

s47F

Subject: Info session: Clarifying consultation requirements for offshore petroleum and greenhouse gas storage regulatory approvals [SEC=~~OFFICIAL~~]

Location: Microsoft Teams Meeting

Start: Tue 20/02/2024 2:00 PM

End: Tue 20/02/2024 3:00 PM

Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: ORB First Nations

Required Attendees: s47F s47F com.au>; s47F s47F ; s47F
s47F ; s47F ; s47F Weeks, Cliff; s47F ; s47F

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Good afternoon

We would like to invite you to participate in a virtual information session on the consultation paper [Clarifying consultation requirements for offshore petroleum and greenhouse gas storage regulatory approvals](#), which was published on the department's website on 12 January 2024. As you may be aware, submissions in response to the paper are due to be [lodged online](#) by 8 March 2024.

We will have people joining from across the country, so will meet virtually, on Tuesday 20 February 2024 from 2:00 pm – 3:00 pm (AEDT) via Teams.

Details below provide a link to allow you to either connect via video or join by phone.

We look forward to hearing your views, answering questions, and summarising next steps.

The department will also hold a public information session for all stakeholders in the week commencing 26 February 2024. You will have received an email inviting you to register interest for that session.

Please do not hesitate to contact me if you would like to discuss, or if you require anything further.

Kind regards

s47F

s47F

Manager

First Nations Section | Offshore Resources Branch | Oil and Gas Division
Ngunnawal Country, Industry House, 10 Binara Street (GPO Box 2013) Canberra ACT 2601 Australia
Department of Industry, Science and Resources
P s47F | E s47F [@industry.gov.au](mailto:s47F@industry.gov.au)

industry.gov.au ABN 74 599 608 295

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Acknowledgement of Country

Our department recognises the First Peoples of this nation and their ongoing connection to culture and country. We acknowledge First Nations Peoples as the Traditional Owners, Custodians and Lore Keepers of the world's oldest living culture and pay respects to Elders past and present.



Microsoft Teams [Need help?](#)

[Join the meeting now](#)

Meeting ID: s47E(d)

Passcode: s47E(d)

Dial-in by phone

s47E(d) s47E(d) # Australia, Sydney

[Find a local number](#)

Phone conference ID: s47E(d) #

Join on a video conferencing device

Tenant key: s47E(d) [@vid.industry.gov.au](#)

Video ID: s47E(d)

[More info](#)

For organizers: [Meeting options](#) | [Reset dial-in PIN](#)

s47F

From: s47F
Sent: Tuesday, 20 February 2024 9:56 AM
To: Weeks, Cliff; s47F
Cc: s47F ; ORB First Nations
Subject: Annotated agenda and slides for SCA meeting tomorrow [SEC=~~OFFICIAL~~]

Hi Cliff and s47F

Please find an annotated agenda [here](#) for the *Info session: Clarifying consultation requirements for offshore petroleum and greenhouse gas storage regulatory approvals* from 2:00 pm – 3:00 pm (AEDT)/11:00 am – 12:00 pm Perth time.

The accompanying slide deck is [here](#).

s47F will operate the slides, per the prompting in the annotated agenda.

Please do not hesitate to contact me if you would like to discuss, or if you require anything further.

Kind regards

s47F

s47F

Manager

First Nations Section | Offshore Resources Branch | Oil and Gas Division
Ngunnawal Country, Industry House, 10 Binara Street (GPO Box 2013) Canberra ACT 2601 Australia
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Australian Government
Department of Industry,
Science and Resources

Info session: Clarifying Consultation Requirements for Offshore Petroleum and Greenhouse Gas Storage Regulatory Approvals

