**Petroleum Regulations 2021**

**S.R. No. [insert]/2021**

**table of provisions**

**PART 1— PRELIMINARY MATTERS  
  
 regulations 1-5  
  
PART 2—EXPLORATION PERMITS  
  
 regulations 6-7**  
  
**PART 3—RETENTION LEASES  
  
 regulations 8-9**  
  
**PART 4—PRODUCTION LICENCES** **regulations 10-15  
PART 5—PROVISIONS APPLYING TO AUTHORITIES GENERALLY   
  
 regulations 16-19**

**PART 6—Royalties and rent  
  
 regulations 20-21**

**PART 7—CONDUCT OF OPERATIONS ETC.  
  
 regulations 22-37 (in three divisions and also subdivisions)**

**PART 8—INFORMATION TO BE GIVEN TO THE MINISTER**

**regulations 38-50**

**PART 9—administrative matters  
  
 regulations 51-52**

**PART 10—Miscellaneous matters  
  
 regulations 53-60**

**PART 11—Consequential, savings and transitional provisions**

**regulations 61-63**

statutory rules 2021

S.R. No. xx/2021

***Petroleum Act 1998***

**Petroleum Regulations 2021**

The Governor in Council, on the recommendation of the Minister for Small Business, makes the following Regulations:

Dated: date 2021

Responsible Minister:

JACLYN SYMES

Minister for Resources

claire chisholm

Clerk of the Executive Council

Part 1—Preliminary matters

1 Objectives

The objectives of these Regulations are—

(a) to provide for the elimination and minimisation, so far as is reasonably practicable, of the environmental, public amenity and safety hazards and risks involved in undertaking petroleum operations over the life of those operations; and

(b) to provide for the elimination and minimisation, so far as is reasonably practicable, of impacts from petroleum operations on local communities; and

(c) to ensure effective engagement by authority holders with the community over the life of a authority; and

(d) to provide for the effective management of petroleum reservoirs and petroleum storage reservoirs; and

(e) to prescribe requirements for operation plans, storage development plans and petroleum production development plans; and

(f) to prescribe requirements for  
 applications for, and notices of,  
 applications; and

(g) to prescribe reporting requirements, including the information and samples, that an authority holder must provide to the Minister; and

(h) to provide for various administrative matters, fees and other requirements of the Act.

2 Authorising provision

These Regulations are made under section 252 of the **Petroleum Act 1998**.

3 Commencement

These Regulations come into operation on [insert date]

4 Revocation

The Petroleum Interim Regulations 20211 are **revoked**.

5 Definitions

In these Regulations—

***ancillary equipment***, in relation to a well, includes—

(a) equipment located downhole; and

(b) pressure control equipment; and

(c) a well-head;

***authority number***means the unique identification  
number designated by the Minister for an  
authority;

***environmental legislation*** means an Act of the State or the Commonwealth or any instrument made or issued under or for the purpose of those Acts that relates to the protection of the environment;

***facility*** means a structure that—

1. is used or constructed for the purpose of recovering or storing petroleum; or

(b) is used or constructed for the purpose of monitoring impacts from production or storage wells; or

(c) carries, contains or includes—

(i) equipment for the drilling,  
 modification, maintenance or repair  
 of a well or ancillary equipment; and

(ii) gas plants; and

(iii) compression plants; and

(iv) metering stations; and

(v) gathering lines; and

(vi) survey equipment;

***impact*** means a negative effect of a   
petroleum operation that is reasonably   
predictable at the time that the   
application for the authority under which the operation is carried out is made;

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***practicable***, in relation to eliminating or minimising hazards and risks, means practicable having regard to—

(a) the severity of the hazard or risk; and

(b) the state of knowledge about the hazard or risk; and

(c) the availability and suitability of ways to eliminate or minimise that hazard or risk; and

(d) the cost of eliminating or minimising that hazard or risk;

***rig release date***, in relation to a well, means the date on which the drilling rig that was last used to drill the well is moved so it is no longer above the well, if no further drilling of the well is to occur.

***risk*** means the likelihood and consequence of a specific, undesired event occurring;

***the Act*** means the **Petroleum Act 1998**;

***well activity***, in relation to a well, means an activity carried out during the life of the well;

***well integrity***, in relation to a well, means that the entire length of the well, for the life of the well—

(a) is under control, in accordance with an operation plan accepted under section 161 of the Act; and

(b) is able to contain reservoir fluid; and

(c) is not the subject of any unforeseen risks;

***well integrity hazard*** means, for the life of the well, an event—

(a) that—

(i) may compromise the well integrity of a well; or

(ii) may cause loss of a well barrier control; and

(b) that may if it occurred, cause harm or present a risk to individuals, public safety, public amenity, the environment or a petroleum reservoir.

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**PART 2—EXPLORATION PERMITS**

6 Assessment of risks etc.

An application under section 20 of the Act must contain the following information in relation to the proposed work program submitted with the application over the life of the permit—

(a) the likely regional economic, social and

environmental risks and impacts of the

program;

(b) the likely regional benefits of the program

relative to its likely risks  
 and impacts; and

(c) the extent to which these risks and  
 impacts can be managed at the regional level

and how the applicant proposes to do this.

7 Prescribed factors in relation to an application for an exploration permit

For the purposes of sections 20B(2)(c) and 21(2)(c) of the Act, the following are prescribed factors—

(a) the likely regional economic, social and

environmental risks and impacts of the work

program;

(b) the likely regional benefits of the work program relative to its likely risk and impacts; and

(c) the extent to which these risks and impacts can be managed at the regional level and how the applicant proposes to do this.

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**PART 3—RETENTION LEASES**

8 Assessment of risks etc.

1. An application under section 38 of the Act must contain the following information in relation to the proposed work program submitted with the application over the life of the lease—

(a) the likely regional economic, social and environmental risks and impacts of the program;

(b) the likely regional benefits of the program relative to its likely risks and impacts; and

(c) the extent to which these risks and impacts can be managed at the regional level and how the applicant proposes to do this.

(2) An application under section 38 of the Act must contain the following—

(a) the certificate of any insurance policy maintained by the applicant in accordance with section 171 the Act in respect of the exploration permit held by the applicant;

(b) the adequacy, as at the date of the application, of that insurance to cover any expenses or liabilities arising from a petroleum operation carried out under the exploration permit held by the applicant;

(c) the amount of the rehabilitation bond obtained by the applicant in accordance with section 173 of the Act in respect of a petroleum operation carried out under the exploration permit held by the applicant;

(d) the sufficiency of the amount secured by a rehabilitation bond described in paragraph (c), as at the date of the application, to cover any costs of rehabilitation work necessary as a result of the relevant petroleum operation.

9 Prescribed factors in relation to an application for a retention lease

For the purposes of section 40(1)(e) of the Act, the following are prescribed factors—

(a) the likely regional economic, social and environmental risks and impacts of the work program;

(b) the likely regional benefits of the work program relative to its likely risks; and

(c) the extent to which these risks and impacts can be managed at the regional leveland how the applicant proposes to do this.

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**PART 4—PRODUCTION LICENCES**

Division 1—Prescribed factors

10 Assessment of risks etc.

(1) An application under section 47 of the Act must contain the following information in relation to the proposed work program submitted with the application over the life of the licence—

(a) the likely regional economic, social and environmental risks and impacts of the program; and

(b) the likely regional benefits of the program relative to its likely risks  
and impacts; and

(c) the extent to which these risks and  
impacts can be managed at the regional level and how the applicant proposes to do this.

(2) An application under section 47 of the Act must contain the following—

(a) the certificate of any insurance policy maintained by the applicant in accordance with section 171 the Act in respect of the exploration permit held by the applicant;

(b) the adequacy, as at the date of the application, of that insurance to cover any expenses or liabilities arising from a petroleum operation carried out under the exploration permit held by the applicant;

(c) the amount of the rehabilitation bond obtained by the applicant in accordance with section 173 of the Act in respect of a petroleum operation carried out under the exploration permit or retention lease held by the applicant;

(d) the sufficiency of the amount secured by a rehabilitation bond described in paragraph (c), as at the date of the application, to cover any costs of rehabilitation work necessary as a result of the relevant petroleum operation.

