Hydrocarbon Spill Australia Regulatory Framework

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1. INTRODUCTION

1.1 OBJECTIVE

To provide guidance on the Australian regulatory framework as it applies to hydrocarbon spill response planning in Australian Commonwealth and State jurisdictions.

This document supports the implementation of mandates in the Hydrocarbon Spill Planning Standard and in the Our Expectations - Hydrocarbon Spill and should be followed where it applies but is not mandatory to follow.

1.2 APPLICABILITY

Anyone using, following, and applying the Hydrocarbon Spill Planning - Australian Work Instruction and for persons seeking to understand the Australia legislative framework.

2. LEGISLATIVE FRAMEWORK

Marine oil pollution emergency planning, together with supporting hydrocarbon response documents, is a requirement of an Environment Plan's (EP) implementation strategy. Woodside is required to meet the following applicable regulations and regulatory agencies, as appropriate to their statutory needs:

- National Offshore Petroleum Safety and Environmental Management Authority (NOPSEMA), in accordance with Regulation 22(8) and Regulation 22(3) of the Offshore Petroleum and Greenhouse Gas Storage Act (Environment) Regulations 2023 (Cth) (the OPGGS (E) Regulations), OPGGS (E) Regulations.
- Western Australian (WA) Department of Energy, Mines, Industry Regulation and Safety (DEMIRS), in accordance with the Petroleum and Geothermal Energy Resources (Environment) Regulations 2012 (WA).
- Commonwealth Department of Climate Change, Energy, the Environment and Water (DCCEEW) where the petroleum activity is required to satisfy a Ministerial Condition of approval.
- WA Department of Transport (WA DoT) as the Hazard Management Authority (HMA), in accordance with the Emergency Management Regulations 2006 (WA).
- Northern Territory Department of Environment, Parks and Water Security (NT DEPWS) as the HMA, in accordance with Section 9 of the Emergency Management Act 2013 and via the Territory Emergency Plan.
- Victorian Earth Resources Regulation (ERR) branch of the Department of Energy, Environment and Climate Action (DEECA) in accordance with the Victoria *Offshore Petroleum and Greenhouse Gas Storage Act 2010* and the Victoria *Offshore Petroleum and Greenhouse Gas Storage Regulations 2021*.

2.1 STATUTORY AND CONTROL AGENCY JURISDICTIONS

Woodside's facilities and permit areas are currently situated in Western Australian, Victorian, and Commonwealth waters. Depending on their location, these facilities and permit areas fall under various statutory jurisdictions[1] and nominated Control Agencies[2], as outlined in Table 1 and Figure 1 and Figure 2.

2.1.1 Control Agency Transfer Protocols for Commonwealth Waters Response

The AMSA National Plan includes a guidance for change of control agencies to a third party and includes processes for:

- approval from the relevant jurisdiction, or relevant regulator within that jurisdiction
- planning for the transfer of control
- implementing a transfer arrangement.

[1] A Statutory Authority is the agency with legislative responsibility to regulate the responsible party. The Statutory Authority oversees the response to hydrocarbon spills and may request the State or Commonwealth Control Agency to take control if deemed appropriate.
[2] The Control Agency is the agency assigned by legislation, administrative arrangements, or the relevant contingency plan to control response activities to a maritime environmental emergency. The Control Agency will have responsibility for appointing the Incident Controller (IC)

The AMSA National Plan and supporting guidance (National plan supporting documents) provide for a jurisdiction to request that AMSA or another Control Agency assume operational control of an incident in exceptional circumstances.

The Woodside Crisis / Incident Management Team Leader will decide to request handover of the Control Agency role and will determine this based primarily on the circumstances of the incident in accordance with the emergency and crisis management arrangements outlined in Woodside's Crisis and Emergency Management Procedure.

2.1.2 Control Agency Transfer Protocols for State/Territory Waters/Shoreline Response

Where the Titleholder (Woodside) is the responsible party for a spill, the arrangements for incident control and handover of control to relevant Commonwealth/State/Territory agencies, if required, is shown Table 1.

Table 1: Statutory Authorities and Control Agencies relevant to Woodside activities

Location of Incident Response	Source	Statutory Authority	Control Agency[3]	
			Level 1	Level 2/Level 3
Commonwealth waters[4]	Offshore Petroleum Facility	NOPSEMA[5]	Titleholder (Woodside)	
	Shipping Sourced Spill	AMSA (& NOPSEMA)[6]	AMSA[7]	
State/ Territory waters/ shorelines [8]	Onshore Petroleum Facility	Port Authority	Titleholder (Woodside)	Port Authority[9]
	Terminals (WA Waters)	WA DEMIRS	Terminal Operator (Woodside)	Port Authority or WA DoT
	Offshore Facility (State waters)	WA DoT	WA DoT	
		Vic DTP	Titleholder (Woodside)	DTP Victoria
	Shipping/Vessel Sourced Spill	WA DoT	WA DoT	
		Vic DTP / NT DEPWS	Vessel Owner	Vic DTP/ NT DEPWS
	Wildlife Response (Victoria)	DEECA	DEECA	
Port waters (2)	Facility including subsea infrastructure within port limits	WA DoT	Port Authority	Port Authority / WA DoT
	Vessel in port limits	WA DoT	Port Authority	Port Authority / WA DoT
		Vic DTP / NT DEPWS	Port Authority	Vic DTP / NT DEPWS
JPDA waters	Vessels/ FPSO (in transit)	ANP[10]	AMSA	

[3] The Control Agency may request support from government and oil spill response organisations.

[4] Beyond 3 nm of the State/Territory sea baseline.

[5] NOPSEMA does not have the legislative function to perform the Control Agency role.

[6] If the Ship is a facility.

[7] Woodside (Titleholder) and the vessel owner may provide first strike response capabilities in the event of a spill under the direction of the Control Agency

[8] Within 3 nm of the State/Territory sea baseline.

[9] Port Authority may be required to respond initially as ''First Response/Controlling Agency' under State/Territory Hazard Plan or Oil Spill Contingency Plan arrangements.

[10] The JDPA does not have a Statutory Authority. The ANP is a Designated Authority, which regulates operations within the KDPA on behalf of both Australia and Timor Leste.The ANP is a Designated Authority, which regulates operations within theKDPA on behalf of both Australia and Timor Leste.

