

Submission to NOPSEMA
from Surf Coast Women's Boardriders
on TGS Otway Basin 3D Multi-client Marine Seismic Survey
Environmental Plan



Sue McCarrey
Chief Executive Officer
NOPSEMA

Dear Ms McCarrey

Thank you for the opportunity to comment on the TGS Otway Basin 3D Multi-Client Marine Seismic Survey ('seismic survey') Environmental Plan.

I am the Chair of the Surf Coast Women's Boardriders (SCWB), a surfing club based in Torquay, Victoria. SCWB represents approximately 80 paid members, as well as over 1500 supporters through social media who form part of our broader community. As surfers, all of SCWB's members are marine users of the coastal environments and sea country that span Victoria's western coast from Melbourne (Naarm) to the South Australian border. The physical and natural resources that cover these environments are critical to our wellbeing, individually and as a community. Our health, wellbeing and social connections rely on these environments and any disruption to them, whether temporary or permanent, has significant impacts for us.

We also acknowledge the continuing connection and cultural practices of the First Nations peoples who have been stewards of the Sea Country extending across the coastal areas now known as Victoria since time immemorial. We note that their ability to practice their culture is a human right protected by Australian and international human rights law. Accordingly, we do not support any disruption to cultural practices and songlines of those First Nations peoples related to whale migration pathways and breeding cycles which are at high risk due to the seismic survey. The Environmental Plan confirms these impacts and the likelihood of encountering Southern Right Whales and other cetacean species during the seismic survey (see pages 155 and section 7).

About SCWB

SCWB was established in January 2020 and since then has grown to include a membership of approximately 80 women and non-binary people who surf on the Surf Coast. While we are based in Torquay, our membership spans a large area of western Victoria, and includes women who reside on the Surf Coast, the Bellarine region, Greater Geelong, Melbourne, Ballarat and across to the Otways.

Our club aims to provide a welcoming, safe and fun community for women who surf. We are primarily a social club that supports women to get in the water and encourages ways to help them protect the spaces we play in through coast care. Each year, we hold a range of surf events, skills sessions, camping trips and social gatherings along Victoria's western coastline.

SCWB is a 'relevant person' under regulation 11A(d) of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009* (Cth), as it is an organisation whose functions, interests and activities may be affected by the seismic survey to be carried out under the Environmental Plan. Specifically, the functions, interests and activities of SCWB involve supporting the participation of

Submission to NOPSEMA
from Surf Coast Women's Boardriders
on TGS Otway Basin 3D Multi-client Marine Seismic Survey
Environmental Plan



our members and supporters in surfing and the Environment that May Be Affected (EMBA) includes beaches, breaks and surf spots that are used frequently by our members and for surf events and gatherings held by SCWB. This includes the coastline from the Bellarine Peninsula to Port Fairy and further west of the Otways.

SCWB comments on TGS Otway Basin 3D MC MSS Environmental Plan

For the reasons outlined below, SCWB considers that the Environmental Plan does not meet the criteria for NOPSEMA's acceptance, set out under regulation 10A of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009* and should, therefore, be refused.

A. The Environmental Plan is not appropriate for the nature and scale of the seismic survey activities proposed.

Regulation 13(2) of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009* requires that the Environmental Plan describe the existing environment that may be affected by the activity and provide details of the particular relevant values and sensitivities of that environment. The definition of 'environment' set out in regulation 4 includes social, economic and cultural features.

Under the heading 'Surfing', section 4.7.2.4 of the Environmental Plan provides a brief description of a few of the surf breaks along the Great Ocean Road west of Cape Otway. The nature and scale of surfing within the broader EMBA is not sufficiently described in the Environmental Plan and the Environmental Plan is silent regarding any of the social, economic and cultural impacts that are a significant risk as a result of the proposed seismic survey.

Relevant consideration has not been made for the social wellbeing of coastal communities. Indirect impacts from the seismic surveying on coastal areas have not been outlined. Impacts have the potential to disrupt social and recreational users of these spaces.

B. The Environmental Plan does not demonstrate that the environmental impacts and risks of the seismic survey will be reduced to as low as reasonably practicable.

SCWB is of the view that key critical environmental impacts and risks have not been identified within the Environmental Plan, and where environmental impacts and risks have been outlined, the controls proposed to mitigate them are insufficient.

Oil spills and other marine pollution at sea by TGS in undertaking the seismic survey and in potential oil and gas production activities are an unnecessary risk, particularly for surfers. The EMBA zone shows oil spills may reach much of the Victorian and Tasmanian coastlines that are inaccessible to enable amelioration of the damage. Further, many of the chemical dispersants utilised by industry to clean up oil spills are known carcinogens. The risks to human health, marine life and coastal ecologies have not been adequately addressed in the Environmental Plan, and SCWB believes that a precautionary approach is required given the presence of these risks is reasonably foreseeable.

