

Refusal notice and statement of reasons

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

Interest holder	Central Petroleum Limited (Central) ABN 95 009 718 183
Petroleum interest(s)	Exploration Permit 115 (EP115)
Environment management plan (EMP) title	Zevon Test Line – Seismic Program, EP115
EMP document reference	9600-630-PLN-0001 - CTP5-2, prepared by Central, dated 19 October 2021
Regulated activity	34 km of 2D seismic acquisition
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 EMP is a new plan submitted under regulation 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 C2021-084
Date an EMP compliant with reg 8 was first submitted under reg 6	8 September 2021
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	12 October 2021 required 19 October 2021 submitted
Date of resubmission notice under reg 11(2)(b), if applicable	3 December 2021 required 9 December 2021 resubmitted
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
Date of decision	<u>10 / January / 2022</u>

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.

Decision maker



Signature

Hon Eva Dina Lawler MLA,
Minister for Environment

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1. I refuse to approve the EMP under regulation 11(3)(b)(ii).

2 Material considered

1. The following material has been taken into account in making this decision:
 - a. Central Petroleum Limited Zevon Test Line – Seismic Program EP115 Environment Management Plan (CTP5-2), dated 7 September 2021 and resubmitted in accordance with reg 10 on 19 October 2021.
 - 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. Central Petroleum Limited's response to the reg 11(2)(b) letter, dated 9 December 2021.

3 Statement of reasons

1. The EMP does not meet the approval criterion in reg 9(1)(a), because it does not contain all the information required by Schedule 1 of the Regulations. reg 9(1)(a)
2. 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 does not meet 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)
3. 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 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

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for the benefit of present and future generations. I have given consideration to the impact on present and future generations as follows:

- i. 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*.
 - ii. The Authority Certificate (C2021-084) obtained does not allow the regulated activity to occur in a significant proportion of the proposed location.
 - iii. The imposed restricted work areas reduces the proposed Zevon 3D seismic program from 34 km to approximately 15 to 17 km.
 - iv. The interest holder has indicated that they do not wish to amend and reduce the scope of the regulated activity align with the Authority Certificate restrictions.
 - v. I am satisfied that without an amendment of the scope of works in the EMP to align with the Authority Certificate restricted work areas, the EMP does not meet the approval criteria specified in the Regulations.
4. As outlined above, without an amendment of the scope of works in the EMP to align with restricted work areas indicated in the Authority Certificate, the EMP does not meet the approval criteria specified in the Regulations. reg 9(1)(d)
- a. Overall, having regard to the above, I am satisfied that the EMP should be refused.