



Your Ref: RMS ID 7701  
Our Ref: REG-EP-030

[REDACTED]  
[REDACTED]  
58 Mounts Bay Road  
**Perth WA 6000**

Tuesday 12 November 2024

By submission portal: [submissions@nopsema.gov.au](mailto:submissions@nopsema.gov.au)

Dear [REDACTED],

**RE: Resubmission of the Regia MSS EP**

CGG would like to take this opportunity to thank you and your team for providing NOPSEMA's assessment findings on the Regia MSS EP. We have made modifications to the Regia MSS EP based on your letter and advice. Generally, these have included a refocusing of the content to a regulatory audience. Specifically, modifications have been made in accordance with itemized responses in Attachment 1.

Please find enclosed the following documents comprising the Regia MSS EP resubmission:

- The Regia MSS EP Rev 2 - 11.11.24
- The Regia MSS EP Appendices – Rev 2 - 11.11.24
- EP Submission Coversheet (with updated activity description and map)
- Appendix C3 – CONFIDENTIAL – Sensitive Information Report
- Appendix C4 – CONFIDENTIAL – Full Text Copies
- RFFWI Response Letter and Response
- Tracked changes version of all documents changed

The following documents previously submitted to NOPSEMA remain valid for this submission:

- Appendix C6 – Public comment report
- Public comment – Evidence of updates to the EP
- Public comment – Claims and matters register
- Public comment – All comments (Excel)

Please note that based on the feedback of your team, previously provided documents Appendix A3, B1, B9, F1, and G5 have been removed from this submission with relevant content moved into other parts of the EP. Old Appendix F1 has been replaced with a new EP Summary. The Cumulative Impact Assessment (previously Appendix E10) has been updated and renamed F1 to better reflect its place in the assessment process. This is all explained further in the resubmission.

A significant reprocessing of our consultation records has resulted in an updated and improved presentation of our consultation reports for each relevant person. A consultation report has been prepared for each organization, providing a comprehensive overview of their engagement in the consultation process. Each report includes a detailed consultation summary that captures the specific feedback received from the organization. This encompasses information provided by the organization, information they have requested, any assertions or concerns, and any objections or claims they raised. Additionally, each report contains full interaction summaries, presenting a complete record of the communication exchanges to ensure transparency and thorough documentation of the consultation process.

As you know, CGG have made a commitment to transparency for stakeholders throughout the NOPSEMA assessment process. As a part of this commitment, CGG intends to publish this letter and the resubmitted Environment Plan on its consultation hub website. As per previous correspondence, information subject to the Privacy Act will be redacted.

CGG remains at your request if you or your assessment team would like clarification on any matters presented.

Regards,



Cc: [REDACTED]@nopsema.gov.au

## Appendix 1

### Titleholder Response to RFFWI Matters

Item	Description	Titleholder Response
<b>Acceptance Criteria 34(a) – the EP is not appropriate for the nature and scale of the activity because:</b>		
<b><i>There is not a suitable description for the activity</i></b>		
1.1	<b>Requirements:</b> The EP must contain a suitable description of the activity and how it may affect the environment including the scope and bounds of the activity and a thorough description of the activity components with greatest potential to generate impacts and risks to the environment (GLI721: Section 6.3).	See specific responses below.
1.1	<b>Issue:</b> The EP does not contain a suitable description of the activity because the information provided is not detailed enough and/or is inconsistent. For example (but not limited to):	The activity description has been updated to include further details on the final survey acquisition area, along with edits made to provide clarification.
1.1	The EP does not specify whether CCG plans to acquire the survey in a single phase or in multiple phases/over multiple years.	The phrase "in a single phase" has been added to Table A2-5, in Appendix A2. Also, section 3.2.2 adds clarity within that timeframe.
1.1	The EP intermittently references a "survey area" and it is unclear if this is the Operational Area, the Active Source Area or other.	This has been addressed and edited throughout the documents.
1.1	The Operating Envelope is described in Appendix A2, Section 3.2.2 as including up to 1,700 km of sail lines, however, it is unclear if 'sail lines' comprises only data acquisition lines, or also the associated run-ins, run-outs and turns.	A definition of sail lines has been included in Appendix A2, Section 1.3.
1.1	The EP is unclear about where the seismic source will be operated. Specifically, Section 3.4 of Appendix A2 describes an "Active Source Area" in which the sound source is active. However, Appendix A2 also includes reference to a number of scenarios where the seismic source will be active outside of this area (for example during line turns, in transit between sail lines and for maintenance and testing). Appendix A2, Section 3.2.1 also indicates that operational movements to deploy and test equipment may occur within or adjacent to the Operational Area.	Appendix A2, Section 4.1 has been rewritten for clarification, without change to the intent of original wording. Further clarification has been added to demonstrate that no activities will occur within a designated marine park.
1.1	The EP includes reference to how activities will be undertaken within the 'Activity Planning Area' (e.g. Appendix A2, Section 3.5.1), but the EP does not clearly describe or define activities in relation to the Operational Area, Active Source Area and Acquisition Area.	CCG has removed the references to areas in this section.
1.1	Appendix A2 describes a potential for the use of up to four vessels. This is inconsistent with the assessment of potential atmospheric emissions from the activity, which estimates emissions for up to three vessels (PDF page 191).	Appendix F1, Section 7.1.1. has been updated to account for the fourth vessel.

## Appendix 1

### Titleholder Response to RFFWI Matters

Item	Description	Titleholder Response
1.1	<b>Request:</b> Please revise the EP and appendices to provide a clear and consistent description of the activity. In addressing this issue, please ensure that impact and risk assessments correspond appropriately to the activity that has been described, and that the described activity has been clearly articulated in consultation with relevant persons.	Completed as described above. Appendix C2, Report on Consultations, evidences the materials used to describe the activity to relevant persons. Specific materials provided to relevant persons regarding the description of the activity can be viewed in the relevant persons full text copies in Appendix C4.
<b><i>There is not a thorough description of the environment – Matters Protected under Part 3 of the EPBC Act</i></b>		
1.2	Requirements: The EP must describe the existing environment that may be affected by the activity (regulation 21(2)). The description of the environment must include details of the particular relevant values and sensitivities of the environment where the activity is proposed, including (but not limited to) matters protected under Part 3 of the EPBC Act that will or may be affected by the activity (GN1344: Section 3.2).	See specific responses below.
1.2	Issue: Results from the PMST searches undertaken for the activity appear to be missing key information, for example reproduction and migration Biologically Important Areas for the southern right whale. This creates uncertainty as to whether all matters protected under Part 3 of the EPBC Act that may be affected by the activity have been identified.	The PMST reports were rerun prior to CGG's last EP submission, the PMST report which informed the marine mammal impact assessment was dated April 23rd, 2024. The Southern Right Whale Reproduction and Migration BIAs were updated and the PMST tool has not been updated to include the new BIAs. CGG has ensured the new BIAs were considered in the EP and has included an activity limitation to ensure the seismic source is not operated within 15km of the Southern Right Whale Reproduction BIA.
1.2	Request: Please revise the EP to demonstrate PMST searches undertaken for this activity are up to date and appropriately capture all relevant matters protected under Part 3 of the EPBC Act including listed species and Biologically Important Areas that may be affected by the activity.	Completed as described above.
<b><i>There is not a thorough description of the environment – First Nations cultural heritage features and values</i></b>		
1.3	<b>Requirements:</b> The EP must contain a thorough description of the environment to ensure that all environmental impacts and risks of the activity can be adequately detailed, evaluated and managed to acceptable levels. The definition of the 'environment' includes the cultural features of the environment mentioned in paragraphs (a), (b), (c) and (d) of regulation 5. This is required to inform the impact and risk evaluation as required by regulation 34(5).	See specific responses below.

## Appendix 1

### Titleholder Response to RFFWI Matters

Item	Description	Titleholder Response
1.3	<b>Issue:</b> The EP does not appear to provide a commensurate level of detail to sufficiently describe the First Nations cultural heritage features values of the environment that may be affected by the activity and subsequently, the potential impacts and risks to these features and values have not been appropriately evaluated. Specifically, publicly available information and information obtained through consultation with relevant persons has not been utilised to inform the description of the cultural features and values of the environment that may be affected. Some examples include (but are not limited to):	Appendix E1 (Physical Presence) has been updated with an improved description of the environment for Indigenous culture. CGG notes that there are no pathways to benthic disturbance because of the scope of the activity. Therefore, effects are limited to indirect/intangible effect, which are described in an additional assessment in Appendix F3 (Sections 4.15 and 4.16).
1.3	A cultural heritage desktop review completed by Biosis for another activity in the Otway region is included (Appendix B10). However, it is unclear what values and features described in this report may be affected by this activity (i.e., what is located within the EPA and OA?).	Appendix B10 is a report that supported the foundation of knowledge for the cultural heritage parts of the overall assessment. It informed the description of the environment that may be affected, which could be found in the relevant impact/risk assessment. CGG have reviewed all references made to B10 to ensure that this context is properly captured.
1.3	The EP does not appear to have appropriately described Native Title determinations in relation to the Environmental Planning Area for the activity. For example, PDF page 1305 states that the OA is adjacent to Eastern Maar and Gunditjmara Native Title determinations but does not specify if there are other determination areas adjacent to the EPA. The EP also references a map of Native Title determinations that is not included (i.e., Appendix B12 MAP-REG-EPM-076).	Map MAP-REG-EPM-076 has been included in the submission. CGG notes that there are no overlaps with any native title determinations and thus they are not affected by the activity thus have not been described.
1.3	Information about cultural features and values included in sensitive information document C3 has not been included in the description of the environment in the EP, although it appears to be from a publicly available source.	This information has been included throughout the EP, where relevant.
1.3	A public comment received on the EP identifies that pygmy blue whales (Wuuloc) (FN01) have cultural importance; however, the importance and significance of this species to First Nations peoples has not been described in the EP.	This has been updated and referenced in Appendix F3
1.3	Not all information provided by relevant persons, including information that is relevant to First Nations cultural features and values (for example, information provided by the Bunurong Land Council Aboriginal Corporation relating to the cultural significance of the Mornington Peninsula and Point Nepean), has not been appropriately incorporated into the description of the environment that may be affected by the activity (see also item 6.6 below).	CGG has reviewed all the information received during consultation and show in the relevant persons consultation reports where that information has been incorporated into the EP. CGG notes that the Mornington Peninsula and Point Nepean are not affected by the activity so would not normally be described.



