engaged?

The requirement to use a consulting cadastral surveyor to determine the property boundary depends on a number of factors.

- If the property boundary is evident on the ground from corner marks such as survey pegs and the marks have been recently placed or checked by a cadastral surveyor, then a cadastral surveyor may not be required.
- If, however, the property boundary cannot be identified on the ground by existing recent survey marks, then a cadastral surveyor should be engaged.

How can I identify if I have engaged a consulting cadastral surveyor?

There are two potential options, namely:

1. The Surveyors Board Web Site lists registered consulting cadastral surveyors in Queensland.
Web site link <http://sbq.com.au/find-a-surveyor/search-cadastral/>
2. Request the surveyor to provide evidence of their current Surveyors Board registration.

Who can provide a certification of location in respect to a property boundary?

If a certification is required regarding the location of any building, improvement, or utility in relation to a property boundary, this must be provided by a registered cadastral surveyor. This includes a Form 16 certification in relation to boundary clearances of a building per s18 of the Building Regulations 2006 relating to the *Building Act 1975*.

For further information

Should further clarification be required please contact the Surveyors Board of Queensland.

The board web site includes a policy statement that provides a definition of a cadastral survey, the reference to which is: <http://sbq.com.au/wp-content/uploads/2012/09/Definition-of-a-Cadastral-Survey.pdf>