11 Prescribed factors – determining grant of application for a production licence

For the purposes of section 49(1)(d) of the Act, the following are prescribed factors—

(a) the likely regional economic, social and environmental risks and impacts of the proposed work program submitted with the application;

(b) the likely regional benefits of the work program relative to its likely risks; and

(c) the extent to which these risks and impacts can be managed at the regional level and how the applicant proposes to do this.

**12 Prescribed factors – granting of production licences following tender**

For the purposes of sections 52(3) and 52A(3) of the Act, the following are prescribed factors—

(a) the likely regional economic, social and environmental risks and impacts the proposed work program submitted with the application; of the work program;

(b) the likely regional benefits of the work program relative to its likely risks; and

(c) the extent to which these risks and impacts can be managed at the regional level and how the applicant proposes to do this.

Division 2— Petroleum production development plans

13 Matters to be included in petroleum production development plan

(1) For the purposes of section 63(2) of the Act, a petroleum production development plan must include

(a) a description of each stage of the petroleum operation, including equipment or facilities to be used; and

(b) a description of the relevant existing geological and reservoir data and interpretations of that data; and

(c) details of proposed further data acquisition and studies to enhance geological and reservoir understanding; and

(d) a reservoir management plan that

(i) describes how the reservoir will be produced; and

(ii) provides the reasons for adopting the proposed approach; and

(iii) estimates the future petroleum to be recovered from the reservoir; and

(iv) specifies the proposed rate of recovery of petroleum.

(2) The holder of the authority must ensure that the petroleum production development plan is reviewed within 12 months after initial petroleum production and then at intervals not exceeding one year.

(3) For the purposes of subregulation (1)(d)(iv), the proposed rate of recovery of petroleum may be expressed as a range.

14 Storage development plan

(1) For the purposes of section 68(2) of the Act, a storage development plan must include

(a) a description of each stage of the petroleum operation, including equipment or facilities to be used; and

(b) a description of the reservoir using geological data and interpretations of that data; and

(c) a reservoir management plan that

(i) estimates the recoverable petroleum reserve, owned by the Crown pursuant to section 13 of the Act located in the reservoir before the commencement of underground petroleum storage activities; and

(ii) evaluates the suitability of the reservoir and seal for storage purposes; and

(iii) specifies the proposed storage operating volume; and

(iv) specifies the proposed rates of injection and recovery of petroleum; and

(v) details the methods to monitor and verify containment of injected gas and the petroleum-water contact; and

(vi) provides information about how storage operations interact with storage operations at nearby petroleum fields; and

(d) a description of the measures to be used to ensure containment of the stored petroleum.

(2) The holder of the authority must ensure that the storage development plan is reviewed within 12 months after initial petroleum production and storage operations and then at intervals not exceeding one year.

15 Additional information

(1) If a petroleum production development plan or a  
 storage development plan has been submitted by  
 the holder of an authority for the purposes of  
 section 64 or 69 of the Act, the Minister may, by  
 notice in writing, require the holder to provide any  
 additional information that the Minister considers  
 to be relevant to the approval of the plan.

(2) The Minister may, by notice in writing, require the  
 holder of an authority to submit a revised  
 petroleum production development plan or a  
 storage development plan incorporating the  
 additional information referred to in subparagraph  
 (1).

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**PART 5—****PROVISIONS APPLYING TO AUTHORITIES GENERALLY**

Division 1—Applications

16 Other details in work program

(1) A work program must contain details regarding how the authority holder intends to engage, over the term of the authority, with the community and, if relevant, Traditional Owners.

(2) A work program in relation to an exploration permit must set out the annual estimated expenditure for each year of the term of the permit, in the form of a table.

Division 2—Surrender or cancellation of authorities

**17 Surrender of authority**

For the purposes of section 111(2)(f) of the Act,  
 the following are prescribed factors—

(a) that the requirements of any plan required under the Act or these Regulations have been met;

(b) that any reporting obligations under the Act or these Regulations have been met;

(c) that the relevant land in the authority area has been rehabilitated for the purposes of section 170 of the Act.

**Division 3—Miscellaneous matters**

18 Prescribed period for certain notices

For the purposes of sections 39A(2)(b) and 48A(2)(b) of the Act, the prescribed period is 21 days from the day on which the notice is published.

19 Prescribed information for certain notices

(1) For the purposes of sections 39A(2)(c) and 48A(2)(c) of the Act the following is prescribed information—

(a) the proposed work program submitted with the application;

(b) the contact details of a representative of the Minister, for any queries about the application;

(c) the contact name, telephone number, address and email address of a representative of the applicant;

(d) the location at which a copy of the application can be inspected by members of the public within business hours;

(e) in the case of an application for a retention lease, a statement that subject to other statutory requirements being satisfied, the lease, if granted—

(i) will entitle the holder to retain rights to a petroleum discovery that is not commercially viable to develop; and

(ii) will entitle the holder to carry out further petroleum exploration and  
work incidental to that purpose; and

(iii) will not entitle the holder to undertake petroleum production;

(f) in the case of an application for a production licence, a statement that, subject to other statutory requirements being satisfied, the licence, if granted, will entitle the holder—

(i) to carry out petroleum production; and

(ii) to explore for petroleum; and

(iii) to do anything in the licence area that is necessary for, or incidental to, those purposes;

(g) a statement that further information is available on the Department's internet site regarding the statutory requirements that the applicant must comply with before work is undertaken in the authority area, if the authority is granted; and

(h) the internet address of the Department at which the information set out in paragraph (g) can be accessed.

(2) A notice must be in any form approved by the Minister.

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Part 6—Royalties and Rent

20 Time of payment of royalties

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(1) Subject to subregulation (5), for the purposes of section 154(2) of the Act, a royalty for a production licence must be paid—

(a) for each period of 6 months ending on 30 June and 31 December in each year; and

(b) within 30 days of the expiry of the period for which it is payable.

(2) Unless otherwise specified in a production licence, the royalty payment for the period must be accompanied by a copy of records of the quantity of petroleum extracted or recovered in that period from any well within the licence area as measured by an approved measuring device.

(3) For the purposes of section 179(b) of the Act, the holder of a production licence must retain a copy of records of petroleum extracted or recovered for inspection purposes for 5 years.

(4) Subregulations (2) and (3) do not apply in relation to a well in any period in which the quantity of petroleum extracted or recovered from that well in that period was determined by the Minister in accordance with section 153(3) of the Act.

(5) The Minister, by notice in writing to the holder of the authority, may vary the period set out in subregulation (1) in respect of which royalties for a production licence are payable.

**Note**

Under section 179 of the Act, a person who contravenes subregulation (3) may be liable to a penalty not exceeding 60 penalty units.

21 Rent for occupancy of Crown Land

(1) For the purposes of section 160(3) of the Act, the amount of rent payable is the current market value for occupying the land, having regard to the use of the land permitted by the authority, as determined by a valuer nominated by the valuer-general.

(2) The holder of the authority is liable for the costs incurred in obtaining the determination.

(3) The rent must be reviewed by a valuer nominated by the valuer-general at intervals not exceeding 3 years but not less than one year.

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(4) Rent must be paid for each period of 6 months ending on 30 June and 31 December in each year and must be paid within 10 days of the commencement of the period for which the rent is payable.

(5) In this regulation —

***valuer-general*** means the valuer-general referred to in section 3(1) of the **Valuation of Land Act 1960.**

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Part 7—CONDUCT OF OPERATIONS ETC.