## Appendix 1

### Titleholder Response to RFFWI Matters

Item	Description	Titleholder Response
1.3	<b>Request:</b> Please revise the EP to provide a thorough description of the First Nations cultural heritage features and values of the environment that may be affected by the activity by drawing upon information obtained through relevant persons consultation and relevant publicly available information.	Completed as described above.
<b><i>The environmental assessment methodology is not appropriate for the nature and scale of the activity</i></b>		
1.4	<b>Requirements:</b> The overall approach to developing the EP, including the level of rigour and effort applied to EP content and predictions of environmental impacts and risks, must be appropriate to the nature and scale of the activity (GLI721: Section 6).	See specific responses below.
1.4	<b>Issue:</b> The method applied to the evaluation of impacts and risks is unclear and may not be appropriate. This is because:	CGG has reviewed Appendix B9 in light of this feedback and proposes that no changes are required to comply with the content requirements or criteria for acceptance. However, to ensure assessment of the method is simplified, Appendix B9 has been removed from the submission and the relevant parts of the environmental assessment have been included in Appendix B3.
1.4	Effect and consequence level definitions (Table B9-2 and B9-5) contain ambiguous terminology that is not defined (e.g., "some effect", "noticeable effect", "minor injuries", "extremely severe", "widespread").	No change has been made to the EP. These words are part of a definition and as such their dictionary definitions such be applied.
1.4	The EP does not demonstrate how adopted control measures reduce the consequence/severity and/or likelihood of impacts and risks.	This is not required by the Regulations; therefore no update has been required to the EP.
1.4	Environmental impact evaluation matrix in Table B9-4 combine 'Effect' and 'Scientific Uncertainty' to derive a level of impact. While scientific uncertainty is an important consideration, particularly in relation to the ESD precautionary principle, it does not provide a level of impact. The levels of uncertainty described in Table B9-3 also suggest that the precautionary principle only needs to be applied if the level of uncertainty is 'high' or 'unknown', which is not consistent with how the precautionary principle is applied under the EPBC Act.	Table B9-4 combines 'effect' and 'uncertainty'. Table B9-3 (now Annex 1 of B3) justly uses science as a basis to determine levels of uncertainty. This is further discussed in Appendix F4.
1.4	The impact level definitions in Table B9-4 combine acceptability and consequence. Acceptability is typically dealt with separately given the level of impact informs the test as to whether the predicted level of impact is consistent with the defined acceptable level and other acceptability criteria.	Wording has been changed to 'Tolerable' rather than 'acceptable' to avoid confusion with 'acceptable levels'
1.4	<b>Request:</b> Please revise the EP to:	

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### Titleholder Response to RFFWI Matters

Item	Description	Titleholder Response
1.4	1. Provide clear and measurable definitions of terms used to describe effect and consequence levels.	See response above.
1.4	2. Provide a clear demonstration of how the impact and risk assessment has informed the selection of suitable control measures.	This is completed in Appendix F2 and explained in Appendix F1.
1.4	3. Provide a clear demonstration of how adoption of selected control measures has reduced the consequence/severity and/or likelihood of impacts and risks and why this is considered to be ALARP.	No update has been required to the EP, as this is not required by the Regulations and does not support an ALARP demonstration.
1.4	4. Demonstrate the EP is not inconsistent with the principles of Ecologically Sustainable Development, including the precautionary principle and treatment of scientific uncertainty.	See response above.
<b><i>It is not evident whether the level of analysis and evaluation of underwater sound is commensurate with the nature and scale of the activity and the severity of individual impacts and risks</i></b>		
1.5	<b>Requirements:</b> The level of analysis and evaluation presented in the EP must be commensurate with the nature and scale of the activity and the severity of individual impacts and risks (GLI721: Section 6.3).	See specific responses below.
1.5	<b>Issue:</b> It is not evident from the sound modelling reports (Appendix B7) whether the modelling and analysis of underwater sound that has been undertaken is commensurate with the nature and scale of the activity and the severity of individual impacts and risks, because:	See specific responses below.
1.5	Two acoustic modelling reports have been provided. The cover sheet provided does not clearly explain what the differences between the two modelling reports are. The cover sheet and impact assessments in Appendix E are also not clear whether there is content in both modelling reports that is relevant to the assessment of impacts, or if one report now supersedes the other.	An explanation of the two modelling reports has been expanded upon. Both models have utility in the impact assessments.
1.5	The scenarios presented in the modelling report do not include the current Active Source Area or Operational Area boundaries and so it is difficult to relate these to the proposed activity or for NOPSEMA to assess whether the scenarios are appropriate.	A new map has been produced to show the location of the PK model points and the sail lines for the SEL calculations. Explanation of the utility of the first study and the second study has been provided.

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### Titleholder Response to RFFWI Matters

Item	Description	Titleholder Response
1.5	Given that the Acquisition Area has not yet been defined, the EP has not clearly explained how the selected scenarios will be representative of the final sail line plan or whether there is potential for impacts and risks to increase.	The survey acquisition area has now been defined and consequential changes made.
1.5	<b>Request:</b> Please revise the EP to:	
1.5	1. Provide clearer explanation on the relevance and currency of the two sound modelling studies.	CGG has updated the EP to include an explanation of both modelling reports.
1.5	2. Present the modelling scenarios and locations relative to the proposed Active Source Area and Operational Area.	CGG commissioned the underwater sound modelling prior to the decision regarding the location of the operational area and active source area. This was to ensure CGG could make an informed decision regarding sound levels within the area of interest. This is why the modelling does not include an Operational Area and an Active Source Area. However, to make the relevance of the modelling clear CGG has produced a map that includes the operational Area and Active Source Area in relation to the modelling.
1.5	3. Provide further information that demonstrates how the selected scenarios are representative, or otherwise consider additional controls such as validating modelling scenarios and results against the final acquisition and sail line plan (see Item 2.1).	Updated section in the EP Summary addresses this request.
<b><i>The level of analysis and evaluation is not commensurate to the nature and scale of the activity – Spawning and recruitment of protected and commercial fish and invertebrates</i></b>		
1.6	<b>Requirements:</b> The EP must include an evaluation of all impacts and risks, appropriate to the nature and scale of each impact or risk [regulation 21(5)(6)].	See specific responses below.



## Appendix 1

### Titleholder Response to RFFWI Matters

Item	Description	Titleholder Response
1.6	<p><b>Issue:</b> The assessment of impacts and risks from noise does not provide an appropriate level of detail to support the conclusions made about impacts to spawning and recruitment of specific protected and commercial species. General conclusions are made regarding the effects of seismic on fish, invertebrates and plankton, including eggs and larvae. However, the impact assessments do not demonstrate sufficient detail with regards to specific species or stocks. For example, it is not evident if the assessments adequately describe or consider the spatial extent of key biological stocks that may be affected, spawning behaviours (e.g. broadcast versus aggregation), known spawning periods, information available on advection and recruitment, or provide an indication of the proportion of spawning biomass that may be impacted.</p>	<p>All available scientific peer-reviewed literature and literature from other reliable sources was utilised to analyse and evaluate the potential effects of seismic on commercial fish and invertebrates. Relevant details addressing the points raised by NOPSEMA can be found in the following sections of the EP document as submitted.</p> <p><b>Appendix B8</b> – Regia MSS Seismic Studies – this document provides an assessment of all the literature relevant to understanding the effects of seismic on a variety of marine organisms. It serves as a knowledge base from which assessments on specific receptors are made.</p> <p><b>Appendix E3</b>, Underwater Sound – Fish, Section 6 – Predicted Levels of Impact - This section details spawning and recruitment parameters of relevance and the potential influence of seismic for the suite of commercial fish species, including eels, found in the region of interest – relevant literature is cited throughout.</p> <p><b>Appendix E4</b>, Underwater Sound – Invertebrates, Section 6 – Predicted Levels of Impact – This section provides an assessment of the science around the key invertebrate species which includes recruitment and spawning.</p> <p><b>Appendix F3</b>, Further Assessment of Key Values and Sensitivities – Section 3 – Relevant Person Objections and Claims - see Table F3.2 – Assessment of claims of commercial rock lobster fishers.</p> <p>CGG acknowledges there has been a final report, which updates Day et al (2021) to Day et al (2023). However, there is no change in outcomes from the earlier report. CGG also acknowledges the recent research paper by de Lestang et al (2024) published after submission of the EP. This paper has been assessed and comments incorporated into the relevant sections on Invertebrates and lobster.</p> <p>In addition to Rock Lobsters, all species that were identified through the relevant persons consultation process as being of particular concern were then subject to an acceptability assessment (Appendix F3) with specific feedback given to the claimants to inform them that their input was being acted on appropriately.</p> <p>The following sections contain detailed analyses of the potential effects of seismic on all aspects of their life history, including spawning and recruitment. Appendix F3, Section 4, sub-sections 4.2.4 Southern Rock Lobster, 4.2.5 Giant Crab, 4.2.6 Glass Eels, 4.2.7 Goulds Squid, 4.2.8 Pale Octopus, 4.2.9 Blacklip Abalone, 4.2.10 Pink Snapper, 4.2.11 King George Whiting, 4.2.13 Spawning Patterns.</p>

