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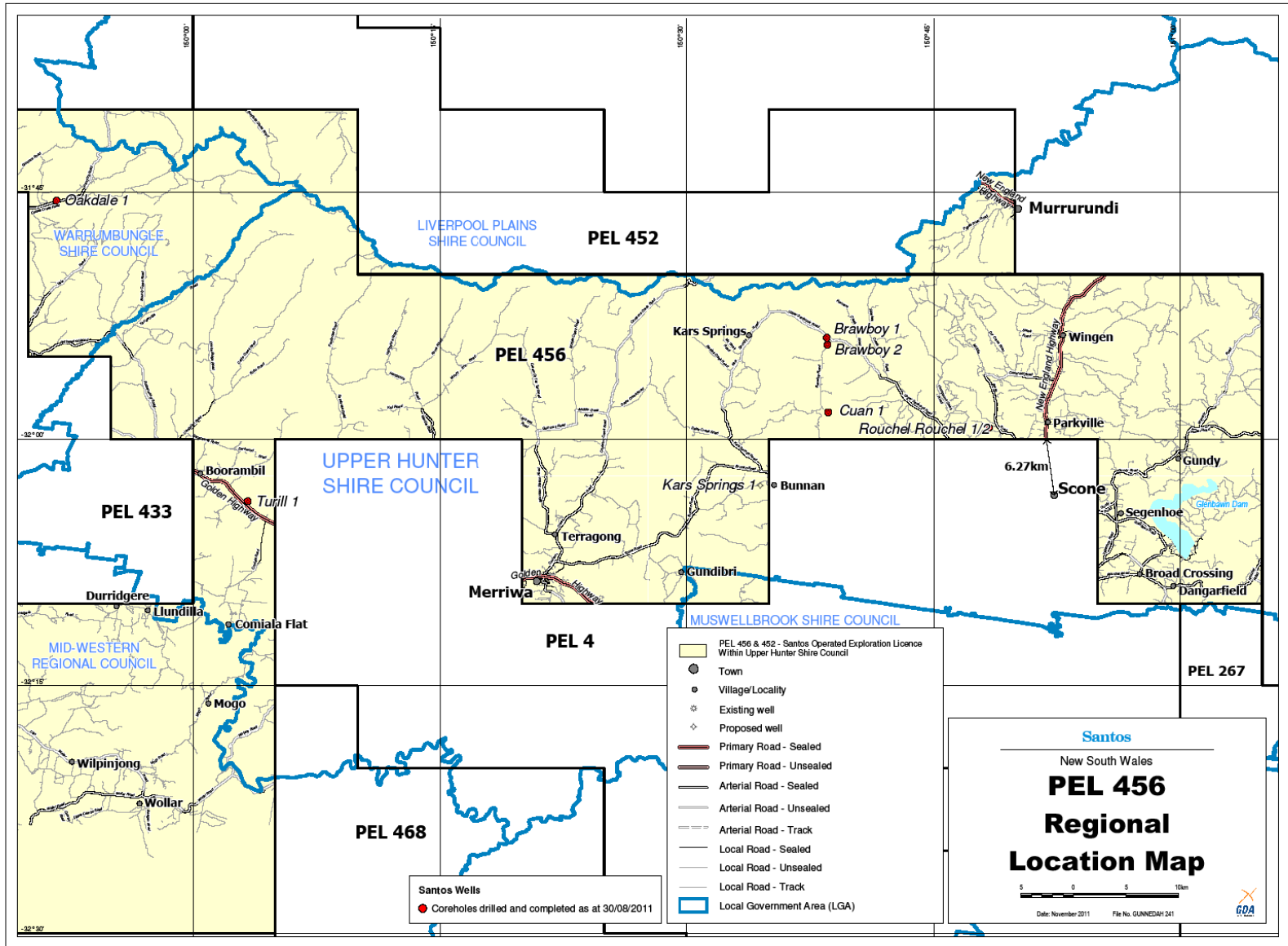
Petroleum Exploration Legislation

- Petroleum (Onshore) Act 1991
- Minister for Resources & Energy

Santos Upper Hunter Petroleum Exploration Project

Macquarie Energy Pty Ltd (a wholly-owned subsidiary of Dart Energy) and Santos hold Petroleum Exploration Licence No 456 (PEL 456)

Santos is the Operator of PEL 456.



