



Form 59

Rule 29.02(1)

Affidavit

Federal Court of Australia

No. VID 647 of 2023

District Registry: Victoria

Division: Administrative and Constitutional Law and Human Rights

RAELENE COOPER

Applicant

NATIONAL OFFSHORE PETROLEUM SAFETY AND ENVIRONMENTAL MANAGEMENT AUTHORITY
and others

Respondents

THIS DOCUMENT IS IN A FORM THAT MAY BE UPLOADED TO THE ONLINE FILE

Affidavit of: **Jessica Border**
Address: Level 2, 37 St Georges Terrace, Perth WA 6000
Occupation: Solicitor
Date: 7 September 2023

CONTENTS

Document number	Details	Paragraph	Page
1.	Affidavit of Jessica Border in support of originating application for interlocutory orders on 07/09/2023		1
2.	Document JLB-2.1, being a copy of an email and attached letter from Allens to EDO dated 5 September 2023	7	27
3.	Document JLB-2.2, being a copy of an email from Woodside to EDO dated 16 March 2023	25	29
4.	Document JLB-2.3, being a copy of an email and attached letter from EDO to Woodside dated 24 March 2023	27	31


.....
Witness


.....
Deponent

Filed on behalf of Raelene Cooper, Applicant
Prepared by Jessica Border
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Document number	Details	Paragraph	Page
5.	Document JLB-2.4, being a copy of an email from Woodside to EDO dated 29 March 2023	28	38
6.	Document JLB-2.5, being a copy of an email and attached letter from EDO to NOPSEMA dated 6 April 2023	29	46
7.	Document JLB-2.6, being a copy of an email and attached letter from Woodside Energy to NOPSEMA dated 17 April 2023	30	56
8.	Document JLB-2.7, being a copy of an email and attached letter from EDO to Woodside dated 18 April 2023	31	74
9.	Document JLB-2.8, being a copy of an email from EDO to Woodside dated 18 April 2023	33	82
10.	Document JLB-2.9, being a copy of an email from Woodside to EDO dated 9 May 2023	34	92
11.	Document JLB-2.10, being a copy of an email from EDO to Woodside dated 15 May 2023	35	103
12.	Document JLB-2.11, being a copy of an email from EDO to Woodside dated 1 June 2023	36	113
13.	Document JLB-2.12, being a copy of an email from Woodside to EDO dated 7 June 2023	37	124
14.	Document JLB-2.13, being a copy of an email from Woodside to EDO dated 9 June 2023	38	138
15.	Document JLB-2.14, being a copy of an email from Woodside to EDO dated 9 June 2023	39	154
16.	Document JLB-2.15, being a copy of an email from EDO to Woodside dated 9 June 2023	40	169
17.	Document JLB-2.16, being a copy of an email from Woodside to EDO dated 9 June 2023	41	184
18.	Document JLB-2.17, being a copy of an email from EDO to Woodside dated 10 June 2023	42	200
19.	Document JLB-2.18, being a copy of an email from EDO to Woodside dated 12 June 2023	44	218
20.	Document JLB-2.19, being a copy of an email from Woodside to EDO dated 12 June 2023	45	236
21.	Document JLB-2.20, being a copy of an email from EDO to Woodside dated 12 June 2023	46	257
22.	Document JLB-2.21, being a copy of an email from EDO to Woodside dated 14 June 2023	48	277
23.	Document JLB-2.22, being a copy of an email from EDO to Woodside dated 14 June 2023	49	297
24.	Document JLB-2.23, being a copy of an email and attached letter from EDO to NOPSEMA dated 28 June 2023	50	318

Document number	Details	Paragraph	Page
25.	Document JLB-2.24, being a copy of an email from NOPSEMA to EDO dated 4 July 2023	51	321
26.	Document JLB-2.25, being a copy of a letter from Woodside Energy to EDO dated 3 July 2023	52	323
27.	Document JLB-2.26, being a copy of an email from EDO to Woodside Energy dated 17 July 2023	53	327
28.	Document JLB-2.27, being a copy of an email from Woodside Energy to EDO dated 19 July 2023	54	329
29.	Document JLB-2.28, being a copy of an email from EDO to Woodside Energy dated 19 July 2023	55	333
30.	Document JLB-2.29, being a copy of an email from EDO to Woodside Energy dated 24 July 2023	56	340
31.	Document JLB-2.30, being a copy of an email from Woodside Energy to EDO dated 25 July 2023	57	348
32.	Document JLB-2.31, being a copy of an email from EDO to Woodside Energy dated 25 July 2023	60	357
33.	Document JLB-2.32, being a copy of an email and attachment from Woodside Energy to EDO dated 27 July 2023	61	359
34.	Document JLB-2.33, being a copy of an email from Woodside Energy to EDO dated 3 August 2023	62	370
35.	Document JLB-2.34, being a copy of an email from EDO to Woodside Energy dated 9 August 2023	63	376
36.	Document JLB-2.35, being a copy of an email chain between EDO and Woodside Energy dated 16 and 17 August 2023	67	384
37.	Document JLB-2.36, being a copy of an email from Woodside to EDO dated 21 August 2023	68	392
38.	Document JLB-2.37, being a copy of an email from Allens to EDO dated 21 August 2023	69	428
39.	Document JLB-2.38, being a copy of an email from EDO to Woodside Energy dated 22 August 2023	70	432
40.	Document JLB-2.39, being a copy of an email from EDO to Woodside Energy dated 25 August 2023	71	436
41.	Document JLB-2.40, being a copy of a selection of emails exchanged between Woodside Energy and EDO dated 25 August 2023	72	440
42.	Document JLB-2.41, being a copy of an email from Woodside Energy to EDO dated 29 August 2023	73	445
43.	Document JLB-2.42, being a copy of an email from EDO to Woodside Energy dated 30 August 2023	74	452
44.	Document JLB-2.43, being a copy of an email from Woodside Energy to EDO dated 1 September 2023	75	459

Document number	Details	Paragraph	Page
45.	Document JLB-2.44, being a copy of an email from EDO to Woodside Energy dated 4 September 2023	76	467
46.	Document JLB-2.45, being a copy of an email and attached letter from AGS to EDO dated 16 August 2023	78	476
47.	Document JLB-2.46, being a copy of an email from Allens to EDO dated 17 August 2023	80	478
48.	Document JLB-2.47, being a copy of an email and attached letter from Allens to EDO dated 21 August 2023	82	480
49.	Document JLB-2.48, being a copy of an email and attached letter from EDO to AGS and Allens dated 22 August 2023	83	490
50.	Document JLB-2.49, being a copy of an email from Allens to EDO dated 24 August 2023	84	493
51.	Document JLB-2.50, being a copy of an email and attached minute of consent orders from EDO to AGS and Allens dated 29 August 2023	86	497
52.	Document JLB-2.51, being a copy of an email and attached letter from Allens to EDO and AGS dated 30 August 2023	87	503
53.	Document JLB-2.52, being a copy of an email from EDO to AGS and Allens dated 31 August 2023	88	506
54.	Document JLB-2.53, being a copy of an email and attached letter from Allens to EDO dated 31 August 2023	89	509
55.	Document JLB-2.54, being a copy of a letter from AGS to EDO dated 1 September 2023	90	514
56.	Document JLB-2.55, being a copy of an email and attached letter from EDO to AGS and Allens dated 4 September 2023	91	520
57.	Document JLB-2.56, being a copy of an email and attached letter from AGS to EDO dated 5 September 2023	92	530
58.	Document JLB-2.57, being a copy of an email and attached letter from EDO to AGS dated 6 September 2023	93	535
59.	Document JLB-2.58, being a copy of the amended originating application for judicial review	94	540
60.	Document JLB-2.59, being a copy of an email and attached letter from EDO to AGS and Allens dated 6 September 2023 and proposed amended originating application	95	549

I, Jessica Border of Level 2, 37 St Georges Terrace in the State of Western Australia, Solicitor, affirm:

1. I am a Solicitor at the Environmental Defenders Office (EDO). I have worked as a lawyer for the EDO since 6 December 2022. Under the supervision of Clare Lakewood, Special Counsel, Safe Climate (Gas), EDO, the EDO acts for the Applicant (Ms Raelene Cooper) in this proceeding, and

for Ms Cooper and Ms Josie Alec in respect of their dealings with Woodside Energy Group (**Woodside Energy**).

2. The contents of this affidavit are true and correct to the best of my knowledge or belief. Where information is not within my direct knowledge, I have stated the source of that information.
3. This is the second affidavit I have deposed in this proceeding. The first affidavit I deposed was on 17 August 2023 (**First Border Affidavit**). Where I have defined terms in the First Border Affidavit, I use those defined terms in this affidavit.
4. I have reviewed business records held by the EDO in relation to the matters the subject of this affidavit and where I refer to email correspondence sent by or received from employees of the EDO where I have not been a named recipient to that correspondence, my knowledge of that correspondence comes from my review of those business records.
5. Where the notation [JLB-2.#] appears in this affidavit, it refers to a document in the bundle which is now produced and shown to me at the time I affirm this affidavit, being a document marked JLB-2.#, and a true copy of that document form **Annexure JLB-2** to this affidavit.
6. Where I depose to matters about Ms Alec and Ms Cooper and their knowledge and belief, that information is derived from conversations I have had with Ms Alec and Ms Cooper.

Purpose of Affidavit

7. This affidavit is made in support of an application for interlocutory relief following receipt of notification from the Second and Third Respondent, by letter under the cover of an email received at 7:43pm on 5 September 2023, giving notice of their intention to commence activity purportedly pursuant to the Seismic Survey EP. [JLB-2.1, p 27]

The Applicant

8. Murujuga, also known as the Burrup Peninsula, is an area located in the Pilbara region in far north Western Australia.
9. I am informed by Ms Josie Alec and Ms Raelene Cooper (the Applicant), and believe this to be a true account of their knowledge and belief:
 - (a) Ms Alec:
 - (i) is a Kuruma Mardudhunera lore woman and a Traditional Custodian of Murujuga;
 - (ii) has ancestral and bloodline ties to Kuruma, Mardudhunera, Ngarluma and Yindjibarndi peoples;
 - (iii) was given the totem animal *bungarra* or sand goanna;
 - (b) Ms Cooper:




- (i) is a Mardudhunera lore woman, elder and a Traditional Custodian of Murujuga;
 - (ii) was given the totem animals eagle and kangaroo;
 - (iii) has been a member of Murujuga Aboriginal Corporation (**MAC**) since its inception;
 - (iv) was the Chairperson of MAC between 2016 and 2017;
 - (v) resigned from the board of MAC on 11 February 2022;
 - (vi) holds and carries the whale Dreaming story;
- (c) Ms Alec and Ms Cooper:
- (i) were taught about the matters about Country and responsibility as told to me and set out in this affidavit by:
 - (A) in Ms Alec's case, her grandfather (who she speaks to frequently in a spiritual and cultural sense as an old person who has passed away) and mother;
 - (B) in Ms Cooper's case, her mother Doreen Cooper, and grandmother Clare Alec/Cooper; and
 - (C) their old people and ancestors whose DNA exists in the *ngurra* (the "place of belonging") at Murujuga and in their own bloodline, such that when they put their feet on Country they can communicate with their old people and ancestors who share Dreaming stories and other knowledge;
 - (ii) have important cultural responsibilities and obligations relating to places in the northwest of Western Australia, including but not limited to Murujuga and Pannawonica, and Australia more generally;
- (d) Ms Alec and Ms Cooper are unable to fully tell their story or explain their connection to Country and responsibilities:
- (i) on paper and through the written word;
 - (ii) when they are not on Country;
 - (iii) to audiences of mixed genders, as some of their responsibilities and connections to Country concern women's business.

10. Ms Cooper is bringing this litigation in the public interest pursuant to her obligations as a Mardudhunera lore woman, elder and a Traditional Custodian of Murujuga to protect Murujuga, her songlines, culture and the survival of all humans.

Songlines and connection to Country and responsibilities




11. I am informed by Ms Alec and Ms Cooper, and believe, that the following is a true account of their knowledge and belief passed to them by their ancestors and old people.
- (a) As Traditional Custodians, Ms Alec and Cooper are connected to the sea, animals and Country through their hearts, energy and songlines, all of which are connected and interrelated and cannot be separated.
 - (b) Ms Alec and Ms Cooper connect to their bloodline, old people and songlines through Country, including the rocks at Murujuga, which are encrypted with ancient stories that keep connection to the bloodline and songlines alive and well.
 - (c) The rocks at Murujuga symbolise stories, the totems (the depicted artwork) – whether representing plants or animals – and tell a story of their history, and how long they've been there.
 - (d) There are ancient beings, animals and plants that are no longer on earth, and as people. Ms Alec and Ms Cooper are here because the ancient beings, animals and plants have no voice.
 - (e) The sea is the source of energy for all life, it holds the codes that are encrypted in each person's body and the songlines and is the life force for the world.
 - (f) The places where the saltwater from the sea and the freshwater from the land connect are where the biggest energy lines are, and that connection is a force of creation relevant to a Dreaming story.
 - (g) Songlines extend out from the land, through the sea and around the globe, connecting places, people and animals to each other, creating migratory patterns for animals and telling animals of the right time to birth and eat.
 - (h) Songlines are essential to the survival of human beings and the *ngurra* or Mother Earth.
 - (i) As women, Ms Alec and Ms Cooper are holders of the water, kinship and star lore which requires the ability to love, nurture, be heart-centred.
 - (j) As holders of women's lore, they have important cultural responsibilities and obligations including to:
 - (i) protect, preserve and promote the *ngurra* in a way it deserves to keep it safe;
 - (ii) rise up and take action to protect their sea, animals and country and ensure Mother Earth is protected;
 - (iii) to listen to Mother Earth look after Country, to stand up and connect to country, to listen to the ocean and to what the animals are saying – to protect Mother Earth and everything within it – from the whales to the amoeba and tiny crustaceans;
 - (iv) to listen to and speak on behalf of the plants and animals;

- (v) heal generational trauma to 'clear' the songlines and ensure energy flows freely through those songlines;
 - (vi) nurture, love and bring divine feminine energy back to earth;
 - (vii) speak for Country in relation to women's lore and about women's perspectives that men are not able to speak about;
 - (viii) heal songlines that may be distorted, including by travelling to other places to activate other First Nations peoples songlines for which they hold the stories, and to activate their own songlines with other Traditional Owners, such as the Gunditjmara mob in Warnambool with whom they recently had a whale Dreaming ceremony, the Gomeri mob and Munupi clan, with whom they share Dreaming stories.
- (k) Their cultural obligations and responsibilities are sometimes overwhelming, or scary, but they are compelled to do these things – it is the reason they exist;
- (l) To fulfil these responsibilities and cultural obligations, Ms Alec and Ms Cooper were born with cultural gifts that allow them to speak to animals, connect to Country, feel energy everywhere and undertake cultural protocols, practices and tasks;
- (m) When Ms Alec and Ms Cooper stand on Country, when they put their feet on the ground:
- (i) they are connected, they sing to their ancestors and let their old people know they are in a certain place, and wait for guidance from their old people, who share knowledge with them, and Ms Alec and Ms Cooper hold that knowledge for everyone in their bloodline;
 - (ii) they feel Mother Earth's heartbeat and feel everything Mother Earth does and says.
12. I am told by Ms Alec and Ms Cooper that their strongly held belief is that further information about certain matters described above can only be disclosed to people who are born as a biological female and living as a female in accordance with their beliefs and customary practices.
13. Ms Alec and Ms Cooper founded the organisation Save Our Songlines, established as an unincorporated entity in or around February 2022.
14. Save Our Songlines is:
- (a) an organisation dedicated to protection of Country, especially Murujuga, from industry which may damage it, and the cultural heritage connected to it, including the Songlines connected to it;
 - (b) a means for members of Save Our Songlines to:

- (i) engage and network with and receive information from people with similar interests and visions;
- (ii) provide cultural advice to and engage in cultural healing with other Traditional Owners;
- (c) not currently receiving any funding, but has received funding from non-government organisations in the past and is likely to in the future.

Ms Cooper's current financial position

15. Ms Cooper has told me and I believe that she:

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

- (f) occasionally receives reimbursement from Save Our Songlines for fuel and accommodation costs incurred, and time spent, on Save Our Songlines work, when there is funding available through that organisation. There has not been any funding available to reimburse her for expenses related to Save Our Songlines work in 2023.

16. Ms Cooper has told me, and I believe, that on the basis of her financial position set out in paragraph [15] above, she is unable to provide the usual undertaking as to damages.

17. She has also told me, and I believe, that she is concerned that if she were made bankrupt as a result of a costs order in these proceedings, she would not be able to fulfil certain obligations like sitting on the board of organisations such as MAC or the Wirrawandi Aboriginal Corporation. While she does not sit on any boards currently, it is important to her that she have the option to do so in future, to ensure that she can put her views forward in those spaces and fulfil her cultural obligations.

Ms Cooper's Connection to Murujuga

18. I am informed by Ms Alec and Ms Cooper and believe:

- (a) as Traditional Custodians, they are oral storytellers;
- (b) there has been no Mardudhunera woman representative on the MAC Circle of Elders (the body that advises MAC on cultural issues) for five years;




- (c) they hold women's lore and stories that only they as Mardudhunera hold and can share, and they are concerned that they have not been able to share this information;
- (d) the cultural information and knowledge they hold is not for the most part recorded in writing;
- (e) they have information to share with Woodside Energy and need appropriate time to share their story with Woodside Energy to ensure protection of the whales and songlines; they need people to comprehend their story in a specific way; and
- (f) this information needs to be shared at the appropriate place, namely on Country.

Whales

19. I am informed by Ms Alec and Ms Cooper, who I understand were informed by their ancestors and old people and their own experiences, and believe:
- (a) whales carry important songlines, the whale Dreaming, and connection between land and sea;
 - (b) as the biggest animal on earth, the whale has the greatest heart connection to the songlines, people and animals and carries the songlines around the ocean, connecting places;
 - (c) other animals, such as turtles, dolphins, dugongs, and krill follow the whales' songlines, because they're all connected together – the whale creates a path for the other animals like 'grading a road';
 - (d) there is a large energy line that exists off the coast of Murujuga and runs through the area that Woodside Energy refers to as the Environment that May Be Affected (EMBA), and Ms Cooper is aware of this as the EMBA is in the whales' migration line – both whales that migrate north to south and south to north pass through this area;
 - (e) the Whale Dreaming story has a strong connection to the heart centre in each person, this story helps people to open up and to realise, understand and raise awareness of the environment and everything humans are connected to;
 - (f) in their own families, female whales have a caretaker or midwife role, and those who are connected to the Whale Dreaming and carry the women's lore also have obligations as caretakers of the earth;
 - (g) the women's lore that Ms Alec and Ms Cooper carry is the songline of the whale, which is important for sustaining the creation of all animals and humans;
 - (h) when Ms Alec and Ms Cooper and their people stand on Country they are connected to their songlines through the rocks. As holders of women's lore, Ms Alec and Ms Cooper put healing energy into the rocks and use that to heal the songlines;

- (i) Ms Alec and Ms Cooper connect to the whales like this through their songlines, they sing to the whales, the whales feel that song and the connection through their hearts, regardless of the distance;
- (j) the whales tell Ms Alec and Ms Cooper a story, and Ms Alec and Ms Cooper are the people who feel and who are connected to that story;
- (k) Ms Alec and Ms Cooper have that feeling of connection inside them all the time, they live and breathe it, they are it and everything about it.

Disruption

20. The following information has been provided to me by Ms Alec and Ms Cooper based upon their understanding of the activity proposed by the Seismic Survey EP to be undertaken by Woodside, and its disruptive effects:
- (a) that seismic testing involves loud, regular underwater pulses of sound and vibrations;
 - (b) the sound and vibrations are created using huge amounts of pressure and the sound happens every 5/6 seconds;
 - (c) the sound and vibrations are emitted from an airgun array that will be towed at a depth of between 6 and 8 metres;
 - (d) the sound and vibrations reflected off the ocean floor will be detected by sensors connected to long cables towed behind the vessel. These cables are known as 'streamers'. The streamers are 8km long and 1.5km wide, taking up a huge area in the ocean;
 - (e) those blasts of sound, and the energy emitted by the blasts, interfere with:
 - (i) the frequencies of the songlines;
 - (ii) the whales' sonar and communication systems, which operate at the same decibel level as the blasting frequency;
 - (iii) the ability of the whale to sing and to hear its songs;
 - (f) because each animal uses songlines for migration, breeding and feeding, the disruption or distortion to the songlines causes the animals to become disoriented, confused or lost;
 - (g) when a whale's songline is disrupted, it won't be able to swim properly or its tail will stop moving;
 - (h) it is their understanding that whales can feel these energies and communicate 1,600km away and are losing their direction and intentionally beaching because they don't want to be in the water;




- (i) seismic testing that is occurring around the world is disrupting the whales, and the whales are calling out for help – for example, the death of a pod of pilot whales at Cheyne's Beach near Albany, Western Australia recently;
 - (j) because Ms Cooper and Ms Alec are connected to the songlines, if the songlines are disrupted, their people are disrupted – their *widdart* (heart) is disconnected – like the whales, their feet get lost and they don't know where to go anymore.
21. I am informed by Ms Cooper and believe that when a whale's migration pattern is disrupted through disturbance to a songline or interruption to the frequency that a whale communicates on, it is equivalent to:
- (a) getting dumped in a wave and not knowing which way is up; or
 - (b) taking the same route to work, every day for your whole life, and then one day coming across a broken bridge or blocked road and not knowing what to do, or being unable to take an alternative route.
22. I am informed by Ms Alec and Ms Cooper and believe that they are very concerned about the seismic survey activities because of the impact they will have on:
- (i) whales and other species including turtles and dugongs;
 - (ii) songlines;
 - (iii) the spiritual health and wellbeing of Murujuga and all the plants and animals present on Murujuga and connected to the songlines in and around Murujuga;
 - (iv) the peoples connected to Murujuga, including their own families; and
 - (v) the future of *ngurra*, Mother Earth, and all her inhabitants in general.

Relevant communications and meetings between the Applicant and Save our Songlines and Woodside Energy

23. I am aware from my involvement in my capacity as solicitor for Ms Alec and Ms Cooper that they have been involved in meetings and correspondence with various representatives from Woodside Energy in relation to the Seismic Survey EP.
24. On 14 March 2023, Ms Alec and Ms Cooper met with representatives from Woodside Energy. In addition to Ms Alec and Ms Cooper, attendees included Skylah-Lee Dawson, Mark Clifton, Clare Lakewood and Ruby Hamilton of EDO and [REDACTED] [REDACTED] from Woodside Energy. The meeting was held on country in Karratha.
25. On 16 March 2023 at 5:16pm, Ms Lakewood and Ms Hamilton received an email from [REDACTED] [REDACTED] at Woodside that purported to summarise the meeting on 14 March 2023. [JLB-2.2]




26. I am informed by Ms Alec and Ms Cooper and verily believe that they consider that the 14 March meeting was an initial introduction between themselves and Woodside that did not form a part of a substantive consultation on any of Woodside's Environment Plans.
27. On 24 March 2023, Ms Hamilton sent a letter by email to [REDACTED] which confirmed Ms Alec's and Ms Cooper's understanding that the meeting on 14 March 2023 was an initial meeting, and was provided to "confirm the outcomes and next steps from that meeting, as well as to emphasise some of the important matters raised in that meeting". [JLB-2.3]
28. On 29 March 2023 at 12:55pm, Ms Hamilton received an email from [REDACTED] in response to the letter of 24 March 2023. In that email, which was directed to Ms Alec and Ms Cooper, [REDACTED], among other things agreed to meeting protocols for further meetings and recorded that in the meeting on 14 March 2023, Woodside Energy "heard you tell us that you were not prepared to share some information with us at this stage and you weren't sure when you would be ready to share it with us." It also set out further matters that Woodside Energy was interested in learning from Ms Alec and Ms Cooper, and noted that it didn't expect this information to be provided in writing. [JLB-2.4]
29. On 6 April 2023, the EDO sent a letter by email to NOPSEMA, copying Woodside Energy, advising NOPSEMA of its view that Woodside Energy had not yet complied with the requirements of reg 10A(g) of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009* (Cth) (Environment Regulations). [JLB-2.5]
30. On 17 April 2023, Woodside Energy sent a letter by email to NOPSEMA, copying the EDO, responding to EDO's letter of 6 April 2023, and, among other matters, advising NOPSEMA of its view that it had consulted sufficiently with Ms Alec and Ms Cooper. [JLB-2.6]
31. On 18 April 2023 at 2:56pm the EDO sent an email to [REDACTED] on behalf of Ms Alec and Ms Cooper. In that email the EDO said, among other things, that:
- Our clients confirm their willingness to meet again and to continue consultation. To be clear, our clients do not consider there has yet been consultation such that Woodside can demonstrate in the EP that there has been an appropriate level of consultation. This will require further information to be shared and incorporated into the EP. Our clients are also concerned that because their cultural knowledge is women's knowledge, it is being considered less important than other cultural knowledge Woodside may have received during consultation.*
- [JLB-2.7]
32. The EDO did not receive a response to the email sent 18 April 2023.
33. On 8 May 2023, the EDO sent a further email, referring to the email sent on 18 April 2023 at 2:54pm, and said:



We refer to our email below. We have not had any response to date, and write again to enquire whether Woodside wishes to propose dates that we can put to our clients for consultation regarding the seismic survey EP.

[JLB-2.8]

34. On 9 May 2023 at 7:21pm the EDO received an email from [REDACTED] in response. The email, among other things, sought Ms Alec and Ms Cooper's availability for a further meeting. **[JLB-2.9]**
35. On 15 May 2023 at 2:34pm, the EDO sent an email stating they were confirming instructions and would revert as soon as possible. **[JLB-2.10]**
36. On 1 June 2023 at 9:23pm, the EDO sent an email to [REDACTED], copying NOPSEMA, confirming that Ms Alec and Ms Cooper were "available and would like to meet in Karratha on the morning of Tuesday, 13 June 2023". **[JLB-2.11]**
37. On Wednesday, 7 June 2023 at 6:46am, the EDO received an email from [REDACTED] in response, also copying NOPSEMA. The email, among other things, confirmed Woodside's availability to meeting in Karratha on the morning of Tuesday, 13 June 2023; laid out a draft agenda for the meeting; confirmed meeting protocols; and indicated the four Woodside attendees at the meeting. **[JLB-2.12]**
38. On Friday, 9 June 2023 at 1:58pm, the EDO received an email from [REDACTED]. It said:

Dear Ruby, Josie, Raelene and Save Our Songlines

Thanks for suggesting a meeting next Tuesday 14 June in Karratha.

We refer to the emails below.

We would be grateful if you can please confirm by 5pm today that the meeting will go ahead, or alternatively, provide some other dates for us to work to. (There are a number of flight and other logistics that need to be confirmed by 5pm today in order for that meeting to progress on Tuesday).

Please can you also let us know:

The preferred time for the proposed meeting

The preferred meeting location

Attendees Added items to the draft Agenda

We look forward to hearing from you.

[JLB-2.13]

39. On Friday, 9 June 2023 at 2:20pm, the EDO received a further email from [REDACTED], correcting the date of the meeting to 13 June rather than 14 June.

[JLB-2.14]

40. On Friday, 9 June 2023 at 5:05pm, the EDO sent an email to [REDACTED]. It said:

We confirm the meeting for next Tuesday, 13 June 2023. Our clients are available in the morning of that day.

We will confirm the other details as soon as possible once we have instructions from our clients.

[JLB-2.15]

41. On Friday, 9 June 2023 at 5:09pm, [REDACTED] sent an email to the EDO. It said:

Thanks for your email. We are unavailable because, as foreshadowed in our email, flights and other logistics timed out at 5pm for us.

Let's regroup next week and work through alternate dates.

[JLB-2.16]

42. On Saturday, 10 June 2023, the EDO sent an email to [REDACTED], marked "URGENT". It said:

As Ruby indicated yesterday, and as we originally proposed, our clients are available and hope to proceed with a meeting at 10am on Tuesday, 13 June 2023. As noted in previous correspondence, our clients greatly value face-to-face meetings on Country, and have limited availability. Solicitors from the EDO have also arranged to be in Karratha on Tuesday also.

Our clients are hopeful of a productive meeting and would be happy to work with whoever is available from Woodside, even if this means the meeting proceeds in a more limited capacity (i.e. a shorter/different time, or fewer Woodside attendees than initially proposed).

In the interests of determining whether there is a way we can proceed, I invite you to call me directly on [...].

Acknowledging the logistics we will have to manage if the meeting does not proceed, or is to occur at different time or date, I am available at your convenience over the weekend. I welcome you, or whoever at Woodside can most efficiently handle logistics, giving me a call, and look forward to finding a productive path forward.

[JLB-2.17]

43. No response to that email was received over the weekend by the EDO.

44. On Monday, 12 June 2023 at 11:00am, the EDO sent a further email to [REDACTED], the contents of which:

- (a) confirmed that Ms Alec and Ms Cooper wished to keep the existing arrangement for a consultation meeting on the morning of 13 June 2023 in Karratha;
- (b) noted that as at the morning of 12 June 2023 when the email was sent, there were still five flights from Perth to Karratha that would see any attendees at Perth arrive in time for a meeting in the morning of 13 June 2023;
- (c) noted that at the last meeting at least one attendee from Woodside was based in Karratha;
- (d) identified proposed amendments to the agenda for the meeting that had previously been suggested by Woodside;
- (e) advised that Ms Alec, Ms Cooper and additionally Ms Hamilton and Ms Lakewood from the EDO, would be in attendance at the meeting.

[JLB-2.18]

45. On Monday, 12 June 2023 at 12:58pm, [REDACTED] sent the EDO a further email. It said, among other things:

Arrangements for the meetings involve not insubstantial logistics from our end, and for a number of reasons, we have learnt that it is worthwhile confirming the meeting will proceed.

We'll set the proposed draft agenda as per notes below (but please let us know if you would like to edit or update it). So that the meeting can be rescheduled, please let us know dates that Josie, Raelene and Save Our Songlines are next available to meet.

[JLB-2.19]

46. On Monday, 12 June 2023 at 1:26pm, the EDO sent an email to [REDACTED] in response. It said:

As noted, our clients and EDO solicitors are available in Karratha for a meeting at 10am on Tuesday 14 [sic] June 2023 and would prefer to proceed with that meeting if at all possible. Our suggestions below include currently available flights, and/or adjusting the scope and personnel for the meeting.

We have instructions from both our clients that the meeting can proceed with Ms Cooper in attendance on Tuesday afternoon or anytime on Wednesday. While the Tuesday morning meeting time would allow both our clients to attend, we are instructed that this alternate format would still be acceptable in order for a meeting to proceed with EDO solicitors present. If it is the only option for Woodside, our clients can meet on Thursday afternoon.

[JLB-2.20]

47. No response to that email was received by the EDO.

48. On Wednesday, 14 June 2023 at 9:42am, the EDO sent a further email to [REDACTED]. That email said:

We have not heard back in relation to the below email, or been able to contact you by phone.

Our clients are still willing to meet at the times specified below, while EDO solicitors are available in Karratha. We can arrange for Woodside to join by phone or videoconference if needed.

[JLB-2.21]

49. On Wednesday, 14 June 2023 at 11:00am, the EDO received an email from [REDACTED]. It said:

Thanks for your emails

Our team is not available to meet this week.

We are available on the following dates in Karratha:

- *20, 26, 27, 29, 30 June. (School holidays in July mean that the full team is not available 3-16 July). The June dates allow us to follow the agreed protocols (including having a female only team). We have a preference for an afternoon meeting if that would work for you.*

Please let us know which of those dates is suitable.

We note your preference for a meeting in Karratha. We can meet in Karratha and alternatively, are also available via Teams if preferable.

In the meantime, we are open to receiving comments / queries / requests via email if that would be more efficient.

[JLB-2.22]

50. On 28 June 2023 the EDO sent by email a letter to NOPSEMA on behalf of Ms Alec and Ms Cooper, copying Woodside Energy. The letter said, among other things:

- (a) that they understood from a review of the NOPSEMA website that the Seismic Survey EP was under assessment;
- (b) neither Ms Alec nor Ms Cooper had been notified by Woodside of the Seismic Survey EP being submitted to NOPSEMA nor the date of the submissions;
- (c) their clients were concerned with respect to the engagement undertaken to date with Ms Alec and Ms Cooper, including the meeting scheduled for 13 June 2023 that did not proceed;

- (d) that Ms Alec and Ms Cooper "maintain that Woodside has not explained the activities the subject of the Scarborough Environment Plans, and associated impacts and risks in a way that they can clearly understand, and that they do not understand the risks and impacts of the activities the subject of the Scarborough Environment Plans on their functions, interests and activities. They maintain that that they have not been provided with sufficient information and a reasonable period for the consultation";
- (e) requested that "no environment plans be submitted or re-submitted by Woodside, and that NOPSEMA not accept any such environment plans, until Woodside has complied with its consultation obligations under reg 11A".

[JLB-2.23]

51. On 4 July 2023, NOPSEMA acknowledged receipt of the 28 June letter and noted that the information was forwarded to the relevant NOPSEMA assessment teams when received. **[JLB-2.24]**
52. On 3 July 2023, the EDO received a letter from Woodside Energy in response to the EDO's letter dated 28 June 2023. **[JLB-2.25]**
53. On 17 July 2023 at 4:23pm, the EDO sent an email to [REDACTED] to provide further availability of Ms Alec and Ms Cooper to meet with Woodside Energy. **[JLB-2.26]**
54. On 19 July 2023 at 5:45am, [REDACTED] wrote to the EDO to confirm that Woodside Energy representatives were available for a meeting with Ms Alec and Ms Cooper on Tuesday, 25 July 2023 at 9am by Webex. **[JLB-2.27]**
55. On 19 July 2023 at 4:18pm I wrote to [REDACTED] to confirm Ms Alec and Ms Cooper's availability to meet at 9am on Tuesday, 25 July 2023, and to provide a revised agenda. **[JLB-2.28]**
56. On 24 July 2023 at 7:25pm, I wrote to Woodside Energy on behalf of Ms Alec and Ms Cooper and requested that the meeting be recorded to reduce the risk of inconsistencies or misunderstandings in written notes. **[JLB-2.29]**
57. On 25 July 2023 at 5:22am, [REDACTED] responded to my email to the effect that Woodside Energy did not consent to any aspects of the meeting being recorded. **[JLB-2.30]**
58. I attended the meeting on 25 July 2023. The meeting started at 9:00am. The following people were in attendance: Josie Alec, Raelene Cooper and Adrianna Irvine-Stanes (Ms Alec's daughter) from Save Our Songlines, Alina Leikin and myself, from EDO and [REDACTED] and two women known only to EDO as [REDACTED] and [REDACTED] from Woodside Energy. The issue of whether to record the meeting was discussed for some time and resolved at or about 10:10am. It was resolved that the meeting would be recorded and the recording distributed to attendees. The attendees then started discussing matters relevant to the Seismic Survey EP. The meeting concluded at around 11:20am.
59. During the meeting:

- (a) the representatives of Woodside Energy presented a PowerPoint containing 22 slides that set out matters including a project overview, description of the way a seismic survey works, impacts and controls, subsea infrastructure installation, the environment that may be affected;
- (b) the PowerPoint contained maps, diagrams, tables and technical information;
- (c) at the beginning of the meeting, while a representative of Woodside Energy was explaining the project overview, Ms Cooper interjected to state that 'we're [meaning herself, Ms Alec and Ms Irvine-Stanes] not engineers' and asked that Woodside Energy go through the activities one at a time;
- (d) Ms Cooper raised the issue of the migration paths of animals such as whales, turtles and dugongs and asked if Woodside Energy could provide the source of their information to Ms Cooper;
- (e) around 45 minutes into the presentation, Woodside Energy representatives asked Ms Cooper, Ms Alec and Ms Irvine-Stanes if they had any feedback on their functions or activities, or claims or objections in relation to the activities;
- (f) Ms Leikin noted that Ms Cooper, Ms Alec and Ms Irvine-Stanes would like an opportunity to consider the complex information in the presentation and they were not in a position to provide feedback;
- (g) Ms Cooper stated that the information was complex and that she, Ms Alec and Ms Irvine-Stanes are not an 'engineers' or 'underwater people' and would like an opportunity to go through the information presented so they could give good, thorough questions to Woodside for discussion;
- (h) Woodside referred Ms Cooper to the plain English factsheets and again asked for information on Ms Cooper, Ms Alec and Ms Irvine-Stanes' cultural interests;
- (i) Ms Cooper noted she was happy to have those conversations at a later meeting and she was focused on the activities and how they would affect songlines, *ngurra* and animals, and noted that she was happy to *wonga* (speak) with Woodside Energy further;
- (j) Ms Alec noted:
 - (i) she wanted to go through the information that had been provided;
 - (ii) her interests lay in the songlines, and where the freshwater and saltwater meet, noting that their main objective was to keep the songlines and energy lines safe as that is their job;
 - (iii) she was wary of seismic testing in itself and wanted the opportunity to look into how seismic testing had been used over the world;



- (iv) songlines are the impacts of energy and energy lines, and that seismic testing creates different sonar energy frequencies in the water, and this affects songlines;
 - (v) she would assist Woodside Energy in its understanding of songlines and provide a cultural perspective from woman's lore;
 - (vi) she, Ms Cooper and Ms Irvine-Stanes are not 'tick the box' people but people who know their business and know their Country inside out – physically, spiritually, emotionally – and their ancestors gifted them with the ability to look after it;
 - (vii) they would come back with further information;
- (k) Woodside Energy asked where the saltwater met the freshwater and how Woodside Energy could minimise impacts and Ms Alec stated:
- (i) that was 'a conversation for another time' and that she would 'come back to it', noting she needed to look at the information;
 - (ii) that conversation was sacred, would need to be held on the *ngurra*, and is not something she would discuss by videoconference;
- (l) Woodside Energy noted they were open and flexible to hearing more.
60. On 25 July 2023 at 4:03pm EDO sent an email to [REDACTED]:
- (a) requesting the recording of the meeting and providing requests for further information from Woodside Energy on behalf of Ms Alec and Ms Cooper;
 - (b) noting that it would take time for Ms Alec and Ms Cooper to process the information provided in the presentation;
 - (c) emphasising the importance of storytelling on Country and proposing that Ms Alec and Ms Cooper would respond by way of video taken on Country;
 - (d) setting out a proposed approach to the remainder of the consultation.

[JLB-2.31]

61. On 27 July 2023 at 4:46pm, [REDACTED] wrote to EDO by email:
- (a) providing an attachment that purported to respond to Ms Alec and Ms Cooper's queries;
 - (b) noting Woodside Energy's concern that 'the protracted engagement may be aimed at achieving outcomes other than to provide input to the Scarborough Project and related Environment Plans';
 - (c) confirming consultation had occurred in accordance with the Environment Regulations.

[JLB-2.32]




62. On 3 August 2023 at 6:53pm, [REDACTED] wrote to EDO, stating:

This email follows our meeting on 25 July and our emails from 25 and 27 July 2023. We look forward to hearing from you including as to your availability for a meeting on country in the week commencing 4 September 2023 (or sooner).

In the meantime, we confirm the Scarborough 4D Marine Seismic Environment Plan has been accepted by NOPSEMA, with conditions. (You can find this on NOPSEMA's website. For ease of reference, please see link here A855184 (nopsema.gov.au) - and para [133] from page 36 in particular)

***On Condition 1:-** We are writing to you in relation to condition 1 and seeking your confirmation. Please can you let us know if you have input or information to provide.*

[JLB-2.33]

63. On 9 August 2023 at 11:08am EDO emailed [REDACTED] noting that Ms Alec and Ms Cooper expected Woodside Energy to adhere to the conditions imposed by NOPSEMA, requiring consultation with Ms Alec and Ms Cooper in a way informed by them. **[JLB-2.34]**
64. At or around midday on 9 August 2023 I spoke by phone with Ms Lakewood of my office and Mr Cameron Grebe of NOPSEMA. During that conversation Mr Grebe said words to the effect that Woodside Energy had submitted what Mr Grebe referred to as an 'activity start notification' which I understand to have been submitted for the purposes of regulation 29(1) of the Environment Regulations.

Further correspondence since 16 August 2023

65. In the First Border Affidavit I depose to relevant correspondence between Woodside Energy, NOPSEMA and the EDO between 9 August 2023 and 16 August 2023 at 2:50pm.
66. Since I deposed the First Border Affidavit, the following further correspondence has been exchanged between Woodside Energy, NOPSEMA and the EDO.

Correspondence in respect of proposed further consultations

67. On 16 August 2023 at 3:41pm, [REDACTED] wrote to EDO seeking confirmation of who EDO's clients are. On 17 August 2023 at 9:26am, EDO wrote to [REDACTED] to confirm that EDO represents Ms Alec and Ms Cooper. **[JLB-2.35]**
68. On 21 August 2023 at 4:07pm, [REDACTED] wrote to EDO regarding further consultation between Woodside and Ms Alec and Ms Cooper, in particular enquiring if they were available for consultation the week commencing 4 September 2023. **[JLB-2.36]**
69. On 21 August 2023 at 4:18pm, Mr Phillip Blaxill of Allens, representatives of the Second and Third Respondents, emailed EDO to clarify that no activity would take place under the seismic EP before 2pm Wednesday 23 August (Perth time). **[JLB-2.37]**

70. On 22 August 2023 at 2:43pm, EDO advised ██████████ that their clients' welcomed the proposal as to consultation, but noted that their position remained that the Acceptance was invalid and that any consultation would occur under reg 11A. [JLB-2.38]
71. On 25 August 2023 at 1:03pm, EDO wrote to Woodside to provide Ms Alec and Ms Cooper's availability to consult from 11 September onwards. [JLB-2.39]
72. On 25 August 2023, ██████████ and EDO exchanged further emails regarding Ms Alec, Ms Cooper and Save Our Songlines' availability to attend consultation and logistical arrangements in respect of that consultation. [JLB-2.40 contains a chain of emails regarding availability and logistical arrangements]
73. On 29 August 2023 at 3:48pm, ██████████ wrote to EDO to propose that the further consultation occur by way of a two-day workshop on Tuesday 12 and Wednesday 13 September 2023. [JLB-2.41]
74. On 30 August 2023 at 2:22pm, EDO advised ██████████ that it was seeking instructions. [JLB-2.42]
75. On 1 September 2023 at 12:28pm, ██████████ wrote to follow up on Woodside's offer to consult on 12 and 13 September 2023. [JLB-2.43]
76. On 4 September 2023 at 11:04am, EDO wrote to ██████████, agreeing to commence consultations on 12 September 2023, and to provide Ms Alec and Ms Cooper's proposal for the process for consultation on and after 12 September 2023, including a meeting on Country. This process was similar to that proposed previously on 25 July 2023. [JLB-2.44]
77. No further response has been received from Woodside Energy in response to the proposal of 4 September 2023.

Correspondence in respect of these proceedings

78. On 16 August 2023 at 8:20pm, EDO received a letter by email from the Australian Government Solicitor (AGS), representatives for the First Respondent, noting that the AGS had instructions to accept electronic service in relation to these proceedings. [JLB-2.45]
79. On 17 August 2023, I emailed:
- (a) AGS; and
 - (b) ██████████
- by way of service, attaching unstamped copies of the Originating Application in these proceedings and First Border Affidavit.
80. On 17 August 2023 at 9:52pm, Allens, representatives for the Second and Third Respondents, wrote to EDO to confirm instructions to accept electronic service in relation to these proceedings. [JLB-2.46]




81. On 18 August 2023, I emailed AGS and Allens, by way of service, stamped copies of the Originating Application in these proceedings and First Border Affidavit.
82. On 21 August 2023 at 9:12pm, Allens wrote to EDO in response to EDO's letter of 10 August 2023 (JLB-1.8 of the First Border Affidavit). [JLB-2.47]
83. On 22 August 2023 at 3:04pm, EDO wrote to the AGS and Allens to seek clarity about the parties' proposed next steps in the matter. [JLB-2.48]
84. On 24 August 2023 at 9:45am, Allens wrote to EDO providing a notice for address of service, and enquired about the filing of a Genuine Steps statement. [JLB-2.49]
85. On 24 August 2023, EDO filed and Served a Genuine steps statement.
86. On 29 August 2023 at 2:31pm, EDO wrote to AGS and Allens enclosing a minute of proposed orders for the case management of the proceedings. [JLB-2.50]
87. On 30 August 2023 at 6:31pm, Allens wrote to EDO and AGS about EDO's programming of the matter, stating that "our clients consider that the parties need to understand when the First Respondent will be in a position to provide the material that was before the decision-maker at the time of making the decision. It seeks to us that this will then better inform the parties of the appropriate timetabling of other interlocutory matters." [JLB-2.51]. Allens did not provide any proposed orders for the case management of the proceedings.
88. On 31 August 2023 at 2:20pm, EDO again wrote to the AGS and Allens about the filing of concise statements and conferral. [JLB-2.52]
89. On 31 August 2023 at 5:01pm, Allens wrote to EDO in response to EDO's 31 August email. [JLB-2.53]
90. On 1 September 2023 at 11:45am, EDO received a letter from the AGS in response to EDO's 22 August letter. [JLB-2.54]
91. On 4 September 2023 at 6:01pm, EDO again wrote to the AGS and Allens regarding the material before the decision maker, its proposal for concise statements, and proposed orders. [JLB-2.55]
92. On 5 September 2023 at 4:26pm, EDO received a letter from the AGS regarding the matter and enclosing proposed consent orders. [JLB-2.56]
93. On 6 September 2023 at 9:56am, EDO responded to AGS's letter and provided further proposed orders. [JLB-2.57]

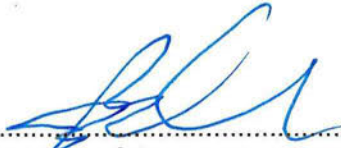
Proposed amendment to originating application

94. The Applicant intends to seek leave, pursuant to r 8.21 of the *Federal Court Rules 2011*, to amend the originating application to clarify the relationship between the two grounds and to correct a minor typographical error. [JLB-2.58]



95. On 6 September 2023 at 4:35pm, EDO wrote to Allens and AGS providing a copy of the proposed originating application. [JLB-2.59]

Affirmed by the deponent Jessica)
Louise Border at)
Perth)
on 07/09/2023)
Before me:


.....
Signature of deponent


.....
Signature of witness

Name of witness: Cavan Cruise

Qualification of witness: Lawyer / Justice of the Peace

Schedule

Federal Court of Australia

No. VID 647 of 2023

District Registry: Victoria

Division: Administrative and Constitutional Law and Human Rights

Respondents

Second Respondent:

WOODSIDE ENERGY SCARBOROUGH PTY LTD
ACN 650 177 227

Third Respondent:

WOODSIDE ENERGY (AUSTRALIA) PTY LTD
ACN 006 923 879

Date:

2023

Certificate of Annexure

Federal Court of Australia

No. VID647/2023

District Registry: Victoria

Division: Administrative and Constitutional Law and Human Rights


RAELENE COOPER

Applicant

**NATIONAL OFFSHORE PETROLEUM SAFETY AND ENVIRONMENTAL MANAGEMENT AUTHORITY
and others**

Respondents

This is the annexure marked **JLB-2** produced and shown to Jessica Louise Border at the time of affirming her affidavit on 7 September 2023.



Cavan Cruise
Lawyer

From: [Quan-Sing, Jeremy](#)
To: [Clare Lakewood](#)
Cc: [Jess Border](#); madsen.scott@ags.gov.au; Brooke.Griffin@ags.gov.au; [Blaxill, Philip](#); [Rich, Jeremy](#)
Subject: Scarborough 4D B1 Marine Seismic Survey Environment Plan - notice [Allens-DMS.FID2418686]
Date: Tuesday, 5 September 2023 7:43:17 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[Letter to EDO re Notice.pdf](#)

Dear Colleagues,

Please see attached.

Kind regards,

Jeremy Quan-Sing
Partner, **Allens**
DL [+61 8 9488 3790](tel:+61894883790) M [+61 403 756 102](tel:+61403756102)



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5 September 2023

Clare Lakewood
Special Counsel, Safe Climate (Gas)
Environmental Defenders Office
PO Box Z5218
Boorloo/Perth WA 6831
AUSTRALIA
By email: clare.lakewood@edo.org.au

Dear Ms Lakewood

Scarborough 4D B1 Marine Seismic Survey Environment Plan

We refer to our letter of 21 August 2023.

In that letter, we confirmed that our client would provide your client with 48 hours' notice before commencing activity under the Seismic EP.

We are hereby providing your client with the 48 hour notice that our client agreed to provide.

You have previously foreshadowed that your client may seek interlocutory relief if our client gives this notice. In our view any application for interlocutory relief should be made promptly - that is, an application should be filed tomorrow (6 September 2023) and made returnable before Justice Colvin at the hearing listed for proceeding VID647/2023 at 9.15 am on 7 September 2023.

Yours sincerely

A handwritten signature in black ink that reads "Allens" in a cursive, stylized font.

Jeremy Quan-Sing
Partner
Allens
Jeremy.Quan-Sing@allens.com.au
T +61 8 9488 3790

Copy to: Madisen Scott
Senior Lawyer
Australian Government Solicitor
By email: madisen.scott@ags.gov.au

Our Ref JZQP:121189948
JVRP 806585387v2 121189948 5.9.2023

Ruby Hamilton

From: [REDACTED]@woodside.com>
Sent: Thursday, 16 March 2023 5:16 PM
To: Clare Lakewood; Ruby Hamilton
Cc: Woodside Feedback; 'info@saveoursonglines.org'
Subject: RE: Scarborough Environment Plans - Consultation

 External email >

Dear Ruby and Clare

Thanks for our meeting on Tuesday (14 March 2023).

Josie, Raelene and Save Our Songlines asked that Woodside continue correspondence with them, via you. Hence our email and our respectful request that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We are grateful for our on-country meeting with you, Skyla and Clare and Ruby (as well as the welcome to country from your son Mark) on 14 March 2023. We want to let you know that, as a group of women, we feel privileged to have been welcomed to the beautiful country where we met and we appreciate you sharing your stories, cultural knowledge and your concerns with us.

We appreciate your request for us to attend the meeting with open hearts, deep listening and respectful conversation and we intend to continue this approach to our engagement. Our consultation process is ongoing through the environmental approval process and when an activity is being performed. We look forward to continuing our discussions with you in the future.

At our meeting, Woodside provided an overview of the Scarborough activities (Seismic EP, Subsea EP, D&C EP, SITI EP (Cth and State)), and you told us that the proposed activities give you a sick feeling and the activities should be stopped. You also let us know that, in your view, there is nothing that can be done by Woodside to progress with the proposed Scarborough activities in a way that could minimise impact to your functions, activities and interests or is respectful to your culture and country.

We confirm that we agreed not to share cultural details that you shared with us at the 14 March 2023 meeting. To respect this, we will not include cultural detail you shared with us at our meeting in Woodside's environment plans or in conversations with the Regulator. For clarity, as agreed, our proposed environment plans will confirm that we met with you on 14 March 2023 to continue consulting with you on the proposed Scarborough environment plans. So you are aware, this email as well as previous correspondence with SOS and Josie and Raelene will also be included in the proposed environment plans.

We took the following actions from the meeting. Responses are provided in italics:

- Provide background information on the "why" behind the Scarborough activities: *Woodside's Scarborough Gas Project helps play a role in the global energy transition, helping neighbouring Asian countries take action on emissions reduction. There is further information on our website: [Scarborough Gas Project and Pluto Train 2 - Woodside Energy](#).*
- Check with MAC as to whether MAC's ethnographic survey can be shared with Josie, Raelene and Save Our Songlines: *The ethnographic survey is held by MAC and Woodside does not have permission to share it.*
- Confirm fracking in relation to the Scarborough activities: *There is no fracking to be undertaken as part of the proposed Scarborough activities.*

We want you to know that, as discussed, we are open to consulting further with you on the proposed Scarborough activities and are open to the continuing engagements regarding the Scarborough activities. Please let us know if further feedback for

the activities proposed under the environment plans is sensitive and we will make this known to NOPSEMA upon submission to ensure this information remains confidential to NOPSEMA.

In the meantime, we are grateful to have met you and to have heard your perspectives on the Scarborough activities and Woodside.

Best regards

[Redacted], [Redacted], Clare, [Redacted], [Redacted] and [Redacted]

[Redacted]



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount Street
Perth WA 6000
Australia

T: [Redacted]
M: [Redacted]
E: [Redacted]@woodside.com
www.woodside.com
f t in v i

From: [Ruby Hamilton](#)
To: [REDACTED]
Cc: [Woodside Feedback](#); [Clare Lakewood](#); minister.johnston@dpc.wa.gov.au; richard.sellers@dmirs.wa.gov.au; sue.mccarrey@nopsema.gov.au
Subject: RE: Scarborough Environment Plans - Consultation
Date: Friday, 24 March 2023 12:18:58 PM
Attachments: [image009.png](#)
[230324 Letter EDO to Woodside - Scarborough Environment Plans Consultation.pdf](#)

Dear [REDACTED]

Please find **attached** correspondence on behalf of our clients, Ms Josie Alec and Ms Raelene Cooper.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED]@woodside.com>
Sent: Thursday, March 16, 2023 5:16 PM
To: Clare Lakewood <clare.lakewood@edo.org.au>; Ruby Hamilton <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com>; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Subject: RE: Scarborough Environment Plans - Consultation

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We appreciate your request for us to attend the meeting with open hearts, deep listening and respectful conversation and we intend to continue this approach to our engagement. Our consultation process is ongoing through the environmental approval process and when an activity is being performed. We look forward to continuing our discussions with you in the future.

At our meeting, Woodside provided an overview of the Scarborough activities (Seismic EP, Subsea EP, D&C EP, SITI EP (Cth and State)), and you told us that the proposed activities give you a sick feeling and the activities should be stopped. You also let us know that, in your view, there is nothing that can be done by Woodside to progress with the proposed Scarborough activities in a way that could minimise impact to your functions, activities and interests or is respectful to your culture and country.

We confirm that we agreed not to share cultural details that you shared with us at the 14 March 2023 meeting. To respect this, we will not include cultural detail you shared with us at our meeting in

Woodside’s environment plans or in conversations with the Regulator. For clarity, as agreed, our proposed environment plans will confirm that we met with you on 14 March 2023 to continue consulting with you on the proposed Scarborough environment plans. So you are aware, this email as well as previous correspondence with SOS and Josie and Raelene will also be included in the proposed environment plans.

We took the following actions from the meeting. Responses are provided in italics:

- Provide background information on the “why” behind the Scarborough activities: *Woodside’s Scarborough Gas Project helps play a role in the global energy transition, helping neighbouring Asian countries take action on emissions reduction. There is further information on our website: [Scarborough Gas Project and Pluto Train 2 - Woodside Energy](#).*
- Check with MAC as to whether MAC’s ethnographic survey can be shared with Josie, Raelene and Save Our Songlines: *The ethnographic survey is held by MAC and Woodside does not have permission to share it.*
- Confirm fracking in relation to the Scarborough activities: *There is no fracking to be undertaken as part of the proposed Scarborough activities.*

We want you to know that, as discussed, we are open to consulting further with you on the proposed Scarborough activities and are open to the continuing engagements regarding the Scarborough activities. Please let us know if further feedback for the activities proposed under the environment plans is sensitive and we will make this known to NOPSEMA upon submission to ensure this information remains confidential to NOPSEMA.

In the meantime, we are grateful to have met you and to have heard your perspectives on the Scarborough activities and Woodside.

Best regards

[Redacted signature]

[Redacted signature]



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount Street
Perth WA 6000
Australia

T: [Redacted]
M: [Redacted]
E: [Redacted]@woodside.com
www.woodside.com
f t in v i

24 March 2023

██████████
██████████
Woodside Energy Group Ltd

By email: ██████████@woodside.com; feedback@woodside.com

Copy to: Hon. Bill Johnston (Minister for Mines and Petroleum):
Minister.Johnston@dpc.wa.gov.au

Richard Sellers (Director General; Department of Mines, Industry Regulation and Safety): Richard.Sellers@dmirs.wa.gov.au

Sue McCarrey (Chief Executive Officer; NOPSEMA): sue.mccarrey@nopsema.gov.au

Dear ██████████,

Scarborough Gas Project—Environment Plan Consultation

1. We refer to the meeting between our clients, Ms Josie Alec and Ms Raelene Cooper, with ██████████
██████████ of Woodside on 14 March 2023; and to ██████████ email of 16 March 2023.
2. Our clients appreciate the opportunity to have a first meeting to discuss culturally appropriate protocols for undertaking consultation and begin to understand the activities comprising parts of the Scarborough Gas Project that are the subject of the:
 - a. Scarborough 4D B1 Marine Seismic Survey environment plan (**Seismic Survey EP**);
 - b. Scarborough Drilling and Completions environment plan (**Drilling and Completions EP**);
 - c. Scarborough Subsea Infrastructure and Installation environment plan (**Subsea Infrastructure EP**);
 - d. Scarborough Seabed Intervention and Trunkline Installation environment plan (**Federal Waters Trunkline EP**);
 - e. Scarborough Trunkline Installation (State waters) environment plan (**State Waters Trunkline EP**);

(collectively, **EP Activities**), so that they may assess how their interests, functions and activities will be affected, and work with Woodside to ensure impacts are acceptable, as low

as reasonably practicable and consistent with the principles of ecologically sustainable development.

3. As we indicated by way of next steps at our meeting of 14 March 2023, we provide this letter to confirm the outcomes and next steps from that meeting, as well as to emphasise some of the important matters raised in that meeting.
4. Though, as discussed further below, our clients are concerned about Woodside's failure to tell our clients that Woodside considers them 'relevant persons', our clients appreciate that the State Waters Trunkline EP Summary dated February 2023¹ and submitted to the Minister for Mines and Petroleum on 22 February 2023² acknowledges them as such.
5. Our clients also appreciate that, as requested, only women attended the meeting with Woodside. We reiterate that the information shared about our clients' functions, interests and activities must be kept to women.

I. Summary of meeting

6. Our client explained (consistent with their correspondence to you of 22 July 2022) that their functions, interests and activities are distinct from those of Murujuga Aboriginal Corporation (**MAC**). As explained at the meeting, our clients have distinct cultural heritage, their stories were not told as part of any consultation that may have occurred with MAC or as part of other surveys, and they want to ensure that Woodside is properly informed of the impacts and risks of the EP Activities on their functions, interests and activities.
7. Our clients raised particular concerns about the impacts that underwater activities that form part of the EP Activities might have on their functions, interests and activities.³ They also raised their concerns about the impacts of related greenhouse gas emissions on their functions, interests and activities; and the industrialisation of Murujuga.
8. The questions our clients asked at the meeting that required follow up are set out further, below, under heading IV. Responses to Questions Arising at the Meeting of 14 March 2023.
9. At this first meeting, which focused on explaining our clients' interests, we did not discuss any environment plan in detail.
10. All parties expressed their commitment to undertaking this consultation process.

II. Clarification of our clients' position

11. The email from [REDACTED] of 16 March 2023 characterised our clients' position during consultation as being that:

¹ Woodside Energy, Scarborough Trunkline Installation (State Waters) Environment Plan Summary (Rev 3) (Feb 2023), available:

<https://ace.dmp.wa.gov.au/ACE/Public/PetroleumProposals/ViewPlanSummary?registrationId=112024>

² Department of Mines, Industry Regulation and Safety, "Environmental Assessment and Regulatory System", available: <https://ace.dmp.wa.gov.au/ACE/Public/PetroleumProposals>.

³ Specific detail about the cultural heritage and places of concern was provided at the meeting.

[t]here is nothing that can be done by Woodside to progress with the proposed Scarborough activities in a way that could minimise impact to your functions, activities and interests or is respectful to [our] clients['] culture and country.

12. This mischaracterises our clients' response to the question put to them by ██████████ of Woodside in the meeting of 14 March 2023. ██████████ asked our clients whether there is a way to proceed with the Scarborough Gas Project and protect the songlines. Our clients indicated that in their view there is not, and that the sea floor should not be dug up. While it is our clients' view that Woodside should not undertake the Scarborough Gas Project because of the harm it will cause, that is different to a conclusion that there is "nothing that can be done" to minimise impacts or be respectful to our clients, their culture and their Country.
13. Our clients regard genuine consultation on the proposed EP Activities an important demonstration of respect for their functions, interests and activities. They anticipate that the consultation process which has just commenced, including provision of the information they have requested and the opportunity to respond will at least:
 - a. inform them of the full extent of how their functions, interests and activities may be affected;
 - b. enable the adoption of appropriate measures to address risks and impacts, including to ensure that the risks and impacts of the EP Activities are made acceptable and as low as reasonably practicable; and
 - c. ensure compliance with section 280 of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* (Cth).
14. The mischaracterisation of our clients' position in a way that implies nothing is to be gained from consulting them is inconsistent with the expressed commitment to consultation from all parties; and Woodside's obligations to:
 - a. provide sufficient information to allow our clients to understand how their functions, interests and activities may be affected;
 - b. adopt appropriate measures in response to our clients concerns; and
 - c. adequately convey to the regulator the nature of our clients' functions, interests and activities and the measures to be adopted to reduce impacts to those functions, interests and activities.⁴

III. Communication of Relevant Person Status

15. Our clients are relevant persons for purposes of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009* (Cth) and the *Petroleum (Submerged Lands) (Environment) Regulations 2012* (WA). Woodside is required to provide them with sufficient information and a reasonable period for consultation on each of the environment plans.⁵

⁴ *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009* (Cth) (**OPGGs Regulations**) reg 10A(g); *Santos NA Barossa Pty Ltd v Tipakalippa* [2023] FCAFC 193 (**Tipakalippa**) [50], [56]-[57], [141].

⁵ *OPGGs Regulations* reg 11A(2)-(3); *Tipakalippa* [56].

16. Our clients first provided written assertion of their rights to be consulted as ‘relevant persons’ for the purpose of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009* (Cth) on 6 June 2022. In correspondence of 24 November 2022, Woodside was asked to confirm that it considers our clients to be ‘relevant persons’ for the purpose of consultation.
17. Our clients did not receive a response to that request.
18. The State Waters Trunkline EP Summary dated January 2023⁶ and submitted to the WA Minister for Mines and Petroleum on 5 January 2023 identified the organisation our clients founded, Save Our Songlines, as a relevant person, but did not identify our clients as relevant persons.
19. As you confirmed at our meeting, a revised version of that environment plan submitted to the Minister for Mines and Petroleum on 22 February 2023 identifies our clients as relevant persons.⁷ Despite the explicit request, our clients were never notified by Woodside that Woodside considered them relevant persons.
20. Additionally, Woodside submitted the latest version of the State Waters Trunkline EP to the Minister for Mines and Petroleum before ever meeting with our clients. That is, it submitted the State Waters Trunkline EP before undertaking an appropriate level of consultation with our clients.⁸

IV. Acknowledgement of Responses to Questions Arising at Meeting of 14 March 2023

21. At the meeting our clients requested:
 - a. An explanation as to why Woodside is proceeding with the Scarborough Gas Project given:
 - i. the impact it will have on Murujuga and our clients’ cultural heritage,
 - ii. the impacts of the greenhouse gas emissions from the project; and
 - iii. the possibility of other, less harmful projects Woodside might pursue;
 - b. A copy of the ethnographic survey Woodside has undertaken with MAC; and
 - c. Confirmation that fracking would not form part of the Scarborough Gas Project.
22. In response, [REDACTED] email of 16 March 2023:
 - a. provided a link to Woodside’s publicly available website about Scarborough and Pluto Train 2;⁹
 - b. advised the requested ethnographic survey is held by MAC and Woodside does not have permission to share it with our clients;

⁶ No longer publicly available.

⁷ We note and understand the reasons that our clients’ names are redacted in the publicly available environment plan summary.

⁸ *Petroleum (Submerged Lands (Environment) Regulations 2012* (WA) reg 11(1)(f).

⁹ Woodside, “Scarborough and Pluto Train 2” (Web Site) <<https://www.woodside.com/what-we-do/growth-projects/scarborough>>

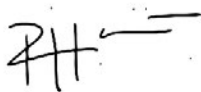
- c. confirmed that there is to be no fracking undertaken as part of the proposed Scarborough activities.
23. We also requested that our clients be notified when documents are submitted to decisionmakers, and be provided with any material submitted to those decisionmakers that is public, or which relates to our clients' interests. This will ensure our clients are aware of information relevant to their interests in a timely manner. [REDACTED] email did not respond to this request.

V. Next Steps

24. Our clients will review the information about the Federal Waters Subsea Infrastructure EP and the Seismic Survey EP, and consider whether it adequately answers the questions raised in their previous correspondence, and their response.
25. We will contact you once they have had the time needed to review and digest that information, and to arrange the next step in consultation. Our clients anticipate that they will require approximately six weeks to do this.
26. Given that the obligation to consult is to be discharged prior to submitting an environment plan to NOPSEMA,¹⁰ we request confirmation that Woodside will not submit these environment plans until that consultation is complete.
27. Confirmation that environment plans will not be submitted until our clients are properly notified is particularly important given Woodside's decision to submit its most recent version of the State Waters Trunkline EP without undertaking an appropriate level of consultation with our clients.¹¹

Yours sincerely,

Environmental Defenders Office



Ruby Hamilton

Solicitor

Clare Lakewood

Special Counsel

Reference number: s4118

¹⁰ OPGGS Regulations reg 10(g), 11A; NOPSEMA, *Consultation in the court of preparing an environment plan Guideline* (15 December 2022), p 2, available at:

<https://www.nopsema.gov.au/sites/default/files/documents/Consultation%20in%20the%20course%20of%20preparing%20an%20Environment%20Plan%20guideline.pdf>

¹¹ *Petroleum (Submerged Lands) (Environment) Regulations 2012* (WA) s 17(1).

From: [REDACTED]
To: [Ruby Hamilton; "info@saveoursonglines.org"](mailto:info@saveoursonglines.org)
Cc: [Woodside Feedback](#); [Clare Lakewood](#); sue.mccarrey@nopsema.gov.au
Subject: RE: Scarborough Environment Plans - Consultation
Date: Wednesday, 29 March 2023 12:55:51 PM
Attachments: [image001.png](#)
[shield-advisory.png](#)
[chevron-light.png](#)

 External email >

Dear Ruby

Thanks for your email and letter dated 24 March 2023.

Josie, Raelene and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via you. Hence our email and our respectful request that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We received the email and letter sent to us by the Environmental Defenders Office (EDO) dated 24 March 2023. The letter sets out recollections and reflections on the meeting we had on country in Karratha on 14 March 2023 as well as comments on our email of 16 March 2023.

First, we wanted to thank you for sharing the recollections and reflections with us. Secondly, we thought it would be worth sharing our perspectives on comments in that letter – please see these below.

Just so you know, this email relates to the Scarborough Commonwealth EPs. The letter sent to us was copied to an email address for the Chief Executive Officer of NOPSEMA. So, for courtesy and so that you are aware, we are also providing a copy of this email to NOPSEMA. Acknowledging that we separately sent an email to you yesterday on the State Waters EPs that was copied to Minister Johnston and DMIRS.

Consultations, correspondence and meeting on 14 March 2023 [Paragraphs 1-5, 10, 13, 20]

The team at Woodside was pleased to have met face-to-face with you on 14 March 2023. It was the culmination of a long period of communication on the Scarborough Project involving a number of prior attempts to meet face-to-face (since around November 2021) and, since at least June 2022, an extensive exchange of correspondence specific to each of the Scarborough environment plans (EP) and activities set out in the letter (Seismic EP, Drilling EP, Subsea EP, SITI EP, State Waters EP). It was good to meet and we confirm that Woodside remains open to consulting further with you on the Commonwealth EPs as well as the State Waters EP.

A great deal of information was shared at the 14 March 2023 meeting. This included a discussion of your and Save Our Songlines' cultural details and was provided against the backdrop of the protocols we agreed before the meeting. The Woodside team left the 2-hour meeting feeling positive and with a sense of goodwill – we appreciated the exchange of warm mutual embraces at the opening and end of the meeting. We all expressed, at the end of the meeting, a willingness to meet again.

As per discussions leading up to the meeting, unless things change, for future meetings, we agree to continue with the following meeting protocols:

<!--[if !supportLists]-->• <!--[endif]-->Attendees continue to be all female.

<!--[if !supportLists]-->• <!--[endif]-->Attendees attend meetings with an open heart, deep listening and seeking a respectful conversation.

<!--[if !supportLists]-->• <!--[endif]-->Attendees come to meetings open to sharing knowledge about the environment (heritage value of places, social and cultural features) that may be affected by the activities under the proposed Scarborough EPs. Attendees come to the meeting open to sharing ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.

<!--[if !supportLists]-->• <!--[endif]-->Attendees are welcome to take written notes of meetings. To respect privacy, safety and cultural values there will be no other recording of meetings (e.g. no audio or visual recording of meetings).

<!--[if !supportLists]-->• <!--[endif]-->Other than sharing the fact that the meeting took place, the cultural details will be kept confidential amongst the female attendees unless directed otherwise and will not be made public without permission.

We also confirm that Woodside remains open to consulting further with you on the proposed Scarborough activities and is open to the continuing engagements regarding the Scarborough activities.

Additional or new information

So that you are aware, we have a process in place for the life of an EP that allows the EP to be updated to include additional or new information or feedback that is received after an EP is submitted. This is done through a “Management of Knowledge” process. So, for example, if new or additional information is provided to Woodside, Woodside can consider that information and assess the risk in accordance with the environmental risk management methodology in the EP to determine the significance of potential new environmental impacts or risks not already provided for in the EP. In that context, if information changes Woodside’s understanding of the environment or understanding of measures that Woodside can take in order to lessen or avoid impacts of activities, that information can be updated and actioned in the EP.

This means that feedback or information you provide in future meetings can still be taken into account and, where appropriate, can be incorporated in the EP during the life of the activity.

Following the meeting, we considered what you told us. Based on that information, no updates were required to the EP via the Management of Knowledge process.

Functions, interests and activities [Paragraph 6, 13]

Thank you for confirming in the letter that you consider that your functions, interests and activities are distinct from those of MAC. We also heard you say this at our meeting. We are interested in learning further about your functions, interests and activities (and those of Save Our Songlines) and how those are different to MAC’s.

The letter also references MAC surveys. As Raelene mentioned in the meeting, Raelene was, for around 10 years, a former Board member of MAC. (We understand Raelene resigned from the Board in around February 2022). So, Woodside’s correspondence, involvement and meetings on the Scarborough Project with Raelene (in her capacity as a MAC representative) also go back a long time to when those discussions commenced with the MAC – in around 2018.

We understand that Raelene was involved in ethnographic studies of the Scarborough Project undertaken by MAC. So, while we have no authority to provide the survey to you, in response to your request for the ethnographic survey, Raelene may have contacts at MAC to request a copy of that survey.

As to your functions, interests and activities (and those of Save Our Songlines), we continue to invite you to share those with us as well to allow Woodside to consider the likely impacts and risks of the EP

activities on these functions, interests and activities and what Woodside can do to lessen or avoid those impacts.

In our meeting, we heard you tell us that you were not prepared to share some information with us at this stage and you weren't sure when you would be ready to share it with us. And we also heard that, sometimes the information has not yet been revealed to you and that it will be revealed to you in time. We remain open to hearing from you when this is known to you and it is ready to be shared.

In particular, we are interested in learning from you:

- <!--[if !supportLists]-->• <!--[endif]-->the role you perform within Save Our Songlines;
- <!--[if !supportLists]-->• <!--[endif]-->individual interests you each have;
- <!--[if !supportLists]-->• <!--[endif]-->the types of communal interests that each of you and Save Our Songlines hold;
- <!--[if !supportLists]-->• <!--[endif]-->the functions of Save Our Songlines as an organization;
- <!--[if !supportLists]-->• <!--[endif]-->the activities that each of you and Save Our Songlines engage in

To confirm - we don't expect you to provide this information to us in writing and would be happy to meet with you again to discuss this information as per our meeting protocols.

It is important that this information is provided so that Woodside can understand how the proposed activities (that are the subject of the Commonwealth EPs) may affect your functions, interests and activities. We remain open to hearing from you when this is known to you and it is ready to be shared.

Minimising impacts to your functions, interests and activities [Paragraphs 7, 9, 11, 12, 13, 14]

Thank you for notes in the letter on the meeting content.

A comment in the letter is that information had been mischaracterised in the email that we sent you following the meeting. We want to be very clear that our intention is not and was not to mischaracterise information. We want to be very clear that the information provided in our email following the meeting is our group's genuine recollection and interpretation of the take-aways from the meeting. That is, consistent with the agreed protocols for the meeting which included a request that you share ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.

Our team has reviewed notes taken at the meeting. Below we've set out our team's perspectives of some of the items noted in the letter.

-

Underwater activities

In the meeting, Woodside provided an overview of the Scarborough Project. At that point in the meeting, a number of topics had been discussed (not repeated here so as to respect confidentiality). After the Scarborough Project was overviewed, at a high level (so as to respect confidentiality), there was a discussion about songlines and, in so far as underwater activities are concerned, there was a discussion about potential impacts of activities on whales.

During this discussion, a question was asked by Woodside along the lines of: *what things can Woodside do in order to carry out the Scarborough Project in a respectful way to the knowledge and cultural information that has been shared in the meeting.* Our team's recollection is that the answer given was along the lines of: *there is nothing Woodside can do to carry out the project in a respectful way and that it*

was not clear why the project was happening in Murujuga and why it couldn't be done somewhere else along the coast.

We also asked what Woodside could do to protect the values that were being talked about. The answer that was given was along the lines of: *all that can be done is for the project to be stopped.*

A further question was asked along the lines of: *if the project is to go ahead what could be done to protect the values.* The answer given was along the lines of: *nothing. The only option is to stop the project.*

These answers informed our take aways from the meeting.

Greenhouse gas emissions

The topic of greenhouse gas was also raised. This topic has been the subject of separate correspondence in which Woodside has confirmed that, emissions from the activities covered by the Commonwealth EPs are of a scale that no credible impact pathway is foreseen.

Industrialisation of Murujuga

The topic of industrialisation of Murujuga was also raised. Out of respect for confidentiality, we will not repeat the information provided in the meeting in relation to signing of the Burrup and Maitland and Industrial Estates Agreement (BMIEA). However, the subject has also been addressed in separate correspondence in which Woodside has set out its understanding of the history of the Burrup and the industrial agreements involved. Woodside has also provided responses which are along the lines that no credible impact pathway is foreseen from the activities covered by the Commonwealth EPs which could damage rock art and heritage sites and that no cultural impact to future access to sites of cultural and spiritual significance is foreseen.

Detail of EPs and information accessed and provided

As set out above, the face-to-face meeting involved an overview of the Scarborough Project. The face-to-face meeting followed volumes of previous correspondence on the Scarborough Project. We acknowledge the many pieces of previous correspondence that have been sent to Woodside which have been specific to each of the EPs set out in the letter. That previous correspondence indicates that a large volume of information on the Scarborough Project has been accessed, read and thought through. The correspondence shows an informed and thorough understanding of the various Scarborough activities and the Scarborough Project.

Offshore Petroleum and Greenhouse Gas Storage Act (OPGGGS Act) – section 280 Interference with other rights [paragraph 13]

In the letter, section 280 of the OPGGS Act is noted. We do not understand why that particular aspect of the OPGGS Act has been referenced. We are open to hearing more from you on what you would like us to understand from the reference to section 280 of the OPGGS Act.

Consultation in general [paragraph 14]

The letter has a line that suggests that Woodside is implying that “nothing is to be gained from consulting” with you. We want to be very clear that these are not Woodside’s words. Woodside has not put that position forward and is not making an implication of this kind.

On the contrary, we have continued to consult with you and continue to invite further consultation. We were pleased to have had the opportunity to finally meet with you face-to-face this month and we look forward to further meetings with you to learn of your and Save Our Songlines’ interests.

Relevant persons [paragraph 4, 15-19]

The concept of “relevant person” was raised in the letter and also at our meeting. We heard in the meeting that you were insulted that Woodside had categorised SOS as relevant but had not recognised you under the heading of relevant person. You also told us that you were pleased to see that you and SOS have since been included as relevant interested persons in the State EP summary document.

As we discussed at the meeting, Woodside’s intention is not to insult you. We reiterate this as we want to be very clear about this.

We also want you to know that the “relevant person” category is different depending on whether the EP requires Commonwealth approval or State approval (WA). For the Commonwealth EPs, the Commonwealth laws apply. The Commonwealth approval process requires Woodside to consult with “relevant persons”.

At the meeting, we took you through the approval process relating to the concept of “relevant persons” and noted that, at the relevant time consultations are included under a category of “relevant persons” in EPs. Woodside generally applies this category at a stage when we understand more about a person’s functions, interests and activities and also the impacts of our activities on them.

As noted in your letter and above, we also discussed at our meeting that Save Our Songlines, Josie and Raelene have been included under the category of “relevant interested persons” in the State Waters EP. You kindly acknowledged at our meeting that you understood the reasons for redactions that were made to the State EP summary to protect personal information.

These kind of considerations continue and we will have a clearer understanding of the categories when you are able to share more with us. But as we reiterated at the meeting, you should know that there is no need for us to categorise you as relevant in order to consult with you.

Ongoing consultation

Once an EP is accepted, Woodside continues ongoing consultations with relevant persons.

As confirmed in the meeting, and consistent with our processes for ongoing consultation, the important issue is that we are open to continuing consultation and that we are keen to keep talking to you to understand how the proposed Commonwealth EP activities relevantly affect you and Save Our Songlines. Once we understand the kind of functions, interests and activities you and Save Our Songlines hold, we can consider the things that Woodside can do to lessen or avoid impacts of the activities to you.

Responses to questions and further information [paragraph 21-27]

The letter notes some questions that were asked during our face-to-face meeting. As acknowledged in the letter, specific questions on the Scarborough Gas Project, the ethnographic survey and fracking have been actioned and there is nothing substantial to add to the answers provided in our email.

As to requests for further information and notifications, please remain subscribed to Woodside’s and relevant regulators’ website as a best source of information relating to updates to EP assessments.

Further consultation [paragraph 24-27]

The letter sent to us notes that you would like to organise another meeting and will require approximately six weeks to read into materials and prepare for a meeting.

We would be pleased to consult with you further. It took a number of attempts to book and arrange our March face-to-face meeting, so please let us know your preferred times for the next meeting.

If it would be useful, our team is available to meet in the week commencing 8 May 2023 (which is approximately 6 weeks away) or earlier. Please let us know dates you are available so we can book in a next face-to-face meeting.

Best regards
Woodside

[REDACTED]

Kind regards

[REDACTED]



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount Street
Perth WA 6000
Australia

T: [REDACTED]
M: [REDACTED]
E: [REDACTED]@woodside.com
www.woodside.com
f t in v i

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Friday, 24 March 2023 12:18 PM
To: [REDACTED]@woodside.com.au>
Cc: Woodside Feedback <Feedback@woodside.com.au>; Clare Lakewood <clare.lakewood@edo.org.au>; minister.johnston@dpc.wa.gov.au; richard.sellers@dmirs.wa.gov.au; sue.mccarrey@nopsema.gov.au
Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

Please find **attached** correspondence on behalf of our clients, Ms Josie Alec and Ms Raelene Cooper.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED]@woodside.com>
Sent: Thursday, March 16, 2023 5:16 PM
To: Clare Lakewood <clare.lakewood@edo.org.au>; Ruby Hamilton <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com>; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Subject: RE: Scarborough Environment Plans - Consultation

Dear Ruby and Clare

Thanks for our meeting on Tuesday (14 March 2023).

Josie, Raelene and Save Our Songlines asked that Woodside continue correspondence with them, via you. Hence our email and our respectful request that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We are grateful for our on-country meeting with you, Skyla and Clare and Ruby (as well as the welcome to country from your son Mark) on 14 March 2023. We want to let you know that, as a group of women, we feel privileged to have been welcomed to the beautiful country where we met and we appreciate you sharing your stories, cultural knowledge and your concerns with us.

We appreciate your request for us to attend the meeting with open hearts, deep listening and respectful conversation and we intend to continue this approach to our engagement. Our consultation process is ongoing through the environmental approval process and when an activity is being performed. We look forward to continuing our discussions with you in the future.

At our meeting, Woodside provided an overview of the Scarborough activities (Seismic EP, Subsea EP, D&C EP, SITI EP (Cth and State)), and you told us that the proposed activities give you a sick feeling and the activities should be stopped. You also let us know that, in your view, there is nothing that can be done by Woodside to progress with the proposed Scarborough activities in a way that could minimise impact to your functions, activities and interests or is respectful to your culture and country.

We confirm that we agreed not to share cultural details that you shared with us at the 14 March 2023 meeting. To respect this, we will not include cultural detail you shared with us at our meeting in Woodside's environment plans or in conversations with the Regulator. For clarity, as agreed, our proposed environment plans will confirm that we met with you on 14 March 2023 to continue consulting with you on the proposed Scarborough environment plans. So you are aware, this email as well as previous correspondence with SOS and Josie and Raelene will also be included in the proposed environment plans.

We took the following actions from the meeting. Responses are provided in italics:

- Provide background information on the "why" behind the Scarborough activities: *Woodside's Scarborough Gas Project helps play a role in the global energy transition, helping neighbouring Asian countries take action on emissions reduction. There is further information on our website: [Scarborough Gas Project and Pluto Train 2 - Woodside Energy](#).*
- Check with MAC as to whether MAC's ethnographic survey can be shared with Josie, Raelene and Save Our Songlines: *The ethnographic survey is held by MAC and Woodside does not have permission to share it.*
- Confirm fracking in relation to the Scarborough activities: *There is no fracking to be undertaken as part of the proposed Scarborough activities.*

We want you to know that, as discussed, we are open to consulting further with you on the proposed Scarborough activities and are open to the continuing engagements regarding the Scarborough activities. Please let us know if further feedback for the activities proposed under the environment plans is sensitive and we will make this known to NOPSEMA upon submission to ensure this information remains confidential to NOPSEMA.

In the meantime, we are grateful to have met you and to have heard your perspectives on the Scarborough activities and Woodside.

Best regards

[Redacted signature]



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount Street
Perth WA 6000
Australia

T: [Redacted]
E: [Redacted]@woodside.com
www.woodside.com
f t in v i

Ruby Hamilton

From: Clare Lakewood
Sent: Thursday, 6 April 2023 5:17 PM
To: sue.mccarrev@nopsema.gov.au
Cc: [REDACTED]@woodside.com.au; Ruby Hamilton
Subject: Scarborough Trunkline Installation 4D B1 Marine Seismic Survey Environment Plan
Attachments: 230406 Letter to NOPSEMA - Scarborough 4D B1 Marine Seismic Survey.pdf

Categories: LEAP

Dear Ms McCarrey,

We refer to the abovementioned environment plan. Please see the attached correspondence.

Please do not hesitate to contact us should you wish to discuss.

Yours sincerely,
Clare



Environmental
Defenders Office

**Clare Lakewood — Special Counsel, Safe
Climate**

(Mon, Tue, Wed, Thu)

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I use she/her pronouns.

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EDO recognises the traditional owners and custodians of the land, seas and rivers of Australia. We pay our respects to Aboriginal and Torres Strait Islander elders past and present, and aspire to learn from traditional knowledge and customs so that, together, we can protect our environment and cultural heritage through law.



Environmental Defenders Office

6 April 2023

Sue McCarrey
Chief Executive Officer; NOPSEMA

By email: sue.mccarrey@nopsema.gov.au

Copy to: [REDACTED]; Woodside Energy Group Ltd)
[REDACTED]
[REDACTED] (Senior Vice President – Scarborough; Woodside Energy Ltd)
feedback@woodside.com.au

Dear Ms McCarrey

“Relevant interested person” consultation requirements – Scarborough Trunkline Installation 4D B1 Marine Seismic Survey Environment Plan

1. We act for Ms Josie Alec and Ms Raelene Cooper.
2. We refer to the Scarborough 4D B1 Marine Seismic Survey Environment Plan (**Seismic Survey EP**), submitted by Woodside Energy Scarborough Pty Ltd (**Woodside**) on or around 23 March 2023, which we understand is currently under assessment by NOPSEMA. The Seismic Survey EP is for a proposal to survey the Scarborough, North Scarborough and Jupiter gas fields.
3. We also refer to:
 - a. Ms Alec’s and Ms Cooper’s letter to Woodside of 6 June 2022, into which you were copied (**6 June 2022 Letter**);
 - b. Woodside’s letter to Ms Alec and Ms Cooper of 22 July 2022 (**22 July 2022 Letter**);
 - c. Ms Alec’s and Ms Cooper’s letter to NOPSEMA of 26 September 2022 (**26 September 2022 Letter**), which attached a letter from Woodside to Ms Alec and Ms Cooper dated 22 July 2022 addressing the Seismic Survey EP;
 - d. NOPSEMA’s letter to Ms Alec and Ms Cooper of 3 October 2022;
 - e. Ms Alec’s and Ms Cooper’s letter to Woodside of 24 November 2022, into which you were copied (**24 November 2022 Letter**);

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ABN: 72002 880 864

- f. A meeting between Ms Alec and Ms Cooper and representative of Woodside held on 14 March 2023 (**Woodside Meeting**);
 - g. Woodside’s email to Ms Alec and Ms Cooper of 17 March 2023, including “Attachment A – 170323 – Save Our Songlines – Scarborough Seismic EP” (**Attachment A**), a copy of which is attached to this letter; and
 - h. Our letter to Woodside of 24 March 2023, into which you were copied;
 - i. Woodside’s email to our clients of 29 March 2023, into which you were copied.
4. At the Woodside Meeting, Ms Alec and Ms Cooper outlined the general nature of their interests, functions and activities to Woodside; emphasised the importance of their requests relating to handling of gender-specific cultural knowledge; and confirmed their interest in continued consultation. Our clients understood the meeting to be an introductory first meeting and in that context did not share their stories and lore in detail. Our clients consider that, while Woodside should now understand the significance of our clients’ cultural roles and responsibilities, the meeting should not be interpreted as a comprehensive account of our clients’ interests and knowledge. The meeting did not proceed to any explicit discussion of the Seismic Survey EP or the activities the subject of the Seismic Survey EP (**Seismic EP Activities**). There was some specific discussion of Woodside’s environment plan for the “Scarborough Seabed Intervention and Trunkline Installation” activity.

I. Ms Alec and Ms Cooper are Relevant Persons

A. Ms Alec and Ms Cooper have functions, interests and activities that may be affected by the Seismic EP Activities

5. As you are aware, reg 11A(1) requires consultation with each authority, person and organisation meeting the definition of a relevant person, which includes any person or organisation whose functions, interests or activities may be affected by the activities to be carried out under the environment plan.¹ A connection of traditional owners with sea country may constitute an interest for the purposes of reg 11A(1)(d).²
6. As traditional custodians, Ms Alec and Ms Cooper have consistently asserted their status as relevant persons for the purpose of consultation on activities relating to the development of the Scarborough gas field,³ on the basis that their ongoing cultural practices, businesses, interests and activities may be affected by the development of the Scarborough gas field. In the Woodside

¹ Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009 (**OPGGs Regulations**) reg 11A(1)(d).

² *Santos NA Barossa Pty Ltd v Tipakalippa* [2022] FCAFC 193 (**Tipakalippa**) [62]; NOPSEMA, *Consultation in the course of preparing an environment plan* (15 December 2022) (**NOPSEMA Guideline**), p 10, available at <https://www.nopsema.gov.au/sites/default/files/documents/Consultation%20in%20the%20course%20of%20preparing%20an%20Environment%20Plan%20guideline.pdf>.

³ 6 June 2022 Letter; 29 September 2022 Letter; 24 November 2022 Letter.

Meeting, Ms Alec and Ms Cooper gave Woodside additional information about the nature of their connection and cultural responsibilities that may be affected by the Seismic EP Activities.⁴

7. Though Woodside has so far failed to respond directly to Ms Alec's and Ms Cooper's request for confirmation that Woodside considers them relevant persons for the purpose of consultation, we understand that the environment plan Woodside submitted to the WA Minister for Mines and Petroleum on 9 March 2023 identifies Ms Alec and Ms Cooper as relevant persons along with Save Our Songlines, the organisation that they founded.⁵
8. As relevant persons, Woodside must consult with Ms Alec and Ms Cooper regarding the Seismic Survey EP, including by at least:
 - a. giving Ms Alec and Ms Cooper sufficient information to enable them to make an informed assessment of the possible consequences of the activity on the functions, interests or activities of the relevant person;
 - b. allowing a reasonable period for the consultation, including allowing time for a relevant person to respond to a project proponent with concerns.⁶
- A. Ms Alec's and Ms Cooper's functions, interests and activities are distinct from those of Murujuga Aboriginal Corporation (MAC)
9. The 6 June 2022 Letter made clear to Woodside that Ms Alec and Ms Cooper were unaware of any consultation that may have occurred with MAC, and were unaware of any efforts by Woodside to consult the MAC board, Elders or knowledge holders. This was reiterated at the meeting of 14 March 2023.
10. At the meeting of 14 March 2023, Ms Alec and Ms Cooper also explained that they were unaware of any consultation being undertaken with MAC; and that their knowledge of heritage sites was distinct from others who may have been involved in any heritage or ethnographic surveys undertaken with MAC.
11. Ms Alec and Ms Cooper are knowledge holders with cultural functions, interests and activities specific to their roles in the Mardudhunera and Marthudhunera/Kuruma language groups. It is their view that these functions, interests and activities are separate from those of MAC. Consultation with MAC therefore does not relieve Woodside of the obligation to consult our clients.

II. Woodside Has Not Provided Sufficient Information

12. Information should be in a form that is readily accessible and appropriate for the relevant person being consulted. Materials provided may include written forms, pictorial or other graphics, verbal briefings or presentations, and the use of other technologies.⁷ Titleholders are encouraged to

⁴ Details about the nature of this connection is omitted here for cultural reasons.

⁵ Woodside, Scarborough Trunkline Installation (State Waters) Environment Plan Summary (February 2023).

⁶ *Tipkalippa* [56].

⁷ NOPSEMA Guideline, p 12.

discuss expectations around the type and level of detail of information required with relevant persons early when commencing consultation.⁸

13. In the 6 June 2022 Letter, among other issues raised, Ms Alec and Ms Cooper sought from Woodside “copies of any draft Cultural Heritage Management Plans, scientific studies or reviews held by Woodside, disclosure of who has been consulted, and or any other relevant information held by Woodside in relation to the Scarborough and related developments”, to facilitate consultation.
14. Woodside responded in July 2022 to the effect that Woodside considered that Ms Alec’s and Ms Cooper’s functions, interests and activities would not be affected by the Seismic EP Activities.⁹
15. In the 24 November 2022 Letter, among other issues raised, in order to assist in understanding how their functions, interests and activities would be affected, Ms Alec and Ms Cooper asked Woodside to provide:
 - a. copies of all draft Environment Plans and associated technical and other information for the Scarborough project;
 - b. any studies, research or other information held by Woodside relating to:
 - i. impacts and risks of the Scarborough project activities on cultural practices, sites, values, stories and songlines (not limited to “ethnographic sites”), including on marine fauna of cultural significance; and
 - ii. impacts and risks of industrial pollution from gas processing on cultural heritage at Murujuga;
 - c. any documents held by Woodside in relation to impacts on cultural heritage from the Pluto LNG facility, including section 18 approval documents, compliance reports, anthropological studies, site surveys or other data of this nature; and
 - d. any studies, reports or other information held by Woodside on the impacts of Woodside’s existing and proposed activities on the World Heritage values or World Heritage listing process for Murujuga.
16. In response to their request for specific studies, report and documents that would assist Ms Alec and Ms Cooper to understand how their functions, interests and activities may be affected by the Seismic EP Activities:
 - a. By email on 16 March 2023, Woodside advised Ms Alec and Ms Cooper that it did not have permission to share the ethnographic survey it undertook with Murujuga Aboriginal Corporation (**MAC**) in relation to the Scarborough Gas Project.
 - b. By an attached document entitled “Attachment A”, emailed on 17 March 2023, Woodside advised Ms Alec and Ms Cooper:

⁸ NOPSEMA Guideline, p 12.

⁹ 22 July 2022 Letter.

- i. of the existence of an ethnographic survey it undertook with MAC which concluded no cultural heritage would be affected. Ms Alec and Ms Cooper have explained that they have knowledge of sites and songlines that would not have been included in that ethnographic survey¹⁰;
- ii. that Woodside has “made several attempts since November 2021 to engage with Save Our Songlines, Josie Alec and Raelene Cooper” and that Woodside is “open to receiving feedback on the Seismic EP”;
- iii. to refer to the information sheet that has been available on Woodside’s website since May 2021 “inviting... request for additional information,” and to version 0 of the environment plan available on the NOPSEMA website since 18 October 2021;
- iv. that Woodside has “resourced Traditional Custodian representative institutions to access relevant information and independent expert advice so that they are enabled to provide informed and considered feedback on the broader Scarborough activities”. Ms Alec and Ms Cooper have not been so resourced, and have explained to Woodside that their functions, interests, activities and cultural knowledge is different to that of others with whom Woodside may have consulted;
- v. of a link to the Scarborough Cultural Heritage Management Plan,¹¹ which does not refer to the Seismic EP Activities;
- vi. in various conclusory statements that there would no impact on rock art or sites of cultural and spiritual significance; and that indirect impacts and risks raised by Ms Alec and Ms Cooper were not considered by Woodside to be impacts and risks of the Seismic EP Activities.

17. Woodside has not otherwise provided the documents, studies and other information requested by Ms Alec and Ms Cooper in the 6 June 2022 Letter and 22 November 2022 Letter.

18. Though NOPSEMA acknowledges that information “may well need to be provided in an iterative manner, as finer detail and precision is developed through the consultation process”,¹² Attachment A does not appear to contain the studies, surveys and documents that Ms Alec and Ms Cooper have requested. Our clients are not yet in a position to properly understand the impacts that the Seismic EP Activities might have on their functions, interests and activities; let alone to have been given the opportunity to participate in the kind of iterative process that would facilitate a genuine two-way dialogue between the titleholder and relevant persons.¹³

¹⁰ See paragraph [10].

¹¹ Woodside Energy Ltd, “Scarborough Cultural Heritage Management Plan” (Rev 0, 5 January 2023), available: https://www.woodside.com/docs/default-source/our-business---documents-and-files/burrup-hub---documents-and-files/scarborough---documents-and-files/scarborough-cultural-heritage-management-plan.pdf?sfvrsn=162e353a_3/%20Scarborough-Cultural-Heritage-Management-Plan.pdf.

¹² NOPSEMA Guideline, p 12.

¹³ NOPSEMA Guideline, p 9; Paragraph 104 - Santos NA Barossa Pty Ltd v Tipakalippa [2022] FCAFC 193; see also Paragraph 189 - McGlade v South West Aboriginal Land & Sea Aboriginal Corporation (No 2) [2019] FCACF 238; 374 ALR 329

19. The Attachment A document makes some references to sections of the Seismic Survey EP that have apparently been updated to address the impacts and risks of the Seismic EP Activities on our clients' functions, interests and activities. Attachment A does not provide any detail about the nature of these changes. As our clients only have access to the version of the Seismic Survey EP as first submitted to NOPSEMA on 11 October 2021, they do not have sufficient information to understand whether and how those changes mitigate impacts and risks on their functions, interests and activities.
20. Our clients specifically reiterate their request for a copy of the current version of the Seismic Survey EP (which we understand to be the version submitted to NOPSEMA on or around 23 March 2023). This document will assist our clients to understand the impacts and risks of the Seismic EP Activities as currently proposed by Woodside. It is difficult for our clients to understand why Woodside has not provided a copy of this document to them, noting in particular that it is a finalised document submitted to NOPSEMA and is not a "working" document that may be subject to immediate changes.

III. Woodside Has Not Provided a Sufficient Period for Consultation

21. Titleholders must be genuine,¹⁴ in that they must provide a "reasonable period" for the relevant person to make an informed assessment of the possible consequences of the proposed activity on their functions, interests or activities and so they are able to respond with any concerns.¹⁵
22. What is a reasonable period for consultation should be considered on a case-by-case basis.¹⁶ Although Ms Alec and Ms Cooper consider their cultural obligations fundamentally important, they are individual persons who do not undertake consultation as part of their paid employment. They also have work, family and other cultural obligations that they must balance against the cultural obligation they have to be informed how the Seismic EP Activities will affect their interests and activities, and to engage in the consultation process to ensure that Woodside understand and address the environmental impacts and risks of its activities, including the Seismic EP Activities. Additionally, during the period in which Ms Alec and Ms Cooper were seeking to arrange an in-person meeting with Woodside, Ms Alec experienced illness requiring hospitalisation.
23. Here, although it has been approximately eight months since Ms Alec and Ms Cooper first requested information from Woodside that is necessary for them to properly understand the impacts of Woodside's activities, including the Seismic EP Activities, Woodside submitted the Seismic Survey EP:
 - a. just 10 days after first meeting with Ms Alec and Ms Cooper; and
 - b. just six days after first responding to Ms Alec's and Ms Cooper's requests for information as those requests relate to the Seismic Survey EP with Attachment A;

¹⁴ *Tipkalippa* [56].

¹⁵ NOPSEMA Regulations reg 11A(3); *Tipkalippa* [56].

¹⁶ NOPSEMA Guideline, p 9.

- c. without inviting a response from Ms Alec and Ms Cooper or confirmation of whether the response was sufficient;
 - d. without providing notice that Woodside intended to imminently submit a revised version of the Seismic Survey EP to NOPSEMA for assessment; and
 - e. before receiving any response from Ms Alec and Ms Cooper.
24. That six-day window between receiving Attachment A and the Seismic Survey EP being resubmitted was not sufficient for Ms Alec and Ms Cooper to consider, based on the information provided, the effect of the proposed activity on their functions, interests and activities, or respond to Woodside with their concerns.
25. One week after receiving Attachment A, we advised Woodside that Ms Alec and Ms Cooper anticipate needing approximately six weeks to review and digest the information in Attachment A and arrange the next step in consultation. This period reflects our clients' respective availabilities (having regard to the matters outlined above at [22]) and the relative volume and complexity of information.

IV. Consultation Cannot Have Informed Mitigation of the Environmental Risks and Impacts

26. The consultation process is designed to ensure that the titleholder adopts appropriate measures in response to the concerns conveyed to the proponent by relevant persons.¹⁷ Ms Alec and Ms Cooper are of the view that consultation with them may present many opportunities to mitigate the impacts of the Seismic EP Activities.
27. Superficial or token consultation will not be enough and all group members should be afforded a reasonable opportunity to participate in decision-making.¹⁸ The consultation process should produce more detail and precision which will inform titleholders' mitigation of the environmental risks and impacts.¹⁹
28. It appears that this had not yet occurred with respect to the Seismic EP Activities. Attachment A appears to limit consideration of cultural features of the environment that may be affected to the Murujuga National Heritage Place and the "anticipated boundary of the Murujuga Cultural Landscape World Heritage Property". Ms Alec's and Ms Cooper's cultural functions, interests and activities are not limited to that confined geographic area. By way of example, we note that in the Woodside Meeting, Ms Alec and Ms Cooper referred to cultural responsibilities and interests with respect to whales and songlines which extend into the ocean.
29. Woodside must ensure that they understand the nature of these interests, so that they may consider and respond to this information (including by informing NOPSEMA of the measures it has adopted or proposes to adopt to meet the concerns raised by Ms Alec and Ms Cooper) in order to

¹⁷ *Tipakalippa* [57].

¹⁸ *Tipakalippa* [104]; NOPSEMA Guideline, p 11,

¹⁹ NOPSEMA Guideline, p 11; *Tipakalippa* [89].

meet the criteria for acceptance of the EP.²⁰ Consultation will provide more detail and precision, which will enable Woodside in turn to address what measures need to be taken to mitigate environmental risks and impacts; which measures (and corresponding levels of impacts and risks) should be presented to NOPSEMA for its consideration in further decision-making.²¹

30. Given the Seismic Survey EP was resubmitted to NOPSEMA just 10 days after first meeting with Ms Alec and Ms Cooper; and just six days after Ms Alec and Ms Cooper were provided with a response to their previous requests for information necessary for them to consider how the Seismic EP Activities might affect their interests and activities, and before they had a chance to respond, it is not reasonable to conclude that Woodside refined or changed the measures it proposes, or adopted new measures, to address the impacts and risks of the Seismic EP Activities in light of the information it has received.
31. Our clients have not been provided with information or materials from Woodside that explains Woodside's understanding of our clients' functions, interests and activities, and therefore cannot confirm whether Woodside has understood and given proper consideration to relevant impacts, risks and mitigation measures. Woodside's email of 29 March 2023 indicated that Woodside is interested in learning about, relevantly, Ms Alec's and Ms Cooper's interests.
32. A full and meaningful consultation process, which has not yet occurred, is necessary to ensure that Woodside is properly apprised of the environmental risks and impacts of the Seismic EP Activities, and that measures that might address those impacts and risks are considered and adopted.

V. Action required

33. In order to accept an environment plan, NOPSEMA must be reasonably satisfied that the environment plan demonstrates the obligation to carry out consultation with relevant persons required by reg 11A has been discharged and that the measures (if any) that the titleholder has adopted, or proposes to adopt, because of the consultations are appropriate. The obligation to consult must be discharged before an environment plan is submitted.²²
34. Because the proponent:
 - a. Has not provided sufficient information to Ms Alec and Ms Cooper;
 - b. Has not provided a reasonable period for consultation with Ms Alec and Ms Cooper; and
 - c. Therefore cannot reasonably be understood to have refined or changed the measures it proposes to address the environmental impacts and risks of the Seismic EP Activities;

the Seismic Survey EP do not satisfy reg 10A(g), and our clients therefore urge NOPSEMA not to accept the Seismic Survey EP.

²⁰ *Tipakalippa* [57].

²¹ *Tipakalippa* [79].

²² OPGGS Regulations reg 10A(g); *Tipakalippa* [104]; NOPSEMA Guidelines, p 2.

35. Instead, our clients request that you notify Woodside pursuant to reg 10(1) and (2) that you are not reasonably satisfied that the Seismic Survey EP meets the criteria in reg 10A.

36. Please do not hesitate to contact us should you wish to discuss. We look forward to hearing from you as a matter of urgency, in any in event, by no later than 5pm on 20 April 2023.

Yours sincerely,

Environmental Defenders Office

A handwritten signature in black ink, appearing to read 'Clare', written in a cursive style.

Clare Lakewood

Special Counsel, Safe Climate (Gas)

Jess Border

From: [redacted]@woodside.com > on behalf of [redacted]
[redacted]@woodside.com >
Sent: Monday, 17 April 2023 1:14 PM
To: sue.mccarrey@nopsema.gov.au
Cc: Clare Lakewood; Woodside Feedback; Ferrie, Jo
Subject: Scarborough Trunkline Installation 4D B1 Marine Seismic Survey Environment Plan
Attachments: 230417 letter to NOPSEMA - Scarborough 4D B1 Marine Seismic Survey Environment Plan.pdf; Attachment A History of engagements.pdf; Attachment B SOS Media Release.pdf

Follow Up Flag: Follow up
Flag Status: Completed

You don't often get email from [redacted]@woodside.com. [Learn why this is important](#)

Dear Sue,

Please find attached Woodside's response to the letter from the Environmental Defenders Office (dated 6 April 2023) addressed to you and copied to Woodside. We would be pleased to discuss this matter further with you at your convenience.

Yours Sincerely,

Regards

[redacted]

Project Director - Scarborough



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17 April 2023

Attn: Sue McCarrey
Chief Executive Officer; NOPSEMA
By Email: sue.mccarrey@nopsema.gov.au

Copy to: Environmental Defenders Office
By email: clare.lakewood@edo.org.au

Dear Ms McCarrey

RE: Scarborough 4D B1 Marine Seismic Survey Environment Plan

We refer to the letter from the Environmental Defenders Office (EDO) dated 6 April 2023 that was addressed to you and was copied to Woodside (**Letter**). The subject of the Letter is “**Relevant interested person**” consultation requirements – **Scarborough Trunkline Installation 4D B1 Marine Seismic Survey Environment Plan** (sic).

The Letter suggests that consultation with the EDO’s clients Josie Alec (**Ms Alec**), Raelene Cooper (**Ms Cooper**) and Save Our Songlines (**SOS**) has not been completed and therefore Woodside’s Scarborough 4D B1 Marine Seismic Survey Environment Plan (**EP**) should not be accepted.

The notes set out below provide additional context in relation to items raised in the Letter, including in relation to Woodside’s repeated and protracted attempts to meet, engage and consult with Ms Alec, Ms Cooper and SOS on the Scarborough Project, including the Scarborough 4D B1 Marine Seismic Survey Environment Plan (**EP**).

Woodside confirms the EP was submitted for approval on the grounds it meets the **Regulations** and intent for the documented environmental outcomes and commitments.

The underpinning consultation effort is documented within the EP, demonstrating the provision of sufficient information, sufficient time and opportunity to consult over an extended period.

The EP demonstrates that comprehensive studies have been relied on and extensive consultation has taken place, including an ethnographic survey which enhances Woodside's understanding of the environment, formed over decades of operating in the North Western area of Western Australia.

As to Woodside’s consultation approach, you will see that consultation feedback and input is welcomed and received across the life of the EP, including while it is being prepared, while it is under assessment as well as after approval. The approach is extensive and, for example, includes consultation with parties pursuing public campaigns in opposition to the Scarborough Project and information gained through consultation is incorporated, if relevant and where it requires additional measures for managing risks and impacts of the specific activities of the EP.

Woodside continues to act in good faith and has consistently offered an open invitation to Ms Alec, Ms Cooper and SOS to provide feedback to allow Woodside to consider the potential impacts and risks of the activities on functions, interests and activities and to provide input on things Woodside can do to mitigate those potential impacts and risks.

The process for consultation remains open post EP approval, and any further feedback received, will be assessed and, where appropriate, Woodside will apply its Management of Change and revision process and update the EP as required. The attempts by parties to use the consultation mechanism to stall and delay approvals are not consistent with the intentions under the Regulations for consultation in good faith, however, are consistent with the consultation record (refer **Attachment A**).

We would be pleased to meet with you to discuss the notes contained in this letter and the issues raised in the Letter from EDO.

1. Context for consideration

The Letter refers to the *Offshore Petroleum and Greenhouse Gas Storage Regulations 2009* (Cth) (**Regulations**) and in particular to criteria for acceptance of an environment plan - regulation 10A(g) and 11A(1)(d):

Reg 10A(g) - *For regulation 10, the criteria for acceptance of an environment plan are that the plan: ... (g) demonstrates that: (i) a titleholder has carried out the consultations required by Division 2.2A; and (ii) the measures (if any) that the titleholder has adopted, or proposes to adopt, because of the consultations are appropriate.*

Division 2.2A, Reg 11A (1)(d) – *In the course of preparing an environment plan... a titleholder must consult each of the following (a relevant person): (d) a person or organisation whose functions, interests and activities may be affected by the activities to be carried out under the environment plan...*

We also note Regulation 14(9) which contemplates ongoing appropriate consultation being part of the implementation strategy for the Activity.

The Letter also refers to various excerpts from the Full Federal Court decision in *Santos NA Barossa Pty Ltd v Tipakalippa* [2022] FCAFC 193 (**Tipakalippa Decision**). The additional excerpts below provide further relevant comments for a decision-maker when reviewing consultation undertaken in relation to an Environment Plan:

- *It must be taken to be the regulatory intention that the consultation requirement cannot be one that is incapable of being complied with within a reasonable time ... (par 136)*
- *The scheme ... operates on the premise that a titleholder will be able, with “reasonable diligence”, to ... discharge its obligation to consult (par 138)*
- *[The consultation obligation is] an obligation that must be capable of practicable and reasonable discharge by the person upon whom it is imposed (par 89)*
- *It is recognised that a statutory obligation to consult must be understood in a practicable and reasonable way so that it is capable of performance (par 95)*

It is also significant that in the Tipakalippa Decision, while it was acknowledged that consultation must be undertaken, the Court did not go as far as requiring a titleholder to reach agreement or obtain consent during consultation.

2. Summary of consultation [paragraphs 5, 20, 21, 26-29]

Please see attached “Attachment A” which sets out Woodside’s engagements with Ms Alec, Ms Cooper and SOS.

Woodside’s position is that having regard to all of the circumstances of the consultation undertaken with Ms Alec, Ms Cooper and SOS, and in light of the concepts of “reasonable time”, “reasonable diligence”, a consultation obligation that “must be capable of practical and reasonable discharge ... that must be capable of performance” NOPSEMA can be reasonably satisfied that an appropriate level of consultation has taken place with Ms Alec, Ms Cooper and SOS.

As detailed below, the following are relevant:

- a) The SOS group was established in November 2021. Consultation involving Woodside and Ms Alec, Ms Cooper and SOS has been ongoing since at least 15 December 2021, and, as recently as 29 March 2023, Woodside has reiterated that it remains open to engaging in further consultation.

There have been numerous exchanges of correspondence, efforts to meet, scheduled meetings that Ms Alec, Ms Cooper and SOS did not attend (despite indicating they would), and a meeting that took place on 14 March 2023 at Hearson Cove in Karratha. Woodside has provided ample opportunities to Ms Alec, Ms Cooper and SOS to continue consultation and numerous offers to meet.

- b) An example of a consultation period of 21 – 30 days with traditional owners is set out in the Department of Mines and Petroleum “Guidelines for Consultation with Indigenous People by Mineral Explorers”. Consultation under Regulation 11B of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009 (Cth)* sets out a public consultation period of 30 days. In the context of those kinds of consultation periods, the period already undertaken for consultation is, objectively, an extended and sufficient period of time.
- c) Information has been provided that describes in detail, the activity proposed to be undertaken in the EP, the location, the duration, the risks, impacts and controls in place to minimise impacts and risks to as low as reasonably practicable.
- d) Our face-to-face consultations are prepared and developed on the basis of the extensive information contained in the EPs, fact sheets, and summaries, all of which have been provided to Ms Alec, Ms Cooper and SOS to enable them to assess potential risks and impacts to functions, interests and activities. The information has not materially changed over the various submissions of the EP and provides material to understand potential risks and impacts to functions, interests and activities.
- e) Ms Alec, Ms Cooper and SOS have shown a high level of awareness and understanding of the Scarborough Project and have noted to Woodside, various avenues available to access further information.
- f) Ms Alec and Ms Cooper note that there is information that is not yet known to them (for instance, wisdom that Murujuga rocks have for the past and future) and that the information be revealed to them in time. Ms Alec and Ms Cooper indicated that they will share the information when that information is revealed to them. In addition, Ms Alec, Ms Cooper and SOS have indicated they have other information that they are not ready to share but will share at the appropriate time.

- g) Woodside has confirmed that when new information is shared, Woodside will consider it and, if relevant and appropriate, has a process for updating the EP and including additional controls as required.
- h) Ms Alec, Ms Cooper and SOS have been asked directly to indicate how Woodside can carry out activities in a way that is sensitive to Ms Alec, Ms Cooper and SOS's cultural knowledge and have been told that there is no way to do this other than stopping the Scarborough Project.
- i) In any event, Woodside remains patient and open to receiving information and continuing the consultation with Ms Alec, Ms Cooper and SOS that has been ongoing since at least December 2021.

3. Scarborough 4D B1 Marine Seismic Survey Environment Plan [paragraph 2, 26]

The EP was resubmitted to NOPSEMA for assessment on 19 March 2023. A full version of the EP is available on the NOPSEMA website.

The EP sets out (amongst other things) a description of the seismic activities in Commonwealth waters (Activities) and:

- location where the Activities will occur
- duration of the Activities
- assessed impacts and risks of the Activities
- controls (environmental performance objectives and environmental performance standards and measurement criteria) to manage impacts and risks of the Activities to as low as reasonably practicable (**ALARP**) and an acceptable level.

It is worth noting that a previous EP which included the seismic activity proposed to be undertaken the current EP was submitted in June 2019 and accepted by NOPSEMA in December 2019. The activity was unable to be commenced because of COVID.

The current EP covers the same seismic activity (although it is limited to the Scarborough area) and was submitted in October 2021.

For the current EP, the Activity description, location, duration, risks and impacts and controls have substantially remained the same through the various re-submissions of the EP that have occurred since October 2021. During the re-submission process, the EP Activity description has, however reduced – for example, the Activity no longer proposes to include use of autonomous ocean bottom seismic nodes.

We emphasise these parts of the EP because they set out the information about the Activity proposed to be carried out under the EP that is useful for relevant persons to understand the potential risks and impacts of the Activities relevant to them.

4. Correspondence, consultation and other information [paragraph 3; 4; 7; 9; 13-25]

4.A Previous correspondence and consultation

The Letter from the EDO confirms there has been a history of correspondence and consultation between Ms Alec, Ms Cooper, SOS and Woodside.

So there is visibility, we note in addition to those referred to in the EDO Letter, numerous other pieces of correspondence, interfaces and consultation have been undertaken. Please see **Attachment A**.

4.B Additional information

In addition to the notes above, Ms Alec, Ms Cooper and SOS have posted and provided views, summaries and comments on the Scarborough Project in a number of different forums. These include:

- a) **Save Our Songlines website** which contains views on the Scarborough Project, summaries of the Scarborough Project, YouTube videos as well as links to other websites which also express opinions on the Scarborough Project ([Save Our Songlines - Protect the Burrup](#))
- b) **27 November 2021** – Community rally in Karratha to oppose the Scarborough Project which included Ms Alec and Ms Cooper who spoke, amongst other things, about the Scarborough Project (Reference: [Fears Woodside's Scarborough gas project threatens rock art, Pilbara environment - ABC News](#))
- c) **February, September and October 2022** - Ms Alec and Ms Cooper requests for assessment under *Aboriginal Torres Strait Islander Heritage Protection Act 1984* (Cth) which includes notes on the Scarborough Project (Reference: [Notice of an application for the protection of a specified area, being parts of the area known as Murujuga \(or the Burrup Peninsula and Dampier Archipelago\), Western Australia \(legislation.gov.au\)](#))
- d) **7 July 2022** – Attendance at the United Nations by Ms Alec and Ms Cooper which included comments on the Scarborough Project ([United Nations fronted by Traditional Owners fighting to save Country | SBS NITV](#)) (See **Attachment B – Media Release**).

Ms Alec, Ms Cooper and SOS have held or have current roles that are also relevant:

- a) Ms Cooper confirmed in the 14 March 2023 meeting that she was, for around 10 years, a former Board member of MAC. (We understand Ms Cooper resigned from the Board in around February 2022). So, Woodside’s correspondence, involvement and meetings on the Scarborough Project with Ms Cooper (in her capacity as a MAC representative) also go back an extended period to when discussions on the Scarborough Project commenced with the MAC – in June 2018.
- b) We understand that Ms Cooper may have known of the ethnographic studies of the Scarborough Project that were undertaken by MAC during the period that Ms Cooper was a Board member of MAC. While Woodside has no authority to provide the survey to Ms Alec, Ms Cooper and SOS, Ms Cooper may have contacts at MAC to request a copy of that survey.
- c) At the meeting Ms Alec confirmed she has been appointed the “First Nations Lead” at Australian Conservation Foundation. (ACF has publicly confirmed that it has commenced Federal Court proceedings against Woodside, challenging the Scarborough Project approvals).

4.C Consequence of correspondence and consultation

The various pieces of correspondence and consultation confirm that:

- a) Issues that have regularly been identified by Ms Alec, Ms Cooper and SOS primarily relate to:
 - air emission impacts on rock art
 - displacement or removal of rock art
 - greenhouse gas emissions
 - lack of access to cultural sites

- specific cultural concerns
- b) These issues have been addressed by Woodside in the various pieces of correspondence and consultation with Ms Alec, Ms Cooper and SOS.
 - c) Woodside has made numerous offers to meet with Ms Alec, Ms Cooper and SOS. This included (as identified above) a meeting that was planned in Karratha for October 2022 and that Woodside prepared to attend (including by flying a specialist environment employee to join the Woodside meeting contingent to Karratha), which Ms Alec, Ms Cooper and SOS did not end up attending.
 - d) Woodside has consistently noted it is open to receiving feedback and to continue engaging in consultation. This was reiterated as recently as on 29 March 2023.
 - e) Woodside has sought general and specific information from Ms Alec, Ms Cooper and SOS and demonstrated it is open to receiving information.
 - f) Some specific questions were asked at the meeting on 14 March 2023 and were set out in emails, most recently an email dated 29 March 2023 from Woodside to Ms Alec, Ms Cooper and SOS:
 - A question was asked by Woodside along the lines of: *what things can Woodside do in order to carry out the Scarborough Project in a respectful way to the knowledge and cultural information that has been shared in the meeting.*
 Our team's recollection is that the answer given was along the lines of: *there is nothing Woodside can do to carry out the project in a respectful way and that it was not clear why the project was happening in Murujuga and why it couldn't be done somewhere else along the coast.*
 - Woodside also asked along the lines what it could do to protect the values that were being talked about. The answer that was given was along the lines of: *all that can be done is for the project to be stopped.*
 - A further question was asked along the lines of: *if the project is to go ahead what could be done to protect the values.* The answer given was along the lines of: *nothing. The only option is to stop the project.*
 - These answers informed our team's take aways from the meeting. Following the meeting, our team considered what was discussed in the meeting including references to whales and potential songlines. Based on the information exchanged at the meeting, no updates were required to the EP prior to resubmission.
 - The Woodside team who attended the 14 March 2023 meeting confirmed that no specific information was provided by Ms Alec, Ms Cooper or SOS in relation to impacts to whales or songlines. For visibility, in the EP Woodside recognises that whales and other species of totemic importance need to be protected, including their populations and migration patterns. The EP assess this and a suite of controls are in place to manage it.
 - g) Requests from Ms Alec, Ms Cooper and SOS relating to the meetings have changed over time – and Woodside has responded flexibly to those changes.
 - h) Woodside has provided information on the Activity, duration, location, risks, impacts, controls to enable Ms Alec, Ms Cooper and SOS to consider impacts and risks of the activities.
 - i) In addition to the issues and topics that continue to be referenced by Ms Alec, Ms Cooper and SOS, at the meeting and in correspondence, Ms Alec, Ms Cooper and SOS have indicated that they have information that is relevant but that they are not yet ready to share with Woodside.

Woodside has consistently confirmed that it remains open to hearing from Ms Alec, Ms Cooper and SOS when the information is known and it is ready to be shared.

- j) Woodside has agreed to continue to attend meetings with an open heart, deep listening and seeking a respectful conversation and trust.
- k) Attendees to meetings have agreed to come to meetings open to sharing knowledge about the environment (heritage value of places, social and cultural features) that may be affected by the activities under the proposed Scarborough EPs. Attendees come to the meeting open to sharing ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.
- l) Throughout the correspondence and consultation, Woodside has confirmed that Woodside remains open to consulting further on the proposed Scarborough activities and that it is open to the continuing engagements regarding the Scarborough activities.
- m) In addition, Woodside has confirmed that it has a process in place for the life of an EP that allows the EP to be updated to include additional or new information or feedback that is received after an EP is submitted. This is done through the EP Management of Knowledge and Management of Change and Revision processes. So, for example, if new or additional information is provided to Woodside, Woodside can consider that information and assess the impact and risks in accordance with the impact and risk analysis and evaluation methodology in the EP to determine the significance of potential new environmental impacts or risks if not already provided for in the EP. In that context, if information changes Woodside's understanding of the environment or understanding of measures that Woodside can take in order to lessen or avoid impacts of activities, that information can be updated and actioned in the EP. This means that feedback or information provided in future meetings can still be taken into account and, where appropriate, can be incorporated in the EP during the life of the activity.

4.D Opportunity to input, feedback and consult

Despite Woodside's continued consultation effort and numerous invitations to meet, the correspondence received from Ms Alec, Ms Cooper and SOS suggests that consultation has not yet occurred, or has only just commenced, or has not been fulsome enough.

From an objective perspective, there may be various reasons for a position along these lines, including:

- a) Lack of availability (work / travel commitments etc)
- b) Lack of understanding of the project
- c) Illness and hospitalisation
- d) A desire to use the consultation mechanism to stop or stall the Scarborough Project

We set these out because, in the circumstances of a) b) and c), it is reasonable to expect that a titleholder might assist with consultation by providing an extended period for consultation, various different options and opportunities to meet and various different formats that describe the project so that it is accessible (eg a publicly available summary of the EP, Fact Sheets as well as Plain English Fact Sheets and offers to explain the project at face-to-face meetings). Woodside has provided all of these to Ms Alec, Ms Cooper and SOS.

In circumstances of d), other than continuing to acknowledge peaceful protests, remaining patient, remaining open to receiving feedback throughout the life of an EP and having processes in place to

update EPs when further relevant information is received, there is nothing further that a titleholder can reasonably do to progress or close out consultation.

In the current circumstances, there appears to be evidence of reticence to meet and to share information in circumstances where information and meetings have been encouraged by Woodside and there has been a demonstration that Woodside remains open to receiving feedback and information.

In all of the circumstances, Woodside remains patient and open to receiving feedback and consulting on its Activities with Ms Alec, Ms Cooper and SOS.

5. Interests of Ms Alec, Ms Cooper and SOS [paragraphs 6; 7; 10-12; 20(b)]

Ms Alec, Ms Cooper and SOS are described in the EDO Letter as “traditional owners with cultural responsibilities, interests in and connections to Murujuga, including surrounding sea country”.

We confirm we have heard that Ms Alec’s and Ms Cooper’s functions, interests and activities are distinct from those of Murujuga Aboriginal Corporation (**MAC**).

We want to be very clear that, in addition to consulting with MAC, we have been engaging with Ms Alec, Ms Cooper and SOS and have confirmed ongoing consultation.

6. Reasonable exercise of rights

Also noteworthy is that the “Demonstration of Acceptability” set out in the EP, refers to section 280 “Interference with other rights” of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* (Cth):

A titleholder ...carrying on activities in an offshore area ... must carry on those activities in a manner that does not interfere with ... (e) the enjoyment of native title rights and interests (within the meaning of the Native Title Act 1993 (Cth)) to a greater extent than is necessary for the reasonable exercises of the rights and performance of the duties of the titleholder.

For the Activity in this EP, there is no native title claim, determination or ILUA over the Commonwealth waters (Operational Area or EMBA) and therefore also no native title rights or interests (as recognised under the native title legislation) identified for the area where the Activity will take place or in the EMBA.

The assessment of consultation undertaken for the EP should be considered in that context – that is, in the context of relevant persons where there is no native title rights granted under legislation. This should be contrasted with the overriding right of a titleholder to interfere, albeit not to a greater extent than is necessary for the reasonable exercise of rights and performance of duties.

7. Relevant persons [paragraph 8]

Woodside reiterates that the issue of relevant person has been responded to in correspondence and was sensitively discussed at the Meeting. (Please see the notes from our email of 29 March 2023.)

8. Next steps

We would be pleased to discuss the notes contained in this letter and the issues raised in the Letter from EDO with you.

Yours Sincerely,



Project Director / VP Scarborough

Attached:

Attachment A: Engagement and consultation with Josie Alec, Raelene Cooper and Save Our Songlines

Attachment B: Save Our Songlines Media Release “Traditional custodians address United Nations on damage to priceless rock art by Woodside’s WA Scarborough Project”

Summary

Since June 2018, Woodside has undertaken 82 substantial engagements relating to the Scarborough Project, including 32 meetings with Traditional Custodians and their representative institutions.

The Scarborough Project engagements have included discussion of the following EPs:

- Scarborough Trunkline Installation (State Waters) EP
- Scarborough 4D Baseline Marine Seismic Survey EP
- WA-61-L and WA 62-L Subsea Infrastructure Installation EP
- Scarborough Seabed Intervention and Trunkline EP
- Scarborough Drilling and Completions EP

Meetings have mostly been face-to-face and have also included on-line options for providing feedback, particularly during periods of COVID-19 risk.

Following initial notification to authorised representative institutions about the Scarborough Project in around mid-2018, Woodside has continued to extend consultation periods to adapt and manage COVID concerns, and to avoid cultural Law and Sorry Business periods.

Woodside's engagements and consultations with Traditional Owner groups pre-date the creation of the Save Our Songlines interest group. Save the Burrup – Save our Songlines was created on 19 November 2021. The group described its purpose as: songlines, saving our world and saying no to Woodside's Scarborough gas. When it formed, it did not represent itself as a Traditional Owner society.

Woodside's specific engagements with SOS are set out below. The information below includes separate activity breakdowns (ie. It does not include duplicate or follow up attempts to engage) as follows:

- 5 meetings
- 2 attempted meetings
- 19 emails
- 7 phone calls
- 10 letters

Date	Method	Purpose
19 November 2021	-	Save our Songlines (SOS) is established
21 November 2021	Meeting in Roebourne	Woodside met with a senior Ngarluma member in Roebourne to discuss SOS affiliations, interests and cultural concerns. The meeting confirmed that cultural interests were held by native title groups, not SOS. Woodside was encouraged to maintain regular engagement with the community.

Date	Method	Purpose
15 December 2021	Meeting in Dampier	Woodside attended the MAC Board and Circle of Elders meeting at the MAC office, Dampier. Ms Cooper was a MAC Board member at the time of the meeting and was present for the introduction. Ms Cooper objected to Woodside's presence. When the MAC Board and Circle of Elders members declined to support Ms Cooper's demand that Woodside be removed, Ms Cooper left the meeting shouting expletives on her way out.
16 December 2021	Phone Call	Woodside received a phone call from a MAC Elder, and original signatory to the Burrup Maitland Industrial Estate Agreement who voiced disapproval of the views Ms Cooper has expressed about Industry on the Burrup.
24 January 2022	Phone Call	Woodside received a call from a Wong-Goo-tt-oo member regarding contact between Ms Cooper and a Wong-Goo-tt-oo Elder. The Wong-Goo-tt-oo member informed Woodside that Wong-Goo-tt-oo did not share Ms Cooper's view
25 January 2022	Meeting in Karratha	Woodside met with a Wong-Goo-tt-oo Elder in Karratha to answer any questions they had following on from the call on 24 January 2022.
23 February 2022	Phone Call	Woodside spoke to Robe River Kuruma Aboriginal Corporation (RRKAC) regarding concerns raised by Ms Alec. RRKAC informed Woodside that Ms Alec raised these concerns at the RRKAC AGM with little response. RRKAC advised Ms Alec is being directed by activists not the Kuruma or Marthudunera communities.
3 March 2022	Meeting in Karratha	Karratha briefing on the Scarborough Project and Pluto Train 2 project scopes and proposed management measures to MAC Board and members of Woodside's cultural heritage advisory group.
21 March 2022	Email	Woodside acknowledged receipt of email from Gerard Mazza to Woodside CEO on behalf of Ms Alec and Ms Cooper including an open letter and request to meet on the morning of 24 March 2022.
24 March 2022	Meeting attempt	Adapting to COVID restrictions, Woodside arranged an on-line meeting on 24 March 2022 between Woodside (██████████, Sharon Reynolds), Ms Alec, Ms Cooper and Mr Churnside. It appears that the parties were unable to successfully access the meeting link which was activated by Woodside and kept open for over 30 minutes.
24 March 2022	Email	Woodside emailed Ms Alec and Ms Cooper to express disappointment about not meeting and suggested rescheduling.