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### Titleholder Response to RFFWI Matters

Item	Description	Titleholder Response
1.6	In addition, noting the potential for stage- and species-specific impacts, the impact assessments and the sound effects criteria applied do not account for all impacts. For example, the effects to lobster puerulus and the associated ranges documented in Day et al. (2021, 2022; as reviewed in Appendix B8 of the EP) and implications on their development and survival, do not appear to have been considered.	As above
1.6	In addition, information provided by relevant persons in relation to the spawning and recruitment, or any further detailed assessment undertaken by CGG and provided to relevant persons should be incorporated into the impact assessment, where relevant.	As above
1.6	<b>Request:</b> Please revise the EP to include further detail of the evaluation of the potential impacts to the spawning biomass and planktonic life stages of protected and commercial fish and invertebrates.	As above
<b><i>The impact and risk assessment is not commensurate to the magnitude of impacts and risks from the activity - unplanned release of fuel</i></b>		
1.7	<b>Requirements:</b> The EP must adequately define the environment that may be exposed to hydrocarbons in the event of a significant incident and the geographic extent of response and monitoring activities (GN1433: Section 3.2.1) and the level of detail and rigor applied to the impact and risk assessment must be commensurate to the magnitude of impacts and risks arising from the activity (GL1721: Section 6.3).	See specific responses below.
1.7	<b>Issue 1:</b> It is unclear if the Environmental Planning Area (EPA) selected is appropriate to inform the extent of potential low thresholds (10 ppb) for entrained hydrocarbons from an unplanned spill, to inform the area for scientific monitoring. This is because modelling undertaken for other activities considered in Table B11-t5-1 reflects entrained hydrocarbons being present up to 742 km from release location. It is noted that the spill volume in this scenario is larger than what is proposed for this activity; however, the EP does not appear to have evaluated it in detail for low-threshold entrained hydrocarbons. Additionally, the EP inconsistently describes the EPA as being both 150 km and 155 km.	Further analysis has been presented in Appendix D4 for the level of assessment being commensurate with the risk and the findings of Appendix B11. The following sentence has been added to B11 and D4 "An additional 5 km was added to this range to ensure that coastal sensitivities were included in the search ranges for environmental values and sensitivities to inform the description of environment."

## Appendix 1

### Titleholder Response to RFFWI Matters

Item	Description	Titleholder Response
1.7	<b>Issue 2:</b> The risk assessment for an unplanned release of fuel repeatedly refers to a marine diesel oil (MDO) spill of 250m <sup>3</sup> although Appendix A2 describes the largest potential fuel tank for this activity as having a greater capacity (257.4m <sup>3</sup> ). As a result of this, the risk assessment does not appear to be commensurate to the magnitude of impacts and risks from the activity.	The activity description (A2) has been updated to justify why the differential of 7.4 tonnes is irrelevant in the context of the risk assessment.
1.7	<b>Request:</b> Please revise the EP to:	
1.7	1. Provide further information to demonstrate that the Environmental Planning Area is appropriate for defining the EMBA for this activity, with clear consideration given to the extent low threshold entrained hydrocarbons may be detectable.	CGG has added a new Section 3.2.1 in Appendix D4 and has made minor alignment edits to Appendix A2 and Appendix B11.
1.7	2. Ensure risk assessments for an unplanned release of fuel are commensurate to the defined maximum capacity of the largest fuel tank in vessels that will be used to undertake the activity.	See above responses.
<b>Acceptance Criteria 34(b) – The EP does not demonstrate that the environmental impacts and risks of the activity will be reduced to as low as reasonably practicable (ALARP) because:</b>		
<b><i>There is not a thorough consideration and evaluation of all reasonable control measures</i></b>		
2.1	<b>Requirements:</b> The EP must include details of the control measures that will be used to reduce the impacts and risks of the activity to as low as reasonably practicable (ALARP) and an acceptable level [regulation 22(5)]. The EP must demonstrate, through reasoned and supported arguments, that there are no other practicable measures that could reasonably be taken to reduce impacts and risks any further (GLI721: Section 7).	See specific responses below.
2.1	<b>Issue:</b> The EP does not evaluate all control measures that could reasonably be considered for all aspects of the activity. Examples include, but are not limited to:	See specific responses below.
2.1	Restriction of deployment and retrieval of seismic gear (e.g., seismic source and streamers) to within the Operational Area and outside of Australian Marine Parks or other sensitive areas.	CGG has carried out additional analysis included in F2, followed by a new section 6.2.5.

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### Titleholder Response to RFFWI Matters

Item	Description	Titleholder Response
2.1	Shut down of the seismic source when outside of the Active Source Area.	The definition of Operational Area is clarified in Appendix A2
2.1	Sound source verification or in-field sound verification.	Although this is not a control measure, CGG recognises that more detail was required on how the sound source will be verified as a specific measure to ensure that environmental performance is met. Therefore, a new section has been added to the restructured Implementation Strategy, in section 4.4.1.
2.1	Validation of underwater sound model predictions, particularly accumulated sound exposure scenarios where there is currently uncertainty about the final sail line plan.	The final survey acquisition area has been set eliminating the uncertainty that would have required verification of sound source modelling.
2.1	Adoption of shutdown procedures for turtles, dolphins and other marine fauna.	Measures have been adopted to provide shut down distances for other marine fauna.
2.1	Potential integration of shore-based or coastal observation programmes, or other operator observations into the broader suite of fauna detection methods detailed in the Fauna Management Plan (FMP, Appendix G2).	This has been assessed in the ALARP assessment - Appendix F2.
2.1	Weather and visibility restrictions for bunkering operations.	Additional information has been added information to the details of the bunkering procedure with the changed being made in Appendix A2, F2 and G9.
2.1	Appendix A2 outlines restrictions on the maximum number of days of seismic acquisition (60) and operations (90) across the duration of the EP; however, these restrictions have not been evaluated or included as a control measure.	As these are not control measures and do not require evaluation no updates have been made. They are the defined limits of the activity that CGG believes are necessary to meet the geophysical objectives of the survey.
2.1	The Fauna Management Plan (Appendix G2) includes a number of detection and mitigation control measures that have not been individually included in the ALARP evaluation.	The measures were adopted before the ALARP assessment hence why they appear in the Fauna Management Plan.
2.1	<b>Request:</b> Please revise the EP to provide an evaluation of all control measures that could reasonably be considered to reduce environmental impacts and risks from the activity to ALARP. Where additional control measures are adopted, please provide new EPS that set out clear levels of performance.	Completed as described above.
<b>The level of detail provided to describe the control measures and EPS is not sufficient</b>		



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### Titleholder Response to RFFWI Matters

Item	Description	Titleholder Response
2.2	<b>Requirements:</b> The EP must provide enough detail for control measures to demonstrate that they will be effective in reducing impacts and/or risks for the duration of the EP (GL1721: Section 7.2).	See specific responses below.
2.2	<b>Issue:</b> The EP does not provide sufficient detail for control measures and environmental performance standards (EPS). This is because, in general, the scope of control measures is overly broad and does not describe or commit to specific actions that will be taken during the activity to implement them. For example (but not limited to):	
2.2	Appendix A2 lists 22 key “activity limitation controls” and M#04 (Sail Line Plan) states that it will include all of these. However, these are not currently described under the control measure or EPS in the section of the EP that will be used for implementation and to monitor environmental compliance, which creates uncertainty as to whether they will be implemented and monitored effectively.	The activity limitation statements are not control measures and thus do not require EPS's. CGG understands the concern about the implementation of the sail line plan, which is a practice of managing a subcontractor to perform the survey as per the specifications. Rather than it being a control measure, the sail line plan has been more accurately reflected as a resource within the EMS and added to the restructured Implementation Strategy (Appendix B3), new section 4.4.2.
2.2	The Fauna Management Plan (Appendix G2) does not provide sufficient information to demonstrate why control measures, individually and collectively, will be effective. This includes information on the objectives, timing or minimum number/frequency of aerial surveys, how the SRW and BW expert panel will function (e.g. the timeframe for establishing the panel, the frequency at which the panel will be convened and the decision-making process of the panel), and clarification of ambiguous statements such as actions 'could consist of'.	CGG has included information regarding how the expert panel will function in Appendix E7-Underwater Sound-Marine Mammals. The objectives and timing of aerial surveys have been written into the EP as Environmental Performance Standards in Appendix G1.
2.2	An EPS associated with M#06 (Sea Country Protection Program) provides that “the SCPP shall implement effective measures to preserve cultural heritage sites, artefacts and values within the project area, minimising impacts from petroleum activities” but provides no further detail as to what “effective measures” have been adopted and will be implemented during the activity.	The SCPP has been incorporated into the Implementation Strategy as a specific measure to continually identify and reduce impacts to cultural features to ALARP. This aims to clarify what the effective measures are and what will be implemented during the activity.
2.2	An EPS associated with M#02 (Consultation Management System) provides that “best endeavours will be made to develop a SIMOPS plan with divers and titleholders when operating within 40 km of known dive sites” but no further detail is provided as to how or when CGG will endeavour to develop these plans.	Details about how the SIMOPS plan will be implemented have been added to the restructured Implementation Strategy, new section 4.1.1.2.
2.2	Without sufficient detail of what controls will entail and how they will be implemented (particularly in Appendix G, which is stated to form the basis of compliance monitoring for the activity), it is not clear if selected controls will be effective in reducing impacts and risks to ALARP and acceptable levels for the duration of the EP.	An assessment of the effectiveness of all adopted control measures has been completed in the ALARP assessment - Appendix F2.



