

POSI Guidelines for Councils

1. Introduction

The purpose of this document is to onboard Councils in the Preservation of Survey Infrastructure (POSI) process and assist them in setting up internal systems to better manage their impacts on local survey infrastructure.

2. Background

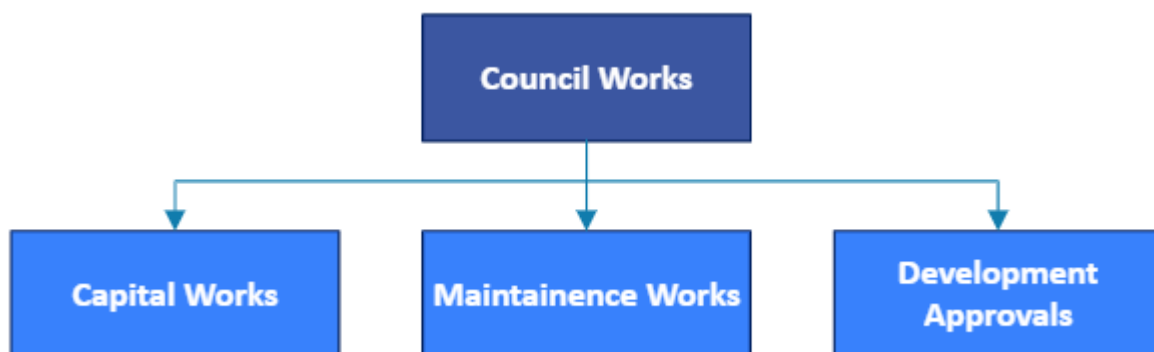
The Surveying and Spatial Information Act 2002, section 24, prohibits the destruction, removal or alteration of any survey mark unless authorised by the Surveyor-General of NSW. Significant penalties apply, including financial compensation towards loss or damage suffered and the costs of reinstating destroyed survey infrastructure.

The Surveying and Spatial Information Regulation 2024, section 96, provides a mechanism for the authorised removal of survey marks. This clause applies only to permanent survey marks, reference marks and benchmarks.

Surveyor-General's Direction No.11 Preservation of Survey Infrastructure outlines the process and requirements that need to be met for the authorised removal of survey marks. It details the aims, procedures, and deliverables to follow to lawfully remove survey marks and preserve the valuable information these marks provide.

The destruction of survey marks can weaken the integrity of property boundaries leading to a loss of confidence and the potential for disputes. Similarly, the loss of survey infrastructure and accurate positioning information can lead to project delays and cost overruns. Unauthorised survey mark destruction costs NSW millions of dollars per year. Currently, Council works are the biggest contributor to unauthorised survey mark destruction in NSW.

Predominantly, Council works that impact survey infrastructure are broadly categorised into Capital Works, Maintenance Works and Development Approvals.



This document includes suggested strategies on how to implement POSI in each of these 3 categories.

Contracting out work does not absolve a Council of its POSI obligations. Councils must maintain awareness and involvement if outsourcing.

3. POSI Process

a. Approval to remove a survey mark

The general process to gain approval to remove a survey mark at a high level is: An applicant submits a Survey Mark Removal (SMR) application, the Office of the Surveyor-General assesses the SMR Application and issues an SMR Approval with conditions for the replacement of affected survey marks.

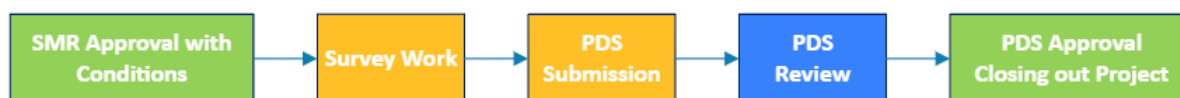


b. Conditions of removing a survey mark

Based on the conditions of the SMR Approval two main types of survey work may be needed.

- Control survey to replace survey marks with accurate position and/or height.
- Cadastral survey to replace marks defining cadastral boundaries.

After the survey work is completed, a Project Data Submission (PDS) is submitted to the Office of the Surveyor-General for review. The Office of the Surveyor-General assesses the PDS and issues a PDS Approval closing out the project.



