

Safety zones and the Area to Be Avoided

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Key points

This guidance note is primarily targeted at owners and operators of commercial fishing vessels working in the Bass Strait and other offshore areas which contain petroleum or greenhouse gas infrastructure including production facilities and mobile offshore drilling units (MODUs). There are two types of areas that require NOPSEMA's permission to enter as follows:

1. Safety zones

- For the purposes of protecting a petroleum or greenhouse gas well, structure or any equipment in an offshore area NOPSEMA can prohibit vessels from entering or being present in a specified area (the **safety zone**).
- Unauthorised entry or presence in a safety zone is an offence with a maximum penalty of **12.5 years imprisonment**.
- A safety zone can extend up to 500m from the outer edge of the well, structure or equipment.
- Safety zones are established via a notice published in the *Gazette*.
- A notice establishing a safety zone can prohibit all vessels, or all vessels other than specified vessels, or all vessels other than vessels included in specified classes of vessels from entering or being present in the safety zone without the written consent of NOPSEMA.
- Applications for consent for a vessel(s) to enter and be present in a safety zone must be made via the relevant titleholder or operator (of the facility as defined in OPGGS Act Schedule 3 Clause 4(1)(b)(i)) associated with the well(s), structure(s), and/or equipment being protected by a safety zone.
- Current notices are published on NOPSEMA's website:
<https://www.nopsema.gov.au/safety/safety-zones/gazetted-notices-listing/>
- There are a number of gazetted safety zones in and around the area to be avoided in the Bass Strait (title IDs commencing VIC/ and T/).

2. The Area to Be Avoided

- The flowchart in section 7 is intended to assist owners and operators of vessels determine if they are required to have authorisation from NOPSEMA to enter and be present in the area to be avoided.
- The area to be avoided is defined in Schedule 2 of the *Commonwealth Offshore Petroleum and Greenhouse Gas Storage Act 2006* as being an area off the coast of Victoria covering approximately 5,650 square kilometres.
- Details of the area to be avoided are contained on page 3 of this document.

- Unauthorised entry or presence in the area to be avoided is an offence with a maximum penalty of **7.5 years imprisonment**.
- The owner of a vessel may apply to NOPSEMA for the grant of an authorisation for the vessel to enter and to be present in the area to be avoided. See form FM0912 available at: <https://www.nopsema.gov.au/safety/safety-zones/>
- An authorisation from NOPSEMA is subject to such conditions as are specified in the notice of authorisation including conditions that seek to assist with ensuring the safety of personnel on vessels and petroleum facilities in the area to be avoided.
- Current authorisations are published on NOPSEMA's website: <https://www.nopsema.gov.au/safety/safety-zones/authorisations-to-enter-the-atba/>

3. Commonwealth legislation

Available at <https://www.legislation.gov.au/>:

- *Offshore Petroleum and Greenhouse Gas Storage Act 2006*
- Shipping Registration Act 1981
- Shipping Registration Regulations 1981

4. International Maritime Organisation publications

Available from <http://www.imo.org/>: International Convention on Tonnage Measurement of Ships 1969

5. Useful NOPSEMA documents

N-04800-PL0886 – Safety Zone Assessments (Section 4.4 covers the area to be avoided)

N-04800-FM0912 – Application for Entry and Presence in the area to be avoided

N-04800-FM0911 – Application for Entry and Presence in a Safety Zone

Current notices regarding petroleum safety zones are published on NOPSEMA's website:

<https://www.nopsema.gov.au/safety/safety-zones/gazetted-notices-listing/>

Current authorisations to enter and be present in the area to be avoided are published on NOPSEMA's website: <https://www.nopsema.gov.au/safety/safety-zones/authorisations-to-enter-the-atba/>

6. Abbreviations

AMSA	Australian Maritime Safety Authority
IC TMS	International Convention on Tonnage Measurement of Ships 1969
MBC	Australian Maritime Border Command (part of the Australian Border Force)
OPGGS Act	<i>Offshore Petroleum and Greenhouse Gas Storage Act 2006</i>
SR Act	<i>Shipping Registration Act 1981</i>

SR Regs Shipping Registration Regulations 198

7. Flowchart

