LEGISLATIVE COUNCIL ENVIRONMENT AND PLANNING COMMITTEE

Inquiry into Decommissioning Oil and Gas Infrastructure

Melbourne – Wednesday 10 December 2025

MEMBERS

Ryan Batchelor – Chair
David Ettershank – Deputy Chair
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Gaelle Broad
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WITNESS *(via videoconference)*

Professor Tina Soliman-Hunter, Energy and Resources Law, Macquarie Law School, Macquarie University.

The CHAIR: Welcome, everybody. I declare open today's public hearing for the Inquiry into Decommissioning Oil and Gas Infrastructure in Victoria. It is a public hearing of the Legislative Council's Environment and Planning Committee, an all-party committee of the Legislative Council of the Victorian Parliament that has been asked by the Parliament to look into the decommissioning of oil and gas infrastructure in Victoria. Over the course of the inquiry we are going to have several days of public hearings and provide a report to the Parliament, which will include recommendations to the government. If everyone here today could please make sure that their mobile phones have been switched to silent and that we minimise background noise, that will make life easier for everyone.

I will begin by acknowledging the traditional owners of the land on which we are meeting – we are meeting here today on Wurundjeri country – and I pay my respects to elders past and present and acknowledge the traditional owners of any of the lands which our witnesses join us from. I welcome members of the public into the gallery and remind any of those present in the room to be respectful of proceedings at all times.

For our witnesses, all the evidence that we take is protected by parliamentary privilege as provided by the *Constitution Act 1975* and the provisions of the Legislative Council standing orders. Therefore the information provided during the hearing is protected by law. Witnesses are protected against any action for what you say during the hearing, but if you go elsewhere and repeat the same things, those comments may not be protected by this privilege. Any deliberately false evidence or misleading of the committee may be considered a contempt of the Parliament.

All evidence is being recorded. You will be provided with a proof version of the transcript following the hearing, and these transcripts will ultimately be made public and posted on the committee's website.

Welcome. My name is Ryan Batchelor. I am the Chair of the committee and a Member for Southern Metropolitan Region in the Parliament. I will ask committee members to introduce themselves. I might start with Ms Broad down the end.

Gaelle BROAD: Hi. I am Gaelle Broad, Member for Northern Victoria Region.

Melina BATH: Good morning. Melina Bath, Eastern Victoria Region.

Wendy LOVELL: Wendy Lovell, Member for Northern Victoria Region.

Tom McINTOSH: Tom McIntosh, Eastern Victoria Region.

Sarah MANSFIELD: Sarah Mansfield, Member for Western Victoria.

The CHAIR: Tina, could you firstly introduce yourself – your name and the organisation you are appearing on behalf of – and then we will invite you to make an opening statement.

Tina SOLIMAN-HUNTER: Certainly. My name is Professor Tina Soliman-Hunter. I am a Professor of Energy and Resources Law at Macquarie University in Sydney, and I am also the co-director of the Transforming Energy Markets Research Centre, also at Macquarie University. I also hold positions at the University of Tomsk in Russia, in earth sciences, in particular in geosciences, and I hold honorary positions at the University of Eastern Finland and the University of Bergen here in Norway. I am speaking to you from Norway.

The CHAIR: Thank you. Over to you, please. If you want to make an opening statement, that would be great.

Tina SOLIMAN-HUNTER: Certainly. Probably what I would like to do is give you a brief overview of my qualifications and capacity to appear before this committee, and also I would like to outline very briefly my background research into this and potential conflicts of interest in order for the committee to be made aware of them.

Commencing with my qualifications, I hold six degrees in areas as diverse as earth sciences, public policy, information and research, informatics and law. Probably the most important one, my PhD, is from the University of Bergen here in Norway, in oil and gas regulation in both Norway and Australia. In terms of background research capacity, I have published over 200 research articles in what was my main area until probably 2018, offshore oil and gas, which I almost exclusively worked on for the first 18 years of my career. I now look at offshore energy law, which includes offshore wind, offshore nuclear and various other forms of essentially wet research. That includes things like microplastics and sediments and sedimentation, putting my earth sciences hat on.