Date	Method	Purpose
15 April 2022	Phone call	Woodside spoke with a Wong-Goo-tt-oo and Ngarluma member regarding concerns raised by Ms Cooper. The Wong-Goo-tt-oo member voiced that they held different views.
6 June 2022	Letter	Ms Alec and Ms Cooper wrote to Woodside's Chairman (Richard Goyder) and copied NOPSEMA. Ms Alec and Ms Cooper self-identified as relevant persons and requested to consult.
22 July 2022	Letter	Woodside responded to Ms Alec, Ms Cooper and SOS on Seismic EP and SITI EP (response to 6 June letter).
22 August 2022	Email and Website	Woodside is informed by Murujuga Aboriginal Corporation of its public statement that <i>'the custodians of Murujuga, MAC is led by the Circle of Elders and the Board of Directors to speak as a united voice for its 1,200+ members'</i> . - VIDEO FAQs - We all come together for Country - Murujuga Aboriginal Corporation (MAC) .
26 August 2022	Letter	Woodside responded to issues raised in 6 June letter and included a copy of the consultation information sheet.
1 September 2022	Letter	Woodside responded to Ms Alec, Ms Cooper and SOS on D&C EP.
23 September 2022	Email	Woodside emailed Ms Alec, Ms Cooper and SOS Consultation information on Subsea EP.
26 September 2022	Letter	Ms Alec, Ms Cooper and SOS wrote to NOPSEMA (cc Woodside) regarding the Scarborough Project, specifically Seismic EP, SITI EP and D&C EP.
29 September 2022	Email	Woodside emailed Ms Alec, Ms Cooper and SOS to request a meeting to address letters of 6 June and 26 September.
6 October 2022	Email & Phone	Woodside emailed and left voicemail message to arrange a meeting.
7 October 2022	Phone	Woodside rang Ms Alec to arrange a meeting on 11 October.
10 October 2022	Email	Woodside emailed Ms Alec, Ms Cooper and SOS to confirm meeting arrangements.
11 October 2022	Meeting attempt / Phone and SMS	Woodside flew personnel to Karratha in anticipation of a meeting. Ms Alec, Ms Cooper and SOS did not attend so the meeting did not proceed.
13 October 2022	Email	Woodside followed up with Ms Alec, Ms Cooper and SOS seeking feedback.
22 November 2022	Email	Woodside emailed Ms Alec, Ms Cooper and SOS to request a meeting on 29 November 2022. The meeting did not proceed.

Date	Method	Purpose
2 December 2022	Email	Woodside emailed Ms Alec, Ms Cooper and SOS to invite feedback and request a meeting for any date in December. A meeting did not proceed.
4 January 2023	Email	Woodside emailed Ms Alec, Ms Cooper and SOS to request a meeting for any date in January 2023.
5 January 2023	Email	Woodside emailed Ms Alec, Ms Cooper and SOS with substantive responses to claims re: State EP. In the absence of being able to meet with Ms Alec, Ms Cooper and SOS, the email attaches: Attachment A: responses to claims received by Woodside on 6 June 2022, 26 September 2022, 24 November 2022 relating to damage to cultural heritage; gag clauses; UNDRIP; FPIC; consultation; climate change; Murujuga cultural landscape; displacement of rock art; damage to heritage sites; access to sites of cultural significance; Attachment B: responses following Woodside's review of Save Our Songlines' website and online public campaign relating to climate change; greenhouse gas, rock art, aboriginal cultural heritage and marine life and trunkline installation activities
19 January 2023	Email	Woodside emailed Ms Alec, Ms Cooper and SOS to invite feedback and request a meeting for any date in January and February 2023.
15 February 2023	Email	Woodside emailed Ms Alec, Ms Cooper and SOS to reiterate request a meeting for any date in February and March 2023.
24 February 2023	Email	Woodside emailed Ms Alec, Ms Cooper and SOS to reiterate request a meeting for any date in March 2023.
1 March 2023	Email	Woodside emailed Ms Alec, Ms Cooper and SOS to propose a meeting on 14 March 2023.
8 March 2023	Email	Woodside emailed Ms Alec, Ms Cooper and SOS to confirm the meeting on 14 March and propose an agenda.
9 March 2023	Phone	Woodside spoke with Ms Alec to clarify logistics and asked whether there were any particular topics SOS would like us to be prepared to discuss. Ms Alec said there wasn't other than the expectation Woodside attends ready for deep listening, an open heart and respectful conversation.
10 March 2023	Email	Woodside emailed Ms Alec, Ms Cooper and SOS to confirm final meeting logistics for 14 March.
14 March 2023	Meeting in Karratha	Woodside met with Ms Alec, Ms Cooper, SOS and members of the Environment Defenders Office (EDO) at Hearson Cove.
16 March 2023	Email	Woodside emailed Ms Alec, Ms Cooper, SOS and members of EDO to provide a meeting summary.

Date	Method	Purpose
24 March 2023	Letter	Ms Alec and Ms Cooper, represented by the EDO wrote to Woodside (cc Minister Johnson, DMIRS and NOPSEMA) to provide meeting summary and claims re: Scarborough State and Commonwealth EPs.
28 March 2023	Letter	Woodside wrote to Ms Alec, Ms Cooper and SOS represented by the EDO providing a response regarding Scarborough State Waters EP.
29 March 2023	Letter	Woodside wrote to Ms Alec, Ms Cooper and SOS represented by the EDO providing a response regarding Scarborough Commonwealth EPs.
29 March 2023	Email	EDO acknowledged Woodside's correspondence and advised they were waiting on instructions from their clients Ms Alec and Ms Cooper.
6 April 2023	Letter	Ms Alec and Ms Cooper, represented by the EDO wrote to Minister Johnson (cc Woodside) re: Scarborough State Waters EP.
6 April 2023	Letter	Ms Alec and Ms Cooper represented by the EDO wrote to NOPSEMA (cc Woodside) re: Scarborough Commonwealth EPs.
13 April 2023	Letter	Woodside wrote to Ms Alec, Ms Cooper and SOS represented by the EDO providing a response regarding Scarborough State Waters and Commonwealth EPs.



MEDIA RELEASE

Traditional custodians address United Nations on damage to priceless rock art by Woodside's WA Scarborough gas project

Save Our Songlines

Traditional custodians address UN on damage to priceless rock art by Woodside's WA Scarborough gas project

Traditional custodians from Murujuga are speaking at the United Nations in Geneva, Switzerland this week to address concerns about their cultural heritage and sacred rock art in the face of industrial threats from Woodside's Scarborough gas and related projects on Western Australia's Burrup Peninsula.

Raelene Cooper and Josie Alec will address the United Nations Expert Mechanism on the Rights of Indigenous Peoples. **They are traditional custodians of Murujuga, also known as the Burrup Peninsula, the site of the oldest, largest collection of Aboriginal rock art in the world. Murujuga is nominated for UNESCO world heritage listing but it is also the site of Australia's largest fossil fuel project, Woodside Energy's Burrup Hub, the latest addition to which is the massive [Scarborough gas](#) project.**

Murujuga is a deeply sacred place and priceless cultural treasure but the sacred songlines and stories contained in its carvings are being damaged by emissions from the Burrup Hub and face total destruction within decades.

Traditional custodians have voiced their opposition to further development on Murujuga but have been silenced by 'gag clauses' in industrial agreements with the WA government.

Ms Cooper and Ms Alec launched their [Save Our Songlines](#) campaign last year to share the concerns of First Nations custodians about the threat posed by the fossil fuel industry to their sacred Murujuga rock art. Murujuga elders and custodians have previously shared their cultural heritage concerns and made several emergency applications and requests for further consultation from government and industry.

Despite [engaging with the Federal government](#) previously [presenting their concerns to WA Parliament](#), traditional custodians are still silenced and ignored by the Australian government and by

industry. By speaking this week at the United Nations Expert Mechanism on the Rights of Indigenous Peoples in Geneva, Ms Alec and Ms Cooper will share the stories of this sacred landscape with a global audience and ensure that the whole world is aware of what is at stake in this critical clash between culture and industry.

Raelene Cooper is a Mardudhunera woman with obligations, responsibilities and spiritual connection to Murujuga and former Chairperson of the Murujuga Aboriginal Corporation (MAC), before she resigned from the MAC board earlier this year over concerns about constraints and co-option by industry and a lack of consultation or consent of traditional custodians.

Addressing the UN Expert Mechanism on the Rights of Indigenous Peoples on Tuesday, Ms Cooper said:

"Coming from a tradition of spiritual healing, we increasingly feel the urgent need to defend our ancient history, our stories and our culture. We hold a spiritual connection and continue to comply with our Cultural Protocols and Governance. Our traditions continue and are practised still today. The *ngurra*, our land, is our temple and our parliament. The rock art archives our lore. It is written not on a tablet of stone, but carved into the *ngurra*, which holds our Dreaming stories and Songlines.

The Australian Senate Inquiry into the 45,000 year old Juukan Gorge disaster strongly recommended the removal of gag clauses in all industrial agreements with First Nations people. And yet, on Murujuga we are still silenced by gag clauses in the 2003 original agreement with the state government that determines land use on our sacred *ngurra*.

We are here to pass down knowledge for a better understanding of First Nations history, and for the protection of mother earth and all her people. I make the recommendation that the free, prior and informed consent of First Nations custodians be guaranteed through active consultation about any new industry on our Country."

Josie Alec is a Kuruma Mardudhunera woman with cultural, business and spiritual obligations and connections on Murujuga, a keeper of the Seven Sisters Dreaming story on Murujuga and is a singer and traditional healer who uses medicine she collects on Murujuga as part of her healing work.

Addressing the UN Expert Mechanism on the Rights of Indigenous Peoples on Wednesday, Ms Alec said:

"I am a Keeper of the Seven Sisters Dreaming story on our lands at Murujuga, The Burrup Peninsula in the Pilbara, Western Australia. We are the custodians of the star, earth and water lore. With this comes an obligation to protect, practice, preserve and respect its ancient history.

My intention, today, is to bring awareness of the destruction and desecration that industry has already, and is intending to, inflict on Murujuga and the sacred rock art. I use the word "inflict" as it best describes the way I feel about the impact of industry on the area - it is an attack on our culture, the plants, animals, water and air of *Ngurra* (Mother Earth).

In my culture women and men have separate responsibilities, knowledge and cultural practices around sacred sites, to the extent women and men do not even know the details of each others stories. Female participation in the heritage surveying and approval processes, is vital to ensure the women's cultural sites are identified and recorded prior to approvals being considered. This has not happened at Murujuga (and other sacred sites in Australia) and resulted in approvals for massive industrial projects over significant women's sacred sites.

The principle of Free, Prior and Informed Consent in the UN Declaration is not being upheld - not on the Burrup and not anywhere in Western Australia. This is despite Woodside claiming that it is 'guided by the UN Declaration' in their own policy. As our cultural heritage safety is a fundamental human right. I would like to make a recommendation that the United Nations, under the Rights of *Indigenous* Peoples, hold the governments of Australia and corporations to account, to move forward on The World Heritage listing so we can protect this globally significant cultural site for current and future generations."

A Google Drive with transcript of both speeches delivered at the UN, all Geneva media content including photos, audio and video of both UN speeches, the open letter delivered to WA Parliament by Murujuga custodians, and file footage of Murujuga and Save Our Songlines, is available [here](#).

A recent media archive for Save Our Songlines can be found [here](#).

Media and communications contact in Geneva (8 hours behind AEST):

Jesse Noakes

Whatsapp: +61 401 233 965

media@saveoursonglines.org

Media contacts in Australia:

Jane Garcia 0455 111 593

Annemarie Jonson 0428 278 880

Attachments:

[save-our-songlines-banner-image-media-release.png](#) 0.02 MB

Save Our Songlines

Ruby Hamilton

From: Ruby Hamilton
Sent: Tuesday, 18 April 2023 2:56 PM
To: [REDACTED]
Cc: Woodside Feedback; Clare Lakewood; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org'
Subject: RE: Scarborough Environment Plans - Consultation

Categories: LEAP

Dear [REDACTED]

Thank you for your email of 29 March 2023 in respect of the Scarborough 4D B1 Marine Seismic Survey Environment Plan (**Seismic Survey EP**).

Thank you for acknowledging our clients' continued efforts to bring themselves into Woodside's consultation processes and to organise a face-to-face meeting on Country. Our clients confirm their willingness to meet again and to continue consultation. To be clear, our clients do not consider there has yet been consultation such that Woodside can demonstrate in the EP that there has been an appropriate level of consultation. This will require further information to be shared and incorporated into the EP. Our clients are also concerned that because their cultural knowledge is women's knowledge, it is being considered less important than other cultural knowledge Woodside may have received during consultation.

Our clients look forward to providing information about their interests that Woodside needs.

Having had an introductory meeting on 14 March 2023, and mindful that the EP appears to have been re-submitted around nine days after that introductory meeting took place, we propose that Woodside withdraw the EP and meet with our clients to explain to them the relevant risks and impacts of the activities the subject of the Seismic Survey EP specifically, and to obtain further information on their functions, interests and activities. We note in particular that the introductory meeting of 14 March 2023 did not discuss the activities the subject of Seismic Survey EP in any detail.

Our clients are generally available to meet by phone or videoconference in May.

In addition to abiding by the cultural protocol summarised in your email of 29 March 2023, our clients propose the following purposes for the meeting:

- overview of any outstanding requests for information made by our clients;
- explanation of the activities the subject of the Seismic Survey EP, so that our clients can make an informed assessment of the possible consequences of those activities on their functions, interests and activities.

Mindful that Woodside is required under reg 16(b) of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009* (Cth) to provide NOPSEMA with a full report on all consultation with relevant persons, and the difficulties in different perspectives that have been encountered as described in your email of 29 March 2023, our clients propose that this next meeting be recorded, and that permission be sought should Woodside wish to provide transcripts, recordings or other documents referring to cultural knowledge to NOPSEMA.

Our clients otherwise request that the cultural protocols requested in advance of the 14 March 2023 meeting, and summarised in your email of 29 March 2023, be continued.

Following a meeting for Woodside to explain the risks and impacts of the Seismic Survey EP, we propose that our clients be given appropriate time to consider and respond to information shared by Woodside at or after the meeting, so that Woodside may be apprised of all the environmental risks and impacts of the activities the subject of the Seismic Survey EP, and can ensure that those impacts and risks are reduced as low as reasonably practicable. To be clear as to our clients' needs, we expect the timeframe for that response to be approximately 4-6 weeks.

We anticipate that a decision as to whether the response from our clients be in writing, through a meeting, or some combination or other communication, is best determined in light of information Woodside provides, and the information our clients seek to provide in response. We anticipate that that response will also propose next steps for the consultation,

with a view to enabling Woodside to adopt measures that will reduce the risks and impacts of the activities the subject of the Seismic Survey EP.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED]@woodside.com>
Sent: Wednesday, March 29, 2023 12:56 PM
To: Ruby Hamilton <ruby.hamilton@edo.org.au>; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Cc: Woodside Feedback <Feedback@woodside.com>; Clare Lakewood <clare.lakewood@edo.org.au>; sue.mccarrey@nopsema.gov.au
Subject: RE: Scarborough Environment Plans - Consultation

 External email >

Dear Ruby

Thanks for your email and letter dated 24 March 2023.

Josie, Raelene and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via you. Hence our email and our respectful request that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We received the email and letter sent to us by the Environmental Defenders Office (EDO) dated 24 March 2023. The letter sets out recollections and reflections on the meeting we had on country in Karratha on 14 March 2023 as well as comments on our email of 16 March 2023.

First, we wanted to thank you for sharing the recollections and reflections with us. Secondly, we thought it would be worth sharing our perspectives on comments in that letter – please see these below.

Just so you know, this email relates to the Scarborough Commonwealth EPs. The letter sent to us was copied to an email address for the Chief Executive Officer of NOPSEMA. So, for courtesy and so that you are aware, we are also providing a copy of this email to NOPSEMA. Acknowledging that we separately sent an email to you yesterday on the State Waters EPs that was copied to Minister Johnston and DMIRS.

Consultations, correspondence and meeting on 14 March 2023 [Paragraphs 1-5, 10, 13, 20]

The team at Woodside was pleased to have met face-to-face with you on 14 March 2023. It was the culmination of a long period of communication on the Scarborough Project involving a number of prior attempts to meet face-to-face (since around November 2021) and, since at least June 2022, an extensive exchange of correspondence specific to each of the Scarborough environment plans (EP) and activities set out in the letter (Seismic EP, Drilling EP, Subsea EP, SITI EP, State Waters EP). It was good to meet and we confirm that Woodside remains open to consulting further with you on the Commonwealth EPs as well as the State Waters EP.

A great deal of information was shared at the 14 March 2023 meeting. This included a discussion of your and Save Our Songlines' cultural details and was provided against the backdrop of the protocols we agreed before the meeting. The Woodside team left the 2-hour meeting feeling positive and with a sense of goodwill – we appreciated the exchange of warm mutual embraces at the opening and end of the meeting. We all expressed, at the end of the meeting, a willingness to meet again.

As per discussions leading up to the meeting, unless things change, for future meetings, we agree to continue with the following meeting protocols:

- Attendees continue to be all female.

- Attendees attend meetings with an open heart, deep listening and seeking a respectful conversation.
- Attendees come to meetings open to sharing knowledge about the environment (heritage value of places, social and cultural features) that may be affected by the activities under the proposed Scarborough EPs. Attendees come to the meeting open to sharing ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.
- Attendees are welcome to take written notes of meetings. To respect privacy, safety and cultural values there will be no other recording of meetings (e.g. no audio or visual recording of meetings).
- Other than sharing the fact that the meeting took place, the cultural details will be kept confidential amongst the female attendees unless directed otherwise and will not be made public without permission.

We also confirm that Woodside remains open to consulting further with you on the proposed Scarborough activities and is open to the continuing engagements regarding the Scarborough activities.

Additional or new information

So that you are aware, we have a process in place for the life of an EP that allows the EP to be updated to include additional or new information or feedback that is received after an EP is submitted. This is done through a “Management of Knowledge” process. So, for example, if new or additional information is provided to Woodside, Woodside can consider that information and assess the risk in accordance with the environmental risk management methodology in the EP to determine the significance of potential new environmental impacts or risks not already provided for in the EP. In that context, if information changes Woodside’s understanding of the environment or understanding of measures that Woodside can take in order to lessen or avoid impacts of activities, that information can be updated and actioned in the EP.

This means that feedback or information you provide in future meetings can still be taken into account and, where appropriate, can be incorporated in the EP during the life of the activity.

Following the meeting, we considered what you told us. Based on that information, no updates were required to the EP via the Management of Knowledge process.

Functions, interests and activities [Paragraph 6, 13]

Thank you for confirming in the letter that you consider that your functions, interests and activities are distinct from those of MAC. We also heard you say this at our meeting. We are interested in learning further about your functions, interests and activities (and those of Save Our Songlines) and how those are different to MAC’s.

The letter also references MAC surveys. As Raelene mentioned in the meeting, Raelene was, for around 10 years, a former Board member of MAC. (We understand Raelene resigned from the Board in around February 2022). So, Woodside’s correspondence, involvement and meetings on the Scarborough Project with Raelene (in her capacity as a MAC representative) also go back a long time to when those discussions commenced with the MAC – in around 2018.

We understand that Raelene was involved in ethnographic studies of the Scarborough Project undertaken by MAC. So, while we have no authority to provide the survey to you, in response to your request for the ethnographic survey, Raelene may have contacts at MAC to request a copy of that survey.

As to your functions, interests and activities (and those of Save Our Songlines), we continue to invite you to share those with us as well to allow Woodside to consider the likely impacts and risks of the EP activities on these functions, interests and activities and what Woodside can do to lessen or avoid those impacts.

In our meeting, we heard you tell us that you were not prepared to share some information with us at this stage and you weren’t sure when you would be ready to share it with us. And we also heard that, sometimes the information has not yet been revealed to you and that it will be revealed to you in time. We remain open to hearing from you when this is known to you and it is ready to be shared.

In particular, we are interested in learning from you:

- the role you perform within Save Our Songlines;
- individual interests you each have;
- the types of communal interests that each of you and Save Our Songlines hold;

- the functions of Save Our Songlines as an organization;
- the activities that each of you and Save Our Songlines engage in

To confirm - we don't expect you to provide this information to us in writing and would be happy to meet with you again to discuss this information as per our meeting protocols.

It is important that this information is provided so that Woodside can understand how the proposed activities (that are the subject of the Commonwealth EPs) may affect your functions, interests and activities. We remain open to hearing from you when this is known to you and it is ready to be shared.

Minimising impacts to your functions, interests and activities [Paragraphs 7, 9, 11, 12, 13, 14]

Thank you for notes in the letter on the meeting content.

A comment in the letter is that information had been mischaracterised in the email that we sent you following the meeting. We want to be very clear that our intention is not and was not to mischaracterise information. We want to be very clear that the information provided in our email following the meeting is our group's genuine recollection and interpretation of the take-aways from the meeting. That is, consistent with the agreed protocols for the meeting which included a request that you share ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.

Our team has reviewed notes taken at the meeting. Below we've set out our team's perspectives of some of the items noted in the letter.

Underwater activities

In the meeting, Woodside provided an overview of the Scarborough Project. At that point in the meeting, a number of topics had been discussed (not repeated here so as to respect confidentiality). After the Scarborough Project was overviewed, at a high level (so as to respect confidentiality), there was a discussion about songlines and, in so far as underwater activities are concerned, there was a discussion about potential impacts of activities on whales.

During this discussion, a question was asked by Woodside along the lines of: *what things can Woodside do in order to carry out the Scarborough Project in a respectful way to the knowledge and cultural information that has been shared in the meeting.* Our team's recollection is that the answer given was along the lines of: *there is nothing Woodside can do to carry out the project in a respectful way and that it was not clear why the project was happening in Murujuga and why it couldn't be done somewhere else along the coast.*

We also asked what Woodside could do to protect the values that were being talked about. The answer that was given was along the lines of: *all that can be done is for the project to be stopped.*

A further question was asked along the lines of: *if the project is to go ahead what could be done to protect the values.* The answer given was along the lines of: *nothing. The only option is to stop the project.*

These answers informed our take aways from the meeting.

Greenhouse gas emissions

The topic of greenhouse gas was also raised. This topic has been the subject of separate correspondence in which Woodside has confirmed that, emissions from the activities covered by the Commonwealth EPs are of a scale that no credible impact pathway is foreseen.

Industrialisation of Murujuga

The topic of industrialisation of Murujuga was also raised. Out of respect for confidentiality, we will not repeat the information provided in the meeting in relation to signing of the Burrup and Maitland and Industrial Estates Agreement (BMIEA). However, the subject has also been addressed in separate correspondence in which Woodside has set out its understanding of the history of the Burrup and the industrial agreements involved. Woodside has also provided responses which are along the lines that no credible impact pathway is foreseen from the activities covered by the Commonwealth EPs which could damage rock art and heritage sites and that no cultural impact to future access to sites of cultural and spiritual significance is foreseen.

Detail of EPs and information accessed and provided

As set out above, the face-to-face meeting involved an overview of the Scarborough Project. The face-to-face meeting followed volumes of previous correspondence on the Scarborough Project. We acknowledge the many pieces of previous correspondence that have been sent to Woodside which have been specific to each of the EPs set out in the letter. That previous correspondence indicates that a large volume of information on the Scarborough Project has been accessed, read and thought through. The correspondence shows an informed and thorough understanding of the various Scarborough activities and the Scarborough Project.

Offshore Petroleum and Greenhouse Gas Storage Act (OPGGGS Act) – section 280 Interference with other rights [paragraph 13]

In the letter, section 280 of the OPGGS Act is noted. We do not understand why that particular aspect of the OPGGS Act has been referenced. We are open to hearing more from you on what you would like us to understand from the reference to section 280 of the OPGGS Act.

Consultation in general [paragraph 14]

The letter has a line that suggests that Woodside is implying that “nothing is to be gained from consulting” with you. We want to be very clear that these are not Woodside’s words. Woodside has not put that position forward and is not making an implication of this kind.

On the contrary, we have continued to consult with you and continue to invite further consultation. We were pleased to have had the opportunity to finally meet with you face-to-face this month and we look forward to further meetings with you to learn of your and Save Our Songlines’ interests.

Relevant persons [paragraph 4, 15-19]

The concept of “relevant person” was raised in the letter and also at our meeting. We heard in the meeting that you were insulted that Woodside had categorised SOS as relevant but had not recognised you under the heading of relevant person. You also told us that you were pleased to see that you and SOS have since been included as relevant interested persons in the State EP summary document.

As we discussed at the meeting, Woodside’s intention is not to insult you. We reiterate this as we want to be very clear about this.

We also want you to know that the "relevant person" category is different depending on whether the EP requires Commonwealth approval or State approval (WA). For the Commonwealth EPs, the Commonwealth laws apply. The Commonwealth approval process requires Woodside to consult with “relevant persons”.

At the meeting, we took you through the approval process relating to the concept of “relevant persons” and noted that, at the relevant time consultations are included under a category of “relevant persons” in EPs. Woodside generally applies this category at a stage when we understand more about a person’s functions, interests and activities and also the impacts of our activities on them.

As noted in your letter and above, we also discussed at our meeting that Save Our Songlines, Josie and Raelene have been included under the category of “relevant interested persons” in the State Waters EP. You kindly acknowledged at our meeting that you understood the reasons for redactions that were made to the State EP summary to protect personal information.

These kind of considerations continue and we will have a clearer understanding of the categories when you are able to share more with us. But as we reiterated at the meeting, you should know that there is no need for us to categorise you as relevant in order to consult with you.

Ongoing consultation

Once an EP is accepted, Woodside continues ongoing consultations with relevant persons.

As confirmed in the meeting, and consistent with our processes for ongoing consultation, the important issue is that we are open to continuing consultation and that we are keen to keep talking to you to understand how the proposed Commonwealth EP activities relevantly affect you and Save Our Songlines. Once we understand the kind of functions, interests and activities you and Save Our Songlines hold, we can consider the things that Woodside can do to lessen or avoid impacts of the activities to you.

Responses to questions and further information [paragraph 21-27]

The letter notes some questions that were asked during our face-to-face meeting. As acknowledged in the letter, specific questions on the Scarborough Gas Project, the ethnographic survey and fracking have been actioned and there is nothing substantial to add to the answers provided in our email.

As to requests for further information and notifications, please remain subscribed to Woodside's and relevant regulators' website as a best source of information relating to updates to EP assessments.

Further consultation [paragraph 24-27]

The letter sent to us notes that you would like to organise another meeting and will require approximately six weeks to read into materials and prepare for a meeting.

We would be pleased to consult with you further. It took a number of attempts to book and arrange our March face-to-face meeting, so please let us know your preferred times for the next meeting.

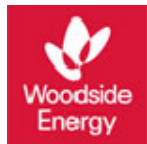
If it would be useful, our team is available to meet in the week commencing 8 May 2023 (which is approximately 6 weeks away) or earlier. Please let us know dates you are available so we can book in a next face-to-face meeting.

Best regards
Woodside

[Redacted signature]

Kind regards

[Redacted signature]



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount Street
Perth WA 6000
Australia

T: [Redacted]
M: [Redacted]
E: [Redacted]@woodside.com
www.woodside.com
f t in y @

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Friday, 24 March 2023 12:18 PM
To: [Redacted]@woodside.com.au
Cc: Woodside Feedback <Feedback@woodside.com.au>; Clare Lakewood <clare.lakewood@edo.org.au>;
minister.johnston@dpc.wa.gov.au; richard.sellers@dmirs.wa.gov.au; sue.mccarrey@nopsema.gov.au
Subject: RE: Scarborough Environment Plans - Consultation

Dear [Redacted]

Please find **attached** correspondence on behalf of our clients, Ms Josie Alec and Ms Raelene Cooper.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [Redacted]@woodside.com
Sent: Thursday, March 16, 2023 5:16 PM
To: Clare Lakewood <clare.lakewood@edo.org.au>; Ruby Hamilton <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com>; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Subject: RE: Scarborough Environment Plans - Consultation

Dear Ruby and Clare

Thanks for our meeting on Tuesday (14 March 2023).

Josie, Raelene and Save Our Songlines asked that Woodside continue correspondence with them, via you. Hence our email and our respectful request that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We are grateful for our on-country meeting with you, Skyla and Clare and Ruby (as well as the welcome to country from your son Mark) on 14 March 2023. We want to let you know that, as a group of women, we feel privileged to have been welcomed to the beautiful country where we met and we appreciate you sharing your stories, cultural knowledge and your concerns with us.

We appreciate your request for us to attend the meeting with open hearts, deep listening and respectful conversation and we intend to continue this approach to our engagement. Our consultation process is ongoing through the environmental approval process and when an activity is being performed. We look forward to continuing our discussions with you in the future.

At our meeting, Woodside provided an overview of the Scarborough activities (Seismic EP, Subsea EP, D&C EP, SITI EP (Cth and State)), and you told us that the proposed activities give you a sick feeling and the activities should be stopped. You also let us know that, in your view, there is nothing that can be done by Woodside to progress with the proposed Scarborough activities in a way that could minimise impact to your functions, activities and interests or is respectful to your culture and country.

We confirm that we agreed not to share cultural details that you shared with us at the 14 March 2023 meeting. To respect this, we will not include cultural detail you shared with us at our meeting in Woodside's environment plans or in conversations with the Regulator. For clarity, as agreed, our proposed environment plans will confirm that we met with you on 14 March 2023 to continue consulting with you on the proposed Scarborough environment plans. So you are aware, this email as well as previous correspondence with SOS and Josie and Raelene will also be included in the proposed environment plans.

We took the following actions from the meeting. Responses are provided in italics:

- Provide background information on the "why" behind the Scarborough activities: *Woodside's Scarborough Gas Project helps play a role in the global energy transition, helping neighbouring Asian countries take action on emissions reduction. There is further information on our website: [Scarborough Gas Project and Pluto Train 2 - Woodside Energy](#).*
- Check with MAC as to whether MAC's ethnographic survey can be shared with Josie, Raelene and Save Our Songlines: *The ethnographic survey is held by MAC and Woodside does not have permission to share it.*
- Confirm fracking in relation to the Scarborough activities: *There is no fracking to be undertaken as part of the proposed Scarborough activities.*

We want you to know that, as discussed, we are open to consulting further with you on the proposed Scarborough activities and are open to the continuing engagements regarding the Scarborough activities. Please let us know if further feedback for the activities proposed under the environment plans is sensitive and we will make this known to NOPSEMA upon submission to ensure this information remains confidential to NOPSEMA.

In the meantime, we are grateful to have met you and to have heard your perspectives on the Scarborough activities and Woodside.

Best regards

[Redacted signature]



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount Street
Perth WA 6000
Australia

T: [Redacted]
M: [Redacted]
E: [Redacted]@woodside.com
www.woodside.com
f t in v @

From: [Clare Lakewood](#)
To: [Ruby Hamilton](#); [REDACTED]
Cc: [Woodside Feedback](#); sue.mccarrey@nopsema.gov.au; ["info@saveoursonglines.org"](mailto:info@saveoursonglines.org)
Subject: RE: Scarborough Environment Plans - Consultation
Date: Monday, 8 May 2023 2:54:36 PM
Attachments: [image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.jpg](#)
[image009.jpg](#)
[image010.jpg](#)
[image011.jpg](#)
[image012.jpg](#)

Dear [REDACTED]

We refer to our email below. We have not had any response to date, and write again to enquire whether Woodside wishes to propose dates that we can put to our clients for consultation regarding the seismic survey EP.

Yours sincerely,
Clare



Clare Lakewood — Special Counsel, Safe Climate

(Mon, Tue, Wed, Thu)

PO Box Z5218, Boorloo/Perth WA 6831

P: +61 8 6118 7912

E: clare.lakewood@edo.org.au

I use she/her pronouns.

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This email and any attachments are confidential. If you are not the intended recipient you must not disseminate, distribute or copy it. If you have received this email by mistake please notify us immediately at info@edo.org.au and delete this email.

EDO recognises the traditional owners and custodians of the land, seas and rivers of Australia. We pay our respects to Aboriginal and Torres Strait Islander elders past and present, and aspire to learn from traditional knowledge and customs so that, together, we can protect our environment and cultural heritage through law.

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Tuesday, April 18, 2023 2:56 PM
To: [REDACTED] <[REDACTED]@woodside.com>
Cc: [Woodside Feedback](mailto:Feedback@woodside.com) <Feedback@woodside.com>; [Clare Lakewood](mailto:clare.lakewood@edo.org.au) <clare.lakewood@edo.org.au>; sue.mccarrey@nopsema.gov.au; ["info@saveoursonglines.org"](mailto:info@saveoursonglines.org) <info@saveoursonglines.org>
Subject: RE: Scarborough Environment Plans - Consultation

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Thank you for acknowledging our clients' continued efforts to bring themselves into Woodside's consultation processes and to organise a face-to-face meeting on Country. Our clients confirm their willingness to meet again and to continue consultation. To be clear, our clients do not consider there has yet been consultation such that Woodside can demonstrate in the EP that there has been an appropriate

level of consultation. This will require further information to be shared and incorporated into the EP. Our clients are also concerned that because their cultural knowledge is women's knowledge, it is being considered less important than other cultural knowledge Woodside may have received during consultation.

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Having had an introductory meeting on 14 March 2023, and mindful that the EP appears to have been re-submitted around nine days after that introductory meeting took place, we propose that Woodside withdraw the EP and meet with our clients to explain to them the relevant risks and impacts of the activities the subject of the Seismic Survey EP specifically, and to obtain further information on their functions, interests and activities. We note in particular that the introductory meeting of 14 March 2023 did not discuss the activities the subject of Seismic Survey EP in any detail.

Our clients are generally available to meet by phone or videoconference in May.

In addition to abiding by the cultural protocol summarised in your email of 29 March 2023, our clients propose the following purposes for the meeting:

- overview of any outstanding requests for information made by our clients;
- explanation of the activities the subject of the Seismic Survey EP, so that our clients can make an informed assessment of the possible consequences of those activities on their functions, interests and activities.

Mindful that Woodside is required under reg 16(b) of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009* (Cth) to provide NOPSEMA with a full report on all consultation with relevant persons, and the difficulties in different perspectives that have been encountered as described in your email of 29 March 2023, our clients propose that this next meeting be recorded, and that permission be sought should Woodside wish to provide transcripts, recordings or other documents referring to cultural knowledge to NOPSEMA.

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Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED]@woodside.com>
Sent: Wednesday, March 29, 2023 12:56 PM
To: Ruby Hamilton <ruby.hamilton@edo.org.au>; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Cc: Woodside Feedback <Feedback@woodside.com>; Clare Lakewood <clare.lakewood@edo.org.au>; sue.mccarrey@nopsema.gov.au
Subject: RE: Scarborough Environment Plans - Consultation



Dear Ruby

Thanks for your email and letter dated 24 March 2023.

Josie, Raelene and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via you. Hence our email and our respectful request that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

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First, we wanted to thank you for sharing the recollections and reflections with us. Secondly, we thought it would be worth sharing our perspectives on comments in that letter – please see these below.

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Consultations, correspondence and meeting on 14 March 2023 [Paragraphs 1-5, 10, 13, 20]

The team at Woodside was pleased to have met face-to-face with you on 14 March 2023. It was the culmination of a long period of communication on the Scarborough Project involving a number of prior attempts to meet face-to-face (since around November 2021) and, since at least June 2022, an extensive exchange of correspondence specific to each of the Scarborough environment plans (EP) and activities set out in the letter (Seismic EP, Drilling EP, Subsea EP, SITI EP, State Waters EP). It was good to meet and we confirm that Woodside remains open to consulting further with you on the Commonwealth EPs as well as the State Waters EP.

A great deal of information was shared at the 14 March 2023 meeting. This included a discussion of your and Save Our Songlines' cultural details and was provided against the backdrop of the protocols we agreed before the meeting. The Woodside team left the 2-hour meeting feeling positive and with a sense of goodwill – we appreciated the exchange of warm mutual embraces at the opening and end of the meeting. We all expressed, at the end of the meeting, a willingness to meet again.

As per discussions leading up to the meeting, unless things change, for future meetings, we agree to continue with the following meeting protocols:

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We also confirm that Woodside remains open to consulting further with you on the proposed Scarborough activities and is open to the continuing engagements regarding the Scarborough activities.

Additional or new information

So that you are aware, we have a process in place for the life of an EP that allows the EP to be updated to include additional or new information or feedback that is received after an EP is submitted. This is done through a “Management of Knowledge” process. So, for example, if new or additional information is provided to Woodside, Woodside can consider that information and assess the risk in accordance with the environmental risk management methodology in the EP to determine the significance of potential new environmental impacts or risks not already provided for in the EP. In that context, if information changes Woodside’s understanding of the environment or understanding of measures that Woodside can take in order to lessen or avoid impacts of activities, that information can be updated and actioned in the EP.

This means that feedback or information you provide in future meetings can still be taken into account and, where appropriate, can be incorporated in the EP during the life of the activity.

Following the meeting, we considered what you told us. Based on that information, no updates were required to the EP via the Management of Knowledge process.

Functions, interests and activities [Paragraph 6, 13]

Thank you for confirming in the letter that you consider that your functions, interests and activities are distinct from those of MAC. We also heard you say this at our meeting. We are interested in learning further about your functions, interests and activities (and those of Save Our Songlines) and how those are different to MAC’s.

The letter also references MAC surveys. As Raelene mentioned in the meeting, Raelene was, for around 10 years, a former Board member of MAC. (We understand Raelene resigned from the Board in around February 2022). So, Woodside’s correspondence, involvement and meetings on the Scarborough Project with Raelene (in her capacity as a MAC representative) also go back a long time to when those discussions commenced with the MAC – in around 2018.

We understand that Raelene was involved in ethnographic studies of the Scarborough Project undertaken by MAC. So, while we have no authority to provide the survey to you, in response to your request for the ethnographic survey, Raelene may have contacts at MAC to request a copy of that survey.

As to your functions, interests and activities (and those of Save Our Songlines), we continue to invite you to share those with us as well to allow Woodside to consider the likely impacts and risks of the EP activities on these functions, interests and activities and what Woodside can do to lessen or avoid those impacts.

In our meeting, we heard you tell us that you were not prepared to share some information with us at this stage and you weren't sure when you would be ready to share it with us. And we also heard that, sometimes the information has not yet been revealed to you and that it will be revealed to you in time. We remain open to hearing from you when this is known to you and it is ready to be shared.

In particular, we are interested in learning from you:

- the role you perform within Save Our Songlines;
- individual interests you each have;
- the types of communal interests that each of you and Save Our Songlines hold;
- the functions of Save Our Songlines as an organization;
- the activities that each of you and Save Our Songlines engage in

To confirm - we don't expect you to provide this information to us in writing and would be happy to meet with you again to discuss this information as per our meeting protocols.

It is important that this information is provided so that Woodside can understand how the proposed activities (that are the subject of the Commonwealth EPs) may affect your functions, interests and activities. We remain open to hearing from you when this is known to you and it is ready to be shared.

Minimising impacts to your functions, interests and activities [Paragraphs 7, 9, 11, 12, 13, 14]

Thank you for notes in the letter on the meeting content.

A comment in the letter is that information had been mischaracterised in the email that we sent you following the meeting. We want to be very clear that our intention is not and was not to mischaracterise information. We want to be very clear that the information provided in our email following the meeting is our group's genuine recollection and interpretation of the take-aways from the meeting. That is, consistent with the agreed protocols for the meeting which included a request that you share ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.

Our team has reviewed notes taken at the meeting. Below we've set out our team's perspectives of some of the items noted in the letter.

Underwater activities

In the meeting, Woodside provided an overview of the Scarborough Project. At that point in the meeting, a number of topics had been discussed (not repeated here so as to respect confidentiality). After the Scarborough Project was overviewed, at a high level (so as to respect confidentiality), there was a discussion about songlines and, in so far as underwater activities are concerned, there was a discussion about potential impacts of activities on whales.

During this discussion, a question was asked by Woodside along the lines of: *what things can Woodside do in order to carry out the Scarborough Project in a respectful way to the knowledge and cultural information that has been shared in the meeting.* Our team's recollection is that the answer given was along the lines of: *there is nothing Woodside can do to carry out the project in a respectful way and that*

it was not clear why the project was happening in Murujuga and why it couldn't be done somewhere else along the coast.

We also asked what Woodside could do to protect the values that were being talked about. The answer that was given was along the lines of: *all that can be done is for the project to be stopped.*

A further question was asked along the lines of: *if the project is to go ahead what could be done to protect the values.* The answer given was along the lines of: *nothing. The only option is to stop the project.*

These answers informed our take aways from the meeting.

Greenhouse gas emissions

The topic of greenhouse gas was also raised. This topic has been the subject of separate correspondence in which Woodside has confirmed that, emissions from the activities covered by the Commonwealth EPs are of a scale that no credible impact pathway is foreseen.

Industrialisation of Murujuga

The topic of industrialisation of Murujuga was also raised. Out of respect for confidentiality, we will not repeat the information provided in the meeting in relation to signing of the Burrup and Maitland and Industrial Estates Agreement (BMIEA). However, the subject has also been addressed in separate correspondence in which Woodside has set out its understanding of the history of the Burrup and the industrial agreements involved. Woodside has also provided responses which are along the lines that no credible impact pathway is foreseen from the activities covered by the Commonwealth EPs which could damage rock art and heritage sites and that no cultural impact to future access to sites of cultural and spiritual significance is foreseen.

Detail of EPs and information accessed and provided

As set out above, the face-to-face meeting involved an overview of the Scarborough Project. The face-to-face meeting followed volumes of previous correspondence on the Scarborough Project. We acknowledge the many pieces of previous correspondence that have been sent to Woodside which have been specific to each of the EPs set out in the letter. That previous correspondence indicates that a large volume of information on the Scarborough Project has been accessed, read and thought through. The correspondence shows an informed and thorough understanding of the various Scarborough activities and the Scarborough Project.

Offshore Petroleum and Greenhouse Gas Storage Act (OPGGGS Act) – section 280 Interference with other rights [paragraph 13]

In the letter, section 280 of the OPGGS Act is noted. We do not understand why that particular aspect of the OPGGS Act has been referenced. We are open to hearing more from you on what you would like us to understand from the reference to section 280 of the OPGGS Act.

Consultation in general [paragraph 14]

The letter has a line that suggests that Woodside is implying that “nothing is to be gained from consulting” with you. We want to be very clear that these are not Woodside’s words. Woodside has not put that position forward and is not making an implication of this kind.

On the contrary, we have continued to consult with you and continue to invite further consultation. We were pleased to have had the opportunity to finally meet with you face-to-face this month and we look forward to further meetings with you to learn of your and Save Our Songlines’ interests.

Relevant persons [paragraph 4, 15-19]

The concept of “relevant person” was raised in the letter and also at our meeting. We heard in the meeting that you were insulted that Woodside had categorised SOS as relevant but had not recognised you under the heading of relevant person. You also told us that you were pleased to see that you and SOS have since been included as relevant interested persons in the State EP summary document.

As we discussed at the meeting, Woodside’s intention is not to insult you. We reiterate this as we want to be very clear about this.

We also want you to know that the “relevant person” category is different depending on whether the EP requires Commonwealth approval or State approval (WA). For the Commonwealth EPs, the Commonwealth laws apply. The Commonwealth approval process requires Woodside to consult with “relevant persons”.

At the meeting, we took you through the approval process relating to the concept of “relevant persons” and noted that, at the relevant time consultations are included under a category of “relevant persons” in EPs. Woodside generally applies this category at a stage when we understand more about a person’s functions, interests and activities and also the impacts of our activities on them.

As noted in your letter and above, we also discussed at our meeting that Save Our Songlines, Josie and Raelene have been included under the category of “relevant interested persons” in the State Waters EP. You kindly acknowledged at our meeting that you understood the reasons for redactions that were made to the State EP summary to protect personal information.

These kind of considerations continue and we will have a clearer understanding of the categories when you are able to share more with us. But as we reiterated at the meeting, you should know that there is no need for us to categorise you as relevant in order to consult with you.

Ongoing consultation

Once an EP is accepted, Woodside continues ongoing consultations with relevant persons.

As confirmed in the meeting, and consistent with our processes for ongoing consultation, the important issue is that we are open to continuing consultation and that we are keen to keep talking to you to understand how the proposed Commonwealth EP activities relevantly affect you and Save Our Songlines. Once we understand the kind of functions, interests and activities you and Save Our Songlines hold, we can consider the things that Woodside can do to lessen or avoid impacts of the activities to you.

Responses to questions and further information [paragraph 21-27]

The letter notes some questions that were asked during our face-to-face meeting. As acknowledged in the letter, specific questions on the Scarborough Gas Project, the ethnographic survey and fracking have been actioned and there is nothing substantial to add to the answers provided in our email.

As to requests for further information and notifications, please remain subscribed to Woodside’s and relevant regulators’ website as a best source of information relating to updates to EP assessments.

Further consultation [paragraph 24-27]

The letter sent to us notes that you would like to organise another meeting and will require approximately six weeks to read into materials and prepare for a meeting.

We would be pleased to consult with you further. It took a number of attempts to book and arrange our March face-to-face meeting, so please let us know your preferred times for the next meeting.

If it would be useful, our team is available to meet in the week commencing 8 May 2023 (which is approximately 6 weeks away) or earlier. Please let us know dates you are available so we can book in a next face-to-face meeting.

Best regards
Woodside



Kind regards



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount Street
Perth WA 6000
Australia

T: [REDACTED]
M: + [REDACTED]
E: [REDACTED]@woodside.com
www.woodside.com
□ □ □ □ □

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Friday, 24 March 2023 12:18 PM
To: [REDACTED] <[\[REDACTED\]@woodside.com.au](mailto:[REDACTED]@woodside.com.au)>
Cc: Woodside Feedback <Feedback@woodside.com.au>; Clare Lakewood <clare.lakewood@edo.org.au>; minister.johnston@dpc.wa.gov.au; richard.sellers@dmirs.wa.gov.au; sue.mccarrey@nopsema.gov.au
Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

Please find **attached** correspondence on behalf of our clients, Ms Josie Alec and Ms Raelene Cooper.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>
Sent: Thursday, March 16, 2023 5:16 PM
To: Clare Lakewood <clare.lakewood@edo.org.au>; Ruby Hamilton <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com>; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Subject: RE: Scarborough Environment Plans - Consultation

Dear Ruby and Clare

Thanks for our meeting on Tuesday (14 March 2023).

Josie, Raelene and Save Our Songlines asked that Woodside continue correspondence with them, via you. Hence our email and our respectful request that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We are grateful for our on-country meeting with you, Skyla and Clare and Ruby (as well as the welcome to country from your son Mark) on 14 March 2023. We want to let you know that, as a group of women, we feel privileged to have been welcomed to the beautiful country where we met and we appreciate you sharing your stories, cultural knowledge and your concerns with us.

We appreciate your request for us to attend the meeting with open hearts, deep listening and respectful conversation and we intend to continue this approach to our engagement. Our consultation process is ongoing through the environmental approval process and when an activity is being performed. We look forward to continuing our discussions with you in the future.

At our meeting, Woodside provided an overview of the Scarborough activities (Seismic EP, Subsea EP, D&C EP, SITI EP (Cth and State)), and you told us that the proposed activities give you a sick feeling and the activities should be stopped. You also let us know that, in your view, there is nothing that can be done by Woodside to progress with the proposed Scarborough activities in a way that could minimise impact to your functions, activities and interests or is respectful to your culture and country.

We confirm that we agreed not to share cultural details that you shared with us at the 14 March 2023 meeting. To respect this, we will not include cultural detail you shared with us at our meeting in Woodside's environment plans or in conversations with the Regulator. For clarity, as agreed, our proposed environment plans will confirm that we met with you on 14 March 2023 to continue consulting with you on the proposed Scarborough environment plans. So you are aware, this email as well as previous correspondence with SOS and Josie and Raelene will also be included in the proposed environment plans.

We took the following actions from the meeting. Responses are provided in italics:

- Provide background information on the "why" behind the Scarborough activities: *Woodside's Scarborough Gas Project helps play a role in the global energy transition, helping neighbouring Asian countries take action on emissions reduction. There is further information on our website: [Scarborough Gas Project and Pluto Train 2 - Woodside Energy](#).*
- Check with MAC as to whether MAC's ethnographic survey can be shared with Josie, Raelene and Save Our Songlines: *The ethnographic survey is held by MAC and Woodside does not have permission to share it.*
- Confirm fracking in relation to the Scarborough activities: *There is no fracking to be undertaken as part of the proposed Scarborough activities.*

We want you to know that, as discussed, we are open to consulting further with you on the proposed Scarborough activities and are open to the continuing engagements regarding the Scarborough activities. Please let us know if further feedback for the activities proposed under the environment plans is sensitive and we will make this known to NOPSEMA upon submission to ensure this information remains confidential to NOPSEMA.

In the meantime, we are grateful to have met you and to have heard your perspectives on the Scarborough activities and Woodside.

Best regards

[Redacted signature]





Woodside Energy
Mia Yellagonga
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Perth WA 6000
Australia

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M: [Redacted]
E: [Redacted]@woodside.com
www.woodside.com
□ □ □ □ □

From: [REDACTED]@woodside.com>
Sent: Tue, 9 May 2023 19:21:10 +0800
To: Clare Lakewood;Ruby Hamilton
Cc: Woodside Feedback;sue.mccarrey@nopsema.gov.au;'info@saveoursonglines.org'
Subject: RE: Scarborough Environment Plans - Consultation
Categories: LEAP

JLB-2.9

Dear Clare and Ruby

Thanks for your emails.

As per previous correspondence, Josie, Raelene and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via the Environment Defenders Office. Hence our respectful request once more that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We received the email below from the Environmental Defenders Office (EDO).

As the EDO's email was copied to email addresses for the Chief Executive Officer of NOPSEMA, we have, as a matter of courtesy copied the same email address.

Ongoing consultation and next meeting

Woodside once again reiterates it is open and willing to engage in ongoing consultation with you on the Seismic Survey EP as well as the following Scarborough Commonwealth EPs which have been referenced during consultation and our meeting in March:

- Scarborough 4D Baseline Marine Seismic Survey EP
- WA-61-L and WA 62-L Subsea Infrastructure Installation EP
- Scarborough Seabed Intervention and Trunkline EP
- Scarborough Drilling and Completions EP

As per our email below from 28 March, our team is available to meet in May and we are still waiting to hear from you about your availability for a meeting. Please let us know when suits you to meet in the weeks commencing 15 May, 22 May and 29 May.

We are available to meet on country or, as you note below, by video conference or telephone (as appropriate).

Our team is willing to observe the same protocols that we agreed to prior to our March 2023 meeting. We remain respectful of cultural sensitivities and also employee safety and privacy and including for those reasons, do not consent to the meeting being recorded.

Agenda for meeting

As to your specific interests (and those of Save Our Songlines), we continue to invite you to share those with us to allow Woodside to consider the potential impacts and risks of the EP activities on these interests and what Woodside can do to lessen or avoid those impacts.

In previous correspondence and meetings, we heard you tell us that you were not prepared to share some information with us at this stage and you weren't sure when you would be ready to share it with us. And we also heard that, sometimes the

information has not yet been revealed to you and that it will be revealed to you in time. We remain open to hearing from you when this is known to you and it is ready to be shared.

In case it is of interest for continuing our consultation with you, we also note the following draft guidance from NOPSEMA: [Draft policy for managing genderrestricted information PL2098.pdf \(nopsema.gov.au\)](#)

So that the most can be made of the meeting, we have prepared some points below by way of draft agenda. We are keen to hear and address the issues that matter to you. So please feel free to add to the agenda items for the meeting.

Draft agenda items

1. [Josie, Raelene, SOS, topics of interest; queries]
2. More about you both and Save Our Songlines
 - the role you perform within Save Our Songlines;
 - individual interests you each have;
 - the types of communal interests that each of you and Save Our Songlines hold;
 - the functions of Save Our Songlines as an organization;
 - the activities that each of you and Save Our Songlines engage in.
3. Walk through of the following EPs
 - Scarborough 4D Baseline Marine Seismic Survey EP
 - WA-61-L and WA 62-L Subsea Infrastructure Installation EP
 - Scarborough Seabed Intervention and Trunkline EP
 - Scarborough Drilling and Completions EP
4. Description of Scarborough Project and activities to be undertaken under each EP – activity, location, impacts and risks, controls in place to manage risks, mechanisms to update the EP with changes (as necessary).
5. [PLEASE ADD TOPICS AS RELEVANT]

Our records indicate that we have provided responses to the requests that have been made in relation to the Scarborough Commonwealth EPs.

We look forward to hearing further from you.

Best regards
Woodside

[Redacted signature]

[Redacted name]

Counsel | Legal



Woodside Energy
Mia Yellagonga
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Perth WA 6000
Australia

T: [Redacted]
M: [Redacted]
E: [Redacted]@woodside.com

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From: Clare Lakewood <clare.lakewood@edo.org.au>
Sent: Monday, 8 May 2023 2:55 PM
To: Ruby Hamilton <ruby.hamilton@edo.org.au>; [REDACTED]@woodside.com.au>
Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

We refer to our email below. We have not had any response to date, and write again to enquire whether Woodside wishes to propose dates that we can put to our clients for consultation regarding the seismic survey EP.

Yours sincerely,
Clare



Environmental
Defenders Office

**Clare Lakewood — Special Counsel,
Safe Climate**

(Mon, Tue, Wed, Thu)

PO Box Z5218, Boorloo/Perth WA 6831

P: +61 8 6118 7912

E: clare.lakewood@edo.org.au

I use she/her pronouns.

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EDO recognises the traditional owners and custodians of the land, seas and rivers of Australia. We pay our respects to Aboriginal and Torres Strait Islander elders past and present, and aspire to learn from traditional knowledge and customs so that, together, we can protect our environment and cultural heritage through law.

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Tuesday, April 18, 2023 2:56 PM
To: [REDACTED]@woodside.com>
Cc: Woodside Feedback <Feedback@woodside.com>; Clare Lakewood <clare.lakewood@edo.org.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

Thank you for your email of 29 March 2023 in respect of the Scarborough 4D B1 Marine Seismic Survey Environment Plan (**Seismic Survey EP**).

Thank you for acknowledging our clients' continued efforts to bring themselves into Woodside's consultation processes and to organise a face-to-face meeting on Country. Our clients confirm their willingness to meet again and to continue consultation. To be clear, our clients do not consider there has yet been consultation such that Woodside can demonstrate in the EP that there has been an appropriate level of consultation. This will require further information to be shared and incorporated into the EP. Our clients are also concerned that because their cultural knowledge is women's knowledge, it is being considered less important than other cultural knowledge Woodside may have received during consultation.

Our clients look forward to providing information about their interests that Woodside needs.

Having had an introductory meeting on 14 March 2023, and mindful that the EP appears to have been re-submitted around nine days after that introductory meeting took place, we propose that Woodside withdraw the EP and meet with our clients to explain to them the relevant risks and impacts of the activities the subject of the Seismic Survey EP specifically, and to obtain further information on their functions, interests and activities. We note in particular that the introductory meeting of 14 March 2023 did not discuss the activities the subject of Seismic Survey EP in any detail.

Our clients are generally available to meet by phone or videoconference in May.

In addition to abiding by the cultural protocol summarised in your email of 29 March 2023, our clients propose the following purposes for the meeting:

- overview of any outstanding requests for information made by our clients;
- explanation of the activities the subject of the Seismic Survey EP, so that our clients can make an informed assessment of the possible consequences of those activities on their functions, interests and activities.

Mindful that Woodside is required under reg 16(b) of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009* (Cth) to provide NOPSEMA with a full report on all consultation with relevant persons, and the difficulties in different perspectives that have been encountered as described in your email of 29 March 2023, our clients propose that this next meeting be recorded, and that permission be sought should Woodside wish to provide transcripts, recordings or other documents referring to cultural knowledge to NOPSEMA.

Our clients otherwise request that the cultural protocols requested in advance of the 14 March 2023 meeting, and summarised in your email of 29 March 2023, be continued.

Following a meeting for Woodside to explain the risks and impacts of the Seismic Survey EP, we propose that our clients be given appropriate time to consider and respond to information shared by Woodside at or after the meeting, so that Woodside may be apprised of all the environmental risks and impacts of the activities the subject of the Seismic Survey EP, and can ensure that those impacts and risks are reduced as low as reasonably practicable. To be clear as to our clients' needs, we expect the timeframe for that response to be approximately 4-6 weeks.

We anticipate that a decision as to whether the response from our clients be in writing, through a meeting, or some combination or other communication, is best determined in light of information Woodside provides, and the information our clients seek to provide in response. We anticipate that that response will also propose next steps for the consultation, with a view to enabling Woodside to adopt measures that will reduce the risks and impacts of the activities the subject of the Seismic Survey EP.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED]@woodside.com>
Sent: Wednesday, March 29, 2023 12:56 PM
To: Ruby Hamilton <ruby.hamilton@edo.org.au>; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Cc: Woodside Feedback <Feedback@woodside.com>; Clare Lakewood <clare.lakewood@edo.org.au>; sue.mccarrey@nopsema.gov.au
Subject: RE: Scarborough Environment Plans - Consultation

 External email

Dear Ruby

Thanks for your email and letter dated 24 March 2023.

Josie, Raelene and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via you. Hence our email and our respectful request that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We received the email and letter sent to us by the Environmental Defenders Office (EDO) dated 24 March 2023. The letter sets out recollections and reflections on the meeting we had on country in Karratha on 14 March 2023 as well as comments on our email of 16 March 2023.

First, we wanted to thank you for sharing the recollections and reflections with us. Secondly, we thought it would be worth sharing our perspectives on comments in that letter – please see these below.

Just so you know, this email relates to the Scarborough Commonwealth EPs. The letter sent to us was copied to an email address for the Chief Executive Officer of NOPSEMA. So, for courtesy and so that you are aware, we are also providing a copy of this email to NOPSEMA. Acknowledging that we separately sent an email to you yesterday on the State Waters EPs that was copied to Minister Johnston and DMIRS.

Consultations, correspondence and meeting on 14 March 2023 [Paragraphs 1-5, 10, 13, 20]

The team at Woodside was pleased to have met face-to-face with you on 14 March 2023. It was the culmination of a long period of communication on the Scarborough Project involving a number of prior attempts to meet face-to-face (since around November 2021) and, since at least June 2022, an extensive exchange of correspondence specific to each of the Scarborough environment plans (EP) and activities set out in the letter (Seismic EP, Drilling EP, Subsea EP, SITI EP, State Waters EP). It was good to meet and we confirm that Woodside remains open to consulting further with you on the Commonwealth EPs as well as the State Waters EP.

A great deal of information was shared at the 14 March 2023 meeting. This included a discussion of your and Save Our Songlines' cultural details and was provided against the backdrop of the protocols we agreed before the meeting. The Woodside team left the 2-hour meeting feeling positive and with a sense of goodwill – we appreciated the exchange of warm mutual embraces at the opening and end of the meeting. We all expressed, at the end of the meeting, a willingness to meet again.

As per discussions leading up to the meeting, unless things change, for future meetings, we agree to continue with the following meeting protocols:

- Attendees continue to be all female.
- Attendees attend meetings with an open heart, deep listening and seeking a respectful conversation.
- Attendees come to meetings open to sharing knowledge about the environment (heritage value of places, social and cultural features) that may be affected by the activities under the proposed Scarborough EPs. Attendees come to the meeting open to sharing ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.
- Attendees are welcome to take written notes of meetings. To respect privacy, safety and cultural values there will be no other recording of meetings (e.g. no audio or visual recording of meetings).
- Other than sharing the fact that the meeting took place, the cultural details will be kept confidential amongst the female attendees unless directed otherwise and will not be made public without permission.

We also confirm that Woodside remains open to consulting further with you on the proposed Scarborough activities and is open to the continuing engagements regarding the Scarborough activities.

Additional or new information

So that you are aware, we have a process in place for the life of an EP that allows the EP to be updated to include additional or new information or feedback that is received after an EP is submitted. This is done through a "Management of Knowledge" process. So, for example, if new or additional information is provided to Woodside, Woodside can consider that information

and assess the risk in accordance with the environmental risk management methodology in the EP to determine the significance of potential new environmental impacts or risks not already provided for in the EP. In that context, if information changes Woodside's understanding of the environment or understanding of measures that Woodside can take in order to lessen or avoid impacts of activities, that information can be updated and actioned in the EP.

This means that feedback or information you provide in future meetings can still be taken into account and, where appropriate, can be incorporated in the EP during the life of the activity.

Following the meeting, we considered what you told us. Based on that information, no updates were required to the EP via the Management of Knowledge process.

Functions, interests and activities [Paragraph 6, 13]

Thank you for confirming in the letter that you consider that your functions, interests and activities are distinct from those of MAC. We also heard you say this at our meeting. We are interested in learning further about your functions, interests and activities (and those of Save Our Songlines) and how those are different to MAC's.

The letter also references MAC surveys. As Raelene mentioned in the meeting, Raelene was, for around 10 years, a former Board member of MAC. (We understand Raelene resigned from the Board in around February 2022). So, Woodside's correspondence, involvement and meetings on the Scarborough Project with Raelene (in her capacity as a MAC representative) also go back a long time to when those discussions commenced with the MAC – in around 2018.

We understand that Raelene was involved in ethnographic studies of the Scarborough Project undertaken by MAC. So, while we have no authority to provide the survey to you, in response to your request for the ethnographic survey, Raelene may have contacts at MAC to request a copy of that survey.

As to your functions, interests and activities (and those of Save Our Songlines), we continue to invite you to share those with us as well to allow Woodside to consider the likely impacts and risks of the EP activities on these functions, interests and activities and what Woodside can do to lessen or avoid those impacts.

In our meeting, we heard you tell us that you were not prepared to share some information with us at this stage and you weren't sure when you would be ready to share it with us. And we also heard that, sometimes the information has not yet been revealed to you and that it will be revealed to you in time. We remain open to hearing from you when this is known to you and it is ready to be shared.

In particular, we are interested in learning from you:

- the role you perform within Save Our Songlines;
- individual interests you each have;
- the types of communal interests that each of you and Save Our Songlines hold;
- the functions of Save Our Songlines as an organization;
- the activities that each of you and Save Our Songlines engage in

To confirm - we don't expect you to provide this information to us in writing and would be happy to meet with you again to discuss this information as per our meeting protocols.

It is important that this information is provided so that Woodside can understand how the proposed activities (that are the subject of the Commonwealth EPs) may affect your functions, interests and activities. We remain open to hearing from you when this is known to you and it is ready to be shared.

Minimising impacts to your functions, interests and activities [Paragraphs 7, 9, 11, 12, 13, 14]

Thank you for notes in the letter on the meeting content.

A comment in the letter is that information had been mischaracterised in the email that we sent you following the meeting. We want to be very clear that our intention is not and was not to mischaracterise information. We want to be very clear that the information provided in our email following the meeting is our group's genuine recollection and interpretation of the take-aways from the meeting. That is, consistent with the agreed protocols for the meeting which included a request that you share ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.

Our team has reviewed notes taken at the meeting. Below we've set out our team's perspectives of some of the items noted in the letter.

Underwater activities

In the meeting, Woodside provided an overview of the Scarborough Project. At that point in the meeting, a number of topics had been discussed (not repeated here so as to respect confidentiality). After the Scarborough Project was overviewed, at a high level (so as to respect confidentiality), there was a discussion about songlines and, in so far as underwater activities are concerned, there was a discussion about potential impacts of activities on whales.

During this discussion, a question was asked by Woodside along the lines of: *what things can Woodside do in order to carry out the Scarborough Project in a respectful way to the knowledge and cultural information that has been shared in the meeting.* Our team's recollection is that the answer given was along the lines of: *there is nothing Woodside can do to carry out the project in a respectful way and that it was not clear why the project was happening in Murujuga and why it couldn't be done somewhere else along the coast.*

We also asked what Woodside could do to protect the values that were being talked about. The answer that was given was along the lines of: *all that can be done is for the project to be stopped.*

A further question was asked along the lines of: *if the project is to go ahead what could be done to protect the values.* The answer given was along the lines of: *nothing. The only option is to stop the project.*

These answers informed our take aways from the meeting.

Greenhouse gas emissions

The topic of greenhouse gas was also raised. This topic has been the subject of separate correspondence in which Woodside has confirmed that, emissions from the activities covered by the Commonwealth EPs are of a scale that no credible impact pathway is foreseen.

Industrialisation of Murujuga

The topic of industrialisation of Murujuga was also raised. Out of respect for confidentiality, we will not repeat the information provided in the meeting in relation to signing of the Burrup and Maitland and Industrial Estates Agreement (BMIEA). However, the subject has also been addressed in separate correspondence in which Woodside has set out its understanding of the history of the Burrup and the industrial agreements involved. Woodside has also provided responses which are along the lines that no credible impact pathway is foreseen from the activities covered by the Commonwealth EPs which could damage rock art and heritage sites and that no cultural impact to future access to sites of cultural and spiritual significance is foreseen.

Detail of EPs and information accessed and provided

As set out above, the face-to-face meeting involved an overview of the Scarborough Project. The face-to-face meeting followed volumes of previous correspondence on the Scarborough Project. We acknowledge the many pieces of previous correspondence that have been sent to Woodside which have been specific to each of the EPs set out in the letter. That previous correspondence indicates that a large volume of information on the Scarborough Project has been accessed, read and thought through. The correspondence shows an informed and thorough understanding of the various Scarborough activities and the Scarborough Project.

Offshore Petroleum and Greenhouse Gas Storage Act (OPGGGS Act) – section 280 Interference with other rights [paragraph 13]

In the letter, section 280 of the OPGGS Act is noted. We do not understand why that particular aspect of the OPGGS Act has been referenced. We are open to hearing more from you on what you would like us to understand from the reference to section 280 of the OPGGS Act.

Consultation in general [paragraph 14]

The letter has a line that suggests that Woodside is implying that “nothing is to be gained from consulting” with you. We want to be very clear that these are not Woodside’s words. Woodside has not put that position forward and is not making an implication of this kind.

On the contrary, we have continued to consult with you and continue to invite further consultation. We were pleased to have had the opportunity to finally meet with you face-to-face this month and we look forward to further meetings with you to learn of your and Save Our Songlines’ interests.

Relevant persons [paragraph 4, 15-19]

The concept of “relevant person” was raised in the letter and also at our meeting. We heard in the meeting that you were insulted that Woodside had categorised SOS as relevant but had not recognised you under the heading of relevant person. You also told us that you were pleased to see that you and SOS have since been included as relevant interested persons in the State EP summary document.

As we discussed at the meeting, Woodside’s intention is not to insult you. We reiterate this as we want to be very clear about this.

We also want you to know that the “relevant person” category is different depending on whether the EP requires Commonwealth approval or State approval (WA). For the Commonwealth EPs, the Commonwealth laws apply. The Commonwealth approval process requires Woodside to consult with “relevant persons”.

At the meeting, we took you through the approval process relating to the concept of “relevant persons” and noted that, at the relevant time consultations are included under a category of “relevant persons” in EPs. Woodside generally applies this category at a stage when we understand more about a person’s functions, interests and activities and also the impacts of our activities on them.

As noted in your letter and above, we also discussed at our meeting that Save Our Songlines, Josie and Raelene have been included under the category of “relevant interested persons” in the State Waters EP. You kindly acknowledged at our meeting that you understood the reasons for redactions that were made to the State EP summary to protect personal information.

These kind of considerations continue and we will have a clearer understanding of the categories when you are able to share more with us. But as we reiterated at the meeting, you should know that there is no need for us to categorise you as relevant in order to consult with you.

Ongoing consultation

Once an EP is accepted, Woodside continues ongoing consultations with relevant persons.

As confirmed in the meeting, and consistent with our processes for ongoing consultation, the important issue is that we are open to continuing consultation and that we are keen to keep talking to you to understand how the proposed Commonwealth EP activities relevantly affect you and Save Our Songlines. Once we understand the kind of functions, interests and activities you and Save Our Songlines hold, we can consider the things that Woodside can do to lessen or avoid impacts of the activities to you.

Responses to questions and further information [paragraph 21-27]

The letter notes some questions that were asked during our face-to-face meeting. As acknowledged in the letter, specific questions on the Scarborough Gas Project, the ethnographic survey and fracking have been actioned and there is nothing substantial to add to the answers provided in our email.

As to requests for further information and notifications, please remain subscribed to Woodside’s and relevant regulators’ website as a best source of information relating to updates to EP assessments.

Further consultation [paragraph 24-27]

The letter sent to us notes that you would like to organise another meeting and will require approximately six weeks to read into materials and prepare for a meeting.

We would be pleased to consult with you further. It took a number of attempts to book and arrange our March face-to-face meeting, so please let us know your preferred times for the next meeting.

If it would be useful, our team is available to meet in the week commencing 8 May 2023 (which is approximately 6 weeks away) or earlier. Please let us know dates you are available so we can book in a next face-to-face meeting.

Best regards
Woodside

[Redacted signature]

Kind regards

[Redacted signature]



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount
Street
Perth WA 6000
Australia

T: [Redacted]
M: [Redacted]
E: [Redacted]@woodside.com
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From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Friday, 24 March 2023 12:18 PM
To: [Redacted] <[\[Redacted\]@woodside.com.au](mailto:[Redacted]@woodside.com.au)>
Cc: Woodside Feedback <Feedback@woodside.com.au>; Clare Lakewood <clare.lakewood@edo.org.au>;
minister.johnston@dpc.wa.gov.au; richard.sellers@dmirs.wa.gov.au; sue.mccarrey@nopsema.gov.au
Subject: RE: Scarborough Environment Plans - Consultation

Dear [Redacted]

Please find **attached** correspondence on behalf of our clients, Ms Josie Alec and Ms Raelene Cooper.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [Redacted] <[\[Redacted\]@woodside.com](mailto:[Redacted]@woodside.com)>
Sent: Thursday, March 16, 2023 5:16 PM
To: Clare Lakewood <clare.lakewood@edo.org.au>; Ruby Hamilton <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com>; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Subject: RE: Scarborough Environment Plans - Consultation

Dear Ruby and Clare

Thanks for our meeting on Tuesday (14 March 2023).

Josie, Raelene and Save Our Songlines asked that Woodside continue correspondence with them, via you. Hence our email and our respectful request that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We are grateful for our on-country meeting with you, Skyla and Clare and Ruby (as well as the welcome to country from your son Mark) on 14 March 2023. We want to let you know that, as a group of women, we feel privileged to have been welcomed to the beautiful country where we met and we appreciate you sharing your stories, cultural knowledge and your concerns with us.

We appreciate your request for us to attend the meeting with open hearts, deep listening and respectful conversation and we intend to continue this approach to our engagement. Our consultation process is ongoing through the environmental approval process and when an activity is being performed. We look forward to continuing our discussions with you in the future.

At our meeting, Woodside provided an overview of the Scarborough activities (Seismic EP, Subsea EP, D&C EP, SITI EP (Cth and State)), and you told us that the proposed activities give you a sick feeling and the activities should be stopped. You also let us know that, in your view, there is nothing that can be done by Woodside to progress with the proposed Scarborough activities in a way that could minimise impact to your functions, activities and interests or is respectful to your culture and country.

We confirm that we agreed not to share cultural details that you shared with us at the 14 March 2023 meeting. To respect this, we will not include cultural detail you shared with us at our meeting in Woodside's environment plans or in conversations with the Regulator. For clarity, as agreed, our proposed environment plans will confirm that we met with you on 14 March 2023 to continue consulting with you on the proposed Scarborough environment plans. So you are aware, this email as well as previous correspondence with SOS and Josie and Raelene will also be included in the proposed environment plans.

We took the following actions from the meeting. Responses are provided in italics:

- Provide background information on the "why" behind the Scarborough activities: *Woodside's Scarborough Gas Project helps play a role in the global energy transition, helping neighbouring Asian countries take action on emissions reduction. There is further information on our website: [Scarborough Gas Project and Pluto Train 2 - Woodside Energy](#).*
- Check with MAC as to whether MAC's ethnographic survey can be shared with Josie, Raelene and Save Our Songlines: *The ethnographic survey is held by MAC and Woodside does not have permission to share it.*
- Confirm fracking in relation to the Scarborough activities: *There is no fracking to be undertaken as part of the proposed Scarborough activities.*

We want you to know that, as discussed, we are open to consulting further with you on the proposed Scarborough activities and are open to the continuing engagements regarding the Scarborough activities. Please let us know if further feedback for the activities proposed under the environment plans is sensitive and we will make this known to NOPSEMA upon submission to ensure this information remains confidential to NOPSEMA.

In the meantime, we are grateful to have met you and to have heard your perspectives on the Scarborough activities and Woodside.

Best regards

[Redacted signature]

[Redacted signature]



Woodside Energy

Mia Yellagonga
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www.woodside.com



Ruby Hamilton

From: Ruby Hamilton
Sent: Monday, 15 May 2023 2:34 PM
To: [REDACTED]
Cc: Woodside Feedback; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org'; Clare Lakewood
Subject: RE: Scarborough Environment Plans - Consultation

Categories: LEAP

Dear [REDACTED]

Thank you for the below email. We are confirming instructions with our clients and will revert as soon as we are able.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED]<[REDACTED]@woodside.com>
Sent: Tuesday, May 9, 2023 7:21 PM
To: Clare Lakewood <clare.lakewood@edo.org.au>; Ruby Hamilton <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Subject: RE: Scarborough Environment Plans - Consultation

Dear Clare and Ruby

Thanks for your emails.

As per previous correspondence, Josie, Raelene and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via the Environment Defenders Office. Hence our respectful request once more that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We received the email below from the Environmental Defenders Office (EDO).

As the EDO's email was copied to email addresses for the Chief Executive Officer of NOPSEMA, we have, as a matter of courtesy copied the same email address.

Ongoing consultation and next meeting

Woodside once again reiterates it is open and willing to engage in ongoing consultation with you on the Seismic Survey EP as well as the following Scarborough Commonwealth EPs which have been referenced during consultation and our meeting in March:

- Scarborough 4D Baseline Marine Seismic Survey EP
- WA-61-L and WA 62-L Subsea Infrastructure Installation EP
- Scarborough Seabed Intervention and Trunkline EP
- Scarborough Drilling and Completions EP

As per our email below from 28 March, our team is available to meet in May and we are still waiting to hear from you about your availability for a meeting. Please let us know when suits you to meet in the weeks commencing 15 May, 22 May and 29 May.

We are available to meet on country or, as you note below, by video conference or telephone (as appropriate).

Our team is willing to observe the same protocols that we agreed to prior to our March 2023 meeting. We remain respectful of cultural sensitivities and also employee safety and privacy and including for those reasons, do not consent to the meeting being recorded.

Agenda for meeting

As to your specific interests (and those of Save Our Songlines), we continue to invite you to share those with us to allow Woodside to consider the potential impacts and risks of the EP activities on these interests and what Woodside can do to lessen or avoid those impacts.

In previous correspondence and meetings, we heard you tell us that you were not prepared to share some information with us at this stage and you weren't sure when you would be ready to share it with us. And we also heard that, sometimes the information has not yet been revealed to you and that it will be revealed to you in time. We remain open to hearing from you when this is known to you and it is ready to be shared.

In case it is of interest for continuing our consultation with you, we also note the following draft guidance from NOPSEMA: [Draft policy for managing genderrestricted information PL2098.pdf \(nopsema.gov.au\)](https://www.nopsema.gov.au/Draft%20policy%20for%20managing%20genderrestricted%20information%20PL2098.pdf)

So that the most can be made of the meeting, we have prepared some points below by way of draft agenda. We are keen to hear and address the issues that matter to you. So please feel free to add to the agenda items for the meeting.

Draft agenda items

1. [Josie, Raelene, SOS, topics of interest; queries]
2. More about you both and Save Our Songlines
 - the role you perform within Save Our Songlines;
 - individual interests you each have;
 - the types of communal interests that each of you and Save Our Songlines hold;
 - the functions of Save Our Songlines as an organization;
 - the activities that each of you and Save Our Songlines engage in.
3. Walk through of the following EPs
 - Scarborough 4D Baseline Marine Seismic Survey EP
 - WA-61-L and WA 62-L Subsea Infrastructure Installation EP
 - Scarborough Seabed Intervention and Trunkline EP
 - Scarborough Drilling and Completions EP
4. Description of Scarborough Project and activities to be undertaken under each EP – activity, location, impacts and risks, controls in place to manage risks, mechanisms to update the EP with changes (as necessary).
5. [PLEASE ADD TOPICS AS RELEVANT]

Our records indicate that we have provided responses to the requests that have been made in relation to the Scarborough Commonwealth EPs.

We look forward to hearing further from you.

Best regards
Woodside



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount Street
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Australia

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From: Clare Lakewood <clare.lakewood@edo.org.au>
Sent: Monday, 8 May 2023 2:55 PM
To: Ruby Hamilton <ruby.hamilton@edo.org.au>; [REDACTED]@woodside.com.au
Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED],

We refer to our email below. We have not had any response to date, and write again to enquire whether Woodside wishes to propose dates that we can put to our clients for consultation regarding the seismic survey EP.

Yours sincerely,
Clare



Environmental
Defenders Office

**Clare Lakewood — Special Counsel, Safe
Climate**

(Mon, Tue, Wed, Thu)
PO Box Z5218, Boorloo/Perth WA 6831
P: +61 8 6118 7912
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I use she/her pronouns.

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EDO recognises the traditional owners and custodians of the land, seas and rivers of Australia. We pay our respects to Aboriginal and Torres Strait Islander elders past and present, and aspire to learn from traditional knowledge and customs so that, together, we can protect our environment and cultural heritage through law.

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Tuesday, April 18, 2023 2:56 PM
To: [REDACTED]@woodside.com
Cc: Woodside Feedback <Feedback@woodside.com.au>; Clare Lakewood <clare.lakewood@edo.org.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

Thank you for your email of 29 March 2023 in respect of the Scarborough 4D B1 Marine Seismic Survey Environment Plan (Seismic Survey EP).

Thank you for acknowledging our clients' continued efforts to bring themselves into Woodside's consultation processes and to organise a face-to-face meeting on Country. Our clients confirm their willingness to meet again and to continue consultation. To be clear, our clients do not consider there has yet been consultation such that Woodside can demonstrate in the EP that there has been an appropriate level of consultation. This will require further information to be shared and incorporated into the EP. Our clients are also concerned that because their cultural knowledge is women's knowledge, it is being considered less important than other cultural knowledge Woodside may have received during consultation.

Our clients look forward to providing information about their interests that Woodside needs.

Having had an introductory meeting on 14 March 2023, and mindful that the EP appears to have been re-submitted around nine days after that introductory meeting took place, we propose that Woodside withdraw the EP and meet with our clients to explain to them the relevant risks and impacts of the activities the subject of the Seismic Survey EP specifically, and to obtain further information on their functions, interests and activities. We note in particular that the introductory meeting of 14 March 2023 did not discuss the activities the subject of Seismic Survey EP in any detail.

Our clients are generally available to meet by phone or videoconference in May.

In addition to abiding by the cultural protocol summarised in your email of 29 March 2023, our clients propose the following purposes for the meeting:

- overview of any outstanding requests for information made by our clients;
- explanation of the activities the subject of the Seismic Survey EP, so that our clients can make an informed assessment of the possible consequences of those activities on their functions, interests and activities.

Mindful that Woodside is required under reg 16(b) of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009* (Cth) to provide NOPSEMA with a full report on all consultation with relevant persons, and the difficulties in different perspectives that have been encountered as described in your email of 29 March 2023, our clients propose that this next meeting be recorded, and that permission be sought should Woodside wish to provide transcripts, recordings or other documents referring to cultural knowledge to NOPSEMA.

Our clients otherwise request that the cultural protocols requested in advance of the 14 March 2023 meeting, and summarised in your email of 29 March 2023, be continued.

Following a meeting for Woodside to explain the risks and impacts of the Seismic Survey EP, we propose that our clients be given appropriate time to consider and respond to information shared by Woodside at or after the meeting, so that Woodside may be apprised of all the environmental risks and impacts of the activities the subject of the Seismic Survey EP, and can ensure that those impacts and risks are reduced as low as reasonably practicable. To be clear as to our clients' needs, we expect the timeframe for that response to be approximately 4-6 weeks.

We anticipate that a decision as to whether the response from our clients be in writing, through a meeting, or some combination or other communication, is best determined in light of information Woodside provides, and the information our clients seek to provide in response. We anticipate that that response will also propose next steps for the consultation, with a view to enabling Woodside to adopt measures that will reduce the risks and impacts of the activities the subject of the Seismic Survey EP.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED] <[REDACTED]@woodside.com>

Sent: Wednesday, March 29, 2023 12:56 PM

To: Ruby Hamilton <ruby.hamilton@edo.org.au>; 'info@saveoursonglines.org' <info@saveoursonglines.org>

Cc: Woodside Feedback <Feedback@woodside.com>; Clare Lakewood <clare.lakewood@edo.org.au>; sue.mccarrey@nopsema.gov.au

Subject: RE: Scarborough Environment Plans - Consultation



Dear Ruby

Thanks for your email and letter dated 24 March 2023.

Josie, Raelene and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via you. Hence our email and our respectful request that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We received the email and letter sent to us by the Environmental Defenders Office (EDO) dated 24 March 2023. The letter sets out recollections and reflections on the meeting we had on country in Karratha on 14 March 2023 as well as comments on our email of 16 March 2023.

First, we wanted to thank you for sharing the recollections and reflections with us. Secondly, we thought it would be worth sharing our perspectives on comments in that letter – please see these below.

Just so you know, this email relates to the Scarborough Commonwealth EPs. The letter sent to us was copied to an email address for the Chief Executive Officer of NOPSEMA. So, for courtesy and so that you are aware, we are also providing a copy of this email to NOPSEMA. Acknowledging that we separately sent an email to you yesterday on the State Waters EPs that was copied to Minister Johnston and DMIRS.

Consultations, correspondence and meeting on 14 March 2023 [Paragraphs 1-5, 10, 13, 20]

The team at Woodside was pleased to have met face-to-face with you on 14 March 2023. It was the culmination of a long period of communication on the Scarborough Project involving a number of prior attempts to meet face-to-face (since around November 2021) and, since at least June 2022, an extensive exchange of correspondence specific to each of the Scarborough environment plans (EP) and activities set out in the letter (Seismic EP, Drilling EP, Subsea EP, SITI EP, State Waters EP). It was good to meet and we confirm that Woodside remains open to consulting further with you on the Commonwealth EPs as well as the State Waters EP.

A great deal of information was shared at the 14 March 2023 meeting. This included a discussion of your and Save Our Songlines' cultural details and was provided against the backdrop of the protocols we agreed before the meeting. The Woodside team left the 2-hour meeting feeling positive and with a sense of goodwill – we appreciated the exchange of warm mutual embraces at the opening and end of the meeting. We all expressed, at the end of the meeting, a willingness to meet again.

As per discussions leading up to the meeting, unless things change, for future meetings, we agree to continue with the following meeting protocols:

- Attendees continue to be all female.
- Attendees attend meetings with an open heart, deep listening and seeking a respectful conversation.
- Attendees come to meetings open to sharing knowledge about the environment (heritage value of places, social and cultural features) that may be affected by the activities under the proposed Scarborough EPs. Attendees come to the meeting open to sharing ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.
- Attendees are welcome to take written notes of meetings. To respect privacy, safety and cultural values there will be no other recording of meetings (e.g. no audio or visual recording of meetings).
- Other than sharing the fact that the meeting took place, the cultural details will be kept confidential amongst the female attendees unless directed otherwise and will not be made public without permission.

We also confirm that Woodside remains open to consulting further with you on the proposed Scarborough activities and is open to the continuing engagements regarding the Scarborough activities.

Additional or new information

So that you are aware, we have a process in place for the life of an EP that allows the EP to be updated to include additional or new information or feedback that is received after an EP is submitted. This is done through a "Management of

Knowledge” process. So, for example, if new or additional information is provided to Woodside, Woodside can consider that information and assess the risk in accordance with the environmental risk management methodology in the EP to determine the significance of potential new environmental impacts or risks not already provided for in the EP. In that context, if information changes Woodside’s understanding of the environment or understanding of measures that Woodside can take in order to lessen or avoid impacts of activities, that information can be updated and actioned in the EP.

This means that feedback or information you provide in future meetings can still be taken into account and, where appropriate, can be incorporated in the EP during the life of the activity.

Following the meeting, we considered what you told us. Based on that information, no updates were required to the EP via the Management of Knowledge process.

Functions, interests and activities [Paragraph 6, 13]

Thank you for confirming in the letter that you consider that your functions, interests and activities are distinct from those of MAC. We also heard you say this at our meeting. We are interested in learning further about your functions, interests and activities (and those of Save Our Songlines) and how those are different to MAC’s.

The letter also references MAC surveys. As Raelene mentioned in the meeting, Raelene was, for around 10 years, a former Board member of MAC. (We understand Raelene resigned from the Board in around February 2022). So, Woodside’s correspondence, involvement and meetings on the Scarborough Project with Raelene (in her capacity as a MAC representative) also go back a long time to when those discussions commenced with the MAC – in around 2018.

We understand that Raelene was involved in ethnographic studies of the Scarborough Project undertaken by MAC. So, while we have no authority to provide the survey to you, in response to your request for the ethnographic survey, Raelene may have contacts at MAC to request a copy of that survey.

As to your functions, interests and activities (and those of Save Our Songlines), we continue to invite you to share those with us as well to allow Woodside to consider the likely impacts and risks of the EP activities on these functions, interests and activities and what Woodside can do to lessen or avoid those impacts.

In our meeting, we heard you tell us that you were not prepared to share some information with us at this stage and you weren’t sure when you would be ready to share it with us. And we also heard that, sometimes the information has not yet been revealed to you and that it will be revealed to you in time. We remain open to hearing from you when this is known to you and it is ready to be shared.

In particular, we are interested in learning from you:

- the role you perform within Save Our Songlines;
- individual interests you each have;
- the types of communal interests that each of you and Save Our Songlines hold;
- the functions of Save Our Songlines as an organization;
- the activities that each of you and Save Our Songlines engage in

To confirm - we don’t expect you to provide this information to us in writing and would be happy to meet with you again to discuss this information as per our meeting protocols.

It is important that this information is provided so that Woodside can understand how the proposed activities (that are the subject of the Commonwealth EPs) may affect your functions, interests and activities. We remain open to hearing from you when this is known to you and it is ready to be shared.

Minimising impacts to your functions, interests and activities [Paragraphs 7, 9, 11, 12, 13, 14]

Thank you for notes in the letter on the meeting content.

A comment in the letter is that information had been mischaracterised in the email that we sent you following the meeting. We want to be very clear that our intention is not and was not to mischaracterise information. We want to be very clear that the information provided in our email following the meeting is our group’s genuine recollection and interpretation of

the take-aways from the meeting. That is, consistent with the agreed protocols for the meeting which included a request that you share ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.

Our team has reviewed notes taken at the meeting. Below we've set out our team's perspectives of some of the items noted in the letter.

Underwater activities

In the meeting, Woodside provided an overview of the Scarborough Project. At that point in the meeting, a number of topics had been discussed (not repeated here so as to respect confidentiality). After the Scarborough Project was overviewed, at a high level (so as to respect confidentiality), there was a discussion about songlines and, in so far as underwater activities are concerned, there was a discussion about potential impacts of activities on whales.

During this discussion, a question was asked by Woodside along the lines of: *what things can Woodside do in order to carry out the Scarborough Project in a respectful way to the knowledge and cultural information that has been shared in the meeting*. Our team's recollection is that the answer given was along the lines of: *there is nothing Woodside can do to carry out the project in a respectful way and that it was not clear why the project was happening in Murujuga and why it couldn't be done somewhere else along the coast*.

We also asked what Woodside could do to protect the values that were being talked about. The answer that was given was along the lines of: *all that can be done is for the project to be stopped*.

A further question was asked along the lines of: *if the project is to go ahead what could be done to protect the values*. The answer given was along the lines of: *nothing. The only option is to stop the project*.

These answers informed our take aways from the meeting.

Greenhouse gas emissions

The topic of greenhouse gas was also raised. This topic has been the subject of separate correspondence in which Woodside has confirmed that, emissions from the activities covered by the Commonwealth EPs are of a scale that no credible impact pathway is foreseen.

Industrialisation of Murujuga

The topic of industrialisation of Murujuga was also raised. Out of respect for confidentiality, we will not repeat the information provided in the meeting in relation to signing of the Burrup and Maitland and Industrial Estates Agreement (BMIEA). However, the subject has also been addressed in separate correspondence in which Woodside has set out its understanding of the history of the Burrup and the industrial agreements involved. Woodside has also provided responses which are along the lines that no credible impact pathway is foreseen from the activities covered by the Commonwealth EPs which could damage rock art and heritage sites and that no cultural impact to future access to sites of cultural and spiritual significance is foreseen.

Detail of EPs and information accessed and provided

As set out above, the face-to-face meeting involved an overview of the Scarborough Project. The face-to-face meeting followed volumes of previous correspondence on the Scarborough Project. We acknowledge the many pieces of previous correspondence that have been sent to Woodside which have been specific to each of the EPs set out in the letter. That previous correspondence indicates that a large volume of information on the Scarborough Project has been accessed, read and thought through. The correspondence shows an informed and thorough understanding of the various Scarborough activities and the Scarborough Project.

Offshore Petroleum and Greenhouse Gas Storage Act (OPGGGS Act) – section 280 Interference with other rights [paragraph 13]

In the letter, section 280 of the OPGGS Act is noted. We do not understand why that particular aspect of the OPGGS Act has been referenced. We are open to hearing more from you on what you would like us to understand from the reference to section 280 of the OPGGS Act.

Consultation in general [paragraph 14]

The letter has a line that suggests that Woodside is implying that “nothing is to be gained from consulting” with you. We want to be very clear that these are not Woodside’s words. Woodside has not put that position forward and is not making an implication of this kind.

On the contrary, we have continued to consult with you and continue to invite further consultation. We were pleased to have had the opportunity to finally meet with you face-to-face this month and we look forward to further meetings with you to learn of your and Save Our Songlines’ interests.

Relevant persons [paragraph 4, 15-19]

The concept of “relevant person” was raised in the letter and also at our meeting. We heard in the meeting that you were insulted that Woodside had categorised SOS as relevant but had not recognised you under the heading of relevant person. You also told us that you were pleased to see that you and SOS have since been included as relevant interested persons in the State EP summary document.

As we discussed at the meeting, Woodside’s intention is not to insult you. We reiterate this as we want to be very clear about this.

We also want you to know that the "relevant person" category is different depending on whether the EP requires Commonwealth approval or State approval (WA). For the Commonwealth EPs, the Commonwealth laws apply. The Commonwealth approval process requires Woodside to consult with “relevant persons”.

At the meeting, we took you through the approval process relating to the concept of “relevant persons” and noted that, at the relevant time consultations are included under a category of “relevant persons” in EPs. Woodside generally applies this category at a stage when we understand more about a person’s functions, interests and activities and also the impacts of our activities on them.

As noted in your letter and above, we also discussed at our meeting that Save Our Songlines, Josie and Raelene have been included under the category of “relevant interested persons” in the State Waters EP. You kindly acknowledged at our meeting that you understood the reasons for redactions that were made to the State EP summary to protect personal information.

These kind of considerations continue and we will have a clearer understanding of the categories when you are able to share more with us. But as we reiterated at the meeting, you should know that there is no need for us to categorise you as relevant in order to consult with you.

Ongoing consultation

Once an EP is accepted, Woodside continues ongoing consultations with relevant persons.

As confirmed in the meeting, and consistent with our processes for ongoing consultation, the important issue is that we are open to continuing consultation and that we are keen to keep talking to you to understand how the proposed Commonwealth EP activities relevantly affect you and Save Our Songlines. Once we understand the kind of functions, interests and activities you and Save Our Songlines hold, we can consider the things that Woodside can do to lessen or avoid impacts of the activities to you.

Responses to questions and further information [paragraph 21-27]

The letter notes some questions that were asked during our face-to-face meeting. As acknowledged in the letter, specific questions on the Scarborough Gas Project, the ethnographic survey and fracking have been actioned and there is nothing substantial to add to the answers provided in our email.

As to requests for further information and notifications, please remain subscribed to Woodside’s and relevant regulators’ website as a best source of information relating to updates to EP assessments.

Further consultation [paragraph 24-27]

The letter sent to us notes that you would like to organise another meeting and will require approximately six weeks to read into materials and prepare for a meeting.

We would be pleased to consult with you further. It took a number of attempts to book and arrange our March face-to-face meeting, so please let us know your preferred times for the next meeting.

If it would be useful, our team is available to meet in the week commencing 8 May 2023 (which is approximately 6 weeks away) or earlier. Please let us know dates you are available so we can book in a next face-to-face meeting.

Best regards
Woodside

Kind regards



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount Street
Perth WA 6000
Australia

T: [REDACTED]
M: [REDACTED]
E: [REDACTED]@woodside.com
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f t in v i

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Friday, 24 March 2023 12:18 PM
To: [REDACTED] <[\[REDACTED\]@woodside.com.au](mailto:[REDACTED]@woodside.com.au)>
Cc: Woodside Feedback <Feedback@woodside.com.au>; Clare Lakewood <clare.lakewood@edo.org.au>;
minister.johnston@dpc.wa.gov.au; richard.sellers@dmirs.wa.gov.au; sue.mccarrey@nopsema.gov.au
Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

Please find **attached** correspondence on behalf of our clients, Ms Josie Alec and Ms Raelene Cooper.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>
Sent: Thursday, March 16, 2023 5:16 PM
To: Clare Lakewood <clare.lakewood@edo.org.au>; Ruby Hamilton <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com>; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Subject: RE: Scarborough Environment Plans - Consultation

Dear Ruby and Clare

Thanks for our meeting on Tuesday (14 March 2023).

Josie, Raelene and Save Our Songlines asked that Woodside continue correspondence with them, via you. Hence our email and our respectful request that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We are grateful for our on-country meeting with you, Skyla and Clare and Ruby (as well as the welcome to country from your son Mark) on 14 March 2023. We want to let you know that, as a group of women, we feel privileged to have been welcomed to the beautiful country where we met and we appreciate you sharing your stories, cultural knowledge and your concerns with us.

We appreciate your request for us to attend the meeting with open hearts, deep listening and respectful conversation and we intend to continue this approach to our engagement. Our consultation process is ongoing through the environmental approval process and when an activity is being performed. We look forward to continuing our discussions with you in the future.

At our meeting, Woodside provided an overview of the Scarborough activities (Seismic EP, Subsea EP, D&C EP, SITI EP (Cth and State)), and you told us that the proposed activities give you a sick feeling and the activities should be stopped. You also let us know that, in your view, there is nothing that can be done by Woodside to progress with the proposed Scarborough activities in a way that could minimise impact to your functions, activities and interests or is respectful to your culture and country.

We confirm that we agreed not to share cultural details that you shared with us at the 14 March 2023 meeting. To respect this, we will not include cultural detail you shared with us at our meeting in Woodside's environment plans or in conversations with the Regulator. For clarity, as agreed, our proposed environment plans will confirm that we met with you on 14 March 2023 to continue consulting with you on the proposed Scarborough environment plans. So you are aware, this email as well as previous correspondence with SOS and Josie and Raelene will also be included in the proposed environment plans.

We took the following actions from the meeting. Responses are provided in italics:

- Provide background information on the "why" behind the Scarborough activities: *Woodside's Scarborough Gas Project helps play a role in the global energy transition, helping neighbouring Asian countries take action on emissions reduction. There is further information on our website: [Scarborough Gas Project and Pluto Train 2 - Woodside Energy](#).*
- Check with MAC as to whether MAC's ethnographic survey can be shared with Josie, Raelene and Save Our Songlines: *The ethnographic survey is held by MAC and Woodside does not have permission to share it.*
- Confirm fracking in relation to the Scarborough activities: *There is no fracking to be undertaken as part of the proposed Scarborough activities.*

We want you to know that, as discussed, we are open to consulting further with you on the proposed Scarborough activities and are open to the continuing engagements regarding the Scarborough activities. Please let us know if further feedback for the activities proposed under the environment plans is sensitive and we will make this known to NOPSEMA upon submission to ensure this information remains confidential to NOPSEMA.

In the meantime, we are grateful to have met you and to have heard your perspectives on the Scarborough activities and Woodside.

Best regards

[Redacted signature]

[Redacted signature]



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Mia Yellagonga
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Perth WA 6000
Australia

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f t in y i

From: Ruby Hamilton
Sent: Thu, 1 Jun 2023 21:23:23 +0800
To: [REDACTED]
Cc: Woodside Feedback; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org'; Clare Lakewood
Subject: RE: Scarborough Environment Plans - Consultation
Categories: LEAP

JLB-2.11

Dear [REDACTED]

We refer to the below correspondence.

We are instructed that our clients have confirmed they are available and would like to meet in Karratha on the morning of Tuesday, 13 June 2023. We would be grateful if you are able to accommodate this specific window with relatively short notice.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Monday, May 15, 2023 2:34 PM
To: [REDACTED]@woodside.com>
Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>; Clare Lakewood <clare.lakewood@edo.org.au>
Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

Thank you for the below email. We are confirming instructions with our clients and will revert as soon as we are able.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED]@woodside.com>
Sent: Tuesday, May 9, 2023 7:21 PM
To: Clare Lakewood <clare.lakewood@edo.org.au>; Ruby Hamilton <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Subject: RE: Scarborough Environment Plans - Consultation

Dear Clare and Ruby

Thanks for your emails.

As per previous correspondence, Josie, Raelene and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via the Environment Defenders Office. Hence our respectful request once more that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We received the email below from the Environmental Defenders Office (EDO).

113

As the EDO's email was copied to email addresses for the Chief Executive Officer of NOPSEMA, we have, as a matter of courtesy copied the same email address.

Ongoing consultation and next meeting

Woodside once again reiterates it is open and willing to engage in ongoing consultation with you on the Seismic Survey EP as well as the following Scarborough Commonwealth EPs which have been referenced during consultation and our meeting in March:

- Scarborough 4D Baseline Marine Seismic Survey EP
- WA-61-L and WA 62-L Subsea Infrastructure Installation EP
- Scarborough Seabed Intervention and Trunkline EP
- Scarborough Drilling and Completions EP

As per our email below from 28 March, our team is available to meet in May and we are still waiting to hear from you about your availability for a meeting. Please let us know when suits you to meet in the weeks commencing 15 May, 22 May and 29 May.

We are available to meet on country or, as you note below, by video conference or telephone (as appropriate).

Our team is willing to observe the same protocols that we agreed to prior to our March 2023 meeting. We remain respectful of cultural sensitivities and also employee safety and privacy and including for those reasons, do not consent to the meeting being recorded.

Agenda for meeting

As to your specific interests (and those of Save Our Songlines), we continue to invite you to share those with us to allow Woodside to consider the potential impacts and risks of the EP activities on these interests and what Woodside can do to lessen or avoid those impacts.

In previous correspondence and meetings, we heard you tell us that you were not prepared to share some information with us at this stage and you weren't sure when you would be ready to share it with us. And we also heard that, sometimes the information has not yet been revealed to you and that it will be revealed to you in time. We remain open to hearing from you when this is known to you and it is ready to be shared.

In case it is of interest for continuing our consultation with you, we also note the following draft guidance from NOPSEMA: [Draft policy for managing genderrestricted information PL2098.pdf \(nopsema.gov.au\)](#)

So that the most can be made of the meeting, we have prepared some points below by way of draft agenda. We are keen to hear and address the issues that matter to you. So please feel free to add to the agenda items for the meeting.

Draft agenda items

1. [Josie, Raelene, SOS, topics of interest; queries]
2. More about you both and Save Our Songlines
 - the role you perform within Save Our Songlines;
 - individual interests you each have;
 - the types of communal interests that each of you and Save Our Songlines hold;
 - the functions of Save Our Songlines as an organization;

- the activities that each of you and Save Our Songlines engage in.
3. Walk through of the following EPs
 - Scarborough 4D Baseline Marine Seismic Survey EP
 - WA-61-L and WA 62-L Subsea Infrastructure Installation EP
 - Scarborough Seabed Intervention and Trunkline EP
 - Scarborough Drilling and Completions EP
 4. Description of Scarborough Project and activities to be undertaken under each EP – activity, location, impacts and risks, controls in place to manage risks, mechanisms to update the EP with changes (as necessary).
 5. [PLEASE ADD TOPICS AS RELEVANT]

Our records indicate that we have provided responses to the requests that have been made in relation to the Scarborough Commonwealth EPs.

We look forward to hearing further from you.

Best regards
Woodside

[Redacted signature]

[Redacted signature]



Woodside Energy
Mia Yellagonga
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f t in v i

From: Clare Lakewood <clare.lakewood@edo.org.au>
Sent: Monday, 8 May 2023 2:55 PM
To: Ruby Hamilton <ruby.hamilton@edo.org.au>; [Redacted] <[\[Redacted\]@woodside.com.au](mailto:[Redacted]@woodside.com.au)>
Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Subject: RE: Scarborough Environment Plans - Consultation

Dear [Redacted]

We refer to our email below. We have not had any response to date, and write again to enquire whether Woodside wishes to propose dates that we can put to our clients for consultation regarding the seismic survey EP.

Yours sincerely,
Clare



Environmental
Defenders Office

**Clare Lakewood — Special Counsel,
Safe Climate**
(Mon, Tue, Wed, Thu)
PO Box Z5218, Boorloo/Perth WA 6831
P: +61 8 6118 7912

E: clare.lakewood@edo.org.au

I use she/her pronouns.

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EDO recognises the traditional owners and custodians of the land, seas and rivers of Australia. We pay our respects to Aboriginal and Torres Strait Islander elders past and present, and aspire to learn from traditional knowledge and customs so that, together, we can protect our environment and cultural heritage through law.

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Tuesday, April 18, 2023 2:56 PM
To: [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>
Cc: Woodside Feedback <Feedback@woodside.com>; Clare Lakewood <clare.lakewood@edo.org.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

Thank you for your email of 29 March 2023 in respect of the Scarborough 4D B1 Marine Seismic Survey Environment Plan (**Seismic Survey EP**).

Thank you for acknowledging our clients' continued efforts to bring themselves into Woodside's consultation processes and to organise a face-to-face meeting on Country. Our clients confirm their willingness to meet again and to continue consultation. To be clear, our clients do not consider there has yet been consultation such that Woodside can demonstrate in the EP that there has been an appropriate level of consultation. This will require further information to be shared and incorporated into the EP. Our clients are also concerned that because their cultural knowledge is women's knowledge, it is being considered less important than other cultural knowledge Woodside may have received during consultation.

Our clients look forward to providing information about their interests that Woodside needs.

Having had an introductory meeting on 14 March 2023, and mindful that the EP appears to have been re-submitted around nine days after that introductory meeting took place, we propose that Woodside withdraw the EP and meet with our clients to explain to them the relevant risks and impacts of the activities the subject of the Seismic Survey EP specifically, and to obtain further information on their functions, interests and activities. We note in particular that the introductory meeting of 14 March 2023 did not discuss the activities the subject of Seismic Survey EP in any detail.

Our clients are generally available to meet by phone or videoconference in May.

In addition to abiding by the cultural protocol summarised in your email of 29 March 2023, our clients propose the following purposes for the meeting:

- overview of any outstanding requests for information made by our clients;
- explanation of the activities the subject of the Seismic Survey EP, so that our clients can make an informed assessment of the possible consequences of those activities on their functions, interests and activities.

Mindful that Woodside is required under reg 16(b) of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009* (Cth) to provide NOPSEMA with a full report on all consultation with relevant persons, and the difficulties in different perspectives that have been encountered as described in your email of 29 March 2023, our clients propose that this next meeting be recorded, and that permission be sought should Woodside wish to provide transcripts, recordings or other documents referring to cultural knowledge to NOPSEMA.

Our clients otherwise request that the cultural protocols requested in advance of the 14 March 2023 meeting, and summarised in your email of 29 March 2023, be continued.

Following a meeting for Woodside to explain the risks and impacts of the Seismic Survey EP, we propose that our clients be given appropriate time to consider and respond to information shared by Woodside at or after the meeting, so that Woodside may be apprised of all the environmental risks and impacts of the activities the subject of the Seismic Survey EP, and can ensure that those impacts and risks are reduced as low as reasonably practicable. To be clear as to our clients' needs, we expect the timeframe for that response to be approximately 4-6 weeks.

We anticipate that a decision as to whether the response from our clients be in writing, through a meeting, or some combination or other communication, is best determined in light of information Woodside provides, and the information our clients seek to provide in response. We anticipate that that response will also propose next steps for the consultation, with a view to enabling Woodside to adopt measures that will reduce the risks and impacts of the activities the subject of the Seismic Survey EP.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED] <[REDACTED]@woodside.com>
Sent: Wednesday, March 29, 2023 12:56 PM
To: Ruby Hamilton <ruby.hamilton@edo.org.au>; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Cc: Woodside Feedback <Feedback@woodside.com>; Clare Lakewood <clare.lakewood@edo.org.au>; sue.mccarrey@nopsema.gov.au
Subject: RE: Scarborough Environment Plans - Consultation

 External email

Dear Ruby

Thanks for your email and letter dated 24 March 2023.

Josie, Raelene and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via you. Hence our email and our respectful request that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We received the email and letter sent to us by the Environmental Defenders Office (EDO) dated 24 March 2023. The letter sets out recollections and reflections on the meeting we had on country in Karratha on 14 March 2023 as well as comments on our email of 16 March 2023.

First, we wanted to thank you for sharing the recollections and reflections with us. Secondly, we thought it would be worth sharing our perspectives on comments in that letter – please see these below.

Just so you know, this email relates to the Scarborough Commonwealth EPs. The letter sent to us was copied to an email address for the Chief Executive Officer of NOPSEMA. So, for courtesy and so that you are aware, we are also providing a copy of this email to NOPSEMA. Acknowledging that we separately sent an email to you yesterday on the State Waters EPs that was copied to Minister Johnston and DMIRS.

Consultations, correspondence and meeting on 14 March 2023 [Paragraphs 1-5, 10, 13, 20]

The team at Woodside was pleased to have met face-to-face with you on 14 March 2023. It was the culmination of a long period of communication on the Scarborough Project involving a number of prior attempts to meet face-to-face (since around November 2021) and, since at least June 2022, an extensive exchange of correspondence specific to each of the Scarborough environment plans (EP) and activities set out in the letter (Seismic EP, Drilling EP, Subsea EP, SITI EP, State Waters EP). It was good to meet and we confirm that Woodside remains open to consulting further with you on the Commonwealth EPs as well as the State Waters EP.

A great deal of information was shared at the 14 March 2023 meeting. This included a discussion of your and Save Our Songlines' cultural details and was provided against the backdrop of the protocols we agreed before the meeting. The Woodside team left the 2-hour meeting feeling positive and with a sense of goodwill – we appreciated the exchange of warm mutual embraces at the opening and end of the meeting. We all expressed, at the end of the meeting, a willingness to meet again.

As per discussions leading up to the meeting, unless things change, for future meetings, we agree to continue with the following meeting protocols:

- Attendees continue to be all female.
- Attendees attend meetings with an open heart, deep listening and seeking a respectful conversation.
- Attendees come to meetings open to sharing knowledge about the environment (heritage value of places, social and cultural features) that may be affected by the activities under the proposed Scarborough EPs. Attendees come to the meeting open to sharing ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.
- Attendees are welcome to take written notes of meetings. To respect privacy, safety and cultural values there will be no other recording of meetings (e.g. no audio or visual recording of meetings).
- Other than sharing the fact that the meeting took place, the cultural details will be kept confidential amongst the female attendees unless directed otherwise and will not be made public without permission.

We also confirm that Woodside remains open to consulting further with you on the proposed Scarborough activities and is open to the continuing engagements regarding the Scarborough activities.

Additional or new information

So that you are aware, we have a process in place for the life of an EP that allows the EP to be updated to include additional or new information or feedback that is received after an EP is submitted. This is done through a "Management of Knowledge" process. So, for example, if new or additional information is provided to Woodside, Woodside can consider that information and assess the risk in accordance with the environmental risk management methodology in the EP to determine the significance of potential new environmental impacts or risks not already provided for in the EP. In that context, if information changes Woodside's understanding of the environment or understanding of measures that Woodside can take in order to lessen or avoid impacts of activities, that information can be updated and actioned in the EP.

This means that feedback or information you provide in future meetings can still be taken into account and, where appropriate, can be incorporated in the EP during the life of the activity.

Following the meeting, we considered what you told us. Based on that information, no updates were required to the EP via the Management of Knowledge process.

Functions, interests and activities [Paragraph 6, 13]

Thank you for confirming in the letter that you consider that your functions, interests and activities are distinct from those of MAC. We also heard you say this at our meeting. We are interested in learning further about your functions, interests and activities (and those of Save Our Songlines) and how those are different to MAC's.

The letter also references MAC surveys. As Raelene mentioned in the meeting, Raelene was, for around 10 years, a former Board member of MAC. (We understand Raelene resigned from the Board in around February 2022). So, Woodside's correspondence, involvement and meetings on the Scarborough Project with Raelene (in her capacity as a MAC representative) also go back a long time to when those discussions commenced with the MAC – in around 2018.

We understand that Raelene was involved in ethnographic studies of the Scarborough Project undertaken by MAC. So, while we have no authority to provide the survey to you, in response to your request for the ethnographic survey, Raelene may have contacts at MAC to request a copy of that survey.

As to your functions, interests and activities (and those of Save Our Songlines), we continue to invite you to share those with us as well to allow Woodside to consider the likely impacts and risks of the EP activities on these functions, interests and activities and what Woodside can do to lessen or avoid those impacts.

In our meeting, we heard you tell us that you were not prepared to share some information with us at this stage and you weren't sure when you would be ready to share it with us. And we also heard that, sometimes the information has not yet been revealed to you and that it will be revealed to you in time. We remain open to hearing from you when this is known to you and it is ready to be shared.

In particular, we are interested in learning from you:

- the role you perform within Save Our Songlines;
- individual interests you each have;
- the types of communal interests that each of you and Save Our Songlines hold;
- the functions of Save Our Songlines as an organization;
- the activities that each of you and Save Our Songlines engage in

To confirm - we don't expect you to provide this information to us in writing and would be happy to meet with you again to discuss this information as per our meeting protocols.

It is important that this information is provided so that Woodside can understand how the proposed activities (that are the subject of the Commonwealth EPs) may affect your functions, interests and activities. We remain open to hearing from you when this is known to you and it is ready to be shared.

Minimising impacts to your functions, interests and activities [Paragraphs 7, 9, 11, 12, 13, 14]

Thank you for notes in the letter on the meeting content.

A comment in the letter is that information had been mischaracterised in the email that we sent you following the meeting. We want to be very clear that our intention is not and was not to mischaracterise information. We want to be very clear that the information provided in our email following the meeting is our group's genuine recollection and interpretation of the take-aways from the meeting. That is, consistent with the agreed protocols for the meeting which included a request that you share ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.

Our team has reviewed notes taken at the meeting. Below we've set out our team's perspectives of some of the items noted in the letter.

Underwater activities

In the meeting, Woodside provided an overview of the Scarborough Project. At that point in the meeting, a number of topics had been discussed (not repeated here so as to respect confidentiality). After the Scarborough Project was overviewed, at a high level (so as to respect confidentiality), there was a discussion about songlines and, in so far as underwater activities are concerned, there was a discussion about potential impacts of activities on whales.

During this discussion, a question was asked by Woodside along the lines of: *what things can Woodside do in order to carry out the Scarborough Project in a respectful way to the knowledge and cultural information that has been shared in the meeting.* Our team's recollection is that the answer given was along the lines of: *there is nothing Woodside can do to carry out the project in*

a respectful way and that it was not clear why the project was happening in Murujuga and why it couldn't be done somewhere else along the coast.

We also asked what Woodside could do to protect the values that were being talked about. The answer that was given was along the lines of: *all that can be done is for the project to be stopped.*

A further question was asked along the lines of: *if the project is to go ahead what could be done to protect the values.* The answer given was along the lines of: *nothing. The only option is to stop the project.*

These answers informed our take aways from the meeting.

Greenhouse gas emissions

The topic of greenhouse gas was also raised. This topic has been the subject of separate correspondence in which Woodside has confirmed that, emissions from the activities covered by the Commonwealth EPs are of a scale that no credible impact pathway is foreseen.

Industrialisation of Murujuga

The topic of industrialisation of Murujuga was also raised. Out of respect for confidentiality, we will not repeat the information provided in the meeting in relation to signing of the Burrup and Maitland and Industrial Estates Agreement (BMIEA). However, the subject has also been addressed in separate correspondence in which Woodside has set out its understanding of the history of the Burrup and the industrial agreements involved. Woodside has also provided responses which are along the lines that no credible impact pathway is foreseen from the activities covered by the Commonwealth EPs which could damage rock art and heritage sites and that no cultural impact to future access to sites of cultural and spiritual significance is foreseen.

Detail of EPs and information accessed and provided

As set out above, the face-to-face meeting involved an overview of the Scarborough Project. The face-to-face meeting followed volumes of previous correspondence on the Scarborough Project. We acknowledge the many pieces of previous correspondence that have been sent to Woodside which have been specific to each of the EPs set out in the letter. That previous correspondence indicates that a large volume of information on the Scarborough Project has been accessed, read and thought through. The correspondence shows an informed and thorough understanding of the various Scarborough activities and the Scarborough Project.

Offshore Petroleum and Greenhouse Gas Storage Act (OPGGs Act) – section 280 Interference with other rights [paragraph 13]

In the letter, section 280 of the OPGGS Act is noted. We do not understand why that particular aspect of the OPGGS Act has been referenced. We are open to hearing more from you on what you would like us to understand from the reference to section 280 of the OPGGS Act.

Consultation in general [paragraph 14]

The letter has a line that suggests that Woodside is implying that “nothing is to be gained from consulting” with you. We want to be very clear that these are not Woodside’s words. Woodside has not put that position forward and is not making an implication of this kind.

On the contrary, we have continued to consult with you and continue to invite further consultation. We were pleased to have had the opportunity to finally meet with you face-to-face this month and we look forward to further meetings with you to learn of your and Save Our Songlines’ interests.

Relevant persons [paragraph 4, 15-19]

The concept of “relevant person” was raised in the letter and also at our meeting. We heard in the meeting that you were insulted that Woodside had categorised SOS as relevant but had not recognised you under the heading of relevant person. You also told us that you were pleased to see that you and SOS have since been included as relevant interested persons in the State EP summary document.

As we discussed at the meeting, Woodside’s intention is not to insult you. We reiterate this as we want to be very clear about this.

We also want you to know that the "relevant person" category is different depending on whether the EP requires Commonwealth approval or State approval (WA). For the Commonwealth EPs, the Commonwealth laws apply. The Commonwealth approval process requires Woodside to consult with "relevant persons".

At the meeting, we took you through the approval process relating to the concept of "relevant persons" and noted that, at the relevant time consultations are included under a category of "relevant persons" in EPs. Woodside generally applies this category at a stage when we understand more about a person's functions, interests and activities and also the impacts of our activities on them.

As noted in your letter and above, we also discussed at our meeting that Save Our Songlines, Josie and Raelene have been included under the category of "relevant interested persons" in the State Waters EP. You kindly acknowledged at our meeting that you understood the reasons for redactions that were made to the State EP summary to protect personal information.

These kind of considerations continue and we will have a clearer understanding of the categories when you are able to share more with us. But as we reiterated at the meeting, you should know that there is no need for us to categorise you as relevant in order to consult with you.

Ongoing consultation

Once an EP is accepted, Woodside continues ongoing consultations with relevant persons.

As confirmed in the meeting, and consistent with our processes for ongoing consultation, the important issue is that we are open to continuing consultation and that we are keen to keep talking to you to understand how the proposed Commonwealth EP activities relevantly affect you and Save Our Songlines. Once we understand the kind of functions, interests and activities you and Save Our Songlines hold, we can consider the things that Woodside can do to lessen or avoid impacts of the activities to you.

Responses to questions and further information [paragraph 21-27]

The letter notes some questions that were asked during our face-to-face meeting. As acknowledged in the letter, specific questions on the Scarborough Gas Project, the ethnographic survey and fracking have been actioned and there is nothing substantial to add to the answers provided in our email.

As to requests for further information and notifications, please remain subscribed to Woodside's and relevant regulators' website as a best source of information relating to updates to EP assessments.

Further consultation [paragraph 24-27]

The letter sent to us notes that you would like to organise another meeting and will require approximately six weeks to read into materials and prepare for a meeting.

We would be pleased to consult with you further. It took a number of attempts to book and arrange our March face-to-face meeting, so please let us know your preferred times for the next meeting.

If it would be useful, our team is available to meet in the week commencing 8 May 2023 (which is approximately 6 weeks away) or earlier. Please let us know dates you are available so we can book in a next face-to-face meeting.

Best regards

Woodside


Kind regards




Woodside Energy
Mia Yellagonga
Karlak, 11 Mount
Street
Perth WA 6000
Australia

T: [REDACTED]
M: [REDACTED]
E: [REDACTED]@woodside.com
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From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Friday, 24 March 2023 12:18 PM
To: [REDACTED]@woodside.com.au>
Cc: Woodside Feedback <Feedback@woodside.com.au>; Clare Lakewood <clare.lakewood@edo.org.au>;
minister.johnston@dpc.wa.gov.au; richard.sellers@dmirs.wa.gov.au; sue.mccarrey@nopsema.gov.au
Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

Please find **attached** correspondence on behalf of our clients, Ms Josie Alec and Ms Raelene Cooper.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED]@woodside.com>
Sent: Thursday, March 16, 2023 5:16 PM
To: Clare Lakewood <clare.lakewood@edo.org.au>; Ruby Hamilton <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com>; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Subject: RE: Scarborough Environment Plans - Consultation

Dear Ruby and Clare

Thanks for our meeting on Tuesday (14 March 2023).

Josie, Raelene and Save Our Songlines asked that Woodside continue correspondence with them, via you. Hence our email and our respectful request that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We are grateful for our on-country meeting with you, Skyla and Clare and Ruby (as well as the welcome to country from your son Mark) on 14 March 2023. We want to let you know that, as a group of women, we feel privileged to have been welcomed to the beautiful country where we met and we appreciate you sharing your stories, cultural knowledge and your concerns with us.

We appreciate your request for us to attend the meeting with open hearts, deep listening and respectful conversation and we intend to continue this approach to our engagement. Our consultation process is ongoing through the environmental approval process and when an activity is being performed. We look forward to continuing our discussions with you in the future.

At our meeting, Woodside provided an overview of the Scarborough activities (Seismic EP, Subsea EP, D&C EP, SITI EP (Cth and State)), and you told us that the proposed activities give you a sick feeling and the activities should be stopped. You also let us know that, in your view, there is nothing that can be done by Woodside to progress with the proposed Scarborough activities in a way that could minimise impact to your functions, activities and interests or is respectful to your culture and country.

We confirm that we agreed not to share cultural details that you shared with us at the 14 March 2023 meeting. To respect this, we will not include cultural detail you shared with us at our meeting in Woodside's environment plans or in conversations with the Regulator. For clarity, as agreed, our proposed environment plans will confirm that we met with you on 14 March 2023 to continue consulting with you on the proposed Scarborough environment plans. So you are aware, this email as well as previous correspondence with SOS and Josie and Raelene will also be included in the proposed environment plans.

We took the following actions from the meeting. Responses are provided in italics:

- Provide background information on the "why" behind the Scarborough activities: *Woodside's Scarborough Gas Project helps play a role in the global energy transition, helping neighbouring Asian countries take action on emissions reduction. There is further information on our website: [Scarborough Gas Project and Pluto Train 2 - Woodside Energy](#).*
- Check with MAC as to whether MAC's ethnographic survey can be shared with Josie, Raelene and Save Our Songlines: *The ethnographic survey is held by MAC and Woodside does not have permission to share it.*
- Confirm fracking in relation to the Scarborough activities: *There is no fracking to be undertaken as part of the proposed Scarborough activities.*

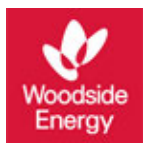
We want you to know that, as discussed, we are open to consulting further with you on the proposed Scarborough activities and are open to the continuing engagements regarding the Scarborough activities. Please let us know if further feedback for the activities proposed under the environment plans is sensitive and we will make this known to NOPSEMA upon submission to ensure this information remains confidential to NOPSEMA.

In the meantime, we are grateful to have met you and to have heard your perspectives on the Scarborough activities and Woodside.

Best regards

[Redacted signature]

[Redacted signature]



Woodside Energy
Mia Yellagonga
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Perth WA 6000
Australia

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From: [REDACTED]@woodside.com>
Sent: Wed, 7 Jun 2023 06:46:17 +0800
To: Ruby Hamilton
Cc: Woodside Feedback;sue.mccarrey@nopsema.gov.au;'info@saveoursonglines.org';Clare Lakewood
Subject: RE: Scarborough Environment Plans - Consultation
Categories: LEAP

JLB-2.12

Dear Ruby

Thanks for your email.

As per previous correspondence, Josie, Raelene and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via the Environment Defenders Office. Hence our respectful request once more that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We received the email below from the Environmental Defenders Office (EDO).

As the EDO's email was copied to email addresses for the Chief Executive Officer of NOPSEMA, we have, as a matter of courtesy copied the same email address.

We understand you have suggested a meeting in Karratha on the morning of **Tuesday 13 June (next Tuesday)** to continue consultation on the Scarborough Environment Plans.

Our team is available to meet with you.

Agenda for meeting

As per our previous email, we are keen to hear and address the issues that matter to you. So please let us know the things that you would like to discuss, share with us, tell us about or topics you would like to hear from us so that we can make the most of the meeting.

In case it is of interest for continuing our consultation with you, we also note the following draft guidance from NOPSEMA: [Draft policy for managing genderrestricted information PL2098.pdf \(nopsema.gov.au\)](#)

As to your specific interests (and those of Save Our Songlines), we continue to invite you to share those with us to allow Woodside to consider the potential impacts and risks of the EP activities on these interests and what Woodside can do to lessen or avoid those impacts.

As per our previous email, we have compiled a draft agenda for you to edit or add to. It is not a fixed agenda, but rather a guide in case it is useful.

Draft agenda items

1. [Josie, Raelene, SOS, topics of interest; queries]
2. More about you both and Save Our Songlines
 - the role you perform within Save Our Songlines;
 - individual interests you each have;
 - the types of communal interests that each of you and Save Our Songlines hold;

- the functions of Save Our Songlines as an organization;
 - the activities that each of you and Save Our Songlines engage in.
3. Walk through of the following EPs
 - Scarborough 4D Baseline Marine Seismic Survey EP
 - WA-61-L and WA 62-L Subsea Infrastructure Installation EP
 - Scarborough Seabed Intervention and Trunkline EP
 - Scarborough Drilling and Completions EP
 - Scarborough Trunkline Installation (State Waters) EP
 4. Description of Scarborough Project and activities to be undertaken under each EP – activity, location, impacts and risks, controls in place to manage risks, mechanisms to update the EP with changes (as necessary).
 5. [PLEASE ADD TOPICS AS RELEVANT]

Meaning protocols

Our team is willing to observe the same protocols that we agreed to prior to our March 2023 meeting. We remain respectful of cultural sensitivities and also employee safety and privacy and including for those reasons, do not consent to the meeting being recorded.

1. Woodside, SOS, Ms Alec, Ms Cooper and EDO lawyers are welcome to take written notes of the meeting. To respect privacy, safety and cultural values there will be no other recording of the meeting (e.g., no audio or visual recording of the meeting).
2.
As requested by SOS, Ms Alec and Ms Cooper, Woodside attendees are all female.
3.
As per the request from Ms Alec, Woodside attendees are attending the meeting with an open heart, deep listening and seeking a respectful conversation.
4.
Woodside's respectful request is that attendees come to the meeting open to sharing knowledge about the environment (heritage value of places, social and cultural features) that may be affected by the activities under the proposed Scarborough environment plans. Woodside's request is also that attendees come to the meeting open to sharing ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.

Attendees

Given the short notice of the meeting, the whole Woodside team is unfortunately not available to meet with you. However the team that is available to meet on Tuesday is:

1. [REDACTED] – Manager First Nations Relations
2. [REDACTED] – HSE Manager Scarborough
3. [REDACTED] – Senior Environment Advisor Scarborough
4. [REDACTED] – Woodside legal

We may also be joined by one of our Corporate Affairs employees.

Please let us know who will be attending for you.

Time and Location

We are available to meet at 10am if that suits you (but please let us know if a different time needs to be accommodated).

Please let us know if you have made arrangements for a location for the meeting?

If you would like, we can make enquiries regarding availability for meeting rooms in Karratha and surrounds.

We look forward to hearing from you.

Kind regards



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From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Thursday, 1 June 2023 9:23 PM
To: [REDACTED]@woodside.com.au
Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>; Clare Lakewood <clare.lakewood@edo.org.au>
Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

We refer to the below correspondence.

We are instructed that our clients have confirmed they are available and would like to meet in Karratha on the morning of Tuesday, 13 June 2023. We would be grateful if you are able to accommodate this specific window with relatively short notice.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Monday, May 15, 2023 2:34 PM
To: [REDACTED]@woodside.com>
Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>; Clare Lakewood <clare.lakewood@edo.org.au>
Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

Thank you for the below email. We are confirming instructions with our clients and will revert as soon as we are able.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED]@woodside.com>
Sent: Tuesday, May 9, 2023 7:21 PM
To: Clare Lakewood <clare.lakewood@edo.org.au>; Ruby Hamilton <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Subject: RE: Scarborough Environment Plans - Consultation

Dear Clare and Ruby

Thanks for your emails.

As per previous correspondence, Josie, Raelene and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via the Environment Defenders Office. Hence our respectful request once more that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We received the email below from the Environmental Defenders Office (EDO).

As the EDO's email was copied to email addresses for the Chief Executive Officer of NOPSEMA, we have, as a matter of courtesy copied the same email address.

Ongoing consultation and next meeting

Woodside once again reiterates it is open and willing to engage in ongoing consultation with you on the Seismic Survey EP as well as the following Scarborough Commonwealth EPs which have been referenced during consultation and our meeting in March:

- Scarborough 4D Baseline Marine Seismic Survey EP
- WA-61-L and WA 62-L Subsea Infrastructure Installation EP
- Scarborough Seabed Intervention and Trunkline EP
- Scarborough Drilling and Completions EP

As per our email below from 28 March, our team is available to meet in May and we are still waiting to hear from you about your availability for a meeting. Please let us know when suits you to meet in the weeks commencing 15 May, 22 May and 29 May.

We are available to meet on country or, as you note below, by video conference or telephone (as appropriate).

Our team is willing to observe the same protocols that we agreed to prior to our March 2023 meeting. We remain respectful of cultural sensitivities and also employee safety and privacy and including for those reasons, do not consent to the meeting being recorded.

Agenda for meeting

As to your specific interests (and those of Save Our Songlines), we continue to invite you to share those with us to allow Woodside to consider the potential impacts and risks of the EP activities on these interests and what Woodside can do to lessen or avoid those impacts.

In previous correspondence and meetings, we heard you tell us that you were not prepared to share some information with us at this stage and you weren't sure when you would be ready to share it with us. And we also heard that, sometimes the information has not yet been revealed to you and that it will be revealed to you in time. We remain open to hearing from you when this is known to you and it is ready to be shared.

In case it is of interest for continuing our consultation with you, we also note the following draft guidance from NOPSEMA: [Draft policy for managing genderrestricted information PL2098.pdf \(nopsema.gov.au\)](#)

So that the most can be made of the meeting, we have prepared some points below by way of draft agenda. We are keen to hear and address the issues that matter to you. So please feel free to add to the agenda items for the meeting.

Draft agenda items

1. [Josie, Raelene, SOS, topics of interest; queries]
2. More about you both and Save Our Songlines
 - the role you perform within Save Our Songlines;
 - individual interests you each have;
 - the types of communal interests that each of you and Save Our Songlines hold;
 - the functions of Save Our Songlines as an organization;
 - the activities that each of you and Save Our Songlines engage in.
3. Walk through of the following EPs
 - Scarborough 4D Baseline Marine Seismic Survey EP
 - WA-61-L and WA 62-L Subsea Infrastructure Installation EP
 - Scarborough Seabed Intervention and Trunkline EP
 - Scarborough Drilling and Completions EP
4. Description of Scarborough Project and activities to be undertaken under each EP – activity, location, impacts and risks, controls in place to manage risks, mechanisms to update the EP with changes (as necessary).
5. [PLEASE ADD TOPICS AS RELEVANT]

Our records indicate that we have provided responses to the requests that have been made in relation to the Scarborough Commonwealth EPs.

We look forward to hearing further from you.

Best regards
Woodside

[REDACTED]

[REDACTED]



Woodside Energy
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From: Clare Lakewood <clare.lakewood@edo.org.au>
Sent: Monday, 8 May 2023 2:55 PM
To: Ruby Hamilton <ruby.hamilton@edo.org.au>; [REDACTED]@woodside.com.au
Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED],

We refer to our email below. We have not had any response to date, and write again to enquire whether Woodside wishes to propose dates that we can put to our clients for consultation regarding the seismic survey EP.

