



Australia's Oil and Gas Decommissioning Regulatory Landscape

Public Report

April 2026



CENTRE OF
DECOMMISSIONING
AUSTRALIA



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- WA Department of Energy and Economic Diversification (DEED, formerly JTSI)
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1.0 Executive Overview

1.1 Purpose of this Public Report

Australia’s offshore and onshore oil and gas industry is entering a sustained period of decommissioning activity, involving the removal, dismantling, transport, treatment, and disposal of infrastructure at end of life. These activities are governed by a complex and multi-layered regulatory framework spanning international conventions, Commonwealth legislation, and state and territory laws.

This Public Report has been prepared to provide a clear, accessible overview of that regulatory landscape and to make available comprehensive mapping of the regulations that may apply to decommissioning activities in Australia. It represents a subset of a broader study undertaken by the Centre of Decommissioning Australia (CODA). This Public Report intentionally excludes stakeholder consultation findings, analysis and recommendations that were developed to support targeted industry, member and government engagements.

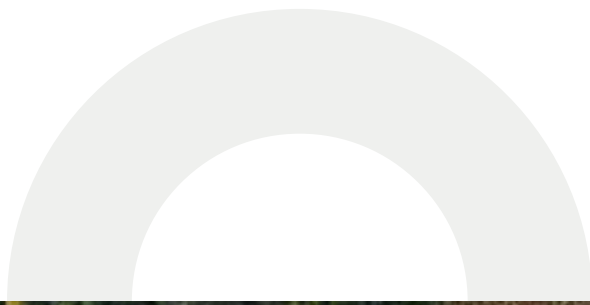
1.2 Australia’s decommissioning context

Until relatively recently, decommissioning in Australia occurred only on a limited and largely project-specific basis. Since the start of this decade, the scale, frequency, and complexity of decommissioning activities have increased significantly as offshore and onshore assets reach the end of their productive lives. This shift has placed increased focus on regulatory frameworks that were originally designed to manage exploration, development, and production activities, rather than large-scale asset removal and disposal. At the same time, associated regulatory regimes governing ports, waste, transport, environmental protection, and occupational safety are being applied to decommissioning activities at a scale not previously experienced in Australia.

Understanding how these regulatory requirements interact across jurisdictions and project phases is essential for effective planning, regulatory compliance, and safe execution of decommissioning work.

1.3 Scope and limitations of this public report

The Public Report focuses on describing and mapping the regulatory framework applicable to decommissioning activities in Australia. It does not seek to evaluate regulatory effectiveness, identify challenges, or propose reforms. Users should note that regulatory requirements are subject to change and that project-specific approvals and interpretation will depend on asset characteristics, location, and proposed activities. This document does not constitute legal advice.



2.0 Background and Context

2.1 Decommissioning at scale in Australia

Decommissioning involves a broad range of activities across the asset lifecycle, including planning, offshore or onshore removal, transport, dismantling, waste treatment, recycling, and final disposal. These activities may occur across multiple jurisdictions and involve numerous regulatory agencies. In Australia, regulatory compliance applies from early planning through to surrender of titles and final waste disposal. As decommissioning activity increases, so too does the importance of regulatory literacy across industry, government, and the supply chain.

2.2 Regulatory Mapping

Australia’s decommissioning regulatory landscape is layered and interconnected. International conventions establish overarching obligations, while Commonwealth, state and territory legislation governs specific aspects of environmental protection, safety, waste management and land or marine use.

For projects that span offshore and onshore environments, or involve cross-border movement of materials, multiple regulatory regimes may apply concurrently. Regulatory mapping provides a structured way to identify applicable legislation, understand interfaces between jurisdictions, and support early-stage planning and coordination.



3.0 Scope and Methodology

3.1 Regulatory mapping approach

CODA engaged regulatory specialists from Kent PLC to undertake a structured review and mapping of regulations applicable to offshore and onshore oil and gas decommissioning activities in Australia. The mapping was based on a review of international instruments, Commonwealth legislation, and state and territory regulatory frameworks.

The regulatory mapping reflects legislation and guidance current as of Q1 2025.

3.2 Jurisdictions and activities covered

The scope of the regulatory mapping includes:

- Offshore and onshore decommissioning regulations across Commonwealth, Western Australia, Northern Territory, Victoria and South Australia.
 - Onshore decommissioning regulations in WA, VIC, SA and NT
 - Offshore decommissioning regulations in Commonwealth waters covering full and partial removal scenarios
 - Reveal and dismantling regulatory frameworks in WA, VIC, SA and NT
 - Cross-boundary material movement regulations across WA, VIC, NT and SA.
- Regulatory triggers, requirements, approval timeframes, and decision-making processes

3.3 Exclusions and limitations

This Public Report does not include:

- Stakeholder consultation findings
- Regulatory analysis or evaluation
- Recommendation or priority actions
- Asset repurposing or reuse pathways
- Interpretation of legal disputes or approval timeframes



4.0 Overview of Australia's Decommissioning Regulatory Framework

4.1 International obligations

Australia is a signatory to a range of international conventions that influence decommissioning activities, including those relating to marine protection, waste movement and obligations, hazardous material management. These instruments establish baseline obligations that are implemented through domestic legislation.

4.2 Commonwealth regulatory frameworks

At the Commonwealth level, decommissioning activities are governed through legislation addressing offshore petroleum activities, environmental protection, sea dumping, hazardous waste, biosecurity and maritime safety. Regulatory responsibility is shared across multiple agencies, depending on activity type and location.

4.3 State and territory regulatory frameworks

State and territory governments regulate decommissioning activities within state waters and onshore environments. These frameworks address land use, environmental protection, waste management, occupational health and safety, radiation and port operations amongst others.

4.4 Offshore, onshore, and cross-jurisdictional interfaces

Many decommissioning projects involve interfaces between offshore and onshore environments, or between jurisdictions. These interfaces can trigger additional regulatory requirements, particularly for transport, waste handling and receival facilities.



5.0 Using this Report

5.1 Intended audience

This Public Report is intended for:

- Government and regulatory agencies
- Industry participants and service providers
- Researchers and educators
- Community stakeholders

5.2 How to use the regulatory mapping

The appendix provides a consolidated reference to legislation that may apply to decommissioning activities. It is intended to support early-stage understanding and planning and should be used alongside project-specific advice and regulator engagement.

5.3 Important considerations for users

Regulatory requirements may differ based on asset type, location, and proposed activities. Users should confirm applicable requirements with relevant regulators and seek professional advice where necessary.





6.0 Closing

This Public Report provides a transparent and accessible reference to the regulatory framework governing oil and gas decommissioning in Australia. By making the regulatory mapping publicly available, CODA aims to support regulatory literacy, informed engagement, and effective planning across industry, government and the community.



7.0 Appendix 1

Acronyms, Abbreviations & Definitions

ACRONYM	DESCRIPTION
AAPA	Aboriginal Areas Protection Authority (NT)
ABF	Australian Border Force
AH Act	Aboriginal Heritage Act 1972 (WA)
AICIS	Australian Industrial Chemicals Introduction Scheme
APVMA	Australian Pesticides and Veterinary Medicines Authority
ARWA	Australian Radioactive Waste Agency
BMP	Bushfire Management Plan
CA	Consignment Authorisation
CALM Act	Conservation and Land Management Act 1984 (WA)
CODA	Centre of Decommissioning Australia
Cth	Commonwealth
D&R Plan	Decommissioning and Rehabilitation Plan
DA	Development Application
DAF	Department of Agriculture and Fisheries (NT)
DAFF	Department of Agriculture, Fisheries and Forestry
DAS	Development Assessment Services (NT)
DBCA	Department of Biodiversity, Conservation and Attractions (WA)
DCA	Development Consent Authority (NT)
DCCEEW	Department of Climate Change, Energy, the Environment and Water
DEECA	Department of Energy, Environment and Climate Action (VIC)
DEW	Department of Environment and Water (SA)
DISR	Department of Industry, Science and Resources
DJCS	Department of Justice and Community Safety (VIC)
DLPE	Department of Lands Planning and Environment (NT)
DME	Department of Mining and Energy (NT)
DMPE	Department of Mines, Petroleum and Exploration (WA)
DoT	Department of Transport (WA)
DPLH	Department of Planning, Lands and Heritage (WA)
DTP	Department of Transport and Planning (VIC)
DWER	Department of Water and Environmental Regulation (WA)
EES	Environment Effects Statement
EEZ	Exclusive Economic Zone
EIA	Environmental Impact Assessment
EIS	Environmental Impact Statement
EMP	Environment Management Plan



ACRONYM	DESCRIPTION
EOFL	End of Field Life
EP	Environment Plan
EP Act	Environmental Protection Act 1986 (WA)
EPBC Act	Environment Protection and Biodiversity Conservation Act 1999
EU	European Union
FFG	Flora and Fauna Guarantee (VIC)
FMP	Field Management Plan
FWMP	Final Well Management Plan
IAEA	International Atomic Energy Agency
ICS	Integrated Cargo System
IMO	International Maritime Organization
MNES	Matters of National Environmental Significance
NDRP	National Directory for Radiation Protection
NEPC	National Environment Protection Council
NOPSEMA	National Offshore Petroleum Safety and Environmental Management Authority
NOPTA	National Offshore Petroleum Titles Administrator
NORM	Naturally Occurring Radioactive Material
NRWMF	National Radioactive Waste Management Facility
NT	Northern Territory
NT EPA	Northern Territory Environment Protection Authority
NTFES	Northern Territory Fire and Emergency Services
NVCP	Native Vegetation Clearing Permit
OECD	Organisation for Economic Co-operation and Development
OPGGs Act	Offshore Petroleum and Greenhouse Gas Storage Act 2006 (Cth)
OPSGGM Act	Ozone Protection and Synthetic Greenhouse Gas Management Act 1989
PEC	Pilotage Exemption Certificate
PFAS	Per- and Polyfluoroalkyl Substances
PFOA	Perfluorooctanoic Acid
PFOSF	Perfluorooctane Sulfonyl Fluoride
PGER Act	Petroleum and Geothermal Energy Resources Act 1967
PIC	Prior Informed Consent
PMP	Pipeline Management Plan
POP	Persistent Organic Pollutants
PPA	Petroleum Pipelines Act 1969
PSIP	Petroleum Surface Infrastructure Plan
PSLA	Petroleum (Submerged Lands) Act 1982



ACRONYM	DESCRIPTION
SA EPA	South Australia Environment Protection Authority
SFMS	Safe Work Method Statement
TBT	Tributyltin
UCH Act	Underwater Cultural Heritage Act 2018
UCH Act	Underwater Cultural Heritage
UNCLOS	United Nations Convention on the Law of the Sea 1982
VIC OPGGSR	Offshore Petroleum and Greenhouse Gas Storage Regulations
VPA	Victorian Planning Authority
WA	Western Australia
WAPC	Western Australia Planning Commission
WDL	Water Discharge License
WMP	Well Management Plan
WOMP	Well Operations Management Plan
WTCs	Waste tracking Consignments

TERM	DEFINITION
Titleholder	The person or company that holds a legal title to explore for or extract petroleum resources. This term is commonly used in the Commonwealth offshore legislation (e.g. <i>Offshore Petroleum and Greenhouse Gas Storage Act 2006</i>)
Licensee / Licence Holder	A general term used to refer to a party that holds a licence under a specific piece of legislation (e.g. a pipeline licence under the <i>Petroleum Pipelines Act 1969</i> or a radiation management licence under the <i>Radiation Safety Act 1975</i>). These terms are used interchangeably in this report depending on the legislative context.
Operator	<p>The party appointed by the titleholder or Licensee to carry out day to day activities associated with a facility or project. The operator may also be the titleholder or licensee, but not always.</p> <p>Under the OPGGS Act, the operator is responsible for holding the Safety Case and/ or Well Operations Management Plan (WOMP).</p>

8.0 Appendix 2

Regulatory mapping

This report maps the regulatory framework relevant to the decommissioning of oil and gas infrastructure in Australia, including offshore and onshore dismantling, transport of materials and waste management pathways.

