

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 8, 29 Oct 2018			
Work Plan	ID	Initiative	Status	Timeframe for completion
	1	Minister approved policy recommendations arising from consultation and transparency review	Complete	
	2	DIIS to discuss a proposed framework for the public comment period and publication of environment plans with key stakeholders	Complete	
	3	DIIS to prepare regulatory amendments	Complete	
	4	An “exposure draft” of the proposed regulatory amendments will be released for public comment	Complete	
	5	Regulatory amendments to come into force	Pending	Mid-2019

Update to the Committee:

- Draft amendments to the Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009 have been developed to implement reforms to the consultation and transparency requirements for offshore petroleum activities.
- The exposure draft of the regulation amendments was released on 8 October 2018 for public comment, along with an explanatory document which provides further information on the proposed changes and transitional arrangements. The public comment period closes on 16 November 2018.
- Consultation forums will be held in Perth, Adelaide and Melbourne between 30 October and 2 November. Information about the forums and how to provide a submission is available on the department’s website: <https://consult.industry.gov.au/offshore-resources-branch/consultation-and-transparency-reform-draft-regulat/>
- The proposed amendments do not represent final government policy. The final regulatory framework will be informed by submissions received during the comment period, and is expected to be in place by mid-2019.

Taskforce Outcome	Amend the Environment Regulations to give effect to increased transparency			
Work Stream	#2: Industry readiness for environment plan publication and public comment, and communicate Taskforce progress and achievement			
Project Leader	Australian Petroleum Production and Exploration Association (APPEA)			
Date	Meeting 8, 29 Oct 2018			
Work Plan	ID	Initiative	Status	Timeframe for completion
	1	Identify project risks and controls in the Transparency Taskforce Terms of Reference (ToR). Completed by NOPSEMA	Complete	Oct 2017
	2	Ensure each work stream identifies risks and opportunities and puts in place appropriate control measures to mitigate. Completed (and ongoing) by all work stream leads.	Complete	April 2018
	3	Steering Committee to review the risks and opportunities provided by the work streams using SWOT analysis	Ongoing	July 2018
	4	Records from Transparency Taskforce to be published on the NOPSEMA website, for the information of stakeholders and the public	Complete	March 2018
	5	NOPSEMA to coordinate finalisation and publication of a 2018 Stakeholder Engagement Plan for Taskforce sponsors to implement	Complete	July 2018
	6	APPEA to work with NERA on the Reference Case project review (see Work stream 6)	Underway	August 2018

Update to the Committee:

- None provided, see meeting record for discussions.

SWOT Analysis	Addressed by work plan?
<i>Strength:</i> Steering committee members provide access to a range of channels for external communication, which should be leveraged regularly.	Yes
<i>Weakness:</i> 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
<i>Opportunity:</i> Use established channels to provide links to Taskforce information (e.g. industry/stakeholder websites, newsletters).	Yes
<i>Threat:</i> 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 (items 1-6), DIIS (item 7)			
Date	Meeting 8, 29 Oct 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	Complete	August 2018, then ongoing
	8	Steering Committee to consider the business case for an online offshore petroleum information portal, and alternative options to improve information accessibility.	Underway	

Update to the Committee:

- In August 2018, DIIS coordinated a series of community information sessions in South Australia, giving members of the public the opportunity to learn about governments' roles in regulating offshore oil and gas activities off the SA coast, including in the Great Australian Bight.
- Events were held in Adelaide, Port Lincoln, Victor Harbor and Kangaroo Island. Seven Commonwealth and SA Government agencies participated, and answered questions on:
 - how oil and gas activities are approved
 - offshore areas available for petroleum exploration and production
 - environmental regulation
 - NOPSEMA's role as an independent safety and environmental regulator
 - oil pollution emergency planning and government response capability
 - the Australian Marine Park Network
 - resource development in SA.
- The events were well attended and well received.

- The next community information session will be held in Newcastle, NSW on 12 November 2018, due to strong community interest in the offshore seismic survey planned in the region. The event will follow a similar format to the South Australian session, aiming to address matters of public concern, and provide an opportunity for the community to better understand the range of approvals processes for petroleum activities, and when and how they can engage with the process.
- Future events are being considered for NT, Victoria and/or WA for 2019.
- The DIIS website has recently undergone a major re-structure and it should be easier for stakeholders to find information about offshore petroleum regulation.

SWOT Analysis	Addressed by work plan?
<i>Strength:</i> The first round of community information sessions (SA) was well attended and well received, and provided communities with a useful source of reliable and objective information about the regulation and management of offshore petroleum activities. Future sessions will ensure information is provided to geographically diverse regions.	Yes
<i>Weakness:</i> Regulatory processes applying to offshore petroleum are delivered by a range of agencies, which can be difficult for external stakeholders to navigate. Some stakeholders may be unable or unwilling to attend the information sessions.	No*
<i>Opportunity:</i> Ministerial commitment to community information, which facilitates resourcing and planning of information sessions.	Yes
<i>Threat:</i> Establishment and maintenance of internet-based information requires sustainable resourcing, and there is no business case to justify it.	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 8, 29 Oct 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	Feb 2019
	4	Draft policy and guidance changes to clearly communicate amended assessment process and system, in collaboration with Work stream #1	Underway	Feb 2019
	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 <i>Administrative Decisions (Judicial Review) Act 1977</i> .	Underway	Feb 2019
	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	Feb 2019

Update to the Committee:

