



MEETING NOTES

SAFETY STAKEHOLDER GROUP MEETING 6 5 FEBRUARY 2021

Skype video conference
13:30 – 15:00 AEDT

When	What	Who
13:30-13:40	1. Welcome and overview <ul style="list-style-type: none">• <i>Overview of SSG meeting on 11 December 2020</i>• <i>Confirm meeting notes from previous meeting</i>	Chair
13:40-14:40	2. Discussion on feedback to the draft policy framework Diving <ul style="list-style-type: none">• <i>Diving Start-Up Notice</i>• <i>Reporting obligations for diving supervisors</i>• <i>Additional proposals</i> Compliance and enforcement <ul style="list-style-type: none">• <i>Graduated enforcement mechanisms</i> Jurisdictional coverage <ul style="list-style-type: none">• <i>Vessel activity notification scheme</i> Clarification of terms <ul style="list-style-type: none">• <i>Additional proposals</i>	SSG members
14:40 – 15:00	3. Any other business and next steps <ul style="list-style-type: none">• <i>Finalisation of policy framework and implementation</i>	Chair

Welcome and SSG Updates

- The Chair welcomed attendees to the sixth Safety Stakeholder Group (SSG) meeting, confirmed the meeting notes from the fifth SSG meeting and outlined the agenda for the meeting.
 - Attendees: DISER (Chair), APPEA, ACTU, Maritime Union of Australia (MUA), NSW Resources Regulator, NOPSEMA, AMSA, AGD and IADC
 - Apologies: Health and Safety Representative, WA DMIRS, WorkSafe Victoria, and Santos
- The Chair provided an overview of the submissions received in response to the draft policy framework, and confirmed that the meeting was being held to discuss feedback provided in the submissions.

Discussion on feedback to the draft policy framework

- SSG members discussed the following parts of the department's draft policy framework: diving, compliance and enforcement, jurisdictional coverage and clarification of terms.

Diving

Diving Start-Up Notice

- SSG members were supportive of having a Diving Start-Up notice that is accepted by NOPSEMA before an offshore dive can commence.
- Issues discussed by members included:
 - ensuring the information requirements for the start-up notice are clearly communicated to industry and that there is procedural consistency with other diving documentation
 - appropriate timeframes for the regulator to review the start-up notice, and whether the proposed amendments would increase schedule delays for diving projects
 - diving standards to be applied when determining sufficient bends watch times.
- DISER confirmed the proposal is that the information in the start-up notice should be clear and not duplicate other diving permissioning documents, and considers that a 28 day review period for the start-up notice is reasonable.
- NOPSEMA confirmed that should a start-up notice be not accepted the diving contractor would be provided a notice outlining the reasons for that decision.
- MUA advised they will provide further information on the diving standards referenced in the recommendation in the ACTU submission to increase bends watch timeframes from two hours.

Reporting obligations for diving supervisors

- SSG members were supportive of closing any gap of non-reporting for serious matters occurring during a diving operation which doesn't have an operator.
- Members discussed the suggestion that decommissioning of disused facilities should occur as quickly as possible to avoid potentially dangerous non-operator diving situations.
- Responses to this suggestion included that avoiding dangerous diving situations was a risk management issue, and that how disused facilities are managed is an issue for the decommissioning framework.
- DISER confirmed that under safety regulation 4.23 the reporting duties of diving supervisors would be amended to include NOPSEMA in the event there is no operator for that diving project.
- NOPSEMA confirmed there is scope to provide more clarity to industry on the reporting obligations for diving supervisors.

Additional proposals

- SSG members discussed the suggestion to establish a diving safety working group and what the purpose of a working group would be.
- Issues raised by members:
 - whether a diving safety group should be established to set diving standards for industry or if the purpose should be to improve diving operations and to ensure that standards are being properly applied
 - it was noted that diving standards are currently required to be detailed in the Diving Safety Management System (DSMS) which needs to be approved by NOPSEMA and that industry use both local and international standards set by bodies such as the International Maritime Organization and the International Association of Oil and Gas Producers.
- Another issue discussed is whether ‘establishing standards’ means the current standards are not sufficient to protect diver safety or if it refers to standardising which diving codes are to be used by diving contractors.
- The MUA advised that they would clarify for SSG members which diving codes they consider should be specified in safety regulations.
- NOPSEMA advised that they are currently developing diving guidelines which will include more examples of diving standards and will be providing the draft guidelines to stakeholders for comment and feedback.

Compliance and enforcement

Graduated enforcement mechanisms

- SSG members supported the proposed introduction of a civil penalty regime to sit alongside the current criminal penalties for breaches of obligations.
- Issues raised by members include the benefit of developing a better culture of reporting incidents to achieve compliance and whether criminal penalties should be harmonised with other WHS legislation and regulations.
- Another issue raised was whether an industrial manslaughter provision should be included in the offshore oil and gas safety framework.
- DISER noted that the recommendation for introduction of an industrial manslaughter offence into the model WHS laws is being considered by the Attorney-General as part of the consideration of the Boland Review recommendations. No changes to the offshore framework are proposed ahead of the WHS Ministers making a decision on this issue.

Jurisdiction coverage

Vessel activity notification scheme

- SSG members were supportive of the introduction of a vessel activity notification scheme.

Additional issues – clarification of terms

- DISER confirmed that it was working with other government agencies to manage maritime jurisdiction issues that relate to the Offshore Oil and Gas Safety Review and other departmental work.

Other business and next steps

- NOPSEMA requested the policy framework include a policy measure to bring capping stack vessels under the OPPGS safety regime by defining them as an offshore facility when being used to deploy a capping stack.
- DISER confirmed that they would explore the capping stack issue.
- The Chair thanked SSG members for their feedback on the draft policy framework and noted that any changes to the Act or Safety Regulations would be published in an exposure draft which would be open for feedback. The next SSG meeting will be held to coincide with the publication of the exposure draft.