



**Australian Government**  
**Department of Industry**  
**Geoscience Australia**

# OFFSHORE GREENHOUSE GAS STORAGE ACREAGE RELEASE | AUSTRALIA 2014



## GENERAL AND SPECIAL NOTICES

The Australian Government does not guarantee that the information contained in this document is accurate or complete. Potential bidders should not rely solely on information contained in this document when making a commercial decision and are responsible for checking the accuracy of information prior to commencing any greenhouse gas storage operation.

### OVERVIEW

The Offshore Petroleum and Greenhouse Gas Storage Act 2006 (OPGGSA) requires that offshore greenhouse gas (GHG) storage operations be carried out in a manner that does not unduly interfere with the rights and interests of others. There is also a need to comply with other requirements and standards set by Australian law. All titleholders need to have due regard for matters such as:

- Environment and heritage protection
- Native Title rights and interests
- Navigation and maritime safety
- Fishing activities
- Submarine telecommunication cables
- Insurance.

The OPGGSA also includes a system to protect the rights of existing petroleum title holders and to manage interactions with the petroleum industry into the future. Prospective bidders for GHG storage acreage areas should familiarise themselves with relevant parts of the Act.

This document sets out the general and special notifications regarding the acreage areas offered for GHG assessment and storage in the 2014 Offshore GHG Storage Acreage Release (Release Areas).

These notices are designed to serve as a reference for successful applicants, as they progress towards meeting their assessment permit work program obligations.

[www.industry.gov.au/ghg-acreage](http://www.industry.gov.au/ghg-acreage)

In addition to the general advice and requirements that apply to all release areas, there are also notices giving recommendations and requirements for specific areas. The attention of potential bidders is drawn to both the Notices For All Areas and the Notices For Specific Areas set out below, which have been identified through consultation with parties that have rights and interests in the 2014 Release Areas. The requirements for specific areas may result in conditions being included in an assessment title document.

### KEY CONTACTS

Australian Fisheries Management Authority (AFMA): [petroleum@afma.gov.au](mailto:petroleum@afma.gov.au).

Australian Maritime Safety Authority (AMSA): [NauticalAdvice@amsa.gov.au](mailto:NauticalAdvice@amsa.gov.au).

Commonwealth Department of the Environment (Marine Reserves): [marinereserves@environment.gov.au](mailto:marinereserves@environment.gov.au) (EPBCA) [ciu@environment.gov.au](mailto:ciu@environment.gov.au)

Commonwealth Department of Industry: [ghgacreage@industry.gov.au](mailto:ghgacreage@industry.gov.au)

National Native Title Tribunal: [enquiries@nntt.gov.au](mailto:enquiries@nntt.gov.au)

National Offshore Petroleum Safety and Environmental Management Authority: [information@nopsema.gov.au](mailto:information@nopsema.gov.au)

National Offshore Petroleum Titles Administrator: [info@nopta.gov.au](mailto:info@nopta.gov.au)

Telstra: [zack.gurdon@team.telstra.com.au](mailto:zack.gurdon@team.telstra.com.au)

Basslink: [malcolm.eccles@basslink.com.au](mailto:malcolm.eccles@basslink.com.au)

### NOTICES FOR ALL AREAS

Field outlines are provided by Encom GPIInfo, a Pitney Bowes Software (PBS) Pty Ltd product. Whilst all care is taken in the compilation of the field outlines by PBS, no warranty is provided about the accuracy or completeness of the information, and it is the responsibility of the potential bidder to ensure, by independent means, that those parts of the information used by it are correct before any reliance is

placed upon them. In particular, overlaps between Release Areas and existing petroleum pools or fields should not be relied upon without independent verification.

## Environmental Protection

The Australian Government requires titleholders to conduct their activities in a manner that ensures a high standard of environmental protection. Of particular importance to GHG storage activities are the requirements of the OPGGSA and *Environment Protection and Biodiversity Conservation Act 1999* (EPBCA). Penalties may apply to any activities in breach of the OPGGSA and EPBCA.

### Key approvals

- All petroleum and GHG storage activities in Commonwealth waters require an accepted Environment Plan under the Environment Regulations before they can proceed.
- Activities that are to be carried out within a declared Commonwealth Marine Reserve may also require approval from the Director of National Parks.
- Activities that are likely to have an impact on a matter of National Environmental Significance also require approval under the EPBCA.

Information on the OPGGS Environment Regulations is available at: [www.industry.gov.au/resource/UpstreamPetroleum/OffshorePetroleumEnvironment/Pages/OffshorePetroleumandGreenhouseGasStorageRegulations2009.aspx](http://www.industry.gov.au/resource/UpstreamPetroleum/OffshorePetroleumEnvironment/Pages/OffshorePetroleumandGreenhouseGasStorageRegulations2009.aspx)

Information on the EPBCA is available at: [www.environment.gov.au/topics/about-us/legislation/environment-protection-and-biodiversity-conservation-act-1999](http://www.environment.gov.au/topics/about-us/legislation/environment-protection-and-biodiversity-conservation-act-1999)

### OPGGS Act and associated regulations

The object of the Environment Regulations is to ensure that any petroleum or GHG activity carried out in an offshore area is carried out in a manner:

- Consistent with the principles of ecologically sustainable development
- By which the environmental impacts and risks of the activity will be reduced to as low as reasonably practicable
- By which the environmental impacts and risks of the activity will be of an acceptable level.

