

Land Title Amendment Regulation 2019

Explanatory notes for SL 2019 No. 174

made under the

Land Title Act 1994

General Outline

Short title

Land Title Amendment Regulation 2019

Authorising law

Section 199 of the *Land Title Act 1994* (the Land Title Act)

Policy objectives and the reasons for them

The objective of the *Land Title Amendment Regulation 2019* is to relax the current requirement for heavier density paper for survey plans.

The *Land Title Regulation 2015* specifies, amongst other things, the type of paper to be used for preparing survey.

Survey plans are currently required to be prepared on A3 size paper sheets of a density no less than 130 grams per square metre rather than regular office-use bond paper of 80 grams per square metre in density. This is due largely to the historical desire for the paper to be robust enough to withstand multiple hand drawn changes and corrections by surveyors. Such practices have been superseded by computer aided drafting software and there is no longer a need to use the heavier density paper for producing survey plans.

Achievement of policy objectives

To achieve the policy objectives of the *Land Title Amendment Regulation 2019*, it is proposed that its provisions take effect from 1 October 2019 immediately after the commencement of certain land titling related provisions in the *Natural Resources and*

Other Legislation Amendment Act 2019 (Amendment Act) which are to commence upon Proclamation.

The titling related provisions in the Amendment Act will commence by Proclamation on 30 September 2019.

Relaxing the current requirement for survey plans to be prepared on paper of a density of no less than 80 grams per square metre rather than the heavier 130 grams per square metre creates consistency with the paper density requirements for other forms lodged in the titles registry and will support high speed scanning of survey plans that may in the future be lodged electronically as image files.

Consistency with policy objectives of authorising law

The *Land Title Amendment Regulation 2019* is consistent with the main objects of the Land Title Act which provides the head of power for regulations to be made for the quality of paper on which a prescribed form may be printed.

Inconsistency with policy objectives of other legislation

The *Land Title Amendment Regulation 2019* is not inconsistent with the policy objectives of other legislation.

Benefits and costs of implementation

Implementing the *Land Title Amendment Regulation 2019* will not increase costs to government as administration will remain subject to existing processes.

Allowing for the use of lower density paper for survey plans will reduce costs for cadastral surveyors acquiring paper stocks for future use. Existing stocks of the heavier paper can continue to be used.

Consistency with fundamental legislative principles

The *Land Title Amendment Regulation 2019* has been drafted consistent with fundamental legislative principles as defined in the *Legislative Standards Act 1992*.

Consultation

The Spatial Industries Business Association – Qld, which represents surveying firms, and the Surveying and Spatial Sciences Institute, the professional association representing cadastral surveyors, were consulted regarding the paper density requirements for survey plans and raised no concerns.

In accordance with the *Queensland Government Guide to Better Regulation*, the Queensland Productivity Commission was not consulted in relation to the regulatory proposal. The Department of Natural Resources, Mines and Energy applied a self-assessable exclusion from undertaking further regulatory impact analysis (Category (g) – Regulatory proposals that are of a machinery nature) in relation to the paper density requirement for survey plans as no substantive policy change has been made.

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