



Submission to the Senate Inquiry into the potential environmental, social and economic impacts of BP's planned exploratory oil drilling project, and any future oil or gas production in the Great Australian Bight

Environment and Communications References Committee

Introduction

The Australian Maritime Safety Authority (AMSA) was established under the *Australian Maritime Safety Authority Act 1990* (AMSA Act) primarily to minimise the risk of shipping incidents and pollution in Australian waters, through ship safety and environment protection regulation and services, and maximise people saved from maritime and aviation incidents through search and rescue coordination.

In relation to the mitigation of the effects of oil spills, Objective 2A(b) of the AMSA Act is to protect the marine environment from:

- (i) Pollution from ships; and
- (ii) Other environmental damage caused by shipping.

Under Objective 6(1)(a) of the AMSA Act, the Authority's function is to combat pollution in the marine environment.

AMSA does not have a regulatory role in regard to offshore oil and gas drilling and production activities. This role is fulfilled by the National Offshore Petroleum Safety and Environmental Management Authority (NOPSEMA).

AMSA administers the National Plan for Maritime Environmental Emergencies, which recognises the role of NOPSEMA and the responsibilities of offshore petroleum titleholders in regard to pollution response.

AMSA's submission addresses the terms of reference for the inquiry at (d) - the capacity, or lack thereof, of government or private interests to mitigate the effect of an oil spill.

The National Plan for Maritime Environmental Emergencies

The National Plan for Maritime Environmental Emergencies (National Plan) sets out national arrangements, policies and principles for the management of maritime environmental emergencies. It provides policy and guidance on pollution preparedness and response and describes how governments and industry cooperate to respond to shipping incidents and marine spills.

The National Plan has been in operation since 1973 and is a cooperative arrangement between Commonwealth and state/Northern Territory governments and industries. The National Plan recognises the need to maintain a shared responsibility and the commitment of stakeholders in order to achieve a timely and effective response to spills.

The National Plan is managed by AMSA, which represents the Australian Government at the International Maritime Organization (IMO) in relation to Australia's obligations under the *International Convention on Oil Pollution Preparedness, Response and Co-operation, 1990* (OPRC Convention); and the *Protocol on Preparedness, Response and Co-operation to Pollution Incidents by Hazardous and Noxious Substances, 2000* (OPRC-HNS Protocol). The functions of AMSA include:

- maintaining the National Plan
- maintaining Commonwealth contingency plans
- managing the National Response Team, including training and development
- providing a national response equipment capability
- coordinating the national training programme
- maintaining uniform standards and testing protocols for oil spill dispersants and other chemical response agents
- managing research and development projects
- coordination and support of jurisdictions' geospatial capability
- management of trajectory modelling
- managing the national emergency towage vessel and fixed-wing aerial dispersant contracts
- providing secretariat services for National Plan committees and technical groups, and
- undertaking international liaison as necessary.

The National Plan and the Offshore Petroleum Industry

Marine pollution response plans are prepared by Commonwealth and state/Northern Territory governments, port corporations, industry and operators of offshore petroleum facilities. These plans set out the detailed information required to implement the National Plan at state, regional and local levels.

The National Plan recognises that under the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* NOPSEMA is the primary regulator for offshore petroleum activities in the Commonwealth marine area. The National Plan further identifies the Offshore Petroleum Titleholder as the Control Agency for all oil spills from its facilities within Commonwealth jurisdiction and notes that titleholders must have appropriate emergency response arrangements that guarantee access to response capability commensurate with the risks from their activities.

The arrangements for marine pollution incidents in states and Northern Territory waters vary in accordance with their own legislation and emergency management systems within those jurisdictions.

Conclusion

In summary, AMSA's submission to the inquiry draws the Senate Committee's attention to the cooperative arrangements set out in the National Plan that support the capacity of governments (Australian and state/territory) and private interests to respond to maritime environmental emergencies.

The National Plan is at Attachment 1 to this submission and can also be accessed at http://www.amsa.gov.au/forms-and-publications/publications/national_plan.pdf.