20 February 2024

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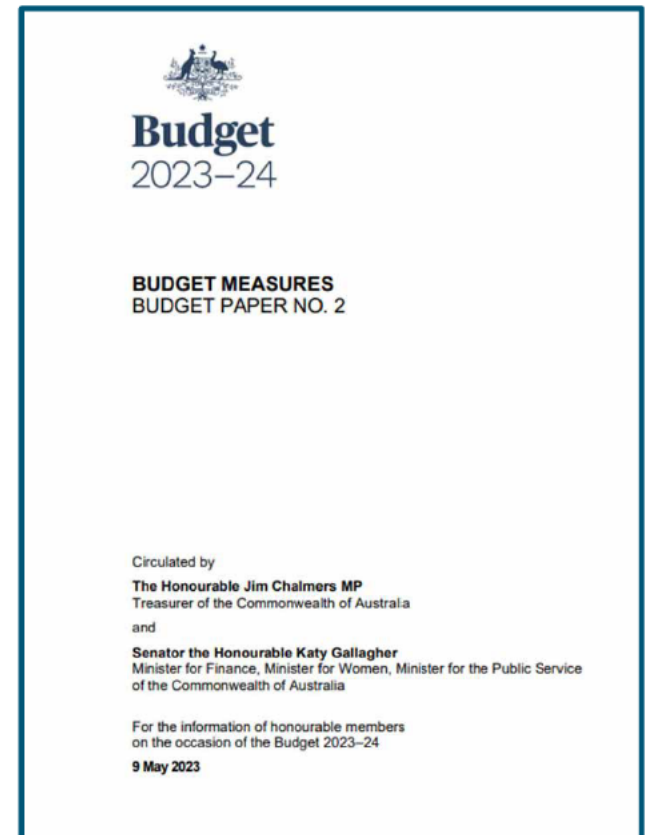
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Offshore environment management review

Working with the Australian Resources Industry on the Pathway to Net Zero

- *\$12.0 million over 3 years from 2023–24 for a review of the environmental management regime for offshore petroleum and greenhouse gas storage activities to ensure it is fit-for-purpose for a decarbonising economy.*
- ***This will include consultation requirements for offshore projects, including with First Nations peoples.***
- *The review will also examine opportunities to provide regulatory and administrative certainty for offshore carbon capture and storage projects to enable Australian industry to meet net zero targets whilst delivering domestic energy security and regional energy security.*



Consultation paper – seeking submissions

Consultation is essential to good decision-making and is mutually beneficial to all parties. The Offshore Environment Regulations require that titleholders undertake genuine consultation at multiple stages over the lifecycle of a project.

Recent court decisions have changed how we understand the consultation requirements in the Offshore Environment Regulations...feedback from stakeholders is that some uncertainty remains.

Page 3



Offshore Petroleum and Greenhouse Gas Storage Act 2006

The Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2023

Questions/comments

Contact us

Cliff Weeks

s47F

s47F

General Manager

Manager

Manager

Offshore Resources Branch

Offshore Strategy Branch

Offshore Resources Branch

Phone: s47F

Cross Government Policy

First Nations Section

industry.gov.au

Phone: s47F

Phone: s47F

industry.gov.au

industry.gov.au

Annotated meeting agenda

Info session: Clarifying consultation requirements for offshore petroleum and greenhouse gas storage regulatory approvals - 20 February 2024

Item	Item	Lead	Commencing	Action
1.	Welcome	Cliff Weeks (Chair)	2:00 pm (10 minutes)	<p>[Slide 1]</p> <p><u>Welcome</u> the National Sea Country Alliance leadership group (including co-chairs if they are online –s47F and s47F), SCA members and SCA associated members.</p> <p>[Move to slide 2]</p> <p><u>Acknowledgement of country</u></p> <ul style="list-style-type: none"> The department recognises the First Peoples of this nation and their ongoing connection to culture and country. We acknowledge First Nations Peoples as the Traditional Owners, Custodians and Lore Keepers of the world's oldest living culture and pay respects to Elders past and present. <p><u>Thank</u> participants for making the time to discuss the review of the environmental management regime for offshore petroleum and greenhouse gas storage activities.</p> <p><u>Introduce</u> yourself, the team and s47F Manager, Cross Government Policy in the Offshore Strategy Branch.</p> <p><u>Note</u> the session will be split half and half between providing an overview of the offshore environmental management review and opening to questions and comments from SCA members.</p> <p>[Cliff hands over to s47F]</p>
2.	Environment regulation review	s47F	2:10 pm (20 minutes)	<p>[Move to slide 3]</p> <p>s47F <u>summarises</u> the Budget announcement.</p> <ul style="list-style-type: none"> The Australian Government committed funding over three years for a review of the environmental management regime for offshore petroleum and greenhouse gas storage activities in the 2023-24 Budget context. The funding is committed for activities across four categories of work:

