

# Acceptance of Scarborough Offshore Facility and Trunkline (Operations) Environment Plan

Document No: A1168829

Date: 1 April 2025

1. On 19 February 2025, I, [REDACTED], Director Regulatory Operations - Geophysical Surveys and Installation, delegate of the Chief Executive Officer of NOPSEMA decided, pursuant to regulation 33 of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2023 (Environment Regulations)*, to accept the Scarborough Offshore Facility and Trunkline (Operations) Environment Plan (Document No: SA0006AF0000022, Revision 3, dated January 2025) (**EP**) as I was reasonably satisfied that the EP met the criteria in reg 34 of the Environment Regulations.
2. The EP was submitted by Woodside Energy Scarborough Pty Ltd (ACN 650 177 227) (**titleholder**), to enable the titleholder to undertake the petroleum activity described in the EP, which involves the hookup, commissioning, start-up and operation of the Scarborough Facility in Commonwealth waters.
3. For the purposes of assessing the EP, I was assisted by an assessment team comprised of a lead assessor and two environmental specialists and a consultation specialist.
4. The reasons for my decision are set out below.

## Legislative framework

5. All references to a regulation (**reg**) are to the Environment Regulations unless otherwise stated.
6. All definitions contained in the OPGGS Environment Regulations are applied to those terms where used in this statement.
7. The legislation relevant to my decision is set out in the Environment Regulations [link](#).

## Background

8. On 3 May 2024, the titleholder submitted the EP (dated May 2024) to NOPSEMA in accordance with the Environment Regulations.
9. On 20 June 2024, NOPSEMA provisionally decided in accordance with reg 27 that the EP included material addressing all of the provisions in Division 2 of the Environment Regulations and published the EP on NOPSEMA's website in accordance with reg 28(1).
10. On 16 August 2024, NOPSEMA made a request for further information, pursuant to reg 32. The request identified that further information on a number of the criteria in reg 34 was required. In response to this request to provide further written information, the titleholder resubmitted the EP in accordance with regulation 32(3) on 7 November 2024 (Document No: SA0006AF0000022, Revision 2).
11. On 9 December 2024, NOPSEMA offered an opportunity to modify and resubmit the EP to the titleholder. The opportunity identified that the acceptance criteria had not been met. In response to this opportunity, the titleholder resubmitted the EP on 23 January 2025 (Document No: SA0006AF0000022, Revision 3) incorporating modifications pursuant to reg 33.
12. On 19 February 2025, I decided to accept the EP. I was reasonably satisfied that the EP met the criteria in reg 34. I explain my reasons in further detail below.

## Materials

13. The materials considered in making this decision include, but were not limited to, those set out in **Appendix A** and are referenced where relevant in the reasons below.

## Decision Overview

14. The issue before me was whether the EP should be accepted pursuant to reg 33. This required that I be reasonably satisfied that the EP meets the 'acceptance criteria' in reg 34.
15. Further, in accordance with regs 16 and 34, I must not accept an EP unless I am reasonably satisfied that the titleholder is compliant with subsection 571(2) of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006 (OPGGs Act)* in relation to the petroleum activity, and the compliance is in a form that is acceptable to me. On review of the titleholder's financial assurance declaration and confirmation forms, I was reasonably satisfied that the titleholder was compliant with s 571(2), and the financial assurance declaration and confirmation forms were acceptable. I therefore considered that the precondition in reg 16 was met.
16. I then considered the criteria in reg 34 and was reasonably satisfied that the EP met those criteria. I therefore accepted the EP. My reasons for this part of my decision are set out at [20] – [112] below.

## Should the Environment Plan be accepted?

17. Under the Environment Regulations, in order to accept the EP, I had to be reasonably satisfied that the criteria in reg 34 were met.
18. Regulation 33 requires that, when making my decision as to whether the EP should be accepted, refused or accepted in part or with conditions, I must consider the further information that the titleholders provided pursuant to the requests made by NOPSEMA (here, the requests made on 16 August 2024 and 9 December 2024). The information the titleholders provided in response to those requests was contained in the re-submitted versions of the EP (as set out at [10] to [11]) which resulted in the final version of the EP (Revision 3).
19. Against this background (and having considered the materials in Appendix A), I made the following findings against each criterion for acceptance of the EP in reg 34.

### The EP is appropriate to the nature and scale of the activity: regulation 34(a)

20. Based on the reasons below, I was reasonably satisfied that the EP met the requirements of reg 34(a).
21. I found that Section 3 of the EP included an appropriate description of the scope and bounds of the activity. This is because, the EP provided details of the proposed location, spatial extent, timeframe, and duration of the petroleum activities. The EP also described the types and specifications of equipment and property that will be brought into the title areas and used to undertake the activity, as well as the description and where relevant, the composition of property to be removed from the title areas. Examples to support this reasoning include:
  - a. An appropriate description of the petroleum titles on which the activity is located, specifically, Commonwealth waters within Production Licence WA-61-L and WA-62-L, and Pipeline Licence WA-32-PL.
  - b. Woodside Energy Scarborough Pty Ltd is the operator and nominated titleholder of Production Licence WA-61-L and WA-62-L, and Pipeline Licence WA-32-PL. This was confirmed through a search of the National Offshore Petroleum Titles Administrator (NOPTA) National Electronic Approvals Tracking System (NEATS). Titleholder details are outlined in Section 1.8.
  - c. The delineation of two 'Operational Areas' within Section 3.3, specifically the Offshore Operational Area and Trunkline Operational Area. The EP also describes temporary exclusion zones around key infrastructure and vessels to manage interactions with other marine users during hook-up, commissioning and start up with an appropriate level of detail.
  - d. The Offshore Operational Area is located approximately 375 km west-northwest of Dampier, Western Australia (WA). Water depths in the Offshore Operational Area range from approx. 900 m to 969 m. The Trunkline Operational Area (WA-32-PL), traverses through Commonwealth waters to the state waters boundary. Water depths through the Trunkline Operational Area range from approx. 39 m to 1,352 m. Coordinates of the facility, subsea infrastructure and each well location is provided in Table 3-2 of the EP and outlined on Figure 3-2.

- e. The EP includes an appropriate temporal description of the activity, noting activities may commence as early as H2 2025. The Petroleum Activities Program (PAP) describes initial temporary activities (FPU installation and hook-up and commissioning) followed by Floating Production Unit (FPU) initial start-up, ongoing operations and Inspection, Maintenance, Monitoring and Repair (IMMR). The indicative timing and duration of each stage of the activity is outlined in Section 3.4 and Table 3-3.
  - f. The EP includes an adequate level of information to outline general details of the construction and layout of the facility and infrastructure involved in the petroleum activity, including the FPU, project vessels, helicopters, Remotely Operated Vehicle (ROV), survey equipment and subsea infrastructure. Section 3.11 provides a description of the type and number of vessels that will be required to complete the activity.
  - g. The EP includes an appropriate description of the scope of activities, including those excluded. For example, the movement of the project vessels outside of the Operational Areas are not included in the scope of the EP. These activities are undertaken in accordance with other relevant maritime and aviation legislation, such as the *Navigation Act 2012* and *Civil Aviation Act 1988*.
22. I found that the EP contained a thorough description of the activity components with the greatest potential to generate impacts and risks to the environment throughout the activity duration, and, appropriately, provides more detail on activity components with the greatest potential to generate impacts and risks to the environment. This is because the EP includes a comprehensive description of the activity (Section 3) relevant to the consideration of environmental impacts and risks of the activity. Key aspects include an overview of activities undertaken within the scope of the PAP, including a description of each stage of the activity which is covered by the EP. As an example, in specific relation to greenhouse gas (GHG) emissions:
- a. The EP describes key equipment which will have a material influence on the generation and monitoring of GHG emissions (Section 3). This includes information on the specifications and expected performance of that equipment where relevant.
  - b. The GHG emissions that are expected to be generated from major sources are described for each phase of the activity in an appropriately supported emissions inventory (Section 6.7.6). This includes details of expected sources, relevant emissions factors, assumptions made, and identification of appropriate operational contingencies.
  - c. The whole-of-lifecycle GHG emissions estimate (Table 6-21 of the EP) is consistent with that detailed in the [accepted Offshore Project Proposal \(OPP\)](#), with refined source estimates based on updated emissions factors and operational forecasts.
23. I considered that Section 4 and Appendix L of the EP contained a thorough description of the environment that may be affected by the activity (EMBA); and appropriately addressed relevant values and sensitivities (including matters protected under Part 3 of the EPBC Act) (see above at [22]). I noted the description of the EMBA includes areas that may be affected by potential emergency conditions in the event of an oil pollution incident which is conservatively defined through stochastic modelling of the cumulation of various marine diesel spill scenario (the accidental loss of marine diesel during a vessel collision resulting in breach of fuel tanks) at the FPU location and a vessel conducting activities along the trunkline. Examples of how the description of the environment is appropriately addressed include:
- a. In relation to GHG emissions:
    - i. The description of the environment addresses climate-vulnerable values and sensitivities in the Australian environment (Section 4 and Appendix L). The EP uses contemporary scientific information in describing the current climate and predicted future trends.
    - ii. The impact evaluation specifically identifies the current status and predicted future trajectories of key environmental aspects (Section 6.7.6). This is informed by relevant contemporary publications such as the [CSIRO State of the Climate 2024 Report](#) and the [IPCC Sixth Assessment Report](#).
  - b. In relation to Matters of National Environmental Significance (MNES):

- i. The description includes the regional setting of the Operational Areas and EMBA, and the Protected Matters potentially occurring within the Activity Area and thus potentially impacted by the produced water (PW) discharge including:
            - A. Threatened and migratory fauna (49 species) (Table 4-12), through contemporary EPBC protected matters reports (Appendix C).
            - B. A biologically important area (BIA) for the Pigmy blue whale (distribution) is identified and mapped (Figure 4-11).
            - C. The absence of an Australian Marine Park, with the nearest being the Gascoyne AMP, located 77 km to the south) (Table 4-17 and Figure 4-14).
            - D. Several Key Ecological Features (KEFs), representing important components of the Commonwealth Marine Area, within the EMBA, with the Exmouth Plateau KEF (supporting unique seafloor features in 500-5,000 m water depth) overlapped by the Petroleum Activities Area (Offshore Operational Area) in which the produced water discharge will occur (Table 4-16, Figure 4-13).
          - ii. The EP adequately identifies and evaluates the potential impacts from the petroleum activity to marine fauna (including Protected Matters), being informed by the likelihood of the species presence within the area and noting the absence of BIAs or critical habitats in proximity to the produced water discharge location and surrounding mixing zone (Section 6.7.11).
        - c. In relation to indirect emissions to sensitive environments:
          - i. There is a thorough description of the sensitive onshore features of the environment that may be affected by indirect emissions associated with the activity and in sufficient detail to inform the evaluation of environmental impacts (Section 4). Key aspects include Section 4.9.5 which describes the Murujuga Cultural Landscape and details cultural values and heritage features of the area. The EP identifies the location of Murujuga rock art, includes a comprehensive description of the rock art and its current condition, obtained from authoritative sources. The EP includes a summary of the National Heritage Place values and World Heritage Listing applicable criterion, with links to publicly available information and describes the Murujuga rock art.
          - ii. The impact and risk assessment is informed by previous studies and the balance of scientific understanding, including relevant papers, scientific articles, and published reports, which has been considered in the impact assessment (Section 6.7.7).
24. I considered the level of detail included in the EP to be appropriately scaled to the nature of the impacts and risks. A greater level of detail is included in the EP on the EMBA by planned operations (OA), compared with the broader environment that may be exposed to low levels of hydrocarbon (in the unlikely event of a hydrocarbon release). Specifically, the EP includes:
  - a. A logical process that is applied to identify and describe the matters protected under Part 3 of the EPBC Act that may be present within the Operational Area and EMBA. The EP utilises relevant information to adequately inform and support the descriptions, such as information available on the Department of Climate Change, Energy, Environment and Water (DCCEEW) website such as plans of management, threat abatement plans, threatened species recovery plans and marine bioregional plans (Section 4, Appendix C and Appendix L).
  - b. A description of the key physical, biological, social, economic, and cultural features, values and sensitivities of the environment of the Commonwealth marine area. In particular, the EP appropriately identifies and describes the key physical, biological, social, economic, and cultural features, values and sensitivities of the environment that overlap with the EMBA. I considered that the EP utilises relevant references and information sources to adequately inform and support the descriptions, such as contemporary peer-reviewed scientific literature and other authoritative sources (Section 4 and Appendix L).
  - c. In relation to GHG emissions:

