

# **LEGISLATIVE COUNCIL ENVIRONMENT AND PLANNING COMMITTEE**

## **Inquiry into Decommissioning Oil and Gas Infrastructure**

Leongatha – Wednesday 11 February 2026

### **MEMBERS**

Ryan Batchelor – Chair

David Ettershank – Deputy Chair

Melina Bath

Gaelle Broad

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**Necessary corrections to be notified to  
executive officer of committee**

**WITNESSES**

Nola Kelly,

Anda Banikos, and

Zavier Evans.

**The CHAIR:** Welcome back to the proceedings of the Legislative Council Environment and Planning Committee's Inquiry into Decommissioning Oil and Gas Infrastructure here in Victoria. We are coming to you today from Leongatha, and we are pleased to have a panel of local residents joining us. I will introduce you in a moment.

Firstly, these proceedings are protected by parliamentary privilege as provided by the *Constitution Act 1975* and provisions of the Legislative Council standing orders. Therefore all the evidence and the information you provide to us today is protected by law. You are protected against any action for what you say during these hearings, but if you go elsewhere and repeat the same things, those statements may not be protected by this privilege. Any deliberately false evidence or misleading of the committee may be considered a contempt of Parliament.

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

Welcome. My name is Ryan Batchelor. I am the Member for the Southern Metropolitan Region in the Legislative Council and Chair of the Environment and Planning Committee. I will get the committee to introduce themselves.

**Melina BATH:** Melina Bath, Eastern Victoria Region. Good afternoon.

**Rikkie-Lee TYRRELL:** Hello. I am Rikkie-Lee Tyrrell, the Member for Northern Victoria Region.

**Sarah MANSFIELD:** Sarah Mansfield, Member for Western Victoria Region.

**Tom McINTOSH:** Tom McIntosh, Member for Eastern Victoria.

**The CHAIR:** And online –

**David ETTERS HANK:** David Ettershank, Western Metropolitan Region. Thanks for joining us today.

**The CHAIR:** I might ask each of you in turn just to state your name and any organisation you are appearing on behalf of. If you are not, do not worry about that – just your name for Hansard, so we can accurately record your comments.

**Nola KELLY:** I am Nola Kelly.

**Anda BANIKOS:** I am Anda Banikos.

**Zavier EVANS:** Zavier Evans.

**The CHAIR:** Zavier, Anda and Nola, welcome. The way we run these sessions is – you may have been watching along – we will invite you to make an opening statement of a few minutes each, and then we will dive into questions. I will hand it over to you. I do not know who wants to go first.

**Anda BANIKOS:** I can go first. Thank you very much for the opportunity to participate in this inquiry, and thanks very much for coming out to Gippsland. We really appreciate that you are making this inquiry far more accessible to our local community than if we had had to take a lot of time off work to travel and to go to Melbourne. I hope that you also had a bit of an opportunity to see a little of our beautiful environment, those who have not spent so much time here before. I have been a primary school teacher in South Gippsland for about 30 years as well as being involved in local community organisations in the areas of the arts, community

engagement and the environment. I have lived within sight and sound of Bass Strait for most of my life and highly value its environmental biodiversity and sheer beauty.

I wrote in the submission and am speaking today because I am concerned that the fossil fuel industry has contributed to pollution and loss of biodiversity through lack of adherence to environmental protection standards and regulations. I believe that to be due to systemic failures within the companies to ensure best practice installation, maintenance and decommissioning standards are met. I am concerned that that the workers who notice things are not being done right by are fearful of speaking out because that would jeopardise their current and future employment within the industry. These are good people who love the ocean and want to work in and on it. They want to do the right thing, but they are ordered to cut corners. The fossil fuel companies are huge and powerful, and the workers are often contractors without a unified voice, so essentially totally beholden to their employers. We need whistleblower protection. Best practice decommissioning of offshore gas and oil infrastructure must ensure careful and proper adherence to all safety and environmental regulations. It should provide good jobs for workers, remediate the marine environment and the materials should be recycled within Australia.

