



## NSW Petroleum Industry Regulatory Controls

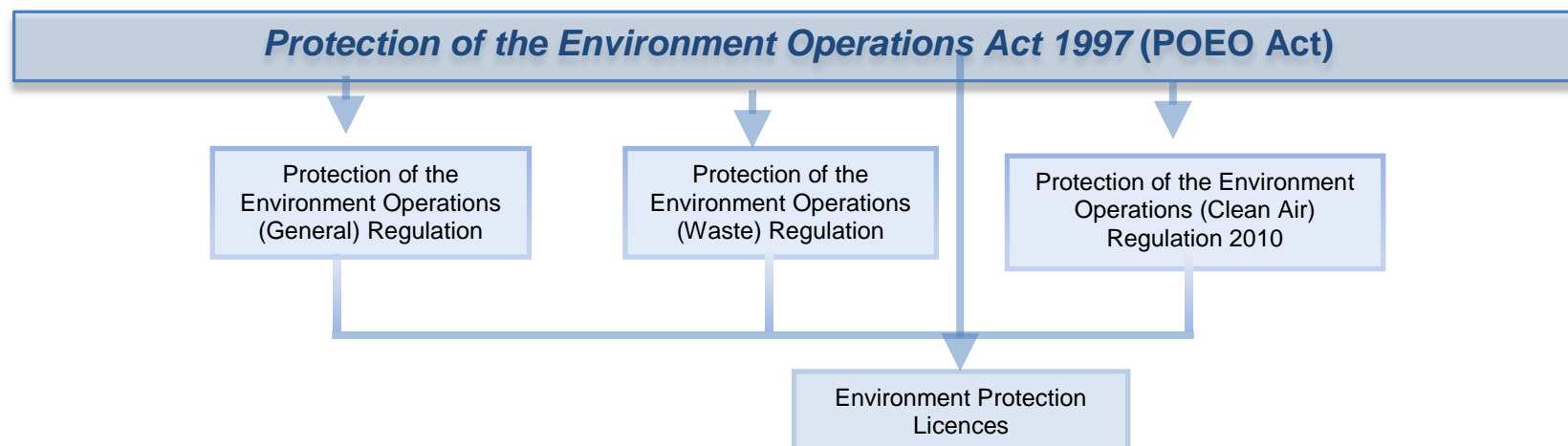
The gas industry in NSW is subject to some of the toughest controls in Australia to ensure the protection of communities and the environment. To increase transparency, NSW Government is developing a series of documents to provide the community with an overview of the regulatory pathways, statutory documents and controls applicable to the gas industry.

The charts below outline the main Acts that contain controls for the gas industry, along with regulations, codes of practice, titles, approvals and other controls. These charts do not show approval pathways or processes.

### ***Protection of the Environment Operations Act 1997***

The *Protection of the Environment Operations Act 1997* (POEO Act) is the primary environment protection legislation in NSW. The Act has several associated regulations relating to various aspects of environmental protection. All gas activities in the state are subject to these regulations and are expected to hold and comply with their Environment Protection Licence issued under this regulation.

The Environment Protection Authority (EPA) issues these Environment Protection Licences.