The review focuses primarily on legislation governing petroleum operations and associated environmental, safety and waste management obligations across Commonwealth and state jurisdictions.

Certain regulatory regimes that may apply in broader industrial or construction contexts are outside the primary scope of this review. For example, licensing regimes that apply to demolition work or asbestos removal in general industry workplaces may not apply to petroleum operations where specific petroleum safety legislation governs those activities.

The interaction between petroleum legislation and other regulatory frameworks, including general workplace health and safety legislation, may vary between jurisdictions. Project proponents should confirm the applicable legislative regime with the relevant regulator for each project.

8.1 International instruments

8.1.1 United Nations Convention on the Law of the Sea (UNCLOS) 1982

UNCLOS is the primary international legislation that governs offshore installations. Australia is bound by the rights and obligations of UNCLOS as a member signatory.

Article 60(3) of UNCLOS, to which Australia is a party, states: “Any installations or structures which are abandoned or disused shall be removed to ensure safety of navigation, taking into account any generally accepted international standards established in this regard by the competent international organisation. Such removal shall also have due regard to fishing, the protection of the marine environment and the rights and duties of other States.”

The removal of all property and the plugging and abandonment of wells in line with the provisions of section 572 of the OPGGS Act is consistent with Australia’s obligations under UNCLOS.

The International Maritime Organization (IMO), a body created by agreement of member states of the United Nations, is regarded as the competent organisation to deal with this requirement. Following UNCLOS, the IMO published Resolution A.672(16) Guidelines and Standards

for the Removal of Offshore Installations and Structures on the Continental Shelf and in the Exclusive Economic Zone (IMO 1989). This resolution recognises that structures on the continental shelf should be removed, but coastal states (such as Australia) may make decisions to leave structures partially or completely in the sea. Australia is a member state of the IMO.

8.1.2 London Protocol 1996

The London Protocol 1996⁴ governs the prevention of marine pollution arising from the dumping of wastes and other matter. It applies to all decommissioning activities related to offshore oil and gas assets, including the disposal of infrastructure, waste materials, and other matter generated during decommissioning processes. Notably, the Protocol covers both offshore and coastal waters, and regulates any disposal of waste associated with offshore decommissioning.

In Australia, compliance with the London Protocol is facilitated through the Sea Dumping Act, which governs the disposal of wastes in the marine environment. Operators must ensure that decommissioning activities involving waste disposal meet the requirements set out in the Protocol to minimize harm to marine ecosystems and to protect the marine environment during decommissioning and post-decommissioning.

The London Protocol establishes waste categories under Annex 1, providing guidelines on what constitutes waste for disposal, and outlines the need for an Environmental Impact Assessment (EIA) in Annex 2 to assess the potential effects of disposal activities on the marine environment.⁵

⁴ <https://www.dcceew.gov.au/environment/marine/sea-dumping>

⁵ For more detailed information about the categories of wastes and Environmental Impact Assessment considerations, refer to the Department of Climate Change, Energy, the Environment and Water (DCCEEW) website - <https://www.dcceew.gov.au/environment/marine/sea-dumping>

8.1.3 Basel Convention

The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal is a global convention that aims to reduce the movement of hazardous waste and other wastes between nations, especially from developed to less-developed countries. The primary objective of the Convention is to protect human health and the environment from the adverse effects of hazardous waste. Australia ratified the Basel Convention in 1992, agreeing to take the appropriate measures to:

- Minimise the generation of hazardous wastes
- Ensure adequate disposal facilities are available
- Control and reduce international movements of hazardous wastes
- Ensure environmentally sound management of wastes
- Prevent and respond to illegal traffic.

To perform a transboundary movement of hazardous waste, the Basel Convention has a Prior Informed Consent procedure. There are 4 key steps which are listed below:

- 1) Notification

- 2) Consent & issuance of movement document

- 3) Transboundary movement

- 4) Confirmation of disposal

More information is available on the Basel Convention website: <https://www.basel.int/Implementation/Controllingtransboundarymovements/Overview/tabid/4325/Default.aspx>

The exporter is responsible for organising the contract with the disposal company and an export permit with the competent authority (in Australia that would be DCCEEW). Exporters must be prepared to prove that the facility processing the hazardous waste has the required authorisations, licenses and/or permits required by the country of import. A permit may not be issued without the consents of the states of import and transit, or if the exporting country has reason to believe that the waste in question will not be managed in an environmentally sound manner, or if other provisions of the Basel Convention are not met. Importantly, the last step in the process is for the disposer to notify the exporting regulator that the waste has been disposed of in accordance with the agreed contract.

Australia has not ratified the Basel Ban Amendment. The changes associated with the “Basel Ban Amendment” would prohibit Liechtenstein, member states of the OECD and the EU from exporting hazardous wastes, for disposal operations appearing in Section A of Annex IV, to countries that are not Liechtenstein, member states of the OECD, or the EU.

To apply for a permit: hazardous.waste@dcceew.gov.au and for information on the Basel Convention: Basel@dcceew.gov.au

8.1.4 The Waigani Convention

The Convention to Ban the Importation into Forum Island Countries of Hazardous and Radioactive Wastes and to Control the Transboundary Movement and Management of Hazardous Wastes within the South Pacific Region (Waigani Convention) entered into force in October 2001. Australia ratified the Waigani Convention in 1998. The Waigani Convention is a regional agreement that provides equivalent environmental and human health controls as the Basel Convention but the scope is slightly broader than the Basel Convention (i.e. It includes radioactive waste). In Australia, imports subject to a Waigani permit may not require a Basel permit.

The Waigani Convention:

- Bans the import of all hazardous and radioactive wastes into South Pacific Islands Forum countries that have agreed to the Waigani Convention
- Allows Australia to receive hazardous wastes exported from Pacific Islands Forum countries that have agreed to the Waigani Convention

To apply for a permit: hazardous.waste@dcceew.gov.au and for information on the Waigani Convention: Basel@dcceew.gov.au

8.1.5 Timor-Leste Imports

Australia has an agreement with the Democratic Republic of Timor-Leste which allows the export of hazardous waste from Timor-Leste to Australia.

Whilst DCCEEW can grant import permits, the disposal and/or recovery operation may be subject to further restrictions by local EPA’s. As such, state and or territory agencies may be required to grant permits for internationally sourced waste to be placed in storage facilities.

To apply for a permit: hazardous.waste@dcceew.gov.au and for information on the Agreement with Timor-Leste: Basel@dcceew.gov.au

8.1.6 Organisation for Economic Co-operation and Development (OECD) Control System

OECD countries are a group of 38 member countries committed to promoting policies that improve the economic and social well-being of people. OECD countries are typically high-income and developed nations, but the group also includes some emerging economies. Some OECD member countries include the United States, Canada, Japan, Germany, the United Kingdom, Australia, France and South Korea amongst others.

The OECD Control System refers to the framework set by the OECD to regulate and manage the transboundary movement of hazardous wastes and chemicals between countries. The system is particularly focused on ensuring that shipment of hazardous materials are conducted safely, in compliance with environmental and health regulations and with proper tracking and oversight.

The 'Decision of the Council on the Control of Transboundary Movements of Wastes Destined for Recovery Operations' (also known as the OECD Decision C(92)39/Final) is an integral part of the OECD Control System for hazardous materials, specifically regarding the movement of hazardous wastes that are destined for recovery operations (recycling or other recovery processes, rather than disposal).

The OECD Decision C(92)39/Final is closely linked to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal. While the Basel Convention focuses on all transboundary movements of hazardous wastes (including both disposal and recovery), the OECD Decision specifically addresses the transboundary movements of wastes destined for recovery operations providing a more detailed and specific regulatory framework for these shipments among OECD member countries.

To apply for a permit: hazardous.waste@dcceew.gov.au and for information on the OECD system: Basel@dcceew.gov.au



8.1.7 Minamata Convention on Mercury

The Minamata Convention on Mercury is an international treaty that seeks to protect human health and the environment from anthropogenic emissions and releases of mercury and mercury compounds. The Convention encompasses the entire life cycle of mercury, from production to disposal, and applies controls across a wide range of products, processes, and industries. Key areas of focus include:

- Mercury mining
- The manufacture and trade of mercury and products containing mercury
- Disposal of mercury waste, emission of mercury and mercury compounds to the air, and releases of mercury and mercury compounds to land and water

Of relevance to decommissioning is that the Convention includes controls on the disposal of mercury wastes. Mercury is commonly found in various industrial measuring devices, including thermometers, hygrometers, barometers, switches and relays, and industrial lamps, as well as in residues within pipelines.

In Australia, the import and export of mercury for industrial use is regulated under the *Customs (Prohibited Exports) Regulations 1958* and the *Industrial Chemicals Act 2019*. The Australian Industrial Chemicals Introduction Scheme (AICIS) administers industrial use authorisations.

Export of elemental mercury (CAS No. 7439-97-6) or mixtures containing at least 95% mercury by weight for industrial purposes is prohibited unless the exporter:

- Applies for and receives permission from AICIS, and
- Ensures that the importing country has provided written consent for the import

The Department of Climate Change, Energy, the Environment and Water (DCCEEW) must be notified of the importing country’s consent as part of Australia’s obligations under the Minamata Convention.

Mercury waste must be managed in an environmentally sound manner including recycling, recovery, and proper disposal. The Basel Convention’s Technical Guidelines⁶ set best practices for handling mercury waste.

For mercury waste imports or exports, businesses must obtain a Hazardous Waste Permit⁷ and secure approval from transit and destination countries under the *Hazardous Waste (Regulation of Exports and Imports) Act 1989*.⁸

Industries with mercury emissions and releases are encouraged to follow best available techniques (BAT) and best environmental practices (BEP). International BAT/BEP guidance⁹ on releases has recently been developed.

Any facility using, emitting or releasing 5 kg or more of mercury per year must report emissions to the National Pollutant Inventory¹⁰ (NPI).

Industries are required to ensure environmentally sound storage of mercury and mercury compounds in accordance with the *Guidelines on the environmentally sound interim storage of mercury other than waste mercury*.¹¹

For information on the Minamata Convention: minamata@dcceew.gov.au or <https://www.dcceew.gov.au/environment/protection/chemicals-management/mercury>

For information on trade of mercury for industrial use: <https://www.industrialchemicals.gov.au/chemical-information/banned-or-restricted-chemicals/importing-or-exporting-mercury>



6 <https://www.basel.int/Implementation/TechnicalMatters/DevelopmentofTechnicalGuidelines/TechnicalGuidelines/tabid/8025/Default.aspx>
 7 <https://www.dcceew.gov.au/environment/protection/hazardous-waste>
 8 <https://www.legislation.gov.au/Series/C2004A03937>
 9 <https://minamataconvention.org/en/resources/guidance-mercury-releases>
 10 <https://www.dcceew.gov.au/environment/protection/npi>
 11 <https://minamataconvention.org/en/documents/guidelines-environmentally-sound-interim-storage-mercury-other-waste-mercury>

8.1.8 Radioactive Wastes and Naturally Occurring Radioactive Materials (NORM)

Wastes generated by decommissioning may contain radioactive substances. These can be radioactive wastes that occur in petroleum production plant, machinery and associated equipment such as fire/smoke detectors, electronic sensors, moisture/density gauges, well logging and non-destructive testing (NDT) radiography equipment. Also naturally occurring radioactive materials (NORM) may accumulate at various locations along the oil and gas production process from over time from well flows. Decommissioned equipment such as wellheads, pumps, separation vessels, and other oil/gas processing equipment can become contaminated with NORM. These NORM can accumulate in the form of sludge, scale, scrapings, and other waste media.

