Stakeholder engagement and transparency

3 December 2015

Matt Smith
Environment Division – NOPSEMA
Stakeholder engagement and transparency work program

0845 – Welcome and coffee
0900 – Introduction and background
0915 – Presentation: Feedback and future work
1015 – Coffee
1030 – Presentation: Changes going live 1 January 2015
1115 – Engagement: How should the changes be delivered
1200 – Close
Why are we here?

• To provide high-level overview of the feedback received on:
  – the overall work program
  – the current phase of the work program
• To present the next steps for the work program
• To present the changes going ‘live’ on 1 January 2016
• To give an opportunity to stakeholders to suggest strategies for implementation
Feb 2014 → EPBC ACT STREAMLINING ACHIEVED
July 2014

Increase in third-party correspondence

Increases in consultation non-compliances
Sept 2014

Engagement with seismic industry

Broader compliance monitoring
The work program history

National Offshore Petroleum Safety and Environmental Management Authority

Addressing stakeholder concerns on consultation

For environment plan submissions and summaries. Enter keywords for free text search, or narrow the results by using the search and subscription.

Submitted by: Searcher Seismic Pty Ltd

Title (or other instrument):

Environmental management and the offshore petroleum lifecycle

Regions

Commonwealth waters area

Titres (or other instruments):

SPA Approach

Contact

Foul Mill

Operations

Level 1, L1

West Perth

Telephone: +61 8 9322 5200

Notes: This information has been extracted from the EP Summary. Please refer to the attached EP Summary for more information.

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Aug 2015

- Produce and publish the work program
- Outcomes of independent reviews
Oct 2015

Stakeholder survey and engagement

Listen to stakeholder feedback

The work program history
Dec 2015

- Decide on ways to improve consultation and transparency
- Explain our decisions and future plans
### Feedback summary

| Information sessions | 50 titleholder attendees  
<table>
<thead>
<tr>
<th></th>
<th>25 government attendees</th>
</tr>
</thead>
</table>
| Stakeholder survey   | 202 organisations asked, 44 respondents  
|                      | (28 industry, 16 other) |
| Face to face briefings | 12 titleholder meetings  
|                      | 5 government meetings  
|                      | 6 non-government briefings |
| Written submissions  | 17 submission, 102 aggregated themes/ideas  
<p>|                      | Feedback input into the program strategies |</p>
<table>
<thead>
<tr>
<th>Feedback summary</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Information sessions</strong></td>
</tr>
<tr>
<td>Titleholders queried the need to change Government sought to be involved</td>
</tr>
<tr>
<td><strong>Stakeholder survey</strong></td>
</tr>
<tr>
<td>Showed the problem is shared</td>
</tr>
<tr>
<td>Indicated imbalance in satisfaction</td>
</tr>
<tr>
<td><strong>Face to face briefings</strong></td>
</tr>
<tr>
<td>Very happy to be engaged</td>
</tr>
<tr>
<td>Varying degrees of acceptance</td>
</tr>
<tr>
<td><strong>Written submissions</strong></td>
</tr>
<tr>
<td>Many ideas for future improvement</td>
</tr>
<tr>
<td>Unsure specific measures would help</td>
</tr>
</tbody>
</table>
# Stakeholder Survey Results

Stakeholders were asked to what degree...

<table>
<thead>
<tr>
<th>Question</th>
<th>Responses from titleholders</th>
<th>Responses from others marine users, governments and interest groups</th>
</tr>
</thead>
<tbody>
<tr>
<td>Are you satisfied with offshore petroleum environmental consultation</td>
<td>63%</td>
<td>21%</td>
</tr>
<tr>
<td>Are you satisfied with the amount of effort spent on consultation</td>
<td>57%</td>
<td>14%</td>
</tr>
<tr>
<td>Do you find environment plan summaries helpful</td>
<td>83%</td>
<td>43%</td>
</tr>
<tr>
<td>Do you understand NOPSEMA’s role</td>
<td>90%</td>
<td>50%</td>
</tr>
<tr>
<td>Are you satisfied with accessibility of environmental consultation information</td>
<td>63%</td>
<td>21%</td>
</tr>
<tr>
<td>Do you find NOPSEMA consultation guidance helpful</td>
<td>73%</td>
<td>29%</td>
</tr>
<tr>
<td>Are you satisfied with NOPSEMA’s engagement</td>
<td>30%</td>
<td>7%</td>
</tr>
<tr>
<td>Do you find NOPSEMA provides adequate decision-making transparency</td>
<td>37%</td>
<td>7%</td>
</tr>
<tr>
<td></td>
<td>62%</td>
<td>24%</td>
</tr>
</tbody>
</table>
The problems

A wide range of and some poor consultation practices leading to a loss of trust.