In terms of declaring my potential conflict of interest, I teach twice a year at the Centre of Decommissioning Australia, CODA, a public information course on decommissioning, where I teach the legal framework and also circularity in some instances. In addition, I have undertaken research for a number of institutions, which is all available on my research page and easily available in the public domain. The two most important are those for the Maritime Union of Australia. One is on decommissioning and circularity. Essentially it is the dismantling, processing, recycling and disposal of materials after decommissioning. The second is on well P and A, plugging and abandonment. It is those two areas which will probably form the focus of my discussion today because that is actually the focus of your work as well.

The CHAIR: Thank you. The way this works is we will just each take it in turns to ask you a series of questions. Feel free to ask if there are any points about the questions you want clarified, otherwise we will just try and work through the issues as they arise.

I will start. Obviously, at the outset, it is fair to say that we are not experts in this issue but are rapidly learning a lot. So we really appreciate people like you, who are experts, taking the time to help educate us about the mechanics and the issues, the engineering and all the associated technical side, in an easy to understand way but also to get us to really hone in on what the critical issues are that we need to be thinking about as Victoria goes through a process of decommissioning pretty significant oil and gas fields, particularly in the Bass Strait. In that context I would be interested, given your expertise and international experience: is there a jurisdiction or a part of the world that you would think of as the gold standard for oil and gas decommissioning? Who has done it the best, and what do you think are the key features of why that would be regarded as the gold standard?

Tina SOLIMAN-HUNTER: That it is a really interesting question, and essentially it is a question that everybody asks. The answer is always the same, and it is Norway. The reason for that is threefold. First of all – and this is something that Australia does not have – Norway builds the infrastructure, and if you build it, you can pull it apart. Secondly, Norway has a policy, which is also in line with the international regional treaty called OSPAR, that means, with very few exceptions, you cannot get a derogation or an exception for leaving any infrastructure in; it would all have to be removed. The third thing is that the framework that Norway has constructed for the decommissioning process not only includes the offshore removing of it but then what you are going to do about it onshore. That is the hallmark of a gold standard because what it does is it says, 'This doesn't just end when you pull it out.' Part of the decommissioning plan is also that you have to provide a plan of where you are going to send it, give us some alternatives, and then we are going to tell you where to send it to in order to decommission it, as in pull it apart. It is something that I like to refer to as DPRD, so dismantling, processing, recycling, disposal. The definition that has being laid down by DISR is that decommissioning is taking it out, so then the question remains: what do we do with it when it is out and onshore? That does not fall under decommissioning. But in Norway it does, and so that is why it is the gold standard. Probably there is a fourth reason –

The CHAIR: Just to clarify that, Norway's approach extends beyond just simply taking the infrastructure out of the water and out of the ground and then figuring out what the entire life cycle process is for the remainder of the parts – would that be fair to say?

Tina SOLIMAN-HUNTER: Yes. In fact your decommissioning plan has to include where you are going to send it to, why you are going to send it there and how long it is going to take to dismantle it. Probably the fourth reason – there is actually a fourth reason – is because part of the decommissioning process offshore is plugging and abandoning your wells. To my mind this is the most critical component of decommissioning and in fact was one of the topics of one of the reports I did for the MUA. The reason for that is because if we want to look at what is one of the greatest threats of decommissioning, it is leaking wells, and if you do not have gold

standard in decommissioning, then you are going to have leaking wells. I am happy to go more into that because I think that is an extremely important component, and that is why Norway excels.

The CHAIR: Is there anything that you can think of that poses different or unique challenges in the Victorian context that you think we need to be conscious of as we embark on this inquiry?

