

Approval notice and statement of reasons

Petroleum (Environment) Regulations 2016 (NT) (Regulations)

Interest holder	Trident Energy Pty Ltd ABN 81 113 536 182 Greenvale Gas Pty Ltd ABN 74 609 350 138
Petroleum interest(s)	Exploration Permit 145 (EP145)
Environment management plan (EMP) title	Wild Horse 2D Seismic Survey
EMP document reference	GRV1-2, prepared by Trident Energy Pty Ltd dated 24 November 2024
Regulated activity	The EMP includes the following regulated activities: <ul style="list-style-type: none"> • Mobilisation and establishment of two temporary camp sites, including trailer mounted storage tanks for fuel • Maintenance and monitoring of pre-existing access tracks • Conducting a 2D seismic survey • Demobilisation and rehabilitation
Is the EMP a new plan submitted under reg 6 or a revision of a current plan submitted in accordance with reg 18, or regs 15 and 17?	This is a new plan submitted under reg 6.
Was the regulated activity referred ¹ for consideration whether environmental impact assessment was required?	No
Was environmental impact assessment ² required?	N/A
Has an environmental approval ³ been issued for the regulated activity?	N/A
Has an Authority Certificate under the Northern Territory <i>Aboriginal Sacred Sites Act 1989</i> been issued for the regulated activity?	Yes C2024/074
Date an EMP compliant with reg 8 was first submitted under reg 6	28 May 2024
Date within which the EMP was published for comment under reg 8A, if applicable	N/A
Date further information was required and submitted under reg 10, if applicable	N/A
Date of resubmission notice under reg 11(2)(b), if applicable	26 August 2024 (requested) 26 November 2024 (received)
Date EMP was resubmitted under reg 11(3), if applicable	N/A
Date a notice setting out a proposed timetable for consideration of the EMP was issued under reg 11(2A), or reg 11(3)(c), if applicable	N/A
Proposed timetable given in notice under reg 11(2A), or reg 11(3)(c), if applicable	N/A

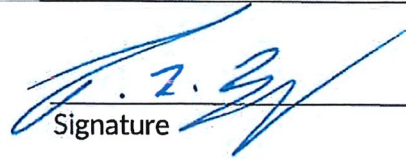
¹ This means a referral under the *Environment Protection Act 2019 (NT)* (EP Act) and/or the *Environment Protection and Biodiversity Conservation Act 1999 (Cth)* (EPBC Act).

² This means a requirement for an environmental impact assessment to be conducted under the EP Act and/or the EPBC Act.

³ This means an approval granted under the EP Act and/or the EPBC Act.

Date of decision 23rd December 2024

Decision maker



Signature

Hon Joshua Burgoyne MLA,
Minister for Lands, Planning and
Environment

1 Approval notice

1. I approve the EMP under reg 11(3)(a)(i).
2. The approval is subject to the following conditions:

Condition 1: Within 90 days of the anniversary of the approval date of the EMP (GRV1-2), and each subsequent year for the duration of the plan, the interest holder must submit to Onshoregas.DLPE@nt.gov.au a completed Annual Environmental Performance Report (AEPR) for the preceding 12 month period of 1 July to 30 June using the AEPR template. The template must be completed in accordance with the Onshore Petroleum Annual Environmental Performance Reporting Guideline as updated from time to time.

Condition 2: Within 30 days of completing seismic activities, the interest holder must submit to Onshoregas.DLPE@nt.gov.au geospatial files (as shapefiles and inclusive of metadata).

Condition 3: The interest holder must record all accidental releases of liquid contaminant or hazardous chemicals in a site spill register, which records:

- a) the liquid contaminant or hazardous chemical spilled or leaked;
- b) the GPS co-ordinates of the location of the spill or leak;
- c) the source and volume of the spill or leak;
- d) the volume of impacted soil removed for disposal and the depth of any associated excavation; and
- e) the corrective actions taken or proposed to be taken to prevent recurrence of an incident of a similar nature.

Condition 4: Progressive rehabilitation must commence no later than 12 months following cessation of the regulated activity at each location ground disturbance has occurred during conduct of the regulated activity.