Yours sincerely,
Clare



Environmental
Defenders Office

**Clare Lakewood — Special Counsel,
Safe Climate**
(Mon, Tue, Wed, Thu)
PO Box Z5218, Boorloo/Perth WA 6831
P: +61 8 6118 7912
E: clare.lakewood@edo.org.au

I use she/her pronouns.

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EDO recognises the traditional owners and custodians of the land, seas and rivers of Australia. We pay our respects to Aboriginal and Torres Strait Islander elders past and present, and aspire to learn from traditional knowledge and customs so that, together, we can protect our environment and cultural heritage through law.

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Tuesday, April 18, 2023 2:56 PM
To: [REDACTED]@woodside.com
Cc: Woodside Feedback <Feedback@woodside.com>; Clare Lakewood <clare.lakewood@edo.org.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

Thank you for your email of 29 March 2023 in respect of the Scarborough 4D B1 Marine Seismic Survey Environment Plan (Seismic Survey EP).

Thank you for acknowledging our clients' continued efforts to bring themselves into Woodside's consultation processes and to organise a face-to-face meeting on Country. Our clients confirm their willingness to meet again and to continue consultation. To be clear, our clients do not consider there has yet been consultation such that Woodside can demonstrate in the EP that there has been an appropriate level of consultation. This will require further information to be shared and incorporated into the EP. Our clients are also concerned that because their cultural knowledge is women's knowledge, it is being considered less important than other cultural knowledge Woodside may have received during consultation.

Our clients look forward to providing information about their interests that Woodside needs.

Having had an introductory meeting on 14 March 2023, and mindful that the EP appears to have been re-submitted around nine days after that introductory meeting took place, we propose that Woodside withdraw the EP and meet with our clients to explain to them the relevant risks and impacts of the activities the subject of the Seismic Survey EP specifically, and to obtain further information on their functions, interests and activities. We note in particular that the introductory meeting of 14 March 2023 did not discuss the activities the subject of Seismic Survey EP in any detail.

Our clients are generally available to meet by phone or videoconference in May.

In addition to abiding by the cultural protocol summarised in your email of 29 March 2023, our clients propose the following purposes for the meeting:

- overview of any outstanding requests for information made by our clients;
- explanation of the activities the subject of the Seismic Survey EP, so that our clients can make an informed assessment of the possible consequences of those activities on their functions, interests and activities.

Mindful that Woodside is required under reg 16(b) of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009* (Cth) to provide NOPSEMA with a full report on all consultation with relevant persons, and the difficulties in different perspectives that have been encountered as described in your email of 29 March 2023, our clients propose that this next meeting be recorded, and that permission be sought should Woodside wish to provide transcripts, recordings or other documents referring to cultural knowledge to NOPSEMA.

Our clients otherwise request that the cultural protocols requested in advance of the 14 March 2023 meeting, and summarised in your email of 29 March 2023, be continued.

Following a meeting for Woodside to explain the risks and impacts of the Seismic Survey EP, we propose that our clients be given appropriate time to consider and respond to information shared by Woodside at or after the meeting, so that Woodside may be apprised of all the environmental risks and impacts of the activities the subject of the Seismic Survey EP, and can ensure that those impacts and risks are reduced as low as reasonably practicable. To be clear as to our clients' needs, we expect the timeframe for that response to be approximately 4-6 weeks.

We anticipate that a decision as to whether the response from our clients be in writing, through a meeting, or some combination or other communication, is best determined in light of information Woodside provides, and the information our clients seek to provide in response. We anticipate that that response will also propose next steps for the consultation, with a view to enabling Woodside to adopt measures that will reduce the risks and impacts of the activities the subject of the Seismic Survey EP.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED] <[REDACTED]@woodside.com>

Sent: Wednesday, March 29, 2023 12:56 PM

To: Ruby Hamilton <ruby.hamilton@edo.org.au>; 'info@saveoursonglines.org' <info@saveoursonglines.org>

Cc: Woodside Feedback <Feedback@woodside.com>; Clare Lakewood <clare.lakewood@edo.org.au>;



Dear Ruby

Thanks for your email and letter dated 24 March 2023.

Josie, Raelene and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via you. Hence our email and our respectful request that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We received the email and letter sent to us by the Environmental Defenders Office (EDO) dated 24 March 2023. The letter sets out recollections and reflections on the meeting we had on country in Karratha on 14 March 2023 as well as comments on our email of 16 March 2023.

First, we wanted to thank you for sharing the recollections and reflections with us. Secondly, we thought it would be worth sharing our perspectives on comments in that letter – please see these below.

Just so you know, this email relates to the Scarborough Commonwealth EPs. The letter sent to us was copied to an email address for the Chief Executive Officer of NOPSEMA. So, for courtesy and so that you are aware, we are also providing a copy of this email to NOPSEMA. Acknowledging that we separately sent an email to you yesterday on the State Waters EPs that was copied to Minister Johnston and DMIRS.

Consultations, correspondence and meeting on 14 March 2023 [Paragraphs 1-5, 10, 13, 20]

The team at Woodside was pleased to have met face-to-face with you on 14 March 2023. It was the culmination of a long period of communication on the Scarborough Project involving a number of prior attempts to meet face-to-face (since around November 2021) and, since at least June 2022, an extensive exchange of correspondence specific to each of the Scarborough environment plans (EP) and activities set out in the letter (Seismic EP, Drilling EP, Subsea EP, SITI EP, State Waters EP). It was good to meet and we confirm that Woodside remains open to consulting further with you on the Commonwealth EPs as well as the State Waters EP.

A great deal of information was shared at the 14 March 2023 meeting. This included a discussion of your and Save Our Songlines' cultural details and was provided against the backdrop of the protocols we agreed before the meeting. The Woodside team left the 2-hour meeting feeling positive and with a sense of goodwill – we appreciated the exchange of warm mutual embraces at the opening and end of the meeting. We all expressed, at the end of the meeting, a willingness to meet again.

As per discussions leading up to the meeting, unless things change, for future meetings, we agree to continue with the following meeting protocols:

- Attendees continue to be all female.
- Attendees attend meetings with an open heart, deep listening and seeking a respectful conversation.
- Attendees come to meetings open to sharing knowledge about the environment (heritage value of places, social and cultural features) that may be affected by the activities under the proposed Scarborough EPs. Attendees come to the meeting open to sharing ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.
- Attendees are welcome to take written notes of meetings. To respect privacy, safety and cultural values there will be no other recording of meetings (e.g. no audio or visual recording of meetings).

- Other than sharing the fact that the meeting took place, the cultural details will be kept confidential amongst the female attendees unless directed otherwise and will not be made public without permission.

We also confirm that Woodside remains open to consulting further with you on the proposed Scarborough activities and is open to the continuing engagements regarding the Scarborough activities.

Additional or new information

So that you are aware, we have a process in place for the life of an EP that allows the EP to be updated to include additional or new information or feedback that is received after an EP is submitted. This is done through a “Management of Knowledge” process. So, for example, if new or additional information is provided to Woodside, Woodside can consider that information and assess the risk in accordance with the environmental risk management methodology in the EP to determine the significance of potential new environmental impacts or risks not already provided for in the EP. In that context, if information changes Woodside’s understanding of the environment or understanding of measures that Woodside can take in order to lessen or avoid impacts of activities, that information can be updated and actioned in the EP.

This means that feedback or information you provide in future meetings can still be taken into account and, where appropriate, can be incorporated in the EP during the life of the activity.

Following the meeting, we considered what you told us. Based on that information, no updates were required to the EP via the Management of Knowledge process.

Functions, interests and activities [Paragraph 6, 13]

Thank you for confirming in the letter that you consider that your functions, interests and activities are distinct from those of MAC. We also heard you say this at our meeting. We are interested in learning further about your functions, interests and activities (and those of Save Our Songlines) and how those are different to MAC’s.

The letter also references MAC surveys. As Raelene mentioned in the meeting, Raelene was, for around 10 years, a former Board member of MAC. (We understand Raelene resigned from the Board in around February 2022). So, Woodside’s correspondence, involvement and meetings on the Scarborough Project with Raelene (in her capacity as a MAC representative) also go back a long time to when those discussions commenced with the MAC – in around 2018.

We understand that Raelene was involved in ethnographic studies of the Scarborough Project undertaken by MAC. So, while we have no authority to provide the survey to you, in response to your request for the ethnographic survey, Raelene may have contacts at MAC to request a copy of that survey.

As to your functions, interests and activities (and those of Save Our Songlines), we continue to invite you to share those with us as well to allow Woodside to consider the likely impacts and risks of the EP activities on these functions, interests and activities and what Woodside can do to lessen or avoid those impacts.

In our meeting, we heard you tell us that you were not prepared to share some information with us at this stage and you weren’t sure when you would be ready to share it with us. And we also heard that, sometimes the information has not yet been revealed to you and that it will be revealed to you in time. We remain open to hearing from you when this is known to you and it is ready to be shared.

In particular, we are interested in learning from you:

- the role you perform within Save Our Songlines;
- individual interests you each have;
- the types of communal interests that each of you and Save Our Songlines hold;
- the functions of Save Our Songlines as an organization;
- the activities that each of you and Save Our Songlines engage in

To confirm - we don't expect you to provide this information to us in writing and would be happy to meet with you again to discuss this information as per our meeting protocols.

It is important that this information is provided so that Woodside can understand how the proposed activities (that are the subject of the Commonwealth EPs) may affect your functions, interests and activities. We remain open to hearing from you when this is known to you and it is ready to be shared.

Minimising impacts to your functions, interests and activities [Paragraphs 7, 9, 11, 12, 13, 14]

Thank you for notes in the letter on the meeting content.

A comment in the letter is that information had been mischaracterised in the email that we sent you following the meeting. We want to be very clear that our intention is not and was not to mischaracterise information. We want to be very clear that the information provided in our email following the meeting is our group's genuine recollection and interpretation of the take-aways from the meeting. That is, consistent with the agreed protocols for the meeting which included a request that you share ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.

Our team has reviewed notes taken at the meeting. Below we've set out our team's perspectives of some of the items noted in the letter.

Underwater activities

In the meeting, Woodside provided an overview of the Scarborough Project. At that point in the meeting, a number of topics had been discussed (not repeated here so as to respect confidentiality). After the Scarborough Project was overviewed, at a high level (so as to respect confidentiality), there was a discussion about songlines and, in so far as underwater activities are concerned, there was a discussion about potential impacts of activities on whales.

During this discussion, a question was asked by Woodside along the lines of: *what things can Woodside do in order to carry out the Scarborough Project in a respectful way to the knowledge and cultural information that has been shared in the meeting.* Our team's recollection is that the answer given was along the lines of: *there is nothing Woodside can do to carry out the project in a respectful way and that it was not clear why the project was happening in Murujuga and why it couldn't be done somewhere else along the coast.*

We also asked what Woodside could do to protect the values that were being talked about. The answer that was given was along the lines of: *all that can be done is for the project to be stopped.*

A further question was asked along the lines of: *if the project is to go ahead what could be done to protect the values.* The answer given was along the lines of: *nothing. The only option is to stop the project.*

These answers informed our take aways from the meeting.

Greenhouse gas emissions

The topic of greenhouse gas was also raised. This topic has been the subject of separate correspondence in which Woodside has confirmed that, emissions from the activities covered by the Commonwealth EPs are of a scale that no credible impact pathway is foreseen.

Industrialisation of Murujuga

The topic of industrialisation of Murujuga was also raised. Out of respect for confidentiality, we will not repeat the information provided in the meeting in relation to signing of the Burrup and Maitland and Industrial Estates Agreement (BMIEA). However, the subject has also been addressed in separate correspondence in which Woodside has set out its understanding of the history of the Burrup and the industrial agreements involved. Woodside has also provided responses which are along the lines that no credible impact pathway is foreseen from the activities covered by the Commonwealth EPs which could damage rock art and heritage sites and that no cultural impact to future access to sites of cultural and spiritual significance is foreseen.

Detail of EPs and information accessed and provided

As set out above, the face-to-face meeting involved an overview of the Scarborough Project. The face-to-face meeting followed volumes of previous correspondence on the Scarborough Project. We acknowledge the many pieces of previous correspondence that have been sent to Woodside which have been specific to each of the EPs set out in the letter. That previous correspondence indicates that a large volume of information on the Scarborough Project has been accessed, read and thought through. The correspondence shows an informed and thorough understanding of the various Scarborough activities and the Scarborough Project.

Offshore Petroleum and Greenhouse Gas Storage Act (OPGGGS Act) – section 280 Interference with other rights [paragraph 13]

In the letter, section 280 of the OPGGS Act is noted. We do not understand why that particular aspect of the OPGGS Act has been referenced. We are open to hearing more from you on what you would like us to understand from the reference to section 280 of the OPGGS Act.

Consultation in general [paragraph 14]

The letter has a line that suggests that Woodside is implying that “nothing is to be gained from consulting” with you. We want to be very clear that these are not Woodside’s words. Woodside has not put that position forward and is not making an implication of this kind.

On the contrary, we have continued to consult with you and continue to invite further consultation. We were pleased to have had the opportunity to finally meet with you face-to-face this month and we look forward to further meetings with you to learn of your and Save Our Songlines’ interests.

Relevant persons [paragraph 4, 15-19]

The concept of “relevant person” was raised in the letter and also at our meeting. We heard in the meeting that you were insulted that Woodside had categorised SOS as relevant but had not recognised you under the heading of relevant person. You also told us that you were pleased to see that you and SOS have since been included as relevant interested persons in the State EP summary document.

As we discussed at the meeting, Woodside’s intention is not to insult you. We reiterate this as we want to be very clear about this.

We also want you to know that the "relevant person" category is different depending on whether the EP requires Commonwealth approval or State approval (WA). For the Commonwealth EPs, the Commonwealth laws apply. The Commonwealth approval process requires Woodside to consult with “relevant persons”.

At the meeting, we took you through the approval process relating to the concept of “relevant persons” and noted that, at the relevant time consultations are included under a category of “relevant persons” in EPs. Woodside generally applies this category at a stage when we understand more about a person’s functions, interests and activities and also the impacts of our activities on them.

As noted in your letter and above, we also discussed at our meeting that Save Our Songlines, Josie and Raelene have been included under the category of “relevant interested persons” in the State Waters EP. You kindly acknowledged at our meeting that you understood the reasons for redactions that were made to the State EP summary to protect personal information.

These kind of considerations continue and we will have a clearer understanding of the categories when you are able to share more with us. But as we reiterated at the meeting, you should know that there is no need for us to categorise you as relevant in order to consult with you.

Ongoing consultation

Once an EP is accepted, Woodside continues ongoing consultations with relevant persons.

As confirmed in the meeting, and consistent with our processes for ongoing consultation, the important issue is that we are open to continuing consultation and that we are keen to keep talking to you to understand how the proposed Commonwealth EP activities relevantly affect you and Save Our Songlines. Once we understand the kind of functions, interests and activities you and Save Our Songlines hold, we can consider the things that Woodside can do to lessen or avoid impacts of the activities to you.

Responses to questions and further information [paragraph 21-27]

The letter notes some questions that were asked during our face-to-face meeting. As acknowledged in the letter, specific questions on the Scarborough Gas Project, the ethnographic survey and fracking have been actioned and there is nothing substantial to add to the answers provided in our email.

As to requests for further information and notifications, please remain subscribed to Woodside's and relevant regulators' website as a best source of information relating to updates to EP assessments.

Further consultation [paragraph 24-27]

The letter sent to us notes that you would like to organise another meeting and will require approximately six weeks to read into materials and prepare for a meeting.

We would be pleased to consult with you further. It took a number of attempts to book and arrange our March face-to-face meeting, so please let us know your preferred times for the next meeting.

If it would be useful, our team is available to meet in the week commencing 8 May 2023 (which is approximately 6 weeks away) or earlier. Please let us know dates you are available so we can book in a next face-to-face meeting.

Best regards

Woodside
[Redacted]

Kind regards
[Redacted]



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount
Street
Perth WA 6000
Australia

T: [Redacted]
M: [Redacted]
E: [Redacted]@woodside.com
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f t in v @

From: Ruby Hamilton <ruby.hamilton@edo.org.au>

Sent: Friday, 24 March 2023 12:18 PM

To: [Redacted] <[\[Redacted\]@woodside.com.au](mailto:[Redacted]@woodside.com.au)>

Cc: Woodside Feedback <Feedback@woodside.com.au>; Clare Lakewood <clare.lakewood@edo.org.au>; minister.johnston@dpc.wa.gov.au; richard.sellers@dmirs.wa.gov.au; sue.mccarrey@nopsema.gov.au

Subject: RE: Scarborough Environment Plans - Consultation

Dear [Redacted]

Please find **attached** correspondence on behalf of our clients, Ms Josie Alec and Ms Raelene Cooper.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED]@woodside.com>
Sent: Thursday, March 16, 2023 5:16 PM
To: Clare Lakewood <clare.lakewood@edo.org.au>; Ruby Hamilton <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com>; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Subject: RE: Scarborough Environment Plans - Consultation

Dear Ruby and Clare

Thanks for our meeting on Tuesday (14 March 2023).

Josie, Raelene and Save Our Songlines asked that Woodside continue correspondence with them, via you. Hence our email and our respectful request that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We are grateful for our on-country meeting with you, Skyla and Clare and Ruby (as well as the welcome to country from your son Mark) on 14 March 2023. We want to let you know that, as a group of women, we feel privileged to have been welcomed to the beautiful country where we met and we appreciate you sharing your stories, cultural knowledge and your concerns with us.

We appreciate your request for us to attend the meeting with open hearts, deep listening and respectful conversation and we intend to continue this approach to our engagement. Our consultation process is ongoing through the environmental approval process and when an activity is being performed. We look forward to continuing our discussions with you in the future.

At our meeting, Woodside provided an overview of the Scarborough activities (Seismic EP, Subsea EP, D&C EP, SITI EP (Cth and State)), and you told us that the proposed activities give you a sick feeling and the activities should be stopped. You also let us know that, in your view, there is nothing that can be done by Woodside to progress with the proposed Scarborough activities in a way that could minimise impact to your functions, activities and interests or is respectful to your culture and country.

We confirm that we agreed not to share cultural details that you shared with us at the 14 March 2023 meeting. To respect this, we will not include cultural detail you shared with us at our meeting in Woodside's environment plans or in conversations with the Regulator. For clarity, as agreed, our proposed environment plans will confirm that we met with you on 14 March 2023 to continue consulting with you on the proposed Scarborough environment plans. So you are aware, this email as well as previous correspondence with SOS and Josie and Raelene will also be included in the proposed environment plans.

We took the following actions from the meeting. Responses are provided in italics:

- Provide background information on the "why" behind the Scarborough activities: *Woodside's Scarborough Gas Project helps play a role in the global energy transition, helping neighbouring Asian countries take action on emissions reduction. There is further information on our website: [Scarborough Gas Project and Pluto Train 2 - Woodside Energy](#).*
- Check with MAC as to whether MAC's ethnographic survey can be shared with Josie, Raelene and Save Our Songlines: *The ethnographic survey is held by MAC and Woodside does not have permission to share it.*
- Confirm fracking in relation to the Scarborough activities: *There is no fracking to be undertaken as part of the proposed Scarborough activities.*

We want you to know that, as discussed, we are open to consulting further with you on the proposed Scarborough activities and are open to the continuing engagements regarding the Scarborough activities. Please let us know if further feedback for the activities proposed under the environment plans is sensitive and we will make this known to NOPSEMA upon submission to ensure this information remains confidential to NOPSEMA.

In the meantime, we are grateful to have met you and to have heard your perspectives on the Scarborough activities and Woodside.

Best regards

[Redacted]

[Redacted]



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LEAP Email Reference [F:a1ae8a86-801a-40ef-845b-71b304a1e6de|M:5433c43b-6613-b34b-9c50-d05dd0f4a9cb] (Please do not delete)

From: [Redacted]
To: [Ruby Hamilton](#)
Cc: [Woodside Feedback](#); sue.mccarrey@nopsema.gov.au; ["info@saveoursonglines.org"](mailto:info@saveoursonglines.org); [Clare Lakewood](#)
Subject: RE: Scarborough Environment Plans - Consultation
Date: Friday, 9 June 2023 1:58:45 PM
Attachments: [image001.png](#)
[image002.jpg](#)
[image003.jpg](#)
[image004.jpg](#)
[image005.jpg](#)
[image006.jpg](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)

Dear Ruby, Josie, Raelene and Save Our Songlines

Thanks for suggesting a meeting next Tuesday 14 June in Karratha.

We refer to the emails below.

We would be grateful if you can please confirm by 5pm today that the meeting will go ahead, or alternatively, provide some other dates for us to work to. (There are a number of flight and other logistics that need to be confirmed by 5pm today in order for that meeting to progress on Tuesday).

Please can you also let us know:

1. The preferred time for the proposed meeting
2. The preferred meeting location
3. Attendees
4. Added items to the draft Agenda

We look forward to hearing from you.

Kind regards

[Redacted Signature]



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount Street
Perth WA 6000
Australia

T: [Redacted]
M: [Redacted]
E: [Redacted]@woodside.com
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□ □ □ □ □

From: [Redacted]
Sent: Wednesday, 7 June 2023 6:46 AM
To: 'ruby.hamilton@edo.org.au' <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>; 'clare.lakewood@edo.org.au' <clare.lakewood@edo.org.au>
Subject: RE: Scarborough Environment Plans - Consultation

Dear Ruby

Thanks for your email.

As per previous correspondence, Josie, Raelene and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via the Environment Defenders Office. Hence our respectful request once more that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We received the email below from the Environmental Defenders Office (EDO).

As the EDO's email was copied to email addresses for the Chief Executive Officer of NOPSEMA, we have, as a matter of courtesy copied the same email address.

We understand you have suggested a meeting in Karratha on the morning of **Tuesday 13 June (next Tuesday)** to continue consultation on the Scarborough Environment Plans.

Our team is available to meet with you.

Agenda for meeting

As per our previous email, we are keen to hear and address the issues that matter to you. So please let us know the things that you would like to discuss, share with us, tell us about or topics you would like to hear from us so that we can make the most of the meeting.

In case it is of interest for continuing our consultation with you, we also note the following draft guidance from NOPSEMA: [Draft policy for managing genderrestricted information PL2098.pdf \(nopsema.gov.au\)](#)

As to your specific interests (and those of Save Our Songlines), we continue to invite you to share those with us to allow Woodside to consider the potential impacts and risks of the EP activities on these interests and what Woodside can do to lessen or avoid those impacts.

As per our previous email, we have compiled a draft agenda for you to edit or add to. It is not a fixed agenda, but rather a guide in case it is useful.

Draft agenda items

1. [Josie, Raelene, SOS, topics of interest; queries]
2. More about you both and Save Our Songlines
 - o the role you perform within Save Our Songlines;
 - o individual interests you each have;
 - o the types of communal interests that each of you and Save Our Songlines hold;
 - o the functions of Save Our Songlines as an organization;
 - o the activities that each of you and Save Our Songlines engage in.
3. Walk through of the following EPs

- Scarborough 4D Baseline Marine Seismic Survey EP
 - WA-61-L and WA 62-L Subsea Infrastructure Installation EP
 - Scarborough Seabed Intervention and Trunkline EP
 - Scarborough Drilling and Completions EP
 - Scarborough Trunkline Installation (State Waters) EP
4. Description of Scarborough Project and activities to be undertaken under each EP – activity, location, impacts and risks, controls in place to manage risks, mechanisms to update the EP with changes (as necessary).
 5. [PLEASE ADD TOPICS AS RELEVANT]

Meaning protocols

Our team is willing to observe the same protocols that we agreed to prior to our March 2023 meeting. We remain respectful of cultural sensitivities and also employee safety and privacy and including for those reasons, do not consent to the meeting being recorded.

1. Woodside, SOS, Ms Alec, Ms Cooper and EDO lawyers are welcome to take written notes of the meeting. To respect privacy, safety and cultural values there will be no other recording of the meeting (e.g., no audio or visual recording of the meeting).
2. As requested by SOS, Ms Alec and Ms Cooper, Woodside attendees are all female.
3. As per the request from Ms Alec, Woodside attendees are attending the meeting with an open heart, deep listening and seeking a respectful conversation.
4. Woodside’s respectful request is that attendees come to the meeting open to sharing knowledge about the environment (heritage value of places, social and cultural features) that may be affected by the activities under the proposed Scarborough environment plans. Woodside’s request is also that attendees come to the meeting open to sharing ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.

Attendees

Given the short notice of the meeting, the whole Woodside team is unfortunately not available to meet with you. However the team that is available to meet on Tuesday is:

1. ██████████ – Manager First Nations Relations
2. ██████████ – HSE Manager Scarborough
3. ██████████ – Senior Environment Advisor Scarborough
4. ██████████ – Woodside legal

We may also be joined by one of our Corporate Affairs employees.

Please let us know who will be attending for you.

Time and Location

We are available to meet at 10am if that suits you (but please let us know if a different time needs to be accommodated).

Please let us know if you have made arrangements for a location for the meeting?

If you would like, we can make enquiries regarding availability for meeting rooms in Karratha and surrounds.

We look forward to hearing from you.

Kind regards



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□ □ □ □ □

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Thursday, 1 June 2023 9:23 PM
To: [REDACTED]@woodside.com.au>
Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au;
'info@saveoursonglines.org' <info@saveoursonglines.org>; Clare Lakewood
<clare.lakewood@edo.org.au>
Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

We refer to the below correspondence.

We are instructed that our clients have confirmed they are available and would like to meet in Karratha on the morning of Tuesday, 13 June 2023. We would be grateful if you are able to accommodate this specific window with relatively short notice.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Monday, May 15, 2023 2:34 PM
To: [REDACTED]@woodside.com>
Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au;
'info@saveoursonglines.org' <info@saveoursonglines.org>; Clare Lakewood
<clare.lakewood@edo.org.au>
Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

[REDACTED] you for the below email. We are confirming instructions with our clients and will revert as soon as we are able.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED] <[REDACTED]@woodside.com>
Sent: Tuesday, May 9, 2023 7:21 PM
To: Clare Lakewood <clare.lakewood@edo.org.au>; Ruby Hamilton <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Subject: RE: Scarborough Environment Plans - Consultation

Dear Clare and Ruby

Thanks for your emails.

As per previous correspondence, Josie, Raelene and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via the Environment Defenders Office. Hence our respectful request once more that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We received the email below from the Environmental Defenders Office (EDO).

As the EDO's email was copied to email addresses for the Chief Executive Officer of NOPSEMA, we have, as a matter of courtesy copied the same email address.

Ongoing consultation and next meeting

Woodside once again reiterates it is open and willing to engage in ongoing consultation with you on the Seismic Survey EP as well as the following Scarborough Commonwealth EPs which have been referenced during consultation and our meeting in March:

- Scarborough 4D Baseline Marine Seismic Survey EP
- WA-61-L and WA 62-L Subsea Infrastructure Installation EP
- Scarborough Seabed Intervention and Trunkline EP
- Scarborough Drilling and Completions EP

As per our email below from 28 March, our team is available to meet in May and we are still waiting to hear from you about your availability for a meeting. Please let us know when suits you to meet in the weeks commencing 15 May, 22 May and 29 May.

We are available to meet on country or, as you note below, by video conference or telephone (as appropriate).

Our team is willing to observe the same protocols that we agreed to prior to our March 2023 meeting. We remain respectful of cultural sensitivities and also employee safety and privacy and including for those reasons, do not consent to the meeting being recorded.

Agenda for meeting

As to your specific interests (and those of Save Our Songlines), we continue to invite you to share those with us to allow Woodside to consider the potential impacts and risks of the EP activities on these interests and what Woodside can do to lessen or avoid those impacts.

In previous correspondence and meetings, we heard you tell us that you were not prepared to share some information with us at this stage and you weren't sure when you would be ready to share it with us. And we also heard that, sometimes the information has not yet been revealed to you and that it will be revealed to you in time. We remain open to hearing from you when this is known to you and it is ready to be shared.

In case it is of interest for continuing our consultation with you, we also note the following draft guidance from NOPSEMA: [Draft policy for managing genderrestricted information PL2098.pdf \(nopsema.gov.au\)](#)

So that the most can be made of the meeting, we have prepared some points below by way of draft agenda. We are keen to hear and address the issues that matter to you. So please feel free to add to the agenda items for the meeting.

Draft agenda items

1. [Josie, Raelene, SOS, topics of interest; queries]
2. More about you both and Save Our Songlines
 - o the role you perform within Save Our Songlines;
 - o individual interests you each have;
 - o the types of communal interests that each of you and Save Our Songlines hold;
 - o the functions of Save Our Songlines as an organization;
 - o the activities that each of you and Save Our Songlines engage in.
3. Walk through of the following EPs
 - o Scarborough 4D Baseline Marine Seismic Survey EP
 - o WA-61-L and WA 62-L Subsea Infrastructure Installation EP
 - o Scarborough Seabed Intervention and Trunkline EP
 - o Scarborough Drilling and Completions EP
4. Description of Scarborough Project and activities to be undertaken under each EP – activity, location, impacts and risks, controls in place to manage risks, mechanisms to update the EP with changes (as necessary).
5. [PLEASE ADD TOPICS AS RELEVANT]

Our records indicate that we have provided responses to the requests that have been made in relation to the Scarborough Commonwealth EPs.

We look forward to hearing further from you.

Best regards
Woodside

[REDACTED]

[REDACTED]



Woodside Energy
Mia Yellagonga
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Australia

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From: Clare Lakewood <clare.lakewood@edo.org.au>
Sent: Monday, 8 May 2023 2:55 PM
To: Ruby Hamilton <ruby.hamilton@edo.org.au>; [REDACTED] <[\[REDACTED\]@woodside.com.au](mailto:[REDACTED]@woodside.com.au)>
Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au;
'info@saveoursonglines.org' <info@saveoursonglines.org>
Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

We refer to our email below. We have not had any response to date, and write again to enquire whether Woodside wishes to propose dates that we can put to our clients for consultation regarding the seismic survey EP.

Yours sincerely,
Clare



Clare Lakewood — Special Counsel, Safe Climate

(Mon, Tue, Wed, Thu)
PO Box Z5218, Boorloo/Perth WA 6831
P: +61 8 6118 7912
E: clare.lakewood@edo.org.au

I use she/her pronouns.

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EDO recognises the traditional owners and custodians of the land, seas and rivers of Australia. We pay our respects to Aboriginal and Torres Strait Islander elders past and present, and aspire to learn from traditional knowledge and customs so that, together, we can protect our environment and cultural heritage through law.

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Tuesday, April 18, 2023 2:56 PM
To: [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>
Cc: Woodside Feedback <Feedback@woodside.com>; Clare Lakewood <clare.lakewood@edo.org.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

Thank you for your email of 29 March 2023 in respect of the Scarborough 4D B1 Marine Seismic Survey Environment Plan (**Seismic Survey EP**).

Thank you for acknowledging our clients' continued efforts to bring themselves into Woodside's consultation processes and to organise a face-to-face meeting on Country. Our clients confirm their willingness to meet again and to continue consultation. To be clear, our clients do not consider there has yet been consultation such that Woodside can demonstrate in the EP that there has been an appropriate level of consultation. This will require further information to be shared and incorporated into the EP. Our clients are also concerned that because their cultural knowledge is women's knowledge, it is being considered less important than other cultural knowledge Woodside may have received during consultation.

Our clients look forward to providing information about their interests that Woodside needs.

Having had an introductory meeting on 14 March 2023, and mindful that the EP appears to have been re-submitted around nine days after that introductory meeting took place, we propose that Woodside withdraw the EP and meet with our clients to explain to them the relevant risks and impacts of the activities the subject of the Seismic Survey EP specifically, and to obtain further information on their functions, interests and activities. We note in particular that the introductory meeting of 14 March 2023 did not discuss the activities the subject of Seismic Survey EP in any detail.

Our clients are generally available to meet by phone or videoconference in May.

In addition to abiding by the cultural protocol summarised in your email of 29 March 2023, our clients propose the following purposes for the meeting:

- overview of any outstanding requests for information made by our clients;
- explanation of the activities the subject of the Seismic Survey EP, so that our clients can make an informed assessment of the possible consequences of those activities on their functions, interests and activities.

Mindful that Woodside is required under reg 16(b) of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009* (Cth) to provide NOPSEMA with a full report on all consultation with relevant persons, and the difficulties in different perspectives that have been encountered as described in your email of 29 March 2023, our clients propose that this next meeting be recorded, and that permission be sought should Woodside wish to provide transcripts, recordings or other documents referring to cultural knowledge to NOPSEMA.

Our clients otherwise request that the cultural protocols requested in advance of the 14 March 2023 meeting, and summarised in your email of 29 March 2023, be continued.

Following a meeting for Woodside to explain the risks and impacts of the Seismic Survey EP, we propose that our clients be given appropriate time to consider and respond to information shared by Woodside at or after the meeting, so that Woodside may be apprised of all the environmental risks and impacts of the activities the subject of the Seismic Survey EP, and can ensure that those impacts and risks are reduced as low as reasonably practicable. To be clear as to our clients' needs, we expect the timeframe for that response to be approximately 4-6 weeks.

We anticipate that a decision as to whether the response from our clients be in writing, through a meeting, or some combination or other communication, is best determined in light of information Woodside provides, and the information our clients seek to provide in response. We anticipate that that

response will also propose next steps for the consultation, with a view to enabling Woodside to adopt measures that will reduce the risks and impacts of the activities the subject of the Seismic Survey EP.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED] <[REDACTED]@woodside.com>
Sent: Wednesday, March 29, 2023 12:56 PM
To: Ruby Hamilton <ruby.hamilton@edo.org.au>; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Cc: Woodside Feedback <Feedback@woodside.com>; Clare Lakewood <clare.lakewood@edo.org.au>; sue.mccarrey@nopsema.gov.au
Subject: RE: Scarborough Environment Plans - Consultation

 External email 

Dear Ruby

Thanks for your email and letter dated 24 March 2023.

Josie, Raelene and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via you. Hence our email and our respectful request that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We received the email and letter sent to us by the Environmental Defenders Office (EDO) dated 24 March 2023. The letter sets out recollections and reflections on the meeting we had on country in Karratha on 14 March 2023 as well as comments on our email of 16 March 2023.

First, we wanted to thank you for sharing the recollections and reflections with us. Secondly, we thought it would be worth sharing our perspectives on comments in that letter – please see these below.

Just so you know, this email relates to the Scarborough Commonwealth EPs. The letter sent to us was copied to an email address for the Chief Executive Officer of NOPSEMA. So, for courtesy and so that you are aware, we are also providing a copy of this email to NOPSEMA. Acknowledging that we separately sent an email to you yesterday on the State Waters EPs that was copied to Minister Johnston and DMIRS.

Consultations, correspondence and meeting on 14 March 2023 [Paragraphs 1-5, 10, 13, 20]

The team at Woodside was pleased to have met face-to-face with you on 14 March 2023. It was the culmination of a long period of communication on the Scarborough Project involving a number of prior attempts to meet face-to-face (since around November 2021) and, since at least June 2022, an extensive exchange of correspondence specific to each of the Scarborough environment plans (EP) and activities set out in the letter (Seismic EP, Drilling EP, Subsea EP, SITI EP, State Waters EP). It was good to meet and we confirm that Woodside remains open to consulting further with you on the Commonwealth EPs as well as the State Waters EP.

A great deal of information was shared at the 14 March 2023 meeting. This included a discussion of your

and Save Our Songlines' cultural details and was provided against the backdrop of the protocols we agreed before the meeting. The Woodside team left the 2-hour meeting feeling positive and with a sense of goodwill – we appreciated the exchange of warm mutual embraces at the opening and end of the meeting. We all expressed, at the end of the meeting, a willingness to meet again. As per discussions leading up to the meeting, unless things change, for future meetings, we agree to continue with the following meeting protocols:

- Attendees continue to be all female.
- Attendees attend meetings with an open heart, deep listening and seeking a respectful conversation.
- Attendees come to meetings open to sharing knowledge about the environment (heritage value of places, social and cultural features) that may be affected by the activities under the proposed Scarborough EPs. Attendees come to the meeting open to sharing ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.
- Attendees are welcome to take written notes of meetings. To respect privacy, safety and cultural values there will be no other recording of meetings (e.g. no audio or visual recording of meetings).
- Other than sharing the fact that the meeting took place, the cultural details will be kept confidential amongst the female attendees unless directed otherwise and will not be made public without permission.

We also confirm that Woodside remains open to consulting further with you on the proposed Scarborough activities and is open to the continuing engagements regarding the Scarborough activities.

Additional or new information

So that you are aware, we have a process in place for the life of an EP that allows the EP to be updated to include additional or new information or feedback that is received after an EP is submitted. This is done through a "Management of Knowledge" process. So, for example, if new or additional information is provided to Woodside, Woodside can consider that information and assess the risk in accordance with the environmental risk management methodology in the EP to determine the significance of potential new environmental impacts or risks not already provided for in the EP. In that context, if information changes Woodside's understanding of the environment or understanding of measures that Woodside can take in order to lessen or avoid impacts of activities, that information can be updated and actioned in the EP.

This means that feedback or information you provide in future meetings can still be taken into account and, where appropriate, can be incorporated in the EP during the life of the activity.

Following the meeting, we considered what you told us. Based on that information, no updates were required to the EP via the Management of Knowledge process.

Functions, interests and activities [Paragraph 6, 13]

Thank you for confirming in the letter that you consider that your functions, interests and activities are distinct from those of MAC. We also heard you say this at our meeting. We are interested in learning further about your functions, interests and activities (and those of Save Our Songlines) and how those are different to MAC's.

The letter also references MAC surveys. As Raelene mentioned in the meeting, Raelene was, for around 10 years, a former Board member of MAC. (We understand Raelene resigned from the Board in around February 2022). So, Woodside's correspondence, involvement and meetings on the Scarborough Project with Raelene (in her capacity as a MAC representative) also go back a long time to when those

discussions commenced with the MAC – in around 2018.

We understand that Raelene was involved in ethnographic studies of the Scarborough Project undertaken by MAC. So, while we have no authority to provide the survey to you, in response to your request for the ethnographic survey, Raelene may have contacts at MAC to request a copy of that survey.

As to your functions, interests and activities (and those of Save Our Songlines), we continue to invite you to share those with us as well to allow Woodside to consider the likely impacts and risks of the EP activities on these functions, interests and activities and what Woodside can do to lessen or avoid those impacts.

In our meeting, we heard you tell us that you were not prepared to share some information with us at this stage and you weren't sure when you would be ready to share it with us. And we also heard that, sometimes the information has not yet been revealed to you and that it will be revealed to you in time. We remain open to hearing from you when this is known to you and it is ready to be shared.

In particular, we are interested in learning from you:

- the role you perform within Save Our Songlines;
- individual interests you each have;
- the types of communal interests that each of you and Save Our Songlines hold;
- the functions of Save Our Songlines as an organization;
- the activities that each of you and Save Our Songlines engage in

To confirm - we don't expect you to provide this information to us in writing and would be happy to meet with you again to discuss this information as per our meeting protocols.

It is important that this information is provided so that Woodside can understand how the proposed activities (that are the subject of the Commonwealth EPs) may affect your functions, interests and activities. We remain open to hearing from you when this is known to you and it is ready to be shared.

Minimising impacts to your functions, interests and activities [Paragraphs 7, 9, 11, 12, 13, 14]

Thank you for notes in the letter on the meeting content.

A comment in the letter is that information had been mischaracterised in the email that we sent you following the meeting. We want to be very clear that our intention is not and was not to mischaracterise information. We want to be very clear that the information provided in our email following the meeting is our group's genuine recollection and interpretation of the take-aways from the meeting. That is, consistent with the agreed protocols for the meeting which included a request that you share ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.

Our team has reviewed notes taken at the meeting. Below we've set out our team's perspectives of some of the items noted in the letter.

Underwater activities

In the meeting, Woodside provided an overview of the Scarborough Project. At that point in the meeting, a number of topics had been discussed (not repeated here so as to respect confidentiality). After the Scarborough Project was overviewed, at a high level (so as to respect confidentiality), there

was a discussion about songlines and, in so far as underwater activities are concerned, there was a discussion about potential impacts of activities on whales.

During this discussion, a question was asked by Woodside along the lines of: *what things can Woodside do in order to carry out the Scarborough Project in a respectful way to the knowledge and cultural information that has been shared in the meeting.* Our team's recollection is that the answer given was along the lines of: *there is nothing Woodside can do to carry out the project in a respectful way and that it was not clear why the project was happening in Murujuga and why it couldn't be done somewhere else along the coast.*

We also asked what Woodside could do to protect the values that were being talked about. The answer that was given was along the lines of: *all that can be done is for the project to be stopped.*

A further question was asked along the lines of: *if the project is to go ahead what could be done to protect the values.* The answer given was along the lines of: *nothing. The only option is to stop the project.*

These answers informed our take aways from the meeting.

Greenhouse gas emissions

The topic of greenhouse gas was also raised. This topic has been the subject of separate correspondence in which Woodside has confirmed that, emissions from the activities covered by the Commonwealth EPs are of a scale that no credible impact pathway is foreseen.

Industrialisation of Murujuga

The topic of industrialisation of Murujuga was also raised. Out of respect for confidentiality, we will not repeat the information provided in the meeting in relation to signing of the Burrup and Maitland and Industrial Estates Agreement (BMIEA). However, the subject has also been addressed in separate correspondence in which Woodside has set out its understanding of the history of the Burrup and the industrial agreements involved. Woodside has also provided responses which are along the lines that no credible impact pathway is foreseen from the activities covered by the Commonwealth EPs which could damage rock art and heritage sites and that no cultural impact to future access to sites of cultural and spiritual significance is foreseen.

Detail of EPs and information accessed and provided

As set out above, the face-to-face meeting involved an overview of the Scarborough Project. The face-to-face meeting followed volumes of previous correspondence on the Scarborough Project. We acknowledge the many pieces of previous correspondence that have been sent to Woodside which have been specific to each of the EPs set out in the letter. That previous correspondence indicates that a large volume of information on the Scarborough Project has been accessed, read and thought through. The correspondence shows an informed and thorough understanding of the various Scarborough activities and the Scarborough Project.

Offshore Petroleum and Greenhouse Gas Storage Act (OPGGGS Act) – section 280 Interference with other rights [paragraph 13]

In the letter, section 280 of the OPGGS Act is noted. We do not understand why that particular aspect of the OPGGS Act has been referenced. We are open to hearing more from you on what you would like us to understand from the reference to section 280 of the OPGGS Act.

Consultation in general [paragraph 14]

The letter has a line that suggests that Woodside is implying that “nothing is to be gained from

consulting” with you. We want to be very clear that these are not Woodside’s words. Woodside has not put that position forward and is not making an implication of this kind.

On the contrary, we have continued to consult with you and continue to invite further consultation. We were pleased to have had the opportunity to finally meet with you face-to-face this month and we look forward to further meetings with you to learn of your and Save Our Songlines’ interests.

Relevant persons [paragraph 4, 15-19]

The concept of “relevant person” was raised in the letter and also at our meeting. We heard in the meeting that you were insulted that Woodside had categorised SOS as relevant but had not recognised you under the heading of relevant person. You also told us that you were pleased to see that you and SOS have since been included as relevant interested persons in the State EP summary document. As we discussed at the meeting, Woodside’s intention is not to insult you. We reiterate this as we want to be very clear about this.

We also want you to know that the “relevant person” category is different depending on whether the EP requires Commonwealth approval or State approval (WA). For the Commonwealth EPs, the Commonwealth laws apply. The Commonwealth approval process requires Woodside to consult with “relevant persons”.

At the meeting, we took you through the approval process relating to the concept of “relevant persons” and noted that, at the relevant time consultations are included under a category of “relevant persons” in EPs. Woodside generally applies this category at a stage when we understand more about a person’s functions, interests and activities and also the impacts of our activities on them.

As noted in your letter and above, we also discussed at our meeting that Save Our Songlines, Josie and Raelene have been included under the category of “relevant interested persons” in the State Waters EP. You kindly acknowledged at our meeting that you understood the reasons for redactions that were made to the State EP summary to protect personal information.

These kind of considerations continue and we will have a clearer understanding of the categories when you are able to share more with us. But as we reiterated at the meeting, you should know that there is no need for us to categorise you as relevant in order to consult with you.

Ongoing consultation

Once an EP is accepted, Woodside continues ongoing consultations with relevant persons. As confirmed in the meeting, and consistent with our processes for ongoing consultation, the important issue is that we are open to continuing consultation and that we are keen to keep talking to you to understand how the proposed Commonwealth EP activities relevantly affect you and Save Our Songlines. Once we understand the kind of functions, interests and activities you and Save Our Songlines hold, we can consider the things that Woodside can do to lessen or avoid impacts of the activities to you.

Responses to questions and further information [paragraph 21-27]

The letter notes some questions that were asked during our face-to-face meeting. As acknowledged in the letter, specific questions on the Scarborough Gas Project, the ethnographic survey and fracking have been actioned and there is nothing substantial to add to the answers provided in our email.

As to requests for further information and notifications, please remain subscribed to Woodside’s and relevant regulators’ website as a best source of information relating to updates to EP assessments.

Further consultation [paragraph 24-27]

The letter sent to us notes that you would like to organise another meeting and will require approximately six weeks to read into materials and prepare for a meeting.

We would be pleased to consult with you further. It took a number of attempts to book and arrange our March face-to-face meeting, so please let us know your preferred times for the next meeting.

If it would be useful, our team is available to meet in the week commencing 8 May 2023 (which is approximately 6 weeks away) or earlier. Please let us know dates you are available so we can book in a next face-to-face meeting.

Best regards

Woodside

[Redacted signature]

Kind regards

[Redacted signature]



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount Street
Perth WA 6000
Australia

T: [Redacted]
M:+ [Redacted]
E: [Redacted]@woodside.com
www.woodside.com
□ □ □ □ □

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Friday, 24 March 2023 12:18 PM
To: [Redacted]@woodside.com.au>
Cc: Woodside Feedback <Feedback@woodside.com.au>; Clare Lakewood <clare.lakewood@edo.org.au>; minister.johnston@dpc.wa.gov.au; richard.sellers@dmirs.wa.gov.au; sue.mccarrey@nopsema.gov.au
Subject: RE: Scarborough Environment Plans - Consultation

Dear [Redacted]

Please find **attached** correspondence on behalf of our clients, Ms Josie Alec and Ms Raelene Cooper.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [Redacted]@woodside.com>
Sent: Thursday, March 16, 2023 5:16 PM
To: Clare Lakewood <clare.lakewood@edo.org.au>; Ruby Hamilton <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com>; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Subject: RE: Scarborough Environment Plans - Consultation

Dear Ruby and Clare

Thanks for our meeting on Tuesday (14 March 2023).

Josie, Raelene and Save Our Songlines asked that Woodside continue correspondence with them, via you. Hence our email and our respectful request that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We are grateful for our on-country meeting with you, Skyla and Clare and Ruby (as well as the welcome to country from your son Mark) on 14 March 2023. We want to let you know that, as a group of women, we feel privileged to have been welcomed to the beautiful country where we met and we appreciate you sharing your stories, cultural knowledge and your concerns with us.

We appreciate your request for us to attend the meeting with open hearts, deep listening and respectful conversation and we intend to continue this approach to our engagement. Our consultation process is ongoing through the environmental approval process and when an activity is being performed. We look forward to continuing our discussions with you in the future.

At our meeting, Woodside provided an overview of the Scarborough activities (Seismic EP, Subsea EP, D&C EP, SITI EP (Cth and State)), and you told us that the proposed activities give you a sick feeling and the activities should be stopped. You also let us know that, in your view, there is nothing that can be done by Woodside to progress with the proposed Scarborough activities in a way that could minimise impact to your functions, activities and interests or is respectful to your culture and country.

We confirm that we agreed not to share cultural details that you shared with us at the 14 March 2023 meeting. To respect this, we will not include cultural detail you shared with us at our meeting in Woodside's environment plans or in conversations with the Regulator. For clarity, as agreed, our proposed environment plans will confirm that we met with you on 14 March 2023 to continue consulting with you on the proposed Scarborough environment plans. So you are aware, this email as well as previous correspondence with SOS and Josie and Raelene will also be included in the proposed environment plans.

We took the following actions from the meeting. Responses are provided in italics:

- Provide background information on the "why" behind the Scarborough activities: *Woodside's Scarborough Gas Project helps play a role in the global energy transition, helping neighbouring Asian countries take action on emissions reduction. There is further information on our website: [Scarborough Gas Project and Pluto Train 2 - Woodside Energy](#).*
- Check with MAC as to whether MAC's ethnographic survey can be shared with Josie, Raelene and Save Our Songlines: *The ethnographic survey is held by MAC and Woodside does not have permission to share it.*
- Confirm fracking in relation to the Scarborough activities: *There is no fracking to be undertaken as part of the proposed Scarborough activities.*

We want you to know that, as discussed, we are open to consulting further with you on the proposed Scarborough activities and are open to the continuing engagements regarding the Scarborough activities. Please let us know if further feedback for the activities proposed under the environment plans is sensitive and we will make this known to NOPSEMA upon submission to ensure this information remains confidential to NOPSEMA.

In the meantime, we are grateful to have met you and to have heard your perspectives on the Scarborough activities and Woodside.

Best regards

[Redacted signature line]

[Redacted signature block]



Woodside Energy
Mia Yellagonga
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Perth WA 6000
Australia

T: [Redacted]
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LEAP Email Reference [F:a1ae8a86-801a-40ef-845b-71b304a1c6de|M:5433c43b-6613-b34b-9c50-d05dd0f4a9cb] (Please do not delete)

From: [REDACTED]@woodside.com>
Sent: Fri, 9 Jun 2023 14:20:13 +0800
To: Ruby Hamilton
Cc: Woodside Feedback;sue.mccarrey@nopsema.gov.au;'info@saveoursonglines.org';Clare Lakewood
Subject: RE: Scarborough Environment Plans - Consultation
Categories: LEAP

JLB-2.14

Dear All

Re email below - correcting the date. Meeting on Tuesday 13 June (rather than 14 June).

-
Kind regards

[REDACTED]



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount
Street
Perth WA 6000
Australia

T: [REDACTED]
M: [REDACTED]
E: [REDACTED]@woodside.com
www.woodside.com
f t in v i

From: [REDACTED]
Sent: Friday, 9 June 2023 1:58 PM
To: 'ruby.hamilton@edo.org.au' <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com.au>; 'sue.mccarrey@nopsema.gov.au' <sue.mccarrey@nopsema.gov.au>; 'info@saveoursonglines.org' <info@saveoursonglines.org>; 'clare.lakewood@edo.org.au' <clare.lakewood@edo.org.au>
Subject: RE: Scarborough Environment Plans - Consultation

Dear Ruby, Josie, Raelene and Save Our Songlines

Thanks for suggesting a meeting next Tuesday 14 June in Karratha.

We refer to the emails below.

We would be grateful if you can please confirm by 5pm today that the meeting will go ahead, or alternatively, provide some other dates for us to work to. (There are a number of flight and other logistics that need to be confirmed by 5pm today in order for that meeting to progress on Tuesday).

Please can you also let us know:

1. The preferred time for the proposed meeting
2. The preferred meeting location
3. Attendees
4. Added items to the draft Agenda

We look forward to hearing from you.

Kind regards



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount
Street
Perth WA 6000
Australia

T: [REDACTED]
M: [REDACTED]
E: [REDACTED]@woodside.com
www.woodside.com
f t in v @

From: [REDACTED]
Sent: Wednesday, 7 June 2023 6:46 AM
To: 'ruby.hamilton@edo.org.au' <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>; 'clare.lakewood@edo.org.au' <clare.lakewood@edo.org.au>
Subject: RE: Scarborough Environment Plans - Consultation

Dear Ruby

Thanks for your email.

As per previous correspondence, Josie, Raelene and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via the Environment Defenders Office. Hence our respectful request once more that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We received the email below from the Environmental Defenders Office (EDO).

As the EDO's email was copied to email addresses for the Chief Executive Officer of NOPSEMA, we have, as a matter of courtesy copied the same email address.

We understand you have suggested a meeting in Karratha on the morning of **Tuesday 13 June (next Tuesday)** to continue consultation on the Scarborough Environment Plans.

Our team is available to meet with you.

Agenda for meeting

As per our previous email, we are keen to hear and address the issues that matter to you. So please let us know the things that you would like to discuss, share with us, tell us about or topics you would like to hear from us so that we can make the most of the meeting.

In case it is of interest for continuing our consultation with you, we also note the following draft guidance from NOPSEMA: [Draft policy for managing genderrestricted information PL2098.pdf \(nopsema.gov.au\)](#)

As to your specific interests (and those of Save Our Songlines), we continue to invite you to share those with us to allow Woodside to consider the potential impacts and risks of the EP activities on these interests and what Woodside can do to lessen or avoid those impacts.

As per our previous email, we have compiled a draft agenda for you to edit or add to. It is not a fixed agenda, but rather a guide in case it is useful.

Draft agenda items

1. [Josie, Raelene, SOS, topics of interest; queries]
2. More about you both and Save Our Songlines
 - the role you perform within Save Our Songlines;
 - individual interests you each have;
 - the types of communal interests that each of you and Save Our Songlines hold;
 - the functions of Save Our Songlines as an organization;
 - the activities that each of you and Save Our Songlines engage in.
3. Walk through of the following EPs
 - Scarborough 4D Baseline Marine Seismic Survey EP
 - WA-61-L and WA 62-L Subsea Infrastructure Installation EP
 - Scarborough Seabed Intervention and Trunkline EP
 - Scarborough Drilling and Completions EP
 - Scarborough Trunkline Installation (State Waters) EP
4. Description of Scarborough Project and activities to be undertaken under each EP – activity, location, impacts and risks, controls in place to manage risks, mechanisms to update the EP with changes (as necessary).
5. [PLEASE ADD TOPICS AS RELEVANT]

Meaning protocols

Our team is willing to observe the same protocols that we agreed to prior to our March 2023 meeting. We remain respectful of cultural sensitivities and also employee safety and privacy and including for those reasons, do not consent to the meeting being recorded.

1. Woodside, SOS, Ms Alec, Ms Cooper and EDO lawyers are welcome to take written notes of the meeting. To respect privacy, safety and cultural values there will be no other recording of the meeting (e.g., no audio or visual recording of the meeting).
2.
As requested by SOS, Ms Alec and Ms Cooper, Woodside attendees are all female.
3.
As per the request from Ms Alec, Woodside attendees are attending the meeting with an open heart, deep listening and seeking a respectful conversation.
4.
Woodside's respectful request is that attendees come to the meeting open to sharing knowledge about the environment (heritage value of places, social and cultural features) that may be affected by the activities under the proposed Scarborough environment plans. Woodside's request is also that attendees come to the meeting open to sharing ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.

Attendees

Given the short notice of the meeting, the whole Woodside team is unfortunately not available to meet with you. However the team that is available to meet on Tuesday is:

1. [REDACTED] – Manager First Nations Relations
2. [REDACTED] – HSE Manager Scarborough
3. [REDACTED] – Senior Environment Advisor Scarborough
4. [REDACTED] – Woodside legal

We may also be joined by one of our Corporate Affairs employees.

Please let us know who will be attending for you.

Time and Location

We are available to meet at 10am if that suits you (but please let us know if a different time needs to be accommodated).

Please let us know if you have made arrangements for a location for the meeting?

If you would like, we can make enquiries regarding availability for meeting rooms in Karratha and surrounds.

We look forward to hearing from you.

Kind regards

[REDACTED]



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount
Street
Perth WA 6000
Australia

T: [REDACTED]
M: [REDACTED]
E: [REDACTED]@woodside.com
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f t in v i

From: Ruby Hamilton <ruby.hamilton@edo.org.au>

Sent: Thursday, 1 June 2023 9:23 PM

To: [REDACTED]@woodside.com.au>

Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>; Clare Lakewood <clare.lakewood@edo.org.au>

Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

We refer to the below correspondence.

We are instructed that our clients have confirmed they are available and would like to meet in Karratha on the morning of Tuesday, 13 June 2023. We would be grateful if you are able to accommodate this specific window with relatively short notice.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Monday, May 15, 2023 2:34 PM
To: [REDACTED] <[REDACTED]@woodside.com>
Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>; Clare Lakewood <clare.lakewood@edo.org.au>
Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

Thank you for the below email. We are confirming instructions with our clients and will revert as soon as we are able.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED] <[REDACTED]@woodside.com>
Sent: Tuesday, May 9, 2023 7:21 PM
To: Clare Lakewood <clare.lakewood@edo.org.au>; Ruby Hamilton <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Subject: RE: Scarborough Environment Plans - Consultation

Dear Clare and Ruby

Thanks for your emails.

As per previous correspondence, Josie, Raelene and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via the Environment Defenders Office. Hence our respectful request once more that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We received the email below from the Environmental Defenders Office (EDO).

As the EDO's email was copied to email addresses for the Chief Executive Officer of NOPSEMA, we have, as a matter of courtesy copied the same email address.

Ongoing consultation and next meeting

Woodside once again reiterates it is open and willing to engage in ongoing consultation with you on the Seismic Survey EP as well as the following Scarborough Commonwealth EPs which have been referenced during consultation and our meeting in March:

- Scarborough 4D Baseline Marine Seismic Survey EP
- WA-61-L and WA 62-L Subsea Infrastructure Installation EP
- Scarborough Seabed Intervention and Trunkline EP
- Scarborough Drilling and Completions EP

As per our email below from 28 March, our team is available to meet in May and we are still waiting to hear from you about your availability for a meeting. Please let us know when suits you to meet in the weeks commencing 15 May, 22 May and 29 May.

We are available to meet on country or, as you note below, by video conference or telephone (as appropriate).

Our team is willing to observe the same protocols that we agreed to prior to our March 2023 meeting. We remain respectful of cultural sensitivities and also employee safety and privacy and including for those reasons, do not consent to the meeting being recorded.

Agenda for meeting

As to your specific interests (and those of Save Our Songlines), we continue to invite you to share those with us to allow Woodside to consider the potential impacts and risks of the EP activities on these interests and what Woodside can do to lessen or avoid those impacts.

In previous correspondence and meetings, we heard you tell us that you were not prepared to share some information with us at this stage and you weren't sure when you would be ready to share it with us. And we also heard that, sometimes the information has not yet been revealed to you and that it will be revealed to you in time. We remain open to hearing from you when this is known to you and it is ready to be shared.

In case it is of interest for continuing our consultation with you, we also note the following draft guidance from NOPSEMA: [Draft policy for managing genderrestricted information PL2098.pdf \(nopsema.gov.au\)](#)

So that the most can be made of the meeting, we have prepared some points below by way of draft agenda. We are keen to hear and address the issues that matter to you. So please feel free to add to the agenda items for the meeting.

Draft agenda items

1. [Josie, Raelene, SOS, topics of interest; queries]
2. More about you both and Save Our Songlines
 - the role you perform within Save Our Songlines;
 - individual interests you each have;
 - the types of communal interests that each of you and Save Our Songlines hold;
 - the functions of Save Our Songlines as an organization;
 - the activities that each of you and Save Our Songlines engage in.
3. Walk through of the following EPs
 - Scarborough 4D Baseline Marine Seismic Survey EP
 - WA-61-L and WA 62-L Subsea Infrastructure Installation EP
 - Scarborough Seabed Intervention and Trunkline EP
 - Scarborough Drilling and Completions EP
4. Description of Scarborough Project and activities to be undertaken under each EP – activity, location, impacts and risks, controls in place to manage risks, mechanisms to update the EP with changes (as necessary).
5. [PLEASE ADD TOPICS AS RELEVANT]

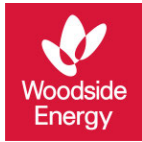
Our records indicate that we have provided responses to the requests that have been made in relation to the Scarborough Commonwealth EPs.

We look forward to hearing further from you.

Best regards
Woodside

[REDACTED]

[REDACTED]



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount
Street
Perth WA 6000
Australia

T: [REDACTED]
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E: [REDACTED]@woodside.com
www.woodside.com
f t in v i

From: Clare Lakewood <clare.lakewood@edo.org.au>
Sent: Monday, 8 May 2023 2:55 PM
To: Ruby Hamilton <ruby.hamilton@edo.org.au>; [REDACTED] <[\[REDACTED\]@woodside.com.au](mailto:[REDACTED]@woodside.com.au)>
Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

We refer to our email below. We have not had any response to date, and write again to enquire whether Woodside wishes to propose dates that we can put to our clients for consultation regarding the seismic survey EP.

Yours sincerely,
Clare



Environmental
Defenders Office

**Clare Lakewood — Special Counsel,
Safe Climate**

(Mon, Tue, Wed, Thu)
PO Box Z5218, Boorloo/Perth WA 6831
P: +61 8 6118 7912
E: clare.lakewood@edo.org.au

I use she/her pronouns.

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EDO recognises the traditional owners and custodians of the land, seas and rivers of Australia. We pay our respects to Aboriginal and Torres Strait Islander elders past and present, and aspire to learn from traditional knowledge and customs so that, together, we can protect our environment and cultural heritage through law.

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Tuesday, April 18, 2023 2:56 PM

To: [REDACTED]@woodside.com>

Cc: Woodside Feedback <Feedback@woodside.com>; Clare Lakewood <clare.lakewood@edo.org.au>;
sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>

Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

Thank you for your email of 29 March 2023 in respect of the Scarborough 4D B1 Marine Seismic Survey Environment Plan (Seismic Survey EP).

Thank you for acknowledging our clients' continued efforts to bring themselves into Woodside's consultation processes and to organise a face-to-face meeting on Country. Our clients confirm their willingness to meet again and to continue consultation. To be clear, our clients do not consider there has yet been consultation such that Woodside can demonstrate in the EP that there has been an appropriate level of consultation. This will require further information to be shared and incorporated into the EP. Our clients are also concerned that because their cultural knowledge is women's knowledge, it is being considered less important than other cultural knowledge Woodside may have received during consultation.

Our clients look forward to providing information about their interests that Woodside needs.

Having had an introductory meeting on 14 March 2023, and mindful that the EP appears to have been re-submitted around nine days after that introductory meeting took place, we propose that Woodside withdraw the EP and meet with our clients to explain to them the relevant risks and impacts of the activities the subject of the Seismic Survey EP specifically, and to obtain further information on their functions, interests and activities. We note in particular that the introductory meeting of 14 March 2023 did not discuss the activities the subject of Seismic Survey EP in any detail.

Our clients are generally available to meet by phone or videoconference in May.

In addition to abiding by the cultural protocol summarised in your email of 29 March 2023, our clients propose the following purposes for the meeting:

- overview of any outstanding requests for information made by our clients;
- explanation of the activities the subject of the Seismic Survey EP, so that our clients can make an informed assessment of the possible consequences of those activities on their functions, interests and activities.

Mindful that Woodside is required under reg 16(b) of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009* (Cth) to provide NOPSEMA with a full report on all consultation with relevant persons, and the difficulties in different perspectives that have been encountered as described in your email of 29 March 2023, our clients propose that this next meeting be recorded, and that permission be sought should Woodside wish to provide transcripts, recordings or other documents referring to cultural knowledge to NOPSEMA.

Our clients otherwise request that the cultural protocols requested in advance of the 14 March 2023 meeting, and summarised in your email of 29 March 2023, be continued.

Following a meeting for Woodside to explain the risks and impacts of the Seismic Survey EP, we propose that our clients be given appropriate time to consider and respond to information shared by Woodside at or after the meeting, so that Woodside may be apprised of all the environmental risks and impacts of the activities the subject of the Seismic Survey EP, and can ensure that those impacts and risks are reduced as low as reasonably practicable. To be clear as to our clients' needs, we expect the timeframe for that response to be approximately 4-6 weeks.

We anticipate that a decision as to whether the response from our clients be in writing, through a meeting, or some combination or other communication, is best determined in light of information Woodside provides, and the information our clients seek to provide in response. We anticipate that that response will also propose next steps for the consultation, with a view to enabling Woodside to adopt measures that will reduce the risks and impacts of the activities the subject of the Seismic Survey EP.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED]@woodside.com>
Sent: Wednesday, March 29, 2023 12:56 PM
To: Ruby Hamilton <ruby.hamilton@edo.org.au>; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Cc: Woodside Feedback <Feedback@woodside.com>; Clare Lakewood <clare.lakewood@edo.org.au>;
sue.mccarrey@nopsema.gov.au
Subject: RE: Scarborough Environment Plans - Consultation

 External email

Dear Ruby

Thanks for your email and letter dated 24 March 2023.

Josie, Raelene and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via you. Hence our email and our respectful request that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We received the email and letter sent to us by the Environmental Defenders Office (EDO) dated 24 March 2023. The letter sets out recollections and reflections on the meeting we had on country in Karratha on 14 March 2023 as well as comments on our email of 16 March 2023.

First, we wanted to thank you for sharing the recollections and reflections with us. Secondly, we thought it would be worth sharing our perspectives on comments in that letter – please see these below.

Just so you know, this email relates to the Scarborough Commonwealth EPs. The letter sent to us was copied to an email address for the Chief Executive Officer of NOPSEMA. So, for courtesy and so that you are aware, we are also providing a copy of this email to NOPSEMA. Acknowledging that we separately sent an email to you yesterday on the State Waters EPs that was copied to Minister Johnston and DMIRS.

Consultations, correspondence and meeting on 14 March 2023 [Paragraphs 1-5, 10, 13, 20]

The team at Woodside was pleased to have met face-to-face with you on 14 March 2023. It was the culmination of a long period of communication on the Scarborough Project involving a number of prior attempts to meet face-to-face (since around November 2021) and, since at least June 2022, an extensive exchange of correspondence specific to each of the Scarborough environment plans (EP) and activities set out in the letter (Seismic EP, Drilling EP, Subsea EP, SITI EP, State Waters EP). It was good to meet and we confirm that Woodside remains open to consulting further with you on the Commonwealth EPs as well as the State Waters EP.

A great deal of information was shared at the 14 March 2023 meeting. This included a discussion of your and Save Our Songlines' cultural details and was provided against the backdrop of the protocols we agreed before the meeting. The Woodside team left the 2-hour meeting feeling positive and with a sense of goodwill – we appreciated the exchange of warm mutual embraces at the opening and end of the meeting. We all expressed, at the end of the meeting, a willingness to meet again.

As per discussions leading up to the meeting, unless things change, for future meetings, we agree to continue with the following meeting protocols:

- Attendees continue to be all female.

- Attendees attend meetings with an open heart, deep listening and seeking a respectful conversation.
- Attendees come to meetings open to sharing knowledge about the environment (heritage value of places, social and cultural features) that may be affected by the activities under the proposed Scarborough EPs. Attendees come to the meeting open to sharing ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.
- Attendees are welcome to take written notes of meetings. To respect privacy, safety and cultural values there will be no other recording of meetings (e.g. no audio or visual recording of meetings).
- Other than sharing the fact that the meeting took place, the cultural details will be kept confidential amongst the female attendees unless directed otherwise and will not be made public without permission.

We also confirm that Woodside remains open to consulting further with you on the proposed Scarborough activities and is open to the continuing engagements regarding the Scarborough activities.

Additional or new information

So that you are aware, we have a process in place for the life of an EP that allows the EP to be updated to include additional or new information or feedback that is received after an EP is submitted. This is done through a “Management of Knowledge” process. So, for example, if new or additional information is provided to Woodside, Woodside can consider that information and assess the risk in accordance with the environmental risk management methodology in the EP to determine the significance of potential new environmental impacts or risks not already provided for in the EP. In that context, if information changes Woodside’s understanding of the environment or understanding of measures that Woodside can take in order to lessen or avoid impacts of activities, that information can be updated and actioned in the EP.

This means that feedback or information you provide in future meetings can still be taken into account and, where appropriate, can be incorporated in the EP during the life of the activity.

Following the meeting, we considered what you told us. Based on that information, no updates were required to the EP via the Management of Knowledge process.

Functions, interests and activities [Paragraph 6, 13]

Thank you for confirming in the letter that you consider that your functions, interests and activities are distinct from those of MAC. We also heard you say this at our meeting. We are interested in learning further about your functions, interests and activities (and those of Save Our Songlines) and how those are different to MAC’s.

The letter also references MAC surveys. As Raelene mentioned in the meeting, Raelene was, for around 10 years, a former Board member of MAC. (We understand Raelene resigned from the Board in around February 2022). So, Woodside’s correspondence, involvement and meetings on the Scarborough Project with Raelene (in her capacity as a MAC representative) also go back a long time to when those discussions commenced with the MAC – in around 2018.

We understand that Raelene was involved in ethnographic studies of the Scarborough Project undertaken by MAC. So, while we have no authority to provide the survey to you, in response to your request for the ethnographic survey, Raelene may have contacts at MAC to request a copy of that survey.

As to your functions, interests and activities (and those of Save Our Songlines), we continue to invite you to share those with us as well to allow Woodside to consider the likely impacts and risks of the EP activities on these functions, interests and activities and what Woodside can do to lessen or avoid those impacts.

In our meeting, we heard you tell us that you were not prepared to share some information with us at this stage and you weren’t sure when you would be ready to share it with us. And we also heard that, sometimes the information has not yet been revealed to you and that it will be revealed to you in time. We remain open to hearing from you when this is known to you and it is ready to be shared.

In particular, we are interested in learning from you:

- the role you perform within Save Our Songlines;

- individual interests you each have;
- the types of communal interests that each of you and Save Our Songlines hold;
- the functions of Save Our Songlines as an organization;
- the activities that each of you and Save Our Songlines engage in

To confirm - we don't expect you to provide this information to us in writing and would be happy to meet with you again to discuss this information as per our meeting protocols.

It is important that this information is provided so that Woodside can understand how the proposed activities (that are the subject of the Commonwealth EPs) may affect your functions, interests and activities. We remain open to hearing from you when this is known to you and it is ready to be shared.

Minimising impacts to your functions, interests and activities [Paragraphs 7, 9, 11, 12, 13, 14]

Thank you for notes in the letter on the meeting content.

A comment in the letter is that information had been mischaracterised in the email that we sent you following the meeting. We want to be very clear that our intention is not and was not to mischaracterise information. We want to be very clear that the information provided in our email following the meeting is our group's genuine recollection and interpretation of the take-aways from the meeting. That is, consistent with the agreed protocols for the meeting which included a request that you share ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.

Our team has reviewed notes taken at the meeting. Below we've set out our team's perspectives of some of the items noted in the letter.

Underwater activities

In the meeting, Woodside provided an overview of the Scarborough Project. At that point in the meeting, a number of topics had been discussed (not repeated here so as to respect confidentiality). After the Scarborough Project was overviewed, at a high level (so as to respect confidentiality), there was a discussion about songlines and, in so far as underwater activities are concerned, there was a discussion about potential impacts of activities on whales.

During this discussion, a question was asked by Woodside along the lines of: *what things can Woodside do in order to carry out the Scarborough Project in a respectful way to the knowledge and cultural information that has been shared in the meeting.* Our team's recollection is that the answer given was along the lines of: *there is nothing Woodside can do to carry out the project in a respectful way and that it was not clear why the project was happening in Murujuga and why it couldn't be done somewhere else along the coast.*

We also asked what Woodside could do to protect the values that were being talked about. The answer that was given was along the lines of: *all that can be done is for the project to be stopped.*

A further question was asked along the lines of: *if the project is to go ahead what could be done to protect the values.* The answer given was along the lines of: *nothing. The only option is to stop the project.*

These answers informed our take aways from the meeting.

Greenhouse gas emissions

The topic of greenhouse gas was also raised. This topic has been the subject of separate correspondence in which Woodside has confirmed that, emissions from the activities covered by the Commonwealth EPs are of a scale that no credible impact pathway is foreseen.

Industrialisation of Murujuga

The topic of industrialisation of Murujuga was also raised. Out of respect for confidentiality, we will not repeat the information provided in the meeting in relation to signing of the Burrup and Maitland and Industrial Estates Agreement (BMIEA). However, the subject has also been addressed in separate correspondence in which Woodside has set out its understanding of the history of the Burrup and the industrial agreements involved. Woodside has also provided responses which are along the lines that no credible impact pathway is foreseen from the activities covered by the Commonwealth EPs which could damage rock art and heritage sites and that no cultural impact to future access to sites of cultural and spiritual significance is foreseen.

Detail of EPs and information accessed and provided

As set out above, the face-to-face meeting involved an overview of the Scarborough Project. The face-to-face meeting followed volumes of previous correspondence on the Scarborough Project. We acknowledge the many pieces of previous correspondence that have been sent to Woodside which have been specific to each of the EPs set out in the letter. That previous correspondence indicates that a large volume of information on the Scarborough Project has been accessed, read and thought through. The correspondence shows an informed and thorough understanding of the various Scarborough activities and the Scarborough Project.

Offshore Petroleum and Greenhouse Gas Storage Act (OPGGGS Act) – section 280 Interference with other rights [paragraph 13]

In the letter, section 280 of the OPGGS Act is noted. We do not understand why that particular aspect of the OPGGS Act has been referenced. We are open to hearing more from you on what you would like us to understand from the reference to section 280 of the OPGGS Act.

Consultation in general [paragraph 14]

The letter has a line that suggests that Woodside is implying that “nothing is to be gained from consulting” with you. We want to be very clear that these are not Woodside’s words. Woodside has not put that position forward and is not making an implication of this kind.

On the contrary, we have continued to consult with you and continue to invite further consultation. We were pleased to have had the opportunity to finally meet with you face-to-face this month and we look forward to further meetings with you to learn of your and Save Our Songlines’ interests.

Relevant persons [paragraph 4, 15-19]

The concept of “relevant person” was raised in the letter and also at our meeting. We heard in the meeting that you were insulted that Woodside had categorised SOS as relevant but had not recognised you under the heading of relevant person. You also told us that you were pleased to see that you and SOS have since been included as relevant interested persons in the State EP summary document.

As we discussed at the meeting, Woodside’s intention is not to insult you. We reiterate this as we want to be very clear about this.

We also want you to know that the “relevant person” category is different depending on whether the EP requires Commonwealth approval or State approval (WA). For the Commonwealth EPs, the Commonwealth laws apply. The Commonwealth approval process requires Woodside to consult with “relevant persons”.

At the meeting, we took you through the approval process relating to the concept of “relevant persons” and noted that, at the relevant time consultations are included under a category of “relevant persons” in EPs. Woodside generally applies this category at a stage when we understand more about a person’s functions, interests and activities and also the impacts of our activities on them.

As noted in your letter and above, we also discussed at our meeting that Save Our Songlines, Josie and Raelene have been included under the category of “relevant interested persons” in the State Waters EP. You kindly acknowledged at our meeting that you understood the reasons for redactions that were made to the State EP summary to protect personal information.

These kind of considerations continue and we will have a clearer understanding of the categories when you are able to share more with us. But as we reiterated at the meeting, you should know that there is no need for us to categorise you as relevant in order to consult with you.

Once an EP is accepted, Woodside continues ongoing consultations with relevant persons.

As confirmed in the meeting, and consistent with our processes for ongoing consultation, the important issue is that we are open to continuing consultation and that we are keen to keep talking to you to understand how the proposed Commonwealth EP activities relevantly affect you and Save Our Songlines. Once we understand the kind of functions, interests and activities you and Save Our Songlines hold, we can consider the things that Woodside can do to lessen or avoid impacts of the activities to you.

Responses to questions and further information [paragraph 21-27]

The letter notes some questions that were asked during our face-to-face meeting. As acknowledged in the letter, specific questions on the Scarborough Gas Project, the ethnographic survey and fracking have been actioned and there is nothing substantial to add to the answers provided in our email.

As to requests for further information and notifications, please remain subscribed to Woodside's and relevant regulators' website as a best source of information relating to updates to EP assessments.

Further consultation [paragraph 24-27]

The letter sent to us notes that you would like to organise another meeting and will require approximately six weeks to read into materials and prepare for a meeting.

We would be pleased to consult with you further. It took a number of attempts to book and arrange our March face-to-face meeting, so please let us know your preferred times for the next meeting.

If it would be useful, our team is available to meet in the week commencing 8 May 2023 (which is approximately 6 weeks away) or earlier. Please let us know dates you are available so we can book in a next face-to-face meeting.

Best regards

Woodside
[Redacted]

Kind regards
[Redacted]



Woodside Energy

Mia Yellagonga
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Australia

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From: Ruby Hamilton <ruby.hamilton@edo.org.au>

Sent: Friday, 24 March 2023 12:18 PM

To: [Redacted] <[\[Redacted\]@woodside.com.au](mailto:[Redacted]@woodside.com.au)>

Cc: Woodside Feedback <Feedback@woodside.com.au>; Clare Lakewood <clare.lakewood@edo.org.au>;
minister.johnston@dpc.wa.gov.au; richard.sellers@dmirs.wa.gov.au; sue.mccarrey@nopsema.gov.au

Subject: RE: Scarborough Environment Plans - Consultation

Dear [Redacted]

Please find **attached** correspondence on behalf of our clients, Ms Josie Alec and Ms Raelene Cooper.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED] <[REDACTED]@woodside.com>
Sent: Thursday, March 16, 2023 5:16 PM
To: Clare Lakewood <clare.lakewood@edo.org.au>; Ruby Hamilton <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com>; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Subject: RE: Scarborough Environment Plans - Consultation

Dear Ruby and Clare

Thanks for our meeting on Tuesday (14 March 2023).

Josie, Raelene and Save Our Songlines asked that Woodside continue correspondence with them, via you. Hence our email and our respectful request that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We are grateful for our on-country meeting with you, Skyla and Clare and Ruby (as well as the welcome to country from your son Mark) on 14 March 2023. We want to let you know that, as a group of women, we feel privileged to have been welcomed to the beautiful country where we met and we appreciate you sharing your stories, cultural knowledge and your concerns with us.

We appreciate your request for us to attend the meeting with open hearts, deep listening and respectful conversation and we intend to continue this approach to our engagement. Our consultation process is ongoing through the environmental approval process and when an activity is being performed. We look forward to continuing our discussions with you in the future.

At our meeting, Woodside provided an overview of the Scarborough activities (Seismic EP, Subsea EP, D&C EP, SITI EP (Cth and State)), and you told us that the proposed activities give you a sick feeling and the activities should be stopped. You also let us know that, in your view, there is nothing that can be done by Woodside to progress with the proposed Scarborough activities in a way that could minimise impact to your functions, activities and interests or is respectful to your culture and country.

We confirm that we agreed not to share cultural details that you shared with us at the 14 March 2023 meeting. To respect this, we will not include cultural detail you shared with us at our meeting in Woodside's environment plans or in conversations with the Regulator. For clarity, as agreed, our proposed environment plans will confirm that we met with you on 14 March 2023 to continue consulting with you on the proposed Scarborough environment plans. So you are aware, this email as well as previous correspondence with SOS and Josie and Raelene will also be included in the proposed environment plans.

We took the following actions from the meeting. Responses are provided in italics:

- Provide background information on the "why" behind the Scarborough activities: *Woodside's Scarborough Gas Project helps play a role in the global energy transition, helping neighbouring Asian countries take action on emissions reduction. There is further information on our website: [Scarborough Gas Project and Pluto Train 2 - Woodside Energy](#).*
- Check with MAC as to whether MAC's ethnographic survey can be shared with Josie, Raelene and Save Our Songlines: *The ethnographic survey is held by MAC and Woodside does not have permission to share it.*
- Confirm fracking in relation to the Scarborough activities: *There is no fracking to be undertaken as part of the proposed Scarborough activities.*

We want you to know that, as discussed, we are open to consulting further with you on the proposed Scarborough activities and are open to the continuing engagements regarding the Scarborough activities. Please let us know if further feedback for the activities proposed under the environment plans is sensitive and we will make this known to NOPSEMA upon submission to ensure this information remains confidential to NOPSEMA.

In the meantime, we are grateful to have met you and to have heard your perspectives on the Scarborough activities and Woodside.

Best regards

[Redacted signature]

[Redacted signature]



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LEAP Email Reference [F:a1ae8a86-801a-40ef-845b-71b304a1e6de|M:5433c43b-6613-b34b-9c50-d05dd0f4a9cb] (Please do not delete)

From: Ruby Hamilton
Sent: Fri, 9 Jun 2023 17:05:51 +0800
To: [REDACTED]
Cc: Woodside Feedback; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org'; Clare Lakewood
Subject: Re: Scarborough Environment Plans - Consultation
Categories: LEAP

JLB-2.15

Dear [REDACTED]

We confirm the meeting for next Tuesday, 13 June 2023. Our clients are available in the morning of that day.

We will confirm the other details as soon as possible once we have instructions from our clients.

Kind regards

Ruby Hamilton | Solicitor | EDO

+61 8 6118 7914

From: [REDACTED]@woodside.com>
Sent: Friday, June 9, 2023 2:20 pm
To: Ruby Hamilton <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au <sue.mccarrey@nopsema.gov.au>; 'info@saveoursonglines.org' <info@saveoursonglines.org>; Clare Lakewood <clare.lakewood@edo.org.au>
Subject: RE: Scarborough Environment Plans - Consultation

Dear All

Re email below - correcting the date. Meeting on Tuesday 13 June (rather than 14 June).

-
Kind regards

[REDACTED]



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount
Street
Perth WA 6000
Australia

T: [REDACTED]
M: + [REDACTED]
E: [REDACTED]@woodside.com
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f t in v @

From: [REDACTED]
Sent: Friday, 9 June 2023 1:58 PM
To: 'ruby.hamilton@edo.org.au' <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com.au>; 'sue.mccarrey@nopsema.gov.au' <sue.mccarrey@nopsema.gov.au>; 'info@saveoursonglines.org' <info@saveoursonglines.org>; 'clare.lakewood@edo.org.au' <clare.lakewood@edo.org.au>
Subject: RE: Scarborough Environment Plans - Consultation

Dear Ruby, Josie, Raelene and Save Our Songlines

Thanks for suggesting a meeting next Tuesday 14 June in Karratha.

We refer to the emails below.

We would be grateful if you can please confirm by 5pm today that the meeting will go ahead, or alternatively, provide some other dates for us to work to. (There are a number of flight and other logistics that need to be confirmed by 5pm today in order for that meeting to progress on Tuesday).

Please can you also let us know:

1. The preferred time for the proposed meeting
2. The preferred meeting location
3. Attendees
4. Added items to the draft Agenda

We look forward to hearing from you.

Kind regards



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount
Street
Perth WA 6000
Australia

T: [REDACTED]
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E: [REDACTED]@woodside.com
www.woodside.com
f t in v i

From: [REDACTED]
Sent: Wednesday, 7 June 2023 6:46 AM
To: 'ruby.hamilton@edo.org.au' <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>; 'clare.lakewood@edo.org.au' <clare.lakewood@edo.org.au>
Subject: RE: Scarborough Environment Plans - Consultation

Dear Ruby

Thanks for your email.

As per previous correspondence, Josie, Raelene and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via the Environment Defenders Office. Hence our respectful request once more that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We received the email below from the Environmental Defenders Office (EDO).

As the EDO's email was copied to email addresses for the Chief Executive Officer of NOPSEMA, we have, as a matter of courtesy copied the same email address.

We understand you have suggested a meeting in Karratha on the morning of **Tuesday 13 June (next Tuesday)** to continue consultation on the Scarborough Environment Plans.

Our team is available to meet with you.

Agenda for meeting

As per our previous email, we are keen to hear and address the issues that matter to you. So please let us know the things that you would like to discuss, share with us, tell us about or topics you would like to hear from us so that we can make the most of the meeting.

In case it is of interest for continuing our consultation with you, we also note the following draft guidance from NOPSEMA: [Draft policy for managing genderrestricted information PL2098.pdf \(nopsema.gov.au\)](#)

As to your specific interests (and those of Save Our Songlines), we continue to invite you to share those with us to allow Woodside to consider the potential impacts and risks of the EP activities on these interests and what Woodside can do to lessen or avoid those impacts.

As per our previous email, we have compiled a draft agenda for you to edit or add to. It is not a fixed agenda, but rather a guide in case it is useful.

Draft agenda items

1. [Josie, Raelene, SOS, topics of interest; queries]
2. More about you both and Save Our Songlines
 - the role you perform within Save Our Songlines;
 - individual interests you each have;
 - the types of communal interests that each of you and Save Our Songlines hold;
 - the functions of Save Our Songlines as an organization;
 - the activities that each of you and Save Our Songlines engage in.
3. Walk through of the following EPs
 - Scarborough 4D Baseline Marine Seismic Survey EP
 - WA-61-L and WA 62-L Subsea Infrastructure Installation EP
 - Scarborough Seabed Intervention and Trunkline EP
 - Scarborough Drilling and Completions EP
 - Scarborough Trunkline Installation (State Waters) EP
4. Description of Scarborough Project and activities to be undertaken under each EP – activity, location, impacts and risks, controls in place to manage risks, mechanisms to update the EP with changes (as necessary).
5. [PLEASE ADD TOPICS AS RELEVANT]

Meaning protocols

Our team is willing to observe the same protocols that we agreed to prior to our March 2023 meeting. We remain respectful of cultural sensitivities and also employee safety and privacy and including for those reasons, do not consent to the meeting being recorded.

1. Woodside, SOS, Ms Alec, Ms Cooper and EDO lawyers are welcome to take written notes of the meeting. To respect privacy, safety and cultural values there will be no other recording of the meeting (e.g., no audio or visual recording of the meeting).
2. As requested by SOS, Ms Alec and Ms Cooper, Woodside attendees are all female.
3. As per the request from Ms Alec, Woodside attendees are attending the meeting with an open heart, deep listening and seeking a respectful conversation.
4. Woodside's respectful request is that attendees come to the meeting open to sharing knowledge about the environment (heritage value of places, social and cultural features) that may be affected by the activities under the proposed Scarborough environment plans. Woodside's request is also that attendees come to the meeting open to sharing ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.

Attendees

Given the short notice of the meeting, the whole Woodside team is unfortunately not available to meet with you. However the team that is available to meet on Tuesday is:

1. [REDACTED] – Manager First Nations Relations
2. [REDACTED] – HSE Manager Scarborough
3. [REDACTED] – Senior Environment Advisor Scarborough
4. [REDACTED] – Woodside legal

We may also be joined by one of our Corporate Affairs employees.

Please let us know who will be attending for you.

Time and Location

We are available to meet at 10am if that suits you (but please let us know if a different time needs to be accommodated).

Please let us know if you have made arrangements for a location for the meeting?

If you would like, we can make enquiries regarding availability for meeting rooms in Karratha and surrounds.

We look forward to hearing from you.

Kind regards

[REDACTED]



Woodside Energy
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From: Ruby Hamilton <ruby.hamilton@edo.org.au>

Sent: Thursday, 1 June 2023 9:23 PM

To: [REDACTED] <[\[REDACTED\]@woodside.com.au](mailto:[REDACTED]@woodside.com.au)>

Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>; Clare Lakewood <clare.lakewood@edo.org.au>
Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

We refer to the below correspondence.

We are instructed that our clients have confirmed they are available and would like to meet in Karratha on the morning of Tuesday, 13 June 2023. We would be grateful if you are able to accommodate this specific window with relatively short notice.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Monday, May 15, 2023 2:34 PM
To: [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>
Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>; Clare Lakewood <clare.lakewood@edo.org.au>
Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

Thank you for the below email. We are confirming instructions with our clients and will revert as soon as we are able.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>
Sent: Tuesday, May 9, 2023 7:21 PM
To: Clare Lakewood <clare.lakewood@edo.org.au>; Ruby Hamilton <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Subject: RE: Scarborough Environment Plans - Consultation

Dear Clare and Ruby

Thanks for your emails.

As per previous correspondence, Josie, Raelene and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via the Environment Defenders Office. Hence our respectful request once more that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We received the email below from the Environmental Defenders Office (EDO).

As the EDO's email was copied to email addresses for the Chief Executive Officer of NOPSEMA, we have, as a matter of courtesy copied the same email address.

Ongoing consultation and next meeting

Woodside once again reiterates it is open and willing to engage in ongoing consultation with you on the Seismic Survey EP as well as the following Scarborough Commonwealth EPs which have been referenced during consultation and our meeting in March:

- Scarborough 4D Baseline Marine Seismic Survey EP
- WA-61-L and WA 62-L Subsea Infrastructure Installation EP
- Scarborough Seabed Intervention and Trunkline EP
- Scarborough Drilling and Completions EP

As per our email below from 28 March, our team is available to meet in May and we are still waiting to hear from you about your availability for a meeting. Please let us know when suits you to meet in the weeks commencing 15 May, 22 May and 29 May.

We are available to meet on country or, as you note below, by video conference or telephone (as appropriate).

Our team is willing to observe the same protocols that we agreed to prior to our March 2023 meeting. We remain respectful of cultural sensitivities and also employee safety and privacy and including for those reasons, do not consent to the meeting being recorded.

Agenda for meeting

As to your specific interests (and those of Save Our Songlines), we continue to invite you to share those with us to allow Woodside to consider the potential impacts and risks of the EP activities on these interests and what Woodside can do to lessen or avoid those impacts.

In previous correspondence and meetings, we heard you tell us that you were not prepared to share some information with us at this stage and you weren't sure when you would be ready to share it with us. And we also heard that, sometimes the information has not yet been revealed to you and that it will be revealed to you in time. We remain open to hearing from you when this is known to you and it is ready to be shared.

In case it is of interest for continuing our consultation with you, we also note the following draft guidance from NOPSEMA: [Draft policy for managing genderrestricted information PL2098.pdf \(nopsema.gov.au\)](#)

So that the most can be made of the meeting, we have prepared some points below by way of draft agenda. We are keen to hear and address the issues that matter to you. So please feel free to add to the agenda items for the meeting.

Draft agenda items

1. [Josie, Raelene, SOS, topics of interest; queries]
2. More about you both and Save Our Songlines
 - the role you perform within Save Our Songlines;
 - individual interests you each have;
 - the types of communal interests that each of you and Save Our Songlines hold;
 - the functions of Save Our Songlines as an organization;
 - the activities that each of you and Save Our Songlines engage in.
3. Walk through of the following EPs
 - Scarborough 4D Baseline Marine Seismic Survey EP

- WA-61-L and WA 62-L Subsea Infrastructure Installation EP
 - Scarborough Seabed Intervention and Trunkline EP
 - Scarborough Drilling and Completions EP
4. Description of Scarborough Project and activities to be undertaken under each EP – activity, location, impacts and risks, controls in place to manage risks, mechanisms to update the EP with changes (as necessary).
5. [PLEASE ADD TOPICS AS RELEVANT]

Our records indicate that we have provided responses to the requests that have been made in relation to the Scarborough Commonwealth EPs.

We look forward to hearing further from you.

Best regards
Woodside

[REDACTED]

[REDACTED]



Woodside Energy
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From: Clare Lakewood <clare.lakewood@edo.org.au>
Sent: Monday, 8 May 2023 2:55 PM
To: Ruby Hamilton <ruby.hamilton@edo.org.au>; [REDACTED] <[\[REDACTED\]@woodside.com.au](mailto:[REDACTED]@woodside.com.au)>
Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED],

We refer to our email below. We have not had any response to date, and write again to enquire whether Woodside wishes to propose dates that we can put to our clients for consultation regarding the seismic survey EP.

Yours sincerely,
Clare



Environmental
Defenders Office

**Clare Lakewood — Special Counsel,
Safe Climate**
(Mon, Tue, Wed, Thu)
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P: +61 8 6118 7912
E: clare.lakewood@edo.org.au

I use she/her pronouns.

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This email and any attachments are confidential. If you are not the intended recipient you must not disseminate, distribute or copy it. If you have received this email by mistake please notify us immediately at info@edo.org.au and delete this email.

EDO recognises the traditional owners and custodians of the land, seas and rivers of Australia. We pay our respects to Aboriginal and Torres Strait Islander elders past and present, and aspire to learn from traditional knowledge and customs so that, together, we can protect our environment and cultural heritage through law.

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Tuesday, April 18, 2023 2:56 PM
To: [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>
Cc: Woodside Feedback <Feedback@woodside.com>; Clare Lakewood <clare.lakewood@edo.org.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

Thank you for your email of 29 March 2023 in respect of the Scarborough 4D B1 Marine Seismic Survey Environment Plan (Seismic Survey EP).

Thank you for acknowledging our clients' continued efforts to bring themselves into Woodside's consultation processes and to organise a face-to-face meeting on Country. Our clients confirm their willingness to meet again and to continue consultation. To be clear, our clients do not consider there has yet been consultation such that Woodside can demonstrate in the EP that there has been an appropriate level of consultation. This will require further information to be shared and incorporated into the EP. Our clients are also concerned that because their cultural knowledge is women's knowledge, it is being considered less important than other cultural knowledge Woodside may have received during consultation.

Our clients look forward to providing information about their interests that Woodside needs.

Having had an introductory meeting on 14 March 2023, and mindful that the EP appears to have been re-submitted around nine days after that introductory meeting took place, we propose that Woodside withdraw the EP and meet with our clients to explain to them the relevant risks and impacts of the activities the subject of the Seismic Survey EP specifically, and to obtain further information on their functions, interests and activities. We note in particular that the introductory meeting of 14 March 2023 did not discuss the activities the subject of Seismic Survey EP in any detail.

Our clients are generally available to meet by phone or videoconference in May.

In addition to abiding by the cultural protocol summarised in your email of 29 March 2023, our clients propose the following purposes for the meeting:

- overview of any outstanding requests for information made by our clients;
- explanation of the activities the subject of the Seismic Survey EP, so that our clients can make an informed assessment of the possible consequences of those activities on their functions, interests and activities.

Mindful that Woodside is required under reg 16(b) of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009* (Cth) to provide NOPSEMA with a full report on all consultation with relevant persons, and the difficulties in different perspectives that have been encountered as described in your email of 29 March 2023, our clients propose that this next meeting be recorded, and that permission be sought should Woodside wish to provide transcripts, recordings or other documents referring to cultural knowledge to NOPSEMA.

Our clients otherwise request that the cultural protocols requested in advance of the 14 March 2023 meeting, and summarised in your email of 29 March 2023, be continued.

Following a meeting for Woodside to explain the risks and impacts of the Seismic Survey EP, we propose that our clients be given appropriate time to consider and respond to information shared by Woodside at or after the meeting, so that Woodside

may be apprised of all the environmental risks and impacts of the activities the subject of the Seismic Survey EP, and can ensure that those impacts and risks are reduced as low as reasonably practicable. To be clear as to our clients' needs, we expect the timeframe for that response to be approximately 4-6 weeks.

We anticipate that a decision as to whether the response from our clients be in writing, through a meeting, or some combination or other communication, is best determined in light of information Woodside provides, and the information our clients seek to provide in response. We anticipate that that response will also propose next steps for the consultation, with a view to enabling Woodside to adopt measures that will reduce the risks and impacts of the activities the subject of the Seismic Survey EP.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED]@woodside.com>
Sent: Wednesday, March 29, 2023 12:56 PM
To: Ruby Hamilton <ruby.hamilton@edo.org.au>; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Cc: Woodside Feedback <Feedback@woodside.com>; Clare Lakewood <clare.lakewood@edo.org.au>;
sue.mccarrey@nopsema.gov.au
Subject: RE: Scarborough Environment Plans - Consultation

[External email](#)

Dear Ruby

Thanks for your email and letter dated 24 March 2023.

Josie, Raelene and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via you. Hence our email and our respectful request that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We received the email and letter sent to us by the Environmental Defenders Office (EDO) dated 24 March 2023. The letter sets out recollections and reflections on the meeting we had on country in Karratha on 14 March 2023 as well as comments on our email of 16 March 2023.

First, we wanted to thank you for sharing the recollections and reflections with us. Secondly, we thought it would be worth sharing our perspectives on comments in that letter – please see these below.

Just so you know, this email relates to the Scarborough Commonwealth EPs. The letter sent to us was copied to an email address for the Chief Executive Officer of NOPSEMA. So, for courtesy and so that you are aware, we are also providing a copy of this email to NOPSEMA. Acknowledging that we separately sent an email to you yesterday on the State Waters EPs that was copied to Minister Johnston and DMIRS.

Consultations, correspondence and meeting on 14 March 2023 [Paragraphs 1-5, 10, 13, 20]

The team at Woodside was pleased to have met face-to-face with you on 14 March 2023. It was the culmination of a long period of communication on the Scarborough Project involving a number of prior attempts to meet face-to-face (since around November 2021) and, since at least June 2022, an extensive exchange of correspondence specific to each of the Scarborough environment plans (EP) and activities set out in the letter (Seismic EP, Drilling EP, Subsea EP, SITI EP, State Waters EP). It was good to meet and we confirm that Woodside remains open to consulting further with you on the Commonwealth EPs as well as the State Waters EP.

A great deal of information was shared at the 14 March 2023 meeting. This included a discussion of your and Save Our Songlines' cultural details and was provided against the backdrop of the protocols we agreed before the meeting. The Woodside team left the 2-hour meeting feeling positive and with a sense of goodwill – we appreciated the exchange of warm mutual embraces at the opening and end of the meeting. We all expressed, at the end of the meeting, a willingness to meet again.

As per discussions leading up to the meeting, unless things change, for future meetings, we agree to continue with the following meeting protocols:

- Attendees continue to be all female.
- Attendees attend meetings with an open heart, deep listening and seeking a respectful conversation.
- Attendees come to meetings open to sharing knowledge about the environment (heritage value of places, social and cultural features) that may be affected by the activities under the proposed Scarborough EPs. Attendees come to the meeting open to sharing ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.
- Attendees are welcome to take written notes of meetings. To respect privacy, safety and cultural values there will be no other recording of meetings (e.g. no audio or visual recording of meetings).
- Other than sharing the fact that the meeting took place, the cultural details will be kept confidential amongst the female attendees unless directed otherwise and will not be made public without permission.

We also confirm that Woodside remains open to consulting further with you on the proposed Scarborough activities and is open to the continuing engagements regarding the Scarborough activities.

Additional or new information

So that you are aware, we have a process in place for the life of an EP that allows the EP to be updated to include additional or new information or feedback that is received after an EP is submitted. This is done through a "Management of Knowledge" process. So, for example, if new or additional information is provided to Woodside, Woodside can consider that information and assess the risk in accordance with the environmental risk management methodology in the EP to determine the significance of potential new environmental impacts or risks not already provided for in the EP. In that context, if information changes Woodside's understanding of the environment or understanding of measures that Woodside can take in order to lessen or avoid impacts of activities, that information can be updated and actioned in the EP.

This means that feedback or information you provide in future meetings can still be taken into account and, where appropriate, can be incorporated in the EP during the life of the activity.

Following the meeting, we considered what you told us. Based on that information, no updates were required to the EP via the Management of Knowledge process.

Functions, interests and activities [Paragraph 6, 13]

Thank you for confirming in the letter that you consider that your functions, interests and activities are distinct from those of MAC. We also heard you say this at our meeting. We are interested in learning further about your functions, interests and activities (and those of Save Our Songlines) and how those are different to MAC's.

The letter also references MAC surveys. As Raelene mentioned in the meeting, Raelene was, for around 10 years, a former Board member of MAC. (We understand Raelene resigned from the Board in around February 2022). So, Woodside's correspondence, involvement and meetings on the Scarborough Project with Raelene (in her capacity as a MAC representative) also go back a long time to when those discussions commenced with the MAC – in around 2018.

We understand that Raelene was involved in ethnographic studies of the Scarborough Project undertaken by MAC. So, while we have no authority to provide the survey to you, in response to your request for the ethnographic survey, Raelene may have contacts at MAC to request a copy of that survey.

As to your functions, interests and activities (and those of Save Our Songlines), we continue to invite you to share those with us as well to allow Woodside to consider the likely impacts and risks of the EP activities on these functions, interests and activities and what Woodside can do to lessen or avoid those impacts.

In our meeting, we heard you tell us that you were not prepared to share some information with us at this stage and you weren't sure when you would be ready to share it with us. And we also heard that, sometimes the information has not yet been revealed to you and that it will be revealed to you in time. We remain open to hearing from you when this is known to you and it is ready to be shared.

In particular, we are interested in learning from you:

- the role you perform within Save Our Songlines;
- individual interests you each have;
- the types of communal interests that each of you and Save Our Songlines hold;
- the functions of Save Our Songlines as an organization;
- the activities that each of you and Save Our Songlines engage in

To confirm - we don't expect you to provide this information to us in writing and would be happy to meet with you again to discuss this information as per our meeting protocols.

It is important that this information is provided so that Woodside can understand how the proposed activities (that are the subject of the Commonwealth EPs) may affect your functions, interests and activities. We remain open to hearing from you when this is known to you and it is ready to be shared.

Minimising impacts to your functions, interests and activities [Paragraphs 7, 9, 11, 12, 13, 14]

Thank you for notes in the letter on the meeting content.

A comment in the letter is that information had been mischaracterised in the email that we sent you following the meeting. We want to be very clear that our intention is not and was not to mischaracterise information. We want to be very clear that the information provided in our email following the meeting is our group's genuine recollection and interpretation of the take-aways from the meeting. That is, consistent with the agreed protocols for the meeting which included a request that you share ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.

Our team has reviewed notes taken at the meeting. Below we've set out our team's perspectives of some of the items noted in the letter.

Underwater activities

In the meeting, Woodside provided an overview of the Scarborough Project. At that point in the meeting, a number of topics had been discussed (not repeated here so as to respect confidentiality). After the Scarborough Project was overviewed, at a high level (so as to respect confidentiality), there was a discussion about songlines and, in so far as underwater activities are concerned, there was a discussion about potential impacts of activities on whales.

During this discussion, a question was asked by Woodside along the lines of: *what things can Woodside do in order to carry out the Scarborough Project in a respectful way to the knowledge and cultural information that has been shared in the meeting.* Our team's recollection is that the answer given was along the lines of: *there is nothing Woodside can do to carry out the project in a respectful way and that it was not clear why the project was happening in Murujuga and why it couldn't be done somewhere else along the coast.*

We also asked what Woodside could do to protect the values that were being talked about. The answer that was given was along the lines of: *all that can be done is for the project to be stopped.*

A further question was asked along the lines of: *if the project is to go ahead what could be done to protect the values*. The answer given was along the lines of: *nothing. The only option is to stop the project*.

These answers informed our take aways from the meeting.

Greenhouse gas emissions

The topic of greenhouse gas was also raised. This topic has been the subject of separate correspondence in which Woodside has confirmed that, emissions from the activities covered by the Commonwealth EPs are of a scale that no credible impact pathway is foreseen.

Industrialisation of Murujuga

The topic of industrialisation of Murujuga was also raised. Out of respect for confidentiality, we will not repeat the information provided in the meeting in relation to signing of the Burrup and Maitland and Industrial Estates Agreement (BMIEA). However, the subject has also been addressed in separate correspondence in which Woodside has set out its understanding of the history of the Burrup and the industrial agreements involved. Woodside has also provided responses which are along the lines that no credible impact pathway is foreseen from the activities covered by the Commonwealth EPs which could damage rock art and heritage sites and that no cultural impact to future access to sites of cultural and spiritual significance is foreseen.

Detail of EPs and information accessed and provided

As set out above, the face-to-face meeting involved an overview of the Scarborough Project. The face-to-face meeting followed volumes of previous correspondence on the Scarborough Project. We acknowledge the many pieces of previous correspondence that have been sent to Woodside which have been specific to each of the EPs set out in the letter. That previous correspondence indicates that a large volume of information on the Scarborough Project has been accessed, read and thought through. The correspondence shows an informed and thorough understanding of the various Scarborough activities and the Scarborough Project.

Offshore Petroleum and Greenhouse Gas Storage Act (OPGGGS Act) – section 280 Interference with other rights [paragraph 13]

In the letter, section 280 of the OPGGS Act is noted. We do not understand why that particular aspect of the OPGGS Act has been referenced. We are open to hearing more from you on what you would like us to understand from the reference to section 280 of the OPGGS Act.

Consultation in general [paragraph 14]

The letter has a line that suggests that Woodside is implying that “nothing is to be gained from consulting” with you. We want to be very clear that these are not Woodside’s words. Woodside has not put that position forward and is not making an implication of this kind.

On the contrary, we have continued to consult with you and continue to invite further consultation. We were pleased to have had the opportunity to finally meet with you face-to-face this month and we look forward to further meetings with you to learn of your and Save Our Songlines’ interests.

Relevant persons [paragraph 4, 15-19]

The concept of “relevant person” was raised in the letter and also at our meeting. We heard in the meeting that you were insulted that Woodside had categorised SOS as relevant but had not recognised you under the heading of relevant person. You also told us that you were pleased to see that you and SOS have since been included as relevant interested persons in the State EP summary document.

As we discussed at the meeting, Woodside’s intention is not to insult you. We reiterate this as we want to be very clear about this.

We also want you to know that the "relevant person" category is different depending on whether the EP requires Commonwealth approval or State approval (WA). For the Commonwealth EPs, the Commonwealth laws apply. The Commonwealth approval process requires Woodside to consult with “relevant persons”.

At the meeting, we took you through the approval process relating to the concept of “relevant persons” and noted that, at the relevant time consultations are included under a category of “relevant persons” in EPs. Woodside generally applies this

category at a stage when we understand more about a person's functions, interests and activities and also the impacts of our activities on them.

As noted in your letter and above, we also discussed at our meeting that Save Our Songlines, Josie and Raelene have been included under the category of "relevant interested persons" in the State Waters EP. You kindly acknowledged at our meeting that you understood the reasons for redactions that were made to the State EP summary to protect personal information.

These kind of considerations continue and we will have a clearer understanding of the categories when you are able to share more with us. But as we reiterated at the meeting, you should know that there is no need for us to categorise you as relevant in order to consult with you.

Ongoing consultation

Once an EP is accepted, Woodside continues ongoing consultations with relevant persons.

As confirmed in the meeting, and consistent with our processes for ongoing consultation, the important issue is that we are open to continuing consultation and that we are keen to keep talking to you to understand how the proposed Commonwealth EP activities relevantly affect you and Save Our Songlines. Once we understand the kind of functions, interests and activities you and Save Our Songlines hold, we can consider the things that Woodside can do to lessen or avoid impacts of the activities to you.

Responses to questions and further information [paragraph 21-27]

The letter notes some questions that were asked during our face-to-face meeting. As acknowledged in the letter, specific questions on the Scarborough Gas Project, the ethnographic survey and fracking have been actioned and there is nothing substantial to add to the answers provided in our email.

As to requests for further information and notifications, please remain subscribed to Woodside's and relevant regulators' website as a best source of information relating to updates to EP assessments.

Further consultation [paragraph 24-27]

The letter sent to us notes that you would like to organise another meeting and will require approximately six weeks to read into materials and prepare for a meeting.

We would be pleased to consult with you further. It took a number of attempts to book and arrange our March face-to-face meeting, so please let us know your preferred times for the next meeting.

If it would be useful, our team is available to meet in the week commencing 8 May 2023 (which is approximately 6 weeks away) or earlier. Please let us know dates you are available so we can book in a next face-to-face meeting.

Best regards

Woodside
[Redacted]

Kind regards
[Redacted]



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount
Street
Perth WA 6000
Australia

T: [Redacted]
M: + [Redacted]
E: [Redacted]@woodside.com
www.woodside.com



From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Friday, 24 March 2023 12:18 PM
To: [REDACTED] <[\[REDACTED\]@woodside.com.au](mailto:[REDACTED]@woodside.com.au)>
Cc: Woodside Feedback <Feedback@woodside.com.au>; Clare Lakewood <clare.lakewood@edo.org.au>; minister.johnston@dpc.wa.gov.au; richard.sellers@dmirs.wa.gov.au; sue.mccarrey@nopsema.gov.au
Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

Please find **attached** correspondence on behalf of our clients, Ms Josie Alec and Ms Raelene Cooper.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>
Sent: Thursday, March 16, 2023 5:16 PM
To: Clare Lakewood <clare.lakewood@edo.org.au>; Ruby Hamilton <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com>; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Subject: RE: Scarborough Environment Plans - Consultation

Dear Ruby and Clare

Thanks for our meeting on Tuesday (14 March 2023).

Josie, Raelene and Save Our Songlines asked that Woodside continue correspondence with them, via you. Hence our email and our respectful request that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We are grateful for our on-country meeting with you, Skyla and Clare and Ruby (as well as the welcome to country from your son Mark) on 14 March 2023. We want to let you know that, as a group of women, we feel privileged to have been welcomed to the beautiful country where we met and we appreciate you sharing your stories, cultural knowledge and your concerns with us.

We appreciate your request for us to attend the meeting with open hearts, deep listening and respectful conversation and we intend to continue this approach to our engagement. Our consultation process is ongoing through the environmental approval process and when an activity is being performed. We look forward to continuing our discussions with you in the future.

At our meeting, Woodside provided an overview of the Scarborough activities (Seismic EP, Subsea EP, D&C EP, SITI EP (Cth and State)), and you told us that the proposed activities give you a sick feeling and the activities should be stopped. You also let us know that, in your view, there is nothing that can be done by Woodside to progress with the proposed Scarborough activities in a way that could minimise impact to your functions, activities and interests or is respectful to your culture and country.

We confirm that we agreed not to share cultural details that you shared with us at the 14 March 2023 meeting. To respect this, we will not include cultural detail you shared with us at our meeting in Woodside's environment plans or in conversations with the Regulator. For clarity, as agreed, our proposed environment plans will confirm that we met with you on 14 March 2023 to continue consulting with you on the proposed Scarborough environment plans. So you are aware, this email as well as previous correspondence with SOS and Josie and Raelene will also be included in the proposed environment plans.

We took the following actions from the meeting. Responses are provided in italics:

- Provide background information on the “why” behind the Scarborough activities: *Woodside’s Scarborough Gas Project helps play a role in the global energy transition, helping neighbouring Asian countries take action on emissions reduction. There is further information on our website: [Scarborough Gas Project and Pluto Train 2 - Woodside Energy](#).*
 - Check with MAC as to whether MAC’s ethnographic survey can be shared with Josie, Raelene and Save Our Songlines: *The ethnographic survey is held by MAC and Woodside does not have permission to share it.*
 - Confirm fracking in relation to the Scarborough activities: *There is no fracking to be undertaken as part of the proposed Scarborough activities.*

We want you to know that, as discussed, we are open to consulting further with you on the proposed Scarborough activities and are open to the continuing engagements regarding the Scarborough activities. Please let us know if further feedback for the activities proposed under the environment plans is sensitive and we will make this known to NOPSEMA upon submission to ensure this information remains confidential to NOPSEMA.

In the meantime, we are grateful to have met you and to have heard your perspectives on the Scarborough activities and Woodside.

Best regards

[Redacted signature]

[Redacted signature]



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f t in v @

LEAP Email Reference [F:a1ae8a86-801a-40ef-845b-71b304a1e6de|M:5433c43b-6613-b34b-9c50-d05dd0f4a9cb] (Please do not delete)

We confirm the meeting on Tuesday, 13 June 2023. Our clients are available in the morning of that day.

We

From: [REDACTED]@woodside.com>
Sent: Fri, 9 Jun 2023 17:09:19 +0800
To: Ruby Hamilton
Cc: Woodside Feedback;sue.mccarrey@nopsema.gov.au;'info@saveoursonglines.org';Clare Lakewood
Subject: RE: Scarborough Environment Plans - Consultation
Categories: LEAP

JLB-2.16

Hi Ruby

Thanks for your email. We are unavailable because, as foreshadowed in our email, flights and other logistics timed out at 5pm for us.

Let's regroup next week and work through alternate dates.

Kind regards



Woodside Energy
Mia Yellagonga
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Street
Perth WA 6000
Australia

T: [REDACTED]
M: [REDACTED]
E: [REDACTED]@woodside.com
www.woodside.com
f t in v @

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Friday, 9 June 2023 5:06 PM
To: [REDACTED]@woodside.com.au>
Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>; Clare Lakewood <clare.lakewood@edo.org.au>
Subject: Re: Scarborough Environment Plans - Consultation

Dear [REDACTED]

We confirm the meeting for next Tuesday, 13 June 2023. Our clients are available in the morning of that day.

We will confirm the other details as soon as possible once we have instructions from our clients.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED]@woodside.com>
Sent: Friday, June 9, 2023 2:20 pm
To: Ruby Hamilton <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au <sue.mccarrey@nopsema.gov.au>; 'info@saveoursonglines.org' <info@saveoursonglines.org>; Clare Lakewood <clare.lakewood@edo.org.au>
Subject: RE: Scarborough Environment Plans - Consultation

Dear All

184

Re email below - correcting the date. Meeting on Tuesday 13 June (rather than 14 June).

Kind regards



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount
Street
Perth WA 6000
Australia

T: [REDACTED]
M: [REDACTED]
E: [REDACTED]@woodside.com
www.woodside.com
f t in y @

From: [REDACTED]
Sent: Friday, 9 June 2023 1:58 PM
To: 'ruby.hamilton@edo.org.au' <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com.au>; 'sue.mccarrey@nopsema.gov.au' <sue.mccarrey@nopsema.gov.au>; 'info@saveoursonglines.org' <info@saveoursonglines.org>; 'clare.lakewood@edo.org.au' <clare.lakewood@edo.org.au>
Subject: RE: Scarborough Environment Plans - Consultation

Dear Ruby, Josie, Raelene and Save Our Songlines

Thanks for suggesting a meeting next Tuesday 14 June in Karratha.

We refer to the emails below.

We would be grateful if you can please confirm by 5pm today that the meeting will go ahead, or alternatively, provide some other dates for us to work to. (There are a number of flight and other logistics that need to be confirmed by 5pm today in order for that meeting to progress on Tuesday).

Please can you also let us know:

The preferred time for the proposed meeting

The preferred meeting location

Attendees

Added items to the draft Agenda

We look forward to hearing from you.

Kind regards



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount
Street
Perth WA 6000

T: [REDACTED]
M: [REDACTED]
E: [REDACTED]@woodside.com
www.woodside.com

From: [REDACTED]
Sent: Wednesday, 7 June 2023 6:46 AM
To: 'ruby.hamilton@edo.org.au' <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>; 'clare.lakewood@edo.org.au' <clare.lakewood@edo.org.au>
Subject: RE: Scarborough Environment Plans - Consultation

Dear Ruby

Thanks for your email.

As per previous correspondence, Josie, Raelene and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via the Environment Defenders Office. Hence our respectful request once more that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We received the email below from the Environmental Defenders Office (EDO).

As the EDO's email was copied to email addresses for the Chief Executive Officer of NOPSEMA, we have, as a matter of courtesy copied the same email address.

We understand you have suggested a meeting in Karratha on the morning of **Tuesday 13 June (next Tuesday)** to continue consultation on the Scarborough Environment Plans.

Our team is available to meet with you.

Agenda for meeting

As per our previous email, we are keen to hear and address the issues that matter to you. So please let us know the things that you would like to discuss, share with us, tell us about or topics you would like to hear from us so that we can make the most of the meeting.

In case it is of interest for continuing our consultation with you, we also note the following draft guidance from NOPSEMA: [Draft policy for managing genderrestricted information PL2098.pdf \(nopsema.gov.au\)](#)

As to your specific interests (and those of Save Our Songlines), we continue to invite you to share those with us to allow Woodside to consider the potential impacts and risks of the EP activities on these interests and what Woodside can do to lessen or avoid those impacts.

As per our previous email, we have compiled a draft agenda for you to edit or add to. It is not a fixed agenda, but rather a guide in case it is useful.

Draft agenda items

[Josie, Raelene, SOS, topics of interest; queries]

More about you both and Save Our Songlines

the role you perform within Save Our Songlines;

individual interests you each have;

the types of communal interests that each of you and Save Our Songlines hold;

the functions of Save Our Songlines as an organization;

the activities that each of you and Save Our Songlines engage in.

Walk through of the following EPs

- Scarborough 4D Baseline Marine Seismic Survey EP
- WA-61-L and WA 62-L Subsea Infrastructure Installation EP
- Scarborough Seabed Intervention and Trunkline EP
- Scarborough Drilling and Completions EP
- Scarborough Trunkline Installation (State Waters) EP

Description of Scarborough Project and activities to be undertaken under each EP – activity, location, impacts and risks, controls in place to manage risks, mechanisms to update the EP with changes (as necessary).

[PLEASE ADD TOPICS AS RELEVANT]

Meaning protocols

Our team is willing to observe the same protocols that we agreed to prior to our March 2023 meeting. We remain respectful of cultural sensitivities and also employee safety and privacy and including for those reasons, do not consent to the meeting being recorded.

1. Woodside, SOS, Ms Alec, Ms Cooper and EDO lawyers are welcome to take written notes of the meeting. To respect privacy, safety and cultural values there will be no other recording of the meeting (e.g., no audio or visual recording of the meeting).

As requested by SOS, Ms Alec and Ms Cooper, Woodside attendees are all female.

As per the request from Ms Alec, Woodside attendees are attending the meeting with an open heart, deep listening and seeking a respectful conversation.

Woodside's respectful request is that attendees come to the meeting open to sharing knowledge about the environment (heritage value of places, social and cultural features) that may be affected by the activities under the proposed Scarborough environment plans.

Woodside's request is also that attendees come to the meeting open to sharing ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.

Attendees

Given the short notice of the meeting, the whole Woodside team is unfortunately not available to meet with you. However the team that is available to meet on Tuesday is:

1. ██████████ – Manager First Nations Relations
2. ██████████ – HSE Manager Scarborough
3. ██████████ – Senior Environment Advisor Scarborough
4. ██████████ – Woodside legal

We may also be joined by one of our Corporate Affairs employees.

Please let us know who will be attending for you.

Time and Location

We are available to meet at 10am if that suits you (but please let us know if a different time needs to be accommodated).

Please let us know if you have made arrangements for a location for the meeting?

If you would like, we can make enquiries regarding availability for meeting rooms in Karratha and surrounds.

We look forward to hearing from you.

Kind regards



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount
Street
Perth WA 6000
Australia

T: [REDACTED]
M: [REDACTED]
E: [REDACTED]@woodside.com
www.woodside.com
f t in v i

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Thursday, 1 June 2023 9:23 PM
To: [REDACTED] <[\[REDACTED\]@woodside.com.au](mailto:[REDACTED]@woodside.com.au)>
Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>; Clare Lakewood <clare.lakewood@edo.org.au>
Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

We refer to the below correspondence.

We are instructed that our clients have confirmed they are available and would like to meet in Karratha on the morning of Tuesday, 13 June 2023. We would be grateful if you are able to accommodate this specific window with relatively short notice.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Monday, May 15, 2023 2:34 PM
To: [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>
Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>; Clare Lakewood <clare.lakewood@edo.org.au>
Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

Thank you for the below email. We are confirming instructions with our clients and will revert as soon as we are able.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED] <[REDACTED]@woodside.com>

Sent: Tuesday, May 9, 2023 7:21 PM

To: Clare Lakewood <clare.lakewood@edo.org.au>; Ruby Hamilton <ruby.hamilton@edo.org.au>

Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>

Subject: RE: Scarborough Environment Plans - Consultation

Dear Clare and Ruby

Thanks for your emails.

As per previous correspondence, Josie, Raelene and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via the Environment Defenders Office. Hence our respectful request once more that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We received the email below from the Environmental Defenders Office (EDO).

As the EDO's email was copied to email addresses for the Chief Executive Officer of NOPSEMA, we have, as a matter of courtesy copied the same email address.

Ongoing consultation and next meeting

Woodside once again reiterates it is open and willing to engage in ongoing consultation with you on the Seismic Survey EP as well as the following Scarborough Commonwealth EPs which have been referenced during consultation and our meeting in March:

Scarborough 4D Baseline Marine Seismic Survey EP

WA-61-L and WA 62-L Subsea Infrastructure Installation EP

Scarborough Seabed Intervention and Trunkline EP

Scarborough Drilling and Completions EP

As per our email below from 28 March, our team is available to meet in May and we are still waiting to hear from you about your availability for a meeting. Please let us know when suits you to meet in the weeks commencing 15 May, 22 May and 29 May.

We are available to meet on country or, as you note below, by video conference or telephone (as appropriate).

Our team is willing to observe the same protocols that we agreed to prior to our March 2023 meeting. We remain respectful of cultural sensitivities and also employee safety and privacy and including for those reasons, do not consent to the meeting being recorded.

Agenda for meeting

As to your specific interests (and those of Save Our Songlines), we continue to invite you to share those with us to allow Woodside to consider the potential impacts and risks of the EP activities on these interests and what Woodside can do to lessen or avoid those impacts.

In previous correspondence and meetings, we heard you tell us that you were not prepared to share some information with us at this stage and you weren't sure when you would be ready to share it with us. And we also heard that, sometimes the information has not yet been revealed to you and that it will be revealed to you in time. We remain open to hearing from you when this is known to you and it is ready to be shared.

In case it is of interest for continuing our consultation with you, we also note the following draft guidance from NOPSEMA: [Draft policy for managing genderrestricted information PL2098.pdf \(nopsema.gov.au\)](#)

So that the most can be made of the meeting, we have prepared some points below by way of draft agenda. We are keen to hear and address the issues that matter to you. So please feel free to add to the agenda items for the meeting.

Draft agenda items

[Josie, Raelene, SOS, topics of interest; queries]

More about you both and Save Our Songlines

the role you perform within Save Our Songlines;

individual interests you each have;

the types of communal interests that each of you and Save Our Songlines hold;

the functions of Save Our Songlines as an organization;

the activities that each of you and Save Our Songlines engage in.

Walk through of the following EPs

- Scarborough 4D Baseline Marine Seismic Survey EP
- WA-61-L and WA 62-L Subsea Infrastructure Installation EP
- Scarborough Seabed Intervention and Trunkline EP
- Scarborough Drilling and Completions EP

Description of Scarborough Project and activities to be undertaken under each EP – activity, location, impacts and risks, controls in place to manage risks, mechanisms to update the EP with changes (as necessary).

[PLEASE ADD TOPICS AS RELEVANT]

Our records indicate that we have provided responses to the requests that have been made in relation to the Scarborough Commonwealth EPs.

We look forward to hearing further from you.

Best regards
Woodside



Woodside Energy
 Mia Yellagonga
 Karlak, 11 Mount
 Street
 Perth WA 6000
 Australia

T: [REDACTED]
 M: [REDACTED]
 E: [REDACTED]@woodside.com
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 f t in v i

From: Clare Lakewood <clare.lakewood@edo.org.au>
Sent: Monday, 8 May 2023 2:55 PM
To: Ruby Hamilton <ruby.hamilton@edo.org.au>; [REDACTED]@woodside.com.au>
Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

We refer to our email below. We have not had any response to date, and write again to enquire whether Woodside wishes to propose dates that we can put to our clients for consultation regarding the seismic survey EP.

Yours sincerely,
 Clare



Environmental
 Defenders Office

**Clare Lakewood — Special Counsel,
 Safe Climate**

(Mon, Tue, Wed, Thu)
 PO Box Z5218, Boorloo/Perth WA 6831
 P: +61 8 6118 7912
 E: clare.lakewood@edo.org.au

I use she/her pronouns.

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This email and any attachments are confidential. If you are not the intended recipient you must not disseminate, distribute or copy it. If you have received this email by mistake please notify us immediately at info@edo.org.au and delete this email.

EDO recognises the traditional owners and custodians of the land, seas and rivers of Australia. We pay our respects to Aboriginal and Torres Strait Islander elders past and present, and aspire to learn from traditional knowledge and customs so that, together, we can protect our environment and cultural heritage through law.

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Tuesday, April 18, 2023 2:56 PM
To: [REDACTED]@woodside.com>
Cc: Woodside Feedback <Feedback@woodside.com>; Clare Lakewood <clare.lakewood@edo.org.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

Thank you for your email of 29 March 2023 in respect of the Scarborough 4D B1 Marine Seismic Survey Environment Plan (**Seismic Survey EP**).

Thank you for acknowledging our clients' continued efforts to bring themselves into Woodside's consultation processes and to organise a face-to-face meeting on Country. Our clients confirm their willingness to meet again and to continue consultation. To be clear, our clients do not consider there has yet been consultation such that Woodside can demonstrate in the EP that there has been an appropriate level of consultation. This will require further information to be shared and incorporated into the EP. Our clients are also concerned that because their cultural knowledge is women's knowledge, it is being considered less important than other cultural knowledge Woodside may have received during consultation.

Our clients look forward to providing information about their interests that Woodside needs.

Having had an introductory meeting on 14 March 2023, and mindful that the EP appears to have been re-submitted around nine days after that introductory meeting took place, we propose that Woodside withdraw the EP and meet with our clients to explain to them the relevant risks and impacts of the activities the subject of the Seismic Survey EP specifically, and to obtain further information on their functions, interests and activities. We note in particular that the introductory meeting of 14 March 2023 did not discuss the activities the subject of Seismic Survey EP in any detail.

Our clients are generally available to meet by phone or videoconference in May.

In addition to abiding by the cultural protocol summarised in your email of 29 March 2023, our clients propose the following purposes for the meeting:

- overview of any outstanding requests for information made by our clients;

- explanation of the activities the subject of the Seismic Survey EP, so that our clients can make an informed assessment of the possible consequences of those activities on their functions, interests and activities.

Mindful that Woodside is required under reg 16(b) of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009* (Cth) to provide NOPSEMA with a full report on all consultation with relevant persons, and the difficulties in different perspectives that have been encountered as described in your email of 29 March 2023, our clients propose that this next meeting be recorded, and that permission be sought should Woodside wish to provide transcripts, recordings or other documents referring to cultural knowledge to NOPSEMA.

Our clients otherwise request that the cultural protocols requested in advance of the 14 March 2023 meeting, and summarised in your email of 29 March 2023, be continued.

Following a meeting for Woodside to explain the risks and impacts of the Seismic Survey EP, we propose that our clients be given appropriate time to consider and respond to information shared by Woodside at or after the meeting, so that Woodside may be apprised of all the environmental risks and impacts of the activities the subject of the Seismic Survey EP, and can ensure that those impacts and risks are reduced as low as reasonably practicable. To be clear as to our clients' needs, we expect the timeframe for that response to be approximately 4-6 weeks.

We anticipate that a decision as to whether the response from our clients be in writing, through a meeting, or some combination or other communication, is best determined in light of information Woodside provides, and the information our clients seek to provide in response. We anticipate that that response will also propose next steps for the consultation, with a view to enabling Woodside to adopt measures that will reduce the risks and impacts of the activities the subject of the Seismic Survey EP.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED] <[REDACTED]@woodside.com>

Sent: Wednesday, March 29, 2023 12:56 PM

To: Ruby Hamilton <ruby.hamilton@edo.org.au>; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Cc: Woodside Feedback <Feedback@woodside.com>; Clare Lakewood <clare.lakewood@edo.org.au>;
sue.mccarrey@nopsema.gov.au
Subject: RE: Scarborough Environment Plans - Consultation

[External email](#)

Dear Ruby

Thanks for your email and letter dated 24 March 2023.

Josie, Raelene and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via you. Hence our email and our respectful request that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We received the email and letter sent to us by the Environmental Defenders Office (EDO) dated 24 March 2023. The letter sets out recollections and reflections on the meeting we had on country in Karratha on 14 March 2023 as well as comments on our email of 16 March 2023.

First, we wanted to thank you for sharing the recollections and reflections with us. Secondly, we thought it would be worth sharing our perspectives on comments in that letter – please see these below.

Just so you know, this email relates to the Scarborough Commonwealth EPs. The letter sent to us was copied to an email address for the Chief Executive Officer of NOPSEMA. So, for courtesy and so that you are aware, we are also providing a copy of this email to NOPSEMA. Acknowledging that we separately sent an email to you yesterday on the State Waters EPs that was copied to Minister Johnston and DMIRS.

Consultations, correspondence and meeting on 14 March 2023 [Paragraphs 1-5, 10, 13, 20]

The team at Woodside was pleased to have met face-to-face with you on 14 March 2023. It was the culmination of a long period of communication on the Scarborough Project involving a number of prior attempts to meet face-to-face (since around November 2021) and, since at least June 2022, an extensive exchange of correspondence specific to each of the Scarborough environment plans (EP) and activities set out in the letter (Seismic EP, Drilling EP, Subsea EP, SITI EP, State Waters EP). It was good to meet and we confirm that Woodside remains open to consulting further with you on the Commonwealth EPs as well as the State Waters EP.