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Item	Item	Lead	Commencing	Action
				<ul style="list-style-type: none"> o 1) a check to see if changes can be made to existing regulations quickly, focused on making consultation requirements clearer – this is what the department is doing right now. o 2) understanding First Nations views about the system more broadly and if it can be better, running over a 12-month period or so – run by my team, the First Nations Section, Offshore Resources Branch. o 3) a longer-term review with scope to deliver broader reforms as informed by First Nations consultations, plus other stakeholders as appropriate. o 4) impediments to carbon capture and storage and how they might be overcome. <p>s47F hands over to s47F [Move to slide 4]</p> <p>s47F summarises work being undertaken now.</p> <ul style="list-style-type: none"> • In the 2023–24 Budget the Government committed \$12 million over three years from 2023–24 for a review of the environmental management regime for offshore petroleum and greenhouse gas storage activities. • On 12 January 2024, the department released a consultation paper on clarifying consultation requirements for offshore petroleum and greenhouse gas storage regulatory approvals. • Submissions close on 8 March 2024. • This paper is the first phase of the Offshore Environment Management Review. • The purpose of this first piece of work is to make the consultation requirements clear for all stakeholders. • Consultation is a key feature of Australia's offshore environmental management framework. Australia's existing laws and regulations place a clear requirement on companies that hold petroleum or greenhouse gas storage titles to consult on any proposed offshore resources activities as part of the regulatory approvals process. • Recent court decisions have changed how we understand the consultation requirements in the Offshore Environment Regulations. • Whilst the court decisions provided some clarity on how titleholders should consult, we have received feedback that there is still some uncertainty. • Proper consultation regarding offshore activities is important. Consultation helps proponents and regulators to understand the possible impacts of offshore activities and develop ways to mitigate those impacts.

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Item	Item	Lead	Commencing	Action
				<ul style="list-style-type: none"> • However, uncertainty is not helpful for anyone, and the Government is committed to addressing this as a priority. • The Government believes there may be benefit in further clarifying the consultation requirements outlined in Australia's current Offshore Environment Regulations. • This is based on feedback from community groups and from the offshore resources industry. • As the existing regulations are not specific, this can result in variations in the level of consultations between titleholders and the people and organisations who may be impacted by a proposed offshore resources activity. • We are committed to providing clarity and certainty for industry and community stakeholders and to ensure we have regulatory system that works for everybody. • The consultation paper is seeking views from people, organisations, local communities, Traditional Owners, First Nations communities and the offshore resources industry on their experiences with consultation under the current Offshore Environment Regulations. • We also invite ideas and suggestions to improve the clarity of the consultation requirements under the Offshore Environment Regulations without diminishing the clear obligation on titleholders to genuinely consult with persons or organisations who may be impacted by a proposed offshore resources activity. • This feedback will help inform options for the government to consider when seeking to clarify consultation requirements. • This consultation paper is the first opportunity to consider the current consultation requirements for offshore petroleum and greenhouse gas storage activities and identify options to provide clarity and certainty on these arrangements. • Additional public consultation opportunities will be available over the course of the review, including on any proposed regulatory amendments. <p>s47F hands over to Cliff</p>
3.	Questions and comments	Cliff Weeks	2:30 pm (20 minutes)	<p>[Move to slide 5]</p> <p><u>Invite</u> questions or comments.</p> <p>We will do our best to answer questions in this session, but any questions you have after this session can be sent through to s47F and s47F at the First Nations Section mailbox s47E(d) @industry.gov.au.</p> <ul style="list-style-type: none"> • We will pop the email into the chat function now.

