

Titleholder report on consultation in the preparation of an Environment Plan

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Instructions

NOPSEMA has found that well-structured, formatted and articulated titleholder reports on consultation help demonstrate consultation requirements under the Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2023 (Environment Regulations) are met, which supports the timely assessment of Environment Plans (EPs).

While the Environment Regulations do not prescribe a specific format for titleholder reports on consultation, they do outline required content (under regulation 24(b)). This template has been developed to assist titleholders in presenting this content effectively within their EPs.

The template is not intended to replace or duplicate the relevant person identification and consultation process descriptions that titleholders provide in their EPs.

Use of the template is strongly recommended but not mandated. Adjustments may be needed in certain circumstances.

Instructions and advice for completing the table are given in the *grey italicised text*. Please delete the instructional text once it has been considered and replaced.

{Insert relevant person category (e.g. Commonwealth agencies or authorities under regulation 25(1)(a))}			
{Insert relevant person name}			
Summary of consultation effort and relevant person responses			
<ul style="list-style-type: none"> Set out a chronology (earliest to latest in bullet points) of all the consultation engagements (outgoing, incoming or in-person etc.) between the titleholder and relevant person that includes: <ul style="list-style-type: none"> the dates of each consultation engagement; the methods of correspondence (e.g. email, letter, phone call, SMS, in person meeting, etc.); a description of the information that was provided/received; details of the main matters raised by the relevant person with cross-references assigned to any objections, claims or other feedback, where applicable (for the purpose of establishing a link to where they are considered below); and reference to the unique full text consultation record identifier in the sensitive information part of the EP for each consultation engagement. <p><i>NB: Titleholder reports on consultation must contain a summary of each response made by a relevant person in accordance with regulation 24(b)(i). It is intended for this information to be captured in this section. While the Environment Regulations do not specify what a summary should specifically include, titleholders should ensure that there are details of the main matters raised by a relevant person, with clear and precise identification of any objections or claims about the adverse impact of each activity to which the EP relates. Titleholders are also recommended to identify when other feedback relevant to the environmental management of the activity or the EP was given by a relevant person in consultation (e.g. insights on environmental values and sensitivities, suggestions or advice for improving environmental assessment and management approaches, identification of potential data gaps or uncertainties, expressions of support or agreement on proposed management measures or consultation methods, notification or ongoing consultation preferences, recommendations to consult additional relevant persons, requests for additional information or time for consultation, assertions or concerns about the adequacy of the consultation process, statements that regulatory requirements are not demonstrated to be met, etc.).</i></p> <p><i>NB: Titleholders should ensure that the following information is not contained in the titleholder report on consultation and EP: the full text, or extracts of the full text, of any response by a relevant person, as this information must only be contained in the sensitive information part of an EP (regulation 26(8)); and information provided by a relevant person in consultation that was subject to a request not to be published in an EP (regulation 25(4)(b)).</i></p>			
Relevant person objections, claims or other feedback	Titleholder assessment of the merits	Titleholder statement of response	Details of the measures adopted
<ul style="list-style-type: none"> Provide an outline of each objection or claim raised in consultation with the relevant person about the adverse impact of each activity to which the EP relates. Other feedback relevant to the environmental management of the activity or the EP is also recommended to be included for transparency on how it was considered by the titleholder in preparation of the EP. Including this information may also to reduce the likelihood of additional information requests and support timely assessment of EPs. <p><i>NB: For completeness and clarity, titleholders should identify/delineate between when 'no response was received from the relevant person' and when 'no objections, claims or other feedback was raised by the relevant person' (where applicable).</i></p> <p><i>NB: The detail given in this section should be clearly linked (by the assigned cross-references) and complementary to information already provided above in the 'Summary of consultation effort and relevant person responses' (e.g. if only high-level information is provided above, more detail would be expected herein to establish</i></p>	<ul style="list-style-type: none"> Provide an assessment of the merits of each objection or claim in accordance with regulation 24(b)(ii). For instances where other feedback is included, provide an assessment of its relevance to the environmental management of the activity or the EP. <p><i>NB: Assessments of merit/relevance should clearly state the titleholder's position on matters raised along with sufficient evaluation, reasoning and rational included to support the assessment.</i></p>	<ul style="list-style-type: none"> Provide a statement of the titleholder's response, or proposed response, if any, to each objection or claim in accordance with regulation 24(b)(iii). For instances where other feedback is included, provide a statement of response for transparency on how this information was considered by the titleholder in preparation of the EP. <p><i>NB: Statements of response should clearly state if and how objections, claims or other feedback were considered by the titleholder in preparation of the EP (e.g. by making changes to the EP, incorporating new information, or explaining how the matter was already considered, etc.).</i></p>	<ul style="list-style-type: none"> Provide details of any measures that were adopted, or proposed to be adopted, by the titleholder because of the consultations (regulation 34(g)(ii)). Include cross-references and hyperlinks (where practicable and feasible) to the relevant content within the EP that was updated in response to the objection, claim or other feedback (e.g. description of the environment, impact and risk evaluation, control measures, EPOs, EPs, implementation strategy, etc.). <p><i>NB: For cases where the consultation has not led to any measures adopted or changes to the EP, this should be clearly stated for completeness and clarity.</i></p> <p><i>NB: The assessments of merit/relevance and statements of response to objections, claims or other feedback should contain the suitable context and rational that both informs and supports the appropriateness of any measures adopted or changes to the EP as a result of the consultation. NOPSEMA also encourages titleholders to share this information with relevant persons for transparency on how their views informed the preparation of the EP.</i></p>

<i>an appropriate level of context on the nature of the objections, claims or other feedback).</i>			
<ul style="list-style-type: none"><i>Add or delete the table rows (as required) for the individual inclusion of all objections, claims or other feedback.</i>			
Consultation demonstration statement			
<ul style="list-style-type: none"><i>Set out additional information to the standard process descriptions in an EP relevant to demonstrating that consultation has been carried out in accordance with Division 3, including all the facts, evidence and reasoning to support a robust and defensible conclusion that:</i><ul style="list-style-type: none"><i>sufficient information has been provided to the relevant person to allow an informed assessment of the possible consequences of the activity on their functions, interests or activities (regulation 25(2)); and</i><i>a reasonable period has been allowed for the relevant persons to consider the information, make an informed assessment and engage in a genuine two-way dialogue with the titleholder (regulation 25(3)).</i> <p><i>NB: NOPSEMA recommends that titleholders complete this section of the template to reduce the likelihood of additional information requests and support timely assessment of EPs, particularly for cases where adverse assertions or concerns about the adequacy of the consultation process have been raised by relevant persons. In doing so, titleholders are encouraged to consider the ‘Consultation in the course of preparing an environment plan guideline’ (GL2086) and ‘Environment Plan decision making guideline’ (GL1721) as it applies to their specific circumstances and activities and to provide further details with information that is commensurate with the scale, depth and complexity of the consultation undertaken.</i></p>			