

EXPLORATION GUIDELINE

Annual activity reporting for prospecting titles

Mining Act 1992 and Petroleum (Onshore) Act 1991

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1 March 2016	2	Updated references to new legislation
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Part A: Introduction

1. Purpose

Prospecting titles, which include exploration licences, assessment leases, petroleum exploration licences, petroleum assessment leases and petroleum special prospecting authorities are granted with the objective of encouraging ecologically sustainable development, social responsibility and building economic wealth for the people of NSW.

To demonstrate effective and competent exploration during the term of a prospecting title, titleholders are required to submit annual reports of their activities. The reports describe work completed against the approved work program and environmental activity approvals. The NSW Department of Industry (the department) is responsible for receiving, assessing and approving annual reports.

Annual activity reporting is required pursuant to the following standard condition of prospecting titles:

Unless otherwise approved by the Minister, the licence holder must submit annual reports prepared in accordance with *Guideline: Annual activity reporting for prospecting titles* at the following times:

- annually, within 30 days following the grant anniversary date of this licence
- on any other date or dates directed by the Minister in writing
- within 30 days of cancellation or expiry of this licence.

This guideline has been prepared to assist titleholders in submitting annual activity reports in accordance with this condition.

2. When this guideline applies

This guideline applies to prospecting titles granted, renewed or transferred in respect of applications received after 1 July 2015. This guideline applies to all petroleum exploration licences and petroleum assessment leases renewed after 1 July 2015.

3. What is annual activity reporting?

Through a single mechanism and a common timeframe, annual activity reporting brings together compulsory annual reporting required under a prospecting title. This helps to streamline industry annual reporting requirements and enables a comprehensive assessment of the performance under a prospecting title. Annual activity reporting is designed to capture information, data and descriptions of all activities undertaken on a prospecting title during the period covered by the reports.

Annual activity reporting requires the submission of four distinct components:

1. Annual activity summary and expenditure table
2. Annual exploration report
3. Annual environment management and rehabilitation compliance report
4. Annual community consultation report

Variations to work programs are **NOT** proposed through annual activity reporting, but rather through the work program document, which is resubmitted annually in conjunction with annual activity reports.

4. Performance

During the term of a prospecting title, the department expects titleholders to pursue exploration that is technically sound and aimed at identifying an economic resource in an ecologically sustainable and socially responsible manner. This means that titleholders are:

- pursuing the acquisition of new geological data
- assessing, managing and mitigating environmental risks
- effectively rehabilitating land, as required during the process of exploration
- effectively consulting with land holders and the local community.

These factors will be proportionate to the likely risk, type, scale, phases and length of individual exploration activities.

5. Assessment and compliance

The department will assess the progress and completion of exploration, environmental management and rehabilitation, and community consultation activities reported in annual activity reports against the benchmarks for those activities set out in the approved work program.

Annual activity reports will be assessed by an integrated team within the department that includes suitably qualified geoscientists, environmental scientists and community liaison officers, to assess compliance with prospecting title conditions during the term of the title.

This assessment may identify non-compliances with the conditions of a prospecting title or activity approval, and may result in enforcement action (if required).

From 1 July 2015, under the [NSW Gas Plan](#), the Environment Protection Authority is the sole authority to regulate compliance with and enforcement of all conditions (excluding work health and safety) contained within petroleum titles. This includes any conditions imposed in relation to activity approvals.

The department is responsible for regulating compliance for work health & safety matters relating to prospecting under both the *Petroleum (Onshore) Act 1991* and the *Mining Act 1992*. All exploration activities in NSW must be carried out in accordance with the requirements of the *Work Health & Safety Act 2011* and also with those of the *Work Health & Safety (Mines and Petroleum Sites) Act 2013* and the *Work Health and Safety (Mines and Petroleum Sites) Regulation 2014*.

6. Related codes, policies and guidelines

Codes, policies and guidelines set out requirements and provide information to assist with the performance to be achieved during the term of a prospecting title. These include:

Codes of practice

- *Exploration code of practice: environmental management*
- *Exploration code of practice: rehabilitation*
- *Exploration code of practice: produced water management, storage and transfer*
- *Exploration code of practice: community consultation*

Policies

- *Compliance and enforcement policy*
- *Policy on grant of assessment leases*
- *Policy on renewal of exploration licences for minerals*
- *Policy on renewal of exploration licences for coal*
- *Petroleum minimum standards and merit assessment procedure*

