



# Surveyor-General's Direction

## No. 7

### Supplementary document #1

#### *Exemptions by the Surveyor-General*

Version 1.4, December 2025



## Document Control Sheet

### Record of Document Issues

Version No.	Issue Date	Nature of Amendment
1.0	September 2025	Initial Release – includes <i>Class Exemption 6</i>
1.1	October 2025	Addition of <i>Class Exemption 7</i>
1.2	November 2025	Addition of <i>Class Exemption 8</i>
1.3	December 2025	Addition of <i>Class Exemption 3</i>
1.4	December 2025	Addition of <i>Class Exemption 9</i>

### Document Approval:

Approved By:



Thomas Grinter

Surveyor-General of NSW

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## Surveyor-General's Direction No.7 – supplementary document #1

This is intended as a supplement to *Surveyor-General's Direction No.7* (v5.0), pending update of that Direction, and supersedes Item 14.1 Appendix A “Exemption by Surveyor-General”.

### Exemptions by the Surveyor-General

The *Surveying and Spatial Information Act 2002* (the Act) was amended on 30 October 2023 to move the provision for exemptions by the Surveyor-General from Clause 91 of the *Surveying and Spatial Information Regulation 2017* to Section 33B of the Act. The amendment has not altered the practical process of applying for an exemption.

Section 33B(1)(a) of the Act allows the Surveyor-General to exempt a registered surveyor from a requirement of the *Surveying and Spatial Information Regulation 2024* (the Regulation) if the requirement relates to:

- the practices to be followed in the conduct of surveys, or
- the form in which survey plans are to be prepared, or
- the form and construction of permanent survey marks and other survey marks used in connection with the carrying out of surveys

As per Section 33B(1)(b) of the Act, an exemption may be granted if, in the Surveyor-General's opinion, it is not practicable or necessary to comply with a requirement of the Regulation. Under Section 33B(2)(b) of the Act, upon application by a registered surveyor, an exemption that is granted by the Surveyor-General will be provided by written notice given to the surveyor. Further, an exemption may only partly exempt the registered surveyor from compliance with a requirement of the Regulation (i.e. it may only apply to a part of a subject survey).

The Surveyor-General may, under Section 33B(3) of the Act, grant an exemption subject to conditions. If the registered surveyor does not comply with the conditions of the exemption, then, as per Section 33B(4) of the Act, the exemption granted does not apply.

A survey plan that relies on an exemption must, as stipulated in Section 33B(5)(a) of the Act, record on the plan that an exemption has been relied upon, along with sufficient information to identify the particular exemption.

The notation identifying the exemption (e.g. “EXN25/001”) must be placed adjacent to the surveyor's reference on the survey plan. If the required notation is not recorded on the relevant survey plan, the conditions stipulated in Section 33B(5)(a) of the Act are not met, and the exemption granted does not apply as per Section 33B(4) of the Act.

Note that where a plan-specific exemption applies, and one or more class exemptions also apply (see “Class exemptions” below), notations for all exemptions must be placed adjacent to the surveyor's reference on the survey plan.

When a survey plan to which an exemption applies is lodged with the Registrar-General or a public authority, Section 33(5)(b) of the Act requires a registered surveyor to give the Registrar-General or public authority a copy of the exemption letter at lodgment. It is considered critical for the examination process that the surveyor lodges a copy of the exemption letter so that a plan examiner can:

- Be aware of which part or parts of the survey plan the exemption applies to, and
- Determine whether the conditions, if any, which apply to the exemption have been met.

It is important to note that the Surveyor-General will only issue plan-specific exemptions or class exemptions. A plan-specific exemption will apply to one survey plan only. A single plan-specific exemption will not be granted for multiple stages of a multi-plan project or on a project basis.

## Applying for an Exemption

A surveyor may apply to the Surveyor-General seeking an exemption from a requirement of the Regulation. To apply for an exemption, an application must be lodged through DCS-Spatial Services' Customer Hub (see <https://ss-customerhub.atlassian.net/servicedesk/customer/portal/6/group/7/create/29>).

## Class exemptions

Section 33B(2)(a) of the Act allows the Surveyor-General to grant exemptions to all, or a class of, registered surveyors. Surveyors need not apply to the Surveyor-General for a class exemption number on an individual plan basis. Class exemptions can be considered equivalent in operation to the previous “policy” exemptions (previous “policy” exemptions no longer apply under the *Surveying and Spatial Information Regulation 2024*).

