

**Economics Legislation Committee**  
ANSWERS TO QUESTIONS ON NOTICE  
Industry and Science Portfolio  
2015-16 Budget Estimates  
3 June 2015

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**AGENCY/DEPARTMENT:** DEPARTMENT OF INDUSTRY AND SCIENCE

**TOPIC:** Correspondence to state and territory Ministers

**REFERENCE:** Question on Notice (Hansard, 3 June 2015, page 100)

**QUESTION No.:** BI-19

**Senator KETTER:** Can you talk us through the process of what you go through to encourage states or territories to confer their powers? Does that involve correspondence at a departmental level, or is the minister involved?

**Mr Smith:** The department has a role to play; in fact, it is really the lead agency on the issue of conferral. So it is probably a question better directed to them. The minister, I suspect, also has discussions on occasions and certainly does through the COAG process. I attended the most recent COAG meeting where they discussed conferral, and Minister MacFarlane was active in that meeting and got a lot of support from the jurisdictions. I know the department has been meeting with relevant jurisdictions to discuss how conferral would work. We have attended some of those meetings as well, and it has been very cooperative. We also participate directly in discussions with each jurisdiction, and I have mentioned how I have met some of the ministers independently from the COAG process. I have been to the states and met with them. I have also met with officials in those jurisdictions specifically to discuss conferral. Whilst we are not responsible for the policy, I want to reassure them that, if they choose to confer, NOPSEMA will be ready to support them and what level of support they can expect. For instance, we often discuss things in those meetings along the lines of how involved NOPSEMA would get in stakeholder engagement—and I will talk about how we already participate in public forums in relevant jurisdictions if there are issues in Commonwealth waters off their state or territory. We would expect to continue that and probably increase that sort of activity. We see it as important that we engage with local communities—not just big multinationals or the NGOs but also local communities, and that can mean being on the ground.

**Senator KETTER:** My next question is probably directed more at the department. Would you be able to tell me how many times and what dates has the minister written to his state and territory counterparts regarding this issue?

**Ms Beauchamp:** I would have to take the exact details on notice. But I would just say that, from a departmental perspective, we are looking at streamlining processes and making it a lot easier for industry through NOPSEMA to undertake their regulatory activities. But I will take that on notice.

**ANSWER**

The department is not aware of any letters sent from Minister Macfarlane to his state and territory counterparts about conferral of powers to the National Offshore Petroleum Safety and Environmental Management Authority (NOPSEMA).

At the inaugural meeting of the Council of Australian Governments Energy Council on 1 May 2014, Ministers noted opportunities to further streamline regulatory arrangements for petroleum activities in coastal waters, building on the process undertaken in Commonwealth waters. The Northern Territory and South Australia agreed to commence discussions with the Commonwealth regarding potential conferral.

Since that meeting, officials from the Department of Industry and Science and NOPSEMA have held a number of workshops, meetings and teleconferences with officials from South Australia and the Northern Territory to progress the streamlining of offshore petroleum regulatory arrangements in the coastal waters of these jurisdictions.

Victoria conferred OHS and integrity management to NOPSEMA prior to 1 January 2013 following changes to the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*. No other jurisdiction has indicated they are formally considering conferral at this stage.