

Guidance for Public Submissions on Petroleum Environment Management Plans

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Acronyms	Full form
ACST	Australian Central Standard Time
DENR	Department of Environment and Natural Resources
DEPWS	Department of Environment, Parks & Water Security
EMP	Environment Management Plan
NT	Northern Territory
NT EPA	Northern Territory Environment Protection Authority

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Environment Management Plans

The Minister for Environment, Climate Change and Water Security (the Minister) is the regulator for environmental management and approvals for the onshore petroleum industry in the Northern Territory (NT).

The public comment process provides the community with an opportunity to have their say on the proposed environmental management of drilling of a well and hydraulic fracturing stimulation activities before the Minister commences assessment of the Environment Management Plan (EMP). It provides a platform for interest holders to address relevant matters raised by the community and leads to better environmental outcomes and informed decision-making.

1. Publication of an EMP

The Regulations require the Minister to publish draft EMPs for drilling and hydraulic fracturing activities submitted by the interest holder for assessment. The Minister must publish a notice stating that a draft EMP is published for public comment; that an interested person may submit written comments to the Minister no later than 28 days from the date of publication; the address or webpage that comments may be sent or delivered; and note that all comments received will be published.

Information that may be withheld from public disclosure in an EMP may include commercially confidential information or other information with reasonable grounds for non-disclosure, for example sacred site locations. However, this confidential information is used by the Minister during the assessment, but is not published for wider review. All EMPs that are approved are published in full together with any conditions of that approval.

EMPs currently open for public comment are available on the Department of Environment, Parks and Water Security (the Department's) website at: [EMPs under assessment](#). EMPs that have been approved are available on the [Approved EMPs](#) webpage along with the Minister's Approval Notice and Statement of Reasons, NT EPA Advice and any public submissions received.

It is important to note, EMPs that are published on the [EMPs under assessment](#) webpage have not undergone an assessment by the Minister and are published to the Department's website following an administrative adequacy check only. The formal assessment process by the Minister will commence following the public comment process.

2. How to have your say

When the public comment period is underway, draft drilling and hydraulic fracturing EMPs will be published in full on the Department's [EMPs under assessment](#) webpage.

The quickest and preferred way to submit a comment is through the Department's online platform, via the [EMPs under assessment](#) webpage. The online platform allows additional supporting documents to be uploaded along with the submission and provides an opportunity to request personal details remain confidential. The online platform can assist you to ensure that your comments are made on the appropriate EMP.

To be notified when EMPs are open for public comment, you can sign up to receive notifications on the [EMP notification subscription](#) webpage.

If you cannot use the online platform, submissions may also be emailed to the address listed in the public notice and on the EMPs under assessment page, or posted to:

Public comment submissions
Petroleum Operations
GPO Box 3675
DARWIN NT 0801

2.1. Submission deadlines

Draft drilling and hydraulic fracturing EMPs will be open for public submissions until midnight Australian Central Standard Time (ACST) on the date listed in the public notice and on the [EMPs under assessment](#) webpage. Comments must be provided before the closing date and any received after this time will not be considered. Comments sent by post must be stamped with a postmark dated prior to the end of the public comment period.

3. How to make an effective comment

The public comment process provides an opportunity for community members to raise issues about environmental management matters relevant to the EMP under assessment.

3.1. Approval criteria

When considering whether to approve an EMP the Minister is required to be reasonably satisfied that an EMP:

- includes all information required by Schedule 1 of [the Regulations](#)
- is appropriate for the nature and scale of the regulated activity
- includes an Authority Certificate issued by the Aboriginal Areas Protection Authority, and
- 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 reasonably practicable and acceptable.

The Minister also takes into account the principles of ecologically sustainable development and may seek advice from the NT EPA.