### Using class exemptions

The notation “Class Exemption”, with the number of the class exemption(s) added, is placed after the surveyor’s reference to indicate the surveyor’s intent for the class exemption to apply to a survey plan.

For example, to apply Class Exemption 7, Class Exemption 8 and Class Exemption 9, the notation “Class Exemptions 7, 8 & 9” must be placed after the surveyor’s reference on the survey plan.

## Class Exemption 3 – Adoption of MGA orientation for minor surveys

This class exemption applies to all registered surveyors.

A survey plan applying Class Exemption 3 must be an urban survey of a minor nature and be an interpolation of the existing cadastre within a parent registered deposited plan (e.g. a two-lot subdivision, boundary adjustment or minor easement survey within a large residential subdivision).

A survey plan prepared under Class Exemption 3 is exempt from the requirements stipulated in Section 28 and Section 62 of the Regulation, subject to the conditions:

1. The parent deposited plan must have adopted an “accurate MGA orientation” within the meaning given in the Regulation.
2. The datum line adopted must:
  - be between two permanent survey marks (PSMs) shown on the parent deposited plan,
  - have an orientation adopted from a bearing as shown on (not calculated from) the parent deposited plan,
  - show the distance comparison with the parent deposited plan,
  - be within 1500m of the land surveyed, and
  - be confirmed by angular and distance connection to at least one other PSM shown on the parent deposited plan.
3. The confirmation line(s) must:
  - be between two PSMs shown on the parent deposited plan, and
  - show a comparison of the measured bearing and distance with the bearing and distance as shown on (not calculated from) the parent deposited plan.
4. If confirmation of the datum line reveals differences that are more than the tolerance specified in Section 22 of the Regulation, the surveyor must survey an additional connection to at least 1 other PSM shown on the parent deposited plan.

5. The survey plan must show:

- the PSMs comprising the datum line and confirmation line(s) in a closed loop of direct connections,
- the PSMs comprising the datum line being directly connected, by closed loop, to different corners of the land surveyed,
- the notation “MGA” and the number of the parent deposited plan adjacent to the north point, and
- PSM coordinates in the coordinate schedule as those recorded on the parent deposited plan.

Note: The MGA coordinates to be shown in the coordinate schedule are not being adopted, determined by the surveyor or obtained from SCIMS; they are simply reproduced from the parent deposited plan. The survey plan adopts an orientation from a prior deposited plan and therefore does not constitute an “accurate MGA orientation”, which requires adoption of MGA coordinates either determined by the surveyor using an approved method or obtained from SCIMS.

## **Class Exemption 6 – Connection to PSMs in abutting roads**

This class exemption applies to all registered surveyors.

A survey plan applying Class Exemption 6 must be an urban survey abutting one or more roads.

Section 42(1)(a) of the Regulation requires that an urban survey abutting one or more roads be connected to permanent survey marks (PSMs), where those PSMs must be exclusively situated along the abutting road(s).

A survey plan applying this class exemption is not required to connect to PSMs exclusively situated along the abutting road(s), however, it must still demonstrate connection to the total number of PSMs required under Section 42(1)(a).

The required PSMs may be situated and connected to the land surveyed as deemed appropriate by the surveyor, provided they lie within 250 metres of the land surveyed and all other provisions of the Regulation are met.

## **Class Exemption 7 – 30m separation of reference marking for roads**

This class exemption applies to all registered surveyors.

A survey plan applying Class Exemption 7 must be a survey that creates, redefines or widens a road under an Act, or defines a road frontage of a lot.

A survey plan prepared under Class Exemption 7 is exempt from the requirement in Section 53(2)(d) of the Regulation to insert a reference mark, subject to the conditions:

1. For an urban survey, a surveyor must insert a reference mark for each point on the land surveyed to reference the following:
  - each angle of the road, and
  - each tangent point of a curve or arc in the road, and
  - the terminal of a series of chords of a regular curve in the road

However, a reference mark is not required to be inserted where the point being referenced is within 30 metres of another point along the road frontage that is referenced by another reference mark.

2. The provisions of Section 51(3) of the Regulation must not be applied to the subject survey plan.

This condition requires that each reference mark shown on the subject survey plan must be referenced to only one point, including the extremities of the land surveyed. However, for definition purposes, multiple references from an existing reference mark as shown on previously registered deposited plans may be adopted.

## Class Exemption 8 – Partial surveys

This class exemption applies to all registered surveyors.

A survey plan applying Class Exemption 8 can be an urban or rural survey.

