

Performance Report

EPBC Streamlining



NOPSEMA

Australia's offshore
energy regulator

1 July 2021 to 30 June 2022

Presented to: The Hon Tanya Plibersek MP, Minister for the Environment and Water, and The Hon Madeleine King MP, Minister for Resources

On 28 February 2014, the National Offshore Petroleum Safety and Environmental Management Authority's (NOPSEMA's) environmental management authorisation process was endorsed by the then Minister for the Environment as a Program that meets requirements of Part 10 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This ministerial endorsement streamlined environmental approvals for offshore petroleum activities and made NOPSEMA the sole regulator for environmental management of petroleum activities in Commonwealth waters. This report provides a summary of NOPSEMA's performance under the streamlined arrangements for the period 1 July 2021 to 30 June 2022.

Further information about the endorsed Program is available at NOPSEMA's website.

Regulatory activity		1 July 2021 to 30 June 2022
Submission type	Category	Number
Offshore project proposal ¹	Accepted for public comment ²	1
	Accepted ³	0
	Assessments in progress – for public comment ⁴	1
	Assessments in progress – for acceptance ⁴	1
Environment plan	Accepted ⁵	38
	Assessments in progress ⁴	24
	Decisions - refuse to accept ⁵	0
	Assessments stopped/cancelled ⁵	3
	Acceptances that pose unacceptable impacts to matters protected under Part 3 of the EPBC Act	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 2021 to 30 June 2022).
3. The final accepted OPP. Based on year of completion (1 July 2021 to 30 June 2022).
4. Based on year of submission (1 July 2021 to 30 June 2022).
5. Based on year of completion (1 July 2021 to 30 June 2022).

During the reporting period, NOPSEMA continued to implement administrative arrangements for the Program that are in place between NOPSEMA and the Department of Climate Change, Energy, the Environment and Water ((DCCEEW), formerly the Department of Agriculture, Water and the Environment (DAWE)). This included sharing information with DCCEEW about NOPSEMA's regulatory activities such as environment plan assessments, inspections and enforcement actions.

NOPSEMA also regularly engages with DCCEEW on a range of matters, including to ensure clarity and consistency of approaches to application of the EPBC Act 1999 policies and instruments. Notable examples of engagement during the reporting period are that:

Performance Report

EPBC Streamlining

1 July 2021 to 30 June 2022



- NOPSEMA worked closely with DCCEEW to develop and publish a set of frequently asked questions (FAQs) to support industry's practical application of the DCCEEW's Blue Whale Conservation Management Plan and Guidance on key terms. NOPSEMA gives effect to DCCEEW's guidance and the FAQs through regulatory assessments of environment plans and offshore project proposals.
- NOPSEMA has been providing technical and regulatory application advice to DCCEEW in relation to the development of national underwater noise guidelines and a review of EPBC Act Policy Statement 2.1- Interaction between offshore seismic exploration and whales.
- NOPSEMA has been engaging with DCCEEW in relation to the review of the Conservation Management Plan for the Southern Right Whale (2011-2021).

Key areas of focus for NOPSEMA in regulatory assessments and compliance monitoring over the reporting period have been decommissioning of offshore petroleum infrastructure, marine seismic surveys, oil pollution risk management, industry management of greenhouse gas emissions, and compliance with statutory instruments for the protection and conservation of listed threatened marine species. NOPSEMA also reformed its compliance monitoring strategy, bringing enhanced consistency across the agency's functional areas and focus on key industry risks to the environment and the offshore workforce.