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1. Purpose

The purpose of this procedure is to detail how NOPSEMA administers Offshore Project Proposals (OPPs) submitted under the Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009 (the Regulations) in accordance with the Regulations and the *OPP Assessment* Policy (N-04790-PL1650).

2. Scope

This procedure applies to the assessment of OPPs by NOPSEMA under the Regulations. It does not apply to the assessment of Environment Plans (EP).

3. Definitions & notes

Notes:

- Any references to regulations made in this procedure refer to provisions of the Regulations unless stated otherwise.
- Any reference to Stage I refers to the assessment phase that is undertaken if an OPP is submitted for assessment against the suitability for publication criteria in accordance with regulation 5C of the Regulations.
- Any reference to 'criteria for publication' refers to subregulation 5C(2) of the Regulations unless otherwise stated.
- Any reference to Stage II refers to the assessment phase that is undertaken if an OPP is submitted to NOPSEMA for assessment under regulation 5D after it has been subject to a period of public comment.
- Any reference to 'criteria for acceptance' refers to subregulation 5D(6) of the Regulations unless otherwise stated.

4. Roles and responsibilities

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

> Note: The NOPSEMA CEO is the RON for OPPs. The Environment Manager is termed Assessment Manager for OPP Assessment forming part of the Assessment Team. Other roles are equivalent to that in an environment plan assessment.

Table 1 –RON

Role	CEO is OPP decision maker
Responsibilities	Makes decisions in accordance with the Regulations and NOPSEMA policies and procedures

Table 2 – Head of Division - Environment

Role	Ensures an appropriate level of engagement with relevant stakeholders
Responsibilities	Liaise with the RON, Assessment Manager, assessment team and proponent and other relevant stakeholders in matters regarding assessment on an 'as required' basis Ensure that the objectives of the Regulations are promoted in assessment Ensure that the regulatory requirements for making a decision are applied Review assessment recommendations and RFFWI items

Table 3 – Assessment Manager

Role	Oversee the assessment of OPPs to ensure efficient and effective assessment decision-making
Responsibilities	Conduct pre assessment liaison with OPP proponent as required Assign Lead Assessor Ensure that the objectives of the Regulations are promoted in assessment Ensure that the regulatory requirements for making a decision are applied Approve assessment brief Review assessment recommendations Ensure that relevant NOPSEMA experience and knowledge is included in the decision-making process Provide relevant information to RON for decision making

Table 4 – Technical Environment Manager

Role	Provide technical specialists to complete efficient and effective assessment
Responsibilities	Assign technical assessment resources and assist in describing and scoping topic assessment when consulted during Assessment Brief development Liaises with the Assessment Manager and Lead Assessor as required

Table 5 – Lead Assessor

Role	Plan and manage liaison with OPP proponent and assessment of allocated OPP documents to ensure regulatory decisions are made in accordance with policies and procedures
Responsibilities	Ensure conduct of assessment is in accordance with the Regulatory Service Charter Ensure that assessment are undertaken in an efficient and effective manner

	Ensure assessment are completed in accordance with the object and requirements of the Regulations and with an objective-based approach to regulation Ensure NOPSEMA policies and procedures are applied during assessment Ensure that accurate records of assessment are maintained in RMS Ensure a timely assessment process Ensure accurate time keeping by the assessment team for the purpose of cost recovery, in accordance with the Environmental Management Cost Recovery Guideline (N-04750-GL1350), the Offshore Project Proposals Assessment Policy (N-04790-PL1650) and using timesheets Ensure cost recovery is completed by finance team Establish and manage the Assessment Team for allocated OPPs Complete general assessment, or ensure completed by delegate Prepare emails and correspondence for the RON Ensure accurate information is published on NOPSEMA's website about decisions, public comment periods and other information associated with the submission Ensure public comments are provided to proponent in timely manner Be the contact point for ongoing liaison with OPP proponent

Table 6 – Technical Assessor

Role	Provide timely technical advice to the Lead Assessor within the allocated scope of assessment
Responsibilities	Conduct OPP assessment in accordance with NOPSEMA policies and procedures and the Regulatory Service Charter Undertake detailed assessment within agreed topic scope Complete findings in accordance with agreed timeframes and topic scopes

Table 7 – Regulatory Assistant

Role	Track receipt of submissions and assessment processes, check completeness of documentation
Responsibilities	Facilitate a timely assessment process Provide a quality check on the OPP assessment process Ensure regulatory requirements are met in respect to the administrative aspects of EP submissions Create assessment files and RMS entries Provide assistance to facilitate receipt and processing of public comments

Table 8 – Communications and Information team

Role	Support management of external information on website and during public submission process
Responsibilities	Ensure timely publication of information on website Provide assistance to facilitate receipt and processing of public comments

5. Process overview

5.1. Overview of OPP assessment stages

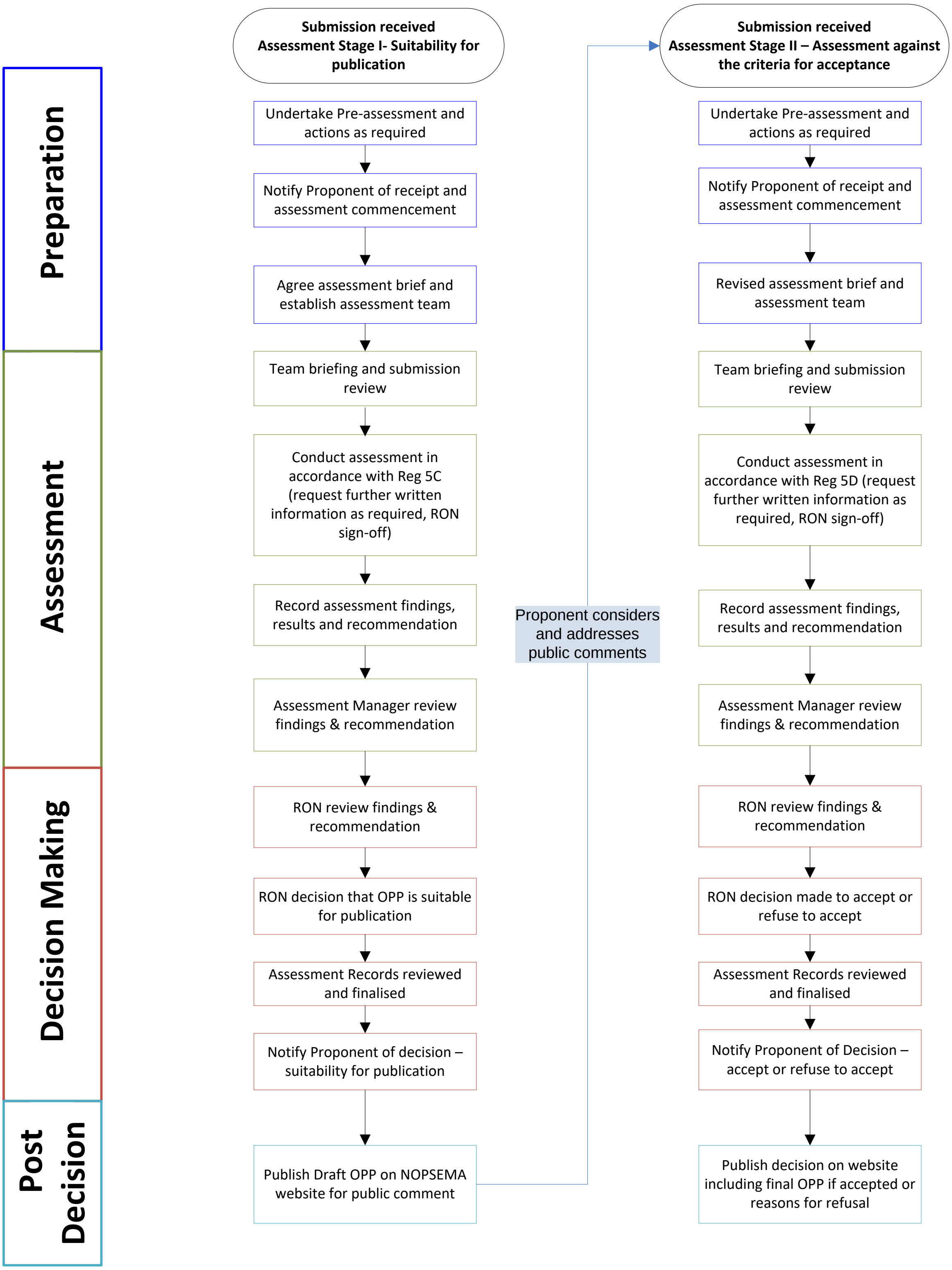
There are two distinct stages to the assessment of an OPP under the Regulations.

Stage I – Suitability of an OPP for publication (Regulation 5C) which involves an assessment of the OPP against the criteria set out under sub-regulation 5C(2);

Stage II – Criteria for acceptance (Regulation 5D) which involves an assessment of the OPP against the criteria for acceptance set out under sub-regulation 5D(6).

The structure of this SOP captures both stages of the assessment under shared process steps whilst distinguishing differences between Stage I and II where processes vary based on the relevant criteria. In instances where process steps are not separated into stages (i.e. minimum content check), this is indicative that the process step applies to both stages.