- i. The EP includes details of the impacts and risks that are relevant to the GHG emissions from the activity and provides an evaluation that is appropriate to the nature and scale of that impact and risk. This titleholder has applied more detail and rigour to the evaluation of higher order impacts and risks and to receptors in the Australian environment that are most vulnerable to impacts from climate change.
- ii. The EP applies more detail and rigour to the impact and risk assessments where there is a higher degree of scientific uncertainty in predictions of impacts (i.e. in the potential future emissions and climate change scenarios that may arise) and risks and/or severity of potential consequence of impacts and risks. Information from authoritative sources such as the IEA and IPCC has primarily been relied upon in developing the impact evaluation and analysis of the project's emissions; and in describing the potential future impacts and risks.
- iii. The EP (Section 6.7.6 and Table 6-5) contextualises the estimated emissions from the activity against current established Australian national and global emissions budgets that are consistent with the objectives of the Paris Agreement and with Australia's Nationally Determined Contributions. These have been derived from authoritative sources such as the [Australian National Emissions Projections 2024](#), the [IPCC's Sixth Assessment Report](#), and the [Global Carbon Budget 2024](#). In this respect:
  - A. The EP estimates that the total lifecycle emissions from the Scarborough Project (an estimated 878 million tonnes CO<sub>2</sub>-equivalent) are expected to comprise approximately 0.37% of the estimated remaining global carbon budget (in a scenario projected to limit global warming to 1.5°C, consistent with the Paris Agreement objectives).
  - B. It also estimates that emissions occurring within Australia would comprise approximately 0.9% of the projected remaining national emissions budget to 2030.
  - C. I noted that the majority of the emissions arising from the Project occur in jurisdictions onshore in Australia (e.g. processing) or overseas (in products use). The legislative and international frameworks that govern these emissions are administered in Australia by State (e.g. WA EPA) and Federal (e.g. Clean Energy Regulator) regulators in delivering [Australia's Nationally Determined Contributions \(NDCs\)](#) under the Paris Agreement via the [Safeguard Mechanism](#) and other relevant legislation and policy. Overseas, equivalent regulators administer the legislative frameworks which enact the NDCs of those countries under their own Paris Agreement commitments.
  - D. While there is some uncertainty inherent in the efficacy and sufficiency of NDCs and their implementation with respect to achieving the objectives of the Paris Agreement, it is assumed that the frameworks in place and being administered by appropriate regulators are able to, and must, be relied upon in evaluating the impacts, risks and control measures for this activity. It is noted that mechanisms exist nationally (via advice to government and other measures as described in the [Climate Change Act 2022](#)) and internationally (via NDC reporting to the [Global Stocktake](#), the annual [Conference of the Parties](#), and other measures as enacted via the Paris Agreement and the [UNFCCC](#)) to evaluate progress against the objectives of the Paris Agreement and to recommend changes as required. It is considered that this national and international framework must be relied upon to reduce emissions, including those from the Scarborough Project; and that the control measures presented in the EP must be, and are, consistent with those frameworks.
  - E. Advice from government departments (Department of Climate Change, Energy, the Environment and Water [DCCEEW] and the Clean Energy Regulator [CER]) confirmed that emissions from the Scarborough Project that occur in Australia are covered by Australia's NDCs and mechanisms to support their achievement such as the Safeguard Mechanism. The projected emissions from the project have been included in the 2024 National Emissions Projections, which show that the Safeguard emissions reduction targets are expected to be met. I received advice from DCCEEW that it is unlikely that the Project will affect Australia's ability to meet its target to reduce emissions by 43% below 2005 levels by 2030.



- iv. I also noted that the EP (Section 6.7.6) describes multiple potential future gas demand scenarios (from authoritative sources such as the [International Energy Agency](#)) to reflect the uncertainty associated with energy market prediction. In addition, while describing the theoretical potential for gas to contribute to the displacement of more carbon-intensive energy sources, the EP also acknowledges the uncertainty associated with this expectation and includes measures to monitor and reassess whether this potential has been realised (e.g. Control 6.20).
- d. I found that the EP describes First Nations cultural features and heritage values of the EMBA (Section 4.9) that had been appropriately considered. In particular, the EP describes:
- i. Consideration of both tangible and intangible aspects and was supported by multiple sources of relevant and suitable information. For example, the EP (Section 4.9) includes details of onshore native title claims, determinations and ILUAs made under the Native Title Act 1993, cultural values related information published in State and Commonwealth Marine Park plans, Murujuga National Park plan and considerations pertaining to the *Underwater Cultural Heritage Act 2018 (UCH Act)*.
  - ii. Management Plans, information on the cultural features of marine ecosystems including the broader concept of “sea country”, and information on Indigenous archaeology in the offshore marine environment as relevant to the EMBA. The EP also provided opportunities through relevant persons consultation to inform the description of the potential for First Nations cultural features within the EMBA (which I discuss further below).
  - iii. The desktop assessment of sea country values (Section 4.9.4.1) undertaken by the titleholder where it reviewed publicly available literature for any records of previously identified sea country values or cultural features that may occur within the OA or EMBA. A summary of sea country values or cultural features identified through the desktop assessment, and related to relevant First Nation groups, is presented in Table 4-20.
  - iv. Consultation with relevant persons has built on the knowledge of cultural features of the environment available through published research in the area. A summary of the values raised by First Nations relevant persons during consultation for this activity are presented in Section 4.9.4.3. Based on the desktop assessment and information obtained from First Nations relevant persons, the titleholder identified a number of cultural features and heritage values including, but not limited to:
    - rock art;
    - songlines;
    - creation/ dreaming sites, sacred sites and ancestral beings;
    - cultural obligations to care for country;
    - knowledge of country/ customary law and transfer of knowledge;
    - connection to country, access to country;
    - kinship systems and totemic species, resource collection; and
    - marine ecosystems and marine species.
25. I found that the EP includes sufficient information on the legislative and other requirements that are relevant to the activity and demonstrates how they will be met throughout the life of the activity. Examples to support this include:
- a. The EP includes an overview of relevant legislation and other environmental requirements (such as laws, codes, standards, agreements, treaties, conventions or practices) that apply to the activity and demonstrates how they will be met (Section 1.10 and Appendix B). For example, the petroleum activity covered by this EP has been described within the NOPSEMA approved Scarborough OPP and endorsed through the Program and under the EPBC Act. Appendix J outlines concordance of activities described in the Scarborough OPP with those included in this EP.

- b. The EP describes the requirements from policies, plans of management, recovery plans, conservation advice and other guidance for matters protected under the EPBC Act and demonstrates how these will be met (Section 6.9.3). Specifically, Table 6-50 outlines the relevant recovery plans, conservation management plans, threat abatement plans or approved conservation advice in place for EPBC Act-listed threatened species that may potentially occur or use habitat within the EMBA. Table 6-51, Table 6-52, Table 6-53, Table 6-54 and Table 6-55 also summarises the actions from these plans relevant to the petroleum activity and demonstrates where the requirements have been addressed in the EP.
        - c. The EP details the regulatory framework and external requirements of current and in-force approvals to manage atmospheric emissions and details how the titleholder will comply with conditions and related plans of management throughout the life of the activity. For example, assessment and approval under the EPBC Act (2006/2968), the conditions of the Part V licence issued by the Department of Water and Environmental Regulation under the *Environmental Protection Act 1986* (WA), and requirements contained in the Ministerial Statements, issued by the Environmental Protection Authority (EPA) under the *Environmental Protection Act 1986* (WA), that address monitoring and validating air emissions and operational controls for minimising air emission, such as Air Quality Management Plans (AQMP).
26. I also noted that a sufficiently robust method, consistent with internationally recognised standard ISO 31000:2018 Risk Management - Guidelines, was applied in the EP for the identification and evaluation of the environmental impacts and risks of the petroleum activity (Section 2.2). I considered that the detail and rigour applied to the impact and risk assessments (Sections 6) is commensurate to the magnitude of the impacts and risks related to the petroleum activity, and that the level of analysis and evaluation is proportionate to the nature and scale of the environmental impacts and risks generated by the petroleum activity. For example, the underwater sound emission evaluation (Section 6) includes an assessment of the potential for cumulative noise impacts to sensitive marine fauna (in particular cetaceans), as a result of concurrent project activities.
27. I found that the information provided during relevant persons consultation had been appropriately considered, evaluated, and incorporated into the EP where it was relevant. For example, information provided during consultation with Australian Communications and Media Authority (ACMA) was incorporated into the description of the environment which is appropriate for the nature and scale of the activity. Specifically, the inclusion a description of submarine communications infrastructure (Section 4.10.6) located within proximity to the operational area and associated activities.
28. I considered that there was a clear demonstration in the EP that the evaluation of impacts and risks informed the selection of suitable control measures appropriate for the nature and scale of the activity to either reduce the consequence/severity or likelihood of environmental impacts and risks. This is because, the evaluation of impacts and risks take into consideration the intended performance of the control measure to demonstrate that impacts and risks have been reduced to as low as reasonably practicable (ALARP). Suitable control measures have been included to reduce impacts and risks to ALARP and an acceptable level. In this regard, the EP included sufficient information on the legislative and other requirements that are relevant to the activity (Section 2 and Appendix C).
  - a. For example, in relation to GHG emissions:
    - i. The EP (Sections 6.7.6, 7.5.1 and 7.5.2) adequately summarises the relationship between Woodside's corporate emissions targets, policies and initiatives and the Scarborough project and the petroleum activity.
    - ii. The EP (S6.7.6) also accurately summarises the legislative and management frameworks applicable to other components of the project, including those that are currently being reviewed e.g. State approvals for onshore LNG processing.
    - iii. Advice from government departments was consistent with the description and application of the requirements that are relevant to this activity.

**The EP demonstrates that the environmental impacts and risks of the activity will be reduced to as low as reasonably practicable: regulation 34(b)**

29. Based on the reasons below, I was reasonably satisfied that the EP met the requirements of reg 34(b).
30. In determining whether the EP demonstrated that the environmental impacts and risks of the activity will be reduced to ALARP, I considered, and found, the following:
31. Section 2 and 6 of the EP describes the process applied to evaluate whether impacts and risks are reduced to ALARP. A clear, systematic, and reproducible process for the evaluation of all impacts and risks is outlined, which details the control measures to be implemented, including an evaluation of additional potential control measures, and justifies why control measures are either adopted or rejected (with well-reasoned and supported conclusions) to demonstrate that the environmental impacts and risks of the activity will be reduced to ALARP. I was reasonably satisfied that the evaluation of the adoption of control measures is based on environmental benefits and the consideration of the feasibility and cost/sacrifice of implementation to demonstrate that impacts and risks will be reduced to ALARP.
32. The titleholder applied its environmental risk assessment process (described in Section 6) appropriately for planned and unplanned aspects of the activity, in particular for higher order risks associated with the activity. I accepted that the exploration of alternative, additional or improved control measures had been evidenced, and that the control measures adopted demonstrate that environmental impacts will be reduced to ALARP. For example, as part of the ALARP demonstration for direct offshore emissions, and indirect emissions from gas processing onshore (Section 6.7.7), the titleholder evaluated and adopted a number of controls. These included processing of Scarborough gas using LNG trains equipped with Dry Low Nox (DLN) technology and implementing adaptive management in the event of an adverse finding from the Murujuga Rock Art Monitoring Program (MRAMP). The purpose of the MRAMP is to monitor, evaluate, and report on the changes and trends in the integrity or condition of the rock art and whether the rock art is subject to accelerated change. The titleholder also evaluated additional controls, including Selective Catalytic Reduction (SCR) at onshore processing facilities and wet scrubber technology. These control measures were rejected on the basis that the cost of implementation grossly outweighed the environmental benefits at this point in time.
33. The evaluation of impacts and risks has informed the selection of suitable control measures to either reduce the severity of the consequence or likelihood of impacts and risks. The control measures outlined in Section 6 of the EP are sufficiently detailed to demonstrate they will be effective in reducing the impacts and risks for the duration of the activity. The level of detail in the ALARP assessment is matched to the nature and scale of the potential impacts and risks. The EP provided a reasonable demonstration, that there are no other practical control measures that could reasonably be taken to reduce impacts and risks any further. Examples from focus areas of the assessment include:
- a. In specific relation to GHG emissions:
    - i. Control measures described in [the OPP](#) have been incorporated into the EP and described in sufficient detail. Key controls from the OPP include:
      - A. Implementation of a leak detection and repair program and methane emissions reduction projects. This is delivered through the implementation of the Woodside Methane Management Strategy (Section 7.4.5 of EP) and the facility-specific methane management measures (PS 6.6.1 in S6.7.6).
      - B. Implementation of an energy management plan and setting annual energy efficiency and flare targets. This is delivered through the implementation of the EP and its supporting procedures (Table 7-1) and ongoing target-setting and management of improvement measures for energy efficiency and flaring (Section 7.2.4). The framework outlined is consistent with the international standard for energy management (ISO 50001).
    - ii. Controls described address the main phases of the activity and the major emissions sources identified in Section 6.7.6. This includes:



