

Our ref: A358084

Senator Penny Wright
Australian Greens Senator for South Australia
PO Box 8117, Station Arcade
ADELAIDE SA 5000

Dear Senator Wright

RE: Bight Petroleum Pty Ltd "Lightning" 3D Marine Seismic Survey Environment Plan

Thank you for your letter dated 23 April 2014 outlining your interest and concerns with respect to the Bight Petroleum "Lightning" 3D Marine Seismic Survey Environment Plan.

NOPSEMA is an independent, objective-based regulatory authority and undertakes environment plan assessments pursuant to the requirements of the Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009 (Environment Regulations). I wish to advise that the Bight Petroleum Pty Ltd "Lightning" 3D Marine Seismic Survey (Bight Basin) Environment Plan is currently under assessment and a decision as to whether NOPSEMA is reasonably satisfied that this environment plan meets the criteria for acceptance of the Environment Regulations remains pending.

Noting that your concerns relate to the stakeholder consultation process undertaken by Bight Petroleum Pty Ltd (the titleholder), I would like to draw to your attention to titleholder consultation requirements of the Environment Regulations:

- In the course of preparing an environment plan titleholders must consult with relevant persons. A relevant person is a person or organisation whose functions, interests or activities may be affected by the activities to be carried out under the environment plan (11A(1)(d)).
- For the purpose of consultation, the titleholder must give a relevant person sufficient information and reasonable time to allow the relevant person to make an informed assessment of the possible consequences of the activity on the functions, interests or activities of the relevant person (11A(2) & 11A(3)).
- An environment plan must contain a report on all consultations between the titleholder and any relevant person that must contain:
 - A summary of each response made by a relevant person (16(b)(i));
 - Assessment of the merits of any objection or claim about the adverse impact of each activity to which the environment plan relates (16(b)(ii));
 - A statement of the titleholder's response or proposed response, if any, to each objection or claim (16(b)(iii)); and
 - A copy of the full text of any response by a relevant person (16(iv)).

Consistent with good administrative law practices and evidence based decision-making, NOPSEMA is required to consider any information relevant to the assessment of activities to be carried out under an environment plan during the assessment of that environment plan. This includes consideration of correspondence from external parties, should the information contained in the correspondence be relevant to the activities to be carried out under the environment plan. In this context, I can provide assurance that the concerns you have raised in your correspondence to NOPSEMA will be considered during the assessment process in accordance with the Environment Regulations.

I anticipate that this letter has addressed your concerns with regard to the titleholder's requirements to address relevant persons' concerns.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Jane Cutler', written in a cursive style.

Jane Cutler
Chief Executive Officer

22 May 2014