

Administrative Arrangement

Between

Department for Environment and Heritage

and

Petroleum Group, Department of Primary Industries and Resources

The following classified areas are those where consultation and/or approval of Minister for Environment and Conservation is required prior to activities regulated pursuant to the *Petroleum Act 2000* e.g. lands with access requirements defined under the *National Parks and Wildlife Act, 1972* and the *Adelaide Dolphin Sanctuary Act 2005*:

NAME	Expl, Reten, Prel P'line Surv, & Assoc Facil Licences	Prod & Pipeline Licences	SEO (Activities)	Ref
Regional Reserves	Consultation	Approval	Covered under SEO, no further requirement	NPWA (S 43a)
Conservation Park	Approval	Approval	Approval	Various Gazettals
National Parks	Approval	Approval	Approval	Various Gazettals
Adelaide Dolphin Sanctuary	Approval	Approval	Approval	ADS Act Sched 2 Part 12

Note: The Minister for Environment and Conservation's office (by PIRSA's Petroleum Group through DEH's Land Management Branch) will be provided with all proposals for regulated activities pursuant to the *Petroleum Act 2000* that are listed above as needing either "approval" or "consultation".

Scope of Administrative Arrangement

This Administrative Arrangement applies to only those activities administered under the *Petroleum Act 2000*, referred to here as 'regulated activities'.

Licence Applications in Parks, Reserves and Adelaide Dolphin Sanctuary

PIRSA's Petroleum Group will:

- Correspond with DEH's Manager Land Management Branch (Attention Senior Environmental Officer – Mining)
- Provide a copy of the application to DEH.
- Provide a copy of a map showing the area of the licence.
- Provide information describing the scope of regulated activities anticipated in the licence area.
- Indication of urgency (required timeframe) for response.

Note: DEH will be consulted with prior to gazettal of areas for PIRSA sponsored licence releases and after compliance checks for licence applications received across the counter by PIRSA.

DEH will:

- Make best endeavours to meet PIRSA requested timeframe for response.
- Communicate draft Ministerial advice and recommendations to PIRSA's Petroleum Group prior to final drafts being submitted to their Minister's office, to discuss and resolve concerns (if any exist) on the part of PIRSA or DEH in relation to the draft.

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- In general and where possible - recommend that environmental conditions be addressed in the relevant SEO
- Make best endeavours to submit advice and recommendations to the office of the Minister for Conservation and the Environment within 15 working days of receipt of request from PIRSA.

PROCESS:

8. Either:
 - (a) Licence application(s) are received by PIRSA without a gazettal process or
 - (b) Areas are defined by PIRSA for gazettal to attract licence applications.
9. A determination is made whether any part of the proposed licence area is located within a Park, Reserve or within, or adjacent to the Adelaide Dolphin Sanctuary
10. If any parts of area(s) are in a Park, Reserve, or are in or adjacent to the Adelaide Dolphin Sanctuary, PIRSA will forward copies of relevant documents to DEH.
11. DEH will review and determine broad environmental issues to be addressed in EIR/SEO (if and when subsequently developed for particular activities).
12. After consulting with PIRSA on issues, DEH provides advice and recommendation(s) to the Minister for Environment and Conservation.
13. The Minister for Environment and Conservation provides comments (for Regional Reserves and Conservation Reserves) or approval (for joint proclamation parks and Adelaide Dolphin Sanctuary) to enable grant of the relevant licence(s) along with issues to be considered in SEOs or as licence conditions.
14. After meeting all relevant Native Title land access requirements, licences are granted pursuant to the *Petroleum Act 2000*.