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### Titleholder Response to RFFWI Matters

Item	Description	Titleholder Response
2.2	<b>Request:</b> Please revise the EP to provide sufficient detail for control measures and EPS to demonstrate how they will be implemented reliably and effectively and can be easily monitored for compliance. In addressing this point, please ensure details are clear and consistent throughout the whole EP.	Completed as described above.
<b>Acceptance Criteria 34(c) – the EP does not demonstrate that the environmental impacts and risks of the activity will be of an acceptable level because:</b>		
<b><i>The EP does not demonstrate that it is not inconsistent with a recovery plan or threat abatement plan for a listed threatened species or ecological community</i></b>		
3.1	Requirements: The EP must demonstrate that the proposed activity is not inconsistent with a recovery plan or threat abatement plan for a listed threatened species or ecological community (GL1721: Section 8.3).	See specific responses below.
3.1	Issue: The EP does not demonstrate that it is not inconsistent with the new EPBC Act National Recovery Plan for the Southern Right Whale ( <i>Eubalaena australis</i> ), as it came into effect on 31 July 2024. The recovery plan sets out information including the long-term recovery vision, interim recovery objectives and targets, and recovery actions necessary to minimise anthropogenic threats and facilitate recovery of the southern right whale (SRW).	CGG has reviewed the National Recovery Plan for the Southern Right Whale and has updated the EP to ensure the Regia MSS is not inconsistent with the new objectives in the plan.
3.1	The recovery plan sets out information including the long-term recovery vision, interim recovery objectives and targets, and recovery actions necessary to minimise anthropogenic threats and facilitate recovery of the southern right whale (SRW). The new recovery plan differs from the previous Conservation Management Plan for the Southern Right Whale (2011-2021) and the draft National Recovery Plan for the Southern Right Whale that was subject to a public comment process. Accordingly, EPs developed considering these previous documents would not address or meet requirements of the new recovery plan.	As above.
3.1	<b>Request:</b> Through review of the new National Recovery Plan for the Southern Right Whale ( <i>Eubalaena australis</i> ) in full, please revise the EP with content to demonstrate that it is not inconsistent with the recovery plan. In doing so, the modified EP should include content that demonstrates, through implementing all relevant and specific recovery actions detailed in the recovery plan and informed by the evaluation of evidence and facts applicable to the activity, that the activity will not be inconsistent with the stated recovery vision and interim recovery objectives for the SRW.	As above.

## Appendix 1

### Titleholder Response to RFFWI Matters

Item	Description	Titleholder Response
3.1	In relation to underwater sound emissions, specifically, CGG should have regard for the recovery plan's summary of threats, threat prioritisation for the eastern SRW population, biological information, seasonal distribution, biologically important areas (BIAs) and habitat critical to survival (HCTS) of the SRW, and Action Area A5.	CGG has included additional information in Appendix E7, Section 8.5 to include regard to threats to the eastern population of SRW.
3.1	Further information is required to demonstrate how the activity will not prevent any southern right whale from utilising BIAs and HCTS, and that the risk of behavioural disturbance is minimised. Please also give further consideration to the recovery plan's advice to adopt avoidance as the first approach to reduce the impacts and risks in BIAs and HCTS at times when SRWs are present, particularly to HCTS during the critically important calving season (May to October).	CGG has included additional information in Appendix E7, Section 8.5 regarding how CGG will ensure how behavioural disturbance is minimised.
<b>Acceptance Criteria 34(d) – the EP does not provide for appropriate performance outcomes, standards and/or measurement criteria because:</b>		
<b><i>Environmental performance outcomes are not clearly linked to acceptable levels and do not reflect levels of environmental performance that are achievable</i></b>		
4.1	<b>Requirements:</b> The EP must contain clear, unambiguous EPOs that are linked to acceptable levels (GL1721: Section 9.3). In addition, EPOs need to set a measurable level against which the environmental performance of the titleholder can be assessed (GN1344: Section 3.7). The definition of an EPO is a measurable level of performance required for the management of environmental aspects of an activity to ensure that environmental impacts and risks will be of an acceptable level (Regulation 5).	See specific responses below.
4.1	<b>Issue:</b> The EP contains EPOs that do not establish appropriate, clear and measurable levels of performance required for the management of the activity, to ensure that environmental impacts and risks will be acceptable. Some examples include (but are not limited to):	CGG understood this comment, and the advice provided during the meetings with NOPSEMA, to be that the root cause of the issue was NOPSEMA desiring more detailed statements about the performance outcomes for the activity. Therefore, CGG undertook a complete review of the acceptable levels of impact / risk and followed that more detailed definition through to setting a completely new set of EPOs.
4.1	EPO 1 "to ensure effective communication and engagement with relevant persons and local communities throughout the activity's lifecycle, fostering transparency, understanding and responsiveness to their needs and concerns" does not reflect a level of environmental performance and does not relate to an environmental aspect.	The EPO does relate to an aspect clearly covered in E1 and E8. However, as per the above, this EPO has been updated with "The community and relevant persons are informed about the operational details of the activity and relevant persons objections and claims are promptly assessed."

## Appendix 1

### Titleholder Response to RFFWI Matters

Item	Description	Titleholder Response
4.1	EPO 8 "to establish and maintain a framework for Sea Country protection that manages the interaction of the activity with First Nations cultural values and sensitivities" does not establish a measurable level of environmental performance for impacts and risks from the activity on the values and sensitivities.	CGG has removed this EPO, and has completed an new impact assessment on cultural features and values. As a result, new EPO's have been developed after completing the assessment.
4.1	EPO 10 "to establish and maintain an effective Oil Pollution Emergency Plan (OPEP) that ensures swift and efficient response to oil spill incidents, minimizing environmental harm, protecting sensitive ecosystems, and safeguarding human health and safety" does not reflect an acceptable level of environmental performance as it relates to implementation of the OPEP after a spill event has occurred rather than management of the activity to prevent unplanned spill events from occurring.	There is a new EPO "No accidental release of fuel to the marine environment."
4.1	<b>Request:</b> Please update the EP to provide appropriate EPOs that are clear, measurable, and consistent with the definition in Regulation 5.	Completed as described above.
<b><i>The environmental performance standards and measurement criteria are ambiguous, are not linked and complementary and/or cannot be easily monitored for compliance</i></b>		
4.2	<b>Requirements:</b> The EP must include EPS that are directly linked to control measures, contain clear and unambiguous statements of performance, can be easily monitored for compliance and have clear measurement criteria that demonstrate that the desired environmental performance is being met (GLI721: Section 9.3).	See specific responses below.
4.2	<b>Issue:</b> The EP provides measurement criteria in a separate table to the EPS, which makes it unclear in many cases which specific measurement criteria correspond to each EPS. In addition to this, EPS and measurement criteria are often too broad and/or ambiguous to be effectively monitored for compliance. For example (but not limited to):	CGG has reviewed its approach to presentation of the environmental performance, to address this comment.

## Appendix 1

### Titleholder Response to RFFWI Matters

Item	Description	Titleholder Response
4.2	EPS "The sail plan will comprehensively define the activity limitations (Appendix A2) and operational area, acquisition area, depth contours, and distances related to environmental management control measures" does not reflect a clear statement of environmental performance (i.e., a clear statement of which activity limitations will be complied with and how), nor does it commit CGG to implementing the sail plan. Additionally, there is a single, overly broad measurement criterion for this control measure which does not appropriately capture all reports/logs that would be required as evidence to demonstrate compliance with the 22 different key activity limitations described in Appendix A2.	CGG has review all measures (not just control measures) that apply to each aspect. This clarifies that the sail line plan is not a control measure but a resource (a plan) to be followed. It is the people in charge of the survey that follow the sail line plan. These control measures (the people) have been more clearly identified in the updated environmental performance tables in EP Annex 2.
4.2	EPS "To preserve Marine Parks proximate to the Regia MSS, no discharges of any kind will be allowed from contracted vessels within these protected areas" does not appear to have a corresponding measurement criterion. Also, given that the marine parks are proximate to, not overlapping with the Regia MSS Operational Area, the control to disallow discharge within the protected areas is meaningless.	This has been clarified in the EP.
4.2	EPS "Contracted vessels are required to have a Vessel Lighting Management Plan to minimise light emissions while meeting vessel navigational light requirements" does not have a clear corresponding measurement criterion and cannot be easily monitored for compliance (i.e., how will CGG ensure the lighting management plan employed by the contracted vessel is in alignment with CGG's requirements? How will CGG determine when and if the plan effectively minimises light emissions?).	CGG has reviewed its approach to presentation of the environmental performance, to address this comment.
4.2	A measurement criterion for the Marine Assurance System refers to "regular" audits and inspections of contracted vessels and immersible equipment, review of compliance documentation and assessment of maintenance records" but does not define "regular".	CGG has reviewed its approach to presentation of the environmental performance, to address this comment.
4.2	<b>Request:</b> Please update the EP to:	Completed as described above.
4.2	• Provide clear and specific linkages between EPS and their corresponding measurement criteria; and	The EPS's have all been reviewed and updated to ensure each has a clear measurement criteria.
4.2	• Ensure EPS and measurement criteria contain clear and unambiguous statements of performance that can demonstrate the desired environmental performance is being met and be easily monitored for compliance.	The EPS's have all been reviewed.
<b>Acceptance Criteria 34(e) – the EP does not demonstrate that an appropriate implementation strategy is in place because:</b>		