Tina SOLIMAN-HUNTER: Compared to other jurisdictions, no. If you look at the risk factors or the unique factors that are being played out, your arguments would be distance to shore, the physical environment, the infrastructure available onshore to receive it and the skills available. I would say that the North West Shelf is a completely different kettle of fish; it is extremely remote, and they are quite different climatic conditions. But the Bass Strait is very similar in lots of ways to the North Sea, although not as violent and not as difficult or treacherous. Certainly it is treacherous, but there are worse physical environments. In terms of proximity, you are very fortunate in that you have quite close proximity from the field to onshore, so that then also creates a completely acceptable factor that is not in any way unique.

Areas for receiving and dismantling may very well be challenging but not unique. The UK has had exactly the same problems. I know that you are doing a revamp of the Port of Hastings, and the UK is very similar. I used to live in Aberdeen before I came to Australia, in the north of Scotland, and the transformation that has occurred in the north of Scotland is very similar to what needs to be done in southern Australia. I think that there are fairly unique challenges only in the regulatory framework. The US gets around this 3-nautical-mile-limit problem very easily under the outer continental shelf Act, but Australia is problematic. I think there is there is no way around that.

The CHAIR: I might just pause there. Just let me know which of the opposition members want to go first. Do you want to, Melina?

Melina BATH: Okay, thank you. Thank you very much for your submission and discussion today, Professor. I will pick up what you were putting down on leaky wells. Can you provide a short context on what we need to know about that for a Victorian context, please? I am also interested in, when we are talking about wells, the opportunity of repurposing offshore sites for carbon capture and storage. Do you have any commentary on that – plus, minus or indifferent?

Tina SOLIMAN-HUNTER: Definitely negative. First of all, with wells – it is my understanding that NOPSEMA will be your body that will be doing the regulatory. I have confidence in NOPSEMA in a way that perhaps two years ago I did not. I have worked with NOPSEMA, and I have also seen the result of their quite strong approach to some of the companies. We are under parliamentary privilege, are we not?

The CHAIR: We are.

Tina SOLIMAN-HUNTER: We are. Okay. One of the most troublesome companies is Woodside. That has been the thorn in NOPSEMA's side for a very long time, and in fact I have been privy to in conversations with Woodside that their whole tactic is about getting around NOPSEMA's directions and what NOPSEMA requires. So there are some what I would call less than cooperative elements, and NOPSEMA is taking a very strong stand in relation to well integrity. However – and this is the caveat – in the offshore, under the Commonwealth jurisdiction, what happens is a company puts in what is called a WOMP, a well ops management plan. That well ops management plan is approved by NOPSEMA. So NOPSEMA says, 'Yes, we agree with what you're going to do.' Then what happens is the company goes off and plugs and abandons the well. They then write a report to NOPSEMA, and they say, 'We plugged and abandoned the well the way you said that we could under the WOMP.' Then NOPSEMA either accept that or do not – and generally they accept it. What is not done, which is unlike any other jurisdiction, is either the well is inspected or the process is inspected or you have a third party well certifier that signs off on the well. Now, Australia is the only jurisdiction that has not done that. I have been banging on about this for more than 15 years. I think it is an incredibly large deficit in the entire system in Australia, and if there was one recommendation I could give you to strengthening your P and A capacity, it would be to make sure that as a condition of the well ops management plan and before a company is able to surrender their licence, that well is certified as being plugged and abandoned to the best of their ability.

Melina BATH: Professor, because I know my time is very short and I want you to transfer over to the opportunities for CCS, if you have any other examples of where that independent adjudicator is there and you could provide that in writing to the committee, that would be good.

Tina SOLIMAN-HUNTER: Certainly. Moving on to CCS, one of the most important things with CCS, remembering that CCS is going to be injected into either the depleted reservoir or into another layer within the formation – so a bit like another layer of the cake – is that it is going to be in a form that is different molecules to oil and gas. Essentially, there can be leakage. I would think that under no circumstances should you be using an old oil well for CCS because of the seal. Furthermore, something that has not been picked up and talked about yet but I have had a discussion with NOPSEMA about is this notion of when you plug and abandon and you are thinking of using the field – not the well but the field – your plugging and abandoning should be different because you need to isolate the zones where you might be injecting CO_2, otherwise you will get leakage.