5.2. Assessment Process Overview Flowchart



6. Preparation

6.1. Preparation process matrix (applies to both Stages I and II)

Ref	Process	Responsibility	Record	When	Link
6.2	Conflict of interest considerations	Assessment Team	Conflict of interest Declaration and Insider Trading Policy	Prior to assigning assessors	N1200-PL0586
6.3	Pre-submission engagement with proponent	Assessment Manager	Meeting Minutes Register – Titleholder liaison meetings	As required	N-06000-PL0749 N-06000-SOP0750 A202523
6.4	Conduct administrative completeness check	Regulatory Assistant	RMS	As soon as practicable after submission	RMS
6.5	Create an assessment in RMS	Regulatory Assistant	RMS	Generally within 2 working days of receiving submission	RMS
6.6	Unable to commence assessment	Regulatory Assistant	Correspondence filed in Objective	As soon as practicable	N-04790-LT1677
6.7	Forward submission to Assessment Manager	Regulatory Assistant	Email	Once administrative checks completed	Outlook Objective records in Assessment Folder
6.8	Assign a Lead Assessor	Assessment Manager	Email	As soon as practicable once RA has forwarded submission	Outlook Objective records in Assessment Folder
6.9	Initiate or continue cost recovery and timesheet system	Lead Assessor	NOPSEMA timesheet	Generally Within 2 working days of commencing assessment	Timesheet
6.10	Advise receipt of submission and	Lead Assessor	Correspondence filed in Objective	Generally, within 3 working days of	N-04790-LT1690

Ref	Process	Responsibility	Record	When	Link
	commencement of assessment			receiving submission	
6.11	Prepare assessment brief	Lead Assessor	RMS	Generally, within 3 working days of receiving submission	RMS
6.12	Assessment Brief Sign-Off	Assessment Manager	Email filed in Objective RMS	Generally within 5 working days of receiving submission	RMS Objective records in Assessment Folder

6.2. Conflict of interest considerations

Prior to the commencement of pre-submission engagement, or at any point throughout the assessment, should any team member become aware of an actual or perceived conflict of interest, that team member shall advise the Assessment Manager in accordance with the 'Conflict of Interest Declaration and Insider Trader Policy' (N12000-PL0586).

6.3. Pre-submission engagement

6.3.1. Stage I – suitability for publication (Regulation 5C)

Managers and specialists may establish contact with the proponent during pre-submission engagement to address the following matters applicable to OPP submissions:

- Legislative requirements for OPPs, including relationship with Environment Plans (EPs);
- Administrative processes (submission requirements etc.);
- Content requirements for OPP;
- Activity and submission schedules/timeframes;
- Assignment of a NOPSEMA point of contact for ongoing pre-submission engagement.

The purpose of pre-submission engagement is to provide guidance to the proponent on the general requirements of an OPP and to provide advice on how requirements apply to the circumstance of a particular OPP.

> Pre-submission meetings are not subject to cost recovery, however a record of these meetings should be included in the Liaison Meetings Register folder in Objective [*Objective Global Folder >File Plan >Industry Relations and Promotions>Meetings>Liaison Meeting Register (by year)*] .
>
> All pre-submission engagement records should be saved in the Advice and Liaison folder in Objective [*Objective Global Folder >Regulatory Operations >Duty Holder Advice and Liaison (by year)*].

6.3.2. Stage II –Criteria for acceptance

The assigned Lead Assessor and/or the Assessment Manager may be available to provide advice and guidance to the proponent during and/or following the public comment period prior to submission under regulation 5D. The scope of these meetings should be focused on:

- Consideration of public comments prior to the submission of the OPP under regulation 5D;
- Regulatory interpretation relating to the criteria for acceptance of an OPP (regulation 5D(6));
- Highlighting areas/matters where attention should be focused for the stage II acceptance criteria;
- Submission schedules and timeframes.

Post publication, pre- resubmission engagement is subject to cost recovery as this engagement falls within the assessment process. Refer to section 6.9 for more information on keeping timesheet records.

6.4. Administrative completeness check

Upon receipt of an OPP document, the Regulatory Assistant will undertake an administrative completeness check according to the stage of assessment. The administrative completeness involves checking that:

- the proponent’s name and contact details have been provided;
- all identified attachments and appendices have been included with the submission;
- the OPP includes a public comment consultation report/section within the OPP or as a separate attachment (only applicable to Stage II – Criteria for acceptance).

Time spent processing should be recorded in NOPSEMA’s timesheet.

6.5. Create assessment in RMS

6.5.1. Stage I – Suitability for publication

Following completion of the administrative check, the Regulatory Assistant will create an assessment in RMS. A corresponding Objective file will be created that is to be used for capture of subsequent correspondence and assessment records for <u>stage I assessment only</u>. There will be a separate RMS record and objective file for stage II.

All records directly related to the stage I assessment, including the submission documents should be stored in this file.

Time spent processing should be recorded in NOPSEMA’s timesheet for all staff involved.

6.5.2. Stage II – criteria for acceptance

Following completion of stage I acceptance by the RON, a new assessment for stage II is automatically created in RMS including a corresponding objective file.   Where applicable, the Lead Assessor may alias files between the two objective files (e.g. an invoice that captures assessment time during Stage I and II).

Time spent processing should be recorded in NOPSEMA’s timesheet.

6.6. Unable to commence assessment

For OPP submissions during stage I of the assessment that do not meet the OPP submission administrative completeness check requirements, the Regulatory Assistant should contact the proponent by way of email/phone call to resolve administrative issues where possible.

Where issues cannot be resolved by the Regulatory Assistant, the Assessment Manager should be informed to determine whether an 'Unable to commence assessment' letter (N-04790-LT1677) should be issued to the proponent explaining why the submission cannot be assessed by NOPSEMA.

During stage II assessment, the Lead Assessor should contact the proponent if the submission does not meet the administrative completeness check.

6.7. Forwarding assessment to the Assessment Manager

Once the administrative completeness check has been completed and the assessment has been created in RMS, the Regulatory Assistant will forward an email/assessment task to the Assessment Manager identifying the date that the submission was received, the date that a decision is due (i.e. 30 days from receipt of the OPP) and confirming that the administrative completeness check has been finalised.

6.8. Assigning a Lead Assessor

The Assessment Manager is responsible for assigning a Lead Assessor to coordinate and oversee the OPP assessment.

6.9. Cost recovery process

NOPSEMA recovers costs through Regulation 32 where time spent is tracked and invoiced quarterly.

6.9.1. Timesheet system commencement

Timesheet entries will commence as soon as an OPP submission is received and will continue until a final decision is made at Stage 2. The time spent in meetings prior to a Stage 1 should not be charged e.g. strategic advice provided prior to a submission should not be tracked in the spreadsheet.

Finance's Master spreadsheet should be used to record all time spent assessing and processing the OPP submission. This is located at on HQ 'timesheets' icon.

The Lead Assessor should remind the Assessment Team (includes the Regulatory Assistant, HODE, Team Manager and any technical assessors) to ensure that all assessment and administration hours afforded to the OPP assessment are accurately recorded in the Finance master spreadsheet

Note: RON / CEO time in decision making is not to be tracked in the Master Spreadsheet.

6.9.2. Notification to finance

The Lead Assessor should notify the Finance Team (**accounts@nopsema.gov.au** cc Regulatory Assistant) that an OPP has been submitted at commencement of the assessment.

6.9.3. Consideration of remittances

Regulation 32(3) provides that NOPSEMA may remit whole or part of the fee if there are good reasons for doing so.

All assessment time should be captured in the timesheet, but there may be instances where the Lead Assessor recommends to the RON that a remittance is given to the proponent.

Examples where remittances may be warranted include where a manager has been on the assessment team, or an environment specialist is acting manager during the assessment and it is appropriate to only charge a specialist rate.

CEO time should be captured in the time spreadsheet but is not charged.

6.9.4. Quarterly invoicing

The Lead Assessor should work with finance to raise an invoice on a quarterly basis. The invoice will be based on the time entries for each member of the Assessment Team recorded in the timesheet for the OPP submission, less any entries previously invoiced and any remittances. The Lead Assessor must advise finance of any remittances that should be applied when requesting the invoice to be raised. If remittances are to be considered, the Lead Assessor should seek agreement of the Assessment Manager and HODE.

The Lead assessor should highlight and annotate entries that include remittances in the timesheet, with a comment on reasoning for remittance (e.g. where a specialist was on higher duties for a period and NOPSEMA decides to only charge at the specialist rate).

The Lead Assessor should prepare a cover letter (N-0490-LT1739) confirming with CFO that the 'NOPSEMA Schedule of Fees' listed are current. The Lead Assessor should request finance to forward a copy of the invoice to be sent.

The Lead Assessor should then send the invoice and letter to the Assessment Manager for signature. The cover letter should reflect whether or not remittances are included (reasoning for the decision is not required to be provided in the letter, only that a remittance has been included).

A copy of the invoice and letter should be saved in the RMS assessment folder.

6.10. Advise receipt of submission (applicable to both Stages I and II)

6.10.1. Proponent

For both stages of an OPP assessment, the Lead Assessor should notify the proponent's nominated liaison person by letter (N-04790-LT1690) or email, using the letter content as a guide, of NOPSEMA's receipt of the OPP. The Lead Assessor should confirm the date of submission and provide contact details.