A great deal of information was shared at the 14 March 2023 meeting. This included a discussion of your and Save Our Songlines' cultural details and was provided against the backdrop of the protocols we agreed before the meeting. The Woodside team left the 2-hour meeting feeling positive and with a sense of goodwill – we appreciated the exchange of warm mutual embraces at the opening and end of the meeting. We all expressed, at the end of the meeting, a willingness to meet again.

As per discussions leading up to the meeting, unless things change, for future meetings, we agree to continue with the following meeting protocols:

Attendees continue to be all female.

Attendees attend meetings with an open heart, deep listening and seeking a respectful conversation.

Attendees come to meetings open to sharing knowledge about the environment (heritage value of places, social and cultural features) that may be affected by the activities under the proposed Scarborough EPs. Attendees come to the meeting open to sharing ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.

Attendees are welcome to take written notes of meetings. To respect privacy, safety and cultural values there will be no other recording of meetings (e.g. no audio or visual recording of meetings).

Other than sharing the fact that the meeting took place, the cultural details will be kept confidential amongst the female attendees unless directed otherwise and will not be made public without permission.

We also confirm that Woodside remains open to consulting further with you on the proposed Scarborough activities and is open to the continuing engagements regarding the Scarborough activities.

Additional or new information

So that you are aware, we have a process in place for the life of an EP that allows the EP to be updated to include additional or new information or feedback that is received after an EP is submitted. This is done through a “Management of Knowledge” process. So, for example, if new or additional information is provided to Woodside, Woodside can consider that information and assess the risk in accordance with the environmental risk management methodology in the EP to determine the significance of potential new environmental impacts or risks not already provided for in the EP. In that context, if information changes Woodside’s understanding of the environment or understanding of measures that Woodside can take in order to lessen or avoid impacts of activities, that information can be updated and actioned in the EP.

This means that feedback or information you provide in future meetings can still be taken into account and, where appropriate, can be incorporated in the EP during the life of the activity.

Following the meeting, we considered what you told us. Based on that information, no updates were required to the EP via the Management of Knowledge process.

Functions, interests and activities [Paragraph 6, 13]

Thank you for confirming in the letter that you consider that your functions, interests and activities are distinct from those of MAC. We also heard you say this at our meeting. We are interested in learning further about your functions, interests and activities (and those of Save Our Songlines) and how those are different to MAC’s.

The letter also references MAC surveys. As Raelene mentioned in the meeting, Raelene was, for around 10 years, a former Board member of MAC. (We understand Raelene resigned from the Board in around February 2022). So, Woodside’s correspondence, involvement and meetings on the Scarborough Project with Raelene (in her capacity as a MAC representative) also go back a long time to when those discussions commenced with the MAC – in around 2018.

We understand that Raelene was involved in ethnographic studies of the Scarborough Project undertaken by MAC. So, while we have no authority to provide the survey to you, in response to your request for the ethnographic survey, Raelene may have contacts at MAC to request a copy of that survey.

As to your functions, interests and activities (and those of Save Our Songlines), we continue to invite you to share those with us as well to allow Woodside to consider the likely impacts and risks of the EP activities on these functions, interests and activities and what Woodside can do to lessen or avoid those impacts.

In our meeting, we heard you tell us that you were not prepared to share some information with us at this stage and you weren’t sure when you would be ready to share it with us. And we also heard that, sometimes the information has not yet been revealed to you and that it will be revealed to you in time. We remain open to hearing from you when this is known to you and it is ready to be shared.

In particular, we are interested in learning from you:

the role you perform within Save Our Songlines;

individual interests you each have;

the types of communal interests that each of you and Save Our Songlines hold;

the functions of Save Our Songlines as an organization;

the activities that each of you and Save Our Songlines engage in

To confirm - we don't expect you to provide this information to us in writing and would be happy to meet with you again to discuss this information as per our meeting protocols.

It is important that this information is provided so that Woodside can understand how the proposed activities (that are the subject of the Commonwealth EPs) may affect your functions, interests and activities. We remain open to hearing from you when this is known to you and it is ready to be shared.

Minimising impacts to your functions, interests and activities [Paragraphs 7, 9, 11, 12, 13, 14]

Thank you for notes in the letter on the meeting content.

A comment in the letter is that information had been mischaracterised in the email that we sent you following the meeting. We want to be very clear that our intention is not and was not to mischaracterise information. We want to be very clear that the information provided in our email following the meeting is our group's genuine recollection and interpretation of the take-aways from the meeting. That is, consistent with the agreed protocols for the meeting which included a request that you share ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.

Our team has reviewed notes taken at the meeting. Below we've set out our team's perspectives of some of the items noted in the letter.

Underwater activities

In the meeting, Woodside provided an overview of the Scarborough Project. At that point in the meeting, a number of topics had been discussed (not repeated here so as to respect confidentiality). After the Scarborough Project was overviewed, at a high level (so as to respect confidentiality), there was a discussion about songlines and, in so far as underwater activities are concerned, there was a discussion about potential impacts of activities on whales.

During this discussion, a question was asked by Woodside along the lines of: *what things can Woodside do in order to carry out the Scarborough Project in a respectful way to the knowledge and cultural information that has been shared in the meeting.* Our team's recollection is that the answer given was along the lines of: *there is nothing Woodside can do to carry out the project in a respectful way and that it was not clear why the project was happening in Murujuga and why it couldn't be done somewhere else along the coast.*

We also asked what Woodside could do to protect the values that were being talked about. The answer that was given was along the lines of: *all that can be done is for the project to be stopped.*

A further question was asked along the lines of: *if the project is to go ahead what could be done to protect the values.* The answer given was along the lines of: *nothing. The only option is to stop the project.*

These answers informed our take aways from the meeting.

Greenhouse gas emissions

The topic of greenhouse gas was also raised. This topic has been the subject of separate correspondence in which Woodside has confirmed that, emissions from the activities covered by the Commonwealth EPs are of a scale that no credible impact pathway is foreseen.

Industrialisation of Murujuga

The topic of industrialisation of Murujuga was also raised. Out of respect for confidentiality, we will not repeat the information provided in the meeting in relation to signing of the Burrup and Maitland and Industrial Estates Agreement (BMIEA). However, the subject has also been addressed in separate correspondence in which Woodside has set out its understanding of the history of the Burrup and the industrial agreements involved. Woodside has also provided responses which are along the lines that no

credible impact pathway is foreseen from the activities covered by the Commonwealth EPs which could damage rock art and heritage sites and that no cultural impact to future access to sites of cultural and spiritual significance is foreseen.

Detail of EPs and information accessed and provided

As set out above, the face-to-face meeting involved an overview of the Scarborough Project. The face-to-face meeting followed volumes of previous correspondence on the Scarborough Project. We acknowledge the many pieces of previous correspondence that have been sent to Woodside which have been specific to each of the EPs set out in the letter. That previous correspondence indicates that a large volume of information on the Scarborough Project has been accessed, read and thought through. The correspondence shows an informed and thorough understanding of the various Scarborough activities and the Scarborough Project.

Offshore Petroleum and Greenhouse Gas Storage Act (OPGGs Act) – section 280 Interference with other rights [paragraph 13]

In the letter, section 280 of the OPGGS Act is noted. We do not understand why that particular aspect of the OPGGS Act has been referenced. We are open to hearing more from you on what you would like us to understand from the reference to section 280 of the OPGGS Act.

Consultation in general [paragraph 14]

The letter has a line that suggests that Woodside is implying that “nothing is to be gained from consulting” with you. We want to be very clear that these are not Woodside’s words. Woodside has not put that position forward and is not making an implication of this kind.

On the contrary, we have continued to consult with you and continue to invite further consultation. We were pleased to have had the opportunity to finally meet with you face-to-face this month and we look forward to further meetings with you to learn of your and Save Our Songlines’ interests.

Relevant persons [paragraph 4, 15-19]

The concept of “relevant person” was raised in the letter and also at our meeting. We heard in the meeting that you were insulted that Woodside had categorised SOS as relevant but had not recognised you under the heading of relevant person. You also told us that you were pleased to see that you and SOS have since been included as relevant interested persons in the State EP summary document.

As we discussed at the meeting, Woodside’s intention is not to insult you. We reiterate this as we want to be very clear about this.

We also want you to know that the “relevant person” category is different depending on whether the EP requires Commonwealth approval or State approval (WA). For the Commonwealth EPs, the Commonwealth laws apply. The Commonwealth approval process requires Woodside to consult with “relevant persons”.

At the meeting, we took you through the approval process relating to the concept of “relevant persons” and noted that, at the relevant time consultations are included under a category of “relevant persons” in EPs. Woodside generally applies this category at a stage when we understand more about a person’s functions, interests and activities and also the impacts of our activities on them.

As noted in your letter and above, we also discussed at our meeting that Save Our Songlines, Josie and Raelene have been included under the category of “relevant interested persons” in the State Waters EP. You kindly acknowledged at our meeting that you understood the reasons for redactions that were made to the State EP summary to protect personal information.

These kind of considerations continue and we will have a clearer understanding of the categories when you are able to share more with us. But as we reiterated at the meeting, you should know that there is no need for us to categorise you as relevant in order to consult with you.

Ongoing consultation

Once an EP is accepted, Woodside continues ongoing consultations with relevant persons.

As confirmed in the meeting, and consistent with our processes for ongoing consultation, the important issue is that we are open to continuing consultation and that we are keen to keep talking to you to understand how the proposed Commonwealth EP activities relevantly affect you and Save Our Songlines. Once we understand the kind of functions, interests and activities you and Save Our Songlines hold, we can consider the things that Woodside can do to lessen or avoid impacts of the activities to you.

Responses to questions and further information [paragraph 21-27]

The letter notes some questions that were asked during our face-to-face meeting. As acknowledged in the letter, specific questions on the Scarborough Gas Project, the ethnographic survey and fracking have been actioned and there is nothing substantial to add to the answers provided in our email.

As to requests for further information and notifications, please remain subscribed to Woodside's and relevant regulators' website as a best source of information relating to updates to EP assessments.

Further consultation [paragraph 24-27]

The letter sent to us notes that you would like to organise another meeting and will require approximately six weeks to read into materials and prepare for a meeting.

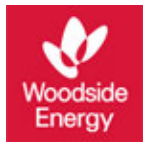
We would be pleased to consult with you further. It took a number of attempts to book and arrange our March face-to-face meeting, so please let us know your preferred times for the next meeting.

If it would be useful, our team is available to meet in the week commencing 8 May 2023 (which is approximately 6 weeks away) or earlier. Please let us know dates you are available so we can book in a next face-to-face meeting.

Best regards
Woodside

Kind regards

[Redacted signature]



Woodside Energy
Mia Yellagonga
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Street
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T: [Redacted]
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f t in y @

From: Ruby Hamilton <ruby.hamilton@edo.org.au>

Sent: Friday, 24 March 2023 12:18 PM

To: [Redacted] <[\[Redacted\]@woodside.com.au](mailto:[Redacted]@woodside.com.au)>

Cc: Woodside Feedback <Feedback@woodside.com.au>; Clare Lakewood <clare.lakewood@edo.org.au>; minister.johnston@dpc.wa.gov.au; richard.sellers@dmirs.wa.gov.au; sue.mccarrey@nopsema.gov.au

Subject: RE: Scarborough Environment Plans - Consultation

Dear [Redacted]

Please find **attached** correspondence on behalf of our clients, Ms Josie Alec and Ms Raelene Cooper.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED]@woodside.com>
Sent: Thursday, March 16, 2023 5:16 PM
To: Clare Lakewood <clare.lakewood@edo.org.au>; Ruby Hamilton <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com>; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Subject: RE: Scarborough Environment Plans - Consultation

Dear Ruby and Clare

Thanks for our meeting on Tuesday (14 March 2023).

Josie, Raelene and Save Our Songlines asked that Woodside continue correspondence with them, via you. Hence our email and our respectful request that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We are grateful for our on-country meeting with you, Skyla and Clare and Ruby (as well as the welcome to country from your son Mark) on 14 March 2023. We want to let you know that, as a group of women, we feel privileged to have been welcomed to the beautiful country where we met and we appreciate you sharing your stories, cultural knowledge and your concerns with us.

We appreciate your request for us to attend the meeting with open hearts, deep listening and respectful conversation and we intend to continue this approach to our engagement. Our consultation process is ongoing through the environmental approval process and when an activity is being performed. We look forward to continuing our discussions with you in the future.

At our meeting, Woodside provided an overview of the Scarborough activities (Seismic EP, Subsea EP, D&C EP, SITI EP (Cth and State)), and you told us that the proposed activities give you a sick feeling and the activities should be stopped. You also let us know that, in your view, there is nothing that can be done by Woodside to progress with the proposed Scarborough activities in a way that could minimise impact to your functions, activities and interests or is respectful to your culture and country.

We confirm that we agreed not to share cultural details that you shared with us at the 14 March 2023 meeting. To respect this, we will not include cultural detail you shared with us at our meeting in Woodside's environment plans or in conversations with the Regulator. For clarity, as agreed, our proposed environment plans will confirm that we met with you on 14 March 2023 to continue consulting with you on the proposed Scarborough environment plans. So you are aware, this email as well as previous correspondence with SOS and Josie and Raelene will also be included in the proposed environment plans.

We took the following actions from the meeting. Responses are provided in italics:

- Provide background information on the "why" behind the Scarborough activities: *Woodside's Scarborough Gas Project helps play a role in the global energy transition, helping neighbouring Asian countries take action on emissions reduction. There is further information on our website: [Scarborough Gas Project and Pluto Train 2 - Woodside Energy](#).*
 - Check with MAC as to whether MAC's ethnographic survey can be shared with Josie, Raelene and Save Our Songlines: *The ethnographic survey is held by MAC and Woodside does not have permission to share it.*
 - Confirm fracking in relation to the Scarborough activities: *There is no fracking to be undertaken as part of the proposed Scarborough activities.*

We want you to know that, as discussed, we are open to consulting further with you on the proposed Scarborough activities and are open to the continuing engagements regarding the Scarborough activities. Please let us know if further feedback for the activities proposed under the environment plans is sensitive and we will make this known to NOPSEMA upon submission to ensure this information remains confidential to NOPSEMA.

In the meantime, we are grateful to have met you and to have heard your perspectives on the Scarborough activities and Woodside.

Best regards

[Redacted signature]

[Redacted signature]



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f t in y @

LEAP Email Reference [F:a1ae8a86-801a-40ef-845b-71b304a1e6de|M:5433c43b-6613-b34b-9c50-d05dd0f4a9cb] (Please do not delete)

We confirm the meeting on Tuesday, 13 June 2023. Our clients are available in the morning of that day.

We

From: [Clare Lakewood](#)
To: [REDACTED]; [Ruby Hamilton](#)
Cc: [Woodside Feedback](#); sue.mccarrey@nopsema.gov.au; "info@saveoursonlines.org"
Subject: URGENT: Scarborough Environment Plans - Consultation
Date: Saturday, 10 June 2023 1:42:40 PM
Attachments: [image007.png](#)
[image011.png](#)
[image012.jpg](#)
[image013.jpg](#)
[image014.jpg](#)
[image015.jpg](#)
[image016.jpg](#)
[image017.png](#)
[image018.png](#)
[image019.png](#)

Dear [REDACTED],

As Ruby indicated yesterday, and as we originally proposed, our clients are available and hope to proceed with a meeting at 10am on Tuesday, 13 June 2023. As noted in previous correspondence, our clients greatly value face-to-face meetings on Country, and have limited availability. Solicitors from the EDO have also arranged to be in Karratha on Tuesday also.

Our clients are hopeful of a productive meeting and would be happy to work with whoever is available from Woodside, even if this means the meeting proceeds in a more limited capacity (i.e. a shorter/different time, or fewer Woodside attendees than initially proposed).

In the interests of determining whether there is a way we can proceed, I invite you to call me directly on 0459 948 956.

Acknowledging the logistics we will have to manage if the meeting does not proceed, or is to occur at different time or date, I am available at your convenience over the weekend. I welcome you, or whoever at Woodside can most efficiently handle logistics, giving me a call, and look forward to finding a productive path forward.

Kind regards,
Clare



Clare Lakewood — Special Counsel, Safe Climate

(Mon, Tue, Wed, Thu)
 PO Box Z5218, Boorloo/Perth WA 6831
 P: +61 8 6118 7912
 E: clare.lakewood@edo.org.au

I use she/her pronouns.

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This email and any attachments are confidential. If you are not the intended recipient you must not disseminate, distribute or copy it. If you have received this email by mistake please notify us immediately at info@edo.org.au and delete this email.

EDO recognises the traditional owners and custodians of the land, seas and rivers of Australia. We pay our respects to Aboriginal and Torres Strait Islander elders past and present, and aspire to learn from traditional knowledge and customs so that, together, we can protect our environment and cultural heritage through law.

From: [REDACTED]@woodside.com>
Sent: Friday, June 9, 2023 5:09 PM
To: Ruby Hamilton <ruby.hamilton@edo.org.au>

Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>; Clare Lakewood <clare.lakewood@edo.org.au>

Subject: RE: Scarborough Environment Plans - Consultation

Hi Ruby

Thanks for your email. We are unavailable because, as foreshadowed in our email, flights and other logistics timed out at 5pm for us.

Let's regroup next week and work through alternate dates.

Kind regards



Woodside Energy
Mia Yellagonga
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Perth WA 6000
Australia

T: [REDACTED]
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□ □ □ □ □

From: Ruby Hamilton <ruby.hamilton@edo.org.au>

Sent: Friday, 9 June 2023 5:06 PM

To: [REDACTED]@woodside.com.au>

Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>; Clare Lakewood <clare.lakewood@edo.org.au>

Subject: Re: Scarborough Environment Plans - Consultation

Dear [REDACTED]

We confirm the meeting for next Tuesday, 13 June 2023. Our clients are available in the morning of that day.

We will confirm the other details as soon as possible once we have instructions from our clients.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED]@woodside.com>

Sent: Friday, June 9, 2023 2:20 pm

To: Ruby Hamilton <ruby.hamilton@edo.org.au>

Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au <sue.mccarrey@nopsema.gov.au>; 'info@saveoursonglines.org' <info@saveoursonglines.org>; Clare Lakewood <clare.lakewood@edo.org.au>

Subject: RE: Scarborough Environment Plans - Consultation

Dear All

Re email below - correcting the date. Meeting on Tuesday 13 June (rather than 14 June).

Kind regards



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount Street
Perth WA 6000
Australia

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M: + [REDACTED]
E: [REDACTED]@woodside.com
www.woodside.com

From: [REDACTED]

Sent: Friday, 9 June 2023 1:58 PM

To: 'ruby.hamilton@edo.org.au' <ruby.hamilton@edo.org.au>

Cc: Woodside Feedback <Feedback@woodside.com.au>; 'sue.mccarrey@nopsema.gov.au' <sue.mccarrey@nopsema.gov.au>; 'info@saveoursonglines.org' <info@saveoursonglines.org>; 'clare.lakewood@edo.org.au' <clare.lakewood@edo.org.au>

Subject: RE: Scarborough Environment Plans - Consultation

Dear Ruby, Josie, Raelene and Save Our Songlines

Thanks for suggesting a meeting next Tuesday 14 June in Karratha.

We refer to the emails below.

We would be grateful if you can please confirm by 5pm today that the meeting will go ahead, or alternatively, provide some other dates for us to work to. (There are a number of flight and other logistics that need to be confirmed by 5pm today in order for that meeting to progress on Tuesday).

Please can you also let us know:

The preferred time for the proposed meeting

The preferred meeting location

Attendees

Added items to the draft Agenda

We look forward to hearing from you.

Kind regards



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount Street
Perth WA 6000
Australia

T: [REDACTED]
M: + [REDACTED]
E: [REDACTED]@woodside.com
www.woodside.com

From: [REDACTED]
Sent: Wednesday, 7 June 2023 6:46 AM
To: 'ruby.hamilton@edo.org.au' <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au;
'info@saveoursonglines.org' <info@saveoursonglines.org>; 'clare.lakewood@edo.org.au'
<clare.lakewood@edo.org.au>
Subject: RE: Scarborough Environment Plans - Consultation

Dear Ruby

Thanks for your email.

As per previous correspondence, Josie, Raelene and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via the Environment Defenders Office. Hence our respectful request once more that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We received the email below from the Environmental Defenders Office (EDO).

As the EDO's email was copied to email addresses for the Chief Executive Officer of NOPSEMA, we have, as a matter of courtesy copied the same email address.

We understand you have suggested a meeting in Karratha on the morning of **Tuesday 13 June (next Tuesday)** to continue consultation on the Scarborough Environment Plans.

Our team is available to meet with you.

Agenda for meeting

As per our previous email, we are keen to hear and address the issues that matter to you. So please let us know the things that you would like to discuss, share with us, tell us about or topics you would like to hear from us so that we can make the most of the meeting.

In case it is of interest for continuing our consultation with you, we also note the following draft guidance from NOPSEMA: [Draft policy for managing genderrestricted information PL2098.pdf \(nopsema.gov.au\)](#)

As to your specific interests (and those of Save Our Songlines), we continue to invite you to share those with us to allow Woodside to consider the potential impacts and risks of the EP activities on these interests and what Woodside can do to lessen or avoid those impacts.

As per our previous email, we have compiled a draft agenda for you to edit or add to. It is not a fixed agenda, but rather a guide in case it is useful.

Draft agenda items

[Josie, Raelene, SOS, topics of interest; queries]

More about you both and Save Our Songlines

- the role you perform within Save Our Songlines;
- individual interests you each have;
- the types of communal interests that each of you and Save Our Songlines hold;
- the functions of Save Our Songlines as an organization;
- the activities that each of you and Save Our Songlines engage in.

Walk through of the following EPs

- Scarborough 4D Baseline Marine Seismic Survey EP
- WA-61-L and WA 62-L Subsea Infrastructure Installation EP
- Scarborough Seabed Intervention and Trunkline EP
- Scarborough Drilling and Completions EP
- Scarborough Trunkline Installation (State Waters) EP

Description of Scarborough Project and activities to be undertaken under each EP – activity, location, impacts and risks, controls in place to manage risks, mechanisms to update the EP with changes (as necessary).

[PLEASE ADD TOPICS AS RELEVANT]

Meaning protocols

Our team is willing to observe the same protocols that we agreed to prior to our March 2023 meeting. We remain respectful of cultural sensitivities and also employee safety and privacy and including for those reasons, do not consent to the meeting being recorded.

1. Woodside, SOS, Ms Alec, Ms Cooper and EDO lawyers are welcome to take written notes of the meeting. To respect privacy, safety and cultural values there will be no other recording of the meeting (e.g., no audio or visual recording of the meeting).

As requested by SOS, Ms Alec and Ms Cooper, Woodside attendees are all female.

As per the request from Ms Alec, Woodside attendees are attending the meeting with an open heart, deep listening and seeking a respectful conversation.

Woodside's respectful request is that attendees come to the meeting open to sharing knowledge about the environment (heritage value of places, social and cultural features) that may be affected by the activities under the proposed Scarborough environment plans. Woodside's request is also that attendees come to the meeting open to sharing ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.

Attendees

Given the short notice of the meeting, the whole Woodside team is unfortunately not available to meet with you. However the team that is available to meet on Tuesday is:

1. [REDACTED] – Manager First Nations Relations

2. [REDACTED] – HSE Manager Scarborough
3. [REDACTED] – Senior Environment Advisor Scarborough
4. [REDACTED] – Woodside legal

We may also be joined by one of our Corporate Affairs employees.

Please let us know who will be attending for you.

Time and Location

We are available to meet at 10am if that suits you (but please let us know if a different time needs to be accommodated).

Please let us know if you have made arrangements for a location for the meeting?

If you would like, we can make enquiries regarding availability for meeting rooms in Karratha and surrounds.

We look forward to hearing from you.

Kind regards

[REDACTED]



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount Street
Perth WA 6000
Australia

T: [REDACTED]
M: + [REDACTED]
E: [REDACTED]@woodside.com
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From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Thursday, 1 June 2023 9:23 PM
To: [REDACTED]@woodside.com.au>
Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au;
'info@saveoursonglines.org' <info@saveoursonglines.org>; Clare Lakewood
<clare.lakewood@edo.org.au>
Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

We refer to the below correspondence.

We are instructed that our clients have confirmed they are available and would like to meet in Karratha on the morning of Tuesday, 13 June 2023. We would be grateful if you are able to accommodate this specific window with relatively short notice.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Monday, May 15, 2023 2:34 PM
To: [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>
Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au;
'info@saveoursonglines.org' <info@saveoursonglines.org>; Clare Lakewood
<clare.lakewood@edo.org.au>
Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

Thank you for the below email. We are confirming instructions with our clients and will revert as soon as we are able.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>
Sent: Tuesday, May 9, 2023 7:21 PM
To: Clare Lakewood <clare.lakewood@edo.org.au>; Ruby Hamilton <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au;
'info@saveoursonglines.org' <info@saveoursonglines.org>
Subject: RE: Scarborough Environment Plans - Consultation

Dear Clare and Ruby

Thanks for your emails.

As per previous correspondence, Josie, Raelene and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via the Environment Defenders Office. Hence our respectful request once more that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We received the email below from the Environmental Defenders Office (EDO).

As the EDO's email was copied to email addresses for the Chief Executive Officer of NOPSEMA, we have, as a matter of courtesy copied the same email address.

Ongoing consultation and next meeting

Woodside once again reiterates it is open and willing to engage in ongoing consultation with you on the Seismic Survey EP as well as the following Scarborough Commonwealth EPs which have been referenced during consultation and our meeting in March:

Scarborough 4D Baseline Marine Seismic Survey EP

WA-61-L and WA 62-L Subsea Infrastructure Installation EP

Scarborough Seabed Intervention and Trunkline EP

Scarborough Drilling and Completions EP

As per our email below from 28 March, our team is available to meet in May and we are still waiting to hear from you about your availability for a meeting. Please let us know when suits you to meet in the weeks commencing 15 May, 22 May and 29 May.

We are available to meet on country or, as you note below, by video conference or telephone (as appropriate).

Our team is willing to observe the same protocols that we agreed to prior to our March 2023 meeting. We remain respectful of cultural sensitivities and also employee safety and privacy and including for those reasons, do not consent to the meeting being recorded.

Agenda for meeting

As to your specific interests (and those of Save Our Songlines), we continue to invite you to share those with us to allow Woodside to consider the potential impacts and risks of the EP activities on these interests and what Woodside can do to lessen or avoid those impacts.

In previous correspondence and meetings, we heard you tell us that you were not prepared to share some information with us at this stage and you weren't sure when you would be ready to share it with us. And we also heard that, sometimes the information has not yet been revealed to you and that it will be revealed to you in time. We remain open to hearing from you when this is known to you and it is ready to be shared.

In case it is of interest for continuing our consultation with you, we also note the following draft guidance from NOPSEMA: [Draft policy for managing genderrestricted information PL2098.pdf \(nopsema.gov.au\)](#)

So that the most can be made of the meeting, we have prepared some points below by way of draft agenda. We are keen to hear and address the issues that matter to you. So please feel free to add to the agenda items for the meeting.

Draft agenda items

[Josie, Raelene, SOS, topics of interest; queries]

More about you both and Save Our Songlines

the role you perform within Save Our Songlines;

individual interests you each have;

the types of communal interests that each of you and Save Our Songlines hold;

the functions of Save Our Songlines as an organization;

the activities that each of you and Save Our Songlines engage in.

Walk through of the following EPs

- Scarborough 4D Baseline Marine Seismic Survey EP

- WA-61-L and WA 62-L Subsea Infrastructure Installation EP
- Scarborough Seabed Intervention and Trunkline EP
- Scarborough Drilling and Completions EP

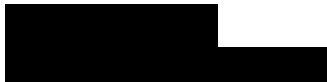
Description of Scarborough Project and activities to be undertaken under each EP – activity, location, impacts and risks, controls in place to manage risks, mechanisms to update the EP with changes (as necessary).

[PLEASE ADD TOPICS AS RELEVANT]

Our records indicate that we have provided responses to the requests that have been made in relation to the Scarborough Commonwealth EPs.

We look forward to hearing further from you.

Best regards
Woodside



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount Street
Perth WA 6000
Australia

T: [Redacted]
M:+ [Redacted]
E: [Redacted]@woodside.com
www.woodside.com
□ □ □ □ □

From: Clare Lakewood <clare.lakewood@edo.org.au>
Sent: Monday, 8 May 2023 2:55 PM
To: Ruby Hamilton <ruby.hamilton@edo.org.au>; [Redacted] <[Redacted]@woodside.com.au>
Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Subject: RE: Scarborough Environment Plans - Consultation

Dear [Redacted]

We refer to our email below. We have not had any response to date, and write again to enquire whether Woodside wishes to propose dates that we can put to our clients for consultation regarding the seismic survey EP.

Yours sincerely,
Clare



Clare Lakewood — Special Counsel, Safe Climate
(Mon, Tue, Wed, Thu)
PO Box Z5218, Boorloo/Perth WA 6831
P: +61 8 6118 7912
E: clare.lakewood@edo.org.au

I use she/her pronouns.

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EDO recognises the traditional owners and custodians of the land, seas and rivers of Australia. We pay our respects to Aboriginal and Torres Strait Islander elders past and present, and aspire to learn from traditional knowledge and customs so that, together, we can protect our environment and cultural heritage through law.

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Tuesday, April 18, 2023 2:56 PM
To: [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>
Cc: Woodside Feedback <Feedback@woodside.com>; Clare Lakewood <clare.lakewood@edo.org.au>; sue.mccarrey@nypsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

Thank you for your email of 29 March 2023 in respect of the Scarborough 4D B1 Marine Seismic Survey Environment Plan (**Seismic Survey EP**).

Thank you for acknowledging our clients' continued efforts to bring themselves into Woodside's consultation processes and to organise a face-to-face meeting on Country. Our clients confirm their willingness to meet again and to continue consultation. To be clear, our clients do not consider there has yet been consultation such that Woodside can demonstrate in the EP that there has been an appropriate level of consultation. This will require further information to be shared and incorporated into the EP. Our clients are also concerned that because their cultural knowledge is women's knowledge, it is being considered less important than other cultural knowledge Woodside may have received during consultation.

Our clients look forward to providing information about their interests that Woodside needs.

Having had an introductory meeting on 14 March 2023, and mindful that the EP appears to have been re-submitted around nine days after that introductory meeting took place, we propose that Woodside withdraw the EP and meet with our clients to explain to them the relevant risks and impacts of the activities the subject of the Seismic Survey EP specifically, and to obtain further information on their functions, interests and activities. We note in particular that the introductory meeting of 14 March 2023 did not discuss the activities the subject of Seismic Survey EP in any detail.

Our clients are generally available to meet by phone or videoconference in May.

In addition to abiding by the cultural protocol summarised in your email of 29 March 2023, our clients propose the following purposes for the meeting:

- overview of any outstanding requests for information made by our clients;

- explanation of the activities the subject of the Seismic Survey EP, so that our clients can make an informed assessment of the possible consequences of those activities on their functions, interests and activities.

Mindful that Woodside is required under reg 16(b) of the *Offshore Petroleum and Greenhouse Gas*

Storage (Environment) Regulations 2009 (Cth) to provide NOPSEMA with a full report on all consultation with relevant persons, and the difficulties in different perspectives that have been encountered as described in your email of 29 March 2023, our clients propose that this next meeting be recorded, and that permission be sought should Woodside wish to provide transcripts, recordings or other documents referring to cultural knowledge to NOPSEMA.

Our clients otherwise request that the cultural protocols requested in advance of the 14 March 2023 meeting, and summarised in your email of 29 March 2023, be continued.

Following a meeting for Woodside to explain the risks and impacts of the Seismic Survey EP, we propose that our clients be given appropriate time to consider and respond to information shared by Woodside at or after the meeting, so that Woodside may be apprised of all the environmental risks and impacts of the activities the subject of the Seismic Survey EP, and can ensure that those impacts and risks are reduced as low as reasonably practicable. To be clear as to our clients' needs, we expect the timeframe for that response to be approximately 4-6 weeks.

We anticipate that a decision as to whether the response from our clients be in writing, through a meeting, or some combination or other communication, is best determined in light of information Woodside provides, and the information our clients seek to provide in response. We anticipate that that response will also propose next steps for the consultation, with a view to enabling Woodside to adopt measures that will reduce the risks and impacts of the activities the subject of the Seismic Survey EP.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED] <[REDACTED]@woodside.com>
Sent: Wednesday, March 29, 2023 12:56 PM
To: Ruby Hamilton <ruby.hamilton@edo.org.au>; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Cc: Woodside Feedback <Feedback@woodside.com>; Clare Lakewood <clare.lakewood@edo.org.au>; sue.mccarrey@nopsema.gov.au
Subject: RE: Scarborough Environment Plans - Consultation

[External email](#)

Dear Ruby

Thanks for your email and letter dated 24 March 2023.

Josie, Raelene and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via you. Hence our email and our respectful request that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We received the email and letter sent to us by the Environmental Defenders Office (EDO) dated 24 March 2023. The letter sets out recollections and reflections on the meeting we had on country in Karratha on 14 March 2023 as well as comments on our email of 16 March 2023.

First, we wanted to thank you for sharing the recollections and reflections with us. Secondly, we thought it would be worth sharing our perspectives on comments in that letter – please see these below.

Just so you know, this email relates to the Scarborough Commonwealth EPs. The letter sent to us was copied to an email address for the Chief Executive Officer of NOPSEMA. So, for courtesy and so that you are aware, we are also providing a copy of this email to NOPSEMA. Acknowledging that we separately sent an email to you yesterday on the State Waters EPs that was copied to Minister Johnston and DMIRS.

Consultations, correspondence and meeting on 14 March 2023 [Paragraphs 1-5, 10, 13, 20]

The team at Woodside was pleased to have met face-to-face with you on 14 March 2023. It was the culmination of a long period of communication on the Scarborough Project involving a number of prior attempts to meet face-to-face (since around November 2021) and, since at least June 2022, an extensive exchange of correspondence specific to each of the Scarborough environment plans (EP) and activities set out in the letter (Seismic EP, Drilling EP, Subsea EP, SITI EP, State Waters EP). It was good to meet and we confirm that Woodside remains open to consulting further with you on the Commonwealth EPs as well as the State Waters EP.

A great deal of information was shared at the 14 March 2023 meeting. This included a discussion of your and Save Our Songlines' cultural details and was provided against the backdrop of the protocols we agreed before the meeting. The Woodside team left the 2-hour meeting feeling positive and with a sense of goodwill – we appreciated the exchange of warm mutual embraces at the opening and end of the meeting. We all expressed, at the end of the meeting, a willingness to meet again.

As per discussions leading up to the meeting, unless things change, for future meetings, we agree to continue with the following meeting protocols:

Attendees continue to be all female.

Attendees attend meetings with an open heart, deep listening and seeking a respectful conversation.

Attendees come to meetings open to sharing knowledge about the environment (heritage value of places, social and cultural features) that may be affected by the activities under the proposed Scarborough EPs. Attendees come to the meeting open to sharing ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.

Attendees are welcome to take written notes of meetings. To respect privacy, safety and cultural values there will be no other recording of meetings (e.g. no audio or visual recording of meetings).

Other than sharing the fact that the meeting took place, the cultural details will be kept confidential amongst the female attendees unless directed otherwise and will not be made public without permission.

We also confirm that Woodside remains open to consulting further with you on the proposed Scarborough activities and is open to the continuing engagements regarding the Scarborough activities.

Additional or new information

So that you are aware, we have a process in place for the life of an EP that allows the EP to be updated to include additional or new information or feedback that is received after an EP is submitted. This is done through a "Management of Knowledge" process. So, for example, if new or additional information is provided to Woodside, Woodside can consider that information and assess the risk in accordance with the environmental risk management methodology in the EP to determine the significance of potential

new environmental impacts or risks not already provided for in the EP. In that context, if information changes Woodside's understanding of the environment or understanding of measures that Woodside can take in order to lessen or avoid impacts of activities, that information can be updated and actioned in the EP.

This means that feedback or information you provide in future meetings can still be taken into account and, where appropriate, can be incorporated in the EP during the life of the activity.

Following the meeting, we considered what you told us. Based on that information, no updates were required to the EP via the Management of Knowledge process.

Functions, interests and activities [Paragraph 6, 13]

Thank you for confirming in the letter that you consider that your functions, interests and activities are distinct from those of MAC. We also heard you say this at our meeting. We are interested in learning further about your functions, interests and activities (and those of Save Our Songlines) and how those are different to MAC's.

The letter also references MAC surveys. As Raelene mentioned in the meeting, Raelene was, for around 10 years, a former Board member of MAC. (We understand Raelene resigned from the Board in around February 2022). So, Woodside's correspondence, involvement and meetings on the Scarborough Project with Raelene (in her capacity as a MAC representative) also go back a long time to when those discussions commenced with the MAC – in around 2018.

We understand that Raelene was involved in ethnographic studies of the Scarborough Project undertaken by MAC. So, while we have no authority to provide the survey to you, in response to your request for the ethnographic survey, Raelene may have contacts at MAC to request a copy of that survey.

As to your functions, interests and activities (and those of Save Our Songlines), we continue to invite you to share those with us as well to allow Woodside to consider the likely impacts and risks of the EP activities on these functions, interests and activities and what Woodside can do to lessen or avoid those impacts.

In our meeting, we heard you tell us that you were not prepared to share some information with us at this stage and you weren't sure when you would be ready to share it with us. And we also heard that, sometimes the information has not yet been revealed to you and that it will be revealed to you in time. We remain open to hearing from you when this is known to you and it is ready to be shared.

In particular, we are interested in learning from you:

the role you perform within Save Our Songlines;

individual interests you each have;

the types of communal interests that each of you and Save Our Songlines hold;

the functions of Save Our Songlines as an organization;

the activities that each of you and Save Our Songlines engage in

To confirm - we don't expect you to provide this information to us in writing and would be happy to meet with you again to discuss this information as per our meeting protocols.

It is important that this information is provided so that Woodside can understand how the proposed activities (that are the subject of the Commonwealth EPs) may affect your functions, interests and activities. We remain open to hearing from you when this is known to you and it is ready to be shared.

Minimising impacts to your functions, interests and activities [Paragraphs 7, 9, 11, 12, 13, 14]

Thank you for notes in the letter on the meeting content.

A comment in the letter is that information had been mischaracterised in the email that we sent you following the meeting. We want to be very clear that our intention is not and was not to mischaracterise information. We want to be very clear that the information provided in our email following the meeting is our group's genuine recollection and interpretation of the take-aways from the meeting. That is, consistent with the agreed protocols for the meeting which included a request that you share ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.

Our team has reviewed notes taken at the meeting. Below we've set out our team's perspectives of some of the items noted in the letter.

Underwater activities

In the meeting, Woodside provided an overview of the Scarborough Project. At that point in the meeting, a number of topics had been discussed (not repeated here so as to respect confidentiality). After the Scarborough Project was overviewed, at a high level (so as to respect confidentiality), there was a discussion about songlines and, in so far as underwater activities are concerned, there was a discussion about potential impacts of activities on whales.

During this discussion, a question was asked by Woodside along the lines of: *what things can Woodside do in order to carry out the Scarborough Project in a respectful way to the knowledge and cultural information that has been shared in the meeting.* Our team's recollection is that the answer given was along the lines of: *there is nothing Woodside can do to carry out the project in a respectful way and that it was not clear why the project was happening in Murujuga and why it couldn't be done somewhere else along the coast.*

We also asked what Woodside could do to protect the values that were being talked about. The answer that was given was along the lines of: *all that can be done is for the project to be stopped.*

A further question was asked along the lines of: *if the project is to go ahead what could be done to protect the values.* The answer given was along the lines of: *nothing. The only option is to stop the project.*

These answers informed our take aways from the meeting.

Greenhouse gas emissions

The topic of greenhouse gas was also raised. This topic has been the subject of separate correspondence in which Woodside has confirmed that, emissions from the activities covered by the Commonwealth EPs are of a scale that no credible impact pathway is foreseen.

Industrialisation of Murujuga

The topic of industrialisation of Murujuga was also raised. Out of respect for confidentiality, we will not repeat the information provided in the meeting in relation to signing of the Burrup and Maitland and Industrial Estates Agreement (BMIEA). However, the subject has also been addressed in separate correspondence in which Woodside has set out its understanding of the history of the Burrup and the

industrial agreements involved. Woodside has also provided responses which are along the lines that no credible impact pathway is foreseen from the activities covered by the Commonwealth EPs which could damage rock art and heritage sites and that no cultural impact to future access to sites of cultural and spiritual significance is foreseen.

Detail of EPs and information accessed and provided

As set out above, the face-to-face meeting involved an overview of the Scarborough Project. The face-to-face meeting followed volumes of previous correspondence on the Scarborough Project. We acknowledge the many pieces of previous correspondence that have been sent to Woodside which have been specific to each of the EPs set out in the letter. That previous correspondence indicates that a large volume of information on the Scarborough Project has been accessed, read and thought through. The correspondence shows an informed and thorough understanding of the various Scarborough activities and the Scarborough Project.

Offshore Petroleum and Greenhouse Gas Storage Act (OPGGGS Act) – section 280 Interference with other rights [paragraph 13]

In the letter, section 280 of the OPGGS Act is noted. We do not understand why that particular aspect of the OPGGS Act has been referenced. We are open to hearing more from you on what you would like us to understand from the reference to section 280 of the OPGGS Act.

Consultation in general [paragraph 14]

The letter has a line that suggests that Woodside is implying that “nothing is to be gained from consulting” with you. We want to be very clear that these are not Woodside’s words. Woodside has not put that position forward and is not making an implication of this kind.

On the contrary, we have continued to consult with you and continue to invite further consultation. We were pleased to have had the opportunity to finally meet with you face-to-face this month and we look forward to further meetings with you to learn of your and Save Our Songlines’ interests.

Relevant persons [paragraph 4, 15-19]

The concept of “relevant person” was raised in the letter and also at our meeting. We heard in the meeting that you were insulted that Woodside had categorised SOS as relevant but had not recognised you under the heading of relevant person. You also told us that you were pleased to see that you and SOS have since been included as relevant interested persons in the State EP summary document.

As we discussed at the meeting, Woodside’s intention is not to insult you. We reiterate this as we want to be very clear about this.

We also want you to know that the “relevant person” category is different depending on whether the EP requires Commonwealth approval or State approval (WA). For the Commonwealth EPs, the Commonwealth laws apply. The Commonwealth approval process requires Woodside to consult with “relevant persons”.

At the meeting, we took you through the approval process relating to the concept of “relevant persons” and noted that, at the relevant time consultations are included under a category of “relevant persons” in EPs. Woodside generally applies this category at a stage when we understand more about a person’s functions, interests and activities and also the impacts of our activities on them.

As noted in your letter and above, we also discussed at our meeting that Save Our Songlines, Josie and Raelene have been included under the category of “relevant interested persons” in the State Waters EP. You kindly acknowledged at our meeting that you understood the reasons for redactions that were made to the State EP summary to protect personal information.

These kind of considerations continue and we will have a clearer understanding of the categories when you are able to share more with us. But as we reiterated at the meeting, you should know that there is no need for us to categorise you as relevant in order to consult with you.

Ongoing consultation

Once an EP is accepted, Woodside continues ongoing consultations with relevant persons. As confirmed in the meeting, and consistent with our processes for ongoing consultation, the important issue is that we are open to continuing consultation and that we are keen to keep talking to you to understand how the proposed Commonwealth EP activities relevantly affect you and Save Our Songlines. Once we understand the kind of functions, interests and activities you and Save Our Songlines hold, we can consider the things that Woodside can do to lessen or avoid impacts of the activities to you.

Responses to questions and further information [paragraph 21-27]

The letter notes some questions that were asked during our face-to-face meeting. As acknowledged in the letter, specific questions on the Scarborough Gas Project, the ethnographic survey and fracking have been actioned and there is nothing substantial to add to the answers provided in our email.

As to requests for further information and notifications, please remain subscribed to Woodside’s and relevant regulators’ website as a best source of information relating to updates to EP assessments.

Further consultation [paragraph 24-27]

The letter sent to us notes that you would like to organise another meeting and will require approximately six weeks to read into materials and prepare for a meeting.

We would be pleased to consult with you further. It took a number of attempts to book and arrange our March face-to-face meeting, so please let us know your preferred times for the next meeting.

If it would be useful, our team is available to meet in the week commencing 8 May 2023 (which is approximately 6 weeks away) or earlier. Please let us know dates you are available so we can book in a next face-to-face meeting.

Best regards
Woodside

[Redacted signature]

Kind regards

[Redacted signature]



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount Street
Perth WA 6000
Australia

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M: + [Redacted]
E: [Redacted]@woodside.com
www.woodside.com
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From: Ruby Hamilton <ruby.hamilton@edo.org.au>

Sent: Friday, 24 March 2023 12:18 PM

To: [REDACTED] <[REDACTED]@woodside.com.au>

Cc: Woodside Feedback <Feedback@woodside.com.au>; Clare Lakewood <clare.lakewood@edo.org.au>; minister.johnston@dpc.wa.gov.au; richard.sellers@dmirs.wa.gov.au; sue.mccarrey@nopsema.gov.au

Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

Please find **attached** correspondence on behalf of our clients, Ms Josie Alec and Ms Raelene Cooper.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED] <[REDACTED]@woodside.com>

Sent: Thursday, March 16, 2023 5:16 PM

To: Clare Lakewood <clare.lakewood@edo.org.au>; Ruby Hamilton <ruby.hamilton@edo.org.au>

Cc: Woodside Feedback <Feedback@woodside.com>; 'info@saveoursonglines.org' <info@saveoursonglines.org>

Subject: RE: Scarborough Environment Plans - Consultation

Dear Ruby and Clare

Thanks for our meeting on Tuesday (14 March 2023).

Josie, Raelene and Save Our Songlines asked that Woodside continue correspondence with them, via you. Hence our email and our respectful request that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We are grateful for our on-country meeting with you, Skyla and Clare and Ruby (as well as the welcome to country from your son Mark) on 14 March 2023. We want to let you know that, as a group of women, we feel privileged to have been welcomed to the beautiful country where we met and we appreciate you sharing your stories, cultural knowledge and your concerns with us.

We appreciate your request for us to attend the meeting with open hearts, deep listening and respectful conversation and we intend to continue this approach to our engagement. Our consultation process is ongoing through the environmental approval process and when an activity is being performed. We look forward to continuing our discussions with you in the future.

At our meeting, Woodside provided an overview of the Scarborough activities (Seismic EP, Subsea EP, D&C EP, SITI EP (Cth and State)), and you told us that the proposed activities give you a sick feeling and the activities should be stopped. You also let us know that, in your view, there is nothing that can be done by Woodside to progress with the proposed Scarborough activities in a way that could minimise impact to your functions, activities and interests or is respectful to your culture and country.

We confirm that we agreed not to share cultural details that you shared with us at the 14 March 2023 meeting. To respect this, we will not include cultural detail you shared with us at our meeting in

Woodside’s environment plans or in conversations with the Regulator. For clarity, as agreed, our proposed environment plans will confirm that we met with you on 14 March 2023 to continue consulting with you on the proposed Scarborough environment plans. So you are aware, this email as well as previous correspondence with SOS and Josie and Raelene will also be included in the proposed environment plans.

We took the following actions from the meeting. Responses are provided in italics:

- Provide background information on the “why” behind the Scarborough activities: *Woodside’s Scarborough Gas Project helps play a role in the global energy transition, helping neighbouring Asian countries take action on emissions reduction. There is further information on our website: [Scarborough Gas Project and Pluto Train 2 - Woodside Energy](#).*
 - Check with MAC as to whether MAC’s ethnographic survey can be shared with Josie, Raelene and Save Our Songlines: *The ethnographic survey is held by MAC and Woodside does not have permission to share it.*
 - Confirm fracking in relation to the Scarborough activities: *There is no fracking to be undertaken as part of the proposed Scarborough activities.*

We want you to know that, as discussed, we are open to consulting further with you on the proposed Scarborough activities and are open to the continuing engagements regarding the Scarborough activities. Please let us know if further feedback for the activities proposed under the environment plans is sensitive and we will make this known to NOPSEMA upon submission to ensure this information remains confidential to NOPSEMA.

In the meantime, we are grateful to have met you and to have heard your perspectives on the Scarborough activities and Woodside.

Best regards

[Redacted signature]

[Redacted signature]



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LEAP Email Reference [F:a1ae8a86-801a-40ef-845b-71b304a1e6de|M:5433c43b-6613-b34b-9c50-d05dd0f4a9cb] (Please do not delete)

We confirm the meeting on Tuesday, 13 June 2023. Our clients are available in the morning of that day.

We

From: Clare Lakewood
Sent: Mon, 12 Jun 2023 11:00:58 +0800
To: [REDACTED]; Ruby Hamilton
Cc: Woodside
Feedback;sue.mccarrey@nopsema.gov.au;'info@saveoursonglines.org';julin.oconnor@woodside.com.au
Subject: RE: URGENT: Scarborough Environment Plans - Consultation
Categories: LEAP

Dear [REDACTED]

I note that I have tried to call you several times this morning, and also [REDACTED], with no answer and no response to the messages I have left, or our emails. Our clients would like to keep the existing arrangement for a consultation meeting on the morning of 13 June 2023 in Karratha. They are content with a 10am meeting. It is unclear to us why “flights and other logistics timed out” for Woodside attendees at 5pm on Friday when, as of the time of this email on the morning of Monday, 12 June, there are still five flights Perth to Karratha that would see any attendees from Perth arrive in time; and at our last meeting at least one attendee from Woodside was based in Karratha.

It is also unclear to us why Woodside required reconfirmation of the meeting late on Friday afternoon when our clients had proposed the date and general time, and Woodside had indicated that it was able to meet.

Moving to finer details for the meeting, our clients would like to meet at Hearson’s Cove.

We are instructed that they would like only to discuss the seismic survey environment plan at that meeting, and therefore propose the agenda you suggested be amended (and the order changed a little) to the following:

1. Walk through of the Scarborough 4D Baseline Marine Seismic Survey EP
2. Description of Scarborough Project and activities to be undertaken in the Scarborough 4D Baseline Marine Seismic Survey EP – activity, location, impacts and risks, controls in place to manage risks, mechanisms to update the EP with changes (as necessary).
3. How Woodside would update the EP in response to information about how functions, interests and activities may be affected.
4. More about you Ms Alec, Ms Cooper and Save Our Songlines
 - individual interests you each have;
 - the types of communal interests that each of you hold;
 - the activities each of you engage in that might be affected by the activities;

 - the role you perform within Save Our Songlines;
 - the interests that Save Our Songlines holds;
 - the functions of Save Our Songlines as an organization;
 - the activities that Save Our Songlines engage in that might be affected.
4. Information Ms Alec and Ms Cooper still need from Woodside.
6. Any other requests for information or access that Ms Alec and Ms Cooper have of Woodside.

In attendance will be Ms Alec and Ms Cooper; and Ruby Hamilton and myself from EDO.

Please feel free to contact me on 0459 948 956 should you have questions or concerns about proceeding.

Kind regards,
Clare



Environmental
Defenders Office

**Clare Lakewood — Special Counsel,
Safe Climate**

(Mon, Tue, Wed, Thu)

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P: +61 8 6118 7912

E: clare.lakewood@edo.org.au

I use she/her pronouns.

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EDO recognises the traditional owners and custodians of the land, seas and rivers of Australia. We pay our respects to Aboriginal and Torres Strait Islander elders past and present, and aspire to learn from traditional knowledge and customs so that, together, we can protect our environment and cultural heritage through law.

From: Clare Lakewood <clare.lakewood@edo.org.au>

Sent: Saturday, June 10, 2023 1:43 PM

To: [REDACTED] <[REDACTED]@woodside.com>; Ruby Hamilton <ruby.hamilton@edo.org.au>

Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>

Subject: URGENT: Scarborough Environment Plans - Consultation

Dear [REDACTED]

As Ruby indicated yesterday, and as we originally proposed, our clients are available and hope to proceed with a meeting at 10am on Tuesday, 13 June 2023. As noted in previous correspondence, our clients greatly value face-to-face meetings on Country, and have limited availability. Solicitors from the EDO have also arranged to be in Karratha on Tuesday also.

Our clients are hopeful of a productive meeting and would be happy to work with whoever is available from Woodside, even if this means the meeting proceeds in a more limited capacity (i.e. a shorter/different time, or fewer Woodside attendees than initially proposed).

In the interests of determining whether there is a way we can proceed, I invite you to call me directly on 0459 948 956.

Acknowledging the logistics we will have to manage if the meeting does not proceed, or is to occur at different time or date, I am available at your convenience over the weekend. I welcome you, or whoever at Woodside can most efficiently handle logistics, giving me a call, and look forward to finding a productive path forward.

Kind regards,
Clare



Environmental
Defenders Office

**Clare Lakewood — Special Counsel,
Safe Climate**

(Mon, Tue, Wed, Thu)
PO Box Z5218, Boorloo/Perth WA 6831
P: +61 8 6118 7912
E: clare.lakewood@edo.org.au

I use she/her pronouns.

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EDO recognises the traditional owners and custodians of the land, seas and rivers of Australia. We pay our respects to Aboriginal and Torres Strait Islander elders past and present, and aspire to learn from traditional knowledge and customs so that, together, we can protect our environment and cultural heritage through law.

From: [REDACTED] [@woodside.com](mailto:[REDACTED]@woodside.com)
Sent: Friday, June 9, 2023 5:09 PM
To: Ruby Hamilton <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>; Clare Lakewood <clare.lakewood@edo.org.au>
Subject: RE: Scarborough Environment Plans - Consultation

Hi Ruby

Thanks for your email. We are unavailable because, as foreshadowed in our email, flights and other logistics timed out at 5pm for us.

Let's regroup next week and work through alternate dates.

Kind regards

[REDACTED]



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount
Street
Perth WA 6000
Australia

T: [REDACTED]
M: [REDACTED]
E: [REDACTED] [@woodside.com](mailto:[REDACTED]@woodside.com)
www.woodside.com
f t in v i

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Friday, 9 June 2023 5:06 PM
To: [REDACTED] [@woodside.com](mailto:[REDACTED]@woodside.com)
Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>; Clare Lakewood <clare.lakewood@edo.org.au>
Subject: Re: Scarborough Environment Plans - Consultation

Dear [REDACTED]

We confirm the meeting for next Tuesday, 13 June 2023. Our clients are available in the morning of that day.

We will confirm the other details as soon as possible once we have instructions from our clients.

Kind regards

Ruby Hamilton | Solicitor | EDO

+61 8 6118 7914

From: [REDACTED] <[REDACTED]@woodside.com>

Sent: Friday, June 9, 2023 2:20 pm

To: Ruby Hamilton <ruby.hamilton@edo.org.au>

Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au <sue.mccarrey@nopsema.gov.au>; 'info@saveoursonglines.org' <info@saveoursonglines.org>; Clare Lakewood <clare.lakewood@edo.org.au>

Subject: RE: Scarborough Environment Plans - Consultation

Dear All

Re email below - correcting the date. Meeting on Tuesday 13 June (rather than 14 June).

Kind regards

[REDACTED]



Woodside Energy

Mia Yellagonga
Karlak, 11 Mount
Street
Perth WA 6000
Australia

T: [REDACTED]

M: [REDACTED]

E: [REDACTED]@woodside.com
www.woodside.com



From: [REDACTED]

Sent: Friday, 9 June 2023 1:58 PM

To: 'ruby.hamilton@edo.org.au' <ruby.hamilton@edo.org.au>

Cc: Woodside Feedback <Feedback@woodside.com.au>; 'sue.mccarrey@nopsema.gov.au' <sue.mccarrey@nopsema.gov.au>; 'info@saveoursonglines.org' <info@saveoursonglines.org>; 'clare.lakewood@edo.org.au' <clare.lakewood@edo.org.au>

Subject: RE: Scarborough Environment Plans - Consultation

Dear Ruby, Josie, Raelene and Save Our Songlines

Thanks for suggesting a meeting next Tuesday 14 June in Karratha.

We refer to the emails below.

We would be grateful if you can please confirm by 5pm today that the meeting will go ahead, or alternatively, provide some other dates for us to work to. (There are a number of flight and other logistics that need to be confirmed by 5pm today in order for that meeting to progress on Tuesday).

Please can you also let us know:

The preferred time for the proposed meeting

The preferred meeting location

Attendees

Added items to the draft Agenda

We look forward to hearing from you.

Kind regards



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount
Street
Perth WA 6000
Australia

T: [REDACTED]
M: [REDACTED]
E: [REDACTED]@woodside.com
www.woodside.com
f t in v i

From: [REDACTED]
Sent: Wednesday, 7 June 2023 6:46 AM
To: 'ruby.hamilton@edo.org.au' <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>; 'clare.lakewood@edo.org.au' <clare.lakewood@edo.org.au>
Subject: RE: Scarborough Environment Plans - Consultation

Dear Ruby

Thanks for your email.

As per previous correspondence, Josie, Raelene and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via the Environment Defenders Office. Hence our respectful request once more that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We received the email below from the Environmental Defenders Office (EDO).

As the EDO's email was copied to email addresses for the Chief Executive Officer of NOPSEMA, we have, as a matter of courtesy copied the same email address.

We understand you have suggested a meeting in Karratha on the morning of **Tuesday 13 June (next Tuesday)** to continue consultation on the Scarborough Environment Plans.

Our team is available to meet with you.

Agenda for meeting

As per our previous email, we are keen to hear and address the issues that matter to you. So please let us know the things that you would like to discuss, share with us, tell us about or topics you would like to hear from us so that we can make the most of the meeting.

In case it is of interest for continuing our consultation with you, we also note the following draft guidance from NOPSEMA: [Draft policy for managing genderrestricted information PL2098.pdf \(nopsema.gov.au\)](#)

As to your specific interests (and those of Save Our Songlines), we continue to invite you to share those with us to allow Woodside to consider the potential impacts and risks of the EP activities on these interests and what Woodside can do to lessen or avoid those impacts.

As per our previous email, we have compiled a draft agenda for you to edit or add to. It is not a fixed agenda, but rather a guide in case it is useful.

Draft agenda items

[Josie, Raelene, SOS, topics of interest; queries]

More about you both and Save Our Songlines

the role you perform within Save Our Songlines;

individual interests you each have;

the types of communal interests that each of you and Save Our Songlines hold;

the functions of Save Our Songlines as an organization;

the activities that each of you and Save Our Songlines engage in.

Walk through of the following EPs

- Scarborough 4D Baseline Marine Seismic Survey EP
- WA-61-L and WA 62-L Subsea Infrastructure Installation EP
- Scarborough Seabed Intervention and Trunkline EP
- Scarborough Drilling and Completions EP
- Scarborough Trunkline Installation (State Waters) EP

Description of Scarborough Project and activities to be undertaken under each EP – activity, location, impacts and risks, controls in place to manage risks, mechanisms to update the EP with changes (as necessary).

[PLEASE ADD TOPICS AS RELEVANT]

Meaning protocols

Our team is willing to observe the same protocols that we agreed to prior to our March 2023 meeting. We remain respectful of cultural sensitivities and also employee safety and privacy and including for those reasons, do not consent to the meeting being recorded.

1. Woodside, SOS, Ms Alec, Ms Cooper and EDO lawyers are welcome to take written notes of the meeting. To respect privacy, safety and cultural values there will be no other recording of the meeting (e.g., no audio or visual recording of the meeting).

As requested by SOS, Ms Alec and Ms Cooper, Woodside attendees are all female.

As per the request from Ms Alec, Woodside attendees are attending the meeting with an open heart, deep listening and seeking a respectful conversation.

Woodside's respectful request is that attendees come to the meeting open to sharing knowledge about the environment (heritage value of places, social and cultural features) that may be affected by the activities under the proposed Scarborough environment plans. Woodside's request is also that attendees come to the meeting open to sharing ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.

Attendees

Given the short notice of the meeting, the whole Woodside team is unfortunately not available to meet with you. However the team that is available to meet on Tuesday is:

1. [REDACTED] – Manager First Nations Relations
2. [REDACTED] – HSE Manager Scarborough
3. [REDACTED] – Senior Environment Advisor Scarborough
4. [REDACTED] – Woodside legal

We may also be joined by one of our Corporate Affairs employees.

Please let us know who will be attending for you.

Time and Location

We are available to meet at 10am if that suits you (but please let us know if a different time needs to be accommodated).

Please let us know if you have made arrangements for a location for the meeting?

If you would like, we can make enquiries regarding availability for meeting rooms in Karratha and surrounds.

We look forward to hearing from you.

Kind regards

[REDACTED]



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount
Street
Perth WA 6000
Australia

T: [REDACTED]
M: [REDACTED]
E: [REDACTED]@woodside.com
www.woodside.com
f t in v i

From: Ruby Hamilton <ruby.hamilton@edo.org.au>

Sent: Thursday, 1 June 2023 9:23 PM

To: [REDACTED] <[\[REDACTED\]@woodside.com.au](mailto:[REDACTED]@woodside.com.au)>

Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>; Clare Lakewood <clare.lakewood@edo.org.au>

Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

[REDACTED] to the below correspondence.

We are instructed that our clients have confirmed they are available and would like to meet in Karratha on the morning of Tuesday, 13 June 2023. We would be grateful if you are able to accommodate this specific window with relatively short notice.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Monday, May 15, 2023 2:34 PM
To: [REDACTED] <[REDACTED]@woodside.com>
Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>; Clare Lakewood <clare.lakewood@edo.org.au>
Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

Thank you for the below email. We are confirming instructions with our clients and will revert as soon as we are able.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED] <[REDACTED]@woodside.com>
Sent: Tuesday, May 9, 2023 7:21 PM
To: Clare Lakewood <clare.lakewood@edo.org.au>; Ruby Hamilton <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Subject: RE: Scarborough Environment Plans - Consultation

Dear Clare and Ruby

Thanks for your emails.

As per previous correspondence, Josie, Raelene and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via the Environment Defenders Office. Hence our respectful request once more that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We received the email below from the Environmental Defenders Office (EDO).

As the EDO's email was copied to email addresses for the Chief Executive Officer of NOPSEMA, we have, as a matter of courtesy copied the same email address.

Ongoing consultation and next meeting

Woodside once again reiterates it is open and willing to engage in ongoing consultation with you on the Seismic Survey EP as well as the following Scarborough Commonwealth EPs which have been referenced during consultation and our meeting in March:

Scarborough 4D Baseline Marine Seismic Survey EP

WA-61-L and WA 62-L Subsea Infrastructure Installation EP

Scarborough Seabed Intervention and Trunkline EP

Scarborough Drilling and Completions EP

As per our email below from 28 March, our team is available to meet in May and we are still waiting to hear from you about your availability for a meeting. Please let us know when suits you to meet in the weeks commencing 15 May, 22 May and 29 May.

We are available to meet on country or, as you note below, by video conference or telephone (as appropriate).

Our team is willing to observe the same protocols that we agreed to prior to our March 2023 meeting. We remain respectful of cultural sensitivities and also employee safety and privacy and including for those reasons, do not consent to the meeting being recorded.

Agenda for meeting

As to your specific interests (and those of Save Our Songlines), we continue to invite you to share those with us to allow Woodside to consider the potential impacts and risks of the EP activities on these interests and what Woodside can do to lessen or avoid those impacts.

In previous correspondence and meetings, we heard you tell us that you were not prepared to share some information with us at this stage and you weren't sure when you would be ready to share it with us. And we also heard that, sometimes the information has not yet been revealed to you and that it will be revealed to you in time. We remain open to hearing from you when this is known to you and it is ready to be shared.

In case it is of interest for continuing our consultation with you, we also note the following draft guidance from NOPSEMA: [Draft policy for managing genderrestricted information PL2098.pdf \(nopsema.gov.au\)](#)

So that the most can be made of the meeting, we have prepared some points below by way of draft agenda. We are keen to hear and address the issues that matter to you. So please feel free to add to the agenda items for the meeting.

Draft agenda items

[Josie, Raelene, SOS, topics of interest; queries]

More about you both and Save Our Songlines

the role you perform within Save Our Songlines;

individual interests you each have;

the types of communal interests that each of you and Save Our Songlines hold;

the functions of Save Our Songlines as an organization;

the activities that each of you and Save Our Songlines engage in.

Walk through of the following EPs

- Scarborough 4D Baseline Marine Seismic Survey EP
- WA-61-L and WA 62-L Subsea Infrastructure Installation EP
- Scarborough Seabed Intervention and Trunkline EP
- Scarborough Drilling and Completions EP

Description of Scarborough Project and activities to be undertaken under each EP – activity, location, impacts and risks, controls in place to manage risks, mechanisms to update the EP with changes (as necessary).

[PLEASE ADD TOPICS AS RELEVANT]

Our records indicate that we have provided responses to the requests that have been made in relation to the Scarborough Commonwealth EPs.

We look forward to hearing further from you.

Best regards
Woodside

[REDACTED]

[REDACTED]



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount
Street
Perth WA 6000
Australia

T: [REDACTED]
M: [REDACTED]
E: [REDACTED]@woodside.com
www.woodside.com
f t in v i

From: Clare Lakewood <clare.lakewood@edo.org.au>

Sent: Monday, 8 May 2023 2:55 PM

To: Ruby Hamilton <ruby.hamilton@edo.org.au>; [REDACTED] <[\[REDACTED\]@woodside.com.au](mailto:[REDACTED]@woodside.com.au)>

Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>

Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED],

We refer to our email below. We have not had any response to date, and write again to enquire whether Woodside wishes to propose dates that we can put to our clients for consultation regarding the seismic survey EP.

Yours sincerely,
Clare



Environmental
Defenders Office

**Clare Lakewood — Special Counsel,
Safe Climate**

(Mon, Tue, Wed, Thu)

PO Box Z5218, Boorloo/Perth WA 6831

P: +61 8 6118 7912

E: clare.lakewood@edo.org.au

I use she/her pronouns.

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mistake please notify us immediately at info@edo.org.au and delete this email.

EDO recognises the traditional owners and custodians of the land, seas and rivers of Australia. We pay our respects to Aboriginal and Torres Strait Islander elders past and present, and aspire to learn from traditional knowledge and customs so that, together, we can protect our environment and cultural heritage through law.

From: Ruby Hamilton <ruby.hamilton@edo.org.au>

Sent: Tuesday, April 18, 2023 2:56 PM

To: [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>

Cc: Woodside Feedback <Feedback@woodside.com>; Clare Lakewood <clare.lakewood@edo.org.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>

Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

Thank you for your email of 29 March 2023 in respect of the Scarborough 4D B1 Marine Seismic Survey Environment Plan (**Seismic Survey EP**).

Thank you for acknowledging our clients' continued efforts to bring themselves into Woodside's consultation processes and to organise a face-to-face meeting on Country. Our clients confirm their willingness to meet again and to continue consultation. To be clear, our clients do not consider there has yet been consultation such that Woodside can demonstrate in the EP that there has been an appropriate level of consultation. This will require further information to be shared and incorporated into the EP. Our clients are also concerned that because their cultural knowledge is women's knowledge, it is being considered less important than other cultural knowledge Woodside may have received during consultation.

Our clients look forward to providing information about their interests that Woodside needs.

Having had an introductory meeting on 14 March 2023, and mindful that the EP appears to have been re-submitted around nine days after that introductory meeting took place, we propose that Woodside withdraw the EP and meet with our clients to explain to them the relevant risks and impacts of the activities the subject of the Seismic Survey EP specifically, and to obtain further information on their functions, interests and activities. We note in particular that the introductory meeting of 14 March 2023 did not discuss the activities the subject of Seismic Survey EP in any detail.

Our clients are generally available to meet by phone or videoconference in May.

In addition to abiding by the cultural protocol summarised in your email of 29 March 2023, our clients propose the following purposes for the meeting:

- overview of any outstanding requests for information made by our clients;

- explanation of the activities the subject of the Seismic Survey EP, so that our clients can make an informed assessment of the possible consequences of those activities on their functions, interests and activities.

Mindful that Woodside is required under reg 16(b) of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009* (Cth) to provide NOPSEMA with a full report on all consultation with relevant persons, and the difficulties in different perspectives that have been encountered as described in your email of 29 March 2023, our clients propose that this next meeting be recorded, and that permission be sought should Woodside wish to provide transcripts, recordings or other documents referring to cultural knowledge to NOPSEMA.

Our clients otherwise request that the cultural protocols requested in advance of the 14 March 2023 meeting, and summarised in your email of 29 March 2023, be continued.

Following a meeting for Woodside to explain the risks and impacts of the Seismic Survey EP, we propose that our clients be given appropriate time to consider and respond to information shared by Woodside at or after the meeting, so that Woodside may be apprised of all the environmental risks and impacts of the activities the subject of the Seismic Survey EP, and can ensure

that those impacts and risks are be reduced as low as reasonably practicable . To be clear as to our clients' needs, we expect the timeframe for that response to be approximately 4-6 weeks.

We anticipate that a decision as to whether the response from our clients be in writing, through a meeting, or some combination or other communication, is best determined in light of information Woodside provides, and the information our clients seek to provide in response. We anticipate that that response will also propose next steps for the consultation, with a view to enabling Woodside to adopt measures that will reduce the risks and impacts of the activities the subject of the Seismic Survey EP.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED]@woodside.com>
Sent: Wednesday, March 29, 2023 12:56 PM
To: Ruby Hamilton <ruby.hamilton@edo.org.au>; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Cc: Woodside Feedback <Feedback@woodside.com>; Clare Lakewood <clare.lakewood@edo.org.au>;
sue.mccarrey@nopsema.gov.au
Subject: RE: Scarborough Environment Plans - Consultation

[External email](#)

Dear Ruby

Thanks for your email and letter dated 24 March 2023.

Josie, Raelene and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via you. Hence our email and our respectful request that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We received the email and letter sent to us by the Environmental Defenders Office (EDO) dated 24 March 2023. The letter sets out recollections and reflections on the meeting we had on country in Karratha on 14 March 2023 as well as comments on our email of 16 March 2023.

First, we wanted to thank you for sharing the recollections and reflections with us. Secondly, we thought it would be worth sharing our perspectives on comments in that letter – please see these below.

Just so you know, this email relates to the Scarborough Commonwealth EPs. The letter sent to us was copied to an email address for the Chief Executive Officer of NOPSEMA. So, for courtesy and so that you are aware, we are also providing a copy of this email to NOPSEMA. Acknowledging that we separately sent an email to you yesterday on the State Waters EPs that was copied to Minister Johnston and DMIRS.

Consultations, correspondence and meeting on 14 March 2023 [Paragraphs 1-5, 10, 13, 20]

The team at Woodside was pleased to have met face-to-face with you on 14 March 2023. It was the culmination of a long period of communication on the Scarborough Project involving a number of prior attempts to meet face-to-face (since around November 2021) and, since at least June 2022, an extensive exchange of correspondence specific to each of the Scarborough environment plans (EP) and activities set out in the letter (Seismic EP, Drilling EP, Subsea EP, SITI EP, State Waters EP). It was

good to meet and we confirm that Woodside remains open to consulting further with you on the Commonwealth EPs as well as the State Waters EP.

A great deal of information was shared at the 14 March 2023 meeting. This included a discussion of your and Save Our Songlines' cultural details and was provided against the backdrop of the protocols we agreed before the meeting. The Woodside team left the 2-hour meeting feeling positive and with a sense of goodwill – we appreciated the exchange of warm mutual embraces at the opening and end of the meeting. We all expressed, at the end of the meeting, a willingness to meet again.

As per discussions leading up to the meeting, unless things change, for future meetings, we agree to continue with the following meeting protocols:

Attendees continue to be all female.

Attendees attend meetings with an open heart, deep listening and seeking a respectful conversation.

Attendees come to meetings open to sharing knowledge about the environment (heritage value of places, social and cultural features) that may be affected by the activities under the proposed Scarborough EPs. Attendees come to the meeting open to sharing ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.

Attendees are welcome to take written notes of meetings. To respect privacy, safety and cultural values there will be no other recording of meetings (e.g. no audio or visual recording of meetings).

Other than sharing the fact that the meeting took place, the cultural details will be kept confidential amongst the female attendees unless directed otherwise and will not be made public without permission.

We also confirm that Woodside remains open to consulting further with you on the proposed Scarborough activities and is open to the continuing engagements regarding the Scarborough activities.

Additional or new information

So that you are aware, we have a process in place for the life of an EP that allows the EP to be updated to include additional or new information or feedback that is received after an EP is submitted. This is done through a "Management of Knowledge" process. So, for example, if new or additional information is provided to Woodside, Woodside can consider that information and assess the risk in accordance with the environmental risk management methodology in the EP to determine the significance of potential new environmental impacts or risks not already provided for in the EP. In that context, if information changes Woodside's understanding of the environment or understanding of measures that Woodside can take in order to lessen or avoid impacts of activities, that information can be updated and actioned in the EP.

This means that feedback or information you provide in future meetings can still be taken into account and, where appropriate, can be incorporated in the EP during the life of the activity.

Following the meeting, we considered what you told us. Based on that information, no updates were required to the EP via the Management of Knowledge process.

Functions, interests and activities [Paragraph 6, 13]

Thank you for confirming in the letter that you consider that your functions, interests and activities are distinct from those of MAC. We also heard you say this at our meeting. We are interested in learning further about your functions, interests and activities (and those of Save Our Songlines) and how those are different to MAC's.

The letter also references MAC surveys. As Raelene mentioned in the meeting, Raelene was, for around 10 years, a former Board member of MAC. (We understand Raelene resigned from the Board in around February 2022). So, Woodside's correspondence, involvement and meetings on the Scarborough Project with Raelene (in her capacity as a MAC representative) also go back a long time to when those discussions commenced with the MAC – in around 2018.

We understand that Raelene was involved in ethnographic studies of the Scarborough Project undertaken by MAC. So, while we have no authority to provide the survey to you, in response to your request for the ethnographic survey, Raelene may have contacts at MAC to request a copy of that survey.

As to your functions, interests and activities (and those of Save Our Songlines), we continue to invite you to share those with us as well to allow Woodside to consider the likely impacts and risks of the EP activities on these functions, interests and activities and what Woodside can do to lessen or avoid those impacts.

In our meeting, we heard you tell us that you were not prepared to share some information with us at this stage and you weren't sure when you would be ready to share it with us. And we also heard that, sometimes the information has not yet been revealed to you and that it will be revealed to you in time. We remain open to hearing from you when this is known to you and it is ready to be shared.

In particular, we are interested in learning from you:

the role you perform within Save Our Songlines;

individual interests you each have;

the types of communal interests that each of you and Save Our Songlines hold;

the functions of Save Our Songlines as an organization;

the activities that each of you and Save Our Songlines engage in

To confirm - we don't expect you to provide this information to us in writing and would be happy to meet with you again to discuss this information as per our meeting protocols.

It is important that this information is provided so that Woodside can understand how the proposed activities (that are the subject of the Commonwealth EPs) may affect your functions, interests and activities. We remain open to hearing from you when this is known to you and it is ready to be shared.

Minimising impacts to your functions, interests and activities [Paragraphs 7, 9, 11, 12, 13, 14]

Thank you for notes in the letter on the meeting content.

A comment in the letter is that information had been mischaracterised in the email that we sent you following the meeting. We want to be very clear that our intention is not and was not to mischaracterise information. We want to be very clear that the information provided in our email following the meeting is our group's genuine recollection and interpretation of the take-aways from the meeting. That is, consistent with the agreed protocols for the meeting which included a request that you share ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.

Our team has reviewed notes taken at the meeting. Below we've set out our team's perspectives of some of the items noted in the letter.

Underwater activities

In the meeting, Woodside provided an overview of the Scarborough Project. At that point in the meeting, a number of topics had been discussed (not repeated here so as to respect confidentiality). After the Scarborough Project was overviewed, at a high level (so as to respect confidentiality), there was a discussion about songlines and, in so far as underwater activities are concerned, there was a discussion about potential impacts of activities on whales.

During this discussion, a question was asked by Woodside along the lines of: *what things can Woodside do in order to carry out the Scarborough Project in a respectful way to the knowledge and cultural information that has been shared in the meeting.* Our team's recollection is that the answer given was along the lines of: *there is nothing Woodside can do to carry out the project in a respectful way and that it was not clear why the project was happening in Murujuga and why it couldn't be done somewhere else along the coast.*

We also asked what Woodside could do to protect the values that were being talked about. The answer that was given was along the lines of: *all that can be done is for the project to be stopped.*

A further question was asked along the lines of: *if the project is to go ahead what could be done to protect the values.* The answer given was along the lines of: *nothing. The only option is to stop the project.*

These answers informed our take aways from the meeting.

Greenhouse gas emissions

The topic of greenhouse gas was also raised. This topic has been the subject of separate correspondence in which Woodside has confirmed that, emissions from the activities covered by the Commonwealth EPs are of a scale that no credible impact pathway is foreseen.

Industrialisation of Murujuga

The topic of industrialisation of Murujuga was also raised. Out of respect for confidentiality, we will not repeat the information provided in the meeting in relation to signing of the Burrup and Maitland and Industrial Estates Agreement (BMIEA). However, the subject has also been addressed in separate correspondence in which Woodside has set out its understanding of the history of the Burrup and the industrial agreements involved. Woodside has also provided responses which are along the lines that no credible impact pathway is foreseen from the activities covered by the Commonwealth EPs which could damage rock art and heritage sites and that no cultural impact to future access to sites of cultural and spiritual significance is foreseen.

Detail of EPs and information accessed and provided

As set out above, the face-to-face meeting involved an overview of the Scarborough Project. The face-to-face meeting followed volumes of previous correspondence on the Scarborough Project. We acknowledge the many pieces of previous correspondence that have been sent to Woodside which have been specific to each of the EPs set out in the letter. That previous correspondence indicates that a large volume of information on the Scarborough Project has been accessed, read and thought through. The correspondence shows an informed and thorough understanding of the various Scarborough activities and the Scarborough Project.

Offshore Petroleum and Greenhouse Gas Storage Act (OPGGGS Act) – section 280 Interference with other rights [paragraph 13]

In the letter, section 280 of the OPGGS Act is noted. We do not understand why that particular aspect of the OPGGS Act has been referenced. We are open to hearing more from you on what you would like us to understand from the reference to section 280 of the OPGGS Act.

Consultation in general [paragraph 14]

The letter has a line that suggests that Woodside is implying that “nothing is to be gained from consulting” with you. We want to be very clear that these are not Woodside’s words. Woodside has not put that position forward and is not making an implication of this kind.

On the contrary, we have continued to consult with you and continue to invite further consultation. We were pleased to have had the opportunity to finally meet with you face-to-face this month and we look forward to further meetings with you to learn of your and Save Our Songlines’ interests.

Relevant persons [paragraph 4, 15-19]

The concept of “relevant person” was raised in the letter and also at our meeting. We heard in the meeting that you were insulted that Woodside had categorised SOS as relevant but had not recognised you under the heading of relevant person. You also told us that you were pleased to see that you and SOS have since been included as relevant interested persons in the State EP summary document.

As we discussed at the meeting, Woodside’s intention is not to insult you. We reiterate this as we want to be very clear about this.

We also want you to know that the "relevant person" category is different depending on whether the EP requires Commonwealth approval or State approval (WA). For the Commonwealth EPs, the Commonwealth laws apply. The Commonwealth approval process requires Woodside to consult with "relevant persons".

At the meeting, we took you through the approval process relating to the concept of "relevant persons" and noted that, at the relevant time consultations are included under a category of "relevant persons" in EPs. Woodside generally applies this category at a stage when we understand more about a person's functions, interests and activities and also the impacts of our activities on them.

As noted in your letter and above, we also discussed at our meeting that Save Our Songlines, Josie and Raelene have been included under the category of "relevant interested persons" in the State Waters EP. You kindly acknowledged at our meeting that you understood the reasons for redactions that were made to the State EP summary to protect personal information.

These kind of considerations continue and we will have a clearer understanding of the categories when you are able to share more with us. But as we reiterated at the meeting, you should know that there is no need for us to categorise you as relevant in order to consult with you.

Ongoing consultation

Once an EP is accepted, Woodside continues ongoing consultations with relevant persons.

As confirmed in the meeting, and consistent with our processes for ongoing consultation, the important issue is that we are open to continuing consultation and that we are keen to keep talking to you to understand how the proposed Commonwealth EP activities relevantly affect you and Save Our Songlines. Once we understand the kind of functions, interests and activities you and Save Our Songlines hold, we can consider the things that Woodside can do to lessen or avoid impacts of the activities to you.

Responses to questions and further information [paragraph 21-27]

The letter notes some questions that were asked during our face-to-face meeting. As acknowledged in the letter, specific questions on the Scarborough Gas Project, the ethnographic survey and fracking have been actioned and there is nothing substantial to add to the answers provided in our email.

As to requests for further information and notifications, please remain subscribed to Woodside's and relevant regulators' website as a best source of information relating to updates to EP assessments.

Further consultation [paragraph 24-27]

The letter sent to us notes that you would like to organise another meeting and will require approximately six weeks to read into materials and prepare for a meeting.

We would be pleased to consult with you further. It took a number of attempts to book and arrange our March face-to-face meeting, so please let us know your preferred times for the next meeting.

If it would be useful, our team is available to meet in the week commencing 8 May 2023 (which is approximately 6 weeks away) or earlier. Please let us know dates you are available so we can book in a next face-to-face meeting.

Best regards

Woodside


Kind regards




Woodside Energy
Mia Yellagonga
Karlak, 11 Mount
Street
Perth WA 6000
Australia

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E: [REDACTED]@woodside.com
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f t in v @

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Friday, 24 March 2023 12:18 PM
To: [REDACTED]@woodside.com.au>
Cc: Woodside Feedback <Feedback@woodside.com.au>; Clare Lakewood <clare.lakewood@edo.org.au>;
minister.johnston@dpc.wa.gov.au; richard.sellers@dmirs.wa.gov.au; sue.mccarrey@nopsema.gov.au
Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

Please find **attached** correspondence on behalf of our clients, Ms Josie Alec and Ms Raelene Cooper.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED]@woodside.com>
Sent: Thursday, March 16, 2023 5:16 PM
To: Clare Lakewood <clare.lakewood@edo.org.au>; Ruby Hamilton <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com>; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Subject: RE: Scarborough Environment Plans - Consultation

Dear Ruby and Clare

Thanks for our meeting on Tuesday (14 March 2023).

Josie, Raelene and Save Our Songlines asked that Woodside continue correspondence with them, via you. Hence our email and our respectful request that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We are grateful for our on-country meeting with you, Skyla and Clare and Ruby (as well as the welcome to country from your son Mark) on 14 March 2023. We want to let you know that, as a group of women, we feel privileged to have been welcomed to the beautiful country where we met and we appreciate you sharing your stories, cultural knowledge and your concerns with us.

We appreciate your request for us to attend the meeting with open hearts, deep listening and respectful conversation and we intend to continue this approach to our engagement. Our consultation process is ongoing through the environmental approval process and when an activity is being performed. We look forward to continuing our discussions with you in the future.

At our meeting, Woodside provided an overview of the Scarborough activities (Seismic EP, Subsea EP, D&C EP, SITI EP (Cth and State)), and you told us that the proposed activities give you a sick feeling and the activities should be stopped. You also let us know that, in your view, there is nothing that can be done by Woodside to progress with the proposed Scarborough activities in a way that could minimise impact to your functions, activities and interests or is respectful to your culture and country.

We confirm that we agreed not to share cultural details that you shared with us at the 14 March 2023 meeting. To respect this, we will not include cultural detail you shared with us at our meeting in Woodside's environment plans or in conversations with the Regulator. For clarity, as agreed, our proposed environment plans will confirm that we met with you on 14 March 2023 to continue consulting with you on the proposed Scarborough environment plans. So you are aware, this email as well as previous correspondence with SOS and Josie and Raelene will also be included in the proposed environment plans.

We took the following actions from the meeting. Responses are provided in italics:

- Provide background information on the "why" behind the Scarborough activities: *Woodside's Scarborough Gas Project helps play a role in the global energy transition, helping neighbouring Asian countries take action on emissions reduction. There is further information on our website: [Scarborough Gas Project and Pluto Train 2 - Woodside Energy](#).*
 - Check with MAC as to whether MAC's ethnographic survey can be shared with Josie, Raelene and Save Our Songlines: *The ethnographic survey is held by MAC and Woodside does not have permission to share it.*
 - Confirm fracking in relation to the Scarborough activities: *There is no fracking to be undertaken as part of the proposed Scarborough activities.*

We want you to know that, as discussed, we are open to consulting further with you on the proposed Scarborough activities and are open to the continuing engagements regarding the Scarborough activities. Please let us know if further feedback for the activities proposed under the environment plans is sensitive and we will make this known to NOPSEMA upon submission to ensure this information remains confidential to NOPSEMA.

In the meantime, we are grateful to have met you and to have heard your perspectives on the Scarborough activities and Woodside.

Best regards

[Redacted signature]

[Redacted signature]



Woodside Energy
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Australia

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f t in y i

LEAP Email Reference [F:a1ae8a86-801a-40ef-845b-71b304a1e6de|M:5433c43b-6613-b34b-9c50-d05dd0f4a9cb| (Please do not delete)

We confirm the meeting on Tuesday, 13 June 2023. Our clients are available in the morning of that day.

We

From: [REDACTED]
To: [Clare Lakewood](#); [Ruby Hamilton](#)
Cc: [Woodside Feedback](#); sue.mccarrey@nopsema.gov.au; ["info@saveoursonglines.org"](mailto:info@saveoursonglines.org); julin.oconnor@woodside.com.au
Subject: RE: URGENT: Scarborough Environment Plans - Consultation
Date: Monday, 12 June 2023 12:58:32 PM
Attachments: [image002.png](#)
[image011.png](#)
[image012.png](#)
[image013.png](#)
[image014.png](#)

Dear Josie, Raelene, Save Our Songlines, Clare and Ruby

Thanks for your emails.

Arrangements for the meetings involve not insubstantial logistics from our end, and for a number of reasons, we have learnt that it is worthwhile confirming the meeting will proceed.

We'll set the proposed draft agenda as per notes below (but please let us know if you would like to edit or update it).

So that the meeting can be rescheduled, please let us know dates that Josie, Raelene and Save Our Songlines are next available to meet.

DRAFT AGENDA

1. Walk through of the Scarborough 4D Baseline Marine Seismic Survey EP
2. Description of Scarborough Project and activities to be undertaken in the Scarborough 4D Baseline Marine Seismic Survey EP – activity, location, impacts and risks, controls in place to manage risks, mechanisms to update the EP with changes (as necessary).
3. How Woodside would update the EP in response to information about how functions, interests and activities may be affected.
4. More about you Ms Alec, Ms Cooper and Save Our Songlines
 - individual interests you each have;
 - the types of communal interests that each of you hold;
 - the activities each of you engage in that might be affected by the activities;
 - the role you perform within Save Our Songlines;
 - the interests that Save Our Songlines holds;
 - the functions of Save Our Songlines as an organization;
 - the activities that Save Our Songlines engage in that might be affected.
5. Information Ms Alec and Ms Cooper still need from Woodside.
6. Any other requests for information or access that Ms Alec and Ms Cooper have of Woodside.

Kind regards

[REDACTED]

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Karlak, 11 Mount Street
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Australia



From: Clare Lakewood <clare.lakewood@edo.org.au>

Sent: Monday, 12 June 2023 11:01 AM

To: [REDACTED]@woodside.com.au; Ruby Hamilton <ruby.hamilton@edo.org.au>

Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>; [REDACTED]@woodside.com.au

Subject: RE: URGENT: Scarborough Environment Plans - Consultation

Dear [REDACTED]

I note that I have tried to call you several times this morning, and also [REDACTED], with no answer and no response to the messages I have left, or our emails. Our clients would like to keep the existing arrangement for a consultation meeting on the morning of 13 June 2023 in Karratha. They are content with a 10am meeting. It is unclear to us why "flights and other logistics timed out" for Woodside attendees at 5pm on Friday when, as of the time of this email on the morning of Monday, 12 June, there are still five flights Perth to Karratha that would see any attendees from Perth arrive in time; and at our last meeting at least one attendee from Woodside was based in Karratha.

It is also unclear to us why Woodside required reconfirmation of the meeting late on Friday afternoon when our clients had proposed the date and general time, and Woodside had indicated that it was able to meet.

Moving to finer details for the meeting, our clients would like to meet at Hearson's Cove.

We are instructed that they would like only to discuss the seismic survey environment plan at that meeting, and therefore propose the agenda you suggested be amended (and the order changed a little) to the following:

1. Walk through of the Scarborough 4D Baseline Marine Seismic Survey EP

2. Description of Scarborough Project and activities to be undertaken in the Scarborough 4D Baseline Marine Seismic Survey EP – activity, location, impacts and risks, controls in place to manage risks, mechanisms to update the EP with changes (as necessary).

3. How Woodside would update the EP in response to information about how functions, interests and activities may be affected.

4. More about you Ms Alec, Ms Cooper and Save Our Songlines
 - individual interests you each have;
 - the types of communal interests that each of you hold;
 - the activities each of you engage in that might be affected by the activities;

- the role you perform within Save Our Songlines;
 - the interests that Save Our Songlines holds;
 - the functions of Save Our Songlines as an organization;
 - the activities that Save Our Songlines engage in that might be affected.
4. Information Ms Alec and Ms Cooper still need from Woodside.
6. Any other requests for information or access that Ms Alec and Ms Cooper have of Woodside.

In attendance will be Ms Alec and Ms Cooper; and Ruby Hamilton and myself from EDO.

Please feel free to contact me on 0459 948 956 should you have questions or concerns about proceeding.

Kind regards,
Clare



Clare Lakewood — Special Counsel, Safe Climate

(Mon, Tue, Wed, Thu)
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I use she/her pronouns.

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From: Clare Lakewood <clare.lakewood@edo.org.au>

Sent: Saturday, June 10, 2023 1:43 PM

To: [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>; Ruby Hamilton <ruby.hamilton@edo.org.au>

Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au;

'info@saveoursonglines.org' <info@saveoursonglines.org>

Subject: URGENT: Scarborough Environment Plans - Consultation

Dear [REDACTED]

As Ruby indicated yesterday, and as we originally proposed, our clients are available and hope to proceed with a meeting at 10am on Tuesday, 13 June 2023. As noted in previous correspondence, our clients greatly value face-to-face meetings on Country, and have limited availability. Solicitors from the EDO have also arranged to be in Karratha on Tuesday also.

Our clients are hopeful of a productive meeting and would be happy to work with whoever is available from Woodside, even if this means the meeting proceeds in a more limited capacity (i.e. a shorter/different time, or fewer Woodside attendees than initially proposed).

In the interests of determining whether there is a way we can proceed, I invite you to call me directly on 0459 948 956.

Acknowledging the logistics we will have to manage if the meeting does not proceed, or is to occur at different time or date, I am available at your convenience over the weekend. I welcome you, or whoever at Woodside can most efficiently handle logistics, giving me a call, and look forward to finding a productive path forward.

Kind regards,
Clare



Environmental
Defenders Office

**Clare Lakewood — Special Counsel, Safe
Climate**

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I use she/her pronouns.

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From: [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>
Sent: Friday, June 9, 2023 5:09 PM
To: Ruby Hamilton <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>; Clare Lakewood <clare.lakewood@edo.org.au>
Subject: RE: Scarborough Environment Plans - Consultation

Hi Ruby

Thanks for your email. We are unavailable because, as foreshadowed in our email, flights and other logistics timed out at 5pm for us.

Let's regroup next week and work through alternate dates.

Kind regards



Woodside Energy
Mia Yellagonga
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f t in v @

From: Ruby Hamilton <ruby.hamilton@edo.org.au>

Sent: Friday, 9 June 2023 5:06 PM

To: [REDACTED] <[REDACTED]@woodside.com.au>

Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>; Clare Lakewood <clare.lakewood@edo.org.au>

Subject: Re: Scarborough Environment Plans - Consultation

Dear [REDACTED]

We confirm the meeting for next Tuesday, 13 June 2023. Our clients are available in the morning of that day.

We will confirm the other details as soon as possible once we have instructions from our clients.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED] <[REDACTED]@woodside.com>

Sent: Friday, June 9, 2023 2:20 pm

To: Ruby Hamilton <ruby.hamilton@edo.org.au>

Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au <sue.mccarrey@nopsema.gov.au>; 'info@saveoursonglines.org' <info@saveoursonglines.org>; Clare Lakewood <clare.lakewood@edo.org.au>

Subject: RE: Scarborough Environment Plans - Consultation

Dear All

Re email below - correcting the date. Meeting on Tuesday 13 June (rather than 14 June).

Kind regards

[REDACTED]



Woodside Energy
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Australia

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f t in y i

From: [REDACTED]

Sent: Friday, 9 June 2023 1:58 PM

To: 'ruby.hamilton@edo.org.au' <ruby.hamilton@edo.org.au>

Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au <sue.mccarrey@nopsema.gov.au>; 'info@saveoursonglines.org' <info@saveoursonglines.org>; 'clare.lakewood@edo.org.au' <clare.lakewood@edo.org.au>

Subject: RE: Scarborough Environment Plans - Consultation

Dear Ruby, Josie, Raelene and Save Our Songlines

Thanks for suggesting a meeting next Tuesday 14 June in Karratha.

We refer to the emails below.

We would be grateful if you can please confirm by 5pm today that the meeting will go ahead, or alternatively, provide some other dates for us to work to. (There are a number of flight and other logistics that need to be confirmed by 5pm today in order for that meeting to progress on Tuesday).

Please can you also let us know:

The preferred time for the proposed meeting

The preferred meeting location

Attendees

Added items to the draft Agenda

We look forward to hearing from you.

Kind regards



Woodside Energy
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From: [REDACTED]

Sent: Wednesday, 7 June 2023 6:46 AM

To: 'ruby.hamilton@edo.org.au' <ruby.hamilton@edo.org.au>

Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au;
'info@saveoursonglines.org' <info@saveoursonglines.org>; 'clare.lakewood@edo.org.au'
<clare.lakewood@edo.org.au>

Subject: RE: Scarborough Environment Plans - Consultation

Dear Ruby

Thanks for your email.

As per previous correspondence, Josie, Raelene and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via the Environment Defenders Office. Hence our respectful request once more that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We received the email below from the Environmental Defenders Office (EDO).

As the EDO's email was copied to email addresses for the Chief Executive Officer of NOPSEMA, we have, as a matter of courtesy copied the same email address.

We understand you have suggested a meeting in Karratha on the morning of **Tuesday 13 June (next Tuesday)** to continue consultation on the Scarborough Environment Plans.

Our team is available to meet with you.

Agenda for meeting

As per our previous email, we are keen to hear and address the issues that matter to you. So please let us know the things that you would like to discuss, share with us, tell us about or topics you would like to hear from us so that we can make the most of the meeting.

In case it is of interest for continuing our consultation with you, we also note the following draft guidance from NOPSEMA: [Draft policy for managing genderrestricted information PL2098.pdf \(nopsema.gov.au\)](#)

As to your specific interests (and those of Save Our Songlines), we continue to invite you to share those with us to allow Woodside to consider the potential impacts and risks of the EP activities on these interests and what Woodside can do to lessen or avoid those impacts.

As per our previous email, we have compiled a draft agenda for you to edit or add to. It is not a fixed agenda, but rather a guide in case it is useful.

Draft agenda items

[Josie, Raelene, SOS, topics of interest; queries]

More about you both and Save Our Songlines

- the role you perform within Save Our Songlines;
- individual interests you each have;
- the types of communal interests that each of you and Save Our Songlines hold;
- the functions of Save Our Songlines as an organization;
- the activities that each of you and Save Our Songlines engage in.

Walk through of the following EPs

- Scarborough 4D Baseline Marine Seismic Survey EP
- WA-61-L and WA 62-L Subsea Infrastructure Installation EP
- Scarborough Seabed Intervention and Trunkline EP
- Scarborough Drilling and Completions EP
- Scarborough Trunkline Installation (State Waters) EP

Description of Scarborough Project and activities to be undertaken under each EP – activity, location, impacts and risks, controls in place to manage risks, mechanisms to update the EP with changes (as necessary).

[PLEASE ADD TOPICS AS RELEVANT]

Meaning protocols

Our team is willing to observe the same protocols that we agreed to prior to our March 2023 meeting. We remain respectful of cultural sensitivities and also employee safety and privacy and including for those reasons, do not consent to the meeting being recorded.

1. Woodside, SOS, Ms Alec, Ms Cooper and EDO lawyers are welcome to take written notes of the meeting. To respect privacy, safety and cultural values there will be no other recording of the meeting (e.g., no audio or visual recording of the meeting).

As requested by SOS, Ms Alec and Ms Cooper, Woodside attendees are all female.

As per the request from Ms Alec, Woodside attendees are attending the meeting with an open heart, deep listening and seeking a respectful conversation.

Woodside's respectful request is that attendees come to the meeting open to sharing knowledge about the environment (heritage value of places, social and cultural features) that may be affected by the activities under the proposed Scarborough environment plans. Woodside's request is also that attendees come to the meeting open to sharing ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.

Attendees

Given the short notice of the meeting, the whole Woodside team is unfortunately not available to meet with you. However the team that is available to meet on Tuesday is:

1. [REDACTED] – Manager First Nations Relations
2. [REDACTED] – HSE Manager Scarborough
3. [REDACTED] – Senior Environment Advisor Scarborough
4. [REDACTED] – Woodside legal

We may also be joined by one of our Corporate Affairs employees.

Please let us know who will be attending for you.

Time and Location

We are available to meet at 10am if that suits you (but please let us know if a different time needs to be accommodated).

Please let us know if you have made arrangements for a location for the meeting?

If you would like, we can make enquiries regarding availability for meeting rooms in Karratha and surrounds.

We look forward to hearing from you.

Kind regards



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount Street
Perth WA 6000
Australia

T: [REDACTED]
M: + [REDACTED]
E: [REDACTED]@woodside.com
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f t in v @

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Thursday, 1 June 2023 9:23 PM
To: [REDACTED]@woodside.com.au>
Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au;
'info@saveoursonglines.org' <info@saveoursonglines.org>; Clare Lakewood
<clare.lakewood@edo.org.au>
Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

We refer to the below correspondence.

We are instructed that our clients have confirmed they are available and would like to meet in Karratha on the morning of Tuesday, 13 June 2023. We would be grateful if you are able to accommodate this specific window with relatively short notice.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Monday, May 15, 2023 2:34 PM
To: [REDACTED]@woodside.com>
Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au;
'info@saveoursonglines.org' <info@saveoursonglines.org>; Clare Lakewood
<clare.lakewood@edo.org.au>
Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

Thank you for the below email. We are confirming instructions with our clients and will revert as soon as we are able.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED]@woodside.com>
Sent: Tuesday, May 9, 2023 7:21 PM
To: Clare Lakewood <clare.lakewood@edo.org.au>; Ruby Hamilton <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au;
'info@saveoursonglines.org' <info@saveoursonglines.org>

Subject: RE: Scarborough Environment Plans - Consultation

Dear Clare and Ruby

Thanks for your emails.

As per previous correspondence, Josie, Raelene and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via the Environment Defenders Office. Hence our respectful request once more that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We received the email below from the Environmental Defenders Office (EDO).

As the EDO's email was copied to email addresses for the Chief Executive Officer of NOPSEMA, we have, as a matter of courtesy copied the same email address.

Ongoing consultation and next meeting

Woodside once again reiterates it is open and willing to engage in ongoing consultation with you on the Seismic Survey EP as well as the following Scarborough Commonwealth EPs which have been referenced during consultation and our meeting in March:

Scarborough 4D Baseline Marine Seismic Survey EP

WA-61-L and WA 62-L Subsea Infrastructure Installation EP

Scarborough Seabed Intervention and Trunkline EP

Scarborough Drilling and Completions EP

As per our email below from 28 March, our team is available to meet in May and we are still waiting to hear from you about your availability for a meeting. Please let us know when suits you to meet in the weeks commencing 15 May, 22 May and 29 May.

We are available to meet on country or, as you note below, by video conference or telephone (as appropriate).

Our team is willing to observe the same protocols that we agreed to prior to our March 2023 meeting. We remain respectful of cultural sensitivities and also employee safety and privacy and including for those reasons, do not consent to the meeting being recorded.

Agenda for meeting

As to your specific interests (and those of Save Our Songlines), we continue to invite you to share those with us to allow Woodside to consider the potential impacts and risks of the EP activities on these interests and what Woodside can do to lessen or avoid those impacts.

In previous correspondence and meetings, we heard you tell us that you were not prepared to share some information with us at this stage and you weren't sure when you would be ready to share it with us. And we also heard that, sometimes the information has not yet been revealed to you and that it will

be revealed to you in time. We remain open to hearing from you when this is known to you and it is ready to be shared.

In case it is of interest for continuing our consultation with you, we also note the following draft guidance from NOPSEMA: [Draft policy for managing genderrestricted information PL2098.pdf \(nopsema.gov.au\)](#)

So that the most can be made of the meeting, we have prepared some points below by way of draft agenda. We are keen to hear and address the issues that matter to you. So please feel free to add to the agenda items for the meeting.

Draft agenda items

[Josie, Raelene, SOS, topics of interest; queries]

More about you both and Save Our Songlines

- the role you perform within Save Our Songlines;
- individual interests you each have;
- the types of communal interests that each of you and Save Our Songlines hold;
- the functions of Save Our Songlines as an organization;
- the activities that each of you and Save Our Songlines engage in.

Walk through of the following EPs

- Scarborough 4D Baseline Marine Seismic Survey EP
- WA-61-L and WA 62-L Subsea Infrastructure Installation EP
- Scarborough Seabed Intervention and Trunkline EP
- Scarborough Drilling and Completions EP

Description of Scarborough Project and activities to be undertaken under each EP – activity, location, impacts and risks, controls in place to manage risks, mechanisms to update the EP with changes (as necessary).

[PLEASE ADD TOPICS AS RELEVANT]

Our records indicate that we have provided responses to the requests that have been made in relation to the Scarborough Commonwealth EPs.

We look forward to hearing further from you.

Best regards

Woodside

[REDACTED]

[REDACTED]



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount Street
Perth WA 6000
Australia

T: [REDACTED]
M: + [REDACTED]
E: [REDACTED]@woodside.com
www.woodside.com
f t in v i

From: Clare Lakewood <clare.lakewood@edo.org.au>

Sent: Monday, 8 May 2023 2:55 PM

To: Ruby Hamilton <ruby.hamilton@edo.org.au>; [REDACTED] <[\[REDACTED\]@woodside.com.au](mailto:[REDACTED]@woodside.com.au)>

Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au;
'info@saveoursonglines.org' <info@saveoursonglines.org>

Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED],

We refer to our email below. We have not had any response to date, and write again to enquire whether Woodside wishes to propose dates that we can put to our clients for consultation regarding the seismic survey EP.

Yours sincerely,
Clare



Environmental
Defenders Office

**Clare Lakewood — Special Counsel, Safe
Climate**

(Mon, Tue, Wed, Thu)

PO Box Z5218, Boorloo/Perth WA 6831

P: +61 8 6118 7912

E: clare.lakewood@edo.org.au

I use she/her pronouns.

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This email and any attachments are confidential. If you are not the intended recipient you must not disseminate, distribute or copy it. If you have received this email by mistake please notify us immediately at info@edo.org.au and delete this email.

EDO recognises the traditional owners and custodians of the land, seas and rivers of Australia. We pay our respects to Aboriginal and Torres Strait Islander elders past and present, and aspire to learn from traditional knowledge and customs so that, together, we can protect our environment and cultural heritage through law.

From: Ruby Hamilton <ruby.hamilton@edo.org.au>

Sent: Tuesday, April 18, 2023 2:56 PM

To: [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>

Cc: Woodside Feedback <Feedback@woodside.com>; Clare Lakewood <clare.lakewood@edo.org.au>;
sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>

Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

Thank you for your email of 29 March 2023 in respect of the Scarborough 4D B1 Marine Seismic Survey Environment Plan (**Seismic Survey EP**).

Thank you for acknowledging our clients' continued efforts to bring themselves into Woodside's

consultation processes and to organise a face-to-face meeting on Country. Our clients confirm their willingness to meet again and to continue consultation. To be clear, our clients do not consider there has yet been consultation such that Woodside can demonstrate in the EP that there has been an appropriate level of consultation. This will require further information to be shared and incorporated into the EP. Our clients are also concerned that because their cultural knowledge is women's knowledge, it is being considered less important than other cultural knowledge Woodside may have received during consultation.

Our clients look forward to providing information about their interests that Woodside needs.

Having had an introductory meeting on 14 March 2023, and mindful that the EP appears to have been re-submitted around nine days after that introductory meeting took place, we propose that Woodside withdraw the EP and meet with our clients to explain to them the relevant risks and impacts of the activities the subject of the Seismic Survey EP specifically, and to obtain further information on their functions, interests and activities. We note in particular that the introductory meeting of 14 March 2023 did not discuss the activities the subject of Seismic Survey EP in any detail.

Our clients are generally available to meet by phone or videoconference in May.

In addition to abiding by the cultural protocol summarised in your email of 29 March 2023, our clients propose the following purposes for the meeting:

- overview of any outstanding requests for information made by our clients;

- explanation of the activities the subject of the Seismic Survey EP, so that our clients can make an informed assessment of the possible consequences of those activities on their functions, interests and activities.

Mindful that Woodside is required under reg 16(b) of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009* (Cth) to provide NOPSEMA with a full report on all consultation with relevant persons, and the difficulties in different perspectives that have been encountered as described in your email of 29 March 2023, our clients propose that this next meeting be recorded, and that permission be sought should Woodside wish to provide transcripts, recordings or other documents referring to cultural knowledge to NOPSEMA.

Our clients otherwise request that the cultural protocols requested in advance of the 14 March 2023 meeting, and summarised in your email of 29 March 2023, be continued.

Following a meeting for Woodside to explain the risks and impacts of the Seismic Survey EP, we propose that our clients be given appropriate time to consider and respond to information shared by Woodside at or after the meeting, so that Woodside may be apprised of all the environmental risks and impacts of the activities the subject of the Seismic Survey EP, and can ensure that those impacts and risks are reduced as low as reasonably practicable. To be clear as to our clients' needs, we expect the timeframe for that response to be approximately 4-6 weeks.

We anticipate that a decision as to whether the response from our clients be in writing, through a meeting, or some combination or other communication, is best determined in light of information Woodside provides, and the information our clients seek to provide in response. We anticipate that that response will also propose next steps for the consultation, with a view to enabling Woodside to adopt measures that will reduce the risks and impacts of the activities the subject of the Seismic Survey EP.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED] <[REDACTED]@woodside.com>
Sent: Wednesday, March 29, 2023 12:56 PM
To: Ruby Hamilton <ruby.hamilton@edo.org.au>; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Cc: Woodside Feedback <Feedback@woodside.com>; Clare Lakewood <clare.lakewood@edo.org.au>; sue.mccarrey@nopsema.gov.au
Subject: RE: Scarborough Environment Plans - Consultation

 [External email](#) >

Dear Ruby

Thanks for your email and letter dated 24 March 2023.

Josie, Raelene and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via you. Hence our email and our respectful request that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We received the email and letter sent to us by the Environmental Defenders Office (EDO) dated 24 March 2023. The letter sets out recollections and reflections on the meeting we had on country in Karratha on 14 March 2023 as well as comments on our email of 16 March 2023.

First, we wanted to thank you for sharing the recollections and reflections with us. Secondly, we thought it would be worth sharing our perspectives on comments in that letter – please see these below.

Just so you know, this email relates to the Scarborough Commonwealth EPs. The letter sent to us was copied to an email address for the Chief Executive Officer of NOPSEMA. So, for courtesy and so that you are aware, we are also providing a copy of this email to NOPSEMA. Acknowledging that we separately sent an email to you yesterday on the State Waters EPs that was copied to Minister Johnston and DMIRS.

Consultations, correspondence and meeting on 14 March 2023 [Paragraphs 1-5, 10, 13, 20]

The team at Woodside was pleased to have met face-to-face with you on 14 March 2023. It was the culmination of a long period of communication on the Scarborough Project involving a number of prior attempts to meet face-to-face (since around November 2021) and, since at least June 2022, an extensive exchange of correspondence specific to each of the Scarborough environment plans (EP) and activities set out in the letter (Seismic EP, Drilling EP, Subsea EP, SITI EP, State Waters EP). It was good to meet and we confirm that Woodside remains open to consulting further with you on the Commonwealth EPs as well as the State Waters EP.

A great deal of information was shared at the 14 March 2023 meeting. This included a discussion of your and Save Our Songlines' cultural details and was provided against the backdrop of the protocols we agreed before the meeting. The Woodside team left the 2-hour meeting feeling positive and with a sense of goodwill – we appreciated the exchange of warm mutual embraces at the opening and end of the meeting. We all expressed, at the end of the meeting, a willingness to meet again.

As per discussions leading up to the meeting, unless things change, for future meetings, we agree to continue with the following meeting protocols:

Attendees continue to be all female.

Attendees attend meetings with an open heart, deep listening and seeking a respectful conversation.

Attendees come to meetings open to sharing knowledge about the environment (heritage value of places, social and cultural features) that may be affected by the activities under the proposed Scarborough EPs. Attendees come to the meeting open to sharing ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.

Attendees are welcome to take written notes of meetings. To respect privacy, safety and cultural values there will be no other recording of meetings (e.g. no audio or visual recording of meetings).

Other than sharing the fact that the meeting took place, the cultural details will be kept confidential amongst the female attendees unless directed otherwise and will not be made public without permission.

We also confirm that Woodside remains open to consulting further with you on the proposed Scarborough activities and is open to the continuing engagements regarding the Scarborough activities.

Additional or new information

So that you are aware, we have a process in place for the life of an EP that allows the EP to be updated to include additional or new information or feedback that is received after an EP is submitted. This is done through a “Management of Knowledge” process. So, for example, if new or additional information is provided to Woodside, Woodside can consider that information and assess the risk in accordance with the environmental risk management methodology in the EP to determine the significance of potential new environmental impacts or risks not already provided for in the EP. In that context, if information changes Woodside’s understanding of the environment or understanding of measures that Woodside can take in order to lessen or avoid impacts of activities, that information can be updated and actioned in the EP.

This means that feedback or information you provide in future meetings can still be taken into account and, where appropriate, can be incorporated in the EP during the life of the activity.

Following the meeting, we considered what you told us. Based on that information, no updates were required to the EP via the Management of Knowledge process.

Functions, interests and activities [Paragraph 6, 13]

Thank you for confirming in the letter that you consider that your functions, interests and activities are distinct from those of MAC. We also heard you say this at our meeting. We are interested in learning further about your functions, interests and activities (and those of Save Our Songlines) and how those are different to MAC’s.

The letter also references MAC surveys. As Raelene mentioned in the meeting, Raelene was, for around 10 years, a former Board member of MAC. (We understand Raelene resigned from the Board in around February 2022). So, Woodside’s correspondence, involvement and meetings on the Scarborough Project with Raelene (in her capacity as a MAC representative) also go back a long time to when those discussions commenced with the MAC – in around 2018.

We understand that Raelene was involved in ethnographic studies of the Scarborough Project undertaken by MAC. So, while we have no authority to provide the survey to you, in response to your request for the ethnographic survey, Raelene may have contacts at MAC to request a copy of that survey.

As to your functions, interests and activities (and those of Save Our Songlines), we continue to invite you to share those with us as well to allow Woodside to consider the likely impacts and risks of the EP activities on these functions, interests and activities and what Woodside can do to lessen or avoid those impacts.

In our meeting, we heard you tell us that you were not prepared to share some information with us at this stage and you weren't sure when you would be ready to share it with us. And we also heard that, sometimes the information has not yet been revealed to you and that it will be revealed to you in time. We remain open to hearing from you when this is known to you and it is ready to be shared.

In particular, we are interested in learning from you:

the role you perform within Save Our Songlines;

individual interests you each have;

the types of communal interests that each of you and Save Our Songlines hold;

the functions of Save Our Songlines as an organization;

the activities that each of you and Save Our Songlines engage in

To confirm - we don't expect you to provide this information to us in writing and would be happy to meet with you again to discuss this information as per our meeting protocols.

It is important that this information is provided so that Woodside can understand how the proposed activities (that are the subject of the Commonwealth EPs) may affect your functions, interests and activities. We remain open to hearing from you when this is known to you and it is ready to be shared.

Minimising impacts to your functions, interests and activities [Paragraphs 7, 9, 11, 12, 13, 14]

Thank you for notes in the letter on the meeting content.

A comment in the letter is that information had been mischaracterised in the email that we sent you following the meeting. We want to be very clear that our intention is not and was not to mischaracterise information. We want to be very clear that the information provided in our email following the meeting is our group's genuine recollection and interpretation of the take-aways from the meeting. That is, consistent with the agreed protocols for the meeting which included a request that you share ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.

Our team has reviewed notes taken at the meeting. Below we've set out our team's perspectives of some of the items noted in the letter.

Underwater activities

In the meeting, Woodside provided an overview of the Scarborough Project. At that point in the meeting, a number of topics had been discussed (not repeated here so as to respect confidentiality). After the Scarborough Project was overviewed, at a high level (so as to respect confidentiality), there was a discussion about songlines and, in so far as underwater activities are concerned, there was a

discussion about potential impacts of activities on whales.

During this discussion, a question was asked by Woodside along the lines of: *what things can Woodside do in order to carry out the Scarborough Project in a respectful way to the knowledge and cultural information that has been shared in the meeting.* Our team's recollection is that the answer given was along the lines of: *there is nothing Woodside can do to carry out the project in a respectful way and that it was not clear why the project was happening in Murujuga and why it couldn't be done somewhere else along the coast.*

We also asked what Woodside could do to protect the values that were being talked about. The answer that was given was along the lines of: *all that can be done is for the project to be stopped.*

A further question was asked along the lines of: *if the project is to go ahead what could be done to protect the values.* The answer given was along the lines of: *nothing. The only option is to stop the project.*

These answers informed our take aways from the meeting.

Greenhouse gas emissions

The topic of greenhouse gas was also raised. This topic has been the subject of separate correspondence in which Woodside has confirmed that, emissions from the activities covered by the Commonwealth EPs are of a scale that no credible impact pathway is foreseen.

Industrialisation of Murujuga

The topic of industrialisation of Murujuga was also raised. Out of respect for confidentiality, we will not repeat the information provided in the meeting in relation to signing of the Burrup and Maitland and Industrial Estates Agreement (BMIEA). However, the subject has also been addressed in separate correspondence in which Woodside has set out its understanding of the history of the Burrup and the industrial agreements involved. Woodside has also provided responses which are along the lines that no credible impact pathway is foreseen from the activities covered by the Commonwealth EPs which could damage rock art and heritage sites and that no cultural impact to future access to sites of cultural and spiritual significance is foreseen.

Detail of EPs and information accessed and provided

As set out above, the face-to-face meeting involved an overview of the Scarborough Project. The face-to-face meeting followed volumes of previous correspondence on the Scarborough Project. We acknowledge the many pieces of previous correspondence that have been sent to Woodside which have been specific to each of the EPs set out in the letter. That previous correspondence indicates that a large volume of information on the Scarborough Project has been accessed, read and thought through. The correspondence shows an informed and thorough understanding of the various Scarborough activities and the Scarborough Project.

Offshore Petroleum and Greenhouse Gas Storage Act (OPGGGS Act) – section 280 Interference with other rights [paragraph 13]

In the letter, section 280 of the OPGGS Act is noted. We do not understand why that particular aspect of the OPGGS Act has been referenced. We are open to hearing more from you on what you would like us to understand from the reference to section 280 of the OPGGS Act.

Consultation in general [paragraph 14]

The letter has a line that suggests that Woodside is implying that “nothing is to be gained from

consulting” with you. We want to be very clear that these are not Woodside’s words. Woodside has not put that position forward and is not making an implication of this kind.

On the contrary, we have continued to consult with you and continue to invite further consultation. We were pleased to have had the opportunity to finally meet with you face-to-face this month and we look forward to further meetings with you to learn of your and Save Our Songlines’ interests.

Relevant persons [paragraph 4, 15-19]

The concept of “relevant person” was raised in the letter and also at our meeting. We heard in the meeting that you were insulted that Woodside had categorised SOS as relevant but had not recognised you under the heading of relevant person. You also told us that you were pleased to see that you and SOS have since been included as relevant interested persons in the State EP summary document.

As we discussed at the meeting, Woodside’s intention is not to insult you. We reiterate this as we want to be very clear about this.

We also want you to know that the “relevant person” category is different depending on whether the EP requires Commonwealth approval or State approval (WA). For the Commonwealth EPs, the Commonwealth laws apply. The Commonwealth approval process requires Woodside to consult with “relevant persons”.

At the meeting, we took you through the approval process relating to the concept of “relevant persons” and noted that, at the relevant time consultations are included under a category of “relevant persons” in EPs. Woodside generally applies this category at a stage when we understand more about a person’s functions, interests and activities and also the impacts of our activities on them.

As noted in your letter and above, we also discussed at our meeting that Save Our Songlines, Josie and Raelene have been included under the category of “relevant interested persons” in the State Waters EP. You kindly acknowledged at our meeting that you understood the reasons for redactions that were made to the State EP summary to protect personal information.

These kind of considerations continue and we will have a clearer understanding of the categories when you are able to share more with us. But as we reiterated at the meeting, you should know that there is no need for us to categorise you as relevant in order to consult with you.

Ongoing consultation

Once an EP is accepted, Woodside continues ongoing consultations with relevant persons.

As confirmed in the meeting, and consistent with our processes for ongoing consultation, the important issue is that we are open to continuing consultation and that we are keen to keep talking to you to understand how the proposed Commonwealth EP activities relevantly affect you and Save Our Songlines. Once we understand the kind of functions, interests and activities you and Save Our Songlines hold, we can consider the things that Woodside can do to lessen or avoid impacts of the activities to you.

Responses to questions and further information [paragraph 21-27]

The letter notes some questions that were asked during our face-to-face meeting. As acknowledged in the letter, specific questions on the Scarborough Gas Project, the ethnographic survey and fracking have been actioned and there is nothing substantial to add to the answers provided in our email.

As to requests for further information and notifications, please remain subscribed to Woodside’s and relevant regulators’ website as a best source of information relating to updates to EP assessments.

Further consultation [paragraph 24-27]

The letter sent to us notes that you would like to organise another meeting and will require approximately six weeks to read into materials and prepare for a meeting.

We would be pleased to consult with you further. It took a number of attempts to book and arrange our March face-to-face meeting, so please let us know your preferred times for the next meeting.

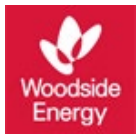
If it would be useful, our team is available to meet in the week commencing 8 May 2023 (which is approximately 6 weeks away) or earlier. Please let us know dates you are available so we can book in a next face-to-face meeting.

Best regards
Woodside

[Redacted signature]

Kind regards

[Redacted signature]



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount Street
Perth WA 6000
Australia

T: [Redacted]
M: +[Redacted]
E: [Redacted]@woodside.com
www.woodside.com
f t in v @

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Friday, 24 March 2023 12:18 PM
To: [Redacted] <[\[Redacted\]@woodside.com.au](mailto:[Redacted]@woodside.com.au)>
Cc: Woodside Feedback <Feedback@woodside.com.au>; Clare Lakewood <clare.lakewood@edo.org.au>; minister.johnston@dpc.wa.gov.au; richard.sellers@dmirs.wa.gov.au; sue.mccarrey@nopsema.gov.au
Subject: RE: Scarborough Environment Plans - Consultation

Dear [Redacted]

Please find **attached** correspondence on behalf of our clients, Ms Josie Alec and Ms Raelene Cooper.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [Redacted] <[\[Redacted\]@woodside.com](mailto:[Redacted]@woodside.com)>
Sent: Thursday, March 16, 2023 5:16 PM
To: Clare Lakewood <clare.lakewood@edo.org.au>; Ruby Hamilton <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com>; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Subject: RE: Scarborough Environment Plans - Consultation

Dear Ruby and Clare

Thanks for our meeting on Tuesday (14 March 2023).

Josie, Raelene and Save Our Songlines asked that Woodside continue correspondence with them, via you. Hence our email and our respectful request that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We are grateful for our on-country meeting with you, Skyla and Clare and Ruby (as well as the welcome to country from your son Mark) on 14 March 2023. We want to let you know that, as a group of women, we feel privileged to have been welcomed to the beautiful country where we met and we appreciate you sharing your stories, cultural knowledge and your concerns with us.

We appreciate your request for us to attend the meeting with open hearts, deep listening and respectful conversation and we intend to continue this approach to our engagement. Our consultation process is ongoing through the environmental approval process and when an activity is being performed. We look forward to continuing our discussions with you in the future.

At our meeting, Woodside provided an overview of the Scarborough activities (Seismic EP, Subsea EP, D&C EP, SITI EP (Cth and State)), and you told us that the proposed activities give you a sick feeling and the activities should be stopped. You also let us know that, in your view, there is nothing that can be done by Woodside to progress with the proposed Scarborough activities in a way that could minimise impact to your functions, activities and interests or is respectful to your culture and country.

We confirm that we agreed not to share cultural details that you shared with us at the 14 March 2023 meeting. To respect this, we will not include cultural detail you shared with us at our meeting in Woodside's environment plans or in conversations with the Regulator. For clarity, as agreed, our proposed environment plans will confirm that we met with you on 14 March 2023 to continue consulting with you on the proposed Scarborough environment plans. So you are aware, this email as well as previous correspondence with SOS and Josie and Raelene will also be included in the proposed environment plans.

We took the following actions from the meeting. Responses are provided in italics:

- Provide background information on the "why" behind the Scarborough activities: *Woodside's Scarborough Gas Project helps play a role in the global energy transition, helping neighbouring Asian countries take action on emissions reduction. There is further information on our website: [Scarborough Gas Project and Pluto Train 2 - Woodside Energy](#).*
- Check with MAC as to whether MAC's ethnographic survey can be shared with Josie, Raelene and Save Our Songlines: *The ethnographic survey is held by MAC and Woodside does not have permission to share it.*
- Confirm fracking in relation to the Scarborough activities: *There is no fracking to be undertaken as part of the proposed Scarborough activities.*

We want you to know that, as discussed, we are open to consulting further with you on the proposed Scarborough activities and are open to the continuing engagements regarding the Scarborough activities. Please let us know if further feedback for the activities proposed under the environment plans is sensitive and we will make this known to NOPSEMA upon submission to ensure this information remains confidential to NOPSEMA.

In the meantime, we are grateful to have met you and to have heard your perspectives on the

Scarborough activities and Woodside.

Best regards

[Redacted signature]

[Redacted signature]



Woodside Energy
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LEAP Email Reference [F:a1ae8a86-801a-40ef-845b-71b304a1e6de|M:5433c43b-6613-b34b-9c50-d05dd0f4a9cb] (Please do not delete)

We confirm the meeting on Tuesday, 13 June 2023. Our clients are available in the morning of that day.

We

From: Ruby Hamilton
Sent: Mon, 12 Jun 2023 13:26:02 +0800
To: [REDACTED] Clare Lakewood
Cc: Woodside
Feedback;sue.mccarrey@nopsema.gov.au;'info@saveoursonglines.org';julin.oconnor@woodside.com.au
Subject: Re: URGENT: Scarborough Environment Plans - Consultation
Categories: LEAP

JLB-2.20

Dear [REDACTED]

As noted, our clients and EDO solicitors are available in Karratha for a meeting at 10am on Tuesday 14 June 2023 and would prefer to proceed with that meeting if at all possible. Our suggestions below include currently available flights, and/or adjusting the scope and personnel for the meeting.

We have instructions from both our clients that the meeting can proceed with Ms Cooper in attendance on Tuesday afternoon or anytime on Wednesday. While the Tuesday morning meeting time would allow both our clients to attend, we are instructed that this alternate format would still be acceptable in order for a meeting to proceed with EDO solicitors present. If it is the only option for Woodside, our clients can meet on Thursday afternoon.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED]@woodside.com>
Sent: Monday, June 12, 2023 12:58 pm
To: Clare Lakewood <clare.lakewood@edo.org.au>; Ruby Hamilton <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au
<sue.mccarrey@nopsema.gov.au>; 'info@saveoursonglines.org' <info@saveoursonglines.org>;
[REDACTED]@woodside.com.au [REDACTED]@woodside.com>
Subject: RE: URGENT: Scarborough Environment Plans - Consultation

Dear Josie, Raelene, Save Our Songlines, Clare and Ruby

Thanks for your emails.

Arrangements for the meetings involve not insubstantial logistics from our end, and for a number of reasons, we have learnt that it is worthwhile confirming the meeting will proceed.

We'll set the proposed draft agenda as per notes below (but please let us know if you would like to edit or update it).

So that the meeting can be rescheduled, please let us know dates that Josie, Raelene and Save Our Songlines are next available to meet.

DRAFT AGENDA

1. Walk through of the Scarborough 4D Baseline Marine Seismic Survey EP
2. Description of Scarborough Project and activities to be undertaken in the Scarborough 4D Baseline Marine Seismic Survey EP – activity, location, impacts and risks, controls in place to manage risks, mechanisms to update the EP with changes (as necessary).
3. How Woodside would update the EP in response to information about how functions, interests and activities may be affected.
4. More about you Ms Alec, Ms Cooper and Save Our Songlines

- individual interests you each have;
- the types of communal interests that each of you hold;
- the activities each of you engage in that might be affected by the activities;
- the role you perform within Save Our Songlines;
- the interests that Save Our Songlines holds;
- the functions of Save Our Songlines as an organization;
- the activities that Save Our Songlines engage in that might be affected.

5. Information Ms Alec and Ms Cooper still need from Woodside.

6. Any other requests for information or access that Ms Alec and Ms Cooper have of Woodside.

Kind regards



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount
Street
Perth WA 6000
Australia

T: [REDACTED]
M: + [REDACTED]
E: [REDACTED]@woodside.com
www.woodside.com
f t in v @

From: Clare Lakewood <clare.lakewood@edo.org.au>

Sent: Monday, 12 June 2023 11:01 AM

To: [REDACTED]@woodside.com.au; Ruby Hamilton <ruby.hamilton@edo.org.au>

Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>; [REDACTED]@woodside.com.au

Subject: RE: URGENT: Scarborough Environment Plans - Consultation

Dear [REDACTED]

I note that I have tried to call you several times this morning, and also [REDACTED], with no answer and no response to the messages I have left, or our emails. Our clients would like to keep the existing arrangement for a consultation meeting on the morning of 13 June 2023 in Karratha. They are content with a 10am meeting. It is unclear to us why "flights and other logistics timed out" for Woodside attendees at 5pm on Friday when, as of the time of this email on the morning of Monday, 12 June, there are still five flights Perth to Karratha that would see any attendees from Perth arrive in time; and at our last meeting at least one attendee from Woodside was based in Karratha.

It is also unclear to us why Woodside required reconfirmation of the meeting late on Friday afternoon when our clients had proposed the date and general time, and Woodside had indicated that it was able to meet.

Moving to finer details for the meeting, our clients would like to meet at Hearson's Cove.

We are instructed that they would like only to discuss the seismic survey environment plan at that meeting, and therefore propose the agenda you suggested be amended (and the order changed a little) to the following:

1. Walk through of the Scarborough 4D Baseline Marine Seismic Survey EP

2. Description of Scarborough Project and activities to be undertaken in the Scarborough 4D Baseline Marine Seismic Survey EP – activity, location, impacts and risks, controls in place to manage risks, mechanisms to update the EP with changes (as necessary).
3. How Woodside would update the EP in response to information about how functions, interests and activities may be affected.
4. More about you Ms Alec, Ms Cooper and Save Our Songlines
 - individual interests you each have;
 - the types of communal interests that each of you hold;
 - the activities each of you engage in that might be affected by the activities;

 - the role you perform within Save Our Songlines;
 - the interests that Save Our Songlines holds;
 - the functions of Save Our Songlines as an organization;
 - the activities that Save Our Songlines engage in that might be affected.
4. Information Ms Alec and Ms Cooper still need from Woodside.
6. Any other requests for information or access that Ms Alec and Ms Cooper have of Woodside.

In attendance will be Ms Alec and Ms Cooper; and Ruby Hamilton and myself from EDO.

Please feel free to contact me on 0459 948 956 should you have questions or concerns about proceeding.