Under Regulation 9 of the Customs (Prohibited Exports) Regulations 1958 a proponent must have permission to export nuclear materials specified in Schedule 7 of the Customs (Prohibited Exports) Regulations 1958, being:

- (a) uranium containing the mixture of isotopes occurring in nature;
- (b) uranium depleted in the isotope 235;
- (c) thorium;
- (d) any of the materials mentioned in paragraphs (a), (b) and (c) in the form of metal, alloy, chemical compound, ore or concentrate, including monazite, tantalum concentrates and tantalum glass; but not including:
- (e) thorium alloys containing less than 1.5% by weight of thorium; or
- (f) any of the materials mentioned in paragraphs (a) to (d) when contained in Medicinals; or
- (g) any ore or concentrate:
 - (i) containing less than 0.05% by weight of a material mentioned in paragraph (a), (b) or (c), or of a combination of those materials; and
 - (ii) not excluded from this paragraph by a list or document formulated by the Minister referred to in regulation 9.

and

- (a) plutonium 239;
 - (b) uranium 233;
 - (c) material containing any of the materials referred to in paragraphs (a) and (b);
 - (d) uranium containing either or both of the isotopes 235 and 233 if the abundance ratio of that isotope, or the sum of those isotopes, to the isotope 238 is more than the ratio of isotope 235 to the isotope 238 occurring in nature (isotopic ratio: 0.71%); but not including:
 - (e) plutonium with an isotopic concentration of plutonium 238 exceeding 80%; or
 - (f) any of the materials mentioned in paragraphs (a), (b) and (c) when used in quantities of 1 gram or less as a sensing component in instruments; or
 - (g) any of the materials mentioned in paragraphs (a) to (d) when contained in medicinals.
- and
- (a) americium 242;
 - (b) curium 245;
 - (c) curium 247;
 - (d) californium 249;
 - (e) californium 251;
 - (f) compounds, alloys and mixtures of any of the materials to which paragraphs (a) to (e) apply in quantities greater, either singly or in combination, than 0.1 g (or 0.3 g when contained in a sensing component or sensing instrument)

As the NORM included in decommissioned oil and gas assets are low level mixed radioactive wastes and not high volume ores it is not clear if this permission system would apply to decommissioned oil and gas assets.



8.1.9 International Atomic Energy Agency (IAEA)

Australia is a member of the IAEA and as such is required to implement IAEA standards regarding Radioactive waste and radiation.

The Australian Safeguards and Non-Proliferation Office (ASNO) ensures Australia's international obligations are met. These obligations fall under the Nuclear Non-Proliferation Treaty (NPT) and Australia's NPT safeguards agreement with the International Atomic Energy Agency (IAEA).

The IAEA Joint Convention refers to the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management. It is an international treaty, negotiated under the auspices of the IAEA, that aims to ensure the safe management of spent nuclear fuel and radioactive waste. The Joint Convention does not usually apply to NORM only to higher level radioactive waste.

8.1.10 Hong Kong Convention 2013

The Hong Kong Convention 2013 (aka International Convention for the Safe and Environmentally Sound Recycling of Ships) entered into force for Parties in June 2025. Australia is not a signatory to the Convention. The Hong Kong Convention aims to ensure that when ships are recycled after reaching the end of their operational lives, they do not pose an unnecessary risk to human health and safety or to the environment.

The Hong Kong Convention does not replace the Basel Convention, as the Basel Convention only makes provision for bilateral, multilateral or regional arrangements that have the same or greater level of environmental and human health controls as the Basel Convention. The regulation of transboundary import, transit and export of hazardous waste in Australia falls under legislation implementing the Basel Convention, the Hazardous Waste (Regulation of Exports and Imports) Act 1989 (see section 8.2.4).

It is important to note that countries that have ratified the Hong Kong Convention cannot treat non-Hong Kong Convention ships differently, as such it will apply to all Australian ships if going to a Hong Kong Convention country. In these countries, the dismantling and processing of ships (including FPSOs, FSOs, FLNGs and other vessels) are also subject to the Hong Kong Convention.



8.1.11 Rotterdam Convention

The Rotterdam Convention is a global treaty concerning chemicals in international trade. The Convention facilitates the exchange of information on certain chemicals and their characteristics to help protect human health and the environment from potential harm and provides for a national decision-making process on their import and export.

Countries that ratify the Convention agree to participate in the Prior Informed Consent (PIC) procedure. This means that countries must indicate whether they allow imports of certain hazardous chemicals, and under what conditions. Substances subject to this PIC procedure are listed in Annex III of the Convention. Each country's responses are recorded in a publicly accessible database. Exporting countries must ensure their producers comply with these decisions.

Australia ratified the Rotterdam Convention on 20 May 2004. Initially, the Convention listed 27 chemicals in Annex III; now, over 50 chemicals are listed.

Whenever a new chemical is added to the Convention, Australia submits an Import Response that indicates whether Australia consents, or does not consent, to the import of that chemical. This response is then published in the PIC database.

As a party to the Rotterdam Convention, Australia must ensure that local exporters do not export Annex III chemicals without appropriate consent from the overseas importer.

The Australian Department of Climate Change, Energy, the Environment and Water leads Australia's involvement in the Rotterdam Convention. Other agencies that help control the import and export of chemicals listed in the Convention include the **Australian Industrial Chemicals Introduction Scheme (AICIS)**¹², the **Australian Pesticides and Veterinary Medicines Authority (APVMA)**¹³, and the **Australian Border Force**.¹⁴

For more information:

<https://www.dcceew.gov.au/environment/protection/chemicals-management/international-agreements/rotterdam-convention> or chemicals@dcceew.gov.au

8.1.12 Stockholm Convention

The Australian Government Department of Climate Change, Energy, the Environment and Water (DCCEEW) leads Australia's involvement in the Stockholm Convention. The Stockholm Convention is a global treaty that aims

to protect human health and the environment from the effects of persistent organic pollutants (POPs). Countries that ratify the Stockholm Convention agree to take measures to eliminate or reduce environmental releases of these POPs including through controls on the import, manufacture, use and export of these chemicals. State and territory governments also have a direct role in managing the use and disposal of chemicals listed on the Stockholm Convention. Chemicals determined in the POPs are listed in Annexes A, B and C to the Convention.

Anyone looking to introduce, use or export a POP in Australia should consult the relevant authority, depending on whether the chemical is a pesticide or industrial chemical. If the POP is a pesticide, then Department of Agriculture, Fisheries and Forestry permission is required and if the POP is an industrial chemical, then the AICIS will consider the Stockholm criteria in any relevant chemical assessments.

Many of the chemicals listed on the Stockholm Convention are subject to controls under the Rotterdam and Basel Conventions. For information on the Stockholm Convention contact DCCEEW at email: chemicals@dcceew.gov.au

8.1.13 Montreal Protocol

The Montreal Protocol on Substances that Deplete the Ozone Layer is a global agreement to protect the Earth's ozone layer. The protocol prevents the export except for destruction with certain approved technologies of ozone depleting substances.

The Ozone Protection and Synthetic Greenhouse Gas Management Act 1989 (OPSGGM Act) implements Australia's obligations under the Vienna Convention for the Protection of the Ozone Layer, the Montreal Protocol on Substances that Deplete the Ozone Layer. OPSGGM and related Acts control the manufacture, import, export, use and disposal of ozone depleting substances and synthetic greenhouse gases and products containing these gases. These gases are commonly used as refrigerants in refrigeration and air conditioning equipment and in other uses including fire protection.

The DCCEEW manages the Montreal protocol in Australia through the OPSGGM Act 1989 and links to the Customs (Prohibited Imports) Regulations 1956 and the Customs (Prohibited Exports) Regulations 1958 and these Acts would be relevant to decommissioning oil and gas assets as some of the refrigerants, fire suppressants and electrical components may contain ozone depleting controlled substances.

¹² <https://www.industrialchemicals.gov.au/chemical-information/banned-or-restricted-chemicals/chemicals-listed-rotterdam-convention>

¹³ <https://www.apvma.gov.au/about/international-collaboration/international-activities/international-chemical-conventions>

¹⁴ <https://www.abf.gov.au/importing-exporting-and-manufacturing/prohibited-goods/categories/hazardous-goods>

8.2 Commonwealth Legislation

Australia’s offshore waters are regulated under a comprehensive framework of Commonwealth and State/Territory legislation, which sets out the management and regulations of activities such as offshore petroleum exploration and extraction. The Commonwealth typically has jurisdiction over waters beyond three nautical miles from the coast (known as Commonwealth waters) (see 8.2.2 below for detail) while the State/Territory governments have authority over waters extending up to three nautical miles from their respective coastlines. Additionally, international law—particularly the United Nations Convention on the Law of the Sea (UNCLOS)—forms the legal basis for Australia’s offshore framework by defining maritime zones such as the territorial sea and Exclusive Economic Zone (EEZ). UNCLOS outlines the rights and responsibilities of coastal states, and under its provisions, Australia exercises sovereign rights over natural resources and environmental management within its EEZ, beyond three nautical miles from the coast.

Commonwealth legislation (Cth) and Western Australian (WA) state legislation may apply concurrently in some areas, which can result in overlapping regulatory requirements. Australia’s federal system divides powers between the Commonwealth and the states, but certain areas, such as environmental regulation, industrial relations, and criminal law, can be jointly regulated. When both levels of government legislate on the same subject matter, it can give rise to challenges related to jurisdiction, enforceability, and interpretation, which may affect project planning and compliance processes.

Figure 1 provides an overview of the Commonwealth regulatory approval requirements applicable to decommissioning and related activities (such as dismantling, transport, and export) under Commonwealth legislation. A broader summary of relevant Commonwealth and WA legislation, including applicable Acts that may not require regulatory approvals, is provided in Section 9.3.19. Acronyms, abbreviations and definitions of key terms used throughout this report are provided in Section 8, Appendix 1.