Division 1— Operation plan

22 Content of operation plan

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(1) For the purposes of section 161(1)(d) of the Act, an operation plan—

(a) must set out—

(i) a comprehensive description of the equipment and facilities to be used in the petroleum operation; and

(ii) a comprehensive description of the petroleum operation, including details of each of the proposed stages of the petroleum operation that must include, if appropriate, the following stages—

1. construction;
2. operation;
3. care and maintenance;
4. decommissioning;
5. rehabilitation; and

(iii) particulars of the proposed process to ensure that the Minister is notified prior to commencement of each stage of the petroleum operation; and

(iv) an environment management plan; and

(v) if the petroleum operation involves petroleum exploration, a statement of the activities referred to in section 7 of the Act that are proposed to be carried out; and

(vi) if the petroleum operation includes the making of a new well, carrying out activities on an existing well or decommissioning a well, a well operation management plan in accordance with Division 3; and

(b) must provide for—

(i) a review of the operation plan by the holder of the authority before the holder commences each stage of the petroleum operation; and

(ii) a review by the holder of the authority of the risks identified in the operation plan whenever there is a significant change in the risks that the petroleum operation may pose; and

(iii) a review of the operation plan by the holder of the authority at least once every 5 years; and

(iv) the submission of a report by the holder of the authority, within 7 days of each review being finalised, to the Minister setting out the findings of that review; and

(c) must include, in relation to any facility proposed to be used in connection with the petroleum operation—

(i) a map of the location of the facility, and

(ii) a description of the location; and

(iii) details of all the sites related to the petroleum operation (including, but not limited to, accommodation camps), the activities to be undertaken at those sites and their location on the map referred to in subparagraph (i); and

(iv) details of the proposed design, construction, installation and maintenance of the facility; and

(v) if the facility is to be modified, details of the proposed modifications; and

(vi) details of the proposals for the decommissioning of the facility.

(2) The details provided under subregulation (1)(a)(ii)) must enable the Minister to assess whether the facility is adequate for the proposed petroleum operation.

(3) The operation plan must—

(a) be appropriate for the nature and scale of the activities to be carried out during the petroleum operation; and

(b) include a rehabilitation plan.

(4) If an operation plan has been submitted by the holder of an authority, the Minister may, by notice in writing, require the holder to provide any additional information that the Minister considers to be relevant to acceptance of the plan.

(5) The Minister may, by notice in writing, require the holder to submit a revised operation plan incorporating the additional information referred to in subparagraph (4).

23 Notice of operation plan

For the purposes of section 161(1B)(c) of the Act the following is prescribed information—

(a) the name and postal address of the holder of the authority;

(b) a contact name, telephone number and email address of a representative of the holder of the authority to which requests for further information may be made;

(c) the form in which written submissions must be made, and the physical address or email address to which any submission  
may be conveyed or submitted;

(d) the date on which the holder of the authority proposes to commence considering the submissions;

(e) a statement, in a form approved by the Minister, setting out the function and purpose of an operation plan;

(f) a description of the petroleum operation;

(g) a summary of the environmental and social risks and impacts of the petroleum operation and the measures that will be adopted to mitigate those risks over the life of the petroleum operation;

(h) a summary of the public safety risks and impacts of the petroleum operation, including risks relating to any wells, and the measures that will be in place to mitigate those risks over the life of the petroleum operation;

(i) a summary of the proposed measures to rehabilitate land affected by the petroleum operation;

(j) a summary of how the authority holder proposes the ensure the community is consulted over the life of the petroleum operation.

24 Prescribed factors for accepting or varying an operation plan

(1) For the purposes of section 161(1D) of the Act, the  
following are prescribed factors—

(a) whether the Minister is satisfied that the holder of the authority will implement effective rehabilitation measures for the petroleum operation;

(b) whether the Minister is satisfied that the holder of the authority will consult effectively with the relevant person or organisation over the life of the petroleum operation;

(c) whether the Minister is satisfied that the holder of the authority has identified the key risks and impacts of the petroleum operation;

(d) whether the Minister is satisfied that the risks and impacts of the petroleum operation will be adequately mitigated.

(2) For the purposes of section 163(3) of the Act, the  
Minister must take into account the following   
factors in considering an application to   
vary an operation plan—

(a) whether the Minister is satisfied that the holder of the authority will implement effective rehabilitation measures for the petroleum operation;

(b) whether the Minister is satisfied that the holder of the authority will consult effectively with the relevant person or organisation over the life of the petroleum operation;

(c) whether the Minister is satisfied that the holder of the authority has identified the key risks and impacts of the petroleum operation;

(d) whether the Minister is satisfied that the risks and impacts of the petroleum operation will be adequately mitigated.

(3) In this regulation—

***relevant person or organisation*** has the same meaning as in section 161 of the Act.

25 Prescribed form for evidence regarding notice and submissions for operation plan or varied operation plan

(1) For the purposes of section 161(3)(a) of the Act, evidence regarding notice of an operation plan is in the prescribed form if it—

(a) is in writing (whether or not it is in electronic form); and

(b) contains a copy of the notice given by the holder of the authority under section 161(1A) of the Act; and

(c) contains a list of the relevant persons or organisations to whom the notice has been given.

(2) For the purposes of section 161(3)(b) of the Act, evidence regarding submissions on an operation plan is in the prescribed form if it—

(a) is in writing (whether or not it is in electronic form); and

(b) contains a copy of all submissions received or, if no submissions are received, a statement to this effect; and

(c) contains a summary of the submissions (if any) that sets out the substantive matters raised by the submissions, how each matter has been considered and, for each relevant matter, how it has been addressed in the operation plan.

26 Notice regarding variation to operation plan

For the purposes of section 163(5)(c) of the Act the following is prescribed information—

(a) the name and postal address of the holder of the authority;

(b) a contact name, telephone number and email address of a representative of the holder of the authority to which requests for further information may be made;

(c) the form in which written submissions must be made, and the physical address or email address to which any submission may be conveyed or submitted;

(d) the date on which the holder of the authority proposes to commence considering the submissions;

(e) a statement, in a form approved by the Minister, setting out the function and purpose of an operation plan;

(f) a description of the petroleum operation;

(g) a summary of the environmental and social risks and impacts of the petroleum operation and the measures that will be adopted to mitigate those risks over the life of the petroleum operation;

(h) a summary of the public safety risks and impacts of the petroleum operation, including risks relating to any wells, and the measures that will be in place to mitigate those risks over the life of the petroleum operation;

(i) a summary of the proposed measures to rehabilitate land affected by the petroleum operation;

(j) a summary of how the authority holder proposes the ensure the community is consulted over the life of the petroleum operation.

27 Prescribed form of evidence required to be submitted for the variation of an operation plan

(1) For the purposes of section 163(6)(a) of the Act, evidence is in the prescribed form if it—

(a) is in writing (whether or not it is in electronic form); and

(b) contains a copy of the notice given by the  
 holder of the authority under section  
 163(4) of the Act; and

(c) contains a list of the relevant persons or organisations to whom the notice has been given.

(2) For the purposes of section 163(6)(b) of the Act,   
 evidence is in the prescribed form if it—

(a) is in writing (whether or not it is in electronic form); and

(b) contains a copy of all submissions  
 received or, if no submissions are received, a  
 statement to this effect; and

(c) contains a summary of the submissions (if any) that offsets out the substantive matters raised by the submissions, how each matter has been considered and, if relevant, how each matter has been addressed in the variation.

28 Consent to conduct production tests or well tests

(1) The holder of an authority must not conduct a production test or well test in a well except with, and in accordance with, the written consent of the Minister.

Penalty: 20 penalty units.

(2) An application for consent under subregulation (1) must include a plan setting out—

(a) the equipment to be used; and

(b) the timeframe for the testing; and

(c) how 2 verified well barriers will be  
 maintained in the well at all times or, if this  
 cannot be achieved, the alternative measures  
 that will be in place to maintain well  
 integrity; and

(d) the controls that will be in place to manage any  
 potential well integrity hazards; and

(e) details regarding the suitably qualified or experienced person who designed the well testing and will be onsite to supervise the testing.

29 Consent to suspend or decommission a well

(1) The holder of an authority must ensure that a well is not suspended except with, and in accordance with, the written consent of the Minister.

Penalty: 20 penalty units.

(2) The holder of an authority must ensure that a well is not decommissioned except with, and in accordance with, the written consent of the Minister.

