

**Title: Surveyor-General's Direction No. 8
Mining Tenure Surveys**

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Cover image shows part of the Wellington Gold Field
Image: Parish of Tambaroora, County of Wellington, Regional

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Document Control Sheet

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1. Definitions

Surveyor General - Shall mean the person appointed to the position of Surveyor-General, or a person acting in that position.

Registered Land Surveyor - Shall mean any person whose name appears in a Register kept by the Board of Surveying and Spatial Information in accordance with Part 3 of the Surveying and Spatial Information Act, 2002.

Department - Shall have the same meaning as in the Mining Act, 1992.

Mining Lease - Shall have the same meaning as in the Mining Act, 1992.

Mining Act - The Mining Act 1992

Mining Regulation -Mining Regulation 2016

Surveying Act - The Surveying and Spatial Information Act 2002

Regulation - Surveying and Spatial Information Regulation 2017

Abbreviations -

AHD71 The Australian Height Datum 1971

DIGS Digital Imaging Geological System

MGA As defined in the Surveying and Spatial Information Regulation 2017

PSM/s Permanent Survey Mark/s

RM/s Reference Mark/s

2. General

The purpose of a Mining Tenure Survey is to define the land that is to be leased for the purposes of the Mining Act and to identify what portion of a certificate of title is included in that lease. Therefore these are considered Land Surveys.

This Direction does not apply to 'Small-scale Titles' as defined under the Mining Act.

This Direction clarifies or are in addition to the requirements of the Surveying Act and Regulation. If there is any discrepancy the Surveying Act or Regulation takes precedence.

All surveys and compiled plans for Mining Tenure (except Small Scale Titles) shall be completed to the standards specified in the current Regulation excluding Clause 9 (Surveys not requiring strict accuracy).

All surveys required for lodgement at the Department shall comply with the instructions issued by, or with the authority of, the Secretary of the Department or their nominee.

All plans must state MGA ellipsoidal coordinates and AHD71 values.

All corners must state an AHD71 Reduced Level.

All plans must state the coordinate epoch of the datum used.

All bearings and distances must be stated as horizontal plane distances at ground level and grid bearings.

All Mining Tenure plans must be certified by a Registered Land Surveyor.

Surveys and/or plans suspected to be in error or in contravention of the survey instruction shall be subject to requisition. Requisitions regarding suspected errors or omissions must be met with prompt attention and reply by the Registered Land Surveyor.

Should any dispute remain unresolved following negotiation between the Registered Land Surveyor and the Department, the matter will be referred to the Surveyor-General whose decision will be final.

Surveys made under this Direction are undertaken to comply with section 66 of the Mining Act.

A Standard Map as defined in the Mining Act is not suitable to as a Mining Tenure Survey.

3. Existing Mining Tenure Surveys

The survey instruction provided by the Department will contain copies of current mining tenure survey plans that adjoin the proposed Mining Tenure site. The surveyor will be responsible for carrying out a search of historical titles for any relevant information.

Mining tenure surveys of granted Mining Leases are stored in the Geological Survey of NSW public online document archive – DIGS® (Digital Imaging Geological System). DIGS can be accessed via <https://search.geoscience.nsw.gov.au/>. This database stores both current and historical information. As this database contains a wide range of information the best way to access the relevant survey plans is to:

1. Set the 'Search Area' to focus the search on the area of interest.
2. Search using relevant key words i.e
 - County or Parish – "County of ...", "Parish of",
 - Mining Lease Portion Number – "ML...."
 - Mining Lease Application number (MLA) – "MLA...."
 - Granted Mining Lease number (ML) – "ML...."
 - Survey Plan Number (M) – "M...."
3. Filter the results by setting 'Type' as 'Survey Plan'

Plans approved under the current act are prefixed by the letter M followed by a 5 digits number. Leases granted under historical acts may use other prefixes. Table 1 below contains a list of the applicable prefixes and the corresponding lease types and number of digits required for the DIGS reference.

Table 1: Mining Lease type and corresponding prefix and minimum number of digits

Prefix	Mining Lease Type	DIGS ref. digits
D	Miscellaneous plans prepared for a range of lease types granted under the Mining Act 1973. Mostly plans compiled from previous surveys	4
G	Gold lease	5
M	Mineral/Mining Lease	5
P	Leases on Private Lands (PML)	4
S	Mining Permit (MP)	4
T	Mining Tenement	4

For more information on DIGS and access to the User Guide refer to https://search.geoscience.nsw.gov.au/assets/help/DIGS_Help.pdf

In conducting a search of available Mining tenure information it is recommended that two additional information sources be consulted. These are

- NSW Land Registry Service's (NSW LRS) Historical Land Records Viewer (HLRV). Historical information on mining tenure and types can be found on County, Parish and other reference maps stored within HLRV. Available at <https://hlrv.nswlrs.com.au/>.
- Geological Survey of NSW (GSNSW) MinView. MinView is a web mapping application that provides access to a wide range of geoscientific and geological information, including current and historic mining titles. This service provides a direct link between the mining title polygons and the corresponding DIGS information if available. MinView available at <https://minview.geoscience.nsw.gov.au/>. More information and User Guide available at <https://minview.geoscience.nsw.gov.au/assets/docs/minview-user-manual-20180901.pdf>.

