NOPSEMA

Taskforce Outcome	**Amend the Environment Regulations to give effect to increased transparency**			
Work Stream	#1: Regulatory amendment process to give effect to the agreed government policy position			
Project Leader	Department of Industry, Innovation and Science (DIIS)			
Date	Meeting 6, 17 April 2018			
Work Plan	ID	Initiative	Status	Timeframe for completion
	1	Minister approved policy recommendations arising from consultation and transparency review	Completed	Nov 2017
	2	DIIS to discuss a proposed framework for the public comment period and publication of environment plans with key stakeholders	Completed	Mar 2018
	3	DIIS to prepare regulatory amendments	Underway	Q2-3 2018
	4	An "exposure draft" of the proposed regulatory amendments will be released for public comment.	Pending	Q3-4 2018
	5	Regulatory amendments to come into force	Pending	2019

Update to the Committee:

- DIIS have continued to progress the consultation and transparency reform package announced by Minister Canavan in November 2017.
- From 12-15 March 2018, officials from DIIS and NOPSEMA held a series of meetings with stakeholders to discuss the draft regulatory reform framework.
    - DIIS and NOPSEMA met with stakeholders representing over 20 different industry, government and community organisations and received a range of feedback on the framework.
- The department is now analysing the comments received from these meetings before preparing drafting instructions for regulatory amendments.
    - An exposure draft of the proposed regulatory amendments will be released for public consideration and comment in the second half of 2018.
    - Regulatory amendments are expected to be finalised and come into effect in 2019.

NOPSEMA

Taskforce Outcome	**Amend the Environment Regulations to give effect to increased transparency**			
Work Stream	#2: Monitor industry and regulator readiness for environment plan publication and public comment, and communicate Taskforce progress and achievement			
Project Leader	NOPSEMA			
Date	Meeting 6, 17 April 2018			
Work Plan	**ID**	**Initiative**	**Status**	**Timeframe for completion**
	1	Identify project risks and controls in the Transparency Taskforce Terms of Reference (ToR)	Complete	Oct 2017
	2	Ensure each work stream identifies risks and opportunities and puts in place appropriate control measures to mitigate	Complete	April 2018
	3	Steering Committee to review the risks and opportunities provided by the work streams using SWOT analysis	Underway	April 2018
	4	Records from Transparency Taskforce to be published, for the information of stakeholders and the public	Complete	March 2018
	5	Develop a 2018 Stakeholder Engagement Plan for Taskforce sponsors to implement	Underway	July 2018
	6	Create key messaging for the Taskforce and Q&A's for each work stream	Pending	

Update to the Committee:

- A SWOT analysis has been conducted for most work streams, where appropriate, with outputs presented in this paper. The majority of items identified are addressed in the current work plans. Committee to discuss the SWOT analyses and identify any gaps that are relevant to our ability to monitor sector readiness for environment plan publication and public comment.
- A 2018 Stakeholder Engagement Plan has been drafted, with input sought from Steering Committee members. The plan is to be finalised and distributed to the committee, and implemented with further refinements throughout the year.
- The Stakeholder Engagement Plan commits to a public briefing on the Taskforce on a roughly quarterly basis. The last briefing was held in December 2017. The next is proposed to be held in May 2018, with a primary focus on the progress of the Reference Case project but with opportunities for updates from other work streams.
- As agreed in meeting 5, records from the Transparency Taskforce have been published on the NOPSEMA website. Steering Committee members are asked to encourage their networks to view these records, to communicate the progress and achievements of the Taskforce.

SWOT Analysis	Addressed by work plan?
Strength: Steering committee members provide access to a range of channels for external communication, which should be leveraged regularly.	*Yes*
Weakness: Independent nature of the work streams can result in inefficient planning and delivery of communications. Taskforce-wide plan of stakeholder engagement to be developed to coordinate efforts.	*Yes*
Opportunity: Use established channels to provide links to Taskforce information (e.g. industry/stakeholder websites, newsletters).	*Yes*
Threat: Given the long lead times to prepare environment plans, when regulatory amendments are first implemented public comment and publication processes may be inefficient, and as a result confidence in the regulatory regime may decrease. Mitigated by comprehensive engagement during development of regulatory amendments (work stream 1).	*Yes*