Kind regards,
Clare



Environmental
Defenders Office

**Clare Lakewood — Special Counsel,
Safe Climate**

(Mon, Tue, Wed, Thu)

PO Box Z5218, Boorloo/Perth WA 6831

P: +61 8 6118 7912

E: clare.lakewood@edo.org.au

I use she/her pronouns.

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From: Clare Lakewood <clare.lakewood@edo.org.au>

Sent: Saturday, June 10, 2023 1:43 PM

To: [REDACTED] <[REDACTED]@woodside.com>; Ruby Hamilton <ruby.hamilton@edo.org.au>

Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org'

<info@saveoursonglines.org>

Subject: URGENT: Scarborough Environment Plans - Consultation

Dear [REDACTED]

As Ruby indicated yesterday, and as we originally proposed, our clients are available and hope to proceed with a meeting at 10am on Tuesday, 13 June 2023. As noted in previous correspondence, our clients greatly value face-to-face meetings on Country, and have limited availability. Solicitors from the EDO have also arranged to be in Karratha on Tuesday also.

Our clients are hopeful of a productive meeting and would be happy to work with whoever is available from Woodside, even if this means the meeting proceeds in a more limited capacity (i.e. a shorter/different time, or fewer Woodside attendees than initially proposed).

In the interests of determining whether there is a way we can proceed, I invite you to call me directly on 0459 948 956.

Acknowledging the logistics we will have to manage if the meeting does not proceed, or is to occur at different time or date, I am available at your convenience over the weekend. I welcome you, or whoever at Woodside can most efficiently handle logistics, giving me a call, and look forward to finding a productive path forward.

Kind regards,
Clare



Environmental
Defenders Office

**Clare Lakewood — Special Counsel,
Safe Climate**

(Mon, Tue, Wed, Thu)

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E: clare.lakewood@edo.org.au

I use she/her pronouns.

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From: [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>

Sent: Friday, June 9, 2023 5:09 PM

To: Ruby Hamilton <ruby.hamilton@edo.org.au>

Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>; Clare Lakewood <clare.lakewood@edo.org.au>

Subject: RE: Scarborough Environment Plans - Consultation

Hi Ruby

Thanks for your email. We are unavailable because, as foreshadowed in our email, flights and other logistics timed out at 5pm for us.

Let's regroup next week and work through alternate dates.

Kind regards

260



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount
Street
Perth WA 6000
Australia

T: [REDACTED]
M: + [REDACTED]
E: [REDACTED]@woodside.com
www.woodside.com



From: Ruby Hamilton <ruby.hamilton@edo.org.au>

Sent: Friday, 9 June 2023 5:06 PM

To: [REDACTED]@woodside.com.au>

Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>; Clare Lakewood <clare.lakewood@edo.org.au>

Subject: Re: Scarborough Environment Plans - Consultation

Dear [REDACTED]

We confirm the meeting for next Tuesday, 13 June 2023. Our clients are available in the morning of that day.

We will confirm the other details as soon as possible once we have instructions from our clients.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED]@woodside.com>

Sent: Friday, June 9, 2023 2:20 pm

To: Ruby Hamilton <ruby.hamilton@edo.org.au>

Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au <sue.mccarrey@nopsema.gov.au>; 'info@saveoursonglines.org' <info@saveoursonglines.org>; Clare Lakewood <clare.lakewood@edo.org.au>

Subject: RE: Scarborough Environment Plans - Consultation

Dear All

Re email below - correcting the date. Meeting on Tuesday 13 June (rather than 14 June).

Kind regards



Woodside Energy
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Karlak, 11 Mount
Street
Perth WA 6000
Australia

T: [REDACTED]
M: + [REDACTED]
E: [REDACTED]@woodside.com
www.woodside.com



From: [REDACTED]

Sent: Friday, 9 June 2023 1:58 PM

To: 'ruby.hamilton@edo.org.au' <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com.au>; 'sue.mccarrey@nopsema.gov.au' <sue.mccarrey@nopsema.gov.au>; 'info@saveoursonglines.org' <info@saveoursonglines.org>; 'clare.lakewood@edo.org.au' <clare.lakewood@edo.org.au>
Subject: RE: Scarborough Environment Plans - Consultation

Dear Ruby, Josie, Raelene and Save Our Songlines

Thanks for suggesting a meeting next Tuesday 14 June in Karratha.

We refer to the emails below.

We would be grateful if you can please confirm by 5pm today that the meeting will go ahead, or alternatively, provide some other dates for us to work to. (There are a number of flight and other logistics that need to be confirmed by 5pm today in order for that meeting to progress on Tuesday).

Please can you also let us know:

The preferred time for the proposed meeting

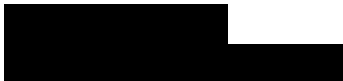
The preferred meeting location

Attendees

Added items to the draft Agenda

We look forward to hearing from you.

Kind regards



Woodside Energy
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Australia

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f t in v i

From: [REDACTED]
Sent: Wednesday, 7 June 2023 6:46 AM
To: 'ruby.hamilton@edo.org.au' <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com.au>; 'sue.mccarrey@nopsema.gov.au' <sue.mccarrey@nopsema.gov.au>; 'info@saveoursonglines.org' <info@saveoursonglines.org>; 'clare.lakewood@edo.org.au' <clare.lakewood@edo.org.au>
Subject: RE: Scarborough Environment Plans - Consultation

Dear Ruby

Thanks for your email.

As per previous correspondence, Josie, Raelene and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via the Environment Defenders Office. Hence our respectful request once more that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We received the email below from the Environmental Defenders Office (EDO).

As the EDO's email was copied to email addresses for the Chief Executive Officer of NOPSEMA, we have, as a matter of courtesy copied the same email address.

We understand you have suggested a meeting in Karratha on the morning of **Tuesday 13 June (next Tuesday)** to continue consultation on the Scarborough Environment Plans.

Our team is available to meet with you.

Agenda for meeting

As per our previous email, we are keen to hear and address the issues that matter to you. So please let us know the things that you would like to discuss, share with us, tell us about or topics you would like to hear from us so that we can make the most of the meeting.

In case it is of interest for continuing our consultation with you, we also note the following draft guidance from NOPSEMA: [Draft policy for managing genderrestricted information PL2098.pdf \(nopsema.gov.au\)](#)

As to your specific interests (and those of Save Our Songlines), we continue to invite you to share those with us to allow Woodside to consider the potential impacts and risks of the EP activities on these interests and what Woodside can do to lessen or avoid those impacts.

As per our previous email, we have compiled a draft agenda for you to edit or add to. It is not a fixed agenda, but rather a guide in case it is useful.

Draft agenda items

[Josie, Raelene, SOS, topics of interest; queries]

More about you both and Save Our Songlines

the role you perform within Save Our Songlines;

individual interests you each have;

the types of communal interests that each of you and Save Our Songlines hold;

the functions of Save Our Songlines as an organization;

the activities that each of you and Save Our Songlines engage in.

Walk through of the following EPs

- Scarborough 4D Baseline Marine Seismic Survey EP
- WA-61-L and WA 62-L Subsea Infrastructure Installation EP
- Scarborough Seabed Intervention and Trunkline EP
- Scarborough Drilling and Completions EP
- Scarborough Trunkline Installation (State Waters) EP

Description of Scarborough Project and activities to be undertaken under each EP – activity, location, impacts and risks, controls in place to manage risks, mechanisms to update the EP with changes (as necessary).

[PLEASE ADD TOPICS AS RELEVANT]

Meaning protocols

Our team is willing to observe the same protocols that we agreed to prior to our March 2023 meeting. We remain respectful of cultural sensitivities and also employee safety and privacy and including for those reasons, do not consent to the meeting being recorded.

1. Woodside, SOS, Ms Alec, Ms Cooper and EDO lawyers are welcome to take written notes of the meeting. To respect privacy, safety and cultural values there will be no other recording of the meeting (e.g., no audio or visual recording of the meeting).

As requested by SOS, Ms Alec and Ms Cooper, Woodside attendees are all female.

As per the request from Ms Alec, Woodside attendees are attending the meeting with an open heart, deep listening and seeking a respectful conversation.

Woodside's respectful request is that attendees come to the meeting open to sharing knowledge about the environment (heritage value of places, social and cultural features) that may be affected by the activities under the proposed Scarborough environment plans. Woodside's request is also that attendees come to the meeting open to sharing ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.

Attendees

Given the short notice of the meeting, the whole Woodside team is unfortunately not available to meet with you. However the team that is available to meet on Tuesday is:

1. [REDACTED] – Manager First Nations Relations
2. [REDACTED] – HSE Manager Scarborough
3. [REDACTED] – Senior Environment Advisor Scarborough
4. [REDACTED] – Woodside legal

We may also be joined by one of our Corporate Affairs employees.

Please let us know who will be attending for you.

Time and Location

We are available to meet at 10am if that suits you (but please let us know if a different time needs to be accommodated).

Please let us know if you have made arrangements for a location for the meeting?

If you would like, we can make enquiries regarding availability for meeting rooms in Karratha and surrounds.

We look forward to hearing from you.

Kind regards

[REDACTED]



Woodside Energy
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Karlak, 11 Mount
Street
Perth WA 6000
Australia

T: [REDACTED]
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E: [REDACTED]@woodside.com
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f t in v i

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Thursday, 1 June 2023 9:23 PM
To: [REDACTED]@woodside.com.au>
Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>; Clare Lakewood <clare.lakewood@edo.org.au>
Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

We refer to the below correspondence.

We are instructed that our clients have confirmed they are available and would like to meet in Karratha on the morning of Tuesday, 13 June 2023. We would be grateful if you are able to accommodate this specific window with relatively short notice.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Monday, May 15, 2023 2:34 PM
To: [REDACTED]@woodside.com>
Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>; Clare Lakewood <clare.lakewood@edo.org.au>
Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

Thank you for the below email. We are confirming instructions with our clients and will revert as soon as we are able.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED]@woodside.com>
Sent: Tuesday, May 9, 2023 7:21 PM
To: Clare Lakewood <clare.lakewood@edo.org.au>; Ruby Hamilton <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Subject: RE: Scarborough Environment Plans - Consultation

Dear Clare and Ruby

Thanks for your emails.

As per previous correspondence, Josie, Raelene and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via the Environment Defenders Office. Hence our respectful request once more that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We received the email below from the Environmental Defenders Office (EDO).

As the EDO's email was copied to email addresses for the Chief Executive Officer of NOPSEMA, we have, as a matter of courtesy copied the same email address.

Ongoing consultation and next meeting

Woodside once again reiterates it is open and willing to engage in ongoing consultation with you on the Seismic Survey EP as well as the following Scarborough Commonwealth EPs which have been referenced during consultation and our meeting in March:

Scarborough 4D Baseline Marine Seismic Survey EP

WA-61-L and WA 62-L Subsea Infrastructure Installation EP

Scarborough Seabed Intervention and Trunkline EP

Scarborough Drilling and Completions EP

As per our email below from 28 March, our team is available to meet in May and we are still waiting to hear from you about your availability for a meeting. Please let us know when suits you to meet in the weeks commencing 15 May, 22 May and 29 May.

We are available to meet on country or, as you note below, by video conference or telephone (as appropriate).

Our team is willing to observe the same protocols that we agreed to prior to our March 2023 meeting. We remain respectful of cultural sensitivities and also employee safety and privacy and including for those reasons, do not consent to the meeting being recorded.

Agenda for meeting

As to your specific interests (and those of Save Our Songlines), we continue to invite you to share those with us to allow Woodside to consider the potential impacts and risks of the EP activities on these interests and what Woodside can do to lessen or avoid those impacts.

In previous correspondence and meetings, we heard you tell us that you were not prepared to share some information with us at this stage and you weren't sure when you would be ready to share it with us. And we also heard that, sometimes the information has not yet been revealed to you and that it will be revealed to you in time. We remain open to hearing from you when this is known to you and it is ready to be shared.

In case it is of interest for continuing our consultation with you, we also note the following draft guidance from NOPSEMA: [Draft policy for managing genderrestricted information PL2098.pdf \(nopsema.gov.au\)](#)

So that the most can be made of the meeting, we have prepared some points below by way of draft agenda. We are keen to hear and address the issues that matter to you. So please feel free to add to the agenda items for the meeting.

Draft agenda items

[Josie, Raelene, SOS, topics of interest; queries]

More about you both and Save Our Songlines

the role you perform within Save Our Songlines;

individual interests you each have;

the types of communal interests that each of you and Save Our Songlines hold;

the functions of Save Our Songlines as an organization;

the activities that each of you and Save Our Songlines engage in.

Walk through of the following EPs

- o Scarborough 4D Baseline Marine Seismic Survey EP
- o WA-61-L and WA 62-L Subsea Infrastructure Installation EP
- o Scarborough Seabed Intervention and Trunkline EP
- o Scarborough Drilling and Completions EP

Description of Scarborough Project and activities to be undertaken under each EP – activity, location, impacts and risks, controls in place to manage risks, mechanisms to update the EP with changes (as necessary).

[PLEASE ADD TOPICS AS RELEVANT]

Our records indicate that we have provided responses to the requests that have been made in relation to the Scarborough Commonwealth EPs.

We look forward to hearing further from you.

Best regards

Woodside

[Redacted signature]

[Redacted signature]



Woodside Energy
Mia Yellagonga
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Australia

T: [Redacted]
M: + [Redacted]
E: [Redacted]@woodside.com
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f t in v i

From: Clare Lakewood <clare.lakewood@edo.org.au>

Sent: Monday, 8 May 2023 2:55 PM

To: Ruby Hamilton <ruby.hamilton@edo.org.au>; [Redacted] <[\[Redacted\]@woodside.com.au](mailto:[Redacted]@woodside.com.au)>

Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>

Subject: RE: Scarborough Environment Plans - Consultation

Dear [Redacted]

We refer to our email below. We have not had any response to date, and write again to enquire whether Woodside wishes to propose dates that we can put to our clients for consultation regarding the seismic survey EP.

Yours sincerely,
Clare



Environmental
Defenders Office

**Clare Lakewood — Special Counsel,
Safe Climate**

(Mon, Tue, Wed, Thu)

PO Box Z5218, Boorloo/Perth WA 6831

P: +61 8 6118 7912

E: clare.lakewood@edo.org.au

I use she/her pronouns.

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From: Ruby Hamilton <ruby.hamilton@edo.org.au>

Sent: Tuesday, April 18, 2023 2:56 PM

To: [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>

Cc: Woodside Feedback <Feedback@woodside.com>; Clare Lakewood <clare.lakewood@edo.org.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>

Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

Thank you for your email of 29 March 2023 in respect of the Scarborough 4D B1 Marine Seismic Survey Environment Plan (**Seismic Survey EP**).

Thank you for acknowledging our clients' continued efforts to bring themselves into Woodside's consultation processes and to organise a face-to-face meeting on Country. Our clients confirm their willingness to meet again and to continue consultation. To be clear, our clients do not consider there has yet been consultation such that Woodside can demonstrate in the EP that there has been an appropriate level of consultation. This will require further information to be shared and incorporated into the EP. Our clients are also concerned that because their cultural knowledge is women's knowledge, it is being considered less important than other cultural knowledge Woodside may have received during consultation.

Our clients look forward to providing information about their interests that Woodside needs.

Having had an introductory meeting on 14 March 2023, and mindful that the EP appears to have been re-submitted around nine days after that introductory meeting took place, we propose that Woodside withdraw the EP and meet with our clients to explain to them the relevant risks and impacts of the activities the subject of the Seismic Survey EP specifically, and to obtain further information on their functions, interests and activities. We note in particular that the introductory meeting of 14 March 2023 did not discuss the activities the subject of Seismic Survey EP in any detail.

Our clients are generally available to meet by phone or videoconference in May.

In addition to abiding by the cultural protocol summarised in your email of 29 March 2023, our clients propose the following purposes for the meeting:

overview of any outstanding requests for information made by our clients;

explanation of the activities the subject of the Seismic Survey EP, so that our clients can make an informed assessment of the possible consequences of those activities on their functions, interests and activities.

Mindful that Woodside is required under reg 16(b) of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009* (Cth) to provide NOPSEMA with a full report on all consultation with relevant persons, and the difficulties in different perspectives that have been encountered as described in your email of 29 March 2023, our clients propose that this next meeting be recorded, and that permission be sought should Woodside wish to provide transcripts, recordings or other documents referring to cultural knowledge to NOPSEMA.

Our clients otherwise request that the cultural protocols requested in advance of the 14 March 2023 meeting, and summarised in your email of 29 March 2023, be continued.

Following a meeting for Woodside to explain the risks and impacts of the Seismic Survey EP, we propose that our clients be given appropriate time to consider and respond to information shared by Woodside at or after the meeting, so that Woodside may be apprised of all the environmental risks and impacts of the activities the subject of the Seismic Survey EP, and can ensure that those impacts and risks are reduced as low as reasonably practicable. To be clear as to our clients' needs, we expect the timeframe for that response to be approximately 4-6 weeks.

We anticipate that a decision as to whether the response from our clients be in writing, through a meeting, or some combination or other communication, is best determined in light of information Woodside provides, and the information our clients seek to provide in response. We anticipate that that response will also propose next steps for the consultation, with a view to enabling Woodside to adopt measures that will reduce the risks and impacts of the activities the subject of the Seismic Survey EP.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED]@woodside.com>
Sent: Wednesday, March 29, 2023 12:56 PM
To: Ruby Hamilton <ruby.hamilton@edo.org.au>; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Cc: Woodside Feedback <Feedback@woodside.com>; Clare Lakewood <clare.lakewood@edo.org.au>; sue.mccarrey@nopsema.gov.au
Subject: RE: Scarborough Environment Plans - Consultation

[External email](#)

Dear Ruby

Thanks for your email and letter dated 24 March 2023.

Josie, Raelene and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via you. Hence our email and our respectful request that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We received the email and letter sent to us by the Environmental Defenders Office (EDO) dated 24 March 2023. The letter sets out recollections and reflections on the meeting we had on country in Karratha on 14 March 2023 as well as comments on our email of 16 March 2023.

First, we wanted to thank you for sharing the recollections and reflections with us. Secondly, we thought it would be worth sharing our perspectives on comments in that letter – please see these below.

Just so you know, this email relates to the Scarborough Commonwealth EPs. The letter sent to us was copied to an email address for the Chief Executive Officer of NOPSEMA. So, for courtesy and so that you are aware, we are also providing a copy of this email to NOPSEMA. Acknowledging that we separately sent an email to you yesterday on the State Waters EPs that was copied to Minister Johnston and DMIRS.

Consultations, correspondence and meeting on 14 March 2023 [Paragraphs 1-5, 10, 13, 20]

The team at Woodside was pleased to have met face-to-face with you on 14 March 2023. It was the culmination of a long period of communication on the Scarborough Project involving a number of prior attempts to meet face-to-face (since around November 2021) and, since at least June 2022, an extensive exchange of correspondence specific to each of the Scarborough environment plans (EP) and activities set out in the letter (Seismic EP, Drilling EP, Subsea EP, SITI EP, State Waters EP). It was good to meet and we confirm that Woodside remains open to consulting further with you on the Commonwealth EPs as well as the State Waters EP.

A great deal of information was shared at the 14 March 2023 meeting. This included a discussion of your and Save Our Songlines' cultural details and was provided against the backdrop of the protocols we agreed before the meeting. The Woodside team left the 2-hour meeting feeling positive and with a sense of goodwill – we appreciated the exchange of warm mutual embraces at the opening and end of the meeting. We all expressed, at the end of the meeting, a willingness to meet again.

As per discussions leading up to the meeting, unless things change, for future meetings, we agree to continue with the following meeting protocols:

Attendees continue to be all female.

Attendees attend meetings with an open heart, deep listening and seeking a respectful conversation.

Attendees come to meetings open to sharing knowledge about the environment (heritage value of places, social and cultural features) that may be affected by the activities under the proposed Scarborough EPs. Attendees come to the meeting open to sharing ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.

Attendees are welcome to take written notes of meetings. To respect privacy, safety and cultural values there will be no other recording of meetings (e.g. no audio or visual recording of meetings).

Other than sharing the fact that the meeting took place, the cultural details will be kept confidential amongst the female attendees unless directed otherwise and will not be made public without permission.

We also confirm that Woodside remains open to consulting further with you on the proposed Scarborough activities and is open to the continuing engagements regarding the Scarborough activities.

Additional or new information

So that you are aware, we have a process in place for the life of an EP that allows the EP to be updated to include additional or new information or feedback that is received after an EP is submitted. This is done through a "Management of Knowledge" process. So, for example, if new or additional information is provided to Woodside, Woodside can consider that information and assess the risk in accordance with the environmental risk management methodology in the EP to determine the significance of potential new environmental impacts or risks not already provided for in the EP. In that context, if information changes Woodside's understanding of the environment or understanding of measures that Woodside can take in order to lessen or avoid impacts of activities, that information can be updated and actioned in the EP.

This means that feedback or information you provide in future meetings can still be taken into account and, where appropriate, can be incorporated in the EP during the life of the activity.

Following the meeting, we considered what you told us. Based on that information, no updates were required to the EP via the Management of Knowledge process.

Functions, interests and activities [Paragraph 6, 13]

Thank you for confirming in the letter that you consider that your functions, interests and activities are distinct from those of MAC. We also heard you say this at our meeting. We are interested in learning further about your functions, interests and activities (and those of Save Our Songlines) and how those are different to MAC's.

The letter also references MAC surveys. As Raelene mentioned in the meeting, Raelene was, for around 10 years, a former Board member of MAC. (We understand Raelene resigned from the Board in around February 2022). So, Woodside's correspondence, involvement and meetings on the Scarborough Project with Raelene (in her capacity as a MAC representative) also go back a long time to when those discussions commenced with the MAC – in around 2018.

We understand that Raelene was involved in ethnographic studies of the Scarborough Project undertaken by MAC. So, while we have no authority to provide the survey to you, in response to your request for the ethnographic survey, Raelene may have contacts at MAC to request a copy of that survey.

As to your functions, interests and activities (and those of Save Our Songlines), we continue to invite you to share those with us as well to allow Woodside to consider the likely impacts and risks of the EP activities on these functions, interests and activities and what Woodside can do to lessen or avoid those impacts.

In our meeting, we heard you tell us that you were not prepared to share some information with us at this stage and you weren't sure when you would be ready to share it with us. And we also heard that, sometimes the information has not yet been revealed to you and that it will be revealed to you in time. We remain open to hearing from you when this is known to you and it is ready to be shared.

In particular, we are interested in learning from you:

the role you perform within Save Our Songlines;

individual interests you each have;

the types of communal interests that each of you and Save Our Songlines hold;

the functions of Save Our Songlines as an organization;

the activities that each of you and Save Our Songlines engage in

To confirm - we don't expect you to provide this information to us in writing and would be happy to meet with you again to discuss this information as per our meeting protocols.

It is important that this information is provided so that Woodside can understand how the proposed activities (that are the subject of the Commonwealth EPs) may affect your functions, interests and activities. We remain open to hearing from you when this is known to you and it is ready to be shared.

Minimising impacts to your functions, interests and activities [Paragraphs 7, 9, 11, 12, 13, 14]

Thank you for notes in the letter on the meeting content.

A comment in the letter is that information had been mischaracterised in the email that we sent you following the meeting. We want to be very clear that our intention is not and was not to mischaracterise information. We want to be very clear that the information provided in our email following the meeting is our group's genuine recollection and interpretation of the take-aways from the meeting. That is, consistent with the agreed protocols for the meeting which included a request that you share ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.

Our team has reviewed notes taken at the meeting. Below we've set out our team's perspectives of some of the items noted in the letter.

Underwater activities

In the meeting, Woodside provided an overview of the Scarborough Project. At that point in the meeting, a number of topics had been discussed (not repeated here so as to respect confidentiality). After the Scarborough Project was overviewed, at a high level (so as to respect confidentiality), there was a discussion about songlines and, in so far as underwater activities are concerned, there was a discussion about potential impacts of activities on whales.

During this discussion, a question was asked by Woodside along the lines of: *what things can Woodside do in order to carry out the Scarborough Project in a respectful way to the knowledge and cultural information that has been shared in the meeting.* Our team's recollection is that the answer given was along the lines of: *there is nothing Woodside can do to carry out the project in a respectful way and that it was not clear why the project was happening in Murujuga and why it couldn't be done somewhere else along the coast.*

We also asked what Woodside could do to protect the values that were being talked about. The answer that was given was along the lines of: *all that can be done is for the project to be stopped.*

A further question was asked along the lines of: *if the project is to go ahead what could be done to protect the values.* The answer given was along the lines of: *nothing. The only option is to stop the project.*

These answers informed our take aways from the meeting.

Greenhouse gas emissions

The topic of greenhouse gas was also raised. This topic has been the subject of separate correspondence in which Woodside has confirmed that, emissions from the activities covered by the Commonwealth EPs are of a scale that no credible impact pathway is foreseen.

Industrialisation of Murujuga

The topic of industrialisation of Murujuga was also raised. Out of respect for confidentiality, we will not repeat the information provided in the meeting in relation to signing of the Burrup and Maitland and Industrial Estates Agreement (BMIEA). However, the subject has also been addressed in separate correspondence in which Woodside has set out its understanding of the history of the Burrup and the industrial agreements involved. Woodside has also provided responses which are along the lines that no credible impact pathway is foreseen from the activities covered by the Commonwealth EPs which could damage rock art and heritage sites and that no cultural impact to future access to sites of cultural and spiritual significance is foreseen.

Detail of EPs and information accessed and provided

As set out above, the face-to-face meeting involved an overview of the Scarborough Project. The face-to-face meeting followed volumes of previous correspondence on the Scarborough Project. We acknowledge the many pieces of previous correspondence that have been sent to Woodside which have been specific to each of the EPs set out in the letter. That previous correspondence indicates that a large volume of information on the Scarborough Project has been accessed, read and thought through. The correspondence shows an informed and thorough understanding of the various Scarborough activities and the Scarborough Project.

Offshore Petroleum and Greenhouse Gas Storage Act (OPGGGS Act) – section 280 Interference with other rights [paragraph 13]

In the letter, section 280 of the OPGGS Act is noted. We do not understand why that particular aspect of the OPGGS Act has been referenced. We are open to hearing more from you on what you would like us to understand from the reference to section 280 of the OPGGS Act.

Consultation in general [paragraph 14]

The letter has a line that suggests that Woodside is implying that “nothing is to be gained from consulting” with you. We want to be very clear that these are not Woodside’s words. Woodside has not put that position forward and is not making an implication of this kind.

On the contrary, we have continued to consult with you and continue to invite further consultation. We were pleased to have had the opportunity to finally meet with you face-to-face this month and we look forward to further meetings with you to learn of your and Save Our Songlines’ interests.

Relevant persons [paragraph 4, 15-19]

The concept of “relevant person” was raised in the letter and also at our meeting. We heard in the meeting that you were insulted that Woodside had categorised SOS as relevant but had not recognised you under the heading of relevant person. You also told us that you were pleased to see that you and SOS have since been included as relevant interested persons in the State EP summary document.

As we discussed at the meeting, Woodside’s intention is not to insult you. We reiterate this as we want to be very clear about this.

We also want you to know that the “relevant person” category is different depending on whether the EP requires Commonwealth approval or State approval (WA). For the Commonwealth EPs, the Commonwealth laws apply. The Commonwealth approval process requires Woodside to consult with “relevant persons”.

At the meeting, we took you through the approval process relating to the concept of “relevant persons” and noted that, at the relevant time consultations are included under a category of “relevant persons” in EPs. Woodside generally applies this category at a stage when we understand more about a person’s functions, interests and activities and also the impacts of our activities on them.

As noted in your letter and above, we also discussed at our meeting that Save Our Songlines, Josie and Raelene have been included under the category of “relevant interested persons” in the State Waters EP. You kindly acknowledged at our meeting that you understood the reasons for redactions that were made to the State EP summary to protect personal information.

These kind of considerations continue and we will have a clearer understanding of the categories when you are able to share more with us. But as we reiterated at the meeting, you should know that there is no need for us to categorise you as relevant in order to consult with you.

Ongoing consultation

Once an EP is accepted, Woodside continues ongoing consultations with relevant persons.

As confirmed in the meeting, and consistent with our processes for ongoing consultation, the important issue is that we are open to continuing consultation and that we are keen to keep talking to you to understand how the proposed Commonwealth EP activities relevantly affect you and Save Our Songlines. Once we understand the kind of functions, interests and activities you and Save Our Songlines hold, we can consider the things that Woodside can do to lessen or avoid impacts of the activities to you.

Responses to questions and further information [paragraph 21-27]

The letter notes some questions that were asked during our face-to-face meeting. As acknowledged in the letter, specific questions on the Scarborough Gas Project, the ethnographic survey and fracking have been actioned and there is nothing substantial to add to the answers provided in our email.

As to requests for further information and notifications, please remain subscribed to Woodside’s and relevant regulators’ website as a best source of information relating to updates to EP assessments.

Further consultation [paragraph 24-27]

The letter sent to us notes that you would like to organise another meeting and will require approximately six weeks to read into materials and prepare for a meeting.

We would be pleased to consult with you further. It took a number of attempts to book and arrange our March face-to-face meeting, so please let us know your preferred times for the next meeting.

If it would be useful, our team is available to meet in the week commencing 8 May 2023 (which is approximately 6 weeks away) or earlier. Please let us know dates you are available so we can book in a next face-to-face meeting.

Best regards
Woodside

Kind regards



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount
Street
Perth WA 6000
Australia

T: [REDACTED]
M: [REDACTED]
E: [REDACTED]@woodside.com
www.woodside.com
f t in v i

From: Ruby Hamilton <ruby.hamilton@edo.org.au>

Sent: Friday, 24 March 2023 12:18 PM

To: [REDACTED] <[\[REDACTED\]@woodside.com.au](mailto:[REDACTED]@woodside.com.au)>

Cc: Woodside Feedback <Feedback@woodside.com.au>; Clare Lakewood <clare.lakewood@edo.org.au>;
minister.johnston@dpc.wa.gov.au; richard.sellers@dmirs.wa.gov.au; sue.mccarrey@nopsema.gov.au

Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

Please find **attached** correspondence on behalf of our clients, Ms Josie Alec and Ms Raelene Cooper.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>

Sent: Thursday, March 16, 2023 5:16 PM

To: Clare Lakewood <clare.lakewood@edo.org.au>; Ruby Hamilton <ruby.hamilton@edo.org.au>

Cc: Woodside Feedback <Feedback@woodside.com>; 'info@saveoursonglines.org' <info@saveoursonglines.org>

Subject: RE: Scarborough Environment Plans - Consultation

Dear Ruby and Clare

Thanks for our meeting on Tuesday (14 March 2023).

Josie, Raelene and Save Our Songlines asked that Woodside continue correspondence with them, via you. Hence our email and our respectful request that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We are grateful for our on-country meeting with you, Skyla and Clare and Ruby (as well as the welcome to country from your son Mark) on 14 March 2023. We want to let you know that, as a group of women, we feel privileged to have been welcomed to the beautiful country where we met and we appreciate you sharing your stories, cultural knowledge and your concerns with us.

We appreciate your request for us to attend the meeting with open hearts, deep listening and respectful conversation and we intend to continue this approach to our engagement. Our consultation process is ongoing through the environmental approval process and when an activity is being performed. We look forward to continuing our discussions with you in the future.

At our meeting, Woodside provided an overview of the Scarborough activities (Seismic EP, Subsea EP, D&C EP, SITI EP (Cth and State)), and you told us that the proposed activities give you a sick feeling and the activities should be stopped. You also let us know that, in your view, there is nothing that can be done by Woodside to progress with the proposed Scarborough activities in a way that could minimise impact to your functions, activities and interests or is respectful to your culture and country.

We confirm that we agreed not to share cultural details that you shared with us at the 14 March 2023 meeting. To respect this, we will not include cultural detail you shared with us at our meeting in Woodside's environment plans or in conversations with the Regulator. For clarity, as agreed, our proposed environment plans will confirm that we met with you on 14 March 2023 to continue consulting with you on the proposed Scarborough environment plans. So you are aware, this email as well as previous correspondence with SOS and Josie and Raelene will also be included in the proposed environment plans.

We took the following actions from the meeting. Responses are provided in italics:

- Provide background information on the "why" behind the Scarborough activities: *Woodside's Scarborough Gas Project helps play a role in the global energy transition, helping neighbouring Asian countries take action on emissions reduction. There is further information on our website: [Scarborough Gas Project and Pluto Train 2 - Woodside Energy](#).*
 - Check with MAC as to whether MAC's ethnographic survey can be shared with Josie, Raelene and Save Our Songlines: *The ethnographic survey is held by MAC and Woodside does not have permission to share it.*
 - Confirm fracking in relation to the Scarborough activities: *There is no fracking to be undertaken as part of the proposed Scarborough activities.*

We want you to know that, as discussed, we are open to consulting further with you on the proposed Scarborough activities and are open to the continuing engagements regarding the Scarborough activities. Please let us know if further feedback for the activities proposed under the environment plans is sensitive and we will make this known to NOPSEMA upon submission to ensure this information remains confidential to NOPSEMA.

In the meantime, we are grateful to have met you and to have heard your perspectives on the Scarborough activities and Woodside.

Best regards

[Redacted signature]

[Redacted signature]



Woodside Energy
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Australia

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M: [Redacted]
E: [Redacted]@woodside.com
www.woodside.com



LEAP Email Reference [F:a1ae8a86-801a-40ef-845b-71b304a1e6de|M:5433c43b-6613-b34b-9c50-d05dd0f4a9cb] (Please do not delete)

We confirm the meeting on Tuesday, 13 June 2023. Our clients are available in the morning of that day.

We

From: Ruby Hamilton
Sent: Wed, 14 Jun 2023 09:42:17 +0800
To: [REDACTED]
Cc: Woodside
Feedback;sue.mccarrey@nopsema.gov.au;'info@saveoursonglines.org'[REDACTED]@woodside.com.au;Clare Lakewood
Subject: RE: URGENT: Scarborough Environment Plans - Consultation
Categories: LEAP

JLB-2.21

Dear [REDACTED]

We have not heard back in relation to the below email, or been able to contact you by phone.

Our clients are still willing to meet at the times specified below, while EDO solicitors are available in Karratha. We can arrange for Woodside to join by phone or videoconference if needed.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Monday, June 12, 2023 1:26 PM
To: [REDACTED]@woodside.com>; Clare Lakewood <clare.lakewood@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>; [REDACTED]@woodside.com.au [REDACTED]@woodside.com>
Subject: Re: URGENT: Scarborough Environment Plans - Consultation

Dear [REDACTED]

As noted, our clients and EDO solicitors are available in Karratha for a meeting at 10am on Tuesday 14 June 2023 and would prefer to proceed with that meeting if at all possible. Our suggestions below include currently available flights, and/or adjusting the scope and personnel for the meeting.

We have instructions from both our clients that the meeting can proceed with Ms Cooper in attendance on Tuesday afternoon or anytime on Wednesday. While the Tuesday morning meeting time would allow both our clients to attend, we are instructed that this alternate format would still be acceptable in order for a meeting to proceed with EDO solicitors present. If it is the only option for Woodside, our clients can meet on Thursday afternoon.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED]@woodside.com>
Sent: Monday, June 12, 2023 12:58 pm
To: Clare Lakewood <clare.lakewood@edo.org.au>; Ruby Hamilton <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au <sue.mccarrey@nopsema.gov.au>; 'info@saveoursonglines.org' <info@saveoursonglines.org>; [REDACTED]@woodside.com.au [REDACTED]@woodside.com>
Subject: RE: URGENT: Scarborough Environment Plans - Consultation

Dear Josie, Raelene, Save Our Songlines, Clare and Ruby

Thanks for your emails.

277

Arrangements for the meetings involve not insubstantial logistics from our end, and for a number of reasons, we have learnt that it is worthwhile confirming the meeting will proceed.

We'll set the proposed draft agenda as per notes below (but please let us know if you would like to edit or update it).

So that the meeting can be rescheduled, please let us know dates that Josie, Raelene and Save Our Songlines are next available to meet.

DRAFT AGENDA

1. Walk through of the Scarborough 4D Baseline Marine Seismic Survey EP
2. Description of Scarborough Project and activities to be undertaken in the Scarborough 4D Baseline Marine Seismic Survey EP – activity, location, impacts and risks, controls in place to manage risks, mechanisms to update the EP with changes (as necessary).

How Woodside would update the EP in response to information about how functions, interests and activities may be affected.

More about you Ms Alec, Ms Cooper and Save Our Songlines

- o individual interests you each have;
 - o the types of communal interests that each of you hold;
 - o the activities each of you engage in that might be affected by the activities;
 - o the role you perform within Save Our Songlines;
 - o the interests that Save Our Songlines holds;
 - o the functions of Save Our Songlines as an organization;
 - o the activities that Save Our Songlines engage in that might be affected.
5. Information Ms Alec and Ms Cooper still need from Woodside.
 6. Any other requests for information or access that Ms Alec and Ms Cooper have of Woodside.

Kind regards

[Redacted signature]



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E: [Redacted]@woodside.com
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f t in y i

From: Clare Lakewood <clare.lakewood@edo.org.au>

Sent: Monday, 12 June 2023 11:01 AM

To: [Redacted] <[\[Redacted\]@woodside.com.au](mailto:[Redacted]@woodside.com.au)>; Ruby Hamilton <ruby.hamilton@edo.org.au>

Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>; [Redacted] <[\[Redacted\]@woodside.com.au](mailto:[Redacted]@woodside.com.au)>

Subject: RE: URGENT: Scarborough Environment Plans - Consultation

Dear [Redacted]

I note that I have tried to call you several times this morning, and also [REDACTED], with no answer and no response to the messages I have left, or our emails. Our clients would like to keep the existing arrangement for a consultation meeting on the morning of 13 June 2023 in Karratha. They are content with a 10am meeting. It is unclear to us why “flights and other logistics timed out” for Woodside attendees at 5pm on Friday when, as of the time of this email on the morning of Monday, 12 June, there are still five flights Perth to Karratha that would see any attendees from Perth arrive in time; and at our last meeting at least one attendee from Woodside was based in Karratha.

It is also unclear to us why Woodside required reconfirmation of the meeting late on Friday afternoon when our clients had proposed the date and general time, and Woodside had indicated that it was able to meet.

Moving to finer details for the meeting, our clients would like to meet at Hearson’s Cove.

We are instructed that they would like only to discuss the seismic survey environment plan at that meeting, and therefore propose the agenda you suggested be amended (and the order changed a little) to the following:

1. Walk through of the Scarborough 4D Baseline Marine Seismic Survey EP
2. Description of Scarborough Project and activities to be undertaken in the Scarborough 4D Baseline Marine Seismic Survey EP – activity, location, impacts and risks, controls in place to manage risks, mechanisms to update the EP with changes (as necessary).

How Woodside would update the EP in response to information about how functions, interests and activities may be affected.

More about you Ms Alec, Ms Cooper and Save Our Songlines

- individual interests you each have;
 - the types of communal interests that each of you hold;
 - the activities each of you engage in that might be affected by the activities;
 - the role you perform within Save Our Songlines;
 - the interests that Save Our Songlines holds;
 - the functions of Save Our Songlines as an organization;
 - the activities that Save Our Songlines engage in that might be affected.
5. Information Ms Alec and Ms Cooper still need from Woodside.
 6. Any other requests for information or access that Ms Alec and Ms Cooper have of Woodside.

In attendance will be Ms Alec and Ms Cooper; and Ruby Hamilton and myself from EDO.

Please feel free to contact me on 0459 948 956 should you have questions or concerns about proceeding.

Kind regards,
Clare



Environmental
Defenders Office

**Clare Lakewood — Special Counsel,
Safe Climate**

(Mon, Tue, Wed, Thu)

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279

E: clare.lakewood@edo.org.au

I use she/her pronouns.

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From: Clare Lakewood <clare.lakewood@edo.org.au>

Sent: Saturday, June 10, 2023 1:43 PM

To: [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>; Ruby Hamilton <ruby.hamilton@edo.org.au>

Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>

Subject: URGENT: Scarborough Environment Plans - Consultation

Dear [REDACTED]

As Ruby indicated yesterday, and as we originally proposed, our clients are available and hope to proceed with a meeting at 10am on Tuesday, 13 June 2023. As noted in previous correspondence, our clients greatly value face-to-face meetings on Country, and have limited availability. Solicitors from the EDO have also arranged to be in Karratha on Tuesday also.

Our clients are hopeful of a productive meeting and would be happy to work with whoever is available from Woodside, even if this means the meeting proceeds in a more limited capacity (i.e. a shorter/different time, or fewer Woodside attendees than initially proposed).

In the interests of determining whether there is a way we can proceed, I invite you to call me directly on 0459 948 956.

Acknowledging the logistics we will have to manage if the meeting does not proceed, or is to occur at different time or date, I am available at your convenience over the weekend. I welcome you, or whoever at Woodside can most efficiently handle logistics, giving me a call, and look forward to finding a productive path forward.

Kind regards,
Clare



Environmental
Defenders Office

**Clare Lakewood — Special Counsel,
Safe Climate**

(Mon, Tue, Wed, Thu)

PO Box Z5218, Boorloo/Perth WA 6831

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E: clare.lakewood@edo.org.au

I use she/her pronouns.

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From: [REDACTED]@woodside.com>
Sent: Friday, June 9, 2023 5:09 PM
To: Ruby Hamilton <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>; Clare Lakewood <clare.lakewood@edo.org.au>
Subject: RE: Scarborough Environment Plans - Consultation

Hi Ruby

Thanks for your email. We are unavailable because, as foreshadowed in our email, flights and other logistics timed out at 5pm for us.

Let's regroup next week and work through alternate dates.

Kind regards



Woodside Energy
Mia Yellagonga
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Perth WA 6000
Australia

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From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Friday, 9 June 2023 5:06 PM
To: [REDACTED]@woodside.com.au>
Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>; Clare Lakewood <clare.lakewood@edo.org.au>
Subject: Re: Scarborough Environment Plans - Consultation

Dear [REDACTED]

We confirm the meeting for next Tuesday, 13 June 2023. Our clients are available in the morning of that day.

We will confirm the other details as soon as possible once we have instructions from our clients.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED]@woodside.com>
Sent: Friday, June 9, 2023 2:20 pm
To: Ruby Hamilton <ruby.hamilton@edo.org.au>

Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au <sue.mccarrey@nopsema.gov.au>; 'info@saveoursonglines.org' <info@saveoursonglines.org>; Clare Lakewood <clare.lakewood@edo.org.au>
Subject: RE: Scarborough Environment Plans - Consultation

Dear All

Re email below - correcting the date. Meeting on Tuesday 13 June (rather than 14 June).

Kind regards



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount
Street
Perth WA 6000
Australia

T: [REDACTED]
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E: [REDACTED]@woodside.com
www.woodside.com
f t in v i

From: [REDACTED]
Sent: Friday, 9 June 2023 1:58 PM
To: 'ruby.hamilton@edo.org.au' <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com.au>; 'sue.mccarrey@nopsema.gov.au' <sue.mccarrey@nopsema.gov.au>; 'info@saveoursonglines.org' <info@saveoursonglines.org>; 'clare.lakewood@edo.org.au' <clare.lakewood@edo.org.au>
Subject: RE: Scarborough Environment Plans - Consultation

Dear Ruby, Josie, Raelene and Save Our Songlines

Thanks for suggesting a meeting next Tuesday 14 June in Karratha.

We refer to the emails below.

We would be grateful if you can please confirm by 5pm today that the meeting will go ahead, or alternatively, provide some other dates for us to work to. (There are a number of flight and other logistics that need to be confirmed by 5pm today in order for that meeting to progress on Tuesday).

Please can you also let us know:

- The preferred time for the proposed meeting
- The preferred meeting location
- Attendees
- Added items to the draft Agenda

We look forward to hearing from you.

Kind regards





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From: [REDACTED]
Sent: Wednesday, 7 June 2023 6:46 AM
To: 'ruby.hamilton@edo.org.au' <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>; 'clare.lakewood@edo.org.au' <clare.lakewood@edo.org.au>
Subject: RE: Scarborough Environment Plans - Consultation

Dear Ruby

Thanks for your email.

As per previous correspondence, Josie, Raelene and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via the Environment Defenders Office. Hence our respectful request once more that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We received the email below from the Environmental Defenders Office (EDO).

As the EDO's email was copied to email addresses for the Chief Executive Officer of NOPSEMA, we have, as a matter of courtesy copied the same email address.

We understand you have suggested a meeting in Karratha on the morning of **Tuesday 13 June (next Tuesday)** to continue consultation on the Scarborough Environment Plans.

Our team is available to meet with you.

Agenda for meeting

As per our previous email, we are keen to hear and address the issues that matter to you. So please let us know the things that you would like to discuss, share with us, tell us about or topics you would like to hear from us so that we can make the most of the meeting.

In case it is of interest for continuing our consultation with you, we also note the following draft guidance from NOPSEMA: [Draft policy for managing genderrestricted information PL2098.pdf \(nopsema.gov.au\)](#)

As to your specific interests (and those of Save Our Songlines), we continue to invite you to share those with us to allow Woodside to consider the potential impacts and risks of the EP activities on these interests and what Woodside can do to lessen or avoid those impacts.

As per our previous email, we have compiled a draft agenda for you to edit or add to. It is not a fixed agenda, but rather a guide in case it is useful.

Draft agenda items

[Josie, Raelene, SOS, topics of interest; queries]

More about you both and Save Our Songlines

the role you perform within Save Our Songlines;

individual interests you each have;

the types of communal interests that each of you and Save Our Songlines hold;

the functions of Save Our Songlines as an organization;

the activities that each of you and Save Our Songlines engage in.

Walk through of the following EPs

- Scarborough 4D Baseline Marine Seismic Survey EP
- WA-61-L and WA 62-L Subsea Infrastructure Installation EP
- Scarborough Seabed Intervention and Trunkline EP
- Scarborough Drilling and Completions EP
- Scarborough Trunkline Installation (State Waters) EP

Description of Scarborough Project and activities to be undertaken under each EP – activity, location, impacts and risks, controls in place to manage risks, mechanisms to update the EP with changes (as necessary).

[PLEASE ADD TOPICS AS RELEVANT]

Meaning protocols

Our team is willing to observe the same protocols that we agreed to prior to our March 2023 meeting. We remain respectful of cultural sensitivities and also employee safety and privacy and including for those reasons, do not consent to the meeting being recorded.

1. Woodside, SOS, Ms Alec, Ms Cooper and EDO lawyers are welcome to take written notes of the meeting. To respect privacy, safety and cultural values there will be no other recording of the meeting (e.g., no audio or visual recording of the meeting).

As requested by SOS, Ms Alec and Ms Cooper, Woodside attendees are all female.

As per the request from Ms Alec, Woodside attendees are attending the meeting with an open heart, deep listening and seeking a respectful conversation.

Woodside's respectful request is that attendees come to the meeting open to sharing knowledge about the environment (heritage value of places, social and cultural features) that may be affected by the activities under the proposed Scarborough environment plans. Woodside's request is also that attendees come to the meeting open to sharing ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.

Attendees

Given the short notice of the meeting, the whole Woodside team is unfortunately not available to meet with you. However the team that is available to meet on Tuesday is:

1. [REDACTED] – Manager First Nations Relations
2. [REDACTED] – HSE Manager Scarborough
3. [REDACTED] – Senior Environment Advisor Scarborough

4. [REDACTED] – Woodside legal

We may also be joined by one of our Corporate Affairs employees.

Please let us know who will be attending for you.

Time and Location

We are available to meet at 10am if that suits you (but please let us know if a different time needs to be accommodated).

Please let us know if you have made arrangements for a location for the meeting?

If you would like, we can make enquiries regarding availability for meeting rooms in Karratha and surrounds.

We look forward to hearing from you.

Kind regards

[REDACTED]



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From: Ruby Hamilton <ruby.hamilton@edo.org.au>

Sent: Thursday, 1 June 2023 9:23 PM

To: [REDACTED] <[\[REDACTED\]@woodside.com.au](mailto:[REDACTED]@woodside.com.au)>

Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>; Clare Lakewood <clare.lakewood@edo.org.au>

Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

We refer to the below correspondence.

We are instructed that our clients have confirmed they are available and would like to meet in Karratha on the morning of Tuesday, 13 June 2023. We would be grateful if you are able to accommodate this specific window with relatively short notice.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: Ruby Hamilton <ruby.hamilton@edo.org.au>

Sent: Monday, May 15, 2023 2:34 PM

To: [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>

Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org'

<info@saveoursonglines.org>; Clare Lakewood <clare.lakewood@edo.org.au>

Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

Thank you for the below email. We are confirming instructions with our clients and will revert as soon as we are able.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>

Sent: Tuesday, May 9, 2023 7:21 PM

To: Clare Lakewood <clare.lakewood@edo.org.au>; Ruby Hamilton <ruby.hamilton@edo.org.au>

Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>

Subject: RE: Scarborough Environment Plans - Consultation

Dear Clare and Ruby

Thanks for your emails.

As per previous correspondence, Josie, Raelene and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via the Environment Defenders Office. Hence our respectful request once more that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We received the email below from the Environmental Defenders Office (EDO).

As the EDO's email was copied to email addresses for the Chief Executive Officer of NOPSEMA, we have, as a matter of courtesy copied the same email address.

Ongoing consultation and next meeting

Woodside once again reiterates it is open and willing to engage in ongoing consultation with you on the Seismic Survey EP as well as the following Scarborough Commonwealth EPs which have been referenced during consultation and our meeting in March:

Scarborough 4D Baseline Marine Seismic Survey EP

WA-61-L and WA 62-L Subsea Infrastructure Installation EP

Scarborough Seabed Intervention and Trunkline EP

Scarborough Drilling and Completions EP

As per our email below from 28 March, our team is available to meet in May and we are still waiting to hear from you about your availability for a meeting. Please let us know when suits you to meet in the weeks commencing 15 May, 22 May and 29 May.

We are available to meet on country or, as you note below, by video conference or telephone (as appropriate).

Our team is willing to observe the same protocols that we agreed to prior to our March 2023 meeting. We remain respectful of cultural sensitivities and also employee safety and privacy and including for those reasons, do not consent to the meeting being recorded.

Agenda for meeting

As to your specific interests (and those of Save Our Songlines), we continue to invite you to share those with us to allow Woodside to consider the potential impacts and risks of the EP activities on these interests and what Woodside can do to lessen or avoid those impacts.

In previous correspondence and meetings, we heard you tell us that you were not prepared to share some information with us at this stage and you weren't sure when you would be ready to share it with us. And we also heard that, sometimes the information has not yet been revealed to you and that it will be revealed to you in time. We remain open to hearing from you when this is known to you and it is ready to be shared.

In case it is of interest for continuing our consultation with you, we also note the following draft guidance from NOPSEMA: [Draft policy for managing genderrestricted information PL2098.pdf \(nopsema.gov.au\)](#)

So that the most can be made of the meeting, we have prepared some points below by way of draft agenda. We are keen to hear and address the issues that matter to you. So please feel free to add to the agenda items for the meeting.

Draft agenda items

[Josie, Raelene, SOS, topics of interest; queries]

More about you both and Save Our Songlines

the role you perform within Save Our Songlines;

individual interests you each have;

the types of communal interests that each of you and Save Our Songlines hold;

the functions of Save Our Songlines as an organization;

the activities that each of you and Save Our Songlines engage in.

Walk through of the following EPs

- Scarborough 4D Baseline Marine Seismic Survey EP
- WA-61-L and WA 62-L Subsea Infrastructure Installation EP
- Scarborough Seabed Intervention and Trunkline EP
- Scarborough Drilling and Completions EP

Description of Scarborough Project and activities to be undertaken under each EP – activity, location, impacts and risks, controls in place to manage risks, mechanisms to update the EP with changes (as necessary).

[PLEASE ADD TOPICS AS RELEVANT]

Our records indicate that we have provided responses to the requests that have been made in relation to the Scarborough Commonwealth EPs.

We look forward to hearing further from you.

Best regards

Woodside



Woodside Energy
Mia Yellagonga
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From: Clare Lakewood <clare.lakewood@edo.org.au>

Sent: Monday, 8 May 2023 2:55 PM

To: Ruby Hamilton <ruby.hamilton@edo.org.au>; [REDACTED] <[\[REDACTED\]@woodside.com.au](mailto:[REDACTED]@woodside.com.au)>

Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>

Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED],

We refer to our email below. We have not had any response to date, and write again to enquire whether Woodside wishes to propose dates that we can put to our clients for consultation regarding the seismic survey EP.

Yours sincerely,
Clare



Environmental
Defenders Office

**Clare Lakewood — Special Counsel,
Safe Climate**

(Mon, Tue, Wed, Thu)

PO Box Z5218, Boorloo/Perth WA 6831

P: +61 8 6118 7912

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I use she/her pronouns.

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This email and any attachments are confidential. If you are not the intended recipient you must not disseminate, distribute or copy it. If you have received this email by mistake please notify us immediately at info@edo.org.au and delete this email.

EDO recognises the traditional owners and custodians of the land, seas and rivers of Australia. We pay our respects to Aboriginal and Torres Strait Islander elders past and present, and aspire to learn from traditional knowledge and customs so that, together, we can protect our environment and cultural heritage through law.

From: Ruby Hamilton <ruby.hamilton@edo.org.au>

Sent: Tuesday, April 18, 2023 2:56 PM

To: [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>

Cc: Woodside Feedback <Feedback@woodside.com>; Clare Lakewood <clare.lakewood@edo.org.au>;

sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>

Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

Thank you for your email of 29 March 2023 in respect of the Scarborough 4D B1 Marine Seismic Survey Environment Plan (**Seismic Survey EP**).

Thank you for acknowledging our clients' continued efforts to bring themselves into Woodside's consultation processes and to organise a face-to-face meeting on Country. Our clients confirm their willingness to meet again and to continue consultation. To be clear, our clients do not consider there has yet been consultation such that Woodside can demonstrate in the EP that there has been an appropriate level of consultation. This will require further information to be shared and incorporated into the EP. Our clients are also concerned that because their cultural knowledge is women's knowledge, it is being considered less important than other cultural knowledge Woodside may have received during consultation.

Our clients look forward to providing information about their interests that Woodside needs.

Having had an introductory meeting on 14 March 2023, and mindful that the EP appears to have been re-submitted around nine days after that introductory meeting took place, we propose that Woodside withdraw the EP and meet with our clients to explain to them the relevant risks and impacts of the activities the subject of the Seismic Survey EP specifically, and to obtain further information on their functions, interests and activities. We note in particular that the introductory meeting of 14 March 2023 did not discuss the activities the subject of Seismic Survey EP in any detail.

Our clients are generally available to meet by phone or videoconference in May.

In addition to abiding by the cultural protocol summarised in your email of 29 March 2023, our clients propose the following purposes for the meeting:

- overview of any outstanding requests for information made by our clients;

- explanation of the activities the subject of the Seismic Survey EP, so that our clients can make an informed assessment of the possible consequences of those activities on their functions, interests and activities.

Mindful that Woodside is required under reg 16(b) of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009* (Cth) to provide NOPSEMA with a full report on all consultation with relevant persons, and the difficulties in different perspectives that have been encountered as described in your email of 29 March 2023, our clients propose that this next meeting be recorded, and that permission be sought should Woodside wish to provide transcripts, recordings or other documents referring to cultural knowledge to NOPSEMA.

Our clients otherwise request that the cultural protocols requested in advance of the 14 March 2023 meeting, and summarised in your email of 29 March 2023, be continued.

Following a meeting for Woodside to explain the risks and impacts of the Seismic Survey EP, we propose that our clients be given appropriate time to consider and respond to information shared by Woodside at or after the meeting, so that Woodside may be apprised of all the environmental risks and impacts of the activities the subject of the Seismic Survey EP, and can ensure that those impacts and risks are reduced as low as reasonably practicable. To be clear as to our clients' needs, we expect the timeframe for that response to be approximately 4-6 weeks.

We anticipate that a decision as to whether the response from our clients be in writing, through a meeting, or some combination or other communication, is best determined in light of information Woodside provides, and the information our clients seek to provide in response. We anticipate that that response will also propose next steps for the consultation, with a view to enabling Woodside to adopt measures that will reduce the risks and impacts of the activities the subject of the Seismic Survey EP.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED]@woodside.com>
Sent: Wednesday, March 29, 2023 12:56 PM
To: Ruby Hamilton <ruby.hamilton@edo.org.au>; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Cc: Woodside Feedback <Feedback@woodside.com>; Clare Lakewood <clare.lakewood@edo.org.au>;
sue.mccarrey@nopsema.gov.au
Subject: RE: Scarborough Environment Plans - Consultation

[External email](#)

Dear Ruby

Thanks for your email and letter dated 24 March 2023.

Josie, Raelene and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via you. Hence our email and our respectful request that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We received the email and letter sent to us by the Environmental Defenders Office (EDO) dated 24 March 2023. The letter sets out recollections and reflections on the meeting we had on country in Karratha on 14 March 2023 as well as comments on our email of 16 March 2023.

First, we wanted to thank you for sharing the recollections and reflections with us. Secondly, we thought it would be worth sharing our perspectives on comments in that letter – please see these below.

Just so you know, this email relates to the Scarborough Commonwealth EPs. The letter sent to us was copied to an email address for the Chief Executive Officer of NOPSEMA. So, for courtesy and so that you are aware, we are also providing a copy of this email to NOPSEMA. Acknowledging that we separately sent an email to you yesterday on the State Waters EPs that was copied to Minister Johnston and DMIRS.

Consultations, correspondence and meeting on 14 March 2023 [Paragraphs 1-5, 10, 13, 20]

The team at Woodside was pleased to have met face-to-face with you on 14 March 2023. It was the culmination of a long period of communication on the Scarborough Project involving a number of prior attempts to meet face-to-face (since around November 2021) and, since at least June 2022, an extensive exchange of correspondence specific to each of the Scarborough environment plans (EP) and activities set out in the letter (Seismic EP, Drilling EP, Subsea EP, SITI EP, State Waters EP). It was good to meet and we confirm that Woodside remains open to consulting further with you on the Commonwealth EPs as well as the State Waters EP.

A great deal of information was shared at the 14 March 2023 meeting. This included a discussion of your and Save Our Songlines' cultural details and was provided against the backdrop of the protocols we agreed before the meeting. The Woodside team left the 2-hour meeting feeling positive and with a sense of goodwill – we appreciated the exchange of warm mutual embraces at the opening and end of the meeting. We all expressed, at the end of the meeting, a willingness to meet again.

As per discussions leading up to the meeting, unless things change, for future meetings, we agree to continue with the following meeting protocols:

Attendees continue to be all female.

Attendees attend meetings with an open heart, deep listening and seeking a respectful conversation.

Attendees come to meetings open to sharing knowledge about the environment (heritage value of places, social and cultural features) that may be affected by the activities under the proposed Scarborough EPs. Attendees come to the meeting open to sharing ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.

Attendees are welcome to take written notes of meetings. To respect privacy, safety and cultural values there will be no other recording of meetings (e.g. no audio or visual recording of meetings).

Other than sharing the fact that the meeting took place, the cultural details will be kept confidential amongst the female attendees unless directed otherwise and will not be made public without permission.

We also confirm that Woodside remains open to consulting further with you on the proposed Scarborough activities and is open to the continuing engagements regarding the Scarborough activities.

Additional or new information

So that you are aware, we have a process in place for the life of an EP that allows the EP to be updated to include additional or new information or feedback that is received after an EP is submitted. This is done through a “Management of Knowledge” process. So, for example, if new or additional information is provided to Woodside, Woodside can consider that information and assess the risk in accordance with the environmental risk management methodology in the EP to determine the significance of potential new environmental impacts or risks not already provided for in the EP. In that context, if information changes Woodside’s understanding of the environment or understanding of measures that Woodside can take in order to lessen or avoid impacts of activities, that information can be updated and actioned in the EP.

This means that feedback or information you provide in future meetings can still be taken into account and, where appropriate, can be incorporated in the EP during the life of the activity.

Following the meeting, we considered what you told us. Based on that information, no updates were required to the EP via the Management of Knowledge process.

Functions, interests and activities [Paragraph 6, 13]

Thank you for confirming in the letter that you consider that your functions, interests and activities are distinct from those of MAC. We also heard you say this at our meeting. We are interested in learning further about your functions, interests and activities (and those of Save Our Songlines) and how those are different to MAC’s.

The letter also references MAC surveys. As Raelene mentioned in the meeting, Raelene was, for around 10 years, a former Board member of MAC. (We understand Raelene resigned from the Board in around February 2022). So, Woodside’s correspondence, involvement and meetings on the Scarborough Project with Raelene (in her capacity as a MAC representative) also go back a long time to when those discussions commenced with the MAC – in around 2018.

We understand that Raelene was involved in ethnographic studies of the Scarborough Project undertaken by MAC. So, while we have no authority to provide the survey to you, in response to your request for the ethnographic survey, Raelene may have contacts at MAC to request a copy of that survey.

As to your functions, interests and activities (and those of Save Our Songlines), we continue to invite you to share those with us as well to allow Woodside to consider the likely impacts and risks of the EP activities on these functions, interests and activities and what Woodside can do to lessen or avoid those impacts.

In our meeting, we heard you tell us that you were not prepared to share some information with us at this stage and you weren’t sure when you would be ready to share it with us. And we also heard that, sometimes the information has not yet been revealed to you and that it will be revealed to you in time. We remain open to hearing from you when this is known to you and it is ready to be shared.

In particular, we are interested in learning from you:

the role you perform within Save Our Songlines;

individual interests you each have;

the types of communal interests that each of you and Save Our Songlines hold;

the functions of Save Our Songlines as an organization;

the activities that each of you and Save Our Songlines engage in

To confirm - we don't expect you to provide this information to us in writing and would be happy to meet with you again to discuss this information as per our meeting protocols.

It is important that this information is provided so that Woodside can understand how the proposed activities (that are the subject of the Commonwealth EPs) may affect your functions, interests and activities. We remain open to hearing from you when this is known to you and it is ready to be shared.

Minimising impacts to your functions, interests and activities [Paragraphs 7, 9, 11, 12, 13, 14]

Thank you for notes in the letter on the meeting content.

A comment in the letter is that information had been mischaracterised in the email that we sent you following the meeting. We want to be very clear that our intention is not and was not to mischaracterise information. We want to be very clear that the information provided in our email following the meeting is our group's genuine recollection and interpretation of the take-aways from the meeting. That is, consistent with the agreed protocols for the meeting which included a request that you share ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.

Our team has reviewed notes taken at the meeting. Below we've set out our team's perspectives of some of the items noted in the letter.

Underwater activities

In the meeting, Woodside provided an overview of the Scarborough Project. At that point in the meeting, a number of topics had been discussed (not repeated here so as to respect confidentiality). After the Scarborough Project was overviewed, at a high level (so as to respect confidentiality), there was a discussion about songlines and, in so far as underwater activities are concerned, there was a discussion about potential impacts of activities on whales.

During this discussion, a question was asked by Woodside along the lines of: *what things can Woodside do in order to carry out the Scarborough Project in a respectful way to the knowledge and cultural information that has been shared in the meeting.* Our team's recollection is that the answer given was along the lines of: *there is nothing Woodside can do to carry out the project in a respectful way and that it was not clear why the project was happening in Murujuga and why it couldn't be done somewhere else along the coast.*

We also asked what Woodside could do to protect the values that were being talked about. The answer that was given was along the lines of: *all that can be done is for the project to be stopped.*

A further question was asked along the lines of: *if the project is to go ahead what could be done to protect the values.* The answer given was along the lines of: *nothing. The only option is to stop the project.*

These answers informed our take aways from the meeting.

Greenhouse gas emissions

The topic of greenhouse gas was also raised. This topic has been the subject of separate correspondence in which Woodside has confirmed that, emissions from the activities covered by the Commonwealth EPs are of a scale that no credible impact pathway is foreseen.

Industrialisation of Murujuga

The topic of industrialisation of Murujuga was also raised. Out of respect for confidentiality, we will not repeat the information provided in the meeting in relation to signing of the Burrup and Maitland and Industrial Estates Agreement (BMIEA). However, the subject has also been addressed in separate correspondence in which Woodside has set out its understanding of the history of the Burrup and the industrial agreements involved. Woodside has also provided responses which are along the lines that no credible impact pathway is foreseen from the activities covered by the Commonwealth EPs which could damage rock art and heritage sites and that no cultural impact to future access to sites of cultural and spiritual significance is foreseen.

Detail of EPs and information accessed and provided

As set out above, the face-to-face meeting involved an overview of the Scarborough Project. The face-to-face meeting followed volumes of previous correspondence on the Scarborough Project. We acknowledge the many pieces of previous correspondence that have been sent to Woodside which have been specific to each of the EPs set out in the letter. That previous correspondence indicates that a large volume of information on the Scarborough Project has been accessed, read and thought through. The correspondence shows an informed and thorough understanding of the various Scarborough activities and the Scarborough Project.

Offshore Petroleum and Greenhouse Gas Storage Act (OPGGGS Act) – section 280 Interference with other rights [paragraph 13]

In the letter, section 280 of the OPGGS Act is noted. We do not understand why that particular aspect of the OPGGS Act has been referenced. We are open to hearing more from you on what you would like us to understand from the reference to section 280 of the OPGGS Act.

Consultation in general [paragraph 14]

The letter has a line that suggests that Woodside is implying that “nothing is to be gained from consulting” with you. We want to be very clear that these are not Woodside’s words. Woodside has not put that position forward and is not making an implication of this kind.

On the contrary, we have continued to consult with you and continue to invite further consultation. We were pleased to have had the opportunity to finally meet with you face-to-face this month and we look forward to further meetings with you to learn of your and Save Our Songlines’ interests.

Relevant persons [paragraph 4, 15-19]

The concept of “relevant person” was raised in the letter and also at our meeting. We heard in the meeting that you were insulted that Woodside had categorised SOS as relevant but had not recognised you under the heading of relevant person. You also told us that you were pleased to see that you and SOS have since been included as relevant interested persons in the State EP summary document.

As we discussed at the meeting, Woodside’s intention is not to insult you. We reiterate this as we want to be very clear about this.

We also want you to know that the “relevant person” category is different depending on whether the EP requires Commonwealth approval or State approval (WA). For the Commonwealth EPs, the Commonwealth laws apply. The Commonwealth approval process requires Woodside to consult with “relevant persons”.

At the meeting, we took you through the approval process relating to the concept of “relevant persons” and noted that, at the relevant time consultations are included under a category of “relevant persons” in EPs. Woodside generally applies this category at a stage when we understand more about a person’s functions, interests and activities and also the impacts of our activities on them.

As noted in your letter and above, we also discussed at our meeting that Save Our Songlines, Josie and Raelene have been included under the category of “relevant interested persons” in the State Waters EP. You kindly acknowledged at our meeting that you understood the reasons for redactions that were made to the State EP summary to protect personal information.

These kind of considerations continue and we will have a clearer understanding of the categories when you are able to share more with us. But as we reiterated at the meeting, you should know that there is no need for us to categorise you as relevant in order to consult with you.

Ongoing consultation

Once an EP is accepted, Woodside continues ongoing consultations with relevant persons. As confirmed in the meeting, and consistent with our processes for ongoing consultation, the important issue is that we are open to continuing consultation and that we are keen to keep talking to you to understand how the proposed Commonwealth EP activities relevantly affect you and Save Our Songlines. Once we understand the kind of functions, interests and activities you and Save Our Songlines hold, we can consider the things that Woodside can do to lessen or avoid impacts of the activities to you.

Responses to questions and further information [paragraph 21-27]

The letter notes some questions that were asked during our face-to-face meeting. As acknowledged in the letter, specific questions on the Scarborough Gas Project, the ethnographic survey and fracking have been actioned and there is nothing substantial to add to the answers provided in our email.

As to requests for further information and notifications, please remain subscribed to Woodside's and relevant regulators' website as a best source of information relating to updates to EP assessments.

Further consultation [paragraph 24-27]

The letter sent to us notes that you would like to organise another meeting and will require approximately six weeks to read into materials and prepare for a meeting.

We would be pleased to consult with you further. It took a number of attempts to book and arrange our March face-to-face meeting, so please let us know your preferred times for the next meeting.

If it would be useful, our team is available to meet in the week commencing 8 May 2023 (which is approximately 6 weeks away) or earlier. Please let us know dates you are available so we can book in a next face-to-face meeting.

Best regards

Woodside
[Redacted]

Kind regards
[Redacted]



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount
Street
Perth WA 6000
Australia

T: [Redacted]
M: [Redacted]
E: [Redacted]@woodside.com
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f t in v i

From: Ruby Hamilton <ruby.hamilton@edo.org.au>

Sent: Friday, 24 March 2023 12:18 PM

To: [Redacted] <[\[Redacted\]@woodside.com.au](mailto:[Redacted]@woodside.com.au)>

Cc: Woodside Feedback <Feedback@woodside.com.au>; Clare Lakewood <clare.lakewood@edo.org.au>;

294

minister.johnston@dpc.wa.gov.au; richard.sellers@dmirs.wa.gov.au; sue.mccarrey@nopsema.gov.au

Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

Please find **attached** correspondence on behalf of our clients, Ms Josie Alec and Ms Raelene Cooper.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>

Sent: Thursday, March 16, 2023 5:16 PM

To: Clare Lakewood <clare.lakewood@edo.org.au>; Ruby Hamilton <ruby.hamilton@edo.org.au>

Cc: Woodside Feedback <Feedback@woodside.com>; 'info@saveoursonglines.org' <info@saveoursonglines.org>

Subject: RE: Scarborough Environment Plans - Consultation

Dear Ruby and Clare

Thanks for our meeting on Tuesday (14 March 2023).

Josie, Raelene and Save Our Songlines asked that Woodside continue correspondence with them, via you. Hence our email and our respectful request that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We are grateful for our on-country meeting with you, Skyla and Clare and Ruby (as well as the welcome to country from your son Mark) on 14 March 2023. We want to let you know that, as a group of women, we feel privileged to have been welcomed to the beautiful country where we met and we appreciate you sharing your stories, cultural knowledge and your concerns with us.

We appreciate your request for us to attend the meeting with open hearts, deep listening and respectful conversation and we intend to continue this approach to our engagement. Our consultation process is ongoing through the environmental approval process and when an activity is being performed. We look forward to continuing our discussions with you in the future.

At our meeting, Woodside provided an overview of the Scarborough activities (Seismic EP, Subsea EP, D&C EP, SITI EP (Cth and State)), and you told us that the proposed activities give you a sick feeling and the activities should be stopped. You also let us know that, in your view, there is nothing that can be done by Woodside to progress with the proposed Scarborough activities in a way that could minimise impact to your functions, activities and interests or is respectful to your culture and country.

We confirm that we agreed not to share cultural details that you shared with us at the 14 March 2023 meeting. To respect this, we will not include cultural detail you shared with us at our meeting in Woodside's environment plans or in conversations with the Regulator. For clarity, as agreed, our proposed environment plans will confirm that we met with you on 14 March 2023 to continue consulting with you on the proposed Scarborough environment plans. So you are aware, this email as well as previous correspondence with SOS and Josie and Raelene will also be included in the proposed environment plans.

We took the following actions from the meeting. Responses are provided in italics:

- Provide background information on the "why" behind the Scarborough activities: *Woodside's Scarborough Gas Project helps play a role in the global energy transition, helping neighbouring Asian countries take action on emissions reduction. There is further information on our website: [Scarborough Gas Project and Pluto Train 2 - Woodside Energy](#).*

Check with MAC as to whether MAC's ethnographic survey can be shared with Josie, Raelene and Save Our Songlines: *The ethnographic survey is held by MAC and Woodside does not have permission to share it.*

Confirm fracking in relation to the Scarborough activities: *There is no fracking to be undertaken as part of the proposed Scarborough activities.*

We want you to know that, as discussed, we are open to consulting further with you on the proposed Scarborough activities and are open to the continuing engagements regarding the Scarborough activities. Please let us know if further feedback for the activities proposed under the environment plans is sensitive and we will make this known to NOPSEMA upon submission to ensure this information remains confidential to NOPSEMA.

In the meantime, we are grateful to have met you and to have heard your perspectives on the Scarborough activities and Woodside.

Best regards

[Redacted signature]

[Redacted signature]



Woodside Energy
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M: [Redacted]
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f t in y i

LEAP Email Reference |F:a1ac8a86-801a-40ef-845b-71b304a1e6de|M:5433c43b-6613-b34b-9c50-d05dd0f4a9cb| (Please do not delete)

We confirm the meeting on Tuesday, 13 June 2023. Our clients are available in the morning of that day.

We

From: [REDACTED]@woodside.com>
Sent: Wed, 14 Jun 2023 10:59:42 +0800
To: Ruby Hamilton
Cc: Woodside Feedback;sue.mccarrey@nopsema.gov.au;'info@saveoursonglines.org';Clare Lakewood
Subject: RE: URGENT: Scarborough Environment Plans - Consultation
Categories: LEAP

JLB-2.22

Hi Josie, Raelene, Save Our Songlines, Ruby and Clare

Thanks for your emails.

Our team is not available to meet this week.

We are available on the following dates in Karratha:

- 20, 26, 27, 29, 30 June. (School holidays in July mean that the full team is not available 3-16 July).

The June dates allow us to follow the agreed protocols (including having a female only team). We have a preference for an afternoon meeting if that would work for you.

Please let us know which of those dates is suitable.

We note your preference for a meeting in Karratha. We can meet in Karratha and alternatively, are also available via Teams if preferable.

In the meantime, we are open to receiving comments / queries / requests via email if that would be more efficient.

Kind regards



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount
Street
Perth WA 6000
Australia

T: [REDACTED]
M: [REDACTED]
E: [REDACTED]@woodside.com

www.woodside.com



From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Wednesday, 14 June 2023 9:42 AM
To: [REDACTED]@woodside.com.au>
Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>; [REDACTED]@woodside.com.au <[REDACTED]@woodside.com>; Clare Lakewood <clare.lakewood@edo.org.au>
Subject: RE: URGENT: Scarborough Environment Plans - Consultation

Dear [REDACTED]

We have not heard back in relation to the below email, or been able to contact you by phone.

Our clients are still willing to meet at the times specified below, while EDO solicitors are available in Karratha. We can arrange for Woodside to join by phone or videoconference if needed.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Monday, June 12, 2023 1:26 PM
To: [REDACTED] <[REDACTED]@woodside.com>; Clare Lakewood <clare.lakewood@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>; [REDACTED] <[REDACTED]@woodside.com.au> [REDACTED] <[REDACTED]@woodside.com>
Subject: Re: URGENT: Scarborough Environment Plans - Consultation

Dear [REDACTED]

As noted, our clients and EDO solicitors are available in Karratha for a meeting at 10am on Tuesday 14 June 2023 and would prefer to proceed with that meeting if at all possible. Our suggestions below include currently available flights, and/or adjusting the scope and personnel for the meeting.

We have instructions from both our clients that the meeting can proceed with Ms Cooper in attendance on Tuesday afternoon or anytime on Wednesday. While the Tuesday morning meeting time would allow both our clients to attend, we are instructed that this alternate format would still be acceptable in order for a meeting to proceed with EDO solicitors present. If it is the only option for Woodside, our clients can meet on Thursday afternoon.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED] <[REDACTED]@woodside.com>
Sent: Monday, June 12, 2023 12:58 pm
To: Clare Lakewood <clare.lakewood@edo.org.au>; Ruby Hamilton <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au <sue.mccarrey@nopsema.gov.au>; 'info@saveoursonglines.org' <info@saveoursonglines.org>; [REDACTED] <[REDACTED]@woodside.com.au> [REDACTED] <[REDACTED]@woodside.com>
Subject: RE: URGENT: Scarborough Environment Plans - Consultation

Dear Josie, Raelene, Save Our Songlines, Clare and Ruby

Thanks for your emails.

Arrangements for the meetings involve not insubstantial logistics from our end, and for a number of reasons, we have learnt that it is worthwhile confirming the meeting will proceed.

We'll set the proposed draft agenda as per notes below (but please let us know if you would like to edit or update it).

So that the meeting can be rescheduled, please let us know dates that Josie, Raelene and Save Our Songlines are next available to meet.

DRAFT AGENDA

1. Walk through of the Scarborough 4D Baseline Marine Seismic Survey EP
2. Description of Scarborough Project and activities to be undertaken in the Scarborough 4D Baseline Marine Seismic Survey EP – activity, location, impacts and risks, controls in place to manage risks, mechanisms to update the EP with changes (as necessary).

How Woodside would update the EP in response to information about how functions, interests and activities may be affected.

More about you Ms Alec, Ms Cooper and Save Our Songlines

- individual interests you each have;
- the types of communal interests that each of you hold;
- the activities each of you engage in that might be affected by the activities;
- the role you perform within Save Our Songlines;
- the interests that Save Our Songlines holds;
- the functions of Save Our Songlines as an organization;
- the activities that Save Our Songlines engage in that might be affected.

5. Information Ms Alec and Ms Cooper still need from Woodside.

6. Any other requests for information or access that Ms Alec and Ms Cooper have of Woodside.

Kind regards



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount
Street
Perth WA 6000
Australia

T: [REDACTED]
M: [REDACTED]
E: [REDACTED]@woodside.com
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f t in v i

From: Clare Lakewood <clare.lakewood@edo.org.au>

Sent: Monday, 12 June 2023 11:01 AM

To: [REDACTED] <[\[REDACTED\]@woodside.com.au](mailto:[REDACTED]@woodside.com.au)>; Ruby Hamilton <ruby.hamilton@edo.org.au>

Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>; [REDACTED] <[\[REDACTED\]@woodside.com.au](mailto:[REDACTED]@woodside.com.au)>

Subject: RE: URGENT: Scarborough Environment Plans - Consultation

Dear [REDACTED]

I note that I have tried to call you several times this morning, and also [REDACTED], with no answer and no response to the messages I have left, or our emails. Our clients would like to keep the existing arrangement for a consultation meeting on the morning of 13 June 2023 in Karratha. They are content with a 10am meeting. It is unclear to us why "flights and other logistics timed out" for Woodside attendees at 5pm on Friday when, as of the time of this email on the morning of Monday, 12 June, there are still five flights Perth to Karratha that would see any attendees from Perth arrive in time; and at our last meeting at least one attendee from Woodside was based in Karratha.

It is also unclear to us why Woodside required reconfirmation of the meeting late on Friday afternoon when our clients had proposed the date and general time, and Woodside had indicated that it was able to meet.

Moving to finer details for the meeting, our clients would like to meet at Hearson's Cove.

We are instructed that they would like only to discuss the seismic survey environment plan at that meeting, and therefore propose the agenda you suggested be amended (and the order changed a little) to the following:

1. Walk through of the Scarborough 4D Baseline Marine Seismic Survey EP

2. Description of Scarborough Project and activities to be undertaken in the Scarborough 4D Baseline Marine Seismic Survey EP – activity, location, impacts and risks, controls in place to manage risks, mechanisms to update the EP with changes (as necessary).

How Woodside would update the EP in response to information about how functions, interests and activities may be affected.

More about you Ms Alec, Ms Cooper and Save Our Songlines

- individual interests you each have;
 - the types of communal interests that each of you hold;
 - the activities each of you engage in that might be affected by the activities;

 - the role you perform within Save Our Songlines;
 - the interests that Save Our Songlines holds;
 - the functions of Save Our Songlines as an organization;
 - the activities that Save Our Songlines engage in that might be affected.
4. Information Ms Alec and Ms Cooper still need from Woodside.

6. Any other requests for information or access that Ms Alec and Ms Cooper have of Woodside.

In attendance will be Ms Alec and Ms Cooper; and Ruby Hamilton and myself from EDO.

Please feel free to contact me on 0459 948 956 should you have questions or concerns about proceeding.

Kind regards,
Clare



Environmental
Defenders Office

**Clare Lakewood — Special Counsel,
Safe Climate**

(Mon, Tue, Wed, Thu)

PO Box Z5218, Boorloo/Perth WA 6831

P: +61 8 6118 7912

E: clare.lakewood@edo.org.au

I use she/her pronouns.

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EDO recognises the traditional owners and custodians of the land, seas and rivers of Australia. We pay our respects to Aboriginal and Torres Strait Islander elders past and present, and aspire to learn from traditional knowledge and customs so that, together, we can protect our environment and cultural heritage through law.

From: Clare Lakewood <clare.lakewood@edo.org.au>

Sent: Saturday, June 10, 2023 1:43 PM

To: [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>; Ruby Hamilton <ruby.hamilton@edo.org.au>

Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org'

<info@saveoursonglines.org>

Subject: URGENT: Scarborough Environment Plans - Consultation

Dear [REDACTED]

As Ruby indicated yesterday, and as we originally proposed, our clients are available and hope to proceed with a meeting at 10am on Tuesday, 13 June 2023. As noted in previous correspondence, our clients greatly value face-to-face meetings on Country, and have limited availability. Solicitors from the EDO have also arranged to be in Karratha on Tuesday also.

Our clients are hopeful of a productive meeting and would be happy to work with whoever is available from Woodside, even if this means the meeting proceeds in a more limited capacity (i.e. a shorter/different time, or fewer Woodside attendees than initially proposed).

In the interests of determining whether there is a way we can proceed, I invite you to call me directly on 0459 948 956.

Acknowledging the logistics we will have to manage if the meeting does not proceed, or is to occur at different time or date, I am available at your convenience over the weekend. I welcome you, or whoever at Woodside can most efficiently handle logistics, giving me a call, and look forward to finding a productive path forward.

Kind regards,
Clare



Environmental
Defenders Office

**Clare Lakewood — Special Counsel,
Safe Climate**

(Mon, Tue, Wed, Thu)

PO Box Z5218, Boorloo/Perth WA 6831

P: +61 8 6118 7912

E: clare.lakewood@edo.org.au

I use she/her pronouns.

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EDO recognises the traditional owners and custodians of the land, seas and rivers of Australia. We pay our respects to Aboriginal and Torres Strait Islander elders past and present, and aspire to learn from traditional knowledge and customs so that, together, we can protect our environment and cultural heritage through law.

From: [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>

Sent: Friday, June 9, 2023 5:09 PM

To: Ruby Hamilton <ruby.hamilton@edo.org.au>

Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>; Clare Lakewood <clare.lakewood@edo.org.au>

Subject: RE: Scarborough Environment Plans - Consultation

Hi Ruby

Thanks for your email. We are unavailable because, as foreshadowed in our email, flights and other logistics timed out at 5pm for us.

Let's regroup next week and work through alternate dates.

Kind regards



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount
Street
Perth WA 6000
Australia

T: [REDACTED]
M: [REDACTED]
E: [REDACTED]@woodside.com
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f t in v @

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Friday, 9 June 2023 5:06 PM
To: [REDACTED]@woodside.com.au
Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>; Clare Lakewood <clare.lakewood@edo.org.au>
Subject: Re: Scarborough Environment Plans - Consultation

Dear [REDACTED]

We confirm the meeting for next Tuesday, 13 June 2023. Our clients are available in the morning of that day.

We will confirm the other details as soon as possible once we have instructions from our clients.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED]@woodside.com.au
Sent: Friday, June 9, 2023 2:20 pm
To: Ruby Hamilton <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au <sue.mccarrey@nopsema.gov.au>; 'info@saveoursonglines.org' <info@saveoursonglines.org>; Clare Lakewood <clare.lakewood@edo.org.au>
Subject: RE: Scarborough Environment Plans - Consultation

Dear All

Re email below - correcting the date. Meeting on Tuesday 13 June (rather than 14 June).

Kind regards



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount
Street
Perth WA 6000
Australia

T: [REDACTED]
M: [REDACTED]
E: [REDACTED]@woodside.com
www.woodside.com
f t in v @

From: [REDACTED]
Sent: Friday, 9 June 2023 1:58 PM
To: 'ruby.hamilton@edo.org.au' <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com.au>; 'sue.mccarrey@nopsema.gov.au' <sue.mccarrey@nopsema.gov.au>; 'info@saveoursonglines.org' <info@saveoursonglines.org>; 'clare.lakewood@edo.org.au' <clare.lakewood@edo.org.au>
Subject: RE: Scarborough Environment Plans - Consultation

Dear Ruby, Josie, Raelene and Save Our Songlines

Thanks for suggesting a meeting next Tuesday 14 June in Karratha.

We refer to the emails below.

We would be grateful if you can please confirm by 5pm today that the meeting will go ahead, or alternatively, provide some other dates for us to work to. (There are a number of flight and other logistics that need to be confirmed by 5pm today in order for that meeting to progress on Tuesday).

Please can you also let us know:

The preferred time for the proposed meeting

The preferred meeting location

Attendees

Added items to the draft Agenda

We look forward to hearing from you.

Kind regards

[REDACTED]



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount
Street
Perth WA 6000
Australia

T: [REDACTED]
M: [REDACTED]
E: [REDACTED]@woodside.com
www.woodside.com
f t in v @

From: [REDACTED]
Sent: Wednesday, 7 June 2023 6:46 AM
To: 'ruby.hamilton@edo.org.au' <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>; 'clare.lakewood@edo.org.au' <clare.lakewood@edo.org.au>
Subject: RE: Scarborough Environment Plans - Consultation

Dear Ruby

Thanks for your email.

As per previous correspondence, Josie, Raelene and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via the Environment Defenders Office. Hence our respectful request once more that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We received the email below from the Environmental Defenders Office (EDO).

As the EDO's email was copied to email addresses for the Chief Executive Officer of NOPSEMA, we have, as a matter of courtesy copied the same email address.

We understand you have suggested a meeting in Karratha on the morning of **Tuesday 13 June (next Tuesday)** to continue consultation on the Scarborough Environment Plans.

Our team is available to meet with you.

Agenda for meeting

As per our previous email, we are keen to hear and address the issues that matter to you. So please let us know the things that you would like to discuss, share with us, tell us about or topics you would like to hear from us so that we can make the most of the meeting.

In case it is of interest for continuing our consultation with you, we also note the following draft guidance from NOPSEMA: [Draft policy for managing genderrestricted information PL2098.pdf \(nopsema.gov.au\)](https://www.nopsema.gov.au/files/2022/09/Draft-policy-for-managing-genderrestricted-information-PL2098.pdf)

As to your specific interests (and those of Save Our Songlines), we continue to invite you to share those with us to allow Woodside to consider the potential impacts and risks of the EP activities on these interests and what Woodside can do to lessen or avoid those impacts.

As per our previous email, we have compiled a draft agenda for you to edit or add to. It is not a fixed agenda, but rather a guide in case it is useful.

Draft agenda items

[Josie, Raelene, SOS, topics of interest; queries]

More about you both and Save Our Songlines

the role you perform within Save Our Songlines;

individual interests you each have;

the types of communal interests that each of you and Save Our Songlines hold;

the functions of Save Our Songlines as an organization;

the activities that each of you and Save Our Songlines engage in.

Walk through of the following EPs

- Scarborough 4D Baseline Marine Seismic Survey EP
- WA-61-L and WA 62-L Subsea Infrastructure Installation EP
- Scarborough Seabed Intervention and Trunkline EP
- Scarborough Drilling and Completions EP

- Scarborough Trunkline Installation (State Waters) EP

Description of Scarborough Project and activities to be undertaken under each EP – activity, location, impacts and risks, controls in place to manage risks, mechanisms to update the EP with changes (as necessary).

[PLEASE ADD TOPICS AS RELEVANT]

Meaning protocols

Our team is willing to observe the same protocols that we agreed to prior to our March 2023 meeting. We remain respectful of cultural sensitivities and also employee safety and privacy and including for those reasons, do not consent to the meeting being recorded.

1. Woodside, SOS, Ms Alec, Ms Cooper and EDO lawyers are welcome to take written notes of the meeting. To respect privacy, safety and cultural values there will be no other recording of the meeting (e.g., no audio or visual recording of the meeting).

As requested by SOS, Ms Alec and Ms Cooper, Woodside attendees are all female.

As per the request from Ms Alec, Woodside attendees are attending the meeting with an open heart, deep listening and seeking a respectful conversation.

Woodside's respectful request is that attendees come to the meeting open to sharing knowledge about the environment (heritage value of places, social and cultural features) that may be affected by the activities under the proposed Scarborough environment plans.

Woodside's request is also that attendees come to the meeting open to sharing ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.

Attendees

Given the short notice of the meeting, the whole Woodside team is unfortunately not available to meet with you. However the team that is available to meet on Tuesday is:

1. [REDACTED] – Manager First Nations Relations
2. [REDACTED] – HSE Manager Scarborough
3. [REDACTED] – Senior Environment Advisor Scarborough
4. [REDACTED] – Woodside legal

We may also be joined by one of our Corporate Affairs employees.

Please let us know who will be attending for you.

Time and Location

We are available to meet at 10am if that suits you (but please let us know if a different time needs to be accommodated).

Please let us know if you have made arrangements for a location for the meeting?

If you would like, we can make enquiries regarding availability for meeting rooms in Karratha and surrounds.

We look forward to hearing from you.

Kind regards



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount
Street
Perth WA 6000
Australia

T: [REDACTED]
M: [REDACTED]
E: [REDACTED]@woodside.com
www.woodside.com
f t in y i

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Thursday, 1 June 2023 9:23 PM
To: [REDACTED]@woodside.com.au>
Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>; Clare Lakewood <clare.lakewood@edo.org.au>
Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

We refer to the below correspondence.

We are instructed that our clients have confirmed they are available and would like to meet in Karratha on the morning of Tuesday, 13 June 2023. We would be grateful if you are able to accommodate this specific window with relatively short notice.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Monday, May 15, 2023 2:34 PM
To: [REDACTED]@woodside.com>
Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>; Clare Lakewood <clare.lakewood@edo.org.au>
Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

Thank you for the below email. We are confirming instructions with our clients and will revert as soon as we are able.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED]@woodside.com>
Sent: Tuesday, May 9, 2023 7:21 PM
To: Clare Lakewood <clare.lakewood@edo.org.au>; Ruby Hamilton <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org'

<info@saveoursonglines.org>

Subject: RE: Scarborough Environment Plans - Consultation

Dear Clare and Ruby

Thanks for your emails.

As per previous correspondence, Josie, Raelene and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via the Environment Defenders Office. Hence our respectful request once more that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We received the email below from the Environmental Defenders Office (EDO).

As the EDO's email was copied to email addresses for the Chief Executive Officer of NOPSEMA, we have, as a matter of courtesy copied the same email address.

Ongoing consultation and next meeting

Woodside once again reiterates it is open and willing to engage in ongoing consultation with you on the Seismic Survey EP as well as the following Scarborough Commonwealth EPs which have been referenced during consultation and our meeting in March:

Scarborough 4D Baseline Marine Seismic Survey EP

WA-61-L and WA 62-L Subsea Infrastructure Installation EP

Scarborough Seabed Intervention and Trunkline EP

Scarborough Drilling and Completions EP

As per our email below from 28 March, our team is available to meet in May and we are still waiting to hear from you about your availability for a meeting. Please let us know when suits you to meet in the weeks commencing 15 May, 22 May and 29 May.

We are available to meet on country or, as you note below, by video conference or telephone (as appropriate).

Our team is willing to observe the same protocols that we agreed to prior to our March 2023 meeting. We remain respectful of cultural sensitivities and also employee safety and privacy and including for those reasons, do not consent to the meeting being recorded.

Agenda for meeting

As to your specific interests (and those of Save Our Songlines), we continue to invite you to share those with us to allow Woodside to consider the potential impacts and risks of the EP activities on these interests and what Woodside can do to lessen or avoid those impacts.

In previous correspondence and meetings, we heard you tell us that you were not prepared to share some information with us at this stage and you weren't sure when you would be ready to share it with us. And we also heard that, sometimes the information has not yet been revealed to you and that it will be revealed to you in time. We remain open to hearing from you when this is known to you and it is ready to be shared.

In case it is of interest for continuing our consultation with you, we also note the following draft guidance from NOPSEMA:
[Draft policy for managing genderrestricted information PL2098.pdf \(nopsema.gov.au\)](#)

So that the most can be made of the meeting, we have prepared some points below by way of draft agenda. We are keen to hear and address the issues that matter to you. So please feel free to add to the agenda items for the meeting.

Draft agenda items

[Josie, Raelene, SOS, topics of interest; queries]

More about you both and Save Our Songlines

the role you perform within Save Our Songlines;

individual interests you each have;

the types of communal interests that each of you and Save Our Songlines hold;

the functions of Save Our Songlines as an organization;

the activities that each of you and Save Our Songlines engage in.

Walk through of the following EPs

- o Scarborough 4D Baseline Marine Seismic Survey EP
- o WA-61-L and WA 62-L Subsea Infrastructure Installation EP
- o Scarborough Seabed Intervention and Trunkline EP
- o Scarborough Drilling and Completions EP

Description of Scarborough Project and activities to be undertaken under each EP – activity, location, impacts and risks, controls in place to manage risks, mechanisms to update the EP with changes (as necessary).

[PLEASE ADD TOPICS AS RELEVANT]

Our records indicate that we have provided responses to the requests that have been made in relation to the Scarborough Commonwealth EPs.

We look forward to hearing further from you.

Best regards

Woodside

[Redacted signature]

[Redacted signature]



Woodside Energy
Mia Yellagonga
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f t in y @

From: Clare Lakewood <clare.lakewood@edo.org.au>

Sent: Monday, 8 May 2023 2:55 PM

308

To: Ruby Hamilton <ruby.hamilton@edo.org.au>; [REDACTED] <[REDACTED]@woodside.com.au>
Cc: Woodside Feedback <Feedback@woodside.com.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

We refer to our email below. We have not had any response to date, and write again to enquire whether Woodside wishes to propose dates that we can put to our clients for consultation regarding the seismic survey EP.

Yours sincerely,
Clare



**Clare Lakewood — Special Counsel,
Safe Climate**

(Mon, Tue, Wed, Thu)

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E: clare.lakewood@edo.org.au

I use she/her pronouns.

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EDO recognises the traditional owners and custodians of the land, seas and rivers of Australia. We pay our respects to Aboriginal and Torres Strait Islander elders past and present, and aspire to learn from traditional knowledge and customs so that, together, we can protect our environment and cultural heritage through law.

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Tuesday, April 18, 2023 2:56 PM
To: [REDACTED] <[REDACTED]@woodside.com>
Cc: Woodside Feedback <Feedback@woodside.com>; Clare Lakewood <clare.lakewood@edo.org.au>; sue.mccarrey@nopsema.gov.au; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

Thank you for your email of 29 March 2023 in respect of the Scarborough 4D B1 Marine Seismic Survey Environment Plan (Seismic Survey EP).

Thank you for acknowledging our clients' continued efforts to bring themselves into Woodside's consultation processes and to organise a face-to-face meeting on Country. Our clients confirm their willingness to meet again and to continue consultation. To be clear, our clients do not consider there has yet been consultation such that Woodside can demonstrate in the EP that there has been an appropriate level of consultation. This will require further information to be shared and incorporated into the EP. Our clients are also concerned that because their cultural knowledge is women's knowledge, it is being considered less important than other cultural knowledge Woodside may have received during consultation.

Our clients look forward to providing information about their interests that Woodside needs.

Having had an introductory meeting on 14 March 2023, and mindful that the EP appears to have been re-submitted around nine days after that introductory meeting took place, we propose that Woodside withdraw the EP and meet with our clients to

explain to them the relevant risks and impacts of the activities the subject of the Seismic Survey EP specifically, and to obtain further information on their functions, interests and activities. We note in particular that the introductory meeting of 14 March 2023 did not discuss the activities the subject of Seismic Survey EP in any detail.

Our clients are generally available to meet by phone or videoconference in May.

In addition to abiding by the cultural protocol summarised in your email of 29 March 2023, our clients propose the following purposes for the meeting:

overview of any outstanding requests for information made by our clients;

explanation of the activities the subject of the Seismic Survey EP, so that our clients can make an informed assessment of the possible consequences of those activities on their functions, interests and activities.

Mindful that Woodside is required under reg 16(b) of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009* (Cth) to provide NOPSEMA with a full report on all consultation with relevant persons, and the difficulties in different perspectives that have been encountered as described in your email of 29 March 2023, our clients propose that this next meeting be recorded, and that permission be sought should Woodside wish to provide transcripts, recordings or other documents referring to cultural knowledge to NOPSEMA.

Our clients otherwise request that the cultural protocols requested in advance of the 14 March 2023 meeting, and summarised in your email of 29 March 2023, be continued.

Following a meeting for Woodside to explain the risks and impacts of the Seismic Survey EP, we propose that our clients be given appropriate time to consider and respond to information shared by Woodside at or after the meeting, so that Woodside may be apprised of all the environmental risks and impacts of the activities the subject of the Seismic Survey EP, and can ensure that those impacts and risks are reduced as low as reasonably practicable. To be clear as to our clients' needs, we expect the timeframe for that response to be approximately 4-6 weeks.

We anticipate that a decision as to whether the response from our clients be in writing, through a meeting, or some combination or other communication, is best determined in light of information Woodside provides, and the information our clients seek to provide in response. We anticipate that that response will also propose next steps for the consultation, with a view to enabling Woodside to adopt measures that will reduce the risks and impacts of the activities the subject of the Seismic Survey EP.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED] <[REDACTED]@woodside.com>

Sent: Wednesday, March 29, 2023 12:56 PM

To: Ruby Hamilton <ruby.hamilton@edo.org.au>; 'info@saveoursonglines.org' <info@saveoursonglines.org>

Cc: Woodside Feedback <Feedback@woodside.com>; Clare Lakewood <clare.lakewood@edo.org.au>;
sue.mccarrey@nopsema.gov.au

Subject: RE: Scarborough Environment Plans - Consultation

[External email](#)

Dear Ruby

Thanks for your email and letter dated 24 March 2023.

Josie, Raelene and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via you. Hence our email and our respectful request that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We received the email and letter sent to us by the Environmental Defenders Office (EDO) dated 24 March 2023. The letter sets out recollections and reflections on the meeting we had on country in Karratha on 14 March 2023 as well as comments on our email of 16 March 2023.

First, we wanted to thank you for sharing the recollections and reflections with us. Secondly, we thought it would be worth sharing our perspectives on comments in that letter – please see these below.

Just so you know, this email relates to the Scarborough Commonwealth EPs. The letter sent to us was copied to an email address for the Chief Executive Officer of NOPSEMA. So, for courtesy and so that you are aware, we are also providing a copy of this email to NOPSEMA. Acknowledging that we separately sent an email to you yesterday on the State Waters EPs that was copied to Minister Johnston and DMIRS.

Consultations, correspondence and meeting on 14 March 2023 [Paragraphs 1-5, 10, 13, 20]

The team at Woodside was pleased to have met face-to-face with you on 14 March 2023. It was the culmination of a long period of communication on the Scarborough Project involving a number of prior attempts to meet face-to-face (since around November 2021) and, since at least June 2022, an extensive exchange of correspondence specific to each of the Scarborough environment plans (EP) and activities set out in the letter (Seismic EP, Drilling EP, Subsea EP, SITI EP, State Waters EP). It was good to meet and we confirm that Woodside remains open to consulting further with you on the Commonwealth EPs as well as the State Waters EP.

A great deal of information was shared at the 14 March 2023 meeting. This included a discussion of your and Save Our Songlines' cultural details and was provided against the backdrop of the protocols we agreed before the meeting. The Woodside team left the 2-hour meeting feeling positive and with a sense of goodwill – we appreciated the exchange of warm mutual embraces at the opening and end of the meeting. We all expressed, at the end of the meeting, a willingness to meet again.

As per discussions leading up to the meeting, unless things change, for future meetings, we agree to continue with the following meeting protocols:

Attendees continue to be all female.

Attendees attend meetings with an open heart, deep listening and seeking a respectful conversation.

Attendees come to meetings open to sharing knowledge about the environment (heritage value of places, social and cultural features) that may be affected by the activities under the proposed Scarborough EPs. Attendees come to the meeting open to sharing ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.

Attendees are welcome to take written notes of meetings. To respect privacy, safety and cultural values there will be no other recording of meetings (e.g. no audio or visual recording of meetings).

Other than sharing the fact that the meeting took place, the cultural details will be kept confidential amongst the female attendees unless directed otherwise and will not be made public without permission.

We also confirm that Woodside remains open to consulting further with you on the proposed Scarborough activities and is open to the continuing engagements regarding the Scarborough activities.

Additional or new information

So that you are aware, we have a process in place for the life of an EP that allows the EP to be updated to include additional or new information or feedback that is received after an EP is submitted. This is done through a “Management of Knowledge” process. So, for example, if new or additional information is provided to Woodside, Woodside can consider that information and assess the risk in accordance with the environmental risk management methodology in the EP to determine the significance of potential new environmental impacts or risks not already provided for in the EP. In that context, if information changes Woodside’s understanding of the environment or understanding of measures that Woodside can take in order to lessen or avoid impacts of activities, that information can be updated and actioned in the EP.

This means that feedback or information you provide in future meetings can still be taken into account and, where appropriate, can be incorporated in the EP during the life of the activity.

Following the meeting, we considered what you told us. Based on that information, no updates were required to the EP via the Management of Knowledge process.

Functions, interests and activities [Paragraph 6, 13]

Thank you for confirming in the letter that you consider that your functions, interests and activities are distinct from those of MAC. We also heard you say this at our meeting. We are interested in learning further about your functions, interests and activities (and those of Save Our Songlines) and how those are different to MAC’s.

The letter also references MAC surveys. As Raelene mentioned in the meeting, Raelene was, for around 10 years, a former Board member of MAC. (We understand Raelene resigned from the Board in around February 2022). So, Woodside’s correspondence, involvement and meetings on the Scarborough Project with Raelene (in her capacity as a MAC representative) also go back a long time to when those discussions commenced with the MAC – in around 2018.

We understand that Raelene was involved in ethnographic studies of the Scarborough Project undertaken by MAC. So, while we have no authority to provide the survey to you, in response to your request for the ethnographic survey, Raelene may have contacts at MAC to request a copy of that survey.

As to your functions, interests and activities (and those of Save Our Songlines), we continue to invite you to share those with us as well to allow Woodside to consider the likely impacts and risks of the EP activities on these functions, interests and activities and what Woodside can do to lessen or avoid those impacts.

In our meeting, we heard you tell us that you were not prepared to share some information with us at this stage and you weren’t sure when you would be ready to share it with us. And we also heard that, sometimes the information has not yet been revealed to you and that it will be revealed to you in time. We remain open to hearing from you when this is known to you and it is ready to be shared.

In particular, we are interested in learning from you:

the role you perform within Save Our Songlines;

individual interests you each have;

the types of communal interests that each of you and Save Our Songlines hold;

the functions of Save Our Songlines as an organization;

the activities that each of you and Save Our Songlines engage in

To confirm - we don’t expect you to provide this information to us in writing and would be happy to meet with you again to discuss this information as per our meeting protocols.

It is important that this information is provided so that Woodside can understand how the proposed activities (that are the subject of the Commonwealth EPs) may affect your functions, interests and activities. We remain open to hearing from you when this is known to you and it is ready to be shared.

Minimising impacts to your functions, interests and activities [Paragraphs 7, 9, 11, 12, 13, 14]

Thank you for notes in the letter on the meeting content.

A comment in the letter is that information had been mischaracterised in the email that we sent you following the meeting. We want to be very clear that our intention is not and was not to mischaracterise information. We want to be very clear that the information provided in our email following the meeting is our group's genuine recollection and interpretation of the take-aways from the meeting. That is, consistent with the agreed protocols for the meeting which included a request that you share ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.

Our team has reviewed notes taken at the meeting. Below we've set out our team's perspectives of some of the items noted in the letter.

Underwater activities

In the meeting, Woodside provided an overview of the Scarborough Project. At that point in the meeting, a number of topics had been discussed (not repeated here so as to respect confidentiality). After the Scarborough Project was overviewed, at a high level (so as to respect confidentiality), there was a discussion about songlines and, in so far as underwater activities are concerned, there was a discussion about potential impacts of activities on whales.

During this discussion, a question was asked by Woodside along the lines of: *what things can Woodside do in order to carry out the Scarborough Project in a respectful way to the knowledge and cultural information that has been shared in the meeting.* Our team's recollection is that the answer given was along the lines of: *there is nothing Woodside can do to carry out the project in a respectful way and that it was not clear why the project was happening in Murujuga and why it couldn't be done somewhere else along the coast.*

We also asked what Woodside could do to protect the values that were being talked about. The answer that was given was along the lines of: *all that can be done is for the project to be stopped.*

A further question was asked along the lines of: *if the project is to go ahead what could be done to protect the values.* The answer given was along the lines of: *nothing. The only option is to stop the project.*

These answers informed our take aways from the meeting.

Greenhouse gas emissions

The topic of greenhouse gas was also raised. This topic has been the subject of separate correspondence in which Woodside has confirmed that, emissions from the activities covered by the Commonwealth EPs are of a scale that no credible impact pathway is foreseen.

Industrialisation of Murujuga

The topic of industrialisation of Murujuga was also raised. Out of respect for confidentiality, we will not repeat the information provided in the meeting in relation to signing of the Burrup and Maitland and Industrial Estates Agreement (BMIEA). However, the subject has also been addressed in separate correspondence in which Woodside has set out its understanding of the history of the Burrup and the industrial agreements involved. Woodside has also provided responses which are along the lines that no credible impact pathway is foreseen from the activities covered by the Commonwealth EPs which could damage rock art and heritage sites and that no cultural impact to future access to sites of cultural and spiritual significance is foreseen.

Detail of EPs and information accessed and provided

As set out above, the face-to-face meeting involved an overview of the Scarborough Project. The face-to-face meeting followed volumes of previous correspondence on the Scarborough Project. We acknowledge the many pieces of previous correspondence that have been sent to Woodside which have been specific to each of the EPs set out in the letter. That previous correspondence indicates that a large volume of information on the Scarborough Project has been accessed, read and thought through. The correspondence shows an informed and thorough understanding of the various Scarborough activities and the Scarborough Project.

Offshore Petroleum and Greenhouse Gas Storage Act (OPGGGS Act) – section 280 Interference with other rights [paragraph 13]

In the letter, section 280 of the OPGGS Act is noted. We do not understand why that particular aspect of the OPGGS Act has been referenced. We are open to hearing more from you on what you would like us to understand from the reference to section 280 of the OPGGS Act.

Consultation in general [paragraph 14]

The letter has a line that suggests that Woodside is implying that “nothing is to be gained from consulting” with you. We want to be very clear that these are not Woodside’s words. Woodside has not put that position forward and is not making an implication of this kind.

On the contrary, we have continued to consult with you and continue to invite further consultation. We were pleased to have had the opportunity to finally meet with you face-to-face this month and we look forward to further meetings with you to learn of your and Save Our Songlines’ interests.

Relevant persons [paragraph 4, 15-19]

The concept of “relevant person” was raised in the letter and also at our meeting. We heard in the meeting that you were insulted that Woodside had categorised SOS as relevant but had not recognised you under the heading of relevant person. You also told us that you were pleased to see that you and SOS have since been included as relevant interested persons in the State EP summary document.

As we discussed at the meeting, Woodside’s intention is not to insult you. We reiterate this as we want to be very clear about this.

We also want you to know that the "relevant person" category is different depending on whether the EP requires Commonwealth approval or State approval (WA). For the Commonwealth EPs, the Commonwealth laws apply. The Commonwealth approval process requires Woodside to consult with “relevant persons”.

At the meeting, we took you through the approval process relating to the concept of “relevant persons” and noted that, at the relevant time consultations are included under a category of “relevant persons” in EPs. Woodside generally applies this category at a stage when we understand more about a person’s functions, interests and activities and also the impacts of our activities on them.

As noted in your letter and above, we also discussed at our meeting that Save Our Songlines, Josie and Raelene have been included under the category of “relevant interested persons” in the State Waters EP. You kindly acknowledged at our meeting that you understood the reasons for redactions that were made to the State EP summary to protect personal information.

These kind of considerations continue and we will have a clearer understanding of the categories when you are able to share more with us. But as we reiterated at the meeting, you should know that there is no need for us to categorise you as relevant in order to consult with you.

Ongoing consultation

Once an EP is accepted, Woodside continues ongoing consultations with relevant persons.

As confirmed in the meeting, and consistent with our processes for ongoing consultation, the important issue is that we are open to continuing consultation and that we are keen to keep talking to you to understand how the proposed Commonwealth EP activities relevantly affect you and Save Our Songlines. Once we understand the kind of functions, interests and activities you and Save Our Songlines hold, we can consider the things that Woodside can do to lessen or avoid impacts of the activities to you.

Responses to questions and further information [paragraph 21-27]

The letter notes some questions that were asked during our face-to-face meeting. As acknowledged in the letter, specific questions on the Scarborough Gas Project, the ethnographic survey and fracking have been actioned and there is nothing substantial to add to the answers provided in our email.

As to requests for further information and notifications, please remain subscribed to Woodside's and relevant regulators' website as a best source of information relating to updates to EP assessments.

Further consultation [paragraph 24-27]

The letter sent to us notes that you would like to organise another meeting and will require approximately six weeks to read into materials and prepare for a meeting.

We would be pleased to consult with you further. It took a number of attempts to book and arrange our March face-to-face meeting, so please let us know your preferred times for the next meeting.

If it would be useful, our team is available to meet in the week commencing 8 May 2023 (which is approximately 6 weeks away) or earlier. Please let us know dates you are available so we can book in a next face-to-face meeting.

Best regards
Woodside

Kind regards



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount
Street
Perth WA 6000
Australia

T: [REDACTED]
M: [REDACTED]
E: [REDACTED]@woodside.com
www.woodside.com
f t in v @

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Friday, 24 March 2023 12:18 PM
To: [REDACTED]@woodside.com.au>
Cc: Woodside Feedback <Feedback@woodside.com.au>; Clare Lakewood <clare.lakewood@edo.org.au>;
minister.johnston@dpc.wa.gov.au; richard.sellers@dmirs.wa.gov.au; sue.mccarrey@nopsema.gov.au
Subject: RE: Scarborough Environment Plans - Consultation

Dear [REDACTED]

Please find **attached** correspondence on behalf of our clients, Ms Josie Alec and Ms Raelene Cooper.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED]@woodside.com>
Sent: Thursday, March 16, 2023 5:16 PM
To: Clare Lakewood <clare.lakewood@edo.org.au>; Ruby Hamilton <ruby.hamilton@edo.org.au>
Cc: Woodside Feedback <Feedback@woodside.com>; 'info@saveoursonglines.org' <info@saveoursonglines.org>
Subject: RE: Scarborough Environment Plans - Consultation

Dear Ruby and Clare

Thanks for our meeting on Tuesday (14 March 2023).

Josie, Raelene and Save Our Songlines asked that Woodside continue correspondence with them, via you. Hence our email and our respectful request that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We are grateful for our on-country meeting with you, Skyla and Clare and Ruby (as well as the welcome to country from your son Mark) on 14 March 2023. We want to let you know that, as a group of women, we feel privileged to have been welcomed to the beautiful country where we met and we appreciate you sharing your stories, cultural knowledge and your concerns with us.

We appreciate your request for us to attend the meeting with open hearts, deep listening and respectful conversation and we intend to continue this approach to our engagement. Our consultation process is ongoing through the environmental approval process and when an activity is being performed. We look forward to continuing our discussions with you in the future.

At our meeting, Woodside provided an overview of the Scarborough activities (Seismic EP, Subsea EP, D&C EP, SITI EP (Cth and State)), and you told us that the proposed activities give you a sick feeling and the activities should be stopped. You also let us know that, in your view, there is nothing that can be done by Woodside to progress with the proposed Scarborough activities in a way that could minimise impact to your functions, activities and interests or is respectful to your culture and country.

We confirm that we agreed not to share cultural details that you shared with us at the 14 March 2023 meeting. To respect this, we will not include cultural detail you shared with us at our meeting in Woodside's environment plans or in conversations with the Regulator. For clarity, as agreed, our proposed environment plans will confirm that we met with you on 14 March 2023 to continue consulting with you on the proposed Scarborough environment plans. So you are aware, this email as well as previous correspondence with SOS and Josie and Raelene will also be included in the proposed environment plans.

We took the following actions from the meeting. Responses are provided in italics:

- Provide background information on the "why" behind the Scarborough activities: *Woodside's Scarborough Gas Project helps play a role in the global energy transition, helping neighbouring Asian countries take action on emissions reduction. There is further information on our website: [Scarborough Gas Project and Pluto Train 2 - Woodside Energy](#).*

Check with MAC as to whether MAC's ethnographic survey can be shared with Josie, Raelene and Save Our Songlines: *The ethnographic survey is held by MAC and Woodside does not have permission to share it.*

Confirm fracking in relation to the Scarborough activities: *There is no fracking to be undertaken as part of the proposed Scarborough activities.*

We want you to know that, as discussed, we are open to consulting further with you on the proposed Scarborough activities and are open to the continuing engagements regarding the Scarborough activities. Please let us know if further feedback for the activities proposed under the environment plans is sensitive and we will make this known to NOPSEMA upon submission to ensure this information remains confidential to NOPSEMA.

In the meantime, we are grateful to have met you and to have heard your perspectives on the Scarborough activities and Woodside.

Best regards

[Redacted signature]



Woodside Energy
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LEAP Email Reference [F:a1ae8a86-801a-40ef-845b-71b304a1e6de|M:5433c43b-6613-b34b-9c50-d05dd0f4a9cb] (Please do not delete)

We confirm the meeting on Tuesday, 13 June 2023. Our clients are available in the morning of that day.

We

Ruby Hamilton

From: Ruby Hamilton
Sent: Wednesday, 28 June 2023 5:11 PM
To: sue.mccarrev@nopsema.gov.au
Cc: [REDACTED]; [REDACTED]@woodside.com; Clare Lakewood; [REDACTED]@woodside.com.au
Subject: Scarborough Gas Project Environment Plans
Attachments: 230628 Letter to NOPSEMA.pdf

Dear Ms McCarrey

Please find **attached** correspondence on behalf of our clients, Ms Josie Alec and Ms Raelene Cooper.

Kind regards



Environmental
Defenders Office

Ruby Hamilton — Solicitor — Safe Climate

PO Box Z5218, Boorloo/Perth WA 6831

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E: ruby.hamilton@edo.org.au

I use she/her pronouns.

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EDO recognises the traditional owners and custodians of the land, seas and rivers of Australia. We pay our respects to Aboriginal and Torres Strait Islander elders past and present, and aspire to learn from traditional knowledge and customs so that, together, we can protect our environment and cultural heritage through law.



Environmental Defenders Office

28 June 2023

Sue McCarrey
Chief Executive Officer
National Offshore Petroleum Safety and Environmental Management Authority

By email: Sue.McCarrey@nopsema.gov.au

Copy to: [REDACTED] (Project Director/VP Scarborough, Woodside)
[\[REDACTED\]@woodside.com.au](mailto:[REDACTED]@woodside.com.au)

Dear Ms McCarrey,

Scarborough Gas Project Environment Plans


1. The Environmental Defenders Office acts for Ms Josie Alec and Ms Raelene Cooper in respect of the above matter.
2. We refer to correspondence between our clients and Woodside Energy Ltd (**Woodside**), into which you have been copied, in respect of the following environment plans:
 - (a) Scarborough 4D B1 Marine Seismic Survey Environment Plan;
 - (b) Scarborough Seabed Intervention and Trunkline Installation Environment Plan;
 - (c) Scarborough Drilling and Completions Environment Plan; and
 - (d) WA-61-L and WA-62-L Subsea Infrastructure Installation Environment Plan,(together, **Scarborough Environment Plans**).
3. We understand that each of the Scarborough Environment Plans are currently before NOPSEMA for a decision under regs 10(1) and 10(4) of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009* (Cth) (**Regulations**). This information is gleaned from NOPSEMA's public website for environment plans that are under assessment.¹ Woodside has not notified our client of any of the above environment plans being submitted to NOPSEMA nor the dates of the submissions.
4. Our clients' previous correspondence to Woodside and NOPSEMA sets out their general position and concerns as to engagement undertaken to date and their expectations for consultation under reg 11A of the Regulations.
5. Our clients had arranged a meeting with Woodside in Karratha for 13 June 2023, as part of consultation with our clients which is required by reg 11A of the Regulations.

¹ NOPSEMA, "Under assessment", available: https://info.nopsema.gov.au/home/under_assessment.

6. The meeting scheduled for 13 June 2023 did not proceed and efforts to reschedule it are ongoing.
7. Our clients maintain that Woodside has not explained the activities the subject of the Scarborough Environment Plans, and associated impacts and risks in a way that they can clearly understand, and that they do not understand the risks and impacts of the activities the subject of the Scarborough Environment Plans on their functions, interests and activities. They maintain that that they have not been provided with sufficient information and a reasonable period for the consultation.
8. The fundamental requirement in the Regulations is that the titleholder must demonstrate that it has complied with its consultation obligations under reg 11A. It is our clients' position that NOPSEMA cannot be reasonably satisfied that the Scarborough Environment Plans demonstrate compliance with this criterion.
9. Our clients reiterate their requests that no environment plans be submitted or re-submitted by Woodside, and that NOPSEMA not accept any such environment plans, until Woodside has complied with its consultation obligations under reg 11A.

Yours sincerely,

Environmental Defenders Office

A handwritten signature in black ink, appearing to read 'RH', with a horizontal line extending to the right.

Ruby Hamilton

Solicitor, Safe Climate (Gas)

Our ref: S4118

From: [Sue McCarrey](#)
To: [Ruby Hamilton](#)
Cc: [REDACTED]@woodside.com; [Clare Lakewood](#); [REDACTED]@woodside.com.au
Subject: RE: Scarborough Gas Project Environment Plans
Date: Tuesday, 4 July 2023 9:16:31 AM
Attachments: [image006.png](#)
[image001.png](#)

OFFICIAL

Dear Ms Hamilton

I acknowledge receipt of your correspondence dated 28 June 2023.

The information provided was forwarded to the relevant NOPSEMA assessment teams when received.

Regards

Sue McCarrey | Chief Executive Officer

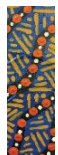


National Offshore Petroleum Safety and Environmental Management Authority

T: (08) 6188 8808 | **E:** sue.mccarrey@nopsema.gov.au | **W:** nopsema.gov.au

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NOPSEMA recognises the First Peoples of this nation and their ongoing connection to culture and country. We acknowledge First Nations Peoples as the Traditional Owners, Custodians and Lore Keepers of the world's oldest living culture and pay respects to their Elders past, present and emerging.

OFFICIAL

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Wednesday, June 28, 2023 5:11 PM
To: Sue McCarrey <sue.mccarrey@nopsema.gov.au>
Cc: [REDACTED]@woodside.com>; [REDACTED]@woodside.com; Clare Lakewood <clare.lakewood@edo.org.au>; [REDACTED]@woodside.com.au
Subject: Scarborough Gas Project Environment Plans

Dear Ms McCarrey

Please find **attached** correspondence on behalf of our clients, Ms Josie Alec and Ms Raelene Cooper.

Kind regards



Environmental
Defenders Office

Ruby Hamilton – Solicitor – Safe Climate

PO Box Z5218, Boorloo/Perth WA 6831

P: +61 8 6118 7914

E: ruby.hamilton@edo.org.au

I use she/her pronouns.

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From: [REDACTED]@woodside.com>
Sent: Mon, 3 Jul 2023 17:53:19 +0800
To: Ruby Hamilton;sue.mccarrey@nopsema.gov.au
Cc: [REDACTED];Clare Lakewood
Subject: RE: Scarborough Gas Project Environment Plans
Attachments: 230703 Woodside letter.pdf
Categories: LEAP

JLB-2.25

Dear Ruby

Thanks for copying Woodside to previous correspondence addressed to NOPSEMA.

Please find attached a letter from Woodside signed by [REDACTED], Project Director / Vice President Scarborough.

Confirming we have copied Ms McCarrey of NOPSEMA.

Kind regards

[REDACTED]



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount
Street
Perth WA 6000
Australia

T: [REDACTED]
M: [REDACTED]
E: [REDACTED]@woodside.com

www.woodside.com



From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Wednesday, 28 June 2023 5:11 PM
To: sue.mccarrey@nopsema.gov.au
Cc: [REDACTED]@woodside.com.au>; [REDACTED]@woodside.com.au>; Clare Lakewood <clare.lakewood@edo.org.au>; [REDACTED]@woodside.com.au>
Subject: Scarborough Gas Project Environment Plans

Dear Ms McCarrey

Please find **attached** correspondence on behalf of our clients, Ms Josie Alec and Ms Raelene Cooper.

Kind regards



Environmental
Defenders Office

**Ruby Hamilton — Solicitor — Safe
Climate**

PO Box Z5218, Boorloo/Perth WA 6831

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E: ruby.hamilton@edo.org.au

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3 July 2023

Attn: Ruby Hamilton
Solicitor; Environmental Defenders Office
By Email: ruby.hamilton@edo.org.au

Dear Ms Hamilton,

RE: Scarborough Gas Project Environment Plans (Scarborough EPs)

Woodside refers to your letter to NOPSEMA dated 28 June 2023 and thanks you for copying Woodside to that correspondence.

Woodside wishes to clarify points made in your letter in relation to consultation between Woodside and your clients, Josie Alec (Ms Alec), Raelene Cooper (Ms Cooper) and Save Our Songlines (SOS).

Woodside has consulted Ms Alec, Ms Cooper and SOS pursuant to reg 11A of the Regulations in the course of preparing the Scarborough EPs for a significant period of time (since March 2022). As set out in paragraph two of your letter, these include the Scarborough 4D B1 Marine Seismic Survey, Scarborough Seabed Intervention and Trunkline Installation, Scarborough Drilling and Completions and WA-61-L and WA-62-L Scarborough Subsea Infrastructure Installation environment plans. Woodside reaffirms that Ms Alec, Ms Cooper and SOS are listed as relevant persons in the Scarborough EPs, with their status as relevant persons confirmed to Ms Alec and Ms Cooper during the meeting between you, your clients and Woodside on 14 March 2023 (**March Meeting**).

The consultation between Woodside and Ms Alec, Ms Cooper and SOS has been extensive and over an extended period. Woodside's letter to NOPSEMA dated 13 April 2023 (Subject: "**RE: Scarborough 4D B1 Marine Seismic Survey Environmental Plan**"), to which your firm was copied, summarises the extensive consultation that has taken place. Attachment A to that 13 April 2023 letter summarises Woodside's specific engagements with Ms Alec, Ms Cooper and SOS which at the time included 5 meetings, 2 attempted meetings, 19 emails, 7 phone calls and 10 letters.

At the March Meeting, the full details of which Woodside agreed to keep confidential at the request of your clients on the basis that some of the matters conveyed by your clients included secret women's business, an overview of the Scarborough Gas Project was provided to Ms Alec, Ms Cooper and SOS to support a further understanding of the activities to be carried out under the Scarborough EPs. Following the March Meeting, a suite of correspondence was exchanged where Woodside further explained those activities to enable Ms Alec, Ms Cooper and SOS to make an informed assessment of the possible consequences of those activities on their functions, interests or activities. This was in addition to consultation material previously provided since August 2022 and the publicly accessible Scarborough EPs published in full on the NOPSEMA website (SCA Seismic Survey Environment Plan published in October 2021, SCA Drilling and Completions Environment Plan published in November 2021, SCA Seabed Intervention and Trunkline Installation Environment Plan published in December 2021 and SCA Subsea Installation Environment Plan published in June 2023).

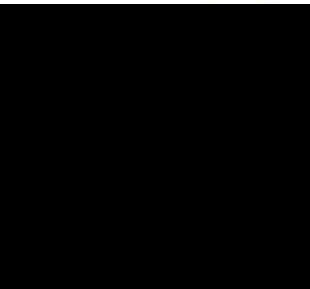
During the March Meeting, without expressing to Woodside what their functions, activities and interests are (which matters remain unexpressed by you or your clients), Ms Alec, Ms Cooper and SOS informed Woodside that nothing can be done by it to progress with the activities to be carried

out under the Scarborough EPs in a way that could minimise the affects of those activities on their undisclosed functions, interests or activities. Nonetheless, Woodside has continued and commits to continue to consult with Ms Alec, Ms Cooper and SOS in good faith in the event they have any matters they wish to communicate to Woodside that could be relevant to the Scarborough EPs.

Woodside has been prepared to meet (provided a reasonable time is allowed for travel arrangements for employees travelling from Perth),and has continued to correspond with your clients and your firm.

Given the length of time Ms Alec, Ms Cooper, SOS and Woodside have been engaged in consultation on the activities to be carried out under the Scarborough EPs, the information provided to you and your clients by Woodside, and you and your clients' responses to that consultation, Woodside considers that it has satisfied the requirements of reg 11A of the Regulations. Notwithstanding this, Woodside remains open and available to meet with Ms Alec, Ms Cooper and SOS in good faith, and wishes to confirm our availability to meet from week commencing 3rd July 2023.

Your Sincerely



Project Director/ Vice President Scarborough

Copy to: Environmental Defenders Office

By email: clare.lakewood@edo.org.au

Copy to: NOPSEMA

By email: sue.mccarrey@nopsema.gov.au

From: Ruby Hamilton
Sent: Mon, 17 Jul 2023 16:23:22 +0800
To: [REDACTED]
Cc: [REDACTED]; Clare Lakewood; sue.mccarrey@nopsema.gov.au
Subject: RE: Scarborough Gas Project Environment Plans
Categories: LEAP

JLB-2.26

Dear [REDACTED]

We are instructed that our clients would like to meet with Woodside, with EDO in attendance, via videoconference within the following windows:

- Tuesday 25 July, 9am-12pm or 2.30-5pm;
- Wednesday 26 July, 9am-12pm;
- Thursday 27 July, 9am-12pm;
- Friday 28 July, 9am-5pm.

We also acknowledge receipt of the letter from Mr Robinson and will revert in due course.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED]@woodside.com>
Sent: Monday, July 3, 2023 5:53 PM
To: Ruby Hamilton <ruby.hamilton@edo.org.au>; sue.mccarrey@nopsema.gov.au
Cc: [REDACTED]@woodside.com>; Clare Lakewood <clare.lakewood@edo.org.au>
Subject: RE: Scarborough Gas Project Environment Plans

Dear Ruby

Thanks for copying Woodside to previous correspondence addressed to NOPSEMA.

Please find attached a letter from Woodside signed by [REDACTED], Project Director / Vice President Scarborough.

Confirming we have copied Ms McCarrey of NOPSEMA.

Kind regards

[REDACTED]



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount
Street
Perth WA 6000
Australia

T: [REDACTED]
M: [REDACTED]
E: [REDACTED]@woodside.com
www.woodside.com
f t in v i

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Wednesday, 28 June 2023 5:11 PM
To: sue.mccarrey@nopsema.gov.au

Cc: [REDACTED]@woodside.com.au>; [REDACTED]@woodside.com.au>; Clare Lakewood <clare.lakewood@edo.org.au>; [REDACTED]@woodside.com.au>
Subject: Scarborough Gas Project Environment Plans

Dear Ms McCarrey

Please find **attached** correspondence on behalf of our clients, Ms Josie Alec and Ms Raelene Cooper.

Kind regards



Environmental
Defenders Office

**Ruby Hamilton — Solicitor — Safe
Climate**

PO Box Z5218, Boorloo/Perth WA 6831

P: +61 8 6118 7914

E: ruby.hamilton@edo.org.au

I use she/her pronouns.

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From: [REDACTED]@woodside.com> **JLB-2.27**
Sent: Wed, 19 Jul 2023 05:45:30 +0800
To: Ruby Hamilton
Cc: [REDACTED];Clare Lakewood;sue.mccarrey@nopsema.gov.au;Woodside Feedback
Subject: RE: Scarborough Gas Project Environment Plans
Categories: LEAP

Hi Ruby

Thanks for your email below.

Our team confirms we are available for a meeting on **Tuesday 25 July at 9am by Webex.**

Please confirm that time works for Rosie, Raelene, SOS and EDO lawyers and I'll send a calendar Teams invite to your email.

As per previous correspondence, Josie, Raelene and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via the Environment Defenders Office. Hence our respectful request once more that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We received the email below from the Environmental Defenders Office (EDO).

As the EDO's email was copied to email addresses for the Chief Executive Officer of NOPSEMA, we have, as a matter of courtesy copied the same email address.

