



Regional
NSW

EXPLORATION GUIDELINE

Annual activity reporting for prospecting titles

Mining Act 1992 and Petroleum (Onshore) Act 1991

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Mining Act 1992 and Petroleum (Onshore) Act 1991

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1 March 2016	2.0	Updated references to new legislation
April 2016	2a	Minor edits
16 December 2020	3.0	Removal of requirement for annual updates and submission of the work program, update to the annual activity summary and expenditure table, updates for consistency with the work program guideline and improved guidance.

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Contacts

Purpose	Group/Branch/Unit	Contact details
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Annual community consultation reports	Resource Operations Mining Exploration and Geoscience (MEG)	Phone: (02) 4063 6600 Email: resource.operations@planning.nsw.gov.au
Annual environmental and rehabilitation compliance report	NSW Resources Regulator	Phone: 1300 814 609 Email: nswresourcesregulator@service-now.com

Part A: Introduction

Executive summary

Annual activity reports provide details of the exploration, environmental management and rehabilitation, and community consultation activities carried out during the previous year of an exploration licence, petroleum exploration licence, assessment lease and petroleum assessment leases (prospecting authorities) granted under the *Mining Act 1992* (Mining Act) and *Petroleum (Onshore) Act 1991* (Petroleum Act) respectively.

Annual activity reporting requires the submission of four components:

1. Annual exploration report (including, if applicable, geoscientific data)
2. Annual environment management and rehabilitation compliance report
3. Annual community consultation report
4. Annual activity summary and expenditure table.

Purpose

To demonstrate effective and competent exploration during the term of a prospecting authority, authority holders are required to submit annual reports of their activities. The reports capture information, data and descriptions of all activities carried out on a prospecting authority during the period covered by the reports. Annual activity reporting enables the demonstration of compliance with several obligations under an authority such as work program progress, effective and adequate community consultation and environmental management and rehabilitation.

Annual activity reports must be submitted in accordance with this guideline. Mining, Exploration and Geoscience (MEG) within the Department of Regional NSW, will assess annual activity reports to determine if they meet this guideline. Annual activity reports, in conjunction with work programs and the [Mineral prospecting minimum standards: for work programs and technical and financial capability](#), ensure that authority holders carry out effective and competent exploration during the term of the authority and achieve the objectives of the Mining Act and Petroleum Act.

Legislative obligations

Annual activity reports are required pursuant to the following standard condition on most prospecting authorities:

Unless otherwise approved by the Secretary (Minister¹), the licence holder must submit annual activity reports prepared in accordance with the Exploration Guideline: Annual Activity Reporting for Prospecting Titles (NSW Department of Planning, Industry and Environment²) at the following times:

- (a) Annually, within one calendar month (30 days³) following the grant anniversary date of this licence/lease;*
- (b) On any other date or dates directed by the Secretary (Minister⁴) in writing; and*
- (c) Within one calendar month (30 days⁵) following the cancellation or expiry of this licence/lease.*

¹ Depending on when the instrument was issued, the condition may state "Minister". In this case, the department has delegations for functions on behalf of the Minister and Secretary.

² Depending on when the instrument was issued, the condition may include a different department name or not include one at all.

³ Depending on when the instrument was issued, the condition may state "30 days". Authority holders must comply with the time frame specified in the condition of the authority.

⁴ Depending on when the instrument was issued, the condition may state "Minister". In this case, the department has delegations for functions on behalf of the Minister and Secretary.

⁵ Depending on when the instrument was issued, the condition may state "30 days". Authority holders must comply with the time frame specified in the condition of the authority.

Annual activity reports are required to be submitted for prospecting authorities (that are subject to the annual activity reporting condition) that detail the activities carried out during each year of the term, demonstrating compliance with the approved work program. Compliance with the approved work program and exploration progress during the current and previous terms will be considered when assessing applications to renew prospecting authorities. Information within annual activity reports may be used to assess work program performance and exploration progress.

Where the authority holder does not submit an annual activity report by the due date that complies with this guideline, this may be referred to the NSW Resources Regulator for further investigation. The NSW Resources Regulator is responsible for compliance and enforcement activities under the Mining Act. The NSW Environment Protection Authority is responsible for compliance and enforcement activities under the Petroleum Act, with the exception of work health and safety.

When this guideline applies

This guideline applies to prospecting authorities that have the annual activity reporting condition. Prospecting authority holders should refer to the most recent authority (grant, renewal or transfer) instrument to determine if annual activity reports are required (**Table 1**).

Prospecting authorities that do not have the annual activity reporting condition will have other reporting obligations either as conditions on the authority or under the legislation. These may include, but not limited to, environmental management, community consultation and exploration (geoscientific) reporting.

Table 1 When this guideline applies.

