

# NOPSEMA

## Overview of OPGGS Environment Regulations

WA Marine Biosecurity Workshop

16 August 2013



NOPSEMA

[nopsema.gov.au](http://nopsema.gov.au)



- NOPSEMA environmental management function established 1 Jan 2012
- Result of Montara Commission of Inquiry
- Australian Government response to establish single national regulator
- Objectives-based regime – flexibility and continual improvement



# Vision

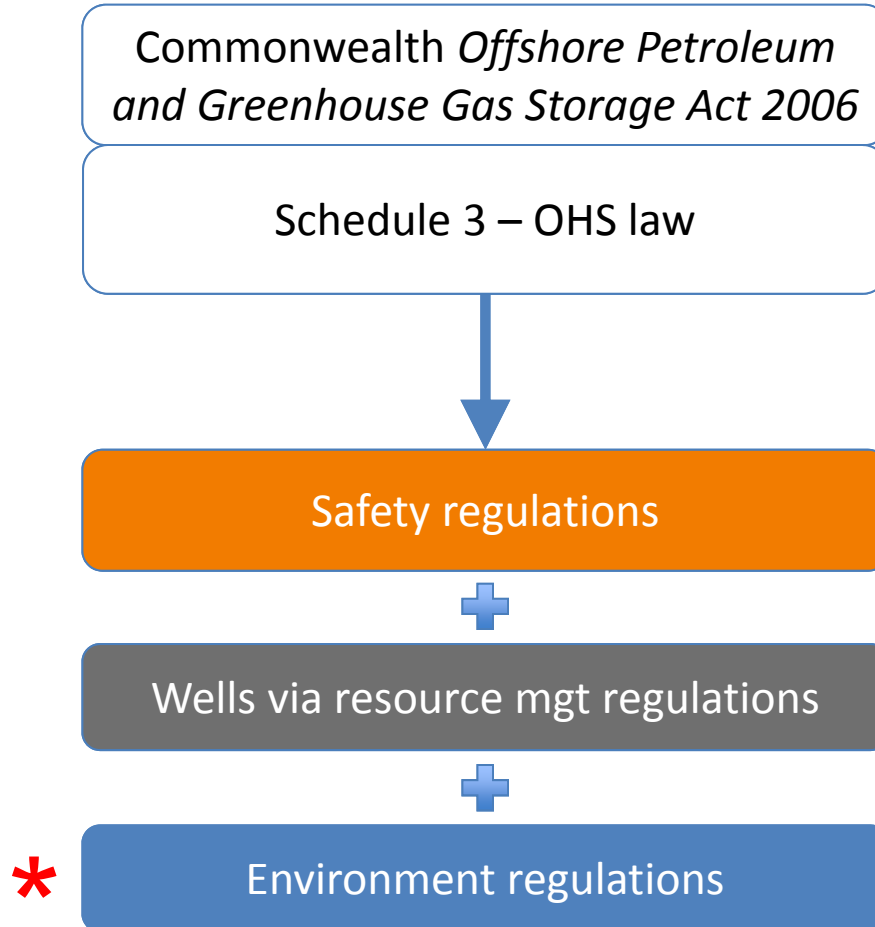
*A safe and environmentally responsible  
Australian offshore petroleum industry*

# Mission

*To independently and professionally regulate  
offshore safety, integrity and environmental  
management*



