

# Environment Plan Assessment

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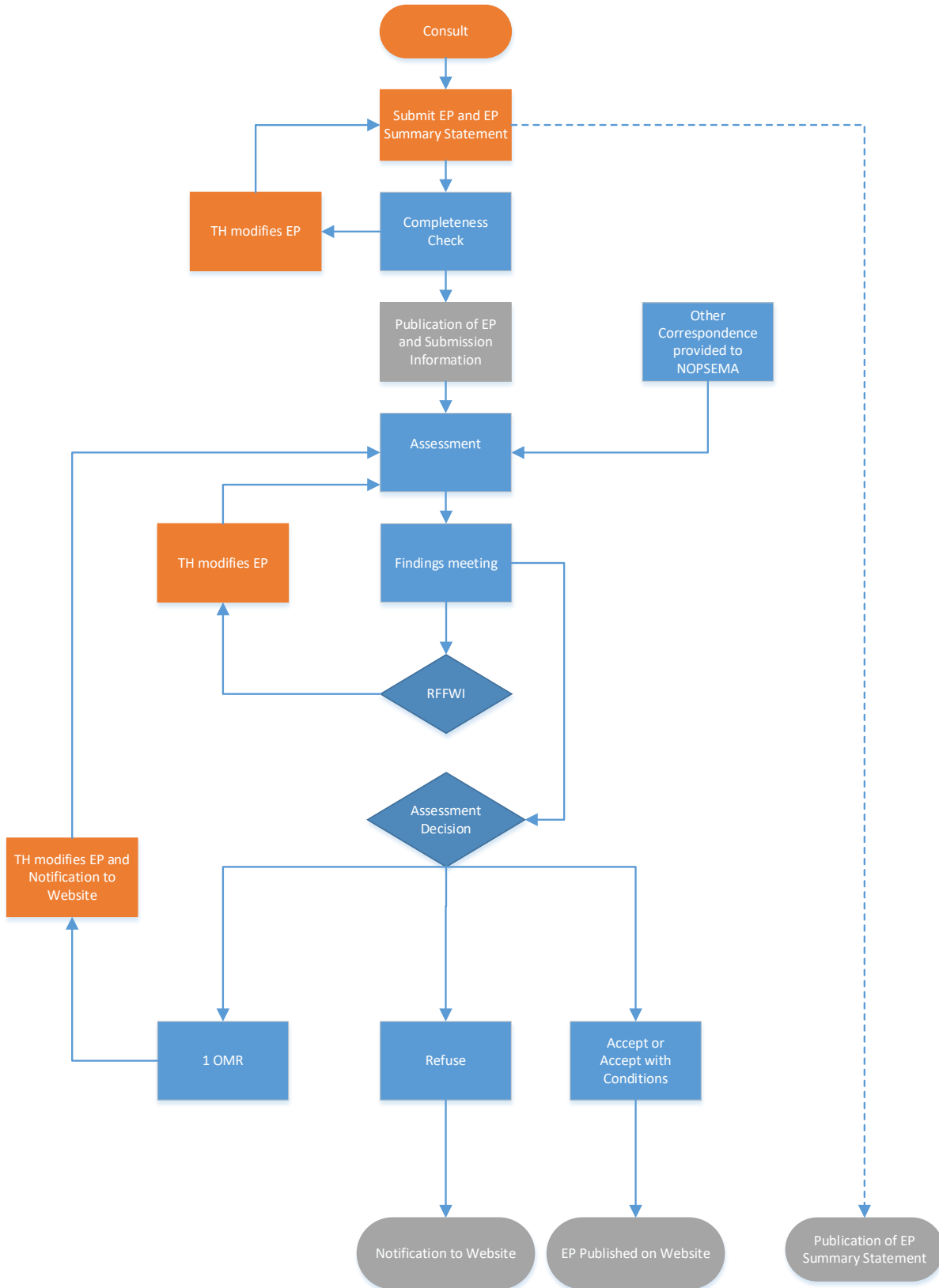
## 1. Purpose

The purpose of this procedure is to detail how NOPSEMA assesses environment plans (EPs) submitted on or after 25 April 2019 in accordance with both the 'NOPSEMA Assessment Policy' (N-04000-PL0050) and 'Environment Plan Assessment Policy' (N-04750-PL1368). For EPs submitted prior to 25 April 2019, refer to version 24.0 of the procedure.

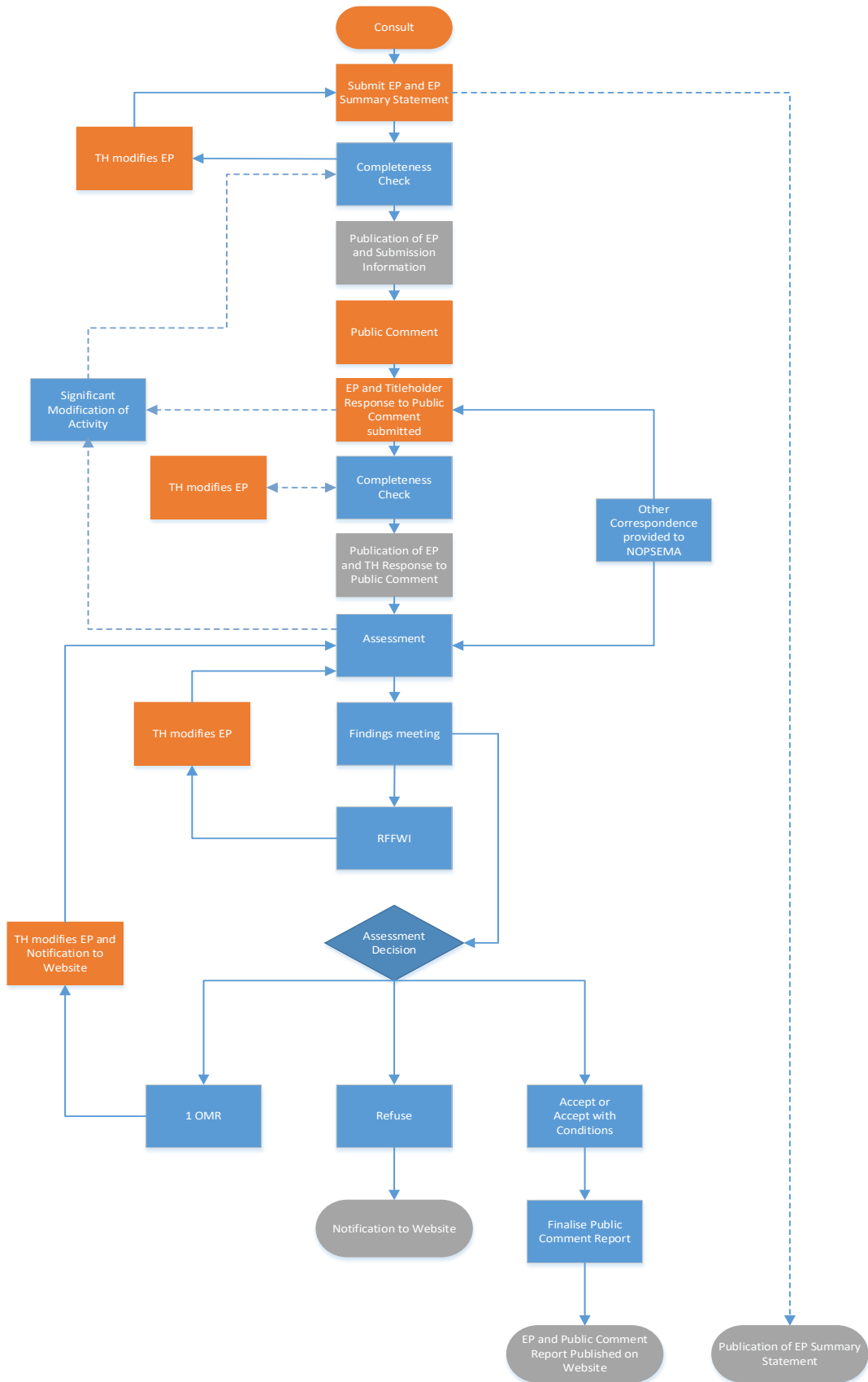
Further guidance on completion of the tasks within this procedure can be found in the Environment Plan Assessment Training Package (A666135).

## 2. Process overview

### 2.1. Development EP



### 3. Exploration EP



## 4. Roles and Responsibilities

NOPSEMA has established roles and responsibilities for a range of personnel in relation to the EP assessment process. Personnel involved in the assessment process are required to be familiar with the relevant procedures and guidelines described in the SOP.