Condition 5: Within 90 days of the anniversary of the approval of the EMP (GRV1-2), and thereafter annually for the duration of the plan or until Minister gives notice under Regulation 14 (b), the interest holder must provide a rehabilitation report accompanied by geospatial files and inclusive of metadata) identifying the areas rehabilitated during the preceding 12 month period.

2 Material considered

1. The following material has been taken into account in making this decision:
 - a. Wild Horse 2D Seismic Survey EMP, 26 November 2024 (GRV1-2)
 - b. The principles of ecologically sustainable development referenced in reg 5A and the approval criteria set out in reg 9(1).
 - c. The Authority Certificate issued under the *Northern Territory Aboriginal Sacred Sites Act 1989*.
 - d. The Code of Practice: Onshore Petroleum Activities in the Northern Territory (Code) as set out in reg 4A.

3 Statement of reasons

1. The EMP meets the approval criterion in reg 9(1)(a), because it contains all the information required by Schedule 1 of the Regulations. reg 9(1)(a)
2. I have taken into account the approval criterion in reg 9(1)(b) by noting the nature and scale of the regulated activity and bearing it in mind during my consideration of the impacts and risks. In particular, I note that: reg 9(1)(b)
 - a. The nature of the regulated activity is as follows:
 - i. 118 km of 2D seismic survey over seven seismic lines
 - ii. Maintenance of existing 170 km access tracks before and after the seismic program
 - iii. Two temporary camp sites
 - iv. Demobilisation and rehabilitation
 - b. The scale of the regulated activity is as follows:
 - i. No clearing for seismic line preparation, lines to follow existing clearances between vegetation.
 - ii. Camp to be set up in an area which is naturally devoid of mature trees and away from clay pans and salt lake.
 - iii. Peak traffic movements for the regulated activity are estimated to be 7 vehicles that include Land cruiser, UTVs, and service truck for the duration of the program.
 - iv. The total greenhouse gas emission is predicted up to 199 tCO₂-e over the life of the activity.
3. The approval criteria in reg 9(1)(c) requires that I be satisfied 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 both: (i) as low as reasonably practicable; and (ii) acceptable. In assessing whether the EMP meets the approval criteria, I note that my decision is a prescribed decision (under reg 5A) for s 6A of the Act, and as such requires me to consider and apply the principles of ecologically sustainable development. In accordance with reg 12(3), I provide the following information about how the EMP meets the approval criteria, and the manner in which I have taken into account the principles of ecologically sustainable development when considering whether or not the plan meets the approval criteria. reg 9(1)(c)

4. The principles of ecologically sustainable development are defined at section 18-24 of the *Environment Protection Act 2019*, and I address each in turn:
- a. The decision-making principle (s 18 *Environment Protection Act 2019*) requires effective integration of long-term and short-term environmental and equitable considerations, and for processes to provide for community involvement in relation to decisions and actions that affect the community. Related to this, I note the following:
 - i. The regulated activity is low impact and of short duration approximately 60 days plus rehabilitation and forms one component of a broader onshore petroleum exploration program in the region. The regulated activity will inform decision-making about longer-term petroleum activities.
 - ii. Public consultation on the EMP was not required under the Petroleum (Environment) Regulations 2016, as the EMP does not propose drilling and hydraulic fracturing activities.
 - iii. Next, I have considered short-term and long-term environmental impacts of carrying out the regulated activity. Environmental impacts include direct and indirect effects on the physical, biological, economic, cultural and social aspects of the environment, and may include cumulative impacts or occur over time.
 - iv. The information before me suggests short-term environmental impacts are negligible if the regulated activity is undertaken in the manner detailed in the EMP and the conditions of approval.
 - v. The information before me suggests long-term environmental impacts are negligible.
 - vi. There is no particular contest between economic, social and environmental considerations that requires further mention.
 - vii. Taking an integrated view of long-term and short-term environmental and equitable considerations, I am satisfied that the considerations on balance and taken together support approval of the EMP.
 - b. The precautionary principle (s 19 *Environment Protection Act 2019*) applies when there are threats of serious or irreversible environmental damage, and requires that lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. I am satisfied that the regulated activity does not pose a threat of serious or irreversible environmental damage.
 - c. The principle of evidence-based decision-making (s 20 *Environment Protection Act 2019*) requires decisions to be made on the best available evidence in the circumstances that is relevant and reliable. I am of the view that the evidence before me satisfies this requirement for the following reasons: I am satisfied that the best available evidence has been obtained because:
 - i. The EMP was developed by an environmental consultant and reviewed by the interest holder's specialists with experience in environmental management.
 - ii. The interest holder employed a process to obtain relevant information including desktop studies, baseline assessments and stakeholder engagement in order to support the development of the EMP.
 - iii. The EMP has undergone review and assessment by a multi-disciplinary team in DLPE and NT government agencies, which has informed my decision on the EMP.