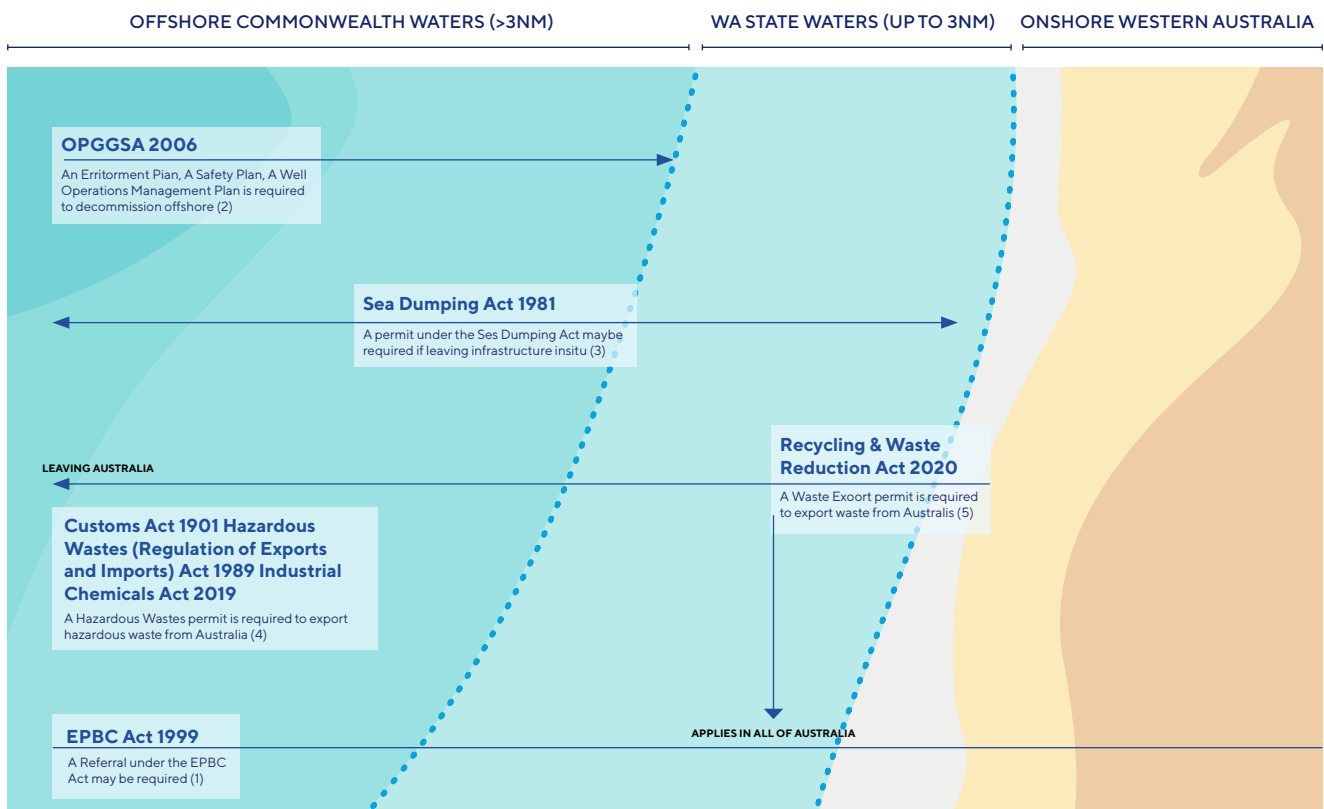


Figure 1: Permits/licences required for decommissioning activities from Commonwealth legislation.
The suggested order in which to apply for these permits is provided in brackets (#).



8.2.1 Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)

The EPBC Act (1999) is the principal Commonwealth legislation for protecting and conserving the Australian environment and heritage, particularly matters of national environmental significance (known as MNES) such as nationally and internationally important flora, fauna, ecological communities, and heritage places in Australia.

The EPBC Act recognises that Indigenous peoples play an important role in the conservation and sustainable use of Australia's natural environment. It also recognises the importance of a co-operative approach between the Government, community, landholders and Indigenous peoples. Consultation with Indigenous peoples for decommissioning activities should extend beyond matters of cultural heritage to include other protected matters that may be impacted by the proposed action.

Administration: Offshore petroleum and greenhouse gas storage activities (such as decommissioning) that have, will have or are likely to have a significant impact on matters protected under the EPBC Act require assessment and approval under the EPBC Act. All petroleum and greenhouse gas storage activities in Commonwealth waters also require assessment and authorisation under the OPGGS Act. Note; before Feb 2014 offshore petroleum and GHG storage activities that have, will have or are likely to have a significant impact on MNES would require assessment and approval under both EPBC Act and OPGGS Act regimes.

In 2014, The National Offshore Petroleum Safety and Environment Management Authority's (NOPSEMA's) environmental management authorisation process (the NOPSEMA Program) was assessed through a strategic assessment under Part 10 of the EPBC Act. As an outcome of the strategic assessment process, the Commonwealth Minister endorsed the NOPSEMA Program as meeting the requirements of the EPBC Act. Subsequently, the Minister also approved a class of petroleum and greenhouse gas activities, which if undertaken in accordance with the Program do not require separate assessment and approval under the EPBC Act. The Minister's decision also excludes certain classes of actions, which require separate consideration under the EPBC Act as well as the OPGGS environment regulations. In short, this means that all activities that are accepted by NOPSEMA, and undertaken in accordance with the endorsed Program, do not require a separate approval under the EPBC Act.

Trigger: Offshore petroleum and greenhouse gas storage activities that have, will have, or are likely to have a significant impact on MNES under the EPBC Act must be undertaken in accordance with the endorsed Program administered by NOPSEMA. Under this Program, such activities are considered an approved class of actions and do not require separate referral, assessment, and approval under the EPBC Act, provided they are conducted in line with the Program's requirements¹⁵.

Timing: Decommissioning projects that are anticipated to trigger the EPBC Act may consequently require assessment under the NOPSEMA EPBC Act-endorsed Program (where proponents believe this to be the case they are advised to seek advice from DCCEEW). This may require an Environmental Impact Statement (EIS). Development of an EIS and the associated assessment process requires a significant amount of time. This should be taken into consideration when submitting a proposal and started well in advance of decommissioning activities as it may require additional studies and/or monitoring to be conducted.

¹⁵ Note: The following activities are excluded from the endorsed Program and must undergo separate assessment and approval under the EPBC Act:

- Activities that have, will have, or are likely to have a significant impact on the environment on Commonwealth land;
- Activities taken in areas declared to be part of the Great Barrier Reef Marine Park under the Great Barrier Reef Marine Park Act 1975 (Cth);
- Activities likely to significantly impact the world heritage values of the Great Barrier Reef World Heritage property or the national heritage values of the Great Barrier Reef National Heritage place;
- Activities undertaken in the Antarctic; and
- Activities involving injection and/or storage of greenhouse gas.



8.2.2 Offshore Petroleum and Greenhouse Gas Storage Act 2006 (OPGGS Act)

The OPGGS Act 2006 is the key piece of Commonwealth legislation in Australia that governs the exploration, production and decommissioning of offshore petroleum and greenhouse gas storage activities in Commonwealth waters (those areas beyond the state or territory jurisdiction typically 3 nautical miles from the Territorial Sea baseline and out to the outer limit of Australia’s exclusive economic zone (EEZ), which extends approximately 200 nautical miles from the baseline). This Act, along with associated regulations, establishes the regulatory framework for the entire life cycle of offshore oil and gas operations, including decommissioning. The OPGGS Act and supporting regulations address licencing, health, safety and environmental matters for offshore petroleum exploration and production operations in Commonwealth waters.

Obligations relating to the maintenance and removal of equipment and property brought onto title are provided under Section 572 of the OPGGS Act¹⁶. These obligations apply to structures, equipment and other property that have been brought into the title area by or with the authority of the titleholder. The Act requires titleholders to:

- Maintain all structures, equipment and other property in a title area in good condition and repair
- Remove all structures, equipment and other property that is neither used nor to be used in connection with operations authorised by the title.

Section 270 of the OPGGS Act states that the Joint Authority will only consent to the surrender of a title if the registered holders has removed all property brought into the title or has “made arrangements that are satisfactory to NOPSEMA in relation to that property”. Additionally, Title Holders are required to plug and abandon wells to NOPSEMA’s satisfaction.

Administration: The OPGGS Act, and associated regulations are administered by Australian Government Department of Industry, Science and Resources (DISR) and NOPSEMA. The National Offshore Petroleum Titles Administrator (NOPTA) is a Branch within DISR that administers the OPGGS Act. The Joint Authority makes decisions for the surrender of titles. Decisions regarding the surrender of titles are made by the Joint Authority, which comprises the relevant Commonwealth Minister and the responsible State or Territory Minister, as defined under Section 7 of the OPGGS Act.

¹⁶ <https://www.nopsema.gov.au/offshore-industry/decommissioning/expectations>

8.2.2.1 Environment Plan (EP)

An Environment Plan (EP), prepared under the Offshore Petroleum and Greenhouse Gas Storage (OPGGS) 2006 Act and OPGGS environment regulations¹⁷, sets out how offshore petroleum and greenhouse gas activities will be managed to ensure environmental impacts and risks will be acceptable and reduced to ALARP. It ensures that titleholders identify, assess and mitigate environmental impacts and risks in a way that complies with regulatory requirements and aligns with the principles of ecologically sustainable development—ensuring impacts and risks are reduced to as low as reasonably practicable (ALARP) and to an acceptable level.¹⁸

The Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2023 (Environment Regulations) provide specific requirements on managing the environmental impacts of decommissioning offshore oil and gas assets. For NOPSEMA to accept an EP, the plan must meet all the criteria in regulation 34 of the Environment Regulations including demonstrating compliance with financial assurance obligations under section 571 of the OPGGS Act¹⁹.

In addition, the EP must address the decommissioning requirements under section 572 of the OPGGS Act, which include the removal of all property and the plugging and abandonment of wells. These obligations are aligned with Australia’s international commitments under the United Nations Convention on the Law of the Sea (UNCLOS) and the London Protocol, which require the removal of disused installations and structures and the protection of the marine environment.

Some titleholders may submit an initial EP outlining the proposed end state, followed by a separate EP for execution activities. While the default requirement under the OPGGS Act is full removal of property, some titleholders may seek approval for alternative decommissioning outcomes – such as leaving certain infrastructure in situ (e.g., piles or rock bolts), where this can be demonstrated to NOPSEMA that environmental impacts and risks will be acceptable and reduced to ALARP.

Administration: NOPSEMA

Trigger: A new phase of the activity (such as decommissioning) triggers the need for a revision to the in-force EP and the revised EP must be accepted by NOPSEMA before the activity can commence. The base case is that all property will be removed. If the titleholder is proposing an alternative to the removal of all property, then an EP must demonstrate that the alternative arrangement proposed delivers environmental performance outcomes that ensure that environmental impacts and risks will be reduced to ALARP, be of an acceptable level and are carried out in a manner consistent with the principles of ecologically sustainable development. NOPSEMA may accept alternative end state options through permissioning documents such as the EP, with the end-state also requiring separate regulatory approval under the Commonwealth Sea Dumping Act for in-situ options. Additionally, there is requirement for Commonwealth Ministerial approval of deviation to the legislation and NOPTA acceptance for title surrender.

Note the following requirements:

- No activities can occur at a facility unless a safety case for those activities has been accepted. All activities at a facility must be conducted in accordance with an accepted safety case.
- Where there are parallel operations involving more than one offshore facility simultaneously, the respective facility operators will operate under their own safety cases.
- Safety cases must be revised at least every 5 years.
- Safety case must be revised if:
 - there is request by NOPSEMA;
 - the safety case has expired after five years; or
 - there is a change in circumstances. Construction, installation, operation and decommissioning activities may all be covered by revisions to existing safety cases. Multiple safety cases may apply concurrently.

¹⁷ <https://www.legislation.gov.au/F2023L00998/asmade/text>

¹⁸ Prior to activities occurring, titleholders must demonstrate to NOPSEMA that all reasonably practicable measures are in place to prevent oil pollution. The OPGGS Act as well as the Environment Regulations place the onus on the titleholder to prevent and manage marine pollution risks and to respond to any oil spill incidents. Titleholders are required to have an EP, including an Oil Pollution Emergency Plan (OPEP), for all petroleum activities accepted by NOPSEMA before any activity can commence. OPEPs set out the operational response of the titleholder to an oil spill

¹⁹ Titleholders must maintain financial assurance sufficient to meet obligations and duties established within the OPGGS Act and legislative instruments. NOPSEMA requires evidence of compliance with financial assurance obligations before accepting an EP.



- Introduction of a new ‘Design Notification Scheme’ from June 2025. Operators are required to submit draft designs of a new production facility to NOPSEMA for NOPSEMA’s assessment and comment. When the safety case is submitted to NOPSEMA for assessment, the safety case must include the design notification that had been previously provided to NOPSEMA, the details of the matters that NOPSEMA raised in its comments on the design and describe how those matters had been incorporated into the facility design. This new requirement promotes early engagement on the concept-selection and design for new facilities.