Agenda for meeting

Woodside is pleased to arrange a meeting to consult with you again.

We again invite you to share agenda items with us. So that the most can be made of the meeting, we have prepared some points below by way of draft agenda. We are keen to hear and address the issues that matter to you. So please feel free to add to the agenda items for the meeting.

Draft agenda items

1. [Josie, Raelene, SOS, topics of interest; queries]
2. More about you both and Save Our Songlines
 - the role you perform within Save Our Songlines;
 - individual interests you each have;
 - the types of communal interests that each of you and Save Our Songlines hold;
 - the functions of Save Our Songlines as an organization;
 - the activities that each of you and Save Our Songlines engage in.
3. Walk through of the following EPs
 - Scarborough 4D Baseline Marine Seismic Survey EP
 - WA-61-L and WA 62-L Subsea Infrastructure Installation EP
 - Scarborough Seabed Intervention and Trunkline EP

- Scarborough Drilling and Completions EP
- 4. Description of Scarborough Project and activities to be undertaken under each EP – activity, location, impacts and risks, controls in place to manage risks, mechanisms to update the EP with changes (as necessary).
- 5. [PLEASE ADD TOPICS AS RELEVANT]

As per previous consultation and on your request, we are proceeding on the basis that the agreed protocols below continue to apply:

- Attendees continue to be all female.
- Attendees attend meetings with an open heart, deep listening and seeking a respectful conversation.
- Attendees come to meetings open to sharing knowledge about the environment (heritage value of places, social and cultural features) that may be affected by the activities under the proposed Scarborough EPs. Attendees come to the meeting open to sharing ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.
- Attendees are welcome to take written notes of meetings. To respect privacy, safety and cultural values there will be no other recording of meetings (e.g. no audio or visual etc recording of meetings).
- Other than sharing the fact that the meeting took place, the cultural details will be kept confidential amongst the female attendees unless directed otherwise and will not be made public without permission.

In case it is of interest, we also note the following draft policy from NOPSEMA: [Draft policy for managing genderrestricted information PL2098.pdf \(nopsema.gov.au\)](#)

We look forward to hearing further from you.

Best regards
Woodside

Kind regards



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount
Street
Perth WA 6000
Australia

T: [REDACTED]
M: [REDACTED]
E: [REDACTED]@woodside.com
www.woodside.com
f t in v i

From: [REDACTED]
Sent: Monday, 17 July 2023 1:46 PM
To: Ruby Hamilton <ruby.hamilton@edo.org.au>
Cc: [REDACTED]@woodside.com.au; Clare Lakewood <clare.lakewood@edo.org.au>;
sue.mccarrey@nopsema.gov.au
Subject: RE: Scarborough Gas Project Environment Plans

Hi Ruby

Thanks for your email.

I'll check in with the team and come back to you.

Kind regards



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount
Street
Perth WA 6000
Australia

T: [REDACTED]
M: [REDACTED]
E: [REDACTED]@woodside.com
www.woodside.com
f t in v i

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Monday, 17 July 2023 3:23 AM
To: [REDACTED]@woodside.com.au>
Cc: [REDACTED]@woodside.com.au>; Clare Lakewood <clare.lakewood@edo.org.au>;
sue.mccarrey@nopsema.gov.au
Subject: RE: Scarborough Gas Project Environment Plans

Dear [REDACTED]

We are instructed that our clients would like to meet with Woodside, with EDO in attendance, via videoconference within the following windows:

- Tuesday 25 July, 9am-12pm or 2.30-5pm;
- Wednesday 26 July, 9am-12pm;
- Thursday 27 July, 9am-12pm;
- Friday 28 July, 9am-5pm.

We also acknowledge receipt of the letter from Mr Robinson and will revert in due course.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED]@woodside.com>
Sent: Monday, July 3, 2023 5:53 PM
To: Ruby Hamilton <ruby.hamilton@edo.org.au>; sue.mccarrey@nopsema.gov.au
Cc: [REDACTED]@woodside.com>; Clare Lakewood <clare.lakewood@edo.org.au>
Subject: RE: Scarborough Gas Project Environment Plans

Dear Ruby

Thanks for copying Woodside to previous correspondence addressed to NOPSEMA.

Please find attached a letter from Woodside signed by [REDACTED], Project Director / Vice President Scarborough.

Confirming we have copied Ms McCarrey of NOPSEMA.

Kind regards



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount
Street
Perth WA 6000
Australia

T: [REDACTED]
M: [REDACTED]
E: [REDACTED]@woodside.com
www.woodside.com
f t in v @

From: Ruby Hamilton <ruby.hamilton@edo.org.au>

Sent: Wednesday, 28 June 2023 5:11 PM

To: sue.mccarrey@nopsema.gov.au

Cc: [REDACTED]@woodside.com.au>; [REDACTED]@woodside.com.au>; Clare Lakewood <clare.lakewood@edo.org.au>; [REDACTED]@woodside.com.au>

Subject: Scarborough Gas Project Environment Plans

Dear Ms McCarrey

Please find **attached** correspondence on behalf of our clients, Ms Josie Alec and Ms Raelene Cooper.

Kind regards



Environmental
Defenders Office

**Ruby Hamilton — Solicitor — Safe
Climate**

PO Box Z5218, Boorloo/Perth WA 6831

P: +61 8 6118 7914

E: ruby.hamilton@edo.org.au

I use she/her pronouns.

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From: [Jess Border](#)
To: [REDACTED]
Cc: [REDACTED]; sue.mccarrey@nopsema.gov.au; [Woodside Feedback](#); [Alina Leikin](#)
Bcc: [Jess Border](#)
Subject: RE: Scarborough Gas Project Environment Plans
Date: Wednesday, 19 July 2023 4:18:00 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.jpg](#)
[image004.jpg](#)
[image005.jpg](#)
[image006.jpg](#)
[image007.jpg](#)

Dear [REDACTED]

As stated in Clare's email below, I will be the primary contact for this matter going forward.

I have received confirmation that our clients are available to attend a meeting by Teams at 9:00am next Tuesday 25 July.

Thank you for your proposed agenda. Our revised agenda is set out below. This is the agenda that was agreed ahead of the 13 June Karratha meeting that did not proceed. As we have previously stated, we do not think it is appropriate to deal with all 4 EPs in one meeting.

DRAFT AGENDA

1. Walk through of the Scarborough 4D Baseline Marine Seismic Survey EP
2. Description of Scarborough Project and activities to be undertaken in the Scarborough 4D Baseline Marine Seismic Survey EP – activity, location, impacts and risks, controls in place to manage risks, mechanisms to update the EP with changes (as necessary).
3. More about Ms Alec, Ms Cooper and Save Our Songlines
 - individual interests you each have;
 - the types of communal interests that each of you hold;
 - the activities each of you engage in that might be affected by the activities;
 - the role you perform within Save Our Songlines;
 - the interests that Save Our Songlines holds;
 - the functions of Save Our Songlines as an organisation;
 - the activities that Save Our Songlines engage in that might be affected.
4. How Woodside would update the EP in response to information about how functions, interests and activities may be affected.
5. Information Ms Alec and Ms Cooper still need from Woodside.
6. Any other requests for information or access that Ms Alec and Ms Cooper have of Woodside.

Please let us know if you have any proposed changes.

Kind regards

Jess

Jess Border | Solicitor | EDO

From: Clare Lakewood <clare.lakewood@edo.org.au>

Sent: Wednesday, July 19, 2023 12:39 PM

To: [REDACTED]@woodside.com>; Ruby Hamilton <ruby.hamilton@edo.org.au>

Cc: [REDACTED]@woodside.com>; sue.mccarrey@nopsema.gov.au;

Woodside Feedback <Feedback@woodside.com>; Alina Leikin <Alina.Leikin@edo.org.au>; Jess Border <jessica.border@edo.org.au>

Subject: RE: Scarborough Gas Project Environment Plans

Dear [REDACTED]

Thank you for your email. Please be advised that Ms Jess Border and Ms Alina Leikin of EDO have taken over carriage of this matter. They are cc-ed to this email, and will respond to your emails of today's date shortly.

Kind regards,
Clare



Clare Lakewood — Special Counsel, Safe Climate

(Mon, Tue, Wed, Thu)

PO Box Z5218, Boorloo/Perth WA 6831

P: +61 8 6118 7912

E: clare.lakewood@edo.org.au

I use she/her pronouns.

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From: [REDACTED]@woodside.com>

Sent: Wednesday, July 19, 2023 6:34 AM

To: Ruby Hamilton <ruby.hamilton@edo.org.au>

Cc: [REDACTED]@woodside.com>; Clare Lakewood <clare.lakewood@edo.org.au>; sue.mccarrey@nopsema.gov.au; Woodside Feedback <Feedback@woodside.com>

Subject: RE: Scarborough Gas Project Environment Plans

Hi Ruby

Ahead of the meeting, please provide the documents below to Josie, Raelene and Save Our Songlines.

NOPSEMA has published a number of documents on consultation (please see [Document Hub | NOPSEMA](#)).

We want to make you aware of these and have provided links to the following recent publications below:

- **Brochure:** [Consultation on offshore petroleum environment plans brochure.pdf \(nopsema.gov.au\)](#)
- **Guideline:** [Guideline: Consultation in the course of preparing an environment plan \(nopsema.gov.au\)](#); and

- **Policy:** [Draft policy for managing gender-restricted information PL2098.pdf \(nopsema.gov.au\)](#).

Kind regards



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount Street
Perth WA 6000
Australia

T: [REDACTED]
M: + [REDACTED]
E: [REDACTED]@woodside.com
www.woodside.com
□ □ □ □ □

From: [REDACTED]
Sent: Tuesday, 18 July 2023 4:46 PM
To: Ruby Hamilton <ruby.hamilton@edo.org.au>
Cc: [REDACTED] <[\[REDACTED\]@woodside.com.au](mailto:[REDACTED]@woodside.com.au)>; Clare Lakewood <clare.lakewood@edo.org.au>; sue.mccarrey@nopsema.gov.au; Woodside Feedback <Feedback@woodside.com.au>
Subject: RE: Scarborough Gas Project Environment Plans

Hi Ruby

Thanks for your email below.

Our team confirms we are available for a meeting on **Tuesday 25 July at 9am by Webex.**

Please confirm that time works for Rosie, Raelene, SOS and EDO lawyers and I'll send a calendar Teams invite to your email.

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Dear Josie, Raelene and Save Our Songlines

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Agenda for meeting

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Draft agenda items

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 - Scarborough Drilling and Completions EP
4. Description of Scarborough Project and activities to be undertaken under each EP – activity, location, impacts and risks, controls in place to manage risks, mechanisms to update the EP with changes (as necessary).
5. [PLEASE ADD TOPICS AS RELEVANT]

As per previous consultation and on your request, we are proceeding on the basis that the agreed protocols below continue to apply:

- Attendees continue to be all female.
- Attendees attend meetings with an open heart, deep listening and seeking a respectful conversation.
- Attendees come to meetings open to sharing knowledge about the environment (heritage value of places, social and cultural features) that may be affected by the activities under the proposed Scarborough EPs. Attendees come to the meeting open to sharing ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.
- Attendees are welcome to take written notes of meetings. To respect privacy, safety and cultural values there will be no other recording of meetings (e.g. no audio or visual etc recording of meetings).
- Other than sharing the fact that the meeting took place, the cultural details will be kept confidential amongst the female attendees unless directed otherwise and will not be made public without permission.

In case it is of interest, we also note the following draft policy from NOPSEMA: [Draft policy for managing genderrestricted information PL2098.pdf \(nopsema.gov.au\)](#)

We look forward to hearing further from you.

Best regards
Woodside



Kind regards

[Redacted]



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount Street
Perth WA 6000
Australia

T: [Redacted]
M: +[Redacted]
E: [Redacted]@woodside.com
www.woodside.com
□ □ □ □ □

From: [Redacted]
Sent: Monday, 17 July 2023 1:46 PM
To: Ruby Hamilton <ruby.hamilton@edo.org.au>
Cc: [Redacted]@woodside.com.au>; Clare Lakewood <clare.lakewood@edo.org.au>; sue.mccarrey@nopsema.gov.au
Subject: RE: Scarborough Gas Project Environment Plans

Hi Ruby

Thanks for your email.

I'll check in with the team and come back to you.

Kind regards

[Redacted]



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount Street
Perth WA 6000
Australia

T: [Redacted]
M: +[Redacted]
E: [Redacted]@woodside.com
www.woodside.com
□ □ □ □ □

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Monday, 17 July 2023 3:23 AM
To: [Redacted]@woodside.com.au>
Cc: [Redacted]@woodside.com.au>; Clare Lakewood <clare.lakewood@edo.org.au>; sue.mccarrey@nopsema.gov.au
Subject: RE: Scarborough Gas Project Environment Plans

Dear [Redacted]

We are instructed that our clients would like to meet with Woodside, with EDO in attendance, via videoconference within the following windows:

- Tuesday 25 July, 9am-12pm or 2.30-5pm;
- Wednesday 26 July, 9am-12pm;
- Thursday 27 July, 9am-12pm;
- Friday 28 July, 9am-5pm.

We also acknowledge receipt of the letter from Mr Robinson and will revert in due course.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED] <[REDACTED]@woodside.com>
Sent: Monday, July 3, 2023 5:53 PM
To: Ruby Hamilton <ruby.hamilton@edo.org.au>; sue.mccarrey@nopsema.gov.au
Cc: [REDACTED] <[REDACTED]@woodside.com>; Clare Lakewood <clare.lakewood@edo.org.au>
Subject: RE: Scarborough Gas Project Environment Plans

Dear Ruby

Thanks for copying Woodside to previous correspondence addressed to NOPSEMA.

Please find attached a letter from Woodside signed by [REDACTED], Project Director / Vice President Scarborough.

Confirming we have copied Ms McCarrey of NOPSEMA.

Kind regards

[REDACTED]



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount Street
Perth WA 6000
Australia

T: [REDACTED]
M: +[REDACTED]
E: [REDACTED]@woodside.com
www.woodside.com
□ □ □ □ □

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Wednesday, 28 June 2023 5:11 PM
To: sue.mccarrey@nopsema.gov.au
Cc: [REDACTED] <[REDACTED]@woodside.com.au>; [REDACTED] <[REDACTED]@woodside.com.au>; Clare Lakewood <clare.lakewood@edo.org.au>; [REDACTED] <[REDACTED]@woodside.com.au>
Subject: Scarborough Gas Project Environment Plans

Dear Ms McCarrey

Please find **attached** correspondence on behalf of our clients, Ms Josie Alec and Ms Raelene Cooper.

Kind regards



Ruby Hamilton — Solicitor — Safe Climate
PO Box Z5218, Boorloo/Perth WA 6831
P: +61 8 6118 7914
E: ruby.hamilton@edo.org.au

I use she/her pronouns.

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EDO recognises the traditional owners and custodians of the land, seas and rivers of Australia. We pay our respects to Aboriginal and Torres Strait Islander elders past and present, and aspire to learn from traditional knowledge and customs so that, together, we can protect our environment and cultural heritage through law.

From: Jess Border
Sent: Monday, 24 July 2023 7:25 PM
To: [REDACTED]
Cc: [REDACTED]; sue.mccarrey@nopsema.gov.au; Woodside Feedback; Alina Leikin
Subject: RE: Scarborough Gas Project Environment Plans

Dear [REDACTED]

Thank you for your email.

Our clients are content for Woodside to provide broader information.

We are instructed to ask that the meeting be recorded, with the recording being paused for discussion of culturally sensitive matters. Our clients are of the view that a recorded meeting reduces the risk of inconsistencies with or misunderstandings in written notes. Could you please confirm you're content with this approach?

We otherwise confirm that we will be attending the meeting in accordance with the protocols set out below.

Kind regards

Jess

Jess Border | Solicitor | EDO

From: [REDACTED]@woodside.com>
Sent: Friday, July 21, 2023 5:35 PM
To: Jess Border <jessica.border@edo.org.au>
Cc: [REDACTED]@woodside.com>; sue.mccarrey@nopsema.gov.au; Woodside Feedback <Feedback@woodside.com>; Alina Leikin <Alina.Leikin@edo.org.au>
Subject: RE: Scarborough Gas Project Environment Plans

You don't often get email from [REDACTED]@woodside.com. [Learn why this is important](#)

Dear Jess

Confirming I've sent the Tuesday morning meeting invite for a meeting between Josie, Raelene, Save Our Songlines and EDO.

Our team has discussed the draft agenda – we are comfortable that it gives guidance on topics to enable discussion and allows other issues to be raised.

So you know, our team will provide information on the broader Scarborough Project and the EPs currently being assessed. This will be useful to put the Seismic Survey EP activity in context. It will also give Josie, Raelene and Save Our Songlines an opportunity to discuss and ask questions on the other Scarborough activities EPs currently being assessed.

We would be grateful for confirmation that Josie, Raelene, Save Our Songlines and EDO agree to the meeting proceeding in accordance with the agreed protocols (as per email below).

In addition to the protocols, our team has agreed to participate with open hearts, in listening and information sharing mode and that the team members will act with integrity and respect during the meeting. We would be grateful for confirmation that your team is also attending the meeting on this basis.

Look forward to meeting next week.

Kind regards



Woodside Energy
 Mia Yellagonga
 Karlak, 11 Mount Street
 Perth WA 6000
 Australia

T: [Redacted]
 M: + [Redacted]
 E: [Redacted]@woodside.com
www.woodside.com
 f t in v @

From: [Redacted]
Sent: Thursday, 20 July 2023 4:01 AM
To: Jess Border <jessica.border@edo.org.au>
Cc: [Redacted]@woodside.com.au; sue.mccarrey@nopsema.gov.au; Woodside Feedback <Feedback@woodside.com.au>; Alina Leikin <Alina.Leikin@edo.org.au>
Subject: RE: Scarborough Gas Project Environment Plans

Dear Jess

Thanks for your email and confirmation on meeting time.

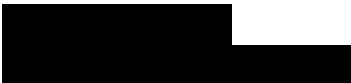
Thanks also for sending the updated agenda – we’ll review and come back if there are suggested edits or changes.

A calendar invite for a Teams meeting will be sent to your email address and also Ms Leikin’s email. (There may be a slight delay – I’m travelling at the moment. So the aim will be to send the invite by Friday so the correct time zone / date is sent in the meeting maker).

In the meantime, please can you confirm the meeting will proceed on the basis of the agreed protocols (as requested by Josie, Raelene and Save Our Songlines). Woodside is comfortable to proceed according to the protocols:

- Attendees continue to be all female.
- Attendees attend meetings with an open heart, deep listening and seeking a respectful conversation.
- Attendees come to meetings open to sharing knowledge about the environment (heritage value of places, social and cultural features) that may be affected by the activities under the proposed Scarborough EPs. Attendees come to the meeting open to sharing ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.
- Attendees are welcome to take written notes of meetings. To respect privacy, safety and cultural values there will be no other recording of meetings (e.g. no audio or visual etc recording of meetings).
- Other than sharing the fact that the meeting took place, the cultural details will be kept confidential amongst the female attendees unless directed otherwise and will not be made public without permission.

Kind regards



Woodside Energy
 Mia Yellagonga
 Karlak, 11 Mount Street
 Perth WA 6000
 Australia

T: [Redacted]
 M: + [Redacted]
 E: [Redacted]@woodside.com
www.woodside.com
 f t in v @

From: Jess Border <jessica.border@edo.org.au>
Sent: Wednesday, 19 July 2023 11:19 AM
To: [Redacted]@woodside.com.au>

Cc: [REDACTED]@woodside.com.au; sue.mccarrey@nopsema.gov.au; Woodside Feedback <Feedback@woodside.com.au>; Alina Leikin <Alina.Leikin@edo.org.au>

Subject: RE: Scarborough Gas Project Environment Plans

You don't often get email from jessica.border@edo.org.au. [Learn why this is important](#)

Dear [REDACTED]

As stated in Clare's email below, I will be the primary contact for this matter going forward.

I have received confirmation that our clients are available to attend a meeting by Teams at 9:00am next Tuesday 25 July.

Thank you for your proposed agenda. Our revised agenda is set out below. This is the agenda that was agreed ahead of the 13 June Karratha meeting that did not proceed. As we have previously stated, we do not think it is appropriate to deal with all 4 EPs in one meeting.

DRAFT AGENDA

1. Walk through of the Scarborough 4D Baseline Marine Seismic Survey EP
2. Description of Scarborough Project and activities to be undertaken in the Scarborough 4D Baseline Marine Seismic Survey EP – activity, location, impacts and risks, controls in place to manage risks, mechanisms to update the EP with changes (as necessary).
3. More about Ms Alec, Ms Cooper and Save Our Songlines
 - individual interests you each have;
 - the types of communal interests that each of you hold;
 - the activities each of you engage in that might be affected by the activities;
 - the role you perform within Save Our Songlines;
 - the interests that Save Our Songlines holds;
 - the functions of Save Our Songlines as an organisation;
 - the activities that Save Our Songlines engage in that might be affected.
4. How Woodside would update the EP in response to information about how functions, interests and activities may be affected.
5. Information Ms Alec and Ms Cooper still need from Woodside.
6. Any other requests for information or access that Ms Alec and Ms Cooper have of Woodside.

Please let us know if you have any proposed changes.

Kind regards

Jess

Jess Border | Solicitor | EDO

From: Clare Lakewood <clare.lakewood@edo.org.au>

Sent: Wednesday, July 19, 2023 12:39 PM

To: [REDACTED]@woodside.com.au; Ruby Hamilton <ruby.hamilton@edo.org.au>

Cc: [REDACTED]@woodside.com.au; sue.mccarrey@nopsema.gov.au; Woodside Feedback <Feedback@woodside.com.au>; Alina Leikin <Alina.Leikin@edo.org.au>; Jess Border <jessica.border@edo.org.au>

Subject: RE: Scarborough Gas Project Environment Plans

Dear [REDACTED],

Thank you for your email. Please be advised that Ms Jess Border and Ms Alina Leikin of EDO have taken over carriage of this matter. They are cc-ed to this email, and will respond to your emails of today's date shortly.

Kind regards,
Clare



Environmental
Defenders Office

**Clare Lakewood — Special Counsel, Safe
Climate**

(Mon, Tue, Wed, Thu)
PO Box Z5218, Boorloo/Perth WA 6831
P: +61 8 6118 7912
E: clare.lakewood@edo.org.au

I use she/her pronouns.

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From: [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>
Sent: Wednesday, July 19, 2023 6:34 AM
To: Ruby Hamilton <ruby.hamilton@edo.org.au>
Cc: [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>; Clare Lakewood <clare.lakewood@edo.org.au>; sue.mccarrey@nopsema.gov.au; Woodside Feedback <Feedback@woodside.com>
Subject: RE: Scarborough Gas Project Environment Plans

Hi Ruby

Ahead of the meeting, please provide the documents below to Josie, Raelene and Save Our Songlines.

NOPSEMA has published a number of documents on consultation (please see [Document Hub | NOPSEMA](#)).

We want to make you aware of these and have provided links to the following recent publications below:

- **Brochure:** [Consultation on offshore petroleum environment plans brochure.pdf \(nopsema.gov.au\)](#)
- **Guideline:** [Guideline: Consultation in the course of preparing an environment plan \(nopsema.gov.au\)](#); and
- **Policy:** [Draft policy for managing gender-restricted information PL2098.pdf \(nopsema.gov.au\)](#).

Kind regards



Woodside Energy
Mia Yellagonga
Karak, 11 Mount Street
Perth WA 6000
Australia

T: [REDACTED]
M:+ [REDACTED]
E: [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>
www.woodside.com

From: [REDACTED]
Sent: Tuesday, 18 July 2023 4:46 PM
To: Ruby Hamilton <ruby.hamilton@edo.org.au>
Cc: [REDACTED] <[\[REDACTED\]@woodside.com.au](mailto:[REDACTED]@woodside.com.au)>; Clare Lakewood <clare.lakewood@edo.org.au>; sue.mccarrey@nopsema.gov.au; Woodside Feedback <Feedback@woodside.com.au>
Subject: RE: Scarborough Gas Project Environment Plans

Hi Ruby

Thanks for your email below.

Our team confirms we are available for a meeting on **Tuesday 25 July at 9am by Webex.**

Please confirm that time works for Rosie, Raelene, SOS and EDO lawyers and I'll send a calendar Teams invite to your email.

As per previous correspondence, Josie, Raelene and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via the Environment Defenders Office. Hence our respectful request once more that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We received the email below from the Environmental Defenders Office (EDO).

As the EDO's email was copied to email addresses for the Chief Executive Officer of NOPSEMA, we have, as a matter of courtesy copied the same email address.

Agenda for meeting

Woodside is pleased to arrange a meeting to consult with you again.

We again invite you to share agenda items with us. So that the most can be made of the meeting, we have prepared some points below by way of draft agenda. We are keen to hear and address the issues that matter to you. So please feel free to add to the agenda items for the meeting.

Draft agenda items

1. [Josie, Raelene, SOS, topics of interest; queries]
2. More about you both and Save Our Songlines
 - the role you perform within Save Our Songlines;
 - individual interests you each have;
 - the types of communal interests that each of you and Save Our Songlines hold;
 - the functions of Save Our Songlines as an organization;
 - the activities that each of you and Save Our Songlines engage in.
3. Walk through of the following EPs
 - Scarborough 4D Baseline Marine Seismic Survey EP
 - WA-61-L and WA 62-L Subsea Infrastructure Installation EP
 - Scarborough Seabed Intervention and Trunkline EP
 - Scarborough Drilling and Completions EP
4. Description of Scarborough Project and activities to be undertaken under each EP – activity, location, impacts and risks, controls in place to manage risks, mechanisms to update the EP with changes (as necessary).
5. [PLEASE ADD TOPICS AS RELEVANT]

As per previous consultation and on your request, we are proceeding on the basis that the agreed protocols below continue to apply:

- Attendees continue to be all female.

- Attendees attend meetings with an open heart, deep listening and seeking a respectful conversation.
- Attendees come to meetings open to sharing knowledge about the environment (heritage value of places, social and cultural features) that may be affected by the activities under the proposed Scarborough EPs. Attendees come to the meeting open to sharing ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.
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- Other than sharing the fact that the meeting took place, the cultural details will be kept confidential amongst the female attendees unless directed otherwise and will not be made public without permission.

In case it is of interest, we also note the following draft policy from NOPSEMA: [Draft policy for managing genderrestricted information PL2098.pdf \(nopsema.gov.au\)](#)

We look forward to hearing further from you.

Best regards
Woodside



Kind regards



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount Street
Perth WA 6000
Australia

T: [REDACTED]
M: + [REDACTED]
E: [REDACTED]@woodside.com
www.woodside.com
f t in y i

From: [REDACTED]
Sent: Monday, 17 July 2023 1:46 PM
To: Ruby Hamilton <ruby.hamilton@edo.org.au>
Cc: [REDACTED]@woodside.com.au; Clare Lakewood <clare.lakewood@edo.org.au>; sue.mccarrey@nopsema.gov.au
Subject: RE: Scarborough Gas Project Environment Plans

Hi Ruby

Thanks for your email.

I'll check in with the team and come back to you.

Kind regards



Senior Legal Counsel | Legal



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount Street
Perth WA 6000
Australia

T: +61 9348 6499
M: +61 457 491 226
E: [REDACTED]@woodside.com
www.woodside.com
f t in y i

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Monday, 17 July 2023 3:23 AM
To: [REDACTED] <[\[REDACTED\]@woodside.com.au](mailto:[REDACTED]@woodside.com.au)>
Cc: [REDACTED] <[\[REDACTED\]@woodside.com.au](mailto:[REDACTED]@woodside.com.au)>; Clare Lakewood <clare.lakewood@edo.org.au>;
sue.mccarrey@nopsema.gov.au
Subject: RE: Scarborough Gas Project Environment Plans

Dear [REDACTED]

We are instructed that our clients would like to meet with Woodside, with EDO in attendance, via videoconference within the following windows:

- Tuesday 25 July, 9am-12pm or 2.30-5pm;
- Wednesday 26 July, 9am-12pm;
- Thursday 27 July, 9am-12pm;
- Friday 28 July, 9am-5pm.

We also acknowledge receipt of the letter from Mr Robinson and will revert in due course.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>
Sent: Monday, July 3, 2023 5:53 PM
To: Ruby Hamilton <ruby.hamilton@edo.org.au>; sue.mccarrey@nopsema.gov.au
Cc: [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>; Clare Lakewood <clare.lakewood@edo.org.au>
Subject: RE: Scarborough Gas Project Environment Plans

Dear Ruby

Thanks for copying Woodside to previous correspondence addressed to NOPSEMA.

Please find attached a letter from Woodside signed by [REDACTED], Project Director / Vice President Scarborough.

Confirming we have copied Ms McCarrey of NOPSEMA.

Kind regards

[REDACTED]



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount Street
Perth WA 6000
Australia

T: [REDACTED]
M: [REDACTED]
E: [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>
www.woodside.com
f t in v i

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Wednesday, 28 June 2023 5:11 PM
To: sue.mccarrey@nopsema.gov.au
Cc: [REDACTED] <[\[REDACTED\]@woodside.com.au](mailto:[REDACTED]@woodside.com.au)>; [REDACTED] <[\[REDACTED\]@woodside.com.au](mailto:[REDACTED]@woodside.com.au)>;
Clare Lakewood <clare.lakewood@edo.org.au>; [REDACTED] <[\[REDACTED\]@woodside.com.au](mailto:[REDACTED]@woodside.com.au)>
Subject: Scarborough Gas Project Environment Plans

Dear Ms McCarrey

Please find **attached** correspondence on behalf of our clients, Ms Josie Alec and Ms Raelene Cooper.

Kind regards



Environmental
Defenders Office

Ruby Hamilton — Solicitor — Safe Climate

PO Box Z5218, Boorloo/Perth WA 6831

P: +61 8 6118 7914

E: ruby.hamilton@edo.org.au

I use she/her pronouns.

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From: [REDACTED]@woodside.com>
Sent: Tue, 25 Jul 2023 05:22:09 +0800
To: Jess Border
Cc: [REDACTED];sue.mccarrey@nopsema.gov.au;Woodside Feedback;Alina Leikin
Subject: RE: Scarborough Gas Project Environment Plans

JLB-2.30

Dear Jess

Thanks for your email.

As to the query around recording:- Our team is respectfully attending the meeting on the basis of the meeting protocols previously agreed with Josie, Raelene and Save Our Songlines. In particular:

- that attendees are welcome to take written notes of the meetings. However, there will be no other recording of meetings (e.g. no audio or visual etc recording of meetings)
- other than sharing the fact that the meeting took place, the cultural details will be kept confidential amongst the female attendees unless directed otherwise and will not be made public without permission

So, to confirm – other than in accordance with those protocols, our team does not consent to any aspects of the meeting being recorded (no audio, visual or other recording of the meeting). To be clear, our team does not consent to any recording being made or paused for discussion of culturally sensitive matters.

We look forward to the consultation meeting this morning.

Kind regards

[REDACTED]



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount
Street
Perth WA 6000
Australia

T: [REDACTED]
M: [REDACTED]
E: [REDACTED]@woodside.com
www.woodside.com
f t in y @

From: Jess Border <jessica.border@edo.org.au>
Sent: Monday, 24 July 2023 7:25 PM
To: [REDACTED]@woodside.com.au>
Cc: [REDACTED]@woodside.com.au>; sue.mccarrey@nopsema.gov.au; Woodside Feedback <Feedback@woodside.com.au>; Alina Leikin <Alina.Leikin@edo.org.au>
Subject: RE: Scarborough Gas Project Environment Plans

Dear [REDACTED]

Thank you for your email.

Our clients are content for Woodside to provide broader information.

We are instructed to ask that the meeting be recorded, with the recording being paused for discussion of culturally sensitive matters. Our clients are of the view that a recorded meeting reduces the risk of inconsistencies with or misunderstandings in written notes. Could you please confirm you're content with this approach?

348

We otherwise confirm that we will be attending the meeting in accordance with the protocols set out below.

Kind regards

Jess

Jess Border | Solicitor | EDO

From: [REDACTED]@woodside.com>
Sent: Friday, July 21, 2023 5:35 PM
To: Jess Border <jessica.border@edo.org.au>
Cc: [REDACTED]@woodside.com>; sue.mccarrey@nopsema.gov.au; Woodside Feedback <Feedback@woodside.com>; Alina Leikin <Alina.Leikin@edo.org.au>
Subject: RE: Scarborough Gas Project Environment Plans

You don't often get email from [REDACTED]@woodside.com. [Learn why this is important](#)

Dear Jess

Confirming I've sent the Tuesday morning meeting invite for a meeting between Josie, Raelene, Save Our Songlines and EDO.

Our team has discussed the draft agenda – we are comfortable that it gives guidance on topics to enable discussion and allows other issues to be raised.

So you know, our team will provide information on the broader Scarborough Project and the EPs currently being assessed. This will be useful to put the Seismic Survey EP activity in context. It will also give Josie, Raelene and Save Our Songlines an opportunity to discuss and ask questions on the other Scarborough activities EPs currently being assessed.

We would be grateful for confirmation that Josie, Raelene, Save Our Songlines and EDO agree to the meeting proceeding in accordance with the agreed protocols (as per email below).

In addition to the protocols, our team has agreed to participate with open hearts, in listening and information sharing mode and that the team members will act with integrity and respect during the meeting. We would be grateful for confirmation that your team is also attending the meeting on this basis.

Look forward to meeting next week.

Kind regards

[REDACTED]



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount
Street
Perth WA 6000
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T: [REDACTED]
M: [REDACTED]
E: [REDACTED]@woodside.com
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f t in v @

From: [REDACTED]
Sent: Thursday, 20 July 2023 4:01 AM
To: Jess Border <jessica.border@edo.org.au>
Cc: [REDACTED]@woodside.com.au>; sue.mccarrey@nopsema.gov.au; Woodside Feedback <Feedback@woodside.com.au>; Alina Leikin <Alina.Leikin@edo.org.au>
Subject: RE: Scarborough Gas Project Environment Plans

349

Dear Jess

Thanks for your email and confirmation on meeting time.

Thanks also for sending the updated agenda – we'll review and come back if there are suggested edits or changes.

A calendar invite for a Teams meeting will be sent to your email address and also Ms Leikin's email. (There may be a slight delay – I'm travelling at the moment. So the aim will be to send the invite by Friday so the correct time zone / date is sent in the meeting maker).

In the meantime, please can you confirm the meeting will proceed on the basis of the agreed protocols (as requested by Josie, Raelene and Save Our Songlines). Woodside is comfortable to proceed according to the protocols:

- Attendees continue to be all female.
- Attendees attend meetings with an open heart, deep listening and seeking a respectful conversation.
- Attendees come to meetings open to sharing knowledge about the environment (heritage value of places, social and cultural features) that may be affected by the activities under the proposed Scarborough EPs. Attendees come to the meeting open to sharing ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.
- Attendees are welcome to take written notes of meetings. To respect privacy, safety and cultural values there will be no other recording of meetings (e.g. no audio or visual etc recording of meetings).
- Other than sharing the fact that the meeting took place, the cultural details will be kept confidential amongst the female attendees unless directed otherwise and will not be made public without permission.

Kind regards



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount
Street
Perth WA 6000
Australia

T: [REDACTED]
M: [REDACTED]
E: [REDACTED]@woodside.com
www.woodside.com
f t in v @

From: Jess Border <jessica.border@edo.org.au>

Sent: Wednesday, 19 July 2023 11:19 AM

To: [REDACTED] <[\[REDACTED\]@woodside.com.au](mailto:[REDACTED]@woodside.com.au)>

Cc: [REDACTED] <[\[REDACTED\]@woodside.com.au](mailto:[REDACTED]@woodside.com.au)>; sue.mccarrey@nopsema.gov.au; Woodside Feedback <Feedback@woodside.com.au>; Alina Leikin <Alina.Leikin@edo.org.au>

Subject: RE: Scarborough Gas Project Environment Plans

You don't often get email from jessica.border@edo.org.au. [Learn why this is important](#)

Dear [REDACTED]

As stated in Clare's email below, I will be the primary contact for this matter going forward.

I have received confirmation that our clients are available to attend a meeting by Teams at 9:00am next Tuesday 25 July.

Thank you for your proposed agenda. Our revised agenda is set out below. This is the agenda that was agreed ahead of the 13 June Karratha meeting that did not proceed. As we have previously stated, we do not think it is appropriate to deal with all 4 EPs in one meeting.

DRAFT AGENDA

1. Walk through of the Scarborough 4D Baseline Marine Seismic Survey EP
2. Description of Scarborough Project and activities to be undertaken in the Scarborough 4D Baseline Marine Seismic Survey EP – activity, location, impacts and risks, controls in place to manage risks, mechanisms to update the EP with changes (as necessary).
3. More about Ms Alec, Ms Cooper and Save Our Songlines
 - individual interests you each have;
 - the types of communal interests that each of you hold;
 - the activities each of you engage in that might be affected by the activities;
 - the role you perform within Save Our Songlines;
 - the interests that Save Our Songlines holds;
 - the functions of Save Our Songlines as an organisation;
 - the activities that Save Our Songlines engage in that might be affected.
4. How Woodside would update the EP in response to information about how functions, interests and activities may be affected.
5. Information Ms Alec and Ms Cooper still need from Woodside.
6. Any other requests for information or access that Ms Alec and Ms Cooper have of Woodside.

Please let us know if you have any proposed changes.

Kind regards

Jess

Jess Border | Solicitor | EDO

From: Clare Lakewood <clare.lakewood@edo.org.au>
Sent: Wednesday, July 19, 2023 12:39 PM
To: [REDACTED] <[REDACTED]@woodside.com>; Ruby Hamilton <ruby.hamilton@edo.org.au>
Cc: [REDACTED] <[REDACTED]@woodside.com>; sue.mccarrey@nopsema.gov.au; Woodside Feedback <Feedback@woodside.com>; Alina Leikin <Alina.Leikin@edo.org.au>; Jess Border <jessica.border@edo.org.au>
Subject: RE: Scarborough Gas Project Environment Plans

Dear [REDACTED]

Thank you for your email. Please be advised that Ms Jess Border and Ms Alina Leikin of EDO have taken over carriage of this matter. They are cc-ed to this email, and will respond to your emails of today's date shortly.

Kind regards,
Clare



**Clare Lakewood — Special Counsel,
Safe Climate**
(Mon, Tue, Wed, Thu)
PO Box Z5218, Boorloo/Perth WA 6831
P: +61 8 6118 7912

E: clare.lakewood@edo.org.au

I use she/her pronouns.

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From: [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>
Sent: Wednesday, July 19, 2023 6:34 AM
To: Ruby Hamilton <ruby.hamilton@edo.org.au>
Cc: [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>; Clare Lakewood <clare.lakewood@edo.org.au>; sue.mccarrey@nopsema.gov.au; Woodside Feedback <Feedback@woodside.com>
Subject: RE: Scarborough Gas Project Environment Plans

Hi Ruby

Ahead of the meeting, please provide the documents below to Josie, Raelene and Save Our Songlines.

NOPSEMA has published a number of documents on consultation (please see [Document Hub | NOPSEMA](#)).

We want to make you aware of these and have provided links to the following recent publications below:

- **Brochure:** [Consultation on offshore petroleum environment plans brochure.pdf \(nopsema.gov.au\)](#)
- **Guideline:** [Guideline: Consultation in the course of preparing an environment plan \(nopsema.gov.au\)](#); and
- **Policy:** [Draft policy for managing gender-restricted information PL2098.pdf \(nopsema.gov.au\)](#).

Kind regards

[REDACTED]



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount
Street
Perth WA 6000
Australia

T: [REDACTED]
M: [REDACTED]
E: [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>
www.woodside.com
f t in v i

From: [REDACTED]
Sent: Tuesday, 18 July 2023 4:46 PM
To: Ruby Hamilton <ruby.hamilton@edo.org.au>
Cc: [REDACTED] <[\[REDACTED\]@woodside.com.au](mailto:[REDACTED]@woodside.com.au)>; Clare Lakewood <clare.lakewood@edo.org.au>; sue.mccarrey@nopsema.gov.au; Woodside Feedback <Feedback@woodside.com.au>
Subject: RE: Scarborough Gas Project Environment Plans

Hi Ruby

Thanks for your email below.

Our team confirms we are available for a meeting on **Tuesday 25 July at 9am by Webex**.

Please confirm that time works for Rosie, Raelene, SOS and EDO lawyers and I'll send a calendar Teams invite to your email.

As per previous correspondence, Josie, Raelene and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via the Environment Defenders Office. Hence our respectful request once more that the following be communicated to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

We received the email below from the Environmental Defenders Office (EDO).

As the EDO's email was copied to email addresses for the Chief Executive Officer of NOPSEMA, we have, as a matter of courtesy copied the same email address.

Agenda for meeting

Woodside is pleased to arrange a meeting to consult with you again.

We again invite you to share agenda items with us. So that the most can be made of the meeting, we have prepared some points below by way of draft agenda. We are keen to hear and address the issues that matter to you. So please feel free to add to the agenda items for the meeting.

Draft agenda items

1. [Josie, Raelene, SOS, topics of interest; queries]
2. More about you both and Save Our Songlines
 - the role you perform within Save Our Songlines;
 - individual interests you each have;
 - the types of communal interests that each of you and Save Our Songlines hold;
 - the functions of Save Our Songlines as an organization;
 - the activities that each of you and Save Our Songlines engage in.
3. Walk through of the following EPs
 - Scarborough 4D Baseline Marine Seismic Survey EP
 - WA-61-L and WA 62-L Subsea Infrastructure Installation EP
 - Scarborough Seabed Intervention and Trunkline EP
 - Scarborough Drilling and Completions EP
4. Description of Scarborough Project and activities to be undertaken under each EP – activity, location, impacts and risks, controls in place to manage risks, mechanisms to update the EP with changes (as necessary).
5. [PLEASE ADD TOPICS AS RELEVANT]

As per previous consultation and on your request, we are proceeding on the basis that the agreed protocols below continue to apply:

- Attendees continue to be all female.
- Attendees attend meetings with an open heart, deep listening and seeking a respectful conversation.

- Attendees come to meetings open to sharing knowledge about the environment (heritage value of places, social and cultural features) that may be affected by the activities under the proposed Scarborough EPs. Attendees come to the meeting open to sharing ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment.
- Attendees are welcome to take written notes of meetings. To respect privacy, safety and cultural values there will be no other recording of meetings (e.g. no audio or visual etc recording of meetings).
- Other than sharing the fact that the meeting took place, the cultural details will be kept confidential amongst the female attendees unless directed otherwise and will not be made public without permission.

In case it is of interest, we also note the following draft policy from NOPSEMA: [Draft policy for managing genderrestricted information PL2098.pdf \(nopsema.gov.au\)](#)

We look forward to hearing further from you.

Best regards
Woodside

Kind regards

[Redacted signature]



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount
Street
Perth WA 6000
Australia

T: [Redacted]
M: [Redacted]
E: [Redacted]@woodside.com
www.woodside.com
f t in y i

From: [Redacted]
Sent: Monday, 17 July 2023 1:46 PM
To: Ruby Hamilton <ruby.hamilton@edo.org.au>
Cc: [Redacted] <[\[Redacted\]@woodside.com.au](mailto:[Redacted]@woodside.com.au)>; Clare Lakewood <clare.lakewood@edo.org.au>;
sue.mccarrey@nopsema.gov.au
Subject: RE: Scarborough Gas Project Environment Plans

Hi Ruby

Thanks for your email.

I'll check in with the team and come back to you.

Kind regards

[Redacted signature]



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount
Street
Perth WA 6000
Australia

T: [REDACTED]
M: [REDACTED]
E: [REDACTED]@woodside.com
www.woodside.com
f t in v i

From: Ruby Hamilton <ruby.hamilton@edo.org.au>
Sent: Monday, 17 July 2023 3:23 AM
To: [REDACTED]@woodside.com.au
Cc: [REDACTED]@woodside.com.au; Clare Lakewood <clare.lakewood@edo.org.au>;
sue.mccarrey@nopsema.gov.au
Subject: RE: Scarborough Gas Project Environment Plans

Dear [REDACTED]

We are instructed that our clients would like to meet with Woodside, with EDO in attendance, via videoconference within the following windows:

- Tuesday 25 July, 9am-12pm or 2.30-5pm;
- Wednesday 26 July, 9am-12pm;
- Thursday 27 July, 9am-12pm;
- Friday 28 July, 9am-5pm.

We also acknowledge receipt of the letter from Mr Robinson and will revert in due course.

Kind regards

Ruby Hamilton | Solicitor | EDO
+61 8 6118 7914

From: [REDACTED]@woodside.com>
Sent: Monday, July 3, 2023 5:53 PM
To: Ruby Hamilton <ruby.hamilton@edo.org.au>; sue.mccarrey@nopsema.gov.au
Cc: [REDACTED]@woodside.com>; Clare Lakewood <clare.lakewood@edo.org.au>
Subject: RE: Scarborough Gas Project Environment Plans

Dear Ruby

Thanks for copying Woodside to previous correspondence addressed to NOPSEMA.

Please find attached a letter from Woodside signed by [REDACTED], Project Director / Vice President Scarborough.

Confirming we have copied Ms McCarrey of NOPSEMA.

Kind regards

[REDACTED]



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount
Street
Perth WA 6000
Australia

T: [REDACTED]
M: [REDACTED]
E: [REDACTED]@woodside.com
www.woodside.com

From: Ruby Hamilton <ruby.hamilton@edo.org.au>

Sent: Wednesday, 28 June 2023 5:11 PM

To: sue.mccarrey@nopsema.gov.au

Cc: [REDACTED] <[\[REDACTED\]@woodside.com.au](mailto:[REDACTED]@woodside.com.au)>; [REDACTED] <[\[REDACTED\]@woodside.com.au](mailto:[REDACTED]@woodside.com.au)>; Clare Lakewood <clare.lakewood@edo.org.au>; [REDACTED] <[\[REDACTED\]@woodside.com.au](mailto:[REDACTED]@woodside.com.au)>

Subject: Scarborough Gas Project Environment Plans

Dear Ms McCarrey

Please find **attached** correspondence on behalf of our clients, Ms Josie Alec and Ms Raelene Cooper.

Kind regards



Environmental
Defenders Office

**Ruby Hamilton — Solicitor — Safe
Climate**

PO Box Z5218, Boorloo/Perth WA 6831

P: +61 8 6118 7914

E: ruby.hamilton@edo.org.au

I use she/her pronouns.

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From: Jess Border
Sent: Tue, 25 Jul 2023 16:03:28 +0800
To: [REDACTED]
Cc: Alina Leikin; [REDACTED]; sue.mccarrey@nopsema.gov.au; Woodside Feedback
Bcc: Jess Border
Subject: Seismic Survey Consultation

Dear [REDACTED]

Thank you for the meeting this morning.

Recording

Our clients would be grateful if you could please provide them with the recording from today's meeting as soon as possible, so that they can review the information promptly.

Follow up questions

We look forward to receiving responses to the following requests for further information from Woodside:

1. The depth of the wells – both at and below sea level.
2. Have Woodside identified or done any mapping of freshwater systems in the EMBA?
3. What is the basis for the information on the whale migration patterns (we understand this comes from ACMS, government documents and consultation with Murujuga Aboriginal Corporation but would like further clarification and detail)?
4. Please provide the information underlying migratory patterns of whales, dugongs, turtles.
5. Please provide any information that has been collated about seagrass.
6. Please provide the underlying information for the modelling about the risk i.e. the 'worst possible scenario' discussion.

In addition to the above, our clients would appreciate clarification of the decibels and range of the seismic surveying that is to take place.

Next steps

As we discussed, it will take some time for our clients to process the information provided today and to respond to that information.

Woodside heard from our clients today about the importance of storytelling generally and of storytelling on Country. For this reason, our clients intend to provide Woodside with their initial response by way of video, taken on Murujuga. Following this, we propose that a second meeting be held to discuss our clients' response and to engage in further discussion. Our clients' first response is intended to be preliminary in nature and may need to be supplemented given that they are waiting on further information from Woodside.

We suggest that this approach be adopted for each EP in due course. That is:

1. Initial meeting to discuss an overview of the relevant EP, at which further requests for information can be made and questions asked about the information provided.
2. Initial response from Josie and Rae (could occur either before or after provision of further information, depending on our clients' availability).
3. Second meeting to discuss Josie and Rae's response, and responsive measures to mitigate risks and impacts of the activities.
4. Opportunity for Josie and Rae to provide supplementary information, if necessary. This may require a further meeting(s).

The approach should be flexible to ensure our clients are given ample opportunity to ask questions, share their knowledge, and be heard.

Other matters

Finally, our clients would be grateful if Woodside could provide the following:

1. Confirmation that the meetings held this morning forms part of the consultation prescribed by regulation 25 of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2023* (formerly regulation 11A of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009*) in relation to the Seismic EP.
2. Detail in relation to Woodside's proposed payment to our clients for consultation meetings.

Please let me know if you have any comments or concerns in relation to the above. We otherwise look forward to receiving the further information and recording.

Kind regards

Jess



Environmental
Defenders Office

Jess Border — Solicitor

PO Box Z5218

Boorloo/Perth WA 6831

E: jessica.border@edo.org.au

I use she/her pronouns.

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From: [REDACTED]>@woodside.com> **JLB-2.32**
Sent: Thu, 27 Jul 2023 16:46:42 +0800
To: Jess Border
Cc: Alina Leikin; [REDACTED];sue.mccarrey@nopsema.gov.au;Woodside Feedback
Subject: Scarborough EP consultation
Attachments: Information Request_Responses_July 2023.pdf

Dear Jess

Thanks for the meeting with Josie, Raelene, Adrianna, Save Our Songlines, EDO and Woodside on Tuesday 25 July and for your email.

We acknowledge receipt of your email following that meeting.

Please can you pass the following to Josie, Raelene, Adrianna and Save Our Songlines.

Dear Josie, Raelene, Adrianna and Save our Songlines

Thanks for meeting with us via Teams on 25 July 2023. It was good to catch up and to consult with you again.

We confirm that we have sent a copy of the audio recording of the meeting to Ms Jess Border to provide to you.

In the meeting you asked some questions and requested information. Please see the **attached table** that provides responses and information requested.

We would like to highlight that we attended the meeting looking forward to hearing information from you and learning about your claims and objections and how Woodside can put in place controls to avoid or minimise impacts to those. We attended the meeting in good faith and ready for deep listening as requested in our previous meeting.

During the meeting you told us that you would not be speaking to us about your cultural interests, nor providing any feedback at this stage, despite agreeing to do so prior to the meeting. Further you stated in the meeting that you would not be able to speak to your cultural interests given we were not on Country. Given the number of times we have met, the amount of information that we have presented to you and the opportunities that have been given for information to be shared, we are concerned that the protracted engagement may be aimed at achieving outcomes other than to provide input to the Scarborough Project and related Environment Plans.

Next steps

We note that our July meeting was originally contemplated to take place in May 2023 (following the March meeting on Country). We also note that during our July meeting we offered to arrange fortnightly meetings to support consultation. We confirm that you declined that offer and that you noted that you will need some time to process the information and respond. You noted you will likely need at least 6 weeks to provide information to us.

To respect your request for a period of 6 weeks to process the information, we confirm our availability to meet on Country from the week commencing 4 September (or sooner). Please can you let us know your availability that week (or sooner).

Consultation

Please note that our preference is to continue to consult you on the Scarborough Project as a whole and to cover the four current Environment Plans. We think this is the best way forward as it presents an opportunity for you to understand the whole project and the links between the Environment Plans, locations and activities. Further, it provides you with an holistic picture and avoids limiting your ability to speak to your cultural interests, functions and activities based on a specific location.

We note that, for example, at the meeting whilst discussing the Scarborough Seismic EP you were interested in and asked some questions that were relevant to the Scarborough Drilling and Completions EP and also the Scarborough Seabed Intervention and Trunkline Installation EP, as well as the broader existing environment that is relevant to all Scarborough EPs. It was helpful for the bigger picture of the project to be presented in order to provide the context for those questions.

Other matters

Consultation - We confirm that the consultation has occurred in accordance with the regulations.

As per our letter dated 3 July 2023 to your lawyers (addressed to EDO, Ms Ruby Hamilton), we confirm that we have consulted pursuant to Reg 11A of the Regulations and in the course of preparing the Scarborough EPs for a significant period of time. Given the length of time involved, the amount of information provided and the opportunity given to consult, the requirements of Reg 11A have been met.

As per our letter dated 13 April 2023 (copied to EDO, Ms Clare Lakewood), we confirm that, from the website we understand that Save Our Songlines was established in November 2021. Consultation with you and Save Our Songlines has been ongoing since at least 15 December 2021, and as recently as 25 July 2023, Woodside has at all times reiterated that it remains open to engaging in further consultation.

There have been numerous exchanges of correspondence, efforts to meet, as well as meetings that took place on 14 March 2023 at Hearson Cove in Karratha and this 25 July 2023 meeting on-line. Woodside has provided ample opportunities to continue consultation and numerous offers to meet and to continue to meet.

Information has been provided that describes in detail, the activity proposed to be undertaken in the Scarborough EPs, the location, the duration, the risks, impacts and controls in place to minimise impacts and risks to as low as reasonably practicable and acceptable levels.

Our meeting consultation materials are prepared and developed on the basis of the extensive information contained in the EPs, consultation information sheets, and summaries, all of which have been provided to you and your legal representatives. The information has not materially changed over the various submissions of the EPs and provides material to understand the activities.

The questions you have asked and the dialogue that we have had with you has shown a high level of understanding of the Scarborough Project. The Save Our Songlines website contains views on the Scarborough Project, summaries of the Scarborough Project, YouTube videos as well as links to other websites which also express opinions on the Scarborough Project.

Woodside has nevertheless continued to seek general and specific information from you and has demonstrated an ongoing willingness to receive information.

Notwithstanding all of this, we remain open and available to meet with you and continue ongoing consultation in good faith.

Payments – Woodside respectfully declines to pay for consultation meetings or legal costs.

Regards

[Redacted signature]

[Redacted signature]



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount
Street
Perth WA 6000
Australia

T: [Redacted]
M: [Redacted]
E: [Redacted]@woodside.com
www.woodside.com

From: Jess Border <jessica.border@edo.org.au>
Sent: Tuesday, 25 July 2023 4:17 PM
To: [REDACTED]@woodside.com.au
Cc: Alina Leikin <Alina.Leikin@edo.org.au>; [REDACTED]@woodside.com.au; sue.mccarrey@nopsema.gov.au; Woodside Feedback <Feedback@woodside.com.au>
Subject: RE: Seismic Survey Consultation

Dear [REDACTED]

If you could please provide the recording via Sharepoint, we will ensure it is passed onto Josie and Rae. Please let us know if you have any issues with this.

Kind regards

Jess

Jess Border | Solicitor | EDO

From: [REDACTED]@woodside.com>
Sent: Tuesday, July 25, 2023 4:13 PM
To: Jess Border <jessica.border@edo.org.au>
Cc: Alina Leikin <Alina.Leikin@edo.org.au>; [REDACTED]@woodside.com>; sue.mccarrey@nopsema.gov.au; Woodside Feedback <Feedback@woodside.com>
Subject: RE: Seismic Survey Consultation

Dear Jess

Thanks for your email.

I'll take it back to the team for discussion and will come back to you.

In the meantime – re the recording - yes, no problems. We will provide a copy of the recording to you. It is a big file and wont transmit via email (as it will exceed email size). Please can you let us know Josie / Raelene / SOS / EDO arrangements or potential for a sharepoint or sharefile (or the like) to enable transfer of the recording?

Kind regards

[REDACTED]



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount
Street
Perth WA 6000
Australia

T: [REDACTED]
M: [REDACTED]
E: [REDACTED]@woodside.com
www.woodside.com
f t in v i

From: Jess Border <jessica.border@edo.org.au>
Sent: Tuesday, 25 July 2023 4:03 PM
To: [REDACTED]@woodside.com.au

Cc: Alina Leikin <Alina.Leikin@edo.org.au>; [REDACTED] <[REDACTED]@woodside.com.au>;
sue.mccarrey@nopsema.gov.au; Woodside Feedback <Feedback@woodside.com.au>

Subject: Seismic Survey Consultation

Dear [REDACTED]

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Recording

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Follow up questions

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2. Have Woodside identified or done any mapping of freshwater systems in the EMBA?
3. What is the basis for the information on the whale migration patterns (we understand this comes from ACMS, government documents and consultation with Murujuga Aboriginal Corporation but would like further clarification and detail)?
4. Please provide the information underlying migratory patterns of whales, dugongs, turtles.
5. Please provide any information that has been collated about seagrass.
6. Please provide the underlying information for the modelling about the risk i.e. the 'worst possible scenario' discussion.

In addition to the above, our clients would appreciate clarification of the decibels and range of the seismic surveying that is to take place.

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We suggest that this approach be adopted for each EP in due course. That is:

1. Initial meeting to discuss an overview of the relevant EP, at which further requests for information can be made and questions asked about the information provided.
2. Initial response from Josie and Rae (could occur either before or after provision of further information, depending on our clients' availability).
3. Second meeting to discuss Josie and Rae's response, and responsive measures to mitigate risks and impacts of the activities.
4. Opportunity for Josie and Rae to provide supplementary information, if necessary. This may require a further meeting(s).

The approach should be flexible to ensure our clients are given ample opportunity to ask questions, share their knowledge, and be heard.

Other matters

Finally, our clients would be grateful if Woodside could provide the following:

1. Confirmation that the meetings held this morning forms part of the consultation prescribed by regulation 25 of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2023* (formerly regulation 11A of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009*) in relation to the Seismic EP.
2. Detail in relation to Woodside's proposed payment to our clients for consultation meetings.

Please let me know if you have any comments or concerns in relation to the above. We otherwise look forward to receiving the further information and recording.

Kind regards

Jess



Environmental
Defenders Office

Jess Border — Solicitor

PO Box Z5218

Boorloo/Perth WA 6831

E: jessica.border@edo.org.au

I use she/her pronouns.

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Item	Josie, Raelene, Adrianna and Save our Songlines Request (25 July 2023)	Woodside Response (27 July 2023)
1	The depth of the wells – both at and below sea level.	Under the Scarborough Project Drilling and Completions Environment Plan the eight planned wells lie in waters depths of approximately 900-920 m. Future wells across the permit area will likely be in waters depths ranging from approximately 900-1000 m. The reservoir depth is approximately 1800 m below mean sea level and hence the reservoir is approximately 800-900 m below the seabed.
2	Have Woodside identified or done any mapping of freshwater systems in the EMBA?	The Environment that May be Affected (EMBA) for the proposed Scarborough Project activities extends from coastal waters along the Pilbara Coast to the deep ocean. There are no significant freshwater systems within the EMBA. Oceanographic studies indicate that both the open ocean and coastal zone off Western Australia are well-mixed and saline. As described in the respective Scarborough Project Environment Plans, highly unlikely worst case hydrocarbon releases may contact shorelines and receptors such as mangroves, saltmarshes and shoreline habitats. These may contain brackish or fresh water due to runoff from land. Potential impacts on these receptors are described in the Scarborough Project Environment Plans.
3	What is the basis for the information on the whale migration patterns (we understand this comes from ACMS, government documents and consultation with Murujuga Aboriginal Corporation but would like further clarification and detail)?	The basis of the information on the whale migration patterns: 1. Pygmy blue whale Biologically Important Areas (BIAs) as first identified as part of the Marine Bioregional Plans, see: https://www.dcceew.gov.au/environment/marine/marine-species/bias for more information and the definition of BIAs. 2. North-west Marine Bioregional plan: https://www.dcceew.gov.au/sites/default/files/env/pages/1670366b-988b-4201-94a1-1f29175a4d65/files/north-west-marine-plan.pdf See pages 199 and 200 for migratory information on humpback whales and pygmy blue whales. The pygmy blue whale information was largely derived from McCauley and Jenner (2010) - https://espace.curtin.edu.au/bitstream/handle/20.500.11937/80310/80372.pdf?sequence=2&isAllowed=y 3. The important biological habitats for critical life stages of the pygmy blue whale life cycle are presented in the Blue Whale Conservation Management Plan (CMP) (Commonwealth of Australia 2015) ¹ and the National Conservation Values Atlas (NCVA), see: https://www.environment.gov.au/webgis-framework/apps/ncva/ncva.isf . In the absence of knowledge to identify and define 'habitats critical for survival' for pygmy blue whales, the Blue Whale CMP uses BIAs (as defined in the NCVA). It is noted that the Blue Whale CMP also documents the pygmy blue whale distribution range (not defined as a BIA). This is a spatially defined

¹ Commonwealth of Australia 2015. Conservation Management Plan for the Blue Whale—A Recovery Plan under the Environment Protection and Biodiversity Conservation Act 1999

Item	Josie, Raelene, Adrianna and Save our Songlines Request (25 July 2023)	Woodside Response (27 July 2023)
		<p>area where pygmy blue whales are known to occur based on direct observations; satellite tagged whales or based on acoustic detections (Commonwealth of Australia, 2015).</p> <p>4. The Pygmy Blue Whale migratory BIA is described within the Blue Whale Conservation Management Plan (Commonwealth of Australia 2015)² with details regarding the basis described within the plan.</p> <p><i>“Biologically Important Areas (BIAs) have been identified for blue whales. BIAs are not defined under the EPBC Act, but they are areas that are particularly important for the conservation of protected species and where aggregations of individuals display biologically-important behaviour such as calving, foraging, resting or migration. BIAs have been identified using expert scientific knowledge about species’ distribution abundance and behaviour.”</i></p> <p>5. The northbound migratory patterns of pygmy blue whales were further confirmed via satellite tag tracking. Double et al (2014) - https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0093578 and more recently by Thums et al. (2022) - https://www.sciencedirect.com/science/article/pii/S2351989422000567</p> <p>Thums et al. (2022)³ acknowledged that the majority of important migration areas for north-west Australia were encompassed by the pygmy blue whale migration BIA, as shown by 20 tracks for northbound pygmy blue whale.</p>
4	Please provide the information underlying migratory patterns of whales, dugongs, turtles.	<p>The basis of the information on the underlying migration patterns of whales, dugongs and turtles:</p> <ol style="list-style-type: none"> 1. Biologically Important Areas (BIAs) as first identified as part of the Marine Bioregional Plans includes information on the migration patterns and defined spatial areas for whales, dugongs and turtles, see: https://www.dcceew.gov.au/environment/marine/marine-species/bias for more information and the definition of BIAs. 2. North-west Marine Bioregional plan, Schedule 2 (page 160): https://www.dcceew.gov.au/sites/default/files/env/pages/1670366b-988b-4201-94a1-1f29175a4d65/files/north-west-marine-plan.pdf details species distribution and biologically important areas (BIAs) for whales, dugongs and turtles. 3. The most up to date BIAs for whales, dugongs and turtles can be obtained from the National Conservation Values Atlas (NCVA), see: https://www.environment.gov.au/webgis-framework/apps/ncva/ncva.isf. 4. BIAs are also documented in the relevant Environment Protection and Biodiversity Conservation Act 1999, Part 13 Instruments (Recovery plans) for Threatened species, for example: the Blue Whale Conservation Management Plan (CMP) (Commonwealth of Australia 2015)⁴

² Commonwealth of Australia 2015. Conservation Management Plan for the Blue Whale—A Recovery Plan under the Environment Protection and Biodiversity Conservation Act 1999

³ Thums, M., Ferreira, L.C., Jenner, C., Jenner, M., Harris, D., Davenport, A., Andrews-Goff, V., Double, M., Moller, L., Altard, C.R.M., Bilgmann, K., Thomson, P.G., and McCauley, R., 2022. Pygmy blue whale, movement, distribution and important areas in the Eastern Indian Ocean. Global Ecology and Conservation. Volume 35.

⁴ Commonwealth of Australia 2015. Conservation Management Plan for the Blue Whale—A Recovery Plan under the Environment Protection and Biodiversity Conservation Act 1999

Item	Josie, Raelene, Adrianna and Save our Songlines Request (25 July 2023)	Woodside Response (27 July 2023)
5	Please provide any information that has been collated about seagrass.	<p>5. For marine turtle species and genetic stocks, the migration patterns and areas defined as 'habitat critical to survival' are presented in the Recovery Plan for Marine Turtles in Australia 2017-2027 (Commonwealth of Australia 2017)⁵</p> <p>Seagrasses are specialised marine plants that are mainly distributed in coastal environments and support highly productive and diverse ecosystems. Seagrasses are a primary producer, i.e., they are dependent on sunlight for photosynthesis (energy production for growth and reproduction). Seagrass habitat is largely restricted to sheltered and shallow waters.</p> <p>As described in Section 4.5 of the Scarborough 4D B1 Marine Seismic Survey Environment Plan (publicly available version Rev 0), the benthic habitat associated with the offshore, deep water (>800 m) environment comprises fine grain soft sediments in the Operational Area include fauna living within the sediments (infauna) and those living on or above the seabed (sessile and mobile epifauna). There are no recognised key locations for seagrass beds and macroalgae habitat/communities within the EMBA.</p> <p>Within the EMBA, seagrass and macroalgae communities are found in waters surrounding islands of the Dampier Archipelago, Barrow Island and the Montebello Islands.</p> <p>In the vicinity of the Montebello Islands, seagrasses do not appear to form extensive meadows but instead are sparsely interspersed between the macroalgae assemblages. Seagrasses typically extend from the intertidal zone to approximately 15 m water depth. A total of seven seagrass species have been recorded to date, these being <i>Cymodocea angustata</i>, <i>Halophila ovalis</i>, <i>Halophila spinulosa</i>, <i>Halodule uninervis</i>, <i>Thalassia hemprichii</i>, <i>Thalassodendron ciliatum</i> and <i>Syringodium isoetifolium</i>.</p> <p>With regard to Scarborough Project activities in State waters, seagrasses in the Dampier Archipelago are generally sparse, occurring in low abundance on shallow sandy sediments in sheltered areas and interspersed with other BCH (CALM, 2005; Jones, 2004; Mscience, 2014). Surveys and studies of the region have identified nine species: <i>Cymodocea angustata</i>, <i>Enhalus acoroides</i>, <i>Halophila decipiens</i>, <i>Halophila minor</i>, <i>Halophila ovalis</i>, <i>Halophila spinulosa</i>, <i>Halodule uninervis</i>, <i>Thalassia hemprichii</i> and <i>Syringodium isoetifolium</i> (McMahon et al., 2017; Woodside, 2006). However, <i>Halophila</i> is the predominant species and is typically restricted to the 6 m (chart datum) depth contour (Mscience, 2014).</p> <p>Surveys conducted by Bertolino (2006) reported seagrass in Conzinc and Withnell Bays, southern side of East Lewis Island and between the causeways connecting East Intercourse Island and Mistaken/East Mid Intercourse Islands (Mscience, 2014). Sparse patches of seagrass have also been recorded throughout Mermaid Strait and in the nearshore environments of the bordering islands (Mscience, 2014; Huisman and Borowitzka, 2003; Waycott et al., 2004). Murjujuga Aboriginal Corporation (MAC) have reported seagrass beds to exist near</p>

⁵ Commonwealth of Australia 2017. Recovery Plan for Marine Turtles in Australia 2017-2027. A Recovery Plan under the Environment Protection and Biodiversity Conservation Act 1999

<p>Item</p> <p>Josie, Raelene, Adrianna and Save our Songlines Request (25 July 2023)</p>		<p>Woodside Response (27 July 2023)</p> <p>Conzinc Island and between Angel and Gidley Islands (MAC, 2021). Seagrasses are recognised as important to Traditional Custodians represented by MAC as refuges for small marine fauna (MAC, 2021).</p> <p>The most significant areas of seagrass in the Dampier Archipelago are found between Keast and Legendre Islands to the north of the Burrup Peninsula, and between West Intercourse Island and Cape Preston. Recorded occurrences of Halophila species in the Dampier Archipelago fluctuate, depending on various factors such as salinity, success of seed set and colonisation, temperature and grazing by dugongs (Woodside, 2006). Furthermore, this fluctuation may indicate the presence of transitory communities, which are annual meadows that develop from the seed bank, grow flower, set seed and die back each year (McMahon et al., 2017).</p>
<p>6</p> <p>Please provide the underlying information for the modelling about the risk i.e. the 'worst possible scenario' discussion</p>	<p>The worst-case hydrocarbon spill scenarios for Scarborough activities currently under assessment are collisions between an unrelated (third-party) marine vessel with a project vessel, resulting in the release of diesel fuel, which is considered a highly unlikely event.</p> <p>The Scarborough reservoir is dry gas, and therefore no liquid hydrocarbon (e.g. oil or condensate) would be released from a process or drilling loss of containment, making the diesel fuel release from a collision the worst-case scenario. Woodside aligns with industry guidance in assessing these scenarios, for example <i>Technical Guidelines for Preparing Contingency Plans for Marine and Coastal Facilities</i> (AMSA 2015), in selecting the single largest project vessel fuel tank volume as worst-case scenario for vessel collision.</p> <p>Practically, this scenario is similar to the risk of a potential hydrocarbon spill due to collision from existing marine traffic already present in the marine environment.</p> <p>For a vessel collision to result in the worst-case scenario of a hydrocarbon spill potentially impacting an environmental receptor, several factors must align as follows:</p> <ul style="list-style-type: none"> • Vessels must collide • The collision must have enough force to penetrate the vessel hull. • The collision must be in the exact location of the fuel tank. • The fuel tank must be full, or at least of volume which is higher than the point of penetration. <p>The probability of the chain of events described above aligning, to result in a breach of fuel tanks resulting in a spill that could potentially affect the marine environment is considered highly unlikely (or remote) but credible. Given the offshore location of the Operational Area, vessel grounding is not considered a credible risk.</p> <p>For the Scarborough EPs, the environmental risk analysis and evaluation identified and assessed a range of potential scenarios that could result in a loss of vessel structural integrity, resulting in damage to fuel storage tank(s) and a loss of marine diesel to the marine environment. The scenarios considered damage to single and multiple fuel storage tanks in a project vessel due to dropped objects and various combinations of vessel-to-vessel collision scenarios. In accordance with AMSA (2015), the volume of the single largest fuel tank involved in the activity is used to indicate potential loss of containment volume.</p>	

Item	Josie, Raelene, Adrianna and Save our Songlines Request (25 July 2023)	Woodside Response (27 July 2023)
7	In addition to the above, our clients would appreciate clarification of the decibels and range of the seismic surveying that is to take place.	<p>For the Seismic EP (Revision 7), the scenarios considered comprised of a collision of the support vessel and the seismic vessel with each other or with a third party vessel (i.e. commercial shipping, other petroleum related vessels and commercial fishing vessels). The likelihood of a collision was assessed as being remote, given standard vessel operations and equipment in place to prevent collision at sea, the standby role of a support vessel (low vessel speed) and its operation in close proximity to the seismic vessel (SNA), and the construction and placement of storage tanks. The largest tank of the support vessel is unlikely to exceed 250 m³. For the purposes of this assessment a worst-case instantaneous loss of 250 m³ from a diesel tank on the seismic vessel has been considered. This is less than the scenario included in the Seismic EP Rev 0, reflecting a reduction in conservatism enabled by now available data for the vessel engaged for the activity. For the other proposed Scarborough activities currently under assessment the worse case credible spill scenarios are described in the publicly available revisions - Section 6.7.1.1 (Seabed Intervention and Trunkline Installation EP); Section 6.7.1.2 (Drilling and Completions EP) and Section 6.8.1.2 (Subsea Infrastructure Installation EP).</p> <p>Quantitative hydrocarbon spill modelling was undertaken by RPS (2019) using a three-dimensional (3D) hydrocarbon spill trajectory and weathering model, SIMAP (Spill Impact Mapping and Analysis Program), which is designed to simulate the transport, spreading and weathering of specific hydrocarbon types under the influence of changing meteorological and oceanographic forces. Many replicate model simulations are completed to understand the potential behaviour of the worst-case hydrocarbon release under various wind, wave and current conditions, and these are combined to create an overall EMBA.</p> <p>The environment that may be affected (EMBA) is the largest spatial extent where the Scarborough petroleum activities program could potentially have an environmental consequence (direct or indirect impact). The broadest extent of the EMBA takes into consideration planned and unplanned activities, and for this respective environment plans is determined by a highly unlikely release of marine diesel to the environment as a result of a vessel collision.</p> <p>The EMBA does not represent the extent of the predicted impact of the highly unlikely marine diesel release. Rather, the EMBA represents the merged area of many possible paths a highly unlikely hydrocarbon release could travel depending on weather and ocean conditions at the time of the release. This means in the highly unlikely event a hydrocarbon release does occur, the entire EMBA will not be affected and the specific and minimal part of the EMBA that is affected will only be known at the time of the release.</p> <p>Appendix G in the publicly available Seismic EP (Rev 0) contains the noise modelling results, which considered the distances away from the seismic source at which several effects criteria or relevant sound levels were reached. The results are summarised in the report (and in the EP as discussed further below) for the representative single-impulse sites and accumulated SEL scenarios.</p>

Item	Josie, Raelene, Adrianna and Save our Songlines Request (25 July 2023)	Woodside Response (27 July 2023)
		<p>Survey acquisition parameters including modelled far-field source levels are described in Table 3-3 of the Seismic EP (publicly available version Rev 0). While Section 6.5.3 provide the impact assessment for acoustic emissions from Seismic Survey Equipment.</p> <p>To assess the potential magnitude and extent of impacts from underwater noise produced during the Petroleum Activities Program, Woodside commissioned JASCO Applied Sciences (JASCO) to model sound propagation at several locations that were representative of the different water depths, bathymetry and seabed properties within the Active Source Area (Koessler et al., 2021; Appendix G). The objective of this acoustic modelling study was to evaluate the potential effects of sound (potential injury and behavioural disruption) to marine fauna including cetaceans, marine reptiles, fishes, elasmobranchs, and zooplankton.</p> <p>In addition to the propagation modelling outlined above, Woodside commissioned JASCO to perform an acoustic exposure analysis study for pygmy blue whales (<i>Balaenoptera musculus breviceauda</i>) within the migration BIA to investigate any potential effects on pygmy blue whale migration from the Scarborough 4D B1 MSS (Koessler et al., 2021; Appendix G).</p> <p>Please refer to Section 6.5.3 of the Seismic EP (publicly available version Rev 0) for specific details regarding the species-specific threshold levels (dB) and the 95th percentile exposure ranges (ER95%) and maximum exposure ranges (ERmax) in context of these.</p>

From: [REDACTED]<[REDACTED]@woodside.com>
Sent: Thu, 3 Aug 2023 18:53:49 +0800
To: Jess Border
Cc: Alina Leikin; [REDACTED]; sue.mccarrey@nopsema.gov.au; Woodside Feedback
Subject: RE: Scarborough EP consultation

JLB-2.33

Dear Jess

Please pass the following to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

This email follows our meeting on 25 July and our emails from 25 and 27 July 2023. We look forward to hearing from you including as to your availability for a meeting on country in the week commencing 4 September 2023 (or sooner).

In the meantime, we confirm the Scarborough 4D Marine Seismic Environment Plan has been accepted by NOPSEMA, with conditions. (You can find this on NOPSEMA's website. For ease of reference, please see link here [A855184 \(nopsema.gov.au\)](#) - and para [133] from page 36 in particular).

On Condition 1:- We are writing to you in relation to condition 1 and seeking your confirmation. Please can you let us know if you have input or information to provide.

On Condition 2:- NOPSEMA has published a number of documents on consultation (please see [Document Hub | NOPSEMA](#)). We want to make you aware of these and have provided links to the following recent publications below:

- **Brochure:** [Consultation on offshore petroleum environment plans brochure.pdf \(nopsema.gov.au\)](#)
- **Guideline:** [Guideline: Consultation in the course of preparing an environment plan \(nopsema.gov.au\)](#); and
- **Policy:** [Draft policy for managing gender-restricted information PL2098.pdf \(nopsema.gov.au\)](#).

As you will see from the Guideline (link above), the purpose of consultation is to ensure that authorities, persons or organisations which are potentially affected by activities are consulted and their input is considered in the development of the environment plans. Consultation gives the titleholder an opportunity to receive information that it might not otherwise receive from those affected by the proposed activity, and for the titleholder to refine or change the measures it proposes to address impacts and risks by taking into account the information received. This process is intended to improve the titleholder's ability to minimise environmental impacts and risks from the activity.

We also want to make you aware that gender-restricted or other culturally sensitive information is managed carefully. If you have gender-restricted or other culturally sensitive information you wish to share, please let us know and we can discuss how to you want it to be managed. If you would prefer to provide the information directly to NOPSEMA, please do so. The attached NOPSEMA "Policy for managing gender-restricted information" provides information on this.

We look forward to hearing from you.

Kind regards
Woodside

[REDACTED]



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From: [REDACTED]
Sent: Thursday, 27 July 2023 4:47 PM
To: Jess Border <jessica.border@edo.org.au>
Cc: Alina Leikin <Alina.Leikin@edo.org.au>; [REDACTED]@woodside.com.au>;
sue.mccarrey@nopsema.gov.au; Woodside Feedback <Feedback@woodside.com.au>
Subject: Scarborough EP consultation

Dear Jess

Thanks for the meeting with Josie, Raelene, Adrianna, Save Our Songlines, EDO and Woodside on Tuesday 25 July and for your email.

We acknowledge receipt of your email following that meeting.

Please can you pass the following to Josie, Raelene, Adrianna and Save Our Songlines.

Dear Josie, Raelene, Adrianna and Save our Songlines

Thanks for meeting with us via Teams on 25 July 2023. It was good to catch up and to consult with you again.

We confirm that we have sent a copy of the audio recording of the meeting to Ms Jess Border to provide to you.

In the meeting you asked some questions and requested information. Please see the **attached table** that provides responses and information requested.

We would like to highlight that we attended the meeting looking forward to hearing information from you and learning about your claims and objections and how Woodside can put in place controls to avoid or minimise impacts to those. We attended the meeting in good faith and ready for deep listening as requested in our previous meeting.

During the meeting you told us that you would not be speaking to us about your cultural interests, nor providing any feedback at this stage, despite agreeing to do so prior to the meeting. Further you stated in the meeting that you would not be able to speak to your cultural interests given we were not on Country. Given the number of times we have met, the amount of information that we have presented to you and the opportunities that have been given for information to be shared, we are concerned that the protracted engagement may be aimed at achieving outcomes other than to provide input to the Scarborough Project and related Environment Plans.

Next steps

We note that our July meeting was originally contemplated to take place in May 2023 (following the March meeting on Country). We also note that during our July meeting we offered to arrange fortnightly meetings to support consultation. We confirm that you declined that offer and that you noted that you will need some time to process the information and respond. You noted you will likely need at least 6 weeks to provide information to us.

To respect your request for a period of 6 weeks to process the information, we confirm our availability to meet on Country from the week commencing 4 September (or sooner). Please can you let us know your availability that week (or sooner).

Consultation

Please note that our preference is to continue to consult you on the Scarborough Project as a whole and to cover the four current Environment Plans. We think this is the best way forward as it presents an opportunity for you to understand the whole project and the links between the Environment Plans, locations and activities. Further, it provides you with an holistic picture and avoids limiting your ability to speak to your cultural interests, functions and activities based on a specific location.

We note that, for example, at the meeting whilst discussing the Scarborough Seismic EP you were interested in and asked some questions that were relevant to the Scarborough Drilling and Completions EP and also the Scarborough Seabed Intervention and Trunkline Installation EP, as well as the broader existing environment that is relevant to all Scarborough EPs. It was helpful for the bigger picture of the project to be presented in order to provide the context for those questions.

Other matters

Consultation - We confirm that the consultation has occurred in accordance with the regulations.

As per our letter dated 3 July 2023 to your lawyers (addressed to EDO, Ms Ruby Hamilton), we confirm that we have consulted pursuant to Reg 11A of the Regulations and in the course of preparing the Scarborough EPs for a significant period of time. Given the length of time involved, the amount of information provided and the opportunity given to consult, the requirements of Reg 11A have been met.

As per our letter dated 13 April 2023 (copied to EDO, Ms Clare Lakewood), we confirm that, from the website we understand that Save Our Songlines was established in November 2021. Consultation with you and Save Our Songlines has been ongoing since at least 15 December 2021, and as recently as 25 July 2023, Woodside has at all times reiterated that it remains open to engaging in further consultation.

There have been numerous exchanges of correspondence, efforts to meet, as well as meetings that took place on 14 March 2023 at Hearson Cove in Karratha and this 25 July 2023 meeting on-line. Woodside has provided ample opportunities to continue consultation and numerous offers to meet and to continue to meet.

Information has been provided that describes in detail, the activity proposed to be undertaken in the Scarborough EPs, the location, the duration, the risks, impacts and controls in place to minimise impacts and risks to as low as reasonably practicable and acceptable levels.

Our meeting consultation materials are prepared and developed on the basis of the extensive information contained in the EPs, consultation information sheets, and summaries, all of which have been provided to you and your legal representatives. The information has not materially changed over the various submissions of the EPs and provides material to understand the activities.

The questions you have asked and the dialogue that we have had with you has shown a high level of understanding of the Scarborough Project. The Save Our Songlines website contains views on the Scarborough Project, summaries of the Scarborough Project, YouTube videos as well as links to other websites which also express opinions on the Scarborough Project.

Woodside has nevertheless continued to seek general and specific information from you and has demonstrated an ongoing willingness to receive information.

Notwithstanding all of this, we remain open and available to meet with you and continue ongoing consultation in good faith.

Payments – Woodside respectfully declines to pay for consultation meetings or legal costs.

Regards

[Redacted signature]

[Redacted signature]



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From: Jess Border <jessica.border@edo.org.au>

Sent: Tuesday, 25 July 2023 4:17 PM

To: [REDACTED]@woodside.com.au>

Cc: Alina Leikin <Alina.Leikin@edo.org.au>; [REDACTED]@woodside.com.au>;
sue.mccarrey@nopsema.gov.au; Woodside Feedback <Feedback@woodside.com.au>

Subject: RE: Seismic Survey Consultation

Dear [REDACTED]

If you could please provide the recording via Sharepoint, we will ensure it is passed onto Josie and Rae. Please let us know if you have any issues with this.

Kind regards

Jess

Jess Border | Solicitor | EDO

From: [REDACTED]@woodside.com>

Sent: Tuesday, July 25, 2023 4:13 PM

To: Jess Border <jessica.border@edo.org.au>

Cc: Alina Leikin <Alina.Leikin@edo.org.au>; [REDACTED]@woodside.com>;
sue.mccarrey@nopsema.gov.au; Woodside Feedback <Feedback@woodside.com>

Subject: RE: Seismic Survey Consultation

Dear Jess

Thanks for your email.

I'll take it back to the team for discussion and will come back to you.

In the meantime – re the recording - yes, no problems. We will provide a copy of the recording to you. It is a big file and wont transmit via email (as it will exceed email size). Please can you let us know Josie / Raelene / SOS / EDO arrangements or potential for a sharepoint or sharefile (or the like) to enable transfer of the recording?

Kind regards



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From: Jess Border <jessica.border@edo.org.au>
Sent: Tuesday, 25 July 2023 4:03 PM
To: [REDACTED] <[\[REDACTED\]@woodside.com.au](mailto:[REDACTED]@woodside.com.au)>
Cc: Alina Leikin <Alina.Leikin@edo.org.au>; [REDACTED] <[\[REDACTED\]@woodside.com.au](mailto:[REDACTED]@woodside.com.au)>;
sue.mccarrey@nopsema.gov.au; Woodside Feedback <Feedback@woodside.com.au>
Subject: Seismic Survey Consultation

Dear [REDACTED]

Thank you for the meeting this morning.

Recording

Our clients would be grateful if you could please provide them with the recording from today's meeting as soon as possible, so that they can review the information promptly.

Follow up questions

We look forward to receiving responses to the following requests for further information from Woodside:

1. The depth of the wells – both at and below sea level.
2. Have Woodside identified or done any mapping of freshwater systems in the EMBA?
3. What is the basis for the information on the whale migration patterns (we understand this comes from ACMS, government documents and consultation with Murujuga Aboriginal Corporation but would like further clarification and detail)?
4. Please provide the information underlying migratory patterns of whales, dugongs, turtles.
5. Please provide any information that has been collated about seagrass.
6. Please provide the underlying information for the modelling about the risk i.e. the 'worst possible scenario' discussion.

In addition to the above, our clients would appreciate clarification of the decibels and range of the seismic surveying that is to take place.

Next steps

As we discussed, it will take some time for our clients to process the information provided today and to respond to that information.

Woodside heard from our clients today about the importance of storytelling generally and of storytelling on Country. For this reason, our clients intend to provide Woodside with their initial response by way of video, taken on Murujuga. Following this, we propose that a second meeting be held to discuss our clients' response and to engage in further discussion. Our clients' first response is intended to be preliminary in nature and may need to be supplemented given that they are waiting on further information from Woodside.

We suggest that this approach be adopted for each EP in due course. That is:

1. Initial meeting to discuss an overview of the relevant EP, at which further requests for information can be made and questions asked about the information provided.
2. Initial response from Josie and Rae (could occur either before or after provision of further information, depending on our clients' availability).
3. Second meeting to discuss Josie and Rae's response, and responsive measures to mitigate risks and impacts of the activities.
4. Opportunity for Josie and Rae to provide supplementary information, if necessary. This may require a further meeting(s).

The approach should be flexible to ensure our clients are given ample opportunity to ask questions, share their knowledge, and be heard.

Other matters

Finally, our clients would be grateful if Woodside could provide the following:

1. Confirmation that the meetings held this morning forms part of the consultation prescribed by regulation 25 of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2023* (formerly regulation 11A of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009*) in relation to the Seismic EP.
2. Detail in relation to Woodside's proposed payment to our clients for consultation meetings.

Please let me know if you have any comments or concerns in relation to the above. We otherwise look forward to receiving the further information and recording.

Kind regards

Jess



Environmental
Defenders Office

Jess Border — Solicitor

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I use she/her pronouns.

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From: [Jess Border](#)
To: [REDACTED]
Cc: [Alina Leikin](#); [REDACTED] sue.mccarrey@nopsema.gov.au; [Woodside Feedback](#)
Subject: RE: Scarborough EP consultation
Date: Wednesday, 9 August 2023 11:08:46 AM
Attachments: [image001.png](#)
[image002.jpg](#)
[image003.jpg](#)
[image004.jpg](#)
[image005.jpg](#)
[image006.jpg](#)
[image007.png](#)

Dear [REDACTED]

I refer to your emails dated 27 July and 3 August.

I confirm that I received the Teams recording of the 25 July meeting and have provided the recording to our clients along with the information in the table attached to your email.

Preliminary comments

Before we respond to the matters set out in your emails, we note our clients expect Woodside to adhere to the conditions imposed by NOPSEMA in its decision made on 31 July 2023 in respect of the Scarborough 4D Marine B1 Seismic Survey environment plan – that is, before commencement of the activity:

- consultation occur with our clients; and
- the method of that consultation be informed by our clients (in the way set out below and in our previous communications).

Our clients made it clear that they have further input or information to provide. We elaborate on this below.

Matters raised in 27 July email

We are instructed to respond to the matters raised in your email as follows:

- Firstly, our clients vehemently reject Woodside’s accusation that our clients are, in effect, acting in accordance with some ulterior motive in the consultation. Approaching the meeting in good faith encompasses the need for flexibility when discussing matters of cultural significance and importance. Enforcing a strict adherence to timelines in circumstances where our clients explained they were not ready to provide Woodside with information following the presentation is not consistent with a ‘good faith’ approach. Further, your email fails to mention that a significant portion of the meeting was unexpectedly dedicated to resolution of the recording issue.
- A fortnightly meeting arrangement is not appropriate in circumstances where our clients will be travelling interstate over the next month. Ms Alec is currently in Melbourne and Ms Alec and Ms Cooper will be travelling to Canberra shortly.
- We accept that the July meeting was originally contemplated to take place on 13 June 2023. For the sake of clarity, EDO had confirmed that Josie and Rae and their solicitors were available on Tuesday 13 June, and had received a proposed meeting agenda from Woodside. Both our clients and their solicitors were available, on Country, on 13 June at the arranged meeting time, and made themselves available for the remainder of Tuesday 13 June, as well as, Wednesday 14 June and Thursday 15 June of that week to accommodate Woodside. Woodside did not attend. We will revert with dates for a further meeting on Country.

- As stated during the July meeting, we reiterate that it is our clients' intention to consult on the Environment Plans (**EP**) consecutively rather than concurrently. This gives our clients the opportunity to consider how the activities in each EP affect them and Country. This is a process that requires reflection. We accept there may be overlap, but this does not detract from the need for separate consultation.
- Our clients do not consider that the requirements of the regulations have been met. They consider consultation is in its early stages. Our clients are currently preparing the first responsive video, as contemplated in my earlier email, to provide to Woodside.
- Our clients understand that Woodside has provided compensation to the Murujuga Aboriginal Corporation for engaging in consultation. Our clients consider it discriminatory that Woodside refuse to acknowledge our clients' time and resources in the same way.

Regards

Jess

Jess Border | Solicitor | EDO

From: [REDACTED]@woodside.[REDACTED] >
Sent: Thursday, August 3, 2023 6:54 PM
To: Jess Border <jessica.border@edo.org.au>
Cc: Alina Leikin <Alina.Leikin@edo.org.au>; [REDACTED]@woodside.com>; sue.mccarrey@nopsema.gov.au; Woodside Feedback <Feedback@woodside.com>
Subject: RE: Scarborough EP consultation

Dear Jess

Please pass the following to Josie, Raelene and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

This email follows our meeting on 25 July and our emails from 25 and 27 July 2023. We look forward to hearing from you including as to your availability for a meeting on country in the week commencing 4 September 2023 (or sooner).

In the meantime, we confirm the Scarborough 4D Marine Seismic Environment Plan has been accepted by NOPSEMA, with conditions. (You can find this on NOPSEMA's website. For ease of reference, please see link here [A855184 \(nopsema.gov.au\)](https://www.nopsema.gov.au/A855184) - and para [133] from page 36 in particular).

On Condition 1:- We are writing to you in relation to condition 1 and seeking your confirmation. Please can you let us know if you have input or information to provide.

On Condition 2:- NOPSEMA has published a number of documents on consultation (please see [Document Hub | NOPSEMA](#)). We want to make you aware of these and have provided links to the following recent publications below:

- **Brochure:** [Consultation on offshore petroleum environment plans brochure.pdf \(nopsema.gov.au\)](#)
- **Guideline:** [Guideline: Consultation in the course of preparing an environment plan \(nopsema.gov.au\)](#); and
- **Policy:** [Draft policy for managing gender-restricted information PL2098.pdf \(nopsema.gov.au\)](#).

As you will see from the Guideline (link above), the purpose of consultation is to ensure that authorities,

persons or organisations which are potentially affected by activities are consulted and their input is considered in the development of the environment plans. Consultation gives the titleholder an opportunity to receive information that it might not otherwise receive from those affected by the proposed activity, and for the titleholder to refine or change the measures it proposes to address impacts and risks by taking into account the information received. This process is intended to improve the titleholder's ability to minimise environmental impacts and risks from the activity.

We also want to make you aware that gender-restricted or other culturally sensitive information is managed carefully. If you have gender-restricted or other culturally sensitive information you wish to share, please let us know and we can discuss how you want it to be managed. If you would prefer to provide the information directly to NOPSEMA, please do so. The attached NOPSEMA "Policy for managing gender-restricted information" provides information on this.

We look forward to hearing from you.

Kind regards
Woodside



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount Street
Perth WA 6000
Australia

T: [REDACTED]
M: +[REDACTED]
E: [REDACTED]@woodside.com
www.woodside.com

From: [REDACTED]
Sent: Thursday, 27 July 2023 4:47 PM
To: Jess Border <jessica.border@edo.org.au>
Cc: Alina Leikin <Alina.Leikin@edo.org.au>; [REDACTED] <[\[REDACTED\]@woodside.com.au](mailto:[REDACTED]@woodside.com.au)>; sue.mccarrey@nopsema.gov.au; Woodside Feedback <Feedback@woodside.com.au>
Subject: Scarborough EP consultation

Dear Jess

Thanks for the meeting with Josie, Raelene, Adrianna, Save Our Songlines, EDO and Woodside on Tuesday 25 July and for your email.

We acknowledge receipt of your email following that meeting.

Please can you pass the following to Josie, Raelene, Adrianna and Save Our Songlines.

Dear Josie, Raelene, Adrianna and Save our Songlines

Thanks for meeting with us via Teams on 25 July 2023. It was good to catch up and to consult with you again.

We confirm that we have sent a copy of the audio recording of the meeting to Ms Jess Border to provide to you.

In the meeting you asked some questions and requested information. Please see the **attached table** that provides responses and information requested.

We would like to highlight that we attended the meeting looking forward to hearing information from you and learning about your claims and objections and how Woodside can put in place controls to avoid or minimise impacts to those. We attended the meeting in good faith and ready for deep listening as requested in our previous meeting.

During the meeting you told us that you would not be speaking to us about your cultural interests, nor providing any feedback at this stage, despite agreeing to do so prior to the meeting. Further you stated in the meeting that you would not be able to speak to your cultural interests given we were not on Country. Given the number of times we have met, the amount of information that we have presented to you and the opportunities that have been given for information to be shared, we are concerned that the protracted engagement may be aimed at achieving outcomes other than to provide input to the Scarborough Project and related Environment Plans.

Next steps

We note that our July meeting was originally contemplated to take place in May 2023 (following the March meeting on Country). We also note that during our July meeting we offered to arrange fortnightly meetings to support consultation. We confirm that you declined that offer and that you noted that you will need some time to process the information and respond. You noted you will likely need at least 6 weeks to provide information to us.

To respect your request for a period of 6 weeks to process the information, we confirm our availability to meet on Country from the week commencing 4 September (or sooner). Please can you let us know your availability that week (or sooner).

Consultation

Please note that our preference is to continue to consult you on the Scarborough Project as a whole and to cover the four current Environment Plans. We think this is the best way forward as it presents an opportunity for you to understand the whole project and the links between the Environment Plans, locations and activities. Further, it provides you with an holistic picture and avoids limiting your ability to speak to your cultural interests, functions and activities based on a specific location.

We note that, for example, at the meeting whilst discussing the Scarborough Seismic EP you were interested in and asked some questions that were relevant to the Scarborough Drilling and Completions EP and also the Scarborough Seabed Intervention and Trunkline Installation EP, as well as the broader existing environment that is relevant to all Scarborough EPs. It was helpful for the bigger picture of the project to be presented in order to provide the context for those questions.

Other matters

Consultation - We confirm that the consultation has occurred in accordance with the regulations.

As per our letter dated 3 July 2023 to your lawyers (addressed to EDO, Ms Ruby Hamilton), we confirm that we have consulted pursuant to Reg 11A of the Regulations and in the course of preparing the Scarborough EPs for a significant period of time. Given the length of time involved, the amount of

information provided and the opportunity given to consult, the requirements of Reg 11A have been met.

As per our letter dated 13 April 2023 (copied to EDO, Ms Clare Lakewood), we confirm that, from the website we understand that Save Our Songlines was established in November 2021. Consultation with you and Save Our Songlines has been ongoing since at least 15 December 2021, and as recently as 25 July 2023, Woodside has at all times reiterated that it remains open to engaging in further consultation.

There have been numerous exchanges of correspondence, efforts to meet, as well as meetings that took place on 14 March 2023 at Hearson Cove in Karratha and this 25 July 2023 meeting on-line. Woodside has provided ample opportunities to continue consultation and numerous offers to meet and to continue to meet.

Information has been provided that describes in detail, the activity proposed to be undertaken in the Scarborough EPs, the location, the duration, the risks, impacts and controls in place to minimise impacts and risks to as low as reasonably practicable and acceptable levels.

Our meeting consultation materials are prepared and developed on the basis of the extensive information contained in the EPs, consultation information sheets, and summaries, all of which have been provided to you and your legal representatives. The information has not materially changed over the various submissions of the EPs and provides material to understand the activities.

The questions you have asked and the dialogue that we have had with you has shown a high level of understanding of the Scarborough Project. The Save Our Songlines website contains views on the Scarborough Project, summaries of the Scarborough Project, YouTube videos as well as links to other websites which also express opinions on the Scarborough Project.

Woodside has nevertheless continued to seek general and specific information from you and has demonstrated an ongoing willingness to receive information.

Notwithstanding all of this, we remain open and available to meet with you and continue ongoing consultation in good faith.

Payments – Woodside respectfully declines to pay for consultation meetings or legal costs.

Regards

[Redacted signature]

[Redacted signature]



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount Street
Perth WA 6000
Australia

T: [Redacted]
M:+ [Redacted]
E: [Redacted]@woodside.com
www.woodside.com

From: Jess Border <jessica.border@edo.org.au>

Sent: Tuesday, 25 July 2023 4:17 PM

To: [Redacted] <[\[Redacted\]@woodside.com.au](mailto:[Redacted]@woodside.com.au)>

Cc: Alina Leikin <Alina.Leikin@edo.org.au>; [Redacted] <[\[Redacted\]@woodside.com.au](mailto:[Redacted]@woodside.com.au)>; sue.mccarrey@nopsema.gov.au; Woodside Feedback

<Feedback@woodside.com.au>

Subject: RE: Seismic Survey Consultation

Dear [REDACTED]

If you could please provide the recording via Sharepoint, we will ensure it is passed onto Josie and Rae. Please let us know if you have any issues with this.

Kind regards

Jess

Jess Border | Solicitor | EDO

From: [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>

Sent: Tuesday, July 25, 2023 4:13 PM

To: Jess Border <jessica.border@edo.org.au>

Cc: Alina Leikin <Alina.Leikin@edo.org.au>; [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>; sue.mccarrey@nopsema.gov.au; Woodside Feedback <Feedback@woodside.com>

Subject: RE: Seismic Survey Consultation

Dear Jess

Thanks for your email.

I'll take it back to the team for discussion and will come back to you.

In the meantime – re the recording - yes, no problems. We will provide a copy of the recording to you. It is a big file and wont transmit via email (as it will exceed email size). Please can you let us know Josie / Raelene / SOS / EDO arrangements or potential for a sharepoint or sharefile (or the like) to enable transfer of the recording?

Kind regards

[REDACTED]



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount Street
Perth WA 6000
Australia

T: [REDACTED]
M:+ [REDACTED]
E: [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>
www.woodside.com
□ □ □ □ □

From: Jess Border <jessica.border@edo.org.au>

Sent: Tuesday, 25 July 2023 4:03 PM

To: [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>

Cc: Alina Leikin <Alina.Leikin@edo.org.au>; [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>; sue.mccarrey@nopsema.gov.au; Woodside Feedback <Feedback@woodside.com>

Subject: Seismic Survey Consultation

Dear [REDACTED]

Thank you for the meeting this morning.

Recording

Our clients would be grateful if you could please provide them with the recording from today's meeting as soon as possible, so that they can review the information promptly.

Follow up questions

We look forward to receiving responses to the following requests for further information from Woodside:

1. The depth of the wells – both at and below sea level.
2. Have Woodside identified or done any mapping of freshwater systems in the EMBA?
3. What is the basis for the information on the whale migration patterns (we understand this comes from ACMS, government documents and consultation with Murujuga Aboriginal Corporation but would like further clarification and detail)?
4. Please provide the information underlying migratory patterns of whales, dugongs, turtles.
5. Please provide any information that has been collated about seagrass.
6. Please provide the underlying information for the modelling about the risk i.e. the 'worst possible scenario' discussion.

In addition to the above, our clients would appreciate clarification of the decibels and range of the seismic surveying that is to take place.

Next steps

As we discussed, it will take some time for our clients to process the information provided today and to respond to that information.

Woodside heard from our clients today about the importance of storytelling generally and of storytelling on Country. For this reason, our clients intend to provide Woodside with their initial response by way of video, taken on Murujuga. Following this, we propose that a second meeting be held to discuss our clients' response and to engage in further discussion. Our clients' first response is intended to be preliminary in nature and may need to be supplemented given that they are waiting on further information from Woodside.

We suggest that this approach be adopted for each EP in due course. That is:

1. Initial meeting to discuss an overview of the relevant EP, at which further requests for information can be made and questions asked about the information provided.
2. Initial response from Josie and Rae (could occur either before or after provision of further information, depending on our clients' availability).
3. Second meeting to discuss Josie and Rae's response, and responsive measures to mitigate risks and impacts of the activities.
4. Opportunity for Josie and Rae to provide supplementary information, if necessary. This may require a further meeting(s).

The approach should be flexible to ensure our clients are given ample opportunity to ask questions, share their knowledge, and be heard.

Other matters

Finally, our clients would be grateful if Woodside could provide the following:

1. Confirmation that the meetings held this morning forms part of the consultation prescribed by regulation 25 of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2023* (formerly regulation 11A of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009*) in relation to the Seismic EP.
2. Detail in relation to Woodside's proposed payment to our clients for consultation meetings.

Please let me know if you have any comments or concerns in relation to the above. We otherwise look forward to receiving the further information and recording.

Kind regards

Jess



Jess Border — Solicitor

PO Box Z5218
Boorloo/Perth WA 6831
E: jessica.border@edo.org.au

I use she/her pronouns.

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From: [Clare Lakewood](#)
To: [REDACTED]
Cc: sue.mccarrey@nopsema.gov.au; nicola.brischetto@nopsema.gov.au; raquel.carter@nopsema.gov.au; [Jess Border](#); [REDACTED]; [Woodside Feedback](#); [Suzanne Hillier](#)
Subject: RE: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan
Date: Thursday, 17 August 2023 9:26:19 AM
Attachments: [image007.png](#)
[image008.png](#)

Dear [REDACTED],

I confirm that EDO represents Ms Alec and Ms Cooper.

Yours sincerely,
 Clare



**Clare Lakewood – Special Counsel, Safe
 Climate**

(Mon, Tue, Wed, Thu)
 PO Box Z5218, Boorloo/Perth WA 6831
 P: +61 8 6118 7912
 E: clare.lakewood@edo.org.au

I use she/her pronouns.

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From: [REDACTED]@woodside.com>
Sent: Wednesday, August 16, 2023 3:41 PM
To: Clare Lakewood <clare.lakewood@edo.org.au>
Cc: sue.mccarrey@nopsema.gov.au; nicola.brischetto@nopsema.gov.au; raquel.carter@nopsema.gov.au; [Jess Border <jessica.border@edo.org.au>](mailto:jessica.border@edo.org.au); [REDACTED]
 [REDACTED]@woodside.com>; [Woodside Feedback <Feedback@woodside.com>](mailto:Feedback@woodside.com); [Suzanne Hillier <Suzanne.Hillier@nopsema.gov.au>](mailto:Suzanne.Hillier@nopsema.gov.au)
Subject: RE: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

Dear Clare

Following my email below, we would be grateful for confirmation regarding the reference to “our client and her legal representatives” in paragraph 2 of your letter. Our understanding is that you act for two clients, Ms Josie Alec and Ms Raelene Cooper.

We would be grateful for clarity on that point.

Kind regards

[REDACTED]

Woodside Energy

T: [REDACTED]



Mia Yellagonga
Karlak, 11 Mount Street
Perth WA 6000
Australia

M: + [REDACTED]
E: [REDACTED]@woodside.com
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Kind regards

[REDACTED]



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M: + [REDACTED]
E: [REDACTED]@woodside.com
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f t in v @

From: [REDACTED]@woodside.com.au>
Sent: Wednesday, 16 August 2023 2:50 PM
To: Clare Lakewood <clare.lakewood@edo.org.au>
Cc: sue.mccarrey@nopsema.gov.au; nicola.brischetto@nopsema.gov.au;
raquel.carter@nopsema.gov.au; Jess Border <jessica.border@edo.org.au>; [REDACTED]
[REDACTED]@woodside.com.au>; Woodside Feedback <Feedback@woodside.com.au>;
Suzanne Hillier <Suzanne.Hillier@nopsema.gov.au>
Subject: Re: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

Dear Clare

Receipt of your letter is acknowledged.

Our correspondence has put your client in no worse position and has provided confirmation around activity under the seismic EP.

To address your concerns about weekend burden on the Court, we confirm that no activity will take place under the seismic EP before 2pm Wednesday 23 August (Perth time).

We continue to obtain instructions on the matters raised in your 10 August letter. The matters raised are serious and require coordinated instructions. We confirm we intend to provide a response by close of business Monday 21 August (Perth time).

Kind regards

[REDACTED]

From: Clare Lakewood <clare.lakewood@edo.org.au>
Sent: Tuesday, August 15, 2023 5:47 pm
To: [REDACTED]@woodside.com.au>
Cc: sue.mccarrey@nopsema.gov.au <sue.mccarrey@nopsema.gov.au>;
nicola.brischetto@nopsema.gov.au <nicola.brischetto@nopsema.gov.au>;
raquel.carter@nopsema.gov.au <raquel.carter@nopsema.gov.au>; Jess Border
<jessica.border@edo.org.au>; [REDACTED]@woodside.com.au>; Woodside
Feedback <Feedback@woodside.com.au>; Suzanne Hillier <Suzanne.Hillier@nopsema.gov.au>
Subject: RE: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

Dear [REDACTED],

I refer to your email below. Please see the attached correspondence, which requires a time-sensitive response.

Yours sincerely,
Clare



Clare Lakewood — Special Counsel, Safe Climate

(Mon, Tue, Wed, Thu)

PO Box Z5218, Boorloo/Perth WA 6831

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E: clare.lakewood@edo.org.au

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From: [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>
Sent: Tuesday, August 15, 2023 1:52 PM
To: Clare Lakewood <clare.lakewood@edo.org.au>
Cc: sue.mccarrey@nopsema.gov.au; nicola.brischetto@nopsema.gov.au; raquel.carter@nopsema.gov.au; Jess Border <jessica.border@edo.org.au>; [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>; Woodside Feedback <Feedback@woodside.com>; Suzanne Hillier <Suzanne.Hillier@nopsema.gov.au>
Subject: RE: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

Dear Clare

We refer to the email trail below.

A further update to timing: Woodside confirms that no activity will take place under the seismic EP before Friday 12pm Perth time.

We reiterate that Woodside intends to respond to your 10 August correspondence. By way of update to my email below, we anticipate providing the response to you by Friday morning (Perth time).

Kind regards

[REDACTED]

Woodside Energy
Mia Yellagonga
Karlak, 11 Mount Street

T: [REDACTED]
M: + [REDACTED]
E: [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>



Perth WA 6000
Australia

www.woodside.com
f t in v @

From: [REDACTED]
Sent: Monday, 14 August 2023 6:57 PM
To: Clare Lakewood <clare.lakewood@edo.org.au>
Cc: sue.mccarrey@nopsema.gov.au; nicola.brischetto@nopsema.gov.au; raquel.carter@nopsema.gov.au; Jess Border <jessica.border@edo.org.au>; [REDACTED] <[\[REDACTED\]@woodside.com.au](mailto:[REDACTED]@woodside.com.au)>; Woodside Feedback <Feedback@woodside.com.au>; Suzanne Hillier <Suzanne.Hillier@nopsema.gov.au>
Subject: RE: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

Dear Clare

We refer to the email below.

As per the email below, we reiterate that no activity will take place under the seismic EP in the 48 hours from my earlier email (ie 2pm Perth time on Wednesday 16 August 2023).

We confirm Woodside intends to respond to your 10 August correspondence. By way of update to my email below, we will not be in a position to provide that response by 8am tomorrow morning (Perth time). We anticipate providing the response to you by Wednesday morning (Perth time).

Kind regards

[REDACTED]



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount Street
Perth WA 6000
Australia

T: [REDACTED]
M: +[REDACTED]
E: [REDACTED]@woodside.com
www.woodside.com
f t in v @

From: [REDACTED]
Sent: Monday, 14 August 2023 1:39 PM
To: Clare Lakewood <clare.lakewood@edo.org.au>
Cc: sue.mccarrey@nopsema.gov.au; nicola.brischetto@nopsema.gov.au; raquel.carter@nopsema.gov.au; Jess Border <jessica.border@edo.org.au>; [REDACTED] <[\[REDACTED\]@woodside.com.au](mailto:[REDACTED]@woodside.com.au)>; Woodside Feedback <Feedback@woodside.com.au>; Suzanne Hillier <Suzanne.Hillier@nopsema.gov.au>
Subject: RE: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

Dear Clare

We refer to your email and time sensitive correspondence.

We confirm Woodside does intend to respond to your 10 August correspondence – that is intended to be with you today (or early tomorrow at the latest and before 8am WST in any event).

We confirm that no activity will take place under the seismic EP in the next 48 hours.

Kind regards



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount Street
Perth WA 6000
Australia

T: [REDACTED]
M: + [REDACTED]
E: [REDACTED]@woodside.com
www.woodside.com
f t in v @

From: Clare Lakewood <clare.lakewood@edo.org.au>
Sent: Monday, 14 August 2023 11:51 AM
To: [REDACTED]@woodside.com.au>
Cc: sue.mccarrey@nopsema.gov.au; nicola.brischetto@nopsema.gov.au; raquel.carter@nopsema.gov.au; Jess Border <jessica.border@edo.org.au>; [REDACTED]@woodside.com.au>; Woodside Feedback <Feedback@woodside.com.au>; Suzanne Hillier <Suzanne.Hillier@nopsema.gov.au>
Subject: RE: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

Dear [REDACTED]

Thank you for your email. Please see the attached correspondence, which requires a time-sensitive response.

Yours sincerely,
Clare



Environmental
Defenders Office

**Clare Lakewood — Special Counsel, Safe
Climate**
(Mon, Tue, Wed, Thu)
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P: +61 8 6118 7912
E: clare.lakewood@edo.org.au

I use she/her pronouns.

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EDO recognises the traditional owners and custodians of the land, seas and rivers of Australia. We pay our respects to Aboriginal and Torres Strait Islander elders past and present, and aspire to learn from traditional knowledge and customs so that, together, we can protect our environment and cultural heritage through law.

From: [REDACTED]@woodside.com>
Sent: Friday, August 11, 2023 12:18 PM
To: Clare Lakewood <clare.lakewood@edo.org.au>
Cc: sue.mccarrey@nopsema.gov.au; nicola.brischetto@nopsema.gov.au;

raquel.carter@nopsema.gov.au; Jess Border <jessica.border@edo.org.au>; [REDACTED]
[REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>; Woodside Feedback <Feedback@woodside.com>; Suzanne Hillier <Suzanne.Hillier@nopsema.gov.au>

Subject: RE: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

Dear Clare

Thanks for your email.

We confirm that activity will not commence under the Seismic Survey Environment Plan prior 10am AEST (8am WST) on 15 August 2023.

Kind regards

[REDACTED]



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount Street
Perth WA 6000
Australia

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M: + [REDACTED]
E: [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>
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From: Clare Lakewood <clare.lakewood@edo.org.au>

Sent: Friday, 11 August 2023 12:13 PM

To: [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>

Cc: sue.mccarrey@nopsema.gov.au; nicola.brischetto@nopsema.gov.au;
raquel.carter@nopsema.gov.au; Jess Border <jessica.border@edo.org.au>; [REDACTED]
[REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>; Woodside Feedback <Feedback@woodside.com>;
Suzanne Hillier <Suzanne.Hillier@nopsema.gov.au>

Subject: RE: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

Dear [REDACTED]

We refer to your email below which states that you “confirm activity will not commence under the Seismic Survey EP on 12 August 2023”.

You have not provided the undertaking requested in our letter that no activity be undertaken before consultation is complete. Your email also does not indicate when activity is intended to commence.

In the circumstances we remain concerned that activity may commence before the compulsory consultation requirements are completed; and more specifically, that you may commence activity over the course of the weekend. In these circumstances we continue to reserve the right to issue an application seeking injunctive relief today, a course which will be productive of unnecessary costs and an unnecessary demand on Court time outside of normal sitting hours.

We ask that you provide a written undertaking by **3:30pm AEST, today (11 August 2023)** that no activity under the Seismic Survey Environment Plan will commence before the consultation process referred to in the conditions of the Statement of Reasons is complete.

Alternatively, we will refrain from filing an application today if you give an undertaking not to commence any activity under the Seismic Survey Environment Plan prior to 10:00am AEST on 15 August 2023. We

will in the interim continue to discuss with you our requirement of the primary protective undertaking, not to commence activity until consultation is complete and reserve our rights as to any future legal action.

If you are unwilling, or do not provide, either of the written undertakings referred to above by 3:30pm AEST today we will proceed to file our application for interlocutory relief and rely upon this correspondence on any question of costs.

We ask that both Woodside and NOPSEMA representatives confirm that they consent to receiving service electronically.

We copy NOPSEMA representatives to this correspondence.

Yours sincerely,
Clare



Clare Lakewood — Special Counsel, Safe Climate

(Mon, Tue, Wed, Thu)

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I use she/her pronouns.

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From: [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>

Sent: Friday, August 11, 2023 10:04 AM

To: Clare Lakewood <clare.lakewood@edo.org.au>

Cc: sue.mccarrey@nopsema.gov.au; nicola.brischetto@nopsema.gov.au;

raquel.carter@nopsema.gov.au; Jess Border <jessica.border@edo.org.au>; [REDACTED]

[REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>; Woodside Feedback <Feedback@woodside.com>

Subject: RE: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

Dear Clare

We confirm receipt of your email.

We confirm activity will not commence under the Seismic Survey EP on 12 August 2023.

From our initial review of your letter, we do not accept your position but we are considering it further and will revert.

Kind regards



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From: Clare Lakewood <clare.lakewood@edo.org.au>

Sent: Thursday, 10 August 2023 6:26 PM

To: [REDACTED] <[\[REDACTED\]@woodside.com.au](mailto:[REDACTED]@woodside.com.au)>

Cc: sue.mccarrey@nopsema.gov.au; nicola.brischetto@nopsema.gov.au; raquel.carter@nopsema.gov.au; Jess Border <jessica.border@edo.org.au>

Subject: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

Dear [REDACTED]

We refer to your email received by us on 9 August 2023. Please see the attached. We look forward to your prompt response.

Yours sincerely,
Clare



Environmental
Defenders Office

**Clare Lakewood — Special Counsel, Safe
Climate**

(Mon, Tue, Wed, Thu)

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I use she/her pronouns.

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From: [REDACTED]
To: [Clare Lakewood](#)
Cc: sue.mccarrey@nopsema.gov.au; [Nicola Brischetto](#); [Raquel Carter](#); [Jess Border](#); [REDACTED]; [Woodside Feedback](#)
Subject: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan
Date: Monday, 21 August 2023 4:07:48 PM
Attachments: [image001.png](#)
[Scarborough MSS EP Rev 8 Attachment 1.pdf](#)
[Scarborough MSS EP Rev 8 Attachment 2.pdf](#)
[Scarborough MSS EP Rev 8 Attachment 3 \(1\).pdf](#)
[Scarborough MSS EP Rev 8 Attachment 4.pdf](#)
[Attachment A.pdf](#)

Dear Clare

Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

We refer to previous correspondence which references the Scarborough 4D B1 Marine Seismic Survey Environment Plan (Seismic EP), accepted by NOPSEMA on 31 July 2023, with conditions. Please see the notes below and the attachments.

With reference to Condition 6 of the conditions, we respectfully seek to consult with Ms Alec, Ms Cooper and Save Our Songlines on the Seismic EP changes and the control measures proposed to be adopted to manage potential impacts and risks of the activity to as low as reasonably practicable (ALARP) and acceptable levels. Following consultation, if relevant comments are provided, Woodside intends on submitting to NOPSEMA a report confirming the views of Ms Alec, Ms Cooper and Save Our Songlines, in accordance with Condition 6 b).

We note that Ms Alec, Ms Cooper and Save Our Songlines most recently noted that they would be available for a consultation meeting in the week commencing 4 September 2023. We remain open to consulting with them and would be grateful to obtain their available dates for that meeting in September or sooner.

We otherwise note the following in relation to the relevant conditions regarding consultation.

Condition 1

1. Prior to commencement of the activity, the titleholders must consult with registered native title bodies corporate, representative Aboriginal / Torres Strait Islander bodies and other persons or organisations identified as a relevant person in relation to the First Nations cultural heritage in Tables 5-3 and 5-4 of the EP to confirm whether:
 - a. They are aware of any people, who in accordance with Indigenous tradition, may have spiritual and cultural connections to the environment that may be affected by the activity that have not yet been afforded the opportunity to provide information that may inform the management of the activity
 - b. There is any information they wish to provide on cultural features and/or heritage values.

We confirm that, prior to commencement of the activity, Woodside consulted Ms Alec, Ms Cooper and Save Our Songlines, requesting the above information on 3 August and 9 August 2023.

In addition to the extensive consultation opportunities afforded to Ms Alec, Ms Cooper and Save Our Songlines during the preparation of the Seismic EP, Woodside consulted with Ms Alec, Ms Cooper and Save Our Songlines after the submission of the Seismic EP on the following dates:

1. A meeting held between Woodside and Ms Alec, Ms Cooper and Save Our Songlines on 25 July 2023;
2. Correspondence exchanged following that meeting, including emails exchanged from 25 July to present.

Condition 2

2. The purpose of the consultation outlined in Condition 1 is to be communicated, and relevant persons are provided with a copy of the NOPSEMA Consultation on offshore environment plans Brochure as part of consultation.

In a number of pieces of correspondence, including those of 3 August and 9 August 2023, Woodside communicated the purpose of consultation and also provided to Ms Alec, Ms Cooper and Save Our Songlines, the NOPSEMA Consultation on offshore petroleum environment plans brochure.

Condition 3

3. The method of consultation is informed by the relevant persons being consulted.

Meetings with Ms Alec, Ms Cooper and Save Our Songlines have been informed by Ms Alec, Ms Cooper and Save Our Songlines. From recent correspondence, Ms Alec, Ms Cooper and Save Our Songlines requested at least 6 weeks time before having another meeting. Our understanding is that Ms Alec, Ms Cooper and Save Our Songlines intend to provide us with their available dates in September for a meeting on country. As described above, Woodside remains available to meet at your earliest convenience.

Condition 4

4. If at any time, as a result of compliance with Condition 1, relevant persons are identified, they must be consulted in accordance with the NOPSEMA Guideline on Consultation in the course of preparing an environment plan (GL2086).

Woodside notes that Ms Alec, Ms Cooper and Save Our Songlines have referenced Murujuga Aboriginal Corporation but have not otherwise made us aware of other persons.

Condition 5

5. At any time, prior to or during the activity, if new cultural features and/or heritage values of places within the environment that may be affected by the activity are identified that are not described in the EP, the titleholders must:
 - a. Ensure the environmental impacts and risks of the activity continue to be managed to as low as reasonably practicable and an acceptable level.
 - b. Notify NOPSEMA in writing within 7 days of these cultural and/or heritage values of places and the potential environmental impacts and risks.

Woodside has considered the topics raised by Ms Alec, Ms Cooper and Save Our Songlines at the meeting on 25 July 2023 and has proposed amendments to the Seismic EP, in accordance with Woodside's Management of Knowledge and Management of Change processes. The proposed changes to the Seismic EP are outlined in Attachment A.

Woodside has also notified NOPSEMA, in accordance with this condition, to advise of the topics raised by Ms Alec, Ms Cooper and Save Our Songlines at the meeting on 25 July 2023 and outlined the potential environmental impacts and risks to those topics.

Condition 6

6. The titleholders must submit a report to NOPSEMA no later than 14 days after the notification in Condition 5 which confirms the following:
 - a. The control measures that have been adopted to ensure that the environmental impacts and risks

of the activity will be reduced to as low as reasonably practicable and an acceptable level.

b. The consultation undertaken with any relevant persons to develop those control measures including

i. The control measures that those persons considered reasonably necessary to manage impacts on the cultural features and/or heritage values in accordance with indigenous tradition; and

ii. The views of the relevant persons in relation to the control measures

Woodside has developed the information in the attachments in accordance with Condition 6 a). As set out above, we respectfully seek to consult with Ms Alec, Ms Cooper and Save our Songlines on the week commencing 4 September or sooner on the Seismic EP changes and the control measures proposed to be adopted to manage potential impacts and risks of the activity, on the topics raised by Ms Alec, Ms Cooper and Save Our Songlines, to ALARP and acceptable levels.

For clarity, Woodside intends on submitting to NOPSEMA a report on the views of Ms Alec, Ms Cooper and Save Our Songlines, in accordance with Condition 6 b).

Please confirm when Ms Alec, Ms Cooper and Save Our Songlines are available to consult as noted above. Woodside is ready, willing and able to meet and consult with Ms Alec, Ms Cooper and Save Our Songlines.

Kind regards



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EP content requirements

Topics Raised by Ms Alec, Ms Cooper and Save Our Songlines

Reference

		Meeting on 25 July 2023
	A concern about potential impacts to whales	
13(1) Description of activity	No changes made to the EP.	
13(2-3) Description of the environment	<p>Section 4 (Description of the Environment) has been amended to include acknowledgement of the cultural interest in whales.</p> <p>This section has also been updated to generally reflect that through outcomes from consultation with relevant persons, Woodside recognises the deep spiritual and cultural connection to the environment that First Nations people hold. The definition of ‘environment’ under the Regulations has also been included as a foot note to clarify that cultural features and heritage values are part of the environment.</p>	Attachment 1
13(4) Requirements	No changes made to the EP.	NA
13(5-6) Evaluation of environmental impacts and risks	<p>Updates have been made to Section 6.6.2 to assess potential impacts to environmental values of cultural interest to First Nations, including whales.</p> <p>The potential impact consequence from noise emissions on cultural features and heritage values has been assessed as slight and short-term impact (less than one year) to a community or areas/items of cultural significance. Given the short duration of the activity, no impacts to landforms associated with songlines and no significant impact to migratory species (including whales and turtles) impacts are expected to be slight or less.</p>	Attachment 3
13(7) Environmental performance outcomes and standards	<p>Controls currently adopted in the EP to ‘Undertake seismic acquisition in a manner that prevents injury to whales, and minimises the potential for biologically significant behavioural disturbance (EPO 4)’</p> <ul style="list-style-type: none"> The use of trained Marine Fauna Observers to implement management procedures and adaptive management measures to minimise potential impacts to pygmy blue whales and other whales from seismic noise. Dedicated spotter vessel deployed ahead of the seismic vessel. Operation of the seismic source will not occur within 25 km of the pygmy blue whale migration BIA. The use of passive acoustic monitoring system to detect odontocete whales (specifically sperm and beaked whales) to implement adaptive management measures at night. <p>Additional controls have also been adopted to limit the extent of acoustic emissions:</p> <ul style="list-style-type: none"> Seismic source will be validated against noise sources assessed as acceptable in the EP and will not be discharged outside of the Active Source Area to limit the extent of underwater noise. A 40 km separation distance will be applied between the activity and any identified concurrent seismic surveys. <p>In addition, EPO 18 has been developed and adopted to manage new information on cultural values and control C 1.6 has been updated to provide transparency on sightings of marine migratory species.</p>	Attachment 2 and 3
14 (1-10) Implementation strategy	<p>Updates have been made to Section 7.10.2.1 to incorporate the Program of Ongoing Engagement with Traditional Custodians.</p>	Attachment 4

15 (1-3) Details of titleholder and liaison person	No changes made to the EP.	NA
16 Other information in the environment plan	Minor updates to stakeholder consultation record.	NA
	<i>A general information request about 'the rest of the animals', including turtle migrations, dugong, other migratory species, plankton and seagrass.</i>	<i>Meeting on 25 July 2023</i>
13(1) Description of activity	No changes made to the EP.	NA
13(2-3) Description of the environment	Section 4 (Description of the Environment) has been amended to include acknowledgement of the cultural interest in animals, including turtles, dugongs, plankton and seagrass. Noting that dugongs and seagrass are not expected with the Operational Area or EMBA. Given that there are no marine turtle BIAs or Habitat Critical within the Operational Area, and the nearest are located 135 km south-east of the Operational Area, marine turtles are unlikely to occur within the area of potential impact however noting there may be individuals transiting through.	Attachment 1
13(4) Requirements	No changes made to the EP.	NA
13(5-6) Evaluation of environmental impacts and risks	Updates have been made to Section 6.6.2 to assess potential impacts to environmental values of cultural interest to First Nations, including turtles and plankton. Marine turtles Based on the location offshore and distance from marine turtle BIAs and habitat critical, should any marine turtles occur impacts would be limited to behavioural disturbance to an individual within a localised area. Plankton These areas experience high natural variability and therefore it is expected any impacts to zooplankton will be minimal at a regional scale and unlikely to result in impacts to high order trophic levels. Summary Based on the potential impacts described above and management of the activity, cultural values are considered to be inherently protected. The potential impact consequence from noise emissions on cultural features and heritage values has been assessed as slight and short-term impact (less than one year) to a community or areas/items of cultural significance. Given the short duration of the activity, no impacts to landforms associated with songlines and no significant impact to migratory species (including whales and turtles) impacts are expected to be slight or less.	Attachment 2 and 3
13(7) Environmental performance outcomes and standards	Addition of a new EPO 18 and related standard developed and adopted to manage new information on cultural values and control C 1.6 has been updated to provide transparency on sightings of marine migratory species.	Attachment 2 and 3
14 (1-10) Implementation strategy	Updates have been made to Section 7.10.2.1 to incorporate the Program of Ongoing Engagement with Traditional Custodians.	Attachment 4
15 (1-3) Details of titleholder and liaison person	No changes made to the EP.	NA

16 Other information in the environment plan	Minor updates to stakeholder consultation record.	NA
	<i>An interest regarding songlines and 'especially where the freshwater and saltwater meet' and dreaming</i>	<i>Meeting on 25 July 2023</i>
13(1) Description of activity	No changes made to the EP.	NA
13(2-3) Description of the environment	Section 4 (Description of the Environment) has been amended to include acknowledgement of the cultural interest in songlines, 'especially where the freshwater and saltwater meet'. In addition, a description of songline, their connection to physical features and importance to First Nations has been included, based on literature.	Attachment 1
13(4) Requirements	No changes made to the EP.	NA
13(5-6) Evaluation of environmental impacts and risks	Updates have been made to Section 6.6.1 to consider the potential impacts to songlines from the activity. The potential impact consequence from the physical presence of vessels on cultural features and heritage values has been assessed as slight and short-term impact (less than one year) to a community or areas/items of cultural significance. Given the short duration of the activity, no impacts to landforms associated with songlines and no significant impact to migratory species (including whales and turtles) impacts are expected to be slight or less.	Attachment 2 and 3
13(7) Environmental performance outcomes and standards	Addition of new EPOs, EPO17 and EPO 18 and associated EPS.	Attachment 2
14 (1-10) Implementation strategy	Updates have been made to Section 7.10.2.1 to incorporate the Program of Ongoing Engagement with Traditional Custodians.	Attachment 4
15 (1-3) Details of titleholder and liaison person	No changes made to the EP.	NA
16 Other information in the environment plan	Minor updates to stakeholder consultation record.	NA
	<i>A concern about impacts to the songlines, energy lines and animals from seismic activity</i>	<i>Meeting on 25 July 2023</i>
13(1) Description of activity	No changes made to the EP.	NA
13(2-3) Description of the environment	Section 4 (Description of the Environment) has been amended to include acknowledgement of songlines and energy lines being raised in consultation. In addition, a description of songline, their connection to physical features and importance to First Nations has been included, based on literature.	Attachment 1
13(4) Requirements	No changes made to the EP	NA
13(5-6) Evaluation of environmental impacts and risks	Updates have been made to Section 6.6.1 to consider the potential impacts to songlines from the activity. The potential impact consequence from the physical presence of vessels on cultural features and heritage values has been assessed as slight and short-term impact (less than one year) to a community or areas/items of cultural	Attachment 2 and 3

	significance. Given the short duration of the activity, no impacts to landforms associated with songlines and no significant impact to migratory species (including whales and turtles) impacts are expected to be slight or less.	
13(7) Environmental performance outcomes and standards	As per previous	
14 (1-10) Implementation strategy	Updates have been made to Section 7.10.2.1 to incorporate the Program of Ongoing Engagement with Traditional Custodians.	Attachment 4
15 (1-3) Details of titleholder and liaison person	No changes made to the EP	NA
16 Other information in the environment plan	Minor updates to stakeholder consultation record.	NA

4.10 Socio-Economic Environment

4.10.1 Cultural Values and Heritage

4.10.1.1 Background

Woodside recognises the 'environment' for the purpose of the evaluation required under the Environment Regulations includes:

- the heritage value of places; and
- the social, economic, and cultural features of the broader environment.