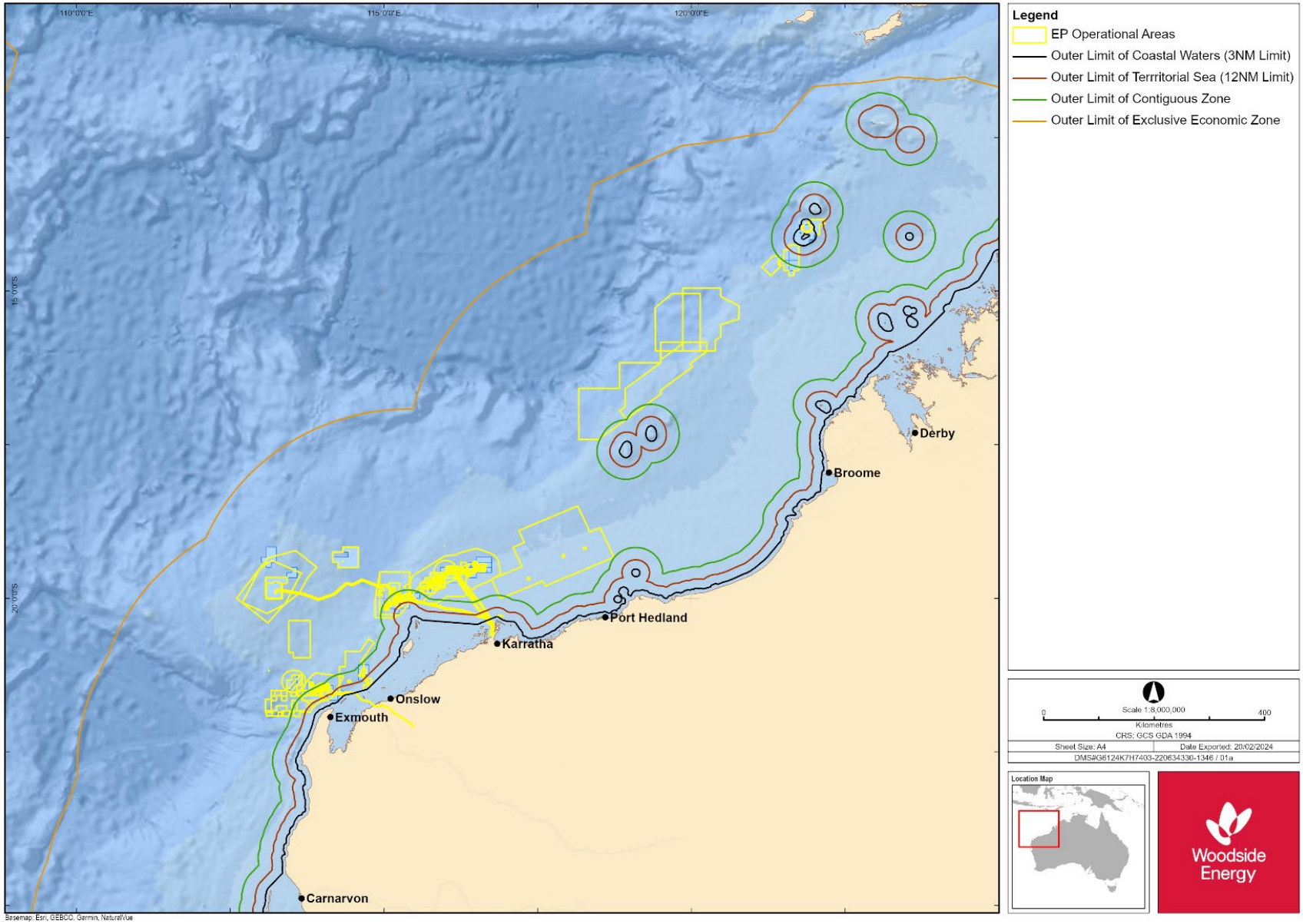

Figure 1: Western Australian oil pollution emergency jurisdictions in relation to key Woodside petroleum facilities