Regulated activities in Parks, Reserves and the Adelaide Dolphin Sanctuary

Activity approval in Regional Reserves (DEH approval not required):

PIRSA's Petroleum Group will:

- Where there is no demonstrated existing SEO, consult with DEH on the approval of the relevant SEO as per SEO approval process for either low-impact or medium-impact regulated activities (as detailed below).
- Ensure that DEH as an owner of land is notified (pursuant to the *Petroleum Act 2000*) by the licensee at least 21 days before proposed activities are scheduled to commence. All such notices will be directed to Regional Conservator, Port Augusta or as otherwise requested by DEH.
- Informally check with DEH's Senior Environmental Officer – Mining to establish whether there are any unresolved issues in relation to expected regulated activities.
- If there are no unresolved issues on the part of DEH as a landowner and DEH have been appropriately notified, then PIRSA's Petroleum Group concludes the approval process as specified below
- Informally notify DEH when approval has been given and provide summary of licensee capability assessment to DEH (Senior Environmental Officer – Mining), until such time as DEH may state DEH has confidence in relevant capability assessment processes.

DEH will:

- Respond within a 30 business day period with any comments and / concerns on the draft EIR/SEO (where there is no existing SEO).
- Respond directly to licensee on notice of entry (within the prescribed 14 days from receipt of the notice) to raise any particular issues not covered by the applicable SEO.
- Forward a copy of any DEH objection to entry to PIRSA's Petroleum Group.

PROCESS:

- 9 Application to undertake activity received by PIRSA.
- 10 Notice of entry received by DEH.
11. PIRSA assesses application document's compliance with *Petroleum Act 2000* Regulations 18, 19 and 20.
12. DEH considers specific environmental issues and notifies licensee of consent to entry (with conditions if necessary) or objection to entry
- 13 PIRSA assesses if proposed activity is covered by an existing SEO.
- 14 If not covered by SEO, DEH consulted as part of SEO development process undertaken under Part 12 of the *Petroleum Act 2000*.
15. If covered by SEO, PIRSA will assess capability of operator (high supervision operators only) pursuant to requirements under Regulation 16 of the *Petroleum Regulations 2000* and ensure that DEH have been notified and any issues resolved.
16. PIRSA approves activity if
 - DEH has consented to entry,
 - approved SEO in place, and
 - operator assessed to have sufficient capability

Activity approval in Parks and the Adelaide Dolphin Sanctuary where DEH approval also required:

PIRSA's Petroleum Group will:

- Provide draft EIR/SEO at least 3 months prior to proposed activity (directed to Manager Land Management Branch attention Senior Environmental Officer – Mining).
- Ensure that DEH are notified as an owner of land (as defined under the *Petroleum Act 2000*) at the same time as draft EIR/SEO submitted (notice to be directed to DEH Minister, Attention Senior Environmental Officer – Mining).
- Consult DEH on licensee capability assessment.
- Provide supporting material as requested by DEH (e.g. summary of activities and compliance policy).
- Make best efforts to resolve any concerns (if any exist) on the part of DEH in relation to DEH's draft advice and recommendations to their Minister.

DEH will:

- Communicate draft advice and recommendations on SEOs to PIRSA's Petroleum Group prior to final drafts being submitted to their Minister's office.
- Make best efforts to resolve any concerns (if any exist) on the part of PIRSA in relation to DEH's draft advice and recommendations to DEH's Minister.
- In general and where possible, recommend that environmental conditions be addressed in the relevant SEO.
- Make all endeavours to submit recommendation to Minister's office within 15 days of receipt of request from PIRSA

PROCESS:

1. Draft EIR/SEO submitted to DEH by PIRSA.
2. Notice of entry received by DEH.
- 3 DEH consulted and DEH Minister's approval sought for SEO and consent to entry
- 4 Application to undertake activity received by PIRSA.
5. PIRSA assesses application documents compliance with *Petroleum Act 2000* Regulations 19 and 20.
6. PIRSA will assess capability of operator and consult with DEH on assessment.
7. PIRSA approves activity and SEO if:
 - DEH has consented to entry,
 - DEH Minister has approved SEO,
 - DEH concurs with PIRSA assessment that operator has sufficient capability to undertake activity