Taskforce Outcome	The community has confidence in the offshore petroleum regulatory regime			
Work Stream	#3: Communication and engagement initiatives to increase transparency of key offshore petroleum industry processes and associated regulatory frameworks			
Project Leader	NOPSEMA (to be reviewed)			
Date	Meeting 6, 17 April 2018			
Work Plan	ID	Initiative	Status	Timeframe for completion
	1	Establish Transparency Taskforce	Complete	July 2017
	2	Conduct introductory event and produce brochure	Complete	July 2017
	3	Start the Reference Case Project website	Complete	Sept 2017
	4	End of year briefing on the Transparency Taskforce and Reference Case Project	Complete	Dec 2017
	5	Continue to extend membership of the Transparency Taskforce Steering Committee – confirm this in terms of reference	Complete	Mar 2018
	6	Establish a Community Environmental Reference Group to provide feedback to NOPSEMA	Complete	Mar 2018
	7	DIIS to commence planning for Offshore Petroleum Information Sessions to engage with the community on current offshore petroleum issues	Underway	Q3 2018
	8	Establish an information portal that provides a single gateway for all online traffic searching for information about offshore petroleum activities and regulation in Australia.	Pending – Decision item at meeting 6	

Update to the Committee:

- The committee is asked to review the Project Leader role for this work stream, now that the earlier tasks by NOPSEMA have been completed or taken over by others.
- The first meeting of the NOPSEMA Community Environmental Reference Group was held on 29 March 2018, records will be published on the NOPSEMA website.
- DIIS has commenced early planning for community Information Sessions on current petroleum issues, and changes to environment plan publication and public comment. The first of these sessions will be conducted in South Australia in Q3 2018.
- The 2016 discussion paper on a proposed offshore petroleum information portal was re-distributed to the committee on 19 March 2018, seeking steer from the committee on how to progress the portal as a joint sponsor initiative.

NOPSEMA

SWOT Analysis	Addressed by work plan?
Strength: Some State-based processes exist for community engagement (e.g. open days) that could be leveraged.	*No*
Weakness: Regulatory processes applying to offshore petroleum are delivered by a range of agencies, which can be difficult for external stakeholders to navigate. Consolidated information or guides would improve community understanding.	*No**
Opportunity: Ministerial commitment to community information sessions in areas where petroleum activities are carried out, which supports resourcing and planning of open days.	*Yes*
Threat: Establishment and maintenance of internet-based information requires sustainable resourcing. A coordinator of an information portal has not yet been identified.	*No*

* Work plan action 8 may result in a task to address this

Taskforce Outcome	The community has confidence in the offshore petroleum regulatory regime			
Work Stream	#4: System updates to deliver regulatory amendments facilitating public comment and environment plan publication			
Project Leader	NOPSEMA			
Date	Meeting 6, 17 April 2018			
Work Plan	ID	Initiative	Status	Timeframe for completion
	1	Establish a community information access pathway on the NOPSEMA website for non-titleholder visitors	Complete	Aug 2017
	2	Review the NOPSEMA website for adequacy of communicating information about the work of the Transparency Taskforce (e.g. Steering Committee records)	Complete	Feb 2018
	3	Review capability of NOPSEMA's internal regulatory management system in light of any changes to the Environment Regulations	Underway	Dec 2018
	4	Draft policy and guidance changes to clearly communicate amended assessment process and system, in collaboration with Work stream #1	Underway	Dec 2018
	5	Review NOPSEMA's Environment Plan Assessment Policy in relation to transparency of decision-making, in light of the amendments to the Environment Regulations. Also review NOPSEMA's policy on provision of Statements of Reasons under the *Administrative Decisions (Judicial Review) Act 1977*.	Underway	Dec 2018
	6	Review, and update if necessary, the capability and capacity of NOPSEMA's Activities Submissions and Summaries webpage to cater for publication of environment plans and public comment processes	Underway	Dec 2018

Update to the Committee:

- NOPSEMA is in discussion with DIIS on a framework for proposed changes to facilitate environment plan publication and public comment (see work stream #1).
- A preliminary project plan has been developed to commence work on changes to NOPSEMA's internal regulatory management system and website in line with the current understanding of probable regulatory amendments.

SWOT Analysis	Addressed by work plan?
Strength: NOPSEMA has a close working relationship with DIIS, which should facilitate early notice of regulatory amendments as they are developed. NOPSEMA's existing system can be built upon to deliver public comment and publication. The current website structure also already allows for add-ons by other jurisdictions.	*Yes*
Weakness: Development work will have to be undertaken in parallel with regulatory amendment process by DIIS (work stream #1).	*Yes*
Opportunity: Online system for public comment and publication can be tested thoroughly prior to first day of implementation, which should mitigate technical problems. If well-delivered, community confidence in NOPSEMA's regulatory process should be strengthened. Promotion and visibility at the time of delivery would capitalise on this. An expanded, fit-for-purpose online system would facilitate more efficient data management for NOPSEMA, and more effective notifications to the community.	*Yes*
Threat: Volume of public comments and website traffic that will be generated when environment plans are first published is unknown, and if high may result in large administrative workload for NOPSEMA. If poorly-delivered, community confidence in NOPSEMA's regulatory process would be eroded, and assessment timeframes could also be affected. Thorough testing prior to delivery should mitigate this.	*Yes*