# Legislation administered by NOPSEMA



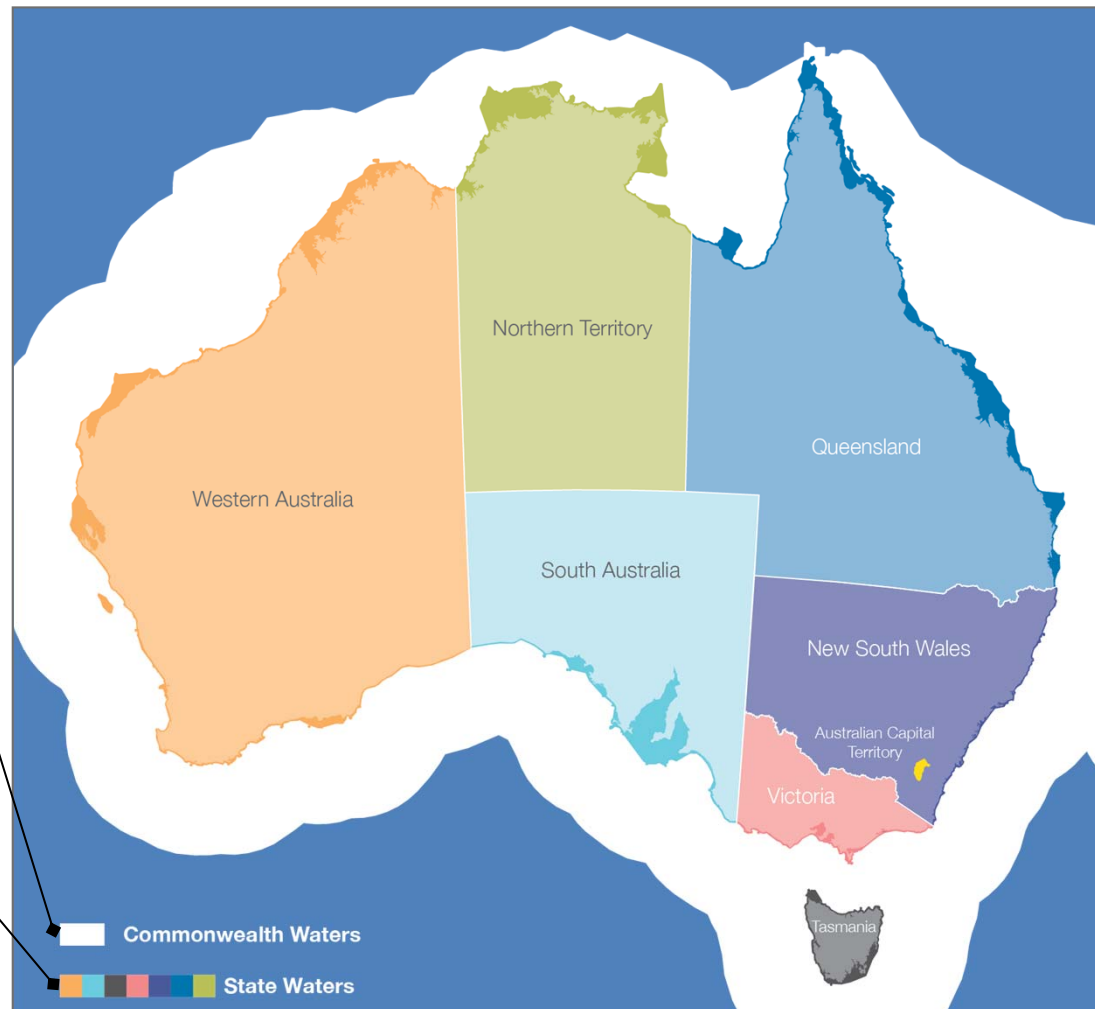
## Jurisdiction for Environment

Commonwealth Waters  
**NOPSEMA**

State Waters  
Relevant State/NT  
Minister  
unless

**powers are  
conferred to  
NOPSEMA \***

\* Currently no conferrals for  
Environment



# Scope - what requires an Environment Plan?

- Petroleum and greenhouse gas storage activities



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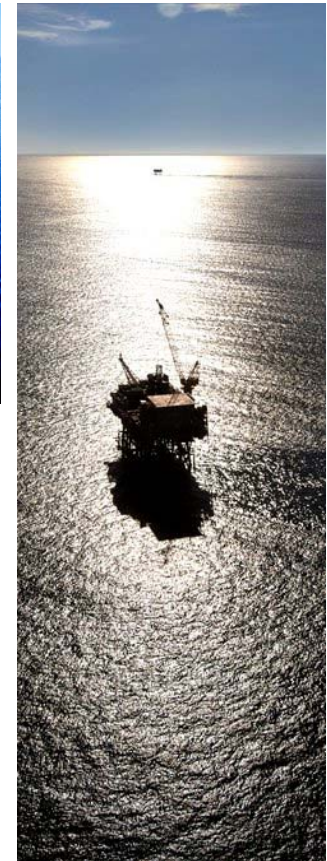
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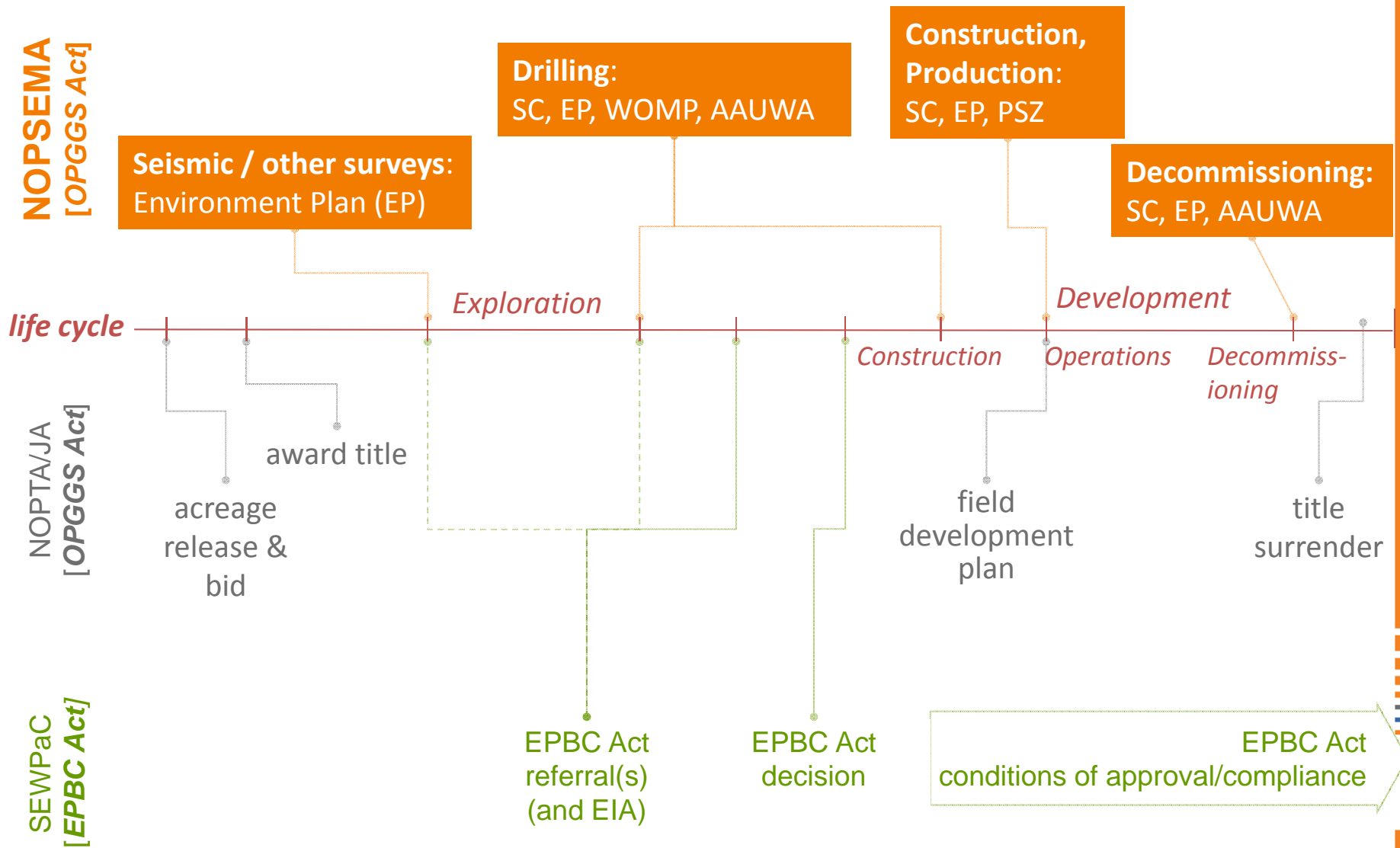


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# Petroleum development life cycle





- A ‘General Duties’ regime for offshore petroleum and greenhouse gas storage operations
- Performance-based, but with some prescriptive elements
- An **independent and professional** safety and environmental management Authority
- Operator best placed to manage risk
- An operator’s management plan, accepted by NOPSEMA is used as a permissioning document:
- Environment plan (EP)
- Environment Plan used to demonstrate how the activity and impacts will be managed and to ensure compliance

