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## 5 RELEVANT PERSON CONSULTATION

### 5.1 Overview

This section of the EP, in conjunction with Appendix C, describes consultation undertaken in 2023/24 by in preparation for the Blacktip operations activities.

In accordance with Regulation 24 of the OPGGS Regulations, the EP must contain:


- b) a report on all consultations between the titleholder and any relevant person, that contains:
  - i) a summary of each response made by a relevant person, and
  - ii) an assessment of the merits of any objection or claim about the adverse impact of each activity to which the environment plan relates, and
  - iii) a statement of the titleholder's response, or proposed response, if any, to each objection or claim.

Since the Blacktip facilities have been operational since 2009, Eni is familiar with local communities and other users of the marine environment in the region. Relevant persons previously identified have been continually informed of Blacktip activities and operations over the life of the asset, including those activities covered by the in-force Blacktip Operations EP (000036\_DV\_PR.HSE.0677.000).

Appendix C4 includes the outcomes of consultation undertaken in 2023/24 and include all information received from relevant persons up to 14 June 2024.

For the consultation described in this section of the EP and further presented in Appendix C1, the guidelines considered were:

- NOPSEMA Guideline: Consultation in the course of preparing an environment plan (NOPSEMA, 2023)
- NOPSEMA Guideline: Consultation with Commonwealth agencies with responsibilities in the marine area (NOPSEMA, 2022b)
- NOPSEMA Guidance Note: Responding to public comment on environment plans (NOPSEMA, 2022c)
- NOPSEMA Guidance Note: Petroleum activities and Australian Marine Parks (NOPSEMA, 2020)
- NOPSEMA Guideline: Environment Plan Decision Making (NOPSEMA, 2024)
- Interim Engaging with First Nations People and Communities on Assessments and Approvals Under the *Environment Protection and Biodiversity Conservation Act 1999* (DCCEEW, 2023b)
- Consultation approach for unplanned events (WAFIC, 2023)
- Australian Fisheries Management Authority: Petroleum industry consultation with the commercial fishing industry (AFMA, 2023).

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## 5.2 Identified Relevant Persons

Through the processes described in the Blacktip SMP Bridging Document (Appendix C1), Eni identified relevant persons.

Eni conducted initial review of the Blacktip SMP Stakeholder Register through desktop analysis to confirm data about relevant prescribed bodies corporate (PBCs), regional councils (NT and WA), potential community leaders, and other stakeholders that may have an interest in the proposed activities. Further to the process described above, another opportunity for identifying the relevant person was done through in person meetings, based on further identification proposed by local connections.

Whilst the process for relevant person identification is outlined in Part 3 of the Blacktip SMP Bridging Document (Appendix C1), a complete list of relevant persons applicable to the Blacktip operations is presented in Appendix C2 (Relevant Persons Register).


## 5.3 Consultation Approaches and Activities

Following identification of relevant persons, and as outlined in Part 5.1 of the Blacktip SMP Bridging Document (Appendix C1), Eni's process for consultation was:

1. Issuance of emails to all relevant persons providing summary of activity and seeking a response should they wish to consult.
2. Email and high-level information pack distribution to all stakeholders with initial default response period of 30 business days.
3. Mail-out of high-level information pack distribution to selected stakeholders upon receipt of direct addresses – default response period of 30 business days.
4. Phone calls as a follow up to initial email to all relevant persons with functions, interests or activities that overlap with the EMBA (predominantly low exposure zone) and the ZPI (moderate exposure zone).
5. Where phone numbers were available, further phone/email/text messages were sent to follow up calls & emails to identified relevant persons.
6. Review of Relevant Persons Consultations Log (Appendix C4a) to ensure appropriate consultation with relevant persons had taken place.

A range of other engagement methods were considered and offered as appropriate, including:

- Announcement, ahead of time, of visits to relevant persons, through subject matter experts / associations that relate to regional stakeholders.
- Targeted materials (e.g., slides & handouts), distributed via meetings/roadshows with question-and-answer sessions (both in person and online).