Guidelines

- *Guideline: Work Programs for prospecting titles*
- *Exploration reporting: A guide for reporting on exploration and prospecting in New South Wales*
- *Guidelines for reporting and data submission of onshore petroleum exploration and production in New South Wales*
- *Guideline for community consultation requirements for exploration*
- *Guideline: Petroleum land access*
- *Guideline for mineral exploration drilling and drilling and integrity of petroleum exploration and production wells*
- *Exploration and production guideline: Petroleum drilling and well servicing competencies*
- *ESG4: Guideline for the preparation of an environmental and rehabilitation compliance report for exploration*

7. Public disclosure

Prospecting title decisions will be publicly disclosed consistent with the [Government Information \(Public Access\) Act 2009](#). However, geological information will be kept confidential in accordance with the provisions of, and regulations made under the [Mining Act 1992](#) and [Petroleum \(Onshore\) Act 1991](#).

8. Contact details

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9. Review

This guideline will be reviewed after the first year and then every five years after publication. During this period the effectiveness of the guideline will be monitored.

Part B: Content of annual activity reports

1. Annual activity summary and expenditure table

The annual activity summary and expenditure table must be submitted in comma separated values (CSV) format. It has four sections:

1. A list of the exploration (geological) activities undertaken during the reporting period and the associated expenditure for each of these activities.
2. A list of environmental management and rehabilitation activities undertaken during the reporting period and the associated expenditure for each of these activities.
3. A list of the community consultation activities undertaken during the reporting period and the associated expenditure for each of these activities (excluding land access compensation payments).
4. A summary of the extent to which the titleholder completed the approved work program.

All titleholders must submit the annual activity summary and expenditure table using the template available at <http://www.resourcesandenergy.nsw.gov.au/miners-and-explorers/enforcement/reporting>.

2. Exploration

Information requirements

Annual exploration report under the Mining Act 1992

This report must be prepared in accordance with [Exploration reporting: A guide for reporting on exploration and prospecting in New South Wales](#), as amended or replaced from time to time.

Annual exploration report under the *Petroleum (Onshore) Act 1991*

This report must be prepared in accordance with *Guidelines for reporting and data submission of onshore petroleum exploration and production* in New South Wales, as amended or replaced from time to time.

Geological data must also be submitted in the format prescribed in the relevant guidelines.

Report name	Requirement	Guideline
Annual exploration report (and data)	Section 163C of the MA	Exploration reporting: A guide for reporting on prospecting in New South Wales
	Section 97C of the POA	Guidelines for reporting and data submission of onshore petroleum exploration and production in New South Wales

3. Environmental management and rehabilitation

Information requirement

Annual environmental and rehabilitation compliance report

This report must be prepared in accordance with ESG4: Guideline for preparing an Environmental and Rehabilitation Compliance Report for Exploration, as amended or replaced from time to time.

Report name	Requirement	Guideline
Annual environmental and rehabilitation compliance report	Prospecting title condition	<i>ESG4: Guideline for preparing an environmental and rehabilitation compliance report for exploration</i>

4. Community consultation

Information requirements

Annual community consultation report

This report must be prepared in accordance with *Guideline for community consultation requirements for exploration* as amended or replaced from time to time, or with the *Exploration code of practice: community consultation*, as relevant to the condition on title.

Mining operation and exploration projects or groups of titles may have overarching community consultation plans. To reduce repetition, reports for prospecting titles within a project, operation or group of titles, may refer to an overarching community consultation report that covers all titles within that exploration project, mining operation project or nominated group of titles.

The title holder must notify the department, using the appropriate online form, if overarching community consultation reports will be submitted. Overarching community consultation reports must be submitted annually, via the same portal to submit annual activity reports, on a date determined by the department

In these circumstances, while the annual community consultation report must still be submitted for each individual prospecting title, it will only be required to include information specific to that prospecting title and include a reference any relevant overarching community consultation report.

Report name	Requirement	Guideline
Annual community consultation report	Prospecting title condition	<i>Guideline for community consultation requirements for exploration or Exploration code of practice: Community consultation</i>

Part C: Online submission of annual activity reports

Annual activity reports must be submitted via the department's online portal. The work program document must also be resubmitted at this time through this portal. The online portal has provision to upload all required reports and any associated data.

Therefore, the following documents should be uploaded on an annual basis:

1. Annual activity summary and expenditure table
2. Annual exploration report (and associated data)
3. Annual environmental and rehabilitation compliance report
4. Annual community consultation report, and
5. Work program (unless not required in accordance with the *Guideline: Work programs for prospecting titles*).