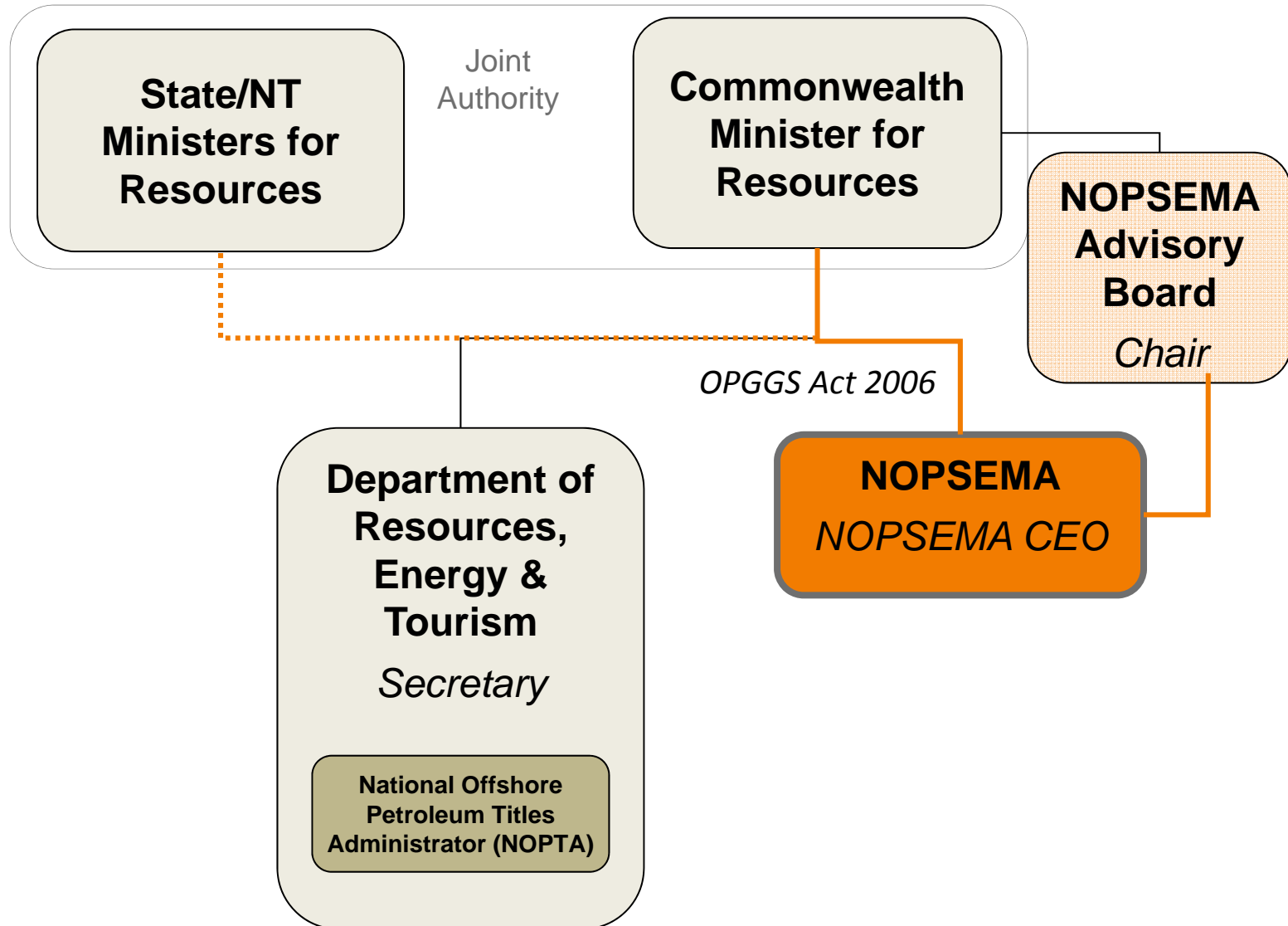






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# Independent statutory authority



## Assessment

- Independent, sampled evaluation of an operator’s submission against the regulations
- Challenge operators: “Have you done enough?”

## Inspection

- Independent, sampled inspection of the petroleum activity against the accepted permissioning document (eg EP) and regulations
- Challenge operators: “Are you doing what you said you would do?”

## Investigation

- Independent inspection to determine what went wrong and determine whether enforcement/prosecution is required
- Challenge operators: “What wasn’t done? What can we learn?”

## Enforcement

- Take action within powers under the Act and regulations to secure compliance





## Object of Regulations:

Petroleum activity carried out in an offshore area is:

- consistent with the principles of ecologically sustainable development; and
- in accordance with an accepted environment plan that has appropriate environmental performance objectives and standards as well as measurement criteria for determining whether the objectives and standards are met.

