*WHS (Mines and Petroleum Sites) legislation*

**This form is to be submitted in relation to exploration to be undertaken at mines or petroleum sites to notify the Regulator of reportable events.   
As an alternative to submitting this form, reportable events notification can be made when submitting an** [**ESF4: Application to Conduct Exploration Activities**](https://www.resourcesregulator.nsw.gov.au/__data/assets/word_doc/0008/596411/ESF4-Form-to-include-WHS-MPS-notifications.DOCX) **form.**

## About this form

Clause 129 of the Work Health and Safety (Mines and Petroleum Sites) Regulation 2014 sets out requirements on the operator of the mine or petroleum site undertaking exploration (or prospecting) by ‘mechanical means’ to notify the Regulator of certain events referred to as ‘reportable events’.

In respect of exploration (or prospecting) at a mine or petroleum site these are:

* the commencement of exploration or prospecting by mechanical means
* any significant interruption to, or suspension of, exploration. **Note:** Notification is not required in relation to a significant interruption or suspension if the mine operator has already notified us of the interruption or suspension in relation to an incident referred to in clause 128 or a notifiable incident.
* recommencement of normal exploration following an event referred above
* closure of the exploration site.

**Notification is not required for exploration for minerals or petroleum by non-mechanical means - see later in this form for more information.**

Penalties apply if the operator of a mine or petroleum site does not comply with clause 129 of the Work Health and Safety (Mines and Petroleum Sites) Regulation 2014.

## When to notify

The operator of the mine or petroleum site where exploration by mechanical means that disturb the ground will occur must notify the Regulator of these events **before** the event occurs except:

* if the operator did not intend for the event to occur and could not have foreseen the event occurring, in this case notice must be given **as soon as practicable** after the event occurs.

## Mechanical and non-mechanical means of exploration

**It is not necessary to notify the Regulator of commencement of non-mechanical exploration or prospecting**.

Non-mechanical exploration means, exploring or prospecting for minerals or petroleum (other than by mechanical means, that disturb the ground) and includes the following:

* geological mapping
* sampling and coring using hand-held equipment
* geophysical surveying (but not seismic surveying) and borehole logging
* access by vehicle (but not if access requires the construction of an access way such as a track or road)
* shallow reconnaissance drilling involving no more than minimal site preparation
* minor excavations (but not costeaning or bulk sampling).

**Exploration or prospecting by mechanical means that disturb the ground must be notified**. Exploring for minerals or petroleum by mechanical means that disturb the ground includes:

* drilling (other than the use of hand-held augurs for sampling and coring or shallow reconnaissance drilling involving no more than minimal site preparation)
* seismic surveying
* costeaning or bulk sampling
* construction of access ways or roads.

## Changes to a drilling program

A single notification may be submitted for a series of drilling activities at an exploration site. However, if there are **significant** changes to the planned drilling program such that the submitted notification does not reflect the drilling program, a new notification must be submitted.

1. Mines and petroleum exploration sites
   1. Details of operator and site

|  |  |  |  |
| --- | --- | --- | --- |
| Name of operator for the exploration site |  | | |
| ACN if a company |  | | |
| Title of exploration licence (e.g. EL number) |  | | |
| Site address |  | | |
| Postal address |  | | |
| Suburb |  | Postcode |  |

* 1. What are you notifying?

|  |  |
| --- | --- |
|  | Commencement of exploration |
|  | Significant interruption to, or suspension of, exploration  (*please describe the reasons for the interruption or suspension of exploration as well as any operations that are continuing at the exploration site. Attach additional information if required*) |
|  | Recommencement of normal exploration |
|  | Closure of the exploration site (e.g. when all rehabilitation is completed) |

1. Details of exploration

If notifying the Regulator of any proposed material change to information previously supplied, sections 2 and 3 must be completed, but any fields where the information has not changed may be left blank.

|  |  |
| --- | --- |
| Proposed date of commencing exploration. |  |
| GPS co-ordinates of the area covered by the exploration.  *Note: this is not required if the information has already been given to the Resources Regulator in an activity approval application (ESF4 form)* |  |
| Provide details of the scope, character and location of the exploration |  |
| What minerals or petroleum are being explored? | Coal  Other mineral or quarry product  Petroleum |

1. Declaration

I declare that:

* I have authority from the mine operator / petroleum site operator to complete and submit this form on their behalf
* to the best of my knowledge, the information provided in this form, and any attachment to this form, is true and correct in every detail.

**Note:** Giving false or misleading information is a serious offence under section 268 of the *Work Health and Safety Act 2011*, and Part 5A of the *Crimes Act 1900*.

|  |  |  |  |
| --- | --- | --- | --- |
| Name |  | | |
| Position/title |  | | |
| Email address |  | | |
| Postal address |  | | |
| Suburb |  | Postcode |  |
| Telephone |  | Mobile |  |
| Signature |  | Date |  |

# Submitting the form

Email: [cau@planning.nsw.gov.au](mailto:cau@planning.nsw.gov.au)

Mail: Central Assessment Unit

NSW Resources Regulator

PO Box 344, HRMC, 2310

This form may not be submitted to other offices of NSW Department of Planning, Industry and Environment.

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Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing (January 2022). However, because of advances in knowledge, users are reminded of the need to ensure that information upon which they rely is up to date and to check currency of the information with the appropriate officer of the NSW Department of Planning, Industry and Environment or the user’s independent advisor.

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