For Stage I, the proponent must be informed that, under regulation 32, OPP assessment are subject to a 'fee for service' in accordance with the NOPSEMA Schedule of Fees (include current rates following advice from finance) and that invoices will be sent on a quarterly basis to the nominated liaison person for the purpose of cost recovery.

For Stage II, the Proponent should be reminded that the OPP assessment will be subject to cost recovery and be re-sent a copy of the current NOPSEMA Schedule of Fees (this is particularly important if the Schedule of fees has been updated by finance team since Stage I).

6.10.2. CEO / RON

The Lead Assessor should prepare an email to the RON to notify that an OPP has been received advising on proponent, lead assessor, title of OPP, general information on activities, stage of assessment and relevant decision dates.

6.11. Prepare draft assessment brief and establish the team

6.11.1. Stage I – Suitability for publication

The Lead Assessor is to complete an initial review of the OPP in order to gain a general understanding of the nature and scale of the OPP with particular focus on location, duration, risks and actual/potential impacts.

Together with the Assessment Manager, the Lead Assessor should form an assessment team informed by the nature and complexity of the OPP. The type and number of topic areas, in addition to a general assessment against the requirements for publication, should be commensurate with the nature and scale of the activities within the OPP. The assignment of technical assessors / detailed topic scopes should be undertaken in consultation with the managers of technical teams.

The Lead Assessor should arrange an assessment team meeting to develop the assessment brief. It is important to discuss and agree topic and regulation selection to minimise overlap to ensure each team member has a clear understanding of individual scopes (e.g. EPBC protected matters, seabed disturbance and planned discharges topics have potential to overlap (impacts to protected matters such as turtles)).

RMS should detail the justification to support the topics selected and associated requirement for specialist skills.

6.11.2. Protected matters topic

For every assessment, a 'protected matters' topic must be selected. The protected matters topic will either be completed by the Lead assessor or by a technical assessor as a detailed topic assessment, not both.

In deciding whether a detailed topic assessment on protected matters is included, the Lead Assessor should consider:

- The OPP content in terms of stated impacts on any protected matter;
- The level of detail required of an assessment to ensure that activities will not be inconsistent with a relevant plan of management or a recovery plan; and
- Any advice received from the technical teams.

Where a detailed topic assessment on a protected matters scope is not required, a 'general' protected matters scope must be completed by the Lead Assessor. To distinguish between a 'detailed' and a 'general' protected matters scope, these terms should be written into the description field in the topic scope of RMS.

6.11.3. Scope of assessment - general

The general assessment is intended to assess the OPP at a broad level, to ensure that the content requirements of an OPP have been met (Regulation 5A(5)), that the criteria for publication (Stage I) (Regulation 5C(2)) or acceptance (Stage II) (Regulation 5D(6)) have generally been met and that there are no critical deficiencies.

The general assessment may be undertaken by the Lead Assessor and should include:

- A critical review of the submission to determine whether all OPP content requirements (sub-regulation 5A(5)) of the Regulations have been broadly met.
- A critical assessment of the submission against the OPP criteria. Assessors should note the subtle differences between the criteria for suitability (stage I) and criteria for acceptance (stage II) when making findings. Stage I should consider whether the OPP has sufficient detail to allow the public to understand the OPP and make informed comment.

6.11.4. Scope of assessment – Detailed topic

The purpose of a detailed assessment is to determine whether the OPP meets the criteria for publication (Stage I) or acceptance (Stage II) by focusing, on a specific topic(s) against a selection of regulations, for that particular stage of the OPP assessment.

Detailed topics should be selected to focus on the impacts on specific receptors of the receiving environment (in particular, high risk or uncertain aspects of the OPP for stage II assessment). Regulations assigned to detailed topic scopes (Regulatory scope tab) should be selected where it is determined that additional scrutiny is warranted beyond the general assessment.

If the detailed topic assessment relates to matters protected under the EPBC Act, consideration must be given to commitments made by NOPSEMA as part of the EPBC Program (see Section 7.4.3 for further information).

6.11.5. Stage II - criteria for acceptance

The Lead Assessor should complete an initial review of the OPP in order to gain a general understanding of the extent to which the OPP has changed since the period of public comment and how the public comments have been addressed.

The Lead Assessor should reconfirm the assessment team with the relevant team managers. It is NOPSEMA's preference to retain the same team for both stages of the assessment. However, where resourcing and other circumstances make this impractical or a new scope is required, NOPSEMA may change the personnel on the assessment team.

For this stage of the assessment process, in addition to a general assessment, detailed topic scopes should be selected (refer to section 6.11.4). It is anticipated that the detailed topic scopes selected for stage I will remain the same, but the Lead Assessor may recommend a change that reflects issues that have been raised during the public comment period or new external factors (i.e. new regulatory requirements).

In developing the Assessment Brief and assigning detailed topic scopes, consideration should be given to the criteria for acceptance in sub-regulation 5D(6).

6.12. Assessment brief sign-off

Once the Assessment Brief has been captured in RMS, the Lead Assessor should send an email to the Assessment Manager requesting review and endorsement of the Assessment Brief in RMS.

The Assessment Manager must approve the Assessment Brief when satisfied that it is appropriate for the activities proposed as part of the OPP and the specific stage of the assessment. Once the Assessment Brief has been endorsed, the Assessment Manager will notify the Lead Assessor in an email. The Lead Assessor should save the email in Objective.

Any subsequent changes to the brief will require re-approval from the Assessment Manager.

7. Assessment

7.1. Assessment process matrix

Ref	Process	Responsibility	Record	When	Link
7.2	Initial planning	Lead Assessor and assessment team	Meeting Minutes	Generally within 5 days of receiving submission	Objective assessment file
7.3	Cancelling the assessment	Lead Assessor, Assessment Manager, RON	Letter to proponent – not suitable for publication Letter to proponent – not suitable for acceptance	As soon as practicable	N-04790-LT1671 N-04790-LT1670
7.3.1	Critical deficiencies	Lead Assessor, Assessment Manager, RON	Letter to proponent – not suitable for publication Or not reasonably satisfied	As soon as practicable	N-04790-LT1671 N-04790-LT1670
7.3.2	Reasonable period to submit following publication exceeded	Lead Assessor	Email	6 months after public comment period complete	Objective assessment file
7.4	Undertaking Assessment	Lead Assessor, Technical Assessors	RMS	As soon as practicable	RMS

Ref	Process	Responsibility	Record	When	Link
7.5	Request for further written information	Lead Assessor, Assessment Manager, RON	Letter	Within 30 days	N-04790-LT1675 N-04790-LT1757
7.6	Unable to make a decision	Assessment team, Assessment Manager, RON	Letter	Within 30 days	N-04790-LT1674
7.7	Recording assessment findings	Lead Assessor, Technical Assessors	RMS	Within 30 days	RMS
7.8	Prepare assessment recommendation	Lead Assessor, Technical Assessors and Assessment Manager	RMS	Within 30 days	Objective Assessment file
7.8.1	Making recommendation on duration of public comment period (Stage I only)	Lead Assessor / Assessment Manager	Draft decision letter Email to RON RMS	Within 30 days	RMS Objective assessment file
7.9	Decision letter preparation and Assessment Manager review of results and recommendation	Assessment Manager	RMS Draft decision letter		RMS N-04790-LT1672 (Suitable – stage I) N-04790-LT1671 (not suitable – stage I) N-04790-LT1672 (satisfied – stage II) N-04790-LT1671 (not satisfied – stage II)
7.10	Making a recommendation to RON	Assessment Manager, Lead Assessor	RMS Email to RON notifying of	Within 30 days	RMS

Ref	Process	Responsibility	Record	When	Link
			recommendation Draft decision letter		
7.11	Managing submissions received during public comment and forwarding to the proponent	Lead Assessor/ Communications Team	Public comments submissions	Every week from commencement of public comment period	Objective assessment file
7.12	Reasons for refusal	Lead Assessor	Form	If refuse to accept decision is recommended	N-04790-FM1662 - Decision Notification - Reasons for Refusal – Stage II
7.13	Withdrawal OPP at request of Proponent	Lead Assessor	Objective Letter	As soon as practicable	Objective assessment folder N-04790-LT1676

7.2. Initial planning

The Lead Assessor should hold an initial planning discussion with the objective of ensuring team members are clear as to:

- acceptance criteria for that stage of assessment i.e. the suitability for publication (Stage I) or criteria for acceptance (Stage II) requirements;
- assessment expectations and topic scopes;
- assessment milestones and deadlines, particularly the target date for making a recommendation to the RON;
- process for managing timesheets and assessing findings;
- quality assurance (QA)/quality control (QC) considerations; and
- any other matters relevant to the particular assessment.

The Lead Assessor should also consider setting a series of regular catch ups to allow team discussion on key matters (e.g. group consideration of suitability of considering technically feasible alternatives). The Team Manager and HODE should be invited to these as required and to discuss any early indications of OPP suitability issues.

In the event that the Lead Assessor is of the view that the OPP cannot be assessed within the 30 day timeframe, a discussion with the Assessment Manager should be undertaken in line with the “Unable to make a decision” process outlined in section 7.6 of this SOP.