OFFSHORE

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Item	Item	Lead	Commencing	Action
				<p>s47F adds email address to Teams chat]</p> <p><u>Why do you think it is appropriate to consult like this?</u></p> <ul style="list-style-type: none"> • Government wants to explore if there is value in making some tweaks to existing regulatory settings. • The point of this consultation process is to understand if stakeholders would benefit from minor changes, and if so, which changes. • We want to encourage views so government is able to make informed considerations. • The government will undertake First Nations consultations over the coming 12 months or so, to consider opportunities for broader reform. • The short turnaround would accommodate tweaks to the regulation, depending on advice provided to government by stakeholders. <p><u>Who did you consult and why?</u></p> <ul style="list-style-type: none"> • On 12 February 2024, the department emailed a broad range of stakeholders to provide a link to the consultation paper. • From a First Nations perspective, we emailed 289 groups primarily Prescribed Bodies Corporate and Land Councils. • We recognise publishing a consultation paper on the department's website isn't enough – people are busy and don't have time to monitor departmental websites. • So we sought to call groups we emailed, using ORIC as a starting point for phone numbers. <p><u>Will you provide funding for us to engage via these consultations?</u></p> <ul style="list-style-type: none"> • Funding announced in the 2023-24 Budget is allocated against the four categories of work outlined by s47F earlier, over a three-year period. • Funding requests need to go through a formal, rigorous consideration process, consistent with government expectations and requirements. • The department has not made any funding commitments, beyond the Budget 2023-24 announcement.

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Item	Item	Lead	Commencing	Action
				<p><u>How many submissions have you received? How many have been from First Nations stakeholders?</u></p> <ul style="list-style-type: none"> • We have received 15 submissions, mostly from individuals. • We expect to publish most on the department's website, after submissions close. <p><u>Will you support Senator Dorinda Cox's Protecting the Spirit of Sea Country Bill 2023?</u></p> <ul style="list-style-type: none"> • On 9 May 2023, government announced the review of the environmental management regime for offshore petroleum and greenhouse gas storage activities. • Per the Budget announcement, review activities will run over the period from 2023-24 to 2025-26 inclusive. • I am committed to getting views of diverse First Nations groups across the country, to inform review activities. • I am aware that Senator Cox introduced the Bill on 8 August 2023 and that it has been referred to the Environment and Communications Legislation Committee for inquiry. • Given in-train consultations and the importance of the review announced in the Budget, the department made a submission to the inquiry (submissions closed on 19 February 2024). • The nature of the department's submission must remain confidential until the committee has accepted and then published submissions, which usually happens within several weeks of submissions closing. • The committee process is in-train – with public hearings scheduled for 12 April 2024 (Darwin), 6 May 2024 (Karratha) and 7 May 2024 (Perth). <p><u>How does this fit with the Nature Positive work and the standards that DCCEEW is working on?</u></p> <ul style="list-style-type: none"> • The department will run the review concurrent to DCCEEW developing standards. • The consultation paper sets out the department's review will examine the entire environmental management framework to ensure amongst other things it is consistent with reforms to the national environmental legislation being developed under the government's Nature Positive Plan. • This includes ensuring the Offshore Environment Regulations align with relevant national environmental standards currently under development, including the standard for First Nations engagement and participation in decision-making and the standard for community engagement and consultation.

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Item	Item	Lead	Commencing	Action
				[Move to slide 6]
4.	Close	Cliff Weeks	2:50 pm (10 minutes)	<u>Thank</u> participants for joining the meeting and the NNTC for forwarding the meeting invite. <u>Ask</u> s47F to recap any action items arising. <u>Close</u> meeting

Attendees	
1.	s47F
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Attendees (DISR)	
1.	s47F
2.	s47F
3.	Cliff Weeks
4.	s47F
5.	s47F
6.	s 47F

Info session: Clarifying consultation requirements for offshore petroleum and greenhouse gas storage regulatory approvals [SEC=~~OFFICIAL~~]

Tuesday, 20 February 2024

2:25 PM

Meeting Date: 20/02/2024 2:00 PM

Location: Microsoft Teams Meeting

Link to Outlook Item: [click here](#)

Invitation Message

Content

<<image001.png>>	Added by ORB First Nations Attachment from Outlook
<<image002.jpg>>	Added by ORB First Nations Attachment from Outlook

Participants

 [ORB First Nations](#) (Meeting Organizer)

 s47F

 s47F

 s47F

 s47F

 s47F

 s47F

 [Weeks, Cliff](#)

 s47F

 s47F

Notes

s47E(d), s47F, s47G

Created with OneNote.

s47F

From: Greg McDonald <s47F @thegoodadvice.com.au>
Sent: Monday, 19 February 2024 7:39 PM
To: Offshore Environmental Management Review
Cc: s47F
Subject: Clarifying consultation requirements for offshore oil and gas storage regulatory approvals: consultation paper

Good afternoon,

I am writing to request an invitation to the Public Information session that I understand is planned to be held next week in relation to the 'Clarifying Consultation Requirements' consultation paper.