Timing: NOPSEMA’s expectations are that robust decommissioning plans are available at least five years prior to the planned end of field life. This timeline allows sufficient time for regulator review and appropriate planning for decommissioning. Note that the Environmental Regulations stipulates requirements for consultation with relevant persons. Regulation 25 outlines who the relevant persons a titleholder must consult when preparing an EP. NOPSEMA recommends that consultation with relevant persons begin as soon as the project is developed to ensure all potential impacts are considered and addressed. Alternative end-state EPs will require appropriate justification.

8.2.2.2 Safety Case

A Safety Case under the OPGGS Act and associated regulations is a comprehensive document prepared and owned by the operator that outlines the safety management system for offshore petroleum operations. It details the identification, assessment, and control of safety risks to protect personnel and assets, ensuring compliance with regulator standards.²⁰

A facility must have a safety case in force at all times until decommissioning activities are completed. A facility cannot be constructed, installed, operated, modified or decommissioned without a safety case in force for that stage in the life of the facility.²¹

A safety case must be accepted by NOPSEMA pursuant to the Offshore Petroleum and Greenhouse Gas Storage (Safety) Regulations 2024. For full removal the safety case must demonstrate that the items have been maintained in a condition that is safe and that the infrastructure can be safely removed.

Administration: NOPSEMA

Trigger: A facility must have a registered operator and an accepted safety case in force at all times until decommissioning activities are complete. Any other facility brought into a title for the purpose of conducting decommissioning activities must also have an accepted safety case in force prior to the commencement of the activity.

Timing: The approval process for a safety case by NOPSEMA typically takes up to 60 business days from the time the safety case is submitted. However, it can take approximately 6 months to develop a safety case. This can vary depending on many factors, including the completeness of the submission and the complexity of the project.



²⁰ Operators must conduct a formal safety assessment that investigates and analyses the risks associated with major accident event (MAE) hazards in order to provide a detailed understanding of the events that may lead to MAEs. The safety case details the operator’s measures to control these risks and manage the potential consequences of such events.
²¹ The OPGGS Act provides for, and the regulations specify, a general requirement that risks should be eliminated or reduced to a level that is as low as reasonably practicable (ALARP)

8.2.2.3 Well Operations Management Plan (WOMP)

A WOMP under the OPGGS Act outlines the safety and operational process for drilling, completing and abandoning wells in offshore petroleum activities. It ensures that well operations are conducted safely, with risk assessments and mitigation strategies to protect personnel, the environment and assets. The Final Abandonment Report must be accepted by NOPSEMA.²²

A WOMP that describes the activities that will take place on the well must be in force prior to the commencement of that activity, and the activity must be conducted in accordance with the WOMP. In order to be compliant with the legislation, a WOMP must contain a description of the arrangements that will be in place before permanently abandoning a well or wells showing how, during the process of abandoning a well, risks to the integrity of the well will be reduced to as low as reasonably practicable (ALARP), and how the actions taken during that process will ensure that the integrity of the well is maintained while the well is abandoned.

Administration: The Offshore Petroleum and Greenhouse Gas Storage (Resource Management and Administration) Regulations 2011 are administered by the Australian Government Department of Industry, Science and Resources (DISR) and NOPSEMA. NOPSEMA is responsible for the administration of the WOMP and approval of well activities under Part 5 of these regulations.

The control of well-related risks is intrinsically linked to occupational health and safety and the prevention of the release of fluids from the well into the environment. In this respect, Part 5 operates alongside, and is consistent with, the OPGGS Safety Regulations and OPGGS Environment Regulations.²³

Trigger: All non-abandoned wells must have a WOMP in place, regardless of its operational state. Any activities on an existing well (such as if a well is being worked over or plugged and abandoned) will trigger the need for a revision to the WOMP. Any activities that could pose a risk to a well will trigger the need for a revision to the WOMP.

Timing: There must be an in-force WOMP until the well is abandoned. The WOMP must remain in place for the entire life of the well until the point in time when NOPSEMA has notified the titleholder that it is reasonably satisfied the well has been plugged and abandoned in accordance with the WOMP. The assessment of a WOMP by NOPSEMA typically takes 60 calendar days from the date the plan is submitted.



²² https://www.nopsema.gov.au/sites/default/files/documents/Staged%20WOMP%20Submission%20Process_3.pdf

²³ Joint Authority is responsible for assessing and accepting production licensees' Field Development Plans (FDPs) under the OPGGS Resource Management and Administration Regulations 2011 (RMA Regulations). The FDP will be accepted by the Joint Authority if it is satisfied that the FDP includes the matters in the relevant provision of the RMA Regulations and demonstrates that the person will conduct pool management in the field consistent with good oilfield practice and compatible with optimum long-term recovery of the petroleum. While there is currently no express requirement to include decommissioning in the FDP, the plan must include the project schedule and development strategy. Further, where a production licensee proposes to cease production, permanently or for the long term, before the date proposed in the FDP, this would constitute a 'major change.' The RMA Regulations require an application to the Joint Authority, through NOPTA, for a variation to the accepted FDP.

8.2.2.4 Surrender of Titles

After decommissioning, companies may wish to apply through NOPTA for the Joint Authority’s consent to surrender their titles. To surrender a Title, Titleholders must first apply, through NOPTA in writing, for the Joint Authority’s consent to the surrender of their Title.

The Joint Authority consists of the responsible Commonwealth Minister and the responsible State or Territory Minister.

In order to apply to surrender a petroleum title the Titleholder must have paid all fees, have complied with the conditions of their permit/lease or licence and:

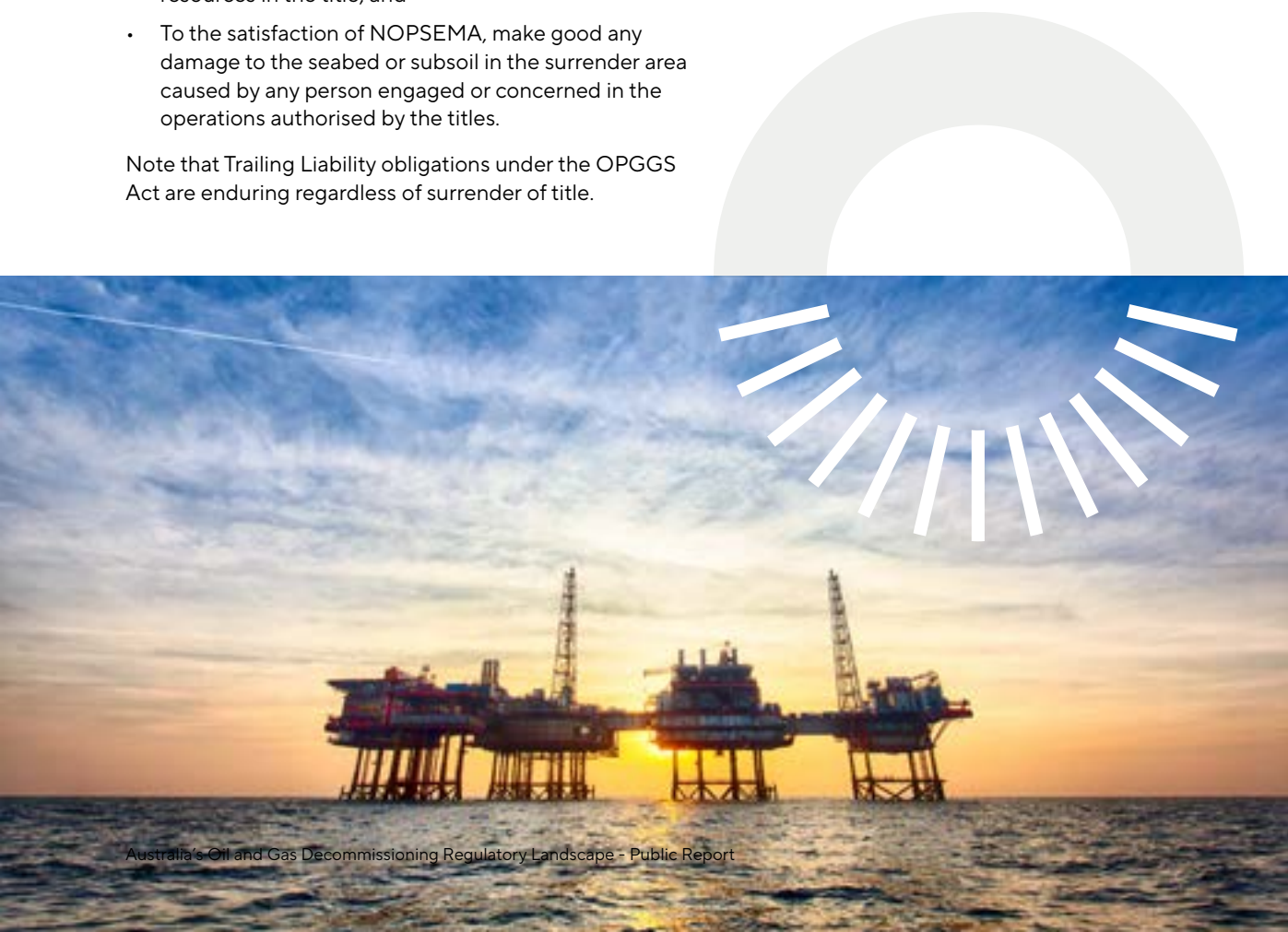
- To the satisfaction of NOPSEMA, removed or caused to be removed all property; or
- Made arrangements that are satisfactory to NOPSEMA in relation to that property; and
- To the satisfaction of NOPSEMA, plugged or closed off all wells; and
- To provide, to the satisfaction of NOPSEMA, for the conservation and protection of natural resources in the title; and
- To the satisfaction of NOPSEMA, make good any damage to the seabed or subsoil in the surrender area caused by any person engaged or concerned in the operations authorised by the titles.

Note that Trailing Liability obligations under the OPGGS Act are enduring regardless of surrender of title.

Administration: The Joint Authority, through NOPTA is responsible for consenting to or refusing to consent to applications to surrender a title. NOPSEMA plays a critical role in ensuring that operators meet safety, environmental and operational requirements. Before surrendering a title, a titleholder may need to ensure that all decommissioning and environmental obligations are met in accordance with the OPGGS Act, regulations and other legislation such as the Sea Dumping Act and the EPBC Act.

Trigger: The titleholder must apply for permission to surrender a title. Note that S269 and S270 criteria must be met before NOPTA can consider the surrender of a title. NOPTA requirements may also include the results and outcomes of any post-decommissioning or ongoing environmental monitoring.

Timing: NOPTA assessment typically takes around 10 weeks once all required information has been received. However, the exact timeframe can vary depending on several factors including whether all obligations have been met. Note that timeframes can be impacted by the applicant’s response if further requests for information are made.



8.2.2.5 Relevant Regulations

Regulation	Description
Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2023	These regulations establish the requirements for management of environmental impacts and risks during offshore petroleum activities, including decommissioning. Key provisions focus on the preparation, submission, and approval of an Environment Plan (EP) (Section 8.2.2.1), which outlines the environmental risks, mitigation strategies, and operational procedures. The regulations ensure that waste disposal, pollution control, and environmental impacts during decommissioning are properly managed.
Offshore Petroleum and Greenhouse Gas Storage (Safety) Regulations 2009	These regulations ensure the safety of offshore petroleum operations, including decommissioning activities. They mandate the development, submission, and review of a Safety Case (Section 8.2.2.2), which must address risks associated with all operational phases, including decommissioning. The Safety Case outlines the safety management system, emergency preparedness, and risk control measures. It also ensures that the workforce is competent and that adequate safety measures are in place, such as evacuation and emergency communication systems, throughout the decommissioning process.
Offshore Petroleum and Greenhouse Gas Storage (Resource Management and Administration) Regulations 2011	These regulations specify the requirement for a Well Operations Management Plan (WOMP) (Section 8.2.2.3) for all well-related activities, including well abandonment. The WOMP outlines operational procedures, safety, and environmental management measures, ensuring wells are abandoned safely and without environmental harm. The regulations provide criteria for the acceptance, revision, and withdrawal of the WOMP, which is critical during decommissioning to confirm that the well abandonment processes comply with safety and environmental standards.
Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Regulations 2022	These regulations impose levies to recover the costs incurred by the regulator (NOPSEMA) in assessing and monitoring offshore petroleum activities, including decommissioning. Levies apply to the submission and review of Environment Plans, Safety Cases, Well Operations Management Plans, and during inspection and compliance activities. They also ensure ongoing title management until surrender. During decommissioning, the levies provide for the assessment and oversight of decommissioning activities to ensure regulatory compliance. The regulations are made under the Offshore Petroleum and Greenhouse Gas Storage Act 2006 and the Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003.