7.3. Cancelling the assessment

7.3.1. Critical deficiencies

The Lead Assessor conducts an initial review to determine if activities are to be undertaken in a World Heritage property, or in an Australian Marine Park (or a zone within an AMP) with restrictions on oil and gas activities (reference should be made to the relevant reserve management plan, policy/guidance documents (e.g. Australian IUCN Reserve Management Principles) for advice on this matter). The Lead Assessor should notify the Assessment Manager and the RON and proceed to abort the assessment if these issues are identified.

The proponent must be notified in writing of the decision to discontinue the assessment using the “Not suitable for publication” letter (N-04790-LT1671), clearly stating the reasons for NOPSEMA’s decision to not continue with the assessment.

In the event that the OPP has changed from the OPP that was published for public comment (accepted during Stage I – suitability for publication) and is now partly or wholly in a World Heritage property or AMP with oil and gas restrictions, the proponent must be notified that NOPSEMA is not reasonably satisfied that the OPP meets the criteria for acceptance using the “Not reasonably satisfied” letter (N-04890-LT1670).

The publication of the decision should also be actioned as soon as practicable after the decision is issued to the proponent, using procedures outlined in section 9.2.2.

7.3.2. Reasonable period to submit following publication exceeded

If after 3 months from the closing date of public comments, the proponent has not submitted the OPP for assessment against the criteria for acceptance, the Lead Assessor is to contact the proponent’s nominated contact person to confirm intentions. If required NOPSEMA should write to the proponent and request that the proponent submits the OPP within a reasonable timeframe or withdraws the OPP from the assessment process.

In the event that the proponent advises that they do wish to continue with the OPP assessment, NOPSEMA is to notify the proponent of a timeframe within which the OPP should be submitted under Regulation 5D. This timeframe will be taken to be a reasonable timeframe for submission in the context of sub-regulation 5D(1) and should be determined in consultation with the RON and internal stakeholders.

If the proponent has been provided with a reasonable period to submit the OPP following publication and does not either submit the OPP for assessment in accordance with regulation 5D or withdraw the OPP in accordance with regulation 5E (refer to section 7.3), the Lead Assessor is to prepare a letter for the RON notifying the proponent that the OPP assessment has been cancelled as it has not been resubmitted in accordance with sub-regulation 5D(1)(b). RMS should be updated to reflect the decision.

Once the proponent has been advised the OPP Assessment has been cancelled the finance team should be notified (levynotifications@nopsema.gov.au) that the OPP (name of OPP) has been completed and that the final invoice should be raised.

The DoEE contact should be advised that the assessment has been cancelled by emailing australiaworldheritage@environment.gov.au and cc programadmin@nopsema.gov.au.

7.4. Undertaking the assessment

7.4.1. Stage I - suitability for publication

The suitability for publication assessment of an OPP is undertaken to establish whether the OPP meets the criteria for publication in accordance with sub-regulation 5C(2). The assessment should be undertaken consistent with the approved Assessment Brief.

The Lead Assessor in consultation with the Assessment Team (including the Assessment Manager) must determine whether the suitability for publication criteria (sub-regulation 5C(2)) have been met and record their findings and recommendations in RMS (refer to section 7.8). Sub-regulation 5C(2) requires that the OPP appropriately identifies and evaluates the environmental impacts and risks of the project and sets out EPO's that are consistent with ecologically sustainable development and relevant to these impacts and risks.

The focus of the Stage I assessment should be on:

- **whether the OPP presents a logical supported evaluation of each environmental impact and risk and provides a reasonable basis for public comment, and**
- **stage 1 assessment does not consider the environmental acceptability of the project**

The Lead Assessor and Assessment Manager should keep the assessment team focused on the suitability criteria, that is:

- checking that the environmental impacts and risks have been reasonably scoped against the project circumstances
- relevant environmental performance outcomes are provided for each.

If there are early indications that a project is unlikely to meet the criteria for acceptance, this should be discussed with the Assessment Manager. The severity of any such items should be considered in terms of conveying the message early to the proponent. Assessment team should use notes in RMS findings to capture items that are suitable for Stage I but will need to be addressed for Stage II acceptability as prompts.

Refer to the OPP assessment policy (N-04790-PL1650) for further detail on the decision making criteria for each stage of assessment in terms of level of assessment.

7.4.2. Stage II – criteria for acceptance

The Stage II – Assessment against the acceptance criteria is undertaken to establish whether the OPP meets the criteria for acceptance set out in sub-regulation 5D(6).

The assessment should be undertaken by an Assessment Team comprising of the Lead Assessor, Assessment Manager and Technical Assessors and should be undertaken consistent with the Assessment Brief and associated topic scopes.

The Lead Assessor (and the additional assessor where relevant to the assessment scope) should review the submissions received during the public comment period to evaluate whether the proponent has appropriately and adequately addressed all objections or claims made by members of the public and to confirm that the requirements of sub-regulation 5D(1) have been met and the acceptance criteria at 5D(6) have been met.

The focus of the Stage II assessment should be on:

- **how the proponent has addressed public comments given during the period for public comment**
- **the proponent's demonstration that the environmental impacts and risks of the OPP will be of an acceptable level for the life of the project, including setting EPOs that will demonstrate this and are consistent with ESD.**

7.4.3. Program commitments

When undertaking an assessment and considering protected matters, assessors should consider the EPBC Act Program commitments. The Program commitments relate to the following matters of national environmental significance:

- Declared World heritage properties and their Outstanding Universal Values;
- National heritage places and their values;
- Declared Ramsar wetlands including their ecological character;
- The presence of listed threatened species and ecological communities including their habitats
- The presence of listed migratory species including their habitat;
- Commonwealth marine area (including Australian Marine Parks and Commonwealth heritage places).

When assessing an OPP, the assessors need to be reasonably satisfied that the OPP meets each criterion in sub-regulation 5C(2) (stage I) and 5D(6) (stage II). Key program related considerations relevant to these criteria include that the OPP:

- does not involve an activity or part of an activity being undertaken in any part of a declared World Heritage property.
- demonstrates that the activity and its environmental impacts and risks are consistent with relevant plans of management, recovery plans and/or threat abatement plans for matters of national environmental significance.
- demonstrates that the proponent has had regard to relevant information in key documentation published on the DoEE's website (e.g. bioregional marine plans, management plans, conservation advice, relevant policy documents and guidelines, ecological character descriptions, wildlife conservation plans).

The management documentation above should form the key context for the proponent's demonstration that environmental impacts and risks will be managed to an acceptable level.

7.5. Request for further written information

7.5.1. RFFWI - Stage I – suitability for publication

A request for further written information during the Stage I – Suitability for publication may be made in accordance with regulation 5B. NOPSEMA will generally limit the number of times further written information is sought from the proponent under Regulation 5B to a maximum of two requests. NOPSEMA may seek a further round of written information in limited circumstances, such as where it is clear that there has been a misinterpretation regarding the information being sought or other unforeseen circumstances necessitate a further request. When making requests for further written information for stage I, the request should be related to the criteria for publication (5C(2)) and be relevant for determining whether the criteria for publication have been met.

The Lead Assessor shall draft a 'Request for further written information' to the Proponent (N-04790-LT-1675) for RON signature. The request should ask the proponent to nominate a suitable timetable for providing a response. The request should seek in addition to a table summarising changes, a PDF copy of the OPP incorporating the changes and a tracked changes copy if relevant.

If the 30 day assessment timeframe is likely to be exceeded as a result of making a 'Request for further written information' the notification should propose a new timeframe for assessment of the OPP in accordance with regulation 5C(1)(c) Unable to make a decision (see section 7.9).

RMS should be updated in the tracking tab and records filed in Objective. The Lead Assessor is to copy in the RA when sending the RFFWI letter to the proponent. The RA is to then update RMS to ensure that the decision dates and proponent response timeframes are captured in RMS accordingly. ..

7.5.2. RFFWI - Stage II – criteria for acceptance

NOPSEMA may request the proponent to provide further written information in accordance with sub-regulation 5D(2). When making requests for further written information during Stage II – Criteria for acceptance, the request must be related to the content requirements (sub-regulation 5A(5)) or the requirements of sub-regulation 5D(1)(C) and be relevant for informing whether the criteria for acceptance (sub-regulation 5D(6)) have been met.

The Lead Assessor shall draft a 'Request for further written information' to the Proponent () for RON signature. The request should seek in addition to a table summarising changes, a PDF copy of the OPP incorporating the changes and tracked changes copy if relevant.

If the 30 day assessment timeframe is likely to be exceeded as a result of making a 'Request for further written information' the notification should propose a new timeframe for assessment of the OPP in accordance with sub-regulation 5D(5)(c) Unable to make a decision (see section 7.9).

RMS should be updated in the tracking tab and records filed in Objective. The Lead Assessor is to copy in the RA when sending the RFFWI letter to the proponent. The RA is to then update RMS to ensure that the decision dates and proponent response timeframes are captured in RMS accordingly.

7.5.3. Evaluating the proponent's response

The proponent's response(s) to 'Requests for further written information' must be saved in the relevant OPP Objective file.

Assessors shall evaluate responses to requests for further written information and update the findings in RMS making reference to the proponent's response. Findings should indicate whether the issues have been satisfactorily addressed and, if not, what further action is planned (e.g. a further request for written information or notification that the OPP does not meet the criteria for publication (Stage I) or criteria for acceptance (Stage II)).