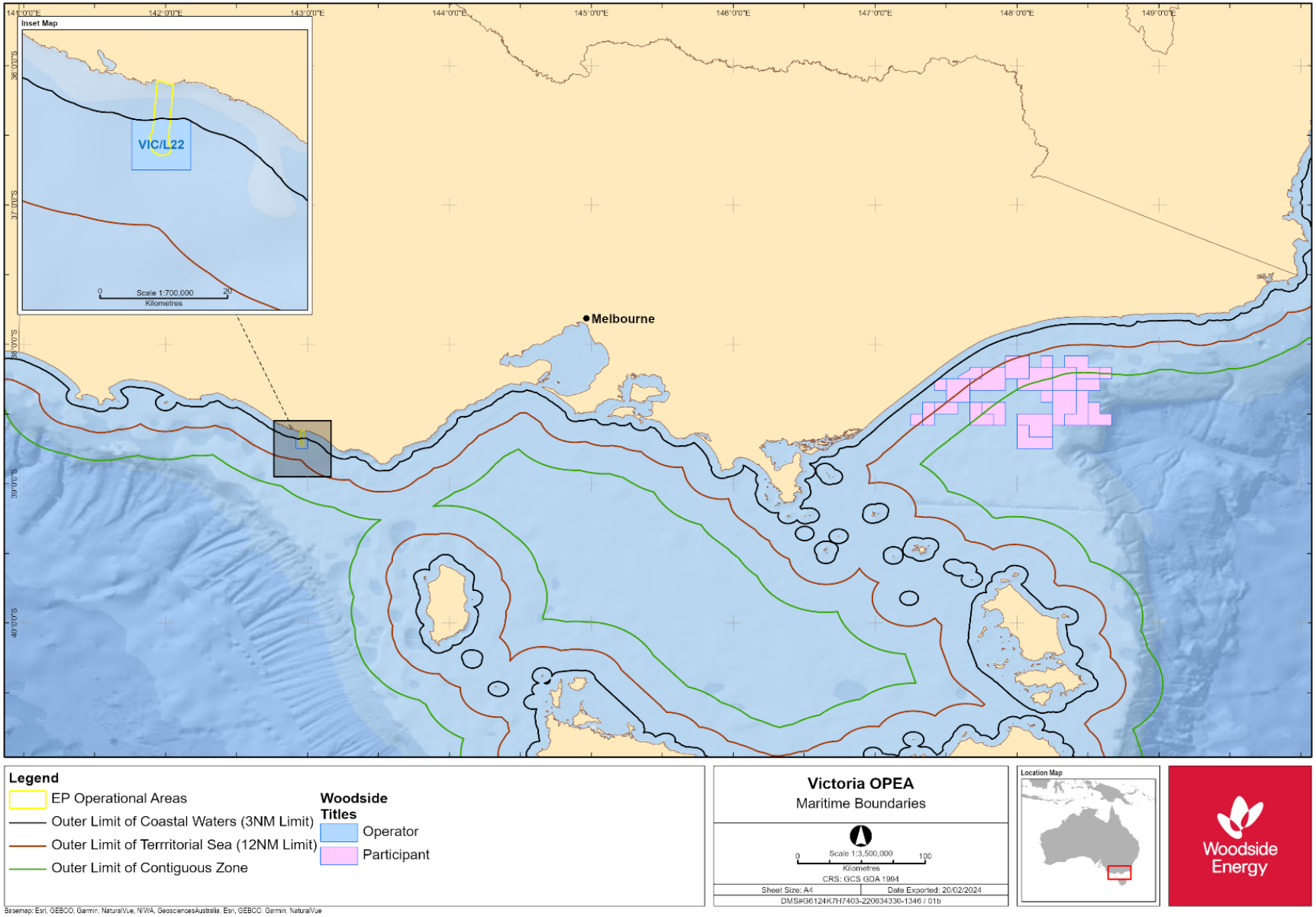

Figure 2: Victorian oil pollution emergency jurisdictions in relation to key Woodside petroleum facilities

2.2 INTERFACE WITH OTHER PLANS

Table 3 summarises how this document interfaces with the relevant hydrocarbon spill response plans of the Government and external agencies discussed within this section.

Table 2: Interface with other plans

Relevant Plans	Responsible Party	Main Content
National Plan for Maritime Environmental Emergencies (National Plan)	AMSA	The National Plan for Maritime Environmental Agencies provides a national system for responding promptly and effectively to marine pollution by hydrocarbons and other noxious and hazardous substances, by designating competent national and local authorities. The National Plan is responsible for maintaining: • a national contingency plan for preparedness and response • an adequate Level of pre-positioned marine pollution combat equipment and program for its use • a comprehensive national training program for personnel familiarisation • detailed state, local and industry contingency plans. The National Plan provides for AMSA to be the Australian Government's Control Agency in the event of vessel-based spills for the purposes of the National Plan.
State Hazard Plan: Maritime Environmental Emergencies (MEE)	WA DoT	The State Hazard Plan for Maritime Environmental Emergencies (SHP-MEE) (the Plan) provides an overview of arrangements for the management of marine oil pollution and marine transport emergencies in Western Australia and contains information on prevention, preparedness, response and recovery. Collectively these two hazards are referred to as Maritime Environmental Emergencies. The Plan refers to a range of existing plans and documents relating to Maritime Environmental Emergencies but does not duplicate the information contained in these, instead providing directions to websites or other sources where further information can be obtained if required. The Director General, WA DoT, is the Hazard Management Agency (HMA) for marine oil pollution and marine transport emergencies.
Broome Port Authority OSCP	BrPA	BrPA's OSCP is a sub-plan of the Port's ERP and is activated as the primary plan to combat pollution of the Port from oil. The ERP requires that all personnel who may be involved in the management of oil spills in the Port are conversant with the content of the National Plan. The current version of BrPA OSCP can be obtained from the BrPA Harbour Master.
Pilbara Ports Authority (PPA) Marine Oil Pollution Plan	PPA	The Dampier Port Authority ERP provides guidelines for actions to be taken during an emergency to minimise the potential for loss of life, injury to people, and damage to the environment and property by covering foreseeable incidents and outlining remediation. The latest version of the PPA Emergency Response Plan and Marine Pollution Plan is available on the Emergency Preparedness and Response page of the PPA website.
NT OSCP	NT DEPWS	NT DEPWS is responsible for the NT Oil Spill Contingency Plan, which supports the Territory Emergency Plan, and is the Hazard Management Agency (HMA) for marine oil pollution and marine transport emergencies.

Relevant Plans	Responsible Party	Main Content
Darwin Port Corporation Oil Spill Contingency Plan (DPC OSCP)	Darwin Port Corporation	The DPC OSCP sets out the response to spills of oil and hazardous and noxious substances within the Port of Darwin. This includes hydrocarbon spills from vessels or land based activities that enter Port waters. More information is available on the Emergency & Cyclone Plans page of the Darwin Port Authority website. The Port of Darwin Harbourmaster is the Incident Controller for all spills within the harbour.
AMOSPlan	AMOSC	AMOSPlan covers the spill response and training activities of AMOSC and the company- to- company mutual assistance arrangements administered by AMOSC. The AMOSPlan is underpinned by a Principal and Agency Agreement signed between AMOSC and each Participating Company that sets out the basis on which personnel and company-owned equipment can be loaned by each Company to AMOSC. A Master Services Contract is also signed between these parties. This contract also covers the entities of Member Companies. In the event that a company is involved in a hydrocarbon spill incident necessitating activation of its Contract, a supplementary Service Contract specifies the equipment and/or personnel to be hired. The specified equipment will vary depending on the nature and location of the oil spill incident. AMOSPlan is activated by a company when the response to an oil spill incident is regarded by the company as requiring resources beyond those of the company itself. The AMOSPlan also outlines the agreement between AMOSC and AMSA that enables AMSA to hire equipment and personnel from AMOSC on behalf of the National Plan. The AMOSPlan divides into several response regions with Mutual Aid Contacts (MACs) identified in each region.
Victorian State Emergency Management Plan (SEMP) State Maritime Emergencies (non-search and rescue)	Department of Energy, Environment and Climate Action (DEECA) Department of Transport and Planning (DTP)	DEECA retains responsibility for titles administration, well integrity and environment within state water (located within 3 nautical miles of the Victorian coast). In accordance with the *Victorian Marine (Drug, Alcohol and Pollution Control) Act 1988 (the Act),* Emergency Management Act 2013 and the *Emergency Management Manual Victoria*, DTP is the control agency for marine pollution incidents in state waters, up to 3 NM offshore. The Maritime Emergencies (NSR) Subplan prescribes the emergency management arrangements for preparedness and response to marine pollution from vessel, offshore petroleum activities and other sources in state waters.

2.3 GOVERNMENT AND EXTERNAL AGENCIES

2.3.1 NOPSEMA

NOPSEMA is the Statutory Authority responsible for the oversight of response actions to pollution events from offshore petroleum activities in areas of Commonwealth jurisdiction. It administers the OPGGS (E) Regulations.

NOPSEMA has National Plan Statutory Responsibility for the offshore petroleum industry. During a spill incident, NOPSEMA's role will be to:

- Implement regulatory processes to monitor and secure compliance with the OPGGS(E) Regulations 2023 and the Offshore Petroleum and Greenhouse Gas Storage Act 2006 (Cth) (the OPGGS Act), including issuing directions as required.
- Investigate accidents, occurrences, and circumstances involving deficiencies in environment management as required.