Melina BATH: Okay. In relation to that, your contention would be that it is not impossible or unsafe to have CCS in these areas –

Tina SOLIMAN-HUNTER: Reservoirs, yes.

Melina BATH: but not in the direct well site.

Tina SOLIMAN-HUNTER: Agreed.

Melina BATH: That would be your contention?

Tina SOLIMAN-HUNTER: Yes.

Melina BATH: Okay. Is there any sort of legal framework that needs to be added to that in relation to CSS? Just separate legal frameworks in terms of, I will say, legislation – Victorian legislation or federal legislation?

Tina SOLIMAN-HUNTER: No, because what is very fortunate is that the regulations actually stipulate the well ops management plan. Then you have a guidance, which is actually not a legal document because it has no legal enforceability, but it could be easily added to that. So the resource management and administration regulations, part 5, which is where you have your well ops management plan, talk about what needs to be in the plan, what you need to be doing, and then you look at the guidance to see what you need to write and include, and that is where it could be included. But this is something that NOPSEMA are very well aware of, and in fact I am hoping to have a conversation with them in the New Year about this.

The CHAIR: All right. Thank you, Ms Bath. Dr Mansfield.

Sarah MANSFIELD: Thank you. And thank you so much for appearing today. I am interested in the comments you made about plugging and abandoning being problematic and other jurisdictions like Norway making that very hard to do. I understand that is an option that a lot of these fossil fuel companies are looking at doing, trying to make the argument that with all the old pipes that run through the water it would be more environmentally damaging to lift them out than to leave them behind. What is your view on that based on the research you have done?

Tina SOLIMAN-HUNTER: You are moving from plugging and abandoning of the well, which is the going in and getting the hydrocarbons out, to transporting it through pipelines. Pipelines are a very difficult area. Under international law there is an ability to what we call a carve-out where pipelines can be left in. Now, the reason you would leave in a pipeline would be if the removal would cause so much environmental harm and degradation that you would be better off leaving it in. There are numerous examples from the North Sea where they have left them in and they have taken them out, and I am happy to provide you with information on that. I have a fairly simple view, which is that where the pipelines do not contain material that is toxic and that will come off, there may be the possibility of remaining. In fact there are instances where it should be left, and that has been well recognised here in Norway. But there are also many instances in the Bass in particular where coverings on pipelines are toxic and pipelines may break down. In that instance you have one of two choices. The first one is to remove, but again, the environmental harm can be catastrophic, and you may actually get terrible leakage and terrible damage that releases the toxins.

The second is to bury them, and this is actually what is happening and what is the favoured option here. So you do not just leave them, you actually actively bury them. The choice is silt, slush, mud, because it does not shift and it actually almost kind of sets. The other of course is to cement them in, and they are your choices that happen. The first choice is always to remove, but sometimes you are going to cause more harm. I am not talking about little ecosystems or whatever. Woodside had an example of it where they tried to remove some pipelines, and theirs in this instance was actually because they just did not go about it the right way. They gouged off lots of plastic and then they tried to leave it there, saying it was a natural thing that was going to happen. You know, you have to be working very closely with your operators, and you have to know what is going on in terms of what is the toxic content of those pipelines. I am not talking about what is inside, I am talking about what is outside.

Sarah MANSFIELD: Thank you. We are seeing lots of reports of methane leakage around the country from either end-of-life offshore infrastructure or some of these wells that are being decommissioned. Why is that the case?