Transparency of decision making not meeting community expectations.
The aims

Deliver effective consultation processes to ensure stakeholder views are taken into account

Build a view of trust in the community of offshore petroleum environment management
The strategies

Promote and ensure titleholders provide the right information, to the right persons, at the right time

Maintain collaborative relationships with government to ensure meaningful consultation by industry

Create a more open offshore petroleum regime

Develop better ways to deliver regulatory services to the community
Ideas received

Stakeholders

Publication of reasons for making a decision

Public comment period on each EP

Full disclosure of EP

Database of ‘relevant persons’

Industry

Improved guidance on acceptance criteria

Continue engagement prior to making any changes

Guidance on how to engage with NOPSEMA

Education and awareness program

A456537
NOPSEMA

Better guidance
Stakeholder brochures
Consultation masterclass

Cooperative projects
Information portal
Government run open days
The work program
Where to from here?

1. Identify issues
2. Analysis
3. Identify measures for success
4. Develop strategies
5. Consultation
6. Coordinate
7. Implement
8. Evaluate
9. Close / do not pursue

- August 2015
- December 2015
- June 2016
- August 2016
Where to from here?

NOW

Phase 3

1-2-1 feedback for written submissions
Prepare end of year report

Phase 4

Targeted consultation on the design of the work program
Initiate capacity building projects
Scope and define broader initiatives
Commence increased compliance monitoring of consultation practices

Phase 5

Progress initiatives within NOPSEMA responsibilities
Progress legislative change with DIIS
Measure effectiveness of the work program
Commence next initiatives

June 2017
Any questions?

Morning Tea

Return at 1030
Updates going live 1 January
### Proposed changes

#### Consultation guidance note
- Good practice guidance
  - ‘How’ to consult effectively

#### EP summaries guideline
- Increase prescription to reduce burden
- Increase stakeholder access to information

#### Decision notices
- Publish type and timing of decision
- Publish agreed levels of performance

#### Website changes
- Updates to submissions pages
- Updates to improve stakeholder accessibility
### Feedback summary

| Industry should be responsible for developing a methodology for ‘how to undertake effective consultation’ |
| NOPSEMA needs to be clearer on is expectations for acceptance of an EP including a better definition of who is a ‘relevant person’ |
| Stronger guidance required on how to handle situations where objections/claims remain unresolved |
| The target audience for the guidance is not clear (i.e. is the document for titleholders or ‘relevant persons’?) |
| Clarify NOPSEMA’s role in consultation before, during and after EP submissions |

### Action

1. APPEA to collaborate with stakeholders to prepare a methodology to reduce the variability of consultation practices
2. NOPSEMA to amend document to focus on criteria for accepting ‘appropriate consultation’
3. NOPSEMA to prepare guidance for ‘relevant persons’ about how to engage in the consultation process
4. NOPSEMA to assist stakeholders in developing their own consultation guidance material (e.g. pro forma guidance)
5. NOPSEMA to continue to educate stakeholders on our role

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**On 1 January 2016**

New NOPSEMA Guideline – Demonstrating appropriate consultation has been undertaken
## What’s going to change?

### EP summary guideline

<table>
<thead>
<tr>
<th>Feedback summary</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>Content is too prescriptive and over reaches regulatory requirements</td>
<td>1. Amendments to focus on how NOPSEMA becomes ‘satisfied’ that an EP summary is acceptable to be published</td>
</tr>
<tr>
<td>EP summaries need to focus more on outlining how a titleholder address the concerns of stakeholders</td>
<td>2. Amend document to better reflect the consultation undertaken and proposed in the future</td>
</tr>
<tr>
<td>Document content is provided too late in the consultation and regulatory processes</td>
<td>3. Full report on consultation to be included in EP Summary (not copies of correspondence – privacy concerns)</td>
</tr>
<tr>
<td>Ability to comment on industry proposals directly to the regulator is necessary and only possible after the EP summary is published</td>
<td>4. Update EP Content guidance to ensure material specified for inclusion in an EP and EP Summary is prepared for both purposes</td>
</tr>
<tr>
<td>Privacy and commercial concerns about publishing all information from the report on consultation</td>
<td>5. Request regulatory change to introduce a pre-submission EP summary (or equivalent) and a public comment period to the regulator 14 days prior to submission of an EP.</td>
</tr>
</tbody>
</table>

