


	<p style="text-align: right;"><b>MINUTES</b>  <b>NOPSEMA Advisory Board Meeting 43</b>  <b>Wednesday 8 June 2022</b>  <i>Tamala Meeting Room, NOPSEMA Office, Perth</i></p>
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<b>Participants</b>			
<b>Attendees</b>	Agenda Item 09 – [Department of Science, Industry, Energy and Resources]		
	Agenda Item 10 –		
	Agenda Item 11 –		
<b>Apologies</b>	Offshore Resources (DISER)		
ITEM	TOPIC		
1.	<b>Welcome and apologies</b>		
	commenced the meeting at 9:05am. participated via video conference and all other participants were present in the meeting room.		
2.	<b>Disclosure of interests / conflict of interest declarations</b>		
	advised the contract as Special Envoy for Deloitte (acting for the Commonwealth Environment Portfolio) to scope out cooperative management agreements between industry and the Traditional Owners on the Burrup Peninsula had ended. No additional conflicts were declared.		
3.	<b>Confirmation of minutes of Meeting 42</b>		
	With the exception of some minor typographical errors, the minutes of meeting 42 were accepted.		
4.	<b>Actions and issues arising</b>		
	The actions items were reviewed and all items are complete.		
5.	<b>Correspondence for noting</b>		
	advised the response sent to the Asbestos Safety and Eradication Council on 7 June 2022 would be circulated to members.		
6.	<b>For Information: Update on recent activity</b>		
	Members provided a brief update of their recent activities.		
7.	<b>For Information: Report – including NOPSEMA Quarterly Report and update on recent developments (including NOPSEMA Strategic Plan)</b>		
	<p>provided an update of recent activities which included:</p> <ul style="list-style-type: none"> <li>The implications of the SoE issued by to the content of assessments submitted to NOPSEMA.</li> <li>Judgement on the matter against DOF Subsea Australia Pty Ltd is expected on 6 September 2022.</li> <li>The Australian Maritime Safety Authority appears to be seeking to remove the protocols around the disapplication of the Navigation Act 2021 and has proposed to withdraw statutory certificates from relevant offshore facilities. A multi-jurisdictional interface working group has been established to seek an outcome that is suitable to all parties and not impose additional burden to industry.</li> <li>presented at Safety Forum held during the APPEA Conference in Brisbane. Topics covered included Covid-19; NOPSEMA's strategic compliance focus areas; the upward</li> </ul>		


	<p>trend in accidents; a summary of discussions at the International Regulator's Forum mid-year meeting including, decommissioning and late life asset transfers; cybersecurity, capacity and competency, IRF Working Groups and potential expansion of the IRF remit to include offshore renewables. NOPSEMA's plans for progressing a diving workshop were also noted.</p> <ul style="list-style-type: none"> <li>NOPSEMA will pursue amendments to the Cost Recovery Income Statement to cover costs associated with assessment work on carbon capture and storage and renewable projects until their respective levy regimes commence.</li> <li>The 2022-23 Strategic Planning process has been aligned with the budget planning process. The NOPSEMA [REDACTED] have agreed on four strategic pillars and their top five priorities from those strategic focus areas. Divisional priorities have been developed based on [REDACTED] priorities and strategic pillars. Board members were invited to provide comments on the plan on a page.</li> <li>NOPSEMA is currently has positive cash balance.</li> <li>Staffing levels have increased due to the additional roles and responsibilities associated with Decommissioning, Offshore Electricity Infrastructure, and management of well integrity.</li> </ul> <p><b>ACTION:</b> Board members to provide comments/feedback on NOPSEMA's draft Strategic Plan on a Page to [REDACTED] by 22 June. [REDACTED] will consolidate responses and provide to NOPSEMA.</p>
<b>8.</b>	<p><b><i>For Discussion: Outcome of recent Federal Election</i></b></p> <p>The Board noted the following [REDACTED] changes:</p> <ul style="list-style-type: none"> <li>[REDACTED]</li> </ul> <p>The amendments to portfolios have resulted in the energy function moving to the new Department of Climate Change, Environment, Energy and Water. The resources portfolio will remain with the Department of Industry, Science and Resources (DISR).</p> <p>The Board noted that the coverage of indirect consequences under the <i>Environment Protection and Biodiversity Conservation Act</i> 1999 is broader than consideration of scope 3 emissions, as it also encompasses cultural heritage. This has been used in the current legal challenge by the Environmental Defenders Officer against NOPSEMA and Santos in relation to the Barossa development in the Tiwi Islands.</p> <p>It was believed responsibility for financial assurance would still come to NOPSEMA, with implementation expected from 1 January 2024.</p> <p>The Board noted that a response to the Operational Review has not yet been received from the new Government.</p>
<b>9.</b>	<p><b><i>For Information: Policy Update</i></b></p> <p>[REDACTED] joined the meeting by video conference at 11:25am. The report tabled was taken as read and the following noted:</p> <ul style="list-style-type: none"> <li>Briefings to new Federal Ministers were mostly complete.</li> <li>DISR would be a slightly smaller department than previously. The new departmental structure would be advised in the next few months, including the possibility of a new Secretary and Deputy Secretaries.</li> <li>A revised Statement of Expectations had been drafted that removed the legal uncertainty previously created. It has been reviewed by [REDACTED] and was with the Office of the Prime</li> </ul>



