

Notice

Environmental Protection Act 1994

Environmental Enforcement Order

This environmental enforcement order is issued by the administering authority pursuant to section 362 of the Environmental Protection Act 1994.

Ranger Energy Pty Limited (ACN 003 356 572)
Level 7, 283 George Street
SYDNEY NSW 2000

Kestrel Petroleum Pty Ltd (ACN 108 530 589)
c/- Casula & Kelso
Level 7, 283 George Street
SYDNEY NSW 2000

Your reference: EPPG00770513

Our reference: C-CPLPO-100814181; STAT-E-100814196

9/04/2025

Dear Director(s),

Take notice: That under the *Environmental Protection Act 1994* (the Act), this environmental enforcement order (EEO) is issued to Ranger Energy Pty Ltd (ACN 003 356 572) and Kestrel Petroleum Pty Ltd (ACN 108 530 589) (you) by the administering authority. The administering authority is the Chief Executive of the Department of the Environment, Tourism, Science, and Innovation (the department). The EEO is issued with respect to the activities of Ranger Energy Pty Limited and Kestrel Petroleum Pty Ltd on land described as Petroleum Lease (PL) 46 situated at Fairymount Oil Field (the premises).

A. Grounds

This EEO is issued on the following grounds:

1. In accordance with section 359(e)(ii), the department requires you to take reasonable measures to secure compliance with the following condition of environmental authority EPPG00770513 (the EA) dated 5 September 2013: **Condition A9** -

The holder of this environmental authority must:

- (a) *Provide to the administering authority financial assurance in the amount and form required from time to time by the administering authority; and*
- (b) *Review and maintain the amount of financial assurance based on the maximum disturbance from the proposed and existing petroleum activity(ies).*

The facts and circumstances forming the basis for these grounds are:



1. Ranger Energy Pty Limited and Kestrel Petroleum Pty Ltd are the holders of environmental authority EPPG0770513 (the EA) effective 5 September 2013.
2. The EA provides Ranger Energy Pty Limited and Kestrel Petroleum Pty Ltd authorisation and obligations in relation to activities carried out under the Act on the petroleum tenure known as Petroleum Lease (PL) 46.
3. The Resource Authority Public Report for PL 46 indicates that at this time the tenure continues, with an expiration date of 23 February 2025 (pending replacement tenure application) — Ranger Energy Pty Limited held 50% share of the tenure, with Kestrel Petroleum Pty Ltd holding equal share.
4. The department is satisfied that you are the entity operating petroleum lease PL46 and are responsible for the construction, operation, maintenance, and rehabilitation of PL46 under the EA.
5. On 6 November 2014, the department issued you a decision notice on the amount and form of Financial Assurance (FA) required for EPPG0770513. The notice states: *'the amount of financial assurance to be paid is \$645,000.00 in the form of an unconditional, irrevocable and on demand bank guarantee.'* The notice required lodgement of FA by 5 December 2014.
6. On 11 October 2016, the department contacted Ranger Energy Pty Limited regarding outstanding Financial Assurance, to which the department received no response.
7. On 1 April 2019 the commencement of the *Mineral and Energy Resources (Financial Provisioning) Act 2018* came into effect which replaced the financial assurance arrangements under the *Environmental Protection Act 1994* with the Financial Provisioning Scheme (FPS) based on an estimated rehabilitation cost (ERC).
8. Amendments were included in the *Environmental Protection Act 1994* to enable the transition of financial assurance decisions to ERC decisions.
9. Section 761 of the *Environmental Protection Act 1994* provides that from 1 April 2019, the ERC decision for EPPG0770513 was taken to be the FA amount of \$645,000.00 and the ERC decision period ended on 1 April 2022.
10. On 7 August 2024, the department issued a Formal Warning to Ranger Energy and Kestrel Petroleum for breach of EA condition A9.
11. On 26 August 2024, Ranger Energy Pty Limited submitted an application for ERC, which was invalidated on 9 September 2024.
12. On 21 March 2025, the department received an estimated rehabilitation cost application from Ranger Energy Pty Limited for environmental authority, EPPG00770513.
13. The department has found the application to not address the application information requirements pursuant to section 298 of the *Environmental Protection Act 1994*. As a result, you were issued an invalid notice on 4 April 2025.
14. A search of department records identified that no FA has been lodged, and no valid ERC application has been received for EA EPPG0770513.
15. Queensland Treasury has also confirmed that no surety is held against EA EPPG0770513 under the FPS.
16. Section 758(3) of the *Environmental Protection Act 1994* provides that if the administering authority had given the EA holder notice under the pre-amended Act (s296) about the amount and form of FA required under a condition of the EA and the holder has not complied with the condition before commencement,

the condition continues to have effect until the FA has been given. As such, condition A9 of EA EPPG0770513 remains in effect.