Kind regards,

Greg McDonald

Managing Director
Good Advice Pty Ltd
ABN 75 667 184 170Z
T: s47F
WA: + s47F
E: s47F @thegoodadvice.com.au

s47F

From: Offshore Environmental Management Review
Sent: Wednesday, 21 February 2024 2:40 PM
Subject: Online information session: Clarifying consultation requirements for offshore oil and gas storage regulatory approvals [SEC=OFFICIAL]

Good afternoon,

Thank you for advising of your interest to attend the online information session on *Clarifying consultation requirements for offshore oil and gas storage regulatory approvals*.

The information session will be on **Wednesday 28 February 2024 from 12.00 – 12.30 pm AEDT** and will provide an overview of the current consultation requirements and the key themes in the paper.

To receive the meeting link please register at [s47E\(d\)](#)

Regards

Offshore Environmental Management Review Team

Oil and Gas Division

Nggunawal Country, Industry House, 10 Binara Street, GPO Box 2013 Canberra ACT 2601 Australia

Department of Industry, Science and Resources

Email [s47E\(d\)](#) [@industry.gov.au](mailto:s47E(d)@industry.gov.au)

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Acknowledgement of Country

Our department recognises the First Peoples of this Nation and their ongoing cultural and spiritual connections to the lands, waters, seas, skies, and communities.

We Acknowledge First Nations Peoples as the Traditional Custodians and Lore Keepers of the oldest living culture and pay respects to their Elders past and present. We extend that respect to all First Nations Peoples.



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Thank you for registering to attend the online information session on the *Clarifying consultation requirements for offshore oil and gas storage regulatory approvals* paper.

The information session is on from 12.00 - 12.30 pm AEDT Wednesday 28 February 2024.

Join on your computer, mobile app or room device

[Click here to join the meeting](#)

Clarifying consultation requirements for offshore oil and gas storage regulatory approvals: consultation paper

Make a submission

Consult hub

Response received at:
8 March 2024, 7:38am

Response ID:
sbm2cb317eb04cbf459444c6

- 1 Do you agree to the Privacy Collection Statement?
Yes I agree
- 2 Please indicate how and if you want your submission published.
Public
- 3 Published name
Good Advice Pty Ltd
- 4 First name
Greg
- 5 Last name
McDonald
- 6 Email
s47F @thegoodadvice.com.auu
- 7 Phone

s47F

- 8 Who are you answering on behalf of?
Organisation
- 9 Organisation
Good Advice Pty Ltd
- 10 What sector best describes you or your organisation?
Other: "supplier to offshore resources industry"
- 11 What state or territory do you live in?
Northern Territory
- 12 Postcode
s47F
- 13 What area best describes where you live?
City
- 14 What do you think works for offshore consultation processes and should be kept?
Not answered
- 15 What doesn't work for offshore consultation processes and how could it be changed?
Not answered
- 16 If you have participated in consultation processes for proposed offshore resources activities:
Not answered
- 17 What information should titleholders provide to relevant persons so

they:

Not answered

- 18 What examples are there of consultation processes under other regulatory frameworks that you have participated in that have worked more effectively?
Not answered
- 19 Titleholders should respond to relevant persons on how they have considered the information provided. How is this best done?
Not answered
- 20 How should titleholders manage sensitive information given to them during consultation?
Not answered
- 21 How could the consultation process account for verbal consultations?
Not answered
- 22 How much time should a titleholder reasonably give relevant persons to engage and provide information as part of a consultation process?
Not answered
- 23 If titleholders and NOPSEMA get information after the consultation is over, how should they consider it during the assessment process?
Not answered
- 24 What is the best way for titleholders to engage with Traditional Owners who are able to speak for sea country?
Not answered
- 25 How can titleholders ensure they consult appropriately and effectively with First Nations people to adequately communicate project

information?