- A. Specific control measures for the hookup, commissioning, start-up, and steady-state operations phases (noting that emissions sources and profiles vary across these activity stages). This is clearly delineated in the table of environmental performance outcomes (EPOs), environmental performance standards (EPS) and measurement criteria (MC).
  - B. Specific control measures for the major direct and indirect emissions sources that have been described in the impact evaluation; including direct emissions at the facility, emissions in onshore LNG processing within Australia, and indirect emissions resulting from transport, regasification, distribution and end use of the product.
- iii. Reasonable control measures have been evaluated, including those that are developing technologies or in use in other jurisdictions. The ALARP demonstration contains an evaluation of control measures, including those applied to other activities of the titleholder, those identified by relevant persons consultation, those required under the titleholder's management systems or other legislation, and technologies known to be in use at other facilities.
- iv. There is sufficient detail of the control measures to demonstrate that the measures will be effective in reducing impacts and risks to ALARP for the duration of the EP:
  - A. All control measures evaluated are described in the demonstration of ALARP table, and those adopted have been detailed in the tables listing EPOs, EPS and MC alongside their relevant EPS. Where applicable, further details of processes have been provided in the implementation strategy for the EP (Section 7).
  - B. Sufficient details of the control measures are provided such that they can be implemented, compliance monitoring can occur, and their effectiveness can be evaluated. This detail is provided through the combination of information described in control measures, EPS, and the implementation strategy where relevant.
  - C. Each control measure has been clearly linked to corresponding EPS and MC in Section 6.7.6, with sufficient detail to provide a level of performance that can be monitored for effectiveness.
- v. The EP commits (through the processes described in the implementation strategy, especially Section 7.2.4 and 7.5) to revisiting the evaluation of control feasibility over the life of the activity to identify controls that may become reasonably practicable in future.
- b. In specific relation to impacts and risks to Matters of National Environmental Significance (MNES) associated with the produced water (PW) discharge, which were identified as representing the highest order impacts and risks to MNES:
  - i. An extensive review of control measures to mitigate potential impacts and risks from the activity to MNES is presented and evaluated on the basis of benefit, feasibility/cost and proportionality, with the majority of control measures adopted.
  - ii. The adopted PW treatment system is demonstrated as delivering mercury and oil-in-water reduction in the PW discharge to ALARP through the use of parallel (lead and guard) adsorption beds.
  - iii. Sufficient detail on the control measures is provided to demonstrate that the measures will be effective in reducing impacts and risks on MNES to ALARP for the duration of the EP, including:
    - A. Reduction in contaminant levels addressed through treatment system and online (OIW) and regular manual (mercury) monitoring and adaptive management.
    - B. Testing of MEG salts during initial operations, recognising the uncertainty in MEG salt composition, to support the best environmental management of mercury.
    - C. Potential toxicity impacts are addressed through the definition of a mixing zone beyond which appropriate guideline values (99% species protection) will be met.
    - D. Potential impacts from the bioaccumulation of toxicants are addressed through the control measures including the achievement of the 80% species protection level for bioaccumulating substances at end-of-pipe.

- iv. Impacts to sediment quality through the accumulation of contaminants is identified as a risk pathway. However, the EP demonstrates that risk of sediment contamination is very low on the basis of:
    - A. The buoyancy of the PW discharge plume due to a lower density than the receiving seawater.
    - B. The expected low volume of particles within the PW discharge.
    - C. The expected small particle size of any particles within the PW discharge.
    - D. The water depth of >900 m in the vicinity of the PW discharge location.
    - E. Proposed sedimentation and settling studies to confirm the assumptions made and the level of risk (Table 6-31), with non-routine sediment monitoring triggered in the event of an increased risk of impact, to determine the extent of any impacts.
  - v. The EP demonstrates that suitable control measures have been included to reduce impacts to the MNES to ALARP. In relation to the management of impacts from the PW discharge, the EP details control measures (Table 8-2) including:
    - A. The provision of an inboard off-specification PW storage tank for the holding of off-specification PW prior to re-treatment.
    - B. The online and continuous monitoring of the OIW concentrations.
    - C. Weekly manual monitoring of mercury during the initial (approximately 2 year) attended period, to clarify expected media bed saturation (and required filter changeover) timeframes prior to the commencement of subsequent uncrewed operations.
    - D. PW discharge receiving environment impact monitoring including water quality field sampling and PW modelling validation to trigger adaptive management (as required).
  - vi. The EP describes weekly manual produced water sampling during the initial (approximately 2 year) attended period, which will clarify expected media bed saturation (and required filter changeover) timeframes. During subsequent uncrewed operations there is opportunity to swap lead/spare media beds during intervention visits, if required. Intervention visits are expected to be approximately 3 weeks in duration (Section 3.9.6.1), sufficient to allow the laboratory (onshore) analysis of a produced water sample, and implementation of a management response (i.e. media bed change) if required.
34. I was reasonably satisfied that the EP considers, evaluates and incorporates information gathered from the consultation process (Appendix F, Table 2) when demonstrating impacts and risks will be reduced to ALARP.
- a. In particular, information related to GHG emissions and their management has been appropriately addressed through the consultation report containing an assessment of the merits of objections or claims, and through responses to relevant persons (Appendix F) as well as a control measure evaluation and ALARP demonstration (Section 6.7.6). For example, control measures that were proposed by the Conservation Council of WA, Friends of Australian Rock Art, Doctors for the Environment Australia and the Australian Conservation Foundation in consultation (summary in Appendix F) are identified and evaluated in the 'ALARP demonstration' table (p371 of EP).
  - b. Information related to the potential impact to rock art from atmospheric emissions and their management has been appropriately addressed through the consultation report including an assessment of merits for objections or claims, and through responses to relevant persons (Appendix F) as well as the control measure evaluation and ALARP demonstration (Section 6.7.7).
  - c. Available information obtained on the cultural features of the environment was adequately considered (Section 4.9). Impacts and risks evaluated in Sections 6 of the EP include potential impacts to cultural features and heritage values (e.g. Section 6.7.7), and address the range of matters raised by relevant persons, including First Nations cultural features and heritage values.
  - d. The EP also evaluates and includes EPSs (EPS 2.2.1, 2.3.1 and 2.4.1) and control measures (C.2.2, 2.3 and 2.4) that address impacts and risks of proposed activities on underwater cultural heritage, along with

implementation of an 'unexpected finds' procedure (Section 7.8). These performance standards and control measures also took into account feedback received from DCCEEW's Underwater Cultural Heritage team as part of the consultation process (Appendix F).

**The EP demonstrates that the environmental impacts and risks of the activity will be of an acceptable level: regulation 34(c)**

35. Based on the reasons below, I was reasonably satisfied that the EP met the requirements of reg 34(c).
36. I was reasonably satisfied the EP demonstrated that the environmental impacts and risks of the activity will be of an acceptable level. This is because specifically, I found that:
  - a. Section 6 of the EP applies a clear, systematic, and reproducible process for demonstrating how environmental risks will be of an acceptable level and the statements and conclusions drawn by the titleholder in the EP have been sufficiently supported with scientific literature. This process is commensurate with the nature and scale of the activity and the severity of its impacts and risks with more effort and rigour applied to evaluations where there is a higher degree of scientific uncertainty in predictions of impacts and risks and/or severity of potential consequence of impacts and risks.
  - b. Sections 2 and 6 of the EP describe the process undertaken by the titleholder to determine acceptable levels of impact and risk for the activity. The titleholder considered internal and external policy settings, feedback received by the titleholder during relevant persons consultation, relevant legislative requirements, applicable plans of management, recovery plans, conservation advice and other guidance for matters protected under the EPBC Act, and the principles of ecologically sustainable development as defined in the EPBC Act.
    - i. In specific relation to GHG emissions, Section 6.7.6 and Table 6-25 include consideration of the relevant requirements that apply to GHG emissions from the activity, including those internal and external to Woodside, and the principles of ESD.
  - c. The EP demonstrates that the petroleum activity is not likely to have a significant impact on MNES protected under the EPBC Act, including World Heritage properties, National Heritage properties, Ramsar wetlands, listed threatened species and communities, listed migratory species and Commonwealth marine areas.
    - i. The EP demonstrates that the activity does not contravene Australian World Heritage Management principles, National Heritage management principles, Australian Ramsar management principles or Commonwealth Heritage management principles. This is because there are no spatial overlap of the operational area or direct impacts to these protected places. The EP also includes consideration of indirect impacts on National Heritage place principles, specifically an assessment of a potential indirect impact pathway of atmospheric emissions to values (rock art) of the Murujuga National Park. The EP demonstrates that the activity does not contravene Murujuga National Park management plan principles and incorporates specific controls (e.g. C 7.3) to support the activity to be undertaken in a manner not inconsistent with the principles of a National Heritage place (consistent with [Managing National Heritage places - DCCEEW](#)). The EP has had regard to relevant policy documents, guidance, bioregional plans, wildlife conservation plans, management plans, instruments under the EPBC Act, conservation advice, marine bioregional plans, and other information on the DCCEEW website. In particular, an assessment of the activity against the relevant objectives and action areas in these plans is provided in Section 6.9.
  - d. The EP has had regard to relevant policy documents, guidance, bioregional plans, wildlife conservation plans, management plans, instruments under the EPBC Act, conservation advice, marine bioregional plans, and other information on the DCCEEW website. In particular, an assessment of the activity against the relevant objectives and action areas in these plans is provided in Sections 4.3 and 6.
  - e. The EP demonstrates that the activity is not inconsistent with a recovery plan or a threat abatement plan for a listed threatened species or ecological community, a management plan or IUCN Reserve Management Principles in operation for an Australian Marine Park or a management plan for a Commonwealth Heritage Place. This is because various impact and risk pathways described in Section 6

include an assessment of relevant key documents and demonstrate that the nature and scale of activities described in the EP will not impact these key receptors in a manner inconsistent with the key document. For example, the titleholder has evaluated and concluded that marine fauna interactions from the petroleum activity will be managed in a manner that is not inconsistent with the Conservation Management Plan for the Blue Whale 2015-2025.

- f. The titleholder has identified and addressed areas of uncertainty in the impact and risk evaluations (Section 6). Predictions of environmental impact and risk are suitably conservative, supported by appropriate modelling, or subject to measures to validate assumptions and outcomes. Examples to support this reasoning include:
  - i. Uncertainty in anthropogenic underwater noise was addressed through noise modelling undertaken by JASCO Applied Sciences (JASCO) to model sound propagation for a range of concurrent operations and vessel scenarios within the operational area (Section 6).
  - ii. Uncertainty has been addressed in the evaluation of oil pollution incidents through the application of appropriately conservative stochastic modelling and recognition of assumptions made, and the provision for scalability of response arrangements to address spills of different magnitudes. The evaluation of risks posed by spill scenarios includes consideration of potential impacts to the receptors outlined in the description of the environment (Section 4), which has informed the selection of appropriate spill response options (Oil Pollution First Strike Plan: Appendix I).
  - iii. In specific relation to GHG emissions:
    - A. The EP impact evaluation (Section 6.7.6) is conducted on the assumption that all emissions predicted for the lifecycle of the activity will be realised; and does not account for potential future emissions reduction projects through technology or operational refinements. It also does not account for the expected emissions trajectory decline that will be required through compliance with the Safeguard Mechanism, or potential future policy requirements that may apply to emissions from the activity.
    - B. The EP (Section 6.7.6) contains emissions performance monitoring measures to review predictions against realised emissions; including validation of design controls and onshore processing emissions.
    - C. The EP contains specific controls (e.g. C 6.20) which will assess areas of uncertainty in relation to the stated potential of gas to displace more carbon-intensive energy sources on an ongoing basis and commits to adaptive management measures in the event that this scenario does not occur. This is supported by suitable performance standards and measurement criteria.
    - D. The EP contains specific measurement criteria (e.g. MC 6.17.1 and MC 6.18.1) to verify that actions are not just implemented, but effective, in contributing towards meeting the EPOs and acceptable levels.
  - iv. In specific relation to indirect emissions and sensitive environments, the process for demonstrating the potential impact of indirect atmospheric emissions to rock art will be of an acceptable level is commensurate with the nature and scale of the activity and the severity of its impacts known at this time. The titleholder has applied more effort and rigour to evaluations of potential impact of indirect atmospheric emissions to rock art owing to a higher degree of scientific uncertainty in predictions of impacts and severity of potential consequence of impacts. For example:
    - A. The EP (Section 6.7.7) incorporates processes for addressing outcomes of ongoing investigative studies and to adaptively manage the activity to mitigate causal links should they become realised. For example, the EP contains specific controls (e.g. C 7.2) which will assess areas of uncertainty including outcomes of the Murujuga Rock Art Strategy and Monitoring Program (MRAS/MRAMP) on an ongoing basis, and commits to adaptive management measures in the event that the monitoring infers that industrial emissions have or may be impacting rock art. This is supported by suitable EPS and measurement criteria.

