

# Request for expressions of interest – Mediators Panel members

## Context

The Northern Territory Government is calling for expressions of interest from suitably experienced and qualified persons to become members of a Mediators Panel to assist with the resolution of disputes between petroleum companies and landholders in the Northern Territory.

## Primary objective

Members of the Mediators Panel will conduct mediation processes between petroleum companies and landholders to assist with dispute resolution and achieve agreed land access arrangements for a range of resource activities.

The role of a Mediators Panel member will be to independently manage a mediation process between a petroleum company and a landholder to support the settlement of a statutory land access agreement or variation to a land access agreement, and the resolution of land access related disputes. Further information is outlined at Attachment A.

## Appointment criteria and term of appointment

With reference to the impending changes to regulation 21 of the Regulations, made by the *Petroleum Legislation Amendment Act 2022* assented to on 16 December 2022, a person may be appointed as a member of the Mediators Panel by the Minister for Mining and Industry and will be deemed to be suitably experienced and qualified if they:

- are an accredited mediator under the National Mediator Accreditation System established and maintained by the Mediator Standards Board; or
- hold practitioner membership (or advanced practitioner membership) with the Mediator Standards Board; and
- are a legal practitioner with at least seven years' experience as a legal practitioner; or
- have, in the opinion of the Minister for Mining and Industry, significant experience in primary industry or the resources industry.

Mediator Panel members will be appointed for a term not exceeding five years, with the possibility of reappointment.

## Selection process

Where direct negotiations and other alternative dispute resolution processes between parties have been unsuccessful, a petroleum company or landholder may apply to the Chief Executive Officer of the Department of Industry, Tourism and Trade (CEO) to request that a Mediators Panel member conduct a mediation process.

The CEO will select a Mediators Panel member to conduct a mediation. Selection will be carried out on a rotational basis after actual or potential conflicts of interest, and such other matters, are considered.

## Register for Mediators Panel

The CEO maintains a register containing the:

- name and contact details of each Mediators Panel member; and
- qualifications and experience of each Mediators Panel member (as at the time of the member's most recent appointment).

The register is published on the Agency's website.

## Remuneration

A Mediators Panel member who has conducted a mediation process will be paid for their services by:

- the relevant petroleum company seeking a land access agreement; or
- the relevant party that is seeking a variation to a land access agreement.

Remuneration will be the fees nominated by the individual Mediators Panel member.

## How to apply

Written applications should include:

- a current résumé;
- a letter outlining expertise with reference to the appointment criteria; and
- details of nominated fees.

Applications should be directed to:

Land Access Team  
Energy Development Branch  
Department of Industry, Tourism and Trade  
GPO Box 4550  
Darwin NT 0801

[landaccess.ditt@nt.gov.au](mailto:landaccess.ditt@nt.gov.au)

Persons operating locally with a significant permanent presence in the Northern Territory are encouraged to apply.

Enquiries should be directed to the acting Land Access Manager, Department of Industry, Tourism and Trade on 08 8999 5240.

**This request closes on 20 February 2023.**