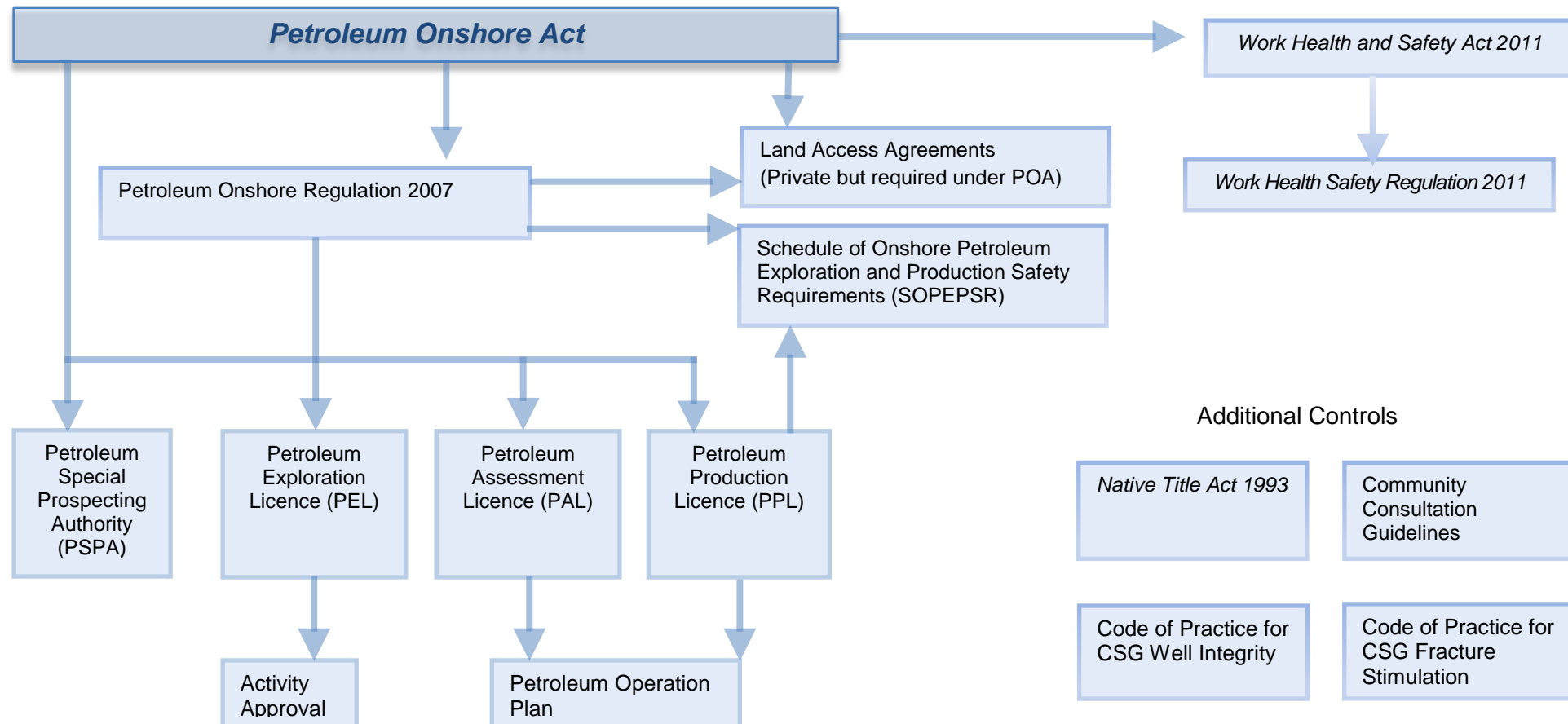


## Petroleum Onshore Act 1991

The *Petroleum Onshore Act 1991* legislates onshore gas activities for NSW. Petroleum Titles are issued under the Act. There are four types of titles including the Petroleum Special Prospecting Authority (PSPA), the Petroleum Exploration Licence (PEL), the Petroleum Assessment Licences (PAL) and the Petroleum Production Licence (PPL). Activity Approvals and Petroleum Operation Plans specify and approve the works that can occur under each Title.

Both the Petroleum Onshore Regulation and Production Licences require companies to comply with the Schedule of Onshore Petroleum Exploration and Production Safety Requirements. This schedule refers to several additional codes and guidelines companies should follow. Companies are also required to comply with the *Native Title Act 1993*, and with any Land Access Agreements they have in place with surface owners. Companies must also meet additional Codes of Practice and Guidelines. Through the *Petroleum Onshore Act* companies are also required to comply with the *Work Health and Safety Act 2011* and its subsequent regulation.

The Department of Resources and Energy, part of Trade and Investment, issues Petroleum Titles and Activity Approvals, and approves Petroleum Operation Plans.



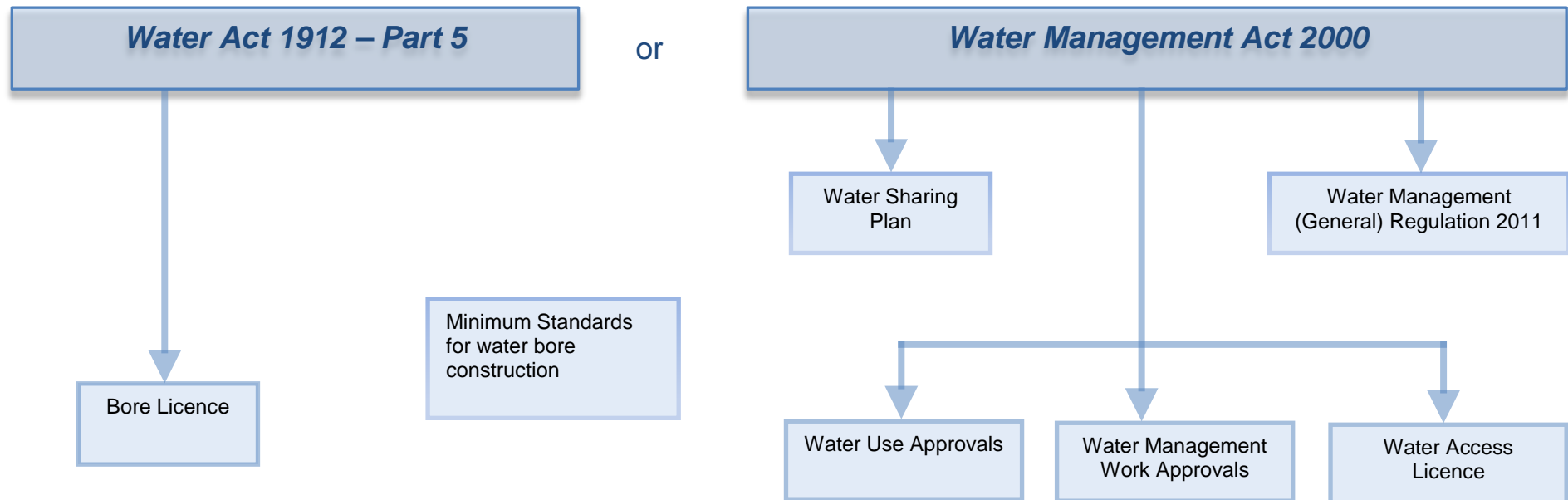
## **Water Act 1912 – Part 5 and Water Management Act 2000**