Mining Act (exploration licences and assessment leases)	Petroleum Act (petroleum exploration licences and petroleum assessment leases)
<ul style="list-style-type: none"> Have the annual activity reporting condition (generally, if granted, renewed or transferred where the application was received after 1 July 2015) 	<ul style="list-style-type: none"> Have the annual activity reporting condition (generally, if renewed after 1 July 2015)

If you are unsure if annual activity reports are required for a prospecting authority, contact Resource Operations on (02) 4063 6600 or resource.operations@planning.nsw.gov.au.

This guideline does not apply to mining leases or petroleum production leases. Mining leases and petroleum production leases will have different reporting obligations such as environmental, compliance, safety and geoscientific reporting. Refer to the most recent instrument for the lease. Reporting on mining leases is required in accordance with section 163C of the Mining Act and on petroleum production leases under the Petroleum Act.

Part B: When and how to submit an annual activity report

When to submit

Annual activity reports must be submitted at the following times (unless otherwise approved by the Secretary or Minister):

- **annually**, within 1 calendar month (or 30 days⁶) after the grant anniversary date of the authority
- on **any other date or dates directed** by the Secretary (or Minister⁷) in writing
- within 1 calendar month (or 30 days⁸) of **cancellation or expiry** of the authority.

How to submit

Annual activity reports must be submitted via MEG's online portal – Exploration and Environmental Reports Online Lodgement ([EROL](#)). [EROL](#) has provision to upload all required reports and any associated data. **Table 2** provides details about what documents are required to be submitted and in what format.

For further information about the format of reports and [EROL](#), contact the Mining and Exploration Assessment unit on (02) 4063 6425 or mining.explorationassessment@geoscience.nsw.gov.au.

Table 2 Documents and format required to be submitted.

Component	Requirement	Document/data	Format
1	Mandatory	Annual exploration report	Portable Document Format (PDF)
2	Mandatory	Annual environmental and rehabilitation compliance report	PDF
3	Mandatory	Annual community consultation report	PDF
4	Mandatory	Annual activity summary and expenditure table	Comma Separated Values (CSV) using the Annual Activity Summary and Expenditure Table
5	If applicable	Geoscientific data (including data files and borehole summary files)	Relevant format as per the relevant guideline <i>(Exploration reporting: A guide for reporting on prospecting in New South Wales or Guidelines for reporting and data submission of onshore petroleum exploration and production in New South Wales)</i>

⁶ Depending on when the instrument was issued, the condition may state 30 days. Authority holders must comply with the timeframe specified in the condition of the authority.

⁷ Depending on when the instrument was issued, the condition may state "the Minister". Authority holders must comply with the timeframe specified in the condition of the authority.

⁸ Depending on when the instrument was issued, the condition may state "30 days". Authority holders must comply with the timeframe specified in the condition of the authority.

Part C: How to prepare an annual activity report

Annual reports

The content and format of reports and data required to be submitted as part of an annual activity report is described in separate activity specific guidelines as outlined in **Table 3**.

An annual activity report for each prospecting authority is required to be submitted which must include an annual exploration report, an annual environmental and rehabilitation compliance report an annual community consultation report with information specific to each prospecting authority.

Table 3 Guidelines and Code relevant to each component.

Report	Type	Guideline/Code
Annual exploration report (and geoscientific data)	Single report per authority	Mining Act: <i>Exploration reporting: A guide for reporting on prospecting in New South Wales</i> (as amended or replaced from time to time)
	Single report per authority	Petroleum Act: <i>Guidelines for reporting and data submission of onshore petroleum exploration and production in New South Wales</i> (as amended or replaced from time to time)
Annual environmental and rehabilitation compliance report	Single report per authority	<i>ESG4: Guideline for preparing an Environmental and Rehabilitation Compliance Report</i> (as amended or replaced from time to time)
Annual community consultation report	Single report per authority	<i>Exploration Code of Practice: Community consultation</i> (as amended or replaced from time to time)

Annual community consultation reports (required for each prospecting authority with information specific to that authority), may also include reference to any relevant overarching community consultation report.

Where mining operation and exploration projects or groups of authorities have overarching community consultation plans, overarching community consultation reports may be developed and referred to in each authority's community consultation report. If an authority holder chooses to submit overarching community consultation reports, in addition to annual community consultation reports for each prospecting authority, they must notify MEG and submit the reports via EROL on the date advised by MEG.

Overarching community consultation plans and reports are not related to project-related work programs (project status). That is, a group of authorities does not have to have project status to have an overarching community consultation plan.

Annual activity summary and expenditure table

An annual activity summary and expenditure table must be submitted for all prospecting authorities using the *Annual Activity Summary and Expenditure Table* template. The template includes instructions on how to complete and submit the table and the content required.

The following must be provided in the annual activity summary and expenditure table (if applicable):

1. A list of the exploration (geological) activities undertaken during the reporting period and the associated expenditure for each of those activities.
2. A list of environmental management and rehabilitation activities undertaken during the reporting period and the associated expenditure for each of those activities.
3. A list of the community consultation activities undertaken during the reporting period and the associated expenditure for each of those activities (excluding land access compensation payments).