### Environment Plans

Under the Environment Regulations, a titleholder must have an accepted Environment Plan in place for a 'GHG storage activity' prior to undertaking that activity.

A 'GHG storage activity' is defined in the Environment Regulations as operations or works carried out in an offshore area for the purpose of exercising a right conferred under a GHG title under the OPGGSA or discharging an obligation imposed on a titleholder by the OPGGSA or subordinate regulation. The titleholder is responsible for determining if an activity meets the definition of 'GHG storage activity' under the Environment Regulations, and for preparation of the Environment Plan for NOPSEMA assessment.

An Environment Plan must demonstrate that impacts and risks to the environment are reduced to as low as reasonably practicable and managed to an acceptable level. The required content of an Environment Plan is detailed within the Environment Regulations (refer Division 2.3). These content requirements include that titleholders consider impacts and risks on matters of National Environmental Significance where relevant. Matters of National Environmental Significance are defined in the EPBCA and further described below.

The OPGGSA also requires that titleholders have sufficient financial assurance to meet costs, expenses and liabilities associated with undertaking a GHG storage activity.

The Environment Regulations also require titleholders to undertake consultation with 'relevant persons', defined (refer to Regulation 11A) as persons whose functions, interests or activities may be affected by the activities to be carried out.

Titleholders must include a report in the Environment Plan on all consultations comprising a summary of consultation, an assessment of the merits of any objection or claim, a statement of the titleholder's response to each, and the full text of all correspondence and an assessment. The implementation strategy for an Environment Plan must also demonstrate adequate arrangements for ongoing stakeholder consultation.

### EPBC Act Environmental Assessment Process for Commonwealth Marine Reserves

The Australian Government Director of National Parks is responsible for the management of Commonwealth Marine Reserves. Where the Director has not issued a class approval in relation to activities within a Marine Park, that activity may require separate assessment and approval.

Forty new Commonwealth Marine reserves were established around Australia in November 2012. The management plans that were scheduled to come into effect in July 2014 have been set aside as part of the Australian Government's commitment to review the Commonwealth Marine reserves program. Management plans will be developed for the South-west, North-west, North and Temperate East reserve networks and the Coral Sea Commonwealth Marine Reserve. A management plan for the fourteen reserves in the South-east Commonwealth Marine Reserves Network came into effect on 1 July 2013.

For the 25 reserves which predated last year's extension of the Commonwealth Marine reserve network, GHG storage activities may or may not be permitted within specific zones of the Commonwealth Marine reserves under current

management arrangements.

Potential bidders should consider the management arrangements for each individual Commonwealth Marine reserve carefully. Management zones are different between regional networks of Commonwealth Marine reserves and individual zoning schemes which detail the allowed activities should be consulted.

More information on the location of the marine reserves, their zoning and management planning processes can be found at: [www.environment.gov.au/topics/marine/marine-reserves](http://www.environment.gov.au/topics/marine/marine-reserves)

#### **EPBC Act Environmental Assessment Process for matters of National Environmental Significance**

All activities must consider the impacts on the environment, including matters of National Environmental Significance, and the EPBCA Environmental Assessment Process may apply to activities excluded from streamlined arrangements, activities that:

- Have, will have or are likely to have a significant impact on the environment on Commonwealth land
- Are taken in any area of sea or seabed that is declared to be a part of the Great Barrier Reef Marine Park under the *Great Barrier Reef Marine Park Act 1975*
- Have, will have or are likely to have a significant impact on the world heritage values of the Great Barrier Reef World Heritage property or on the national heritage values of the Great Barrier Reef National Heritage place
- Are taken in the Antarctic
- Are injection and/or storage of GHG.

Potential bidders are reminded that the awarding of GHG assessment permit under the OPGSA is not a guarantee of approval under the EPBCA. A referral may result in a decision by the Minister that the action is clearly unacceptable, or an assessment and approval process may result in a decision to not approve the taking of the action.

Information on the assessment process and statutory timeframes can be viewed at: [www.environment.gov.au/topics/environment-protection/environment-assessments/assessment-and-approval-process](http://www.environment.gov.au/topics/environment-protection/environment-assessments/assessment-and-approval-process)

Further information on consideration of specific matters of National Environmental Significance under the EPBCA Assessment Process follows, specifically in relation to:

- Heritage Values
- Commonwealth Marine Areas and Commonwealth Land
- Indigenous Heritage Values
- Other protected matters

- The Historic Shipwrecks Act
- Cetaceans
- Marine Bioregional Planning.

#### *Heritage Values*

Listed heritage values are protected and managed under a range of Commonwealth powers. World Heritage properties are sites that are recognised under the World Heritage Convention as being of international significance because of their outstanding universal natural and/or cultural values. The World Heritage Committee makes the final decision on whether a place is inscribed on the World Heritage List (WHL).