<b>NOPSEMA CEO</b>	<b>Role - Decisions relating to exceptional circumstance requests</b>
Responsibilities	<ul style="list-style-type: none"> <li>• Provide advice regarding acceptance of an EP in part; with conditions/limitations; issue permission to act contrary to an EP</li> </ul>
<b>Head of Division Environment</b>	<b>Role - Ensures an appropriate level of engagement with relevant stakeholders</b>
Responsibilities	<ul style="list-style-type: none"> <li>• Liaise with the CEO, RON, titleholder(s) and other relevant stakeholders in matters regarding assessments on an as required basis</li> <li>• Consider and process decisions relating to exceptional circumstance requests</li> </ul>
<b>RoN (Environment Manager)</b>	<b>Role - Oversee the assessment of an EP to ensure assessment undertaken in accordance with EP Policy Assessment principles and decision made in accordance with the principles of good decision making</b>
Responsibilities	<ul style="list-style-type: none"> <li>• Ensure the object of the Environment Regulations and assessment principles embedded in the Policy are promoted in assessment</li> <li>• Ensure that the regulatory requirements for making a decision are applied</li> <li>• Ensure that decisions are, as far as is practicable, consistent and fair across all titleholders and activities</li> <li>• Make decisions in accordance with the principles of good decision-making (<i>Administrative Decisions (Judicial Review) Act 1977</i>), the Environment Regulations, commitments under the endorsed NOPSEMA Program, and NOPSEMA policies and procedures</li> <li>• Ensure that relevant NOPSEMA experience and knowledge is included in the decision-making process</li> <li>• Ensure accurate information is published on NOPSEMA's website about EPs open for public comment, under assessment and at final decision</li> <li>• Ensure that statutory timeframes for assessment are adhered to</li> </ul>
<b>Team Manager</b>	<b>Role - Provide oversight of specialist input in support of efficient and effective assessments</b>
Responsibilities	<ul style="list-style-type: none"> <li>• Ensure regulatory standards are maintained in accordance with the <u>Regulatory Service Charter</u></li> <li>• Ensure the quality, consistent, efficient and proportionate provision of technical input to assessments including lead assessment, general assessment and topic assessment</li> <li>• Provide relevant NOPSEMA experience and knowledge input to the decision-making process</li> </ul>
<b>Lead Assessor</b>	<b>Role - Plan, lead and manage assessment of allocated EP documents to ensure decisions are made in accordance with policies and procedures</b>
Responsibilities	<ul style="list-style-type: none"> <li>• Ensure conduct of assessments is in accordance with the <u>Regulatory Service Charter</u></li> </ul>

<b>NOPSEMA CEO</b>	<b>Role - Decisions relating to exceptional circumstance requests</b>
	<ul style="list-style-type: none"> <li>• Ensure assessments are completed in accordance with the object and requirements of the Regulations, NOPSEMA policies and procedures, assessment principles, commitments under the endorsed NOPSEMA Program</li> <li>• Ensure a team based approach to the assessment through team scoping, regular meetings and discussing findings and deficiencies early</li> <li>• Work with the assessment team to refine scopes and ensure effective team collaboration and assessment proficiency</li> <li>• Mentor the shadow assessor, provide guidance on the use of RMS and administrative matters and provide feedback on shadow assessment.</li> <li>• Manage the assessment to ensure timely and efficient findings, conclusions and decisions within assessment timeframes</li> <li>• facilitate the recommendation discussion in relation to the acceptance criteria and the completion of the team's assessment conclusion</li> <li>• Be the contact point for ongoing liaison in relation to the EP</li> </ul>
<b>General Assessor</b>	<b>Role - Deliver high quality, consistent and timely assessment findings to the LA and provide input to the team's assessment recommendation.</b>
Responsibilities	<ul style="list-style-type: none"> <li>• Conduct EP assessments in accordance with the object and requirements of the Regulations, NOPSEMA policies and procedures, assessment principles, commitments under the endorsed NOPSEMA Program</li> <li>• Ensure assessments are conducted in accordance with the Regulatory Service Charter</li> <li>• Broadly test whether the submission as a whole has appropriate systems, processes and methods applied to environmental impact and risk assessment and management in the context of the acceptance criteria</li> <li>• Ensure consistency with NOPSEMA published guidance and Program requirements for the general assessment</li> <li>• Discuss deficiencies and findings with the assessment team frequently and participates in regular team meetings</li> <li>• Complete the general assessment within agreed timeframes, ensuring all relevant regulatory requirements have been met</li> <li>• Make clear findings in relation to general assessment that explain the professional judgments used in coming to conclusions</li> </ul>
<b>Technical Assessor</b>	<b>Role - Deliver high quality, consistent and timely assessment findings to the assessment team and provide input to the team's assessment conclusion.</b>
Responsibilities	<ul style="list-style-type: none"> <li>• Conduct EP assessments in accordance with the object and requirements of the Regulations, assessment principles, commitments under the endorsed NOPSEMA Program and an objective-based approach to regulation</li> <li>• Ensure assessment are conducted in accordance with the Regulatory Service Charter</li> <li>• Develop topic scopes which focuses on the highest impacts and / or risks and select relevant regulations proportionate to the environmental impacts and risks presented in the submission Thoroughly assess the titleholders assessment and management of a particular impact or risk as defined by the topic scope and scrutinises the evidence that supports the case in the EP as to how the acceptance criteria are met in relation to the specific topic.</li> </ul>

<b>NOPSEMA CEO</b>	<b>Role - Decisions relating to exceptional circumstance requests</b>
	<ul style="list-style-type: none"> <li>• Ensure consistency with NOPSEMA published guidance and commitments under the endorsed NOPSEMA Program</li> <li>• Discuss deficiencies and findings with the assessment team frequently and participates in regular team meetings</li> <li>• Complete the topic assessment within agreed timeframes, ensuring all relevant regulatory requirements have been met</li> <li>• Make clear findings in relation to the topic assessment that explain the professional judgments used in coming to conclusions</li> </ul>
<b>Internal Reviewer</b>	<b>Role - Deliver high quality, consistent and timely review of technical assessment findings to the Assessment Team.</b>
Responsibilities	<ul style="list-style-type: none"> <li>• Conduct review of EP assessment in accordance with NOPSEMA policies and procedures and the Regulatory Service Charter</li> <li>• Thoroughly review the technical assessment to ensure consistency with NOPSEMA's published guidance, Program requirements and technical approach</li> <li>• Provide clear feedback to the Technical Assessor that explains the professional judgements used in coming to conclusions</li> </ul>
<b>Shadow Assessor</b>	<b>Role - Diligently observe and question the assessment of the assessor being shadowed to maximise learning opportunities.</b>
Responsibilities	<ul style="list-style-type: none"> <li>• Conduct the shadow EP assessments in accordance with NOPSEMA policies and procedures and the Regulatory Service Charter</li> <li>• Conduct an assessment of the defined topic scope or general assessment to observe and learn about NOPSEMA's assessment processes and methods</li> <li>• Seek feedback from the Lead Assessor on the shadow assessment</li> <li>• Ask questions and provide input to discussions with the Assessment Team</li> </ul>
<b>Regulatory Assistant</b>	<b>Role - Track receipt of submissions and assessment processes, check completeness of documentation</b>
Responsibilities	<ul style="list-style-type: none"> <li>• Undertakes an administrative check of the EP submission</li> <li>• Facilitate a timely assessment process</li> <li>• Provide a quality check on the EP assessment process</li> <li>• Ensure regulatory requirements are met in respect to the administrative aspects of EP submissions</li> <li>• Ensure that public comments received during the comment periods are provided to the titleholder in a timely manner</li> </ul>

## 5. Submission and publication

### 5.1. Pre-assessment checks and document filing

The Regulatory Assistant (RA) conducts a submission pre-assessment to determine if the submission is administratively complete and all relevant parts have been provided. An assessment is created in RMS and documents filed in the relevant assessment folder in Objective.

Information from the submission should be used by the RA to populate relevant fields in RMS.

The RA should send a task to the relevant Representative of NOPSEMA (RoN) advising of the submission for tasking to a Lead Assessor (LA).

On acceptance of the assessment task, the LA should email the titleholder's activity contact acknowledging receipt of the EP submission and providing the contact details for the LA. The date this email is sent should be recorded in the RMS "Tracking page" by the LA.

The LA should ensure that all records directly related to the assessment, including the submission documents and relevant correspondence, are stored in the assessment file in Objective.

