

May 2026

## Policy

### Mine survey

#### Policy statement

This policy establishes the principles of the Resources Regulator's<sup>1</sup> functions in relation to regulating mine survey under the Work Health and Safety (Mines and Petroleum Sites) Regulation 2022 (WHS (MPS) Regulation).<sup>2</sup>

Specifically, this policy sets out how the Regulator will regulate mine surveys Part 6, Part 9 and Schedule 10 of the WHS (MPS) Regulation.

#### Policy scope

The scope of this policy applies to the Regulator's role in the following matters under the Regulation:

1. Preparing mine survey plans by mine operators and submission to the Regulator.
2. Reviewing mine survey plans submitted to the Regulator and dealing with contraventions.
3. Custodianship of mine survey plan records by the Regulator.
4. Sharing mine survey records by the Regulator.

#### Background

The WHS (MPS) Regulation requires mine operators to prepare mine survey plans of their operations as well as prescribing certain content, standards and who is to undertake such surveys.

Under the WHS (MPS) Regulation, mine operators are also required to submit mine survey plans to the Regulator on closure, or as prescribed in the NSW Government Gazette. The WHS (MPS) Regulation also requires that the Regulator retains copies of mine survey plans (for those that close) and that it may provide copies of any survey plan received to any people prescribed therein.

Statutory requirements, in one form or another, for mine operators to prepare mine survey plans and for the Regulator to retain copies of such plans have been in place for around 150 years. Therefore,

<sup>1</sup> References to the Regulator includes its predecessor agencies or authorities.

<sup>2</sup> The Regulator does not regulate the practice of surveying by mine surveyors. This is the responsibility of the Survey-General and the Board of Surveying and Spatial Information (BOSSI).

the Regulator is the custodian of a large volume of mine survey records, in both hard copy and digital formats.

Copies of these records may be provided to any person for the purposes of lessening the risk to health and safety, for administration of other acts prescribed in the WHS (MPS) Regulation or where it is in the public interest.

Mining in NSW over the past 200 years, particularly underground coal mining, has left a significant legacy. In this context, the Regulator's historical catalogue is an important resource and is extensively used by external stakeholders for managing risks at operating mines, managing risks to public safety, as well as in assessing land use development in the planning processes.

## Policy principles

### 1. Preparing and submitting mine survey plans by mine operators

#### Preparing mine survey plans

Mine operators must ensure that mine survey plans are prepared in accordance with the WHS (MPS) Regulation. The Regulator considers a mine survey plan to be prepared in accordance with the WHS (MPS) Regulation when:

- plans are prepared in accordance with directions for mine surveyors as published by the Surveyor-General
- plans are certified by a registered mine surveyor under the *Surveying and Spatial Information Act 2002*. The plans will include a certification schedule
- plans are uniquely numbered consistent with longstanding cataloguing practice of RTxxx for coal mines and MWPxxx for metalliferous and extractive mines to ensure historical consistency (the mine operator will obtain the catalogue number from the Regulator)
- a printable soft copy in PDF file format is produced with themes and attributes as required by the directions and relevant to the mine
- spatial files are produced in ESRI-compatible format with themes and attributes as required by the directions and relevant to the mine.

#### Submitting mine survey plans to the Regulator

Mine operators must submit mine survey plans to the Regulator in accordance with the WHS (MPS) Regulation in the approved way and form. The following will apply to submission of mine survey plans to the Regulator:

- The agreed way and form will be as prescribed in the gazette.
- Regular submission of mine survey plans will be required for classes of mines in accordance with the schedule prescribed in the gazette.

## 2. Reviewing mine survey submissions and dealing with contraventions

### Reviewing mine survey plans

The responsible officer in the Regulator will review submitted mine survey plans to verify:

- the mine survey plan is prepared, reviewed and updated by the mine operator as required by the WHS (MPS) Regulation and Gazette
- a legally authorised person has prepared the survey plan (i.e., a registered mine surveyor)
- for the case of mine survey plans prepared for closure, that the plans provide an enduring spatial record of the mine.

When reviewing submitted mine survey plans, the Regulator will be guided by the following:

- Content and format requirements of the directions published by the Surveyor-General.
- A review of all mine survey plan submissions relating to:
  - cessation of duties of the nominated surveyor
  - suspension and closure of the mining operation
  - submission under Regulator notice.
- Regular reviews of mine survey plan submissions scheduled by the gazette on a selective basis.
- Standardised review process is conducted within the relevant business systems.
- A presumption that reviewing officers have not verified the content of the submitted mine survey plans at site, though appointed officers (i.e. inspectors of mines or mine safety officers) may verify content at site during the course of normal assessment programs.
- A presumption that the Regulator has not verified the accuracy of mine survey plans and any concerns around accuracy may be referred to the Surveyor-General/BOSSI.