Tina SOLIMAN-HUNTER: Look, you can sum that up in a sentence. The wells are because of poor P and A, because P and A is not done properly. A well should not, will not and cannot leak if it has been plugged and abandoned correctly. Everything comes back to how you regulate plugging and abandoning. I know the field you are talking about, the Legendre field, and this brings me to a legal problem that you have. I have checked the legislation in Victoria, and I could be wrong, but my understanding is that you have the ability to have directions under section 623. So if a company has not done something properly, like a P and A, you can bring them back, but once they surrender their title under section 267, there is no ability to make a direction to get them back after the title has been surrendered and accepted. Now, that is not the same as the Commonwealth. The Commonwealth can still call them back. The only problem with that is that the Commonwealth's wording of the legislation is that it 'may' call back, so not 'must'. That is different to every other jurisdiction that I have studied where the regulator will get them back. For instance, the Legendre field, yes, it is leaking, but the Commonwealth NOPSEMA has deemed that it is not leaking of sufficient quantities to require the former operator, because it has been surrendered, Santos to come back and re-P and A, which is incredibly difficult and incredibly expensive.

The CHAIR: All right. Thank you, Dr Mansfield. Mr McIntosh.

Tom McINTOSH: Thanks for being here. I just want to follow up just briefly on the bearing of the pipeline options. For the fishing sector, does that mean that that would not impede on them, such as pipeline being left?

Tina SOLIMAN-HUNTER: So long as you bury it. If you are going to leave a pipeline, it cannot be exposed at all. You will snag trawling nets. I learned that very fatal mistake –

Tom McINTOSH: So if it is buried, it will get a clean run and that will not be an issue.

Tina SOLIMAN-HUNTER: Yes.

Tom McINTOSH: Okay. Great. Thanks for that.

Tina SOLIMAN-HUNTER: Absolutely.

Tom McINTOSH: I just want to come to the opportunities in decommissioning and Victoria being a national hub, whether it is recycling steel, this side of things. Can you talk to it as far as the opportunities that exist from it?

Tina SOLIMAN-HUNTER: Yes and no. I am going to be very honest and say that there are many people much more qualified than I am to discuss that issue of jobs and all of that, the reason being that I work in the nuts and bolts of oil and gas offshore activities. Having said that, what my research has demonstrated is that there are opportunities for lots of redeployment of people, and it is an industry that could grow substantially. We see this in the CODA research. The problem for Victoria is identifying locations having deep enough and long enough dry docks in order to be able to be actually dismantling, and then bottlenecks and competition with commissioning of wind assets. So what happens is you need a very big laydown area for both, so we are talking a couple of hundred metres. Then you also need dry docks and these sorts of things for petroleum assets which you do not necessarily need for wind.

One of the things that Victoria really need to examine is whether they are going to have a multiuse facility where they are going to have wind only and petroleum only. But either way, you are looking at both skilled and unskilled jobs that will provide great ability to transition and then all the recycling that comes with it. I truly believe that this is a great opportunity for a shift in industrial activity. But as I said, there are many that are much more qualified than I.

Tom McINTOSH: And then on the workforce side of things, some of your research noted some of the regulatory gaps around workforce safety. Whether it is Commonwealth or Victorian legislation or regulation, what are your views on workforce safety? You talk about the size of the workforce and whatnot. Have you got comments on what gaps there are there?

Tina SOLIMAN-HUNTER: One of the biggest problems in decommissioning is that, if you think about the existing safety framework, it is targeted towards people going on to a new or existing platform – that is, there is a legal requirement to maintain it, there are work orders, and if something goes wrong, there is permissioning, all of this. But what happens when you are decommissioning and you know that a facility is coming up to decommission is you tend to not maintain it as well. We saw that on the Gnangara – Woodside's Gnangara. You are essentially talking about a facility that is in some instances like the *Northern Endeavour*: decaying. So there is an inherent risk to workers who are coming to decommissioning this facility that it is not in optimal condition and it is not being optimally maintained – things like corroding walkways, these sorts of things – and I believe that is a regulatory nightmare, for a start, but also a disservice to the workers who are undertaking this activity.