### 5.2. Completeness and administrative checks

The LA must conduct a completeness check of the EP to decide provisionally if it includes material apparently addressing each content requirement of the regulations. This check is not intended to be an assessment of appropriateness, quality or accuracy. The check should be recorded in RMS and is to be limited to:

- a presence /absence check for material addressing each content requirement of the regulations; and
- a check of the documents in the submission that all "sensitive information" has been provided in a separate sensitive information part of the EP.

The LA must also conduct an administrative check to determine:

- Whether the activity description content and map provided by the titleholder for publication meets the requirements of Regulation 9(8) and N-04000-GL0225 – Making submissions to NOPSEMA.
- If the titleholder has referenced information previously provided to NOPSEMA under Regulation 31, confirm that the titleholder has provided links to where the information is publically available.
- That an EP Summary has been provided in the EP as per the EP Summary Statement Form.
- That the activity or any part of the activity (other than arrangements for environmental monitoring or for responding to an emergency) will not occur in any part of a declared World Heritage property.



- For development activity EPs, if the submission is valid in accordance with Regulation 9(3) and Regulation 17(2)<sup>1</sup>, by confirming whether:
  - a relevant decision has been made by the Environment Minister under the EPBC Act 1999 in relation to an action that is equivalent to or includes the proposed activity; or
  - an OPP that includes that activity has been accepted by NOPSEMA.
  - This determination should be documented by the LA in the RMS “Petroleum Activity” page<sup>2</sup>.

These checks and findings should be recorded in the relevant RMS fields and completed by the LA within 4 business days of the EP being received<sup>3</sup>. Where the finding is “incomplete”, a short statement to support the finding should be included in RMS.

Once the check is finalised, the LA should make a recommendation to the RoN as to whether the EP is complete and select the current version of the relevant documents to populate in RMS for publication<sup>4</sup>. If the EP is found to be incomplete, the titleholder is to be invited to modify and resubmit the EP.

The LA should prepare the relevant notification to the titleholder communicating the proposed decision and inform the RoN for their review and approval.

For Exploration EPs submitted post public comment and the EP is incomplete, the LA should ensure the notification states that NOPSEMA will be unable to make a decision within the 30 day timeframe [regulation 10(1)(c)] and set out a timetable for the decision.

### 5.3. Decision making on publishing the EP

The RoN must have regard to the findings and check the information to be published on the public website contained in the relevant RMS fields in making a decision. Where the RoN makes a decision that the EP is suitable for publication this decision is recorded in RMS and information is automatically published to the website.

The RoN will endorse the notification to the titleholder of the decision and the LA will email this to the titleholder. The RA is to be Cc'd on the email in order to update the RMS tracking page (for EP incomplete decisions), to identify that an Objective Connect Share folder for public comment is required (for EP complete decisions prior to public comment) and to send a task to the RoN for allocation of the assessment (for complete development EPs and exploration EPs post public comment).

The LA should seek approval from the RoN where the titleholder has requested an extension to the date in which a modified and resubmitted EP is provided. The modified due date should be recorded in the RMS tracking page by the RA.

Where the titleholder has modified and resubmitted the EP, the RA should administratively process the resubmission and the LA should repeat an administrative and completeness check (as per the procedure in section 4.2) until a decision is reached that the EP is complete.

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<sup>1</sup> For activities that commenced prior to OPPs (Feb 2014) or the EPBC Act (1999) coming into effect confirm whether, the EP for the activity is provides for the continuation of the same activity previously authorised through acceptance of an inherited EP/ 5-year revision

<sup>2</sup> The RMS “Petroleum activity” page is also updated for exploration EPs. This is undertaken by the RA during submission pre-assessment.

<sup>3</sup> The statutory timeframe for the completeness check is 5 business days (regulation 9AA and 11C)

<sup>4</sup> location map, EP and Sensitive information part (as well as OPEP, OSMP, Appendices and Titleholder Public Comment Report where applicable) in the “Information for the Public Website” and “Additional Documents” sections.

## 5.4. Managing public comments (Exploration EPs)

Once an EP for seismic or exploration drilling activities<sup>5</sup> is published it will be subject to a 30 day comment period. During this time, public comments may be provided to NOPSEMA by any member of the public.

The RA should request that a shared objective connect file is established for the EP and provide access to the titleholder's nominated public comment point of contact identified in the EP Submission Coversheet.

The RA should identify any comments received via email or mail during the public comment period. These comments, together with comments received through Citizen Space are collated by the RA as soon as practicable, though no later than on a weekly basis, and saved into the EP Assessment file with an alias to the Objective Connect file.

Public comments can only be taken into account if they are received within the 30 day comment period. For those comments received via mail, they must be date stamped prior to the closure of the public comment period to be accepted as submitted.

## 5.5. Completeness check after public comment (Exploration EPs)

After the completion of the public comment period (section 4.4), the titleholder will resubmit the EP to NOPSEMA and the 30 day assessment period commences. The RA should check that the resubmission post public comment is administratively complete and send a task to the RoN for assigning the assessment to a LA.

The LA should email the titleholder's activity contact acknowledging receipt of the EP submission and advising of the date when the assessment decision is due. The LA should review the submission to determine if the titleholder has significantly modified the activity in response to public comment. This means a significant modification or new stage of activity or inclusion of a new seismic or exploration drilling activity<sup>6</sup>. Where this has occurred, the LA should inform the RoN, and provide information from the EP to support the conclusion. Where the RoN agrees with the conclusion, the LA should request the RA to cancel the assessment and generate a new assessment in RMS (See section 4.1). The LA should notify the titleholder by email that the assessment has been cancelled and a new assessment will commence under the Regulations.

Where there has been no significant modification to the activity as described above, the LA must undertake a fresh completeness check (as per section 4.2).

Where a titleholder fails to resubmit the EP within 12 months after the completion of the public comment period, the EP is considered to be withdrawn under 11AA(1) and after reaching agreement from the RoN the LA should inform the titleholder and notify the RA to publish an update to the website.

## 6. Assessment

For development EPs, the 30 day assessment process commences the day after the RoN determines the EP is complete. Once the EP is determined to be complete, the RA should send a task to the relevant RoN to

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<sup>5</sup> With the exception of those that are submitted in accordance with Regulation 17(6)

<sup>6</sup> Definitions for these terms are found in N-04750-GL1705 When to submit a proposed revision

assign the assessment to a LA. On acceptance of the assessment task, the LA should email the titleholder's activity contact acknowledging receipt of the EP submission and providing the contact details for the LA.

### 6.1. Levy Form

The LA should complete the Environment Plan Levy Ratings Form (N-04750-FM1339) in accordance with the Environment Plan Levies Policy (N-11200-PL1791), save it in the assessment file, and submit it for RoN approval and processing via the e-doc workflow.

The description of the activity provided in the EP is to be used as the basis for levy ratings. Where the levy ratings are not consistent with the titleholder's expectations in the EP coversheet or in the online submission, the LA should contact the titleholder to explain the differences.

If the scope of the activity changes during the course of the assessment, prior to final decision the LA should revise the form and re-submit it for RoN approval and processing by finance.

### 6.2. Financial Assurance

Financial assurance confirmation is required for each assessment (that is, for both a new EP and a proposed revision of an EP). Financial assurance declarations are submitted for each titleholder and are not required to be resubmitted for each new EP submission/resubmission.

The LA should ensure that the financial assurance confirmation and declaration(s) provided by the titleholder are complete in order to meet the requirements of regulations 5G(2)(a) and 5G(2)(b) and prior to recommending that an EP be accepted. This includes checking:

- Whether the activity was submitted by a titleholder or title applicant;
- the titles listed in the confirmation are relevant to the activity (listed in the EP and identified in NEATS<sup>7</sup>);
- the activity fits within the limitations of the APPEA method<sup>8</sup>, or other endorsed method; and
- NOPSEMA has a declaration for all titleholders of all titles relevant to the activity<sup>9</sup>.

If an alternative to the APPEA method is used or the activity proposed exceeds the limitations of the method selected, the LA should consult the RON to determine if the alternative method has been endorsed by NOPSEMA or to initiate the NOPSEMA endorsement process (N-04730-SOP1793).

The LA should record the results of the check above in the RMS "Basic Info" page.

### 6.3. Establishing the assessment team

The LA should prepare a summary of the activity in the relevant RMS field and email an RMS link to the relevant technical team managers to agree on the assessment model to deliver the assessment findings. A team based assessment must include at least 2 persons (i.e. one specialist and the RON).