## Appendix 1

### Titleholder Response to RFFWI Matters

Item	Description	Titleholder Response
	<b><i>The submission does not describe adequate and effective processes and systems to demonstrate that all impacts and risks will continue to be reduced to ALARP and acceptable</i></b>	
5.1	<b>Requirements:</b> The 'specific measures' described in the environmental management system (EMS) should describe the components of the EMS that will define how the activity will be managed and monitored to ensure that the EPOs and EPS are met. The EPO(s) should be equivalent to or better than the acceptable level(s) of environmental impact and risk from an activity. In this way EPOs are used in environmental impact assessment and management as a key criterion to enable management response prior to the acceptable level being exceeded (GN1344: Section 3.7.2).	See specific responses below.
5.1	<b>Issue:</b> The implementation strategy provides for the amendment of EPOs, which is not appropriate because:	See specific responses below.
5.1	Where acceptable levels are defined in the EP, appropriately set EPOs must reflect the acceptable level of impact and should therefore not be amended, unless new scientific information regarding impacts to the environment comes to light, or statutory criteria change; and	EPO's should be allowed to be varied provided they improve performance. This has been clarified in the resubmission.
5.1	The description of the environmental performance monitoring/review process does not provide assurance that any changes to the wording of EPS will not materially degrade or diminish the level of performance set for control measures.	The following statement has been added to Section 4.1 of Appendix B3 "CGG will not use the MOC process to materially degrade or diminish the levels of environmental performance."
5.1	<b>Request:</b> Please revise the EP so it is clear that EPOs (given they reflect acceptable levels of impact) will not be modified and that if any change to the performance of control measures /EPS is contemplated, this will only occur where it demonstrably enhances or improves performance.	Completed as described above.
	<b><i>There is not an appropriate Oil Pollution Emergency Plan</i></b>	
5.2	<b>Requirements:</b> That the EP must contain an oil pollution emergency plan that is appropriate for the nature and scale of the activity and consistent with the content requirements set out in r 22(8) with sufficient arrangements in place to monitor pollution in the event of an oil spill (GL1721: Section 10.3).	See specific responses below.



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### Titleholder Response to RFFWI Matters

Item	Description	Titleholder Response
5.2	<b>Issue:</b> The EP states that the presented OPEP is based on the outcomes of weathering modelling in SIMAPs for 286m3 MGO; however, this modelling is not included, is based on a different fuel type to what will be used in the activity (MDO) and no figure is provided to show the extent of this EMBA or which environmental receptors may be impacted. As such, NOPSEMA cannot appropriately assess the OPEP as it is not clear whether the OPEP provided is relevant to the activity proposed.	The OPEP has been updated to reflect the analysis in B11.
5.2	<b>Request:</b> Please update the EP to provide an OPEP that is appropriate for the described activity.	Completed as described above.
<b>Acceptance Criteria 34(g) – the EP does not demonstrate that the consultations have been carried out and appropriate measures have been adopted because:</b>		
<b>Ambiguous and insufficient description of the consultation process.</b>		
6.1	<b>Requirements:</b> When making a decision regarding whether an EP demonstrates that the titleholder has carried out consultation required by Division 3 and that the measures (if any) that the titleholder has adopted or proposes to adopt because of the consultation are appropriate, NOPSEMA considers whether the report on consultation includes a sufficient description of the consultation process, for NOPSEMA to objectively determine that the titleholder's duty to identify and consult with each relevant person has been discharged (GL1721: Section 12.3).	See specific responses below.
6.1	<b>Issue:</b> It is not clear what information, regarding the process CGG followed to identify and carry out consultation with relevant persons, should be relied upon by NOPSEMA in its decision making. This is because there is inconsistent information relating to the relevant persons identification and consultation process presented throughout the EP (e.g., in the Community Consultation and Engagement Plan (A3) vs the Consultation and Engagement Report (C1)). In addition, there is information about the relevant persons identification and consultation process written in a future tense (e.g., in the Community Consultation and Engagement Plan (A3)), which makes it unclear what has been completed in preparation of the EP and what is yet to be undertaken. As a result, there is uncertainty around how identification of, and consultation with, relevant persons was carried out by CGG.	Appendix A3 has been removed from the submission to remove the confusion and incorporated into Appendix C1.

## Appendix 1

### Titleholder Response to RFFWI Matters

Item	Description	Titleholder Response
6.1	<b>Request:</b> Please revise the EP in a manner that ensures that the report on consultation includes a sufficient description of the consultation process for NOPSEMA to objectively determine that CGG's duty to identify and consult with each relevant person has been discharged.	Completed as described above.
<b>The process for relevant persons identification is not clearly described and may not provide for the broad capture of relevant persons.</b>		
6.2	<b>Requirement:</b> When making a decision regarding whether an EP demonstrates that the titleholder has carried out consultation required by Division 3 and that the measures (if any) that the titleholder has adopted or proposes to adopt because of the consultation are appropriate, NOPSEMA will consider whether the process for relevant persons identification is clearly described and provides for the broad capture of relevant persons such that each relevant person who can be ascertained is identified (GL1721: Section 12.3).	See specific responses below.
6.2	<b>Issue:</b> The process for relevant persons identification is not clearly described and may not provide for the broad capture of relevant persons because:	
6.2	1. The information in the EP that relates to the relevant persons identification process does not always contain enough detail to be able to determine how the relevant persons were identified. In particular:	See responses below.
6.2	• the EP details the sources of information that were used to support the identification of relevant persons (such as review of databases and registers etc.), but in many cases there is insufficient additional context provided on the degree to which those sources of information were used (e.g. the specific scope and bounds of the search parameters are unclear); and	This information was provided in C1, Table C1-3. Additional detail has been added to address this point within the same table.
6.2	• the EP indicates that fee-for-service agreements were entered into with some commercial fishery associations to support identification and consultation with commercial fishers, but there is insufficient information to clarify who this involved, what it involved and what the outcomes were.	Further information on commercial fishery association engagement arrangements, including memberships and outcomes, has been provided in Annex 1 of Appendix C1.

## Appendix 1

### Titleholder Response to RFFWI Matters

Item	Description	Titleholder Response
6.2	2. Some of the information in the EP that relates to the relevant persons identification process may be irrelevant or ineffective for identifying relevant persons with functions, interests or activities that may be affected by the activity. For example (but may not necessarily be limited to):	See responses below.
6.2	<ul style="list-style-type: none"> <li>the Community Consultation and Engagement Plan (A3) includes reference to the WA Department of Primary Industries and Regional Development database for the purposes of identifying commercial fishers. However, given that the proposed activity is located offshore of Victoria, it is difficult to ascertain how the functions, interests or activities of WA commercial fishing licence holders may be affected by the proposed activity; and</li> </ul>	This reference was an error and has been corrected.
6.2	<ul style="list-style-type: none"> <li>the Consultation and Engagement Report (C1) describes that contact information for State commercial fishing licence holders was obtained through multiple meetings with commercial fishers at local ports and word of mouth. However, this information could be obtained through more reliable and effective methods such as through the relevant State government fishing departments of which is not included as a consideration in the EP.</li> </ul>	The VFA do not provide contact information for commercial fishers, this is now referenced, and further explanation of the identification of commercial fishers provided, in Appendix C1, Annex 1.
6.2	3. The information in the EP that relates to the relevant persons identification process is not clearly linked with the other parts of the EP where details relating to the nature of the activity, description of the environment and the possible impacts and risks of the activity are contained. As a result, NOPSEMA cannot assess what, specifically, was taken into account by CGG when determining whether the activity may be relevant to authorities, or determining whose functions, interests and activities may be affected. It is noted that each impact section identifies the types of relevant persons who may be affected by that impact, however the assessment team has been unable to verify that the relevant persons identification effectively identified all relevant persons of each 'type'.	CGG has updated Appendix C1 (section 3.1.10) to include a full list of identified relevant persons that outlines functions, interests and activities information that was used to determine whether the activity may be relevant or affect by the proposed activity.
6.2	4. The geographical extent of where the environmental impacts and risks of the activity may affect the functions, interests or activities of relevant persons is not clearly established within the EP. Specifically, throughout the EP where information relating to the relevant persons identification process is contained, contradicting and unclear areas are described as follows:	<p>As previously stated in Appendix A3 "The search for persons or organizations who are relevant persons starts as a global public search because the definitions of functions, interests and activities are not geographically constrained. However, certain groups, such as other marine users, are likely to be proximate to the activity."</p> <p>To add clarity, Appendix A3 has been removed and Appendix C1 updated.</p>

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### Titleholder Response to RFFWI Matters

Item	Description	Titleholder Response
6.2	• the Community Consultation and Engagement Plan (A3) includes a figure depicting the Activity and Environmental Planning Areas but elsewhere it notes the application of an “EMBA” and “socio-economic EMBA”; and	See response above.
6.2	• the Consultation and Engagement Report (C1) notes the application of the Environmental Planning Area but there is no figure or reference to a figure available to provide full certainty of what this area specifically corresponds with.	See response above.
6.2	5. Further to issue point 3 above, although it remains unclear which geographical extent was applied for the identification of relevant persons, there are also no clear details provided in the EP that justifies why the area is appropriate and suitable for such purposes.	See response above.
6.2	<b>Request:</b> Please provide additional information regarding the process for relevant persons identification that clearly describes the method(s) used by CGG to provide for the broad capture of relevant persons. In doing so, CGG will need to ensure that it carefully considers if changes made to the EP in response to other items raised in this RFFWI affects the identification of relevant persons.	The method used by CGG to provide for the broad capture of relevant persons has been updated with further information to adequately describe this, in Appendix C1
6.2	Please note, if the changes to the EP result in the identification of new relevant persons, CGG will need to demonstrate that it has carried out consultation with these relevant persons in line with the requirements under Regulation 25 of the Environment Regulations. In addition, CGG will need to ensure that the report on consultation (including the sensitive information part) is updated to include details of any additional consultations undertaken, in line with the requirements of Regulation 24(b) of the Environment Regulations.	Completed as described above.
<b>It is not clear that effective consultation has taken place with each relevant person</b>		
6.3	<b>Requirement:</b> When making a decision regarding whether an EP demonstrates that the titleholder has carried out consultation required by Division 3 and that the measures (if any) that the titleholder has adopted or proposes to adopt because of the consultation are appropriate, NOPSEMA will consider whether effective consultation has taken place with relevant persons (GL1721: Section 12.3). Effective consultation includes consideration of whether relevant persons have been provided sufficient information and a reasonable period to consider information and make an informed response (regulations 25(2) and (3) of the Environment Regulations).	See specific responses below.
6.3	<b>Issue:</b> It is not clear that effective consultation has taken place with each relevant person because:	See specific responses below.



