



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

No. 92

WRITTEN QUESTION

K McNamara to the Minister for Lands, Planning and the Environment, Hon Josh Burgoyne MLA:

Incident regarding the activities of Imperial Oil and Gas

As reported by the NT Independent in May 2025, the Department for Lands, Planning and Environment (DPLE) recently disclosed that it had resolved three incidents relating to the activities of Imperial Oil and Gas (a subsidiary of Empire Energy) at EP187.

While the details of two of these incidents were set out in a Regulatory Statement, the details of the third incident were not provided. DPLE stated that this third incident was resolved under the Petroleum Act and that no non-compliance had occurred.

1. What are the details of this third undisclosed incident? What occurred and when?

There was no incident.

The third matter related to Imperial Oil and Gas Pty Ltd (Imperial) stating in its approved Environment Management Plan (EMP) (IMP4-3) that all aquifers would be isolated from each other.

In drilling the Carpentaria 3H well in late 2022, Imperial did not isolate the Anthony Lagoon and Gum Ridge aquifers from each other. While this was not compliant with Imperial's commitment under its EMP it did not constitute a breach of an environmental performance outcome or standard in its EMP.

Regulation of well construction and aquifer isolation sits with the Department of Mining and Energy (DME). DME advised that the well was constructed in accordance with the Well Operations Management Plan as regulated under the *Petroleum Act 1984*.

2. When and how was DPLE notified of this incident?

Late December 2022, Department of Industry, Tourism and Trade (now DME) sought advice from DLPE on the naming conventions of the aquifers referenced in Imperial's Well Barrier Integrity Validation (WBIV) report for the Carpentaria 3H.

Through this process the Petroleum Regulations Unit within DLPE, became aware the aquifers for Carpentaria 3H had not been isolated as required under the EMP.

Regulatory responsibility for well construction sits within DME and DLPE regulates matters relating to the environment.

3. What actions, if any, were taken to rectify the incident when it first occurred? What, if any, follow-up measures have been undertaken?

DLPE investigated the non-compliance and recommended prosecution be pursued by the Minister for Environment and Climate Change. The Minister did not agree to pursue prosecution.

Following this, DLPE and DME discussed the appropriate regulatory action for this matter. DLPE acknowledged DME is the most appropriate regulator and that DLPE would close the matter.

4. Was the incident a contravention of an environmental performance standard (in a current EMP) or inconsistent with an environmental outcome specified in the current EMP? If yes, why wasn't this incident publicly disclosed as a recordable incident? If no, is there no obligation under the current laws to publicly report such an incident?

There was no breach of an environmental performance outcome or standard in the EMP (IMP4-3).

There is no obligation in legislation for public reporting of every instance of non-compliance.

5. Who made the decision that this incident could be resolved under the Petroleum Act?

Response to be provided by the Department of Mining and Energy.

6. How was this incident resolved under the Petroleum Act?

Response to be provided by the Department of Mining and Energy.

7. What explanation can be provided to demonstrate that no non-compliance under the Petroleum (Environment) regulations has occurred?

Refer to Response at Question 3

8. What explanation can be provided to demonstrate that no non-compliance under the Petroleum Act has occurred?

Response to be provided by the Department of Mining and Energy.

9. How will DPLE ensure that an incident like this doesn't happen again?

The Code of Practice: Well Integrity Code which was released 25 February 2025:

- (a) more clearly delineates regulatory responsibility between the two regulators; and
- (b) requires that a barrier be placed between distinct aquifers.