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<sup>7</sup> NOPSEMA's National Electronic Approval's Tracking System <https://neats.nopsema.gov.au/>

<sup>8</sup> The 2018 APPEA method for estimating levels of financial assurance (A647905)

<sup>9</sup> Declarations are filed by titleholder in objective (under File plan – regulatory operations – registration and deregistration and declaration)

## 6.4. Assessment team scoping

Once the team has been established the LA should convene a meeting with the team to scope and agree on the assessment topics, timeframes for reaching key milestones and develop an assessment brief for RoN approval within 7 days of the submission being received. In order for relevant key matters to be taken into account in the assessment, the LA should bring the results of the Citizen Space public comment analysis (N-04750-WN1859 – Citizen Space Analytics) to the meeting (see section 5.7).

For every assessment, a 'Protected Matters' topic must be selected. The protected matters topic will either be completed under the general assessment OR as a topic assessment. In deciding whether a detailed topic assessment on protected matters is included in the assessment brief, the team should consider potential impacts to protected matters, relevant plans of management, issues raised during consultation (and public comment for exploration EPs) and advice received from the RoN and/or technical team manager.

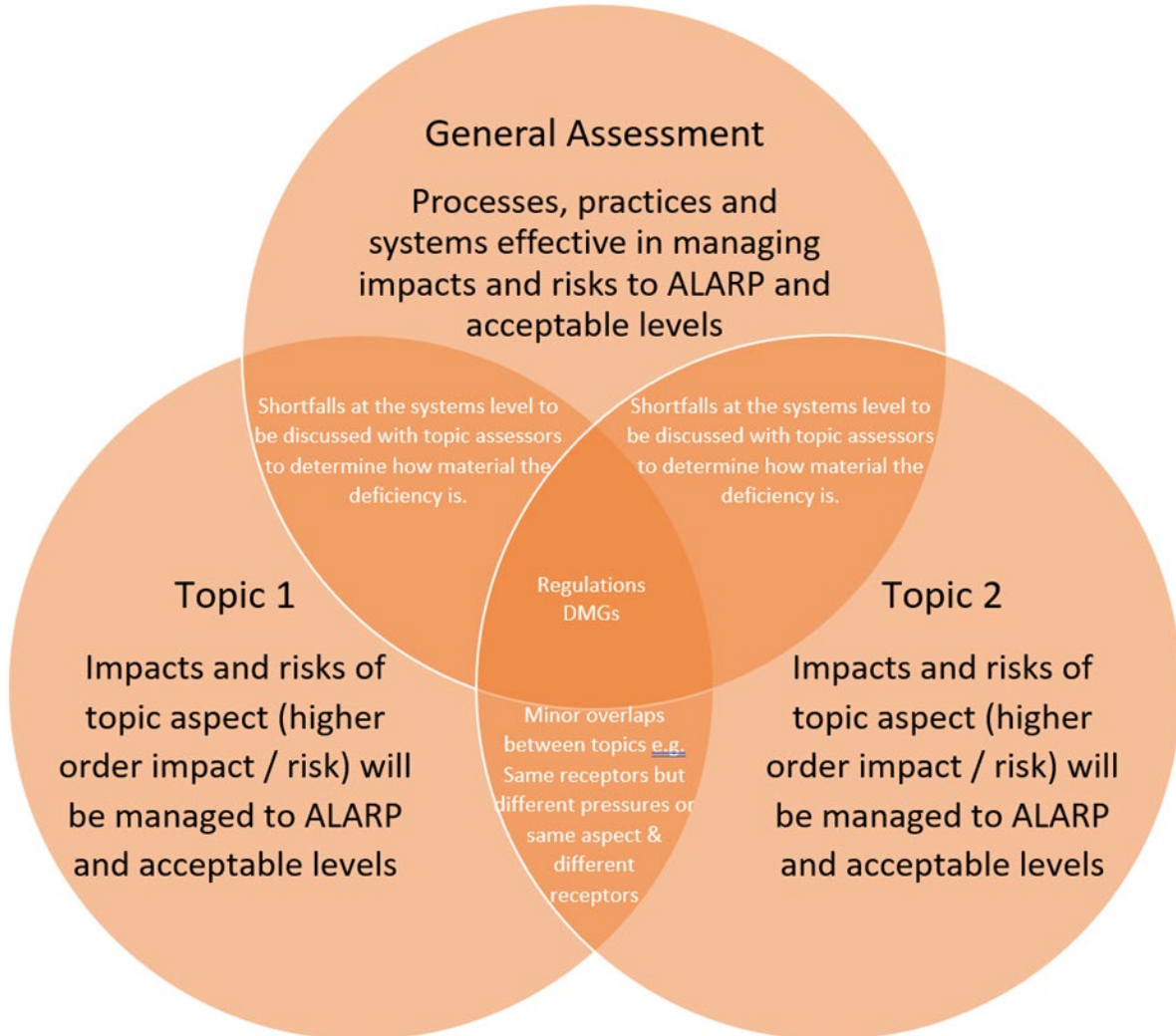
The number of topics recommended by the assessment team should be commensurate to the nature and scale of the activity. Consideration should be given to:

- the scope, complexity, timing and location of the activities to be conducted;
- the environmental impacts and risks of the activity, as identified in the EP, including the ecological, social, economic and/or historical values that may be impacted;
- for a revision, the scope of the changes made to the EP;
- number and types of issues raised during consultation (and public comment for Exploration EPs);
- uncertainty, use of innovative technology;
- relevant information from prior incidents, inspections, enforcement and assessments associated with the titleholder in question, similar activities or other activities undertaken by the same titleholder; and/or
- current industry and regulatory issues.

Once discussed with the team, the LA should prepare the assessment brief by completing the relevant sections in RMS including the "Basic Info" and "Topic Scope" pages with information on the focus of the assessment, team members and description of topic(s) along with regulations scoped. A link to the assessment in RMS should be sent to the RoN by the LA so that the brief can be approved.

Any changes to the assessment team, assessment topics or regulatory scope will require re-approval of the assessment brief in RMS.

**6.5. Objectives, principles, and key considerations for General and Topic assessments**



**Figure 1. An illustration of the relationship between General and Topic assessments. The overlapping parts highlight the connectivity between General and Topic scopes and emphasise the need for discussion and streamlining of matters that fall within these parts of the diagram.**

The objectives, principles and key considerations of the General and Topic assessments are described in detail in the table below.

Objective	Principles	Key considerations for the assessments
<p><b>General assessment</b></p> <p>To confirm that processes, practices and systems are effective in adopting appropriate control measures and that they will be appropriately implemented to ensure impacts and risks will be managed to ALARP and acceptable levels.</p>	<p>Broadly tests whether the EP includes appropriate impact and risk assessment and management processes / methods in the context of the acceptance criteria.</p> <p>Confirming broadly that the EP considers typical good practice control measures for the activity type.</p>	<ul style="list-style-type: none"> <li>• At a high level, review the described processes and systems to confirm that the EP:               <ul style="list-style-type: none"> <li>• details, evaluates, and predict the impacts or risks relevant to the activity type</li> <li>• establishes appropriate levels of performance (e.g., environmental performance outcomes) for the control measures</li> <li>• identifies relevant persons, demonstrates meaningful consultation was undertaken, assesses the merits of objections or claims and responds appropriately</li> <li>• considers important elements of the implementation strategy including implement effective ongoing consultation and environmental management systems</li> <li>• considers compliance with relevant requirements of the Act and Regulations (e.g. s571, s572, Financial Assurance) and reporting requirements.</li> </ul> </li> <li>• Considers whether industry standard good practice control measures have been adopted considering the activity type for aspects not covered by the topic assessments (as guided by relevant activity specific General Assessment Guide).</li> <li>• Focuses on the provision of appropriate EPS and an effective implementation strategy to monitor compliance.</li> </ul> <p><i>Note: The general assessment does not need to provide detailed findings on all activity aspects. To avoid duplication, the general assessor should focus on control measures for higher order impacts and risks not covered by a topic assessment.</i></p> <p><i>Note: Shortfalls at the systems level to be discussed with topic assessors to determine how material the deficiency is (i.e., does the shortfall appear to result in material environmental management gap?).</i></p> <p><i>Note: Overlaps in the scope of the general and topic assessments are to be discussed to avoid duplication (e.g. Where the general assessor is considering relevant persons consultation broadly and the topic assessor is considering relevant persons consultation specific to the topic, there is no need for the general assessor to consider objections and claims in relevant persons consultation addressed by the topic assessor. However the general assessor should look at the systems and processes for conducting consultation and consider whether those processes meet the requirements).</i></p>