- Provide management, operational, technical, and environmental advice, as required to the Titleholder.

Although NOPSEMA is the Statutory Authority for hydrocarbon spill incidents from offshore petroleum activities, it does not have the legislative capacity to undertake the role of Control Agency and, as such, the Titleholder remains responsible (as Control Agency) for all Levels of hydrocarbon spill incidents from offshore petroleum activities. NOPSEMA will, however, provide support for a whole-of-government approach to incident coordination by providing advice and issuing directions to Titleholders and/or operators during an offshore petroleum incident.

2.3.2 Australian Maritime Safety Authority (AMSA)

AMSA is the national shipping and maritime industry regulator and was established under the Australian Maritime Safety Authority Act 1990 (Cth). AMSA manages the National Plan to Combat Pollution of the Sea by Oil and other Noxious and Hazardous Substances on behalf of the Australian Government, working with State and the Northern Territory governments, emergency services, and private industry to maximise Australia's marine pollution response capability[11]..

Legislatively, AMSA is responsible for protecting the marine environment from pollution from vessels and other environmental damage caused by vessels. AMSA functions are to:

- combat pollution in the marine environment
- provide a search and rescue service
- perform other functions conferred on it by or under any other Acts.

As part of this national plan, a National Response Team (NRT) and the National Response Support Team (NRST) were established to provide support to control agencies in the event of a major marine oil pollution incident.

Each State/Territory is to nominate to AMSA suitably qualified personnel to fill designated roles, including:

- Planning Officer
- Operations Officer
- Logistics Officer
- Response Team Leader.

Each of these roles is filled in each State/Territory as part of the NRT.

AMSA is to be notified immediately through the Rescue Coordination Centre (RCC) of all ship-sourced incidents. When AMSA is the Control Agency, AMSA will assume control of the incident and respond in accordance with the AMSA's Marine Pollution Response Plan. AMSA's Marine Pollution Response Plan is the operational response plan for the management of vessel-sourced spills (as per Section 8 of the Memorandum of Understanding between Woodside and AMSA). AMSA is Control Agency for hydrocarbon spills, as per Table 1.

Woodside will undertake first strike response on behalf of AMSA for vessel-sourced spills, in line with the relevant Oil Pollution First Strike Plan.

For marine pollution incidents from offshore petroleum facilities arising in Commonwealth Waters where Woodside is the Control Agency, Woodside would enact its hydrocarbon spill arrangements per the activity-specific Oil Pollution First Strike Plan. For events requiring regional or national level support AMSA, as managers of the National Plan, will coordinate the resources under its direct control. This may include technical and response advice, services, equipment, personnel and contractors.

2.3.2.1 National Plan

The National Plan implements Australia's obligations as a State Party under the United Nation's Convention on the Law of the Sea 1982, the International Convention on Oil Pollution Preparedness, Response and Cooperation 1990, and the Protocol on Preparedness, Response and Cooperation to Pollution Incidents by Hazardous and Noxious Substances (HNS) 2000. AMSA works with the State/Northern Territory governments,

[11] http://www.amsa.gov.au/forms-and-publications/Publications/national_plan.pdf

emergency services, and private industry to maintain Australia's marine pollution response capability. Central to this capability is the Inter-Governmental Agreement on the National Plan that outlines AMSA and State/Northern Territory Government responsibilities.

As part of the National Plan, a Marine Pollution Controller will be appointed to an incident. As outlined within the National Plan, the duties of the appointed Marine Pollution Controller may include:

- Assisting the Control Agency with strategic communications, including:
  - primary spokesperson for the multi-agency response
  - primary point of contact for the briefing of government(s).
- Providing the common operating picture and situational awareness at the strategic Level.
- Strategic coordination, including:
  - resolution of strategic multi-jurisdictional policy and legislative issues on behalf of the Control Agency
  - facilitating collaboration between all parties and resolving multi-jurisdictional-agency conflicts
  - facilitating national and international assistance through the National Plan and Australian Emergency Management arrangements.

2.3.2.2 AMSA equipment

AMSA maintains strategic equipment stockpiles of marine pollution response equipment around the Australian coastline. Stocks of dispersant are stored at these stockpiles as well as other key locations. Woodside may request access to these resources via AMOSC.

2.3.3 Commonwealth Department of Climate Change, Energy, the Environment and Water (DCCEEW)

Under the Environment Protection and Biodiversity Conservation Act 1999 (Cth) (the EPBC Act), actions that may have a significant impact on a matter of national environmental significance (MNES) require referral to the Australian Commonwealth Minister for Environment (the Minister). The Minister will decide whether assessment and approval is required under the EPBC Act.

Important for hydrocarbon spill response, an exemption from Part 3 of the EPBC Act was granted in March 2014 and remains in place for agencies acting in accordance with the National Plan. This exemption allows for the implementation of hydrocarbon spill response options, without the need for Part 3 approvals, provided that the actions taken are in accordance with the National Plan.

Although the use of chemical dispersant may be consistent with the National Plan, the dispersant type is required to be on the list of accepted National Plan Oil Spill Control Agents (OSCA list) or comply with the transitional arrangements for existing dispersants stocks accepted prior to 1 December 2012, in order for its use to be exempt from Part 3 of the EPBC Act.

An exemption from Part 13 of the EPBC Act was also granted in March 2014. Where response actions are taken in accordance with the National Plan, those actions are exempt from the Part 13 contraventions that would otherwise apply.

2.3.4 Port Authority Arrangements

Woodside operates out of several ports in the Australian states and territories. The Port Authorities house and maintain some oil spill equipment.

State/Territory authorities can also access the AMSA National Plan equipment for incident response if required.

Each Port Authority maintains its own OSCP as a subset of the State/Territory Plan. These plans are summarised in Table 3. Port Authorities may also be involved in the following tasks in relation to hydrocarbon spill preparedness:

- Operator training.
- Regular exercises (including deployment).

- Coordination of committees, such as quarterly meetings of the Dampier Port Authority Marine Oil Pollution (MOP) Committee of Port Users and the Regional Response Team, which is a collaboration between adjacent port authorities and ports (as defined by the Shipping and Pilotage Act 1967 (WA).
- Risk assessments.

2.3.4.1 AMOSC and AMOSPlan

AMOSC was established through the support of members of the Australian Institute of Petroleum (AIP), including Woodside. The Centre maintains a 24-hour stand-by status and can respond quickly to a major incident.