I am asking you today, as far as you can, to please include the following in the Victorian government planning regulations and legislation: a public register of oil and gas infrastructure, who is responsible for cleaning it up, how much it is estimated to cost and when the work should be completed. This would really help with community engagement and information. The ocean belongs to us all. We are all responsible for it. There should be strict compliance enforcement by the government, both through dedicated compliance inspectors and also in response to community observations and concerns. We are the ones on the ground. We see what is happening, because realistically I think there will most likely never be enough compliance officers to keep an eye on all of the offshore infrastructure. I feel that community engagement with observation, with what is happening in our patch, could play a really useful role in compliance oversight, and it would support the compliance officers and decommissioning contractors to be able to do their jobs properly.

Contractors are regularly risking their safety working on rusty old rigs, and they cannot talk about it for fear of losing their current job and being blacklisted in their current job – blacklisted in the industry and losing their livelihood. Whistleblower protection would go some way towards addressing this concern.

Oil and gas companies should be required to pay clean-up bonds to a third party account to ensure that there is sufficient money for a proper clean-up once the oil and gas supplies are exhausted. The amount should be based on how much it would cost the government, which is the taxpayers, to do the job. The clean-up could then be done either by the company itself or by the government or by a reputable third party. But whichever it is, they should adhere to best practice standards.

Support to establish a decommissioning industry in Victoria – this would provide jobs for workers and keep our skills and raw materials within Australia. Some of the rig workers and technicians would be happy to work on decommissioning locally if it meant they could stay in the area. It would give them some job security, which has many positive flow-on effects into the community. As a teacher at a local primary school, I see firsthand the effects of job insecurity in the disrupted education for the children of these workers. We should be doing much better to support these kids.

Finally, we should place a moratorium on the export of scrap steel from offshore decommissioning projects and support recycling the steel in Victoria. Thank you very much for listening.

**The CHAIR:** Thanks, Anda. Nola, did you want to make a statement?

**Nola KELLY:** Yes, please. It is my understanding that at this time no current and truly independent studies have been done to quantify the ecological value of subsea structures in place. Studies have been carried out by Exxon Mobil saying that leaving structures in place leaves a marine ecosystem and habitat, but these are by no means independent studies, and they do not demonstrate that leaving them in place will lead to a better environmental outcome. It certainly does not even mean that it is the best environment for marine life that might gather at the base. Possums live in our roofs, but this does not make them an ideal or natural habitat.

Oil and gas infrastructure contains traces of hazardous materials, such as naturally occurring radioactive material, plastic, lead, arsenic and mercury. There is the potential to pollute and contaminate at all stages of the decommissioning, especially as some of the rigs have been poorly maintained – as the name suggests, plugged

and abandoned, possibly left to leak methane – with an out-of-sight, out-of-mind approach. I do wonder just how much maintenance they have received.

Given that this is a relatively new area of environmental clean-up, I do not see any reason to deviate from the original conditions of the permits, which I assume state complete removal of the infrastructure. If the regulator changes these conditions at this late stage, it sets the precedent for companies with any sort of mining permit not to have to carry out adequate clean-up works.

In East Gippsland, where I live, there is a current application for mining of critical minerals. The public are assured that the so-called strict conditions will safeguard both public health and the environment. But if conditions are not policed or enforced, it renders them pointless, useless and certainly not to be trusted. Exxon Mobil signed up to a contract knowing full well the extent of the clean-up that they agreed to. They have made billions of dollars in profits, paid very little in royalties and probably no income tax, and now they want the Australian taxpayer to likely foot the bill for a potentially huge clean-up into the future. Unfortunately, the situation of the *Northern Endeavour* comes to mind, where Woodside sold off a decrepit oil production vessel to a small company, which then went broke. It ended up costing taxpayers over \$1 billion for the decommissioning. This is what ends up happening when regulators fail to regulate. Given that it seems Woodside have form already, they are probably going to require very close monitoring.

