

Surveyor-General Survey Practice Direction 2013 (No 1)

Disallowable Instrument DI2013-217

made under the

Surveyors Act 1989 — section 55 (Surveyor-General Practice Directions)

EXPLANATORY STATEMENT

The *Surveyors Act 2007* provides for the issuing of instructions to surveyors and, in particular, section 55 provides for the Surveyor-General to issue Surveyor-General Practice Directions.

This instrument establishes the Surveyors (Surveyor-General) Practice Directions 2013 (No 1) and revokes the Surveyors (Surveyor-General) Practice Directions 2010 (No 2) (DI2010-267). The new instrument makes the following amendments to the former directions:

Changes identified below are primarily designed to amend the way floor areas are shown on Units Plans. This has been an issue of much discussion and debate however there is now broad agreement to the suggested changes within the industry and it is supported by other relevant areas of property development. Other changes are relatively minor and are intended to more closely align the ACT directions with NSW regulations, ie the *Surveying and Spatial Information Regulation 2012* (NSW) (NSW Regulation) to the extent that this is possible.

The changes implemented in the new Surveyors (Surveyor-General) Practice Directions 2013 include amendments to:

1. the definitions to:
 - a. define a monument in the same way as defined in the NSW Regulation;
 - b. clarify the type of mark which is used as a reference mark; and
 - c. clarify the relevant version of the document known as SP1, a national standard relating to survey accuracies. This document was recently revised however these directions refer to the previous version which is still available and relevant.
2. direction 8 to require surveyors to procure information on survey control marks. This is rarely a problem as this information is freely available, however ensures best practice.
3. direction 11 (2) to ensure that identification surveys must be performed by a registered surveyor or under the supervision of a registered surveyor.
4. direction 18(2) with the intention to relax accuracy requirements for determining the location of natural features such as rivers. This amendment is required to ensure that surveyors are able to

make use of more efficient survey methods such as Global Navigational Satellite Systems¹ (GNSS).

5. direction 30 to tighten the accuracy requirement for measuring angles with theodolites. This recognises the greater accuracy of modern instruments and is consistent with similar provisions in the NSW Regulation.
6. direction 31(2) and add direction 31(3) to lessen the accuracy requirements for rural surveys. This amendment is required to ensure that surveyors are able to make use of more efficient survey methods such as GNSS.
7. add new direction 32(5) to require areas to be calculated to appropriate accuracy. This provision is identical to the provision in the NSW Regulation.
8. direction 33 (7) to delete the requirement that pegs be placed 'point downwards' which is an obvious practice and as such does not need to be spelled out in the directions .
9. direction 48(2) to require a surveyor to seek approval to a new high water determination as well as a changed position. There are some areas within Jervis Bay Territory where the high water boundary has not been previously defined.
10. direction 49(4) to clarify this direction. This direction requires a comprehensive report on the new location of a natural feature only when a survey plan is to be lodged with a public authority.
11. direction 51 to require surveyors to survey the line of a natural feature rather than to locate such features by traverse and offset. This new provision aligns with the technique now used in the NSW Regulation and recognises the increased use of GNSS to more accurately and efficiently locate natural features. This provision makes the old direction 51 concerning calculation of areas between a traverse and the natural feature unnecessary.
12. direction 75 to:
 - a. change the area to be shown on class A unit plans from floor area to title area (which includes the area of half surrounding walls). This change has been made primarily to:
 - i. Address concerns that floor area is considerably less than the title area and this has resulting in confusion and dispute; and
 - ii. The logical assumption that the unit plan would shown title area.
 - b. give surveyors some flexibility in determining wall thickness so as to ensure the new provision does not significantly add to the cost of the survey;
 - c. ensure that the plan clearly indicates that areas are approximate only. This provision is similar to the equivalent provision in the the NSW Regulation and is required as there are differing criteria used to determine areas depending upon the client's requirements; and
 - d. require surveyors to add a 'legend and specification sheet' which explains how areas are determined and that they are approximate only. This sheet will make it clear which areas are shown on the plan.
13. correct Schedule 1 Form 2 which incorrectly refers to the *Surveyors Act 2001* instead of the *Surveyors Act 2007*.
14. Add new Schedule 3-J to provide an example of a legend and specification sheet (refer to item 12 above).
15. corrected spelling errors in several schedule headings.

¹ Other countries such as Russia, China, India and the EEC are now establishing satellite networks similar to the well known GPS satellite navigation system established by the US Dept. of Defense. Modern receivers can utilise multiple systems to obtain greater accuracy and reliability. These multi-system receivers are known as Global Navigation Satellite Systems (GNSS).

It is a requirement of section 55 (2) of the Surveyors Act 2007 that the Survey Practice Advisory Committee be consulted regarding proposed directions. All amendments have been provided to all registered surveyors for comment and have been approved by the Survey Practice Advisory Committee.

All of the new requirements in the new Surveyors (Surveyor-General) Practice Directions 2013 will apply from the commencement of the instrument. None of the new requirements have retrospective effect.