7.6. Unable to make a decision

In some cases it may not be possible to complete an assessment (either Stage I or Stage II) within the 30-day statutory time period for determining whether the OPP meets the criteria for publication or acceptance. If it is determined that the assessment team is unable to make a decision on the OPP within the 30 day period, NOPSEMA must give the proponent notice in writing and set out the proposed timetable for consideration of the OPP in accordance with sub-regulation 5C(1)(c) (Stage I – Suitability for publication) or sub-regulation 5D(5)(c) (Stage II - Criteria for acceptance).

This determination is made on the following basis:

- The complexity of the OPP prohibits 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;
- The proponent has prioritised other submissions including EP submissions that have been submitted by the proponent as a duty holder.

Where one of the above criteria is met, the Lead Assessor should consult with the Assessment Manager and develop a proposed timeline for the assessment of the OPP. The Lead Assessor should then prepare an 'Unable to make decision' letter () for the RON's review and signature. This letter should include a proposed timeframe for consideration of the OPP along with the basis for the decision.

'Unable to make a decision' notices that relate to requests for further written information, will be sent as a combined letter using the 'Request for further written information' letter template letter (N-04790-LT-1675).

7.7. Record assessment findings

The Lead Assessor should finalise the assessment records by conducting a critical review of all information provided in RMS in consultation with the assessment team. This review should consider the findings of each part of the assessment in conjunction with 'NOPSEMA Assessment Policy' (N-04000-PL0050) and 'OPP Assessment Policy').

In particular, the Lead Assessor must ensure that all 'Findings' are complete and capture the following:

- Results for all assessment fields marked as [Complies] or [Does not comply] or [Insufficient Information] linking to the criteria for publication (Stage I) or acceptance (Stage II);
- Evidence (section references, examples etc.) that has been used by the Assessor(s) as the basis for forming a justification of a finding regardless of whether the finding [Complies] or [Does not comply];
- Reference to the Program commitments or applicable criteria in NOPSEMA's Decision Making Guidelines (N04750-GL1721) where relevant;

- A clear description of any areas of a submission that prevent NOPSEMA's Program commitments from being met;
- A clear description of any areas of the submission that have demonstrated or failed to demonstrate that the criteria for publication or acceptance of the Regulations have been met; and
- Entries against items for which 'Requests for further written information' were made and the status of responses (i.e. whether the issue has been satisfactorily addressed).
- Findings from the Stage I assessment may note items for following up in Stage II assessment.

7.8. Prepare assessment recommendation

At this point, the Lead Assessor may consider convening a meeting between the HODE, the Assessment Manager and the Assessment Team to discuss the Assessment Team's findings and recommendation. RMS should be updated to reflect the recommendation.

7.8.1. Making recommendation on the duration of the public comment period (Stage I)

Prior to making a decision recommendation to the RON that NOPSEMA is reasonably satisfied that the OPP meets the criteria for publication, the Lead Assessor and Assessment Manager will determine an appropriate duration for the period of public comment in accordance with regulatory requirements and the OPP Assessment Policy and document this in RMS. Regulation 5C (3) specifies that the public comment period should be a minimum of 4 weeks, the maximum length of time (as specified in the OPP Assessment Policy) is 12 weeks. The length of this period is influenced by the following factors described in the OPP policy:

- complexity of the project;
- sensitivity of the environment in which the project is proposed to be undertaken;
- the extent and nature of stakeholder consultation that the proponent has undertaken during the development of the OPP; and
- number of non-business days within the public comment period.

7.9. Decision letter preparation and Assessment Manager review of results and recommendations

Once the Lead Assessor has finalised the Tracking and Results and Recommendations tab in RMS, the Lead Assessor, with assistance and input where required from the Technical Assessors, shall draft an appropriate decision letter.

In the event that a 'Not Reasonably Satisfied' decision is reached, the response letter to the proponent should contain a clear justification for why NOPSEMA is not reasonably satisfied against the relevant criteria for publication (Stage I) or the criteria for acceptance (Stage II). The feedback should be clear, concise, and specific in order to identify the areas/aspects of the OPP that do not meet regulatory requirements. Generally, the feedback should not prescribe a solution in relation to satisfying requirements of the Regulations. The correspondence will set out options for the proponent in terms of submitting a new OPP for assessment.

The Lead Assessor should complete the 'Assessment Manager review and recommendation' field in RMS prior to making a decision recommendation to the RON through the Assessment Manager.

The Lead Assessor should send an email to the Assessment Manager attaching the RMS link and draft decision letter for review, prior to sending to HODE for review.

7.10. Making a recommendation to the RON

When the Assessment Manager is satisfied with the assessment recommendation documented in RMS, has completed the 'Assessment Manager Review and Recommendation' field of the Results and Recommendations tab, and has endorsed the content of the decision letter, the Lead Assessor shall seek approval for the decision from the RON.

A briefing should be held and preliminary information provided to the RON containing:

- A link to OPP;
- RMS link drawing the RON's attention to the results and recommendations tab;
- The recommended period for public comment and reasons for the recommended period (only applicable to Stage I - reasonably satisfied that OPP is suitable for publication);
- Draft decision letter (or RFFWI) for the RON's consideration;
- Statutory deadline for the decision;
- Offer of a briefing / meeting to discuss assessment findings with the Assessment Team; and
- If the recommendation is in relation to Stage II and the recommendation is to refuse to accept the OPP, link to the completed reasons for the refusal form () to be published on NOPSEMA's website.

7.11. Managing submissions received during public comment and forwarding to the proponent

Prior to publication of the OPP, the Lead Assessor should request the Regulatory Assistant to create a New File in Objective to store the public comment documents and register of comments received during the public comment period.

The new assessment file is to be given the same assessment number as the Stage 2 OPP assessment so that comments can be linked to the correct assessment folder though must clearly denote that the Folder is for 'Public comments'. For example, in Objective the folders would be titled:

- Assessment 4321 – [Name of OPP] [Name of Proponent] – Stage II; and
- Assessment 4321 – PUBLIC COMMENT – [Name of OPP] [Name of Proponent].

Important Note: Attachment 2 of this SOP provides a detailed Work Instruction for managing the public comments received during the public comment process specific to the RA, Lead Assessor and Assessment Manager responsibilities. This Work Instruction must be followed in order to minimise the risk of disclosing personal information during the public comment process.

7.12. Managing comments received outside of the formal public comment period

The Regulatory Assistant is to forward any public comments received in the submissions inbox after the public comment period has closed to the Environment Inbox (environment@nopsema.gov.au) to be managed in accordance with NOPSEMA's external correspondence management procedures. The Lead Assessor should respond to late submissions directing them to submit directly to the proponent as late.

If comments are received following submission of the OPP, but prior to the public comment period, NOPSEMA should request that the submitter wait until the OPP is open for public comment, but save the submission in the public comments file in objective. The Lead Assessor should check that the submission was resubmitted during the public comment period. If it was not, the submission should still be sent to the proponent's nominated contact with other submissions, noting that it was received prior to the public comment period.

7.13. Reasons for refusal

If the recommendation during a Stage II assessment is to 'refuse to accept' the OPP, the reasons for refusal form (N-04790-FM1662) should be completed, filed in Objective and submitted with the assessment decision and letter to the RON.

7.14. Withdrawal of OPP at request of proponent

In accordance with Regulation 5E a proponent may, by notice in writing, withdraw a submitted OPP at any time before NOPSEMA has made a decision to accept or refuse to accept the OPP.

On notification from the proponent that the OPP is withdrawn, the Lead Assessor should inform the assessment team, Assessment Manager and the RON that the OPP has been withdrawn via email (cc Regulatory Assistant).

The Lead Assessor should then send a response to the proponent confirming receipt of the notification of withdrawal and confirming that the OPP submission is no longer considered as a submission (N-04790-LT1676). RMS should be updated and records should be filed in the relevant Objective file.

The cost recovery process should cease by notifying the finance team (levynotifications@nopsema.gov.au) in an email (cc Regulatory Assistant) that the OPP (name of OPP) has been completed and that the final invoice should be raised.

Once NOPSEMA has provided the proponent with a written confirmation that the OPP has been withdrawn, the Regulatory Assistant should publish a notice on the website to publicly disclose that the OPP has been "withdrawn" following the procedures in the content management system (CMS) work instruction (, A357854).

The DoEE contact should be advised that the assessment has been cancelled by emailing australiaworldheritage@environment.gov.au and cc programadmin@nopsema.gov.au.

8. Decision making

8.1. Decision making process matrix

Ref	Process	Responsibility	Record	When	Link
8.2	RON Review of recommendation	RON	RMS	On or before decision due date	RMS
8.3	RON Decision – agree with recommendation	RON	RMS	On or before decision due date	RMS
8.4	RON decision – does not agree with recommendation	RON	RMS	On or before decision due date	RMS
8.5	Sending decision letter to proponent	Lead Assessor	RMS Decision letter	On or before decision due date	RMS N-04790-LT1672 (Suitable – stage I) N-04790-LT1671 (not suitable – stage I) N-04790-LT1672 (satisfied – stage II) N-04790-LT1671 (not satisfied – stage II)
8.6	OPP Submission after 'not suitable for publication' notification	Lead Assessor	RMS (new entry)	On or before decision due date	RMS Objective N-04790-FM1662

8.2. RON review of recommendation

The RON should review the recommendation in RMS and the draft decision letter. In making a decision, the RON should be reasonably satisfied that the decision:

- is, on balance, appropriate against the acceptance criteria;
- is compliant with the good practice principles of decision-making under the Administrative Decisions (Judicial Review) Act 1977(AD(JR) Act);

- takes into account any relevant factors, while disregarding irrelevant factors;
- is compliant with applicable NOPSEMA policies;
- has properly taken into account the commitments of the EPBC Endorsed Program;
- is adequately supported by the assessment records.

