

MINUTES OF MEETING

Chair	Erica Smyth (Chair)	Minutes	██████████
Present	Jim Limerick (JL); Trish Kerin (TK); Ken Fitzpatrick (KF); Tony Evans (TE); Melinda Hodkiewicz (MH); Stuart Smith (CEO)		
Apologies	Mike Lawson, Deputy Secretary, Department of Industry, Innovation and Science Lisa Schofield, A/General Manager, Resource Division, Department of Industry, Innovation and Science		
In attendance	Agenda Item 10 – Karl Heiden, Head of Division, Regulatory Support (KH) Agenda item 11 - Cameron Grebe, Head of Division, Environment (CG) Agenda item 12 - Cameron Grebe, Head of Division, Environment (CG) and ██████████ ██████████ Agenda Item 14.2 – Derrick O’Keeffe, Head of Division Safety and Integrity		
No.	Item		
1.	Welcome and apologies		
	The meeting commenced at 08:30. The apologies of Mike Lawson and Lisa Schofield were noted. Due to the absence of LS, items listed at 7 and 8 on the agenda could not proceed as planned. Members agreed to have a short discussion of item 8 and add a broad discussion on the role of the Board instead.		
2.	Disclosure of interests/conflict of interest declarations		
	██████████ ██████████ ██████████		
3.	Confirmation of Minutes of Meeting 24		
	██████████ confirmed the query in relation to reference cases from Meeting 23 and will update the minutes accordingly. ██████████ noted the header on the first page of the Meeting 24 minutes had the incorrect meeting number. ██████████ will amend accordingly. Noting the comment by ██████████, the minutes of the previous meeting were accepted as circulated.		
4.	Actions Arising – Schedule of Actions Arising		
	The actions arising table was reviewed and updated. ██████████ was requested to update the status of items prior to circulating the next meeting papers.		
5.	Correspondence for Noting		
	The Board noted correspondence as circulated.		
6.	NOPSEMA Quarterly Report		

The NOPSEMA Operational Report, National Quarterly Report and Legislative Change Update reports were taken as read.

The CEO provided the following observations:

- Industry's good performance in 2016 continued into the first half of 2017, with no fatalities, near misses or serious injuries until May but has since deteriorated as demonstrated in the last two quarterly report detail.
- The sector was transitioning from exploration to production, and while mobile facilities had left the regime, the number of fixed facilities had remained static at 149.
- The hours worked increased by 30% on the previous year.
- Having four LNG projects commissioning at the same time was unprecedented in the industry globally.
- Industry was returning to a more profitable period, even when lower prices were taken into consideration, due to a lower cost base.
- The CEO has been raising with industry CEOs and APPEA that the changing risk profile did not appear to be attracting additional attention from the industry.
- Members discussed whether industry was being complacent or incoherent in both safety and environmental management, with the CEO believing it was a combination of the two. It appears industry is focused on increasing profitability rather than safety. The CEO noted that NOPSEMA was observing industry division and an inability to agree on a position which was resulting in inaction across the sector.

[REDACTED]

[REDACTED] stated that including contractors in discussions was a good approach. Members noted that APPEA were unlikely to hold a HSE conference in 2018.

- [REDACTED] The CEO noted that even with the recent announcement by the Minister on transparency, industry appears unable to set a consistent position which was leading to further inaction.
- [REDACTED] All agreed NOPSEMA should keep raising topics such as transparency with industry as well as highlighting industry's position in dialogue with the Minister and DIIS.
- The CEO provided updates from the Quarterly Report on Freedom of Information requests; vacant positions; transition to retirement options and training, and status of the Compliance Committee.
- Members discussed the status of the Design Notification Scheme, with the CEO summarising the position of NOPSEMA and DIIS.

ACTIONS:

- Letter to Minister to include that industry is divided (on the topic of transparency) and encourage the Minister to progress with industry and APPEA.