	<p>Minister. [REDACTED] reiterated the request that the monitoring of major accident events and process safety were included in the new SoE.</p> <ul style="list-style-type: none"> <li>• DISR were developing a proposal on the potential to establish a new industry that could provide decommissioning services for industry in Australia and internationally. The Board advised that the previous decommissioning cooperative research centre and current Centre of Decommissioning Australia would have information to support and assist with the proposal. It was noted that the Maritime Union of Australia were interested in seeing the concept proceed.</li> <li>• Petrofac have been appointed as the lead contractor for Phase 1 of the Northern Endeavour facility to undertake decommissioning and disconnection. The final permissioning documents to enable Petrofac to be the registered operator are with NOPSEMA for approval.</li> <li>• The <i>Offshore Electricity Infrastructure Act 2021</i> commenced on 2 June. In response to a query, the Board was advised it was believed it had not been assigned a role under the OEI Act as renewables sit within the Energy portfolio rather than the Resources portfolio, with separate Ministers.</li> <li>• It was not yet known what response may be made by the incoming Government regarding the recommendations from the Operational Review.</li> <li>• DISR were working with AMSA and NOPSEMA to seek alignment regarding AMSA's possible withdrawal of statutory certificates from offshore facilities and the implication of the disapplication of the <i>Navigation Act 2012</i> to seek an outcome that is suitable to all parties and that does not impose additional burden to industry.</li> <li>• The Board commented that while the Board's diverse experience was an asset it was important to maintain ongoing engineering and industry operations risk management experience in the group.</li> </ul> <p><b>ACTION:</b> DISR to provide an update on the Government response to the Operational Review at the next meeting.</p>
<b>10.</b>	<p><b>For Discussion: Safety &amp; Integrity: Mental health in the offshore industry</b></p>
	<p>The [REDACTED] joined the meeting at 11:45am. The Board was briefed on the NOPSEMA initiatives to mitigate mental health issues associated with COVID pandemic over the past two years.</p> <p>The following points were noted:</p> <ul style="list-style-type: none"> <li>• NOPSEMA had developed a Guidance Note on Psychosocial Risk Management that included helpful examples of the signs and symptoms of psychosocial hazard exposure.</li> <li>• NOPSEMA have included impacts of COVID 19 pandemic into inspections.</li> <li>• The 2021 survey of Offshore Worker Mental Health had more than 500 responses. APPEA had taken the recommendations from the survey on board and NOPSEMA hoped to run the survey again in a couple of years.</li> <li>• The 2021 HSR Forum had included a session on mental health awareness which participants had found very useful and requested it to be run again at the next forum.</li> <li>• The psychosocial risk primary controls were active promotion and prevention of the mental health risk, leading to timely intervention. Throughout the last two years it was critical to have leadership commitment, supportive and capable management and ongoing communication and consultation to mitigate the risk.</li> <li>• Most offshore facilities now have a psychologist on the facility who was available to staff to assist with mental health matters.</li> <li>• One dutyholder is trialling training in Mental Health First Aid for staff who can then become accredited in the provision of mental health support to other personnel. A new not-for-profit organisation called Mental Health First Aid Australia is delivering training to discuss psychosocial hazards and provide tools for how to engage in conversations, recognise signs of poor mental health and how to help.</li> </ul>