Arrangements between AMOSC and its participating members are outlined in a Master Services Contract signed between AMOSC and the participating Member Company. When activating AMOSC as a service (i.e. hydrocarbon spill response or training) a Service Contract is executed. Woodside also has contractual arrangements with the AMOSC to access the Australian Subsea First Response Toolkit (SFRT) equipment and dispersant stockpiles.

AMOSC administers the AMOSPlan, which outlines arrangements for mutual aid between members. Mutual aid support is available from the member companies of AMOSC and the AMOSC Core Group response team and may comprise response equipment and personnel employed by another AMOSC member company. AMOSC Core Group members are a group highly skilled in the discipline of hydrocarbon spill response, which includes approximately 120 experienced member company personnel who can be made available to support and assist with spill response activities. The request for assistance is made directly between companies via each company-nominated Mutual Aid Contact (AMOSC should be consulted for the most up-to-date Mutual Aid Contacts). AMOSC will also activate the Service Contract of the lending company and will coordinate the signing of a Service Contract for the borrowing company or companies.

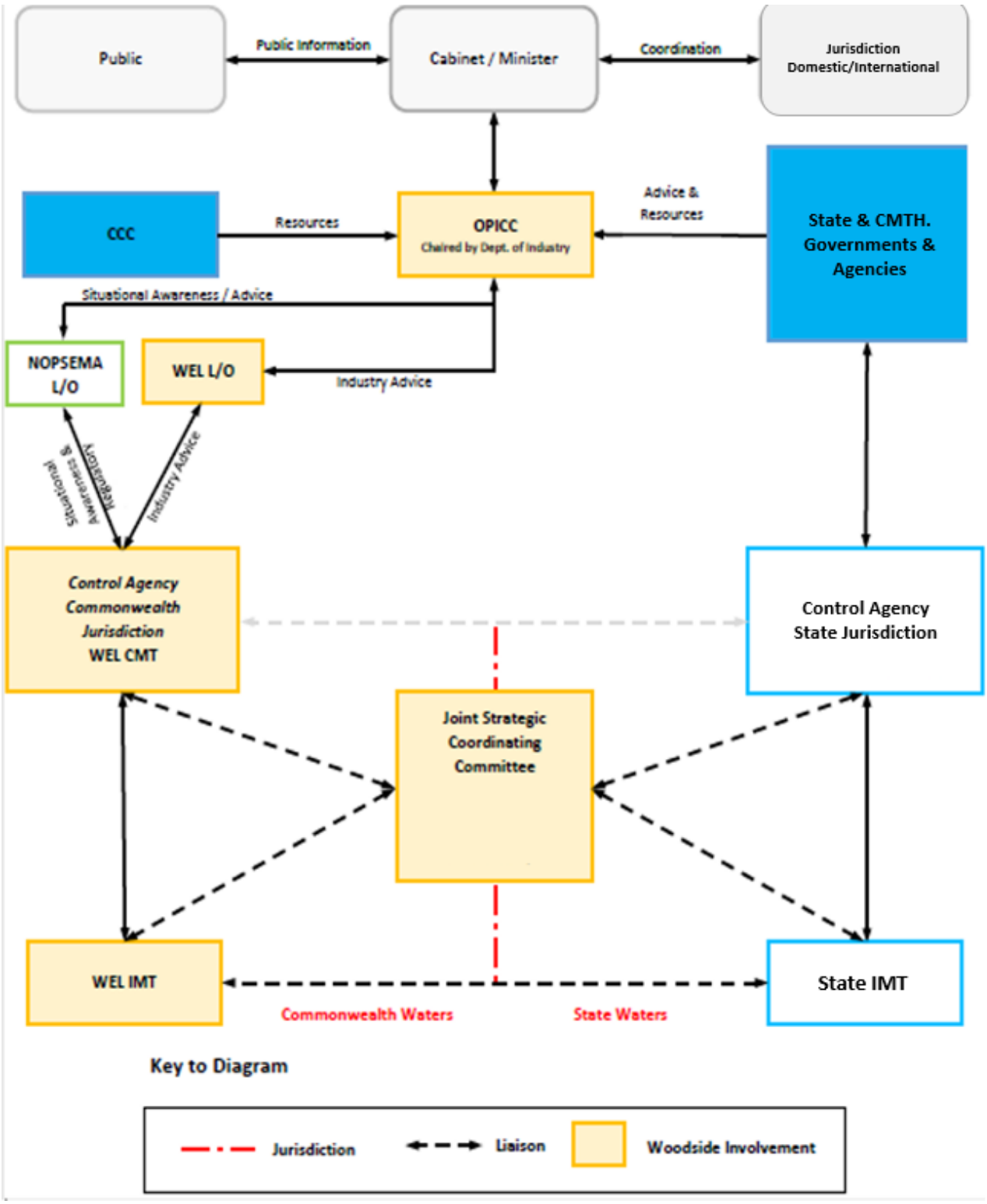

Figure 3: Coordination Structure for a Concurrent Hydrocarbon Spill in Both Commonwealth & State Waters/Shorelines[12]

[12] Sourced and adapted from WA DoT Offshore Petroleum Industry Guidance Note, Marine Oil Pollution: Response and Consultation Arrangements DoT Guidance Note

2.3.5 Western Australian Agency Arrangements and the WA Department of Transport

The Emergency Management Act 2005 (WA) designates Agencies within the State as Statutory Authority for hazards. In Western Australia, the hazard management agency for Marine Oil Pollution is the WA DoT.

Under the Act, the Statutory Authorities are required to produce and administer Plans for the hazards assigned to them.

They are responsible not only for the oversight of a response, but also for responding, should the party responsible for the spill not be able to control the situation.

For oil pollution to the marine environment in State waters/shorelines the WA DoT has produced and administer the SHP-MEE.

In the event of a spill where Woodside is the responsible party and the spill may impact State waters/shorelines, Woodside will notify WA DoT.

For all levels of spill in State waters/shorelines, WA DoT is the Control Agency. WA DoT will appoint an Incident Controller and form a separate Incident Management Team.

The WA DoT coordinates the State Response Team (SRT). SRT is part of Western Australia's commitment to ensure the effective preparedness and response to marine pollution incidents. The SRT members are primarily frontline responders. Members of the team are from government agencies, port authorities, and industry, all of whom have a vested interest in marine oil pollution.

For any Level 2 or 3 Marine Oil Pollution (MOP) incident, Woodside will immediately notify WA DoT and conduct initial response actions in State waters as directed and in accordance with the WA OSCP/ Oil Pollution Emergency Plan (OPEP). Woodside will continue to manage those operations at WA DoT direction until formal incident control can be established by WA DoT.