Make no mistake, there is an ability if a facility is so unsafe that it may not be able to be decommissioned and may need to stay there, and it is talking about this idea of deaths per 100,000. They actually left an installation in the North Sea and got a derogation of grant because it was a concrete platform and it was so inherently unstable and dangerous to decommission that, I think it was, 2.75 people were going to die, conservatively. So they made the decision to take the topside off and then leave the bottom half, because otherwise it would have been a risk to human health. Now, the way that the regulation occurs, where you do a safety case and then you do an environment case and you do a WOMP case, there are three different plans for taking your decommissioning forward. I think that is very dangerous, and also NOPSEMA sees that as such. NOPSEMA recognises that there should be less silos and more comprehensive planning together. So I would recommend Victoria have a comprehensive decommissioning plan that takes in all three.

The CHAIR: Thank you, Mr McIntosh. Ms Lovell.

Wendy LOVELL: Thank you. You talk about capping and abandoning. In the signing-off on the wells of the capping and everything and the infrastructure that may be left behind, like pipelines, is there a tail-off in the sign-off that a company is still responsible for x number of years if that cap fails or if any of that infrastructure does cause damage?

Tina SOLIMAN-HUNTER: It is interesting you say that. Again, there are lots of different liability sections. Australia has something called trailing liability, which means basically we will accept that you surrender your licence, but if something happens, we will come back after you. Of course the problem is: what if that company no longer exists? We saw that with *Northern Endeavour*. Ultimately the responsibility goes to the government. For me, I do not think that is good enough. I think that somebody has to take responsibility. It is my contention that research shows that when the state has the responsibility – the state being the government, not necessarily the Victorian state – of taking liability, what happens is the state is very, very rigorous in ensuring that that decommissioning is done properly. It is a more than just a hands-off approach, which Australia tends to perpetuate at the moment. It is very much more of a 'We are going to be making sure that everything you do, including inspecting, will be done properly, and then when it's done properly, you hand it back to us and then we say we're so confident in our ability to regulate that we're happy to take the responsibility'. It is very similar to what Western Australia has done with Barrow Island, with CCS.

Wendy LOVELL: Are there any countries that have actually required an additional payment from the companies that set up an environmental fund or something in case these scenarios develop later?

Tina SOLIMAN-HUNTER: Are you talking about a financial liability fund, similar to what we had –

Wendy LOVELL: So you have to go through all the processes of decommissioning, having it all signed off that it is done properly, but you also have to make a financial contribution towards a fund for the future.

Tina SOLIMAN-HUNTER: I am not aware of any. That does not mean they do not exist; it is just that I have not come across it. Here in Norway we do not do it. I am not aware that the UK does it, although everything changes every 5 minutes in the UK at the moment. Like I talked about with the Legendre Field, the problem is sometimes we are talking hundreds of millions of dollars to go in. You have got to balance the likely scenario and the probable scenario. Wells will fail because your plugging and abandoning failed. That is why they leak; I mean, that is the reason. It is up to you as the regulator to ensure that they do not leak, that the company has done what needs to be done. That is my opinion. That is what a regulator should do, a very strong regulator. Companies certainly should have a financial liability, but the question is: when does that end and when should that financial liability payment be made? I personally think the way that we are doing it in the offshore electricity infrastructure – having that ability and that payment up-front, the financial security, and then if they renege on anything, it still allows the activity to occur – is much better. That then gives you a slush fund to work from if somebody fails, like *Northern Endeavour*. To hold money – how long do you hold it for? You know, after they have decommissioned, how long do you hold it for, how much do you hold and what would be the use and purpose of it? Is it to be used for everybody or just that field?

Wendy LOVELL: Yes, okay. Also, what is best practice below the plug? By that I mean the cavity that is created from where the oil or gas has been taken. Gaelle and I have a large subsurface goldmine in our electorate that drills into the rock, and obviously there is a lot of explosive and drilling that goes on there. When they are satisfied that they have run to the end of that reef, they then have to backfill all of that with concrete – you know, these huge cavities that they have drilled out of the rock in the area.