- B. The EP contains specific measurement criteria (e.g. MC 7.2.2) to verify that actions are effective in contributing towards meeting the EPOs and acceptable levels.
- C. The titleholder has identified and addressed areas of uncertainty in the prediction of indirect air emissions impacts on rock art. This is through:
  - (1) The evaluation recognises that a direct causal link between industrial emissions and impacts on rock art has not been established, that there is uncertainty in this area and includes reference to studies about feasible impact pathways.
  - (2) The predicted point source onshore emissions were calculated based on suitably conservative input data.
  - (3) Woodside have committed to reduce NOx emissions from KGP by 60% by 2030 (MS1233).
  - (4) Woodside have committed to ongoing support for the MRAMP/MRAS and implementation of findings and identified a range of action it will take in the event of an adverse finding.
  - (5) Exiting approval conditions require the development of an adaptive management plan addressing potential impact to rock art from industrial emissions sources (Section 2 of MS1233 for NWS and Section 10 of the Pluto AQMP).
- D. The EP (Section 6.7.7) provides well-reasoned and supported arguments that impacts will be managed to acceptable levels with the implementation of suitable control measures to reduce the likelihood of environmental impacts to rock art. This is because the titleholder has set out the regulatory frameworks that apply, how they will function, committed to a range of EP specific controls to further reduce emissions and adaptively manage uncertainty associated with the indirect impacts. Specifically, the EP makes well supported argument that these existing regulatory frameworks, arrangements and controls are sufficient for monitoring, managing and minimising air emissions and addressing uncertainty associated with potential impacts on rock art, including:
  - (1) Ongoing rock art monitoring and research (MRAMP/MRAS) (C7.1).
  - (2) Reductions in key air pollutant emissions by 2030 (C7.2).
  - (3) Compliance with government legislation and associated approvals (C7.2), including but not limited to:
    - (a) Works Approvals;
    - (b) Environmental Licences;
    - (c) Ministerial Statements; and
    - (d) EPBC 2006/2968.
  - (4) Implementation of adaptive management process to reduce emissions if research determines that impacts have or may occur.
  - (5) Adoption of a control to limit the onshore processing of Scarborough Gas through low emission infrastructure only (C.28.1).
- E. In relation to indirect emissions and sensitive environments, the EP (Section 6.7.7) provides well-reasoned and supported conclusions that impacts and risks will be managed to acceptable levels with the implementation of suitable control measures to either reduce the consequence/severity or likelihood of environmental impacts and risks. I am reasonably satisfied that the impact and risk evaluations demonstrate that the acceptable level will be met, and that EPO 14 will be achieved through reductions in emissions of key air pollutants by 2030, ongoing research (MRAMP/MRAS), compliance with state government legislation and



associated approvals and adaptive management to reduce emissions if research determines that impacts have or may occur.

37. In relation to planned aspects of the activity, predictions have been made regarding impacts and risks to the environment that are considered suitably conservative and result in the inclusion of appropriate controls given the nature of the activity. For example, the environmental assessment in Section 6 includes consideration of aspects typical for facility hook-up, commissioning and routine production activities, such as physical presence, lighting, noise, seabed disturbance, facility and vessel discharges, routine and non-routine infrastructure discharges, atmospheric and greenhouse gas emissions and waste management.
38. In relation to unplanned aspects of the activity (Section 6), the EP gives appropriate consideration to risks, such as unplanned spills of chemicals and hydrocarbons, introduction of invasive marine species, loss of solid waste, marine fauna interactions and emergency events (vessel collision). Uncertainty has been addressed in the evaluation of oil pollution incidents through the application of what I accepted were appropriately conservative stochastic modelling and appropriate recognition of assumptions made. The evaluation of risks posed by spill scenarios includes consideration of potential impacts to the receptors outlined in the description of the environment (Section 4) and informs the selection of appropriate spill response options.
39. Specifically in relation to MNES, I considered that the EP demonstrated that the impacts and risks from the discharge of PW will be of an acceptable level because:
- The EP demonstrates that direct impacts from bioaccumulation, or indirect impact through habitat degradation, are reduced to an acceptable level.
  - The EP provides suitable control measures to either reduce the consequence/severity or likelihood of environmental impacts and risks. The impact and risk evaluations demonstrate that the acceptable level will be met, and that the EPO (#17) will be achieved.
  - The EP has evaluated the principles of ESD, as defined under the EPBC Act, as part of the demonstration of acceptability.
  - The titleholder has identified and addressed areas of uncertainty in the impact and risk evaluations. In particular, the uncertainty in the composition and ecotoxicity of produced water and produced formation water has been addressed through:
    - The adoption of conservative and worst-case scenarios in modelling undertaken to predict impacts from the PW discharge.
    - Monitoring commitments to address uncertainty with regard to produced water chemical characteristics (including MEG salts), toxicity and dilution within the mixing zone.
    - A commitment to undertake sedimentation studies to investigate the potential for impact to sediment quality (Table 6-31).
  - I found the EP demonstrated that with the implementation of the proposed management measures, the petroleum activity is not expected to injure or result in biologically significant behavioural disturbance to any protected matter, including pygmy blue whales, and therefore will be managed to an acceptable level.
40. I also found the EP provided an appropriate evaluation of impacts and risks specific for the nature and location of the activity and relevant environmental receptors. I considered that the evaluation is commensurate to the level of impact or risk presented and provides justifiable conclusions that impacts and risks will be managed to an acceptable level (Sections 6). The impact and risk evaluations demonstrate that the acceptable level will be met, and that the EPO will be achieved.
41. I considered that information provided during relevant persons consultation had been appropriately considered, evaluated, and incorporated into the EP where it was relevant. The titleholder has considered information gathered from the consultation process when demonstrating impacts and risks will be managed to an acceptable level.

**The EP provides for appropriate environmental performance outcomes, environmental performance standards, and measurement criteria: regulation 34(d)**

42. Based on the reasons below, I was reasonably satisfied that the EP met the requirements of reg 34(d).
43. Section 6 of the EP contains EPOs, EPSs and measurement criteria for impacts and risks of the petroleum activity (and I refer to [20]-[41] below for more detail on these).
44. I found the EP provided appropriate EPOs, which I considered:
- a. Were relevant and addressed all the identified environmental impacts and risks for the activity.
  - b. When read in conjunction with associated EPSs, established measurable levels for management of environmental aspects of the activity.
  - c. When read in conjunction with the relevant environmental impact/risk evaluation and adopted management measures, demonstrated that the environmental impacts and risks will be managed to an acceptable level and as low as reasonably practicable.
  - d. Are consistent with the principles of ESD and relevant requirements (such as plans of management, recovery plans, conservation advice and other guidance for matters protected under the EPBC Act), considering items (a) and (c) above).
  - e. In relation to MNES and the management of impacts and risks associated with the PW discharge:
    - i. The EPO for the produced water discharge is clear, unambiguous, linked to acceptable levels and consistent with the principles of ESD as it effectively limits the potential for impact to protected matters.
    - ii. The EPO/EPS for the produced water discharge reflect a level of environmental performance for management that is achievable, including achievement of 99% species protection at edge of mixing zone (noting no BIAs or critical habitat intersect mixing zone) and 80% at end of pipe (relevant to potentially bioaccumulating metals).
    - iii. The EPSs contain clear and unambiguous statements of environmental performance. The statements of environmental performance describe how each of the adopted control measures will function and perform to effectively reduce environmental impacts and risks, including on Protected Matters, to ALARP and to an acceptable level.
    - iv. The EPSs have clear measurement criteria outlining how environmental performance will be measured. The measurement criteria are suitable for verifying that the defined levels of environmental performance are being met.
  - f. In relation to GHG emissions:
    - i. The EP includes EPOs (EPO 3, 10, 11, 12, and 29) that are clear, unambiguous and appropriately address all identified impacts and risks relevant to the activity, including the direct and indirect emissions sources identified in the EP. The EPOs appropriately reflect the magnitude of identified emissions sources and are established with reference to the degree of operational control held by the titleholder over those sources; which is a reasonable and practicable approach.
    - ii. The EPOs demonstrate that impacts and risks will be managed to an acceptable level and reflect a level of environmental performance for management that is achievable. These are consistent with the Australian GHG emissions management frameworks, including the requirements of the NGER Act and the Safeguard Mechanism.
  - g. In relation to indirect emissions and sensitive environments:
    - i. The EP includes EPOs (EPO 13 and 14) that are clear, unambiguous and address all identified impacts and risks relevant to the activity, including the material direct and indirect emissions sources identified in the EP.
    - ii. The EPOs demonstrate that impacts and risks will be managed to an acceptable level and reflect a level of environmental performance for management that is achievable. These are consistent with

the Western Australian management frameworks, including the requirements of the EP Act and the Ministerial Conditions.

45. I also noted that the EP provided appropriate EPS that:
- Contain clear and unambiguous statements of environmental performance. The statements of environmental performance describe how each of the adopted control measures will function and perform to effectively reduce environmental impacts and risks to ALARP and to an acceptable level.
  - Have clear measurement criteria that link to the EPSs and will provide a record that the EPSs have been met. The measurement criteria are suitable for verifying that the defined levels of environmental performance are being met, and for the purpose of monitoring compliance.
46. I considered that the EPOs, EPSs and measurement criteria are clearly linked and complementary of one another, as presented in the 'Environmental Performance Outcomes, Performance Standards and Measurement Criteria' tables presented for each of the impacts evaluated under Sections 6.

**The EP includes an appropriate implementation strategy and monitoring, recording and reporting arrangements: regulation 34(e)**

47. Based on the reasons below, I was reasonably satisfied that the EP met the requirements of reg 34(e).
48. I was satisfied that the implementation strategy contains an adequate environmental management system (EMS) for the activity. The implementation strategy outlined in Section 1.9 and Section 7 provides a range of systems, practices and processes (outlined in further detail below) which I was satisfied provided for all impacts and risks to continue to be managed to ALARP and acceptable levels for the duration of the activity. Examples to support this reasoning include:
- Measures to ensure that control measures in the EP continue to be effective in reducing impacts and risks to ALARP and acceptable levels, and systems are in place to determine whether, and ensure that, EPOs and EPSs are being met.
  - Adequate and effective processes and systems in place to ensure that all impacts and risks continue to be identified and reduced to ALARP and acceptable levels. The implementation strategy includes processes and systems for environmental performance monitoring, audit, management of non-conformance and review, management of knowledge, learning and change, record keeping and reporting.
  - Specific measures for undocumented underwater cultural heritage are included in (Section 7.8), including an appropriate process for identification and management of impacts to unexpected underwater cultural heritage encountered during the activity.
49. I was satisfied that the management of change (MOC) process described in Section 7.2.7. is appropriate because the implementation strategy includes management of knowledge and change processes. This allows the titleholder to monitor and understand changes in both internal and external contexts relevant to the activity, consider changes in the context of environmental impacts, risks, and regulatory requirements, and implement accepted changes (Section 7.9). Changes will be assessed as per the environmental risk management methodology (Section 6) to determine the significance of any potential new environmental impacts or risks not provided for in the EP. Minor changes that do not trigger a requirement for a formal Revision under regulation 38 or 39, will be considered a 'minor revision' and tracked (Section 7.2.5).
50. In specific relation to protected matters, the implementation strategy:
- Describes processes and procedures for the monitoring and reporting of performance of the produced water treatment system and compliance against the EPOs, including roles and responsibilities (Section 7.6.1) the ongoing identification, assessment and control of impacts and risks (Section 7.2.4) and routine and non-routine reporting (Sections 7.12.2 and 7.12.4). The latter includes notification to DCCEEW in the event of any harm or mortality to an EPBC-listed species.

