

**From:** Raquel Carter  
**To:** [REDACTED]  
**Cc:** [Zoe Jones](#)  
**Subject:** RE: Bight Petroleum [DLM=For-Official-Use-Only]  
**Date:** Thursday, 24 April 2014 6:19:53 PM

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### For Official Use Only

Dear Ms [REDACTED]

Thank you for your email dated 2 April 2014 outlining the Kangaroo Island Marine Action Group's (KIMAG) concerns with regard to the Bight Petroleum Pty Ltd "Lighting" 3D Marine Seismic Survey (Bight Basin) submitted to NOPSEMA on 21 March 2014.

NOPSEMA is the Regulator of petroleum activities in Commonwealth waters under the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* and *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009* (Environment Regulations).

It is important to note that this plan is currently being assessed by NOPSEMA in line with the requirements of Environment Regulations. A decision as to whether NOPSEMA is satisfied that the environment plan meets the criteria for acceptance specified in the Environment Regulations, including consultation requirements, is pending.

NOPSEMA acknowledges that KIMAG's primary concerns relate to the consultation process undertaken by Bight Petroleum Pty Ltd during the preparation of an environment plan for the "Lighting" 3D Marine Seismic Survey. As such, NOPSEMA would like to point out theregulatory requirements relating to consultation during the preparation of environment plans which may assist you in better understanding the Titleholder's (in this case Bight Petreluem Pty Ltd) responsibilities in relation to consultation:

- In the course of preparing an environment plan titleholders must consult with relevant persons. A relevant person is a person or organisation whose functions, interests or activities may be affected by the activities to be carried out under the environment plan.
- For the purpose of consultation, the titleholder must give a relevant person sufficient information and reasonable time to allow the relevant person to make an informed assessment of the possible consequences of the activity on the functions, interests or activities of the relevant person.
- An environment plan must contain a report on all consultations between the titleholder and any relevant person including the titleholder's assessment of the merits of any objection or claim about the adverse impact of each activity to which the plan relates.

Any information relating to consultation between the titleholder and relevant persons contained within an environment plan and any relevant information that NOPSEMA is privy to that relates to the activity described in an environment plan, will be considered by NOPSEMA during an environment plan assessment in accordance with due process.

I trust that this email has addressed your concerns raised in your correspondence.

Regards,

Raquel

**Raquel Carter**

Environmental Specialist - Implementation & Regulatory Guidance

**NOPSEMA**

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Perth WA 6000

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**Please consider the environment before printing this email**

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**From:** [REDACTED]  
**Sent:** Wednesday, 2 April 2014 2:32 PM  
**To:** Submissions - Shared Mailbox  
**Subject:** Bight Petroleum

National Offshore Petroleum Safety and Environmental Management Authority  
Attention: Environment Plan Submissions  
Level 8  
58 Mounts Bay Road  
Perth WA 6000

Email: [submissions@nopsema.gov.au](mailto:submissions@nopsema.gov.au)  
Phone: (08) 6188 8700  
Fax: (08) 6188 8737

To Whom it may concern,

I am writing regarding the most recent Bight Petroleum **Environmental Plan** submission to NOPSEMA.

Bight Petroleum is proposing to do seismic testing west of Kangaroo Island. Kangaroo Island Canyons and Eyre Peninsula Upwellings.

I am writing on behalf of KIMAG ( Kangaroo Island Marine Action Group)

We have written to you when Bight Petroleum first proposed to do this testing.

Bight Petroleum did consult with us when they first proposed the testing in 2012. In these initial talks with Bight Petroleum our group was considered a stake holder in this and relevant to the proposal.

Since then we have not been consulted about this latest proposal for seismic testing. Bight Petroleum did email our group 20.3.14 (email below) to say that they would be working with the new rules that have come in recently through NOPSEMA.

KIMAG has not seen the latest Bight Petroleum Plan submitted to NOPSEMA and do not know what it contains.

Our group does have concerns with the impacts of seismic testing on marine life and the environment and the consequences for the fishing industry.

Regards

[REDACTED]

KIMAG

[REDACTED]

Kangaroo Island

[REDACTED]

Below is email received 20.3.14 from Bight Petroleum to KIMAG

Dear Stakeholder

Bight Petroleum would like to advise, as a courtesy, that public comment on Preliminary Documentation for EPBC Referral 2013/6770 associated with the Lightning MSS was received on 24<sup>th</sup> December 2013. All information relating to the assessment of public comment with respect to the Lightning MSS is provided on the Bight Petroleum website at [www.bightpetroleum.com](http://www.bightpetroleum.com).

The Preliminary Documentation reflected a revised acquisition period between March 1 and May 30. The survey may occur during this period in either 2015 or 2016.

We also would like to advise that as a result of the recent stream-lining of Environmental Regulations for Petroleum Activities in Commonwealth waters which came into effect on 28<sup>th</sup> February 2014, activity related approvals are now being assessed solely by the Commonwealth regulator for petroleum activities, NOPSEMA. Accordingly Bight Petroleum will align with these new approval requirements.

Sincerely,

Bight Petroleum Pty Ltd  
GPO Box 1884  
Adelaide, SA, 5001