Having reviewed and considered the assessment records and the recommendation made therein, the RON will decide that:

Stage I – Suitable for publication

- the OPP is suitable for publication; or
- the OPP is not suitable for publication; or
- NOPSEMA is unable to make a decision.

Stage II – Suitable for acceptance

- the OPP is suitable for acceptance; or
- The OPP is not suitable for acceptance (refuse to accept);
- NOPSEMA is unable to make a decision.
- If the decision is in relation to Stage II and is to refuse to accept the OPP, the RON should review the draft reasons for the decision and endorse these reasons prior to publication on NOPSEMA's website under Regulation 5D(8) and recording this decision in RMS results and recommendations tab.

To assist in the decision-making deliberations, the RON may review the findings in RMS and/or accept the offer of a briefing by the assessment team.

In each case, consideration should be given to ensuring timely notifications in accordance with the Regulations.

The RON may seek advice from other Environment Managers, the Head of Division, or legal advice, if a decision raises unexpected issues or additional clarification is needed.

8.3. RON Decision – agree with recommendation of Assessment Team

If the RON agrees with the Assessment Manager's recommendation, the RON should complete RMS (with assistance from Lead Assessor as required), sign the letter and notify the Lead Assessor.

The Lead Assessor should then ensure that all relevant tabs have been updated in RMS before the letter is sent to the proponent.

8.4. RON Decision – disagree with recommendation of Assessment Team

If the RON's decision is contrary to the recommendation of the Assessment Manager, the reasons should be documented in RMS.

The Lead Assessor should then make any necessary changes to the decision letter and provide a revised decision letter to the Assessment Manager for review.

When the Assessment Manager is satisfied that the revised letter and RMS has been updated where relevant, the Lead Assessor should send an email to the RON advising that the decision letter has been revised to incorporate the RON's decision. The RON should then review the revised decision letter and when satisfied, sign the decision letter and update RMS.

8.5. Sending decision letter to proponent and closing assessment findings in RMS

Once the RON has authorised the decision letter and RMS is updated to reflect the decision letter, the Lead Assessor will send an electronic copy to the proponent's nominated contact person, cc Regulatory Assistant.

8.6. OPP submission after 'not suitable for publication' notification

If an OPP is resubmitted by the proponent after a 'not suitable for publication' notification is issued, it is considered a new submission and the assessment will have a new RMS entry.

9. Post decision

9.1. Post decision process matrix

Ref	Process	Responsibility	Record	When	Link
9.2	Publication of OPP / Reasons for refusal / decision	Lead Assessor	RMS Website Objective	After notification of decision	RMS CMS work instruction (N-06900-WN1391)
9.3	Cessation of Cost recovery	Lead Assessor	Email to Finance RMS running sheet	After decision letter is sent	RMS Objective
9.4	Quality Assurance Check	Regulatory Assistant	RMS	After decision letter sent	RMS
9.5	Review	Lead Assessor, Technical Assessors, Assessment Manager (RON optional)	Minutes	At completion of assessment	Objective

9.2. Publication of OPP and decision or reasons for refusal

9.2.1. Stage I – suitability for publication

Once it has been confirmed that the proponent has received notification that the OPP is suitable for publication, the Lead Assessor should confirm with the proponent the date on which the OPP will be published for the public comment period. The release of the OPP for public comment should coincide with advertising in newspapers and websites (NOPSEMA and proponent) as far as practicable. Once NOPSEMA has received a consolidated and complete OPP document it will be published on NOPSEMA's website on a date agreed with the proponent. This will be the time at which the OPP is notified on the web as having been submitted to NOPSEMA for assessment.

The Lead Assessor should consult with communications and information teams during the assessment period to progress development of a unique web page for the OPP and public comment form. This will include requesting the proponent to provide a map and project description and other details for the website.

The Lead Assessor should request the proponent to provide a draft of the newspaper advertisement for review to be cleared by the communications team.

The Lead Assessor should also notify the DoEE of the Stage I decision at least two business days prior to publishing the OPP for public comment. In accordance with the NOPSEMA and DoEE Administrative Arrangements, this is a requirement particularly when the OPP includes activities that could impact on the Outstanding Universal Value of a world heritage property. For other OPPs that will be published, it is considered a reasonable courtesy to also inform the DoEE two days prior to publication. An email containing the name of the OPP and the name of the proponent is to be emailed to australiaworldheritage@environment.gov.au and cc programadmin@nopsema.gov.au.

The Lead Assessor should advise the communications team that the OPP is ready for publication. The communications team should then publish the OPP and the approved timeframe for public comment on NOPSEMA's OPP webpage to coincide with the agreed publication date.

At the end of the public comment period, the Regulatory Assistant or communications team should amend the web page to reflect close of public comment period and remove the comment form page. The draft OPP should remain on the website. The activity page for the OPP should be updated to show status of the assessment, maintain contact details of proponent and a copy of the OPP.

9.2.2. Stage II – criteria for acceptance

Notifications prior to the publication of post decision information

Prior to the publication of information on NOPSEMA's website, the decision letter must be emailed to the proponent by the lead assessor and the Minister must be informed by LCSSR team through a briefing note.

The DoEE should also be informed of the decision on an OPP in accordance with the NOPSEMA and DoEE Administrative Arrangements by emailing australiaworldheritage@environment.gov.au

If NOPSEMA has made a decision to accept the OPP, within 10 days of the decision letter, the Lead Assessor should request the communications team to publish the accepted final OPP. The Lead Assessor should advise the proponent of the publication date.

Publishing a refusal decision

If NOPSEMA has made a decision to refuse to accept the OPP, the communications team should publish the refuse to accept decision on the website, as soon as practicable, along with the approved 'reasons for refusal' (N-04790-FM1662) endorsed by the RON.

9.3. Cessation of cost recovery process

The cessation of the cost recovery process is to take place in three circumstances:

- A stage II OPP assessment is complete and a decision as to whether the OPP meets the criteria for acceptance has been made and published (section 8.5);
- Cancellation of OPP assessment (section 7.3);
- Withdrawal of OPP at the request of the proponent (section 7.13).

In the event an OPP is refused at Stage I and an OPP is resubmitted, this is considered a new assessment for the purposes of RMS. A different RMS number and name should be given in the timesheet, in event a new submission provided or when moves to stage II of the assessment so that costs for each submission stage can be tracked and reviewed. Prior to the cessation of the cost recovery process for the OPP, the Lead Assessor should liaise with all assessment team members including the Regulatory Assistant and Assessment Manager to ensure that any time spent on the assessment of the OPP has been accurately entered into the NOPSEMA timesheet spreadsheet, prior to requesting finance to raise an invoice.

Once there is no further work associated with the assessment to be cost recovered, the Lead Assessor should request finance to raise a final invoice for the OPP. An email should be sent to the Assessment Manager seeking agreement to final cover letter and invoice.

The cessation of the cost recovery mechanism signifies the completion of the OPP assessment.

9.4. Quality assurance check

The Lead Assessor shall undertake a quality assurance check of all phases of the OPP assessment process verifying that records of the process have been appropriately completed, signed and filed in Objective. Specific quality assurance checks for the transfer of public comments to Objective connect are detailed in Appendix 2.

9.5. Review

The Lead Assessor should convene internal and external review meetings as required to inform process improvements.

Lessons learnt from the assessment should be captured in the divisional improvements register to inform future process changes (A375916).

10. Related documents

10.1. Policies

N-04000-PL0050	NOPSEMA Assessment Policy
N-04790-PL1650	OPP Assessment Policy

10.2. Information papers

N-04750-IP1382 Streamlining environmental regulation of petroleum activities in Commonwealth waters

N-04790-IP1644 Making public comment on offshore project proposals Information Paper

10.3. Work instructions

N-06900-WN1391 - CMS work instruction – publishing information to NOPSEMA website

10.4. Guidelines & guidance notes

N-04750-GL1350	Environment Assessment Cost Recovery Guideline
N-04750-GN1785	Petroleum activities and Australian Marine Parks
N-04750-GN1394	Oil pollution risk management Guidance Note
N-04790-GN1663	Offshore project proposal content requirements Guidance Note
N-04790-GL11816	Offshore project proposal decision making Guideline - TBD

10.5. Forms

N-04790-FM1653	OPP - Offshore Project Proposal Cover Sheet
N-04790-FM1662	OPP - Decision notification – Reasons for refusal – Stage II

10.6. Letters

N-04790-LT1739	OPP - Cost recovery notice
N-04790-LT1657	OPP - Request for further written information – stage II
N-04790-LT1670	OPP - Not reasonably satisfied that the OPP meets the criteria for acceptance – Stage II
N-04790-LT1671	OPP - Not suitable for publication – stage I
N-04790-LT1672	OPP - Suitable for publication – stage I
N-04790-LT1673	OPP - Reasonably satisfied that OPP meets the criteria for acceptance – stage II
N-04790-LT1674	OPP - Unable to make decision
N-04790-LT1675	OPP - Request for further written information – stage I
N-04790-LT1676	OPP - Withdrawal of proposal at request of proponent
N-04790-LT1677	OPP - Unable to commence assessment
N-04790-LT1690	OPP - Submission receipt

10.7. Other

Register – Environment Division – Titleholder liaison meetings (A202523)

Register – Environment Division – Combined – Implementation Tracking Spreadsheet (A375916)

Appendix 1 – Record of Revisions

Rev	Date	Aspects updated
0	August 2016	SOP first published.
1	September 2018	Major revision of SOP after implemented first time during first OPP assessment under the Regulations. Key updates included: 1. Updates to EPBC requirements 2. Further clarification on process for publication of OPP 3. Refinement of cost recovery processes 4. Clarifications on team collaboration 5. Clarification on level of assessment for different stages of assessment 6. Changes to assessment brief to enhance efficiency of team and avoiding duplication 7. New NOPSEMA template
2	August 2019	Revision to clarify management of public submissions.