Water is regulated under two different Acts depending on location. In areas that are covered by a Water Sharing Plan, the *Water Management Act 2000* applies; areas not covered by Water Sharing Plans are subject to the *Water Act 1912 – Part 5*.

Bore Licences are issued under the *Water Act 1912*.

Water Sharing Plans are created under the *Water Management Act 2000*. The various water approvals and licences are issued under the Act, but conditions are developed in line with these Water Sharing Plans also taking the Aquifer Interference Policy into consideration. Minimum Standards for Water Bore Construction exist as guidelines for industry.

The NSW Office of Water issues Bore Licences, Water Management Work Approvals, Water Use Approvals and Water Access Licences.

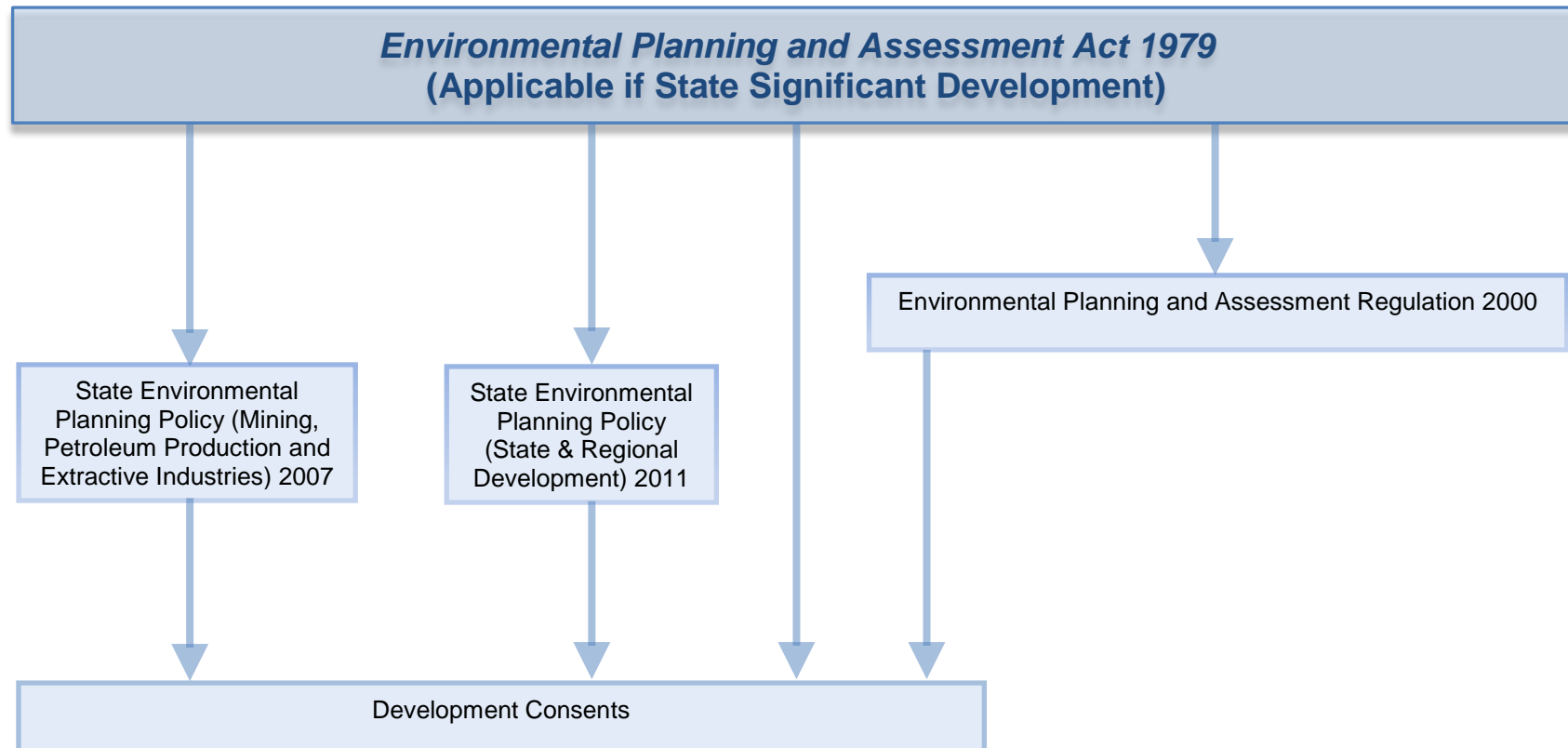


## ***Environmental Planning and Assessment Act 1979***

*The Environmental Planning and Assessment Act 1979* is applicable to all 'State Significant Development'; this includes all development projects on Petroleum Production Licences. Development projects on Petroleum Exploration Licences and Petroleum Assessment Licences must undergo an assessment to determine if they fall into this category.

The Act encompasses the Environmental Planning and Assessment Regulation, the State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) and the State Environmental Planning Policy (State & Regional Development). These controls provide the framework around which development projects are assessed and which Development Consent conditions are determined.

