

[Act 1999 No 30]



New South Wales

Survey (Geocentric Datum of Australia) Bill 1999

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to define the Geocentric Datum of Australia (or GDA).

GDA is a new mathematical model of the surface of the earth for use in computing co-ordinates of latitude and longitude and in map projections.

The mathematical model in use at present in Australia (the Australian Geodetic Datum, or AGD) was designed to fit the Australian region. GDA is designed to fit the whole Earth.

Outline of provisions

Part 1 Preliminary

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on a day or days to be appointed by proclamation.

Clause 3 makes it clear that notes in the text of the proposed Act do not form part of the Act.

Part 2 Geocentric Datum of Australia

Clause 4 defines the Geocentric Datum of Australia. The clause also empowers the Surveyor-General to amend or replace the Datum from time to time, and to specify (and amend or replace) systems to be used in map projections in connection with the Datum.

Part 3 Miscellaneous

Clause 5 sets out the general regulation-making power under the proposed Act.

Clause 6 gives effect to the Schedule of savings, transitional and other provisions.

Clause 7 gives effect to the Schedule of amendments to other Acts.

Schedules

Schedule 1 permits the making of regulations of a savings and transitional nature consequent on the enactment of the proposed Act and the amendment or replacement of the Geocentric Datum of Australia and associated map projection systems.

Schedule 2 amends the *Mining Act 1992*, the *Petroleum (Onshore) Act 1991*, the *Petroleum (Submerged Lands) Act 1982* and the *Survey Co-ordination Act 1949* in relation to the Geocentric Datum of Australia.

The *Mining Act 1992*, the *Petroleum (Onshore) Act 1991* and the *Petroleum (Submerged Lands) Act 1982* all currently require the position on the surface of the Earth of a point, line or area to be determined by reference to the Australian Geodetic Datum. Those Acts are amended to require, instead, that the position be determined by reference to the Geocentric Datum of Australia.

The proposed savings and transitional provisions specify that certain licences, leases and permits granted under those Acts (and applications for those licences, leases and permits) apply to areas of land determined by reference to the Geocentric Datum of Australia rather than the Australian Geodetic Datum (which was used to determine the land at the time of the grant of (or application for) the licence, lease or permit concerned). The effect of those provisions is to “move” the land the subject of the licences, leases, permits and applications by about 150 to 200 metres to the south-west. However, provision is made for the restoration of land lost from the area to which the licence, lease or permit previously applied if the holder satisfies the Minister for Mineral Resources that, before the loss of that land, significant evidence of valuable mineral or petroleum deposits (as the case may be) existed in relation to it.

The *Survey Co-ordination Act 1949* is amended so as to require surveys carried out on behalf of public authorities (other than those carried out in accordance with the *Surveyors Act 1929*) to be carried out by reference to the Geocentric Datum of Australia.