Santos Upper Hunter Petroleum Exploration Titles

Petroleum Exploration Licence (PEL) 456:

- Granted - 5 March 2008
- Due to expire - 5 March 2012
- Application for renewal - February 2012
- Petroleum (Onshore) Act 1991 Condition 20 allows continuation of title pending renewal

What is a Petroleum Exploration Licence (PEL)?

- A PEL identifies a specific area where the title holder may explore for Petroleum.
- A PEL is granted by the Minister for Resources & Energy.
- The holder of a PEL has the right to carry out surveys to explore for Petroleum in the land identified by the licence area.

How long is a Petroleum Exploration Licence granted for?

- A PEL may be granted for up to 6 years.
- A PEL may be renewed.
- The continued tenure of a PEL is subject to compliance with agreed commitments and title conditions.

What are the Conditions of a Petroleum Exploration Licence?

A PEL is subject to a range of conditions including:

- Environmental
- Protection of Aquifers, Streams & Watercourses
- Aboriginal Culture
- Vegetation
- Rehabilitation
- Safety

Are Conditions of a PEL available to the Community?

Conditions of PELs are available on the Department's website using the online DIGS® database:

www.dpi.nsw.gov.au/minerals/geological/online-services/digs

New Community Consultation Guidelines

Keeping the local community informed is an important part of any exploration program.

The new **Community Consultation Guidelines** outline the minimum requirements licence holders must comply with regarding community consultation.

More Information:

www.dpi.nsw.gov.au/minerals/community-information/community-consultation-guidelines



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Community Consultation Condition

Any renewal of PEL456 should include the new Community Consultation Condition which states that:

The licence holder must effectively engage with the community in relation to the planning for and conduct of activities authorised by the exploration licence.

The consultation undertaken must be in accordance with the 'Community Consultation Guideline' and be to the satisfaction of the Director General.

An annual report on Community Consultation must be submitted to the department within 28 days of the anniversary of the licence being granted, together with evidence that the consultation has been undertaken.

Community Information



COMMUNITY INFORMATION

[Coal Seam Gas](#)

[Exploration](#)

[Mining](#)

[Petroleum Production](#)

[Community Consultation Guidelines](#)

[Current Coal & Petroleum Exploration Title Applications](#)

[Online Services](#)

[Public comment](#)

Community Information

Mineral and petroleum resources in New South Wales are mostly owned by the State. This means that the royalties and economic benefits from the extraction of these resources contribute to the provision of services to the people of New South Wales.

The following links provide information to the community on exploration and mining in New South Wales.

- [➔ Coal Seam Gas](#)
- [➔ Exploration](#)
- [➔ Mining](#)
- [➔ Petroleum Production](#)
- [➔ Public Comment Process](#)
- [➔ Applications and Approvals – Coal and Petroleum Titles](#)
- [➔ Community consultation guidelines](#)
- [➔ Draft Code of Practice for Coal Seam Gas Explorers](#)

Applications for coal and petroleum exploration licences are now subject to a [public comment process](#). This provides communities with the opportunity to comment on applications for exploration licences. The aim is to improve the transparency, efficiency and effectiveness of the decision making process for granting exploration licences. It will also assist in gathering relevant local information and in the development of more robust processes to protect the environment.

Landholder's Rights

- Prior to entry, the company must establish an access agreement with the landholder.
- The access agreement contains agreed conditions of entry and should include, but not be limited to:
 - Access route/ parts of the land on which exploration may be undertaken
 - Type of exploration to be undertaken
 - Times of access
 - Compensation payable
 - Any other matter the parties may wish to include.

What happens if the 2 parties cannot agree?

- The best agreements are those where the 2 parties reach consensus.
- If consensus is not reached the Department can appoint an Arbitrator from a Panel of Arbitrators appointed by the Minister for Resources and Energy after consultation with the Minister responsible for Agriculture and the Minister responsible for Aboriginal Affairs.

Land and Environment Court

- If either party does not accept the Arbitrator's determination the issue can be referred to the Land & Environment Court where exploration/mining matters are designated as Class 8 proceedings.
- Either party can initiate proceedings in the Land & Environment Court.
- For information about the conduct of mining matters in the Land and Environment Court, see **Mining jurisdictions** (www.lawlink.nsw.gov.au) or phone (02) 9113 8200.