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- In person meetings/roadshows with support from subject matter experts / associations where targeted materials were distributed alongside the opportunity for question-and-answer sessions.
- Online meetings where targeted materials were issued and discussed alongside the opportunity for question-and-answer sessions.

Where there was still no response received, further tailored emails, direct phone calls and texts by the Eni stakeholder focal point to directly engage with relevant persons with functions, interests or activities that overlap the ZPI (moderate exposure zone) and with the EMBA (predominantly low exposure zone).

Eni used a range of tools to consult with relevant persons in the most appropriate and effective manner. As described in Appendix C1, specific consultation approaches are required for certain groups of relevant persons.

Prior to consultation, slides and handout materials were prepared with the intention of summarising the content of the Environment Plan prepared for Blacktip operations in the format most suitable for the public and align with Regulation 25(2) (and NOPSEMA's Guideline: Consultation in the course of preparing an environment plan).

The flyers or handout materials were tailored to convey information such as:

- description of the activity, including location, timing and duration
- description and map of EMBA
- detail list of potential risks, potential impacts and mitigations and controls measures
- description of NOPSEMA's requirements
- Eni's contact details.


Upon request from some relevant persons, other engagement methods were used to exchange information, being:

- written documentation (e.g., presentation of materials/slides)
- verbal communication during phone calls (pre-emptory, in response or follow up),
- targeted meetings and/or information sessions.

The set of consultation approaches and materials that were used for the consultation for this EP, and examples, are presented in Appendix C3.

### 5.3.1 Consultation Requirements

Specific requirements for consultation were considered for each relevant person to ensure they received appropriate consultation information and materials.

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Over the course of consultation for the EP, some relevant persons requested and/or required a different level of engagement. In these instances, additional information was provided to allow that relevant person to make an informed decision as to potential consequences or impacts to their specific functions, interests or activities with regards to the Blacktip operations activities. Similarly, other relevant persons requested a lower level of engagement, such as indicating a preference for email rather than in-person meetings.


In most circumstances, initial engagement was through email, with the Blacktip Operations Factsheet (as per Appendix C3) attached. This material contained a summary of the activity, location map, coordinates, water depth, distance to key regional features, exclusion zone details, potential risks and impacts and management measures, and estimated timing and duration.

Eni also sent a consultation team on two occasions to travel directly to locations in NT (including Tiwi Islands), the East Kimberley and the Dampier Peninsula in order to hold face to face meetings and/or roadshow visits with relevant persons. During the visits, Eni's consultation team took the liberty of, prior to the visits, firstly contacting all relevant persons in the respective locations via text, phone, email and third parties to announce of the visit and seek meetings, and then also both formally and informally approaching for targeted consultation.

### 5.3.1.1 Commercial Fishers Approaches

As mentioned in Appendix C1, the designated licenced areas of many of the fisheries are extensive over the Australian coast, including within the EMBA. The EP provides an assessment of the potential interaction of the various fisheries with the petroleum activities, based on the nature of the fishery and historic effort and catch data. Based on this data and historic consultation efforts for the Blacktip Project petroleum activities, it was initially determined that the only commercial fishery with active effort in proximity (approximately 50km) to the petroleum activities was the Northern Prawn Fishery. The Northern Prawn Fishery peak body was hence provided with more detailed specific information about the proposed activities. Note that Eni has also established consultation with the Northern Prawn Fishery peak body for historic Blacktip Project petroleum activities.

Given the WHP and SPM operational activities occur within the already in place 500m petroleum safety zone around the WHP, interaction with commercial fisheries is not anticipated. Nevertheless, Eni approached the peak bodies representing the commercial fisheries for Commonwealth, WA and NT, and provided consultation materials. Eni considered the peak bodies to be established representatives of the fishing licence holders, however this could not be established for the NT fisheries. Whilst some peak bodies replied on behalf of those fisheries that they represented, Eni went further to ensure direct engagement with individual license holders where peak body representation could not be established. Eni sent NT individual license holders whose fishing management or licence area overlap the EMBA the consultation factsheet via mail..