My recommendations are that complete removal of all rigs, pipelines and infrastructure be carried out in an environmentally safe and timely manner and not left to sit and rot and that any breaches attract a very large penalty. If this is not seen as possible, then any permits for new drilling, which I understand are currently in place, should be immediately cancelled. Two: the maximum amount of steel should be salvaged and then recycled locally to create suitable jobs for Gippslanders and not sent overseas to be recycled. And three: there should be strict monitoring of all the onshore decommissioning to ensure that there is no resultant pollution or contamination of the Barry Beach area causing either health risks to the workers or impacts to the environment. They are my three recommendations.

**The CHAIR:** Thanks, Nola. Zavier, do you have anything you want to say?

**Zavier EVANS:** What up? I am a little less formal – apologies. Methane is a greenhouse gas 80 times more potent than CO<sub>2</sub>, making the air a bad place to store it. Methane leaks are a well-known, fixable and ongoing risk of well plug and abandonment, and yet they are largely overlooked. We essentially use the honour system, where we rely on fossil fuel companies to tell on themselves. Companies can either report the extra pollution, which comes with bad PR and very occasionally a fine, or they can not say anything and just let that gas wander off into the surrounding area and keep their money. It is a tough choice for these companies. I am ashamed to say that some of them did not do the right thing. Up until recently methane leaks were very costly to detect as well, requiring specialised equipment in the ballpark of several hundred thousand dollars.

But with better satellite technology, we are able to see superemitting leaks with ease, and in a surprising twist the current government just announced sweeping methane – I am just kidding. They seem very content with the current system. However, in California the Air Resources Board just started using satellite analysis to quickly detect methane plumes, determine where they are coming from and swiftly notify the responsible parties. There is a system already in place that we can copy, and environmental groups are currently mapping and making available this satellite data. That is a great start, but for small leaks we need a robust monitoring system. There are no requirements for ongoing monitoring of wells to ensure containment, and according to some snarky emails I shared with NOPSEMA, NOPSEMA require wells to be abandoned in accordance with international standards, which negate the requirement for ongoing monitoring.

There are three international standards. Two of them are made by fossil fuel companies and interests in Norway and in the UK, and the other contains the first two in their bibliography. You would be surprised to learn that they do indeed negate the need for ongoing monitoring. So let us change that. Institute a monitoring program funded by the titleholder and combine it with penalties for contamination for companies responsible for plug and abandonment containment failure as restitution for the clean-up expenditure and ideally a retroactive penalty for methane emissions. Better yet, before decommissioning commences – this was mentioned already and applies for renewables as well – have an independent estimate of how much decommissioning will cost and have them put that money in a third-party account to ensure that they do not default on their responsibility.

Tom, you were talking about water and agriculture earlier in the South Gipps shire one. Another thing going on in our area over in Latrobe is Gayle Tierney, our Minister for Water, is currently working with AGL and then subsequently several other companies – Energy Australia I think – to take an estimated, off the top of the head, 2,350 billion litres of water out of water out of the Latrobe River catchment. It is yet another case of companies looking for the cheapest option, damn the consequences for the environment.

The other part to decommissioning is our distribution network, the residential network. For this I urge you with no little desperation to follow the road map outlined in the incredible Victorian Energy Future Network submission. That is, halt network expansion; prohibit all new gas infrastructure, from new rigs to gas mains; increase information transparency, compelling businesses to publish georeferenced maps of their entire network; produce economic demand forecasts that are consistent with Australia's climate targets. Victoria is aiming to reach net zero by 2045, so declare an end date for the residential gas network. This is not a restriction on people. It is providing more transparency and clarity for rational decision-making for households so that they do not install an obsolete heater or hot water system that will become extremely costly as time progresses. And we can support them with that change. We already provide subsidies on solar panels. We can bring that in for electrification on gas heating, water and stoves too. We can invest in electrification support over gas infrastructure, upgrades and expenditure on replacement; establish a gas transition authority and have the authority acquire the networks, legislate a binding decommissioning schedule and provide oversight and monitoring to ensure fossil fuel giants do not half-arse their decommissioning works; and provide comprehensive government support for remaining customers to kickstart the electrification and ensure no-one is left behind.