Tina SOLIMAN-HUNTER: Okay. There are no huge cavities. If you think about your kitchen sink sponge, it is very much like that. You will notice when the kitchen sink sponge is wet it contains water, but when you squeeze it out, which is the equivalent of producing all of the oil and gas, it still holds its integrity and structure by and large. Certainly every field in Australia will maintain that structural integrity, there is no problem. There are a couple of fields – one of them is in here in Norway called Ekofisk – where it is actually limestone, so not sandstone, the geology. It is actually compressing and has been doing it for 50 years, and they are using that to produce. They are aware of that compression, and it just gets filled with water. So there is no problem.

Wendy LOVELL: Right. Okay.

The CHAIR: Thank you, Ms Lovell. Ms Watt.

Sheena WATT: Professor, thank you so much for being with us today. I came in a little later, so if in fact you have already answered this question, please do let me know. What you mentioned earlier about the need for some space with a dry dock has got me thinking about Victoria's capacity for growth of a strong and really productive offshore decommissioning sector. So my question is: do you have any comment on the capacity of Victoria really to facilitate the growth of this sector? Is there competition? Who is doing a great job at oil and gas decommissioning, and what is it that we need to do to facilitate the growth of this? Because there are clearly many opportunities, as you have outlined.

Tina SOLIMAN-HUNTER: If I can start by identifying your competition and knocking them out.

Sheena WATT: Yes, thanks.

Tina SOLIMAN-HUNTER: No problem. Happy to help. Western Australia is of course by and far the largest market share in terms of having an interest and having the volume. The problem with Western Australia is this: their physical geography in where the North West Shelf is is very poor. You are not going to get the ability to be able to have decommissioning facilities because it is just too shallow, which means you are left with Fremantle. Now, the problem with Fremantle is every man and his dog now wants to use Fremantle. Fremantle is going to be used for wind. It is going to be used for nuclear submarines. It is going to be used for the existing fleets. So the AMC, the Australian Marine Complex, is incredibly pressured.

What does that mean? What that means is that it is extremely unlikely that there is going to be the capacity to take Bass assets and decommission them in Western Australia, which means it is going to be either Victoria or

Tasmania. If I was in Tasmania, what I would be doing is first looking at brownfield sites, so those sites which have been previous ports, facilities, and I actually would be first looking at where I could put wind, because that is your big internal competition. Anything that is remotely shallow, that is remotely unable to take a dry dock: designate that for wind. But you need this lay-down area – you need an area on the shore about 150 metres long. Then you start looking at other sites which have got the ability for dry dock and designating them, so you are almost doing a planning of all of your assets. Then look at the deeper, the more likely for petroleum; the more shallow, they can be used for wind. And then you have a look and identify anything that may be a greenfield site, so a new development. Then proximity would be of course the important one: anything that can be located close to previous blue collar workers facilities, so somewhere like where they used to have all of the car construction – that sort of thing. Anything like that where you have got a workforce or the possibility of re-engaging workers is always positive.

Now, there is one contender that is never talked about but I think in my mind is actually the best place, and that is Whyalla – the old Whyalla port where they used to build the bulk carriers.

Sheena WATT: So South Australia you are referring to?

Tina SOLIMAN-HUNTER: Yes. South Australia is going to be actually your biggest competition. If they reinvigorate Whyalla, which nobody bar one or two seems to want to do, that will be your biggest competition.

Sheena WATT: Are there any facilities or infrastructure in Victoria that you think could foreseeably justify the significant upgrades required to benefit from the opportunities of decommissioning oil and gas?

Tina SOLIMAN-HUNTER: I have looked at the Port of Hastings, and – no. I think the short story is no. Do not forget Tasmania as well, Barry Beach and that sort of thing. Tasmania is probably more gearing up towards wind, but you are going to have to look at the Tasmanian facilities as well.

