

# Public comment on environment plans



March 2019

The National Offshore Petroleum Safety and Environmental Management Authority (NOPSEMA) is the regulator for health and safety, well integrity and environmental management for offshore petroleum activities in Commonwealth waters and in coastal waters where regulatory powers and functions have been conferred.



On 25 April 2019, amendments to the Offshore Petroleum and Greenhouse Gas Storage Environment Regulations 2009 (Environment Regulations) will take effect introducing a 30-day public comment period for seismic and exploratory drilling proposals. The public comment process will provide the community with an opportunity to have their say on the proposed environmental management of exploration activities before NOPSEMA commences its formal assessment.

## Areas released for offshore oil and gas exploration

Each year the Department of Industry, Innovation and Science manages a public comment process for areas proposed to be released for offshore oil and gas exploration.

As an independent regulatory authority, NOPSEMA has no role in this process. For more information about the process visit [industry.gov.au](http://industry.gov.au).

## How to have your say

When the public comment period is underway, seismic and exploration drilling environment plans will be published in full on NOPSEMA's website, along with a summary of key information, maps of the proposed activity and contact details for the titleholder. The quickest and preferred way to submit a comment is through NOPSEMA's online platform, which will be accessible via the homepage of NOPSEMA's website [nopsema.gov.au](http://nopsema.gov.au).

If you cannot use the online platform, submissions may also be:

- Emailed to:** [environment@nopsema.gov.au](mailto:environment@nopsema.gov.au)
- Posted to:** NOPSEMA – Public comment submissions, GPO Box 2568, PERTH WA 6001
- Delivered to:** NOPSEMA – Public comment submissions, Level 8 Alluvion, 58 Mounts Bay Rd, PERTH WA 6000

## How can I find information about proposals open for public comment?

Public comment periods for seismic and exploratory drilling environment plans will be publicised on NOPSEMA's website. To find out when the public comment period opens for environment plans in a particular region, or for details about offshore activities, you can subscribe to receive notifications via the 'Have your say' page. Subscribers will receive an email notification when the 30-day public comment period opens on a new environment plan. The closing date for public comment on each environment plan will also be displayed on the website.

## How to make an effective comment

The public comment process provides an opportunity for community members to raise issues about environmental management matters that have not yet been considered in an environment plan for the proposed activity. To be considered a relevant issue or key matter, a comment must relate to the information contained in the environment plan. Comments could, for example relate to the:

- way the existing environment is described in the environment plan for the proposed activity
- environmental impacts and environmental risks of the activity
- titleholders proposed management measures for reducing the environmental impacts and environmental risks
- titleholders proposed methods for monitoring the environmental performance of the activity.

If there is new information that NOPSEMA and/or the titleholder should consider, commenters are encouraged to provide supporting documents, such as data or scientific reports, or clearly labelled photographs or maps. These can be uploaded via the online platform.

It is also important that commenters double check which activity they are submitting a public comment for. Comments submitted accidentally for a different activity will not be considered, nor can they be redirected to the correct activity/titleholder.

Submissions must be made prior to the closing date of the public comment period. If comments are received after this time they will not be considered. Comments sent by post must be date stamped prior to the end of the public comment period.



## Irrelevant information

In accordance with the Environment Regulations, information that is irrelevant to NOPSEMA's decision making criteria cannot be considered, examples include:

- statements of fundamental objection to oil and gas activity
- comments that contain personal threats or profanities
- SPAM mail
- comments made through online social media channels
- petitions
- comments that pose questions to NOPSEMA and or/the titleholder.

## What happens to my comment once it's submitted?

Once the public comment period has closed, all comments will be provided to the titleholder. The titleholder will have the opportunity to change the environment plan after considering information received from the public, and will also need to prepare a report on public comment responding in general terms, to the comments received.

If a relevant consideration is raised through the public comment period, the Environment Regulations require the titleholder to take these considerations into account, and address them within the environment plan regardless of where it comes from. If thousands of individuals supply exactly the same comment, it will be regarded as one matter for consideration, and does not gain priority through repetition.

In addition to the response by the titleholder, NOPSEMA will also review information received during public comment and determine whether it has been addressed in the revised environment plan. If NOPSEMA finds that the titleholder has not considered a relevant issue raised during the public comment period, NOPSEMA will ask the titleholder to address the matter through modification of their environment plan.

After NOPSEMA has completed its assessment of the environment plan, a public comment report will be published on NOPSEMA's website describing how information received was taken into account. Neither NOPSEMA nor the titleholder need to respond to each comment individually.

## Privacy and sensitive information

When submitting a comment, it is important that your name and contact details are provided. This allows NOPSEMA and/or the titleholder to get in touch if new issues are raised. It also increases the transparency and accountability of the public comment process. Names and contact details of commenters **will not be published** in any assessment reports by NOPSEMA or the titleholder.

Information about how NOPSEMA collects and stores personal information is described in NOPSEMA's Privacy Policy. For more information see [nopsema.gov.au/privacy](http://nopsema.gov.au/privacy).

### If you are a 'relevant person'

The Environment Regulations define relevant persons as:

- particular government departments or agencies with responsibilities that are relevant to the petroleum activity;
- a person or organisation who's functions, interests or activities may be affected by the petroleum activities themselves to be carried out under the environment plan, which generally includes other marine users in the vicinity of the activity and its immediate footprint
- any other person or organisation that the titleholder considers relevant. This may vary between activity, and NOPSEMA recommends that titleholders apply this category broadly when considering who to consult with.

If considered a relevant person, the best mechanism for providing information to the titleholder is through the relevant person's consultation process. Consultation with a relevant person must be undertaken by the titleholder during preparation of the environment plan, and can be used to develop approaches to environmental management. For further information refer to [NOPSEMA's Consultation and public comment on petroleum activities in Commonwealth waters brochure](#).



# NOPSEMA

## Further information

NOPSEMA publishes guidance notes, guidelines and information papers at [nopsema.gov.au](http://nopsema.gov.au)

The *Offshore Petroleum and Greenhouse Gas Storage Act 2006* and subsidiary regulations are available in full at [comlaw.gov.au](http://comlaw.gov.au)

Legislative requirements for offshore petroleum not administered by NOPSEMA can be obtained from:

- The Department of Industry, Innovation and Science at [industry.gov.au](http://industry.gov.au).
- State/Northern Territory department at [directory.gov.au](http://directory.gov.au)
- The National Offshore Petroleum Titles Administrator at [nopta.gov.au](http://nopta.gov.au).

## Contact NOPSEMA

e: [communications@nopsema.gov.au](mailto:communications@nopsema.gov.au)

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