Attachment 2 – Work Note for managing submissions during the public comment process for OPPs

Care must be taken to ensure that personal information of those submitters who have requested to remain anonymous, is not disclosed to the proponent. That is personal information MUST be redacted in the copy of public comment documents or that is in the file that is shared with the proponent. The following work instructions are to be followed by the RA, Lead Assessor and Assessment Manager to reduce the risk of disclosing personal information.

An overview of the approach is provided in Figure A. Detailed instructions are provided in proceeding sections of this Work Instruction.

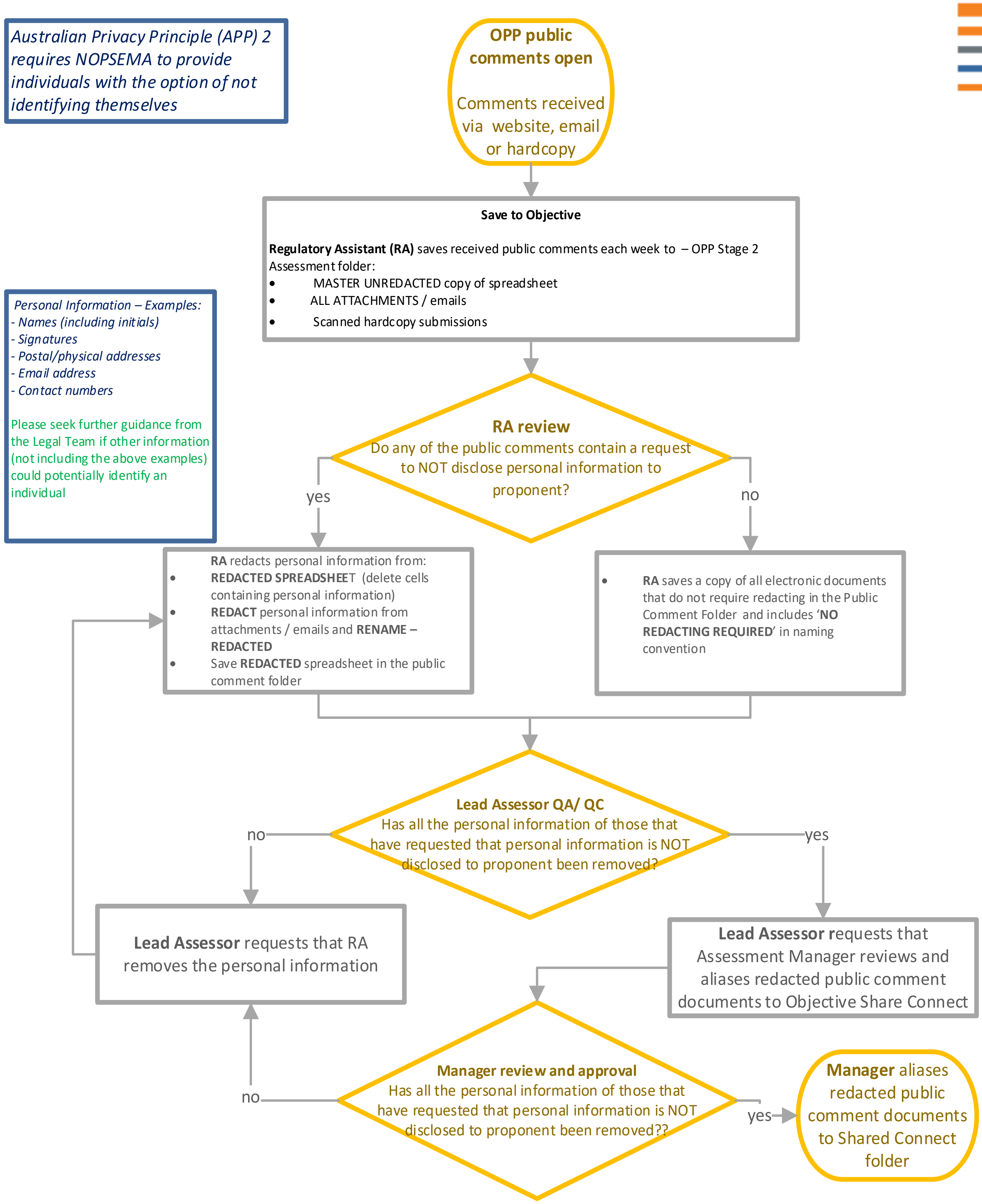


Figure A – Flowchart outlining the public comment management process for OPPs

1. Management of public comments – setting up Public Comment folders in objective

The following tasks are undertaken by an Regulatory Assistant on request of the Lead Assessor:

1.1 An additional assessment file for 'Public Comment' should be created under the 'Assessment' folder and titled "Assessment #### - Public Comment – TH name - OPP name". The assessment number should match the Stage 2 RMS assessment number. A note is to be added to the file warning that the file is for public comment documents only and accessible to the proponent.

1.2 RA creates a form in the 2019 New Connect Workspace folder (qA40948) to create a shared workspace (form number A654410).

1.2.1 File privileges inside NOPSEMA should be set to the assessment manager, lead assessor, one additional assessor and ED RAs.

1.2.2 File privileges for the proponent should be set at two proponent contacts. The Lead Assessor should liaise with the proponent prior to the commencement of the public comment period to obtain two contacts who will have access to public comments and advise the RAs of these contacts to include on the Shared workspace form.

1.2.3 RA should workflow the shared workspace form with review by the lead assessor and approval by the Environment Manager.

Note: Once the Objective connect file is set up it will appear here in the File plan:

Objective Global Folder	fA0	18/07/2017 10:38:3...
Connect Share	fA25...	13/11/2017 02:09:0...
Contractors	fA26...	13/11/2017 02:11:4...
FOI Request Shares	fA26...	08/04/2015 03:06:5...
ICT and Software Tender Process 2019	fA33...	15/11/2018 04:14:5...
Melbourne re-location project	fA32...	04/12/2017 12:14:5...
NOPSEMA Audit Committee	fA32...	12/07/2019 10:39:4...
NOPSEMA Crisis Management and Business Continuity Repository	fA26...	02/02/2017 08:34:5...
Onboarding Share Testing	fA31...	27/03/2017 04:03:0...
Other Government Departments	fA27...	13/11/2017 02:12:2...
Public Shares	fA32...	13/11/2017 02:12:4...
TF Upgrade Test	fA33...	24/03/2018 01:18:2...
File Plan	fA17	17/08/2017 07:38:2...
Home	fA9	15/08/2017 01:35:1...

2. Management of public comments received through NOPSEMA external website during public comment period

The downloading of public comments received during an OPP public comment process is to be performed on a weekly basis on Mondays or as agreed on a case by case basis by NOPSEMA and the Proponent.

The following tasks are undertaken by RA, Lead Assessor and Assessment Manager as specified. These instructions are specific to managing public comments received via the NOPSEMA external website with retrieval through Silverstripe (CMS):

The Regulatory Assistant is to:

2.1 Navigate to the open for comment Form (spreadsheet) in the CMS

2.2 On the Submissions tab click on "Export to CSV"

2.3 Save the CSV file to a specific folder on your desktop.

2.4 Go back to 'open for comment form' (spreadsheet) in Silverstripe, and click on "Export Attachments" (if any). Save the attachments in the same folder created on the Desktop as per previous step.

2.5 Repeat steps 2.1-2.4 each week until the public comment period is closed.

3. Managing comments provided through online form

Initial week

2.5.1 In the first instance (week 1) of downloading public comments from the CMS (nominally Mondays) create a new excel spreadsheet titled 'Worksheet – MASTER UNREDACTED – Public Comment – [OPP Name]' and save to the main Assessment file [Assessment XXXX – [Name of OPP] [Name of Proponent] – [Stage II] (hereafter referred to as the ASSESSMENT FOLDER).

DO NOT save the 'MASTER UNREDACTED' spreadsheet file in the [Assessment XXX – Public comment – [Name of OPP] [Name of Proponent] folder which is hereafter referred to as the PUBLIC COMMENT folder.