Penalty: 20 penalty units.

(3) An application for consent to suspend or decommission a well must include—

(a) the name and number of the well; and

(b) the reasons for the proposed suspension or decommissioning; and

(c) a plan setting out details of the proposed suspension or decommissioning program, including the method by which the well will be made safe after it is suspended or decommissioned.

(4) The plan under subregulation (3)(c) must set out—

(a) the holder of the authority’s proposed measures for care and maintenance of the well, if proposed to be suspended; and

(b) the equipment to be used; and

(c) the timeframe for the suspension or decommissioning; and

(d) how 2 verified well barriers will be maintained in the well at all times or, if this cannot be achieved, the alternative measures that will be in place to maintain well integrity; and

(e) the controls that will be in place to manage any potential well integrity hazards; and

(f) the controls that will be in place to maintain well integrity while the well is suspended (including but not limited to the period in which suspension  
activity is occurring); and

(g) details of the suitably qualified or experienced person who will be responsible for designing and supervising the suspension or decommissioning of the well.

Division 2—Environment management plan

30 Description of the environment

An environment management plan included in an operation plan under regulation 22(1)(a)(iv) must—

(a) describe the environment, including any relevant values and sensitivities;

(b) describe any relevant cultural, historical, aesthetic, social, recreational, ecological, biological, landscape and economic aspects of the environment that may be affected by the petroleum operation; and

(c) identify any communities, land or property in the vicinity of the operation and any petroleum operation or petroleum resource that the petroleum operation might affect.

31 Description of environmental impacts and risks

An environment management plan must include an assessment of the environmental impacts and risks of the petroleum operation that—

(a) identifies and evaluates the environmental impacts and risks that may arise directly or indirectly from the normal activities of the petroleum operation (including construction if applicable); and

(b) assesses the environmental risks and impacts resulting from—

(i) reasonably possible activities in relation  
 to the petroleum operation; and

(ii) incidents or events (whether planned or  
 unplanned) that are not normal activities,  
 incidents or events in relation to the  
 operation including emergencies and foreseeable but unwanted events; and

(c) specifies the methodology used for the assessment.

32 Environmental performance objectives and standards

An environment management plan must—

(a) define environmental performance objectives, and set environmental performance standards, against which performance by the holder of the authority in protecting the environment from the petroleum operation is to be measured; and

(b) include measurement methods for determining whether the objectives and standards have been met.

33 Implementation strategy for the environment management plan

An environment management plan must contain an implementation strategy that—

(a) identifies the controls, specific systems, practices and procedures to be used to ensure that—

(i) any potential adverse environmental impacts of, and any risks to the environment arising from, the petroleum operation are eliminated or minimised as far as is reasonably practicable; and

(ii) the environmental performance objectives and standards in the environment management plan are met; and

(b) specifies why the controls, specific systems, practices and procedures to eliminate or minimise risks and impacts have been adopted, whether other measures were considered but not adopted and the reasons why; and

(c) establishes a clear chain of command, setting out the roles and responsibilities of personnel in relation to the implementation, management and review of the environment management plan; and

(d) includes measures to ensure that each employee or contractor working in connection with the petroleum operation—

(i) is aware of the employee's or contractor's responsibilities in relation to the environment; and

(ii) has the appropriate skills and training to be able to fulfil those responsibilities; and

(e) provides for the monitoring, audit and review of the environmental performance and implementation strategy of the holder of the authority; and

(f) provides for the maintenance of a quantitative record of emissions and discharges into the air, or onto the land surface environment, or below the land surface environment that is accurate and that can be monitored and audited against the environmental performance standards; and

(g) includes arrangements for recording, monitoring and reporting information about the petroleum operation (including information required to be recorded under the Act, these Regulations and any other environmental legislation applying to the activity) sufficient to enable the Minister to determine whether the holder of the authority is complying with the environment management plan; and

(h) provides for appropriate consultation, ongoing for the life of the petroleum operation, about the holder of the authority’s environmental performance with—

(i) relevant agencies of the Commonwealth and the State; and

(ii) other relevant interested people and organisations; and

(i) provides for the maintenance of an up-to-date emergency response manual prepared for the petroleum operation that includes detailed response arrangements for—

(i) dealing with any threat to individuals, public safety, public amenity and the environment in the vicinity of the petroleum operation; and

(ii) ensuring that the threat does not harm individuals, public safety, public amenity and the environment; and

(iii) dealing with any unwanted event that occurs that is harming individuals, public safety, public amenity and the environment; and

(j) in relation to hydrocarbon gas emissions  
 from the petroleum operation, includes—

(i) the measures in place to ensure any hydrocarbon gas emissions will be minimised as far as reasonably practicable; and

(ii) the measures in place to identify any hydrocarbon gas emissions as they occur; and

(iii) an estimate of the hydrocarbon gas emissions that will be generated by the petroleum operation; and

(k) in relation to groundwater impacts of the petroleum operation—

(i) assesses the risks and impacts to the groundwater environment from the petroleum operation; and

(ii) identifies how these risks and impacts to groundwater will be mitigated; and

(iii) if a well is to be drilled, identifies the method by which the holder of the authority will establish the baseline water quality before drilling commences; and

(iv) identifies the groundwater monitoring methodology, including the frequency of the monitoring and the parameters to be monitored prior to and during the petroleum operation; and

(v) identifies a reporting schedule for the holder of the authority to report to the Minister in relation to any monitoring identified in subparagraph (iv).

34 Other information in the environment management plan

The environment management plan must contain the following—

(a) a statement of the corporate environmental policy of the holder of the authority;

(b) a list of all environmental legislation of the Commonwealth or the State that may apply to the petroleum operation;

(c) the strategy of the holder of the authority to ensure compliance with the environmental legislation referred to in paragraph (b);

(d) details of how the holder of the authority will consult with the community during the petroleum operation.

35 Information on consultation with the community

(1) For the purposes of regulation 34(d), the environment management plan must—

(a) identify the community likely to be affected by the petroleum operation; and

(b) set out how the holder of the authority will share information with the community; and

(c) set out how the holder of the authority will  
| receive feedback from the community; and

(d) set out how the holder of the authority will  
 manage complaints and other  
 communications from members of the  
 community; and

(e) set out how the holder of the authority will ensure that, while the operation plan is in effect, the holder of an authority will engage a suitably qualified or experienced person to be responsible for ensuring that the measures relating to community consultation under the operation plan for the petroleum operation are implemented; and

(f) in the case of an environment management  
 plan for a production licence, set out how  
 the holder of the authority will—

(i) identify community attitudes and  
 expectations; and  
 (ii) analyse community feedback, taking into  
 account community concerns or  
 expectations; and

(g) provide for, and set out the mechanism for, consultation, during the life of the petroleum operation, regarding the holder of the  
authority’s environmental performance—

(i) with any relevant Commonwealth and Victorian Government agencies; and

(ii) other relevant person or organisations.

(2) In this regulation—

***relevant person or organisation*** has the same meaning as in sectionin 161(4) of the Act.

Division 3—Well operation management plan

36 Well operation management plan

(1) The well operation management plan included in an operation plan under regulation 22(1)(a)(vi) must, in relation to each well to which it relates—

(a) contain the name and number of the well; and

(b) set out the elevation, easting and northing coordinates of the well and the basin and sub-basin (if applicable) in which the well is located; and

(c) describe each of the proposed stages of the well activity during the petroleum operation including, if appropriate, the well’s design, construction, operation, suspension, care, maintenance and decommissioning; and

(d) be appropriate for the nature and scale of the well activity to be carried out under the operation plan; and

(e) include details of the design of the well and ancillary equipment, including details of how the well is to protect the petroleum resource and aquifers; and

(f) set out the holder of the authority’s proposed timetable for carrying out each well activity; and

(g) describe how the holder of the authority is to keep records and conduct inspections, including but not limited to leak detection, well-head inspection, well-head maintenance, workover, and downhole inspection; and

(h) describe the process by which a connection is to be made between the well and a petroleum reservoir so that fluids can be produced from, or injected into, the reservoir; and

(i) include details of how modifications, maintenance and repairs to the well and ancillary equipment are to be managed; and

(j) include details of how suspension and decommissioning of the well are to be managed, including specifications for all materials that are to be used to maintain well integrity, including but not limited to casings, tubing, mud, cement, and well-heads; and

(k) describe the equipment and facilities to be used in connection with the well and ancillary equipment; and

(l) identify the risks associated with each well activity during each stage and state how the holder of the authority proposes to eliminate or minimise those risks as far as is reasonably practicable; and

(m) include details of when and how the holder of the authority is to give the Minister reports and information about —   
(i) each well activity; and

(ii) well integrity hazards; and

(iii) progression from one stage to another in  
 the well operation; and

(iv) significant increases in existing risks for  
 the well; and

(v) other matters relevant to the conduct of  
 each well activity; and

(n) demonstrate that the holder of the authority has a well integrity management  
system or process for managing well integrity throughout the life of the well that complies with the relevant industry standard.