Relevant Guidelines: Decommissioning Guideline.²⁴

²⁴ https://www.nopsta.gov.au/_documents/guidelines/decommissioning-guideline.pdf



8.2.3 Environment Protection (Sea Dumping) Act 1981

The *Environment Protection (Sea Dumping) Act 1981* (Sea Dumping Act) is the legislative instrument that addresses Australia's obligations as a party to the United Nations Convention on the Law of the Sea (UNCLOS) and the London Protocol (see section 8.1.2). The Act's primary role is to fulfil Australia's obligations as a Contracting Party to the London Protocol. The aims of the London Protocol are to protect and preserve the marine environment from all sources of pollution, and to prevent, reduce and eliminate pollution by controlling the dumping of wastes and other materials at sea.

The Sea Dumping Act applies in Australian waters, which stretch from the low-water mark of the Australian shoreline out to the limits of the Exclusive Economic Zone (EEZ), which extends approximately 200 nautical miles from the coastline and includes any waters on the continental shelf of Australia where it extends beyond the EEZ.

To leave infrastructure in-situ, a dumping permit (when infrastructure intends to be moved, modified or disposed) or an abandonment permit (when not intending to move the infrastructure at all) or an artificial reef permit (when the oil and gas infrastructure will be turned into an artificial reef in Australian waters) will be required. Leaving of items in the sub-seabed also requires a permit under the Sea Dumping Act.

Note that whilst the Sea Dumping Act allows for the creation of an artificial reef made from reused oil and gas infrastructure, the assessment process for this category of permit is different to the assessment considerations for the dumping or abandonment of infrastructure.

Also note that the Sea Dumping Act applies in all of Australia and its waters, where loading for the purpose of dumping is concerned. For example, loading a concrete block onto a barge, whether directly from the ocean or from a dock, for it to be exported overseas for dumping, is illegal under the Sea Dumping Act.

Administration: The Sea Dumping Act is administered by DCCEEW. For the most up to date information refer to the website: <https://www.dcceew.gov.au/environment/marine/sea-dumping>

Trigger: A permit under the Sea Dumping Act may be required if leaving infrastructure in-situ. Most oil and gas facilities that are intended to be left in-situ or moved and used as an artificial reef will require a Sea Dumping Permit. Exceptions do apply, mainly in relation to leaving export pipelines in-situ.

Timing: Sea dumping applications may take over 12 months to be assessed depending on their complexity.

It is not clear whether applicants should apply for a Sea Dumping permit before, during or after amending their Environment Plan (under either Cth OPGGS Act or WA State PGER Act) if considering leaving infrastructure in-situ. It is advisable for proponents to request a joint meeting with NOPSEMA/DMPE and DCCEEW to discuss the proposed activity and request guidance.

Applying for the Sea Dumping permit prior to amending the EP reduces the risk of non-compliance from NOPSEMA and NOPTA requirements. There is also some evidence that suggests that having a Sea Dumping permit approved may make approval of the State EP somewhat less complicated.

8.2.4 Hazardous Wastes (Regulation of Exports and Imports) Act 1989

This Act regulates the export and import of controlled wastes in and out of Australia. The main purpose of this Act is to ensure that hazardous waste is dealt with appropriately so that human beings and the environment, both within and outside Australia, are protected from the harmful effects of the waste.

Note that international conventions in section 8.1.3, 8.1.4, 8.1.5 are implemented through the Hazardous Waste (Regulation of Exports and Imports) Act 1989 and subordinate regulations.

The definition of hazardous waste is as per the Basel Convention as in force for Australia from time to time (see Section 8.1.3) or the OECD Regulations. Note that waste shipments may only take place between countries which are Parties to the Basel Convention, except where a specific arrangement exists with a non-Party member. Specific arrangements exist with OECD countries, countries who are Party to the Waigani Convention and Timor-Leste.

Plastics, polymers, paints and coatings found in oil and gas assets (i.e. pipelines) may contain chemicals or additives that make them hazardous and require a hazardous waste permit prior to their export. For example, polystyrene (PS), polyvinyl chloride (PVC) known to occur in pipelines contain chemicals and additives such as plasticizers, stabilisers and other additives and toxic metals such as lead, cadmium and organotin.

This Act applies to all decommissioned assets that are being exported regardless of whether those assets have originated from offshore waters, state waters or onshore.

The Act does not affect movement of Hazardous waste within Australia. Typically, permits are only granted to export hazardous waste when there is no capacity to process the waste in Australia. Permits for final destination incineration or landfill are only granted in exceptional circumstances.

Before applying the proponent must meet all the requirements which include public liability insurance, financial capacity, proof of ownership, packaging and transport requirements, required authorisations, licences and permits for the processing facility and be able to demonstrate that the hazardous waste is being disposed of in a way that manages risks to human health and the environment. This includes how any residual wastes are managed, such as emissions to land, air and water.

Administration: DCCEEW

Trigger: Hazardous waste permits must be obtained before hazardous waste is exported from Australia or imported into Australia. Apply for a hazardous waste export permit before applying for a waste export permit (see Section 8.2.4).

Timing: Processing of permits often take between 40–60 days, though processing times may be extended due to externalities. DCCEEW has statutory timeframes for processing permits, however, delays may occur which are outside the control of DCCEEW.

Website: Hazardous waste permits - DCCEEW.²⁵

8.2.5 Recycling and Waste Reduction Act 2020

The export of glass, plastics, tyres, paper and cardboard is subject to *the Recycling and Waste Reduction Act 2020* (RaWR Act). By ensuring that Australia only export properly processed waste glass, plastic, tyres and paper the Act prevents these materials from being dumped overseas, reducing harm to the environment and human health.

Under the RaWR Act export licences are required for the export of:

- waste glass
- waste plastic
- waste tyres
- waste paper and cardboard

Each waste stream is covered by a separate set of Rules which outline the requirements for obtaining a licence for export. Note that plastic pellets made from waste plastic do not require a licence to export.

Administration: DCCEEW

Trigger: Relevant to decommissioning of oil and gas assets is plastic waste. To export waste plastic, the proponent will need a waste plastic export licence, and must declare each consignment to DCCEEW before they lodge the declaration in the Integrated Cargo System (ICS) (see Section 8.2.7). Plastic waste is also controlled through the Hazardous Waste Act (Regulation of Exports and Imports) 1989 that implements Australia’s obligations under the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal. Exporters may need a hazardous waste permit in some situations, rather than a waste export licence.

Timing: Each licence is granted for up to 3 years. During the application process the proponent must respond to requests for further information within 30 days, otherwise the application may be cancelled.

Website: Apply for a licence to export regulated waste - DCCEEW.²⁶

²⁵ <https://www.dcceew.gov.au/environment/protection/hazardous-waste/permits>
²⁶ https://www.dcceew.gov.au/environment/protection/waste/exports/apply#toc_4

8.2.6 Customs Act 1901

The *Customs Act 1901* is a Commonwealth Act that regulates the movement of goods into and out of Australia.

Administration: The Australian Government Department of Home Affairs, including the Australian Border Force (ABF).

Trigger: The *Customs Act 1901* is relevant to decommissioning when it comes to the importation and exportation of goods, equipment and materials (such as decommissioned infrastructure).

8.2.7 Integrated Cargo System (ICS)

Exporters use the ICS to declare their intention to export goods meeting the criteria set out in the Customs Act 1901. The ICS is the Australian Government Department of Home Affairs' main system for the management of imports and exports. The system collects information provided by importers and exporters as well as customs brokers and transport and logistics service providers and provides authority from the Australian Government Department of Home Affairs' and other government agencies authority for cargo movement and clearance.

It is important to declare the consignment to DCCEEW before lodging a declaration in the ICS (see Section 8.2.5).

8.2.8 Industrial Chemicals (General) Rules 2019

The Industrial Chemicals (General) Rules 2019 (made under the *Industrial Chemicals Act 2019*) are a part of Australia's commitments to the Rotterdam Convention (see Section 8.1.11) and the Minamata Convention on Mercury (See section 8.1.7) (by regulating the import, use and disposal of mercury containing chemicals).

The Australian Industrial Chemicals Introduction Scheme (AICIS) is the national regulator responsible for overseeing the importation and manufacture of industrial chemicals in Australia.

AICIS issues approvals for certain chemicals listed in Annex III to the Rotterdam Convention; however, this does not include mercury compounds or asbestos, which are regulated separately.

Mercury compounds are instead regulated under the Minamata Convention, and AICIS issues approvals for the export of mercury consistent with the requirements of this Convention.²⁷

Administration: AICIS.

Trigger: Mercury compounds, including inorganic mercury compounds, alkyl mercury compounds and alkyloxyalkyl and aryl mercury compounds are included. Asbestos and PFOA, PFOS, PFOSF are included in the listings. Compounds listed also include PCBs that maybe present in 1970s/1980s era electrical components and TBT compounds that might be present in a range of antifouling paints on surfaces of underwater metal components.

Timing: Applications for permissions to export chemicals controlled under the Rotterdam Convention or the Minamata Convention must be made using the AICIS online permit application system. Generally, AICIS aims to process and assess applications within approximately 20 business days from the time they receive a complete application. Ensure that applications are submitted well in advance of any intended export dates to account for the assessment period and any potential delays.

Website: Apply for annual export authorisation - Rotterdam Convention | Australian Industrial Chemicals Introduction Scheme (AICIS).²⁸

Importing or exporting mercury | Australian Industrial Chemicals Introduction Scheme (AICIS).²⁹

²⁷ The Rotterdam Convention governs the international trade of hazardous chemicals and pesticides, requiring prior informed consent procedures. Mercury, however, is separately regulated under the Minamata Convention, which specifically targets mercury's environmental and health impacts.

²⁸ <https://www.industrialchemicals.gov.au/chemical-information/banned-or-restricted-chemicals/chemicals-listed-rotterdam-and-stockholm-conventions/apply-annual-export-authorisation-rotterdam-convention>

²⁹ <https://www.industrialchemicals.gov.au/chemical-information/banned-or-restricted-chemicals/importing-or-exporting-mercury>



8.2.9 Industrial Chemicals Environmental Management (Register) Act 2021

The *Industrial Chemicals Environmental Management (Register) Act 2021* concerns itself with the management of chemicals that could potentially be present in oil and gas assets during decommissioning process. The Act establishes a register of national standards for managing industrial chemicals used in Australia, focusing on their environmental impact. All chemicals used during decommissioning, including cleaning agents, corrosion inhibitors or other industrial chemicals must comply with the requirements of the Act, including safe disposal practices.

If a chemical that is listed in the register (such as certain hazardous materials used on offshore platforms) is still present during decommissioning, the chemical must be managed according to its environmental impact category and appropriate measures would need to be taken to minimise risk to marine environments and surrounding ecosystems.

