

Grant of Authority to Survey

Under the *Pipelines Act 1967*

Granted to

<Proponent>

For the <Pipeline Name> pipeline.

Authority to Survey

- a) I, <Minister Name>, Minister for Energy and Environment, being satisfied that <Proponent ABN Name> (<Proponent ABN>) (<“**Proponent**”>) has made an application that complies with section 5E(2) of the *Pipelines Act 1967* (“**the Act**”) and clause 5 of the Pipelines Regulation 2013, in respect of the proposed <Pipeline Name> pipeline, hereby grant to <Proponent> an Authority to Survey under section 5F of the Act.
- b) The Authority to Survey is granted,
- i. in respect to the lands specified in Schedule 2 (“**Lands**”), and
 - ii. subject to conditions specified in Schedule 1.
- c) The Authority to Survey commences on the date of the signing of this Instrument, and remains in force for 18 months (and for any such period for which the Authority to Survey may be extended in accordance with section 5G(2) of the Act), unless the Authority to Survey is cancelled as to all or any lands in respect of which it is in force in accordance with section 5G(3) of the Act.
- d) Pursuant to section 5H of the Act, while the Authority to Survey is in force, <Proponent> is, subject to the conditions in Schedule 1, authorised:
- i. to enter Lands, and
 - ii. to carry out surveys on Lands to investigate possible routes for the proposed pipeline and determine the pipeline route, the situation of any associated apparatus or works and of any Lands to be used to get access to the pipeline, apparatus or works, and
 - iii. to take samples from Lands for examination and testing.

Dated this day of 2020

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The Hon <Minister Name> MP
Minister for Energy and Environment

Authority to Survey – <Proponent ABN Name> (“Proponent”) – <Pipeline Name>

Schedule 1 - Conditions of Authority to Survey

Imposed by the Minister for Energy and Environment (“**the Minister**”) under section 5G(1)(b) of the *Pipelines Act 1967*.

1. <Proponent>, as the holder of this Authority to Survey (“**Authority**”), must arrange survey operations in accordance with the Surveying and Spatial Information Regulation 2017 and the Pipelines Regulation 2013.
2. <Proponent>, as holder of the Authority, must observe and perform any instructions given by the Secretary of the Department of Planning, Industry and Environment (“**the Department**”) with a view to minimising effects on the environment, the owners or occupiers of affected Lands or their stock, standing crops, produce or any improvements made to their land.
3. Access to Lands for which the Authority is granted is limited to those areas that are reasonably necessary to survey for possible pipeline routes and associated apparatus or works. Access to private dwellings or gardens is not permitted.
4. Survey operations carried out under this Authority must be conducted in a responsible manner so as not to cause damage to any person or stock, and to minimise damage to or effects on property and the environment. In particular, <Proponent>, as holder of the Authority (or their agents), must:
 - I. For all Lands, give at least five days written notice to the owner or occupier of the land prior to conducting surveys on their land, advising of the times when the surveys will be undertaken;
 - II. For all Lands, contact the owner or occupier of the land at least five days prior to conducting surveys on their land and ask them to provide verbal or written details of any reasonable requirements concerning the conduct of the surveys;
 - III. Comply with the reasonable requirements of owners or occupiers of Lands;
 - IV. Not unduly interfere with the activities of owners or occupiers of Lands or their stock; vehicular access through standing crops or paddocks with nursing livestock is not permitted;
 - V. Not unduly interfere with the rights of the holders of co-existent mining or prospecting titles;
 - VI. Not interfere with any fence or cut, destroy, ringbark or remove any growing trees or other vegetative cover on Lands except where these directly obstruct or prevent the carrying out of the authorised surveys and then only with permission of the relevant owners or occupiers;
 - VII. Not cause or aggravate soil erosion, and provide appropriate means to prevent or minimise soil erosion and the spread of weeds and disease on Lands;

- VIII. As far as practicable, utilise existing roads and tracks for the purpose of access to and on Lands, avoid driving across or through cropped paddocks, and on entry and exit, ensure that any gate is returned to the position it was in before entering or exiting;
 - IX. Not take dogs or firearms onto Lands;
 - X. Make such provisions for sanitation as may be necessary on Lands including provision for disposal of any refuse;
 - XI. Not cause or start any fire and take all precautions against outbreak of fire on Lands surveyed and at all times comply with the provisions of the *Rural Fires Act 1997*;
 - XII. Not interfere with or impede the use of any road, track, transmission line or telephone line on Lands and adjacent areas; and
 - XIII. Make good any damage caused to property, stock or the environment on Lands and adjacent areas as soon as is practicable after any damage is caused.
- 5. <Proponent>, as holder of the Authority (or their agents), must carry out survey activities during business hours on Mondays to Fridays. The prior consent of the owner or occupier of land is required before carrying out any survey of their land under this Authority outside business hours, on weekends or on public holidays.
 - 6. <Proponent>, as holder of the Authority, indemnifies the Crown, the Minister, the Secretary of the Department and the Department and shall keep them indemnified against all claims, costs, expenses, demands, legal process, judgments, or awards arising from or relating to any act or omission of <Proponent> or their agents (whether negligent or not) in relation to <Proponent> obligations under this Authority.
 - 7. <Proponent>, as holder of the Authority, must hold public liability insurance for a sum of not less than \$20,000,000 in respect of any one claim and on demand supply a certificate of currency to any owner or occupier of land on which they wish to conduct surveys under the Authority.
 - 8. <Proponent>, as holder of the Authority (or their agents), must not inform the owner or occupier of any Lands that their land may be subject to compulsory acquisition, unless the owner or occupier is informed at the same time that acquisition must be approved by the Minister and the owner or occupier will be able to state their case opposing acquisition, before the Minister will make any decision on the matter.
 - 9. <Proponent>, as holder of the Authority (or their agents), must at all times make it clear to owners or occupiers of Lands that any survey conducted under this Authority is being conducted in accordance with an authority granted by the Minister; and must produce the Authority to the owner or occupier of land when conducting a survey on their land in accordance with the Authority, or otherwise on request of the owner or occupier.

