



New South Wales

Coal Seam Gas Prohibition (Sydney Water Catchment Special Areas) Bill 2013

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to cancel petroleum titles relating to coal seam gas, and prohibit the grant or renewal of such titles, in relation to the Sydney Catchment Authority's special areas.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act.

Clause 3 defines expressions used in the proposed Act. *Petroleum title relating to coal seam gas* means an exploration licence, assessment lease, production lease or special prospecting authority under the *Petroleum (Onshore) Act 1991* in relation to coal seam gas and *Sydney water catchment special area* means an area of land declared to be a special area under section 44 of the *Sydney Water Catchment Management Act 1998*.

Clause 4 cancels any petroleum title relating to coal seam gas that authorises activities in any Sydney water catchment special area.

Clause 5 prohibits the granting or renewal of any petroleum title relating to coal seam gas that authorises activities in any Sydney water catchment special area.

Clause 6 provides that the proposed Act operates despite any authorisation or approval under the *Petroleum (Onshore) Act 1991*.

Clause 7 provides that the State is not liable for any compensation as a result of the proposed Act.

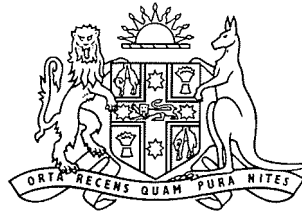


New South Wales

Coal Seam Gas Prohibition (Sydney Water Catchment Special Areas) Bill 2013

Contents

| | Page |
|--|------|
| 1 Name of Act | 2 |
| 2 Commencement | 2 |
| 3 Definitions | 2 |
| 4 Cancellation of certain petroleum titles relating to coal seam gas in special areas | 2 |
| 5 Permanent prohibition on grant or renewal of petroleum titles relating to coal seam gas in special areas | 2 |
| 6 Operation of Act | 2 |
| 7 State not liable for any compensation | 3 |



New South Wales

Coal Seam Gas Prohibition (Sydney Water Catchment Special Areas) Bill 2013

No , 2013

A Bill for

An Act to prohibit coal seam gas exploration or mining in the Sydney Catchment Authority's special areas; and for related purposes.

| | |
|--|----------------------|
| The Legislature of New South Wales enacts: | 1 |
| 1 Name of Act | 2 |
| This Act is the <i>Coal Seam Gas Prohibition (Sydney Water Catchment Special Areas) Act 2013</i> . | 3 4 |
| 2 Commencement | 5 |
| This Act commences on the date of assent to this Act. | 6 |
| 3 Definitions | 7 |
| (1) In this Act: | 8 |
| <i>petroleum title relating to coal seam gas</i> means any of the following: | 9 |
| (a) an exploration licence under the <i>Petroleum (Onshore) Act 1991</i> granting the holder the exclusive right to prospect for coal seam gas on the land comprised in the licence, | 10 11 12 |
| (b) an assessment lease under that Act granting the holder the exclusive right to prospect for coal seam gas and to assess any coal seam gas deposit on the land comprised in the lease, | 13 14 15 |
| (c) a production lease under that Act granting the holder the exclusive right to conduct petroleum mining operations for coal seam gas in and on the land included in the lease, | 16 17 18 |
| (d) a special prospecting authority under that Act granting the holder the exclusive right to conduct speculative geological, geophysical or geochemical surveys or scientific investigations in relation to coal seam gas on and in respect of the land comprised in the authority. | 19 20 21 22 |
| <i>Sydney water catchment special area</i> means an area of land declared to be a special area under section 44 of the <i>Sydney Water Catchment Management Act 1998</i> . | 23 24 |
| (2) Words and expressions used in this Act, that are defined in the <i>Petroleum (Onshore) Act 1991</i> , have the same meaning as in that Act. | 25 26 |
| 4 Cancellation of certain petroleum titles relating to coal seam gas in special areas | 27 |
| On and from the commencement of this Act: | 28 |
| (a) any petroleum title relating to coal seam gas that is in force solely in relation to land in any Sydney water catchment special area is cancelled and ceases to have effect, and | 29 30 31 |
| (b) any petroleum title relating to coal seam gas that is in force in relation to land that includes land in any Sydney water catchment special area ceases to have effect in relation to that part of the land that is in the special area. | 32 33 34 |
| 5 Permanent prohibition on grant or renewal of petroleum titles relating to coal seam gas in special areas | 35 36 |
| The Minister administering the <i>Petroleum (Onshore) Act 1991</i> must not grant or renew any petroleum title relating to coal seam gas in relation to land in any Sydney water catchment special area. | 37 38 39 |
| 6 Operation of Act | 40 |
| This Act operates despite any authorisation or approval under the <i>Petroleum (Onshore) Act 1991</i> . | 41 42 |

| | | |
|----------|---|----|
| 7 | State not liable for any compensation | 1 |
| (1) | Damages or compensation are not payable by or on behalf of the State of New South Wales because of: | 2 |
| | | 3 |
| (a) | the enactment or operation of this Act, or for the consequences of that enactment or operation, or | 4 |
| | | 5 |
| (b) | a representation or conduct of any kind about a cancellation of a petroleum title relating to coal seam gas in relation to land in any Sydney water catchment special area. | 6 |
| | | 7 |
| | | 8 |
| (2) | In subsection (1), <i>the State of New South Wales</i> includes the Crown within the meaning of the <i>Crown Proceedings Act 1988</i> , and includes any officer, employee or agent of the Crown. | 9 |
| | | 10 |
| | | 11 |