



30th April 2020

To whom it may concern

RE: Review of Part 5 of the Work Health and Safety (Mines and Petroleum Sites) Regulation 2014

The Australian Institute of Mine Surveyors (AIMS) is a national body promoting the science and practice of mine surveying with over 300 members drawn from across the country surveying in the resources sector.

While AIMS generally supports the current legislative framework in NSW it would like to make the following submission for consideration in the review of Part 5 of the Work Health and Safety (Mines and Petroleum Sites) Regulation 2014.

Update to the Geocentric Datum of Australia

- Currently GDA94 is reference from a gazettal notice in 1995.
- GDA2020 has recently been released and is the datum referenced by the Surveying and Spatial Information Act for NSW and should be adopted as a common standard.

Inclusion of Mine Surveyor as Key Statutory position

- Currently a mine surveyor is a statutory function, not a key statutory function. As such multiple surveyors can be nominated to fulfil the role creating confusion on who is responsible and accountable for surveys undertaken and plans prepared.
- By including the mine surveyor in Clause 135 Definition of key statutory functions it would eliminate the possibility for multiple nominated surveyors for one site with the uncertainty generated.

Audit function for the Regulator

- Currently it is an operator obligation to have a mine survey plan prepared and certified by an individual nominated to exercise the statutory function of mining surveyor. In some cases this plan is not seen or submitted to the Regulator prior to mine closure at which point any inadequacy or inaccuracy may not be able to be addressed. This is particularly the case with metalliferous open cut mines and smaller metalliferous underground mines. While the mine survey plan must be made available for inspection under WHS laws there seems little authority to allow an audit of the plans adequacy, accuracy or the people involved in its preparation.
- By introducing an auditing power for the Regulator potential issues regarding adequacy and accuracy can be addressed while access is still available the workings involved to address the issues as well as ensuring compliance with qualification requirements.

Please do not hesitate to contact me if you require further information.

Yours faithfully,

Chris Moy

Director, Australian Institute of Mine Surveyors

Phone: [REDACTED] E-mail: [REDACTED]