

Survey and Mapping Infrastructure (Survey Standards) Notice 2021

Human Rights Certificate

Prepared in accordance with Part 3 of the *Human Rights Act 2019*

In accordance with section 41 of the *Human Rights Act 2019*, I, Scott Stewart, Minister for Resources provide this human rights certificate with respect to the *Survey and Mapping Infrastructure (Survey Standards) Notice 2021* made under the *Survey and Mapping Infrastructure Act 2003*.

In my opinion, the *Survey and Mapping Infrastructure (Survey Standards) Notice 2021*, as tabled in the Legislative Assembly, is compatible with the human rights protected by the *Human Rights Act 2019*. I base my opinion on the reasons outlined in this statement.

Overview of the Subordinate Legislation

The subordinate legislation is to remake updated standards for cadastral surveying under section 6 of the *Survey and Mapping Infrastructure Act 2003*. Routine update of the standards provides for continuity of the system for regulation of cadastral surveying in Queensland.

The purpose of the standards made for surveying (the Cadastral Survey Requirements) are to set out a range of requirements that surveyors must meet and to provide information about the conduct of cadastral surveys, including information about standards, guidelines or legislative requirements under the *Survey and Mapping Infrastructure Act 2003*, information about requirements under other legislation and specific requirements related to actions under other legislation.

The government takes action to maintain the accuracy and integrity of the cadastre to ensure certainty for landholders in respect to property boundaries and thus underpin the many other processes that depend on certainty in dealing with real property. In the context of the surveying legislative framework, government action is being taken to respond to the changing context and technology of cadastral surveying, and to ensure that modern cadastral surveying is not disadvantaged by unnecessarily restrictive regulation.

Introduction of updated standards for surveying provides for continuity by making the changes necessary to keep surveying practice in Queensland up to date with relevant technological developments and improvements to government processes. It supports government and industry efforts to improve the quality and availability of surveying information while reducing regulatory burden.

Human Rights Issues

Human rights relevant to the subordinate legislation (Part 2, Division 2 and 3 *Human Rights Act 2019*)

The changes provided for by the *Survey and Mapping Infrastructure (Survey Standards) Notice 2021* do not affect any existing powers or requirements within regulation. The purpose of making the Notice is to commence technical standards applied to carrying out cadastral surveys in Queensland.

Remake of the standards for cadastral surveying does not limit the human right of property rights. The standards made for surveying support the system in which bounds of real property is described. Ongoing administration of the standards for the cadastral system ensures property boundaries remain accurately described.

The standards are generally limited to the quality and type of technical information used to describe boundaries of land. Remake of the surveying standards do not change other regulation or government policies which effect the acquisition, access, use or control over land within the boundaries thus described.

No human rights have been identified as being engaged or limited by the *Survey and Mapping Infrastructure (Survey Standards) Notice 2021*.

Consideration of reasonable limitations on human rights (section 13 *Human Rights Act 2019*)

No human rights have been identified as being limited by the *Survey and Mapping Infrastructure (Survey Standards) Notice 2021*.

Conclusion

I consider that the *Survey and Mapping Infrastructure (Survey Standards) Notice 2021* is compatible with the *Human Rights Act 2019* because it does not raise a human rights issue.

SCOTT STEWART MP
MINISTER FOR RESOURCES

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