**On 1 January 2016**

NOPSEMA Guideline – EP Summary preparation
**What’s going to change?**

**Decision notices**

<table>
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<tr>
<td>Most stakeholders positive about public notification of the type and timing of all decisions (industry concern about material published within the notifications)</td>
<td>1. NOPSEMA to publish a notice of the type and timing of each Regulation 10 decision on an EP submission</td>
</tr>
<tr>
<td>Interest groups requested further material about reasons why NOPSEMA made a decision</td>
<td>2. NOPSEMA to publish the criteria which are yet to be met in decisions</td>
</tr>
<tr>
<td>More could be done to inform the public about the next steps in the process after each decision</td>
<td>3. New Consultation Guideline to include suggested ‘sufficient information’ EPOs and EPSs related to objections or claims where appropriate</td>
</tr>
<tr>
<td>Industry opposed to publishing the criteria yet to be met by the submission due to future questions about ‘what changed?’</td>
<td>4. NOPSEMA to make it clearer to stakeholders how a statement of reasons may be requested and when</td>
</tr>
<tr>
<td>All stakeholders unconvinced about how publishing EP content would address the stated problems</td>
<td>5. NOPSEMA to include the next steps in the process within the notification</td>
</tr>
<tr>
<td>Legality of publishing EP content queried</td>
<td></td>
</tr>
</tbody>
</table>

**On 1 January 2016**

Decision notices published on NOPSEMA website
- Accept, Opportunity to modify, Refuse to accept
### Feedback summary

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<tr>
<td>All submissions positive about any change that gave more insight in to NOPSEMA’s work</td>
<td>1. Update the submission and summaries web pages to better detail the status of assessments and provide more information about petroleum activities</td>
</tr>
<tr>
<td>Need more clarity on the specific changes proposed to be implemented</td>
<td>2. NOPSEMA to prepare guidance on the assessment process and how decisions are made</td>
</tr>
<tr>
<td>General support for publishing more information about the status of petroleum activities</td>
<td>3. Update website to improve accessibility in accordance with new Commonwealth guidelines</td>
</tr>
<tr>
<td>General support for improving the accessibility of website content to suit all audiences</td>
<td></td>
</tr>
</tbody>
</table>

### On 1 January 2016

Updates to the website pages on;
- The work program
- The submissions and summaries web page
PATRICIA BALEEN OFFSHORE NON-OPERATIONAL PHASE

Activity name: Patricia Bleen Offshore Non-Operational Phase

Activity types: Any other petroleum-related activity

Submitted by: Basin Oil Pty Ltd

Submission date: 30/10/2016

Submission type: Revision (Change of Circumstances or Operations)

Status: Under Assessment

Activity description:
The Patricia and Bleen Field is located in water depths of approximately 56 m in VC12, approximately 23 km off the coast from Navy in East Gippsland, Victoria, in the eastern waters of Bass Strait.
The Patricia and Bleen offshore assets consist of:
- The Patricia-2 and Bleen-4 wells, which are shut-in;
- A 24 km subsea pipeline and umbilical cable connecting the Patricia-2 and Bleen-4 wells to the Patricia Bleen Gas Plant.
The scope of this EP covers the non-operational phase of the offshore facilities for a period of up to 3 years. As the pipeline and wells are shut-in, operational activities are limited to vessel operations including visual inspection, maintenance and repair activities to maintain integrity of the asset.

Location map (click to enlarge):

Regions: Gippsland

Commonwealth waters adjacent to: Victoria

Title or other information:

VCL21, VIC/P-31

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Telephone: +61 8 8111 5497
Email: Shaun.Noble@santos.com

Related documents: Reference 3979

*Where an environment plan was submitted or accepted prior to 28 February 2014 certain information is not published, in accordance with the Environment Regulations in place at that time. For accepted EPS refer to the attached EP Summary for additional information.