	<p>- Members also agreed it would be helpful to seek a meeting with the Minister around the forthcoming APPEA conference in Adelaide. The Board to provide a brief to the Minister prior to this meeting.</p>
7.	<i>For Information: Policy Update</i>
	Not discussed.
8.	<i>For Discussion: Proposed policy workshop – topics, format</i>
	<p>This item was discussed at Any Other Business.</p> <p>Members agreed the workshop should proceed and identified 23 May as a suitable date. The workshop would have a slightly different focus to that discussed previously and could comprise a two hour session, concentrating on future planning, decommissioning, reference cases and an understanding of the priorities of DIIS.</p> <p>ACTION: ██████████ to liaise with DIIS to confirm the date.</p>
9.	<i>For Discussion: Inquiry – “Work health and safety of workers in the offshore petroleum industry”</i>
	<p>Members discussed the terms of the inquiry and agreed the Board should make a submission limited to point 4 – “the role and structure of the NOPSEMA Board and options for improving the effectiveness of their stakeholder engagement”. The CEO noted NOPSEMA’s submission in relation to point 4 would reflect how the Board operated and would not recommend changes. The Board discussed that NOPSEMA’s primary role is to prevent MAE and it has been successful identifying a number of latent hazards which have global impact; and is managing an operational environment where risks change and evolve. This mission differentiates NOPSEMA from other safety regulators.</p> <p>All agreed the Board’s submission should clarify: the role of the Board; the nature of an advisory rather than a governance body; no role in policy making; no mandate to engage with stakeholders other than to stay informed and discuss matters of relevance with a variety of parties, including unions; the difference between NOPSEMA, Safe Work Australia and state regulators in that NOPSEMA is able to quickly adapt to changes in industry (i.e. FLNG) and the model legislation does not support an objective based approach.</p> <p>Members also discussed that that DIIS had scheduled to commence a review of the Safety regulations which are due to sunset in 2020, however this new inquiry may result in DIIS experiencing scheduling and resourcing conflicts. The CEO noted that public consultations may not occur until perhaps September.</p> <p>ACTION: ██████████ to email the Inquiry committee secretary to advise the Board would make a submission.</p> <p>ACTION: ██████████ and ██████████ to prepare a submission and circulate for comment.</p>
10.	<i>Presentation: Corporate Update</i>
	<p>KH joined the meeting and delivered a presentation on the roles and responsibilities of the Regulatory Support division.</p> <p>██████████ noted that the United Kingdom HSE had received a grant from the Lloyds Foundation to commence a data analytics project with Thomas Ashton Institute of Risk and Regulatory Research to identify ways to better use the HSE’s qualitative and quantitative data. (refer https://www.ashtoninstitute.ac.uk/) ██████████ also noted that the University of Western Australia and the Western Australian Department of Mines and Petroleum were undertaking similar research.</p>

	<p>KH left the meeting.</p> <p>ACTION: ██████ to facilitate a meeting with ██████ and KH to discuss further.</p>
11.	<p>Presentation: Recent environment key compliance issues</p>
	<p>CG joined the meeting and provided an update on environmental management matters including current community and international perspectives; current NOPSEMA priorities and key opportunities and challenges. CG outlined it was important that NOPSEMA continues to focus on building confidence in the transparency of environmental plan approval processes.</p> <p>CG suggested a future meeting could include a presentation on NOPSEMA’s key compliance issue approach.</p>
12.	<p>For Discussion: Proposed referral – Improving Stakeholder Engagement</p>
	<p>█████ joined the meeting and members discussed whether the draft proposal submitted was suitable in its current form for consideration by the Board.</p> <p>Members discussed minor amendments and suggestions as follows:</p> <ul style="list-style-type: none"> • Improving the quality and value of engagement rather than ‘do more’. • How NOPSEMA identifies relevant stakeholders to maximise the value of the collaboration. • Understanding the purpose of the engagement. • Providing information to relevant stakeholders rather than engagement so that general understanding of NOPSEMA processes is understood. • Consider the why, who and how of engagement as well as how is success can be measured. <p>Members requested the updated paper be included for consideration in the next meeting.</p> <p>█████ also provided a short update on the status of the community and environment reference group, advising that applications have now closed, with 18 being received. The first meeting is anticipated to take place in March.</p> <p>CG and ██████ left the meeting.</p>
13.	<p>For Information: Update on meeting with unions</p>
	<p>The CEO provided an update on the recent meeting and thanked ██████ and ██████ for their participation. The CEO noted that the attendance of Board members at these meetings was appreciated by the unions.</p> <p>Topics discussed at the meeting included an update on NOPSEMA’s activities, the Stand Together for Safety forum and outcomes of the International Regulator’s Forum.</p>
14.	<p>Any Other Business</p>
	<p>Offshore Renewables</p> <p>The CEO provided an update to members on the proposal by the Department for the Environment and Energy (DoEE) for NOPSEMA to regulate the offshore renewable energy sector for safety and environment matters. The CEO noted that equivalent international regulators perform this function. DoEE are currently drafting legislation to enable the creation of an offshore regulator and NOPSEMA would fulfil the function under a contract with the DoEE.</p>
14.1	
14.2	████████████████████

	<p>[REDACTED]</p> <p>Mr O’Keeffe also provided information on the lessons being learned across NOPSEMA in relation to considering the various permissioning documents holistically so that they reflect the proponents management system more closely.</p> <p>Members discussed this would be an interesting case study for <i>The Regulator</i> magazine.</p> <p>ACTION: NOPSEMA to prepare a paper for the Board on this topic.</p>
14.3	<p>Role of the Board</p> <p>[REDACTED] sought feedback on the format of the meeting and any other business.</p> <ul style="list-style-type: none"> • [REDACTED] noted he preferred the CEO to provide an overview of the operational report rather than going through each section. • [REDACTED] requested that supporting papers be added separately to meeting papers. • [REDACTED] queried whether there could be more detail on the overarching narrative of some discussions included in the minutes to enable better recall. • [REDACTED] queried a diving safety breach where it appeared the operator had used a loophole in the timing of reporting an incident to avoid action being taken by NOPSEMA. The CEO provided an update on this matter and noted that NOPSEMA can (and has) issued published directions if breaches have occurred. • [REDACTED] <p>[REDACTED]</p>
	<p>Meeting closed at 13:30.</p> <p>Next Meeting: Wednesday 23 May 2018</p>