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	<p>The Board commended NOPSEMA on its proactive leadership in this area and noted the connection between mental health of workforce and potential for increase in process safety incidents leading to a major accident event. The Board noted the importance of the executive oversight of senior managers to appropriately monitor the mental health of staff in periods of high stress and call out red flags.</p> <p>██████████ were thanked for an informative presentation, and they left the meeting at 12:20pm.</p>
11.	<p><b>For Discussion: Offshore Renewables</b></p>
	<p>██████████ joined the meeting at 12:20pm and provided an update on NOPSEMA's responsibilities as OIR under the <i>Offshore Electricity Infrastructure Act 2021</i> which came into effect on 2 June. NOPSEMA is the Regulatory Agency for the OEI Act, but the Advisory Board does not have a role under the Act.</p> <p>The key principles in establishing the new group were to integrate with established NOPSEMA systems, leverage technical experience, and have no impact on the delivery of existing NOPSEMA functions.</p> <p>The presentation included information on the following:</p> <ul style="list-style-type: none"> <li>• The Offshore Electricity Infrastructure framework</li> <li>• Legislative interaction</li> <li>• Principles for implementation, and</li> <li>• Progress to date and next steps.</li> </ul> <p>The Board noted the implementation plan for regulating Offshore Renewables and the current financial support from the Department to ensure appropriate resourcing for the new function. Ongoing Government funding will be required to enable NOPSEMA to support the establishment, resourcing and delivery of the functions of the Offshore Infrastructure Regulator until full cost recovery commences. It is estimated cost recovery will commence in FY 2023-24.</p> <p>The Board discussed matters relating to visual amenity, social license and the economic viability of floating facilities.</p> <p>██████████ was thanked for an informative presentation and ██████████ left the meeting at 12:45pm.</p> <p><b>ACTION:</b> ██████████ to circulate presentation to Board members.</p>
12.	<p><b>Any Other Business</b></p>
	<p><b>Confirm change of next meeting date (from 7 September to 6 September)</b></p>
	<p>Board members agreed to change the date of the next meeting to Tuesday 6 September. ██████████ advised ██████████ would participate via video conference.</p>
13.	<p><b>Review of action items and items for letter to ██████████</b></p>
	<p>██████████ provided a summary of the action items arising from the meeting.</p> <p>Board members noted the items agreed at meeting 42 for inclusion in the letter to ██████████ were:</p> <ul style="list-style-type: none"> <li>• The Board's attention to NOPSEMA's strategic focus areas, research strategy and transparency in relation to decisions in the form of key matters reports and statements of reasons.</li> <li>• NOPSEMA's increased collaboration with other Federal agencies such as the Australian Security and Investments Commission.</li> <li>• Decommissioning and how the taxation regime can be a disincentive for companies to appropriately address decommissioning activities.</li> <li>• The digitisation of data relating to well barriers and how this project will yield valuable and positive information for both industry and NOPSEMA.</li> </ul> <p>Items for inclusion from meeting 43 were agreed as:</p> <p>The introduction to outline :</p>

	<p><b>NOPSEMA Advisory Board Meeting 43</b>  <b>Wednesday 8 June 2022</b></p>
	<ul style="list-style-type: none"> <li>○ the Board’s key focus areas of preventing MAE’s. Under the Act, NOPSEMA has a critical assurance role in preventing major accident events and improving process safety in the offshore oil and gas industry. A key area for improvement in the management of process safety is increased transparency and visibility of executive accountability for process safety management within the regulated entities</li> <li>○ And note the coverage of indirect consequences under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> is broader than consideration of scope 3 emissions, as it also encompasses cultural heritage. This has been used in the current legal challenge by the Environmental Defenders Officer against NOPSEMA and Santos in relation to the Barossa development in the Tiwi Islands.</li> </ul> <p>The meeting report to outline:</p> <ul style="list-style-type: none"> <li>• AMSA’s proposal for the dis-application of the Navigation Act and withdrawal of the of statutory certificates from offshore facilities.</li> <li>• The industry policy opportunity arising from the decommissioning framework to assist build the service sector in Australia as a hub for decommissioning in SE Asia.</li> <li>• NOPSEMA leadership to convene the proposed industry led workshop to discuss safety issues and incidents related to diving.</li> <li>• The discussion on the impact of the pandemic on the mental health of offshore staff, the possible connection of mental health issues as contributing factors to process safety / MAE incidents and the role of executive accountability to monitor red flags.</li> <li>• Advising that a request to meet in person would be made for later in the year.</li> </ul>
	<p><b>Formal Close</b></p>
	<p>██████ thanked members for their participation and closed the meeting at 1:15pm.  <b>Next Meeting – Tuesday 6 September</b></p>