



**BOARD INFORMATION SHEET**  
**REMOVAL OF SURVEY PEGS**  
**LAND BOUNDARIES AND DIVIDING FENCES**  
**DECEMBER 2011**



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The Board receives enquiries from members of the public and surveyors relating to the removal of 'survey marks' (usually boundary marks) by known and unknown / unidentified persons.

**What is a boundary mark?**

Survey pegs that mark boundary corners generally take the following form. They are square (50mm square in urban areas, and 75mm square in rural areas), protrude from the ground between 50 and 100mm, and are made of wood or plastic. They are white, and often have the lot numbers painted in black.

**Who can place a boundary mark?**

Only registered cadastral surveyors are permitted to place survey pegs that mark boundary corners. The *Surveyors Act 2003* prohibits other persons from placing boundary marks.

**When can a boundary mark be removed?**

It is unlawful for persons to remove boundary marks, except when it is necessary for the construction of a fence or similar structure on the boundary. The *Survey & Mapping Infrastructure Act 2003* (administered by the Department of Environment and Resource Management), contains the following provision to protect boundary marks:

*42 Offence about interfering with survey mark*

(1) *A person must not interfere with a survey mark the existence of which the person knows or ought reasonably to know, unless—*

(a) *for a cadastral survey mark for a boundary—the person interferes with the mark in order to erect a fence, wall or other permanent structure along the boundary;*

*Maximum penalty—100 penalty units.*

Further, where a person moves or removes a boundary mark in order to commit fraud, they may be committing an offence against the criminal code.

**Who can help?**

The Board does not usually play a role in a dispute over the removal of survey marks unless they are removed by a registered surveyor.

A cadastral surveyor should be engaged where there is a disagreement over boundary positions or where survey marks cannot be located. The surveyor should endeavour to explain to all parties the basis on which the survey marks are placed. To locate a surveyor go to [www.surveyorsboard.com.au](http://www.surveyorsboard.com.au).

The Department of Justice and Attorney-General has mediators within their Dispute Resolution Centre who may be able to assist. For information see the Dispute Resolution page of the website of the Department of Justice and Attorney-General [www.justice.qld.gov.au/justice-services/dispute-resolution](http://www.justice.qld.gov.au/justice-services/dispute-resolution)

Action against a person for illegally interfering with boundary marks is unlikely to be successful unless there is clear evidence that the person committed the offence. It is not sufficient to strongly suspect that the person interfered with the marks.

If the matter relates to a dividing fence, see information regarding the Neighbourhood Disputes Resolution Act at [www.justice.qld.gov.au/corporate/justice-initiatives/neighbourhood-disputes-resolution-act-2011](http://www.justice.qld.gov.au/corporate/justice-initiatives/neighbourhood-disputes-resolution-act-2011)