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### 5.3.1.2 Traditional Indonesian Fishers Approaches

As described in Section 4.6.2, the EMBA overlaps the MoU Box. However, Indonesian traditional fishing effort is largely focused on shallow waters (e.g. banks and shoals), particularly around Scott Reef (outside of the EMBA). Given the traditional nature of the fishery and there is no requirement for the fishery to be licensed, a register of contact details is not maintained (either by Indonesian or Australian government) or publicly available, as such there is no way to identify these individuals. Eni therefore has no reasonable means of identifying or contacting these individuals. Eni has inferred that the interest of these persons is similar as those licensed commercial fisheries (referred to in the above section).

### 5.3.1.3 First Nations Engagement Approaches


As described in Appendix C1, in the first instance, Eni has used Land Councils and registered PBCs to facilitate consultation with First Nations relevant persons. Since July 2023, Eni has made considerable efforts to engage with the Kimberley Land Council, the Northern Land Council and the Tiwi Land Council. Some of these Land Councils expressed a lack of resources and shared that they could not facilitate Eni in the consultation process. These Land Councils, although relevant persons in their own right, have indicated the importance of engaging with Traditional Owners through the PBCs. As such, Eni engaged directly with PBCs through extended enquiry notifications, broader, focused higher-level consultation, and where required, targeted and tailored information sharing.

In consideration of advice by Land Councils, Eni commenced engagement through contacting PBCs directly, distributing a flyers and information pack via emails and as additional support, engaging third parties to facilitate direct meetings and roadshow planning.

Eni is aware there may be potentially relevant persons for this EP based in remote areas of WA and NT, as such, Eni opted to use third parties with its connections to the Traditional Owners and PBCs to be able to distribute the information pack as well as organising in-person meetings and roadshows. In respect of hierarchy within First Nations, Eni's approach focused on meetings with the authorised decision makers within the community, such as Traditional Owners, language groups, clans and/or community leaders.

At completion of in-person and roadshow meetings across First Nation communities, Eni sent follow up emails to individuals who had been engaged with directly, to provide them with digital versions of flyers and slides. The emails were another opportunity, and a further alternative means of communication for relevant person to provide their feedback.

In parallel to the above steps, Eni also used other broader consultation methods to engage with First Nations, as presented in Appendix C3 (consultation material) and Appendix C4 (2023/24 relevant person consultation records).

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Even following the Consultation Period, although consultation for the purposes of compliance with Section 25 of the OPGGS(E) Regulations has been completed, Eni will continue to maintain, its efforts to engage in continued dialogue with these Land Councils and PBCs to allow for relevant interested persons engagement throughout the execution of the planned activities, as per section 22(15) of the OPGGS(E) Regulations.

### **Thamarrurr Region Engagement**

As presented in Section 4.6.9, Eni already has a partnership with the Thamarrurr Development Commission (TDC) – Thamarrurr Rangers and has partnered them in a Marine Park Management Plan exercise to map the ecological and cultural values of Sea Country in the Thamarrurr Region. The results of this mapping exercise were published by Streten et al. (2020) in the APPEA Journal under the title 'Mapping traditional ecological knowledge of Sea Country to understand biodiversity and areas of cultural importance'. Eni continues to maintain a good relationship with the Thamarrurr Rangers.

Eni advertised in the Wadeye TDC Newsletter with the aim for relevant persons to attend a community booth set up in Wadeye on August 31, 2023. During the booth meetings of direct communication, Eni distributed flyers to ensure opportunity for self-identification of relevant persons within the community.


Further to this, Eni initiated engagement through Wadeye Regional Council and provided information about Eni's activity.

Eni considers that consultation has concluded following the Wadeye/TDC engagements and Roadshow meeting, including follow-up emails sent to relevant persons. That said, and as outlined in Appendix C1, an ongoing engagement process is occurring in the Thamarrurr Region through Eni's attendance at monthly community meetings, and Eni will continue to maintain efforts to engage in continued dialogue with TDC and Thamarrurr Rangers to allow for relevant interested persons engagement throughout the execution of the planned activities, as per section 22(15) of the OPGGS(E) Regulations.