- iv. The interest holder provided further information to address these concerns regarding environmental performance standards, measurement criteria, environmental impacts and risk assessment.
 - v. No concerns regarding the sufficiency of information to support the EMP are apparent and I am satisfied that the information before me is comprehensive.
 - vi. I believe the information regarding the proposed regulated activity adequately provides the best available evidence in the circumstances that is relevant and reliable to the evidence-based decision-making process.
- d. The principle of intergenerational and intra-generational equity (s 21 *Environment Protection Act 2019*) requires that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of present and future generations. I have given consideration to the impact on present and future generations as follows:
- i. This criterion requires me to turn my mind to whether the benefits of the proposal disproportionately burden present or future generations, or particular groups or communities of present or future generations.
 - ii. I have considered the benefit for future generations from increased economic activity in the region and am satisfied that exploration is a necessary precursor for future economic gains that may be achieved through a viable onshore petroleum industry.
 - iii. I have considered whether the health, diversity and productivity of the environment is maintained or enhanced for the benefit of each of these relevant groups.
 - iv. The environmental burdens of the regulated activity will not disproportionately affect particular stakeholders.
 - v. I consider that cumulative emissions are not significant when considered in context of 2022 NT and Australian emissions, which were approximately 16.73 million tonnes and 432.6 million tonnes respectively.
 - vi. Cultural values relating to sacred sites will be protected through the application of Authority Certificates issued to the interest holder under the *Northern Territory Aboriginal Sacred Sites Act 1989* and measures for reporting on discovery of archaeological sites during civil maintenance activities. No new ground disturbance is planned to occur.
 - vii. Cultural heritage will be protected by ensuring compliance with the *Heritage Act (NT) 2011*, which I am also responsible for. That Act operates to protect the Territory's cultural and natural heritage. The interest holder has consulted with the Heritage branch and is aware of its obligations under that Act. A qualified archaeologist will undertake surveys prior to commencement of groundworks and to inform the final seismic line placements.
 - viii. Accordingly I do not believe that the carrying out of the regulated activity in accordance with the EMP would have an effect contrary to the principle of inter or intra-generational equity.
- e. The principle of sustainable use (s 22 *Environment Protection Act 2019*) requires that natural resources should be used in a manner that is sustainable, prudent, rational, wise and appropriate. In applying this principle, I have considered the following:
- i. I note the findings of the Scientific Inquiry into Hydraulic Fracturing (HFI) in the NT that states: "... in the short to medium term, the Australian National Energy Market is likely to require higher levels of flexible, gas-fired generation,

which can provide a reliable, low emissions substitute for ageing coal-fired generation, and essential security services to complement variable renewable electricity generation.”⁴