In this section, the heritage value of places within the Operational Area and EMBA and the cultural features of the Operational Area and EMBA are described.

In line with The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance (ICOMOS 2013) (Burra Charter) and associated practice notes, Woodside understands heritage value to refer to the cultural significance of a place to an individual or group. A cultural feature, by contrast, is understood to be comparable to the Burra Charter term "fabric" and refer to a place's elements, fixtures, contents and objects which have cultural values. Although these features are necessarily physical, the place they inhabit or comprise may have tangible or intangible dimensions (ICOMOS 2013).

Woodside has undertaken archaeological assessments and ethnographic surveys to identify potential cultural values or features that may be impacted by Scarborough activities. These works have not identified heritage places, objects or values which will be impacted by the activities planned under this EP. However, through consultation with relevant persons, Woodside recognises the deep spiritual and cultural connection to the environment² that First Nations people hold.

4.10.1.2 First Nations peoples

As a starting point for understanding social and cultural features of the environment for Indigenous (First Nations) groups, Woodside uses the existing systems, such as native title, to identify Indigenous groups that may have functions, interests or activities that may be affected. To that end, Woodside identifies native title representative bodies and nominated representative entities, as well as native title claims, determinations and Indigenous Land Use Agreements (ILUAs) which the EMBA overlaps. While acknowledging that cultural features and heritage values may exist outside of the native title framework, native title claims, determinations and ILUAs are defined under the Native Title Act 1993 (Cth). Woodside considers this to be the broadest extent over which Indigenous groups have claimed native title rights and interests.

Native title claims are applications made to the Federal Court under the Native Title Act for a determination or decision about native title in a particular area. A claim is made by a native title claim group which asserts it holds native title rights and interests in an area of land and/or water, according to its traditional laws and customs. By making a claim, the native title claim group seeks a decision that native title exists so that its native title rights and interests are recognised by the common law of Australia. This is called a native title determination. A determination is a decision by a recognised body, such as the Federal Court or High Court of Australia, that native title either does or does not exist in relation to a particular area (Native Title Tribunal).

²Definition of 'Environment' in Regulation 4 of the OPPGS (Environment) Regulations are defined as:

- ecosystems and their constituent parts, including people and communities; and
- natural and physical resources; and
- the qualities and characteristics of locations, places and areas; and
- the heritage values of places; and includes
- the social, economic and cultural features of the matters mentioned in paragraphs (a), (b), (c) and (d)

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Feedback Received via Consultation to Inform Existing Environment Description

Indigenous cultural values are communally held. This is reflected in Vision 3 of Dhawura Ngilan that “Aboriginal and Torres Strait Islander heritage is managed... according to community ownership” (Heritage Chairs of Australia and New Zealand 2021). Dhawura Ngilan also specifically notes that “Aboriginal and Torres Strait Islander... intangible knowledge systems, which are held in songlines and language, are endangered. This knowledge is held by Elders and the community...” Through consultation with relevant persons, Registered Native Title Bodies Corporate have identified or raised topics relating to environmental values of cultural interest. These include a broad interest in the marine fauna, including whales, sharks and turtles (See Table 5-4).

In addition, some persons or organisations who identified as a relevant person in relation to First Nations cultural heritage, have indicated knowledge of cultural features or heritage values potentially affected by this PAP. These cultural features or heritage values may not have been raised through Woodside’s consultation with the indigenous community representatives and elders, including through MAC and Wirrawandi Aboriginal Corporate who represent the communities which these persons or organisations identified with (See Table 5-4).

It is feasible that additional cultural and broader interests in the environment are known, but no further definition has been shared with Woodside. These are identified below:

- Whales (including migration patterns)
- Turtles
- Dugongs
- Plankton
- Seagrass
- Energy lines (unspecified)
- Songlines and dreaming (unspecified)
- Where saltwater and freshwater meet

Seagrasses are a primary producer, i.e., they are dependent on sunlight for photosynthesis (energy production for growth and reproduction) and therefore have not been recorded and are not predicted to occur in the EMBA as water depths are over 200 m (Table 4-4). As dugongs feed exclusively on seagrass they are also not predicted to occur within the EMBA (Appendix C). In addition, there are no freshwater systems within the EMBA.

The marine ecosystem description in Section 4.10.1.5 encompasses the description of the cultural features and Sections 4.6.2 and 4.6.3 provides a description of turtles and marine cetaceans respectively.

Woodside has committed to ongoing engagement to further understand these values. The Program of Ongoing Engagement with Traditional Custodians (Appendix J), provides a mechanism for ongoing dialogue between Woodside and Traditional Custodians. The program enables Woodside to manage uncertainty on the impacts and risks to cultural values which may be identified at any time during Woodside’s activities via ongoing dialogue with Traditional Custodians. As an example Woodside is developing a framework for ongoing consultation with BTAC (Section 7.4). Should feedback be received (including any relevant new information on cultural values), it will be assessed and, where appropriate, Woodside will apply its Management of Change and Revision process (see Section 7.7).

4.10.1.6 Intangible Cultural Features

Oral Songlines are often described by Aboriginal people as the law of the land and make up part of the Dreaming (Neale and Kelly 2020:30). Songlines are viewed in Western academia as a framework for relating people to land and consist of a series of invisible, interconnected routes across the landscape that mark significant sites for Aboriginal people (Higgins 2021:723). Songlines demonstrate Aboriginal peoples’ strong connections to land by revealing sacred knowledge that is

place-specific (Roberts 2023:5). The land's physical features are instrumental in maintaining songlines because this is how ancestral spirits journeyed through, and interacted with, the physical landscape leaving sacred knowledge behind. The interconnection between the physical and spiritual is where songlines become intrinsically tied to significant places across Country. As a result, geographical landforms are recorded within songlines and become sacred places. Such landforms can include inter alia: rocks, mountains, rivers, caves and hills (Higgins 2021:724). Songlines can become lost, fragmented or broken when there is a loss of Country or forced removal from Country (Neale and Kelly 2020:30). Physical sites that have been identified as comprising a component of a songline are important to protect in order to prevent the fragmenting or breaking apart of songlines and loss of sacred cultural knowledge. While no specific details of songlines have been provided by relevant persons during consultation for this Activity, it can be confirmed that no landforms typical of songlines have been identified or are anticipated to be impacted by the Activity.

In Australia, songlines can stretch thousands of kilometres, making up a complex and organic network of stories containing cultural knowledge of First Nations communities across the land (Neale and Kelly 2020:35). Songlines can also extend out to Sea Country and contain cultural knowledge that is tied to geographic features, atmospheric phenomena and marine plants and animals. Often songlines containing references to a seascape or Sea Country make mention of mythical events occurring around marine life, fishing areas, submerged rocks or coral. Songlines that embody seascapes can reflect how a group may relate to, or value, Sea Country—for example connections to nearby islands that they once inhabited in their songlines (Smyth and Isherwood 2016:307). Songlines can also be used as proof of long-standing connection to land and support a legal entitlement to land rights (Higgins 2021:74). Examples where songlines contain strong references to Sea Country are more common in Pacific Islander and Torres Strait Islander communities, who often refer to seascapes and skylines in their songlines in order to communicate sacred knowledge that assists in safe navigation of the ocean (Neale and Kelly 2020:83-84).

4.10.1.7 Indigenous Archaeological Heritage Assessment

Woodside understands that communal cultural connection may exist between Traditional Custodians and land and waters. It is understood from the onshore archaeological record that Aboriginal people have occupied the Australian continent for at least 65,000 years (Clarkson et al 2017) and in many places maintain a strong continuing connection that is said to extend back in Indigenous cosmology to the beginning of time.

It is understood that the sea level has risen significantly during the 65,000 years of Indigenous occupation, and areas that were once inhabited are now submerged on the continental shelf (Veth et al 2019; UWA 2021). Woodside also understands that, at its lowest level during Indigenous occupation, sea level was between 125 m (O'Leary et al 2020, Veth et al 2019, Williams et al 2018) and 130 m below current levels (Benjamin et al 2020, Benjamin et al 2023, UWA 2021). Archaeological material preserved on the Ancient Landscape has the potential to provide further information about the earliest periods of human occupation (Veth et al 2019; UWA 2021).

Recent archaeological discoveries demonstrate that the now submerged landscape was occupied and inhabited, and can retain archaeological material from this time (Benjamin et al, 2020, Benjamin et al 2023; see Ward et al 2021 for an opposing view).

In recognition of this, Woodside considers the Ancient Landscape between the mainland and the Ancient Coastline KEF (see Figure 4-12) as an area where potential Indigenous archaeological material may exist on the seabed, as this covers the full extent of this possible Indigenous occupation. The Operational Area does not overlap the Ancient Landscape. There is slight overlap of the EMBA with the Ancient Landscape but no potential for seabed disturbance from planned activities and therefore no potential for impacts to archaeological material.

Known Indigenous heritage places including archaeological sites may be protected **subject to declarations** under the Aboriginal and Torres Strait Islander Heritage Protection Act 1984,

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Controlled Ref No: SA0006AH1401760303

Revision: 8

Woodside ID: 1401760303

Page 81 of 425

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6.6 Planned Activities (Routine and Non-routine)

6.6.1 Physical Presence: Interactions with Other Marine Users and Values

Context														
Activity Components – Section 3.5				Socio-Economic Environment – Section 0				Stakeholder Consultation – Section 5						
Impact Evaluation Summary														
Source of Impact	Environmental Value Potentially Impacted							Evaluation						
	Soil and Groundwater	Marine Sediment	Water Quality	Air Quality (incl Odour)	Ecosystems/ Habitat	Species	Socio-Economic	Decision Type	Consequence/Impact	Likelihood	Risk Rating	ALARP Tools	Acceptability	Outcomes
Displacement of other marine users – proximity of project vessels (and submersible equipment) interfering with or displacing third party vessels (commercial fishing, recreational fishing/tourism, research/monitoring programs and commercial shipping)							X	A	F	-	-	GP	Broadly Acceptable	EPO 1, 2
Potential interactions with proposed oil and gas activities							X							
Interactions affecting Cultural Values and Heritage.								C	F	I	I	LC S GP	Broadly Acceptable	EPO 17, 18
Description of Source of Impact														
<p>Project Vessels (including the towed seismic equipment)</p> <p>The Petroleum Activities Program will be conducted using a single seismic vessel. A temporary 3 nm SNA will be maintained around the seismic vessel and towed array (comprising the airgun array and streamer array, which includes header buoys, starboard and port deflectors or baravanes, streamers and tail buoys) during seismic operations. Marine users are requested to avoid this area during the survey to ensure the safety of the seismic vessel and third-party vessels.</p> <p>The support vessel will accompany the seismic vessel to re-supply it with fuel and other logistical and operational supplies (including taking the seismic vessel under tow, if required). An additional chase vessel may be used to manage interactions with shipping and fishing activities, if required. It is intended that a dedicated spotter vessel with two MFOs aboard will be deployed ahead of the seismic vessel during all activities with seismic source discharge.</p>														

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Impact Assessment

Potential Impacts to Environmental Values

Commercial Fishing

Potential for interaction with commercial fisheries is a common consideration for marine seismic surveys. Should any commercial fishing activities occur within the Operational Area, commercial fishers may be asked to deviate from fishing grounds periodically to accommodate seismic survey operations, any potential interactions with commercial fisheries would be short term due to the transient nature of the seismic vessel and the small area occupied by the seismic vessel (and SNA) at any one time, and limited to operational inconvenience (navigational hazard) and temporary displacement from fishing grounds within the Operational Area.

There are a number of Commonwealth and State managed fisheries with management areas that overlap with the Operational Area, however, none of these fisheries have conducted any fishing activities within the Operational Area in at least the last 10 years. There is only one Commonwealth managed fishery (Western Deepwater Trawl Fishery) and one State managed fishery (West Coast Deep Sea Crustacean Managed Fishery) that have historically had catch/effort within the Operational Area prior to 2010. There has been no recent fishing catch/effort within the Operational Area from 2008-2019 (Woodhams and Bath 2017; Patterson et al., 2020) and 2018- 2022 (DPIRD, 2022), respectively (refer to **Section 4.10.2**). The Operational Area is located in water depths ranging from about 800-1150 m, located outside of the depth range where significant fisheries effort normally occurs.

Given the lack of fishing catch/effort in the Operational Area in recent years, it is expected that there will be no impact to commercial fisheries as a result of the presence of the proposed Scarborough 4D B1 MSS.

Recreational Fishing and Tourism Operations

The presence of project vessels and submersible equipment has the potential to impact third party vessels within or adjacent to the Operational Area. Interactions could result in short-term displacement of vessels as they make course alterations to avoid the project vessels (and associated towed seismic equipment in the SNA)

However, the Operational Area is considered too far offshore for recreational fishing or tourism activities to occur. Therefore, it is expected that there will be no impact to recreational fishing or tourism activities as a result of the presence of the proposed Scarborough 4D B1 MSS.

Commercial Shipping

The presence of project vessels and submersible equipment may cause temporary disruptions to commercial shipping. Moderate density shipping traffic may be encountered in the northeast corner of the Operational Area.

The potential impacts to commercial shipping vessels are expected to include short-term displacement of vessels as they make slight course alterations to avoid the project vessels (and associated towed seismic equipment in the SNA).

Oil and Gas Activities

No oil and gas production wells or facilities are located within the Operational Area (refer to **Figure 4-15**). Therefore, no impacts to oil and gas activities are expected.

Defence

The DoD did not identify any activities within the NWXA however the potential for UXOs was raised. Based on the locations of the proposed activity and potential UXOs it was determined that there is no credible risk from UXOs for the proposed activity.

Cultural Values and Heritage

The physical presence of vessels in the Operational Area may lead to interactions affecting cultural features and heritage value of place. Despite requesting it in consultation, information relating specifically to potential cultural values has not been provided to Woodside. No specific information has been provided relating to current songlines (currently undefined) and energy lines (currently undefined) that were indicated as topics during consultation with traditional custodians. To address this uncertainty, Woodside is implementing a program of ongoing consultation with Traditional Custodians whose functions, interests and activities may be affected by the Petroleum Activities Program (C1.7 and C1.8). While no specific details of songlines have been provided by relevant persons during consultation for this Activity, no landforms typical of songlines are anticipated to be impacted by the Activity.

The potential impact consequence from the physical presence of vessels on cultural features and heritage values may be slight (E) and short-term impact (less than one year) to a community or areas/items of cultural significance. Given the short duration of the activity, no impacts to landforms associated with songlines and no significant impact to migratory species (including whales and turtles) impacts are expected to be slight or less.

Cumulative Assessment

Commercial Fishing

As above, there has been no recent fishing catch/effort within the Operational Area for the Commonwealth Western Deepwater Trawl Fishery (2008-2019) and WA West Coast Deep Sea Crustacean Managed Fishery (2010-2019), and therefore no impacts to commercial fisheries are expected. There are no other known seismic surveys planned to occur in these fisheries and, therefore, no cumulative impacts are expected.

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Commercial Shipping

The Operational Area overlaps with a shipping fairway and north-south international shipping traffic. There are no other known seismic surveys planned to occur on the west coast of WA that may interact with the same international vessels within the fairway and, therefore, no cumulative impacts to shipping are expected.

Summary of Potential Impacts to Environmental Values(s)

Given the adopted controls, it is considered that physical presence of project vessels (including towed seismic equipment) will not result in a potential impact greater than slight, short-term temporary displacement of commercial shipping. Commercial vessels may be required to make small alterations to their course to avoid the project vessels (and associated towed seismic equipment in the SNA) but these interactions can be managed in accordance with standard maritime practices.

Demonstration of ALARP				
Control Considered	Control Feasibility (F) and Cost/Sacrifice (CS)⁵	Benefit/Reduction in Impact	Proportionality	Control Adopted
Legislation, Codes and Standards				
Woodside will ensure the environmental impacts and risks of the activity continue to be managed to as low as reasonably practicable and an acceptable level for cultural values or features.	F: Yes CS: Minimal costs	This will ensure the development of avoidance or mitigation strategies in collaboration with Traditional Custodians if relevant impacts to cultural values are identified.	Required by OPGGS (Environment) Regulations	Yes C 1.8
Good Practice				
Notify AHO of activities and movements no less than four weeks before the scheduled activity commencement date.	F: Yes CS: Minimal cost. Standard practice.	Notification to AHO will enable them to generate navigation warnings (Maritime Safety Information Notifications (MSIN)) and NTM and NTA [including AUSCOAST warnings where relevant]).	Benefits outweigh cost/sacrifice. Control is also standard practice.	Yes C 1.1
Notify AMSA Joint Rescue Coordination Centre (JRCC) of activities and movements 24–48 hours before the scheduled activity commencement date.	F: Yes CS: Minimal cost. Standard practice.	Communication of the Petroleum Activities Program to other marine users ensures they are informed and aware, thereby reducing the likelihood of interference with other marine users.	Benefits outweigh cost/sacrifice. Control is also standard practice.	Yes C 1.2
Notify relevant government departments, fishing industry representative bodies, fishery licence holders, and other oil and gas operators (if agreed during consultation) of activities prior to commencement and upon completion of activities	F: Yes CS: Minimal cost. Standard practice.	Communication of the Petroleum Activities Program to other marine users ensures they are informed and aware, thereby reducing the likelihood of interference with other marine users.	Benefits outweigh cost/sacrifice. Control is also standard practice.	Yes C 1.3
Engage with proponents identified as having potential concurrent	F: Yes	Communication of the Petroleum Activities Program to other marine	Benefits outweigh cost/sacrifice.	Yes C 1.4

¹ Qualitative measure

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Demonstration of ALARP				
Control Considered	Control Feasibility (F) and Cost/Sacrifice (CS) ⁵	Benefit/Reduction in Impact	Proportionality	Control Adopted
activities within the Operational Area prior to commencing the Petroleum Activities Program and develop an operations plan including the following aspects: <ul style="list-style-type: none"> communications work programming hazard management emergency response. 	CS: Minimal cost. Standard practice.	users ensures they are informed and aware, thereby reducing the likelihood of interference with other marine users.	Control is also standard practice.	
Notify Defence of activities and movements no less than five weeks before the scheduled activity commencement date	F: Yes CS: Minimal cost. Standard practice.	Communication of the Petroleum Activities Program to other marine users ensures they are informed and aware, thereby reducing the likelihood of interference with other marine users.	Benefits outweigh cost/sacrifice. Control is also standard practice.	Yes C 1.5
Establish and maintain a publicly available website to include both: <ul style="list-style-type: none"> an interactive map which provides persons with updated information on activities being conducted as part of the Petroleum Activities Program, including location of seismic vessel and cetaceans and marine turtle observations 	F: Yes. CS: Minimal cost	A publicly available website will allow transparency of the activity for other marine users including First Nations. The interactive map provides additional/alternate method for marine users to obtain information on the timing of activities, thereby reducing the likelihood of interference with other marine users. The data logs of marine fauna observations will provide demonstrations of potential interactions with marine fauna, including whales and turtles.	Benefits outweigh cost/sacrifice.	Yes C 1.6
Establish and maintain a 3 nm radius SNA around the seismic vessel and towed array.	F: Yes CS: Minimal cost. Standard practice.	Presence of the SNA will reduce the likelihood of interfering with other marine users.	Benefits outweigh cost/sacrifice. Control is also standard practice.	Yes C 2.1
At least one dedicated support/chase vessel will be employed to assist the seismic vessel.	F: Yes CS: Minimal cost. Standard practice.	Use of a support/chase vessels to assist the seismic vessel will reduce the likelihood of an interaction with a third party vessel.	Benefits outweigh cost/sacrifice. Control is also standard practice.	Yes C 2.2
Project vessels to operate AIS, and tail buoys will be fitted with lights, Global Navigation Satellite	F: Yes CS: Minimal cost. Standard practice.	Use of AIS on project vessels, and lights, virtual AIS and GNSS on tail buoys will reduce the	Benefits outweigh cost/sacrifice.	Yes C 2.3

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Demonstration of ALARP				
Control Considered	Control Feasibility (F) and Cost/Sacrifice (CS)⁵	Benefit/Reduction in Impact	Proportionality	Control Adopted
System (GNSS) and virtual AIS.		likelihood of an interaction with a third party vessel.	Control is also standard practice.	
<p>Woodside will consider evidence based claims from commercial fishing licence holders where:</p> <ul style="list-style-type: none"> There is genuine displacement from undertaking normal fishing activities that results in demonstrable economic loss. Deployed fishing equipment has been accidentally lost or damaged by any activities under Woodside's control. There is a loss of catch due to the seismic activity that can be demonstrated 	<p>F: Yes</p> <p>However, due to the absence of commercial fishing in the Operational Area, displacement of fishers are not expected.</p> <p>CS: Time, stakeholder fatigue and potential confusion associated with communicating [Document Title] and engaging with fishers unnecessarily.</p>	<p>Given limited fishing activity has ever taken place in or near the Operational Area and no fishing effort has been reported in over 10 years, the Operational Area does not represent an area that is significant to fisheries and displacement is not expected.</p> <p>Therefore, providing a process for compensation claims provides no benefit.</p>	Cost is grossly disproportionate to the limited benefit gained.	No
Implement a program, which is compliant with Corporate Woodside Policies Strategies and procedures, to undertake ongoing consultation with Traditional Custodians whose functions, interests and activities may be affected by the Petroleum Activities Program.	<p>F: Yes</p> <p>CS: Substantial costs</p>	Implementation of this program will allow Woodside to improve their understanding of potential cultural values and Heritage in the Operational Area and or EMBA.	Benefits outweigh cost/sacrifice	Yes C 1.7
Professional Judgement – Eliminate				
Limit activities to avoid peak shipping and commercial fishing activities.	<p>F: No. Shipping occurs year-round and cannot be avoided. Concurrent operations (CONOPS) with fishing seasons cannot be eliminated as fishing activities occur consistency throughout the year, and exact timings and locations of fishing activities are not known.</p> <p>CS: Not considered – control not feasible.</p>	Not considered – control not feasible.	Not considered – control not feasible.	No

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Demonstration of ALARP				
Control Considered	Control Feasibility (F) and Cost/Sacrifice (CS)⁵	Benefit/Reduction in Impact	Proportionality	Control Adopted
Eliminate use of vessels.	F: No. The use of vessels is required to conduct the Petroleum Activities Program. CS: Not considered – control not feasible.	Not considered – control not feasible.	Not considered – control not feasible.	No
Professional Judgement – Substitute				
None identified.				
Professional Judgement – Engineered Solution				
None identified.				
ALARP Statement				
<p>On the basis of the environmental impact assessment outcomes and use of the relevant tools appropriate to the decision type (i.e. Decision Type A), Woodside considers the adopted controls appropriate to manage the impacts and risks of the physical presence of the project vessels on other marine users, which is expected to be limited to commercial shipping movements. As no reasonable additional/alternative controls were identified that would further reduce the impacts and risks without grossly disproportionate sacrifice, the impacts and risks are considered ALARP.</p>				

Demonstration of Acceptability
<p>Acceptability Statement</p> <p>The impact assessment has determined that, given the adopted controls, physical presence of the project vessels (and associated towed seismic equipment in the SNA) is unlikely to result in potential impact greater than slight, short-term impact to other marine users, such as commercial shipping. In addition, these activities will not interfere with other marine users rights to a greater extent than is necessary. Further opportunities to reduce the impacts and risks have been investigated above.</p> <p>The adopted controls are considered good oil-field practice/industry best practice and meet expectations of AMSA and AHO provided during consultation with stakeholders. The potential impacts and risks are considered broadly acceptable if the adopted controls are implemented.</p> <p>Woodside has considered Woodside acknowledges that uncertainty on cultural values may remain; however, the Ongoing Program on Traditional Custodian Feedback (EPO 17 and C1.7) has been developed to enable Woodside to manage potential uncertainty on the impacts and risks to cultural values which may be identified at any time during Woodside’s activities via ongoing dialogue with Traditional Custodians. Any new information identified as part of this process will be managed to ALARP and an Acceptable level of impact (EPO 18 and C 1.8).</p> <p>Therefore, Woodside considers the adopted controls appropriate to manage the impacts and risks of the physical presence of the project vessels (and associated towed seismic equipment in the SNA) to a level that is broadly acceptable.</p>

Environmental Performance Outcomes, Standards and Measurement Criteria			
Outcomes	Controls	Standards	Measurement Criteria
EPO 1 Marine users are aware of the Petroleum Activities Program.	C 1.1 Notify AHO of activities and movements no less than four weeks before the scheduled activity commencement date.	PS 1.1 Notification to AHO four weeks prior to scheduled commencement to allow for the generation of navigation warnings (MSIN, NTA and NTM [including AUSCOAST warnings where relevant]).	MC 1.1 Consultation records demonstrate that AHO has been notified prior to commencement of the Petroleum Activities Program within the required timeframes.
	C 1.2 Notify AMSA Joint Rescue Coordination Centre (JRCC)	PS 1.2 Notification to AMSA JRCC 24–48 hours prior to the	MC 1.2.1 Consultation records demonstrate that AMSA

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Environmental Performance Outcomes, Standards and Measurement Criteria			
Outcomes	Controls	Standards	Measurement Criteria
	of activities and movements 24–48 hours before the scheduled activity commencement date.	scheduled commencement date.	JRCC has been notified prior to commencement of the Petroleum Activities Program within the required timeframes.
	<p>C 1.3</p> <p>Notify relevant government departments, fishing industry representative bodies, fishery licence holders, and other oil and gas operators (if agreed during consultation) of activities prior to commencement and upon completion of activities</p>	<p>PS 1.3</p> <p>Notification to AFMA, CFA, DAFF (fisheries), WAFIC, DPIRD, Recfishwest, individual fishery licence holders and other oil and gas operators (if agreed during consultation) ten days before activity commences, and following completion of activities, as per Table 7-2</p>	<p>MC 1.3.1</p> <p>Consultation records demonstrate that relevant stakeholders have been notified prior to commencement of the Petroleum Activities Program within the required timeframes and on completion of activities.</p>
	<p>C 1.4</p> <p>Engage with proponents identified as having potential concurrent activities within the Operational Area prior to commencing the Petroleum Activities Program and develop an operations plan including the following aspects:</p> <ul style="list-style-type: none"> communications work programming hazard management emergency response 	<p>PS 1.4</p> <p>A concurrent operations plan developed for any concurrent MSS activities identified within the Operational Area.</p>	<p>MC 1.4.1</p> <p>Records demonstrate Woodside re-engage with identified proponent before commencing the Petroleum Activities program and developed a concurrent operations plan (if required).</p>
	<p>C 1.5</p> <p>Notify Defence of activities and movements no less than five weeks before the scheduled activity commencement date.</p>	<p>PS 1.5</p> <p>Notification to Defence five weeks prior to the scheduled commencement date.</p>	<p>MC 1.5.1</p> <p>Records demonstrate that Defence has been notified prior to commencement of the Petroleum Activities Program within the required timeframes.</p>
	<p>C 1.6</p> <p>Establish and maintain a publicly available website to include both:</p> <ul style="list-style-type: none"> An interactive map which provides persons with updated information on activities being conducted as part of the 	<p>PS 1.6a</p> <p>Activity interactive map established and maintained throughout activities.</p>	<p>MC 1.6.1</p> <p>Records demonstrate interactive map was provided and available to stakeholders throughout activities.</p>

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Environmental Performance Outcomes, Standards and Measurement Criteria			
Outcomes	Controls	Standards	Measurement Criteria
	Petroleum Activities Program, including location of seismic vessel and <ul style="list-style-type: none"> • cetacean and marine turtle observations 	PS 1.6b Cetacean and marine turtles observations available on a public website	MC 1.6.2 Records of marine turtles and cetaceans sightings available on a public website.
EPO 2 Prevent adverse interactions between vessels and other marine users during the Petroleum Activities Program	C 2.1 Establish and maintain a 3 nm radius SNA around the seismic vessel and towed array.	PS 2.1 SNA established, communicated and maintained around the seismic vessel and towed array during the Petroleum Activities Program.	MC 2.1.1 Records demonstrate that the SNA has been established and details have been communicated to approaching third-party vessels.
	C 2.2 Employ at least one support/chase vessel will be employed to assist the seismic vessel.	PS 2.2 At least, one vessel employed to assist the seismic vessel mitigate interactions with third-party vessels.	MC 2.2.1 Records demonstrate that a second vessel is employed for the Petroleum Activities Program.
	C 2.3 Project vessels to operate AIS, and tail buoys will be fitted with lights, GNSS and virtual AIS.	PS 2.3 Project vessels operating AIS and tail boys fitted with lights, GNSS and virtual AIS.	MC 2.3.1 Records demonstrate that project vessels operating AIS, and tail boys are fitted with lights, GNSS and virtual AIS.
EPO 17 Woodside will actively support Traditional Custodians' capacity for ongoing engagement and consultation on environment plans for the purpose of avoiding impacts to cultural heritage values.	C 1.7 Implement a program, which is compliant with Corporate Woodside Policies Strategies and procedures, to undertake ongoing consultation with Traditional Custodians whose functions, interests and activities may be affected by the Petroleum Activities Program.	PS 1.7.1 Implement a program, which is compliant with Corporate Woodside Policies, Strategies and procedures, to undertake ongoing consultation with Traditional Custodians whose functions, interests and activities may be affected by the Petroleum Activities Program. The Program will include, as agreed with relevant Traditional Custodians: <ul style="list-style-type: none"> • Social investment to support Indigenous ranger programs • Support for Indigenous oil spill response capabilities • Support for recording Sea Country values • Support to Traditional Custodian groups to build capabilities and capacity with respect to ability to engage with Woodside and the 	MC 1.7.1 Records demonstrate discussions with relevant Traditional Custodian Groups on proposed partnerships and/or initiatives initiated by Woodside, and responses to feedback provided by Woodside within 4 weeks MC 1.7.2 Progress of the Program will be reported in line with annual sustainability reporting via the Woodside website.

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Environmental Performance Outcomes, Standards and Measurement Criteria			
Outcomes	Controls	Standards	Measurement Criteria
		<p>broader O&G industry on activities</p> <ul style="list-style-type: none"> • Development of ongoing relationships with Traditional Custodian groups • Any other initiatives proposed for the purpose of protecting Country including cultural values 	
<p>EPO 18</p> <p>New cultural values identified through the Program (EPO17) will be managed to ALARP and an Acceptable level of impact.</p>	<p>C 1.8</p> <p>The environmental impacts and risks of the activity will continue to be managed to as low as reasonably practicable and an acceptable level for cultural values or features.</p>	<p>EPS 1.8.2</p> <p>Consideration of cultural values / new information, through the life of the EP, and the development of avoidance or mitigation strategies in collaboration with Traditional Custodians if impacts to cultural values are identified. Where avoidance is not possible, impact minimisation will be prioritised and demonstrated through a written options analysis / ALARP to ensure an acceptable level of impact. This will be documented through Woodside's Management of Change and Management of Knowledge processes.</p>	<p>MC 1.8.1</p> <p>Records demonstrate Change Management and Management of Knowledge processes have been followed where new controls or management measures identified.</p>

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Impact Assessment

Noting that no commercial fisheries operate within or near the Operational Area (refer to **Section 4.10.2**) and the Operational Area does not provide suitable habitat or water depths for target fish or crustacean species, no physical or behavioural impacts are predicted to commercial fish stocks and no impacts are predicted to commercial fishery catch rates.

Commercial Fisheries – Impact Assessment Conclusion

Based on the assessment above and the implementation of the identified control measures, the consequence of occasional short-term and localised disturbance to the target species and catch rates of commercial fisheries is of no lasting effect (less than one month) and impacts will not be significant to commercial fisheries.

Cultural features and Heritage Values

It is noted that the marine ecosystem holds both cultural and environmental value (See **Section 4.10.1**), with these types of values (cultural and environmental) intrinsically linked any cultural values linked to environment receptors, have been assessed above and below. Woodside has conducted extensive consultation with Traditional Custodian groups as described in Section 5, resulting in the identification of environmental values of cultural interests specified in Section 4.10.1.5.

An assessment of marine environmental values of cultural interest to First Nations is described in Table 6-10.

Table 6-10: Assessment of potential impacts to marine environmental values of cultural interest to First Nations

Environmental values of cultural interest to First Nations	Potential impact pathway	Assessment
Whales	Impacts to cetaceans from acoustic emissions resulting in behavioural disturbance.	<p>Potential environmental impacts to cetaceans have been assessed above.</p> <p>Potential impacts from acoustic emissions are expected to be limited to behavioural impact, which may include temporary and localised deviations from migratory pathways for cetaceans. However, no permanent impacts preventing cetaceans from entering or occupying the Operational Area are anticipated as a result of acoustic emissions.</p> <p>Numerous controls have been adopted to reduce potential for impact.</p> <p>Cultural values considered to be inherently protected.</p>
Turtles	Impact to turtles from acoustic emissions resulting in behavioural disturbance.	<p>While marine turtles are unlikely to occur in the area of potential impact, if individual turtles are transiting, the potential environmental impacts to turtle behaviour has been assessed.</p> <p>Potential impacts from acoustic emissions on marine turtles are expected to be limited to behavioural impacts within a localised area.</p> <p>Cultural values considered to be inherently protected.</p>
Plankton	Impact to plankton communities from acoustic emissions resulting in localised mortality.	<p>The activity is not likely to result in any ecologically significant impacts at a population level for any zooplankton, fish eggs or larvae</p>

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Impact Assessment		
		<p>that may be present in the water column within or adjacent to the Operational Area. These areas experience high natural variability and therefore it is expected any impacts to zooplankton will be minimal at a regional scale and unlikely to result in impacts to high order trophic levels.</p> <p>Cultural values considered to be inherently protected.</p>
<p>Given the short duration of the activity, no impacts to landforms associated with songlines and no significant impact to migratory species (including whales and turtles) impacts are expected to be slight or less.</p>		
<p>It is acknowledged that there is uncertainty in Woodside's understanding of potential cultural values within the Operational Area and EMBA therefore Woodside is implementing a program of ongoing consultation with Traditional Custodians whose functions, interests and activities may be affected by the Petroleum Activities Program (C1.7).</p>		
<p>Marine Protected Areas</p> <p><i>Impact Assessment</i></p> <p>As described in Section 4.9, the Operational Area does not overlap with any Commonwealth or State Marine Parks. However, Australian Marine Parks (AMPs) are located in the wider EMBA that are part of the North-west Marine Park Networks.</p> <p>The nearest marine park is the Gascoyne AMP, located 33 km south of the Operational Area and approximately 44 km of the Active Source Area at the closest point. Maximum received sound levels at the boundary of the Gascoyne AMP are predicted to be approximately 140 dB re 1 µPa (SPL).</p> <p>The potential impacts to the natural, social and economic values of the Gascoyne AMP are summarised as follows.</p> <ul style="list-style-type: none"> • Exmouth Plateau KEF – The Operational Area and Active Source Area are located within the KEF. As assessed above, the potential impacts to benthic communities will be highly localised, temporary and negligible in the context of natural variability. The productivity, ecological function and value of the KEF will not be affected. • Continental slope demersal fish communities KEF – The KEF is located over 150 km from the Active Source Area. Underwater sound emissions will not affect the demersal fish communities in this KEF. • Canyons linking Cuvier abyssal plain and Cape Range peninsula KEF – The KEF is located over 105 km from the Active Source Area. Underwater sound emissions will not affect the benthic invertebrate or fish communities in this KEF. • Commonwealth waters adjacent to Ningaloo Reef KEF – The KEF is located over 170 km from the Active Source Area. Underwater sound emissions will not affect the coral reef communities, deep water filter feeder communities or marine fauna that aggregate or migrate within the KEF. • Humpback whale migratory pathway – As assessed above, received sound levels at the humpback whale migration BIA are predicted to be below 130 dB re 1 µPa SPL. No significant behavioural response is expected and the BIA is well beyond the maximum range in which TTS effects could occur. • Pygmy blue whale migratory pathway and possible foraging habitat – As assessed above, the animat modelling demonstrates that TTS effects are not expected to occur in the migration BIA. Impacts to cetaceans are likely to be limited to temporary behavioural changes (avoidance) in individuals migrating through the Operational Area. Received sound levels at the pygmy blue whale foraging BIA are predicted to be below 130 dB re 1 µPa SPL. No significant behavioural response is expected and the foraging BIA is well beyond the maximum range in which TTS effects could occur. • Internesting habitats for marine turtles – As assessed above, no impacts are expected to turtles within designated interesting habitats, which are located over 150 km from the Active Source Area. <p>Given that the other marine parks within the EMBA are located a greater distance from the Operational Area no impacts will occur as a result of underwater sound from the survey.</p> <p>The objectives of the North-west Marine Parks Network Management Plan are to provide for:</p> <ul style="list-style-type: none"> • the protection and conservation of biodiversity and other natural, cultural and heritage values of marine parks in the North-west Network • ecologically sustainable use and enjoyment of the natural resources within marine parks in the North-west Network, where this is consistent with objective (a). 		

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Demonstration of ALARP				
Control Considered	Control Feasibility (F) and Cost/Sacrifice (CS)⁶	Benefit/Reduction in Impact	Proportionality	Control Adopted
		As such the control will be applied throughout the duration of the activity extending beyond the precautionary principle.		
The seismic source will not be discharged outside of the Active Source Area.	F: Yes CS: CS: Minimal cost. Standard practice.	Limits the effects of underwater sound to the extent that is assessed in this EP.	Benefits outweigh cost/sacrifice.	Yes C 5.1
Woodside will ensure the environmental impacts and risks of the activity continue to be managed to as low as reasonably practicable and an acceptable level for cultural values or features.	F: Yes CS: Minimal costs	This will ensure the development of avoidance or mitigation strategies in collaboration with Traditional Custodians if impacts to cultural values are identified.	Benefits outweigh cost/sacrifice	Yes C 1.8
Good Practice				
Seismic source validation.	F: Yes CS: Source modelling can be undertaken at minimal cost and relatively quickly.	If the seismic source selected for the Petroleum Activities Program is different to the source modelled and assessed in Koessler et al. (2021; Appendix G), then additional source modelling will be undertaken to confirm whether the sound levels are consistent with levels assessed as acceptable in this EP.	Benefits outweigh cost/sacrifice.	Yes C 3.1
No operation of the seismic source within 25 km of the pygmy blue whale migration BIA.	F: Yes CS: Minimal cost. The Active Source Area is located >25 km from the pygmy blue whale migration BIA.	ANIMAT modelling (Appendix G) predicts that the maximum range at which pygmy blue whales may experience TTS is at 21.73 km. Preventing operation of the seismic source within 25 km of the pygmy blue whale migration BIA provides some additional conservatism and prevents TTS effects and injury to pygmy blue whales in the migration BIA.	Benefits outweigh cost/sacrifice.	Yes C 4.5
A 40 km separation distance between the Petroleum Activities Program and any identified concurrent seismic survey	F: Yes CS: In the event that other surveys are present in the region, a 40 km separation distance may result in delays due to vessel downtime or loss of survey area.	The Bureau of Ocean Energy Management (BOEM, 2014) published an environmental review of geological and geophysical survey activities in the south Atlantic Ocean. To minimise impacts to marine life by providing a 'corridor' between vessels, the environmental impact statement from this review	Benefits outweigh cost/sacrifice.	Yes C 6.1

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Demonstration of ALARP				
Control Considered	Control Feasibility (F) and Cost/Sacrifice (CS)⁶	Benefit/Reduction in Impact	Proportionality	Control Adopted
		included a requirement for a 40 km geographic separation distance (based on worst case scenarios) between the sources of simultaneous seismic surveys.		
Record sightings of marine turtles during the activity.	F: Yes CS: Minimal cost	Collecting data on marine turtle presence may assist in increasing understanding of their activity in the Operational Area.	Benefits outweigh cost/sacrifice.	Yes C 5.2
Reduce size of Active Source Area to minimise potential for behavioural responses in pygmy blue whales	F: Yes CS: Significant cost and schedule impacts. The Active Source Area has been designed to cover both the Scarborough and Jupiter fields, so that the survey provides new 3D / baseline 4D seismic data over both fields. Reducing the size of the Active Source Area would mean that the Jupiter extension would have to be acquired as part of a separate additional survey.	There is no overlap between the Active Source Area or the Operational Area with the pygmy blue whale migration BIA. Given the implementation of adaptive management measures and the absence of any TTS effects within the pygmy blue whale migration BIA, the potential impacts of noise emissions from the seismic source on pygmy blue whales are likely to be restricted to temporary behavioural changes (avoidance) in individuals moving through the Operational Area, with predicted noise levels from the seismic acquisition not considered likely to cause injury effects. Based on the evidence presented in Thums et al. (2022), the likelihood of encountering migrating or foraging pygmy blue whales is considered low. However, based on the recorded presence of one pygmy blue whale overlapping with the Operational Area there may be the occasional individual or small group of whales transiting the area, mostly likely in the peak period of the northbound migration (May and June). An additional control of a dedicated spotter vessel travelling ahead of the seismic vessel increases the ability to detect pygmy blue whales in this peak	Disproportionate. The cost / sacrifice outweighs the benefit gained. Implementing EPBC Policy Statement 2.1 Part A, and selected Part B measures will achieve an acceptable level of risk reduction during the pygmy blue whale northbound and southbound migrations.	No

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Demonstration of Acceptability		
Receptor⁷	Acceptability Criteria and Assessment	Statement of Acceptability
<p>Migratory and threatened cetaceans</p>	<p>Principles of ESD</p> <p>The impact assessment has considered the relevant principles of ESD:</p> <ul style="list-style-type: none"> • The conservation of biological diversity and ecological integrity should be a fundamental consideration in decision-making. • Decision-making processes should effectively integrate both long-term and short-term economic, environmental, social and equitable considerations. <p>Impacts are considered consistent with these principles given controls adopted and that impacts will be inherently limited to 'Slight, short-term impact (less than one year) on species, habitat (but not affecting ecosystems function), physical or biological attributes' (Section 2.6.4).</p> <p>Other principles of ESD were considered not relevant given underwater noise emissions from the seismic source do not represent a threat of "serious or irreversible environmental damage", they will not result in impacts that affect the maintenance or enhancement of the "health, diversity and productivity of the environment" over generational timeframes, and they have no relevance to "improved valuation, pricing and incentive mechanisms."</p> <p>Internal Context</p> <p>The Petroleum Activities Program is consistent with Woodside corporate policies, culture, processes, standards, structure and systems as outlined in the Demonstration of ALARP and Environmental Performance Outcomes, including:</p> <ul style="list-style-type: none"> • Woodside Environment and Biodiversity Policy (Appendix A) • Woodside Risk Management Policy (Appendix A). <p>External Context</p> <p>Impacts to cetaceans was raised during consultation and this feedback was considered in the finalisation of the EP. Woodside recognises that First Nations have cultural interest to whales and this has been raised in consultation. Potential impacts from acoustic emissions are expected to be limited to behavioural impact, which may include temporary and localised deviations from migratory pathways for cetaceans. However, no permanent impacts preventing cetaceans from entering or occupying the area are anticipated as a result of acoustic emissions. Therefore this activity is not</p>	<p>The predicted level of impact for migratory and threatened cetaceans is considered to be of an acceptable level given that the:</p> <ul style="list-style-type: none"> • the Petroleum Activities Program is consistent with the relevant principles of ESD • the proposed controls have considered the environmental consequence and are consistent with Woodside's internal policies, procedures and standards • feedback from stakeholders has been taken into consideration • legislative requirements/industry standards have been adopted • the Petroleum Activities Program will be managed in a manner that prevents physical injury or displacement of pygmy blue whales from migration and foraging BIAs • the Petroleum Activities Program will be managed in a manner that prevents physical injury to pygmy blue whales and other cetacean species • the Petroleum Activities Program will be managed in a manner that reduces potential biologically significant behavioural disturbances to pygmy blue whales and other cetacean species • impacts and risks to cultural values have been taken into consideration and by managing the activity to prevent injury and reduce potential biologically significant behavioural disturbances to whales cultural values are considered to be inherently protected • the Petroleum Activities Program will be managed in a manner that is consistent with management objectives

⁷ Where these receptors have a cultural connection (as identified in Section 4.10.1) these have also been considered

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Controlled Ref No: SA0006AH1401760303

Revision: 8

Woodside ID: 1401760303

Page 268 of 425

Uncontrolled when printed. Refer to electronic version for most up to date information.

Demonstration of Acceptability		
Receptor⁷	Acceptability Criteria and Assessment	Statement of Acceptability
<p>Migratory and threatened marine turtles</p>	<p>Acceptability Criteria and Assessment</p> <p>expected to have a significant impact on MNES (Section 2.9.2) including those with an Indigenous connection as defined in Section 4.10.1</p> <p>Other Requirements</p> <p>The proposed control measures exceed the required standards and control measures set out in EPBC Policy Statement 2.1. Part A Standard Management Measures (DEWHA, 2008).</p> <p>The proposed activity and control measures are not inconsistent with the requirements of recovery plans or wildlife conservation plans/advice as demonstrated in Section 6.8. The impact assessment has determined that seismic acquisition may be undertaken in a manner that is not inconsistent with the requirements of the Conservation Management Plan for the Blue Whale, specifically that <i>‘Anthropogenic noise in biologically important areas will be managed such that any blue whale continues to utilise the area without injury, and is not displaced from a foraging area’</i>. Acoustic modelling and ANIMAT modelling have demonstrated that TTS effects will not occur in the pygmy blue whale migration BIA and sound levels will not result in displacement from foraging areas.</p> <p>The impact assessment and proposed control measures are consistent with NOPSEMA Acoustic Impact Evaluation and Management Guideline (N-04750-IP 1765 Rev2 Dec 2018).</p> <p>No significant or long-term impacts are expected to occur to key habitats of EPBC Act listed species included as values of the Montebello and Gascoyne AMPs.</p>	<p>Statement of Acceptability</p> <p>for relevant WHAs, AMPs, recovery plans and conservation plans/advice</p> <ul style="list-style-type: none"> the predicted level of impact has been reduced to ALARP. <p>Environmental Performance Consideration</p> <p>To manage impacts to migratory and threatened cetaceans to an acceptable level, the following EPOs have been applied:</p> <p>EPO 3: Far-field source levels for the selected seismic source for the Scarborough 4D B1 MSS are consistent with levels assessed in this EP.</p> <p>EPO 4: Undertake seismic acquisition in a manner that prevents injury to whales, and minimises the potential for biologically significant behavioural disturbance.</p> <p>EPO 5: Limit underwater sound production from the seismic source to the area defined and assessed in this EP.</p> <p>EPO 6: Undertake seismic acquisition in a manner that reduces potential cumulative impacts resulting from the Petroleum Activities Programme and other seismic survey operations as far as reasonably practicable.</p> <p>To manage impacts to cultural values the following EPO have been applied:</p> <p>EPO 18 New cultural values identified through the Program (EPO17) will be managed to ALARP and an Acceptable level of impact.</p> <p>The predicted level of impact for migratory and threatened marine turtles is considered to be of an acceptable level given that the:</p> <ul style="list-style-type: none"> the Petroleum Activities Program is consistent with the relevant principles of ESD

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Controlled Ref No: SA0006AH1401760303

Revision: 8

Woodside ID: 1401760303

Page 269 of 425

Uncontrolled when printed. Refer to electronic version for most up to date information.

Demonstration of Acceptability		
Receptor⁷	Acceptability Criteria and Assessment	Statement of Acceptability
	<p>• Decision-making processes should effectively integrate both long-term and short-term economic, environmental, social and equitable considerations.</p> <p>Impacts are considered consistent with these principles given controls adopted and that impacts will be inherently limited to 'Slight, short-term impact (less than one year) on species, habitat (but not affecting ecosystems function), physical or biological attributes' (Section 2.6.4).</p> <p>Other principles of ESD were considered not relevant given underwater noise emissions from the seismic source do not represent a threat of "serious or irreversible environmental damage", they will not result in impacts that affect the maintenance or enhancement of the "health, diversity and productivity of the environment" over generational timeframes, and they have no relevance to "improved valuation, pricing and incentive mechanisms."</p> <p>Internal Context</p> <p>The Petroleum Activities Program is consistent with Woodside corporate policies, culture, processes, standards, structure and systems as outlined in the Demonstration of ALARP and Environmental Performance Outcomes, including:</p> <ul style="list-style-type: none"> • Woodside Environment and Biodiversity Policy (Appendix A) • Woodside Risk Management Policy (Appendix A). <p>External Context</p> <p>During consultation turtles were raised and Woodside recognises that First Nations have cultural interest in turtles. While marine turtles are unlikely to occur in the area of potential impact, if individual turtles are transiting through impacts from acoustic emissions are expected to be restricted to temporary behavioural changes (avoidance). Therefore this activity is not expected to have a significant impact on MNES (Section 2.9.2) including those with an Indigenous connection as defined in Section 4.10.1. This feedback was considered in the finalisation of the EP.</p> <p>Other requirements</p> <p>The proposed control measures are not inconsistent with the applicable objectives and actions of the Recovery Plan for Marine Turtles (DDEE, 2017a). Specifically, controls measures will 'manage anthropogenic activities to ensure marine turtles are not displaced from identified habitat critical to the survival' of marine turtles and given that the impacts of noise are unknown, a precautionary approach [will] be applied to seismic work, such that surveys planned to occur inside important interesting habitat should be scheduled outside the nesting season'. Received noise levels from seismic</p>	<ul style="list-style-type: none"> • the proposed controls have considered the environmental consequence and are consistent with Woodside's internal policies, procedures and standards • feedback from stakeholders has been taken into consideration • legislative requirements/industry standards have been adopted • the Petroleum Activities Program will be undertaken in a manner that prevents displacement of marine turtles from Habitat Critical/important interesting habitats during nesting/interesting periods • the Petroleum Activities Program will be managed in a manner that is consistent with management objectives for relevant WHAs, AMPs, recovery plans and conservation plans/advice • impacts and risks to cultural values have been taken into consideration and by managing activity as described above the cultural values are considered to be inherently protected • the predicted level of impact has been reduced to ALARP. <p>Environmental Performance Considerations</p> <p>The Petroleum Activities Program will not disturb or displace any individuals from Habitat Critical or interesting BIAs, or result in any ecologically significant impacts at a population level for any species of marine turtle.</p> <p>The following EPOs have been applied:</p> <p>EPO 3: Far-field source levels for the selected seismic source for the Scarborough 4D B1 MSS are consistent with levels assessed in this EP.</p>

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Controlled Ref No: SA0006AH1401760303

Revision: 8

Woodside ID: 1401760303

Page 270 of 425

Uncontrolled when printed. Refer to electronic version for most up to date information.

Demonstration of Acceptability		
Receptor⁷	Acceptability Criteria and Assessment	Statement of Acceptability
<p>Migratory and threatened fishes and elasmobranchs (including whale sharks)</p>	<p>acquisition are not likely to cause injury impacts, displace any individuals from Habitat Critical or Interesting BIAs, or result in any ecologically significant impacts at a population level for any species of marine turtle that may be present within or adjacent to the Operational Area during the Petroleum Activities Program.</p> <p>The impact assessment and proposed control measures are consistent with NOPSEMA Acoustic Impact Evaluation and Management Guideline (N-04750-IP1765 Rev2 Dec 2018).</p> <p>Nesting and internesting marine turtle habitats are identified as a natural value of the Montebello and Gascoyne AMPs. No significant impacts to interesting marine turtles are predicted and the Activity will be undertaken consistent with marine park objectives.</p> <p>Principles of ESD</p> <p>The Petroleum Activities Program is consistent with the relevant principles of ESD:</p> <ul style="list-style-type: none"> The conservation of biological diversity and ecological integrity should be a fundamental consideration in decision-making. Decision-making processes should effectively integrate both long-term and short-term economic, environmental, social and equitable considerations. <p>Impacts are considered consistent with these principles given controls adopted and that impacts will be inherently limited to localised impacts with no lasting effect (Section 2.6.4).</p> <p>Other principles of ESD were considered not relevant given underwater noise emissions from the seismic source do not represent a threat of “serious or irreversible environmental damage”, they will not result in impacts that affect the maintenance or enhancement of the “health, diversity and productivity of the environment” over generational timeframes, and they have no relevance to “improved valuation, pricing and incentive mechanisms.”</p> <p>Internal Context</p> <p>The Petroleum Activities Program is consistent with Woodside corporate policies, culture, processes, standards, structure and systems as outlined in the Demonstration of ALARP and Environmental Performance Outcomes, including:</p> <ul style="list-style-type: none"> Woodside Environment and Biodiversity Policy (Appendix A) Woodside Risk Management Policy (Appendix A). <p>External Context</p>	<p>EPO 5: Limit underwater sound production from the seismic source to the area defined and assessed in this EP.</p> <p>To manage impacts to cultural values the following EPO have been applied:</p> <p>EPO 18</p> <p>New cultural values identified through the Program (EPO17) will be managed to ALARP and an Acceptable level of impact.</p> <p>The predicted level of impact for migratory and threatened fishes and elasmobranchs (including whale sharks) is considered to be of an acceptable level given that the:</p> <ul style="list-style-type: none"> the Petroleum Activities Program is consistent with the relevant principles of ESD the proposed controls have considered the environmental consequence and are consistent with Woodside’s internal policies, procedures and standards feedback from stakeholders has been taken into consideration impacts and risks to cultural values have been taken into consideration legislative requirements/industry standards have been adopted the Petroleum Activities Program will not result in physical injury to migratory and threatened fishes and elasmobranchs (including whale sharks) the Petroleum Activities Program will be managed in a manner that is consistent with management objectives for relevant WHAs, AMPs, recovery plans and conservation plans/advice

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Controlled Ref No: SA0006AH1401760303

Revision: 8

Woodside ID: 1401760303

Page 271 of 425

Uncontrolled when printed. Refer to electronic version for most up to date information.

Demonstration of Acceptability		
Receptor⁷	Acceptability Criteria and Assessment	Statement of Acceptability
	<p>External Context</p> <p>Impacts to plankton was raised during consultation (Section 5), including as an environmental value of cultural interest to First Nations, and this feedback was considered in the finalisation of the EP.</p> <p>It is expected that impacts to plankton will be minimal at a regional scale and unlikely to result in impacts to high order trophic levels. Therefore this activity is not expected to have a significant impact on MNES (Section 2.9.2) including those with an Indigenous connection with, or traditional use in nearshore areas as defined in Section 4.10.1</p> <p>Other Requirements</p> <p>No additional legislative requirements applicable to managing the effects of seismic surveys in relation to other identified environment values have been identified.</p>	<ul style="list-style-type: none"> impacts and risks to cultural values have been taken into consideration and by managing activity as described above the cultural values are considered to be inherently protected <p>Environmental Performance Considerations</p> <p>The Petroleum Activities Program will not result in long term impacts to ecosystems/habitats, species and socio-economic values.</p> <p>The following EPOs have been applied:</p> <p>EPO 3: Far-field source levels for the selected seismic source for the Scarborough 4D B1 MSS are consistent with levels assessed in this EP.</p> <p>EPO 5: Limit underwater sound production from the seismic source to the area defined and assessed in this EP.</p> <p>To manage impacts to cultural values the following EPO have been applied:</p> <p>EPO 18</p> <p>New cultural values identified through the Program (EPO17) will be managed to ALARP and an Acceptable level of impact:</p>

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Controlled Ref No: SA0006AH1401760303

Revision: 8

Woodside ID: 1401760303

Page 276 of 425

Uncontrolled when printed. Refer to electronic version for most up to date information.

Environmental Performance Outcomes, Standards and Measurement Criteria			
Outcomes	Controls	Standards	Measurement Criteria
	measures procedures will be implemented: <ul style="list-style-type: none"> If there are three or more shut-downs for pygmy blue whales within a 24-hour period (including spotter vessel MFO shutdowns), then the seismic operations must not be undertaken thereafter at night-time or during low visibility conditions. Seismic operations cannot resume at night-time or during low visibility conditions, until there has been a cumulative 24-hour period of seismic operations (daylight hours with good visibility) during which there has been less than three shut-downs for pygmy blue whales. 	measures procedures will be implemented: <ul style="list-style-type: none"> If there are three or more shut-downs for pygmy blue whales within a 24-hour period (including spotter vessel MFO shutdowns), then the seismic operations must not be undertaken thereafter at night-time or during low visibility conditions. Seismic operations cannot resume at night-time or during low visibility conditions, until there has been a cumulative 24-hour period of seismic operations (daylight hours with good visibility) during which there has been less than three shut-downs for pygmy blue whales. 	
	C 4.5 No operation of the seismic source within 25 km of the pygmy blue whale migration BIA.	PS 4.5 No operation of the seismic source within 25 km of the pygmy blue whale migration BIA.	MC 4.5.1 Records demonstrate compliance with the 25 km buffer from the migration BIA.
	C 4.6 EPBC Act Policy Statement 2.1 Part B.3 – Use of additional vessels to detect presence of cetaceans, during all daylight activities with seismic source discharge activities: <ul style="list-style-type: none"> Use of two MFOs aboard a dedicated spotter vessel travelling ~5 km out ahead of the seismic vessel and acoustic array to implement C 4.1. 	PS 4.6 Use of two MFOs aboard a dedicated spotter vessel ahead of the seismic vessel to implement C 4.1.	MC 4.6.1 Records demonstrate the use of two MFOs aboard a dedicated spotter vessel. MC 4.1.1 refer to above.
EPO 5 Limit underwater sound production from the seismic source to the area defined and assessed in this EP.	C 5.1 No operation of the seismic source outside of the Active Source Area.	PS 5.1 No operation of the seismic source outside of the Active Source Area.	MC 5.1.1 Records demonstrate compliance with seismic source operation exclusively within the Active Source Area.
	C 5.2 Record sightings of marine turtles during the activity.	PS 5.2 All sightings of marine turtles will be recorded.	MC 5.2.2 Marine fauna logs demonstrate marine turtle sightings logged.

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Environmental Performance Outcomes, Standards and Measurement Criteria			
Outcomes	Controls	Standards	Measurement Criteria
<p>EPO 6 Undertake seismic acquisition in a manner that reduces potential cumulative impacts resulting from the Petroleum Activities Programme and other seismic survey operations as far as reasonably practicable.</p>	<p>C 6.1 A 40 km separation distance between the Petroleum Activities Program and any identified concurrent seismic survey</p>	<p>PS 6.1 A 40 km separation distance between the Petroleum Activities Program and any identified concurrent seismic survey</p>	<p>MC 6.1.1 Records demonstrate compliance with the 40 km separation distance. Records demonstrate consultation with other seismic companies of seismic surveys and titleholders with acreage within 40 km of the Operational Area prior to commencement of the activity.</p>
<p>EPO 18 New cultural values identified through the Program (EPO17) will be managed to ALARP and an Acceptable level of impact.</p>	<p>Refer to C 1.8</p>	<p>Refer to EPS 1.8.2</p>	<p>Refer to MC 1.8.1</p>

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7.10.2 Routine Reporting (External)

7.10.2.1 Ongoing Consultation

In accordance with Regulation 14 (9) of the Environment Regulations, the implementation strategy must provide for appropriate consultation with relevant authorities of the Commonwealth, a State or Territory and other relevant interested persons or organisations.

Woodside's approach to ongoing consultation is that feedback and comments received from relevant persons and additional persons continue to be assessed and responded to, as required, through the life of an EP, including during EP assessment and throughout the duration of the accepted EP, in accordance with the intended outcome of consultation (as set out in **Section 5.2**).

Woodside proposes to undertake the engagements with directly impacted relevant persons and additional persons listed in **Table 7-3**. Relevant new information identified during ongoing consultation will be assessed using the EP Management of Knowledge (refer to **Section 7.6.1.2** and Management of Change Process (refer to **Section 7.7**).

Woodside has developed a Program of Ongoing Engagement with Traditional Custodians (**Appendix J**), directly informed by feedback from Traditional Custodians. It provides a mechanism for ongoing dialogue so that Traditional Custodians can, on an ongoing basis, provide Woodside with feedback relating to the possible consequences of an activity to be carried out under an Environment Plan on their functions, interests and activities as they relate to cultural values. The program enables Woodside to manage uncertainty on the impacts and risks to cultural values which may be identified at any time during Woodside's activities via ongoing dialogue with Traditional Custodians.

Woodside hosts community forums at which members are provided updates on Woodside activities on a regular basis (for example community reference group meetings). Representatives who present at those meetings are from community and industry and include Woodside, State Government (for instance relevant Regional Development Commissions), Local Government, Indigenous Groups, industry representative bodies, Community and industry organisations.

Relevant persons, additional persons and those who are merely interested in the activities, can otherwise remain up to date on this activity through subscribing to the Woodside website, or by reading the publicly available version of the EP on NOPSEMA's website, where available.

Should consultation feedback be received following EP acceptance that identifies a measure or control that requires implementation or update to meet the intended outcome of consultation (see **Section 5.2**), Woodside will apply its EP Management of Knowledge process (refer to **Section 7.6.1.2**) and Management of Change process (refer to **Section 7.7**), as appropriate.

Woodside has established and maintains a publicly available, up to date and interactive map to provide stakeholders with updated information on activities being conducted as part of the Petroleum Activities Program particularly during SIMOPS. The interactive map is available on Woodside's website (**Section 6.6.1, PS 1.6**).

The ongoing consultation engagements that Woodside intends to progress for this EP are set out in the table below.

Table 7-3: Ongoing consultation engagements

Report/ Information	Recipient	Purpose	Frequency	Content
Program of Ongoing Engagement with	Relevant cultural authorities	Identification, assessment and consideration of cultural values relevant to	Ongoing	Assessment of cultural values Any relevant new information on cultural

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Controlled Ref No: SA0006AH1401760303

Revision: 8

Woodside ID: 1401760303

Page 380 of 425

Uncontrolled when printed. Refer to electronic version for most up to date information.

Report/ Information	Recipient	Purpose	Frequency	Content
Traditional Custodians (Appendix J)		the Operational Area and Consultation Area		values will be assessed using the EP Management of Knowledge (ref to Section 7.5) and Management of Change Process (refer to Section 7.7).
Notification (email)	AHO	As requested by AMSA during consultation.	No less than 4 weeks prior to commencement.	PS 1.1 (Section 6.6.1) Date of activity start.
Updates (email)			As required.	Changes to planned activities
Notification (email)	AMSA	As requested by AMSA during consultation	At least 24–48 hours before operations commence	PS 1.2 (Section 6.6.1) Date of activity start.
Update (email)			Provide updates to the AHO and JRCC should there be changes to the activity.	Changes to planned activities
Notification (email)	DoD Air Services Australia	As requested by DoD during consultation If Notice to Airmen notification is required for activities in Restricted Airspace.	Five weeks prior to commencement of activities.	PS 1.5 (Section 6.6.1) Date of activity start.
Notification (email)	DMIRS	Good practice	At least 10 days prior to commencement.	Activity start date
Notification (email)	AFMA WAFIC CFA DPIRD Recfishwest DAFF – Fisheries Individual fishery licence holders that have the potential to be directly impacted by planned activities in the Operational Area (no relevant fisheries identified at time of EP submission) Eni	Good practice or as requested during consultation	At least 10 prior to commencement and following completion of activities.	PS 1.3 (Section 6.6.1) Date of activity start and end.
Notification (email)	All Relevant Persons for the Proposed Activity	Notification of significant change	As appropriate	Notification of significant change. Any relevant new information will be assessed using the EP

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Proposed Program of Ongoing Engagement with Traditional Custodians

This Program of Ongoing Engagement with Traditional Custodians (“Program”) has been developed to demonstrate Woodside’s commitment to ongoing engagement and support of Traditional Custodians’ capacity to care for and manage Country, including Sea Country, and has been directly informed by Traditional Custodians’ feedback regarding their capacity to engage and consult on Environment Plans.

It is a living document designed to evolve with ongoing consultation and feedback from Traditional Custodians and, at a minimum, will be subject to annual review. In addition to this Program, Woodside will continue to participate in, and support collective industry engagement with Traditional Owners on the development of a future, sustainable, industry wide Program. Through the Program, Woodside actively supports Traditional Custodians’ capacity for, and involvement in, ongoing engagement and feedback on environment plans.

The Program has been developed so that Traditional Custodians can, on an ongoing basis, provide Woodside with feedback relating to the possible consequences of an activity to be carried out under an environment plan on their functions, interests and activities as they relate to cultural values. This feedback will be evaluated in conjunction with Traditional Custodians and, where necessary, avoidance or mitigation strategies in will be developed in collaboration with Traditional Custodians.

The Program enables Woodside to manage uncertainty on the impacts and risks to cultural values which may be identified at any time during Woodside’s activities via ongoing dialogue with Traditional Custodians.

How the Program is implemented with specific Traditional Custodians will depend on their stated needs and priorities

The Program is underpinned by Woodside’s First Nations Communities Policy (woodside.com), the objective of which is to ensure Woodside partners and engages with First Nations communities to create positive economic, social and cultural outcomes that leave a lasting legacy. Woodside does this through building respectful relationships and partnerships with First Nations communities where we are active, in the areas where they are most interested in. We acknowledge the unique connection that First Nations communities have to land, waters and the environment.

The Program will include, as agreed with relevant communities, reasonable commitment to:

1. Support for ongoing dialogue and engagement

Woodside will support the capacity of Traditional Custodians to participate in ongoing dialogue and engagement about the environment plans and to enable the ongoing identification of cultural values potentially impacted by Woodside’s activities. Woodside further commits to agreeing consultation protocols with individual Traditional Custodians to ensure the material provided is appropriate in level of detail such that the potential for cultural impact from Woodside activities can be determined and as required measures can be adopted to avoid or minimise impact.

In addition, Woodside will receive feedback on cultural values from an individual person or organisation that identifies as a Traditional Custodian, at any stage during the development and implementation of activities. This feedback will be evaluated, in conjunction with the Traditional Custodian individual or group and if required, control measures will put in place to avoid impacts to cultural values, or where avoidance is not possible, to minimise and mitigate the impacts to an acceptable level.

Where cultural values are identified post activity completion, any controls relevant to value management will be implemented during the next relevant activity.

2. Support for the identification and recording of cultural features

Woodside will support Traditional Custodians to record and articulate their Sea Country values and will invest in cultural assessments codesigned with Traditional Custodians, where required, to inform potential risks to cultural values from our petroleum activities.

This may include supporting cultural mapping by Traditional Custodians to identify and map significant cultural features including archaeological sites and other cultural values. The scoping of the mapping process will be codesigned with Traditional Custodians.

Woodside understands that cultural knowledge remains the intellectual property of Traditional Custodians and will agree with Traditional Custodians at the outset how that information from surveys will be used to feedback into and inform the environment plan's design and implementation.

In addition, Woodside applies the Cultural Heritage Management Procedure 2019, updated in 2023, to the Program which:

- provides a process for the identification, protection, and management of Cultural Heritage taking into account relevant standards, in particular, the United Nations Declaration on the Rights of Indigenous Peoples, the Charter for the Protection and Management of the Archaeological Heritage, the Convention for the Safeguarding of the Intangible Cultural Heritage, and the Convention on the Protection of the Underwater Cultural Heritage;
- applies to underwater cultural heritage and, consistent with current practice, provides for the commissioning of (where appropriate) both archaeological and ethnographic assessments of cultural values over the submerged landscape; and
- the process includes the following:
 - early engagement with relevant Traditional Custodians
 - identification of potential heritage, this could include desktop and field surveys undertaken with the Traditional Custodians.
- the development of cultural management strategies; and, where it is determined cultural heritage may be impacted, the development of Cultural Heritage Management Plans codesigned with Traditional Custodians and implemented by Woodside's First Nations team which:
 - focus on avoidance or minimisation of impacts; and
 - provide regular reviews and for inclusion of new information and further development of the Cultural Heritage Management Plan.

Woodside is committed to continue to receive feedback on cultural values for the life of an environment plan, the inclusion of new information and the development of avoidance or mitigation strategies in collaboration with Traditional Custodians. This information will be recorded via the Woodside Management of Knowledge Process and any potential impacts to the accepted Environment Plan evaluated via the Woodside Management of Change Process.

3. Building capacity for the ongoing protection of country

Woodside will support measures to increase the capability and capacity of the Traditional Custodian groups. This is guided by Woodside's Indigenous Affairs Strategy 2019 ("Strategy"), which is designed to enable the building and maintaining of relationships with Traditional Custodians to leave a lasting legacy, including strengthening of Traditional Custodians' capacity to care for and manage Country, including Sea Country. The Strategy was developed with inputs from Traditional Custodians and contains four pillars that direct Woodside's social investment, policies relating to economic development, procurement and employment, and Woodside's agreement making and implementation of agreements. The pillars are:

1. Culture and Heritage Management: support social outcomes through protection, recognition and respect for culture and heritage;
2. Economic Participation: provide training, jobs, and business opportunities;

3. Capability and capacity: ensure strong corporate governance, leadership development and education initiatives to support self-determination; and
4. Safer and Healthier Communities: partner with Aboriginal people and service providers to maximise safer and healthier community outcomes.

Woodside is committed to an ongoing relationship between Woodside and the Traditional Custodian groups. Through consultation with Traditional Custodians Woodside will continue to:

- establish support for Indigenous ranger programs via social investment;
- establish support for Indigenous oil spill response capability via investigating training models;
- establish support for identification and recording of cultural values and the management of that information by Traditional Custodians;
- establish support for programs identified by the Traditional Custodians as important to them and as agreed by Woodside.

4. Support for capacity and capability in relation to governance

Pillar 3 of the Indigenous Affairs Strategy 2019 focuses on ensuring strong corporate governance, leadership development and education initiatives to support self-determination. To enable this, Woodside will support measures to increase the capability and capacity of the Traditional Custodian groups, including in relation to governance and management systems.

The nature of this support will be informed by the individual needs of Traditional Custodian groups, but may include:

- funding or other support for community meetings, particularly where consultation with representative bodies lies outside of that body's core business and cultural authority or mandate needs to be secured,
- resourcing internal expertise so that information is managed consistently and internally, including ensuring appropriate record keeping of consultation to provide stakeholders with a lasting record of discussions, and
- development or upgrade of IT systems to manage information.

Program Reporting and Review of Effectiveness

Woodside will undertake an annual review of the Program to assess its effectiveness and adapt the Program accordingly. The annual review will also include an assessment of appropriateness of the methods used to undertake ongoing consultation with Traditional Custodians. Progress of the Program will be reported annually in line with annual sustainability reporting via the Woodside website.

A commitment to the Program will be included in all new and revised Environment Plans in the format below:

Environmental Performance Outcome	Environmental Performance standards	Measurement Criteria
<p>EPO 1 Woodside will actively support Traditional Custodians' capacity for ongoing engagement and consultation on environment plans for the purpose of avoiding impacts to cultural heritage values</p>	<p>Applicable to all EPs:</p> <p>EPS 1.1 Implement a program, which is compliant with Corporate Woodside Policies Strategies and procedures, to undertake ongoing consultation with Traditional Custodians whose functions, interests and activities may be affected by the Petroleum Activities Program. The Program will include, where agreed with relevant Traditional Custodians:</p> <ul style="list-style-type: none"> • Social investment to support Indigenous ranger programs • Support for Indigenous oil spill response capabilities • Support for recording Sea Country values • Support to Traditional Custodian groups to build capabilities and capacity with respect to ability to engage with Woodside and the broader O&G industry on activities • Development of ongoing relationships with Traditional Custodian groups • Any other initiatives proposed for the purpose of protecting country including cultural values • Consideration of cultural values / new information, through the life of the EP, and the development of avoidance or mitigation strategies in collaboration with Traditional Custodians if impacts to cultural values are identified. Where avoidance is not possible, impact minimisation will be prioritised and demonstrated through a written options analysis / ALARP to ensure an acceptable level of impact. This will be document through the Woodside's Management of Change and Management of Knowledge 	<p>MC1.1 Records demonstrate discussions with relevant Traditional Custodian Groups on proposed partnerships and/or initiatives initiated by Woodside, and responses to feedback provided by Woodside within 4 weeks</p> <p>MC 1.2 Progress of the Program will be reported in line with annual sustainability reporting via the Woodside website.</p> <p>MC 1.3 Records demonstrate Change Management and Management of Knowledge processes have been followed where new controls or management measures identified</p>
	<p>EPS 1.2 Undertake an annual review of the program to determine its effectiveness and adapt the program accordingly. The annual review will also include an assessment of appropriateness of the methods used to undertake ongoing consultation with Traditional Custodians.</p>	<p>MC 1.4 Records demonstrate an annual review of the Program has been undertaken</p>

From: [Blaxill, Philip](#)
To: [Clare Lakewood](#); [Jess Border](#)
Cc: [Quan-Sing, Jeremy](#); [Rich, Jeremy](#); [O'Dwyer, Lucinda](#)
Subject: FW: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan [Allens-DMS.FID2418686]
Date: Monday, 21 August 2023 4:18:56 PM
Attachments: [image001.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[Scarborough MSS EP Rev 8 Attachment 1.pdf](#)
[Scarborough MSS EP Rev 8 Attachment 2.pdf](#)
[Scarborough MSS EP Rev 8 Attachment 3 \(1\).pdf](#)
[Scarborough MSS EP Rev 8 Attachment 4.pdf](#)
[Attachment A.pdf](#)

Dear colleagues

We refer to our client's email below.

For the avoidance of any doubt, we will be responding to your letter of 10 August 2023 shortly. In the meantime, Woodside's confirmation in [REDACTED] email of 16 August 'that no activity will take place under the seismic EP before 2pm Wednesday 23 August (Perth time)' remains in place.

Regards

Philip Blaxill
 Partner, **Allens**
 DL [+61 8 9488 3739](tel:+61894883739) M [+61 419 767 856](tel:+61419767856)



From: [REDACTED]
Sent: Monday, 21 August 2023 4:07 PM
To: 'clare.lakewood@edo.org.au' <clare.lakewood@edo.org.au>
Cc: sue.mccarrey@nopsema.gov.au; Nicola Brischetto <nicola.brischetto@nopsema.gov.au>; Raquel Carter <raquel.carter@nopsema.gov.au>; Jess Border <jessica.border@edo.org.au>; [REDACTED] <[\[REDACTED\]@woodside.com.au](mailto:[REDACTED]@woodside.com.au)>; Woodside Feedback <Feedback@woodside.com.au>
Subject: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

Dear Clare

Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

We refer to previous correspondence which references the Scarborough 4D B1 Marine Seismic Survey Environment Plan (Seismic EP), accepted by NOPSEMA on 31 July 2023, with conditions. Please see the notes below and the attachments.

With reference to Condition 6 of the conditions, we respectfully seek to consult with Ms Alec, Ms Cooper and Save Our Songlines on the Seismic EP changes and the control measures proposed to be adopted to manage potential impacts and risks of the activity to as low as reasonably practicable (ALARP) and acceptable levels. Following consultation, if relevant comments are provided, Woodside intends on submitting to NOPSEMA a report confirming the views of Ms Alec, Ms Cooper and Save Our Songlines, in accordance with Condition 6 b).

We note that Ms Alec, Ms Cooper and Save Our Songlines most recently noted that they would be available for a consultation meeting in the week commencing 4 September 2023. We remain open to consulting with them and would be grateful to obtain their available dates for that meeting in

September or sooner.

We otherwise note the following in relation to the relevant conditions regarding consultation.

Condition 1

1. Prior to commencement of the activity, the titleholders must consult with registered native title bodies corporate, representative Aboriginal / Torres Strait Islander bodies and other persons or organisations identified as a relevant person in relation to the First Nations cultural heritage in Tables 5-3 and 5-4 of the EP to confirm whether:
 - a. They are aware of any people, who in accordance with Indigenous tradition, may have spiritual and cultural connections to the environment that may be affected by the activity that have not yet been afforded the opportunity to provide information that may inform the management of the activity
 - b. There is any information they wish to provide on cultural features and/or heritage values.

We confirm that, prior to commencement of the activity, Woodside consulted Ms Alec, Ms Cooper and Save Our Songlines, requesting the above information on 3 August and 9 August 2023.

In addition to the extensive consultation opportunities afforded to Ms Alec, Ms Cooper and Save Our Songlines during the preparation of the Seismic EP, Woodside consulted with Ms Alec, Ms Cooper and Save Our Songlines after the submission of the Seismic EP on the following dates:

1. A meeting held between Woodside and Ms Alec, Ms Cooper and Save Our Songlines on 25 July 2023;
2. Correspondence exchanged following that meeting, including emails exchanged from 25 July to present.

Condition 2

2. The purpose of the consultation outlined in Condition 1 is to be communicated, and relevant persons are provided with a copy of the NOPSEMA Consultation on offshore environment plans Brochure as part of consultation.

In a number of pieces of correspondence, including those of 3 August and 9 August 2023, Woodside communicated the purpose of consultation and also provided to Ms Alec, Ms Cooper and Save Our Songlines, the NOPSEMA Consultation on offshore petroleum environment plans brochure.

Condition 3

3. The method of consultation is informed by the relevant persons being consulted.

Meetings with Ms Alec, Ms Cooper and Save Our Songlines have been informed by Ms Alec, Ms Cooper and Save Our Songlines. From recent correspondence, Ms Alec, Ms Cooper and Save Our Songlines requested at least 6 weeks time before having another meeting. Our understanding is that Ms Alec, Ms Cooper and Save Our Songlines intend to provide us with their available dates in September for a meeting on country. As described above, Woodside remains available to meet at your earliest convenience.

Condition 4

4. If at any time, as a result of compliance with Condition 1, relevant persons are identified, they must be consulted in accordance with the NOPSEMA Guideline on Consultation in the course of preparing an environment plan (GL2086).

Woodside notes that Ms Alec, Ms Cooper and Save Our Songlines have referenced Murujuga Aboriginal Corporation but have not otherwise made us aware of other persons.

Condition 5

5. At any time, prior to or during the activity, if new cultural features and/or heritage values of places within the environment that may be affected by the activity are identified that are not described in the EP, the titleholders must:
 - a. Ensure the environmental impacts and risks of the activity continue to be managed to as low as reasonably practicable and an acceptable level.
 - b. Notify NOPSEMA in writing within 7 days of these cultural and/or heritage values of places and the potential environmental impacts and risks.

Woodside has considered the topics raised by Ms Alec, Ms Cooper and Save Our Songlines at the meeting on 25 July 2023 and has proposed amendments to the Seismic EP, in accordance with Woodside's Management of Knowledge and Management of Change processes. The proposed changes to the Seismic EP are outlined in Attachment A.

Woodside has also notified NOPSEMA, in accordance with this condition, to advise of the topics raised by Ms Alec, Ms Cooper and Save Our Songlines at the meeting on 25 July 2023 and outlined the potential environmental impacts and risks to those topics.

Condition 6

6. The titleholders must submit a report to NOPSEMA no later than 14 days after the notification in Condition 5 which confirms the following:
 - a. The control measures that have been adopted to ensure that the environmental impacts and risks of the activity will be reduced to as low as reasonably practicable and an acceptable level.
 - b. The consultation undertaken with any relevant persons to develop those control measures including
 - i. The control measures that those persons considered reasonably necessary to manage impacts on the cultural features and/or heritage values in accordance with indigenous tradition; and
 - ii. The views of the relevant persons in relation to the control measures

Woodside has developed the information in the attachments in accordance with Condition 6 a). As set out above, we respectfully seek to consult with Ms Alec, Ms Cooper and Save our Songlines on the week commencing 4 September or sooner on the Seismic EP changes and the control measures proposed to be adopted to manage potential impacts and risks of the activity, on the topics raised by Ms Alec, Ms Cooper and Save Our Songlines, to ALARP and acceptable levels.

For clarity, Woodside intends on submitting to NOPSEMA a report on the views of Ms Alec, Ms Cooper and Save Our Songlines, in accordance with Condition 6 b).

Please confirm when Ms Alec, Ms Cooper and Save Our Songlines are available to consult as noted above. Woodside is ready, willing and able to meet and consult with Ms Alec, Ms Cooper and Save Our Songlines.

Kind regards



Woodside Energy
 Mia Yellagonga
 Karlak, 11 Mount Street
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 Australia

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 M: + [Redacted]
 E: [Redacted]@woodside.com
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Website: <https://www.allens.com.au> | Office locations: <https://www.allens.com.au/offices> | Partner contacts: <https://www.allens.com.au/experts>

From: [Jess Border](#)
To: [REDACTED]; [Clare Lakewood](#)
Cc: sue.mccarrey@nopsema.gov.au; [Nicola Brischetto](#); [Raquel Carter](#); [REDACTED]; [Woodside Feedback](#)
Subject: RE: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan
Date: Tuesday, 22 August 2023 2:43:08 PM
Attachments: [image001.png](#)

Dear [REDACTED]

Thank you for your email below.

We note that Ms Alec and Ms Cooper provided their September availability at the end of July, so we will need to discuss whether these dates remain feasible. We will obtain instructions and come back to you as soon as possible.

We otherwise reiterate that our clients remain willing to consult. For the avoidance of doubt, our clients' position remains that the Acceptance of 31 July 2023 is invalid and hence that any consultation would be undertaken in accordance with Woodside's obligations under reg 11A.

Our clients reserve their rights.

Kind regards

Jess

Jess Border | Solicitor | EDO

From: [REDACTED]@woodside.com>
Sent: Monday, August 21, 2023 4:08 PM
To: [Clare Lakewood <clare.lakewood@edo.org.au>](mailto:clare.lakewood@edo.org.au)
Cc: sue.mccarrey@nopsema.gov.au; [Nicola Brischetto <nicola.brischetto@nopsema.gov.au>](mailto:nicola.brischetto@nopsema.gov.au); [Raquel Carter <raquel.carter@nopsema.gov.au>](mailto:raquel.carter@nopsema.gov.au); [Jess Border <jessica.border@edo.org.au>](mailto:jessica.border@edo.org.au); [REDACTED]@woodside.com>; [Woodside Feedback <Feedback@woodside.com>](mailto:Feedback@woodside.com)
Subject: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

Dear Clare

Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

We refer to previous correspondence which references the Scarborough 4D B1 Marine Seismic Survey Environment Plan (Seismic EP), accepted by NOPSEMA on 31 July 2023, with conditions. Please see the notes below and the attachments.

With reference to Condition 6 of the conditions, we respectfully seek to consult with Ms Alec, Ms Cooper and Save Our Songlines on the Seismic EP changes and the control measures proposed to be adopted to manage potential impacts and risks of the activity to as low as reasonably practicable (ALARP) and acceptable levels. Following consultation, if relevant comments are provided, Woodside intends on submitting to NOPSEMA a report confirming the views of Ms Alec, Ms Cooper and Save Our Songlines, in accordance with Condition 6 b).

We note that Ms Alec, Ms Cooper and Save Our Songlines most recently noted that they would be available for a consultation meeting in the week commencing 4 September 2023. We remain open to consulting with them and would be grateful to obtain their available dates for that meeting in September or sooner.

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 - a. They are aware of any people, who in accordance with Indigenous tradition, may have spiritual and cultural connections to the environment that may be affected by the activity that have not yet been afforded the opportunity to provide information that may inform the management of the activity
 - b. There is any information they wish to provide on cultural features and/or heritage values.

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1. A meeting held between Woodside and Ms Alec, Ms Cooper and Save Our Songlines on 25 July 2023;
2. Correspondence exchanged following that meeting, including emails exchanged from 25 July to present.

Condition 2

2. The purpose of the consultation outlined in Condition 1 is to be communicated, and relevant persons are provided with a copy of the NOPSEMA Consultation on offshore environment plans Brochure as part of consultation.

In a number of pieces of correspondence, including those of 3 August and 9 August 2023, Woodside communicated the purpose of consultation and also provided to Ms Alec, Ms Cooper and Save Our Songlines, the NOPSEMA Consultation on offshore petroleum environment plans brochure.

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Condition 4

4. If at any time, as a result of compliance with Condition 1, relevant persons are identified, they must be consulted in accordance with the NOPSEMA Guideline on Consultation in the course of preparing an environment plan (GL2086).

Woodside notes that Ms Alec, Ms Cooper and Save Our Songlines have referenced Murujuga Aboriginal Corporation but have not otherwise made us aware of other persons.

Condition 5

5. At any time, prior to or during the activity, if new cultural features and/or heritage values of places within the environment that may be affected by the activity are identified that are not described in the EP, the titleholders must:

- a. Ensure the environmental impacts and risks of the activity continue to be managed to as low as reasonably practicable and an acceptable level.
- b. Notify NOPSEMA in writing within 7 days of these cultural and/or heritage values of places and the potential environmental impacts and risks.

Woodside has considered the topics raised by Ms Alec, Ms Cooper and Save Our Songlines at the meeting on 25 July 2023 and has proposed amendments to the Seismic EP, in accordance with Woodside's Management of Knowledge and Management of Change processes. The proposed changes to the Seismic EP are outlined in Attachment A.

Woodside has also notified NOPSEMA, in accordance with this condition, to advise of the topics raised by Ms Alec, Ms Cooper and Save Our Songlines at the meeting on 25 July 2023 and outlined the potential environmental impacts and risks to those topics.

Condition 6

6. The titleholders must submit a report to NOPSEMA no later than 14 days after the notification in Condition 5 which confirms the following:

- a. The control measures that have been adopted to ensure that the environmental impacts and risks of the activity will be reduced to as low as reasonably practicable and an acceptable level.
- b. The consultation undertaken with any relevant persons to develop those control measures including
 - i. The control measures that those persons considered reasonably necessary to manage impacts on the cultural features and/or heritage values in accordance with indigenous tradition; and
 - ii. The views of the relevant persons in relation to the control measures

Woodside has developed the information in the attachments in accordance with Condition 6 a). As set out above, we respectfully seek to consult with Ms Alec, Ms Cooper and Save our Songlines on the week commencing 4 September or sooner on the Seismic EP changes and the control measures proposed to be adopted to manage potential impacts and risks of the activity, on the topics raised by Ms Alec, Ms Cooper and Save Our Songlines, to ALARP and acceptable levels.

For clarity, Woodside intends on submitting to NOPSEMA a report on the views of Ms Alec, Ms Cooper and Save Our Songlines, in accordance with Condition 6 b).

Please confirm when Ms Alec, Ms Cooper and Save Our Songlines are available to consult as noted above. Woodside is ready, willing and able to meet and consult with Ms Alec, Ms Cooper and Save Our Songlines.

Kind regards

[Redacted signature]



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount Street
Perth WA 6000
Australia

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M: [Redacted]
E: [Redacted]@woodside.com
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f t in v @

From: [Jess Border](#)
To: [REDACTED]; [Clare Lakewood](#)
Cc: sue.mccarrey@nopsema.gov.au; [Nicola Brischetto](#); [Raquel Carter](#); [REDACTED]; [Woodside Feedback](#)
Subject: RE: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan
Date: Friday, 25 August 2023 1:03:31 PM
Attachments: [image001.png](#)

Dear [REDACTED]

I write further to my email below.

Our clients will be interstate in the week starting 4 September 2023.

Our clients' preference is that further consultation be held in Karratha, on Country, on day(s) between and including 19 – 21 September 2023. The reason for this is that Ms Alec will already be in Karratha this week for sorry business. Our clients are generally available to meet in Karratha on day(s) between and including 11 – 13 September, if Woodside is willing to pay for Ms Alec's return airfare from Perth. Please let me know Woodside's position.

Kind regards

Jess

Jess Border | Solicitor | EDO

From: Jess Border <jessica.border@edo.org.au>
Sent: Tuesday, August 22, 2023 2:43 PM
To: [REDACTED]@woodside.com>; [Clare Lakewood <clare.lakewood@edo.org.au>](mailto:clare.lakewood@edo.org.au)
Cc: sue.mccarrey@nopsema.gov.au; [Nicola Brischetto <nicola.brischetto@nopsema.gov.au>](mailto:nicola.brischetto@nopsema.gov.au); [Raquel Carter <raquel.carter@nopsema.gov.au>](mailto:raquel.carter@nopsema.gov.au); [REDACTED]@woodside.com>; [Woodside Feedback <Feedback@woodside.com>](mailto:Feedback@woodside.com)
Subject: RE: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

Dear [REDACTED]

Thank you for your email below.

We note that Ms Alec and Ms Cooper provided their September availability at the end of July, so we will need to discuss whether these dates remain feasible. We will obtain instructions and come back to you as soon as possible.

We otherwise reiterate that our clients remain willing to consult. For the avoidance of doubt, our clients' position remains that the Acceptance of 31 July 2023 is invalid and hence that any consultation would be undertaken in accordance with Woodside's obligations under reg 11A.

Our clients reserve their rights.

Kind regards

Jess

Jess Border | Solicitor | EDO

From: [REDACTED]@woodside.com>
Sent: Monday, August 21, 2023 4:08 PM
To: [Clare Lakewood <clare.lakewood@edo.org.au>](mailto:clare.lakewood@edo.org.au)
Cc: sue.mccarrey@nopsema.gov.au; [Nicola Brischetto <nicola.brischetto@nopsema.gov.au>](mailto:nicola.brischetto@nopsema.gov.au); [Raquel](#)

Carter <raquel.carter@nopsema.gov.au>; Jess Border <jessica.border@edo.org.au>; Robinson, [REDACTED]
[REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>; Woodside Feedback <Feedback@woodside.com>

Subject: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

Dear Clare

Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

We refer to previous correspondence which references the Scarborough 4D B1 Marine Seismic Survey Environment Plan (Seismic EP), accepted by NOPSEMA on 31 July 2023, with conditions. Please see the notes below and the attachments.

With reference to Condition 6 of the conditions, we respectfully seek to consult with Ms Alec, Ms Cooper and Save Our Songlines on the Seismic EP changes and the control measures proposed to be adopted to manage potential impacts and risks of the activity to as low as reasonably practicable (ALARP) and acceptable levels. Following consultation, if relevant comments are provided, Woodside intends on submitting to NOPSEMA a report confirming the views of Ms Alec, Ms Cooper and Save Our Songlines, in accordance with Condition 6 b).

We note that Ms Alec, Ms Cooper and Save Our Songlines most recently noted that they would be available for a consultation meeting in the week commencing 4 September 2023. We remain open to consulting with them and would be grateful to obtain their available dates for that meeting in September or sooner.

We otherwise note the following in relation to the relevant conditions regarding consultation.

Condition 1

1. Prior to commencement of the activity, the titleholders must consult with registered native title bodies corporate, representative Aboriginal / Torres Strait Islander bodies and other persons or organisations identified as a relevant person in relation to the First Nations cultural heritage in Tables 5-3 and 5-4 of the EP to confirm whether:
 - a. They are aware of any people, who in accordance with Indigenous tradition, may have spiritual and cultural connections to the environment that may be affected by the activity that have not yet been afforded the opportunity to provide information that may inform the management of the activity
 - b. There is any information they wish to provide on cultural features and/or heritage values.

We confirm that, prior to commencement of the activity, Woodside consulted Ms Alec, Ms Cooper and Save Our Songlines, requesting the above information on 3 August and 9 August 2023.

In addition to the extensive consultation opportunities afforded to Ms Alec, Ms Cooper and Save Our Songlines during the preparation of the Seismic EP, Woodside consulted with Ms Alec, Ms Cooper and Save Our Songlines after the submission of the Seismic EP on the following dates:

1. A meeting held between Woodside and Ms Alec, Ms Cooper and Save Our Songlines on 25 July 2023;
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Condition 2

2. The purpose of the consultation outlined in Condition 1 is to be communicated, and relevant persons are provided with a copy of the NOPSEMA Consultation on offshore environment plans Brochure as part of consultation.

In a number of pieces of correspondence, including those of 3 August and 9 August 2023, Woodside communicated the purpose of consultation and also provided to Ms Alec, Ms Cooper and Save Our Songlines, the NOPSEMA Consultation on offshore petroleum environment plans brochure.

Condition 3

3. The method of consultation is informed by the relevant persons being consulted.

Meetings with Ms Alec, Ms Cooper and Save Our Songlines have been informed by Ms Alec, Ms Cooper and Save Our Songlines. From recent correspondence, Ms Alec, Ms Cooper and Save Our Songlines requested at least 6 weeks time before having another meeting. Our understanding is that Ms Alec, Ms Cooper and Save Our Songlines intend to provide us with their available dates in September for a meeting on country. As described above, Woodside remains available to meet at your earliest convenience.

Condition 4

4. If at any time, as a result of compliance with Condition 1, relevant persons are identified, they must be consulted in accordance with the NOPSEMA Guideline on Consultation in the course of preparing an environment plan (GL2086).

Woodside notes that Ms Alec, Ms Cooper and Save Our Songlines have referenced Murujuga Aboriginal Corporation but have not otherwise made us aware of other persons.

Condition 5

5. At any time, prior to or during the activity, if new cultural features and/or heritage values of places within the environment that may be affected by the activity are identified that are not described in the EP, the titleholders must:
 - a. Ensure the environmental impacts and risks of the activity continue to be managed to as low as reasonably practicable and an acceptable level.
 - b. Notify NOPSEMA in writing within 7 days of these cultural and/or heritage values of places and the potential environmental impacts and risks.

Woodside has considered the topics raised by Ms Alec, Ms Cooper and Save Our Songlines at the meeting on 25 July 2023 and has proposed amendments to the Seismic EP, in accordance with Woodside's Management of Knowledge and Management of Change processes. The proposed changes to the Seismic EP are outlined in Attachment A.

Woodside has also notified NOPSEMA, in accordance with this condition, to advise of the topics raised by Ms Alec, Ms Cooper and Save Our Songlines at the meeting on 25 July 2023 and outlined the potential environmental impacts and risks to those topics.

Condition 6

6. The titleholders must submit a report to NOPSEMA no later than 14 days after the notification in Condition 5 which confirms the following:
 - a. The control measures that have been adopted to ensure that the environmental impacts and risks of the activity will be reduced to as low as reasonably practicable and an acceptable level.
 - b. The consultation undertaken with any relevant persons to develop those control measures including
 - i. The control measures that those persons considered reasonably necessary to manage impacts on the cultural features and/or heritage values in accordance with indigenous tradition; and

ii. The views of the relevant persons in relation to the control measures

Woodside has developed the information in the attachments in accordance with Condition 6 a). As set out above, we respectfully seek to consult with Ms Alec, Ms Cooper and Save our Songlines on the week commencing 4 September or sooner on the Seismic EP changes and the control measures proposed to be adopted to manage potential impacts and risks of the activity, on the topics raised by Ms Alec, Ms Cooper and Save Our Songlines, to ALARP and acceptable levels.

For clarity, Woodside intends on submitting to NOPSEMA a report on the views of Ms Alec, Ms Cooper and Save Our Songlines, in accordance with Condition 6 b).

—————

Please confirm when Ms Alec, Ms Cooper and Save Our Songlines are available to consult as noted above. Woodside is ready, willing and able to meet and consult with Ms Alec, Ms Cooper and Save Our Songlines.

Kind regards

[Redacted signature]



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount Street
Perth WA 6000
Australia

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M: + [Redacted]
E: [Redacted]@woodside.com
www.woodside.com
f t in v i

From: [REDACTED]
To: [Jess Border](#); [Clare Lakewood](#)
Cc: sue.mccarrey@nopsema.gov.au; [Nicola Brischetto](#); [Raquel Carter](#); [REDACTED]; [Woodside Feedback](#)
Subject: RE: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan
Date: Friday, 25 August 2023 1:43:32 PM
Attachments: [image001.png](#)

Dear Jess

Thanks for the clarification. I'll take this to the business and we will revert.

Kind regards



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount Street
Perth WA 6000
Australia

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M:+ [REDACTED]
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From: Jess Border <jessica.border@edo.org.au>
Sent: Friday, 25 August 2023 1:33 PM
To: [REDACTED]@woodside.com.au; [Clare Lakewood <clare.lakewood@edo.org.au>](mailto:clare.lakewood@edo.org.au)
Cc: sue.mccarrey@nopsema.gov.au; [Nicola Brischetto <nicola.brischetto@nopsema.gov.au>](mailto:nicola.brischetto@nopsema.gov.au); [Raquel Carter <raquel.carter@nopsema.gov.au>](mailto:raquel.carter@nopsema.gov.au); [REDACTED]
[REDACTED]@woodside.com.au; [Woodside Feedback <Feedback@woodside.com.au>](mailto:Feedback@woodside.com.au)
Subject: RE: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

Dear [REDACTED]

That's correct.

Kind regards

Jess

Jess Border | Solicitor | EDO

From: [REDACTED]@woodside.com>
Sent: Friday, August 25, 2023 1:17 PM
To: Jess Border <jessica.border@edo.org.au>; [Clare Lakewood <clare.lakewood@edo.org.au>](mailto:clare.lakewood@edo.org.au)
Cc: sue.mccarrey@nopsema.gov.au; [Nicola Brischetto <nicola.brischetto@nopsema.gov.au>](mailto:nicola.brischetto@nopsema.gov.au); [Raquel Carter <raquel.carter@nopsema.gov.au>](mailto:raquel.carter@nopsema.gov.au); [REDACTED]@woodside.com>; [Woodside Feedback <Feedback@woodside.com>](mailto:Feedback@woodside.com)
Subject: RE: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

Dear Jess

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- on country in Karratha between 19-21 September
- on country in Karratha between 11-13 September as long as Woodside pays for Ms Alec's return airfare Perth – Karratha - Perth

Kind regards



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Sent: Friday, 25 August 2023 1:03 PM
To: [REDACTED]@woodside.com.au; Clare Lakewood <clare.lakewood@edo.org.au>
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Subject: RE: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

Dear [REDACTED]

I write further to my email below.

Our clients will be interstate in the week starting 4 September 2023.

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Please let me know Woodside's position.

Kind regards

Jess

Jess Border | Solicitor | EDO

From: Jess Border <jessica.border@edo.org.au>
Sent: Tuesday, August 22, 2023 2:43 PM
To: [REDACTED]@woodside.com.au; Clare Lakewood <clare.lakewood@edo.org.au>
Cc: sue.mccarrey@nopsema.gov.au; Nicola Brischetto <nicola.brischetto@nopsema.gov.au>; Raquel Carter <raquel.carter@nopsema.gov.au>; [REDACTED]@woodside.com.au;
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Subject: RE: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

Dear [REDACTED]

Thank you for your email below.

We note that Ms Alec and Ms Cooper provided their September availability at the end of July, so we will need to discuss whether these dates remain feasible. We will obtain instructions and come back to you as soon as possible.

We otherwise reiterate that our clients remain willing to consult. For the avoidance of doubt, our clients' position remains that the Acceptance of 31 July 2023 is invalid and hence that any consultation would be undertaken in accordance with Woodside's obligations under reg 11A.

Our clients reserve their rights.

Kind regards

Jess

Jess Border | Solicitor | EDO

From: [REDACTED] <[REDACTED]@woodside.com>
Sent: Monday, August 21, 2023 4:08 PM
To: Clare Lakewood <clare.lakewood@edo.org.au>
Cc: sue.mccarrey@nopsema.gov.au; Nicola Brischetto <nicola.brischetto@nopsema.gov.au>; Raquel Carter <raquel.carter@nopsema.gov.au>; Jess Border <jessica.border@edo.org.au>; [REDACTED] <[REDACTED]@woodside.com>; Woodside Feedback <Feedback@woodside.com>
Subject: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

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Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

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For clarity, Woodside intends on submitting to NOPSEMA a report on the views of Ms Alec, Ms Cooper and Save Our Songlines, in accordance with Condition 6 b).

Please confirm when Ms Alec, Ms Cooper and Save Our Songlines are available to consult as noted above. Woodside is ready, willing and able to meet and consult with Ms Alec, Ms Cooper and Save Our Songlines.

Kind regards

[Redacted signature]



Woodside Energy
Mia Yellagonga
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From: [REDACTED]
To: [Jess Border](#); [Clare Lakewood](#)
Cc: sue.mccarrey@nopsema.gov.au; [Nicola Brischetto](#); [Raquel Carter](#); [REDACTED]; [Woodside Feedback](#)
Subject: RE: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan
Date: Tuesday, 29 August 2023 3:48:01 PM
Attachments: [image001.png](#)

Dear Jess

Thanks for your email.

We confirm that our team is available and willing to meet on country. We are proposing that this occur on **Tuesday 12 and Wednesday 13 September 2023**.

As you will appreciate, Woodside remains of the view that it has satisfied consultation requirements under Regulation 11A of the OPGGS (E) Regulations and that consultation is continuing in accordance with conditions 5 and 6 of the acceptance conditions of the Seismic EP. We respectfully acknowledge that your clients hold a different view. However as you will understand, the agreement to meet and the meeting is on a no-admission basis in relation to the issue of whether or not Woodside has satisfied its consultation requirements.

Please confirm these dates are suitable and, as per your email below, we will make arrangements for a return airfare for Ms Alec.

As per previous correspondence, Ms Alec, Ms Cooper and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via the Environment Defenders Office. Hence our respectful request once more that the following be communicated to Ms Alec, Ms Cooper and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

Consultation meeting on country

We are pleased to arrange another meeting with you on Country. The purpose is to engage in ongoing consultation with you in relation to Woodside’s Environment Plans.

This agreement to meet and also ongoing consultation is on a no-admission basis. As you will appreciate, Woodside remains of the view that it has satisfied consultation requirements under Regulation 11A of the OPGGS (E) Regulations and that consultation is continuing in accordance with conditions 5 and 6 of the acceptance conditions of the Seismic EP. We respectfully acknowledge that you hold a different view.

To manage availability and so that there is ample time for you to ask questions, share your knowledge and information and to be heard; as well as time for us to listen, share information and engage in a two-way dialogue with you, we propose a 2-day on-country workshop.

We propose that the workshop would run from **Tuesday 12 September to Wednesday 13 September 2023**.

From our perspective a key objective of the meeting will be for Woodside to receive any information that you wish to share on cultural features and heritage values.

As per prior consultation we are proceeding on the basis that the agreed protocols continue to apply.

Please confirm your availability for a 2-day workshop on 12 and 13 September 2023. Once we have that confirmation, we can make arrangements to pay for Josie's return travel Perth-Karratha-Perth (as per EDO's email below) and can circulate an agenda.

We note that from previous communications, we were expecting that you would provide us with a video, taken on Murujuga. We are keen to receive this as soon as practicable.

We look forward to hearing further from you.

Best regards
Woodside

Kind regards



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Australia

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From: Jess Border <jessica.border@edo.org.au>
Sent: Friday, 25 August 2023 1:33 PM
To: [REDACTED]@woodside.com.au; Clare Lakewood <clare.lakewood@edo.org.au>
Cc: sue.mccarrey@nopsema.gov.au; Nicola Brischetto <nicola.brischetto@nopsema.gov.au>; Raquel Carter <raquel.carter@nopsema.gov.au>; [REDACTED]
[REDACTED]@woodside.com.au; Woodside Feedback <Feedback@woodside.com.au>
Subject: RE: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

Dear [REDACTED]

That's correct.

Kind regards

Jess

Jess Border | Solicitor | EDO

From: [REDACTED]@woodside.com>
Sent: Friday, August 25, 2023 1:17 PM
To: Jess Border <jessica.border@edo.org.au>; Clare Lakewood <clare.lakewood@edo.org.au>
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Dear [REDACTED]

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Please let me know Woodside's position.

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Sent: Tuesday, August 22, 2023 2:43 PM

To: [REDACTED] <[REDACTED]@woodside.com>; Clare Lakewood <clare.lakewood@edo.org.au>
Cc: sue.mccarrey@nopsema.gov.au; Nicola Brischetto <nicola.brischetto@nopsema.gov.au>; Raquel Carter <raquel.carter@nopsema.gov.au>; [REDACTED] <[REDACTED]@woodside.com>; Woodside Feedback <Feedback@woodside.com>
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Sent: Monday, August 21, 2023 4:08 PM
To: Clare Lakewood <clare.lakewood@edo.org.au>
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 - a. Ensure the environmental impacts and risks of the activity continue to be managed to as low as reasonably practicable and an acceptable level.
 - b. Notify NOPSEMA in writing within 7 days of these cultural and/or heritage values of places and the potential environmental impacts and risks.

Woodside has considered the topics raised by Ms Alec, Ms Cooper and Save Our Songlines at the meeting on 25 July 2023 and has proposed amendments to the Seismic EP, in accordance with Woodside's Management of Knowledge and Management of Change processes. The proposed changes to the Seismic EP are outlined in Attachment A.

Woodside has also notified NOPSEMA, in accordance with this condition, to advise of the topics raised by Ms Alec, Ms Cooper and Save Our Songlines at the meeting on 25 July 2023 and outlined the potential environmental impacts and risks to those topics.

Condition 6

6. The titleholders must submit a report to NOPSEMA no later than 14 days after the notification in Condition 5 which confirms the following:
 - a. The control measures that have been adopted to ensure that the environmental impacts and risks of the activity will be reduced to as low as reasonably practicable and an acceptable level.
 - b. The consultation undertaken with any relevant persons to develop those control measures including
 - i. The control measures that those persons considered reasonably necessary to manage impacts on the cultural features and/or heritage values in accordance with indigenous tradition; and
 - ii. The views of the relevant persons in relation to the control measures

Woodside has developed the information in the attachments in accordance with Condition 6 a). As set out above, we respectfully seek to consult with Ms Alec, Ms Cooper and Save our Songlines on the week commencing 4 September or sooner on the Seismic EP changes and the control measures proposed to be adopted to manage potential impacts and risks of the activity, on the topics raised by Ms Alec, Ms Cooper and Save Our Songlines, to ALARP and acceptable levels.

For clarity, Woodside intends on submitting to NOPSEMA a report on the views of Ms Alec, Ms Cooper and Save Our Songlines, in accordance with Condition 6 b).

Please confirm when Ms Alec, Ms Cooper and Save Our Songlines are available to consult as noted above. Woodside is ready, willing and able to meet and consult with Ms Alec, Ms Cooper and Save Our Songlines.

Kind regards





Woodside Energy
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From: [Jess Border](#)
To: [REDACTED]; [Clare Lakewood](#)
Cc: sue.mccarrey@nopsema.gov.au; [Nicola Brischetto](#); [Raquel Carter](#); [REDACTED]; [Woodside Feedback](#)
Subject: RE: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan
Date: Wednesday, 30 August 2023 2:22:00 PM
Attachments: [image001.png](#)

Dear [REDACTED]

Thank you for your email.

We are seeking instructions and will revert as soon as possible.

Kind regards

Jess

Jess Border | Solicitor | EDO

From: [REDACTED]@woodside.com>
Sent: Tuesday, August 29, 2023 3:48 PM
To: Jess Border <jessica.border@edo.org.au>; Clare Lakewood <clare.lakewood@edo.org.au>
Cc: sue.mccarrey@nopsema.gov.au; Nicola Brischetto <nicola.brischetto@nopsema.gov.au>; Raquel Carter <raquel.carter@nopsema.gov.au>; [REDACTED]@woodside.com>; Woodside Feedback <Feedback@woodside.com>
Subject: RE: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

Dear Jess

Thanks for your email.

We confirm that our team is available and willing to meet on country. We are proposing that this occur on **Tuesday 12 and Wednesday 13 September 2023**.

As you will appreciate, Woodside remains of the view that it has satisfied consultation requirements under Regulation 11A of the OPGGS (E) Regulations and that consultation is continuing in accordance with conditions 5 and 6 of the acceptance conditions of the Seismic EP. We respectfully acknowledge that your clients hold a different view. However as you will understand, the agreement to meet and the meeting is on a no-admission basis in relation to the issue of whether or not Woodside has satisfied its consultation requirements.

Please confirm these dates are suitable and, as per your email below, we will make arrangements for a return airfare for Ms Alec.

As per previous correspondence, Ms Alec, Ms Cooper and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via the Environment Defenders Office. Hence our respectful request once more that the following be communicated to Ms Alec, Ms Cooper and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

Consultation meeting on country

We are pleased to arrange another meeting with you on Country. The purpose is to engage in ongoing consultation with you in relation to Woodside's Environment Plans.

This agreement to meet and also ongoing consultation is on a no-admission basis. As you will appreciate, Woodside remains of the view that it has satisfied consultation requirements under Regulation 11A of the OPGGS (E) Regulations and that consultation is continuing in accordance with conditions 5 and 6 of the acceptance conditions of the Seismic EP. We respectfully acknowledge that you hold a different view.

To manage availability and so that there is ample time for you to ask questions, share your knowledge and information and to be heard; as well as time for us to listen, share information and engage in a two-way dialogue with you, we propose a 2-day on-country workshop.

We propose that the workshop would run from **Tuesday 12 September** to **Wednesday 13 September 2023**.

From our perspective a key objective of the meeting will be for Woodside to receive any information that you wish to share on cultural features and heritage values.

As per prior consultation we are proceeding on the basis that the agreed protocols continue to apply.

Please confirm your availability for a 2-day workshop on 12 and 13 September 2023. Once we have that confirmation, we can make arrangements to pay for Josie's return travel Perth-Karratha-Perth (as per EDO's email below) and can circulate an agenda.

We note that from previous communications, we were expecting that you would provide us with a video, taken on Murujuga. We are keen to receive this as soon as practicable.

We look forward to hearing further from you.

Best regards
Woodside

Kind regards



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From: Jess Border <jessica.border@edo.org.au>

Sent: Friday, 25 August 2023 1:33 PM

To: [REDACTED] <[\[REDACTED\]@woodside.com.au](mailto:[REDACTED]@woodside.com.au)>; Clare Lakewood <clare.lakewood@edo.org.au>

Cc: sue.mccarrey@nopsema.gov.au; Nicola Brischetto <nicola.brischetto@nopsema.gov.au>; Raquel Carter <raquel.carter@nopsema.gov.au>; [REDACTED]

[REDACTED] <[\[REDACTED\]@woodside.com.au](mailto:[REDACTED]@woodside.com.au)>; Woodside Feedback <Feedback@woodside.com.au>

Subject: RE: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

Dear [REDACTED]

That's correct.

Kind regards

Jess

Jess Border | Solicitor | EDO

From: [REDACTED] <[REDACTED]@woodside.com>

Sent: Friday, August 25, 2023 1:17 PM

To: Jess Border <jessica.border@edo.org.au>; Clare Lakewood <clare.lakewood@edo.org.au>

Cc: sue.mccarrey@nopsema.gov.au; Nicola Brischetto <nicola.brischetto@nopsema.gov.au>; Raquel Carter <raquel.carter@nopsema.gov.au>; [REDACTED] <[REDACTED]@woodside.com>; Woodside Feedback <Feedback@woodside.com>

Subject: RE: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

Subject: RE: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

Dear Jess

Thanks for your email below.

So that I can seek dates from the business, may I please seek clarification.

Are we correct in understanding that Ms Alec, Ms Cooper and SOS are available to meet:

- on country in Karratha between 19-21 September
- on country in Karratha between 11-13 September as long as Woodside pays for Ms Alec's return airfare Perth – Karratha - Perth

Kind regards

[REDACTED]



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M: [REDACTED]
E: [REDACTED]@woodside.com
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From: Jess Border <jessica.border@edo.org.au>

Sent: Friday, 25 August 2023 1:03 PM

To: [REDACTED] <[REDACTED]@woodside.com.au>; Clare Lakewood <clare.lakewood@edo.org.au>

Cc: sue.mccarrey@nopsema.gov.au; Nicola Brischetto <nicola.brischetto@nopsema.gov.au>; Raquel Carter <raquel.carter@nopsema.gov.au>; [REDACTED] <[REDACTED]@woodside.com.au>; Woodside Feedback <Feedback@woodside.com.au>

Subject: RE: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

Subject: RE: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

Dear [REDACTED]

I write further to my email below.

Our clients will be interstate in the week starting 4 September 2023.

Our clients' preference is that further consultation be held in Karratha, on Country, on day(s) between and including 19 – 21 September 2023. The reason for this is that Ms Alec will already be in Karratha this week for sorry business. Our clients are generally available to meet in Karratha on day(s) between and including 11 – 13 September, if Woodside is willing to pay for Ms Alec's return airfare from Perth.

Please let me know Woodside's position.

Kind regards

Jess

Jess Border | Solicitor | EDO

From: Jess Border <jessica.border@edo.org.au>
Sent: Tuesday, August 22, 2023 2:43 PM
To: [REDACTED] <[REDACTED]@woodside.com>; Clare Lakewood <clare.lakewood@edo.org.au>
Cc: sue.mccarrey@nopsema.gov.au; Nicola Brischetto <nicola.brischetto@nopsema.gov.au>; Raquel Carter <raquel.carter@nopsema.gov.au>; [REDACTED] <[REDACTED]@woodside.com>; Woodside Feedback <Feedback@woodside.com>
Subject: RE: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

Dear [REDACTED]

Thank you for your email below.

We note that Ms Alec and Ms Cooper provided their September availability at the end of July, so we will need to discuss whether these dates remain feasible. We will obtain instructions and come back to you as soon as possible.

We otherwise reiterate that our clients remain willing to consult. For the avoidance of doubt, our clients' position remains that the Acceptance of 31 July 2023 is invalid and hence that any consultation would be undertaken in accordance with Woodside's obligations under reg 11A.

Our clients reserve their rights.

Kind regards

Jess

Jess Border | Solicitor | EDO

From: [REDACTED] <[REDACTED]@woodside.com>
Sent: Monday, August 21, 2023 4:08 PM
To: Clare Lakewood <clare.lakewood@edo.org.au>
Cc: sue.mccarrey@nopsema.gov.au; Nicola Brischetto <nicola.brischetto@nopsema.gov.au>; Raquel Carter <raquel.carter@nopsema.gov.au>; Jess Border <jessica.border@edo.org.au>; [REDACTED] <[REDACTED]@woodside.com>; Woodside Feedback <Feedback@woodside.com>

Subject: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

Dear Clare

Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

We refer to previous correspondence which references the Scarborough 4D B1 Marine Seismic Survey Environment Plan (Seismic EP), accepted by NOPSEMA on 31 July 2023, with conditions. Please see the notes below and the attachments.

With reference to Condition 6 of the conditions, we respectfully seek to consult with Ms Alec, Ms Cooper and Save Our Songlines on the Seismic EP changes and the control measures proposed to be adopted to manage potential impacts and risks of the activity to as low as reasonably practicable (ALARP) and acceptable levels. Following consultation, if relevant comments are provided, Woodside intends on submitting to NOPSEMA a report confirming the views of Ms Alec, Ms Cooper and Save Our Songlines, in accordance with Condition 6 b).

We note that Ms Alec, Ms Cooper and Save Our Songlines most recently noted that they would be available for a consultation meeting in the week commencing 4 September 2023. We remain open to consulting with them and would be grateful to obtain their available dates for that meeting in September or sooner.

We otherwise note the following in relation to the relevant conditions regarding consultation.

Condition 1

1. Prior to commencement of the activity, the titleholders must consult with registered native title bodies corporate, representative Aboriginal / Torres Strait Islander bodies and other persons or organisations identified as a relevant person in relation to the First Nations cultural heritage in Tables 5-3 and 5-4 of the EP to confirm whether:
 - a. They are aware of any people, who in accordance with Indigenous tradition, may have spiritual and cultural connections to the environment that may be affected by the activity that have not yet been afforded the opportunity to provide information that may inform the management of the activity
 - b. There is any information they wish to provide on cultural features and/or heritage values.

We confirm that, prior to commencement of the activity, Woodside consulted Ms Alec, Ms Cooper and Save Our Songlines, requesting the above information on 3 August and 9 August 2023.

In addition to the extensive consultation opportunities afforded to Ms Alec, Ms Cooper and Save Our Songlines during the preparation of the Seismic EP, Woodside consulted with Ms Alec, Ms Cooper and Save Our Songlines after the submission of the Seismic EP on the following dates:

1. A meeting held between Woodside and Ms Alec, Ms Cooper and Save Our Songlines on 25 July 2023;
2. Correspondence exchanged following that meeting, including emails exchanged from 25 July to present.

Condition 2

2. The purpose of the consultation outlined in Condition 1 is to be communicated, and relevant persons are provided with a copy of the NOPSEMA Consultation on offshore environment plans Brochure as part of consultation.

In a number of pieces of correspondence, including those of 3 August and 9 August 2023, Woodside

communicated the purpose of consultation and also provided to Ms Alec, Ms Cooper and Save Our Songlines, the NOPSEMA Consultation on offshore petroleum environment plans brochure.

Condition 3

3. The method of consultation is informed by the relevant persons being consulted.

Meetings with Ms Alec, Ms Cooper and Save Our Songlines have been informed by Ms Alec, Ms Cooper and Save Our Songlines. From recent correspondence, Ms Alec, Ms Cooper and Save Our Songlines requested at least 6 weeks time before having another meeting. Our understanding is that Ms Alec, Ms Cooper and Save Our Songlines intend to provide us with their available dates in September for a meeting on country. As described above, Woodside remains available to meet at your earliest convenience.

Condition 4

4. If at any time, as a result of compliance with Condition 1, relevant persons are identified, they must be consulted in accordance with the NOPSEMA Guideline on Consultation in the course of preparing an environment plan (GL2086).

Woodside notes that Ms Alec, Ms Cooper and Save Our Songlines have referenced Murujuga Aboriginal Corporation but have not otherwise made us aware of other persons.

Condition 5

5. At any time, prior to or during the activity, if new cultural features and/or heritage values of places within the environment that may be affected by the activity are identified that are not described in the EP, the titleholders must:
 - a. Ensure the environmental impacts and risks of the activity continue to be managed to as low as reasonably practicable and an acceptable level.
 - b. Notify NOPSEMA in writing within 7 days of these cultural and/or heritage values of places and the potential environmental impacts and risks.

Woodside has considered the topics raised by Ms Alec, Ms Cooper and Save Our Songlines at the meeting on 25 July 2023 and has proposed amendments to the Seismic EP, in accordance with Woodside's Management of Knowledge and Management of Change processes. The proposed changes to the Seismic EP are outlined in Attachment A.

Woodside has also notified NOPSEMA, in accordance with this condition, to advise of the topics raised by Ms Alec, Ms Cooper and Save Our Songlines at the meeting on 25 July 2023 and outlined the potential environmental impacts and risks to those topics.

Condition 6

6. The titleholders must submit a report to NOPSEMA no later than 14 days after the notification in Condition 5 which confirms the following:
 - a. The control measures that have been adopted to ensure that the environmental impacts and risks of the activity will be reduced to as low as reasonably practicable and an acceptable level.
 - b. The consultation undertaken with any relevant persons to develop those control measures including
 - i. The control measures that those persons considered reasonably necessary to manage impacts on the cultural features and/or heritage values in accordance with indigenous tradition; and
 - ii. The views of the relevant persons in relation to the control measures

Woodside has developed the information in the attachments in accordance with Condition 6 a). As set out above, we respectfully seek to consult with Ms Alec, Ms Cooper and Save our Songlines on the week commencing 4 September or sooner on the Seismic EP changes and the control measures proposed to be adopted to manage potential impacts and risks of the activity, on the topics raised by Ms Alec, Ms Cooper and Save Our Songlines, to ALARP and acceptable levels.

For clarity, Woodside intends on submitting to NOPSEMA a report on the views of Ms Alec, Ms Cooper and Save Our Songlines, in accordance with Condition 6 b).

Please confirm when Ms Alec, Ms Cooper and Save Our Songlines are available to consult as noted above. Woodside is ready, willing and able to meet and consult with Ms Alec, Ms Cooper and Save Our Songlines.

Kind regards

[Redacted signature]



Woodside Energy
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Karlak, 11 Mount Street
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Australia

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From: [REDACTED]
To: [Jess Border](#); [Clare Lakewood](#)
Cc: sue.mccarrey@nopsema.gov.au; [Nicola Brischetto](#); [Raquel Carter](#); [REDACTED]; [Woodside Feedback](#)
Subject: RE: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan
Date: Friday, 1 September 2023 12:28:24 PM
Attachments: [image001.png](#)

Dear Jess

Thanks for your email.

I am following up on my email below regarding scheduling time to meet to facilitate ongoing consultation with Ms Alec, Ms Cooper and Save Our Songlines in relation to Woodside Environment Plans.

We would be grateful for confirmation on whether Ms Alec, Ms Cooper and Save Our Songlines are available to meet on 12 and 13 September 2023, for a 2-day on-Country workshop. We are keen to arrange flights and other logistics as soon as possible.

We look forward to hearing from you.

Kind regards



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From: Jess Border <jessica.border@edo.org.au>
Sent: Wednesday, 30 August 2023 2:22 PM
To: [REDACTED]@woodside.com>; Clare Lakewood <clare.lakewood@edo.org.au>
Cc: sue.mccarrey@nopsema.gov.au; [Nicola Brischetto <nicola.brischetto@nopsema.gov.au>](mailto:nicola.brischetto@nopsema.gov.au); [Woodside Feedback <Feedback@woodside.com.au>](mailto:Raquel Carter <raquel.carter@nopsema.gov.au>; [REDACTED]
[REDACTED]@woodside.com.au>; <a href=)
Subject: RE: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

Dear [REDACTED]

Thank you for your email.

We are seeking instructions and will revert as soon as possible.

Kind regards

Jess

Jess Border | Solicitor | EDO

From: [REDACTED]@woodside.com>
Sent: Tuesday, August 29, 2023 3:48 PM

To: Jess Border <jessica.border@edo.org.au>; Clare Lakewood <clare.lakewood@edo.org.au>
Cc: sue.mccarrey@nopsema.gov.au; Nicola Brischetto <nicola.brischetto@nopsema.gov.au>; Raquel Carter <raquel.carter@nopsema.gov.au>; [REDACTED] <[REDACTED]@woodside.com>; Woodside Feedback <Feedback@woodside.com>
Subject: RE: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

Dear Jess

Thanks for your email.

We confirm that our team is available and willing to meet on country. We are proposing that this occur on **Tuesday 12 and Wednesday 13 September 2023**.

As you will appreciate, Woodside remains of the view that it has satisfied consultation requirements under Regulation 11A of the OPGGS (E) Regulations and that consultation is continuing in accordance with conditions 5 and 6 of the acceptance conditions of the Seismic EP. We respectfully acknowledge that your clients hold a different view. However as you will understand, the agreement to meet and the meeting is on a no-admission basis in relation to the issue of whether or not Woodside has satisfied its consultation requirements.

Please confirm these dates are suitable and, as per your email below, we will make arrangements for a return airfare for Ms Alec.

As per previous correspondence, Ms Alec, Ms Cooper and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via the Environment Defenders Office. Hence our respectful request once more that the following be communicated to Ms Alec, Ms Cooper and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

Consultation meeting on country

We are pleased to arrange another meeting with you on Country. The purpose is to engage in ongoing consultation with you in relation to Woodside's Environment Plans.

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We note that from previous communications, we were expecting that you would provide us with a video, taken on Murujuga. We are keen to receive this as soon as practicable.

We look forward to hearing further from you.

Best regards
Woodside

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From: Jess Border <jessica.border@edo.org.au>
Sent: Friday, 25 August 2023 1:33 PM
To: [REDACTED]@woodside.com.au; Clare Lakewood <clare.lakewood@edo.org.au>
Cc: sue.mccarrey@nopsema.gov.au; Nicola Brischetto <nicola.brischetto@nopsema.gov.au>; Raquel Carter <raquel.carter@nopsema.gov.au>; [REDACTED]
[REDACTED]@woodside.com.au; Woodside Feedback <Feedback@woodside.com.au>
Subject: RE: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

Dear [REDACTED]

That's correct.

Kind regards

Jess

Jess Border | Solicitor | EDO

From: [REDACTED]@woodside.com.au
Sent: Friday, August 25, 2023 1:17 PM
To: Jess Border <jessica.border@edo.org.au>; Clare Lakewood <clare.lakewood@edo.org.au>
Cc: sue.mccarrey@nopsema.gov.au; Nicola Brischetto <nicola.brischetto@nopsema.gov.au>; Raquel Carter <raquel.carter@nopsema.gov.au>; [REDACTED]@woodside.com.au; Woodside Feedback <Feedback@woodside.com.au>
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So that I can seek dates from the business, may I please seek clarification.

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Sent: Friday, 25 August 2023 1:03 PM

To: [REDACTED]@woodside.com.au; Clare Lakewood <clare.lakewood@edo.org.au>

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Subject: RE: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

Dear [REDACTED]

I write further to my email below.

Our clients will be interstate in the week starting 4 September 2023.

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Please let me know Woodside's position.

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Jess Border | Solicitor | EDO

From: Jess Border <jessica.border@edo.org.au>

Sent: Tuesday, August 22, 2023 2:43 PM

To: [REDACTED] <[REDACTED]@woodside.com>; Clare Lakewood <clare.lakewood@edo.org.au>

Cc: sue.mccarrey@nopsema.gov.au; Nicola Brischetto <nicola.brischetto@nopsema.gov.au>; Raquel Carter <raquel.carter@nopsema.gov.au>; [REDACTED] <[REDACTED]@woodside.com>; Woodside Feedback <Feedback@woodside.com>

Subject: RE: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

Dear [REDACTED]

Thank you for your email below.

We note that Ms Alec and Ms Cooper provided their September availability at the end of July, so we will need to discuss whether these dates remain feasible. We will obtain instructions and come back to you as soon as possible.

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Our clients reserve their rights.

Kind regards

Jess

Jess Border | Solicitor | EDO

From: [REDACTED] <[REDACTED]@woodside.com>

Sent: Monday, August 21, 2023 4:08 PM

To: Clare Lakewood <clare.lakewood@edo.org.au>

Cc: sue.mccarrey@nopsema.gov.au; Nicola Brischetto <nicola.brischetto@nopsema.gov.au>; Raquel Carter <raquel.carter@nopsema.gov.au>; Jess Border <jessica.border@edo.org.au>; [REDACTED] <[REDACTED]@woodside.com>; Woodside Feedback <Feedback@woodside.com>

Subject: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

Dear Clare

Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

We refer to previous correspondence which references the Scarborough 4D B1 Marine Seismic Survey Environment Plan (Seismic EP), accepted by NOPSEMA on 31 July 2023, with conditions. Please see the notes below and the attachments.

With reference to Condition 6 of the conditions, we respectfully seek to consult with Ms Alec, Ms Cooper and Save Our Songlines on the Seismic EP changes and the control measures proposed to be adopted to manage potential impacts and risks of the activity to as low as reasonably practicable (ALARP) and acceptable levels. Following consultation, if relevant comments are provided, Woodside intends on submitting to NOPSEMA a report confirming the views of Ms Alec, Ms Cooper and Save Our Songlines, in accordance with Condition 6 b).

We note that Ms Alec, Ms Cooper and Save Our Songlines most recently noted that they would be available for a consultation meeting in the week commencing 4 September 2023. We remain open to consulting with them and would be grateful to obtain their available dates for that meeting in

September or sooner.

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Condition 1

1. Prior to commencement of the activity, the titleholders must consult with registered native title bodies corporate, representative Aboriginal / Torres Strait Islander bodies and other persons or organisations identified as a relevant person in relation to the First Nations cultural heritage in Tables 5-3 and 5-4 of the EP to confirm whether:
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 - b. There is any information they wish to provide on cultural features and/or heritage values.

We confirm that, prior to commencement of the activity, Woodside consulted Ms Alec, Ms Cooper and Save Our Songlines, requesting the above information on 3 August and 9 August 2023.

In addition to the extensive consultation opportunities afforded to Ms Alec, Ms Cooper and Save Our Songlines during the preparation of the Seismic EP, Woodside consulted with Ms Alec, Ms Cooper and Save Our Songlines after the submission of the Seismic EP on the following dates:

1. A meeting held between Woodside and Ms Alec, Ms Cooper and Save Our Songlines on 25 July 2023;
2. Correspondence exchanged following that meeting, including emails exchanged from 25 July to present.

Condition 2

2. The purpose of the consultation outlined in Condition 1 is to be communicated, and relevant persons are provided with a copy of the NOPSEMA Consultation on offshore environment plans Brochure as part of consultation.

In a number of pieces of correspondence, including those of 3 August and 9 August 2023, Woodside communicated the purpose of consultation and also provided to Ms Alec, Ms Cooper and Save Our Songlines, the NOPSEMA Consultation on offshore petroleum environment plans brochure.