Places on the WHL are protected under the EPBCA as matters of National Environmental Significance. Australia's WHL is maintained by the Department of the Environment, and is available at: [www.environment.gov.au/topics/heritage/heritage-places/world-heritage-list](http://www.environment.gov.au/topics/heritage/heritage-places/world-heritage-list)

The National Heritage List (NHL) has been established to include places of outstanding heritage significance to Australia. The NHL comprises places with natural, historic and/or Indigenous values. A place entered in the List is known as a National Heritage place. Each place in the List has been assessed by an independent body, the Australian Heritage Council, to determine whether the place has national heritage values. The Australian Government Environment Minister makes the final decision on whether a place is listed.

Places in the NHL are protected under the EPBCA as matters of National Environmental Significance. The NHL is compiled and maintained by the Department of the Environment, and is available at: [www.environment.gov.au/topics/heritage/heritage-places/national-heritage-list](http://www.environment.gov.au/topics/heritage/heritage-places/national-heritage-list)

The Commonwealth Heritage List (CHL), established under the EPBCA, comprises natural, Indigenous and historic heritage places entirely within a Commonwealth area or outside the Australian jurisdiction and owned or leased by the Commonwealth and which the Australian Government Environment Minister is satisfied have one or more Commonwealth Heritage values. The Minister makes the final decision on whether to include a place in the CHL.

In addition, Australian Government agencies are required to develop:

- Heritage strategies
- A heritage register
- Management plans for places on the CHL to protect the heritage values of the Commonwealth Heritage Places they own or lease.

The CHL is compiled and maintained by the Department of the Environment, and is available

at: [www.environment.gov.au/topics/heritage/heritage-places/commonwealth-heritage-list](http://www.environment.gov.au/topics/heritage/heritage-places/commonwealth-heritage-list)

As of August 2014, there are 19 places on the WHL, 100 places on the NHL and 397 places included on the CHL. These lists include some offshore areas.

New places are added to the lists on an ongoing basis. The database should be investigated for relevant areas at: [www.environment.gov.au/cgi-bin/ahdb/search.pl](http://www.environment.gov.au/cgi-bin/ahdb/search.pl)

The values of CHL places are protected by the EPBCA as part of the environment of Commonwealth lands and waters.

From February 2012, all references to the Register of the National Estate (established in 1976 as a national inventory of places of significant natural and/or cultural heritage) were removed from the EPBCA and the *Australian Heritage Council Act 2003*. The Register now remains as an online archive of information about Australia's heritage places. The EPBCA continues to protect the heritage values of places in the Register that are in Commonwealth areas or are otherwise the responsibility of the Australian Government, such as the heritage values of places on the NHL.

Although advice is provided on specific sites, prospective bidders are encouraged to check each release area for any sites relating to Australian government heritage lists.

#### *Commonwealth Marine Areas and Commonwealth Land*

In Commonwealth marine areas and on Commonwealth land, heritage values form part of the environment and are considered under the EPBCA. An Indigenous heritage value does not need to be included on a list or register to be considered under the definition of the environment in the EPBCA.

#### *Indigenous Heritage Values*

The Commonwealth Heritage management principles include the principle that "Indigenous people are the primary source of information on the value of their heritage and the active participation of Indigenous people in identification, assessment and management is integral to the effective protection of Indigenous heritage values". Potential bidders should refer to *Ask First: A guide to respecting Indigenous heritage places and values* (Australian Heritage Commission 2002), and actively engage the relevant Indigenous people with rights or interests to ensure that Indigenous heritage values are given appropriate consideration. *Ask First* can be found

at: [www.environment.gov.au/heritage/ahc/publications/commission/books/ask-first.html](http://www.environment.gov.au/heritage/ahc/publications/commission/books/ask-first.html)

#### *Other protected matters*

Potential bidders should also be aware of matters of National Environmental Significance, such as, but not limited to, wetlands of international importance (Ramsar), and heritage places (including indigenous heritage values), considerable distances from the acreage, that could potentially be impacted in the event of a GHG leak.

#### *Historic Shipwrecks Act 1976*

The Commonwealth *Historic Shipwrecks Act 1976* (Historic Shipwrecks Act) protects all shipwrecks and associated relics that are 75 or more years old, regardless of whether their physical location is known. More recent shipwrecks may be declared as historic under the Historic Shipwrecks Act by the Minister for the Environment. The Historic Shipwrecks Act aims to ensure that historic shipwrecks are protected for their heritage values and maintained for recreational and educational purposes. It also regulates activities that may result in the damage, interference, removal or destruction of an historic shipwreck or associated relic.

The Historic Shipwrecks Act also provides for protected zones to be declared in order to enhance the protection of historic shipwrecks and relics which are of special significance or sensitivity or at particular risk of interference. Permits are required to enter protected zones, which can cover an area up to 200 hectares.

The jurisdiction of the Historic Shipwrecks Act is not limited to Commonwealth marine areas as defined by the EPBCA, as it protects historic shipwrecks and associated relics found in Australian waters from the low water mark to the edge of the continental shelf, including the coastal waters of the Australian States and Territories.

The requirements of the Historic Shipwrecks Act must be taken into consideration when applying for any State, Territory or Commonwealth planning approval for actions or developments in these waters.

Any actions involving contact with the seabed, or operations in close proximity to the seabed, have the potential to damage, destroy or interfere with historic shipwrecks and it is strongly recommended that potential bidders should seek professional advice and develop risk mitigation strategies to prevent committing an offence under the Historic Shipwrecks Act.