For examples of fossil fuel companies going above and beyond with their neglect, we have the example of the *Northern Endeavour*. We also have, again from Woodside, the riser turret mooring, where they had – I think it was off the north coast of Darwin – this super old turret mooring, and rather than decommission it and bring it back to shore, they proposed the idea of just sinking it and making an artificial reef, which is what we are talking about now with Esso in our local area. Cut me off if I am going over time. There was a massive backlash from environmental groups, and they ended up not just sinking it. Esso have not actually applied for leaving their subsea structures in place yet, but watch this space. Every consultation I have been to talks about it a whole lot. I will stop there.

**The CHAIR:** We might wrap it up there, and we will head to questions. Thank you very much for each of your presentations. I might start on a topic that I did not come across in any of your submissions. Nola, you might be able to help, given you live in East Gippsland. Obviously the current phase is dealing with the rigs and the platforms and bringing them into the Barry Beach terminal, but there is a future phase that is going to need to examine what happens to the pipes that effectively go from platforms to Longford and through several parts of coastline, particularly in the East Gippsland area. Do you have a view on the whether those pipelines should be removed and, if so, what balance of considerations might need to be made about that process given they run through coastline?

**Nola KELLY:** My thinking is that all the infrastructure should be removed unless there is an independent study that proves that it is more beneficial to leave it than to remove it. But I cannot see why pipelines would not be removed. There might be some sort of argument for the steel structures forming sea reefs for the fish, but pipelines do not, and then they have the capacity to erode. I cannot see why they cannot be removed.

**Zavier EVANS:** Can I add to that. I was not a ranger but a ranger equivalent out at Loch Sport and Golden Beach along Ninety Mile Beach, where these pipes were. It is an incredibly sensitive environment. The barrier dune there is a gigantic cultural site; the entire thing is a midden. These pipes did a lot of damage when –

**Melina BATH:** Could you just talk up a little bit?

**Zavier EVANS:** Sorry. The entirety of the barrier dune around Ninety Mile Beach is largely a cultural site for Indigenous heritage. The entire thing is essentially a midden. Where these pipes are, they are coming up over the beach, from my understanding of the Esso pipeline, and there would have been a lot of damage when these pipes were put in. They are, however, there; this damage has been done. Removing it would not so much increase the damage as leaving it there would impact these sites. I definitely think they should be removed.

**The CHAIR:** Okay. My other question: Nola, in your submission you mentioned that you were aware of three spills of hydrocarbon in the last 18 months. Have you got any further information that you are able to provide to the committee about that?

**Nola KELLY:** To be honest, I do not remember where I actually got that information from. I will have to take that on notice.

**The CHAIR:** That is fine. I am happy for you to take that on notice.

**Nola KELLY:** It will be a reliable source.

**The CHAIR:** I am sure.

**Nola KELLY:** But I cannot at this moment tell you exactly where that is from.

**The CHAIR:** But it piqued my interest, and I thought I would ask the question.

**Zavier EVANS:** Me again – and by all means, please write in with yours as well – off the top of my head, there was a 650-litre hydrocarbon spill from one of the platforms. There was a 21,000-litre diesel spill from the tank on one of the platforms for one of their generators, I think, and then there was a well containment failure off, I want to say, Kingfish.

**Nola KELLY:** Does that answer your question, or do I still need to –

**The CHAIR:** Well, given it is your evidence, I would prefer the answer to come from you. I appreciate that.

**Zavier EVANS:** Please also write in. This is off the top of my head.

**Nola KELLY:** Okay. No problem.

**The CHAIR:** Anda, just very quickly in conclusion from me, you talk about a public register of assets that should exist and who is responsible for them and the clean-up. Are you aware of any examples in other jurisdictions or anywhere else around the world where something like that might exist that we could potentially make a recommendation and point to and say, ‘something like that’?

**Anda BANIKOS:** That is a fabulous question. I am not specifically aware – certainly I would say not in Australia, because we are basically cutting edge, what is happening now. That is why it is so important and we get it right. I am happy to take that on notice and ask a few questions and see if we can come up with a model that is working somewhere else that, even if it is not working 100 per cent, at least we could learn from. Thank you.