Initially, Woodside will be required to make available an appropriate number of suitably qualified persons to work in the WA DoT Incident Management Team (IMT). WA DoT's role as the Controlling Agency for spills in State waters/shorelines does not negate the requirement for Woodside to have appropriate plans and resources in place to adequately respond to a Marine Oil Spill incident in State waters/shorelines, or to commence the initial response actions to a spill prior to WA DoT establishing incident control in line with the WA DoT Offshore Petroleum Industry Guidance Note, Marine Oil Pollution: Response and Consultation Arrangements.

A list of roles and key duties for Woodside personnel working in the WA DoT IMT and the response structure can be found in an approved Oil Pollution First Strike Plan on Corporate Hydrocarbon Spill SharePoint.

To assist WA DoT in assuming formal incident control, the nominated WA DoT Incident Controller will establish contact with the Woodside Incident Controller and work through the Controlling Agency Transfer Checklist at APPENDIX A.

Upon establishment of incident control by WA DoT, Woodside will continue to provide planning and resources in accordance with their OSCP/OPEP. This will include response assets and contracts specified in the OSCP/OPEP, such as those pertaining to waste management, transport, and personnel, as well as response arrangements with the Australian Marine Oil Spill Centre (AMOSC) and other third-party responders.

In performing the Controlling Agency function, WA DoT will use Woodside's approved/accepted OSCP/OPEP as a starting point for all aspects of a response. WA DoT reserves the right to deviate from the OSCP/OPEP in circumstances where there is a justifiable cause, in consultation with Woodside.

By arrangement with WA DoT, within designated port limits the relevant Port Authority is responsible for hydrocarbon spills in port waters.

In the case where a spill for which Woodside is responsible has, or will, enter State waters/shorelines, the WA DoT will send a State Marine Pollution Coordinator (SMPC) Liaison Officer and a Media Liaison Officer to Woodside's CIMT.

2.3.6 WA Department of Water and Environment Regulation (DWER)

The DWER has responsibilities associated with State environmental regulation, approvals and appeals processes, and pollution prevention. The DWER primarily administers the Environmental Protection Act 1986 (WA).

The DWER's Pollution Response Unit has operational waste management responsibilities in accordance with the Environmental Protection Act 1986 (WA). This includes approving temporary waste storage areas. The DWER may send an Officer to a spill site and can provide an External Liaison role in Woodside's IMT.

The DWER Pollution Response Unit will be notified directly of any spill incident that requires temporary waste storage outside existing Woodside Lease boundaries.

2.3.7 WA Department of Biodiversity, Conservation and Attractions (DBCA)

The DBCA has responsibilities associated with wildlife and activities in national parks, reserves, and State marine parks.

The Biodiversity Conservation Act 2016 (WA) (which replaced the Wildlife Conservation Act 1950 (WA)) provides the Department of Parks and Wildlife (DPaW) with the responsibility and Statutory Authority to treat, protect, and destroy wildlife. The DPaW does not provide oiled wildlife operational response support. Industry is expected to have access to their own oiled wildlife capability.

DBCA, together with AMOSC, have developed the Western Australia Oiled Wildlife Response Plan (WAOWRP) and the Western Australia Oiled Wildlife Response Manual, which align with the SHP-MEE and address requirements for oiled wildlife response in both State and Commonwealth waters. The WAOWRP details the legislative responsibilities, relationships to other plans, roles and responsibilities, emergency management structure, and procedures for OWR.

2.3.8 Northern Territory Arrangements

Authority for the regulation of marine pollution, powers of investigation, and appointment of authorised officers in the Northern Territory (NT) is derived from the *Marine Pollution Act, 1999* (NT) (the Act). NT DEPWS is responsible for administering the Act.

The Territory Emergency Plan (TEP) describes the NT emergency management principles for response and recovery operations, and the control and coordination roles and responsibilities across multiple hazards.

The TEP is established by the *Emergency Management Act, 2013* (NT) (EM Act) and administered by the Department of Police, Fire and Emergency Services (PFES). Administrative authority for the TEP is held by the Territory Emergency Controller. The NT OSCP is listed as a hazard-specific emergency plan within the TEP.

NT DEPWS is the Hazard Management Authority and is responsible for maintaining currency of the NT OSCP and providing strategic oversight and technical advice for marine oil spill incidents.

Where Woodside believes a spill may cross into Territory coastal waters, Woodside will notify NT DEPWS.

2.3.9 Northern Territory Environment Protection Authority (NT EPA)

The NT EPA is an independent corporation established under the Northern Territory Environment Protection Act 2019. The NT EPA is responsible for regulatory services to provide for effective waste management, pollution control and sustainable practices. The NT EPA will be informed verbally and by email as soon as practicable via notification through a 24-hour pollution hotline and email, in the event of a hydrocarbon spill which is predicted to enter NT coastal waters.

2.3.10 Northern Territory Department of Environment, Parks and Water Security (NT DEPWS)

The NT DEPWS is the regulatory authority responsible for protecting the NT's environment and natural resources while providing advice and support to enable the responsible use and development of the Territory's land and waters within three nautical miles of the coastline. NT DEPWS will be responsible for wildlife response

if a spill tracks towards NT coastal waters. NT DEPWS will also provide advice on waste management and clean-up of NT shorelines, if required.

2.3.11 Victorian Arrangements

In accordance with *Victorian Marine (Drug, Alcohol and Pollution Control) Act 1988* (the Act), *Emergency Management Act 2013* and the Emergency Management Manual Victoria, Department of Transport and Planning (DTP) is the control agency for marine pollution incidents in state waters, up to three nautical miles offshore.

The State Controller Maritime Emergencies (SCME) has overall responsibility for ensuring there is an adequate response to a marine pollution incident in state waters; this includes marine pollution arising from a petroleum activity originating in either state or Commonwealth waters. In these circumstances, the provision of an adequate response will be primarily achieved through the coordinated employment of the titleholders' resources. Department of Energy, Environment and Climate Action (DEECA) retains responsibility for titles administration, well integrity, and environment within state waters.

In the event of a marine pollution incident originating in Commonwealth waters that impacts or threatens Victorian state waters, DTP assumes jurisdictional control for such incidents within coastal waters (only) from a state consequence management perspective.

2.3.12 Victoria Department of Transport and Planning (DTP) & State Controller Maritime Emergencies (SCME)

The Victorian DTP is the regulatory authority responsible for Level 2 and Level 3 marine pollution incidents in coastal waters, up to three nautical miles from land.