### **Kimberley Region Engagement**

After several unsuccessful attempts of engaging with, and seeking support from Kimberley Land Council, Eni engaged KRED Enterprises (<https://www.kred.org.au/>) to facilitate engagement with First Nations people within the Kimberley. KRED Enterprises was selected due to:

- KRED's expertise and unique knowledge of the Traditional Owner groups and PBC's across the Kimberley Region.
- KRED's experience/connection of and to the Native Title Act
- KRED's abilities to facilitate meetings with Traditional Owner groups linked to the EMBA
- referrals from other offshore oil and gas titleholders.

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Eni, held a workshop with KRED, to identify PBCs that fall within the EMBA (through the process outlined in Appendix C1 and noting KRED's expertise and unique knowledge of the Traditional Owner groups in the Kimberley) and then commenced initial engagement through emails. Emails were sent by KRED, which included flyers with summary information about Eni's process to prepare the EP, as well as invitations for relevant persons to identify themselves.

Information packs or flyers were also distributed by KRED directly to CEOs and/or Chairpersons of PBCs and explicitly sought their support to organise information sessions with their members.

KRED then informed PBCs on Eni's visit dates to the East Kimberley and Dampier Peninsula and arranged for roadshow / site visits to all the relevant PBCs (affected by the EMBA) to hold public gatherings or targeted meetings.

During the roadshow and site visits, Eni was accompanied by a Liaison Officer assigned through EHSIS (Environmental Heritage & Social Impact Services Pty Ltd), which is a subsidiary of KRED. The presence of the Liaison Officer allowed for ease in relating to and connecting with to the local community. The extensive network of connections of the Liaison Officer supported the information sharing process. With the presence of the Liaison Officer, most community leaders or Traditional Owners expressed comfort in entering into conversations with Eni's consultation team.

Throughout each meeting, Eni presented the prepared slides, handed over flyers and followed up with emails to each person. Eni also posted flyers on notice boards in locations with high traffic of people and greater opportunity to be noticed, including police stations and community centres.


Eni considers that consultation has concluded following the Kimberley engagements and Roadshow meetings, including follow-up emails sent to relevant persons. That said, and as outlined in Appendix C1, Eni will continue to maintain efforts to engage in continued dialogue with the KLC and Kimberley PBC's to allow for relevant interested persons engagement throughout the execution of the planned activities, as per section 22(15) of the OPGGS(E) Regulations.

### **Broader NT Engagement Including Tiwi Islands**

Engagement with Northern Land Council (NLC) was initiated with meetings and sharing of information through emails, mainly seeking support with the community engagement. Eni was advised by NLC to proceed with the community engagements without the involvement of NLC.

In respect of hierarchy within the local community within the Tiwi Islands, Eni sought the support of, and direction from, the Tiwi Land Council in engaging with Traditional Owners or other relevant persons within the Tiwi Islands.

Several meetings were held with the Tiwi Land Council (TLC) and an information pack was distributed to TLC via emails.

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Eni considers that consultation has concluded following the broader NT engagements (including Tiwi Islands) and meetings, including follow-up emails sent to relevant persons. That said, and as outlined in Appendix C1, Eni will continue to maintain efforts to engage in continued dialogue with the broader NT and Tiwi Islands to allow for relevant interested persons engagement throughout the execution of the planned activities, as per section 22(15) of the OPGGS(E) Regulations.

### 5.3.2 Consultation during Environment Plan Development

In Q3 2023 Eni commenced consultation with relevant persons for the proposed planned activities described in this EP. As described above, material was sent to each relevant person (Relevant Persons Register, Appendix C2) on the Relevant Persons Register in July 2023.