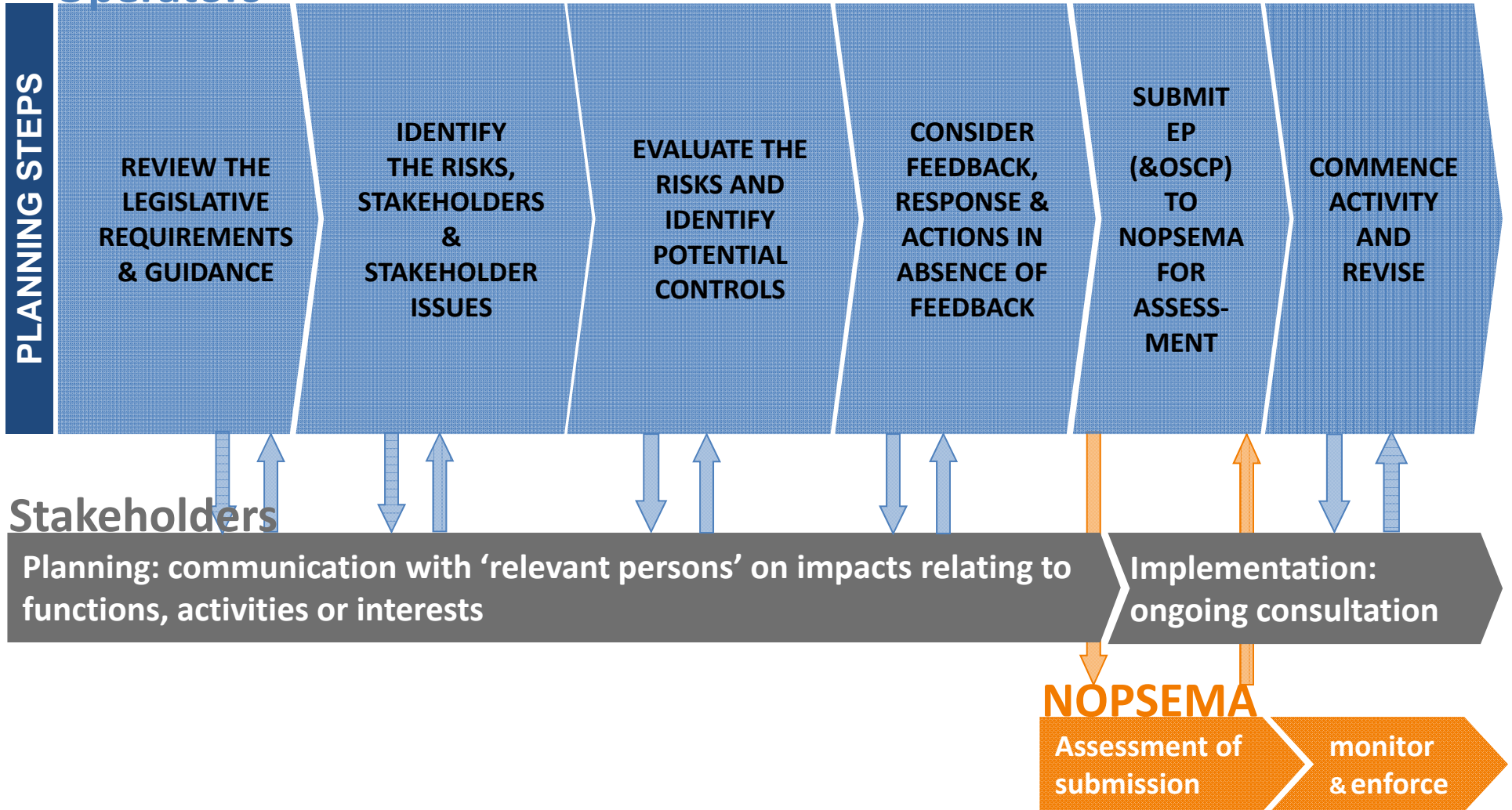


## Content requirements of the EP

- Environmental assessment
  - Describe activity
  - Describe environment
  - **Detail and evaluate impacts and risks**
  - Develop environmental performance objectives, standards and measurement criteria
  - Consider other legislation and requirements that are relevant to environmental management of the activity
- Implementation strategy for the EP
- Reporting arrangements
- Consultation outcomes

# Consultation process in the offshore petroleum EP regime

## Operators





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## Relevance to marine pest risks

- No prescriptive requirements for how marine pest risks should be managed
- Regulations require consideration of other legislation and “requirements that are relevant to the environmental management of the activity”
- Objectives based regime – flexible based on nature and scale of activity and encourages innovation
- Robust framework for managing marine pest risks





- Environment Regulations have recently undergone a review process.
- Issues paper was published for public comment:  
<http://www.ret.gov.au/resources>
- The proposed amendments are subject to parliamentary review process – timing uncertain.
- NOPSEMA newsletter ‘The Regulator’:  
<http://www.nopsema.gov.au/> - article on offshore regulatory reform in Issue 3.



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