- ii. The total anticipated water demand for this regulated activity is 960 litres per day which will be sourced from Alice Springs water supply and trucked into the camp.
 - iii. No groundwater extraction licences are currently required for the regulated activity.
 - iv. Accordingly, I am satisfied that the concept of sustainable use of natural resources has been taken into account.
- f. The principle of biological diversity and ecological integrity (s 23 *Environment Protection Act 2019*) requires that biological diversity and ecological integrity should be conserved and maintained. I have applied this principle as follows:
- i. I believe the information I have regarding the existing biodiversity and ecosystems that are to be affected by the regulated activity; the effects that are likely; and the mitigation measures reasonably available, is sufficient.
 - ii. The regulated activity poses a low risk to the ecosystems within the MacDonnell Ranges Bioregion. Given that the activity has been designed to avoid vegetation clearing by using existing tracks or existing cleared areas where possible for seismic line survey, access and temporary camps, the regulated activity does not pose a significant risk to threatened species.
 - iii. The Flora and Fauna Division of Department of Lands, Planning and Environment is satisfied that the regulated activity does not pose a significant risk to threatened species, important habitats or significant vegetation types as no clearing is proposed.
 - iv. The mitigation measures identified in the EMP are adequate to reduce risks associated with the potential impacts on biodiversity, such as noise, vehicle movement, dust, erosion and sedimentation to be as low as reasonably practicable.
 - v. The EMP outlines measures to minimise impacts on environmental values, including the management of threatening processes such as weeds and fire. Where relevant, management measures are consistent with the requirements of the Code, the NT Land Clearing Guidelines and Weed Management Planning Guideline: Onshore Petroleum Projects. Specific examples of mitigation measures include weed certifications, no vegetation clearing, domestic waste to be covered or contained, limiting vehicle speed and using of existing roads.
 - vi. The measures to conserve and maintain biological diversity and ecological integrity in the EMP are appropriate, given the nature and scale of the regulated activity.
 - vii. If carried out in accordance with the EMP, the risks of the regulated activity to the conservation of biological diversity and ecological integrity are considered to be mitigated to an acceptable level.
- g. The principle of improved valuation, pricing and incentive mechanisms (s 24 *Environment Protection Act 2019*) requires that environmental factors should be included in the valuation of assets and services, through application of the

⁴ Refer section 9.7.4 of the *Scientific Inquiry into Hydraulic Fracturing in the Northern Territory*; p 233. Available at: <https://frackinginquiry.nt.gov.au/inquiry-reports?a=494286>

'polluter pays' principles, consideration of full life cycle costs of providing goods and services, and pursuing environmental goals in the most cost-effective way. I have applied the principle as follows:

- i. The pollution and waste that will be generated by the regulated activity in the general course of its operation includes: emissions (e.g. fuel), liquid waste (grey water), domestic waste and batteries.
- ii. I am satisfied that this pollution and waste will be disposed of by the interest holder at its own cost as set out in the EMP at section 3.7.
- iii. In relation to full life cycle costs, it is expected that the regulated activity will have a life cycle of approximately 60 days, and at the end of this cycle the interest holder will take action to remove all equipment, machinery and waste material as detailed by the EMP.
- iv. In addition, the interest holder is required to provide an environmental security sufficient to allow third-party intervention for the rehabilitation and remediation should it be required, ensuring the interest holder bears the cost of pollution.
- v. With these measures in place, I am satisfied that the EMP ensures that environmental costs are not left as externalities to be paid for by Territory taxpayers or the local community. They will be fairly paid for by those who stand to benefit from the regulated activity, such as the interest holder, and consumers who choose to purchase the interest holder's products. To the extent there are some costs to the Territory, I am satisfied that this is appropriate given the broader economic benefits.
- vi. In relation to options to pursue environmental goals in relation to the regulated activity, I have taken into account that these goals should be pursued in the most cost-effective way.
- vii. I believe approval of the EMP with the conditions I have imposed is consistent with the principle of improved valuation, pricing and incentive mechanisms.
- h. The EMP was not referred under the *Environment Protection Act 2019*, as the regulated activity does not have the potential to cause a significant impact on the environment. reg 9(3)
- i. The existing environment along with its particular values and sensitivities is appropriately identified in the EMP. reg 9(1)(c)
- j. I agree with the risk assessment set out in the EMP.
- k. The interest holder's risk assessment is applicable to activities in all seasons and the outcomes are reflected in the EMP under the management plans.
- l. The anticipated environmental impacts are appropriately identified in section 5.2 and Appendix 2 of the EMP. In EMPs for subsequent stages (if they proceed) the interest holder will need to continue to address cumulative effects.
- m. The EMP demonstrates how the interest holder will comply with relevant requirements of the Code in undertaking these regulated activity. The EMP cross references relevant sections of the Code that apply to the mitigation and management measures to enable the reviewer to identify and confirm that the proposed activities comply with the Code, as applicable.
- n. The EMP provides details of stakeholder engagement that meets Regulation 7 and Schedule 1, Clause 9 of the Regulations (Section 7 and Appendix 4). Stakeholder engagement records (Appendix 4) demonstrate that stakeholders did