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Subject: L2014/1008 - 5.13.1 - KI Council Correspondence
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Good Afternoon Ms Cutler

Please find attached Kangaroo Island Council correspondence.

A hard copy will be posted this afternoon.

Kind Regards

[REDACTED]



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Kangaroo Island Council

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KANGAROO ISLAND COUNCIL

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 Initials: AB

16 April 2014

Jane Cutler
 Chief Executive Officer
 NOPSEMA
 Level 8
 58 Mounts Bay Road
 PERTH WA 6000
information@nopsema.gov.au

Dear Ms Cutler

Re: Kangaroo Island Council comment on Bight Petroleum Environmental Plan for exploration in the Kangaroo Island Pool, Kangaroo Island Canyons and Eyre Peninsular upwellings.

I am writing in relation to Bight Petroleum's recent resubmission to NOPSEMA of an Environmental Plan for exploration off the coast of Kangaroo Island following the withdrawal of their previous plan.

At our Council meeting held on 9 April 2014 the Council directed by resolution:

That Council write to invite Jane Cutler, CEO of NOPSEMA to Kangaroo Island and further we express our concerns with the inadequate consultation by Bight Petroleum with both Council and this community.

The Council and our community would welcome any opportunity to meet with you on the Island to gain a fuller understanding of NOPSEMA's new role, particularly to understand how our community can engage in a meaningful way in the future. Our past (and only) experience has been challenging and exacerbated by multiple processes, highly technical jargon, extremely tight time lines and changing rules. We see NOPSEMA's new role as a positive one and we are keen to have a joint discussion that will promote understanding and transparency.

We have already detailed our grave concerns over the disregard and disrespect both our Council and the Community have experienced with Bight Petroleum throughout the many applications and processes to date. I have sincerely appreciated the time taken by many of your staff to meet with me in Adelaide, to correspond by email and to assist us in understanding the new process and timelines.

We find ourselves now in a process we are locked out of. Bight Petroleum have resubmitted an Environmental Plan we have not seen, nor been consulted on, and we have no ability to provide comment. We have worked tirelessly, throughout the many versions and submissions by this Company to engage and raise the concerns of our community. All have been treated with a level of contempt and disregard. We have provided significant evidence of this to NOPSEMA over many months and we are now at a loss, as all transparency of this new plan for Council and our community is gone and the ability to raise our concerns within this new process is no longer available.

Of particular concern is the fact that the last Environmental Plan submitted to NOPSEMA prior to the change in legislation, was lodged with you on December 22nd 2013, 2 days prior to the end of the consultation period. Not only were comments received after this date ignored, but it does not seem possible for comments from our community to have been properly assessed and addressed. That plan was subsequently withdrawn, and a new plan re-lodged with no consultation or visibility.

Kangaroo Island is a unique and extraordinary region, but like many remote communities we lack the ability to manage and off-set major risks, socially, environmentally and economically. This lack of resilience is well understood by our community and thus our need to remain vigilant against any action that may create an unintended outcome. We have continually highlighted and detailed many issues based on the potential impact to our major industries and to our acclaimed environment. We continue to hold these concerns.

We would be delighted if you were able to accept our invitation to the Island to discuss the NOPSEMA processes and in particular how communities can be assured of transparency and meaningful engagement in the future.

Yours sincerely

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