
Rallen Australia PTY LTD

**Rallen Australia Pty Ltd
1 Viewbrook Close
Seven Hills
NSW
2147**

**Kalala Cattle Station
1 Kalala Road
Daly Waters
NT
0852**

Date: 03/09/2019

To: Economic Policy Scrutiny Committee

RE: Regulatory and Legal Concerns for Rallen Australia (NT Landholder) from proposed onshore gas activities.

Rallen Australia Pty Ltd, owners of Kalala Cattle Station wish to raise its major concerns to the current regulatory and legislative framework in the NT with respect onshore gas activities.

We strongly believe that pastoralists and other occupiers are potentially exposed to significant risks regarding land access for petroleum activities due to current legislation.

Rallen Australia would like to see amendments made to the Water Act and the Petroleum Act to provide greater protections to landowners and occupiers and to ensure that certain provisions of the Acts do not have unintended consequences.

The most significant concerns relate to potential defence in relation to petroleum activities causing water pollution.

A statutory regime needs to be in place in relation to access and compensation agreements with Landholders and occupiers. Landowners and occupiers must be no worse off as a result of petroleum title holders' activities. It must cover aspects highlighted in section 14.6 of the Pepper Inquiry Recommendations. Baseline data to be collected by impartial entities to provide evidence for a landowner and occupier of damages caused by petroleum title holders activities.

We would like to see section s7(2) of the Water Act repealed to prevent petroleum title holders from having a statutory defence in the Water Act for water pollution.

¹ Section 7(2) of the Water Act NT (1992) provides "*Section 16 of the Water Act does not apply to ... water that is polluted if the ... pollution occurs in the course of carrying out a ... petroleum activity, and, the polluted water is*

We as a Landowner also strongly believe that we should not be held liable for the acts of a petroleum title holder. We query whether an occupier has a duty under s102 of the Water Act to prevent a petroleum title holder committing an offence. The Landowner should have statutory immunity from acts of a petroleum title holder on their land.

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Landowners are at grave risk under the current Water and Petroleum Act and require urgent NT Government before any further gas exploration and fracking activity is approved.

Existing access agreements and consultation need to be challenged.

Hoping our concerns are strongly taken into consideration.

Yours Sincerely



Andrew Stubbs
Acting on behalf of Rallen Australia Pty Ltd.