2.5.2 Save a duplicate of the MASTER UNREDACTED – spreadsheet in the PUBLIC COMMENT FOLDER and rename to 'PUBLIC COMMENTS – REDACTED – WEEK 1'. Delete ALL personal information of those responders that have requested that personal information is **NOT provided to the proponent** (i.e. wish to remain ANONYMOUS). *To avoid doubt ensure names, email addresses, phone numbers, company and job titles (if relevant) are removed completely. Where necessary tidy up data entries in the REDACTED spreadsheet to ensure no misrepresentation of 'special characters' by excel (i.e. " ", !, ?, -, etc.). When you are confident that the personal information of those that wish to remain anonymous is removed, save the spreadsheet and publish.

Refer to Guideline for further clarification around managing anonymous submissions.

Subsequent weeks

2.5.3 In subsequent weeks new public comment entries are to be copied into the MASTER UNREDACTED spreadsheet in the Assessment Folder. It is important that there is NO overlaying the MASTER UNREDACTED spreadsheet as manual entries that were inserted in the previous week (i.e. due to public comments received via post or email) will be lost.

2.5.4 In subsequent weeks, make a copy of the most recent PUBLIC COMMENTS – REDACTED – WEEK (e.g. 1) in the PUBLIC COMMENT folder and rename to week 2 (3, 4, 5 etc.). . Cumulatively add public comments received during the week to previous week(s) comments. Delete any personal information of public comment submitters wishing to remain anonymous. There should be one redacted spreadsheet for each week during the public comment period with a cumulative public comments received.

Note: Spreadsheets are not to be OVERLAID on that of the previous week in the Public Comment Folder - each week needs a separate spreadsheet. This is because the original spreadsheet would have already been aliased into Objective Connect folder by the Assessment Manager and therefore overlaying with an updated spreadsheet provides instant access to the proponent without the necessary QA/ QC by the Lead Assessor and Assessment Manager.

2.6 Managing public comment attachments

2.6.1 Open the exported attachments that were downloaded from the CMS as part of step 2.4. Save each document as **incoming document type** with naming convention ‘Attachment 1 [2, 3, 4 etc.) — Public Comment – OPP name – Proponent name] into the PUBLIC COMMENT folder.

2.6.2 Open each of the attachments and check for personal information in documents whereby the public comment submitter has requested that personal information is **NOT provided to the proponent** (i.e. wish to remain ANONYMOUS) (indicated from the Spreadsheet or the Attachment itself). Do this by redacting names, addresses, email addresses, company and job titles where relevant. Save the redacted version as **incoming document type** and rename as - ‘Attachment X - REDACTED FOR PROPONENT.

2.6.3 For Attachments that do not need redacting, once these have been screened, rename as ‘Attachment x – REDACTION NOT REQUIRED – FOR PROPONENT - Public Comment – OPP name – Proponent name’.

2.6.4 Repeat the above process each week for Attachments received during the public comment process via the CMS.

Notes:

In all circumstances where there sensitivity of information is unclear to the RA, the RA should seek the advice of Lead assessor.

Desktop documents are not to be deleted until all information received via the CMS/ Silverstripe is saved in the Objective Assessment Folder.

4. Management of public comments received by email correspondence to NOPSEMA during the public comment period

To be performed every Monday on a weekly basis or as otherwise agreed by NOPSEMA and Proponent during the public comment period. The following instructions apply to the management of public comments received through email correspondence.

The Regulatory Assistant is to:

3.1 Open the file titled 'Worksheet – MASTER UNREDACTED – Public Comment - OPP Name' within the Assessment Folder. Manually populate the information fields in the spreadsheet from the received email correspondence. If an attachment has been included, download the attachment and include the file name of the attachment in the relevant field in the spreadsheet making it clear which document corresponds with the new spreadsheet entry.

3.2 Open the file 'Worksheet – REDACTED – OPP Name' within the PUBLIC COMMENT folder. Copy the information just added to the 'Master UNREDACTED' spreadsheet over to the 'Worksheet – REDACTED FOR PUBLIC COMMENT – OPP Name'. If the submitter has asked to remain anonymous, delete all personal information in the relevant row(s).

3.3 Save any included attachments in the **Assessment Folder** as **incoming document type** then save duplicate to desktop and redact any personal information if the submitter has requested that **personal information is NOT provided to the proponent** (i.e. wish to remain ANONYMOUS). Save the redacted version as **incoming document type** in the **Public Comment folder** and rename to 'Attachment X - REDACTED - Public Comment – OPP name – Proponent name'. For Attachments that do not need redacting, once these have been screened, rename as 'Attachment X - REDACTION NOT REQUIRED – FOR PROPONENT - Public Comment – OPP name – Proponent name'.

3.4 Every week repeat above process (Steps 3.1 to 3.3) for Attachments received during the public comment process received via email.

5. Management of public comments received by NOPSEMA as hard copy submissions during the public comment period

To be performed every Monday on a weekly basis or as otherwise agreed by NOPSEMA and Proponent during the public comment period.

The following instructions apply to the management of public comments received through mail or hard copy submission.

The Regulatory Assistant is to:

4.1 Open the file titled 'Worksheet – MASTER UNREDACTED – Public Comment OPP Name' within the assessment folder.

4.2 Manually populate the information fields in the spreadsheet from the received mail or hard copy document. Be sure to make clear links between the added rows in the spreadsheet and the corresponding document.

4.3 Open the file 'Worksheet – REDACTED – OPP Name' within the PUBLIC COMMENT folder. Copy the information just added to the 'MASTER UNREDACTED spreadsheet over to the 'Worksheet – REDACTED – OPP Name'. If the correspondent has asked for their personal information not to be supplied to the titleholder, delete all personal information in the relevant row.

4.4 Scan the hard copy document and save in the **Assessment folder** as **incoming document type** then save duplicate to desktop and redact any personal information if the submitter has requested that **personal information is NOT provided to the proponent** (i.e. wish to remain ANONYMOUS). Save the redacted version as **incoming document type** into the **Public Comment folder** and rename attachment to 'Attachment X - REDACTED - Public Comment – OPP name – Proponent name'. For scanned documents that do not need redacting, once these have been screened, rename as 'Attachment X – REDACTION NOT REQUIRED – FOR PROPONENT - Public Comment – OPP name – Proponent name'.

4.5 Every week repeat above process (Steps 4.1 to 4.4).

6. QA/QC and transfer to the objective connect folder for proponent access

This section of the Work Instruction is focused on confirming that all personal information[1] has been removed (where requested by the public comment submitter) prior to transfer into the Objective Connect (Public Comment) folder in objective. The following tasks are undertaken by the RA, the Lead Assessor and the Assessment Manger on a weekly basis during the public comment period:

Regulatory Assistant

5.1 . Once tasks in sections 1-4 of this Work Instruction have been completed, the RA forwards the following Objective links to the Lead Assessor for QA and QC on the Monday of each week during the public comment period or as agreed between NOPSEMA and the proponent:

- PUBLIC COMMENT folder containing all information that has been reviewed by the RA for anonymity and subsequently reviewed for redacting of personal information
- The SPREADSHEET – MASTER UNREDACTED to enable a comparison between redacted and un-redacted versions.

PLEASE NOTE – DOCUMENTS MUST ALWAYS BE 'PUBLISHED' IN OBJECTIVE IN ORDER FOR THE PROPONENT TO VIEW THE LATEST VERSION

[1] If there are any queries about what may constitute 'personal information' please consult with NOPSEMA's Privacy Officer or Legal Team.

Lead Assessor

5.2 The Lead Assessor reviews the MASTER-UNREDACTED spreadsheet to identify where submitters have requested that personal information is NOT provided to the proponent (i.e. wish to remain ANONYMOUS).

5.3 The Lead Assessor then reviews the public comments received (sent via the RA) in the form of the REDACTED Spreadsheet (Week X) and Attachments – REDACTED or REDACTION NOT REQUIRED on a weekly basis and confirms that the personal information of those submitters that wish to remain anonymous is redacted.

5.4 Once the Lead Assessor is satisfied that personal information has been redacted from the information in the Public Comment folder, all attachments that are contained in the PUBLIC COMMENT folder are emailed by the Lead Assessor (objective links) to the Assessment manager recommending that the Assessment Manager reviews and aliases public comments into the SHARE CONNECT FOLDER to allow access by the Proponent.

5.5 The Lead assessor repeat steps 5.2 to 5.5 each week until the public comment period is closed noting that only the new Attachments and the current weekly spreadsheet needs to be sent to the Assessment Manager as information from the previous week would have already been aliased by the Assessment manager to Objective connect.

5.6 At the end of the public comment period, the Lead Assessor is to confirm that the proponent has been able to retrieved all public comments from the Objective connect folder before requesting information team close the access.

Assessment Manager

5.7 When the Assessment Manager receives the recommendation from the Lead Assessor and is satisfied that all required personal information has been removed from the redacted spreadsheet and documents, the Assessment Manager aliases the redacted set of public comments into the relevant Objective Connect folder. When a document is aliased into the Objective Connect folder, Objective connect creates a copy which can be viewed and documented by those that have access to this folder (i.e. the proponent).

5.8 Repeat step 5.8 each week during the public comment period. The updated redacted spreadsheet should be saved over the original file in the public comment file.