**The CHAIR:** Always helpful to have examples we can draw upon.

**Anda BANIKOS:** Absolutely, yes.

**The CHAIR:** Thank you. Ms Bath.

**Melina BATH:** Thank you very much. This has been food for thought all round today. Anda, you mentioned best practice a couple of times again in terms of best practice of environmental protection of unpacking and decommissioning and disassembling. It might be a take on notice as well, but have you done any reading or research as to where that is happening well, in terms of the physical structures around the world?

**Anda BANIKOS:** I have, but I cannot do it off the top of my head.

**Melina BATH:** You will get a copy of this, so when you read it, it will prompt your memory.

**Anda BANIKOS:** Okay. I think, although it may not be actually happening, there are regulations that say what best practice should be. I think that is what I would certainly hope that we would aspire to: whatever the current scientific information is about what would be the best practice, not necessarily ‘This is the best they could do in Norway’ or ‘This is the best they could do in Denmark’.

**Melina BATH:** Yes. Set the standard high and adhere to the standard.

**Anda BANIKOS:** Yes. I love the way you said it. I am glad that is going in Hansard.

**Zavier EVANS:** Sorry, if I may – please take that on notice in writing as well. I hate to keep chiming in. Off the top of my head, there are two main standards that these decommissioning works have been run off. There is a UK-based one, and then there is NORSOK D-010, which is the other standard that decommissioning has been run off. That is where the ship, the heavy-lift vessel, was initially commissioned. From memory, the topsides of those rigs were removed safely and fairly well. The well containment was a bit of an issue outside of Norway. We also had similar things happen in the Gulf of Mexico where there were some pretty big issues with containment failure, but they had their own environmental regulations as well. We do not.

**Melina BATH:** Okay. It is a big topic and we have only got a small amount of time. The other point that you raised was in relation to recycling. I have been around a little while and a few years ago we did an inquiry into recycling in I think it was renewable energy. I was really keen on understanding: if we have got our wind turbines – which we do at Toora and the like – how they are recycled at the end of their natural life and about cradle to grave. I think this is an area that Australia should be working on the front toes of. This is a new industry here, as in the decommissioning. Do you have any thoughts, or have you done any research on that, about the recycling of steel?

**Anda BANIKOS:** Of where in particular it could happen?

**Melina BATH:** Yes. Have you done any reading? I know you were very strong in saying it should not go overseas, it should be kept here. Just expand on that so I am not answering the question.

**Anda BANIKOS:** No. If I could, I would, but I do not have the nuts and bolts. You have probably got the figures in your head; I do not have the figures in my head. Again, I can take that on notice, because what I have said in here is backed up by reliable and trusted information that I have read, but I do not have all the numbers in front of me, and it is not something that I do a lot of research on.

**Melina BATH:** Yes, that you consume a lot of. That is right.

**Anda BANIKOS:** Yes. Okay.

**Melina BATH:** I know a couple of years ago in that inquiry I did some research and it was something like 11 per cent – we only do 11 per cent of recycling of renewables, we will say.

**Anda BANIKOS:** It is something dreadful, yes.

**Melina BATH:** I guess we could turn that to a positive and say there is an opportunity there for business investment, government investment and the like.

**Anda BANIKOS:** Yes. I know there was talk of even maybe setting up a recycling facility somewhere up north of WA, because the North West Shelf is where there are far more of these oil and gas platforms that will need, in the future, to be decommissioned. I believe there is not something that is totally – no, there is something. Maybe it is near Geelong. But the infrastructure to get there from here is not simple, so transport was an issue. Was that correct?

**Zavier EVANS:** Yes, I was going to mention that.

**Anda BANIKOS:** Yes. I think there is a facility that would actually take it, but they said – it is Geelong, isn't it? Around there?

**Zavier EVANS:** I believe so.

**Anda BANIKOS:** Yes. One of the problems, they said, was that they did not have enough laydown area next to the recycling facility to take all the infrastructure or the bits of steel that were going to come. Because the big ship is coming to dismantle them and it is only going to be there for a certain amount of time, so they have to get all of them in. There is just not enough space there next to Geelong, where the recycling facility is,

to take all of that. And then they said, 'Well, what about doing it somewhere else – maybe even going up to Newcastle?' But I think it was a similar problem there, that there was just not enough physical space.