The Industrial Chemicals Environmental Management Standard (IChEMS) supports the Act by setting the criteria for environmental management of chemicals, helping Titleholders to implement best practices when handling chemicals.

- The IChEMS establishes national standards for risk management, and requires them to be published in a Register. However, this is not a register of chemicals used in Australia – that is the Australian Inventory of Industrial Chemicals administered under the Australian Industrial Chemicals Introduction Scheme (AICIS).
- The IChEMS is concerned with environmental risks and their management, references to safety commonly refer to ‘worker safety’ and human health risks which are outside the scope of the IChEMS.
- The IChEMS does not set requirements for the chemicals themselves, such as formulation or labelling, that is sometimes prescribed by other regulators, e.g. for pesticides.
- The IChEMS covers activities that are broader than disposal, including where offshore decommissioning activity would involve the import of goods/material.
- The Act itself does not compel compliance, the IChEMS is a standard setting scheme that is enforced through adoption of those standards in the environmental laws of relevant jurisdictions.

Website: Industrial Chemicals Environmental Management Standard - IChEMS - DCCEEW.³⁰

³⁰ <https://www.dcceew.gov.au/environment/protection/chemicals-management/national-standard>

8.2.10 Biosecurity Act 2015

The *Biosecurity Act 2015* aims to protect Australia’s plant, animal and human health from the introduction or spread of harmful pests and, diseases into Australian territory. The *Biosecurity Act 2015* provides the power to biosecurity officials to manage biosecurity risks relating to conveyances (including vessels) arriving into Australian territory. All vessels arriving into Australian territory that have commenced a voyage from outside of Australian territory (including an offshore oil and gas installation) are regulated under this Act.

The activity of decommissioning will most likely require international specialised vessels. Any vessel arriving into Australian territory to assist with decommissioning will be subject to biosecurity control and will remain subject to biosecurity control until the vessel is released from biosecurity control by a biosecurity officer.

A vessel arriving in Australian territory must be reported to the Department of Agriculture, Fisheries and Forestry within the timeframe prescribed under the Biosecurity Act. The reporting must occur prior to the arrival of the vessel into Australian territory. There are also requirements under the Biosecurity Act relating to the reporting and management of ballast water, biofouling and ballast tank sediments.

Administration: The *Biosecurity Act 2015* is administered by the DAFF and the Australian Government Department of Health and Aged Care. The provisions of interest to decommissioning (managing conveyances and ballast water) are administered by the Australian Government Department of Agriculture, Fisheries and Forestry.

Trigger: The *Biosecurity Act 2015* applies to Australia, and its external territories. Goods and conveyances that enter Australian territory are subject to biosecurity control as soon as they enter Australian territory (12 nautical miles from the territorial sea baseline).

Timing: The obligations under the Biosecurity Act must be demonstrated in an Environment Plan (Section 8.2.2.1).



8.2.11 Underwater Cultural Heritage Act 2018

The *Underwater Cultural Heritage Act 2018* (UCH Act) is intended to protect Australia’s underwater cultural heritage (UCH) features and may apply to an area where decommissioning is going to take place. The Act protects underwater cultural heritage including:

- Remains of vessels;
- Submerged aircraft;
- Other archaeological heritage located underwater; and
- The archaeological remains of vessels and aircraft that have been wholly or partially submerged in Australian waters for 75 years or longer, including their immediate environment and associated articles, regardless of whether or not their existence or precise location is known.

Other types of UCH, including First Nations (Aboriginal and Torres Strait Islander) archaeological UCH associated with dry-land habitation on the submerged Pleistocene landscapes on the Australian continental shelf and archaeological remains of shipwrecks or aircraft younger than 75 years, can be declared by the Minister as protected under the UCH Act upon discovery, and subject to a significance assessment. Discovery of any suspected UCH must be notified within a 21-day period.

It is important to note that the jurisdiction of the UCH Act spreads beyond the Commonwealth Marine Area and

applies to Australian waters as defined in s11 of the UCH Act, including the harbours and estuarine waters of the Northern Territory, and extends to Australia’s external territories.

All adverse impacts to protected UCH, including possession and trade of protected UCH are prohibited unless a permit under the UCH Act is granted. The Minister can declare an area in Australian waters containing protected UCH to be a Protected Zone if the declaration is consistent with the objects of the UCH Act. There are currently 28 historic shipwrecks with Protection Zones declared under the UCH Act. The Minister can also declare UCH located beyond the outer limits of Australian waters as protected UCH subject to satisfaction that this UCH is of heritage significance to Australia

Administration: The *Underwater Cultural Heritage Act 2018* is administered by the Australian Government Department of Climate Change, Energy, the Environment and Water.

Trigger: Any action in Australian waters that will or might interact with the seabed may affect UCH. No adverse impact to UCH without a permit. Further, if a person discovers suspected UCH in Australian waters there is a duty to notify the Minister of the discovery within 21 days.

Timing: The obligations under this Act must be demonstrated in an Environment Plan (Section 8.2.2.1).

Link: Guidelines – Assessing and Managing Impacts to Underwater Cultural Heritage in Australian Waters.³¹

31 <https://www.dcceew.gov.au/sites/default/files/documents/guidelines-assessing-managing-impacts-underwater-cultural-heritage.pdf>

8.2.12 Native Title Act 1993, Aboriginal and Torres Strait Islander Heritage Protection Act 1984

The *Native Title Act 1993* was a recognition in Australian law that some Indigenous people continue to hold rights to their land and waters, which come from their traditional laws and customs. The purpose of the *Native Title Act 1993* is “to provide a national system for the recognition and protection of native title and for its co-existence with the national land management system”. As part of the passing of the *Native Title Act 1993* the Australian Government set up the National Native Title Tribunal to conduct enquiries, mediate and assist parties with their native title applications and Indigenous land use agreements. The Australian Government also gave jurisdiction to the Federal Court to manage applications for recognition of native title and any future access to lands claimed as native title lands. In WA an on-line open search service for Native title maps and spatial datasets can be found at <https://www.landgate.wa.gov.au/location-data-and-services/maps/native-title-services/>

In the Northern Territory a Native Title Search can be conducted at: <https://www.nntt.gov.au/searchRegApps/NativeTitleRegisters/Pages/default.aspx>

For more information on Native Title rights at a federal level please email: native.title@ag.gov.au and AboriginalEngagement@dpc.wa.gov.au for WA.

The *Aboriginal and Torres Strait Islander Heritage Protection Act 1984* provides for the preservation and

protection from injury or desecration of areas and objects that are of significance to Aboriginal people in accordance with Aboriginal tradition, under which the Minister may make a declaration to protect such areas and objects. The Act also requires the discovery of Aboriginal remains to be reported to the Minister.

Administration: DCCEEW

Trigger: This Act would only be relevant to a decommissioning activity if there was a discovery of Aboriginal remains or if there was an application for protection for cultural heritage made under the Act in relation to a current or proposed decommissioning activity.

Timing: The obligations under these Act must be demonstrated in an Environment Plan (Section 8.2.2.1).

8.2.13 Australian Heritage Council Act 2003

The *Australian Heritage Council Act 2003* established the council that identifies the areas of heritage value listed on the Register of the National Heritage List and Commonwealth Heritage List.

Administration: This Act is administered by DCCEEW.

Trigger: This Act may be relevant when there are national heritage places within the area of the decommissioning activity.

Timing: The obligations under this Act must be demonstrated in an Environment Plan (Section 8.2.2.1).



8.2.14 Maritime Transport and Offshore Facilities Security Act 2003, Australian Maritime Safety Authority Act 1990 (AMSA Act), Protection of the Sea (Prevention of Pollution from Ships) Act 1983, Navigation Act 2012

The *Cth Maritime Transport and Offshore Facilities Security Act 2003* has the aim to safeguard against unlawful interference with maritime transport or offshore facilities. The Act establishes a regulatory framework centred around the development of security plans for ships, other maritime transport operations and offshore facilities.

The AMSA Act establishes the Australian Maritime Safety Authority (AMSA), which is responsible for promoting maritime safety, protecting the marine environment from pollution from ships, and combatting pollution of the marine environment.

The Protection of the Sea (POTS) Act 1983 (POTS Act) focuses on the prevention of marine pollution caused by ships, enforcing Australia’s commitments under the International Maritime Organization (IMO) MARPOL Convention. The International Convention for the Prevention of Pollution from Ships (MARPOL) includes regulations aimed at preventing both accidental pollution and pollution from routine vessel operations. The POTS Act also includes several enforcement related provisions derived from the United Nations Convention on the Law of the Sea.

The *Navigation Act 2012* regulates maritime safety and navigation in Australian waters (amongst other matters). Decommissioning activities that result in offshore facilities becoming ‘vessels’ as per the definition in the Navigation Act 2012 will need to ensure the resulting regulatory requirements for vessels are met. These requirements are contained in both the Navigation Act and its subordinate Marine Orders and may be substantial, including ship safety and pollution certification requirements. Decommissioning activities which involve the removal or modification of offshore infrastructure should ensure that such activities do not create a navigational hazard or disruption to shipping routes.

International arrangements facilitate cooperation and mutual assistance in preparing and responding to major oil spills and encourage countries to develop and maintain an adequate capability to deal with oil pollution emergencies. In Australia, AMSA is the lead agency for administering the National Plan for Maritime Environmental Emergencies, which is implemented by the Commonwealth, States, and Territories. NOPSEMA is the lead agency for ensuring offshore facilities have appropriate response plans in place.

Administration: Australian Maritime Safety Authority.

Trigger: The Navigation Act and POTS Act may apply to decommissioned facilities and to vessels associated with decommissioning activities. AMSA has a role with respect to oil spills and other pollution from vessels depending on the location of the incident. Offshore facility operators must demonstrate compliance with the Navigation and POTS Act in a Safety Case (see Section 8.2.2.2) or an Environment Plan (Section 8.2.2.1) and the associated Oil Pollution Emergency Plan (OPEP).

Timing: The relevant sections of this Act must be demonstrated in an Environment Plan (Section 8.2.2.1) and the associated Oil Pollution Emergency Plan (OPEP) or Safety Case (see Section 8.2.2.2). These Acts must be considered prior to, during and after decommissioning.





8.2.15 Australian Radiation Protection and Nuclear Safety Act 1998 (ARPANS Act)

The Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) is the Australian Government’s primary authority on radiation protection and nuclear safety. It is responsible for independently regulating the use of radiation by Commonwealth entities, including licensing, compliance, inspection and enforcement.

The ARPANS Act establishes the Australian Radiation Protection and Nuclear Safety Agency which is the national authority responsible for regulating radiation safety and nuclear safety in Australia. The Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) is the Australian government’s expert body on radiation protection and nuclear safety. ARPANSA regulates Commonwealth users of radiation and provides advice on radiation protection of people and the environment.

Naturally Occurring Radioactive Material (NORM) is concentrated through both normal operation and decommissioning of offshore oil and gas projects. Management and disposal of NORM wastes has impacts on people and the environment which need to be considered when planning for and decommissioning infrastructure. Wastes generated by decommissioning may contain other radioactive substances. These can be radioactive wastes that occur in petroleum production plant, machinery and associated equipment such as fire/smoke detectors, electronic sensors, moisture/density gauges, well logging and non-destructive testing (NDT) radiography equipment.

ARPANSA recommends that plans for disposal of NORM wastes that may have an impact on people and the environment are considered when planning for and decommissioning infrastructure. This can be encouraged by requiring a decommissioning plan in the early stages of the approval and authorisation process. This helps to ensure that operators of infrastructure that may produce NORM wastes are considering NORM issues early, at a stage where cost-effective modifications can be made if required.