Section 35(1)(a) of the Regulation requires that a partial survey must not be carried out unless the total area of the land, including any area not being surveyed, is at least 10 hectares.

A survey plan applying this class exemption is exempt from the requirement stipulated in Section 35(1)(a) of the Regulation.

**Note that a partial survey approval may still be required to lodge a partial survey with NSW Land Registry Services. For more information see**

[https://rg-guidelines.nswlrs.com.au/deposited\\_plans/compiled\\_plans/partial\\_surveys](https://rg-guidelines.nswlrs.com.au/deposited_plans/compiled_plans/partial_surveys).

Section 35(2) of the Regulation stipulates various requirements regarding the conduct of a partial survey.

A survey plan applying this class exemption is exempt from the requirements stipulated in Section 35(2) of the Regulation, subject to the conditions:

A surveyor must, in carrying out a partial survey:

1. Survey all new boundaries; and
2. Define relevant existing boundaries by connection to monuments\*, sufficient to determine how those boundaries relate to new boundaries, including any intersections between them.

\* “Monument” has the meaning given in the Regulation.

## Class Exemption 9 – PSM density and connection

This class exemption applies to all registered surveyors.

A survey plan prepared under Class Exemption 9 may be an urban or rural survey.

The following provisions of the Regulation ordinarily apply to surveys:

- Section 28(3)(c) stipulates that the survey marks adopted for an accurate MGA orientation must be directly connected, by closed loop, to each of the other survey marks adopted for accurate MGA orientation and confirmation of the survey, and also to different corners of the land surveyed.
- Section 42(1) stipulates the number of permanent survey marks (PSMs) a survey must be connected to, based on abutting road length where applicable.
- Section 42(3) requires surveys for frontage redefinition of a formed road, road acquisition, and for road creation, redefinition or widening carried out under an Act to be connected to at least 2 PSMs for defined road-length intervals.
- Section 55(1)(a) provides that where the Regulation requires a surveyor to connect a PSM to the land surveyed, and no PSM exists within the prescribed distances, the surveyor must insert a PSM within those distances.
- Section 62(g) requires a formal land survey plan to show the connection, by direct lines to different corners of the land surveyed, of each survey mark used to determine accurate MGA orientation to form a closed loop

A survey plan prepared under this class exemption is exempt from compliance with Sections 28(3)(c), 42(1), 42(3), 55(1)(a) and 62(g) of the Regulation, subject to the following conditions:

1. A surveyor carrying out a survey to redefine or create parcels of land must connect the survey to:
  - (a) For a survey of 1-15 parcels – no fewer than 2 PSMs, or
  - (b) For a survey of 16-25 parcels – no fewer than 3 PSMs, or
  - (c) For a survey of more than 25 parcels - no fewer than 4 PSMs, plus an additional PSM for every 30 (or part of 30) by which the number of parcels exceeds 50
2. A survey that:
  - (a) redefines the frontage of a formed road, or
  - (b) acquires land for a road, or
  - (c) creates, redefines or widens a road under an Actmust connect the survey to at least 2 PSMs for each road-length interval of:
  - (i) for an urban survey – 1000m, or
  - (ii) for a rural survey – 2000m.
3. Each PSM required under conditions (1) and (2), or otherwise required by the Regulation to be connected to the land surveyed, must be connected by direct lines to different corners of the land surveyed.  
Under this class exemption, the distance between any such corner and the PSM to which it is connected must not exceed:
  - (a) for an urban survey – 500m, or
  - (b) for a rural survey – 1500m

The required PSMs must be either **existing or inserted by the surveyor**, and may be situated and connected to the land surveyed as deemed appropriate by the surveyor.

A survey plan applying this class exemption need not apply Class Exemption 6.

4. The datum line and confirmation line(s) must form a closed loop of direct connections between adjacent survey marks comprising:
  - the PSMs or RMs at the terminals of the datum line, and,
  - the PSMs or RMs at the terminals of the confirmation line(s), and
  - any other PSMs connected within the survey

The configuration of the loop(s) is at the discretion of the surveyor.

Note:

- The PSMs or RMs at the terminals of the datum line and confirmation line(s) do not need to be directly connected to the land surveyed under this class exemption.
- PSMs adopted for MGA orientation can be used to meet connection requirements if they comply with the distance limits in condition (3).

## Exemption History

An historical account of exemptions and policy exemptions can be found in previous versions of *Surveyor-General's Direction No.7* on the DCS-Spatial Services website.