**The CHAIR:** All right.

**Anda BANIKOS:** So maybe it needs another set-down area somewhere else.

**The CHAIR:** Dr Mansfield.

**Sarah MANSFIELD:** Thank you. Thank you all for your submissions and for being here today. This is a question that could really go to any of you. You have all indicated some scepticism about the industry's ability to regulate itself. At the moment a lot of environmental compliance relies on the companies self-reporting. They put in applications themselves. I think, Zavier, you were indicating that a lot of the monitoring and reporting on methane leaks is done by companies and is not independent. Based on your local experiences, why do you have that degree of scepticism about industry?

**Zavier EVANS:** I may give an example: in East Gippsland, just off the coast of Marlo, we had Kerry Stokes – you know, the classic AFL billionaire man. I think his company is Seven Group Holdings. In 2023 NOPSEMA had a leak reported there and they went, 'Okay, you've got to fix that leak,' and then at the start of this year it was discovered that they had not fixed the leak. NOPSEMA stepped in again and went, 'You got us. Okay. You've got six months or we'll seriously consider giving you penalties.' If I can give another example – and this one is not so much local but it is, again, just a very high profile, crazy thing that happened – back around the invention of the HDMI cord in 2006, up off the north-west, just around Darwin, there was a giant liquid natural gas tank commissioned by ConocoPhillips. Then, as soon as it came into use, they noticed methane bubbling up around the surface in the mud, around the tank, and they went, 'Maybe it's meant to do that,' and did not say anything. And then cut to 2020, within hours of getting approval to keep using the tank, they then sold it to Santos and reported, 'Oops, sorry, it's been leaking 184 kilos of methane every hour for the last 13 years – our bad.' And now, at the start of this year, Santos owns the tank – it has been empty for some years now – and it is not being decommissioned; it is coming back online in a couple of months. Santos have wisely decided that while they are they are going to keep using the tank, they are also not going to fix it. That was reported to NOPSEMA, and NOPSEMA, the petroleum regulator, went, 'We'd love to make them do something, but I think that's a job for the Northern Territory EPA.' The Northern Territory EPA went, 'We'd love to make them. We want them to fix it, we do, but we think that's a job for the clean air regulator.' And then it just kept bouncing around and nothing happened. It is approved for use; it is coming online soon. There is just a long history of fossil fuel companies going for the cheapest option, and places like Esso in our area or AGL or the Latrobe River catchment are copying it as a result.

**Sarah MANSFIELD:** Are there local impacts that you have seen from industry that give you some cause for concern about that self-regulation, self-reporting?

**Anda BANIKOS:** I think the fishermen are pretty concerned. South Gippsland is known for clean food – clean environment, clean food, clean everything – and the fishermen are very concerned that if there are leaks and stuff, then it impacts their catch for a start. It is a place that is in between two marine national parks, which are breeding grounds for the fish and mammals and things as well. It is a really, really environmentally sensitive area, so any leak is of concern. I think the pipes underneath do interfere with the fishing to an extent. But yes, otherwise, at the moment I have not heard of any direct impacts, but that is because it has all been sitting there; it has not been disturbed yet. So apart from the fishermen not liking that it is there and the light pollution, which is a concern for fishing but also for environmental reasons – the migratory birds and stuff like that – that is all an issue, and in fact a big issue. And the whales – that is the whale migration route as well. So yes, it has those potential environmental impacts.

**The CHAIR:** Thank you. Mr McIntosh.

**Tom McINTOSH:** Great. Thank you all for being here. It is great to have you here from a bit of a long stretch along the coast in Eastern Victoria. I just wonder if you could expand a little bit more on the clean-up bond – and it might not be exact dollar amounts but how you envisage that being established, the frameworks around it and how it would work in practice.

**Anda BANIKOS:** Is that a similar question to what Melina asked before about if there was a clean-up fund, do we have a model that someone else around the world has done already?