The continuous nature of the proposed seismic survey (airguns blasts of up to 258 decibels, every 10-seconds, 24 hours a day, 7 days a week) and the disturbance and disruption to the marine

Submission to NOPSEMA
from Surf Coast Women's Boardriders
on TGS Otway Basin 3D Multi-client Marine Seismic Survey
Environmental Plan



environment this will cause, will impact the amenity and usability of the beaches, breaks and surf spots within the EMBA. In addition, the Operational Area of 55000 sq km for this seismic surveying proposal includes large areas of the Zeehan Marine Park and overlaps the western boundary of the Nelson Marine Park. The Environmental Plan does not address the ecological importance of these immense marine parks and the species known to inhabit it.

Research has shown that seismic surveying results in serious harm to a variety of marine life, such as whales. The sound impact on whales can deafen them and disrupt their feeding and migration. The Environmental Plan fails to address the cumulative impact of seismic surveying and marine noise on marine life. It should provide specific impacts on the array of Baleen whales and the other 34 species that have been identified as being present by the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) Protected Matters Report.

C. The Environmental Plan does not demonstrate that the environmental impacts and risks of the seismic survey will be of an acceptable level.

The Environmental Plan does not sufficiently demonstrate the environmental impacts, or that the impacts will be of an acceptable level, with appropriate outcomes. The Environmental Plan is not consistent with the objectives, principles and requirements outlined in both the *Environment Protection and Biodiversity Conservation Act* and under international law.

The proposal to conduct seismic surveying for oil and gas exploration in our oceans will cause direct harm to ocean ecosystems. As seismic surveying is a pathway to fossil fuel extraction, plans to continue exploration go directly against Australia's commitments to reduce greenhouse gas emissions by 43% from 2005 levels, and net zero emissions by 2050.

D. The Environmental Plan does not provide for appropriate environmental performance outcomes, environmental performance standards and measurement criteria.

The Environmental Plan does not address performance outcomes, measures and targets related to the impacts of the seismic survey on surfing, as well as to surfing clubs, surfing schools and the related surfing industry that contributes significantly socially, recreationally and economically to Victoria and Australia. The environmental performance outcomes, standards and measures set out at section 7.1.7 of the Environmental Plan focus primarily on commercial fishing operators, and controls have not been identified for other marine users, including SCWB (and any other surf or boardriders club) as 'relevant persons' within the meaning of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009*.

E. The Environmental Plan does not include an appropriate implementation strategy and monitoring, recording and reporting arrangements

The Environmental Plan does not adequately describe or address the impacts of the seismic survey on surfers as marine users, nor does it set out environmental performance outcomes, controls, standards or measures. Given this, SCWB considers that its implementation strategy, monitoring, recording and reporting arrangements are inappropriate, insufficient and ineffective to meet the significant risks and impacts highly likely as a consequence of the proposed seismic survey.

Submission to NOPSEMA
from Surf Coast Women's Boardriders
on TGS Otway Basin 3D Multi-client Marine Seismic Survey
Environmental Plan



F. The Environmental Plan involves seismic surveying which may impact the overall ecology of declared World Heritage properties within the meaning of the *Environment Protection and Biodiversity Conservation Act*.

The Environmental Plan does not sufficiently identify nor address the potential impacts of the seismic survey activities on declared World Heritage properties. The fauna that inhabit and migrate through these properties should be considered as part of the ecology and environment of these properties. The Environmental Plan does not sufficiently address these considerations, particularly in relation to the Tasmanian Wilderness, including not identifying or assessing the potential impacts on the New Zealand Sub-Antarctic Islands and seabird species that migrate across these areas and the seismic survey's Operational Area.

G. The Environmental Plan does not demonstrate that the titleholder has carried out the consultations required by Division 2.2A of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009* (Cth), and, accordingly, the Environmental Plan does not outline appropriate measures that are proposed to adopt because of the consultations.

As stated above, SCWB is a 'relevant person' under regulation 11A(d) of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009*. SCWB has not been contacted by TGS in relation to proposed activities, and in particular, no prior information has been provided to SCWB to support an informed assessment of the possible consequences of the seismic survey on SCWB's functions, interests or activities. Because there has been no consultation with SCWB, the Environmental Plan does not identify nor address any measures to mitigate or manage the foreseeable impacts and risks on SCWB's activities as a consequence of the seismic survey.

H. The Environmental Plan does not comply with the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* and relevant regulations instruments.

For the reasons set out above, SCWB does not believe that the Environmental Plan complies with relevant law and regulations and therefore should not be accepted.

Should there be any further questions in relation to this submission, or to consult in relation to the proposed seismic survey, please contact Ashika Kanhai, Chair, at info@surfcoastwomensboardriders.org.au.

Yours sincerely

Ashika Kanhai
Chair