- b. Describes processes for the ongoing identification, assessment and control of impacts and risks (Section 8.2) and a process for the management of change to ensure changes to the environment, including EPBC-listed species status, for the duration of the EP (Section 7.2.6.2).
  - c. The titleholder's Offshore Marine Discharges Adaptive Management Plan (OMDAMP), described in Section 7.2.5, includes measures to continue to identify and reduce impacts from produced water discharges to ALARP and acceptable. Key measures (as discussed in Section 6.7.11) include:
    - i. Baseline monitoring (completed in 2012 and 2013).
    - ii. Initial monitoring (during the first 12 months of steady-state operations).
    - iii. Initial salt mode monitoring (after the MEG Recovery Unit commences operation in salt mode).
    - iv. Operational monitoring (focussed on oil-in-water and mercury).
    - v. Routine monitoring and management (including investigation of potential toxicity impacts via whole effluent toxicity testing and implementation of management to maintain acceptable levels of changes to water quality).
  - d. Describes processes for the annual reporting against the activities under the EP (Section 7.12.2) and the management of non-conformances in relation to environment critical elements (Table 7-3).
51. In specific relation to GHG emissions, I am satisfied that the implementation strategy is appropriate for the nature and scale of the activity and the GHG emissions arising from it. This is because it contains specific processes and measures which support implementation of the GHG emissions-relevant controls, and which will be used to continuously manage emissions to ALARP and acceptable levels for the life of the activity. Key features relevant to GHG emissions include:
- a. The EP (Section 7.2.4) details the processes for emissions and energy management, including the implementation of an energy management framework, which is noted to be consistent with ISO 50001 and the commitment in the accepted OPP. It also incorporates an adequate description of the processes for setting facility emissions and energy targets and conducting emissions performance monitoring across all phases of the activity (Sections 7.2.4.3 and 7.2.4.4); such that achievement of the EPOs and EPS described in Section 6.7.6 can be determined.
  - b. The EP also describes the annual process for identification and implementation of emissions reduction opportunities on an ongoing basis (Section 7.2.4.3), which will be used to achieve continuous improvement and reduction to ALARP. The process is described in sufficient detail to assure its implementation; and provides clear commitment to reviewing opportunities for improvement over time.
  - c. The strategy in place for methane emissions management is also described (Section 7.2.4.5) and enacted by corporate measures and facility-specific actions detailed in controls and corresponding EPS in Section 6.7.6. This degree of focus is appropriate and reflective of the Australian government policy focus on methane emissions reduction (e.g. through the [Future Gas Strategy](#)). It is also noted that methane emissions reduction opportunities in the EP are prioritised through use of the 20-year [Global Warming Potential](#), which reflects their priority for reduction.
  - d. In addition, specific measures for indirect GHG emissions management are included (Sections 6.7.6 and 7.5.2) which include the adoption of a corporate emissions abatement target to drive continuous improvement and reduction to ALARP. This is supported by the measures for review and improvement described earlier in this report.
  - e. I also considered that the implementation strategy processes described in the EP are appropriate for GHG emissions management, because:
    - i. The EP specifically commits to reviewing emissions performance and the effectiveness of controls (e.g. C6.8, C6.19), as well as specifically addressing emissions assumptions (Section 7.2.7.2). This is appropriate to identify changes and adaptive management actions for GHG emissions management.

- ii. Section 7.9.1 outlines the approach to monitoring and record keeping for emissions and discharges. These include consistency with the GHG reporting requirements contained in the NGER Act that apply to the activity; and the data will also be used to verify the effectiveness of controls and processes such as target-setting.
  - iii. The EP (Sections 7.2.1.13 and 7.2.8) describes Woodside's processes for managing and maintaining equipment, which will also apply to GHG-relevant equipment. Sufficient detail is included to ascertain compliance with these environmental management system processes and implementation of the Woodside internal P31 Equipment Performance Standard in relation to key GHG-relevant equipment such as flare ignition systems (e.g. PS 6.11.1).
- 52. I was satisfied that the implementation strategy included adequate measures to ensure that each employee or contractor working on, or in connection with, the activity is aware of their responsibilities in relation to the EP, including during emergencies or potential emergencies, and has the appropriate competencies and training. The key roles and responsibilities of personnel involved in the implementation, management, and review of the EP are appropriately outlined in Section 7.6. Additionally, the roles and responsibilities for personnel involved in oil spill preparation and response are outlined in Section 7.13 of the EP (and in the OPEP). Examples to support this reasoning include:
  - a. Section 7.9 outlines the measures that are in place for ensuring employee and contractor competency, including the necessary awareness, training and induction requirements to fulfil their duties.
  - b. Section 7.13.2 describes the minimum training and competency requirements of the IMT personnel and defines training standards that are aligned with relevant industry good practice, national and state emergency management training programs.
- 53. An appropriate OPEP (Appendix I) has been provided that includes arrangements that are suitable, given the spill scenarios presented. Specifically, the OPEP includes adequate arrangements for responding to and monitoring oil pollution. The OPEP includes:
  - a. The control measures necessary for timely response to an emergency that results or may result in oil pollution.
  - b. The arrangements and capability that will be in place for the duration of the activity to ensure timely implementation of the control measures including arrangements of ongoing maintenance of response capability.
  - c. The arrangements and capability that will be in place for monitoring the effectiveness of the control measures and ensuring that the EPSs for the control measures are met.
  - d. The arrangements and capability in place for monitoring oil pollution to inform response activities are summarised in the EP (Section 12) and in the OPEP (Appendix I). The EP (Appendix H) describes the environmental management systems that will be used to maintain preparedness and implement an effective response to an oil pollution incident.
  - e. Details the oil pollution response control measures that will be used to reduce the impacts and risks of the activity to ALARP and an acceptable level, the arrangements for responding to and monitoring oil pollution to inform response activities, the arrangements for updating and testing the oil pollution response arrangements and control measures, and provides for the monitoring of impacts to the environment from oil pollution and response activities.
  - f. Contains immediate (first strike plan) response measures that provides the oil pollution arrangements and control measures in an operational deployment context.
- 54. I found that the monitoring, recording and reporting arrangements were adequately described in Sections 7.10, 7.11 and 7.12 of the EP and included routine internal and external reporting requirements and incident reporting arrangements. I considered that these arrangements were appropriate as these Sections detailed that the information collected will:
  - a. Be based on the EPOs, controls, standards and measurement criteria in the EP.



- b. Include environmental discharges reports that record volumes of planned and unplanned discharges to marine environment and atmosphere.
55. The EP also provides for appropriate auditing, review and management of non-conformances of the titleholder's environmental performance and the implementation strategy in Section 7.10 to ensure that the EPOs and EPSs are being met. I considered the risk-based approach to activity specific assurance during hook-up and commissioning (Section 7.9.2.1) and operations (7.9.2.2) in the EP was appropriate. Non-conformances are entered into an incident management system and assigned corrective and preventative actions that are monitored and tracked to close out. I considered such processes would ensure prompt action and appropriate corrective measures were taken.
56. I found that the implementation strategy (Section 7.12 of the EP) provides for appropriate reporting to NOPSEMA in relation to start and end of activity notifications, the titleholder's environmental performance for the activity, as well as incident reporting (reportable and recordable incidents).
57. The EP provides for the implementation of ongoing consultation arrangements in Sections 5.7 with planned notifications to relevant persons outlined in Section 7.12. I considered the ongoing consultation arrangements described in the EP, are appropriate. In particular, I noted that the titleholder has committed to:
- a. Continue to update relevant persons via community forums and provide notification of significant changes to the activity.
  - b. Has provided a mechanism to subscribe to its website which can be utilised by relevant persons and those interested in the activity to remain up to date on the activity.
  - c. Will assess, address and respond to feedback and comments received from relevant persons, as required, throughout the life of the EP, in accordance with the intended outcome of consultation (as set out in Section 5 of the EP).
  - d. Has prepared an 'Program of Ongoing Engagement with Traditional Custodians', which is provided at Appendix G of the EP. This Program includes specific ongoing consultation activities with First Nations relevant persons. The Program was informed by feedback from First Nations representative organisations demonstrates that there is an effective two-way communication process in place between the titleholder and First Nations relevant persons.
  - e. Implement Management of Knowledge and Management of change processes to acknowledge any feedback received from persons or organisations during the life of the EP.
  - f. Routine external reporting requirements.

**The EP does not involve the activity, or part of the activity, other than arrangement for environmental monitoring or for responding to an emergency, being undertaken in any part of a declared World Heritage Property within the meaning of the EPBC Act: regulation 34(f)**

58. Based on the reason below, I was reasonably satisfied that the EP met the requirements of reg 34(f).
59. I was satisfied that the EP clearly described the boundaries of the petroleum activity (Sections 3.3), which demonstrates that no part of the activity will be undertaken in any part of a World Heritage Property within the meaning of the EPBC Act.

**The EP demonstrates that the titleholder has carried out the consultations required by Division 3, and the measures (if any) that are adopted because of the consultations are appropriate: regulation 34(g)**

60. Based on the reasons below, I was reasonably satisfied that the EP met the requirements of reg 34(g).
61. Regulation 34(g) has two components which the EP must demonstrate:
- a. First, that consultation has occurred as per the requirements in regulation 25. This requires that the titleholder consults with each 'relevant person' as defined in regulation 25(1), and imposes certain requirements for how that consultation is to occur (as specified in regulations 25(2)-(4)).

- b. Second, that the titleholder adopted, or proposed to adopt, appropriate measures in light of those consultations.
62. Overall, I must be reasonably satisfied that consultation undertaken was appropriate and adapted to the nature of the relevant persons.
63. I noted that the EP provides descriptions of the consultation processes, and the rationale used to determine who and how to consult with relevant persons, including the approach to provision of sufficient information and how a reasonable period for the consultation was determined (refer to Section 5).
64. I also noted that the description of the process that was applied by the titleholder in determining who is a 'relevant person' for the purpose of the consultation required under Division 3 is clear and comprehensive. This is set out in Section 5.3.
65. I was satisfied that the identification process provided for a broad capture of 'relevant persons' under regulation 25, such that each relevant person who could have been ascertained was identified or could have been identified by the titleholder. This is because:
  - a. The process involves consideration of all the relevant person categories defined by regulations 25(1)(a), (b), (c), (d) and (e) (refer to Sections 5.3.1-5.3.6).
  - b. The process broadly applies the terms of "functions", "interests" and "activities" in regulation 25(1)(d) in an appropriate manner that best promotes the objects of the Environment Regulations and consistent with NOPSEMA's 'Consultation in the course of preparing an environment plan guideline' (N-04750-GL2086) (refer to Section 5.3.3).
  - c. The process includes reference to multiple sources of information such as publicly available materials, review of databases and registers, published guidance, as well as advice from authorities and other relevant persons (refer to Section 5.3).
  - d. The process appropriately recognises that a connection of Traditional Owners with Sea Country may constitute an interest for the purposes of regulation 25(1)(d) and involves a range of appropriate and reasonable steps that were undertaken by the titleholder to identify First Nations people/groups with functions, interests or activities potentially affected by the activity (refer to Sections 5.3.4 and 5.5).
  - e. The process includes suitable details and evidence of reasonable measures that were employed by the titleholder to create public awareness of the petroleum activity and the consultation process, so that any not readily identifiable relevant persons could have made themselves known to the titleholder and participated in the consultation process in preparation of the EP. This was augmented through various means such as by publishing information about the activity and consultation on the titleholder's public facing website, placing activity-specific advertisements in national, state and relevant local newspapers, publishing an EP-focussed newsletter, running an activity-specific geotargeted sponsored social media campaign, and undertaking various community engagement sessions across regions within or coastally adjacent to the EMBA (refer to Appendix F). Various persons and organisations did self-identify, demonstrating that the consultation process provided an effective means to ascertain potentially relevant persons who the titleholder may otherwise not have been aware of (refer to Table 1 of Appendix F).
  - f. The process is informed by consideration of case law (including *Santos NA Barossa Pty Ltd v Tipakalippa* [2022] FCAFC 193 (Tipakalippa Appeal)) relevant to the task of identifying relevant persons for the purpose of regulation 25 (refer to Section 5).
66. In determining whether the activity may be relevant to relevant persons and determining whose functions, interests or activities may be affected by the activity, as required by regulation 25(1), it is apparent from the EP that the titleholder thoroughly took into account the nature of the activity, description of the environment and the possible environmental impacts and risks of the activity. Notably, the identification process involved a thorough consideration of the impacts and risks specific to the petroleum activities program (PAP) in the EMBA (refer to Section 5.3 and Appendix F), where environmental effects from the activity could be realised as supported by the impact and risk assessments in the EP (refer to Section 6).