4. Council Works

a. Capital Works

Capital Works are common programs that can cause survey mark destruction.

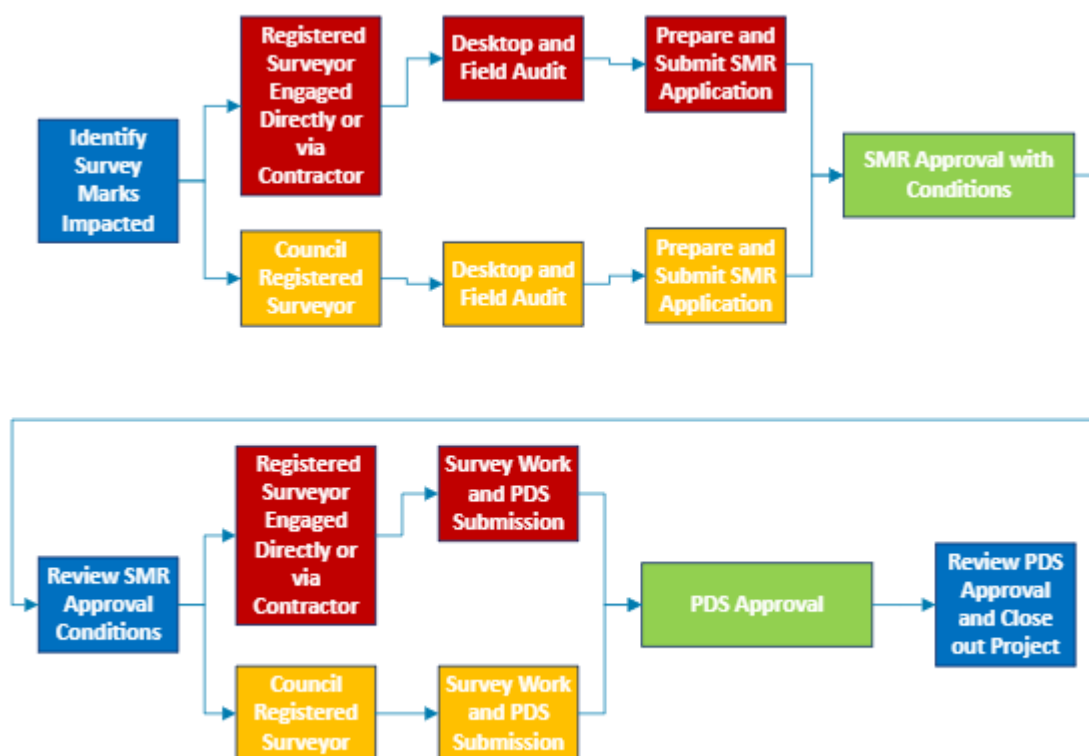
Road and footpath construction, park upgrades, drainage and stormwater works are the areas that typically see survey mark destruction.

POSI should be considered at the design stage. The best strategy is to preserve survey marks if possible.

If survey marks are affected, engage a Registered Surveyor to assist in the POSI process. Maintain awareness and involvement if outsourcing.

When an SMR Application is submitted on behalf of Council, the applicant should provide an **SMR Approval** letter to Council as evidence that POSI is being administered.

When the deliverables are submitted on behalf of Council, the applicant should provide an **PDS Approval** letter to Council as evidence confirming all the conditions of the consent have been fulfilled.



Be proactive – triage projects where POSI is needed and not needed.

Consult with the Office of the Surveyor-General if you have a forward program.

b. Maintenance/ Operation Works

Broadly categorised into planned and unplanned works (i.e. operational works) e.g. resheeting road surfaces, pram ramp, footpath repair etc.

Planned maintenance works should consider POSI similar to capital works.

Unplanned maintenance works due to safety concerns and time pressures often cannot implement POSI in a regular process, however, are also low risk because of the small extent of works.

Raise awareness through Council – identify survey marks, try to protect.

