

DATED:

17th

DAY OF

August.

2012

MEMORANDUM OF UNDERSTANDING

BETWEEN

THE ENVIRONMENT PROTECTION AUTHORITY

AND

**THE DEPARTMENT FOR MANUFACTURING, INNOVATION, TRADE
RESOURCES AND ENERGY**

THIS MEMORANDUM OF UNDERSTANDING IS MADE THE 17th DAY OF

August

2012

BETWEEN

THE ENVIRONMENT PROTECTION AUTHORITY an administrative unit under the *Administrative Arrangements Act 1994* of 250 Victoria Square, Adelaide in the State of South Australia (the “Authority”)

AND

THE DEPARTMENT FOR MANUFACTURING, INNOVATION, TRADE, RESOURCES AND ENERGY an administrative unit under the *Administrative Arrangements Act 1994* of Level 7, 101 Grenfell Street, Adelaide in the State of South Australia (“DMITRE”)

INTENT

- A. The Authority is responsible for the administration of the *Environment Protection Act 1993* and the *Radiation Protection and Control Act 1982*.
- B. The Energy Resources Division of DMITRE is responsible for the administration of the *Petroleum and Geothermal Energy Act 2000*, *Cooper Basin (Ratification) Act 1975*, the *Petroleum (Submerged Lands) Act 1982* and *Offshore Petroleum and Greenhouse Gas Storage Act 2006*
- C. The Mineral Resource Division of DMITRE is responsible for the administration of the *Mining Act 1971*, *Mines and Works Inspection Act 1920*, *Offshore Minerals Act 2000*,

Roxby Downs (Indenture Ratification) Act 1982, Broken Hill Proprietary Company's Indenture Act 1937, Opal Mining Act 1995 and Whyalla Steel Works Act 1958.

- D. The parties wish to enter into this Memorandum of Understanding in order to develop and comply with Administrative Arrangements to achieve consistent and efficient environmental regulation of upstream petroleum, geothermal energy and mineral resources under the Acts specified above at paragraphs A, B and C, especially when the obligations and responsibilities of the parties under the Acts overlap.

MEMORANDUM OF UNDERSTANDING

The Memorandum of Understanding is as follows:

1. NATURE OF MEMORANDUM

The parties agree that this Memorandum of Understanding is not intended to create legal relations, but is intended to create a long term commitment to a mutual working relationship between the parties.

2. TERM OF MEMORANDUM

This Memorandum will commence upon the execution of this Memorandum by the parties and shall continue in force until such time that any party may decide to terminate this Memorandum in accord with the requirements of clause 3 or any such time that the parties may decide to revise this Memorandum in accordance with clause 4.

3. TERMINATION OF THIS MEMORANDUM

Any party may, in the event of unforeseen circumstances which conflict with the intent and purpose of that party's legislative obligations and responsibilities, terminate this Memorandum by giving 3 month's written notice to the other party.

4. MODIFICATION

4.1 Any modification of this Memorandum must be in writing and signed by each party.

5. ADMINISTRATIVE ARRANGEMENTS

5.1 The parties agree that in administering the following Acts, the Authority and the Energy Resources Division of DMITRE will work together in good faith to develop and comply with the Administrative Arrangements for Petroleum and Geothermal, as amended from time to time, that the parties enter into.

5.1.1 *Environment Protection Act 1993;*

5.1.2 *Radiation Protection and Control Act 1982;*

5.1.3 *Petroleum and Geothermal Energy Act 2000;*

5.1.4 *Cooper Basin (Ratification) Act 1975;*

5.1.5 *Petroleum (Submerged lands) Act 1982; and*

5.1.6 *Offshore Petroleum and Greenhouse Gas Storage Act 2006.*

5.2 The parties agree that in administering the following Acts the Authority and the Mineral Resources Division of DMITRE will work together in good faith to develop and comply with the Administrative Arrangements for Mineral Resources, as amended from time to time, that the parties enter into.

5.2.1 *Environment Protection Act 1993;*

5.2.2 *Radiation Protection and Control Act 1982;*

5.2.3 *Mining Act 1971;*

5.2.4 *Mines and Works Inspection Act 1920;*

5.2.5 *Offshore Minerals Act 2000;*

5.2.6 *Roxby Downs (Indenture Ratification) Act 1982;*

5.2.7 *Broken Hill Proprietary Company's Indenture Act 1937;*

5.2.8 *Opal Mining Act 1995; and*

5.2.9 *Whyalla Steel Works Act 1958.*

5.3 The Administrative Arrangements that the parties enter into may include, but need not be limited to the following:

- 5.3.1 Any training requirements for either party to facilitate a better understanding of the Acts specified at paragraphs 5.1 and 5.2;
- 5.3.2 An agreed consultation process between the parties in the assessment and approval of activities under the Acts specified at paragraphs 5.1 and 5.2;
- 5.3.3 The process for imposing consistent obligations under the Acts specified at paragraphs 5.1 and 5.2 whenever possible;
- 5.3.4 Identification of which of the Acts specified at paragraphs 5.1 and 5.2 will take the lead in relation to the regulation of particular activities and incidents;
- 5.3.5 A description of the process between the parties for communicating and responding as a whole of government to environmental incidents reported under the Acts specified at paragraphs 5.1 and 5.2.

SIGNED BY CAMPBELL GEMMELL, CHIEF EXECUTIVE OF)
THE ENVIRONMENT PROTECTION AUTHORITY)



in the presence of:

WITNESS

Name *Emily Noble*
 Title *Executive Assistant*



SIGNED BY GEOFF KNIGHT, CHIEF EXECUTIVE)
OF THE DEPARTMENT FOR MANUFACTURING,)
INNOVATION, TRADE, RESOURCES AND ENERGY)



in the presence of:

WITNESS

Name *Cindy Roberts.*
 Title *Executive Officer*