When undertaking actions in the marine environment, proponents and their contractors must conform to all requirements of the Historic Shipwrecks Act and must:

- not damage, destroy or interfere with any historic shipwrecks or relics that may be encountered during the course of a proposed action without a permit
- not enter or conduct activities within a shipwreck protected zone without first obtaining a permit under the Historic Shipwrecks Act
- provide a written notification of the discovery of any suspected shipwreck or shipwreck relics identified during the course of the proposed action including:
  - i. a detailed description of the remains of the shipwreck or of the relic. This could include sonar images, electronic data and digital photographs
  - ii. a description of the place where the shipwreck remains or relic is located that is sufficiently

detailed to allow it to be identified and re-located including navigation data and datum information.

It should be noted that, although the Historic Shipwrecks Act does not currently provide for the protection of the natural environment associated with shipwrecks, these natural components form an integral part of historic shipwreck sites and are often critical to the long term preservation of shipwrecks and relics. Damage to these natural components can result in increased deterioration of shipwrecks and consequently affect the shipwrecks role as a marine habitat.

Further information about the Historic Shipwrecks Act can be found at: [www.environment.gov.au/aggregation/historic-shipwrecks](http://www.environment.gov.au/aggregation/historic-shipwrecks)

#### *Cetaceans and the EPBCA*

The 2014 Release Areas includes areas that are in, or in proximity, to recognised cetacean migration corridors and areas listed as biologically important areas for, breeding, calving, resting and feeding.

Applicants should be aware that cetaceans are present in all Australian marine waters, and should particularly note that each year, endangered and migratory southern right whales (*Eubalaena australis*) and vulnerable and migratory humpback whales (*Megaptera novaeangliae*) migrate to warm waters off Australia to breed and calve. These movements mostly occur between May and November, however, some whales arrive earlier and leave later.

In Australia, endangered and migratory southern right whales occupy calving/nursery grounds from May to October (occasionally as early as April and as late as November). During the months of November to May, the endangered and migratory blue whale (*Balaenoptera musculus*) is known to feed in certain locations in the southern waters of Australia. While the specific migration routes for the blue whale off Western Australia are uncertain, they are thought to begin to migrate northward to the Timor Sea from March/April to August, before returning south in September/October to December to feed. Migratory inshore dolphin species are found all year round in the tropical waters of northern Australia.

A policy statement on the interaction between offshore seismic exploration and whales has been developed by the Department of the Environment in consultation with the petroleum industry, whale research scientists and conservation groups. The *EPBC Act Policy Statement 2.1 - Interaction between offshore seismic exploration and whales (September 2008)* can be obtained at: [www.environment.gov.au/resource/epbc-act-policy-statement-21-interaction-between-offshore-seismic-exploration-and-whales](http://www.environment.gov.au/resource/epbc-act-policy-statement-21-interaction-between-offshore-seismic-exploration-and-whales)

The document outlines standard management measures (Part A) that should be used at all times when operating in Australian waters, and outlines additional management measures (Part B), which should be used in areas where there is a moderate to high likelihood of encountering whales. It should be noted that the intention of Policy Statement 2.1 is

to reduce the likelihood that seismic surveys will result in acoustic injury to whales and does not cover potentially significant behavioural impacts to whales, which may occur when whales are breeding, calving, resting or feeding.

The Policy Statement 2.1 states that seismic surveys should not be proposed in proximity to areas where and when cetaceans are likely to be breeding, calving, resting or feeding. Some proposed 2014 release areas in proximity to areas where whales are engaged in critical lifecycle activities. Activities and associated mitigation measures will need careful consideration and may require mitigation measures to be implemented which are beyond the scope of Policy Statement 2.1.

The Biologically Important Areas for cetaceans in the five marine regions are detailed in a Conservation Values Atlas online at: [www.environment.gov.au/topics/marine/marine-bioregional-plans/conservation-values-atlas](http://www.environment.gov.au/topics/marine/marine-bioregional-plans/conservation-values-atlas)

Part 8 of the *Environment Protection and Biodiversity Conservation Regulations 2000* outlines the requirements for all people interacting with cetaceans within Commonwealth waters. The regulations specify how vessels, aircraft and people must behave around these animals. For example, vessels must not deliberately approach whales closer than 100 m. Within 300 m vessels must use caution and travel at low speed. Touching or feeding whales and dolphins is prohibited.

Further information is contained within the *Australian National Guidelines for Whale and Dolphin Watching 2005*, which has also been adopted by all States and Territories, and is available at: [www.environment.gov.au/resource/australian-national-guidelines-whale-and-dolphin-watching-2005](http://www.environment.gov.au/resource/australian-national-guidelines-whale-and-dolphin-watching-2005)

#### *Marine Bioregional Planning*

A Marine Bioregional Planning Program has been implemented under the EPBCA. The two key outputs of the Program are the development of four Marine Bioregional plans, to guide decisions under the EPBCA, and the identification and establishment of a network of marine reserves in Commonwealth waters, which has seen more than 2.3 million square kilometres added to Australia's national network of marine protected areas.