Contact the Office of the Surveyor-General if survey marks have been accidentally destroyed.

c. Development Approvals

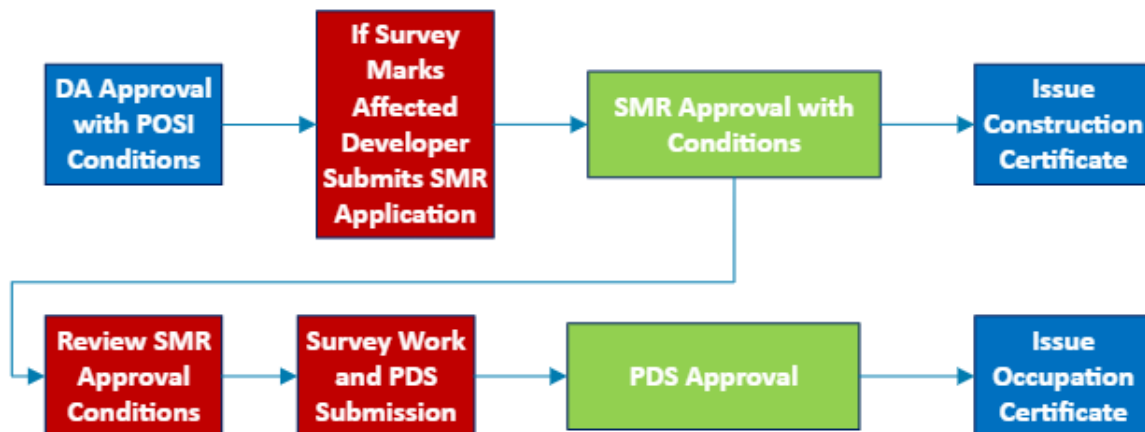
Areas of concern are large subdivisions, infrastructure, community developments etc.

Council not liable for survey mark destruction (developers are).

Council efforts can assist in promoting POSI and driving positive community impacts.

Consider including:

- Requirements to prove POSI has been considered in the DA process.
- Evidence before issuing construction certificates and/or occupation certificates.



Below is an example of DA conditions (City of Sydney Council) on the implementation of POSI.

(29) SURVEY INFRASTRUCTURE – IDENTIFICATION AND RECOVERY

Under Section 24 of the Surveying and Spatial Information Act 2002, it is an offence to remove, damage, destroy, displace, obliterate or deface any survey mark unless authorised to do so by the Surveyor-General. Accordingly, the applicant must, where possible, ensure the preservation of existing survey infrastructure undisturbed and in its original state or else provide evidence of the Surveyor-General's authorisation to remove or replace marks.

Prior to the issue of any Construction Certificate, documentary evidence must be prepared by a Registered Surveyor and submitted to and approved by Council's Area Planning Manager / Coordinator. This evidence must include either:

- A copy of any Surveyor-General's Approval for Survey Mark Removal granted by NSW Spatial Services for the subject site, including all documentation submitted as part of that application (for example the survey mark audit schedule, strategy plan and strategy report); or
- A letter, signed by a current NSW Registered Land Surveyor and including his or her Board of Surveying and Spatial Information (BOSSI) identification number, stating that all investigations required under Surveyor-General's Direction No.11 have been made for the subject site and that no survey infrastructure will be affected by the proposal.

(41) SURVEY INFRASTRUCTURE – RESTORATION

(a) Prior to any Occupation Certificate being issued for the development, documentary evidence of restoration must be prepared by a Registered Surveyor and submitted to and approved by Council's Area Planning Manager / Coordinator. This evidence must include:

- Certification that all requirements requested under the Surveyor-General's Approval for Survey Mark Removal or by the City's Principal Surveyor under condition "Survey Infrastructure – Identification and Recovery" have been complied with;
- Certification that all requirements requested under any Surveyor-General's Approval for Deferment of Survey Marks from condition "Survey Infrastructure – Pre Subdivision Certificate works" have been complied with and;
- Time-stamped photographic records of all new survey infrastructure relating to the site clearly showing the mark itself and sufficient context to aid in identifying the mark on site.

5. Further Resources

For more information, please visit the [Preservation of Survey Infrastructure webpage](#).

For any enquiries contact [DCS Spatial Services](#).