Condition 3

3. The method of consultation is informed by the relevant persons being consulted.

Meetings with Ms Alec, Ms Cooper and Save Our Songlines have been informed by Ms Alec, Ms Cooper and Save Our Songlines. From recent correspondence, Ms Alec, Ms Cooper and Save Our Songlines requested at least 6 weeks time before having another meeting. Our understanding is that Ms Alec, Ms Cooper and Save Our Songlines intend to provide us with their available dates in September for a meeting on country. As described above, Woodside remains available to meet at your earliest convenience.

Condition 4

4. If at any time, as a result of compliance with Condition 1, relevant persons are identified, they must be consulted in accordance with the NOPSEMA Guideline on Consultation in the course of preparing an environment plan (GL2086).

Woodside notes that Ms Alec, Ms Cooper and Save Our Songlines have referenced Murujuga Aboriginal Corporation but have not otherwise made us aware of other persons.

Condition 5

5. At any time, prior to or during the activity, if new cultural features and/or heritage values of places within the environment that may be affected by the activity are identified that are not described in the EP, the titleholders must:
 - a. Ensure the environmental impacts and risks of the activity continue to be managed to as low as reasonably practicable and an acceptable level.
 - b. Notify NOPSEMA in writing within 7 days of these cultural and/or heritage values of places and the potential environmental impacts and risks.

Woodside has considered the topics raised by Ms Alec, Ms Cooper and Save Our Songlines at the meeting on 25 July 2023 and has proposed amendments to the Seismic EP, in accordance with Woodside's Management of Knowledge and Management of Change processes. The proposed changes to the Seismic EP are outlined in Attachment A.

Woodside has also notified NOPSEMA, in accordance with this condition, to advise of the topics raised by Ms Alec, Ms Cooper and Save Our Songlines at the meeting on 25 July 2023 and outlined the potential environmental impacts and risks to those topics.

Condition 6

6. The titleholders must submit a report to NOPSEMA no later than 14 days after the notification in Condition 5 which confirms the following:
 - a. The control measures that have been adopted to ensure that the environmental impacts and risks of the activity will be reduced to as low as reasonably practicable and an acceptable level.
 - b. The consultation undertaken with any relevant persons to develop those control measures including
 - i. The control measures that those persons considered reasonably necessary to manage impacts on the cultural features and/or heritage values in accordance with indigenous tradition; and
 - ii. The views of the relevant persons in relation to the control measures

Woodside has developed the information in the attachments in accordance with Condition 6 a). As set out above, we respectfully seek to consult with Ms Alec, Ms Cooper and Save our Songlines on the week commencing 4 September or sooner on the Seismic EP changes and the control measures proposed to be adopted to manage potential impacts and risks of the activity, on the topics raised by Ms Alec, Ms Cooper and Save Our Songlines, to ALARP and acceptable levels.

For clarity, Woodside intends on submitting to NOPSEMA a report on the views of Ms Alec, Ms Cooper and Save Our Songlines, in accordance with Condition 6 b).

Please confirm when Ms Alec, Ms Cooper and Save Our Songlines are available to consult as noted above. Woodside is ready, willing and able to meet and consult with Ms Alec, Ms Cooper and Save Our Songlines.

Kind regards





Woodside Energy
Mia Yellagonga
Karlak, 11 Mount Street
Perth WA 6000
Australia

T: [REDACTED]
M: + [REDACTED]
E: [REDACTED]@woodside.com
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f t in v i

From: [Jess Border](#)
To: [REDACTED]; [Clare Lakewood](#)
Cc: sue.mccarrey@nopsema.gov.au; [Nicola Brischetto](#); [Raquel Carter](#); [REDACTED]; [Woodside Feedback](#)
Bcc: [Jess Border](#)
Subject: RE: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan
Date: Monday, 4 September 2023 11:03:00 AM
Attachments: [image001.png](#)

Dear [REDACTED]

We refer to your email of 29 August 2023.

We understand that the consultation will take place on a no-admission basis given the diverging views of the parties. For the avoidance of doubt, we reiterate our clients' position that consultation has not occurred as required by and in accordance with the Regulations or the conditions.

Thank you for your offer of a two-day workshop. As you will be aware, the NOPSEMA guideline on Consultation in the Court of Preparing an Environment Plan (**Guideline**) explains that titleholders should engage with persons and organisations in their consultation processes, including by adapting consultation processes to the nature of the persons to be consulted. It is to be a genuine and meaningful two-way dialogue.

We have taken instructions and our clients would like consultation to proceed in the following way:

- On Tuesday 12 September, the parties meet to go through the Seismic Survey EP, so that questions can be asked and answered of Woodside. Our clients request that the meeting be held at a location at which the Seismic Survey EP can be projected on a screen and discussed. We are aware that Woodside has provided initial information on the Seismic Survey EP at the 25 July meeting, but our clients would like to review the content of the Seismic Survey EP in a collaborative way.
- A second meeting be held, on Country, at which the attendees will visit the islands off Murujuga. This meeting is to be held on a date after 29 September 2023. Our clients currently have general availability in the first two weeks of October. If you could please let us know Woodside's representatives' availability in that week we can arrange specific dates with our clients.

Spacing the meetings in this way will ensure that our clients have sufficient time to reflect on the information provided so they may make an informed assessment of the possible consequences on their functions, interests and activities.

We confirm we previously provided availability in the week starting 18 September, but our clients now request that the meeting be moved to a later date to due to sorry business occurring in that week, and unavailability of legal representatives in the following week.

We would like to emphasise that it is important that our clients have time to build a relationship with Woodside's representatives, to foster respect and trust, and thereby ensure they feel comfortable sharing information about their functions, interests and activities.

We also anticipate that, after the second meeting, there be a further meeting at which Woodside may explain the appropriate measures it has considered and will adopt to ensure that the impacts of the activities the subject of the Seismic Survey EP are as low as reasonably practicable, in light of the matters raised by our clients in consultation.

The above is similar to our initial proposal of how consultation should proceed, as set out in my email of 25 July 2023.

As to agreed protocols, could you please confirm that we are proceeding on the basis that audio recordings of the meeting are permissible, as agreed at the 25 July consultation. We understand that only women will attend the meetings, for cultural safety.

As to your request for a video, it was our clients' intention to provide to Woodside a video taken on Murujuga. In light of subsequent events that are now the subject of Federal Court proceedings VID 647/2023 Cooper v NOPSEMA & Ors, our clients no longer intend to provide that video, but would instead prefer to consult with Woodside in person.

Kind regards

Jess

Jess Border | Solicitor | EDO

From: [REDACTED]@woodside.com>
Sent: Friday, September 1, 2023 12:28 PM
To: Jess Border <jessica.border@edo.org.au>; Clare Lakewood <clare.lakewood@edo.org.au>
Cc: sue.mccarrey@nopsema.gov.au; Nicola Brischetto <nicola.brischetto@nopsema.gov.au>; Raquel Carter <raquel.carter@nopsema.gov.au>; [REDACTED]@woodside.com>; Woodside Feedback <Feedback@woodside.com>
Subject: RE: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

Dear Jess

Thanks for your email.

I am following up on my email below regarding scheduling time to meet to facilitate ongoing consultation with Ms Alec, Ms Cooper and Save Our Songlines in relation to Woodside Environment Plans.

We would be grateful for confirmation on whether Ms Alec, Ms Cooper and Save Our Songlines are available to meet on 12 and 13 September 2023, for a 2-day on-Country workshop. We are keen to arrange flights and other logistics as soon as possible.

We look forward to hearing from you.

Kind regards

[REDACTED]



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount Street
Perth WA 6000
Australia

T: [REDACTED]
M: [REDACTED]
E: [REDACTED]@woodside.com
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f t in y @

From: Jess Border <jessica.border@edo.org.au>
Sent: Wednesday, 30 August 2023 2:22 PM
To: [REDACTED]@woodside.com>; Clare Lakewood <clare.lakewood@edo.org.au>

Cc: sue.mccarrey@nopsema.gov.au; Nicola Brischetto <nicola.brischetto@nopsema.gov.au>; Raquel Carter <raquel.carter@nopsema.gov.au>; [REDACTED] <[\[REDACTED\]@woodside.com.au](mailto:[REDACTED]@woodside.com.au)>; Woodside Feedback <Feedback@woodside.com.au>
Subject: RE: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

Dear [REDACTED]

Thank you for your email.

We are seeking instructions and will revert as soon as possible.

Kind regards

Jess

Jess Border | Solicitor | EDO

From: [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>
Sent: Tuesday, August 29, 2023 3:48 PM
To: Jess Border <jessica.border@edo.org.au>; Clare Lakewood <clare.lakewood@edo.org.au>
Cc: sue.mccarrey@nopsema.gov.au; Nicola Brischetto <nicola.brischetto@nopsema.gov.au>; Raquel Carter <raquel.carter@nopsema.gov.au>; [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>; Woodside Feedback <Feedback@woodside.com>
Subject: RE: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

Dear Jess

Thanks for your email.

We confirm that our team is available and willing to meet on country. We are proposing that this occur on **Tuesday 12 and Wednesday 13 September 2023**.

As you will appreciate, Woodside remains of the view that it has satisfied consultation requirements under Regulation 11A of the OPGGS (E) Regulations and that consultation is continuing in accordance with conditions 5 and 6 of the acceptance conditions of the Seismic EP. We respectfully acknowledge that your clients hold a different view. However as you will understand, the agreement to meet and the meeting is on a no-admission basis in relation to the issue of whether or not Woodside has satisfied its consultation requirements.

Please confirm these dates are suitable and, as per your email below, we will make arrangements for a return airfare for Ms Alec.

As per previous correspondence, Ms Alec, Ms Cooper and Save Our Songlines asked, at our 14 March 2023 meeting that Woodside continue correspondence with them, via the Environment Defenders Office. Hence our respectful request once more that the following be communicated to Ms Alec, Ms Cooper and Save Our Songlines.

Dear Josie, Raelene and Save Our Songlines

Consultation meeting on country

We are pleased to arrange another meeting with you on Country. The purpose is to engage in ongoing consultation with you in relation to Woodside's Environment Plans.

This agreement to meet and also ongoing consultation is on a no-admission basis. As you will appreciate, Woodside remains of the view that it has satisfied consultation requirements under Regulation 11A of the OPGGS (E) Regulations and that consultation is continuing in accordance with conditions 5 and 6 of the acceptance conditions of the Seismic EP. We respectfully acknowledge that you hold a different view.

To manage availability and so that there is ample time for you to ask questions, share your knowledge and information and to be heard; as well as time for us to listen, share information and engage in a two-way dialogue with you, we propose a 2-day on-country workshop.

We propose that the workshop would run from **Tuesday 12 September** to **Wednesday 13 September 2023**.

From our perspective a key objective of the meeting will be for Woodside to receive any information that you wish to share on cultural features and heritage values.

As per prior consultation we are proceeding on the basis that the agreed protocols continue to apply.

Please confirm your availability for a 2-day workshop on 12 and 13 September 2023. Once we have that confirmation, we can make arrangements to pay for Josie's return travel Perth-Karratha-Perth (as per EDO's email below) and can circulate an agenda.

We note that from previous communications, we were expecting that you would provide us with a video, taken on Murujuga. We are keen to receive this as soon as practicable.

We look forward to hearing further from you.

Best regards
Woodside

Kind regards



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount Street
Perth WA 6000
Australia

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E: [REDACTED]@woodside.com
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f t in v @

From: Jess Border <jessica.border@edo.org.au>

Sent: Friday, 25 August 2023 1:33 PM

To: [REDACTED]@woodside.com.au; Clare Lakewood <clare.lakewood@edo.org.au>

Cc: sue.mccarrey@nopsema.gov.au; Nicola Brischetto <nicola.brischetto@nopsema.gov.au>; Raquel Carter <raquel.carter@nopsema.gov.au>; [REDACTED]

[REDACTED]@woodside.com.au; Woodside Feedback <Feedback@woodside.com.au>

Subject: RE: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

Dear [REDACTED]

That's correct.

Kind regards

Jess

Jess Border | Solicitor | EDO

From: [REDACTED] <[REDACTED]@woodside.com>

Sent: Friday, August 25, 2023 1:17 PM

To: Jess Border <jessica.border@edo.org.au>; Clare Lakewood <clare.lakewood@edo.org.au>

Cc: sue.mccarrey@nopsema.gov.au; Nicola Brischetto <nicola.brischetto@nopsema.gov.au>; Raquel Carter <raquel.carter@nopsema.gov.au>; [REDACTED] <[REDACTED]@woodside.com>; Woodside Feedback <Feedback@woodside.com>

Subject: RE: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

Subject: RE: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

Dear Jess

Thanks for your email below.

So that I can seek dates from the business, may I please seek clarification.

Are we correct in understanding that Ms Alec, Ms Cooper and SOS are available to meet:

- on country in Karratha between 19-21 September
- on country in Karratha between 11-13 September as long as Woodside pays for Ms Alec's return airfare Perth – Karratha - Perth

Kind regards

[REDACTED]



Woodside Energy
Mia Yellagonga
Karlak, 11 Mount Street
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Australia

T: [REDACTED]
M: [REDACTED]
E: [REDACTED]@woodside.com
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From: Jess Border <jessica.border@edo.org.au>

Sent: Friday, 25 August 2023 1:03 PM

To: [REDACTED] <[REDACTED]@woodside.com.au>; Clare Lakewood <clare.lakewood@edo.org.au>

Cc: sue.mccarrey@nopsema.gov.au; Nicola Brischetto <nicola.brischetto@nopsema.gov.au>; Raquel Carter <raquel.carter@nopsema.gov.au>; [REDACTED] <[REDACTED]@woodside.com.au>; Woodside Feedback <Feedback@woodside.com.au>

Subject: RE: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

Subject: RE: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

Dear [REDACTED]

I write further to my email below.

Our clients will be interstate in the week starting 4 September 2023.

Our clients' preference is that further consultation be held in Karratha, on Country, on day(s) between and including 19 – 21 September 2023. The reason for this is that Ms Alec will already be in Karratha this week for sorry business. Our clients are generally available to meet in Karratha on day(s) between and including 11 – 13 September, if Woodside is willing to pay for Ms Alec's return airfare from Perth.

Please let me know Woodside's position.

Kind regards

Jess

Jess Border | Solicitor | EDO

From: Jess Border <jessica.border@edo.org.au>
Sent: Tuesday, August 22, 2023 2:43 PM
To: [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>; Clare Lakewood <clare.lakewood@edo.org.au>
Cc: sue.mccarrey@nopsema.gov.au; Nicola Brischetto <nicola.brischetto@nopsema.gov.au>; Raquel Carter <raquel.carter@nopsema.gov.au>; [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>; Woodside Feedback <Feedback@woodside.com>
Subject: RE: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

Dear [REDACTED]

Thank you for your email below.

We note that Ms Alec and Ms Cooper provided their September availability at the end of July, so we will need to discuss whether these dates remain feasible. We will obtain instructions and come back to you as soon as possible.

We otherwise reiterate that our clients remain willing to consult. For the avoidance of doubt, our clients' position remains that the Acceptance of 31 July 2023 is invalid and hence that any consultation would be undertaken in accordance with Woodside's obligations under reg 11A.

Our clients reserve their rights.

Kind regards

Jess

Jess Border | Solicitor | EDO

From: [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>
Sent: Monday, August 21, 2023 4:08 PM
To: Clare Lakewood <clare.lakewood@edo.org.au>
Cc: sue.mccarrey@nopsema.gov.au; Nicola Brischetto <nicola.brischetto@nopsema.gov.au>; Raquel Carter <raquel.carter@nopsema.gov.au>; Jess Border <jessica.border@edo.org.au>; [REDACTED] <[\[REDACTED\]@woodside.com](mailto:[REDACTED]@woodside.com)>; Woodside Feedback <Feedback@woodside.com>

Subject: Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

Dear Clare

Scarborough Gas Project – Scarborough 4D B1 Marine Seismic Survey Environment Plan

We refer to previous correspondence which references the Scarborough 4D B1 Marine Seismic Survey Environment Plan (Seismic EP), accepted by NOPSEMA on 31 July 2023, with conditions. Please see the notes below and the attachments.

With reference to Condition 6 of the conditions, we respectfully seek to consult with Ms Alec, Ms Cooper and Save Our Songlines on the Seismic EP changes and the control measures proposed to be adopted to manage potential impacts and risks of the activity to as low as reasonably practicable (ALARP) and acceptable levels. Following consultation, if relevant comments are provided, Woodside intends on submitting to NOPSEMA a report confirming the views of Ms Alec, Ms Cooper and Save Our Songlines, in accordance with Condition 6 b).

We note that Ms Alec, Ms Cooper and Save Our Songlines most recently noted that they would be available for a consultation meeting in the week commencing 4 September 2023. We remain open to consulting with them and would be grateful to obtain their available dates for that meeting in September or sooner.

We otherwise note the following in relation to the relevant conditions regarding consultation.

Condition 1

1. Prior to commencement of the activity, the titleholders must consult with registered native title bodies corporate, representative Aboriginal / Torres Strait Islander bodies and other persons or organisations identified as a relevant person in relation to the First Nations cultural heritage in Tables 5-3 and 5-4 of the EP to confirm whether:
 - a. They are aware of any people, who in accordance with Indigenous tradition, may have spiritual and cultural connections to the environment that may be affected by the activity that have not yet been afforded the opportunity to provide information that may inform the management of the activity
 - b. There is any information they wish to provide on cultural features and/or heritage values.

We confirm that, prior to commencement of the activity, Woodside consulted Ms Alec, Ms Cooper and Save Our Songlines, requesting the above information on 3 August and 9 August 2023.

In addition to the extensive consultation opportunities afforded to Ms Alec, Ms Cooper and Save Our Songlines during the preparation of the Seismic EP, Woodside consulted with Ms Alec, Ms Cooper and Save Our Songlines after the submission of the Seismic EP on the following dates:

1. A meeting held between Woodside and Ms Alec, Ms Cooper and Save Our Songlines on 25 July 2023;
2. Correspondence exchanged following that meeting, including emails exchanged from 25 July to present.

Condition 2

2. The purpose of the consultation outlined in Condition 1 is to be communicated, and relevant persons are provided with a copy of the NOPSEMA Consultation on offshore environment plans Brochure as part of consultation.

In a number of pieces of correspondence, including those of 3 August and 9 August 2023, Woodside

communicated the purpose of consultation and also provided to Ms Alec, Ms Cooper and Save Our Songlines, the NOPSEMA Consultation on offshore petroleum environment plans brochure.

Condition 3

3. The method of consultation is informed by the relevant persons being consulted.

Meetings with Ms Alec, Ms Cooper and Save Our Songlines have been informed by Ms Alec, Ms Cooper and Save Our Songlines. From recent correspondence, Ms Alec, Ms Cooper and Save Our Songlines requested at least 6 weeks time before having another meeting. Our understanding is that Ms Alec, Ms Cooper and Save Our Songlines intend to provide us with their available dates in September for a meeting on country. As described above, Woodside remains available to meet at your earliest convenience.

Condition 4

4. If at any time, as a result of compliance with Condition 1, relevant persons are identified, they must be consulted in accordance with the NOPSEMA Guideline on Consultation in the course of preparing an environment plan (GL2086).

Woodside notes that Ms Alec, Ms Cooper and Save Our Songlines have referenced Murujuga Aboriginal Corporation but have not otherwise made us aware of other persons.

Condition 5

5. At any time, prior to or during the activity, if new cultural features and/or heritage values of places within the environment that may be affected by the activity are identified that are not described in the EP, the titleholders must:
 - a. Ensure the environmental impacts and risks of the activity continue to be managed to as low as reasonably practicable and an acceptable level.
 - b. Notify NOPSEMA in writing within 7 days of these cultural and/or heritage values of places and the potential environmental impacts and risks.

Woodside has considered the topics raised by Ms Alec, Ms Cooper and Save Our Songlines at the meeting on 25 July 2023 and has proposed amendments to the Seismic EP, in accordance with Woodside's Management of Knowledge and Management of Change processes. The proposed changes to the Seismic EP are outlined in Attachment A.

Woodside has also notified NOPSEMA, in accordance with this condition, to advise of the topics raised by Ms Alec, Ms Cooper and Save Our Songlines at the meeting on 25 July 2023 and outlined the potential environmental impacts and risks to those topics.

Condition 6

6. The titleholders must submit a report to NOPSEMA no later than 14 days after the notification in Condition 5 which confirms the following:
 - a. The control measures that have been adopted to ensure that the environmental impacts and risks of the activity will be reduced to as low as reasonably practicable and an acceptable level.
 - b. The consultation undertaken with any relevant persons to develop those control measures including
 - i. The control measures that those persons considered reasonably necessary to manage impacts on the cultural features and/or heritage values in accordance with indigenous tradition; and
 - ii. The views of the relevant persons in relation to the control measures

Woodside has developed the information in the attachments in accordance with Condition 6 a). As set out above, we respectfully seek to consult with Ms Alec, Ms Cooper and Save our Songlines on the week commencing 4 September or sooner on the Seismic EP changes and the control measures proposed to be adopted to manage potential impacts and risks of the activity, on the topics raised by Ms Alec, Ms Cooper and Save Our Songlines, to ALARP and acceptable levels.

For clarity, Woodside intends on submitting to NOPSEMA a report on the views of Ms Alec, Ms Cooper and Save Our Songlines, in accordance with Condition 6 b).

Please confirm when Ms Alec, Ms Cooper and Save Our Songlines are available to consult as noted above. Woodside is ready, willing and able to meet and consult with Ms Alec, Ms Cooper and Save Our Songlines.

Kind regards



Woodside Energy
Mia Yellagonga
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Australia

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f t in v @

From: [Scott, Madisen](#)
To: [Clare Lakewood](#)
Cc: [REDACTED]@woodside.com; [Griffin, Brooke](#); [Papalia, Jon](#)
Subject: SCARBOROUGH 4D 61 MARINE SEISMIC SURVEY ENVIRONMENT PLAN [AGSDMS-DMS.FID4952782]
Date: Wednesday, 16 August 2023 8:20:36 PM
Attachments: [20230816 Ltr to EDO 23005410.pdf](#)

You don't often get email from madisen.scott@ags.gov.au. [Learn why this is important](#)

Dear Ms Lakewood

Please find **attached** correspondence of today's date.

Regards

Madisen Scott

Senior Lawyer

Australian Government Solicitor

T 08 926 81797

madisen.scott@ags.gov.au

Find out more about AGS at <http://www.ags.gov.au>

Important: This message may contain confidential or legally privileged information. If you think it was sent to you by mistake, please delete all copies and advise the sender. For the purposes of the *Spam Act 2003*, this email is authorised by AGS.

If you have received this transmission in error please notify us immediately by return e-mail and delete all copies. If this e-mail or any attachments have been sent to you in error, that error does not constitute waiver of any confidentiality, privilege or copyright in respect of information in the e-mail or attachments.

Our ref. 23005410

16 August 2023

Ms Clare Lakewood
Special Counsel, Safe Climate (Gas)
Environmental Defenders Office
PO Box Z5218
BOORLOO/PERTH WA 6831

By email: clare.lakewood@do.org.au



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Canberra
Sydney
Melbourne
Brisbane
Perth
Adelaide
Hobart
Darwin

Dear Ms Lakewood

SCARBOROUGH 4D 61 MARINE SEISMIC SURVEY ENVIRONMENT PLAN

We refer to your letter dated 15 August 2023 addressed to Ms Sue McCarrey of the National Offshore Petroleum Safety and Environmental Management Authority (NOPSEMA).

Service of Documents

We confirm that AGS has instructions to accept electronic service of any documents related to proceedings commenced in relation to the above matter. Any documents can be served on AGS by email to Madisen.scott@ags.gov.au.

We also request that all documents be copied to brooke.griffin@ags.gov.au.

Monitoring of compliance with Conditions

NOPSEMA initiated an inspection on 8 August 2023 for the purpose of assessing the titleholders' compliance with the Conditions. NOPSEMA conducts inspections in accordance with our Monitoring and Securing Compliance Policy which can be found [here](#).

At any point, NOPSEMA may take enforcement action should it be considered necessary to ensure compliance, including if it considers the Conditions have not been met. A copy of NOPSEMA's Enforcement Policy can be found [here](#).

Yours sincerely

A handwritten signature in black ink, appearing to read 'M Scott', written over a white background.

Madisen Scott
Senior Lawyer
T 08 9268 1797
madisen.scott@ags.gov.au

cc. [REDACTED]
Woodside Energy Group Ltd
[REDACTED]

From: [Quan-Sing, Jeremy](#)
To: [Jess Border](#); [Clare Lakewood](#)
Cc: [Blaxill, Philip](#); [Rich, Jeremy](#)
Subject: Cooper v NOPSEMA & Ors [Allens-DMS.FID2418686]
Date: Thursday, 17 August 2023 9:52:41 PM
Attachments: [image001.png](#)
[230817 - Cooper v NOPSEMA & Ors - Originating Application.pdf](#)

You don't often get email from jeremy.quan-sing@allens.com.au. [Learn why this is important](#)

Dear Ms Lakewood and Ms Border,

We confirm that we act for Woodside.

Our client has made us aware of the email below and the materials that were attached to it. We understand that the documents have been filed but that sealed copies are not yet available.

We confirm that we have instructions to accept service of the sealed copies on behalf of the Second and Third Respondents named in the Originating Application.

We agree to service occurring via email so long as it is sent to all of the following email addresses: jeremy.quan-sing@allens.com.au, Philip.Blaxill@allens.com.au and Jeremy.Rich@allens.com.au.

Kind regards,

Jeremy Quan-Sing
Partner, **Allens**
DL [+61 8 9488 3790](tel:+61894883790) M [+61 403 756 102](tel:+61403756102)

From: Jess Border <jessica.border@edo.org.au>
Sent: Thursday, 17 August 2023 6:26 PM
To: [REDACTED] <[\[REDACTED\]@woodside.com.au](mailto:[REDACTED]@woodside.com.au)>
Cc: Clare Lakewood <clare.lakewood@edo.org.au>
Subject: Cooper v NOPSEMA & Ors

Dear [REDACTED]

I write in relation to the above matter.

As foreshadowed, our client has lodged an application for judicial review of the decision by NOPSEMA made 31 July 2023, to accept Woodside's Scarborough 4D B1 Marine Seismic Survey Environment Plan subject to conditions.

Please find *attached* by way of service a zip folder containing unstamped copies of the:

1. Originating Application
2. Affidavit of Jessica Louise Border affirmed 17 August 2023.

For convenience, we also **attach** a PDF copy of the Originating Application to this email.

We would be grateful if you would advise whether you will accept electronic service of the stamped copies of the documents when they are available.

Kind regards

Jess



Environmental
Defenders Office

Jess Border — Solicitor

PO Box Z5218
Boorloo/Perth WA 6831
E: jessica.border@edo.org.au

I use she/her pronouns.

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EDO recognises the traditional owners and custodians of the land, seas and rivers of Australia. We pay our respects to Aboriginal and Torres Strait Islander elders past and present, and aspire to learn from traditional knowledge and customs so that, together, we can protect our environment and cultural heritage through law.

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From: [Quan-Sing, Jeremy](#)
To: [Clare Lakewood](#)
Cc: [Blaxill, Philip](#); [Rich, Jeremy](#); [Jess Border](#); sue.mccarrey@nopsema.gov.au; suzanne.hillier@nopsema.gov.au
Subject: Scarborough 4D B1 Marine Seismic Survey Environment Plan [Allens-DMS.FID2418686]
Date: Monday, 21 August 2023 9:12:24 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[230821 Ltr to EDO.pdf](#)

You don't often get email from jeremy.quan-sing@allens.com.au. [Learn why this is important](#)

Dear Ms Lakewood,

Please see attached.

Kind regards,

Jeremy Quan-Sing
Partner, **Allens**
DL [+61 8 9488 3790](tel:+61894883790) M [+61 403 756 102](tel:+61403756102)



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21 August 2023

Clare Lakewood
Special Counsel, Safe Climate (Gas)
Environmental Defenders Office
PO Box Z5218
Boorloo/Perth WA 6831

By Email

Dear Ms Lakewood

Scarborough 4D B1 Marine Seismic Survey Environment Plan

As you know, we act for Woodside Energy Ltd, Woodside Energy (Australia) Pty Ltd and Woodside Energy Scarborough Pty Ltd (together, **Woodside**) in relation to the Scarborough 4D B1 Marine Seismic Survey Environment Plan (**Seismic EP**).

We refer to your recent correspondence to Woodside in which you have asserted that Woodside is in breach of the consultation requirements required by Condition 1 to the Seismic EP. Our client does not agree with the position taken by your client but has engaged with your correspondence nonetheless.

Woodside's position is that it has complied with both regulation 11A of the *Offshore Petroleum and Greenhouse Gas (Environment) Regulations 2009 (Cth)* (**Regulations**) and the conditions of acceptance of the Seismic EP (**Seismic EP Conditions**). In that regard we note the email sent to you by our client earlier today and also refer to **Attachment A** to this letter (which has been prepared by Woodside based on its records) which substantially sets out the history of Woodside's engagement and consultation with your clients.

Notwithstanding Woodside's position that it has complied with both regulation 11A of the Regulations and the Seismic EP Conditions, Woodside is prepared (on a no admission basis) to meet again with your clients at any time and at any place suitable to them so that they can provide any further information that they consider relevant. Our client is happy for your client to contact [REDACTED] of Woodside directly to arrange this meeting.

We note that your client has commenced judicial review proceedings challenging the validity of NOPSEMA's acceptance of the Seismic EP. Your client has also foreshadowed that your client might seek injunctive relief preventing Woodside from undertaking any activities under the Seismic EP pending resolution of your client's application for judicial review.

In recent correspondence you have also sought various undertakings from Woodside to the effect that it would not commence any activity under the Seismic EP.

As it presently stands, our client has undertaken that it will not commence activity under the Seismic EP before 2pm Wednesday 23 August. However, following the request in your letter to our client dated 15 August 2023, our client also hereby confirms that it will provide your client with 48 hours' notice before commencing activity under the Seismic EP.

Our Ref JZQP:121189948
JVRP 806335839v7 121189948 21.8.2023

In the meantime, as you would appreciate is necessary, Woodside reserves all of its rights.

Yours sincerely



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Philip Blaxill
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Copy to: Sue McCarry
Chief Executive Officer, NOPSEMA
sue.mccarrey@nopsema.gov.au

Suzanne Hillier
General Counsel
suzanne.hillier@nopsema.gov.au

Attachment A

Woodside consultation with and in relation to Ms Raelene Cooper, Ms Josie Alec and Save Our Songlines

Date	Method	Purpose
19 November 2021	-	Save our Songlines (SOS) is established by Ms Alec and Ms Cooper
21 November 2021	Meeting in Roebourne	Woodside met with a senior Ngarluma member in Roebourne to discuss SOS affiliations, interests and cultural concerns. The meeting confirmed that cultural interests are held by native title groups, not SOS. Woodside was encouraged to maintain regular engagement with the community.
15 December 2021	Meeting in Dampier	Woodside attended the Murujuga Aboriginal Corporation (MAC) Board and Circle of Elders meeting at the MAC office, Dampier. Ms Cooper was a MAC Board member at the time of the meeting and was present for the introduction. Ms Cooper objected to Woodside's presence. When the MAC Board and Circle of Elders members declined to support Ms Cooper's demand that Woodside be removed, Ms Cooper left the meeting shouting expletives on her way out.
16 December 2021	Phone Call	Woodside received a phone call from a MAC Elder, an original signatory to the Burrup Maitland Industrial Estate Agreement (BMIEA) who voiced disapproval of the views Ms Cooper has expressed about Industry on the Burrup.
24 January 2022	Phone Call	Woodside received a call from a Wong-Goo-tt-oo member regarding contact between Ms Cooper and a Wong-Goo-tt-oo Elder. The Wong-Goo-tt-oo member informed Woodside that Wong-Goo-tt-oo did not share Ms Cooper's view.
25 January 2022	Meeting in Karratha	Woodside met with a Wong-Goo-tt-oo Elder in Karratha to answer any questions they had following on from the call on 24 January 2022.
23 February 2022	Phone Call	Woodside spoke to Robe River Kuruma Aboriginal Corporation (RRKAC) regarding concerns raised by Ms Alec. RRKAC informed Woodside that Ms Alec raised these concerns at the RRKAC AGM with little response. RRKAC advised that Ms Alec is being directed by activists, not the Kuruma or Marthudunera communities.
3 March 2022	Meeting in Karratha	Karratha briefing on the Scarborough Project and Pluto Train 2 project scopes and proposed management measures to MAC Board and members of Woodside's cultural heritage advisory group.
21 March 2022	Email – meeting request	Woodside acknowledged receipt of email from Gerard Mazza (associated with SOS and Disrupt Burrup Hub group) to Woodside CEO on behalf of Ms Alec and Ms Cooper including an open letter and request to meet on the morning of 24 March 2022. Mr Mazza is nominated as the contact for Ms Alec and Ms Cooper and Woodside is asked to direct to make meeting arrangements through Mr Mazza.

24 March 2022	Meeting attempt	Adapting to COVID restrictions, Woodside arranged an on-line meeting on 24 March 2022 between Woodside (██████████, Sharon Reynolds), Ms Alec, Ms Cooper and Mr Churnside. It appears that the parties were unable to successfully access the meeting link which was activated by Woodside and kept open for over 30 minutes.
24 March 2022	Email	Woodside emailed Ms Alec and Ms Cooper to express disappointment about not meeting and suggested rescheduling.
15 April 2022	Phone call	Woodside spoke with a Wong-Goo-tt-oo and Ngarluma member regarding concerns raised by Ms Cooper. The Wong-Goo-tt-oo member voiced that they held different views.
6 June 2022	Letter	Ms Alec and Ms Cooper wrote to Woodside's Chairman (Richard Goyder) and copied NOPSEMA. Ms Alec and Ms Cooper referenced MAC and self-identified as relevant persons and requested to consult.
22 July 2022	Letter	Woodside responded to Ms Alec, Ms Cooper and SOS on Seismic EP and SITI EP (response to 6 June letter) including by confirming ethnographic surveys were undertaken with Traditional Owners to gain insights into intangible heritage including songlines, cultural practices, beliefs and customs that may be in the area of Commonwealth waters 430 km away from Dampier where the seismic activity is proposed to take place. The ethnographic surveys have not identified ethnographical sites, values or practices in the area.
26 August 2022	Letter	Woodside responded to issues raised in 6 June letter (confirming ethnographic surveys undertaken; submerged heritage showed low to nil impacts; onshore processing is not part of offshore EPs; Woodside is open to consulting). It confirmed further information is available on Woodside's website and attached a copy of a SITI consultation information sheet.
1 September 2022	Letter	Woodside responded to issues raised in 6 June letter (confirming ethnographic surveys undertaken; onshore processing is not part of offshore EPs; Woodside is open to consulting). It attached a copy of a D&C consultation information sheet.
23 September 2022	Email	Woodside emailed Ms Alec, Ms Cooper and SOS Consultation information on Subsea EP
26 September 2022	Email (25 September) attaching Letter (26 September)	Ms Alec, Ms Cooper and SOS wrote to NOPSEMA (cc Woodside) regarding the Scarborough Project, specifically Seismic EP, SITI EP and D&C EP.
29 September 2022	Email – meeting request	Woodside emailed Ms Alec, Ms Cooper and SOS to request a meeting to address letters of 6 June and 26 September.
6 October 2022	Email & Phone – meeting request	Woodside emailed and left voicemail message to arrange a meeting.
7 October 2022	Phone – meeting request	Woodside rang Ms Alec to arrange a meeting on 11 October.
10 October 2022	Email – meeting confirmation	Woodside emailed Ms Alec, Ms Cooper and SOS to confirm meeting arrangements.
11 October 2022	Phone and SMS – Meeting attempt	Woodside flew personnel to Karratha in anticipation of a meeting on country. Ms Alec, Ms Cooper and SOS did not attend so the meeting did not proceed.

		Ms Alec advised Woodside via SMS they were awaiting legal advice. Woodside were subsequently informed that the Environmental Defenders Office acts for Ms Alec, Ms Cooper and SOS.
13 October 2022	Email	Woodside followed up with Ms Alec, Ms Cooper and SOS seeking feedback.
22 November 2022	Email – meeting request	Woodside emailed Ms Alec, Ms Cooper and SOS to request a meeting on 29 November 2022. The meeting did not proceed.
2 December 2022	Email – meeting request	Woodside emailed Ms Alec, Ms Cooper and SOS to invite feedback and request a meeting for any date in December. A meeting did not proceed.
4 January 2023	Email – meeting request	Woodside emailed Ms Alec, Ms Cooper and SOS to request a meeting for any date in January 2023.
5 January 2023	Email	Woodside emailed Ms Alec, Ms Cooper and SOS at the SOS mailbox with responses to claims regarding the Scarborough Trunkline Installation (State Waters) Environment Plan. In the absence of being able to meet with Ms Alec, Ms Cooper and SOS, the email attached: Attachment A: responses to claims received by Woodside on 6 June 2022, 26 September 2022, 24 November 2022 relating to damage to cultural heritage; gag clauses; UNDRIP; FPIC; consultation; climate change; Murujuga cultural landscape; displacement of rock art; damage to heritage sites; access to sites of cultural significance Attachment B: responses following Woodside’s review of Save Our Songlines’ website and online public campaign relating to climate change; greenhouse gas, rock art, aboriginal cultural heritage and marine life and trunkline installation activities
5 January 2023	Email	Gerard Mazza responded and forwarded Woodside’s email from the SOS mailbox to the Environment Defenders Office (EDO) and the Conservation Council of WA
13 January 2023	Email – meeting confirmation	Ms Alec, Ms Cooper, SOS email to Woodside confirming they would like to meet and confirming receipt of facts and confirming they will review the fact sheets.
19 January 2023	Email – meeting request	Woodside emailed Ms Alec, Ms Cooper and SOS to invite feedback and request a meeting for any date in January and February 2023.
15 February 2023	Email – meeting request	Woodside emailed Ms Alec, Ms Cooper and SOS to reiterate request a meeting for any date in February and March 2023.
24 February 2023	Email – meeting request	Woodside emailed Ms Alec, Ms Cooper and SOS to reiterate the request for a meeting for any date in March 2023.
1 March 2023	Email – meeting request	Woodside emailed Ms Alec, Ms Cooper and SOS to propose a meeting on 14 March 2023.
8 March 2023	Email – meeting confirmation	Woodside emailed Ms Alec, Ms Cooper and SOS to confirm the meeting on 14 March and propose an agenda.
9 March 2023	Phone call	Woodside spoke with Ms Alec to clarify logistics and asked whether there were any particular topics SOS would like it to be prepared to discuss. Ms Alec said there wasn’t other than the expectation Woodside attends ready for deep listening, an open heart and respectful conversation.

10 March 2023	Email – meeting confirmation	Woodside emailed Ms Alec, Ms Cooper and SOS to confirm final meeting logistics for 14 March.
14 March 2023	Meeting in Karratha	Woodside met with Ms Alec, Ms Cooper, SOS and members of the EDO on country at Hearson Cove.
16 March 2023	Email	<p>Woodside emailed Ms Alec, Ms Cooper, SOS and members of EDO to provide a meeting summary. That summary included responses to the following:</p> <ul style="list-style-type: none"> · Provide background information on the “why” behind the Scarborough Project · Check with MAC as to whether MAC’s ethnographic survey can be shared with Josie, Raelene and Save Our Songlines · Confirm fracking in relation to the Scarborough Project. <p>Letter also confirmed Ms Alec and Ms Cooper told Woodside statements to the effect that the proposed activities give them a sick feeling and that the activities should be stopped; there is nothing that can be done by Woodside to progress with the Scarborough Project in a way that could minimise impact to functions, interests or activities</p>
24 March 2023	Letter	Ms Alec and Ms Cooper, represented by the EDO wrote to Woodside (cc Minister Johnson, DMIRS and NOPSEMA) to provide meeting summary and claims re: Scarborough State and Commonwealth EPs.
28 March 2023	Letter	Woodside wrote to Ms Alec, Ms Cooper and SOS represented by the EDO providing a response regarding Scarborough State Waters EP.
29 March 2023	Letter	Woodside wrote to Ms Alec, Ms Cooper and SOS represented by the EDO providing a response regarding Scarborough Commonwealth EPs. This attached a table of responses to topics including cultural heritage; rock art; emissions; gag clauses; FPIC; consultation requirements
29 March 2023	Email	EDO acknowledged Woodside’s correspondence and advised they were waiting on instructions from their clients Ms Alec and Ms Cooper.
6 April 2023	Letter	Ms Alec and Ms Cooper, represented by the EDO wrote to Minister Johnson (cc Woodside) re: Scarborough State Waters EP.
6 April 2023	Letter	Ms Alec and Ms Cooper represented by the EDO wrote to NOPSEMA (cc Woodside) re: Scarborough Commonwealth EPs.
13 April 2023	Letter	Woodside wrote to DMIRS and the Western Australian Minister, copying EDO providing a response regarding Scarborough State Waters EP.
17 April 2023	Letter	Woodside wrote to NOPSEMA, copying EDO providing a response regarding Scarborough Seismic EP and the Scarborough EPs more generally.
18 April 2023	Email	EDO letter to Woodside referencing 14 March 2023 meeting
8 May 2023	Email	EDO email to Woodside seeking dates for consultation on Seismic Survey EP
9 May 2023	Email – meeting request	Woodside email to Ms Alec, Ms Cooper and SOS seeking a meeting on 15, 22 or 29 May on country or by video conference

15 May 2023	Email	EDO email to Woodside "confirming instructions"
1 June 2023	Email	EDO email to Woodside confirming availability for a meeting in Karratha on 13 June and seeking confirmation
7 June 2023	Email – meeting request	Woodside email to EDO confirming availability for a meeting on 13 June and seeking confirmation about location and attendees
9 June 2023	Email – meeting request	Woodside seeking confirmation by 5pm that meeting will go ahead because there are a number of flight and other logistics that need to be confirmed by 5pm
9 June 2023	Email	EDO email after 5pm (5:06pm) confirming meeting will go ahead
9 June 2023	Email – meeting attempt	Woodside email (5:09pm) that the Woodside team is not available because flights and other logistics timed out at 5pm
28 June 2023	Letter	EDO letter to NOPSEMA (copied to Woodside) – Noting its clients' view that Woodside has not explained the activities the subject of the Scarborough Environment Plans and associated impacts and risks in a way that they can clearly understand, and that they do not understand the risks and impacts of the activities the subject of the Scarborough Environment Plans on their functions, interests and activities. They maintain that they have not been provided with sufficient information and a reasonable period for consultation.
3 July 2023	Email and letter – meeting request	Woodside email to EDO (copied to NOPSEMA) confirming Woodside has consulted pursuant to Reg 11A on all Scarborough EPs; Woodside has re-affirmed to Ms Alec, Ms Cooper and SOS that it had already confirmed to Ms Alec, Ms Cooper and SOS that they are relevant persons; consultation has been extensive (reference back to April letter)
17 July 2023	Email	EDO email with proposed meeting dates 25-28 July
17 July 2023	Email	Woodside email acknowledging receipt of 17 July email
18 July 2023	Email – meeting confirmation	Woodside email confirming meeting availability for 9am Tuesday 25 July and attaching a link to the Draft Policy for Managing Gender-restricted Information PL2098
19 July 2023	Email	Woodside providing EDO with copies of the following NOPSEMA documents: <ul style="list-style-type: none"> • Brochure: Consultation on offshore petroleum environment plans • Guideline: Consultation in the course of preparing an environment plan (GL2086) • Policy: Draft Policy for Managing Gender-restricted Information PL2098
19 July 2023	Email	EDO email confirming Ms Jess Border and Ms Alina Leikin will take over from Ms Clare Lakewood and Ms Ruby Hamilton
19 July 2023	Email – meeting confirmation	EDO confirming meeting for 25 July with draft agenda
20 July 2023	Email	Woodside email re-confirming protocols for meeting: <ul style="list-style-type: none"> • Attendees continue to be all female. • Attendees attend meetings with an open heart, deep listening and seeking a respectful conversation.

		<ul style="list-style-type: none"> Attendees come to meetings open to sharing knowledge about the environment (heritage value of places, social and cultural features) that may be affected by the activities under the proposed Scarborough EPs. Attendees come to the meeting open to sharing ideas of things that Woodside is currently doing well and things that Woodside can do to lessen or avoid impacts of the activities on the environment. Attendees are welcome to take written notes of meetings. To respect privacy, safety and cultural values there will be no other recording of meetings (e.g. no audio or visual etc recording of meetings). Other than sharing the fact that the meeting took place, the cultural details will be kept confidential amongst the female attendees unless directed otherwise and will not be made public without permission.
21 July 2023	Email	Woodside email confirming agenda gives guidance on topics to enable discussion and allows other issues to be raised
24 July 2023	Email	EDO to Woodside asking for meeting to be recorded, with the recording being paused for discussion of culturally sensitive matters
25 July 2023	Email	Woodside to EDO does not consent to the meeting being recorded
25 July 2023	Email	EDO to Woodside – running 10 minutes late to the meeting
25 July 2023	Meeting online	<p>Woodside team met with Ms Alec, Ms Cooper, SOS and EDO lawyers.</p> <p>Ms Alec, Ms Cooper and SOS stated they would not proceed with the meeting unless it was recorded other than for discussion of culturally sensitive information (when the recording would be paused).</p> <p>Meeting was paused while teams discussed this.</p> <p>Woodside agreed to an audio recording (no visual recording); use of recording only for Scarborough Environment Plans; no publication of the recording</p> <p>A recording and transcript of the meeting was made and exchanged after the meeting</p>
25 July 2023	Email (sent during the meeting)	Woodside to EDO – agreement to record meeting subject to restrictions regarding audio recording (no visual recording); use of recording only for Scarborough Environment Plans; no publication of the recording
25 July 2023	Email	<p>EDO wrote to Woodside with follow up questions arising from the meeting and a note that they were looking forward to receiving responses to the following requests for further information from Woodside:</p> <ol style="list-style-type: none"> 1. Depth of the wells – both at and below sea level 2. Mapping of freshwater systems in the EMBA 3. Basis for the information on the whale migration patterns 4. Information underlying migratory patterns of whales, dugongs, turtles 5. Information collated about seagrass 6. Information for modelling about the risk “worst possible scenario” discussion
27 July 2023	Email	Woodside provided the requested information to EDO (see Attachment B to the email) and provided comments on the

		consultation process and reiterated openness to receive feedback and to hear from Ms Alec and Ms Cooper
3 August 2023	Email	Woodside email requesting confirming of condition 1 of the Acceptance conditions and providing information under condition 2 of the Acceptance conditions
9 August 2023	Email	EDO email to Woodside noting Ms Cooper, Ms Alec and SOS are not ready to provide information; Ms Cooper, Ms Alec are travelling and that information is intended to be provided by video (one-way dialogue)
9 August 2023	Email	Woodside email to EDO requesting that in addition to previous consultation, consultation information as per condition 1 of the EP acceptance be provided and requesting that feedback by 11 August and if no feedback received, taking it to mean that Ms Cooper, Ms Alec and SOS do not wish to provide this information prior to commencement of the activity
10 August 2023	Email	EDO wrote to Woodside and NOPSEMA (copying Woodside) stating that consultation has not occurred and stating an injunction would be filed unless Woodside gave an undertaking not to commence seismic activity
11 August 2023	Email	Woodside emailed EDO (cc NOPSEMA) confirming that the seismic activity would not commence on 12 August
11 August 2023	Email	EDO emailed Woodside (cc NOPSEMA) again stating that an injunction would be filed unless Woodside provided an undertaking that activity under the Seismic EP would not be commenced by a specified time and date
11 August 2023	Email	Woodside emailed EDO (cc NOPSEMA) confirming that the seismic activity would not commence on or before 15 Aug 10am AEST
14 August 2023	Email	EDO emailed Woodside (cc NOPSEMA) requesting response to matters raised in correspondence on 10 Aug and reiterating that an injunction would be filed if the previously requested undertaking was not provided
14 August 2023	Email	Woodside emailed EDO (cc NOPSEMA) informing EDO that it anticipated providing response to matters raised in correspondence on 10 Aug on 14 or 15 Aug, and that no activity would be conducted under the Seismic EP in the next 48 hours
14 August 2023	Email	Woodside emailed EDO (cc NOPSEMA) again later on 14 Aug to inform EDO that a response to matters raised in correspondence on 10 Aug should now be expected on the morning of 16 Aug
15 August 2023	Email	Woodside emailed EDO (cc NOPSEMA) on 15 Aug to inform that no activity would take place under the Seismic EP before 18 Aug 12:00 Perth time, and that a response to matters raised in correspondence on 10 Aug should now be expected on the morning of 18 Aug
15 August 2023	Email	EDO emailed Woodside (cc NOPSEMA) stating their interpretation of correspondence with Woodside since 9 Aug, and stating that unless Woodside provides an undertaking by 5pm AEST 16 Aug not to commence the activity an injunction would be filed
21 August 2023	Email	Woodside email to EDO seeking consultation on condition 6 and providing feedback regarding topics raised at the 25 July meeting

From: [Clare Lakewood](#)
To: madisen.scott@ags.gov.au; jeremy.Quan-Sing@allens.com.au; Brooke.Griffin@ags.gov.au; [Blaxill, Philip](#); Jeremy.Rich@allens.com.au
Cc: [Jess Border](#)
Subject: VID 647/2023: Cooper v NOPSEMA
Date: Tuesday, 22 August 2023 3:04:17 PM
Attachments: [image001.png](#)
[230822 - Letter to AGS and Allens.pdf](#)

Dear colleagues,

We refer to the abovementioned. Please see the attached.

Yours sincerely,
Clare



Environmental
Defenders Office

**Clare Lakewood – Special Counsel, Safe
Climate**

(Mon, Tue, Wed, Thu)

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I use she/her pronouns.

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EDO recognises the traditional owners and custodians of the land, seas and rivers of Australia. We pay our respects to Aboriginal and Torres Strait Islander elders past and present, and aspire to learn from traditional knowledge and customs so that, together, we can protect our environment and cultural heritage through law.

22 August 2023

Ms Madisen Scott
Senior Lawyer
Australian Government Solicitor
By email: Madisen.Scott@ags.gov.au

Mr Jeremy Quan-Sing
Partner
Allens
By email: Jeremy.Quan-Sing@allens.com.au

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Brooke.Griffin@ags.gov.au

Mr Philip Blaxill, Allens
Philip.Blaxill@allens.com.au

Mr Jeremy Rich, Allens
Jeremy.Rich@allens.com.au

Dear colleagues

Federal Court proceedings VID647/2023: Cooper v NOPSEMA & Ors

1. We refer to the above proceedings and confirm that the Environmental Defenders Office acts for the Applicant, Ms Raelene Cooper. We write to seek clarity about the parties' proposed next steps, to ensure that the issues between our clients can be resolved in a timely and efficient manner.
2. We understand from correspondence received yesterday from Mr Blaxill and Mr Rich that the Second and Third Respondents (**Woodside**) consider that consultation has been completed in accordance with both reg 11A of the *Offshore Petroleum and Greenhouse Gas (Environment) Regulations 2009* (Cth) (**Regulations**) and the conditions at paragraph [133] of NOPSEMA's decision of 31 July 2023 to accept the Scarborough 4D B1 Marine Seismic Survey Environment Plan (**Acceptance**). You would appreciate from our earlier correspondence, and the matters pleaded in the originating motion under cover of Ground 2, that our client does not accept that consultation has been completed in accordance with either reg 11A, or the conditions in the Acceptance.
3. Significantly, you would also appreciate from our earlier correspondence, and the matters pleaded in the originating motion under cover of Ground 1, that our client considers that the Acceptance is invalid. The recent correspondence from Mr Blaxill and Mr Rich did not state a

position on behalf of Woodside in respect of the views expressed in our correspondence, and reflected in that ground, as to the legal invalidity of the Acceptance.

4. We welcome Woodside's recent indication that it is willing to consult with our clients. However, we note that on the proper construction of the Regulations, following consultation it will remain for NOPSEMA to consider any amended Environment Plan, and whether it is reasonably satisfied as to the criteria for acceptance of that Environment Plan under reg 10A, including that the plan demonstrates that the consultation required by reg 11A has been carried out. Until that occurs, if Woodside were to undertake activities under the Seismic Survey EP, it would risk doing so in contravention of reg 7 of the Regulations.
5. In light of these issues, we consider it to be desirable that the matter be resolved expeditiously, or that Woodside provide an undertaking not to commence any activity under the Seismic Survey EP until the matter is heard and determined by the Federal Court.
6. We would be grateful if each of you would advise of your respective clients' positions on the proposal to seek an expedited hearing of the matter, and if Allens would advise of Woodside's position in respect of the undertaking.
7. Finally, we would also be grateful if AGS could indicate whether NOPSEMA:
 - a. will take an active role in the proceedings; and
 - b. intends to file the material before the decision-maker at the time of making the decision, or if it will be necessary for EDO to seek an order from the Court for this purpose.
8. We look forward to your prompt responses.

Yours sincerely

Environmental Defenders Office



Clare Lakewood
Special Counsel, Safe Climate (Gas)

From: [Quan-Sing, Jeremy](#)
To: [Clare Lakewood](#)
Cc: [Jess Border](#); [Blaxill, Philip](#); [Rich, Jeremy](#)
Subject: Cooper v NOPSEMA & Ors (VID 647/2023)
Date: Thursday, 24 August 2023 9:45:58 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[VID647 of 2023 - Notice of Address for Service - 23 August 2023 \(Stamped\).pdf](#)

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Dear Ms Lakewood,

We have attached, by way of service, a sealed copy of our clients' notice of address for service.

We note that your client did not file a Genuine Steps Statement. Our client reserves its rights in this regard.

Kind regards,

Jeremy Quan-Sing
Partner, **Allens**
DL [+61 8 9488 3790](tel:+61894883790) M [+61 403 756 102](tel:+61403756102)



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Court of Filing FEDERAL COURT OF AUSTRALIA (FCA)
Date of Lodgment: 23/08/2023 6:38:12 PM AEST
Date Accepted for Filing: 24/08/2023 9:09:42 AM AEST
File Number: VID647/2023
File Title: RAELENE COOPER v NATIONAL OFFSHORE PETROLEUM SAFETY
AND ENVIRONMENTAL MANAGEMENT AUTHORITY & ORS
Registry: VICTORIA REGISTRY - FEDERAL COURT OF AUSTRALIA



Sia Lagos

Registrar

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This Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date of the filing of the document is determined pursuant to the Court's Rules.

Form 10
Rule 5.02; 11.07



Notice of address for service

No VID 647 of 2023

Federal Court of Australia
District Registry: Victoria
Division: Administrative and Constitutional Law and Human Rights

Raelene Cooper

Applicant

National Offshore Petroleum Safety and Environmental Management Authority and
others named in the Schedule

Respondents

Woodside Energy Scarborough Pty Ltd and Woodside Energy (Australia) Pty Ltd of Mia Yellagonga, 11 Mount Street, Perth WA 6000, the second and third respondents, give notice that the second and third respondents' address for service is:

Place: Allens, Level 11, Mia Yellagonga Tower 2, 5 Spring Street, Perth WA 6000

Email: Philip.Blaxill@allens.com.au / Jeremy.Quan-Sing@allens.com.au
Jeremy.Rich@allens.com.au

Date: 23 August 2023

A handwritten signature in black ink, appearing to read 'C. Blaxill'.

Signed by Charles Philip Blaxill
Lawyer for the second and third
respondents

Filed on behalf of: Woodside Energy Scarborough Pty Ltd and Woodside Energy (Australia) Pty Ltd,
the second and third respondents

Prepared by: Charles Philip Blaxill
Law firm: Allens
Tel: (08) 9488 3700 Fax: (08) 9488 3701
Email: Philip.Blaxill@allens.com.au / Jeremy.Quan-Sing@allens.com.au /
Jeremy.Rich@allens.com.au

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Email: Philip.Blaxill@allens.com.au / Jeremy.Quan-Sing@allens.com.au /
Jeremy.Rich@allens.com.au

Schedule

No VID 647 of 2023

Federal Court of Australia

District Registry: Victoria

Division: Administrative and Constitutional Law and Human Rights

Respondents

Second respondent: **Woodside Energy Scarborough Pty Ltd (ACN 650 177 227)**

Third respondent: **Woodside Energy (Australia) Pty Ltd (ACN 006 923 879)**

Date: 23 August 2023

From: [Clare Lakewood](#)
To: [Scott, Madisen](#); [Quan-Sing, Jeremy](#)
Cc: [Griffin, Brooke](#); [Blaxill, Philip](#); [Rich, Jeremy](#); [Jess Border](#)
Subject: VID 647/2023 Cooper v NOPSEMA & Ors
Date: Tuesday, 29 August 2023 2:31:58 PM
Attachments: [image001.png](#)
[230829 - Draft minute of consent orders.docx](#)
[230829 - Letter to AGS and Allens.pdf](#)

Dear colleagues,

Please see the attached correspondence, and the draft minute of consent orders to which the correspondence refers.

Yours sincerely,
Clare



Environmental
Defenders Office

**Clare Lakewood – Special Counsel, Safe
Climate**

(Mon, Tue, Wed, Thu)

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P: +61 8 6118 7912

E: clare.lakewood@edo.org.au

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Environmental Defenders Office

29 August 2023

Ms Madisen Scott
Senior Lawyer
Australian Government Solicitor
By email: madisen.scott@ags.gov.au

Mr Jeremy Quan-Sing
Partner
Allens
By email: Jeremy.Quan-Sing@allens.com.au

Copy to: Ms Brooke Griffin, AGS
Brooke.Griffin@ags.gov.au

Mr Philip Blaxill, Allens
Philip.Blaxill@allens.com.au

Mr Jeremy Rich, Allens
Jeremy.Rich@allens.com.au

Dear colleagues,

Federal Court proceedings VID647/2023: Cooper v NOPSEMA & Ors

NOPSEMA'S role in the proceedings and material before when making the decision

1. We refer to paragraph [7] of our letter of 22 August 2023 in which we asked NOPSEMA to indicate whether it will take an active role in the proceedings and whether it intends to file the material before the decision-maker at the time of making the decision or if it will be necessary to seek an order from the Court for this purpose. We have not received a response and repeat our request.

Order for Case Management

2. We also refer to the correspondence received from the Court on Friday, 25 August 2023. The Court has listed the matter for case management on 7 September 2023, and has encouraged parties to consider orders that may be appropriate and to communicate with the other parties in respect of those orders.

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3. Subject to NOPSEMA's response to our request noted above, we consider that it would be beneficial for the orderly conduct of the case for the parties to exchange concise statements in accordance with [6.5] to [6.7] of the Administrative and Constitutional law and Human Rights Practice Note (ACLHR-1). Given that both Respondents have now been on notice of the substance of the Applicant's legal arguments since 10 August 2023 we consider that such an exchange should occur in an expeditious manner and in advance of the case management conference. We propose that the Applicant file and serve a concise statement by 4pm on 1 September 2023, and the Respondents file and serve their concise statements by 4pm on 5 September 2023.
4. Following the exchange of the parties' concise statements, the parties will then be able to identify what further orders by way of discovery may be required in the proceeding.
 - a. To facilitate an efficient assessment of this, we consider it appropriate that the First Respondent serve a list of all material that was before the delegate at the time of making the Decision the subject of these proceedings by 4pm on 5 September 2023.
 - b. From this list, informed by the concise statements, the parties could then agree on what, if any additional material from NOPSEMA, will be relevant to put before the Court to determine the legal issues in the proceedings, with the First Respondent to file and serve such bundle as agreed by 12 September 2023.
5. We then consider that the following procedural orders are appropriate:
 - a. By 4pm on 21 September 2023, the Applicant file and serve:
 - i. any evidence upon which she relies; and
 - ii. an outline of submissions;
 - iii. a list of authorities.
 - b. By 4pm on 28 September 2023, the Respondents file and serve:
 - i. any evidence upon which they rely; and
 - ii. an outline of submissions;
 - iii. a list of authorities.
 - c. By 4pm on 5 October 2023, the Applicant file and serve:
 - i. any evidence and submissions in reply;
 - ii. a list of authorities in reply.
 - d. The parties confer and on or before 8 October 2023 the First Respondent:
 - i. file a Court Book;
 - ii. a joint bundle of authorities in accordance with the List of Authorities and Citations Practice Note (GPN-AUTH).
 - e. The matter be listed for hearing on the next available date after 8 October 2023.
6. We **enclose** a draft minute of consent orders, setting out the proposed procedural orders above and look forward to your prompt responses.

Yours sincerely

Environmental Defenders Office

A handwritten signature in black ink, appearing to read 'Clare', written in a cursive style.

Clare Lakewood

Special Counsel, Safe Climate (Gas)

RAELENE COOPER

Applicant

**NATIONAL OFFSHORE PETROLEUM SAFETY AND ENVIRONMENTAL MANAGEMENT
AUTHORITY and others names in the Schedule**

Respondents

PROPOSED CONSENT ORDERS

JUDGE: JUSTICE COLVIN
DATE OF ORDER: [XX] August 2023
WHERE MADE: Perth

THE COURT ORDERS BY CONSENT THAT:

1. By 4pm on 1 September 2023, the Applicant file and serve a concise statement.
2. By 4pm on 5 September 2023, the Respondents each file and serve a concise statement.
3. By 4pm on 5 September 2023, the First Respondent serve a list of all material that was before the delegate at the time of making the Decision the subject of the proceedings.
4. By 4pm on 12 September 2023, the First Respondent with the agreement of the parties, file and serve any additional material held by the First Respondent relevant to the determination of the proceedings.
5. By 4pm on 21 September 2023, the Applicant file and serve:
 - a. any evidence upon which she relies; and
 - b. an outline of submissions;
 - c. a list of authorities
6. By 4pm on 28 September 2023, the Respondents each file and serve:
 - a. any evidence upon which they rely; and
 - b. an outline of submissions;
 - c. a list of authorities.
7. By 4pm on 5 October 2023, the Applicant file and serve:

- a. any evidence and submissions in reply;
 - b. a list of authorities in reply.
8. The parties confer and on or before 8 October 2023 the First Respondent:
 - a. file a Court Book;
 - b. a joint bundle of authorities in accordance with the List of Authorities and Citations Practice Note (GPN-AUTH).
9. The matter be listed for hearing on the next available date after 8 October 2023.

From: [Quan-Sing, Jeremy](#)
To: [Clare Lakewood](#); [Scott, Madisen](#)
Cc: [Griffin, Brooke](#); [Blaxill, Philip](#); [Rich, Jeremy](#); [Jess Border](#)
Subject: RE: VID 647/2023 Cooper v NOPSEMA & Ors [Allens-DMS.FID2418686]
Date: Wednesday, 30 August 2023 6:31:03 PM
Attachments: [image001.png](#)
[230830 L Ltr to EDO.pdf](#)

Dear Colleagues,

Please see attached.

Kind regards,

Jeremy Quan-Sing
 Partner, **Allens**
 DL [+61 8 9488 3790](#) M [+61 403 756 102](#)

From: Clare Lakewood <clare.lakewood@edo.org.au>
Sent: Tuesday, 29 August 2023 2:31 PM
To: Scott, Madisen <madisen.scott@ags.gov.au>; Quan-Sing, Jeremy <Jeremy.Quan-Sing@allens.com.au>
Cc: Griffin, Brooke <Brooke.Griffin@ags.gov.au>; Blaxill, Philip <Philip.Blaxill@allens.com.au>; Rich, Jeremy <Jeremy.Rich@allens.com.au>; Jess Border <jessica.border@edo.org.au>
Subject: VID 647/2023 Cooper v NOPSEMA & Ors

CAUTION: External Email

Dear colleagues,

Please see the attached correspondence, and the draft minute of consent orders to which the correspondence refers.

Yours sincerely,
 Clare



Environmental
 Defenders Office

**Clare Lakewood – Special Counsel, Safe
 Climate**

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www.allens.com.au	ABN 47 702 595 758



30 August 2023

Clare Lakewood
Special Counsel, Safe Climate (Gas)
Environmental Defenders Office
PO Box Z5218
Boorloo/Perth WA 6831
AUSTRALIA
By email: clare.lakewood@edo.org.au

Copy to:

Madisen Scott
Senior Lawyer
Australian Government Solicitor
By email: madisen.scott@ags.gov.au

Dear Ms Lakewood

VID647/2023: Cooper v NOPSEMA & Ors

We refer to your letters of 22 and 29 August 2023.

In both letters you sought our clients' position in relation to the possibility of this proceeding being expedited to a hearing. Our clients agree that the matter should proceed as expeditiously as possible to a hearing.

In relation to your letter of 29 August 2023 and the proposed programming orders enclosed with it, our clients consider that the parties need to understand when the First Respondent will be in a position to provide the material that was before the decision-maker at the time of making the decision. It seems to us that this will then better inform the parties of the appropriate timetabling of other interlocutory matters.

We therefore invite the First Respondent to provide an indication of the date by which that material can be filed and served so as to enable further conferral as to programming orders.

Yours sincerely

A handwritten signature in black ink that reads "Allens".

Philip Blaxill
Partner
Allens
Philip.Blaxill@allens.com.au
T +61 8 9488 3739

Jeremy Quan-Sing
Partner
Allens
Jeremy.Quan-Sing@allens.com.au
T +61 8 9488 3790

Our Ref JZQP:121189948
KWLP 806551438v1 121189948 30.8.2023

From: [Clare Lakewood](#)
To: [Quan-Sing, Jeremy](#); [Scott, Madisen](#)
Cc: [Griffin, Brooke](#); [Blaxill, Philip](#); [Rich, Jeremy](#); [Jess Border](#)
Subject: RE: VID 647/2023 Cooper v NOPSEMA & Ors [Allens-DMS.FID2418686]
Date: Thursday, 31 August 2023 2:20:00 PM
Attachments: [image001.png](#)

Dear colleagues,

We refer to your letter of 21 August 2023. It is unclear to us how the timing of the preparation of the decision record affects the filing of concise statements. We are concerned that if timetabling of at least concise statements on the dates proposed, or a few days later, is not agreed shortly, the prospect of getting the case on an efficient timetable will be impaired.

Could you please advise whether your clients would be willing to agree to file concise statements first, so that the issues in the case can be understood, with the timing of further steps to be agreed when the First Respondent advises as to the availability of the decision record. The dates for the concise statement could be amended to permit filing by the Applicant early next week and the Respondents the week following.

-
 We note that counsel could also assist in conferring to see whether this issue might be resolved, and for that purpose request the names of counsel for the Respondents.

Yours sincerely,
 Clare



Clare Lakewood – Special Counsel, Safe Climate

(Mon, Tue, Wed, Thu)

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From: Quan-Sing, Jeremy <Jeremy.Quan-Sing@allens.com.au>
Sent: Wednesday, August 30, 2023 6:30 PM
To: Clare Lakewood <clare.lakewood@edo.org.au>; Scott, Madisen <madisen.scott@ags.gov.au>
Cc: Griffin, Brooke <Brooke.Griffin@ags.gov.au>; Blaxill, Philip <Philip.Blaxill@allens.com.au>; Rich, Jeremy <Jeremy.Rich@allens.com.au>; Jess Border <jessica.border@edo.org.au>
Subject: RE: VID 647/2023 Cooper v NOPSEMA & Ors [Allens-DMS.FID2418686]

You don't often get email from jeremy.quan-sing@allens.com.au. [Learn why this is important](#)

Dear Colleagues,

Please see attached.

Kind regards,

Jeremy Quan-Sing
Partner, **Allens**
DL [+61 8 9488 3790](tel:+61894883790) M [+61 403 756 102](tel:+61403756102)

From: Clare Lakewood <clare.lakewood@edo.org.au>
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Yours sincerely,
Clare



Environmental
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**Clare Lakewood – Special Counsel, Safe
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Subject: RE: VID 647/2023 Cooper v NOPSEMA & Ors [Allens-DMS.FID2418686]
Date: Thursday, 31 August 2023 5:01:27 PM
Attachments: [image001.png](#)
[230831 L Ltr to EDO.pdf](#)

Dear Colleagues,

Please see attached.

Kind regards,

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We note that counsel could also assist in conferring to see whether this issue might be resolved, and for that purpose request the names of counsel for the Respondents.

Yours sincerely,
Clare

Clare Lakewood – Special Counsel, Safe Climate
(Mon, Tue, Wed, Thu)
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Subject: RE: VID 647/2023 Cooper v NOPSEMA & Ors [Allens-DMS.FID2418686]

You don't often get email from jeremy.quan-sing@allens.com.au. [Learn why this is important](#)

Dear Colleagues,

Please see attached.

Kind regards,

Jeremy Quan-Sing
Partner, **Allens**
DL [+61 8 9488 3790](tel:+61894883790) M [+61 403 756 102](tel:+61403756102)

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Clare



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Partner contacts: <https://www.allens.com.au/experts>

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www.allens.com.au	ABN 47 702 595 758



31 August 2023

Clare Lakewood
Special Counsel, Safe Climate (Gas)
Environmental Defenders Office
PO Box Z5218
Boorloo/Perth WA 6831
AUSTRALIA
By email: clare.lakewood@edo.org.au

Copy to:

Madisen Scott
Senior Lawyer
Australian Government Solicitor
By email: madisen.scott@ags.gov.au

Dear Ms Lakewood

VID647/2023: Cooper v NOPSEMA & Ors

We refer to your email of 31 August 2023.

As noted in our letter of 30 August 2023, our clients consider that the parties first need to understand when the First Respondent will be in a position to provide the material that was before the decision-maker at the time of making the decision. Otherwise, our clients cannot know what material was before the decision-maker. They cannot formulate their concise statement without knowing the relevant facts. We do not agree that this position is inconsistent with programming the matter to a hearing in an efficient manner.

If your client wishes to file a concise statement before the First Respondent has provided this material, that is a matter for your client. However, our clients consider such action would be premature.

We therefore reiterate our invitation for the First Respondent to provide an indication of the date by which the material that was before the decision-maker can be filed and served so as to enable further conferral as to programming orders.

Our clients' counsel are Steven Penglis SC and Samantha Nadilo. Please provide the names of your client's counsel. However, please note that our clients consider that conferral should occur between solicitors at this stage.

Yours sincerely

Jeremy Quan-Sing
Partner
Allens
Jeremy.Quan-Sing@allens.com.au
T +61 8 9488 3790

Our Ref JZQP:121189948
JVRP 806589172v1 121189948 31.8.2023

From: [Scott, Madisen](#)
To: [Clare Lakewood](#)
Cc: [Jess Border](#); Jeremy.Quan-Sing@allens.com.au; [Rich, Jeremy](#); [Blaxill, Philip](#); [Griffin, Brooke](#); [Nance, Emily](#)
Subject: VID647/2023 - Cooper v NOPSEMA [AGSDMS-DMS.FID4952782]
Date: Friday, 1 September 2023 11:45:38 AM
Attachments: [23000831 AGS to EDO 23005410\(49047437.4\).pdf](#)

Dear Ms Lakewood

Please find **attached** correspondence of today's date.

Kind regards

Madisen Scott

Senior Lawyer

Australian Government Solicitor

T 08 926 81797

madisen.scott@ags.gov.au

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Our ref. 23005410

1 September 2023

Ms Clare Lakewood
Environmental Defenders Officer
Suite 8.02, Level 8
6 O'Connell Street
SYDNEY NSW 2000

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By email: clare.lakewood@edo.org.au

Dear Ms Lakewood

Federal Court Proceedings - VID 647/2023 - Cooper v NOPSEMA & Anor

1. We refer to your letter dated 22 August 2023 relevantly seeking NOPSEMA's response on certain matters, and your letter of 29 August 2023 that enclosed a minute of proposed orders. We also refer to Allens' letter of 30 August 2023, your email in response on 31 August, and Allen's letter in response on the same day.
2. Our response to the matters addressed in your correspondence is set out below. Further, for the reasons explained below, NOPSEMA does not agree to the applicant's proposed orders.
3. However, before addressing those matters and the applicant's proposed orders directly, we consider it useful to outline our understanding of the nature of the application made by your client in these proceedings.

Nature of the application

4. The proceeding has been commenced by way of an originating application for judicial review under s 5 of the *Administrative Decisions (Judicial Review) Act 1977* (Cth) and s 39B of the *Judiciary Act 1903* (Cth).
5. Notwithstanding this:
 - 5.1. Only one element of the application seeks judicial review of an administrative decision, being a decision of a delegate of NOPSEMA under reg 10 of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009* (Cth) (**Regulations**) to accept the environment plan resubmitted by the respondents (**Woodside**) subject to certain conditions applying to operations for the activity (**Decision**). Further, the applicant advances only one ground of review in respect of the Decision (ground 1).
 - 5.2. The other element of the application, despite being set out as ground 2, is not concerned with judicial review of any administrative decision. Ground 2, read with proposed order 3(b), proceeds in the alternative to ground 1 on the basis that the Decision is lawful, but contends that Woodside has not

complied with the conditions imposed by the Decision and, on that alternative basis, seeks to restrain Woodside from undertaking the activity.

NOPSEMA's role in the proceedings

6. You have asked whether our client, NOPSEMA, will take an active role in the proceeding.
7. At this stage, NOPSEMA considers it appropriate that the Court should make timetabling orders that facilitate its participation. NOPSEMA will consider the extent of its participation as the matter progresses, including in light of the approach and submissions of Woodside. In particular, NOPSEMA considers it appropriate for timetabling orders to be made that provide for Woodside to file submissions before NOPSEMA, which will not only be apt to avoid any unnecessary duplication, but will also facilitate NOPSEMA tailoring its approach by reference to that which is necessary or appropriate to assist the Court.
8. In particular, NOPSEMA considers that it may be appropriate for it to make submissions as to its “powers and procedures” – including the proper construction of the Regulations and related legislation – so as to ensure that the Court receives appropriate assistance. The fact that the Woodside entities are respondents to the application does not entail that NOPSEMA should, especially at this early stage, decide that it should not participate. As “the repository of the powers and responsibilities conferred on it by the legislative scheme under which it made the relevant decision”, and as “the only party ... whose participation is governed exclusively by the aims and objectives of the statutory scheme”, NOPSEMA is in a “unique” position and may provide appropriate assistance to the Court: see *Zaitsev v Building Appeals Board* [2019] VSC 455, [46]. See also, e.g., *Vincentia MC Pharmacy Pty Ltd v Australian Community Pharmacy Authority* (2020) 280 FCR 397, [5].

Expedited hearing

9. You have asked for NOPSEMA's position on the proposal to seek an expedited hearing of the matter. NOPSEMA agrees that the matter should be heard as soon as reasonably practicable. However, expedition should not be pursued at the expense of fairness, and (as discussed below) NOPSEMA does not consider that the applicant's minute of proposed orders is appropriate in various respects.

Material before the decision-maker

10. You have asked whether NOPSEMA intends to file the material before the decision-maker at the time of making the decision (**Material**). Your client has also proposed orders requiring NOPSEMA to serve a list identifying the Material and then, “with the agreement of the parties”, filing and serving any additional material held by NOPSEMA “relevant to the determination of the proceedings”. We also note that Allens, in its letter of 30 August 2023, has expressed the view that NOPSEMA should provide the Material in order to “better inform the parties of the appropriate timetabling of other interlocutory matters”.

11. However, it is not apparent to us how the Material, let alone any additional material held by NOPSEMA, is relevant to the application.
 - 11.1. Ground 1 (the judicial review element of the proceeding) contends that NOPSEMA did not have power to make the Decision because the decision-maker was not satisfied that the environment plan met the criteria in reg 10A(g). Thus, this ground turns only on a question of statutory interpretation. We do not understand how the Material is relevant. We note that the issue in the *Tipakalippa* proceeding, where NOPSEMA consented to an order that it file the material before the decision-maker, was quite different. In *Tipakalippa*, the principal ground of review was that the decision-maker, despite purporting to be satisfied that the environment plan met the criterion in reg 10A(g), could not lawfully have been so satisfied. The material was clearly relevant to that case; it does not appear relevant to this case.
 - 11.2. Ground 2 (the other element of the proceeding) turns on whether Woodside has, since the Decision was made, complied with the conditions imposed by that Decision. The Material before the decision-maker in deciding to make the Decision (including to impose the conditions) appears to us to be irrelevant to this ground, too.
12. Further, the Material includes “sensitive information” as that term is defined in reg 4. The scheme of the Regulations is that such information is not to be published: see regs 9(8), 9AB, 11(2A)(b) and (2B), 11B(3)-(5). We do not consider that that would preclude the Court from ordering discovery of the Material in an appropriate case. However, NOPSEMA is not willing to consent to an order for the discovery of the Material in light of the scheme of the Regulations, and the potential impact of the disclosure of “sensitive information” on the willingness of “relevant persons” in other matters to provide information during consultation purposes, unless the Material is relevant to and necessary for the determination of the case. For the reasons outlined above, it appears to us that the Material is neither relevant to nor necessary for the determination of this case.

Proposal for concise statements

13. You have suggested that there should be an exchange of concise statements in accordance with ACLHR-1, [6.5]-[6.7], prior to the filing of further evidence and submissions. In your letter of 29 August 2023, you suggest that this would be beneficial to enable the parties to “then be able to identify what further orders by way of discovery may be required in the proceeding”.
14. However, as explained above, it is not apparent to us how any of the Material is relevant to the judicial review case (ground 1), let alone how any other material may be relevant to this case. Nor do we think that the exchange of concise statements, in advance of detailed submissions, would be useful or efficient in the hearing and determination of the question of statutory construction posed by the case.
15. Nor is it clear to us, on the basis of your letter, why concise statements are appropriate for the other element of the case (ground 2).

16. Noting that the Court does not routinely or as a matter of course order the exchange of concise statements, and noting also that your client is seeking expedition, we are not persuaded that there is utility in this proposal. Indeed, we think the proposal for the exchange of concise statements is, if anything, apt to slow down rather than expedite the hearing of the case.

Other issues with proposed timetabling orders

17. As stated above, while NOPSEMA does not oppose expedition, we do not consider that the timetable reflected in your minute of proposed orders is appropriate.
18. In particular:
- 18.1. As noted above, we do not consider that an exchange of concise statements is necessary or appropriate.
- 18.2. We consider that the respondents, collectively, should be afforded more than one week to prepare their submissions, after receiving the applicant's submissions (noting that the applicant have some weeks to prepare the submissions for the case that they have brought). Moreover, as explained above, we think that the timetable for submissions should be staggered, such that Woodside's submissions are filed before any submissions from NOPSEMA.
- 18.3. We also do not consider it appropriate that the respondents' submissions are filed before the applicant has filed all of her evidence (including reply evidence).
19. A further complicating development is that, as we expect that you would know, NOPSEMA was only yesterday (on 31 August 2023) served (by a different lawyer in EDO) with another application for judicial review of the Decision made by a different applicant (Greenpeace Australia Pacific Ltd) based on different grounds.
20. Neither we nor our client has yet had the opportunity to carefully consider that application, including how the Federal Court might suitably case manage it in light of the application brought by your client. One obvious possibility is that the two applications might be heard concurrently, with possible implications for the appropriate timetabling orders in respect of your client's application. But we have not had the opportunity to consider that possibility carefully yet, let alone discuss timetabling or other issues with the applicant in the other matter.
21. In the circumstances, while we are not satisfied that your client's proposed timetabling orders are appropriate for the reasons outlined above, we are still considering what we consider are the appropriate timetabling orders. We will be in contact soon, and in advance of the case management conference presently listed on 7 September 2023.
22. Finally, we advise you that NOPSEMA's counsel in this matter are Nick Wood SC (based in Melbourne) and Cobey Taggart (based in Perth). We would be happy for your counsel to reach out to ours if that would assist.

23. Please let us know if you would like to discuss further.

Yours sincerely

A handwritten signature in black ink, appearing to read 'M Scott', written over a horizontal line.

Madisen Scott

Senior Lawyer

T 08 9268 1797

madisen.scott@ags.gov.au

cc. Jeremy Quan-Sing

Allens

Jeremy.Quan-Sing@allens.com.au

From: [Clare Lakewood](#)
To: [Scott, Madisen](#)
Cc: [Jess Border](#); Jeremy.Quan-Sing@allens.com.au; [Rich, Jeremy](#); [Blaxill, Philip](#); [Griffin, Brooke](#); [Nance, Emily](#)
Subject: VID647/2023 - Cooper v NOPSEMA [AGSDMS-DMS.FID4952782]
Date: Monday, 4 September 2023 6:01:36 PM
Attachments: [image001.png](#)
[230901 - Notice of Intention to refuse access.pdf](#)
[230904 - Letter to AGS and Allens.pdf](#)
[230904 - Applicant's Proposed orders.docx](#)

Dear colleagues,

We refer to the abovementioned. Please see the attached.

Yours sincerely,
Clare



Environmental
Defenders Office

**Clare Lakewood – Special Counsel, Safe
Climate**

(Mon, Tue, Wed, Thu)

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I use she/her pronouns.

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EDO recognises the traditional owners and custodians of the land, seas and rivers of Australia. We pay our respects to Aboriginal and Torres Strait Islander elders past and present, and aspire to learn from traditional knowledge and customs so that, together, we can protect our environment and cultural heritage through law.

Our ref: A1001557

Ms Jessica Border
Environmental Defenders Office
PO Box Z5218
Boorloo/Perth WA 6831

Email: Jessica.border@edo.org.au
Clare.lakewood@edo.org.au

Dear Ms Border

FREEDOM OF INFORMATION REQUESTS – section 24AB NOTICE OF INTENTION TO REFUSE REQUESTS

I refer to your requests to the National Offshore Petroleum Safety and Environmental Management Authority (NOPSEMA) for access to various documents under the *Freedom of Information Act 1982* (the FOI Act). The scope of your requests both relate to NOPSEMA's decision made on 31 July 2023 to accept, subject to conditions, the Scarborough 4D B1 Marine Seismic Survey Environment Plan (Decision).

The scope of your request received on 11 August 2023 is as follows:

1. *Copies of the documents upon which the Decision was based, including but not limited to:*
 - a. *the Decision Brief provided to the Environment Manager – Offshore Projects and Seismic (being the delegate who made the Decision);*
 - b. *any other documents considered by the delegate while making the Decision; and*
 - c. *internal or external correspondence regarding the matters in subparagraphs a) and b) above.*

The scope of your request received on 16 August 2023 is as follows:

2. *all documents (including, without limitation, correspondence, emails, records of meetings, records of telephone calls and/or file notes) forming communications between NOPSEMA and Woodside Energy Scarborough Pty Ltd and/or Woodside Energy (Australia) Pty Ltd (Woodside) from 1 June 2023 until the present day (inclusive) in relation to the following:*
 - a. *the Decision to accept the Seismic Survey EP;*
 - b. *without limiting the above, the conditions imposed on the Decision;*
 - c. *without limiting the above, submissions by Woodside to NOPSEMA in respect of the Decision;*
 - d. *without limiting the above, communications sent by the Environmental Defender's Office (EDO) on behalf of the Applicant to NOPSEMA and/or to Woodside.*

Except where:

- *such documents are addressed to, received from, or copied to, legal representatives from the Environmental Defenders Office;*
- *such documents fall within the scope of the documents requested in Environmental Defenders Office correspondence dated 11 August 2023 and pursuant to s 15(1) of the FOI Act access to documents held by NOPSEMA that relate to internal and external correspondence regarding the Decision.*

Excluding personal information that is:

- *a telephone number, physical addresses or email address that is not otherwise publicly available;*
- *the name of an employee or officer of Woodside or NOPSEMA whose name appears in any document where that person is performing administrative functions only (for example, the names of personal assistants who may be copied to email correspondence); and*
- *the name of any NOPSEMA officer who holds a position that is classified at APS-5 or lower.*

On 24 August 2023, I sent an email to yourself and Clare Lakewood requesting a convenient time to discuss your requests, however I did not receive a response in relation to a suitable time.

The purpose of this notice is to advise you that I consider that the work involved in processing these requests in their current form constitutes a 'practical refusal reason' under section 24AA of the FOI Act. Specifically, I consider that the work required would substantially and unreasonably divert the resources of NOPSEMA from its other operations due to the size of the requests, combined with the limited resources of NOPSEMA.

On this basis, I intend to refuse access to the documents you requested. However, before I make a final decision on this, you have an opportunity to revise your requests using the 'request consultation process' under section 24AB of the FOI Act.

Reasons for practical refusal

Section 24 of the FOI Act provides that an agency may treat two requests as a single request where the two requests relate to the same documents (section 24(2)(a)) or where the requests relate to documents the subject matter of which is substantially the same (section 24(2)(b)). The scopes of both FOI requests are for documents in relation to the Decision. The first request received on 11 August 2023 seeks 'other documents considered by the delegate when making the Decision' which would include the file notes, records of meetings (etc) requested in the second request of 16 August 2023. The first request also seeks 'internal and external correspondence' in relation to the 'Decision Brief' and 'other documents' which would include the correspondence from Woodside and the EDO in the scope of the second request. Accordingly, I am satisfied that both requests are for the same documents and therefore should be treated as a single request.

I have assessed the work that NOPSEMA would need to do to process your requests, as a single combined request, based on the documents identified as within the scope. My preliminary searches of the material that may fall within the scope of your request will require us to examine over 50 documents containing over 3,500 pages.

Based on the volume of material, the time required to assess the documents, make any relevant deletions and record a decision, I have estimated to be in excess of 346 hours. This is based on a calculation of four minutes per page to assess the documents and additional time to consider exemptions, make any deletions for each document and prepare a decision regarding each document.

In addition, there are 31 third parties who would need to be consulted in relation to their personal and/or business information which is within the scope of the request. The third party consultation process includes; ascertaining which documents are to be sent to which organisation, drafting and sending the

correspondence, redacting others personal information (where required, for example, in sensitive information reports), responding to third parties' queries and drafting letters and reasons for decision for each third party if required. It is estimated that this work will equate to four hours per third party. The total number of hours that I estimate for third party consultation is therefore 124 hours.

The total number of hours that I estimate to process your request is therefore in excess of 470 hours.

FOI resources in NOPSEMA are finite, as most staff members are not trained or available to review documents or make decisions under the FOI Act. NOPSEMA is a small agency, and those staff who are trained in processing FOI requests also have other operational responsibilities and duties to meet on a daily basis. It is not feasible to remove several staff from their usual duties to meet voluminous FOI requests that would unreasonably divert their time and negatively affect the service they deliver on behalf of NOPSEMA in performing its functions.

Additionally, the documents within the scope of the FOI request are also relevant to an application for judicial review which has been sought by the EDO's clients. As such, it would also be unreasonable for NOPSEMA to process the same documents twice for parallel processes.

Given the estimated time and the limited resources of NOPSEMA, in conjunction with the strict statutory deadlines for issuing a decision under the FOI Act, I am satisfied that processing the request in its current form would substantially and unreasonably divert the resources of NOPSEMA from its other operations. I am therefore unable to progress your request until I have consulted further with you on its scope.

Consultation over scope – what you need to do

You now have an opportunity to revise your request to enable it to proceed. You may consult with me either directly, or through a representative, on the scope during the consultation period which is from the date of this notice until close of business **Friday, 15 September 2023**. You may request that I extend the consultation period if you wish, by writing to me before the end of the consultation period (section 24AB(5)).

In order for your request to be revised in such a way as to progress your request, you will have to reach agreement with NOPSEMA on a scope that would not result in a substantial and unreasonable diversion of the agency's resources.

Please note that section 24AB(8) of the FOI Act provides that the processing time for your request is suspended until you have either:

- Withdrawn your request
- Revised your request, or
- Advised me that you do not wish to revise your request.

If you do not provide a written response to this notice or request an extension of time within the 14 day consultation period, your request will be taken to be withdrawn in accordance with section 24AB(7).

For your information, I enclose a copy of sections 24, 24AA and 24AB of the FOI Act.

Please contact me if you have any questions about the matters raised in this notice.

Yours sincerely

Mandy Fittock

Freedom of Information Authorised Officer

wA740046

01 September 2023



Environmental Defenders Office

4 September 2023

Ms Madisen Scott
Senior Lawyer
Australian Government Solicitor
By email: madisen.scott@ags.gov.au

Copy to:

Mr Jeremy Quan-SingAllens
Jeremy.Quan-Sing@allens.com.au

Ms Brooke Griffin, AGS
Brooke.Griffin@ags.gov.au

Mr Philip Blaxill, Allens
Philip.Blaxill@allens.com.au

Mr Jeremy Rich, Allens
Jeremy.Rich@allens.com.au

Dear colleagues

Federal Court proceedings VID647/2023: Cooper v NOPSEMA & Ors

1. We refer to your letter of 1 September 2023, responding to our letters of 22 and 29 August 2023. We also refer to Allens' letter of 30 August 2023, our email in response on 31 August 2023, and Allens' letter in response on the same day.

Material before the decision-maker

2. In response to our request that NOPSEMA clarify whether it intends to file the material before the decision-maker at the time of the decision (**Material**), you have advised that NOPSEMA does not consider the material to be relevant to either ground of the application and, therefore, that it will not consent to an order for the discovery of same. We note that Allens, in its letter of 30 August 2023, has, on the other hand, expressed the view that NOPSEMA should provide the Material in order to "better inform the parties of the appropriate timetabling of other interlocutory matters."
3. We also note that NOPSEMA's view appears inconsistent with that expressed in correspondence dated 1 September 2023 in respect of certain *Freedom of Information Act 1982* (Cth) requests made by the Applicant. In that correspondence, a copy of which is **enclosed**, in its reasons for deciding to refuse access to the requested documents, NOPSEMA observes that the documents requested are "relevant to an application for judicial review which has been sought by the EDO's

clients (sic)”, and it would be “unreasonable for NOPSEMA to process the same documents twice for parallel purposes.”

4. However, we do not insist that NOPSEMA file the Material and are content, at this stage, to proceed on the basis of the decision-maker’s reasons and the Environment Plan alone. We have not been advised by Woodside what additional material would be relevant to that ground, nor whether there is any material before the decision maker that it would rely on for Ground 2. Accordingly, we reserve our right to call for any further material from NOPSEMA should anything in Woodside or NOPSEMA’s responses make it potentially relevant. We reserve our rights generally with respect to discovery given neither party has advised us of their reasoned position with respect to Ground 1—save, in NOPSEMA’s case, to deny that we are correct—and Woodside has only done so in a limited way with respect to Ground 2.

The proposal for concise statements

5. We remain of the view that concise statements are appropriate in this matter, and, having regard to ACLHR-1, [6.5]-[6.7], entirely conventional.
6. We have on two occasions now set out our position—in correspondence and in the originating application—and neither NOPSEMA nor Woodside have responded with any reasoned response as to their position other than to deny we are correct. We consider that the efficient and responsive preparation of submissions would be greatly assisted by understanding the position that the respondents take and for that reason will be requesting them at the directions hearing.

The proposed timetabling orders

7. We otherwise understand the respondents not to be opposed to the remaining orders, other than their position that they wish to have further time, and, in the case of the First Respondent, that it wishes to submit and take other procedural steps after the Second and Third Respondents have done so. We note that both parties have been on notice of the arguments on which we rely in some detail for many weeks now, since our original letters of 9 August 2023 and 10 August 2023. However, if the respondents wish to have further time that is a matter for them. We would be assisted, as we expect the Court will be assisted, if you would respond with a clear position as to the orders you seek, including dates.
8. We have **enclosed** an amended set of proposed orders reflecting the above observations and with revised dates to assist you. Please respond by **4pm on Tuesday 5 September 2023** so we may consider your specific proposal.

Nature of the application

9. Finally, we agree that Ground 2 proceeds, in the alternative to Ground 1, on the basis that the decision is lawful. We will consider the issue further and will revert to you shortly, including as to any proposal for amendment.

Counsel

10. We advise that counsel for the Applicant is Ms Claire Harris SC, Dr Laura Hilly and Mr Patrick Coleridge.

Yours sincerely,

Environmental Defenders Office

A handwritten signature in black ink, appearing to read 'Clare', written in a cursive style.

Clare Lakewood
Special Counsel, Safe Climate (Gas)

RAELENE COOPER

Applicant

**NATIONAL OFFSHORE PETROLEUM SAFETY AND ENVIRONMENTAL MANAGEMENT
AUTHORITY and others names in the Schedule**

Respondents

PROPOSED CONSENT ORDERS

JUDGE: JUSTICE COLVIN
DATE OF ORDER: [XX] September 2023
WHERE MADE: Perth

THE COURT ORDERS BY CONSENT THAT:

1. By 4pm on 11 September 2023, the Applicant file and serve a concise statement.
2. By 4pm on 15 September 2023, the Second and Third Respondents file and serve a concise statement.
3. By 4pm on 20 September 2023, the First Respondent file and serve a concise statement.
4. By 4pm on 4 October 2023, the Applicant file and serve:
 - a. any evidence upon which she relies;
 - b. an outline of submissions; and,
 - c. a list of authorities,
5. By 4pm on 11 October 2023, the Second and Third Respondents file and serve:
 - a. any evidence upon which they rely;
 - b. an outline of submissions; and,
 - c. a list of authorities.
6. By 4pm on 18 October 2023, the First Respondent file and serve:
 - a. any evidence upon which it relies;
 - b. an outline of submissions; and,

- c. a list of authorities.
- 7. By 4pm on 23 October the Applicant file and serve:
 - a. any evidence and submissions in reply;
 - b. a list of authorities in reply.
- 8. The parties confer and, on or before 25 October 2023, the First Respondent:
 - a. file a Court Book;
 - b. a joint bundle of authorities in accordance with the List of Authorities and Citations Practice Note (GPN-AUTH).
- 9. The matter be listed for hearing on the next available date after 25 October 2023.

From: [Scott, Madisen](#)
To: [Clare Lakewood](#); [Kirsty Ruddock](#); [Rufus Coffield-Feith](#); [Joshua Paveley](#); [Jess Border](#)
Cc: [Jeremy.Quan-Sing@allens.com.au](#); [Jeremy.Rich@allens.com.au](#); [Griffin, Brooke](#)
Subject: VID 647/2023 - Cooper v NOPSEMA & Ors and WAD207/2023 - Greenpeace v NOPSEMA & Ors [AGSDMS-DMS.FID4952782] [SEC=OFFICIAL]
Date: Tuesday, 5 September 2023 4:26:34 PM
Attachments: [20230905 AGS to EDO 23005410\(49086074.1\).pdf](#)

OFFICIAL

Dear Ms Lakewood and Ms Ruddock

Please find attached correspondence of today's date, enclosing a proposed minute of consent orders.

Kind regards

Madisen Scott
Senior Lawyer
Australian Government Solicitor
T 08 926 81797
madisen.scott@ags.gov.au

Find out more about AGS at <http://www.ags.gov.au>

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Our ref. 23005410

5 September 2023

Ms Kirsty Ruddock
Environmental Defenders Office

Clare Lakewood
Environmental Defenders Office

By email: kirsty.ruddock@edo.org.au; rufus.coffieldleith@edo.org.au;
Joshua.paveley@edo.org.au; clare.lakewood@edo.org.au;
jessica.border@edo.org.au

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Dear Ms Ruddock and Ms Lakewood

Greenpeace Australia Pacific Ltd v NOPSEMA & Anor – Federal Court of Australia proceedings WAD207 of 2023 and Cooper v NOPSEMA & Anor - Federal Court Proceedings VID 647 of 2023

1. We refer to the above proceedings which are both listed for case management hearing before Colvin J on 7 September 2023.
2. Each of those proceedings arise from the same subject matter and each seek, amongst other things, judicial review of our client's (**NOPSEMA**) decision of 31 July 2023 to accept, subject to conditions, the Scarborough 4D B1 Marine Seismic Survey Environment Plan pursuant to r 10 of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009* (Cth).
3. The parties to each of the proceedings have been requested to provide a minute of proposed case management orders to Colvin J's chambers by no later than 10am on 6 September 2023.
4. A relevant question for the parties to each of those proceedings is whether, and to what extent, they should proceed to be case managed and heard together. At present, NOPSEMA is not in a position to form a view about that matter and would be grateful to understand the position of the parties (whether by consensus or not) about that matter.
5. Whatever the answer to that question, NOPSEMA is not presently in a position to either propose or agree to orders timetabling the matter commenced by Greenpeace to a final hearing, without knowing how Greenpeace intends to prosecute ground one of the originating application.
6. In particular, Ground 1 of the application alleges that NOPSEMA's decision was subject to a jurisdictional fact, which did not exist at the time of decision. It is not clear whether Greenpeace intends to prove that alleged jurisdictional fact by relying on expert evidence, the extent of that evidence or how long it will take for any such

Greenpeace Australia Pacific Ltd v NOPSEMA & Anor – Federal Court of Australia proceedings
WAD207 of 2023 and Cooper v NOPSEMA & Anor - Federal Court Proceedings VID 647 of
2023

5 September 2023

evidence to be filed. If Greenpeace wishes to file expert evidence, and the respondents are given an opportunity to file evidence in reply, this will impact the pace at which the matter can proceed to hearing.

7. We will of course seek instructions on whatever timetabling orders Greenpeace proposes ahead of the case management hearing, including with the benefit of understanding the position of Ms Cooper and the Woodside parties as to those orders and whether the two matters are to be heard together.
8. Noting that any minutes of orders need to be provided shortly, and that the issues affecting NOPSEMA's ability to consider or propose a minute of orders in the Greenpeace matter does not arise in Ms Cooper's application (assuming the matters were not to proceed together), we have **enclosed** a minute of order for that application should it be that the two matters are to be dealt with separately.

Yours sincerely



Madisen Scott

Senior Lawyer

T 08 9268 1797

madisen.scott@ags.gov.au

cc. Jeremy Quan-Sing

Allens

Jeremy.Quan-Sing@allens.com.au

RAELENE COOPER

Applicant

**NATIONAL OFFSHORE PETROLEUM SAFETY AND ENVIRONMENTAL MANAGEMENT
AUTHORITY and others names in the Schedule**

Respondents

PROPOSED CONSENT ORDERS

JUDGE: JUSTICE COLVIN
DATE OF ORDER: August 2023
WHERE MADE: Perth

THE COURT ORDERS BY CONSENT THAT:

1. By 4pm on 8 September 2023, the Applicant file and serve any further evidence upon which she intend to rely.
2. By 4pm on 15 September 2023, the Respondents file and serve any evidence on which they intend to rely.
3. By 4pm on 22 September 2023, the Applicant file and serve:
 - a. any evidence in reply;
 - b. an outline of submissions not exceeding 15 pages; and
 - c. a list of authorities.
4. By 4pm on 29 September 2023, the Second and Third Respondents file and serve:
 - a. an outline of submissions not exceeding 15 pages;
 - b. a list of any additional authorities not also relied on by the Applicant.
5. By 4pm on 6 October 2023, the First Respondent file and serve:
 - a. an outline of submissions not exceeding 10 pages;
 - b. a list of any additional authorities not also relied on by the other parties.
6. By 4pm on 13 October 2023, the Applicant file and serve any submissions in reply not exceeding 5 pages.
7. The parties confer and on or before 17 October 2023 the Applicant file and serve:

- a. a Court Book;
 - b. a joint bundle of authorities in accordance with the List of Authorities and Citations Practice Note (GPN-AUTH).
8. The matter be listed for hearing in Perth on the next available date after 18 October 2023.

From: [Clare Lakewood](#)
To: [Scott, Madisen](#); [Griffin, Brooke](#); [Rich, Jeremy](#); [Quan-Sing, Jeremy](#); [Blaxill, Philip](#)
Cc: [Jess Border](#)
Subject: VID 645/23 - Cooper v NOPSEMA & Ors
Date: Wednesday, 6 September 2023 9:56:00 AM
Attachments: [image001.png](#)
[230906 - Letter to AGS and Allens.pdf](#)
[230906 - Applicant's Proposed orders \(marked up\).docx](#)

Dear colleagues,

Please see the attached.

Yours sincerely,
Clare



Environmental
Defenders Office

**Clare Lakewood – Special Counsel, Safe
Climate**

(Mon, Tue, Wed, Thu)

PO Box Z5218, Boorloo/Perth WA 6831

P: +61 8 6118 7912

E: clare.lakewood@edo.org.au

I use she/her pronouns.

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EDO recognises the traditional owners and custodians of the land, seas and rivers of Australia. We pay our respects to Aboriginal and Torres Strait Islander elders past and present, and aspire to learn from traditional knowledge and customs so that, together, we can protect our environment and cultural heritage through law.



Environmental Defenders Office

6 September 2023

Ms Madisen Scott
Senior Lawyer
Australian Government Solicitor

By email: madisen.scott@ags.gov.au

Copy to:

Mr Jeremy Quan-Sing Allens
Jeremy.Quan-Sing@allens.com.au

Ms Brooke Griffin, AGS
Brooke.Griffin@ags.gov.au

Mr Philip Blaxill, Allens
Philip.Blaxill@allens.com.au

Mr Jeremy Rich, Allens
Jeremy.Rich@allens.com.au

Dear colleagues

Federal Court proceedings VID647/2023: Cooper v NOPSEMA & Ors

1. We refer to your letter of 5 September 2023 and proposed orders provided last night under the cover of email at 4.24pm AWST.
2. We respond to the matters raised in your letter, and the proposed orders, as follows:
 - a. We refer to our previous correspondence and our proposal for the matter to proceed by way of concise statements. We remain of the view that these remain the most appropriate procedural course to adopt, given that we have not meaningfully been put on notice of your response to our position which has been disclosed to you in some detail in our previous correspondence and the originating motion filed on 17 August 2023.
 - b. We have amended our proposed orders to take into account your proposal for page limits, but consider that it is appropriate for the Applicant to have 15 pages in reply given that none of the Respondents have responded to our requests by indicating their

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ABN: 72002 880 864

substantive position on Ground 1, and the reply will be the first opportunity the Applicant has to address the submission of both respondents on this point.

- c. We consider that in circumstances where the NOPSEMA has decided to actively participate in this litigation, the usual practice in a public interest matter of this kind is for the Commonwealth entity to take carriage of the preparation of the Court Book and the combined bundle of authorities.
 - d. Although the matter was filed in the Victorian registry of the Federal Court of Australia and our Counsel are Melbourne based, we would agree to final hearing in Perth, provided that interlocutory matters are able to be heard online, and subject to the preference of the Court.
 - e. We do not, at this stage, seek for this matter to be joined with any other proceeding.
3. We enclose a revised version of our orders for your consideration. We will provide these to the Court this morning, as per the request of the Associate to the Honourable Justice Colvin, before **10am AWST.**

Yours sincerely,

Environmental Defenders Office

A handwritten signature in black ink, appearing to read 'Clare', written in a cursive style.

Clare Lakewood
Special Counsel, Safe Climate (Gas)

RAELENE COOPER

Applicant

**NATIONAL OFFSHORE PETROLEUM SAFETY AND ENVIRONMENTAL MANAGEMENT
AUTHORITY and others names in the Schedule**

Respondents

APPLICANT'S PROPOSED CONSENT ORDERS

JUDGE: JUSTICE COLVIN
DATE OF ORDER: [XX] September 2023
WHERE MADE: Perth

THE COURT ORDERS BY CONSENT THAT:

1. By 4pm on 11 September 2023, the Applicant file and serve a concise statement.
2. By 4pm on 15 September 2023, the Second and Third Respondents file and serve a concise statement.
3. By 4pm on 20 September 2023, the First Respondent file and serve a concise statement.
4. By 4pm on 4 October 2023, the Applicant file and serve:
 - a. any evidence upon which she relies;
 - b. an outline of submissions not exceeding 15 pages; and,
 - c. a list of authorities,
5. By 4pm on 11 October 2023, the Second and Third Respondents file and serve:
 - a. any evidence upon which they rely;
 - b. an outline of submissions not exceeding 15 pages; and,
 - c. a list of authorities.
6. By 4pm on 18 October 2023, the First Respondent file and serve:
 - a. any evidence upon which it relies;
 - b. an outline of submissions, not exceeding 10 pages; and,

- c. a list of authorities.
- 7. By 4pm on 23 October the Applicant file and serve:
 - a. any evidence and submissions in reply not exceeding 15 pages;
 - b. a list of authorities in reply.
- 8. The parties confer and, on or before 25 October 2023, the First Respondent:
 - a. file a Court Book;
 - b. a joint bundle of authorities in accordance with the List of Authorities and Citations Practice Note (GPN-AUTH).
- 9. The matter be listed for hearing in Perth on the next available date after 25 October 2023.

Amended Originating application for judicial review

No. VID647 of 2023

Federal Court of Australia
District Registry: Victoria
Division: Administrative and Constitutional Law and Human Rights

RAELENE COOPER

Applicant

**NATIONAL OFFSHORE PETROLEUM SAFETY AND ENVIRONMENTAL MANAGEMENT
AUTHORITY and others named in the Schedule**

Respondents

To the Respondents

The Applicant applies for the relief set out in this application.

The Court will hear this application, or make orders for the conduct of the proceeding, at the time and place stated below. If you or your lawyer do not attend, then the Court may make orders in your absence.

You must file a notice of address for service (Form 10) in the Registry before attending Court or taking any other steps in the proceeding.

Time and date for hearing:

Place:

The Court ordered that the time for serving this application be abridged to [Registry will insert date, if applicable]

Filed on behalf of (name & role of party) Raelene Cooper, Applicant
Prepared by (name of person/lawyer) Clare Lakewood
Law firm (if applicable) Environmental Defenders Office
Tel +61 8 6118 7912 Fax _____
Email Clare.lakewood@edo.org.au
Address for service Environmental Defenders Office, Suite 8.02 Level 8/6 O'Connell St, Sydney NSW
(include state and postcode) 2000

Date:

Signed by an officer acting with the authority
of the District Registrar

The Applicant applies to the Court to review, and, in the alternative, to restrain activity undertaken otherwise than in accordance with, the decision of the delegate of the First Respondent made on 31 July 2023 purportedly pursuant to reg 10 of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009* (Cth) (**Environment Regulations**), to accept, subject to conditions, the Scarborough 4D B1 Marine Seismic Survey Environment Plan (Revision 7, June 2023) (**Seismic Survey EP**) to enable the Second Respondent and Third Respondent (collectively, the **Titleholders**) to undertake a new three-dimensional marine seismic survey (**MSS**)/baseline 4D MSS in the Northern Carnarvon Basin on the Exmouth Plateau located in Commonwealth waters 188 km north-west of Northwest Cape, Western Australia (**Activity**) (the **Decision**).

The application for judicial review is made pursuant to s 5(1) of the *Administrative Decisions (Judicial Review) Act 1977* (Cth) (**ADJR Act**) and ss 39B(1) and (1A) of the *Judiciary Act 1903* (Cth) (**Judiciary Act**). The application to restrain is made pursuant to s 39B(1A)(c) of the Judiciary Act and/or ss 19, 22 and 23 of the Federal Court of Australia Act 1976 (Cth) (FCA Act).

Details of claim

The Applicant is aggrieved by the Decision because:

1. The Applicant is a Mardudhunera woman and a Traditional Custodian of Murujuga (also known as Burrup Peninsula), an area located in the Pilbara region in far north Western Australia that is coastally adjacent to the environment that may be affected by the Activity.
2. The Applicant is also a co-founder of Save Our Songlines, an unincorporated organisation dedicated to the protection of Murujuga, and its adjacent waters, from damage to Songlines, rock art, health and climate arising from the expansion of industry.
3. The Applicant and Save Our Songlines are, and are each recognised by the Titleholders to be, a “relevant person” within the meaning of reg 11A(1)(d) of the Environment Regulations.

Particulars

The Applicant refers to Tables 5-3 and 5-4 at pages 66 and 185-191 respectively of the Seismic Survey EP.

4. Save Our Songlines is, and is recognised by the First Respondent to be, a “relevant person” within the meaning of reg 11A(1)(d) of the Environment Regulations in the Decision.

Particulars

The Applicant refers to paragraphs [91]-[96] of the Statement of Reasons for the Acceptance (With Conditions) of the Scarborough 4D B1 Marine Seismic Survey Environment Plan (**Statement of Reasons**).

5. The Applicant is aggrieved by the Decision because:

- (a) she was not consulted as required by reg 11A of the Environment Regulations about the possible consequences of the Activity on her functions, interests and activities;
- (b) the First Respondent was not satisfied that the Seismic Survey EP demonstrated that the Titleholders had consulted as required by reg 11A of the Environment Regulations; and,

the Decision was therefore unlawfully made.

Grounds of application for judicial review

- 1. The First Respondent did not have statutory power to make the Decision because the First Respondent was not reasonably satisfied that the Seismic Survey EP demonstrated that the consultation required by reg 11A of the Environment Regulations had been carried out, and so was not reasonably satisfied of the criteria in reg 10A(g)(i) and reg 10A(g)(ii).

Particulars

- (a) Regulation 9(1) of the Environment Regulations requires a titleholder, before commencing an activity, to submit an environment plan for the activity to the First Respondent.
- (b) Pursuant to reg 10(1), the First Respondent must accept a plan if the First Respondent is "*reasonably satisfied*" that the environment plan meets the criteria set out in reg 10A.
- (c) Pursuant to reg 10A(g), the criteria for acceptance of an environment plan include that the plan "*demonstrates that*:
 - (i) *the titleholder has carried out the consultations required by Division 2.2A; and*
 - (ii) *the measures (if any) that the titleholder has adopted, or proposes to adopt, because of the consultations are appropriate.*"

(d) Regulation 11A(1) of Div 2.2A requires that “*in the course of preparing an environment plan or a revision of an environment plan, a titleholder must consult with*”, inter alia:

(d) *a person or organisation whose functions, interests or activities may be affected by the activities to be carried out under the environment plan, or the revision of the environment plan; ...”*

(e) The First Respondent recognised that the Applicant and Save Our Songlines had been identified by the Titleholders as “relevant persons” within the meaning of reg 11A(1)(d) of the Environment Regulations, in the Statement of Reasons at [92].

(f) The First Respondent was not reasonably satisfied that consultation as required by reg 11A of Div 2.2A had been carried out, and, therefore:

(i) was not reasonably satisfied that the criterion in reg 10A(g)(i) was met; and,

(ii) was not reasonably satisfied that the criterion in reg 10A(g)(ii) was met.

The Applicant refers to the Statement of Reasons at [94]-[97].

(g) For the purposes of s 5 of the ADJR Act, the First Respondent:

(i) did not have jurisdiction to make the Decision (s 5(1)(c));

(ii) made a decision that was not authorised by the enactment in pursuance of which it was purported to be made (s 5(1)(d)); and,

(iii) made a decision that involved an error of law (s 5(1)(f)).

Grounds of application to restrain

2. In the alternative, the commencement of the Activity is not authorised by the Seismic Survey EP, and would be unlawful, because the Decision is subject to express conditions with which the Titleholders have ~~First Respondent has~~ not complied.

Particulars

(a) The Applicant refers to and repeats particulars (a)-(f) in Ground 1 above, and in particular paragraphs (e)-(f).

- (b) The First Respondent considered that representatives of Save Our Songlines had requested a second meeting with the Titleholders in order to further understand the Activity and to share information on their functions, interests or activities that may be affected by the Activity, and that this had not taken place before the Seismic Survey EP was submitted: Statement of Reasons at [94(e)].
- (c) The First Respondent considered that there was uncertainty as to whether there was additional information held by First Nations people on the cultural features of the environment, including spiritual and cultural connections to the environment that may be affected by the Activity: Statement of Reasons at [95].
- (d) The First Respondent decided to accept the Seismic Survey EP subject to certain conditions, including, without limitation, Conditions (1) and (3) set out in the Statement of Reasons at [133], which provided:
- 1) *Prior to commencement of the activity, the titleholders must consult with registered native title bodies corporate, representative Aboriginal / Torres Strait Islander bodies and other persons or organisations identified as a relevant person in relation to First Nations cultural heritage in Tables 5-3 and 5-4 of the EP to confirm whether:*
 - a) *They are aware of any people, who in accordance with Indigenous tradition, may have spiritual and cultural connections to the environment that may be affected by the activity that have not yet been afforded the opportunity to provide information that may inform the management of the activity.*
 - b) *There is any information they wish to provide on cultural features and/or heritage values.*

...
 - 3) *The method of consultation is informed by the relevant persons being consulted.*
- (e) There has been no consultation with the Applicant or Save Our Songlines, at all, or, alternatively, by a method informed by the Applicant or Save our Songlines, since the date of the Decision.

- (f) Pursuant to reg 7(1)(b) it is an offence for a titleholder to undertake an activity in a way that is contrary to any limitation or condition applying to operations for the activity under the Environment Regulations.

Orders sought

1. A declaration pursuant to s 16(1)(c) of the ADJR Act or s 39B of the Judiciary Act that the Decision is invalid and set aside.
2. Alternatively to 1, an order pursuant to s 16(1)(a) of the ADJR Act, quashing or setting aside the Decision with effect from the date of the order or from such earlier or later date as the Court specifies.
3. An order in the nature of prohibition and/or an injunction under s 39B of the Judiciary Act, alternatively, s 16(1)(d) of the ADJR Act or ss 22 and 23 of the FCA Act, prohibiting or restraining on a final basis:
 - (a) the Second and Third Respondents from doing any act or thing pursuant to the Decision or, alternatively,
 - (b) the Second and Third Respondents from undertaking the Activity otherwise than after compliance with the conditions to which the Decision is subject.
4. Costs.
5. Such further or other orders as this Court thinks fit.

Applicant's address

The Applicant's address for service is:

Place: c/o Environmental Defenders Office, Suite 8.02 Level 8/6 O'Connell St, Sydney NSW
2000

Email: clare.lakewood@edo.org.au

Service on the Respondent

It is intended to serve this application on all Respondents.

Date: ~~17 August~~ 6 September, 2023

Signed by Clare Lakewood
Lawyer for the Applicant

Schedule

No. 647 of 2023

Federal Court of Australia

District Registry: Victoria

Division: Administrative and Constitutional Law and Human Rights

Respondents

Second Respondent:

WOODSIDE ENERGY SCARBOROUGH PTY LTD
ACN 650 177 227

Third Respondent:

WOODSIDE ENERGY (AUSTRALIA) PTY LTD
ACN 006 923 879

Date: 17 August 6 September 2023

From: [Clare Lakewood](#)
To: [Scott, Madisen](#); [Griffin, Brooke](#); [Quan-Sing, Jeremy](#); [Rich, Jeremy](#); [Blaxill, Philip](#)
Cc: [Jess Border](#)
Subject: VID645/2023 - Cooper v NOPSEMA & Ors
Date: Wednesday, 6 September 2023 4:35:00 PM
Attachments: [image001.png](#)
[230906PM - Letter to AGS and Allens.pdf](#)
[230906 - proposed Amended Originating application for JR.pdf](#)

Dear colleagues,

Please see the attached.

Yours sincerely,
Clare



Environmental
Defenders Office

**Clare Lakewood – Special Counsel, Safe
Climate**

(Mon, Tue, Wed, Thu)

PO Box Z5218, Boorloo/Perth WA 6831

P: +61 8 6118 7912

E: clare.lakewood@edo.org.au

I use she/her pronouns.

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Environmental Defenders Office

6 September 2023

Ms Madisen Scott
Senior Lawyer
Australian Government Solicitor

By email: madisen.scott@ags.gov.au

Mr Jeremy Quan-Sing
Partner
Allens

By email: Jeremy.Quan-Sing@allens.com.au

Copy to:

Ms Brooke Griffin, AGS
Brooke.Griffin@ags.gov.au

Mr Philip Blaxill, Allens
Philip.Blaxill@allens.com.au

Mr Jeremy Rich, Allens
Jeremy.Rich@allens.com.au

Dear colleagues,

Federal Court proceedings VID647/2023: Cooper v NOPSEMA & Ors

1. We refer to:

- a. Allens' letter of today's date (**Allens Letter of 6 September 2023**);
- b. the respective proposed procedural orders provided to the Court today by AGS (**NOPSEMA's Proposed Orders**) and Allens (**Woodside's Proposed Orders**);
- c. the Applicant's proposed orders provided to the Court today (**Applicant's Proposed Orders**); and
- d. AGS's letter of 1 September 2023 (**AGS Letter of 1 September 2023**).

Proposed amendments to timetable

2. We have reviewed NOPSEMA's Proposed Orders and Woodside's Proposed Orders. In an effort to narrow the issues between the parties arising at the case management conference tomorrow, we propose the following:

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PO Box Z5218 Boorloo/Perth WA 6831
ABN: 72002 880 864

- a. We continue to press for the substance of each of the orders in the Applicant's Proposed Orders, but would agree to a variation in the dates we have proposed to allow for the matter to be ready for hearing by 18 October (in accordance with the date proposed in Order 8 of NOPSEMA's Proposed Orders).
- b. This variation would see the Applicant file and serve her evidence, submissions, and authorities pursuant to Order 4 of the Applicant's Proposed Orders by 4 October 2023 (rather than 11 October 2023), and then bring the dates of each of the subsequent orders forward by one week.

Grounds 1 and 2 should not be heard separately

3. We do not consider that Woodside's Proposed Order 1 (and the orders flowing from it) for Ground 1 to be heard separately from any other ground to be an appropriate or efficient course. The originating application pleads two grounds, which are intimately related in both subject matter and legal principle. It is appropriate that they be heard and determined together. To hear them separately risks duplicating the work of the parties and the Court and unnecessarily delaying the resolution of the whole of the controversy between the parties.
4. We also consider that Woodside's proposal at paragraph [9] of the Allens Letter of 6 September 2023 that NOPSEMA 'have the primary carriage of the argument about whether it had power to make the Decision' would place NOPSEMA in an invidious position given its status as an independent regulator and statutory decision-maker. While we accept that it is appropriate, in some circumstances, for a decision-maker to take a role in proceedings,¹ prudence and authority dictate that this should be limited. This is particularly so where Woodside is an active contradictor capable of responding to Ground 1, if it does wish to defend the lawfulness of the Seismic Survey EP.

Proposed amendments to the Originating Application

5. We refer to paragraph [5.2] of the AGS Letter of 1 September 2023. The Applicant intends to seek leave, pursuant to r 8.21 of the *Federal Court Rules 2011*, to amend the Originating Application. The purpose of the proposed amendments, which in no way affect the substance of the grounds, is to clarify the relationship between Grounds 1 and 2, and to amend a typographical error.
6. We **enclose** a proposed Amended Originating Application. Please advise if your clients consent to the Applicant being granted leave to file.

Yours sincerely,

Environmental Defenders Office



Clare Lakewood
Special Counsel, Safe Climate (Gas)

¹ In accordance with the principles set out in *R v Australian Broadcasting Tribunal; Ex parte Hardiman* (1980) 144 CLR 13 at 35-36.

Amended Originating application for judicial review

No. VID647 of 2023

Federal Court of Australia
District Registry: Victoria
Division: Administrative and Constitutional Law and Human Rights

RAELENE COOPER

Applicant

**NATIONAL OFFSHORE PETROLEUM SAFETY AND ENVIRONMENTAL MANAGEMENT
AUTHORITY and others named in the Schedule**

Respondents

To the Respondents

The Applicant applies for the relief set out in this application.

The Court will hear this application, or make orders for the conduct of the proceeding, at the time and place stated below. If you or your lawyer do not attend, then the Court may make orders in your absence.

You must file a notice of address for service (Form 10) in the Registry before attending Court or taking any other steps in the proceeding.

Time and date for hearing:

Place:

The Court ordered that the time for serving this application be abridged to [Registry will insert date, if applicable]

Filed on behalf of (name & role of party) Raelene Cooper, Applicant
Prepared by (name of person/lawyer) Clare Lakewood
Law firm (if applicable) Environmental Defenders Office
Tel +61 8 6118 7912 Fax _____
Email Clare.lakewood@edo.org.au
Address for service Environmental Defenders Office, Suite 8.02 Level 8/6 O'Connell St, Sydney NSW
(include state and postcode) 2000

Date:

Signed by an officer acting with the authority
of the District Registrar

The Applicant applies to the Court to review, and, in the alternative, to restrain activity undertaken otherwise than in accordance with, the decision of the delegate of the First Respondent made on 31 July 2023 purportedly pursuant to reg 10 of the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009* (Cth) (**Environment Regulations**), to accept, subject to conditions, the Scarborough 4D B1 Marine Seismic Survey Environment Plan (Revision 7, June 2023) (**Seismic Survey EP**) to enable the Second Respondent and Third Respondent (collectively, the **Titleholders**) to undertake a new three-dimensional marine seismic survey (**MSS**)/baseline 4D MSS in the Northern Carnarvon Basin on the Exmouth Plateau located in Commonwealth waters 188 km north-west of Northwest Cape, Western Australia (**Activity**) (the **Decision**).

The application for judicial review is made pursuant to s 5(1) of the *Administrative Decisions (Judicial Review) Act 1977* (Cth) (**ADJR Act**) and ss 39B(1) and (1A) of the *Judiciary Act 1903* (Cth) (**Judiciary Act**). The application to restrain is made pursuant to s 39B(1A)(c) of the Judiciary Act and/or ss 19, 22 and 23 of the Federal Court of Australia Act 1976 (Cth) (FCA Act).

Details of claim

The Applicant is aggrieved by the Decision because:

1. The Applicant is a Mardudhunera woman and a Traditional Custodian of Murujuga (also known as Burrup Peninsula), an area located in the Pilbara region in far north Western Australia that is coastally adjacent to the environment that may be affected by the Activity.
2. The Applicant is also a co-founder of Save Our Songlines, an unincorporated organisation dedicated to the protection of Murujuga, and its adjacent waters, from damage to Songlines, rock art, health and climate arising from the expansion of industry.
3. The Applicant and Save Our Songlines are, and are each recognised by the Titleholders to be, a “relevant person” within the meaning of reg 11A(1)(d) of the Environment Regulations.

Particulars

The Applicant refers to Tables 5-3 and 5-4 at pages 66 and 185-191 respectively of the Seismic Survey EP.

4. Save Our Songlines is, and is recognised by the First Respondent to be, a “relevant person” within the meaning of reg 11A(1)(d) of the Environment Regulations in the Decision.

Particulars

The Applicant refers to paragraphs [91]-[96] of the Statement of Reasons for the Acceptance (With Conditions) of the Scarborough 4D B1 Marine Seismic Survey Environment Plan (**Statement of Reasons**).

5. The Applicant is aggrieved by the Decision because:

- (a) she was not consulted as required by reg 11A of the Environment Regulations about the possible consequences of the Activity on her functions, interests and activities;
- (b) the First Respondent was not satisfied that the Seismic Survey EP demonstrated that the Titleholders had consulted as required by reg 11A of the Environment Regulations; and,

the Decision was therefore unlawfully made.

Grounds of application for judicial review

- 1. The First Respondent did not have statutory power to make the Decision because the First Respondent was not reasonably satisfied that the Seismic Survey EP demonstrated that the consultation required by reg 11A of the Environment Regulations had been carried out, and so was not reasonably satisfied of the criteria in reg 10A(g)(i) and reg 10A(g)(ii).

Particulars

- (a) Regulation 9(1) of the Environment Regulations requires a titleholder, before commencing an activity, to submit an environment plan for the activity to the First Respondent.
- (b) Pursuant to reg 10(1), the First Respondent must accept a plan if the First Respondent is "*reasonably satisfied*" that the environment plan meets the criteria set out in reg 10A.
- (c) Pursuant to reg 10A(g), the criteria for acceptance of an environment plan include that the plan "*demonstrates that*:
 - (i) *the titleholder has carried out the consultations required by Division 2.2A; and*
 - (ii) *the measures (if any) that the titleholder has adopted, or proposes to adopt, because of the consultations are appropriate."*

- (d) Regulation 11A(1) of Div 2.2A requires that “*in the course of preparing an environment plan or a revision of an environment plan, a titleholder must consult with*”, inter alia:
- (d) *a person or organisation whose functions, interests or activities may be affected by the activities to be carried out under the environment plan, or the revision of the environment plan; ...*”
- (e) The First Respondent recognised that the Applicant and Save Our Songlines had been identified by the Titleholders as “relevant persons” within the meaning of reg 11A(1)(d) of the Environment Regulations, in the Statement of Reasons at [92].
- (f) The First Respondent was not reasonably satisfied that consultation as required by reg 11A of Div 2.2A had been carried out, and, therefore:
- (i) was not reasonably satisfied that the criterion in reg 10A(g)(i) was met; and,
- (ii) was not reasonably satisfied that the criterion in reg 10A(g)(ii) was met.
- The Applicant refers to the Statement of Reasons at [94]-[97].
- (g) For the purposes of s 5 of the ADJR Act, the First Respondent:
- (i) did not have jurisdiction to make the Decision (s 5(1)(c));
- (ii) made a decision that was not authorised by the enactment in pursuance of which it was purported to be made (s 5(1)(d)); and,
- (iii) made a decision that involved an error of law (s 5(1)(f)).

Grounds of application to restrain

2. In the alternative, the commencement of the Activity is not authorised by the Seismic Survey EP, and would be unlawful, because the Decision is subject to express conditions with which the Titleholders have ~~First Respondent has~~ not complied.

Particulars

- (a) The Applicant refers to and repeats particulars (a)-(f) in Ground 1 above, and in particular paragraphs (e)-(f).

- (b) The First Respondent considered that representatives of Save Our Songlines had requested a second meeting with the Titleholders in order to further understand the Activity and to share information on their functions, interests or activities that may be affected by the Activity, and that this had not taken place before the Seismic Survey EP was submitted: Statement of Reasons at [94(e)].
- (c) The First Respondent considered that there was uncertainty as to whether there was additional information held by First Nations people on the cultural features of the environment, including spiritual and cultural connections to the environment that may be affected by the Activity: Statement of Reasons at [95].
- (d) The First Respondent decided to accept the Seismic Survey EP subject to certain conditions, including, without limitation, Conditions (1) and (3) set out in the Statement of Reasons at [133], which provided:
- 1) *Prior to commencement of the activity, the titleholders must consult with registered native title bodies corporate, representative Aboriginal / Torres Strait Islander bodies and other persons or organisations identified as a relevant person in relation to First Nations cultural heritage in Tables 5-3 and 5-4 of the EP to confirm whether:*
 - a) *They are aware of any people, who in accordance with Indigenous tradition, may have spiritual and cultural connections to the environment that may be affected by the activity that have not yet been afforded the opportunity to provide information that may inform the management of the activity.*
 - b) *There is any information they wish to provide on cultural features and/or heritage values.*

...
 - 3) *The method of consultation is informed by the relevant persons being consulted.*
- (e) There has been no consultation with the Applicant or Save Our Songlines, at all, or, alternatively, by a method informed by the Applicant or Save our Songlines, since the date of the Decision.

- (f) Pursuant to reg 7(1)(b) it is an offence for a titleholder to undertake an activity in a way that is contrary to any limitation or condition applying to operations for the activity under the Environment Regulations.

Orders sought

1. A declaration pursuant to s 16(1)(c) of the ADJR Act or s 39B of the Judiciary Act that the Decision is invalid and set aside.
2. Alternatively to 1, an order pursuant to s 16(1)(a) of the ADJR Act, quashing or setting aside the Decision with effect from the date of the order or from such earlier or later date as the Court specifies.
3. An order in the nature of prohibition and/or an injunction under s 39B of the Judiciary Act, alternatively, s 16(1)(d) of the ADJR Act or ss 22 and 23 of the FCA Act, prohibiting or restraining on a final basis:
 - (a) the Second and Third Respondents from doing any act or thing pursuant to the Decision or, alternatively,
 - (b) the Second and Third Respondents from undertaking the Activity otherwise than after compliance with the conditions to which the Decision is subject.
4. Costs.
5. Such further or other orders as this Court thinks fit.

Applicant's address

The Applicant's address for service is:

Place: c/o Environmental Defenders Office, Suite 8.02 Level 8/6 O'Connell St, Sydney NSW
2000

Email: clare.lakewood@edo.org.au

Service on the Respondent

It is intended to serve this application on all Respondents.

Date: ~~17 August~~ 6 September, 2023

Signed by Clare Lakewood
Lawyer for the Applicant

Schedule

No. 647 of 2023

Federal Court of Australia
District Registry: Victoria
Division: Administrative and Constitutional Law and Human Rights

Respondents

Second Respondent: **WOODSIDE ENERGY SCARBOROUGH PTY LTD**
ACN 650 177 227

Third Respondent: **WOODSIDE ENERGY (AUSTRALIA) PTY LTD**
ACN 006 923 879

Date: 17 August 6 September 2023