67. After the titleholder had commenced its consultation process, a reduction in the size of the EMBA occurred that resulted in some changes to who the titleholder considered was a relevant person for the purpose of Division 3. I considered this to be appropriate with reference to the content presented in the EP addressing this matter (refer to Appendix F).
68. I found that the EP clearly identifies who are 'relevant persons' for the purpose of Division 3, including the regulatory category that the authority, person or organisation falls within under regulation 25(1). The titleholder's assessment of relevant persons is given in Table 1 of Appendix F.
69. In relation to the persons and organisations that the titleholder assessed as not relevant for the purpose of Division 3, I found that the EP contains suitable supporting reasoning (refer to Table 1 of Appendix F). Further, I noted the information in the EP showing that on some occasions the titleholder still chose to contact persons or organisations that they assessed as not relevant in relation to the activity (including Environs Kimberley and ACCR) in line with Section 5.3.7.
70. I was reasonably satisfied that the EP contains suitable details, evidence and records to support that the titleholder has carried out consultation with each relevant person identified in the EP in the manner specified in regulations 25(2)-(4) under Division 3. This is because:
- a. The titleholder gave each relevant person sufficient information to make an informed assessment of the possible consequences of the proposed activity on their functions, interests or activities, as required by regulation 25(2). Notably:
    - i. The EP includes a description of the approach to the provision of sufficient information in Section 5.4.1.
    - ii. The titleholder sufficiently informed relevant persons about the purpose of consultation, including advising them of the regulatory requirements for consultation. For example, the consultation materials given to relevant persons raised awareness of and included a link to the NOPSEMA brochure 'Consultation on offshore petroleum environment plans: Information for the community' to help them understand consultation requirements for Commonwealth EPs and how to participate in consultation (e.g., refer to Appendix F).
    - iii. The titleholder provided sufficient information about the activity and its potential environmental impacts and risks to allow relevant persons to make an informed assessment of the possible consequences of the activity on their functions, interests or activities. For example, at a minimum all relevant persons were given an activity specific consultation information sheet that included a description of the proposed petroleum activity, the PAP, where the activity will take place, the timing and duration of the activity, a location map of the PAP and EMBA, a description of the EMBA, relevant exclusion zones, a summary of relevant risks and mitigation and management control measures relevant to the PAP, and the titleholder's contact details. Records of the consultation materials given to relevant persons are summarised in Section 5.4.1, and are available in the report on consultation (Appendix F) and the sensitive information part of the EP.
    - iv. The titleholder utilised a range of tools listed in Section 5.4.1 to provide sufficient information to relevant persons. The titleholder also considered and applied different communication techniques that are typically considered to be suited to the various categories of relevant persons being consulted, whilst also iteratively adapting its communication approach with relevant persons based on the way in which two-way dialogue naturally evolved during consultation (refer to Section 5.4.1).
    - v. For some relevant persons that had not given a response to the titleholder's initial invitation for consultation but had previously provided feedback to the titleholder during separate consultation processes for other Scarborough Project activity EPs, the titleholder proactively considered the relevance of their previous feedback and gave them additional information explaining how it had been assessed and responded to in the context of the activities proposed under this EP (refer to Appendix F).
    - vi. There were many cases where relevant persons made requests for additional information that were subsequently met by the titleholder when it was reasonable and practicable to do so (refer to

Table 2 of Appendix F). While I also noted that there were some limited cases where requests for further information were not accommodated by the titleholder, this does not mean that sufficient information was not already provided. Further details addressing these cases are provided at [79] and [85] below.

- vii. The titleholder provided relevant persons with reasonable, supported and often highly detailed responses to all of their queries, requests, concerns, objections or claims raised in consultation (refer to Table 2 of Appendix F).
- b. The titleholder allowed a reasonable period for the consultation with relevant persons, as required by regulation 25(3). Notably:
  - i. The EP describes the approach taken to determining a reasonable period for consultation in Section 5.4.2.
  - ii. The approach provides that what constitutes a reasonable period for consultation must be considered on a case-by-case basis, with reference to the nature, scale, and complexity of the activity (Section 5.4.2). This is consistent with guidance for a reasonable period within NOPSEMA's 'Consultation in the course of preparing an environment plan guideline' (N-04750-GL2086).
  - iii. The titleholder initially contacted most relevant persons in relation to the activity between August and December 2023 (i.e. more than 12 months before the titleholder's final submission of the EP on 23 January 2025). This was with the exception of some relevant persons that were identified by the titleholder later in the consultation process (e.g. Clean Energy Regulator, Vocus and Telstra). The shortest time that a relevant person had to participate in consultation during the preparation of the EP was approximately 2 months before the titleholder's final submission of the EP on 23 January 2025. For those relevant persons that were contacted late in the process, a response was elicited from all of them with no views given on an intent or desire to engage any further (refer to Table 2 of Appendix F).
  - iv. The titleholder allowed relevant persons either 30 days or an approximately 4.5-month period to provide feedback after it first made contact with them about the consultation process for the activity. Information is presented in the EP justifying why the titleholder considered that this was a reasonable timeframe based on a comparison with other benchmark periods for consultation under other relevant legislative processes (refer to Section 5.4.2).
  - v. The titleholder clearly communicated target end dates for the consultation on the activity to relevant persons at the outset of the consultation process with additional reminders also given. During NOPSEMA's assessment process, it was initially found that this had not occurred with some First Nations people/groups, but was addressed through the further consultation efforts that the titleholder undertook during the assessment process as reflected in the report on consultation (refer to Table 2 of Appendix F).
  - vi. The titleholder followed up with non-responsive relevant persons at least once using an alternate contact method where possible, and engaged in two-way dialogue with all responsive relevant persons. Further, at the time of the titleholder's final submission of the EP on 23 January 2025, there are no outstanding responses from relevant persons that the titleholder had not replied to.
  - vii. The titleholder considered requests by relevant persons for additional time for consultation beyond the target end dates for consultation on the activity, with requests of such facilitated when reasonably practicable. For example, there were various instances when the titleholder continued to respond to and accommodate further consultation engagements with various relevant persons after it had communicated the close of the consultation period all the way up until the titleholder's final submission of the EP on 23 January 2025.
  - viii. There were some limited cases noted during the assessment where requests for additional time or opportunity for consultation in preparation of the EP were not accommodated by the titleholder. However, after considering the full context surrounding those cases, I considered that they do not

prevent the EP from demonstrating that the titleholder allowed a reasonable period for consultation with relevant persons for the reasons set out at [79] and [85].

- c. The titleholder advised each relevant person they may request that particular information provided during consultation not be published, as required by regulation 25(4)(a). For the limited cases where the titleholder did receive requests for information given in consultation to be treated sensitively or confidentially, I found that the EP does not contain details disclosing the nature of that particular information as required by regulation 25(4)(b).

71. Not all relevant persons may agree that consultation has occurred as per the requirements under Division 3. The EP presents details and the records of consultation showing that various relevant persons gave feedback to the titleholder relating to the adequacy of the consultation process (refer to Table 2 of Appendix F). I note that in forming the view presented at [70] above, I took this feedback into consideration along with the details in the EP explaining how it was taken into account by the titleholder (refer to Table 2 of Appendix F).
72. More detailed findings are given in [73]-[90] below on how I determined that the titleholder has carried out the consultations required by Division 3 as well as whether the titleholder adopted, or proposed to adopt, appropriate measures in light of its consultations with relevant persons. This also includes some findings addressing the notable feedback that relevant persons gave to the titleholder relating to the adequacy of the consultation process at [74], [79] and [85].

#### ***Relevant persons under regulations 25(1)(a)-(c)***

73. The relevant persons identification process resulted in the identification of 21 Commonwealth and State departments and/or agencies persons under regulations 25(1)(a)-(c).
74. Further to my findings at [70], I was reasonably satisfied that the EP demonstrates that the titleholder's consultations with relevant persons under regulations 25(1)(a)-(c) was carried out in the manner required by regulation 25 because consultation occurred in accordance with NOPSEMA's guideline on 'Consultation with Commonwealth agencies with responsibilities in the marine area' (GL1887) and in a manner that I considered was appropriate to allow for a two-way dialogue to occur. I also noted no instances of relevant persons under regulations 25(1)(a)-(c) making adverse assertions to the titleholder about their approach to consultation, sufficiency of information given in consultation or the timeframe that they had allowed for the consultation.
75. When relevant persons under regulations 25(1)(a)-(c) raised objections or claims relating to adverse impacts of the activity, or other feedback of relevance to the environmental management of the activity, I found that the titleholder had appropriately identified these cases in the EP and provided corresponding assessments of merits and responses that are reasonable and supported. In light of this, I concluded that the EP demonstrates that the measures adopted, or proposed to be adopted, by the titleholder as a result of its consultation with relevant persons under regulations 25(1)(a)-(c) are appropriate.
76. Specific examples of the additional measures or changes that the titleholder adopted in the EP as a result of its consultations with relevant persons under regulations 25(1)(a)-(c) include:
  - a. Commitments to providing activity notifications to the Australian Hydrographic Office (AHO) and Department of Defence (DoD), as reflected in C 1.5 and C 1.9 (as requested by DoD during consultation).
  - b. An update to the Scarborough Offshore Facility and Trunkline Operations First Strike Plan to include Level 1 spills (based on Department of Transport's feedback during consultation).
  - c. A control to limit lighting to that is required for safe work/navigation, as referenced in C 1.3 in the EP (based on Director of National Park's feedback during consultation).

#### ***Relevant persons under regulation 25(1)(d)***

77. The relevant persons identification process resulted in the identification of 81 persons and organisations under regulation 25(1)(d), noting that:
  - a. My findings in [78]-[83] below relate to the titleholder's consultations with First Nations people/groups under regulation 25(1)(d) (i.e. those defined in the EP as "Traditional Custodians and Nominated Representative Corporations", "Native Title Representative Bodies", and "Self-identified First Nations Groups", as well as Save Our Songlines (SOS) and/or [Individual 3] and/or [Individual 4]).



- b. My findings in [84]-[89] below relate to the titleholder's consultations with all other relevant persons under regulation 25(1)(d).

First Nations people/groups under regulation 25(1)(d)

78. I found that the report on consultation (including the sensitive information part) demonstrates that the titleholder carried out consultation with First Nations people/groups identified under regulation 25(1)(d) in the manner described above at [70]. Further to this, I found that consultation with First Nations people/groups was reasonably adapted based on feedback received by the titleholder when reasonably practicable. Notable aspects of the titleholder's approach to consulting with the First Nations people/groups include:
- Consultation was undertaken by the titleholder in a flexible and adaptive manner, to the extent it was reasonably practicable, based on the feedback and guidance of First Nations people/groups.
  - The titleholder took into account availability and accessibility issues such as through making provision for and undertaking travel to meet in-person with various First Nations people/groups at locations of their preference and choice. For example (but not limited to), the titleholder attended in-person meetings with Kariyarra Aboriginal Corporation in Port Hedland on 5 December 2023 and South Hedland on 4 December 2024, and Wanparta Aboriginal Corporation in South Hedland on 31 August 2023 and Murujuga on 24 April 2024.
  - When requests were made for meetings by First Nations people/groups, the titleholder always took steps to arrange and attend these. I noted some cases where First Nations people/groups expressed interest in meeting with the titleholder that did not occur before the titleholder's final submission of the EP on 23 January 2025. However, I found that the consultation records show that this was not due to a lack of effort by the titleholder with reasonable offers for meetings always made after receiving these requests (refer to Table 2 of Appendix F).
  - Further to organising and attending various in person and online individual and group meetings, the titleholder exchanged a high volume of emails and phone calls with many First Nations people/groups specifically in relation to the activity demonstrating other means by which a two-way dialogue occurred.
  - There is detailed information available in Section 5.5 explaining the titleholder's approach to consulting with First Nations people/groups and this demonstrates that it was informed by a reasonable consideration of relevant case law (i.e. the *Tipakalippa Appeal* and *Munkara v Santos NA Barossa Pty Ltd (No 3)* [2024] FCA 9 (Munkara Case)).
79. I noted that there were some cases where First Nations people/groups under regulation 25(1)(d) made adverse assertions to the titleholder about the approach to consultation, sufficiency of information or the timeframe allowed for the consultation. Notable examples of what this involved, and how it was considered to form a view as to whether the EP demonstrates that the titleholder's consultations with relevant persons was carried out in the manner required by regulation 25, include:
- Various First Nations groups raised concerns about their lack of capacity to engage in the consultation process and/or made requests for the titleholder to enter into consultation protocols/agreements with them as a means to support their capacity with participation in consultation. I found that the titleholder made offers and, on some occasions, did provide financial support with meeting expenses to enable consultation with those First Nations groups. Further to this, I found that the titleholder had agreed and did seek to progress negotiations on consultation agreements/protocols when they were requested, but none had been entered into at the time of EP submission for various reasons which appear valid and are outlined in the EP (e.g. it was no longer a priority of the groups, or additional requests financial support to review the draft consultation protocol/agreement were not considered by the titleholder to be reasonable and justified). In addressing requests for consultation protocols/agreements, the titleholder has presented a position in the EP that consultation has progressed in parallel to discussions on the consultation protocols/agreements. This position is reasonably supported by the records of consultation contained in the EP, and was also communicated to those First Nations groups during consultation with no objections given except by one group (this is addressed separately below).

