

Community & Environmental Reference Group – Meeting 9

Meeting Date: Friday 12 November 2021

Meeting objectives:

To seek the group's feedback and provide a variety of community perspectives on specific matters of interest to NOPSEMA or members of the reference group, relevant to offshore petroleum environmental management, to help guide NOPSEMA's approach to regulation of environmental management.

Meeting details:

The meeting was held via Microsoft Teams and in person at 9am – 11:30am AWST on Friday 12 November 2021.

Attendees included representatives of NOPSEMA and members of the Community and Environmental Reference Group (CERG), as listed in Attachment 1.

Meeting record:

Agenda Item 1 – Safety and introduction

The Chair opened the meeting, welcomed all participants and provided a safety overview for the participants in the meeting room.

The agenda and objectives for the meeting were confirmed with no changes.

Agenda Item 2 – Register of interests

No other declarations were advised.

Agenda Item 3 – Confirmation of record of Meeting 8 and review of actions

The record of the meeting of 20 April 2021 was accepted without change.

Agenda Item 4 – Recent community interactions

Agenda Item 4.1 – Update from CERG members

CERG members advised there had been limited recent community involvement, however activities had continued in the areas of: decommissioning processes; the review of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act); the Offshore Electricity Infrastructure Bill and offshore renewable energy in general; climate action; Star of the South offshore wind project, and the assessment of scallop abundance in the area around the Beach Energy Prion 3D seismic survey.

CERG members advised there was an increased awareness in the Tasmanian community in relation to acreage release and seismic surveys in Tasmania's north.

Agenda Item 4.2 – Update from NOPSEMA

NOPSEMA provided an overview of recent activities and advised;

- the 2020 NOPSEMA Operational Review has been tabled and a response from Government is pending;

- NOPSEMA had appeared at Senate Estimates hearings in October and several parliamentary inquiries;
- the annual briefings to industry senior executives had commenced, with focus topics being decommissioning, scope 3 and greenhouse gas emissions, industry rationalisation, and the expansion to NOPSEMA's role to include offshore renewables, carbon capture and storage, marine spatial planning, sea dumping and financial assurance.
- CERG members and NOPSEMA discussed the Federal Court ruling in the case of *Sharma v Minister for the Environment [2021] FCA 560*. NOPSEMA advised there will be implications to its role in approvals for offshore petroleum activities under the EPBC Act.

Agenda Item 5 – Topics for discussion/information

Agenda Item 5.1 – Offshore renewable energy

CERG members were provided with an overview of offshore renewable energy, including established and emerging technologies, and the potential supply and demand capacity for offshore wind energy in Australia. Members were also provided with an update on the development of the Offshore Electricity Infrastructure legislative framework.

The CERG were informed of the rapid pace at which offshore wind technology is advancing as well as some of the challenges and considerations of offshore wind compared to onshore wind.

The Offshore Electricity Infrastructure Bill and Regulatory Levies Bill were introduced to Parliament on 2 September 2021. The Offshore Electricity Infrastructure Bill establishes the Offshore Infrastructure Regulator (OIR) and this role will be performed by NOPSEMA.

The Department of Industry, Science, Energy and Resources (DISER) will be responsible for identifying areas for future development and providing advice and recommendations to the Commonwealth Minister for Energy.

It is expected that opportunities for public consultation will be akin to the existing offshore acreage release process. CERG members noted that best practice would indicate that the opportunity for public consultation and comment should be available prior to acreage release.

Agenda Item 5.2 – Guidance framework for seismic surveys and commercial fisheries

NOPSEMA provided members with an update on work undertaken by NOPSEMA, DISER and the Department of Agriculture, Water and the Environment (DAWE), seeking to identify initiatives to improve cooperation and responsible co-existence between the seismic survey industry and commercial fisheries.

Collaborative forums have been held with fisheries and seismic stakeholders and while all parties acknowledge and recognise that improvement is needed, an agreed set of measures could not be agreed by the designated timeframe (September 2021). The policy agencies (DISER and DAWE) will continue to look to publish a guidance framework in 2022 and in the interim, the industries will need to address issues on a case-by-case basis for each individual seismic survey.

It was noted a positive outcome had been achieved in Western Australia (NERA Collaborative environment plan), where ten titleholders worked with commercial fishers to agree a loss adjustment protocol.

NOPSEMA commented this has also been a discussion topic at the International Offshore Petroleum Regulators (IOPER) forum over a number of years, with member countries experiencing similar challenges. Protocols are in place in [Norway](#) and are in development in the United States for offshore wind.

Agenda Item 5.3 – CERG participation by representative from DISER

The Chair sought the views of members as to whether it would be helpful if a representative from DISER participated in CERG meetings.

Members agreed occasional participation by DISER would be beneficial to allow the policy agency to hear directly from community stakeholders on the impact of policy implementation, provide CERG members with an understanding of how the policy agency and regulator interact, as well as understanding the Department's policy priorities, particularly in light of increasing developments in the offshore energy area. It was noted that the CERG should have an agreed position on a topic prior to seeking feedback from DISER.

ACTION: NOPSEMA agreed to propose amendments to the committee's Terms of Reference to facilitate participation by a representative from DISER. The revised ToR would be circulated to members out of session.

Agenda Item 5.4 – Environment plan decision making guidelines

The paper regarding the revised [Environment Plan Decision Making guidelines](#) was noted. NOPSEMA thanked CERG members for their input and noted their contributions had been incorporated in the revision.

Agenda Item 6 – Review and close out

Agenda Item 6.1 – Date of next meeting and meeting topics

The proposed date for the next meeting is the morning of **Friday 29 April 2022**. An agenda will be confirmed closer to the time.

The Chair sought input for future meeting topics which were agreed as:

- Update on Offshore Renewable Energy
- NOPSEMA Research strategy
- Underwater acoustics and the zone of effect
- Implications of the 2021 United Nations climate change conference (COP26) and net-zero emissions goals to NOPSEMA's decision making and role as a regulator.

ACTION: NOPSEMA agreed to liaise with Andrew Levings to scope a discussion paper on the topic of underwater acoustics.

Agenda Item 6.2 – Additional members

The Chair sought input for consideration of additional members. It was agreed Expressions of Interest should be sought for participants with expertise in cultural heritage and indigenous communities plus fishing industry experience in the Mid-West and South West areas of Western Australia.

Agenda Item 6.3 – Review of meeting objective, action recap and other business

NOPSEMA advised it would archive prior meeting reports from the Connect Share folder. All previous meeting records are available on the NOPSEMA website.

NOPSEMA reminded participants to submit invoices (if applicable).

The Chair asked members if the meeting format was appropriate or if there were any suggestions for change for future meetings. Members indicated they were satisfied with the current format.

The Chair thanked everyone for their participation and closed the meeting at 11:27am.

Attachment 1

Attendees list

NOPSEMA representatives	
Stuart Smith, Chief Executive Officer (Chair)	In person
Cameron Grebe, Head of Environment and Decommissioning Division	In person
Tim Carter, Seismic Survey Coordinator, Offshore Projects and Seismic (Agenda Item 5.2)	In person
Peter Carr, Senior Advisor, Communications and Media (observer)	In person
Community representatives	
Ms Jacqueline Hine	Teleconference
Ms Kirsten Rough	Teleconference
Ms Ruby Hamilton	In person
Ms Robyn Glindemann	Teleconference
Dr Andrew Levings	Teleconference
Ms Jess Lerch	Teleconference
Apologies	
Mr Stuart Field	
Mr Liam O'Connor	