

Economics Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
Industry, Innovation and Science Portfolio
2015-16 Supplementary Budget Estimates Hearing
22 October 2015

AGENCY: NOPSEMA

TOPIC: Assessment process

REFERENCE: Written Question – Senator Xenophon

QUESTION No.: SI-70

Please outline exactly how NOPSEMA's assessment process differs from that which would have happened under the EPBC process?

ANSWER

Under the EPBC process only a limited number of offshore petroleum activities underwent formal assessment. Entry into the process was based on a proponent's determination as to whether a proposed action was likely to have a significant impact on a matter protected under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). If so the proponent could refer the action to the Minister for the Environment for a decision on the level of assessment that the proposed action should undergo.

Requirements for provision of information to the decision maker varied dependent on the level of assessment determined under the initial referral decision.

Under the EPBC Act the identification and evaluation of environmental impacts and risks was limited solely to impacts on matters protected under that Act.

Conversely under the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* (OPGGs Act) process administered by NOPSEMA an environment plan must be submitted for all offshore petroleum activities.

Regardless of the type of activity, its location or its potential for environmental impact, an environment plan must meet all of the requirements of the Environment Regulations to be accepted. This approach means that the same high level of scrutiny is applied to all offshore petroleum activities assessed by NOPSEMA.

An environment plan submitted to NOPSEMA must also identify, evaluate and reduce to as low as reasonably practicable and acceptable levels all environmental impacts and risks associated with an activity including but not limited to impacts to matters protected under the EPBC Act.

In 2013 and early 2014 the Strategic assessment of the environmental management authorisation process for petroleum and greenhouse gas storage activities administered by the National Offshore Petroleum Safety and Environmental Management Authority under the OPGGS Act was undertaken.

This strategic assessment undertook a direct comparison of the two regimes and found that OPGGS Act processes for environmental management, though different to processes under the EPBC Act, provide for the same environmental outcomes as the EPBC Act.