The Department of Planning and Environment (DP&E) issue Development Consents.

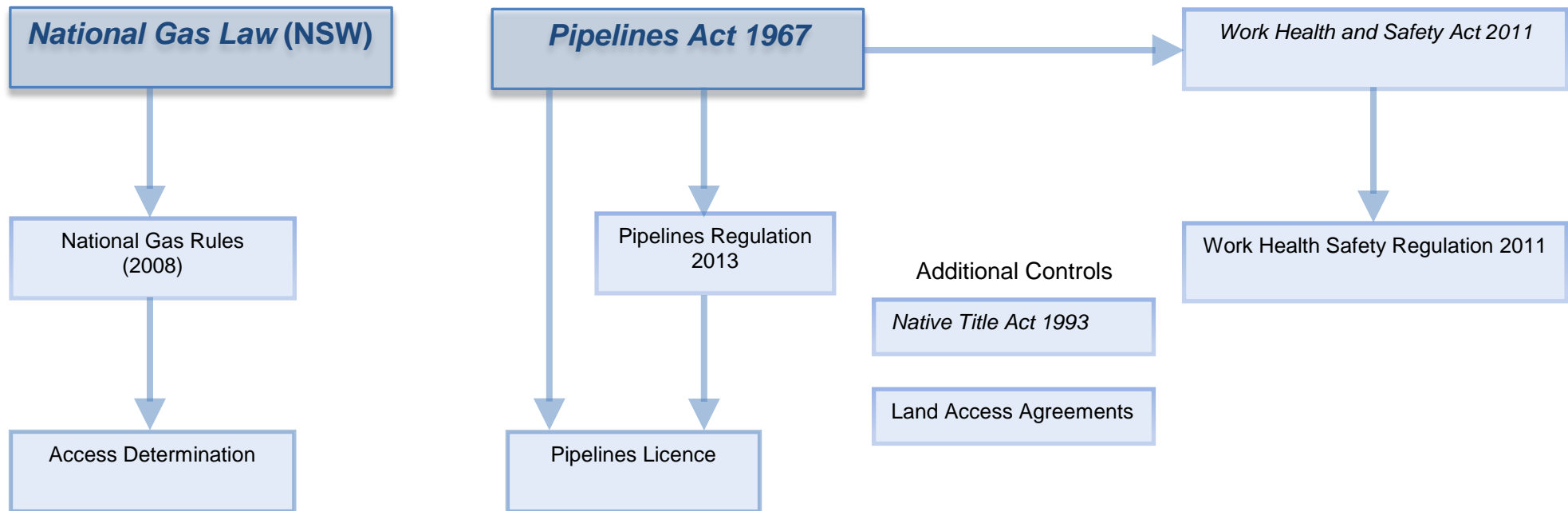


## ***Pipelines Act 1967 and National Gas Law (NSW)***

The *Pipelines Act 1967* and the *National Gas Law (NSW)* provide the legislation pertaining to pipelines in NSW.

Access Determinations are made through the *National Gas Law (NSW)* and the subsequent National Gas Rules.

Pipeline Licences are issued under the *Pipelines Act* with conditions being in agreement with the *Native Title Act* and any Land Access Agreements in place. The *Pipelines Act* further requires all operations to be compliant with the *Work Health and Safety Act* and its subsequent Regulation.



\*\*There are additional controls that are universally applicable that are not covered in this chart, for example the *Rural Fires Act 1997*, *Fisheries Management Act 1994*, *Roads Act 1993*, and the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*.

Every effort has been made to ensure that the information in this document is accurate at the time of publication. However, as appropriate, readers should obtain independent advice before making any decision based on this information.

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