Objective	Principles	Key considerations for the assessments
<p><b>Topic Assessment</b></p> <p>To confirm that, for the selected higher order aspect, impacts and risks will be managed to ALARP and acceptable levels, and there is an appropriate implementation strategy to deliver this.</p>	<p>Focusing only on the assigned topic. Determines whether the selected acceptance criteria have been met. Examines whether appropriate environmental assessment has been undertaken. Confirms the identification and adoption of control measures which reduce impacts/risks to ALARP and acceptable levels. Confirms that the implementation strategy is appropriate.</p>	<ul style="list-style-type: none"> <li>• Involves a critical assessment of the elements of the EP that are important for informing whether environmental management for the selected aspect will be effective.</li> <li>• Stays focused on topic assigned though raises issues that may be more of a systemic nature with the Assessment Team.</li> <li>• Will often require review of supporting information such as technical studies, recovery plans, modelling reports and experimental design (depending on scope) to verify claims and conclusions made.</li> <li>• Tests for robust demonstration that impacts and risks have been appropriately evaluated and control measures and arrangements will be effective in reducing impacts and risks to ALARP and acceptable levels.</li> <li>• Considers the need for specific measures (e.g., studies to verify impact predictions) to ensure impacts will be of an acceptable level where there is a high level of uncertainty in predictions of impact and/or effectiveness of critical controls.</li> <li>• Ensures the implementation strategy provides for effective implementation of the control measures required.</li> </ul> <p><i>Note: Shortfalls at a topic level are to be discussed with the general assessor and any other topic assessor to determine whether deficiencies have implications, overlaps or synergies for other scope findings.</i></p>

## 6.6. Considering public comments (Exploration EPs only)

The LA (or assigned Assessor(s) under direction of LA) should undertake an analysis of public comments prior to finalising the assessment brief to ensure relevant matters raised through the public comment process are considered during the assessment. This will involve assigning tags (i.e. topics) and detailing relevant matters for each comment made<sup>10</sup>. In cases where high volumes of comments are made and after reaching agreement for the RoN a tailored approach may be adopted for the analysis of comments. This approach should be documented in the assessment folder.

The assessment team should review the analysis of public comments and identify all matters relevant to their assessment topic scope. Assessors should include findings in RMS against relevant acceptance criteria which state how the relevant matter(s) have been taken into account during the assessment. If it is found that a relevant matter hasn't been adequately taken into account by the titleholder and acceptance criteria not met, findings should be made in RMS by the assessor detailing the specific comment and matter.

## 6.7. Considering third party correspondence

The LA should identify external correspondence received by NOPSEMA from relevant persons prior to and during the assessment in the stakeholder correspondence register located at [fA25945](#) and determine if it is relevant to the assessment. This does not include public comment received outside of the public comment period (exploration EPs). The LA should ensure that findings are included in RMS by the assessment team against relevant assessment topic scopes which clarify how the assessment has taken the relevant information into account.

If, during the assessment, it appears that the titleholder may not be aware of correspondence received by NOPSEMA and this information is relevant to the assessment, the LA should raise this issue with the RON for further guidance.

## 6.8. Unable to make a decision

In some cases it may not be possible to finalise an assessment within the 30-day statutory time period. In these cases, NOPSEMA must notify a titleholder that it is unable to make a decision within the 30-day period, and set out a proposed timetable in which to provide a decision.

This determination is made on the following basis:

- The complexity of the assessment prevents NOPSEMA from making a decision within 30 days;
- NOPSEMA has issued a 'request for further written information' and is unable to complete the assessment within 30 days;
- NOPSEMA is awaiting confirmation of financial assurance from a titleholder (this would generally be issued at the point at which the RoN is otherwise satisfied that NOPSEMA could accept the EP);
- The titleholder has requested that one assessment is given priority over another; and
- Any other basis at the discretion of a RoN.

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<sup>10</sup> Refer to N-04750-WN1859 Citizen Space Analytics for further guidance



Notification should be provided to the titleholder by the LA using an 'Unable to make decision' letter (N-04750-LT1362) that has been approved by the RON. The LA should Cc the RA into this email in order for the RMS tracking page to be updated.

## **6.9. Assessment team meetings**

During the assessment process, the LA should arrange to meet with the assessment team at regular intervals to discuss preliminary findings, critical deficiency or scoping issues identified by any member of the team. Meetings should focus on sharing, calibrating assessment findings and discussing progress on the assessment towards agreed assessment timelines. The first meeting should be held within the first 14 days of an assessment.

An assessment findings meeting should also be held with the assessment team (including the RoN) to communicate team findings and enable the RoN to decide on decision to be made. This should be held at least 7 days prior to the assessment decision due date.

## **6.10. Recording assessment findings**

RMS (findings page) should be used for recording the deliberative findings from the assessment in relation to the Regulations. Findings in relation to acceptability of the EP should be recorded by the general and technical assessor(s) against each acceptance criteria of the Regulations taking into account content requirements of the Regulations and within agreed scopes.

Assessors should ensure that all findings in RMS are clear, succinct and capture the facts and reasons to support the conclusions including:

- Evidence (section references, examples etc.) that has been used as the basis for forming conclusions (Issues, No Issues) against the acceptance criteria;
- A clear description of any areas of a submission (or omissions) that prevent the acceptance criteria of the Regulations being met;
- A clear description of any areas of a submission that prevent NOPSEMA's Program commitments from being met;
- Entries against items for which requests for further information were made and the status of responses, in terms of whether they satisfactorily addressed the issues;
- In cases where external information or expert technical advice has been sought, the findings should include the date and author of the advice and provide a clear account of how the advice influenced the finding and the status of the issue following consideration of the advice;
- Results against each finding (Issues or No Issues);
- Clearly identify when a change to the environmental management of the activity has been made in response to NOPSEMA's assessment in order to support the development of key matters report should one be required; and
- Summary of key findings at the end of each acceptance criteria with consideration of the decision making guidelines and other guidance to support the completion of the team's conclusions page findings.

All assessors should ensure that findings are complete and entered into RMS within the agreed timeframes set by the LA on assessment commencement.

### **6.11. Requests for further written information**

Where issues have been identified during the assessment of the first submission, NOPSEMA's preferred approach is to request further written information from the titleholder.

In determining if a request for further written information is warranted and what information should be contained in the request, the assessment team should collectively discuss and consider the following matters:

- Is the information necessary to inform a decision against the acceptance criteria;
- Is a request for further written information likely to provide resolution to the issues identified.

In making a determination about the timeframe for the titleholder to resubmit the EP consideration should be given to the nature and complexity of the information requested, activity timetables (where relevant) and other relevant factors.

The request should be prepared by the assessment team using the relevant template and provided to the RoN for review and endorsement at least 5 days before the decision due date. The LA should email a copy of the letter to the titleholder and should Cc the RA to update the RMS tracking page.

Should the titleholder request (and the LA agree) to extend the timeframe to respond to a request for further written information, the LA must notify the RA to update the RMS tracking page and record this request in the RMS running sheet.

### **6.12. Titleholder liaison meetings**

If requested by the titleholder or the assessment team deems it necessary, the LA should arrange a titleholder liaison meeting to discuss the outcomes of decisions or other aspects of the assessment as required.

Titleholder liaison meetings should be recorded in the running sheet for the assessment and NOPSEMA Liaison Register (A617819).

### **6.13. Review resubmission**

Where a resubmission is provided by a titleholder, the RA should ensure that the submission is administratively complete and saved in Objective (see section 4.1). The RA updates RMS with the submission date and ensures the submission is distributed to the relevant LA in a timely manner.

The LA should review the submission to determine if the titleholder has significantly modified the proposed activity. This means a significant modification or new stage of activity or inclusion of a new seismic or exploration drilling activity.

Where there has been no significant modification to the activity as described above, the LA should ensure that all sensitive information is in the sensitive information part and that the activity description and map provided by the titleholder are still current. Where this is not the case, the LA should contact the titleholder and request resubmission of this information.

Assessors should evaluate the resubmission and, where appropriate, update assessment findings in RMS to indicate whether the issues have been satisfactorily addressed or not.

## **6.14. Withdrawal of environment plan at request of titleholder**

A titleholder may, by notice in writing, withdraw a submitted EP at any time before NOPSEMA has made a decision to accept or refuse to accept the EP in accordance with sub-regulations 9(9) and 9(10).

On notification from the titleholder that the EP is withdrawn, the LA should ensure that all findings reached at that point in time are accurately reflected in RMS, all relevant documents are filed in Objective and that the reasons for withdrawing the EP are recorded in the running sheet (this may include reference to document(s) in Objective).