(2) The well operation management plan must include the following material, unless the Minister gives the holder of the authority written permission to not include any material specified in that permission—

(a) information about the conduct of each well activity;

(b) an explanation of the philosophy of, and criteria for the design, construction, operational activity and management of the well and ancillary equipment;

(c) the possible petroleum production and storage activities of the well;

(d) details of—

(i) which logs will be run;

(ii) how the logs will be run;

(e) the proposals for testing of the well and ancillary equipment;

(f) the proposed sampling and testing methods for petroleum;

(g) performance objectives against which the performance of each well activity is to be measured;

(h) measurement methods for determining whether the performance objectives have been met;

(i) the controls, specific systems, practices and procedures to be used to deal with—

(i) a well integrity hazard; and

(ii) a significant increase in an existing risk in relation to the well, including the possibility of continuing an activity for the purpose of dealing with the well integrity hazard or the risk; and

(iii) the protection of aquifers;

(j) how the holder of the authority is to ensure the design of the well is overseen and supervised by a person suitably qualified or experienced to verify the well design;

(k) how the holder of the authority is to ensure the construction of the well is supervised by a person suitably qualified or experienced to verify that the well construction—

(i) is completed in accordance with the approved design; and

(ii) complies with any relevant requirements and standards;

(l) how the holder of the authority is to ensure the decommissioning of the well is supervised by a person suitably qualified or experienced to verify that the well decommissioning—

(i) is completed in accordance with the approved design; and

(ii) complies with any relevant requirements and standards;

(m) the qualifications and experience, work telephone number, email and postal address of the persons referred to in paragraph (j), (k) and (l);

(n) details of how the holder of the authority is to ensure long-term well integrity;

(o) how the holder of the  
authority is to ensure that all contractors and subcontractors involved in well operation  
management are suitably qualified or  
experienced;

(p) how the holder of the authority is to, during the life of the well—

(i) maintain 2 verified well barriers at all  
 stages; and   
 (ii) keep records detailing well  
 interventions, well-head maintenance  
 activities, workovers and well testing.

**Division 4—Rehabilitation plans**

37 Rehabilitation plan

(1) For the purposes of regulation 22(3)(b), a rehabilitation plan must include—

(a) details of the proposed rehabilitation of  
surface areas of land proposed to be affected by the petroleum operation including, but not limited to, facilities and accommodation camps; and

(b) proposed measures for revegetation of that land.

(2) A rehabilitation plan must—

(a) set out rehabilitation performance objectives, and rehabilitation performance standards, against which performance by the holder of the authority in rehabilitating the land is to be measured; and

(b) include measurement methods for determining whether those objectives and standards have been met.

**Note** Regulation 39(2)(h) requires the holder of an authority to  
 provide a summary of rehabilitation taken on the land  
 covered by the authority in each financial  
 year as part of the holder’s annual report.

**PART 8—INFORMATION TO BE GIVEN TO THE MINISTER**

**Division 1—Notification of activities in respect of petroleum operation**

38 Notifying start and end of petroleum operation

(1) For the purposes of section 179(c) of the Act, the holder of an authority must give the Minister information regarding the proposed commencement of a petroleum operation carried out under the authority at least 10 days before the petroleum operation is to commence.

(2) For the purposes of section 179(c) of the Act, the holder of an authority must give the Minister information regarding the completion of a petroleum operation carried out under the authority within 10 days after that completion.

**Note** Under section 179 of the Act, a person who contravenes this  
 regulation is liable to a penalty not exceeding 60 penalty  
 units.

**Division 2—Periodic reports**

39 Annual report

(1) For the purposes of section 179(c) of the Act, the holder of an authority must give the Minister a report, in respect of each financial year, setting out—

(a) any petroleum operation carried out under the authority during that year; and

(b) any new petroleum reservoir detected from the petroleum operation identified in a manner that conforms with the prevailing industry standard if reasonably possible; and

(c) test results and conclusions derived from the petroleum operation; and

(d) reports and studies relating to the petroleum operation.

(2) A report under subregulation (1) must include—

(a) details of the expenditure by the holder of the authority on each petroleum operation undertaken during the year; and

(b) the date the report was completed; and

(c) the name of the person who prepared the report; and

(d) an outline of progress against the work program; and

(e) an outline of the proposed work to be completed in the year following the year to which the report relates (if any), including the estimated costs to complete the proposed work and any anticipated change in risk; and

(f) the findings and outcomes of any review  
 undertaken in the year in relation to  
 the operation plan, petroleum production  
 development plan or storage development  
 plan (if applicable); and

(g) if the authority holder’s insurance exposure  
 against expenses or liabilities arising in  
 connection with, or as a result of carrying out  
 petroleum operations under the authority has  
 changed during the financial year, a summary  
 of the current exposure including any the  
 reason(s) for the change; and

(h) a summary of any rehabilitation undertaken on the land on which the petroleum operation is carried out under the authority during that year; and

(i) if the authority holder’s rehabilitation liability for activities carried out under the authority have changed during the year, particulars of the current liability including any reasons for the change; and

(j) a summary of the outcomes of any monitoring  
 activities undertaken in the year in accordance  
 with the operation plan, including but not  
 limited to groundwater monitoring; and

(k) a summary of any community consultation activities undertaken during the year, any issues identified through those consultation activities, and how those were addressed; and

(l) a summary of actions taken to monitor,  
 measure, eliminate or minimise  
 hydrocarbon gas emissions from petroleum  
 operations as far as reasonably practicable.

(3) The holder of the authority must give the report under subregulation (1) to the Minister—

(a) within 28 days after the end of the financial year to which it relates; or

(b) if the authority ceased to have effect during a financial year, within 28 days after the authority ceased to have effect.

(4) The Minister may, on a request from the holder of the authority, extend the period for the submission of a report.

(5) If the Minister extends the period of time under subregulation (4), the holder of the authority must give the report to the Minister within the extended period of time.

(6) For the purposes of this regulation, a holder of an authority includes a person who was the holder of an authority in the financial year to which the report relates.

**Note**

Under section 179 of the Act, a person who contravenes this regulation is liable to a penalty not exceeding 60 penalty units.

40 Report by holder of production licence

(1) For the purposes of section 179(c) of the Act, the  
 holder of a production licence must, every 6  
 months, give to the Minister within 30 days of the end of that period, a report of any petroleum  
 production carried out under the licence.

(2) The report must include—

(a) details of the amount of hydrocarbons, water and other substances produced from, or injected into, each well in the licence area during the 6 month period to which the report relates; and

(b) petroleum reserves in the licence area  
 expressed in billion cubic feet as assessed at  
 the end of that 6 month period.

**Division 3—Reports of certain activities**

41 Requirement for weekly survey report

(1) For the purposes of section 179(c) of the Act, the holder of an authority who undertakes a geophysical, geological or geochemical survey in an authority area must give the Minister a weekly survey report as soon as reasonably practicable after the end of each week of the survey.