## Appendix 1

### Titleholder Response to RFFWI Matters

Item	Description	Titleholder Response
6.3	1. Concerns and assertions by relevant persons regarding the adequacy of the consultation process have not been fully addressed. Specifically, the full text consultation records in the sensitive information report and the public comments demonstrate that numerous relevant persons raised various types of concerns and assertions about the adequacy of the relevant persons consultation process. While there are some limited details provided, overall, the description of the consultation process does not thoroughly identify which relevant persons raised such concerns and assertions, describe the nature of those concerns and assertions, and explain how CGG addressed those concerns and assertions during the consultation process. Given this, there is currently insufficient rational available in the EP for NOPSEMA to assess whether relevant persons consultation was carried out by CGG in a manner that meets the requirements of Division 3, despite a high volume of concerns and assertions about the adequacy of the consultation process.	Identifying "concerns and assertions" was not part of the CGG consultation process, nor was it a regulatory requirement in any guideline or written advice. Notwithstanding, CGG has reviewed all consultation records and identified these matters and how they were assessed and addressed. They are presented in each Relevant Person Summary report and in Appendix C1.
6.3	2. Where an assessment of concerns and assertions against the adequacy of the consultation process has been provided for only some but not all the relevant persons that raised these (i.e. in the Consultation and Engagement Report (C1) – Annexes 1 and 2), it does not thoroughly and directly address all of their concerns and assertions. This includes (but may not necessarily be limited to) all the consultation related concerns and assertions that were raised by Environment Justice Australia (EJA) acting on behalf of Gunditj Miring Traditional Owner Aboriginal Corporation (GMOAC) in correspondence dated 21 March 2024 (i.e. Event ID 4794).	See response above.
6.3	3. CGG has not provided answers to all questions and/or requests within responses that were made by relevant persons. This includes (but may not necessarily be limited to) the emails from Fisherman Direct Pty. Ltd. on 1 March 2023 (i.e. Event ID 4637) and 13 March 2024 (i.e. Event IDs 4638 and 4639). These cases prevent the EP from demonstrating that a genuine two-way dialogue has occurred between CGG and relevant persons.	This comment related to consultation received close to the point of submission that needed a detailed response. Subsequent responses to this relevant person have been made and included in the resubmission.
6.3	4. While there are some limited details provided, overall, the description of the consultation process does not clearly explain and justify why CGG considers that the number of attempts, contact details and communication methods used to contact the non-responsive relevant persons was appropriate to ensure that they had a reasonable opportunity to participate in consultation.	Appendix C1 provides detailed information on the consultation methodology and illustrates how each Relevant Person had reasonable opportunity to participate. 3.1.4 Tailored Engagement Methods, and 3.1.12 Non-responsive Relevant Persons



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### Titleholder Response to RFFWI Matters

Item	Description	Titleholder Response
6.3	5. The description of the consultation process does not include consideration of how the timeframe that CGG has allowed for its consultation with First Nations relevant persons is appropriate. For example, how it compares with other benchmark periods for consultation with First Nations people and communities under other relevant legislative processes and/or guidance documents.	Benchmarking analysis for Traditional Owners has been included in Annex 2 of Appendix C1.
6.3	6. Where CGG received information from First Nations relevant persons that was indicative of what their specific interests are that may be affected by the proposed activity, it was not apparent from the consultation records that CGG had adequately circled back to each of these relevant persons to confirm how the information they provided had been considered and addressed in the EP. As a result of this, it is unclear if these relevant persons have had sufficient information provided to them in order to make an informed assessment of how their interests may be affected by the proposed activity.	The report on consultations, Appendices C2, now extracts and categorises information exchange for each Relevant Person as the following: Objections and Claims, Information Received, Information Requested and Assertions and Concerns. The Information Received table contains a column titled 'Titleholder response' that captures how the information was utilised and if required an EP/Appendix reference.
6.3	<b>Request:</b> Please provide further information to demonstrate that effective consultation has taken place with each relevant person by addressing the issues raised above. In doing so:	Completed as described above.
6.3	<ul style="list-style-type: none"> <li>consider if further consultation needs to be carried out with some relevant persons, particularly with the relevant persons that have made responses that remain unanswered by CGG, the relevant persons that have raised consultation related concerns and assertions of which cannot be adequately addressed by CGG based on the consultation efforts that have occurred to date, and with relevant persons (if any) that have made requests for additional information or time that remain unmet by CGG unless it can be reasonably justified in the EP; and</li> </ul>	As above, the report on consultation also captures Requests for Information and where we responded. Likewise, the Relevant Persons Assertions and Concerns are summarised and demonstrates how they were considered and addressed.
6.3	<ul style="list-style-type: none"> <li>note that the examples provided in the issue statement above were identified by a sampled approach, and that the responsibility for undertaking a comprehensive review of the EP remains with CGG.</li> </ul>	The above process has been applied to all relevant persons.
<b><i>The EP does not demonstrate that it is in line with regulation 25(4)(ii) of the Environment Regulations</i></b>		
6.4	<b>Requirement:</b> Titleholders must tell each relevant person that they may request that particular information provided in the consultation not be published (regulation 25(4)(i) of the Environment Regulations). Titleholders must also ensure that any information subject to such a request is not to be published in the EP (regulation 25(4)(ii) of the Environment Regulations).	See specific responses below.

## Appendix 1

### Titleholder Response to RFFWI Matters

Item	Description	Titleholder Response
6.4	<b>Issue:</b> It is not clear that the EP is in line with regulation 25(4)(ii) of the Environment Regulations as the report on consultation does not contain clear details that clarifies if and when relevant persons made requests to CGG that information provided by them during consultation is not to be published in the EP. Consequently, NOPSEMA cannot assess that CGG has ensured that information subject to such requests is not published in the EP as required by regulation 25(4)(ii) of the Environment Regulations.	The Relevant Person Summary contains the date the relevant person was informed that they were able to request information to not be published. When a request was made, this is detailed in the relevant persons comment section of their summary, along with the date and Event ID.
6.4	<b>Request:</b> Please revise the EP by providing further information in the report on consultation that clarifies when relevant persons made requests to CGG that information provided by them during consultation is not to be published in the EP. In doing so, CGG must also ensure that information subject to such requests is not published in the EP as required by regulation 25(4)(ii) of the Environment Regulations.	Completed as described above.
<b>The report on consultation does not provide an accurate, clear and comprehensive summary of the consultation that occurred between CGG and relevant persons</b>		
6.5	<b>Requirement:</b> The report on consultation must contain the prescriptive elements outlined in regulation 24(b), that includes a summary of each response made by a relevant person (regulation 24(b)(i) of the Environment Regulations). Titleholders should ensure that details of the main matters raised in each response made by a relevant person are included in the summaries, with full text (source) records provided for NOPSEMA to verify the accuracy of the summary of the consultation (GL2086: Section 9).	See specific responses below.
6.5	<b>Issue:</b> The report on consultation does not provide an accurate, clear and comprehensive summary of the consultation that occurred between CGG and relevant persons. This is because the summaries of consultation engagements are often too brief with insufficient details on the matters raised by relevant persons. Examples include (but are not limited to):	CGG has updated its process for documenting consultation summaries to ensure the report on consultations, including Appendix C2, is accurate, clear, and comprehensive. Event summaries have been reviewed and updated to ensure all information received from relevant persons and provided by CGG has been captured. Additionally, event documents were examined and information contained therein was extracted to supplement the event summary. Via this process, additional feedback have been captured and comprehensively summarised and categorised as follows: Objections and Claims; Information Received; Information Requested; and Assertions and Concerns as outlined above.