- b. Ngarluma Yindjibarndi Foundation Ltd (NYFL) presented a view that no formal consultation had taken place between them and the titleholder in relation to the EP, and that it would not progress consultation on the EP until the draft consultation protocol/agreement was finalised. I found that the EP contains records of consultation showing that the titleholder had provided the group with an invitation for consultation, and engaged in discourse about consultation, specifically in relation to the proposed activity since August 2023. I also found that the titleholder made offers and clarified the reasonable support it could provide to NYFL and its members for EP consultation in lieu of a finalised consultation protocol/agreement after becoming aware that the group was under resourced and required support (e.g. on 3 November 2023 and 10 May 2024). Noting that the Environment Regulations do not require titleholders to enter into agreements with relevant persons for their offshore petroleum activities to proceed, I considered that a reasonable opportunity to be consulted in the preparation of the EP has been afforded which was in line with the regulatory requirements for consultation.
  - c. Save Our Songlines (SOS) and/or [Individual 3] made assertions that the titleholder does not have a proper understanding of the environmental impacts and risks of the activity because they (the relevant persons) still have relevant information to share, but did not feel comfortable to do so for various reasons which are outlined in the EP. I found that the EP presents reasonable and justified rationale that directly addresses the various reasons of SOS and/or [Individual 3] (refer to Table 2 of Appendix F). The EP demonstrated the considerable efforts that were employed by the titleholder to meet and discuss the activity with SOS and/or [Individual 3], and I considered that a reasonable opportunity to be consulted in the preparation of the EP has been afforded in accordance with regulatory requirements for consultation.
  - d. Nganhurra Thanardi Garrbu Aboriginal Corporation (NTGAC) provided feedback that information from the titleholder for previous EPs had been too technical. I found that the EP includes information explaining how the titleholder adapted its consultation approach with NTGAC for this EP in light of that feedback (e.g. refer to Table 2 of Appendix F), which I also considered to be reasonable and supported by the consultation records. There was also no further feedback of this nature given to the titleholder by NTGAC during the consultation specifically in relation this EP.
  - e. Buurabalayji Thalanyji Aboriginal Corporation (BTAC) informed the titleholder that it does not have values regarding Sea Country recorded in a format that could be articulated for consultation. BTAC also requested support from the titleholder to obtain technical advice relating to the proposed activity as well as support to define and articulate its values in a manner that could be more clearly understood by the offshore sector, government and the community. I found that the titleholder has previously made BTAC offers for funding of an ethnographic assessment and provision of independent technical environmental management advice. These offers address BTAC's feedback and requests but have not been taken up by BTAC at the time of submission despite the EP showing that multiple follow-ups relating to these offers were made by the titleholder over a period of multiple months. I am of the view that the EP demonstrates that the titleholder has taken all reasonable steps for ensuring that the cultural features and heritage values of the Thalanyji people of whom BTAC represents are identified and considered in the EP where relevant (refer to Table 2 of Appendix F).
80. With reference to my findings at [78]-[79] above, I was reasonably satisfied that the EP demonstrates that the titleholder's consultations with First Nations people/groups under regulation 25(1)(d) was carried out in the manner required by regulations 25(2)-(4).
81. During the consultation process, I noted that there were many occasions where First Nations people/groups under regulation 25(1)(d) raised with the titleholder the potential for First Nations cultural features and heritage values that the activity may affect (e.g. refer to the consultation records and details for KAC, MAC, Wanparta AC, Yinggarda AC, [Individual 4], [Individual 3] and SOS). The EP demonstrates that the titleholder has appropriately incorporated and considered all potential First Nations cultural features and heritage values raised in consultation in the EP where relevant (refer to Sections 4.9 and 6, particularly 6.10).
82. When First Nations people/groups under regulation 25(1)(d) raised objections or claims relating to adverse impacts of the activity or presented feedback relevant to the environmental management of the activity, I found that the titleholder has appropriately identified these cases in the EP, provided an assessment of the

merits and responses for each objection or claim, and explained how all other feedback was considered in the context of the environmental management of the activity (refer to Table 2 of Appendix F). With reference to this information presented in the EP, I was satisfied that there are suitable details and rationale available to conclude that the measures adopted, or proposed to be adopted, by the titleholder as a result of its consultation with those relevant persons are appropriate as required by regulation 34(g)(ii).

83. Specific examples of the additional measures or changes that the titleholder adopted in the EP as a result of its consultations with First Nations people/groups include updating the EP to incorporate any potential First Nations cultural features and heritage values raised in consultation (also refer to [81]), and a control to limit vessel speeds to  $\leq 10$  knots in the humpback and pygmy blue whale migration BIAs during migration seasons within the Trunkline Operational Area, as reflected in C 4.8 (to address [Individual 4], [Individual 3] and SOS's concerns about impacts on whales as culturally important species).

Other 'relevant persons' under regulation 25(1)(d)

84. I found that the report on consultation (including the sensitive information part) demonstrates that the titleholder consulted with relevant persons other than First Nations people/groups under regulation 25(1)(d) in the manner described above at [70].
85. Further to the above, I noted that there were some cases where these other relevant persons made adverse assertions to the titleholder about the approach to consultation, sufficiency of information given or the timeframe allowed for the consultation. Notable examples of what this involved, and how it was considered to form a view as to whether the EP demonstrates that the titleholder's consultations with relevant persons was carried out in the manner required by regulation 25, include:
- Some non-government organisations (NGOs) asserted they did not receive information from the titleholder relating to consultation for the activity. I found that the EP contains records of consultation showing that the titleholder had sent consultation information to each of those NGOs. Responses were also provided by the titleholder to each of those NGOs with offers for further opportunity to consult on the activity, including face-to-face briefings (none of which were taken up).
  - Some NGOs asserted that the titleholder had not consulted with all relevant persons. I found that the EP presents a clear and comprehensive description of the process that was applied by the titleholder in determining who is a 'relevant person' for the purpose of the consultation required under Division 3. For the reasons set out at [65], this process is considered to have provided for a broad capture of relevant persons, such that each relevant person who could have been ascertained was identified or could have been identified. Further, I found that the claims were too general for the titleholder to reasonably follow up with (e.g. it was not specifically identified who).
  - Some NGOs asserted the titleholder had not provided them with sufficient information or a reasonable period for consultation. I found that the EP directly addresses these assertions (refer to Table 2 of Appendix F). With reference to the consultation records contained in the EP (including the sensitive information part), I considered that those NGOs did have access to sufficient information to be able make an informed assessment about how their functions, interests or activities may be affected (e.g. via the Consultation Information Sheet, the Scarborough OPP, the publicly available EP, and direct responses given by the titleholder to their objections, claims or queries). These NGOs also had more than a 12-month period since August 2023 to raise objections, claims or other feedback with the titleholder relating to the environmental management of the activity, as the titleholder continued to accept and reply to responses from relevant persons beyond the communicated target end dates for the consultation on the activity.
  - Further to the above, I also observed that the assertions by these NGOs were mostly (but not always) raised in the context of concerns about GHG emissions and indirect air emissions impacts from the activity, and involved not being satisfied with the responses given by the titleholder and/or asserting a position that the titleholder had not adequately demonstrated the environmental impacts and risks of the activity will be managed to ALARP and acceptable levels. During NOPSEMA's assessment process, it was initially found that some of the titleholder's responses that it provided to NGOs about GHG emissions and indirect air emissions were generic and high-level and often did not address the issues

raised specifically. However, this was addressed through further consultation efforts with these relevant persons as reflected in the report on consultation (refer to Table 2 of Appendix F). After this, I considered the titleholder's responses to relevant persons to be reasonable and supported, despite some NGOs claiming the responses to be inaccurate and/or misleading, and including with requests for further information not necessary in light of the sufficient responses that they had already given. I note that there is no requirement for relevant persons to be satisfied with a titleholder's response or for a titleholder to have to convince relevant persons of the merits of the proposed activity. A misalignment in views does not mean that consultation for the purposes of Division 3 is incomplete.

86. With reference to my findings at [84]-[85] above, I was reasonably satisfied that the EP demonstrates that the titleholder's consultations with other relevant persons under regulation 25(1)(d) was carried out in the manner required by regulations 25(2)-(4).
87. The EP demonstrates the titleholder's assessments of merit or relevance and responses to the objections, claims or feedback from other relevant persons under regulation 25(1)(d) are reasonable and supported (refer to Table 2 of Appendix F). Further, there is also sufficient detail and rationale to conclude that appropriate measures have been, or are proposed to be, adopted as a result of the consultation that occurred between the titleholder and other relevant persons under regulation 25(1)(d).
88. While there are many cases when objections, claims or feedback given in consultation by other relevant persons did not result in the adoption of any additional measures or changes to the EP, I found that the titleholder's reasons as outlined in the EP were valid, such as when there were already existing measures or information in EP to address the objections, claims or feedback.
89. Specific examples of the additional measures or changes that the titleholder adopted in the EP as a result of its consultations with other relevant persons under regulation 25(1)(d) include:
  - a. Updated control measure C 1.8.1 to include provision of Start of Activity notifications to Recfishwest (as requested by Recfishwest during consultation).
  - b. A control in Section 6.7.1 of the EP, C 1.11, to notify Chevron and Western Gas of gravimetry survey activities that have the potential to overlap its title boundary (based on feedback given by these titleholders/operators during consultation).
  - c. Assessment of the feasibility of wet scrubber technology, catalytic and electrostatic pollution controls equipment, combined cycle turbines, electrification of compressors, and Carbon Capture and Storage in Sections 6.7.6 and 6.7.7 of the EP (based on feedback given by the Conservation Council of Western Australia (CCWA), Australian Conservation Foundation (ACF), Doctors for the Environment Australia (DEA), Friends of Australian Rock Art (FARA) and [Individual 2] during consultation).

#### **Relevant persons under regulation 25(1)(e)**

90. I noted that there were no persons or organisations identified by the titleholder under this regulatory category.

#### **The EP complies with the Act and Regulations: regulation 34(h)**

91. Based on the reasons below, I was reasonably satisfied that the EP met the requirements of regulation 34(h). I was satisfied that the EP:
  - a. Is consistent with the 'Objects' of the Environment Regulations, including the principles of ESD. This has been demonstrated through Section 6 -7 of the EP.
  - b. Includes an environment plan summary report (Section 1.5) as required by reg 35(7).
  - c. Is consistent with Section 572 of OPGGS Act. Examples to support this reasoning include:
    - i. The EP does not allow for any equipment that is not to be used for future production to be left on the seabed at the completion of the activity and includes provision for the inspection, maintenance, monitoring, and repair of subsea infrastructure installed for future production, consistent with the requirements of Section 572 of the OPGGS Act (see Section 7.3).
    - ii. All equipment installed the has been designed to allow for removal. Section 7.3 of the EP details how all infrastructure has been designed and will be maintained at ensure that it will be able to be

removed at the end of the Project, as per the requirements of Section 572 of the OPPGS Act. For example, the petroleum activity involves the installation of concrete pads to enable 4D gravimetric surveys to be undertaken during the life of the activity. These have been designed and will be inspected in a manner to ensure that they will be able to be removed at the completion of the activity. Equally the suction piles required for the Floating Production Unit (FPU) mooring will be installed in a reversible manner enabling their removal at the completion of the activity.

92. I accepted that consultation with relevant persons has informed the titleholder in its obligations under Section 280 of the OPGGS Act which require that the proposed petroleum activity will not interfere with navigation, fishing, conservation of resources of the sea and seabed, other offshore electricity infrastructure and petroleum activities, and the enjoyment of native title rights and interests (within the meaning of the Native Title Act 1993) to a greater extent than is necessary for the reasonable exercise of the titleholder's rights and obligations.
93. I was satisfied that the EP addressed the content requirements of regs 21 to 24 with enough clarity, consistency and detail commensurate to the nature and scale of the activity. Specifically:
- a. The titleholder has submitted the EP in writing as required by reg 26(6).
  - b. The EP commits to complying with the requirements in regs 47, 48, 49, 50, 51, 52, 53 and 54 regarding various notifications and reporting to NOPSEMA.
  - c. The EP contains a report on all consultations under regulation 25 of any relevant person by the titleholder that is in line with regulation 24(b). In particular:
    - i. There is a summary of each response made by a relevant person as required by regulation 24(b)(i). This is in Table 2 of Appendix F.
    - ii. There is an assessment of the merits of any objection or claim about the adverse impact of each activity to which the EP relates as required by regulation 24(b)(ii). This is in Table 2 of Appendix F.
    - iii. There is a statement of the titleholder's response, or proposed response, if any, to each objection or claim as required by regulation 24(b)(iii). This is in Table 2 of Appendix F.
    - iv. There is a copy of the full text of any response by a relevant person as required by regulation 24(b)(iv). This is in the sensitive information part of the EP (a discrete part that will not be subject to publication).
94. In relation to the titleholder's report on consultation under regulation 24(b), I found the details presented in the EP to be reasonably accurate and fairly represented, based on a review of the full text records of the consultation between the titleholder and relevant persons, as presented within the sensitive information part of the EP.
95. Lastly, I made no observations of 'sensitive information', meeting the definition provided under regulation 5 or the full text of any response by a relevant person, being contained in the EP. In accordance with regulation 26(8), such information is to be contained in the sensitive information part of the EP only, and not anywhere else in the EP.

