

## **Guidelines for handling matters requiring Commonwealth and State/Northern Territory decision (83/1)**

This document sets out arrangements which have been adopted to ensure a uniform and consistent approach to administration of the *Offshore Petroleum and Greenhouse Gas Storage Act (2006)* (OPGGSA).

### Matters for Joint Authority Decision

1. The State/Northern Territory Department of Mines will forward copies of applications on receipt, including the supporting documents and data where appropriate, to the Resources Division, Department of Resources, Energy and Tourism (RET).
2. Commonwealth and State/Northern Territory officers will assess the applications and State/Northern Territory officers to advise the RET Resources Division, as soon as possible of their preliminary views on the action proposed in the applications. Officers will subsequently advise State/Northern Territory officers of initial Commonwealth assessment.
3. If there is a difference of view, Commonwealth and State/Northern Territory officers will consult and decide whether or not the differences can be resolved prior to putting recommendations to Ministers. State/Northern Territory officials will proceed with recommendations to their Ministers when there is consensus or when they consider that every reasonable attempt has been made to reach agreement.
4. The State/Northern Territory Minister will write to the Commonwealth Minister for Resources and Energy setting out his/her opinion.
5. The Commonwealth Minister will consider the State/Northern Territory Minister's opinion and advise his/her concurrence or otherwise.
6. When a Joint Authority decision has been reached, the State/Northern Territory Minister will advise the party or parties concerned and provide copies of the advice to the Commonwealth.

### Press Releases on Joint Authority Matters

From time to time, the Joint Authority will deal with matters on which it will be appropriate to issue a press release. Such matters will include:

- the invitation of applications for exploration permits;
- the award of new exploration permits and renewals of existing permits;
- the award of production licences.

Where a Joint Authority press release is considered appropriate, Commonwealth and State/Northern Territory officers will consult on the preparation and co-ordination of a draft press release to be submitted to the Commonwealth and State/Northern

Territory Ministers for approval. Arrangements for co-ordinating press statements involving the Commonwealth Minister are to be made with the Resources Division, RET.

#### Other Matters Where Consultation is Required

Certain matters such as drilling operations, seismic surveys and pipeline construction operations are the responsibility of the Designated Authority under the OPGGSA. However, consultation with the Commonwealth is required in relation to these operations because of the Commonwealth's responsibilities for such matters as defence, foreign affairs, fisheries and overseas communications, and matters of national environmental significance under the *Environment Protection and Biodiversity Conservation Act (1999) (Cth)*.

The current administrative practice is outlined below:

1. The State/Northern Territory Departments of Mines will forward copies of all applications, including supporting documents and data, on receipt, to the Resources Division, RET. The applications will be accompanied by a covering letter with comments as appropriate and requesting Commonwealth clearance.
2. The Commonwealth Department of RET will seek and co-ordinate comments from all relevant Commonwealth bodies as soon as possible and, where appropriate, seek a clearance from the Minister for Resources and Energy.
3. Commonwealth Department of RET will notify the State/Northern Territory Department of Commonwealth clearance and any comments.