## Appendix 1

### Titleholder Response to RFFWI Matters

Item	Description	Titleholder Response
6.5	<ul style="list-style-type: none"> <li>The summary for a face-to-face meeting with GMTOAC representatives on 30 March 2023 (Event ID 1891) only states "Discussion on activity and consultation". This is despite the meeting minutes in the sensitive information report indicating that the group shared information with CGG that was relevant to EP (e.g. sites and areas of cultural importance) and the consultation process (e.g. feedback about the group's preferred approach to consultation with their members).</li> </ul>	As above, Event 1891's summary has been re-examined and updated to provide an accurate record of the event content and feedback captured therein.
6.5	<ul style="list-style-type: none"> <li>The summary for an email by Southern Shark Industry Alliance / South East Trawl Fishing Industry Association / Atlantis Fishing Group on 20 June 2023 (i.e. Event ID 1649) identifies that there were concerns raised (i.e. "... Attached position statement and outlined main concerns"). However, further information that clarifies what these concerns were specifically about is not provided in the summary and can only be determined through a review of the full text copy of the email in the sensitive information report.</li> </ul>	As above, Event 1649's summary has been re-examined and updated to reflect the main concerns raised by the relevant organisations.
6.5	<ul style="list-style-type: none"> <li>The summary provided for an email by DCCEEW (Marine Parks) identifies that objections and claims were presented (i.e. "... indicated potential objections and claims") and feedback relevant to the EP was provided (i.e. "... Provided information to titleholders on points to consider and evaluate"). However, further information that clarifies what the objections, claims and feedback were specifically about is not provided in the summary and can only be determined through a review of the full text copy of the email in the sensitive information report.</li> </ul>	As above, Event 653's summary has been re-examined and updated to reflect the objections, claims and feedback provided by the organisation
6.5	Noting the above, there are many cases where the only way that NOPSEMA can determine what was raised by relevant persons during consultation is through a review of the full text records within the sensitive information report. This is inappropriate as the full text records are intended for NOPSEMA to be able to verify the accuracy of the summaries, rather than for the purpose of determining matters raised during consultation by relevant persons.	As above, the report on consultations, Appendices C2, has been updated to provide an accurate, clear and comprehensive record of consultation and a clear record of what was raised by relevant persons and how this was addressed.
6.5	The limited information provided in the summaries limits the reader's ability to determine whether all objections or claims have been adequately identified, assessed for merit and responded to by CGG. It also limits NOPSEMA's ability to determine if CGG has adequately incorporated all relevant information gathered through relevant persons consultation into the rest of the EP where appropriate.	Via the process outlined above, event summaries have been thoroughly reviewed and captured in the report on consultations. Additional feedback summaries are recorded in the report on consultations, Appendices C2, alongside an Assessment of Merit, 'Titleholder Response' and EP/Appendix reference where required.

## Appendix 1

### Titleholder Response to RFFWI Matters

Item	Description	Titleholder Response
6.5	<b>Request:</b> Please provide further information such that the report on consultation provides a clear and comprehensive summary of the consultation that occurred between CGG and relevant persons. In doing so, note that the examples provided in the issue statement above were identified by a sampled approach, and that the responsibility for undertaking a comprehensive review of the EP remains with CGG.	Completed as described above.
<b>The EP does not demonstrate that information gathered through relevant persons consultation has informed and been incorporated into the EP</b>		
6.6	<b>Requirement:</b> When making a decision regarding whether an EP demonstrates that the titleholder has carried out consultation required by Division 3 and that the measures (if any) that the titleholder has adopted or proposes to adopt because of consultation are appropriate, NOPSEMA considers whether information gathered through the consultation process has been incorporated into the rest of the EP (GL1721: Section 12.3).	See specific responses below.
6.6	<b>Issue:</b> The EP does not demonstrate that information gathered through relevant persons consultation has informed and been incorporated into the EP. Specifically:	Using the updated event summary and document review process, additional feedback presented by relevant persons have been clearly and precisely identified and categorised as follows: Objections and Claims; Information Received; Information Requested; and Assertions and Concerns as outlined above. Information received summaries are recorded in the report on consultations, Appendices C2, alongside a 'Titleholder Response' and EP/Appendix reference where required.



## Appendix 1

### Titleholder Response to RFFWI Matters

Item	Description	Titleholder Response
6.6	1. There are cases where the full text consultation records in the sensitive information report demonstrates that relevant persons provided CGG with certain information that is relevant to the EP, but it has not been identified in the report on consultation within the EP. As a result, there are also no details within the report on consultation to demonstrate if and how that information was considered by CGG in its preparation of the EP. Examples include (but are not limited to):	Using the updated event summary and document review process, additional feedback presented by relevant persons have been clearly and precisely identified and categorised as follows: Objections and Claims; Information Received; Information Requested; and Assertions and Concerns as outlined above. Information received summaries are recorded in the report on consultations, Appendices C2, alongside a 'Titleholder Response' and EP/Appendix reference where required.
6.6	• Information provided by GMTOAC during various engagements (e.g. Event ID 1891, Event ID 4469) in relation to potential sites, areas and species of cultural importance to Gunditjmara people such as Buji Bim, Deen Maar, Kooyang (short-finned eels), Kontapool (southern right whales) etc.	Consultation with GMTOAC has been reviewed for information received. Please refer to the following Feedback IDs in the report on consultations, Appendix C2: ID 1298; ID 1329; ID 1330; ID 1331; ID 1332; ID 1333; ID 1365.
6.6	• Information that was provided by Middle Island Penguin Project during an online meeting on 24 July 2023 (i.e. Event ID 2006) in relation to penguins (e.g. annual presence, laying periods), birds (e.g. shearwater breeding locations), suggested mitigation measures for penguins and birds (e.g. monitoring cameras at Middle Island during the survey, source shutdowns) etc.	Event ID 2006 has been reviewed for information received. Please refer to the following Feedback IDs in the report on consultation, Appendix C2: ID 1127; ID 1128; ID 1129; ID 1130; ID 1131; ID 1132.
6.6	• Information that was provided by DCCEEW (Marine Parks) in an email dated 14 April (i.e. Event ID 653) in relation to ensuring consideration of BIAs, KEFs, South-east Commonwealth Marine Reserves Network Management Plan 2013-2023 etc.	Event ID 653 has been reviewed for information received. Please refer to the following Feedback IDs in the report on consultation, Appendix C2: ID1009; ID 1010; ID 1011; ID 1012; ID 1013; ID 1014; ID 1015; ID 1016 ID; 1017; ID 1018; ID 1019; ID 1020; ID 1021; ID 1022; ID 1372; ID 1373.
6.6	2. There are instances where the report on consultation demonstrates that relevant persons provided CGG with certain information that is relevant to the EP, but then there are not any further details provided to demonstrate if and how that information was considered by CGG in the preparation of the EP. Examples include (but are not limited to):	Using the updated event summary and document review process, additional feedback presented by relevant persons have been clearly and precisely identified and categorised as follows: Objections and Claims; Information Received; Information Requested; and Assertions and Concerns as outlined above. Information received summaries are recorded in the report on consultations, Appendix C2, alongside a 'Titleholder Response' and EP/Appendix reference where required.
6.6	• Information that was provided by Blue Whale Study in an email dated 17 January 2024 (i.e. Event ID 4378) in relation to the presence of a temperature logger mooring in the Otway with a request to ensure that its location is considered in activity planning and avoided.	Event ID 4378 has been reviewed for information received. Please refer to Feedback ID 1302 in the report on consultation, Appendix C2.



## Appendix 1

### Titleholder Response to RFFWI Matters

Item	Description	Titleholder Response
6.6	Information that was provided by Person ID 818 in an email dated 29 August 2023 (i.e. Event ID 2774) in relation to rock lobster scientific research publications.	Event ID 2774 has been reviewed for information received. Please refer to Feedback ID 1383 in the report on consultation, Appendix C2
6.6	Information that was provided by the Australian Government Defence in an email dated 9 May 2023 (i.e. Event ID 920) in relation to locations of defence training areas, restricted airspace and the unexploded ordinance presence.	Event ID 920 has been reviewed for information received. Please refer to Feedback ID 1378; ID 1379; ID 1380; ID 1381; ID 1382; ID 1383 in the report on consultation, Appendix C2 (REF)
6.6	3. The "EP reference" column within the report on consultation does not consistently present details to demonstrate where consultation information has informed and been incorporated into the EP (e.g. there are many relevant person feedback events with corresponding EP reference cells that are blank).	Using the updated event summary and document review process, additional feedback presented by relevant persons have been clearly and precisely identified and categorised as follows: Objections and Claims; Information Received; Information Requested; and Assertions and Concerns as outlined above. Information received summaries are recorded in the report on consultations, Appendix C2, alongside a 'Titleholder Response' and EP/Appendix reference where required/ if appropriate.
6.6	<b>Request:</b> Please provide additional information that addresses the above issues, to demonstrate that information gathered through relevant persons consultation has informed and been incorporated into the EP. In doing so, note that the examples provided in the issue statement above were identified by a sampled approach, and that the responsibility for undertaking a comprehensive review of the EP remains with CGG.	Completed as described above.
<b>The report on consultation does not include clear and precise identification of all objections or claims presented by relevant persons</b>		
6.7	<b>Requirement:</b> The report on consultation must include the prescriptive elements outlined in regulation 24(b), that includes an assessment of the merits of any objection or claim about the adverse impact of each activity to which the environment plan relates (regulation 24(b)(ii)). Titleholders should ensure that the report on consultation includes clear and precise identification of objections and claims presented by relevant persons (GL2086: Section 9).	See specific responses below.
6.7	<b>Issue:</b> The report on consultation does not include clear and precise identification of all objections and claims presented by relevant persons. Specifically, there are some cases where the full text consultation records in the sensitive information report demonstrates that relevant persons presented objections or claims that have not been adequately identified by CGG within the report on consultation. Examples include (but are not limited to):	Using the updated event summary and document review process, additional feedback presented by relevant persons have been clearly and precisely identified, appropriately summarised and categorised as follows: Objections and Claims; Information Received; Information Requested; and Assertions and Concerns as outlined above. Objection and claim summaries are recorded in the report on consultations, Appendices C2, alongside an Assessment of Merit, 'Titleholder Response' and EP/Appendix reference where required.