Note

Under section 179 of the Act, a person who contravenes this  
 regulation is liable to a penalty not exceeding 60 penalty units.

(2) In this regulation—

***week of the survey*** means the week starting on the first day of data acquisition for the survey;

***weekly survey report*** means a report that includes—

(a) the name of the survey; and

(b) the authority under which the survey is being conducted; and

(c) the name of the authority holder; and

(d) the name of the contractor conducting the survey; and

(e) the name and number of the survey vehicle or aircraft conducting the survey; and

(f) a map showing where the survey was conducted during the week; and

(g) the number of kilometres or square kilometres for which data was acquired during the week; and

(h) the number of points at which data was acquired during the week; and

(i) the number of lines of data acquired during the week; and

(j) the amount of downtime during the week due to equipment problems, bad weather or other circumstances; and

(k) the percentage of the survey completed at the end of the week.

42 Requirement for survey acquisition report and data

(1) For the purposes of section 179(c) of the Act, the holder of an authority who undertakes a geophysical, geological or geochemical survey in the authority area must give the Minister a survey acquisition report and all survey acquisition data within—

(a) in the case of a 2-dimensional seismic survey—12 months after the day on which the acquisition of the data is completed; or

(b) in the case of a 3-dimensional seismic survey—18 months after the day on which the acquisition of the data is completed; or

(c) if the Minister authorises the holder of the authority to give the report and data within another period—that period; or.

(d) in any other case—6 months after the day on which acquisition of the data is completed.

**Note**

Under section 179 of the Act, a person who contravenes this  
 regulation is liable to a penalty not exceeding 60 penalty units.

(2) A survey acquisition report under subregulation (1) must include—

(a) the name of the survey; and

(b) the authority under which the survey was conducted; and

(c) the name of the holder of the authority; and

(d) the name of the contractor that conducted the survey; and

(e) the name and number of the survey vehicle or aircraft that conducted the survey; and

(f) a map of where the survey was conducted; and

(g) the dates on which the survey started and ended; and

(h) details of all data acquisition equipment and systems used; and

(i) details of all positions and navigation equipment and systems used; and

(j) the number of lines of data acquired in the survey and the number of data acquisition points along each line; and

(k) navigation data for the survey, in the form of—

(i) in the case of a 2-dimensional survey—line ends and bends; or

(ii) in the case of a 3-dimensional seismic survey—a full fold polygon outline; or

(iii) in the case of any other 3-dimensional survey—a polygon outline; and

(l) the geometry of the acquisition parameters; and

(m) the results of any onboard data processing; and

(n) the results of any system tests, calibrations or diagnostics.

(3) In this regulation—

***survey acquisition data means*** each of thefollowing types of data in a form approved by the Minister

(a) in the case of a seismic survey—

(i) raw navigation data;

(ii) seismic field data;

(iii) seismic support data;

(iv) itemised field tape listing showing—

(A) tape number; and

(B) survey name; and

(C) line number; and

(D) shotpoint range; and

(E) data type;

(b) field data; and

(c) field support and navigation data.

43 Requirement for survey processing report and data

(1) For the purposes of section 179(c) of the Act, the holder of an authority who undertakes a geophysical, geological or geochemical survey in the authority area must give the Minister a survey processing report and all processed survey data within—

(a) in the case of a 2-dimensional seismic survey—12 months after the day on which the acquisition of the data is completed; or

(b) in the case of a 3-dimensional seismic survey—18 months after the day on which the acquisition of the data is completed; or

(c) if the Minister authorises the holder of the authority to give the report and data within another period—that period; or

(d) in any other case—6 months after the day on which acquisition of the data is completed.

(2) A survey processing report under subregulation (1) must include—

(a) the name of the survey; and

(b) the authority under which the survey was conducted; and

(c) the name of the holder of the authority; and

(d) the dates on which processing of the survey started and ended; and

(e) the name of the processing contractor; and

(f) the purpose of the processing; and

(g) a summary of the data acquisition parameters; and

(h) details of all the processing sequences and techniques used; and

(i) a sample Extended Binary Coded Decimal Interchange Code (EBCDIC) header from the final data set; and

(j) listings of all processed data; and

(k) in the case of a 3-dimensional survey—

(i) a description of the position of the survey polygon; and

(ii) a calculation for the 3-dimensional line numbering convention.

(3) A survey processing report under subregulation (1) must—

(a) be in the form approved by the Minister and—

(b) in the case of a 2-dimensional seismic survey under subregulation (1)(a)—include each type of the following data—

(i) raw and final stacked data, including near, mid and far sub stacks if generated; and

(ii) raw and final migrated data, including—

(A) pre-stack time migration (PSTM); and

(B) pre stack depth migration (PSDM); and

(C) near, mid and far sub stacks; and

(iii) final processed navigation and elevation data; and

(iv) shotpoint to common depth point (CDP) relationship; and

(v) data for both stacked and migrated velocities, including—

(A) line number; and

(B) shotpoint; and

(C) time versus root mean square (RMS) pairs; and

(iv) itemised process tape listing showing—

(A) tape number; and

(B) survey name; and

(C) line number; and

(D) shotpoint range; and

(E) common depth points (CDPs); and

(F) data type; and

(c) in the case of a 3-dimensional seismic survey under subregulation (2)(b)— include each type of the following data—

(i) raw and final stacked data, including near, mid and far sub stacks if generated; and

(ii) raw and final migrated data, including—

(A) pre-stack time migration (PSTM); and

(B) pre stack depth migration (PSDM); and

(C) near, mid and far sub stacks; and

(iii) final processed navigation, elevation and bathymetry data;

(iv) final navigation data in the form of—

(A) final processed (grid) bin coordinates; and;

(B) polygonal position data (outline of the full fold area); and

(v) data for both stacked and migrated velocities, including—

(A) bin number; and

(B) time versus root mean square (RMS) pairs; and

(vi) 2D data subset, if production is required as a condition of the grant of an authority; and

(vii) itemised process tape listing showing—

(A) tape number; and

(B) survey name; and

(C) in-lines and crosslines; and

(D) data type; and

(d) in the case of any other survey— include each type of the following data—

(i) final processed data;

(ii) final processed images; and

(iii) final geological or geochemical survey analysis data.

**44 Requirement for survey interpretation report and data**

(1) For the purposes of section 179(c) of the Act, the holder of an authority who undertakes a geophysical, geological or geochemical survey in an authority area must give the Minister a survey interpretation report and interpretative survey data within—

(a) in the case of a seismic survey—18 months after the day on which the acquisition of the data is completed; or

(b) in the case of any other type of survey—12 months after the day on which the acquisition of the data is completed; or

(c) if the Minister authorises the holder of the authority to give the report and data within another period—the other period.

**Note**

Under section 179 of the Act, a person who contravenes this  
 regulation is liable to a penalty not exceeding 60 penalty units.

(2) A survey interpretation report must include—

(a) the name of the survey; and

(b) the authority under which the survey was conducted; and

(c) the name of the holder of the authority; and

(d) a description of the objectives of the interpretation; and

(e) in the case of a seismic survey—

(i) a list of the surfaces interpreted; and

(ii) a justification of the surfaces interpreted, including synthetic seismograms if available; and

(iii) the velocity field used to convert time to depth (including ASCII data) and the basis for the velocity field; and

(iv) if available, time slices to describe the environment of deposition; and

(f) an elevation map of the survey area; and

(g) an index of the maps created during the interpretation; and

(h) in the case of a geological or geochemical survey, any interpretations formed following the conclusion of the survey; and

(i) all digital images of interpretation maps, in a form approved by the Minister.

45 Incident reporting

(1) For the purposes of this regulation, a ***reportable incident*** means an incident arising directly out of a petroleum operation that is reasonably likely to cause significant harm or damage to individuals, the environment, the integrity of the petroleum operation or the immediate area (whether above or below ground).

(2) The holder of an authority under which a petroleum operation is carried out must notify the Minister of a reportable incident within 2 hours—

(a) after the reportable incident occurs; or

(b) if the holder of the authority is not initially aware of the reportable incident, after the operator becomes aware that it occurred.