More information on mining tenure title types is available at <https://commonground.nsw.gov.au/#!/title-types>.

4. Land to be Surveyed

Mining Tenure surveys may include the surface, may exclude the surface totally (stratum leases) or may be a combination of both surface and underground. Before undertaking a Mining Tenure survey, a written survey instruction must be obtained from the Department. The description in the survey instruction will determine the extent of land to be surveyed.

Variations from the instruction will only be accepted to avoid creating a hiatus between the land surveyed and adjacent mining and/or cadastral surveys. Variations not acceptable include situations where the change would affect additional lands not included in the notifications given to landowners and occupiers by the applicant at the time the application was lodged.

All Mining Tenure surveys are considered Land Surveys under the Surveying Act, this is regardless of location or stratum. All Mining Tenure surveys must be certified by a Registered Land Surveyor. All Mining Tenure surveys are considered to be the equivalent of a Plan of Subdivision and the same marking of boundaries are required under the Regulation.

In addition to the requirements stipulated in the Regulation, the survey instruction supplied by the Department may have additional survey requirements such as all relevant improvements should be shown on the survey plan. Relevant improvements include dwellings that are the principal residence of the occupier, gardens or any other improvement being a substantial building, dam, reservoir, contour bank, graded bank, levee, water disposal area, soil conservation work or other valuable work or structure (except those constructed for mining purposes) are required to be identified on the Mining Tenure plan as required by section 62 of the Mining Act.

When the boundaries of a mine or lease do not involve the surface, the Department will require a base line to be established in accordance with Surveyor-Generals Direction No 12 being 'Control Surveys and SCIMS' as part of the State Control Survey. The survey framework of the mine is to be developed from this base line.

5. Nature and Position of Marks

Where the surface is included, coordinates and heights are used to indicate the corners of the measured portion, the coordinate value shall serve to indicate the location of the corner marking or monument. The undisturbed mark shall remain the accepted location of the corner.

Accuracies are to be in accordance with the Regulation that is currently in force for cadastral applications.

Where the surface is not included in the lease the values that describe the boundaries are to be established to an accuracy in accordance with the Regulation that is currently in force for cadastral applications.

The coordinate and height for each corner must be shown in the co-ordinate schedule of the plan, however no marking of the survey is required.

PSMs and RMs are to be located outside the lease area wherever possible to ensure that the survey marks are accessible to surveyors undertaking cadastral surveys in the surrounding area.

5.1 Exemption Policy No 6 - Unfenced Boundaries of Mining Tenure Surveys.

Exemption Policy No 6 Unfenced Boundaries of Mining Tenure Surveys.

A Policy 6 exemption applies to Mining Tenure plans only. The aim of the Policy 6 exemption is to modify the line marking requirements under cl.28(5)(b) of the Regulation for Mining Tenure plans.

For the purpose of Exemption Policy No 6, a boundary line mark must be placed wherever the Mining Tenure boundary crosses a fenced lot boundary where there is a change of ownership and not to exceed an interval of 500m from the nearest boundary mark for the Mining Tenure boundary. If there is no change of ownership within the interval, place the boundary mark at a fence line.

The Mining Tenure boundary line mark/s are to be placed as a line peg/s for the lot boundary that is fenced. If there are no lot boundaries within the interval place the line mark in the safest location along the Mining Tenure boundary to avoid disturbance.

6. Drafting Standards

Drafting and presentation standards that are to be adopted for Mining Tenure plans will be supplied by the Department with the Survey Instruction.

- The Plan Form as supplied by the Department.
- The Survey Certificate must be completed as per the Regulation.
- All surface boundaries must be shown as marked.
- All stratum boundaries must be shown as obstructed corners.
- All depths or stratum must be described using the AHD71 datum.
- All depth limits must be by horizontal or inclined planes. No depth limit will be limited by a curved surface. No plan will state a depth limit by reference to the surface.
- All plans compiled, surveyed or calculated are to show horizontal plane distances at ground level and grid bearings.
- All corners are to be numbered to correspond to the numbering in the co-ordinate schedule.
- Each number is only permitted to be used once per plan for any reason. That is there cannot be a short line 1 and a corner 1.
- All Mining Tenure corners are required to have the coordinate value and AHD71 RL shown on an Administration Sheet in the approved schedule.
- No co-ordinates are to be shown on the plan drawing.
- All co-ordinates are to use the MGA2020 Datum and be expressed on the ellipsoid.
- All co-ordinates are to be expressed in the same zone being the predominate zone for the land surveyed.

6.1 Approved Co-ordinate Schedule.

Corner Schedule					
Corner ID	Easting	Northing	Corner RL	Surface RL	Mark Type
1					
2					
3					
4					
5					
6					

Datums:

Horizontal: MGA2020

Vertical: AHD71

Combined Scale Factor: _____