17. Section 430(3) of the *Environmental Protection Act 1994* makes it an offence for a person to contravene a condition of an environmental authority.
18. You have not demonstrated compliance with condition A9 of EA EPPG0770513 as the financial assurance amount (now taken to be ERC) has not been provided.
19. The department considers it is necessary to require you to take reasonably practicable measures to comply with your EA conditions.
20. The delegate has considered the circumstances (including the standard criteria and human rights) and determined that the required actions are reasonable to remedy or otherwise address the relevant matters.

B. Requirements

In accordance with this EEO, you are required to do **one (1)** of the following:

1. By **9 May 2025**, you must provide an estimated rehabilitation cost amount of \$645,000.00 to the Financial Provisioning Scheme as surety, in the form of an unconditional, irrevocable and on demand bank guarantee for EA EPPG00770513. Contact Queensland Treasury via email to fps@treasury.qld.gov.au; OR via telephone (07) 3035 3551 to arrange lodgement.

OR

2. By **9 May 2025**, you must lodge with the Department of the Environment, Tourism, Science and Innovation, a valid application for a new estimated rehabilitation cost (ERC) decision that meets the requirements of s298 of the *Environmental Protection Act 1994*. Further information about applying for an ERC decision, including forms, guidelines and the ERC calculator can be found at www.business.qld.gov.au. The application must be lodged at palm@des.qld.gov.au.

C. Obligations

If you propose to dispose of the place or business to which the EEO relates, you **must** advise the buyer of the existence of this EEO.

If you cease to carry out the activity to which this EEO relates, you **must** give written notice of ceasing to carry out the activity to the department within 10 days of ceasing the activity.

Take notice:

- the requirements of this order take effect immediately upon service of the order;
- failure to comply with this order is an offence under the Act;
- this order remains in force until further notice from the administering authority.

D. Offences

It is important that you know the impact to you personally as an individual or as a corporation for not meeting your obligations.

The maximum penalty for:

- wilfully contravening a requirement of an EEO is 6250 penalty units, totalling \$1,008,125.00 for an individual, or \$5,040,625.00 for a corporation.

- for contravening a requirement of an EEO is 4500 penalty units, totalling \$725,850.00 for an individual, or \$3,629,250.00 for a corporation.

Note that under section 493 of the Act that each executive officer of the corporation may be taken to have also committed an offence, of failing to ensure the corporation complies with the Act.

If you propose to dispose of the premises or business to which the EEO relates, you must advise the buyer of the existence of this EEO. Failure to provide written notice to the buyer of the existence of the order is an offence under section 369C of the Act with a maximum penalty of 50 penalty units, totalling \$8,065.00 an individual, or \$40,325.00 for a corporation.

Note you must also give the administering authority notice within 10 business days of ceasing activities to which this EEO relates. Failure to provide notice of ceasing to carry out activities is an offence under section 369D of the Act with a maximum penalty of 50 penalty units, totalling \$8,065.00 an individual, or \$40,325.00 for a corporation.

Further information about EEOs can be found on the department's website.

E. Reviews and appeals

Under Chapter 11, Part 3 of the Act, a dissatisfied person may apply for a review of this EEO within 10 business days of receiving this EEO; and a dissatisfied person who is dissatisfied with the review decision may appeal against the decision to the Court.

A request for review is to be made using the approved form 'Application for review of original decision' (available on the [department's website](#)). Applications for reviews are to be sent to Permit and Licence Management, Department of the Environment, Tourism, Science and Innovation: via email at palm@des.qld.gov.au, or by mail to the following address: GPO. Box 2454, Brisbane, QLD, 4001.

A person whose interests are or would be adversely affected by a decision of the department may be able to request a statement of reasons for a decision or a statutory order review under the *Judicial Review Act 1991*.

You may have other legal rights or obligations and should seek your own legal advice.

F. Public Register

Pursuant to s540 of the Act, the department is required to maintain a register of certain documents and information authorised under the Act. A copy of this document will be kept on the public register. The register is available for inspection by members of the public who are able take extracts, or copies of the documents from the register.

Documents that are required to be kept on the register are published in their entirety, unless alteration is required by the Act. There is no general discretion allowing the department to withhold documents or information required to be kept on the public register. For more information on the department's public register, search 'public register' at www.qld.gov.au. For queries about privacy matters, please email privacy@des.qld.gov.au or telephone 13 74 68.

G. Signature and contact details

Should you have any queries in relation to the notice, please contact Anmol Buttar at **Toowoomba** compliance centre on (07) 4529 8307 or email: southwest.es@des.qld.gov.au.



9 April 2025

Lindsay Webber

Delegate of the Administering Authority
Department of the Environment, Tourism,
Science, and Innovation
Environmental Protection Act 1994

Administering Authority Details

Department of the Environment, Tourism, Science,
and Innovation
PO Box 731, TOOWOOMBA QLD 4350