



# NORTHERN TERRITORY OF AUSTRALIA

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No. 65 of 1985

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## AN ACT

To amend the *Petroleum Act*

[Assented to 24 December 1985]

**B**E it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

### 1. SHORT TITLE

This Act may be cited as the *Petroleum Amendment Act 1985*.

### 2. COMMENCEMENT

This Act shall come into operation on the commencement of the *Mining Amendment Act 1985*.

### 3. PRINCIPAL ACT

The *Petroleum Act* is in this Act referred to as the Principal Act.

### 4. INTERPRETATION

Section 5 of the Principal Act is amended by inserting in subsection (1) -

- (a) after the definition of "licensee" the following:

"'park or reserve' means a park or reserve within the meaning of the *Territory Parks and Wildlife Conservation Act* or land declared under section 9(4) of that Act to be a park or reserve for the purposes of this Act;"; and

- (b) after the definition of "well" the following:

"'wilderness zone' means a wilderness zone declared under section 12 of the *Territory Parks and Wildlife Conservation Act*."

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5. REPEAL AND SUBSTITUTION

Section 15 of the Principal Act is repealed and the following substituted:

"15. ENVIRONMENTAL CONSIDERATION RELATING TO CERTAIN PARKS AND RESERVES

"(1) In respect of land comprising the whole or a part of a park or reserve, the Minister shall not grant -

- (a) subject to subsection (2), a permit or retention licence, unless he has considered the opinions of the minister administering the *Territory Parks and Wildlife Conservation Act* in relation to the proposed grant; or
- (b) a production licence, except in accordance with the conditions, if any, specified by the minister administering the *Territory Parks and Wildlife Conservation Act*.

"(2) Notwithstanding subsection (1)(a), the Minister shall not grant a permit or retention licence in respect of land comprising the whole or part of a wilderness zone except in accordance with the conditions, if any, specified by the minister administering the *Territory Parks and Wildlife Conservation Act*.

"(3) A permittee or retention licensee shall not carry out his technical works programme, or any other exploration, which may cause substantial disturbance to the surface of land comprising the whole or a part of a park or reserve unless he has advised the Minister, in writing, of his intention to carry out the activity and he carries it out in accordance with such directions, if any, as the Minister thinks fit, or which are required under subsection (4) to be given, to protect the environment in or in the vicinity of the park or reserve.

"(4) The minister administering the *Territory Parks and Wildlife Conservation Act* may require the Minister to give as directions under subsection (3) such directions in relation to the protection of the environment in the park or reserve as the minister thinks fit, and the Minister shall give those directions accordingly."

6. RIGHTS CONFERRED BY PERMIT

Section 29 of the Principal Act is amended by inserting in subsection (2), after "subsection (1)", the words "but subject to this Act and any condition or direction referred to in that subsection".

7. SECURITY

Section 79 of the Principal Act is amended by omitting from subsection (1) all words after "the applicant's compliance" and substituting "with this Act, the conditions to which the permit or licence is to be subject and the directions, if any, lawfully given to him by the Minister."

8. APPLICATION, SAVINGS AND TRANSITIONAL

Section 119 of the *Petroleum Act* is amended by inserting after subsection (2) the following:

"(2A) The Minister shall not under the repealed Act, as continued in force by subsection (2), grant a lease of land comprising the whole or a part of a park or reserve except in accordance with the conditions, if any, specified by the minister administering the *Territory Parks and Wildlife Conservation Act*.

"(2B) The holder of a permit continued in force by subsection (2) shall not carry out work referred to in a statement under section 25 of the repealed Act, or other exploration, which may cause significant disturbance to the surface of land comprising the whole or a part of a park or reserve unless he has advised the Minister, in writing, of the proposed activity and he carries it out in accordance with such directions, if any, as the Minister thinks fit, or which are required under subsection (2C) to be given, to protect the environment of or in the vicinity of the park or reserve.

"(2C) The minister administering the *Territory Parks and Wildlife Conservation Act* may require the Minister to give as directions under subsection (2B) such directions in relation to the protection of the environment of the park or reserve referred to in that subsection as the minister thinks fit, and the Minister shall give those directions accordingly.

"(2D) Subject to subsection (2E), a lease in respect of which a condition referred to in subsection (2A) is specified is, in addition to the conditions prescribed for the purposes of section 46(2)(b) of the repealed Act, subject to that condition so specified.

"(2E) Where a condition prescribed for the purposes of section 46(2)(b) of the repealed Act is inconsistent with a condition specified under subsection (2A), the first-mentioned condition, to the extent of that inconsistency, has no force or effect.

"(2F) The Minister has power to give a direction referred to in subsection (2B)."