The LA should advise the RoN who will decide to cancel the assessment in RMS, and send a response to the titleholder, Cc the RA, confirming that the EP is no longer being considered as a submission.

The LA should notify NOPSEMA's Finance Division that the EP has been withdrawn and that a refund and/or remittance of the compliance instalments may be required (see Section 5.1).

## **7. Assessment decision**

### **7.1. Team conclusion**

Where the assessment team concludes that the titleholder should be provided with a 'Not reasonably satisfied decision, that the EP should be accepted, accepted with conditions or refused, RMS (team conclusion and other considerations) should be completed. The team conclusion field for each acceptance criteria should explain the reasons for NOPSEMA's decision against the acceptance criteria. The team should use pre-populated text in RMS and examples from RMS deliberative findings to guide and complete this task.

Completion of the 'Other considerations' part prior to a decision to accept or refuse the EP should consider the findings recorded for the 'Protected Matters' scope to confirm that RMS contains a record demonstrating whether Program commitments have been met<sup>11</sup>.

Once complete, a link to this page should be sent to the RoN with the relevant notification (see section 6.2) as a record of the decision 5 days prior to the decision due date. Where the recommendation is not based on team consensus the LA should identify and document areas of disagreement along with the rationale for the recommendation for the RoN to consider during decision making.

### **7.2. Decision notification**

The LA should coordinate the drafting of the appropriate decision notification with input from assessor using existing templates (i.e. acceptance letter N-04750-LT1356, opportunity to modify and resubmit letter N-04750-LT1359, refuse to accept letter N-04750-LT1378).

Notification must include an outline of the assessment brief and the topic scopes applied. In the event that a 'Not Reasonably Satisfied' or a 'Refuse to Accept' decision is reached, the response letter to the

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<sup>11</sup> For further guidance see Protected Matters QA Check (A537850)

titleholder must contain a clear justification for why NOPSEMA is not reasonably satisfied that the submission meets the criteria for acceptance. The feedback should relate to the EP assessment taken as a whole, be clear, concise, explicit and specific in order to identify the areas/aspects of the submission that do not meet the criteria for acceptance of the Regulations.

Once the LA is satisfied that the contents of the notification clearly states the grounds for the decision the LA will provide it to the RoN for review and endorsement 5 days prior to the decision due date.

### **7.3. Prepare Key Matters Report (Exploration EPs only)**

In parallel with preparing an acceptance decision letter, LA should coordinate with input from the Assessors the drafting of NOPSEMA's Key Matters Report. The report should be prepared using the NOPSEMA Key Matters Report template (N-04750-FM1851).

The content of the report must contain statements by NOPSEMA of how the matters raised through public comment have been taken into account in making a decision. Matters should be grouped based on common issues raised and comments do not need to be responded to individually.

In the event that key matters have not been addressed in the titleholder's public comment report, the LA may need to add additional 'Key Matters' in NOPSEMA's public comment report to ensure NOPSEMA consideration of matters raised has been communicated to the public.

The report should be provided to the RoN for their review and approval 5 days prior to the decision due date.

### **7.4. Final review and checks**

Prior to the RoN's final review of findings in RMS where an EP is accepted or refused, the LA should conduct a critical review of all findings<sup>12</sup>. The LA may request that technical assessors revise or clarify their findings if required.

In addition, immediately prior to recommending an 'accept' decision, the LA should check:

#### *Financial assurance*

- With NOPTA whether a title applicant has been granted a title. If so, then the LA reassesses whether or not financial assurance requirements have been met (see Section 5.2); and
- That the Financial Assurance fields in RMS "Basic Info" page are complete (see Section 5.2).

#### *Levies*

- Whether the levy calculations remain correct in the case where the description or scope of the activity changed during the assessment process. If incorrect, revise the levy form and notify the finance team (See section 5.2).

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<sup>12</sup> This review should consider the findings in conjunction N-04750-GL1721 Environment plan decision making guidelines (A524696) and the EP assessment principles in the N-04750-PL1347 – Environment plan assessment policy (A343085).

### *Program commitments*

- Whether any new or updated EPBC Instruments have been gazetted / published since the submission was received.
- For assessments of a proposed revision under Regulation 17 or Regulation 18, the LA should consider whether the requirement under Regulation 19 to submit a proposed revision after five years from the date of acceptance of the EP should remain or if NOPSEMA should nominate the date on which this five year period starts under Regulation 19(2). This recommendation should be captured in RMS.

Where an EP is proposed to be accepted, the LA should select the current version of the relevant documents to populate in RMS for publication<sup>13</sup>, review the activity description and activity maps to ensure they are still current and request the RA to update the “Information for the public website” in RMS.

## **7.5. RoN review**

The RoN is the decision-maker in the assessment process. The RoN reviews the findings, team conclusions and other considerations to determine if:

- the assessment has appropriately addressed all items in the assessment brief;
- there is appropriate evidence that the ‘NOPSEMA Assessment Policy’ (N-04750-PL1347) and ‘Environment Plan Assessment Policy’ (N-04750-PL1368) has been adhered to; and
- assessment records adequately support the recommended decision in terms of demonstrating the extent to which criteria given in Regulation 10A have or have not been satisfied.

Prior to making a decision, the RoN must also be satisfied that financial assurance has been demonstrated.

In making a decision, the RoN must be reasonably satisfied (i.e. believes and is subjectively satisfied) that the criteria under regulation 10A are met and there is an objectively reasonable basis (i.e. facts and evidence that rationally support the decision) for that belief. In doing this, the RoN considers whether the recommendation from the team:

- is, on balance, appropriate;
- is in accordance with good practice principles of decision-making derived from the *Administrative Decisions (Judicial Review) Act 1977*(AD(JR) Act);
- has properly taken into account the commitments of the EPBC Endorsed Program;
- takes into account any relevant factors, while disregarding irrelevant factors;
- is compliant with applicable NOPSEMA policies; and
- is adequately supported by the assessment records.

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<sup>13</sup> Location map, EP and Sensitive information part (as well as OPEP, OSMP, Appendices and Key Matters Report where applicable) in the “Information for the Public Website” and “Additional Documents” sections.

## 7.6. Decision making process

Having reviewed and considered the assessment records and the recommendation made therein, the RoN will decide to;

- Accept the EP; or
- Refuse to accept the EP; or
- Provide the titleholder with an opportunity to modify and resubmit the EP; or
- Accept the EP in part or with conditions or limitations; or
- Notify the titleholder they are unable to make a decision and propose a timetable for consideration of the EP.

If the RoN's decision is contrary to the conclusions of the assessment team, the reasons should be documented in RMS ('RoN Decision').

To ensure consistency in decision making, the RoN may seek advice from other Environment Managers or the HoD-E where the decision is to refuse to accept an EP.

Where an acceptance, refusal or not satisfied decision is made, the RoN populates the relevant fields in RMS (RoN Decision) with the decision type and the reasons for the decision. In addition, the RoN should document in RMS the alternative options considered for a refusal decision.

For an acceptance decision, the RoN should also review the "Information for Public Website" part of the "Conclusions" page in RMS to ensure that it is complete and accurate. For refusals and not reasonably satisfied decisions, no content is required in the "Information for Public Website" part.

For refusal and acceptance decisions, the RoN must finalise the decision in RMS to facilitate publication of the decision to NOPSEMA Online. For all decisions, the RoN must endorse the decision notification and advise the LA of the decision.

An email must be sent by the LA to the titleholder with the decision notification and copy (bcc) to the RA for not reasonably satisfied decisions to update the "Tracking" page in RMS and facilitate publication of the decision to NOPSEMA Online.

## 7.7. Acceptance in part or with conditions or limitations

Where the RoN proposes to accept an EP in part for a particular stage of an activity or accept an EP subject to limitations or conditions applying to the operational aspects of an activity, consultation should occur with the HoD-E and CEO (or Compliance Committee).

The RoN should facilitate this process and also provide advice to the titleholder regarding the proposed conditions or limitations. The RoN will then proceed with the decision following advice from the CEO. This decision must be documented in the "Conclusions" page in RMS. See section 6.6 for steps in the decision making process to be followed for the EP.

## **7.8. Consult Head of Division and, if necessary, the CEO**

The RoN may determine that escalation to the HoD/CEO (or Compliance Committee) is required in relation to an assessment decision; in particular if a refuse to accept decision has been made or where there is a high level of stakeholder interest.

## **8. Finalise assessment**

### **8.1. Update Issues in RMS**

The LA should record, where appropriate, any notable issues arising from the assessment relevant to future inspection scoping which are specific to the activity or titleholder in RMS as Activity Issues.