3.2. Effective comments

An effective comment will be one that considers the approval criteria, refers to a relevant issues or key matters in the EMP and provides clear, detailed and specific information. Comments could, for example, relate to:

- the way the existing environment is described in the EMP for the regulated activity
- the environmental impacts and environmental risks of the regulated activity
- the proposed management measures for reducing the environmental impacts and environmental risks
- the proposed methods for monitoring the environmental performance of the regulated activity
- the principles of ecologically sustainable development.

If there is new information that the Minister and/or the interest holder should consider, commenters are encouraged to provide supporting documents, such as data or scientific reports, or clearly labelled photographs or maps.

The following types of submissions are unlikely to provide appropriate levels of detail to be an effective comment.

- comments made through online social media channels
- online petitions
- SPAM email.

It is acknowledged that community led petitions are a common way to generate interest in a matter. A petition that refers to a relevant issue in the EMP, which is detailed and considers the approval criteria will be a more effective comment than a generic statement from multiple third parties.

3.3. Appropriate comments

The public comment process provides an opportunity for community members to raise issues about environmental management matters that they feel have not been adequately addressed in the EMP. In order to ensure that your comment is received and taken into account, care should be taken to submit it in accordance with section 2 of this guidance. The Minister will consider all comments in alignment with the approval criteria. Comments that provide information that is irrelevant to the approval criteria cannot be taken into account in the Minister's decision. Examples include:

- statements which are not relevant to the EMP, approval criteria or other matters which the Minister is not required to consider in making a decision
- statements of general fundamental objection to the onshore petroleum industry
- personal threats or profanities
- questions to the Minister and or/the interest holder.

4. What happens to my comment once it is submitted?

Once the public comment period has closed the interest holder will have the opportunity to review the comments and they may also, if necessary, provide an updated EMP to the Minister for consideration.

After a decision has been made, the Minister will issue an Approval Notice and Statement of Reasons detailing how relevant public comments have been considered and/or addressed. Comments will be published in their entirety (subject to any exclusions of inappropriate or confidential material) at this time.

Neither the Minister nor the interest holder is required to respond to each comment individually.

5. Privacy and sensitive information

When submitting a comment, it is important that the commenter's name and contact details are provided. This allows the Minister to seek further information regarding the comment if necessary. It also increases the transparency and accountability of the public comment process (although only the names and postcodes of commenters will be made public).

All comments received will be available to the interest holder prior to being published. If further discussion of a comment would assist to improve an EMP, the Minister may suggest that a commenter contact the interest holder to discuss further.

5.1. Anonymous comments and confidential information in comments

When a comment is published on the Department's website, the publication will include all details about the commenter, unless otherwise specified. All comments will be treated as public information. The commenter can ask the Minister not to publish certain parts on the basis they are:

- confidential or commercially sensitive; or
- personal information, which the commenter does not consent to be published, such as a name, email address or phone number.

You can request that all, or part, of your submission is not published. This request should be indicated clearly in the submission. When submitting, you should provide a reason for requesting confidentiality or anonymity.

5.2. What will not be published

The Minister may also decide not to publish certain content for a range of reasons, despite the author wishing it to be public.

For example, the Minister may publish only part of a submission if it:

- contains information that must not be published
- would breach privacy legislation
- would breach copyright law
- contains inflammatory, offensive or inappropriate content
- is defamatory or may expose a person to legal action
- is confidential or commercially sensitive.

6. Further information

The Department publishes the [Code of Practice: Onshore Petroleum Activities in the Northern Territory](#), guidance notes, guidelines and other information at: <https://depws.nt.gov.au/onshore-gas> .

The [Petroleum Act 1984](#), [Petroleum \(Environment\) Regulations 2016](#) and other subsidiary regulations are available in full at: www.legislation.nt.gov.au .

Information regarding onshore petroleum activities not related to environmental management can be obtained from the Department of Industry, Tourism and Trade at: <https://industry.nt.gov.au/>.

Questions regarding the public submission process for onshore petroleum drilling and hydraulic fracturing EMPs can be directed to:

Department of Environment, Parks and Water Security
Petroleum Operations

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