**Tom McINTOSH:** Yes. Sorry, I might not have heard that.

**Anda BANIKOS:** I thought of a public register of all the oil and gas infrastructure that is around and who is responsible for it and its clean-up, so that there is transparency on that – who is responsible; how much it will cost; and by when, according to the legislation, it needs to be cleaned up. Then when a company is given the right to put in some new infrastructure, part of the calculations for putting in the infrastructure should be how much it will cost to decommission it and set the place to rights as well. That amount should really be put into a public fund or a separate fund somewhere else, not just stay with the company and not just on a piece of paper but the money actually put in a bank somewhere so that it can be used for the clean-up when the infrastructure is no longer in operation. There have been instances – and I think it was Woodside – of companies working with infrastructure until it was too old and decrepit to use and then they have said, ‘Oh, there’s a lot of cleaning up there.’ I think they just sold it to a \$1 company somewhere and left them responsible for the clean-up. They of course did not have the funds to do that, so it meant that the government, or taxpayers, had to fund the clean-up, which can be quite expensive. Does that –

**Tom McINTOSH:** Yes. Thank you.

**Nola KELLY:** I would have thought that the original conditions of the permit would be quite extensive as to how it is meant to be cleaned up and removed.

**Anda BANIKOS:** But there is no compliance monitoring or compliance enforcement of them actually doing it. It is like Xavier was saying, NOPSEMA is for federal waters and the state is a different part of it. But it is like they get a slap on the wrist and are told, ‘Well, that’s really bad.’ Even if they do give them some sort of a penalty, compared to how much money they have made already and how much they have earned on the whole project, it is really negligible.

**Rikkie-Lee TYRRELL:** With the footings, the decommissioners are in the planning stage at the moment to work out what is best for the ecosystems. I have watched a lot of footage today of the natural ecosystems that have formed around these footings. If they were to be removed, what would you suggest would be the best materials to use to replace them? There are an awful lot of anemones, crustaceans, shellfish and so forth, and the fish and the mammals come in after those. How can we preserve those ecosystems?

**Anda BANIKOS:** One theory that I have heard from other scientists is that, for a start, that marine ecosystem that has developed around the pipes that you are talking about is an artificial marine ecosystem. It is not actually what would have been there in the first place. The other thing is that if you rip out the pipes – I am sorry to have to tell you – all those little crustaceans and anemones and everybody else who lives on those pipes is coming out with the pipes, and they are just going to die or be scraped off the pipes. They can maybe find another home somewhere else in the water, if they are able to be scraped off the pipes while the pipes are still in the water. So they are all totally displaced and mashed around – their little environment is all mashed around – so I do not think you can actually replace it with something specific. You cannot put in a new structure at all.

**Rikkie-Lee TYRRELL:** No. That is what I am saying. So once it is below safety depth – I think it was 50 metres –

**Zavier EVANS:** 55 metres.

**Rikkie-Lee TYRRELL:** 55 metres –

**Anda BANIKOS:** 55 metres, yes.

**Rikkie-Lee TYRRELL:** then is your ultimate goal to see all that stay?

**Anda BANIKOS:** No. It is whatever the scientific best practice management says is the best for that. Personally, I do not think it needs to stay. It can stay if it is not going to be corroded and put poisons into the rest of the ocean.

**Rikkie-Lee TYRRELL:** Leach out poisons.

**Anda BANIKOS:** But the thing is that over time, invariably, probably it would. So although my heart bleeds for all the little animals that are, as you say, in that little ecosystem along the pipes, really the best thing would be to take them out in the long run.

**Zavier EVANS:** Marine biologists also say we should take them out. They say things like in the actual environmental plan from Esso on this they talk about increased levels of cadmium and mercury and lead around these structures. We know the effects that has on ecology.

**Anda BANIKOS:** It will make everybody sick. If it is left there too long, it will leach out and make all the other creatures sick anyway.

**Nola KELLY:** Can I just also make a comment: if there are going to be further rigs put into the ground and the idea is some of it is going to be left, then they should be made of whatever material is the least harmful and corrosive to start with so that we do not end up with this problem again.

