

1. Purpose

To provide advice to members of the public for consideration in preparing and submitting comments on Offshore Project Proposals (OPP).

2. Background

OPPs are required for all new petroleum development projects in Commonwealth waters. OPPs are subject to a mandatory period of public comment as part of the assessment process, providing transparency and an opportunity for interested members of the public to comment on the project.

In accordance with the Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009 (Environment Regulations), NOPSEMA must determine whether an OPP is suitable for publication and, if so, provide an opportunity for members of the public to provide comment. If NOPSEMA determines an OPP is suitable for publication, the OPP must be published for public comment for a period of between 4-12 weeks depending on the OPPs complexity, proximity to sensitive environments, level of prior stakeholder consultation, or where the public comment period falls over a period of higher than normal public holidays. NOPSEMA requires the proponent to consider and address the comments received during the comment period, make modifications to the OPP if required, and submit a final copy of the OPP and a summary of consultation to NOPSEMA for assessment.

Specifically, the proponent is required to prepare a summary consultation report that:

- assesses the merits of each objection or claim about the project or any activity that is part of the project
- provides a statement of response or proposed response to each objection or claim, including a demonstration of the changes, if any, that have been made to the OPP as a result of an objection or claim.

3. Invitations for comment

Once NOPSEMA has decided that an OPP is suitable for publication in accordance with the Environment Regulations, NOPSEMA will publish on its website:

- a copy of the OPP
- an explanation of how to provide comments (this document)
- the closing date for the comment period.

The proponent undertaking the activity is required to also publish a notice inviting comment on the OPP on its website and in a national, state and regional newspaper.

NOPSEMA receives all public comments submitted during the public comment period and forwards these to the proponent to be addressed in the consultation report and the final OPP.



NOPSEMA will retain a copy of all correspondence but will not review public comment until after the public comment period has closed and the proponent has submitted a summary consultation report and final OPP.

Invitations to comment on OPPs can be found via the NOPSEMA website at:

nopsema.gov.au/environmental-management/assessment-process/offshore-project-proposals/

NOPSEMA prefers public comments to be submitted online.

Alternatively, submissions may be:

Emailed to: submissions@nopsema.gov.au

Posted to: NOPSEMA – Public Comment Submissions, GPO Pox 2568 PERTH WA 6001

Delivered to: NOPSEMA – Public Comment Submissions, Level 8 Alluvion, 58 Mounts Bay Road, PERTH WA 6000

Please note, that if comments are not submitted online, there is no opportunity to have personal details redacted from the comments, and the full submission will be forwarded to the proponent. Public comments need to be received by NOPSEMA prior to the closing date published on NOPSEMA's website in order to be considered by the proponent. Comments sent by post need to be stamped prior to the closing date to be considered.

4. Ensuring your comments are effective

It is important that public comments on OPPs are submitted in written form and are relevant to the project or any activity that is part of the project. Submissions should present clear and supported objections or claims related to the OPP and should avoid posing questions to the proponent or to NOPSEMA. The opportunity to provide public comment is not intended to commence dialogue between the submitter and the proponent or NOPSEMA but is rather an opportunity for the public to provide additional considerations to be taken into account in the assessment of an OPP. NOPSEMA will not provide individual responses to public comments received. Prior to making a written submission, the advice below should be considered.

Submissions should:

- reference the OPP title and proponent
- clearly state any objections or claims including the reasons for the objections or claims about the project or any part of the project
- be clear, succinct and refer to relevant sections of the OPP
- provide references to any source(s) of information that support the objection or claim, including references to any factual data such as scientific reports
- clearly label any photographs, maps or sketches if they are used
- if you believe any information is incorrect or incomplete, state the reasons for this and provide any information that supports your claims



- provide clear contact details in the event the proponent needs to seek clarification on your submission
- provide comments by the due date.

If you wish to know more about the OPP prior to making a submission, please contact the liaison person nominated by the proponent to seek any clarifications on the proposal. This may assist interested parties in understanding the proposal and formulating any objections or claims. If interested in developing ongoing dialogue with the proponent, interested parties should engage directly with the proponent to initiate this.

For further information on which activities require an OPP and/or the OPP assessment process, please refer to NOPSEMA’s OPP Assessment Policy (N-04790-PL1650) and OPP Content Requirements Guidance Note (N-04790-GN1663). To access these documents as well as further environmental management advice documents visit NOPSEMA’s website: www.nopsema.gov.au

5. Consideration of public comments

NOPSEMA receives all public comments submitted during the public comment period and forwards these to the proponent to be addressed in the consultation report and the final OPP.

The proponent is responsible for considering all public comments received during the public comment period and providing a consultation report summarising all comments received, an assessment of the merits of each objection or claim, and a response.

Following this, NOPSEMA will assess the OPP and consultation report to see if it adequately addresses the public comments received. The information in public comments will be considered by NOPSEMA during the OPP assessment in terms of whether the OPP appropriately identifies and evaluates the environmental impacts and risks of the project, sets out appropriate environmental performance outcomes that are consistent with ecologically sustainable development and demonstrates that the environmental impacts and risks will be managed to an acceptable level.

If NOPSEMA determines the proponent has not evaluated and addressed public comment adequately then NOPSEMA will refuse to accept the proposal. NOPSEMA will publish a Statement of Reasons in the instance of a refusal decision.

If the OPP meets the criteria set out in the Environment Regulations and the OPP is accepted, NOPSEMA will publish the final OPP and consultation report in full on its website.

6. Privacy notice

The Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009 (the Environment Regulations) require NOPSEMA to publish an accepted copy of a proponent’s OPP including the consultation report on its website.

If you provide comments on an OPP, your information may be contained in the consultation report that is provided to NOPSEMA by the proponent as required by the Environment Regulations. If you do not want your personal information to be published in an OPP you should make your comments online, selecting this option at time of submission. If you request that your personal information is not provided to the proponent, you should be aware that this may limit their ability to comprehensively respond to your comments. Comments received via other means will be passed in full to the proponent without personal details removed.



If you do provide your personal information and it is included in an OPP, NOPSEMA will not use or disclose your personal information for any other purpose without your consent. NOPSEMA may use or disclose your personal information if it is required or authorised by law or it is reasonably necessary for an enforcement activity. For example, your personal information may be disclosed to:

- individuals who make a request under the *Freedom of Information Act 1982*
- the Australian National Audit Office and other privately-appointed auditors
- law enforcement bodies (for example, the police or the Coroner)
- NOPSEMA's legal advisors.

NOPSEMA may occasionally be required to disclose information to overseas recipients in order to discharge its functions or exercise its powers, or to perform its necessary business activities.

Information about how you can access, or seek correction to, your personal information is contained in NOPSEMA's APP Privacy Policy at www.nopsema.gov.au/privacy. If you have an enquiry or a complaint about your privacy, please contact NOPSEMA's Privacy Contact Officer on 08 6188 8700 or by email at privacy@nopsema.gov.au.