As described in Appendix C1, the consultation period with relevant persons during development of the EP was outlined within the consultation material (2023 Blacktip Operations Material Factsheet) at initially 31 July (approximately six weeks). However, subsequent deadlines for receiving comments were set when no response was received and communicated to the relevant persons. Eni continued to follow up with and receive feedback from relevant persons until 14 June 2024 and consultation process was considered concluded at this point (further described in Section 5.3.4- Consultation Outcomes). This is considered as a reasonable period for comments to be submitted to Eni and represents a 11-month duration from the first consultation materials being provided to most relevant persons. It should also be noted that since the Blacktip facilities have been operational since 2009, Eni is familiar with local communities and other users of the marine environment in the region. Previously identified relevant persons have been regularly informed of Blacktip activities and operations over the life of the asset.


Multiple attempts were made to contact all relevant persons during the consultation period, and in instances where no response was received, other targeted mechanisms in different forms (i.e., phone calls, text messages, face-to face visits) were used to facilitate Eni's requirement to consult with relevant persons on the activities.

Per Section 26(8) of the OPGGS (E) Regulations, the full records of all correspondence and interactions with relevant persons are discretely provided in the sensitive information part of this Environmental Plan.

### 5.3.3 Extended Enquiry (Broader Consultation)

Eni recognises there may be instances where other persons, organisations, departments or agencies may consider themselves relevant and wish to be included in the consultation process. Therefore, as an additional proactive step, Eni undertook:

- leafletting during roadshows or site visits, such as leaving consultation material leaflets in community centres and high-traffic areas
- local newspaper advertisement campaigns
- advertisements on local radio stations.

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The objective of this approach was to help identify any other new relevant persons that may not have already been identified. The extended enquiry activities also provided another means of broadcasting information to existing relevant persons.

Table 5.1 outlines the broader enquiry efforts, including the papers, radio stations and classified adverts where the consultation material was broadcasted.

**Table 5.1: Broader enquiry efforts**

Method	Broadcast company	Dates
Newspaper	NT News	20, 22, 23, 27, 29 and 30 December 2023
	The West	20, 22, 23, 27, 29 and 30 December 2023
	Kimberley Echo	21 December 2023
Radio	Darwin's mix 104.9	22 to 30 December 2023, twice per day at one minute in length
	First Nations Radio	17 and 24 December 2023
	Palmerston FM 88	17 and 24 December 2023
TDC Monthly Newsletter	Thamarrur Devt. Corporation	August 2023

Whilst Eni have undertaken a range of approaches to capture a board audience and recognise the benefits of this, Eni has focused on in person efforts during the site visits, which Eni considers has yielded greater results compared with the efforts made through advertisement campaigns.


### 5.3.4 Consultation Outcomes

In accordance with Section 24(b) of the OPGGS(E) Regulations, a report on all consultations from the 2023/24 consultation campaigns are presented as Appendix C4. Appendix C4 is deconstructed into Appendix C4a and C4b to reflect the *Relevant Persons Consultations Log* and *Relevant Persons Consultations Feedback Assessment* respectively.

Appendix C4b (Relevant Persons Consultations Feedback Assessment) also outlines Eni's statements of responses to objections or claims.

As outlined in Section 6.3 of the Blacktip SMP Bridging Document (Appendix C1), and in alignment with OPGGS(E) Regulation 24, application, interpretation and responsiveness with regards to all feedback received from relevant persons was undertaken at all times. For relevant persons who provided feedback, and following assessment of the merits of their objection or claim, Eni provided a response to the relevant person advising them of the assessment and invited them to further respond. This is reflected in the *Relevant Persons Consultations Feedback Assessment* (Appendix C4b). For statements issued by Eni of both acceptance and rejection of objections and/or claims, there were numerous relevant persons that chose not to further respond.

Numerous relevant persons chose not to reply or engage with Eni at all, and as described in Appendix C1, where no response or acknowledgement of receipt of consultation materials was received by Eni, the actions undertaken were:

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- follow-up emails post issue of initial consultation materials
- alternative methods of contact where appropriate and available (e.g., phone call, in person visits).