NOPSEMA

Taskforce Outcome	**Reduced size and complexity of environment plans**			
Work Stream	#5: Alignment of regulatory interpretation to deliver efficient and effective environmental assessments			
Project Leader	NOPSEMA			
Date	Meeting 6, 17 April 2018			
Work Plan	ID	**Initiative**	**Status**	**Timeframe for completion**
	1	Information paper entitled "Considerations for five-year environment plan revisions" published	Complete	Jan 2018
	2	NOPSEMA to provide activity-specific advice to titleholders during preparation of environment plan revisions	Underway	Dec 2019
	3	NERA and NOPSEMA to produce an Environment Plan Glossary to standardise the language used in preparing and consulting on environment plan content, to reduce misunderstandings and communication issues.	Pending	
	4	Develop improved method for applying Australian and international standards to environmental impact and risk assessment, and environmental management, to standardise environment plan content.	Pending	
	5	Seek stakeholder feedback on priority areas where prescription or guidance could increase the efficiency of developing environment plans, and the best way to communicate this information.	Pending	

Update to the Committee:

- NOPSEMA has received feedback that there are opportunities to improve efficiency by providing defined methods for impact and risk assessment (e.g. sound exposure modelling), in lieu of prescriptive regulations or standards, and will pursue these in cooperation with interested parties.

SWOT Analysis	Addressed by work plan?
Strength: Industry, regulator and all stakeholders have a focus in this area to improve clarity. A structured system is already in place for communicating NOPSEMA's interpretations and how to apply the Regulations, which can be built on.	*Yes*
Weakness: In aspects of environmental regulation where the scope for interpretation is too broad, it is very difficult to achieve consistent application in the absence of established standards for processes or performance.	*No*
Opportunity: Clarify areas where NOPSEMA can increase certainty on meeting objective-based criteria.	*Yes*
Threat: Independent, global nature of titleholder companies often leads to differing approaches to environmental management.	*Yes*

NOPSEMA

Taskforce Outcome	**Reduced size and complexity of Environment Plans**			
Work Stream	#6: Reduce unnecessary effort for titleholders to produce, and stakeholders to review, environment plan content by extracting common and typical content			
Project Leader	National Energy Resources Australia (NERA)			
Date	Meeting 6, 17 April 2018			
Work Plan	ID	**Initiative**	**Status**	**Timeframe for completion**
	1	Develop four reference cases as proof of concept	Underway	May 2018
	2	Proof of concept consultant's report	Complete	Jan 2018
	3	Project handover, stocktake, and analysis	Underway	May 2018
	4	Identify and prioritise future reference cases	Pending	
	5	Reference case framework and development process	Underway	May 2018
	6	Prepare business case for long-term owner of reference cases	Underway	May 2018

Update to the Committee:

- The reference case proof of concept is nearing completion:
  - Overall proof of concept has been established with some lessons learned on the conditions necessary for a reference case to be successful.
  - The next stage, concept application, relies on titleholders successfully receiving acceptance from NOPSEMA on Environment Plans that utilize the reference cases.
- The NERA reference case website is in the user testing phase with a planned release on 17 April.
  - Reference cases on anchoring operations and diesel spill consequence will be released for public comment on 1 May for a period of 30 days
  - The final proof-of-concept reference case on continuous sound sources from facilities is postponed due to a disproportionate amount of effort being required to produce a valuable product. In this example, material from existing environment plans was found to be unsuitable for publication in isolation, which raised questions about decision risks for NOPSEMA and titleholders associated with transparency reforms.
  - The reference case 'proof of concept' report will be published on 1 May, with a draft for the committee available for comment on 17 April.
- NERA is pursuing an initiative in collaboration with the International Association of Geophysical Contractors (IAGC) to prepare 'reference case' seismic EP's that any titleholder would be able to operate under. The initiative has been approved by the NERA Board with $360k made available for matched industry funding. The project aims to reduce assessment timeframes and stakeholder fatigue.

SWOT Analysis	Addressed by work plan?
Strength: Collaborative initiative aligning industry practices and sharing experiences	*Yes*
Weakness: Industry resourcing required to extract benefits, which limits speed of progress	*Yes*
Opportunity: Project opens large productivity opportunities in environmental approvals	*Yes*
Threat: Reference cases present environmental management practices for portions of petroleum activities, without the full context of the environment plan. Potential misinterpretation by external readers is managed by careful scoping and explanation of how the reference case is applied.	*Yes*