



RECEIVED  
01 MAR 2010

## MINISTER FOR ENVIRONMENT AND NATURAL RESOURCES

Parliament House  
State Square  
Darwin NT 0800  
[minister.lawler@nt.gov.au](mailto:minister.lawler@nt.gov.au)

GPO Box 3146  
Darwin NT 0801  
Telephone: 08 8936 5566  
Facsimile: 08 8936 5576

Dr Paul Vogel  
Chairperson  
Northern Territory Environment Protection Authority  
GPO Box 3675  
Darwin NT 0801

Dear  Dr Vogel

Recent amendments to the Administrative Arrangement Orders have transferred the responsibilities of the *Petroleum (Environment) Regulations* (the Regulations) from the Minister for Primary Industry and Resources, to myself as Minister for Environment and Natural Resources. This transfer of responsibility fulfils a key recommendation of the Final Report of the *Scientific Inquiry into Hydraulic Fracturing in the Northern Territory* to separate the responsibilities of the agency responsible for promoting and facilitating the petroleum industry from that providing environmental approvals.

As part of my responsibilities in considering approval of Environment Management Plans (EMPs) for petroleum activities under the Regulations, I am required to consider whether the environmental risks and impacts of the activity have been reduced to as low as reasonably practicable and acceptable, and take into account the principles of ecologically sustainable.

To assist me in making EMP approval decisions, I am formally requesting under section 29B of the *Northern Territory Environment Protection Authority Act* (NT EPA Act) that the Northern Territory Environment Protection Authority (NT EPA) provide to me advice on all EMPs received under Regulations. That advice must include a recommendation on whether the EMP should be approved or not, supported by a detailed justification that considers:

- whether the EMP is appropriate for the nature and scale of the regulated activity to which the EMP relates (regulation 9(1)(b))
- whether the EMP demonstrates that the activity will be carried out in a manner by which the environmental impacts and environmental risks of the activity will be reduced to a level that is as low as reasonable practicable and acceptable (regulation 9(1)(c))
- the principles of ecologically sustainable development (regulation 9(2)(a)) as articulated in the Regulations
- any relevant matters raised through the public submission process.

In providing that advice, I note that section 29C(b) of the NT EPA Act provides that the NT EPA may also have regard to any other matters it considers relevant.

I also acknowledge that this request for advice on petroleum EMPs is separate to the statutory responsibilities of the NT EPA under the *Environmental Assessment Act*.

I have authorised the Department of Environment and Natural Resources to provide the NT EPA with relevant briefings and all documentation and information required to comply with this request.

If you have any queries regarding the nature and extent of this request please contact Paul Purdon, Executive Director Environment Protection on 08 8924 4031 or via email to [paul.purdon@nt.gov.au](mailto:paul.purdon@nt.gov.au).

Yours sincerely



EVA LAWLER  
25 FEB 2019