Activity monitoring in Parks, Reserves and the Adelaide Dolphin Sanctuary (post activity approval):

PIRSA's Petroleum Group will:

- Develop a draft Surveillance Plan and forward that Plan to DEH for comment (Attention: Senior Environmental Officer – Mining)
- Finalise Surveillance Plan
- Undertake agreed Surveillance Plan.
- Respond to potential non-compliance with SEO raised by DEH officers in accordance with PIRSA's compliance/enforcement policy.
- Forward copies of inspection reports and any details of potential SEO breaches to DEH (Attention: Senior Environmental Officer – Mining).
- Consult with DEH (Senior Environmental Officer – Mining) on proposed enforcement actions as a result of any non-compliance with the SEO.

DEH will:

- Inform PIRSA of any concerns about activities being undertaken by licensees.
- Comment on and respond to draft Surveillance Plan.
- Carry out enforcement actions as the owner of land, if agreed this is appropriate response to non-compliance.

PROCESS:

6. Draft Surveillance Plan (for PIRSA inspectors) prepared by PIRSA.
7. DEH consulted on draft Plan, and agreement reached on Plan.
8. Non-compliance detected by PIRSA or DEH officers.
9. PIRSA/DEH mutually informed of non-compliance.
10. PIRSA recommends appropriate enforcement act, in consultation with DEH.

SEO Approval Process for Regulated Activities Inside and Outside Parks and the Adelaide Dolphin Sanctuary

Low Impact Regulated Activities

For all proposed activities not covered by an existing approved SEO and where PIRSA's preliminary assessment of a proposed regulated activity results in a classification of low environmental impact:

PIRSA's Petroleum Group will:

- Provide preliminary assessment(s) of classification to DEH for comment.
- Provide to DEH a copy of the relevant EIR and draft SEO and details of PIRSA's preliminary assessment(s) in accordance with PIRSA's criteria for classifying the level of environmental impact of regulated activities. (Criteria are available on PIRSA's web site - environmental register).
- If DEH agrees activities are low impact, PIRSA's Petroleum Group will consult with DEH on the content of the draft SEO with respect to the adequacy of the objectives and assessment criteria.

DEH will:

- Provide comment on PIRSA's preliminary classification to PIRSA within 10 business days.
- Where DEH agree with PIRSA's low impact classification, DEH will comment on the content of the draft SEO in light of the information provided in the EIR and any other knowledge that DEH considers relevant. In its comments DEH may also recommend specific conditions of approval and requirements to be included in the SEO as part of the objectives and/or assessment criteria.
- Comments and recommendations on the draft SEO will be provided to PIRSA within 20 business days.

Medium Impact Regulated Activities

In the case where a proposed regulated activity is classified as medium impact by PIRSA, PIRSA's Petroleum Group will:

- Seek DEH's comments on the EIR and draft SEO during the relevant public consultation process for medium impact activities (pursuant to section 102 of the *Petroleum Act 2000*).

DEH will provide comments that address:

- Any significant issues, which DEH is aware of, that have not been raised in the EIR.
- Any additional objectives and assessment criteria that DEH identify that need to be included in the SEO.
- Comments and recommendations on the draft SEO will be provided to PIRSA within 30 business days.

PROCESS:

6. Licensee submits Draft EIR and SEO to PIRSA's Petroleum Group.
7. PIRSA's Petroleum Group undertakes preliminary assessment of EIR to check if meets requirements of Regulation 10. If so, PIRSA's Petroleum Group classifies activity as low, medium or high impact.
8. If low impact, DEH consulted and agreement sought on classification.
9. Regardless of impact, DEH will provide comment on EIR and draft SEO.
10. If low or medium impact, PIRSA's Petroleum Group will approve SEO following appropriate consultation process.

ENDORSED and AGREED:



Barry Goldstein
Director- Petroleum PIRSA

DATE: 27 OCT 2005



Greg Leaman
Director – Natural and Cultural Heritage, DEH

DATE: 11 November 2005