Marine Bioregional plans were released in August 2012 for the South-west, North-west, North and Temperate East Marine Regions. The Marine Bioregional plans contain detailed information in two schedules. These plans provide a comprehensive description of the conservation values, the pressures these values are under and priorities for further effort and investment. They include a description of key conservation and heritage priorities, as well as current and emerging pressures on the marine environment. The plans also provide advice to people wishing to undertake new activities within Commonwealth waters about the relative risk of significant impact that certain activities may represent for matters of National Environmental Significance. The Marine Bioregional Plan information is located at: [www.environment.gov.au/topics/marine/marine-bioregional-plans](http://www.environment.gov.au/topics/marine/marine-bioregional-plans)

Pressures on some of the conservation values relevant to the petroleum exploration and GHG storage industries include:

- For various cetaceans - chemical pollution/contaminants, nutrient pollution, marine debris, noise pollution, physical habitat modification, human presence at sensitive sites, collision/entanglement with infrastructure, collision with vessels and oil pollution
- For various marine turtles - marine debris, noise pollution, nutrient pollution, changes to turbidity, light pollution, invasive species, physical habitat modification and collision with vessels
- For sea snakes - physical habitat modification and oil pollution
- For various elasmobranchs (sharks, rays and skates) - chemical pollution/contaminants, and marine debris
- For various seabirds - chemical pollution/contaminants, changes to turbidity, marine debris, human presence at sensitive sites, human presence at sensitive sites, physical habitat modification, invasive species, light pollution.

The 2014 GHG Release Areas may overlap with Key Ecological Features which have been identified as part of marine bioregional planning process. Key Ecological Features assist in defining the Commonwealth marine environment, a matter of National Environmental Significance under the EPBCA, and are elements of the ecosystem that are considered to be of regional importance for biodiversity or ecosystem function and integrity. They include habitats, specific benthic or pelagic features, species groups or ecological communities. Further information about Key Ecological Features can be found at: [www.environment.gov.au/topics/marine/marine-bioregional-plans/conservation-values-atlas](http://www.environment.gov.au/topics/marine/marine-bioregional-plans/conservation-values-atlas)

The 2014 GHG Release Areas may also overlap with Biologically Important Areas. Biologically Important Areas spatially define areas where aggregations of individuals of a species are known to display biologically important behaviour.

Maps of Biologically Important Areas (for species including cetaceans, marine turtles and migratory birds) are available in the Conservation Values Atlas online at: [www.environment.gov.au/topics/marine/marine-bioregional-plans/conservation-values-atlas](http://www.environment.gov.au/topics/marine/marine-bioregional-plans/conservation-values-atlas)

## Fishing Activities

The Australian Fisheries Management Authority (AFMA) represents the interests of the Australian community in the management of fisheries resources in Commonwealth waters. AFMA is committed to the sustainable and economically efficient use of fisheries resources and would like to minimise the impact of offshore GHG storage activities on the sustainability and productivity of fish stocks and any operational conflicts between fishing and GHG storage activities.

AFMA has developed Guidelines for the petroleum industry which provides clarity about AFMA's role and expectations in relation to consultation.

The Guidelines offer information about fisheries and how to consult with the fishing industry, which is required for the preparation of Environment Plans under the Environment Regulations.

The Guidelines are provided as part of a 'one stop shop' for the exploration industry on AFMA's website at: [www.afma.gov.au/managing-our-fisheries/environment-and-sustainability/petroleum-industry-consultation/](http://www.afma.gov.au/managing-our-fisheries/environment-and-sustainability/petroleum-industry-consultation/)

The intent of the Guidelines can equally apply to consultation on GHG storage activities as well as the petroleum industry.

The level of consultation will be dependent upon the type and scale of the activity and subsequent likelihood of impact on fishing. Any type of activity which could cause spatial or temporal disturbance to fishing or scientific management should be the subject of consultation.

In order for AFMA to consider the impact of proposals, clear maps with locations of proposed developments (in latitude and longitude in datum WGS 1984) and associated title references should be sent to AFMA via email at: [petroleum@afma.gov.au](mailto:petroleum@afma.gov.au).

Consultation with the fishing industry should be undertaken in respect of all activities and early in the planning stages of GHG assessment and injection activities prior to commencing operations. AFMA's 'one-stop-shop' contains a Fishing Consultation Directory of contacts for fishing industry associations in each fishery (where they exist). In some Commonwealth fisheries, there are no associations other than the Commonwealth Fisheries Association. Another option for potential bidders is to access the names and addresses of individual Commonwealth Statutory Fishing Rights, Fishing Permit and High Seas Permit holders from the Public Register, which can be obtained from AFMA Licensing for a prescribed fee of \$50 (per entity).

Management Advisory Committees (MACs) provide AFMA with advice regarding the management of individual fisheries, including issues relating to other uses of the marine environment. AFMA, MACs and the broader fishing industry are concerned about some of the impacts of petroleum exploration and GHG storage assessment on the marine environment.

### Seismic surveys

Concerns continue to be expressed about the impact of seismic surveys on the movements of migratory species, as well as on schools of fish which may disperse for prolonged periods following surveys. There are also specific anxieties relating to the potential impact of seismic surveys on fish populations, particularly when conducted over large areas or entire reefs. The AFMA encourages thorough consultation with industry in relation to this issue.