Issues can be added by clicking on 'Add Issue' on the Basic Information page within RMS. This entry will include a field for free text for a short description of the issue.

### **8.2. Refusal of EP**

If an EP has been refused, the LA must inform Finance that a refund and/or remittance of compliance amounts is likely due to the titleholder under Regulation 59C of the Levies Regulations.

The LA should send an explanatory email to Finance Division ([levynotify@nopsema.gov.au](mailto:levynotify@nopsema.gov.au)) to provide this update.

### **8.3. EP Summary**

On acceptance of the EP, the RA notifies the RoN of the RMS link to the EP Summary Assessment for allocation to a relevant assessor

As part of the EP submission, the titleholder provided an EP Summary Statement to meet the requirements of regulation 11(3). The assessor must review the statement in the EP and using the pre-populated text, record in RMS whether the statement meets the requirement of sub-regulation 11(4).

Once the assessor is satisfied that the statement meets requirements, the assessor provides a recommendation to the RoN. The RoN must review the findings in RMS and record their agreement, or otherwise, with the recommendation in RMS.

If NOPSEMA is satisfied that the EP summary meets the requirements of sub-regulation 11(4), the assessor must notify the titleholder of this decision.

### **8.4. Assessment Review**

#### **Internal Assessment Review**

Where applicable (e.g. for complex assessments, assessments involving a significant number of issues, assessments where the titleholder was unable to be effectively engaged) the LA or RoN may choose to conduct an internal assessment review.

An internal assessment review meeting is held with assessment team members.

The purpose of the meeting is to review the assessment process so that lessons learnt from the assessment (e.g. what went well and what can be done better) can be shared and captured.

Meetings should be recorded in the relevant assessment folder within Objective.

### **External Assessment Review**

Where applicable (e.g., as above or where the titleholder, HoD – E or CEO have requested a review), NOPSEMA may conduct an external assessment review meeting with the titleholder following completion of the assessment. Such a review would generally be offered to titleholders where a decision was made to refuse an EP and on other occasions as deemed appropriate by the RoN.

The meeting should be chaired by an Environment Manager not involved directly in the assessment. The Assessment Team should attend the meeting as appropriate. The purpose of this meeting is to communicate NOPSEMA's views on the assessment process and seek feedback from the titleholder on their views on the process

## **9. Post assessment**

### **9.1. Notification of end of operation of an EP (Reg 25A)**

Notifications received under Regulation 25A (end of EP) will be sent by the RA to the RoN for allocation to an assessor, along with a link to the RMS assessment.

The assessor should conduct a review of the notification and supporting information to determine if the criterion for acceptance are met or otherwise. Explanatory comments should be noted in RMS under recommendations for any criterion that is not met. Once the review is complete, the assessor should make a recommendation to the RoN as to whether to accept the notification.

If the notification is to be accepted, the assessor should then prepare the relevant letter for RoN endorsement. The RoN records this decision in RMS by completing the RoN Review of the Recommendation. Once approved, this letter should be emailed to the titleholder with a Cc to the RA to update the status of the EP on the NOPSEMA's website.

If any of the criteria for accepting the 25A notification are not met, the EO should liaise with the RoN (or a Manager where required) to discuss whether to request further information or if the notification is to be refused. The assessor should advise the titleholder of the request or decision in writing with a Cc to the RA to update the RMS tracking page where required<sup>14</sup>.

### **9.2. Change to nominated titleholder or liaison person**

If any assessor is advised of a change in details for either the titleholder or the nominated liaison person for any activity, they should ensure that this advice is provided to the RA as soon as possible in order for them to update RMS and NOPSEMA's website.

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<sup>14</sup> For further guidance on this assessment see the Regulation 25A Training Package (A502021).



## 10. Related Documents

### Policies

N-04000-PL0050	Assessment Policy
N-04750-PL1347	Environment Plan Assessment
N-04730-PL1780	Financial assurance requirements for petroleum titles
N-11200-PL1791	Environment Plan Levies

### Work Instructions

N-04000-WN0048	Acceptance Conditions and Limitations
N-04750-WN1407	Regulatory Assistant Role – Administration of Environment submissions
N-04750-WN1859	Citizen Space Analytics

### Guidelines & Guidance Notes

N-04750-GN1344	Environment Plan Content Requirements Guidance Note
N-04750-GN1488	Oil pollution risk management
N-04730-GL1381	Financial Assurance for Petroleum Titles
N-04730-SOP1793	Financial assurance validation and endorsement procedure
N-04750-GL1691	End of operation of an Environment Plan – Regulation 25A
N-04750-GL1721	Environment plan decision making
N-06100-SOP1419	Titleholder liaison meetings

### Forms

N-04750-FM1257	Environment Plan Submission Cover Sheet
N-04750-FM1339	Environment Plan Levy Ratings

### Letters

N-04750-LT1356	Acceptance of Environment Plan
N-04750-LT1357	Refusal to Accept
N-05300-LT1276	Withdrawal of Environment Plan
N-04750-LT1359	Opportunity to Modify and Resubmit an Environment Plan
N-04750-LT1377	Request for further written information
N-04750-LT1362	Unable to make decision
N-04750-LT1360	Request for Revision of an Environment Plan
N-04750-LT1692	Acceptance of notification of end of operation of an EP – Reg 25A
N-04750-LT1693	Refuse to accept notification of end of operation of an EP – Reg 25A

- N-04750-LT1849      Acceptance for publication (completeness check)
- N-04750-LT1850      Invitation to modify and resubmit the EP (completeness check)

**Registers**

- A304123      EP Assessments – Record of QA Checks – July 2013 onwards

**Training Modules**

- A533498      Assessment Training Package – Program Commitment QA Check
- A502021      Regulation 25A
- A666135      Environment Plan Assessment Training

## Appendix A: Greenhouse Gas Environment Submissions

### A.1: Background

Decision making for greenhouse gas activities is the responsibility of the NOPSEMA CEO.

These instructions provide administrative assessment procedures for the assessment of greenhouse gas activity EPs where these differ, and are in addition to, the petroleum activity assessment procedures detailed in this SoP.

These instructions should only be used during the assessment of greenhouse gas activity EPs.

### A.2: Receipt of greenhouse gas activity submission – CEO notification

Relevant section of SOP: Section 4.1

For greenhouse gas activity EPs, the RA will forward a task with the RMS URL link to the relevant Environment Manager noting that the activity is a greenhouse gas activity in the task.

On receipt of the task, the LA (via the Environment Manager and the Executive Assistant)) should notify the CEO that a greenhouse gas activity assessment is underway, including the following information:

- Notification of receipt of GHG Project and CEO's responsibility as the RoN;
- The name of the submission, titleholder, activity type, activity overview, due date, LA and electronic link to RMS; and
- Target date for completion check to be completed in RMS for CEO consideration and decision making on public comment of EP (exploration EP only) or publication.

### A.3: Administrative and Completeness check

Relevant section of SOP: Section 4.2

At the conclusion of the administrative and completeness check, the LA must make a recommendation as to whether the EP:

- Is to be rejected due to the activity occurring in a World Heritage Property or a relevant approval has not been granted (see section 4.2); and
- Is suitable for publication/complete for comment or if not, if the titleholder is to be invited to modify and resubmit the EP.

The recommendation must be provided to the relevant Environment Manager for review and forwarding to the CEO. The recommendation must include a link in RMS to the "Completeness Check" page and an offer for a CEO briefing (via the Executive Assistant) relating to the decision. The decision letter must be prepared by the LA for CEO approval.

### A.4: Decision making on publishing the EP

Relevant section of SOP: Section 4.3

The CEO is the decision maker in relation to an extension to the date in which a modified and resubmitted EP is provided. The LA must make a recommendation to the Environment Manager for review and forwarding to the CEO (via the Executive Assistant), including the reasons for the request.

### **A.5: Completeness check after public comment (Exploration EPs)**

Relevant section of SOP: Section 4.5

The LA should notify the Environment Manager in the event that the completeness check identifies that the EP has been significantly modified after public comment. The notification by email must include the information from the EP to support the conclusion. The Environment Manager must forward this to the RoN (via the Executive Assistant) for agreement.

The outcomes of the fresh completeness check conducted by the LA after public comment must be approved by the CEO (via the Environment Manager and Executive Assistant) as per section 4.3 and A.4.

### **A.6: Levy Form**

Relevant section of SOP: Section 5.1

NOPSEMA's Environment Plan Levy Policy (N-11200-PL1791) provides for the cost recovery of greenhouse gas EP assessments. The LA must complete the EP Levy Ratings Form and provide a copy to the Environment Manager for review and forwarding to the CEO via the levy form workflow for approval.