The SCME has overall responsibility for ensuring there is an adequate response to a marine pollution incident in state waters; this includes marine pollution arising from a petroleum activity originating in either state or Commonwealth waters. During an actual or impending marine (petroleum) pollution incident in state waters, the SCME provides overall strategic management of the response and executive level support and guidance to the Incident Controller. DTP's Resilience and Emergency Coordination (REC) team assists the SCME and the DTP to fulfil their statutory obligations in response to a marine pollution incident in state waters.

2.3.13 Transnational Boundary Incidents

The Australian Government has agreed that, in responding to offshore petroleum incidents originating in Australian Commonwealth waters, a central incident coordination committee be convened and chaired by the Department of Industry, Science and Resources (DISR). The committee is known as the Offshore Petroleum Incident Coordination Committee (OPICC).

The purpose of OPICC is to effectively coordinate the Australian Government efforts and resources and communicate to the public and affected stakeholders all matters relevant to a significant offshore petroleum incident that originates in Commonwealth waters.

It should be noted that the OPICC is not a mechanism to deploy Australian Government resources, exercise incident control, or implement operational response arrangements.

If a spill has the potential to cross into non-Australian waters,[13] Woodside will contact the Australian Government Crisis Coordination Centre for diplomatic assistance.

The role of the Joint Strategic Coordination Committee (JSCC) is to ensure appropriate coordination between the respective Incident Management Teams (IMTs) established by multiple Controlling Agencies, and to ensure that the key objectives set by multiple IMTs in relation to the MOP incident are consistent and focused on achieving an effective coordinated response. Key functions of the JSCC include:

- De-conflicting competing priorities between multiple IMTs.

[13] Note: If oil spill trajectory modelling of credible scenarios indicates that there is potential for spills to cross into international waters, Woodside's response operations across trans-national boundaries will be determined in conjunction with the Department of Foreign Affairs and Trade, in consultation with local authorities, in accordance with the National Plan *Guideline on the Coordination of International Incidents.*

- De-conflicting competing requests for resources between the multiple IMTs, including those managed by Australian Maritime Safety Authority (AMSA), such as national stockpile equipment, dispersant aircraft, and the National Response Team.
- Resolution of significant strategic issues as they arise during the incident response.
- Ensuring that there is a single shared understanding of the concept of operations for the response and resolution of any controversial actions.
- Ensuring that there is a shared understanding of the incident situation and its meaning among all key stakeholders.
- Ensuring there is agreement on how information is communicated to the public, particularly those issues that have actual or perceived public health implications.
- Ensuring adequate coordination and consistency is achieved in relation to access and interpretation of intelligence, information, and spill modelling to promote a common operating picture.

It is important to note that the JSCC is a committee, not a team operating from a specified location. The JSCC will be administered by State/Territory Control Agency.

2.3.13.1 Transnational Boundary Incidents in Western Australian Waters

In WA waters, the inaugural JSCC meeting will be convened by the State Maritime Pollution Coordinator (SMPC), once both the Petroleum Titleholder (PT) and WA DoT formally assume the role of Control/Controlling Agency.

The JSCC will be jointly chaired by the SMPC and the PT's nominated senior representative and will comprise of individuals deemed necessary by the chairs to ensure an effective coordinated response across both jurisdictions. As the relevant Jurisdictional Authority in Commonwealth Waters, NOPSEMA may opt to participate in the JSCC as they see fit.

Where State waters may be impacted by a Marine Oil Pollution (MOP) incident in Commonwealth waters, WA DoT will send a WA DoT Liaison Officer to the Woodside's CIMT. The Role of the WA DoT Liaison Officer will be to:

- Facilitate effective communications between WA DoT's SMPC and Incident Controller and Woodside's appointed Crisis Management Team (CMT) Leader and CIMT Incident Commander.
- Provide enhanced situational awareness to WA DoT of the incident and the potential impact on State waters.
- Assist in the provision of support from WA DoT to Woodside.
- Facilitate the provision technical advice from WA DoT to the Woodside Incident Controller as required.

APPENDIX A – WESTERN AUSTRALIA DEPARTMENT OF TRANSPORT INCIDENT CONTROL TRANSFER CHECKLIST

□	Confirm date and time of formal transfer of Incident Control in State Waters
□	Confirm respective Incident Controller lines of communication arrangements (including exchange of Liaison Officers in IMT.
□	Confirm respective On-Scene Commander lines of communication arrangements (including exchange of Liaison Officers in FOB)
□	Confirm the location of any Woodside FOB and Staging Areas.
□	Confirm the details of all current response operations being conducted by Woodside in State Waters
□	Confirm the composition and status of all response resources, both personnel and equipment, currently being controlled by Woodside that relate to response operations in State Waters.
□	Confirm the composition and status of all response resources, both personnel and equipment that has been mobilised by Woodside and in transit to the spill site that will contribute to future response operations in State Waters.
□	Confirm the composition and status of all response resources, both personnel and equipment that is in the process of being mobilised by Woodside to contribute to future response operations in State Waters.
□	Confirm current level of incident and the predicted level in the future
□	Confirm existence and adherence to an OPEP/OSCP and secure a copy for the relevant OPEP/OSCP plan, EP and OSMP.
□	Secure a copy of the current Situation Report and incident prognosis.
□	Secure a copy of the Product Material Safety Data Sheet (MSDS)
□	Notification of significant Safety Risks
□	Secure a copy of the latest spill trajectory modelling
□	Secure a copy of the latest actual spill monitoring and surveillance information.
□	Confirm GIS lines of communication arrangements
□	Secure a copy of the current IAP as it relates to State Waters response operations specifically the details of all immediate and future response operations planned by Woodside in State waters.
□	Secure a copy of the most recent media statements.
□	Secure a summary of all community / stakeholder engagement activities undertaken to date and those planned in the immediate future that pertain to state waters impact.
□	Confirm deployment of initial Woodside personnel to DoT IMT and DoT FOB
□	Reconfirm date and time of formal transfer of Incident Control in State Waters
DoT Incident Controller_____ Date_____ Time_____	

3. REFERENCES

Title	Reference
Our Expectations - Hydrocarbon Spill	Latest Edition
Hydrocarbon Spill Planning Standard	Latest Edition
Hydrocarbon Spill Response Standard	Latest Edition
Hydrocarbon Spill Capability & Competence Standard	Latest Edition
Compliance and Assurance	No standard required. Refer to GRC and WiRCS
Hydrocarbon Spill Planning – Australia Work Instruction	Latest Edition