### Debris

AFMA wishes to stress the importance of removing debris, and requests that proponents make every attempt to leave exploration areas free of obstruction. In circumstances where this is not practicable, any remaining debris should be promptly reported to the relevant peak fishing industry bodies.

#### **Australian Fisheries Management Authority**

Policy, Environment, Economics and Research Section  
Box 7051, Canberra BC  
CANBERRA ACT 2610  
Telephone: +61 2 6225 5555  
Email: [petroleum@afma.gov.au](mailto:petroleum@afma.gov.au)

## **Navigation**

The Australian Maritime Safety Authority (AMSA) is a Commonwealth agency responsible for maritime safety, protection of the marine environment and maritime and aviation search and rescue. Potential bidders should note that significant commercial shipping will be encountered in some Release Areas and collision risks and precautions must be addressed in all cases.

Before commencing any exploration, drilling or development operation, proponents must contact AMSA's Nautical and Regulation Section (Email: [NauticalAdvice@amsa.gov.au](mailto:NauticalAdvice@amsa.gov.au)) with a view to obtaining shipping traffic data and to discuss what anti-collision and/or preventative measures may be required by AMSA. Such measures may include warning and navigational lights, Automatic Identification System (AIS) beacons and an offshore guard vessel that is able to monitor traffic and ensure anti-collision action is taken in the event of a vessel approaching on a collision course.

For assessment and injection drilling activities including the use of Mobile Offshore Drilling Units (MODU), proponents should take all possible and practicable action to avoid any stationary/Dynamic Positioning drilling activities, including the related drilling exclusion zones, to be conducted within a chartered Shipping Fairway.

For non-drilling assessment activities including hydrographic surveys, 2D and 3D seismic surveys and bottom sampling, proponents are requested to liaise closely with the Nautical and Regulation Manager of AMSA regarding navigational safety including identification of suggested preventative anti-collision or avoidance measures. In addition to safety measures, AMSA may recommend proposed changes to survey run lines and/or modifications to proposed operational areas within a title.

Assessment drilling and development activities should be avoided within, and in the approaches to, chartered Shipping Fairways and are not permitted within International Maritime Organisation adopted Traffic Separation Schemes.

Further information regarding ship safety is available at: [www.amsa.gov.au/navigation/shipping-management/offshore-activities/](http://www.amsa.gov.au/navigation/shipping-management/offshore-activities/)

Information regarding related spatial data requests including digital data and map products can be found

at: [www.amsa.gov.au/community/online-service](http://www.amsa.gov.au/community/online-service)

## **Telecommunication (Submarine) Cables**

Submarine telecommunication cables carry the bulk of Australia's international voice and data traffic and are a vital component of our national infrastructure linking Australia with other countries. Submarine cables are vulnerable to damage and breakage, which can have serious consequences for the flow of information to and from Australia.

The Department of Communications has responsibility for Schedule 3A of the *Telecommunications Act 1997*, which is administered by the Australian Communications Media Authority.

The *Telecommunications Act 1997* provides for submarine cable protection zones to be declared around international submarine cables that are considered to be of national significance. Certain activities, including exploring for resources and mining, are prohibited or restricted in protection zones. There are currently three protection zones: the North and South Sydney Protection Zones and the Perth Protection Zone.

The 2014 Release Areas do not appear to be in the vicinity of existing protection zones. However, the protection zone regime does not cover domestic cables or all international cables. Potential bidders are, therefore, urged to contact submarine cable providers early in their planning processes to ensure they do not inadvertently damage telecommunications cables.

Particular attention should be paid to the three telecommunications cables across Bass Strait, two of which are operated by Telstra. The third is operated by Basslink, which is collocated with its electricity cable. The relevant contacts for the cables across Bass Strait are:

#### **Telstra**

Zack Gurdon  
General Manager Enterprise Security and Resilience  
Ph: 03 8649 5454  
Email: [zack.gurdon@team.telstra.com.au](mailto:zack.gurdon@team.telstra.com.au)

#### **Basslink**

Malcolm Eccles  
Chief Executive Officer  
Ph: 03 9607 4712  
Email: [malcolm.eccles@basslink.com.au](mailto:malcolm.eccles@basslink.com.au)

## **Insurance**

Under the OPGGSA, successful bidders are required to maintain adequate insurance against expenses or liabilities in relation to activities pursuant to the assessment permit, including the expenses of complying with directions with respect to remedying the effects of the escape of GHG.

## Native Title

Native title is the recognition by Australian law that some Indigenous people have rights and interests to their land that come from their traditional laws and customs.

The native title rights and interests held by particular Indigenous people will depend on both their traditional laws and customs and what interests are held by others in the area concerned. Generally speaking, native title must give way to the rights held by others. The capacity of Australian law to recognise the rights and interests held under traditional law and custom will also be a factor.

Native title rights and interests may include rights to:

- Live on the area
- Access the area for traditional purposes, like camping or to do ceremonies
- Visit and protect important places and sites
- Hunt, fish and gather food or traditional resources like water, wood and ochre
- Teach law and custom on country.

In some cases, native title includes the right to possess and occupy an area to the exclusion of all others often called 'exclusive possession'. This includes the right to control access to, and use of, the area concerned. However, this right can only be recognised over certain parts of Australia, such as unallocated or vacant Crown land and some areas already held by, or for, Indigenous people.