Not answered

- 26 How can titleholders make sure First Nations people are able to express their views on a proposed offshore resources activity in line with their preferences?
Not answered
- 27 What is the best way to manage accessibility of information in the consultation process?
Not answered
- 28 Is there a benefit to greater coordination among multiple titleholders on certain issues that are common to many proposed offshore activities?
Not answered
- 29 What can titleholders do to address consultation fatigue?
Not answered
- 30 What opportunities are there to clarify the process for identifying who a proposed offshore resources activity may affect?
Not answered
- 31 What type of communication methods and processes should titleholders use to make relevant persons aware of consultation for a proposed offshore resources activity?
Not answered
- 32 Is it preferable for some relevant persons to be engaged via representative bodies or industry associations, instead of individually?
Not answered

- 33 Should people and organisations have an opportunity to self-identify as relevant persons?
Not answered
- 34 How could the Offshore Environment Regulations clarify what is meant by a person or organisation that 'may be affected' by an offshore resources activity?
Not answered
- 35 When assessing whether consultation has been undertaken that is appropriate for the proposed offshore resources activity, how should NOPSEMA consider the likelihood and consequence of an impact on relevant persons?
Not answered
- 36 Have you removed any identifying information from your submission?
Not answered
- 37 Upload 1
Good Advice Pty Ltd Submission to DISR - Clarifying consultation requirements - FINAL.6b441f67c4b98.pdf
- 38 Upload 2
Not answered
- 39 Upload 1
Not answered
- 40 Upload 2
Not answered
- 41 Make a general comment
Not answered



8 March 2024

Australian Government
Department of Industry Science and Resources

Response submitted online via: <https://consult.industry.gov.au/offshore-petroleum-consultation-requirements/submission>

Clarifying consultation requirements for offshore oil and gas storage regulatory approval: consultation paper

To whom it may concern,

Good Advice Pty Ltd (**Good Advice**) is grateful for the opportunity to provide this submission to the Australian Government in response to the consultation paper '*Clarifying consultation requirements for offshore petroleum and greenhouse gas storage regulatory approvals*' (**Consultation Paper**). Good Advice was founded in April 2023 with a vision to facilitate and assist First Nations persons to engage with the private and public sectors in a culturally appropriate manner and to support the informed consultation and participation of First Nations in relation to proposed industrial developments and policy development.

Good Advice utilises the services of First Nations leaders in the capacity of consultant Cultural Advisors. This model enables Good Advice to obtain accurate and timely advice to deliver culturally appropriate engagement for corporate clients and First Nations stakeholders, whilst achieving 80% First Nations engagement for all Good Advice contractors and employees combined. The Cultural Advisors to Good Advice are a dynamic team of experienced persons, from elected representatives to ceremonial leaders, including persons with extensive cultural knowledge, functions, interests and/or activities in relation to areas of sea country and coastal lands of the Northern Territory.

Since June 2023, Good Advice has worked closely with members of the Top End Aboriginal Coastal Alliance (**TEACA**), which has been recently incorporated, to successfully facilitate and assist more than 100 First Nations persons from over 20 Northern Territory based clan groups to engage in formal consultations with offshore resources industry proponents in relation to a range of offshore activities governed under the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* (**OPGGS Act**).

Good Advice actively supports the First Nations Consultative Committee (**FNCC**) method of culturally appropriate engagement with First Nations persons in the Top End of the Northern Territory in relation to offshore resources activities governed under the OPGGS Act. Good Advice endorses the comprehensive submission that TEACA has provided in response to the Consultation Paper in relation to the FNCC method and other relevant matters. Good Advice encourages the Government to take up to opportunity to meet with TEACA members in relation to their submission and to visit the Northern Territory to see firsthand how the FNCC method is being implemented in practice and how this

method of culturally appropriate engagement is being utilised and enthusiastically supported by First Nations of the Top End.

I would welcome the opportunity to discuss this submission with you.

Respectfully submitted,
s47F

Greg McDonald
Managing Director
Good Advice Pty Ltd