External References

Title	Reference
AMOSPlan	Link
AMSA – Equipment	Link
Australian Emergency Management Arrangements Handbook	Link
Australian Maritime Safety Authority	Link
Darwin Ports - Emergency & Cyclone Plans	Link
Department of Transport (WA) Offshore Petroleum Industry Guidance Note – Marine Oil Pollution: Response and Consultation Arrangements (Sept. 2018)	Link
Equipment for Karratha	Link
International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001 (Protection of the Sea (Civil Liability for Bunker Oil Pollution Damage) Act 2008	Link
International Convention on Civil Liability for Oil Pollution Damage 1992	Link
International Maritime Organisations (IMO)	Link
IPIECA - Oil spill exercises good practice guide	Link
National Plan for Maritime Environmental Emergencies (“National Plan”)	Link
OSRL - Equipment Stockpile Status Report	Link
OSRL Australia Country Plan (COVID-19 Response Plan)	Link
PBA - Emergency Preparedness and Response	Link
CEM Competency Dashboard	Link
Signed Memorandum of Understanding – Mutual Assistance [AEP] To Facilitate the Transfer of Drilling Units and Well-Site Services between Operators in Australian and Timor Leste-administered Waters to Overcome Emergency Conditions	Link
Territory Emergency Plan (NT)	Link

Title	Reference
Tiered Preparedness and Response	Link
Victorian Joint Industry and State Oil Pollution Responses	Link
WA State Hazard Plan for Maritime Environmental Emergencies	Link
Western Australia Oiled Wildlife Response Manual	Link
Western Australia Oiled Wildlife Response Plan	Link

Legislation

Title	Reference
Australian Maritime Safety Authority Act 1990 (Cth)	Link
Biodiversity Conservation Act 2016	Link
Environment Protection and Biodiversity Conservation Act 1999 (Cth) (EPBC Act)	Link
Emergency Management Act 2013 (NT)	Link
Emergency Management Act 2005 (WA)	Link
Emergency Management Regulations 2006 (WA)	Link
Environmental Protection Act 1986 (WA)	Link
Marine Pollution Act 1999 (NT)	Link
Northern Territory Environment Protection Authority Act 2012	Link
Offshore Petroleum and Greenhouse Gas Storage Act 2006 (Cth)	Link
Offshore Petroleum and Greenhouse Gas Storage (OPGGS) Regulations (Environment) Regulations 2023 (Cth)	Link
Petroleum and Geothermal Energy Resources (Environment) Regulations 2012 (WA)	Link
Shipping and Pilotage Act 1967 (WA)	Link
Wildlife Conservation Act 1950 (WA)	Link
Victoria Offshore Petroleum and Greenhouse Gas Storage Act 2010	Link
Victoria Offshore Petroleum and Greenhouse Gas Storage Regulations 2021	Link

4. DEFINITIONS

Term	Meaning
Control Agency	The agency or company assigned by legislation, administrative arrangements or within the relevant contingency plan, to control response activities to a maritime environmental emergency.
First Strike	The prompt initial response to a spill by a Control Agency or on behalf of a control agency (i.e. by a Person in Charge (PIC) or Vessel Master) to protect the environment and is intended to limit the effect of an incident, until such time as other supporting resources can be deployed.
Support Agency	An agency or company that provides essential services, personnel, material or advice in support of the Control Agency during the response to a maritime environmental emergency.
Statutory Authority	An agency authorised by law to enforce legislation on behalf of the relevant country or state.

5. ABBREVIATIONS

Abbreviation	Term
AEP	Australian Energy Producers
AIP	Australian Institute of Petroleum
AMOSC	Australian Marine Oil Spill Centre
AMOSPlan	A voluntary oil industry mutual aid plan intended to supplement the National Plan, administered by Australian Institute of Petroleum through AMOSC.
AMSA	Australian Maritime Safety Authority
ANP	Autoridade Nacional de Petról–o – Timor-Leste National Petroleum Authority (Designated Authority of the JPDA)
BrPA	Broome Port Authority
CIMT	Corporate Incident Management Team
CMT	Crisis Management Team
DBCA	Department of Biodiversity, Conservation and Attractions (Western Australia)
DEECA	Victorian Department of Energy, Environment and Climate Action
DEPWS	Northern Territory Department of Environment, Parks and Water Security
DISR	Department of Industry, Science and Resources
DEMIRS	Western Australian Department of Energy, Mines, Industry Regulation and Safety
DTP	Victorian Department of Transport and Planning
DWER	Western Australian Department of Water and Environment Regulation
EM Act	Emergency Management Act (Northern Territory)

EPA	Environmental Protection Authority
ESC	Environmental Scientific Coordinator
EP	Environment Plan
ERR	Victorian Earth Resources Regulation
ERP	Emergency Response Plans
FOB	Forward Operations Base
FPSO	Floating Production, Storage and Offloading Vessel
FSP	Oil Pollution First Strike Plan
GIS	Geographical Information System
HMA	Hazard Management Agency
IC	Incident Controller
IGA	National Plan Inter-Governmental Agreement
IMT	Incident Management Team
JPDA	Joint Petroleum Development Area
JSCC	Joint Strategic Coordination Committee
MACs	Mutual Aid Contacts (under AMOSPlan)
MEE	Maritime Environmental Emergencies
MNES	Matter of National Environmental Significance
MOP	Marine Oil Pollution
MoU	Memorandum of Understanding
MSDS	Material Safety Data Sheet
NEMO	National Environmental Maritime Operations System
NOPSEMA	National Offshore Petroleum Safety and Environmental Management Authority
NRT	National Response Team
NRST	National Response Support Team
NT EPA	Northern Territory Environment Protection Authority
National Plan	National Plan for Maritime Environmental Emergencies
OPEP	Oil Pollution Emergency Plan
OPGGS	Offshore Petroleum and Greenhouse Gas Storage
OPICC	Offshore Petroleum Incident Coordination Committee

OSCA	Oil Spill Control Agent
OSCP	Oil Spill Contingency Plan
OSR	Oil Spill Response
OWR	Oiled Wildlife Response
PFES	Police, Fire and Emergency Services (Northern Territory)
PPA	Pilbara Ports Authority
PT	Petroleum Titleholder
RCC	Rescue Coordination Centre (AMSA)
SMPC	State Maritime Pollution Coordinator
SHP-MEE	State Hazard Plan – Maritime Environmental Emergencies
TEP	Territory Emergency Plan (Northern Territory)
WA DoT	Western Australian Department of Transport
WA DoT OSCP	Western Australian Department of Transport Oil Spill Contingency Plan
WAOWRP	Western Australia Oiled Wildlife Response Plan