Native title rights and interests differ from Indigenous land rights in that the source of land rights is a grant of title from government. The source of native title rights and interests is the system of traditional laws and customs of the native title holders themselves.

The National Native Title Tribunal can be contacted at: [enquiries@nntt.gov.au](mailto:enquiries@nntt.gov.au)

## Further Notices

Any further notices and related issues identified by the Australian Government will be advised in the *Australian Petroleum News*, a free occasional newsletter produced by the Department of Industry. Stakeholders are encouraged to register to receive this newsletter by emailing: [petroleum.exploration@industry.gov.au](mailto:petroleum.exploration@industry.gov.au)

The mailing list is not used for any purposes other than disseminating the *Australian Petroleum News* and notifying registered parties of associated petroleum issues. There is no charge for this service.

## NOTICES FOR SPECIFIC AREAS

### RELEASE AREAS OFF VICTORIA

#### Gippsland Basin

#### VIC14-GHG-1, VIC14-GHG-2, and VIC14-GHG-3

#### Environment protection

##### Commonwealth Marine Environment

The release areas, VIC14-GHG-1, VIC14-GHG-2 and VIC14-GHG-3, are approximately 55 km from the Beagle Commonwealth Marine Reserve. The reserve is a Multiple Use Zone (IUCN Category VI). The major conservation values of this Commonwealth Marine Reserve include:

- ecosystems, habitats and communities associated with the Southeast Shelf Transition and with sea-floor features such as the basin, plateau, shelf and sill
- important migration and resting on migration area for the endangered and migratory southern right whale (*Eubalaena australis*)
- important foraging area for species including the great white shark (*Carcharodon carcharias*); shy albatross (*Thalassarche cauta cauta*); short-tailed shearwater (*Ardenna tenuirostris*); killer whale (*Orcinus orca*); crested tern (*Thalasseus bergii*); Australian fur seal (*Arctocephalus pusillus*); and little penguin (*Eudyptula minor*)
- cultural and heritage sites, such as the wreck of the steamship SS Cambridge and the wreck of the ketch Eliza Davies.

Further information about this and other Commonwealth Marine Reserves in the larger proximity is located at: [www.environment.gov.au/topics/marine/marine-reserves](http://www.environment.gov.au/topics/marine/marine-reserves)

These release areas are approximately 35 km away from the Upwelling East of Eden Key Ecological Feature. The values of this feature include oceanographic features, nutrients, plankton and predatory fishes.

##### Threatened and Migratory Species

A number of EPBCA listed threatened and migratory species are found in or near the release areas. Activities planned for these release areas during biologically important times for listed threatened and migratory species are likely to be subject to close scrutiny under the EPBCA.

##### *Cetaceans*

The endangered and migratory blue (*Balaenoptera musculus*) and southern right (*Eubalaena australis*) whales and vulnerable and migratory humpback (*Megaptera*)

*novaeangliae*) whale are known or likely to occur in these acreage areas.

### Reptiles

The endangered and migratory loggerhead turtle (*Caretta caretta*) and leatherback turtle (*Dermochelys coriacea*) and vulnerable and migratory green turtle (*Chelonia mydas*) are known or likely to occur in these acreage areas.

### Migratory Birds

The release areas lie within foraging areas for numerous threatened and migratory seabirds such as the flesh-footed shearwater (*Puffinus carneipes*), albatross (*Thalassarche spp.*), and petrels (*Pterodroma spp.*).

### Ramsar wetlands

The three release areas, VIC14-GHG-1, VIC14-GHG-2 and VIC14-GHG-3 are located approximately 5.9 km, 16.5 km and 17.6 km, respectively, from Gippsland Lakes Ramsar Site and approximately 46.8 km, 25.2 km and 8.7 km, respectively, from Corner Inlet Ramsar site.

### Gippsland Lakes Ramsar Site

The Ramsar site is an extensive system of estuarine, fresh and brackish coastal wetlands, with a diversity of wetland types present including lagoons, marshes and tree-swamps. Ground water is a critical component of the hydrological regime of the site. The site provides habitat for a significant amount of endangered and vulnerable mammals, fish species and plant species as well as critical habitat for migratory birds. This include the vulnerable green and golden bell frogs (*Litoria aurea*) and growling grass frogs (*Litoria raniformis*), and the vulnerable and endangered wetland-associated flora species dwarf kerrawang (*Rulingia prostrate*), swamp everlasting (*Xerochrysum palustre*) and metallic sun-orchid (*Thelymitra epipactoides*).

This site also regularly supports between 40,000 and 50,000 waterbirds and regularly supports more than one per cent of the population of several migratory species. The estuary also supports important breeding habitat for fish species including several of direct fisheries importance such as black bream.

### Corner Inlet Ramsar Site

The Ramsar site supports a diversity of wetland types including sand or mud flats, deep subtidal channels, mangroves, saltmarsh, seagrass beds and terrestrial habitats on the sand islands. The site provides habitat for the critically endangered and migratory orange-bellied parrot (*Neophema chrysogaster*), as well as several other vulnerable and endangered species, including the growling grass frog (*Litoria raniformis*) and Australian grayling (*Prototroctes maraena*).