### **A.7: Assessment Team scoping**

Relevant section of SOP: Section 5.3

The LA must provide the assessment brief to the Environment Manager for review and forwarding to the CEO (via the Executive Assistant) for approval in RMS. An offer of a briefing should be provided to the CEO as part of approving the brief.

### **A.8: Unable to make a decision**

Relevant section of SOP: Section 5.9

The LA should prepare an "unable to make a decision letter" for the CEO's endorsement. The letter should be emailed to the CEO (from the Environment Manager via the Executive Assistant) clearly outlining the timeframe in which the letter is to be sent and the reasons that a decision cannot be made within the 30 day timeframe.

When determining whether an assessment can be completed within the 30 day timeframe, the LA should take into account the additional time required for CEO decision making.

The Manager should consult with the CEO where relevant in making decision.

The CEO is the decision maker in relation to an extension to the date in which response to a request for further information is provided. The LA must make a recommendation to the Environment Manager for review and forwarding to the CEO (via the Executive Assistant), including the reasons for the request.

## **A.9: Assessment team meeting**

Relevant section of SOP: Section 5.10

Assessment findings meetings for greenhouse gas EP assessment should be held with the assessment team and the relevant Environment Manager. The Environment Manager should liaise with the CEO (via the Executive Assistant) and offer a briefing on conclusions of the assessment team and recommended notification or decision.

## **A.10: Request for further written information**

Relevant section of SOP: Section 5.12

The LA should take into account the timeframe for CEO/RoN approval in determining the timeframes for NOPSEMA's assessment of the resubmitted EP.

A request for further written information in accordance with Section 5.12 of the SOP **must** be reviewed and endorsed by the CEO. A draft letter is prepared by the LA and emailed to the CEO (via Environment Manager and the Executive Assistant) with a link to RMS findings.

The CEO reviews the findings in RMS and records comments in RMS (in the RON field) and either endorse the letter or provide comments to the LA (via Environment Manager) outlining amendments to the letter. The LA makes amendments to the letter (if applicable) and provides the revised letter to the CEO (via the Environment Manager and Executive Assistant) for endorsement.

## **A.11: Withdrawal of environment plan at request of titleholder**

Relevant section of SOP: Section 5.15

The LA must advise the Environment Manager and the CEO of any request to withdraw the EP by the titleholder.

## **A.12: Team Conclusion, Decision Notification and Key Matters Report**

Relevant section of SOP: Section 6.1, 6.2 and 6.3

At the completion of the team conclusions in the RMS "Conclusions" page and after drafting the relevant decision letter and NOPSEMA public comment report (exploration EP only), the LA must send a link to RMS, the letter and report to the Environment Manager for review.

## **A.13: Environment Manager recommendation and CEO review**

Relevant section of SOP: Section 6.5

Once the Environment Manager endorses the assessment recommendation and content of letters/reports, the recommendation should be emailed to the CEO (from the Environment Manager via the Executive Assistant) outlining:

- The assessment recommendation;
- Requesting review and decision by the CEO;
- Offering briefing;

- URL Link to RMS assessment;
- Draft letter stipulating the assessment decision and reasons for the decision;
- This email should be saved by the LA in the assessment file in Objective; and
- CEO Review Decision Making.

The CEO reviews the Findings, Results and Recommendations in RMS in accordance with section 6.5 of the SOP and makes a decision in accordance with the process outlined in section 6.6 of the SOP.

Amendments to the letter requested by the CEO must be made by the LA who provides the revised letter to the CEO (via the Environment Manager and Executive Assistant) for endorsement.

The CEO will advise the Environment Manager and LA once a decision has been made and recorded in RMS.

Any correspondence relating to the decision should be saved by the LA in the assessment file in Objective.

#### **A.14: EP Summary**

Relevant section of SOP: Section 7.3

Once the EP Summary is suitable for acceptance, the assessor must provide a recommendation to the Environment Manager for review by email with a link to RMS. A recommendation is provided to the CEO (via the Executive Assistant) with a request for endorsement. The CEO must review the findings in RMS and record their agreement, or otherwise, with the recommendation in RMS.

#### **A.15: Notification of end of operation of EP**

Relevant section of SOP: Section 8.1

Notifications received under Regulation 25A (end of EP) for greenhouse gas activities will be sent by the RA to the Environment Manager for allocation to an assessor, along with a link to the RMS assessment.

The assessor makes a recommendation to the Environment Manager by email as to whether to accept the notification and provide a link to RMS. Where the Environment Manager agrees, the recommendation must be forwarded to the CEO (via the Executive Assistant) with a request to approve the decision and an offer of a briefing by the Manager or assessor.

If the notification is to be accepted, the assessor must prepare a letter to the titleholder using the template letter (N-04750-LT1692) for CEO endorsement.

## Appendix B: Record of revisions

Rev Date	Aspects updated
13/12/2021	Added Section 5.5 Objectives, principles and key considerations for General and Topic assessments

**Note:** see above - NOPSEMA now uses the date a document is published in the QMS to indicate the current revision; therefore the last published version is the one approved for use.

Rev	Date	
16	February 2020	Minor updates to section 5.2 (Financial Assurance) to coincide with increased administration of FA requirements by RAs and development of the RA WN in relation to financial assurance checks.
15	October 2019	Updates post Transparency to provide clarity based on feedback from the Division on roles and responsibilities, EPBC checks, assessment timeframes, process for RoN endorsement and checks prior to final EP decision.
14	May 2019	Financial Assurance updates: References to financial assurance process documents were amended from N-04750 to the new N-04730 (page 10, page 16, page 39) Details regarding 2018 APPEA method included on page 15 and 16 Update to SoP to reflect changes to amended regulations for transparency including: Completeness checks at various stages of the assessment Publication of EP steps (public comment, assessment and acceptance) Change to team based assessment scope setting Change to assessment description for general and technical assessment Inclusions of assessment team meetings Drafting of a conclusions page Development of public comment report Update to EP summaries to reflect submission of Summary statement Development of SoP Training package from removed SoP text. Removal of Appendix 3 as this is contained in EPBC Training package
13	February 2018	Update responsibilities for assessors Updates to initial review including requirement to check for prior usage rights within Australian Marine Parks Clarify requirements for protected matters topic and consideration of decision making guidelines Add instructions for changes to assessment team Simplify RFFWI considerations and refer to work instruction Clarify tasks after 'refuse to accept' decision Clarify requirements to update inspection programming schedule Include instructions for Regulation 25A (end of operation of an EP) assessments Updated section references in Appendix 1 (did not review all instructions) Other minor corrections and points of clarification.
12	July 2017	RON review of levy forms
11	April 2017	EPBC Program assessment matters

		Improvements identified through Project Delta (Phase 1) (qA32087 and A545847 refers) Make the decision making guidelines a mandatory consideration
10	August 2016	Added section 8.3.9 (titleholder liaison meetings) Added section 10 (post-assessment notifications), including Regulation 25A Incorporate new provision in RMS to consider Regulation 19(2) explicitly (Section 7.3.13)
9	March 2016	Review of whole document (except Appendix 1) including substantial rearranging of sections to better reflect process flow. Removed sections that were not applicable to the assessment team. Added section on conflict of interest. Added section on updating inspection programming schedule. Added sections on seeking external expert technical advice. Added section on determining the appropriate timeframe for an OMR. Reviewed section on initial review of the EP. Revised section on EP summaries to accommodate new RMS assessment type.
8	December 2015	Updated to Sections 7.3.10, 7.3.11 and 9.3.1 to provide guidance on updating NOPSEMA's website for changes in assessment status, inclusion of section 8.3.6 for the preparation and publication of the decision document and removal of 8.3.5 as this is addressed in the RoN WN.
7	October 2015	Changes to Sections 7.3.6 (general assessment), 7.3.7 (detailed topic assessment) and 7.3.13 (record assessment findings) to clarify requirements under the Program for the EP assessment process. Added Section heading (7.3.8 Other considerations for assessment) for clarity, no change to the content in this section.
6	May 2015	Review of whole document including updates to roles & responsibilities, levy and financial assurance requirements, review structure of Chapter 9.
5	April 2015	
5	January 2015	Update to process for assessment scoping and involvement of technical teams
4	December 2014	Update to include financial assurance requirements
3	December 2014	Update to reflect levy changes
2	October 2014	
1	July 2014	
0	February 2014	Develop new procedure to address change in regulations