More Information:

www.lawlink.nsw.gov.au/lawlink/lec/ll_lec.nsf/pages/LEC_mining_jurisdictions



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Landholder Information

[A-Z INDEX](#) | [SEARCH](#) | [ABOUT US](#) | [CONTACT US](#)

PRIMARY INDUSTRIES
Minerals and Petroleum



Trade &
Investment
Resources & Energy

[Home](#) » [Minerals and petroleum](#)

Landholder Information

The following links are designed to provide information to landholders, mineral explorers and miners regarding landholders' rights in relation to exploration, mining titles and applications for titles under the *Mining Act 1992* and the *Petroleum (Onshore) Act 1991*.

[Landholder rights – Mining Act 1992](#)

[Landholder rights – Petroleum \(Onshore\) Act 1991](#)

[Exploration](#)

[Frequently Asked Questions](#)

[Mining for Privately Owned Minerals](#)

[Online Services](#)

More information:
www.dpi.nsw.gov.au/minerals/landholder-information



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General Immunity of Landholders

Section 141 of the *Petroleum (Onshore) Act 1991* provides landholders with general immunity against actions arising as a consequence of the actions of the title holder on their land.

The Holder of a PEL cannot carry out exploration:

- Within 200 metres of a principal residence.
- Within 50 metres of a garden, vineyard or orchard.
- Where there are substantial improvements being a substantial building, dam, reservoir, contour bank, graded bank, levee, water disposal area, soil conservation work or other valuable work or structure.

If need be, the Minister is to determine whether any improvement is substantial

Without the written consent of the occupant/owner.

Activities conducted under a PEL

- Exploration (drilling, seismic surveys, other surveys & testing)
- Environmental studies (for example water, noise fauna flora)
- Gas testing
- Preliminary concept production design
- Preliminary infrastructure studies

A Petroleum Exploration Licence is NOT an authority to produce gas for commercial purposes.

Rehabilitation

Division of Energy & Resources -

- monitors exploration activities & rehabilitation.
- holds a security deposit to ensure all disturbance caused during exploration (eg drill sites) is properly rehabilitated.

Complaints and Incidents Reporting by Members of the Public

If you have a concern or complaint relating to an exploration, mining or petroleum project you can contact NSW Trade & Investment – Division of Resources & Energy at:

516 High Street

MAITLAND NSW 2320

PO Box 344

Hunter Region Mail Centre NSW 2310

Email: minres.environment@industry.nsw.gov.au

Telephone: (02) 4931 6605

Facsimile : (02) 4931 6790

Attention: Environmental Sustainability Branch

Office Hours: 8.30am – 4.30pm

Monday-Friday excluding Public Holidays.

More information:

www.dpi.nsw.gov.au/minerals/environment/complaints-and-incident-reporting



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Formal Complaints

Formal Complaints can be made by:

Phone or in writing (letter, fax, email)

Type of Information required for a formal complaint:

Your name and contact details.

A short summary of the issue.

Location where source of the complaint originated.

Any documents (photos, emails, photocopies, facsimiles, etc.) that may be of relevance to the issue.

More information:

www.dpi.nsw.gov.au/minerals/environment/complaints-and-incident-reporting



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Anonymous complaints

Anonymous complaints will be investigated where sufficient detail is provided to substantiate a valid complaint.

However, any investigation may be hampered by our inability to seek further information and details.

Also, it is not possible to issue advice on outcomes to a complainant when no contact details have been provided.

More information:

www.dpi.nsw.gov.au/minerals/environment/complaints-and-incident-reporting



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Draft Code of Practice for Coal Seam Gas Explorers

The NSW Government has released a *draft Code of Practice for Coal Seam Gas Explorers* for consultation. It covers:

Landholders' rights

Community relations

Protection of our important water sources.

You can make your submission by:

Email: *minerals.comments@industry.nsw.gov.au*

Post: Code of Practice Comments
PO Box 344
Hunter Regional Mail Centre NSW 2310

Online: *www.haveyoursay.nsw.gov.au/regionallanduse*

Submission close 3 May 2012.

More Information:

www.dpi.nsw.gov.au/minerals/community-information/coal-seam-gas/code-of-practice-for-coal-seam-gas-explorers



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Summary

- A PEL is an authority to explore and carry out environmental and other studies. **It is not an authority to produce gas for commercial purposes.**
- Progress beyond a petroleum exploration licence tenure to a production proposal would be subject to all normal processes of obtaining planning approval and a petroleum production lease.

More Information

www.dpi.nsw.gov.au/minerals