

Proposed amendments to the *Surveyors Act 2003* and *Survey and Mapping Infrastructure Act 2003*

Proposals to amend the *Surveyors Act 2003* (Surveyors Act) and *Survey and Mapping Infrastructure Act 2003* (SMI Act) are being developed for a future Lands portfolio amendment bill. Feedback is being sought in relation to the key proposals as outlined below.

Proposal 1: Remove the consulting endorsement category

The first proposal is to:

- remove the consulting endorsement from the surveyor registration framework under the Surveyors Act; and
- remove registration and renewal fees related to the individual consulting endorsement category with no change to registration, application and renewal fees for other endorsement categories.

Relevant eligibility requirements from the consulting endorsement category will continue (to the appropriate extent) as requirements for registered surveyors with a cadastral endorsement who carry on a business providing cadastral surveying services or charge a fee to the public for carrying out a cadastral survey. Most importantly, it is proposed to continue the current requirement for a minimum level of professional indemnity insurance to be held when offering services to the public.

The fees and category for registration of a corporation as a surveyor with endorsement as a consulting surveyor are proposed to continue but relate simply to registration of a corporation as a surveyor. No change is proposed to the individual surveyor, surveying graduate and associate registration categories.

Policy rationale

The proposal to remove the consulting endorsement category is an opportunity to streamline the Queensland framework for registration of surveyors without significant impact on the framework and its public protection aims.

The consulting endorsement has been critiqued for creating additional administrative complexity for both cadastral surveyors and the Surveyors Board of Queensland (the Board). The competency criteria for the consulting endorsement provide onerous documentation requirements for new registrations and career episode reporting, and inefficient overlap exists with the foundational cadastral endorsement category. Competency assessment in terms of 'consulting' or running a business is subjective and outside of the Board's primary public protection role. This role may centre on competency for cadastral endorsement, along with the statutory requirement for professional indemnity insurance to be held by practicing surveyors.

The consulting endorsement, which limits who may offer surveying services independently, imposes additional regulatory burden that is no longer justified in a modern marketplace. The proposal aligns with principles of market-oriented reform, promoting a level playing field for registered surveyors and reducing unnecessary administrative duplication. It supports a shift toward outcome-focused regulation where professional competence and tangible public protection measures are the primary focus.

The surveyor registration framework in Queensland is more complex than many other Australian jurisdictions. For example, in New South Wales there are two categories of registration applicable to practicing surveyors – registration as a land surveyor, and registration

as a mining surveyor¹. Likewise, in Victoria a surveyor may apply for registration as a licensed surveyor only².

Streamlining the framework as proposed would simplify potential implementation of Automatic Mutual Recognition under the *Mutual Recognition Act 1992* (Cth), should a decision be made by the Queensland Government to do so. The multiple registration and endorsement categories of which the Queensland framework is comprised complicates equivalency and the administration of mutual recognition.

Regulatory fees amendment

Removal of the consulting endorsement category from the Surveyors Act will require consequential amendment of associated regulatory fees in the Surveyors Regulation 2024. It is proposed to remove application and renewal fees that relate to the individual consulting endorsement category, without change to other regulatory fees. This avoids any potentially unfair increase to fees for registered surveyors that do not provide cadastral surveying services to the public. It ensures the fees payable by cadastral surveyors providing a service to the public in Queensland are comparable with the average of equivalent registration fees in other Australian jurisdictions.

Expected impacts

The impacts of the proposal which affect consulting cadastral surveyors are:

- Persons carrying on a business or charging a fee to provide cadastral surveying services will no longer need consulting endorsement but will be required to hold registration as a surveyor with a cadastral endorsement and hold professional indemnity insurance.
- The statutory requirement to hold at least \$2M in professional indemnity insurance will remain for cadastral surveyors (individual or corporation) who carry on a business or charge a fee to provide cadastral surveying services.
- Removal of the consulting endorsement category results in the reduction of renewal fees payable by an individual in relation to the registration and endorsement required to carry on a business or charge a fee for providing cadastral surveying services, down from \$602.69 to \$291.97 annually.
- A reduction in costs for individual consulting cadastral surveyors in turn results in a reduction in fees for surveying businesses in Queensland.
- The fees payable for registration of a corporation as a surveyor will remain the same, although the application and competency assessment processes and fees related to the consulting endorsement category will no longer be applicable.
- The Board's regulatory fee revenue will be reduced but will not impact its ability to effectively undertake its legislative obligations for the benefit of the surveying industry and community.

Proposal 2: Update requirements for submission of survey information

A further amendment is proposed to clarify the provisions to submit surveying information under section 16 of the SMI Act. The proposal is to clarify the trigger under the existing

¹ Section 10(1) of the *Surveying and Spatial Information Act 2002* (NSW).

² Section 4(1) of the *Surveying Act 2004* (VIC).

provision to include either the placement of a mark, or the provision of advice about the precise location of a land boundary.

Policy rationale

Where a cadastral surveyor conducts a land boundary survey, section 16 provides an obligation for surveyors to submit a copy of the survey plan to the department within 40 business days of *placing a survey mark*, unless a copy of the plan is already lodged with the land registry. This allows the department to collect valuable survey information to include within state datasets, undertake compliance obligations and make the information publicly available for the benefit of future cadastral surveys.

The current trigger is related to the placement of a mark as a tangible indicator of the occurrence of a survey or a boundary being made identifiable on the ground. It relates also to the recorded evidence (the plan) of those marks being placed to support future boundary reinstatement. It is essential for maintaining the cadastre that physical evidence is both accompanied and continues to be recorded through documentary evidence.

Some forms of cadastral survey occur which do not always involve the placement of marks, but do provide valuable survey information, such as Preservation of Survey Infrastructure (POSI) surveys, fully compiled plans and preliminary identification surveys undertaken for large scale infrastructure projects. While these surveys are ordinarily deposited by surveyors, it is prudent these situations are clearly reflected within the requirements to submit cadastral survey information.

The trigger for submission of cadastral survey information can be improved to protect the availability of valuable survey data to States land boundary framework and for future boundary surveys. The proposal supports comprehensive survey data collection by the department and ensures the trigger to submit information unambiguously supports availability of appropriate survey data for public benefit. In clarifying the trigger, care will be taken not to draw other surveys into the scope of section 16, outside of what is currently considered a cadastral survey.

Expected impacts

The impacts of the proposal that affect cadastral surveyors are:

- Surveys involving the placement of a mark, or the provision of advice about the precise location of a land boundary, will be reflected by the requirements to submit survey information to the department. Essentially, this preserves the status quo, where cadastral surveys already are required to be submitted to the department, but the current trigger does not capture surveys that do not involve placement of a mark.
- A clear trigger will assist the Board in managing compliance with the requirement to submit survey information.
- The availability of quality survey information will be supported for use by the surveying industry to maintain the quality of cadastral boundaries throughout the State and further protect the public including owners of subject lots and adjoining owners.

Timeframes and next steps

Feedback is sought in relation to the proposal by 10 November 2025 via email to surveying@nrmrrd.qld.gov.au.