- NOPSEMA has been working closely with DIIS during the regulatory amendment process for the Environment Regulations (work stream 1), and will continue to be involved in consultation workshops coordinated by DIIS to maintain awareness of any areas of stakeholder concern or suggestions for improvement while the exposure draft is out for comment.
- In the meantime, NOPSEMA has commenced scoping the possible changes to its assessment processes and systems that will be required to implement the amended Environment Regulations as they appear in the exposure draft. These include:
 - New guidance to titleholders on how to submit an environment plan for publication
 - New guidance on the public comment process for exploration environment plans, with advice on:
 - how to make an effective comment,

- how NOPSEMA will deal with comments received outside the public comment period, and
 - the difference between public comment on the submitted environment plan, and consultation with relevant persons during preparation of the environment plan.
- Updates to our Environment plan assessment policy and other guidance to describe how new requirements will be implemented.
- Improvements to our website to ensure that opportunities to make comment on exploration environment plans are user-friendly, and relevant content, including published environment plans, is accessible.
- Development of a new publication by NOPSEMA that explains how comments received during the public comment period have been taken into account, to be issued with final decisions on exploration environment plans.

SWOT Analysis	Addressed by work plan?
<p><i>Strength:</i> 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.</p>	Yes
<p><i>Weakness:</i> Development work will have to be undertaken in parallel with regulatory amendment process by DIIS (work stream #1).</p>	Yes
<p><i>Opportunity:</i> 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.</p>	Yes
<p><i>Threat:</i> 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.</p>	Yes

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 8, 29 Oct 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	Conduct holistic review of environment plan assessment guidance, starting with invitation for stakeholders to give feedback on key documents and identify areas for improvement/clarification.	Underway	Dec 2018
	4	NOPSEMA to public specific requirements for consultation with relevant persons in the preparation of seismic survey environment plans.	Underway	Dec 2018

Update to the Committee:

- NOPSEMA has recently completed a process of inviting comment on our environment plan assessment guidance. We received some detailed feedback from a small number of stakeholder groups with a range of familiarity with the assessment process. This useful feedback has helped us clarify the areas requiring improvement as we update our guidance to implement transparency.
- A common theme reflected in this feedback was that NOPSEMA should provide better delineation and explanation about how its various policies, guidance and other documents are relevant to decision making, as opposed to advice on good practice or stakeholder information.
- In addition, the feedback clearly identified a need for common approaches in environment plans to the following:
 - Methods for consultation with relevant persons, and documentation of the consultation report in environment plans
 - Methods used to demonstrate of reduction of environmental impacts and risks to as low as reasonably practicable (ALARP)
 - Environmental risk assessment standards and matrices
- A report on the feedback received through this comment process, as well as NOPSEMA’s proposed actions, will be published before the end of the year.
- NOPSEMA’s Community Environmental Reference Group has also urged us to take a more active role in setting specific expectations on consultation with relevant persons in the preparation of seismic survey environment plans, having identified ongoing problems in this area.



SWOT Analysis	Addressed by work plan?
<p><i>Strength:</i> 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.</p>	<p>Yes</p>
<p><i>Weakness:</i> 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.</p>	<p>No</p>
<p><i>Opportunity:</i> Clarify areas where NOPSEMA can increase certainty on meeting objective-based criteria.</p>	<p>Yes</p>
<p><i>Threat:</i> Independent, global nature of titleholder companies often leads to differing approaches to environmental management.</p>	<p>Yes</p>

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 8, 29 Oct 2018			
Work Plan	ID	Initiative	Status	Timeframe for completion
	1	Develop four reference cases as proof of concept	Complete	July 2018
	2	Proof of concept consultant's report	Complete	Jan 2018
	3	Project handover, stocktake, and analysis	Complete	May 2018
	4	Identify and prioritise future reference cases	Pending	TBC
	5	Reference case framework and development process	Pending	TBC
	6	Prepare business case for long-term owner of reference cases	Pending	TBC
Actions adopted by NERA from Work Stream 5	7	Produce an Environment Plan Glossary to standardise the language used in preparing and consulting on environment plan content, to reduce misunderstandings and communication issues, with input from NOPSEMA.	Pending	TBC
	8	Develop improved method for applying Australian and international standards to environmental impact and risk assessment, and environmental management, to standardise environment plan content.	Pending	TBC
	9	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.	Complete	June 2018

Update to the Committee:

- NOPSEMA has provided draft regulatory advice statements for two reference cases (diesel spill consequence and anchoring operations). These statements are currently being considered by industry before further engagement with NOPSEMA and subsequent publication.
- The reference case project review has been completed with interviews, a survey, and written submissions received from governments, regulators, consultants, titleholders, industry associations, and environmental advocacy groups.
- The report is currently being drafted and will be circulated to members of the Transparency Taskforce for comment prior to consideration by APPEA, NOPSEMA, and NERA.
- Preliminary findings are that reference cases have the potential to establish a baseline of environmental knowledge between industry and its affected communities which would benefit all parties. Reference cases will not address all the underlying issues experienced with the current environmental approvals process.

- Work on an Environment Plan Glossary as well as future reference cases and associated material will be considered as part of the next steps, post the release of the reference case report.

SWOT Analysis	Addressed by work plan?
<i>Strength:</i> Collaborative initiative aligning industry practices and sharing experiences	Yes
<i>Weakness:</i> Industry resourcing required to extract benefits, which limits speed of progress	Yes
<i>Opportunity:</i> Project opens large productivity opportunities in environmental approvals	Yes
<i>Threat:</i> 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