## Appendix 1

### Titleholder Response to RFFWI Matters

Item	Description	Titleholder Response
6.7	• The objections or claims presented by the Australian Marine Conservation Society on the 11 October 2023 (i.e. Event ID 3384, Document ID 2116) in relation to the underwater acoustic modelling report and the evaluation of impacts and risks on plankton and marine mammals.	Event ID 3348 and Document ID 2216 have been reviewed for objections and claims. Please refer to the following Feedback IDs in the report on consultations, Appendices C2: ID 4011; ID 4012; ID 4013; ID 4014; ID 4015.
6.7	• The objections or claims presented by Fishermen Direct Pty. Ltd. on 1 March 2023 (i.e. Event ID 4637) and 13 March 2024 (i.e. Event IDs 4638 and 4639) in relation to the evaluation of impacts and risks on King George Whiting.	Event ID(s) 4637, 4638 and 4639 have been reviewed for objections and claims. Please refer to the following Feedback IDs in the report on consultations, Appendices C2: 4205; 4065; 3059.
6.7	• The objections or claims raised by Organisation ID 160 on 14 September 2023 (i.e. Event IDs 3078 and 4808) in relation to various matters.	Event ID 4808 has been reviewed for objections and claims. Please refer to the following Feedback IDs in the report on consultations, Appendices C2: ID 4130. Event ID 3078, which was a duplicate of Event ID 4808, has been removed from the report on consultations.
6.7	• The objections or claims raised by Person ID 246 on 25 February 2023 (i.e. Event ID 4551) in relation to various matters.	Event ID 4551 has been reviewed for objections and claims. Please refer to the following Feedback ID in the report on consultations, Appendices C2: ID 4081.
6.7	As a result of the above, there are also no assessments of merits or responses provided within the report on consultation for all objections and claims presented by relevant persons during the consultation process.	As above, please refer to the report on consultations, Appendices C2, to review the assessment of merit, 'Titleholder Response' and EP/Appendix reference where required.
6.7	<b>Request:</b> Please revise the EP to provide clear and precise identification of all objections and claims presented by relevant persons. In doing so:	See response above.
6.7	• ensure that assessments of merits and responses are included for all newly included objections and claims; and	See response above.
6.7	• note that the examples provided in the issue statement above were identified by a sampled approach, and that the responsibility for undertaking a comprehensive review of the EP remains with CGG.	<b>Completed as described above.</b>
<b>It is not clear that appropriate measures have been adopted or are proposed to be adopted because of the consultations with relevant persons</b>		
6.8	<b>Requirement:</b> In the course of preparing an environment plan, a titleholder must consult with relevant persons in accordance with Division 3, regulation 25, and demonstrate that the measures (if any) that the titleholder has adopted, or proposes to adopt, because of the consultations are appropriate. The report on consultation should include a demonstration of the suitability of any measures adopted as a result of the consultation (GL2086: Section 9).	<b>See specific responses below.</b>

## Appendix 1

### Titleholder Response to RFFWI Matters

Item	Description	Titleholder Response
6.8	<b>Issue:</b> It is not clear that appropriate measures have been adopted or are proposed to be adopted because of consultation with relevant persons. This is because:	The measures adopted because of consultation can be found in the EP Summary in Section 4.2.
6.8	1. The assessments of merits and responses to objections and claims often contain only very high-level details without enough supporting context and/or rationale provided to determine how and why CGG considers that each of the measures it has adopted or proposes to adopt because of the consultations are appropriate.	CGG has reviewed every correspondence and to distinguish between information received, information requested, assertions and concerns, and objections and claims. New reports for each relevant person have been prepared with the titleholder's response to each objection and claim found in the respective relevant persons consultation report.
6.8	2. The report on consultation does not provide sufficient information to determine if the defined measures have or will be completed by CGG, as appropriate. In particular, the measures that apply to things that CGG has already completed are not supported with clearly linked evidence to where they are demonstrated, while the measures that apply to things that CGG will complete in the future are not supported with clear links to the specific parts of the EP showing where they have been carried forward and established as commitments in the EP.	All measures adopted in response to objections and claims are linked in the consultation report and in the EP Summary section 4.2.
6.8	3. The EP indicates that the Sea Country Protection Program control measure was devised in response to consultation with First Nations relevant persons (i.e. in the Consultation and Engagement Report (C1) – Annex 2). However, the EP does not adequately justify how and why this would be an appropriate measure for CGG to have adopted in response to its consultations with First Nations relevant persons, particularly with reference to the consultation records that indicate: • the Sea Country Protection Program was not a measure requested by any First Nations relevant persons; • none of the First Nations relevant persons have provided input to it or have endorsed its contents;	The SCPP is now a resource that is part of the implementation strategy, and its purpose and scope have been clarified in this context.
6.8	• the consultation efforts that CGG applied to inform the Sea Country Protection Program were limited and did not constitute two-way engagement (e.g. provided draft by email late in the consultation process with a lack of follow-up); and	The SCPP is now a resource that is part of the implementation strategy, and its purpose and scope have been clarified in this context.
6.8	• CGG did not clearly inform any First Nations relevant persons that the Sea Country Protection Program was to be applied in the EP as a measure adopted because of their consultation.	This situation has been clarified in the consultation records. CGG is not required to provide information on the protection measures it has decided to adopt if it doesn't address an objection or claim.

## Appendix 1

### Titleholder Response to RFFWI Matters

Item	Description	Titleholder Response
6.8	<b>Request:</b> Please revise the EP by providing additional information that addresses the above issues, to demonstrate that appropriate measures have been adopted or are proposed to be adopted because of consultation with relevant persons.	Completed as described above.
<b>The report on consultation may not be in line with the content requirements under regulation 24(b) of the Environment Regulations</b>		
6.9	<b>Requirement:</b> The consultation process should be documented within the EP through the titleholder report on consultation and the sensitive information report. Under regulation 24(b) of the Environment Regulations, the EP must contain a report on the consultation which provides: (i) a summary of each response made by a relevant person; (ii) an assessment of the merits of any objection or claim about the adverse impact of each activity to which the environment plan relates; (iii) a statement of the titleholder's response, or proposed response, if any, to each objection or claim; and (iv) a copy of the full text of any response by a relevant person.	See specific responses below.
6.9	<b>Issue:</b> The report on consultation may not be in line with the content requirements under regulation 24(b) of the Environment Regulations. This is because the Consultation and Engagement Report (C1) – Annex 2 presents details about the GMTOAC consultation. However, some details are not consistent with the consultation information provided for GMTOAC within the report on consultation (including the sensitive information part), particularly the details relating to correspondence that was issued to CGG by EJA acting on behalf of GMTOAC (i.e. "Environmental Justice Australia provided a statement suggesting that the measures proposed by CGG might not be sufficient to protect the World Heritage Values of Budj Bim and other culturally significant areas. The correspondence requested that CGG consider additional mitigation measures and more robust environmental protection strategies to minimise any harm"). As a result of this, there is uncertainty of whether the report on consultation may be missing consultation records, or if the information provided in this part of the EP has not been accurately and/or fairly represented.	On reassessment of all received correspondence it has been identified that this was an error. The Appendix C1, Annex 2 has been updated accordingly.
6.9	<b>Request:</b> Please revise the EP in a manner that ensures that it contains a report on consultation that is in line with the content requirements under regulation 24(b) of the Environment Regulations. In doing so:	Completed as described below.



## Appendix 1

### Titleholder Response to RFFWI Matters

Item	Description	Titleholder Response
6.9	• ensure that all consultation engagements that occurred between CGG and relevant persons in preparation of the EP are captured within the report on consultation;	The consultation reports have been restructured and reproduced.
6.9	• ensure that any details presented in the EP relating to consultation are fairly and accurately represented; and	The Appendix C1, Annex 2 has been updated
6.9	• note that the examples provided in the issue statement above were identified by a sampled approach, and that the responsibility for undertaking a comprehensive review of the EP remains with CGG.	All relevant person records have been reassessed for feedback and the updated Relevant Person Summary template applied.
<b>Administrative Matters</b>	<b>Description</b>	<b>EP Updated by:</b>
<b>AM#1</b>	The EP does not incorporate the latest contemporary literature and information sources on the presence, distribution, and behaviours of blue whales in the Otway region. In particular:	
	• Ferreira, L.C., Jenner, C., Jenner, M. et al. 2024. Predicting suitable habitats for foraging and migration in Eastern Indian Ocean pygmy blue whales from satellite tracking data. <i>Mov Ecol</i> 12, 42. <a href="https://doi.org/10.1186/s40462-024-00481-x">https://doi.org/10.1186/s40462-024-00481-x</a> .	Appendix E7-Underwater Sound- Marine Mammals has been updated to include this reference.
	• Branch, T.A., Monnahan, C.C., Leroy, E.C. et al. 2023. Further revisions to the historical catch separation of pygmy blue whale populations using contemporary song detections, International Whaling Commission, Document SC/69A/SH/09. IWC   Archive.	Appendix E7-Underwater Sound- Marine Mammals has been updated to include this reference.
	In addition, the following study on western rock lobster may be relevant to the evaluation of impacts to southern rock lobster and the rock lobster fisheries:	
	• De Lestang, S, How, J, Rushworth, K, and Erbe, C. 2024. Boom, shake the room: Seismic surveys affect behaviour and survival of western rock lobster.	Appendix F3, and Appendix B8 has been updated to include this reference.
	<a href="https://doi.org/10.1016/j.fishres.2024.107072">Fisheries Research. 277 (107072). https://doi.org/10.1016/j.fishres.2024.107072</a>	
	In revising the EP, please incorporate additional information, ensuring that impact and risk assessments and consideration of control measures are updated accordingly.	
<b>AM#2</b>	The EP includes discrepancies regarding activity limitations and control measures. For example, differences in the described distances or areas of avoidance implemented from sensitive areas occur between EP Section 7, Appendix E impact assessments and Appendix F2 ALARP assessment, making it difficult to understand what the relevant control measures should be.	This deficiency has been rectified.

**Appendix 1**

Titleholder Response to RFFWI Matters

Item	Description	Titleholder Response
AM#3	The details of relevant person numbers in the Consultation and Engagement Report (C1) does not appear to align with the Report on Consultations (C2).	
	This should be amended accordingly to avoid ambiguity as to whom is a relevant person for the purposes of regulation 25.	This deficiency has been rectified.