Penalty: 20 penalty units.

(3) A notification under subregulation (2) must—

(a) be given orally; and

(b) contain any information that is available at the time of the notification regarding—

(i) the material facts and circumstances, including any likely root cause, of the reportable incident that the holder of the authority knows or is able, by reasonable search or enquiry, to find out; and

(ii) any action taken by the holder of the authority to avoid or mitigate any impacts to individuals, public safety, public amenity or the environment of the reportable incident; and

(iii) any immediate corrective action taken, or proposed to be taken, by the holder of the authority to stop, control or remedy the reportable incident.

(4) Within 3 days after the holder of an authority has notified the Minister of a reportable incident under subregulation (2), the holder must submit a written report to the Minister containing the information specified in subregulation (3)(b).

Penalty: 20 penalty units.

(5) Within 30 days after the holder of an authority has given notice to the Minister under subregulation (2), the holder must give the Minister a written report that contains—

(a) the date, time and place of the reportable incident; and

(b) a description of the reportable incident; and

(c) any known or suspected causes of the reportable incident; and

(d) a root cause analysis; and

(e) a description of the steps taken by the holder to minimise the impacts of the reportable incident; and

(f) a description of the steps taken or proposed to be taken by the holder to prevent a recurrence of the reportable incident.

Penalty: 20 penalty units.

Division 4—Reports about drilling wells

46 Requirement for daily drilling report

(1) The holder of an authority who undertakes drilling in the authority area must give the Minister a daily drilling report, prepared by a suitably qualified or experienced person, before 12p.m. on the day after the day to which the report relates.

**Note** Under section 179 of the Act, a person who contravenes this  
 regulation is liable to a penalty not exceeding 60 penalty  
 units.

(2) A daily drilling report under subregulation (1) must include—

(a) the authority number; and

(b) the name of the well; and

(c) the location of the well by easting and northing; and

(d) the elevation of the well; and

(e) the drilled depth; and

(f) the work carried out; and

(g) the lithology of formations penetrated; and

(h) details of any indication of petroleum; and

(i) a summary of the material used; and

(j) drilling fluid losses; and

(k) a leak off test summary; and

(l) the geometry of the well bore; and

(m) the results of surveys made in the well bore; and

(o) details of any changes from the  
 operation plan that have been  
 implemented setting out the reasons for  
 it, what the risks were and how the  
 risks were eliminated or minimised;  
 and

(p) the estimated daily and cumulative well costs.

47  Requirement for well completion report and data

(1) For the purposes of section 179(c) of the Act, the holder of an authority who undertakes drilling activities in the authority area must give the Minister a well completion report as soon as reasonably practicable, but no later than 12 months after the rig release date.

**Note**

Under section 179 of the Act, a person who contravenes this  
 regulation is liable to a penalty not exceeding 60 penalty units.

(2) The Minister may, in writing, extend the period within which the holder of an authority must give a well completion report under subregulation (1).

(3) A well completion report under subregulation (1) must contain the following data in a form and manner approved by the Minister—

(a) interpretative log analysis;

(b) composite well log;

(c) well index sheet;

(d) petrophysical, geochemical or other sample analyses;

(e) raw data, edited field data and processed data for all wireline logs, MWD or LWD tools;

(f) log displays;

(g) edited field data and processed data for borehole deviation surveys;

(h) mudlogging data;

(i) mudlog display;

(j) if generated, data from velocity surveys including—

(i) raw data; and

(ii) processed data; and

(iii) checkshot and time and depth analysis;

(k) velocity survey displays; and

(l) photography of the core and sidewall core, in both natural and UV light.

(4) A well completion report under subregulation (1) must include the following information—

(a) the name of the well;

(b) the name of the authority area in which the well is located;

(c) the location of the well by easting and northing;

(d) if the well is a sidetrack—the name of the parent well;

(e) the names of the rig contractor and rig operator;

(f) the name of the rig drilling the well;

(g) the rig's make and model;

(h) the names of the contractors for—

(i) cementing; and

(ii) wireline logging; and

(iii) measurements while drilling (MWD); and

(iv) logging while drilling (LWD); and

(v) mudlogging;

(i) the purpose of the well (for example appraisal, exploration, production, or storage);

(j) the outcome of the well operation (for example completion of the well as a producer, suspension or decommissioning);

(k) raw pressure-time listings for any formation fluid sample tests and production tests;

(l) the spud date ;

(m) the height of the depth reference above sea level;

(n) the water depth at the well;

(o) the measured depth of the well;

(p) the true vertical depth of the well;

(q) if applicable, the depth of perforation in the petroleum reservoir;

(r) the date on which the total depth was reached;

(s) if the well is deviated or horizontal—

(i) the surveyed path of the well; and

(ii) the coordinates of the bottom of the well bore; and

(iii) if applicable, the coordinates and true vertical depth of the intersection of the well with the reservoir horizon;

(t) particulars of equipment and casing installed on or in the well, including schematics;

(u) bit records;

(v) drilling fluids used;

(w) drilling fluid losses;

(x) list of cores, cuttings and samples taken, and their depths and intervals;

(y) list of logs acquired;

(z) details of any petroleum indications;

(za) the measured depth and true vertical depth of marker horizons or formation tops;

(zb) geological interpretations of the observations made as a result of drilling the well, including—

(i) lithology; and

(ii) stratigraphy; and

(iii) reservoir properties and quality; and

(iv) geochemistry of source rocks if available; and

(v) environment of deposition if available;

(zc) wireline formation test results;

(zd) production test results;

(ze) core analysis; and

(zf) if the well is an exploration well—the relevance of the observations and interpretations to the evaluation of the petroleum potential of the area.

**Division 5—Reports regarding decommissioning**

48 Well decommissioning report

(1) For the purposes of section 179(c) under the Act, the holder of the authority who plugs and decommissions a well under the authority must give the Minister a well decommissioning report, prepared by a suitably qualified or experienced person, about the decommissioning.

**Note** Under section 179 of the Act, a person who contravenes this  
 regulation is liable to a penalty not exceeding 60 penalty  
 units.

(2) A well decommissioning report under subregulation (1) must be given to the Minister within 2 months after the day the plugging and decommissioning of the well is completed.

(3) A well decommissioning report under subregulation (1) must contain the following information—

(a) the type of authority and unique  
 identification number of the authority  
 designated by the Minister;   
  
 (b) the identifying name of the well;   
  
 (c) the name of the author of the report;   
  
 (d) the name of the holder of the authority;   
  
 (e) the name of the operator of the well;  
   
 (f) the name of the person submitting the report;   
  
 (g) the date of the report;

(h) a summary and history of the well,  
 including—

(i) spatial information showing its location; and

(ii) if a well completion report has been lodged, the day on which the final well completion report for the well was lodged;

(i) the following details about the well—

(i) its total depth in metres;   
  
 (ii) the position at the top and bottom  
 expressed in accordance with subregulation  
 (4), for any natural underground reservoir or  
 aquifer intersected by the well;

(iii) the depth in metres of any perforations in  
 the casing of the well;

(iv) the type of drilling rig used to drill the  
 well; and

(v) the basis of the well decommissioning;

(j) all surveys and measurements made in the well,  
 including any detailed interpretation of a survey  
 or measurement;

(k) the following information in relation to the  
 decommissioning of the well—

(i) the details of the casing and equipment installed in  
 the well, including diagrams showing the major  
 dimensions and features of the casing and  
 equipment;   
 (ii) a description of all equipment that is  
 retained in the well, including the size and  
 nature of the equipment and any features of the  
 equipment that may cause a hazard;

(iii) the surveyed location of any equipment retained  
 in the well;   
(iv) the method of the cementing operations carried  
 out in or on the well, including the location and  
 type of plugs, the compressive strength of  
 cement, the timegraphs, the intervals covered,  
 the volume and type of cement used, any losses  
 of cement due to voids or permeable strata, and  
 the methods used to overcome losses of cement;

(v) a description of any other decommissioning  
 procedures used for the well;

(vi) the details of any other activities undertaken in  
 drilling, completing and plugging and  
 decommissioning the well, and an  
 assessment of the possible impacts of these activities.