The site also regularly supports more than 40,000 waterbirds including a significant proportion of the total global population of a number of species and at least 24 migratory species. Corner Inlet also supports approximately 171 fish species and more than 390 native flora species.

If a GHG storage activity is undertaken in the release area it is unclear at this stage as to the level of risk this action may pose on the Ramsar sites, given the limited understanding of the longevity of gas storage, the distance between the release area, any subsea-bed geological formations, and the Ramsar site, as well as the tidal hydrology and the weather patterns in the area. Potential bidders should be aware that any proposed GHG activity in this region may require assessment and approval under the EPBCA.

Further information about Ramsar wetlands is located at: [www.environment.gov.au/wetlands](http://www.environment.gov.au/wetlands)

### Navigation

Release Area VIC14-GHG-1 is situated between the coastal waters (3 nautical mile) and Territorial Sea area (12 nautical mile) limits.

Low volume coastal shipping traffic can be expected within this area.

Three separate oil and gas pipelines run through this area from the coast out to various installations and any seafloor exploration activity would need to take account of these facilities.

The area also contains the Whiptail 1A oil platform and well, with a depth recorded as 38 m and is charted on map AUS357 – South East Point to Point Hicks. To the west of this position is a disused well with a depth of 36 m, which is also charted on map AUS357.

The western most edge of the release area crosses over an Area to be Avoided (ATBA) with the main body of the release area within the ATBA.

The ATBA is a large defined area in the Bass Strait for the protection of oil and gas infrastructure and detailed in schedule 2 to the OPGGSA.

The ATBA has been approved by International Maritime Organization and should not be entered by unauthorised ships over 200 tonnes, gross tonnage.

Information on the ATBA including its location can be found in section 15 of the Annual Notices to Mariners located at: [www.hydro.gov.au/n2m/2014/annual/annual\\_ntm\\_2014.pdf](http://www.hydro.gov.au/n2m/2014/annual/annual_ntm_2014.pdf)

Relevant information on Petroleum Safety Zones including information on the ATBA and application for authorisation to enter the ATBA is located at: [www.nopsema.gov.au/safety/petroleum-safety-zones/](http://www.nopsema.gov.au/safety/petroleum-safety-zones/)

Release Area VIC14-GHG-2 is situated between the coastal waters (3 nautical mile) and Territorial Sea area (12 nautical mile) limits.

Medium volume coastal and offshore support shipping traffic can be expected within this area.

One gas and one oil and gas pipeline run through the area which also contains the Perch oil platform and well that is charted on map AUS357 – South East Point to Point.

Detailed individual asset listings for production related infrastructure is located

at: [nremap.nre.vic.gov.au/Website/hlinks/mpd/dbmap\\_html/well/perch4.htm](http://nremap.nre.vic.gov.au/Website/hlinks/mpd/dbmap_html/well/perch4.htm)

Release Area VIC14-GHG-3 is situated between the coastal waters (3 nautical mile) and Territorial Sea area (12 nautical mile) limits.

Medium volume coastal and offshore support shipping traffic can be expected within this area.

The area contains a number of artefacts including an Historic Wreck with Protected Zone and a submarine power cable.

Potential bidders should also note that The Traffic Separation Scheme south of Wilsons Promontory and in Bass Strait has been adopted by the International Maritime Organisation.

Ships operating in or near traffic separation schemes must comply with Rule 10 of the International Regulations for Preventing Collisions at Sea 1972. Specifically, AMSA's Marine Order 30 (inc Rule 10)

refers: [www.amsa.gov.au/vessels/standards-regulations/marine-orders/documents/MO30-modcomp-130729Z.pdf](http://www.amsa.gov.au/vessels/standards-regulations/marine-orders/documents/MO30-modcomp-130729Z.pdf)

## **Fishing activities**

These areas are within the Bass Strait Central Zone Scallop Fishery, Eastern Skipjack Tuna Fishery, Eastern Tuna Billfish Fishery, South Eastern Scalefish and Shark Fishery, Southern Squid Jig Fishery, Small Pelagic Fishery and Southern Bluefin Tuna ranges. Historical AFMA logbook data for 2009 to 2013 indicates that vessels from the Gillnet Hook and Trap and Commonwealth Trawl sectors of the South Eastern Scalefish and Shark Fishery have been very active in these release areas. AFMA recommends successful bidders liaise with representatives of these fishing interests as well as peak industry bodies, the Commonwealth Fisheries Association and the Seafood Industry Victoria, at an early stage in planning operational activities.

The South East Management Advisory Committee that provides AFMA with advice regarding the management of fisheries in the region has previously expressed concerns regarding any offshore exploration within the waters of the South Eastern Scalefish and Shark Fishery. While there is general acceptance that there is little, if any, pathological impact on sharks, there is a concern related to behavioural changes occurring during seismic surveys - particularly with respect to the movement of shark from fishing grounds, and the disturbance of seasonal movements of breeding stock to pupping areas. It is recommended that any seismic survey or well drilling proposed under a GHG assessment permit for new offshore GHG assessment areas be provided to interested marine user groups for comment at least one month prior to their approval by the relevant authorities.

Geoscience Australia is currently working on a collaborative project with the CSIRO to investigate if there is any correlation between historic fish-catch and marine seismic surveys in the Gippsland Basin. Results from the study are due in October 2014.