### Dealing with contraventions

The Regulator will generally deal with contraventions relating to preparing and submitting mine survey plans outlined in Section 1 in the following manner:

- For errors or omissions of content and form identified in a review, the responsible officer in the Regulator will request the mine operator rectify the mine survey plan.
- For contraventions of the gazette and/or WHS (MPS) Regulation, the Regulator will apply its compliance and enforcement policies and procedures.
- Matters the Regulator judges to be a potential non-compliance with the *Surveying and Spatial Information Act 2002* and its Regulations will be referred to the Surveyor-General.

### 3. Custodianship of mine survey plan records by the Regulator.

Mine survey plans submitted to the Regulator (and its predecessors) form a large catalogue of records. The Regulator is required to retain permanent records of survey plans of mines at closure under the WHS (MPS) Regulation.

There are also a range of other records that provide necessary contextual information to support the interpretation of any mine survey plan.

Regulator-held mine survey plans and supporting records are government records under the *State Records Act 1998* and will be managed accordingly, including retention and disposal authorities.

Regulator-held survey and mapping master set records are categorised as state archives by the Functional Retention and Disposal Authority.

In maintaining the catalogue, the Regulator will:

- obtain and store all current and future mine survey plan records solely in electronic format
- convert all existing hard copy mine survey plans and associated records to electronic format, (i.e., by scanning them)
- maintain all electronic copies of mine survey plans and associated records in a relevant business system (e.g. DIGS, ACES, Content Manager)
- keep mine survey plans and associated mine closure records in the form originally submitted to the Regulator
- retain all historical records that provide contextual support to the interpretation of mine survey records in the form originally submitted to the Regulator.
- maintain hard copy records that require storage at a facility in accordance with relevant legislation, policy and procedures subject to applicable record retention and disposal authorities
- transfer hard copy mine survey plans and associated records meeting the definition of a state archive record to the Museums of History in accordance with the *State Records Act 1998* and department policy.

### 4. Sharing of mine survey plan records by the Regulator

The Regulator may provide copies of mine survey plans to any person in circumstances prescribed by the WHS (MPS) Regulation.

Under the *State Records Act 1998*, any government records that are greater than 20 years old are regarded as open access to the public (unless a closed public access [CPA] direction is made). Most mine survey records of interest to external stakeholders are greater than 20 years old.

The Regulator will generally provide mine survey plan records in accordance with following principles:

- An application for copies of mine survey plans and supporting documents will be made electronically through the relevant business system.
- Copies will only be provided in electronic format (e.g. JPEG or TIFF). Spatial files will only be provided if received in that format with exception of requests from government authorities or agencies.

- Copies of mine survey plans and supporting documents will only be released after the approval of the Chief Inspector (or delegate).
- A fee may be charged for searching, collating and providing electronic records.
- A memorandum of understanding may be entered into between the Regulator and another government agency or authority for sharing mine survey plans and related records to avoid repeated applications.
- Copies of mine survey plans and supporting documents submitted to the Regulator greater than 20 years old and not subject to a CPA direction will generally be released unconditionally.
- Copies of mine survey plans and supporting documents submitted to the Regulator within the past 20 years may be subject to conditional release.
- A person may inspect original hard copy mine survey plan records at the Museums of History where these have been stored.
- A person may request inspection of the original hard copy of a mine survey plan or related document if it is not at the Museums of History under the following circumstances:
  - Electronic copies must be obtained first from the Regulator with approval of the Chief Inspector (or delegate).
  - The applicant must seek approval of the Chief Inspector (or delegate) with justification for the need to observe the originals, i.e. why electronic copies were not adequate for their purposes. An example of such circumstances would be where a candidate mine surveyor is required to do so in seeking registration under the *Surveying and Spatial Information Act 2002*.
  - View the originals at a time and place at the discretion of the Regulator.
  - Bear the costs of making the originals available for viewing.
  - The application for copies of mine survey plans and supporting documents will be made electronically through the relevant business system.

This policy does not preclude the development of systems for improving access to mine survey information (e.g., such as web-based spatial viewer applications).

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