



# Institute of Cadastral Surveying (Inc)

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## CADASTRAL SURVEY DATASET (CSD) PROJECT

### Preamble:

One of many issues to come out of the LINZ consultation of late 2007 on the proposed Rules for Cadastral Survey 2008 (subsequently RCS 2010) was the question “What is it the Cadastral Surveyor is actually certifying, and is therefore liable for?”

After extensive correspondence between LINZ and ICS, LINZ were unable to express their understanding of the Cadastral Surveyor’s certification in any meaningful way. ICS therefore commissioned a project that would consider this from first principals, using the definitions set out in s4 of the Cadastral Survey Act 2002 (CSA 2002).

While LINZ did enter into some discussion regarding this paper, and did concede a number of points (eg. that a Cadastral Surveyor is not liable for the original survey observations and calculations from adopted work, only the appropriateness of adopting that work), differences between the ICS and LINZ opinions remained significant.

ICS therefore initiated High Court action in an attempt to have the Courts make a Declaratory Judgement outlining the component parts of the CSD. While the Courts declined to make such a Declaration, the evidence presented by the Surveyor-General allowed the ICS to map the structure of the CSD as defined by s4 of the CSA 2002.

This showed that the Cadastral Surveyor is **not** certifying the CSD as defined by s4 of the CSA 2002, only the Cadastral Survey as also defined by s4 of the Act.

The structure diagram prepared by ICS has been considered by LINZ, who have on two occasions declined the ICS request to make comment on the structure of the CSD represented, and specifically any parts which they believe are inconsistent with current statute and evidence presented to the High Court in CIV-2010-476-000624.

### The ICS structure diagram:

The ICS structure diagram places the CSD within it’s context as set out in s4 of the CSA 2002, and should be read as follows;

Firstly, the bold headings are defined terms in s4 of the CSA 2002, while the following wording starting “means” are the descriptions of those definitions set out in the Act;-

Secondly, the two headings at the top of the diagram (Cadastre & Cadastral Survey Data) are the context only for the CSD;- and

Thirdly, the individual items listed in the Survey System Information and Tenure System Information boxes within the CSD are specific details, which may vary depending on the type of survey (the example used is for a subdivision in terms of s218 RMA 1991).

It will be noted that the CSD description is the same as for Cadastral Survey Data, with the exception of two limitations:



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1. That it refers to “the set of” information (presumably the source of the CSD term);- and
2. That information must be “necessary to integrate a cadastral survey into the cadastre”.

While the cadastral survey is by definition limited to spatial information, the CSD definition anticipates there will generally be additional non-spatial information also required to allow for the complete integration of the cadastral survey into the cadastre, making the cadastral survey a subset of the CSD.