



NOPSEMA
Australia's offshore
energy regulator

Performance Report

EPBC Streamlining



Data period: July 2018 to 30 June 2019

Presented to: The Hon. Sussan Ley, Minister for the Environment

On 28 February 2014, NOPSEMA was endorsed as the sole regulator for petroleum activities in Commonwealth waters. This report provides a summary of NOPSEMA's performance under the streamlined arrangements for the period 1 July 2018 to 30 June 2019. Further information about the endorsed Program is available at nopsema.gov.au.

Regulatory activity		1 July 2018 to 30 June 2019
Submission type	Category	Number
Offshore project proposal ¹	Accepted for public comment ²	2
	Accepted ³	0
	Assessments in progress ⁴	1
Environment plan	Accepted ⁵	41
	Assessments in progress ⁴	10
	Decisions - Refuse to accept ⁵	0
	Assessments stopped/cancelled ⁵	0
	Acceptances that pose unacceptable impacts to matters protected under Part 3 of <i>Environment Protection and Biodiversity Conservation Act 1999</i>	0

1. The offshore project proposal (OPP) process streamlines decision-making on the overall environmental acceptability of offshore projects in Commonwealth waters and is designed to deliver equivalent environmental outcomes to the environmental impact assessment process under the EPBC Act.
2. NOPSEMA publishes OPPs that are open for public comment following its determination that the OPP is suitable for publication. The public then have an opportunity to review and provide comment on the OPP. Based on year of acceptance for public comment (1 July 2018 - 30 June 2019)
3. The final accepted OPP. Based on year of completion (1 July 2018 - 30 June 2019)
4. Based on year of submission (1 July 2018 - 30 June 2019)
5. Based on year of completion (1 July 2018 - 30 June 2019)

During the reporting period, NOPSEMA continued to implement the Program Administrative Arrangements. This included sharing information with the Department of Environment and Energy (DEE) about NOPSEMA's regulatory activities such as environment plan assessments, inspections and enforcement actions and, providing advice to DEE on post-approval matters relating to prior Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) approval conditions. NOPSEMA also engages with DEE Program contacts to ensure clarity and certainty on evolving approaches to EPBC policy implementation and administration of EPBC Act instruments, such as Recovery Plans.

NOPSEMA continues to apply and improve its regulatory practice to ensure that Program objectives are being met. A notable example during the reporting period was the decision to accept the environment plan for the Duntroon seismic survey with conditions. These conditions were set to provide assurance that Program commitments will be achieved if the activity proceeds.

On 25 April 2019, amendments to the Offshore Petroleum and Greenhouse Gas Storage Environment Regulations (Environment Regulations) took effect, introducing a 30-day public comment period for seismic and exploratory drilling proposals. The public comment process provides the community with an opportunity to have their say on the proposed environmental management of exploration activities before NOPSEMA commences its formal assessment.





Environment plans are also published in full on NOPSEMA's website. NOPSEMA is implementing the revised regulatory requirement for all environment plan submissions received after 25 April 2019.

Offshore project proposals (OPP) for the Shell Australia Pty Ltd Crux development and the Woodside Energy Ltd Scarborough development proposals were accepted as being suitable for comment on 17 January 2019 and 26 June 2019 respectively. The proposals were subject to a public comment period and NOPSEMA's assessments will continue into the next reporting period once the proponents consider and respond to the information received.

NOPSEMA has contractual arrangements in place with the Australian Antarctic Division and utilised these provisions to seek specialist marine mammal advice during the reporting period. On 12 November 2018, a Deed of Standing Offer between the DEE and NOPSEMA was executed allowing DEE to engage assessment, compliance and other regulatory support services from NOPSEMA. In accordance with the Deed, NOPSEMA has been engaged to provide support for the assessment of the Woodside Energy Ltd Browse to North West Shelf development proposal under the EPBC Act.

The Program requires that a review takes place every five years after the initial review, which was undertaken one year after the Program arrangements were in effect. The first of the five-yearly reviews will occur during the next reporting period and NOPSEMA is committed to working with the DEE and Department of Industry Innovation and Science to ensure that the review is efficient and effective.

