



The Hon Anthony Roberts MP

Minister for Resources and Energy

Special Minister of State

MEDIA RELEASE

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LAND ACCESS ARBITRATION PROCESS TO BE EXAMINED

Minister for Resources and Energy Anthony Roberts today announced an independent examination of the arbitration process across the State in relation to land access agreements.

The NSW Government has appointed Bret Walker SC as the legal counsel to oversee the analysis.

“There have been concerns raised by the public that the land access arbitration process lacks transparency and consistency. Concerns have also been raised about arbitrators and perceived conflicts of interest,” Mr Roberts said.

“The NSW Government has listened to these concerns and acted by appointing one of the State’s leading barristers.

“Bret Walker SC has a wealth of experience and has been part of independent inquiries in the past, including the Special Commission of Inquiry into Sydney Ferries 2007, the Commission of Inquiry on the Thredbo Landslide 2000 and the Special Commission of Inquiry into Campbelltown and Camden Hospitals 2003-2004.

“Mr Walker will now assess the land access arbitration process including corporate governance arrangements under the *Petroleum (Onshore) Act 1991* and *Mining Act 1992*.

“Exploration activities under exploration licences and assessment leases cannot start until an access arrangement is in place with a landholder.

“If an agreement cannot be reached then an arbitrator is able to determine access arrangements between the landholders and exploration licence-holders.

“In light of the concerns raised this examination will ensure the role of the arbitrator is clear, that arbitration processes are transparent, impartial and consistent, and that there are robust corporate governance processes in place to support the arbitration framework.”

“I want to ensure the rules for both sides are made clear and that the referee in control has the full facts and powers to do the job.

“A final report and recommendations are expected to be completed within 12 weeks.

“Submissions on the land access arbitration process can be lodged for the next five weeks until 23 May 2014, by emailing arbitration.submissions@trade.nsw.gov.au,” Mr Roberts said.