

## OHS Improvement Notice

*Offshore Petroleum and Greenhouse Gas Storage Act 2006, Schedule 3 clauses 78, 78A and 78B*

**Notice No:** 1849

**Date:** 15 September 2021

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To: Jadestone Energy (Eagle) Pty Ltd

In conducting an OHS inspection in relation to the Montara Venture facility, I [REDACTED], a NOPSEMA inspector appointed under section 602 of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* (the Act), am satisfied on reasonable grounds that Jadestone Energy (Eagle) Pty Ltd has contravened a provision of a listed OHS law and is likely to contravene that provision again

AND

As a result, there is, or may be, a risk to the health or safety of a person at Montara Venture facility.

The contravention that I am satisfied has contravened a provision of a listed OHS law and is likely to contravene that provision again is Clause 9 (2) (c) of Schedule 3 of the Act which requires the operator to take all reasonably practicable steps to ensure that any plant, equipment, materials and substances at the facility are safe and without risk to health.

The reasons for my opinion are:

Temporary lifting equipment (a portable gantry) was being used as a replacement for the permanent davit for the steering gear access hatch which is out of service. The portable gantry operating manual was not available at the facility for members of the workforce.

As a result of being used outwith its operating parameters the portable gantry tipped over, resulting in a member of the workforce suffering an injured ankle.

In addition, inspection and certification records for the portable gantry were not available at the facility to demonstrate that the equipment was fit for use.

While the permanent davit for the steering gear flat access hatch remains out of service, any lifting operation for access to the steering gear flat will require substitute lifting equipment, and I am not satisfied that any substitute lifting equipment will be made safe and without risk to health during that operation whilst it is not being managed appropriately.

As a result of this contravention, I am satisfied that there is, or may be, the following risk to the health or safety of any person:

Injury to members of the workforce during lifting operations.

I am satisfied on reasonable grounds that the following action(s) must be taken by the responsible person to reduce or prevent the risk:

1. Ensure that temporary lifting equipment is only operated within its design and operating parameters;
- and

2. Ensure that operating instructions are available for all temporary lifting equipment at the facility;  
  
and
3. Ensure that the integrity of all temporary equipment, including lifting equipment, on the facility is appropriately managed to demonstrate that it is, and continues to be, fit for purpose whilst it is in use on the facility;  
  
or
4. Implement such other controls as required to reduce risk to a level that is as low as reasonably practicable.

You are required to take action to reduce or prevent the risk within 30 days from the date of this notice.

  
**NOPSEMA INSPECTOR**  


15 September 2021

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When the required action(s) has been completed, the Responsible Person is to submit this part of the notice to the following person via:

Email: [submissions@nopsema.gov.au](mailto:submissions@nopsema.gov.au)

Name:

██████████

Position:

**NOPSEMA INSPECTOR**

Contact number:

+61 8 6188 8700

By signing below, I confirm on behalf of Jadestone Energy (Eagle) Pty Ltd that the specified action described in Improvement Notice No. 1849 has been undertaken within the period specified.

Signed:

Date:

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(to be signed by responsible person only when the notice has been complied with)

## Notes

1. Under clause 78A of Schedule 3 to the Act, a responsible person who fails to ensure that this notice is complied with, to the extent that it relates to any matter over which the responsible person has control:
  - a. commits an offence and may be liable to a penalty of 300 penalty units for the offence; or
  - b. contravenes a civil penalty provision and may be liable to a civil penalty of 400 penalty units.
2. For every day proceeding the initial offence or contravention the notice is not complied with, the responsible person commits an offence or contravention in respect of each day (including a day of a conviction under this clause or any later day) during which the offence or contravention continues.
3. A copy of this notice must displayed in a prominent place at or near each workplace which work affected by the notice is being performed. It is an offence to tamper with or remove it until the notice has ceased to have effect.
4. The recipient of this notice must ensure that all relevant requirements for giving copies of the notice to certain persons and representatives are complied with in accordance with cl 77 to Schedule 3 to the Act.
5. Under clause 80A of Schedule 3 to the Act, any of the following persons may request the reviewing authority in writing to review the NOPSEMA inspector's decision:
  - the operator of the facility;
  - the titleholder, if the notice is issued to a titleholder;
  - any person to whom an improvement notice has been issued;
  - an employer, if affected by the decision;
  - a relevant health and safety representative; a relevant workforce representative, if requested by a member of the workforce affected by the decision;
  - a person who owns any workplace plant, substance or thing to which the NOPSEMA inspector's decision relates.