## Other considerations

### Correspondence received directly by NOPSEMA

96. I note NOPSEMA received a number of direct communications from third parties raising issues and/or expressing concerns with and objections to the EP during the course of the assessment. Information received directly from third parties was forwarded to the titleholder for consideration in the preparation of the EP.

### The Program: protected matters under Part 3 of the EPBC Act

97. The Program endorsed under Section 146 of the EPBC Act outlines the environmental management authorisation process for offshore petroleum and greenhouse gas activities administered by NOPSEMA, and requires NOPSEMA to comply with Program responsibilities and commitments.



98. In implementing the Program, NOPSEMA conducts assessments of EPs against the requirements of the Program, which includes meeting the acceptance criteria and content requirements of the Environment Regulations. Specific Program commitments relating to protected matters (i.e. MNES) under Part 3 of the EPBC Act are outlined in Table 2 of the Program report and must be applied during decision making with respect to offshore projects and activities.
99. In accordance with the Program, I considered Matters Protected under Part 3 of the EPBC Act, including listed threatened and migratory species and the Commonwealth marine area, and was reasonably satisfied that the activity covered by the EP met the requirements of the Program on the basis that:
  - a. The activity will not result in unacceptable impacts on listed threatened species and is not inconsistent with relevant recovery plans and threat abatement plans for listed threatened species. For example, noting that a biologically important area (BIA) for the Pygmy blue whale (distribution) is identified as overlapping the Offshore OA, the EP demonstrated that the Conservation Management Plan for the Blue Whale 2015-2025 (Commonwealth of Australia, 2015) was considered during the assessment of impacts in the EP. The activity was demonstrated to not be inconsistent with this plan.
  - b. Potential impacts to the Commonwealth Marine Area from the discharge of produced water are appropriately assessed in the EP in relation to potential impacts to water quality, sediment quality, marine fauna (including potential bioaccumulation of contaminants) and key ecological features (KEFs).
  - c. Appropriate control measures are presented in the EP to ensure that impacts to threatened or migratory species, and to the Commonwealth marine area, will be of an acceptable level.

#### The Program: Cumulative environmental impacts

100. In the context of the Program, cumulative impacts refers to the direct and indirect impacts of a number of different petroleum activity actions that may influence the natural environment or other users within a locality or region which, when considered together, have a greater impact on the offshore marine environment than each action or influence considered individually.
101. In the context of NOPSEMA's Decision Making Guidelines for offshore petroleum activities, cumulative environmental impacts are considered to be successive, additive, or synergistic impacts of collectively significant activities or projects with material impacts on the environment that have the potential to accumulate over temporal and spatial scales.
102. I considered the potential for cumulative environmental impacts to the Commonwealth marine area as required by the Program, noting the titleholder had specifically evaluated potential cumulative impacts from drilling operations covered under the approved Scarborough Drilling & Completions EP and activities covered under this operations EP. For example:
  - a. Potential cumulative impacts from key acoustic sources associated with floating production unit (FPU) hook-up and commissioning have been used to inform the worst-case credible sound propagation scenarios for modelling and cumulative impact assessment in the EP (Section 6.7.4), with a simultaneous operations management plan to be implemented as a control measure (C4.7) to reduce the behavioural response exposure range resulting from cumulative noise emissions.
  - b. Potential cumulative impacts from light emissions from the FPU, an Accommodation support vessel (ASV) and additional vessels during FPU hookup and commissioning, potentially concurrent with MODU conducting Drilling and Completions (D&C) activities, Support Vessels, Light Construction Vessels (LCVs) and uncrewed surface vessels conducting gravimetry surveys and/or IMMR activities, are assessed in Section 6.7.3 of the EP, resulting in cumulative impacts not being considered credible.
103. After considering the information presented in the EP, I was reasonably satisfied that, considering the potential cumulative impact factors, including the temporal and spatial characteristics of the petroleum activity, the receptors at risk, the nature of the potential concurrent activities and the adopted controls, that cumulative impacts will be managed to an acceptable level.

## s527E of the EPBC Act: Indirect Consequences

104. Under the Program, NOPSEMA must have regard to EPBC Act requirements, including section 527E and the [EPBC Act Policy Statement - 'Indirect consequences' of an action: Section 527E of the EPBC Act](#) (Indirect Consequences Policy). NOPSEMA considers section 527E and the Indirect Consequences Policy to identify where indirect consequences may be considered an 'impact' of an activity. This consideration is made on a case-by-case basis by considering the circumstances of the activity against the matters set out in section 527E and the Indirect Consequences Policy.
105. In assessing the EP, I had regard to section 527E and the Indirect Consequences Policy, in relation to indirect GHG emissions. In doing so, I gave consideration as to whether the activity covered by the EP is a substantial cause of GHG emissions from the processing, consumption, and combustion of gas, and as an indirect consequence of the activity, whether emissions are facilitated to a major extent by the activity, within the contemplation of the titleholder, and are a reasonably foreseeable consequence of the activities described in the EP.
106. The titleholder has addressed the indirect GHG emissions that are expected to result from the activity throughout the EP (including Sections 6.7.6 and 7.5.2), including the emissions and their potential consequences arising from upstream suppliers and downstream customers (including those arising from combustion and use of the gas product). The relevant evaluation and measures are addressed above throughout this statement of reasons against each relevant EP acceptance criterion.
107. I also had regard to section 527E and the Indirect Consequences Policy in relation to indirect atmospheric (non-GHG) emissions. I gave consideration as to whether the activity may present a substantial cause of atmospheric emissions associated with the processing, consumption and combustion of gas at onshore facilities, are facilitated to a major extent by the activity, within the contemplation of the titleholder, and are a reasonably foreseeable consequence of the activities described in the EP.
108. The titleholder has addressed potential indirect non-GHG emissions that may result from the activity throughout the EP (Section 6.7.7), including the atmospheric emissions and potential consequences arising from processing, consumption and combustion of Scarborough gas from onshore facilities on the rock art of the Burrup Peninsula. The relevant evaluation and measures are addressed above throughout this statement of reasons against each relevant EP acceptance criterion.
109. I consider that the EP adequately addresses the matters contained in the Indirect Consequences Policy.

## Other relevant advice received

110. NOPSEMA engaged Katestone Environmental Pty Ltd to provide air quality impact advice (dated 11 February 2025) in relation to potential indirect impacts from the EP on Murujuga Rock Art. This advice was based on information provided to Katestone by NOPSEMA in the form of extracts from the EP; and I gave consideration to this advice when arriving at the conclusions described earlier in this report.
111. Advice was received from the Clean Energy Regulator; the Department of Climate Change, Energy, the Environment and Water; and the Department of Industry, Science and Resources in relation to GHG emissions management frameworks and their relationship with the activity. This advice was based on information provided to the agencies by NOPSEMA in the form of extracts from the EP; and I gave consideration to this advice when arriving at the conclusions described earlier in this report.

## Conclusion

112. For the reasons set out above, I was reasonably satisfied that the EP met the criteria set out in reg 34. Being satisfied that the titleholder was compliant with s 571(1) (and met reg 16), I accepted the EP.

**Director Regulatory Operations - Geophysical Surveys and Installation**

1 April 2025

## Appendix A: Key materials considered in making the decision

1. In making this decision, I considered the documents making up the EP submission in accordance with legislative requirements and NOPSEMA policy and procedure. The material that I had regard to in making this decision included but was not limited to:
  - a. Scarborough Offshore Facility and Trunkline (Operations) Environment Plan (Doc. No. SA0006AF0000022, Revision 3, January 2025) and included appendices.
  - b. Sensitive Information Report - Scarborough Offshore Facility and Trunkline (Operations) Environment Plan (Revision 3, January 2025).
  - c. Material referenced in the EP that was important evidence for making the case that impacts and risks will be managed to ALARP and acceptable levels.
2. Scarborough Offshore Project Proposal (OPP) (Document No. SA0006AF0000002, Revision 5) and supporting documentation (Appendices A, B, C, D, E, F, G, H, I, J, K, L, and M), accepted by NOPSEMA on 30 March 2020.
3. The legislative framework relevant to EP assessments, including:
  - a. the OPGGS Act
  - b. the Environment Regulations and
  - c. the EPBC Act Program<sup>1</sup>
4. Policies and Guidelines:
  - a. NOPSEMA Assessment policy (N-04000-PL0050)
  - b. NOPSEMA Environment plan assessment policy (N-04750-PL1347)
  - c. NOPSEMA Environment plan decision making guidelines (N-04750-GL1721)
  - d. NOPSEMA Consultation in the course of preparing an Environment Plan guideline (N-04750-GL2086)
  - e. NOPSEMA Section 572 Maintenance and removal of property regulatory policy (N-00500-PL1903)
5. Guidance:
  - a. NOPSEMA Environment plan content requirements guidance note (N-04750-GN1344)
  - b. NOPSEMA Petroleum activity guidance note (N-04750-GN1343)
  - c. NOPSEMA Petroleum activities and Australian marine parks guidance note (N-04750-GN1785)
  - d. NOPSEMA Oil pollution risk management guidance note (N-04750-GN1488)
  - e. Department of Industry, Science, Energy and Resources, Offshore Petroleum Decommissioning Guideline (2018).
6. Procedures and internal guidance:
  - a. NOPSEMA Environment plan assessment standard operating procedure (N-04750-SOP1369).
  - b. NOPSEMA Assessment Guide – Considering greenhouse gas emissions in assessments (A1180927).
7. Other relevant documents and records:
  - a. Relevant published, peer-reviewed scientific literature, including the scientific literature cited in the EP and relevant national/international standards such as the Australian and New Zealand Guidelines for fresh and marine water quality (ANZG, 2018).
  - b. Expert report of Katestone Environmental Pty Ltd (dated 11 February 2025), engaged by NOPSEMA to provide air quality impact advice in relation to the Scarborough Offshore Facility and Trunkline (Operations) Environment Plan and potential impacts on Murujuga Rock Art.
  - c. Advice received from the Clean Energy Regulator (dated 20 January 2025); the Department of Climate Change, Energy, the Environment and Water (dated 12 February 2025); and the Department of Industry, Science and Resources (dated 13 January 2025) in relation to GHG emissions management frameworks and their relationship with the activity.

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<sup>1</sup> <https://www.environment.gov.au/protection/assessments/strategic/offshore-petroleum-greenhouse-gas>

- d. Department of the Environment, Water, Heritage and the Arts, Significant Impact Guidelines 1.1 – Matters of National Environmental Significance, EPBC Act Policy Statement (2013).
- e. Department of Sustainability, Environment, Water, Population and Communities, 'Indirect consequences' of an action: Section 527E of the EPBC Act, EPBC Act Policy Statement (2013).
- f. Department of the Environment and Energy, National Light Pollution Guidelines for Wildlife Including Marine Turtles, Seabirds and Migratory Shorebirds (2020).
- g. Commonwealth of Australia, Recovery Plan for Marine Turtles in Australia 2017–2027 (2017).
- h. Commonwealth of Australia, Conservation Management Plan for the Blue Whale 2015–2025 (2015).
- i. Department of Agriculture, Water and the Environment, Guidance on key terms within the Blue Whale Conservation Management Plan (2021).
- j. National Recovery Plan for the Southern Right Whale (2024).
- k. Commonwealth of Australia, Threat Abatement Plan for the impacts of marine debris on the vertebrate wildlife of Australia's coasts and oceans (2018).
- l. Commonwealth of Australia, Wildlife Conservation Plan for Seabirds (2020).
- m. Department of Sustainability, Environment, Water, Population and Communities, Marine Bioregional Plan for the North-west Marine Region (2012).
- n. Director of National Parks, North-west Marine Parks Network Management Plan (2018).
8. Relevant legislative and other requirements that apply to the activity and are relevant to the environmental management of the activity.
9. Relevant Federal Court of Australia authority and issued judgments.