

# Fact sheet

## Airborne surveys

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### Airborne surveying for prospecting

Airborne surveying using remote sensing instruments or sampling tools mounted on light aircraft and remotely piloted aircraft provides explorers and miners with a cost-effective means of gathering a range of scientific data. Large areas can be surveyed rapidly with minimal or no impacts to amenity or the environment. Sophisticated instruments on the aircraft gather a range of data that can assist in the identification of mineral and other natural resources.

### Regulation

The operation of aircraft and remotely piloted aircraft systems (RPAS), also called 'drones', are regulated by the Civil Aviation Safety Authority (CASA) under the *Civil Aviation Act 1988 (Cth)* and associated Civil Aviation Safety Regulations 1998.

If during the airborne survey the aircraft is required to physically interact with the land (ie. land the aircraft to take samples or measurements), a valid land access agreement is required under the *Mining Act 1992* or *Petroleum (Onshore) Act 1991*.

Operation of aircraft can impact a range of stakeholders including landholders. Because of these potential impacts, holders of an exploration licence are required to conduct activities under the Exploration Code of Practice: Community Consultation.

### Consultation and planning

Airborne surveys require consultation with relevant stakeholders, including affected landholders, under the Exploration Code of Practice: Community Consultation before the airborne surveys are undertaken. This consultation may involve notifying stakeholders via a range of communications methods. Holders of prospecting authorisations (Exploration Licences & Assessment Leases) should review the Code to determine what level of community consultation is required.

An impact assessment should be conducted to identify the potential level of impacts the airborne survey may have on stakeholders. Airborne surveys should be designed to cause the minimum disturbance while achieving the scientific objectives of the survey. Many of the issues which could cause disturbance or hazards can be addressed during the consultation and planning phase.

### FAQs

#### **Is a land access agreement under the Mining Act or Petroleum (Onshore) Act required for conducting an airborne survey?**

In general no. Unless a prospector intends to conduct 'on ground' measurement or sampling activities as part of the survey, it is not considered prospecting and therefore does not require a land access agreement.

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Landing on another person's property for other reasons incidental to the survey (eg. launching, refuelling, maintenance, etc) may be considered trespass unless some form of land access arrangement is in place.

### **What are my rights as a landholder in cases where an airborne survey is planned over my property?**

Federal civil aviation safety legislation sets rules about how and where aircraft may operate.

If a prospecting authorisation holder intends to land on your property to carry out measurements or sampling, this is considered prospecting and they would be required to enter into a valid land access agreement under the Mining Act or Petroleum (Onshore) Act.

### **Who should I contact if I have concerns or a complaint about an airborne survey?**

The survey flight contractor or exploration licence holder should be contacted directly with complaints or other concerns as they are best placed to address or remedy any issues regarding the survey activity.

Landholders can also make a complaint to CASA if they believe an aircraft is operating in an unsafe manner or in contravention of flight rules.

### **As an exploration licence holder do I need to provide data and other information obtained during an airborne survey?**

You will need to provide geoscientific data from airborne surveys as part of activity reporting on authorisations under the requirements.

### **What should I do to minimise the impacts of my airborne survey on others?**

Prospecting authorisation holders should consider the following:

- Engage with landholders, occupiers and other stakeholders and address issues raised in the planning and design of the survey.
- Ensure that disturbance is minimised while achieving the scientific objectives of the survey by avoiding operating near sensitive receivers (eg dwellings, livestock, etc) and avoiding flying surveys during periods of heightened sensitivity (eg lambing seasons, during mustering, at night, etc).
- Select the most appropriate aircraft for the survey and consider alternatives to reduce or eliminate impacts on other stakeholders.
- Fit aircraft with equipment to record the conduct of the survey and allow review in cases where a complaint may be made.

## Further information

Civil Aviation Safety Authority – <https://www.casa.gov.au/>

Mining, Exploration and Geoscience – [officedepsec.meg@planning.nsw.gov.au](mailto:officedepsec.meg@planning.nsw.gov.au)

NSW Resources Regulator – 1300 814 609 or [nswresourcesregulator@service-now.com](mailto:nswresourcesregulator@service-now.com)

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