Eni sought to consult all relevant persons since issuing initial information regarding this EP, and then made subsequent consultation efforts in accordance with its consultation approach (outlined in Appendix C1). Eni ensured provision of sufficient information to allow relevant persons to make an informed assessment of the possible consequences of the activities the subject of this EP on their functions, interests, or activities, and provided a reasonable period for relevant person to provide objections or claims in relation to the EP and for consultation to occur.

After multiple attempts were exhausted and the consultation period was extended and then closed, under these circumstances, Eni deemed consultation in the course of the preparation of the EP has been completed in accordance with OPGGS[E] regulations.


There were some instances where Eni attempted to identify relevant persons, but were unable to confirm individual contact details within the initial consultation period (contact details of individual commercial fishers were an example of this). Eni undertook the following best endeavours to ensure contact with relevant persons:

- contacting government departments who may have had contact details of individual relevant persons;
- contacting associated organisations and/or advocacy groups who may have had contact details of individual relevant persons;
- leveraging off other relevant persons who had contact details of certain individual relevant persons.

To conclude, the in-total 10-month duration with appropriate follow-up of relevant persons since the second consultation period commenced in June 2023, is considered a reasonable time for relevant persons to have had opportunity to make an informed assessment of the possible consequences of the petroleum activities on their functions, interests or activities, in accordance with the requirements of subregulation 25(3) of the OPGGS(E) Regulations and provide a response.

### 5.3.5 Ongoing Consultation

Relevant and interested person consultation for the Blacktip operations activities will be ongoing, post-acceptance of this EP in accordance with section 22(15) of the OPGGS(E) Regulations. Eni will work with relevant and interested persons and organisations to develop and maintain a current and comprehensive view of relevant persons' and organisations' functions, interests and activities, and provide opportunity for enquiries, objections or claims by relevant persons and organisations in the lead up to and during the conduct of the planned activities. As outlined in part 3.1 of the Blacktip SMP Bridging Document (Appendix C1), should any new relevant persons and/or organisations be identified, they will be added to the Blacktip Stakeholder Register and included in all future correspondence as required, including specific activity notifications.

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Notably, Eni's intention is to now consistently plan multiple visits to NT (including Tiwi Islands), the East Kimberley and Dampier Peninsula communities. The purpose of this will be to engage in an ongoing way, with interested and relevant persons and organisations. Where the opportunity arises, Eni will seek to consistently engage with the various groups in order to:

- continue to provide bi-monthly updates about the progress of the activities
- respond in person to clarifications raised in collaboratively coordinated meetings across the three regions
- respond in person to informal clarifications; and
- invite and respond to feedback from relevant persons and where necessary adjust the EP through the management of change processes.

Given the proximity of Wadeye Community to Blacktip Operations, an engagement process will be occurring in an ongoing fashion in the Thamarrurr Region through both Eni's attendance to monthly community service meetings, as well as following up with collaboratively coordinated meetings (with Thamarrurr Development Corporation) between Eni and the broader Wadeye Community. Eni continues to work with the Thamarrurr Rangers in the provision of services that will support Blacktip activities.

Eni will continue to accept feedback from all relevant and interested persons and organisations during the assessment of this EP and throughout the duration of the accepted EP. Where any new information is received, that is assessed as a new relevant matter or objection/claim with merit, the EP will be updated in accordance with the management of change (MoC) process described in Section 10.12 ensuring risks remain managed to ALARP and acceptable levels.

Additional consultation with relevant persons will occur in the event there is a significant change to the proposed activities.

It should be noted that as outlined in Part 7 of the Blacktip SMP Bridging Document (Appendix C1) outside of regulatory compliance, and hence outside of this 'preparation of EP' consultation, Eni conducts external relations engagement as a matter of best practice. Eni sees that it is good corporate social responsibility to engage with stakeholders within or near our footprint; we look to build partnerships and potential long-term value proposition opportunities; and by continuing to talk to stakeholders, we gain better knowledge of the context, needs and interests of these stakeholders.

Whilst Eni has been conducting 'meet and greets' across the Kimberley and Northern Territory regions, and whilst this may assist in building and maintaining of relationships, it is not considered a part of any Environment Plan consultation process.