(4) For the purposes of subregulation (3)(i)(ii), the position at the top and bottom of natural underground reservoir or aquifer must be identified in relation to—

(a) in the case of a directional well—

(i) total vertical depth in metres; and

(ii) the horizontal plane; or

(b) in any other case, the depth in metres.

**Division 6—Retention and submission of samples**

49 Requirement to retain core, cutting or sample

The holder of an authority must retain any core, cutting or sample that the holder of an authority collects in relation to a petroleum operation that the holder of an authority carries out under the authority.

Penalty: 20 penalty units.

50 Requirement to give core, cutting or sample

(1) This regulation applies if the holder of the authority—

(a) drills a well or conducts any other petroleum operation on a well under the authority; and

(b) during that operation, collects a core, cutting or sample of a type set out in column 2 of the table in subregulation (2).

(2) For the purposes of section 179(c) of the Act, the holder of the authority must give the core, cutting or sample to the Minister—

(a) before the corresponding day set out in column 4 of the table; and

(b) subject to subregulation (3), in the corresponding quantity set out in column 3 of the table.

**Table**

|  |  |  |  |
| --- | --- | --- | --- |
| *Column 1*  *Item* | *Column 2*  *Sample type* | *Column 3*  *Quantity of core, cutting or sample* | *Column 4*  *Day by which core, cutting or sample must be given* |
| 1 | Drill cuttings | 2 sets of 200 grams dry weight per sample interval | The day that is 6 months after the rig release date |
| 2 | Full hole conventional cores | 1/3 of the core | The day that is 6 months after the rig release date |
| 3 | Full hole conventional cores | 2/3 of the core | The day that is 2 months after the holder of the authority completes tests on the core |
| 4 | Gaseous hydrocarbon samples | 300 cm3 | Either—  (a) if the core, cutting or sample is collected during the drilling of a well—the day that is 6 months after the rig release date; or  (b) if the core, cutting or sample is collected during a test on a completed well—the day that is 2 months after the collection of the sample |
|  |  |  |  |
| 5 | Fluid hydrocarbon samples | 1 litre | Either—  (a) if the core, cutting or sample is collected during the drilling of a well—the day that is 6 months after the rig release date; or  (b) if the core, cutting or sample is collected during a test on a completed well—the day that is 2 months after the collection of the sample |
| 6 | Sidewall core material | All material collected | The day that is 12 months after the rig release date |
| 7 | Palynological slides and residues, paleontological material and petrological slides | All material collected | The day that is 12 months after the rig release date |

(3) If the corresponding amount is not available for the core, cutting or sample before the corresponding day, the holder of the authority must provide details of the following to the Minister—

(a) the reasons the corresponding amount was not available; and

(b) the amount of the core, cutting or sample collected before that day.

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Part 9—administrative matters

Division 1—Pecuniary interests

51 Duty of disclosure of pecuniary interest

(1) For the purposes of section 243 of the Act, a person employed in the administration of the Act must disclose a pecuniary interest, in accordance with the procedures for declaring conflicts of interest approved by the Minister.

(2) A person who is required to disclose an interest under subregulation (1) must not perform or exercise any function or power under the Act in relation to the matter to which the interest relates unless the Minister authorises the person to do so.

**Note** Under section 243 of the Act, a person who contravenes this  
 regulation is liable to a penalty not exceeding 60 penalty units.

Division 2—Compensation

52 Period before a disputed claim can go to the Tribunal or Supreme Court

Unless otherwise agreed by the owner or occupier of land and the holder of an authority, for the purposes of section 134(2) of the Act the period of time during which an application may be made in relation to a claim is—

(a) if the claim relates to petroleum exploration—14 days after the claim is made;

(b) if the claim relates to petroleum production—30 days after the claim is made.

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Part 10—Miscellaneous matters

53 Application fees

(1) For an application for an exploration permit, a fee of 700 fee units is required to be paid.

(2) For an application for a retention lease, a fee of 500 fee units is required to be paid.

(3) For an application for a production licence, a fee of 500 fee units is required to be paid.

(4) For an application for a special access authorisation, a fee of 250 fee units is required to be paid.

54 Fee for renewal of exploration permit

For the purposes of section 30(1)(b) of the Act, the fee for the renewal of an exploration permit is 250 fee units.

55 Annual fees for exploration permit, retention lease or production licence

(1) The following annual fees are payable—

(a) for an exploration permit, 500 fee units;

(b) for a retention lease, 700 fee units;

(c) for a production licence, 700 fee units.

(2) The annual fee payable in respect of the first year after the grant of an authority must be paid within 7 days after the authority is granted.

(3) The annual fee payable in respect of the second and each subsequent year after the grant of an authority must be paid before the first anniversary of the grant of the authority.

56 Fees for transfer of an exploration permit, retention lease or production licence

The following fees are payable—

(a) for the transfer, or partial transfer, of an exploration permit, 250 fee units;

(b) for the transfer of a retention lease,   
150 fee units;

(c) for the transfer, or partial transfer, of a production licence, 250 fee units.

57 Fees for a suspension or variation of conditions of an exploration permit, retention lease or production licence

The following fees are payable—

(a) for the suspension or variation of conditions of an exploration permit, 150 fee units;

(b) for the suspension or variation of conditions a retention lease, 150 fee units;

(c) for the suspension or variation of conditions a production licence, 150 fee units.

58 Fees for registration of documents

The fee for registration of a document under section 232 of the Act is 5 fee units.

59 Fees for inspection of, or copy of document in, petroleum register

For the purposes of section 236 of the Act, the following fees are payable—

(a) for inspection of the petroleum register,   
2 fee units;

(b) for each page of a copy of a document or entry in the petroleum register, $4.00.

60 Fee for Minister's certificate

For the purposes of section 237(2) of the Act, the fee payable for a certificate is 5 fee units.

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Part 11—Consequential and transitional REGULATIONS

61 Definitions

In this Part—

***accepted exempt operation plan*** means an operation  
 plan that applies to an exempt authority, that was:  
 before or during the moratorium period——

(a) accepted by the Minister pursuant to section 161 of the Act; or

(b) the subject of a significant change report;

***exempt authority*** means—

(a) a production licence specified in section 17A(3) of the Act; and

(b) any authority in force immediately before the moratorium period other than a relevant authority;

***moratorium period*** has the same meaning as in section  
 17A(5) of the Act;

***relevant authority*** has the same meaning as in section  
 257 of the Act.

***significant change report*** means a report required to be submitted to the Minister in relation to an operation plan under regulation 6(1)(b)(iii) of the **Petroleum Regulations 2011** or regulation 6(1)(b)(iii) of the **Petroleum Interim Regulations 2021** (as applicable).

**Note**

Regulation 6(1)(b) of the Petroleum Regulations 2011 and regulation 6(1)(b) of the Petroleum Interim Regulations 2021, required operation plans to provide for review and reporting to the Minister in the case of a significant change in the risks posed by a petroleum operation.

62 Prescribed circumstances – Minister may require variation of accepted operation plan

For the purposes of section 163A(2)(e) of the Act, the prescribed circumstances are that—

(a) at least 5 years has elapsed after the date on which either—

(i) the Minister accepted the accepted exempt operation plan; or

(ii) a significant change report was submitted to the Minister in relation to the accepted exempt operation plan; and

(b) the accepted exempt operation plan has not been varied under section 163 or 163A of the Act.

63 Modified reporting requirements for holders of exempt authorities

(1) This regulation applies if an accepted exempt operation plan is in force that has not been varied under section 163 or 163A of the Act on or after the commencement of these Regulations.

(2) Regulations 39(1)(b), (2)(d), (g), (h), (i), (j), and (l) do not apply to the holder of an exempt authority.

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ENDNOTES

1 Reg. 4: S.R. No.45/2021.

1. Explanatory Details

Endnotes