Sheena WATT: That is really helpful, and I believe the Chair has called time on my question, so I will refer back to the Chair. Thank you.

The CHAIR: Thank you, Ms Watt. Mrs Broad.

Gaelle BROAD: Thank you, and thank you very much, Professor, for your contribution; we appreciate it. I guess, just at a very high level, what do you see as the main gaps with decommissioning oil and gas, particularly in Victoria?

Tina SOLIMAN-HUNTER: Okay. That is a really interesting question. If you are talking regulatory gaps, it is probably the fact that you do not have the ability to recall a company after they have surrendered their title. It is a terrible gap, and I would be working very hard to fill that. That ability to be able to recall under the current framework is absolutely crucial. I think for Victoria because you have turned over the regulation to NOPSEMA, I think there is a danger for Victoria to be viewed as being – I am trying to be diplomatic – not up to par. If it was me, I would be formulating some sort of working group, taskforce or whatever of experts that were able to at least be examining and signing off on what is coming through so that you know what is going on in your jurisdiction. And I think one of the most important things is requiring P and A to be inspected. If you want to stop greenhouse gas emissions, it is the only way.

Gaelle BROAD: When you say 'not up to par', can you explain why that is your view?

Tina SOLIMAN-HUNTER: What do you mean? Which part that is not up to par? There are a few things.

Gaelle BROAD: You were just mentioning that Victoria had, I guess, moved the responsibility off to NOPSEMA, so I am just interested in why you referred to that being not up to par.

Tina SOLIMAN-HUNTER: Because your goals, aspirations and requirements may not be the same as NOPSEMA's or the Commonwealth's. We see that time and time and time again with just about everything. What needs to happen is that there needs to be an intergovernmental working to make sure that the goals of decommissioning and liability and all of those things are the same from your government and NOPSEMA. I am sure that they will be, but you have kind of got no control over what is happening in your waters to an extent – you have the legislation, but NOPSEMA have surprised us in what they have allowed to remain or what they have decided has to be removed. You do not want that to happen – where the decision has been made

and you then go, 'Oh, I don't like that'. What you want is input. That would be what I would call suboptimal. It is not nice not having control over decommissioning.

Gaelle BROAD: Yes. The Australian Energy Producers recommend that Victoria should recognise Commonwealth primacy in this space and align its decision-making where necessary with that of the Commonwealth. Would you agree with that?

Tina SOLIMAN-HUNTER: No. The reason for that is mainly for the reasons that I have just said, which is that the Commonwealth looks after the Commonwealth's interests. The reality is the Commonwealth jurisdiction does not come beyond 3 nautical miles, so they are not the ones that if there is an oil leak or if something goes wrong it is going to end up on their shores and it is their electors and electorate that are going to be affected. You went through the process of mirroring the *Offshore Petroleum and Greenhouse Gas Storage Act* in 2010. You are the only jurisdiction that did, and you have done an excellent job in maintaining the mirror legislation. I would suggest that that continue. Victoria has handed over regulation, but they have not handed over jurisdiction. So I would suggest that your law still stands. What Samantha is saying is that the Victorian offshore petroleum and greenhouse gas Act does no longer apply to those 3 nautical miles – the coastal waters – and that the Commonwealth Act extends all the way to baseline. That is what she is talking about, and I would absolutely, categorically say no to that. You have to maintain your jurisdiction – if nothing else, not just for petroleum, but then it is going to be for wind, it is going to be for fisheries, it is going to be for a whole range of things.

The CHAIR: That is time. Professor, thanks so much for your evidence today. It has been a really invaluable contribution. We appreciate the time you have taken to join us all the way from Norway. We will provide you with a copy of the transcript within the next week to review. We thank you today.

With that, the committee will take a short break to reset for the next witnesses.

Witness withdrew.