**Anda BANIKOS:** I think that the problem is the pipes. And the pipes, because they conduct the oil and gas and other chemicals – I think that those pipes do have a lot of marine wildlife on them.

**Nola KELLY:** Yes.

**Rikkie-Lee TYRRELL:** No. That is right. I was just wrapping my head around it – because Nola touched on it briefly, I was just squeezing more out of you. Thank you.

**The CHAIR:** Thank you. Mr Ettershank.

**David ETTERS HANK:** Thank you, Chair, and thank you to all of you for your advocacy. It is fantastic to see people directly engaged like this. Can I pick up this question about abandonment of the plugs and just ask a question, which I guess maybe, Zavier, is a question for you in the first instance: how would you see that long-term monitoring program work?

**Zavier EVANS:** Funding, I guess, is the main sort of issue, and that should be drawn from the titleholder. When it comes to satellite imaging, that is fairly cheap and easy. That is something that the state government could implement with not a lot of stress. There are a lot of environmental groups that are trying to make this data readily available so it can just be freely accessed. When it comes to actually getting people out there, I think the maritime union had some thoughts on this as well and wanted to see boats in the water with people going out there and having some kind of ongoing regime checking them. That does not end. Those wellheads will be out there permanently. But methane emissions are worth keeping an eye on. As for how that program should be implemented, I defer.

**David ETTERS HANK:** I am familiar with the MUA proposal to set up basically a decommissioning industry and ongoing monitoring. In terms of the obligations of Esso in the decommissioning process, once they have done the actual cut below the waterline, secured it and removed the upper sections, is it your understanding that their obligations pretty much end then, that they have no ongoing responsibility?

**Zavier EVANS:** My understanding is that we have the regulations and approvals done by NOPSEMA but then we also have NOPTA and the joint authority, which I think is Madeleine King, federal, and then each state has its own; I think ours is Lily D'Ambrosio. My understanding is that Esso are done when their title is relinquished, which happens when the joint authority says that they are good and they are done. And I think what could happen there is that the joint authority say, 'Okay, well, we'll approve the release of your title provided that you have some kind of monitoring program or some kind of method of making sure these things don't break in a couple of years and then everyone has their back turned to them.' Does that answer your question?

**David ETTERS HANK:** As I understand it, Esso's primary thing now is that the good times are over. The money has stopped flowing, pardon the pun. But their primary thing now, and it is understandable, is to –

**Zavier EVANS:** Reduce cost.

**David ETTERS HANK:** get in there and get out as quickly as possible whilst keeping their corporate name nice.

**Zavier EVANS:** Sure.

**David ETTERS HANK:** Is that your sense of their motivation?

**Zavier EVANS:** That is entirely my sense. Obviously, they want to reduce their costs. That is the business model. They want to appease their shareholders. That is fine. But I also think that it is the regulator's job to make sure that they are not going to do that at the expense of future taxpayers or our air quality, and I think we can totally step in and make sure that happens before they dissolve their title.

**David ETTERS HANK:** So once they are done and dusted and they have gone, the issue of the abandoned wells and particularly the integrity of the capping – that is something that is going to be decades and decades and decades into the future as an issue.

**Zavier EVANS:** Yes, ongoing.

**David ETTERS HANK:** And is it your understanding that there is actually no obligation other than to the Victorian taxpayers?

**Zavier EVANS:** Yes. I have an email from NOPSEMA saying that specifically there is no requirement for ongoing monitoring, and then, after a couple of other emails, I had another email from them showing us exactly what regulations we sit under. And they are not actually regulations, they are suggested methods of plugging and abandoning. So yes, that is definitely, according to NOPSEMA, how it works.

**David ETTERS HANK:** Could you provide the committee with a copy of those?

**Zavier EVANS:** Yes, for sure. Absolutely, yes. It is also on their website.

**David ETTERS HANK:** Thank you so much.

**The CHAIR:** Thank you all for coming in today. That concludes the time we have available for this session. You will be provided with a draft copy of the transcript to review in the coming week. With that we will take a short break.

**Witnesses withdrew.**