The initial decommissioning plan does not need to be detailed but should consider options for the final disposal of any hazardous wastes expected to be produced during the lifetime of the project. Additionally, it is considered best practice to ensure financial security for decommissioning at all stages of the practice.³²

Administration: ARPANSA is the independent regulator of Commonwealth entities that use or produce radiation, including those involved in radioactive waste management.

Trigger: A Nuclear Storage License may be required through ARPANSA for:

- (i) temporarily storing NORM facility/equipment quayside or
- (ii) for the demolition yard.

A Transport License may also be required from ARPANSA and the State if traversing across public land between the load-in port and the adjacent demolition yard.

Timing: Whilst not a regulatory requirement under this Act it is encouraged to consider options for the final disposal of any hazardous wastes expected to be produced during the lifetime of the asset. This consideration should be included in the Environment Plan (Section 9.2.2.1) submitted under the OPGGS (Section 9.2.2) Environment Regulations.

8.2.16 National Radioactive Waste Management Act (NRWM Act) 2012

The NRWM Act regulates the transportation, handling, and disposal of radioactive waste to ensure safety and environmental protection. This Act sets out the legislative framework for selecting and establishing the National Radioactive Waste Management Facility (NRWMF). The NRWMF will be a centralised facility for storing and disposing of radioactive waste.

The Australian Radioactive Waste Agency (ARWA) role is to (amongst others) develop strategies to manage radioactive waste and implement agreed plans for managing and disposing of radioactive waste.

³² Regulatory Guide – Decommissioning of Controlled Facilities (ARPANSA-GDE-1731) | ARPANSA - <https://www.arpansa.gov.au/regulation-and-licensing/licensing/information-for-licence-holders/regulatory-guides/regulatory-guide-decommissioning-controlled>

8.3 Western Australian Legislation

In Western Australia (WA), decommissioning of offshore oil and gas infrastructure is primarily governed by the three petroleum Acts:

- The Petroleum and Geothermal Energy Resources Act 1967 (PGER Act), which applies to all onshore areas in WA, including its islands and, in certain circumstances, areas of submerged lands internal to the State (i.e. those waters landward of the baseline).
- Petroleum Pipelines Act 1969 (PPA), which applies to the construction, operation and maintenance of pipelines for the conveyance of petroleum on land within the State; and
- Petroleum (Submerged Lands) Act 1982 (PSLA), which applies to petroleum resources located within WA’s territorial sea (including the territorial sea around State islands) and includes related pipelines.

This state legislation complements the Commonwealth *Offshore Petroleum and Greenhouse Gas Storage Act 2006* (Cth) (see Section 8.2.2), which regulates decommissioning activities in Commonwealth waters (beyond 3 nautical miles). Both sets of laws ensure that decommissioning processes are conducted safely and with

minimal environmental impact, but the key difference lies in jurisdiction—state laws govern WA’s territorial waters, while Commonwealth laws apply to offshore facilities beyond that boundary. Coordination between the two levels of government ensures decommissioning activities that span both state and Commonwealth waters are coordinated as much as possible. There may be instances of duplication of requirements in the decommissioning space.

In Western Australia, petroleum and geothermal energy operations are regulated separately from mining operations. Activities conducted under the Petroleum and Geothermal Energy Resources Act 1967 and associated Work Health and Safety (Petroleum and Geothermal Energy Operations) Regulations 2022 are regulated under a distinct legislative framework administered by the currently named Department of Mines, Petroleum and Exploration (DMPE).

As a result, certain licensing requirements that apply in mining operations or general industry workplaces (for example demolition or asbestos removal licences under other WHS regimes) may not apply where the activity is undertaken as part of petroleum or geothermal energy operations.

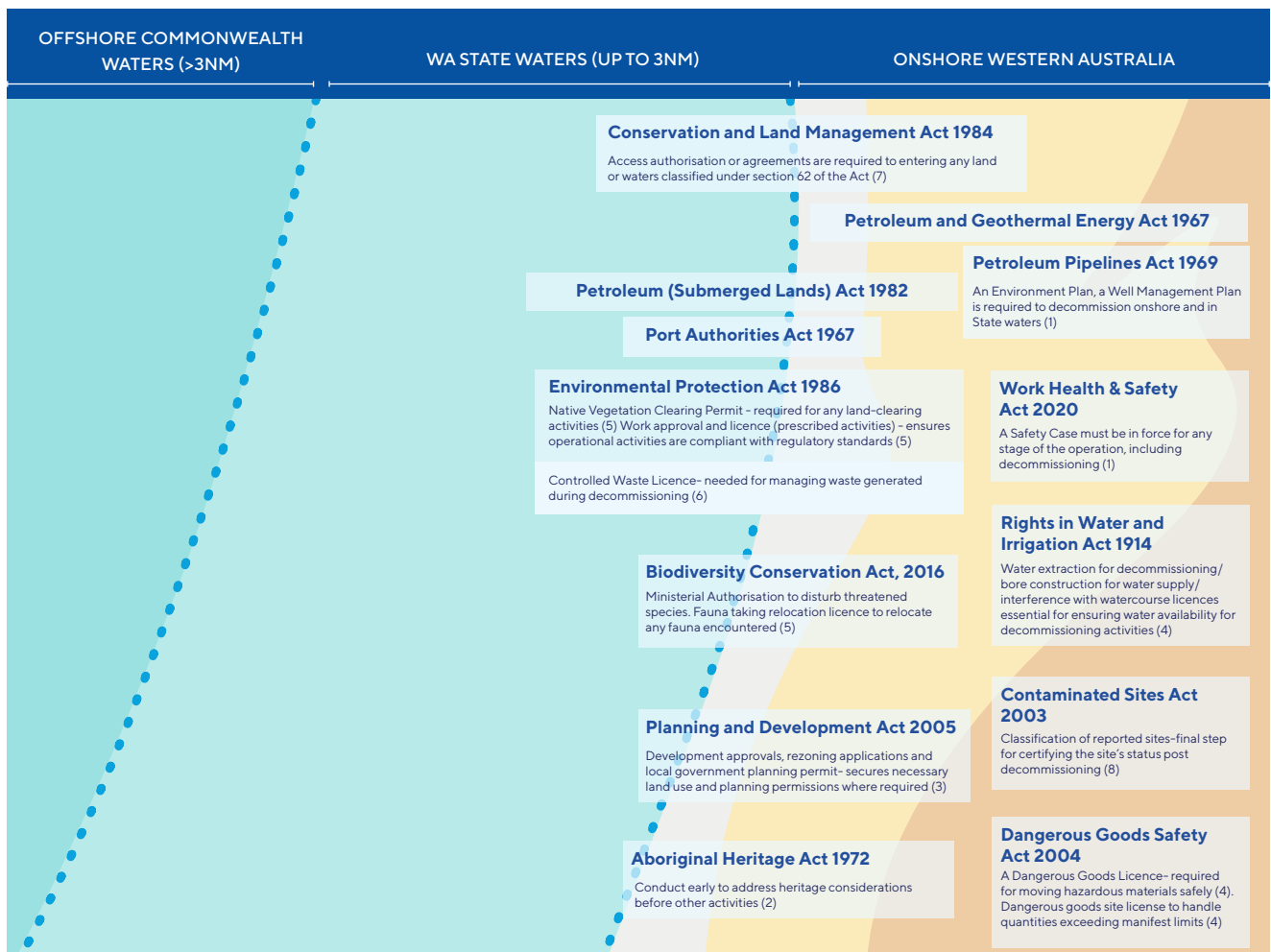


Figure 2: Permits/licences required for decommissioning activities from WA State legislation.
The suggested order in which to apply for these permits is provided in brackets (#).

Figure 2 creates a pictorial view of the Western Australian permitting/licencing required for decommissioning and decommissioning type activities (dismantling, transport and exportation) originating from Western Australian State legislation. The full legislative picture for Commonwealth and WA is provided in Section 8.3.19 including Acts that are relevant and require considerations but do not necessarily require a permit/licence.

8.3.1 Petroleum and Geothermal Energy Resources Act 1967 (PGER Act)

The *Petroleum and Geothermal Energy Resources Act, 1967* (PGER Act) governs the exploration and production of petroleum and geothermal energy resources across all onshore areas of Western Australia, including its islands, and, in certain circumstances, areas of submerged lands internal to the State (i.e., waters landward of the baseline). This Act establishes the regulatory framework for licensing, exploration, extraction, production activities, and decommissioning, ensuring that these processes are carried out in a safe and environmentally responsible manner. It outlines the roles, requirements, and environmental and safety responsibilities for operators in the sector.

Administration: Department of Mines, Petroleum and Exploration (DMPE)

Trigger: This Act becomes relevant when an operator seeks to conduct petroleum or geothermal activities, such as exploration or production, in onshore areas of Western Australia. It is triggered during the planning and approval stages of these activities, as well as when an operator decides to cease production, conduct decommissioning activities, or address site closure. Operators must comply with the Act's requirements to ensure that decommissioning and abandonment processes are carried out in line with environmental and safety standards.

Timing: The PGER Act requires that decommissioning activities be planned well in advance of site closure in the Environment Plan (Section 8.3.1.1), Field Management Plan (Section 8.3.1.2) and Well Management Plan (Section 8.3.1.3). Typically, operators must notify relevant authorities and submit these revised plans for approval at least 12 months before decommissioning activities commence, depending on the scale of the decommissioning.

8.3.1.1 Environment Plans

The Environment Plan (EP) is a critical component of the decommissioning process, reviewed and updated every five years, with an emphasis on progressively refining closure planning. As activities advance, each EP revision should contain more detailed decommissioning and rehabilitation strategies. The Department of Mines, Petroleum and Exploration (DMPE) expects operators to demonstrate that their proposed activities comply with the acceptance criteria outlined in regulation 11, ensuring the environmental integrity of the project throughout its lifecycle, including during decommissioning. The EP should commit to full removal, except in rare cases where doing so may cause greater environmental harm. In such instances, operators must justify the decision through comparative risk assessments, as outlined in the *Decommissioning of Petroleum and Geothermal Energy Property, Equipment, and Infrastructure in Western Australian Onshore Areas and State Coastal Waters Guideline* by DMPE (2024). Additionally, a detailed and tailored consultation and engagement program focused on the impacts of decommissioning, rehabilitation, and monitoring must be included in the EP, in accordance with regulation 17(1)(b). The consultation should cover all proposed scenarios, including leaving infrastructure in situ, partial removal, and full removal—not just the preferred scenario. This is particularly relevant when planning to leave infrastructure in situ.

When planning for title surrender, operators must ensure all decommissioning and rehabilitation obligations are met, including the removal of property, equipment, and infrastructure and restoration of the environment to an acceptable condition. The operator remains liable for these obligations and must ensure sufficient financial resources are available to meet decommissioning requirements, including for any potential title transfer.

Administration: Department of Mines, Petroleum and Exploration (DMPE)

Trigger: The EP is relevant when an operator seeks approval for activities, including decommissioning, within the scope of the Environment Regulations. It is also relevant when planning for closure and when revising existing EPs to incorporate progressively refined decommissioning and rehabilitation strategies.

Note: Creating artificial reefs with alternate end state Environment Plans will also require consideration of other legislative obligations such as installing of objects in navigable waters may require assessment by the Department of Transport (DoT).



8.3.1.2 Field Management Plans

A Field Management Plan (FMP) is required before the recovery of petroleum. The FMP must include detailed plans for decommissioning and rehabilitation, ensuring that all aspects of decommissioning are considered from the outset.

Item 16 of Schedule 3 of the Petroleum and Geothermal Energy Resources (Resource Management and Administration) Regulations 2015 mandates that the FMP include plans and timelines for the decommissioning and rehabilitation of the field. These decommissioning plans are typically aligned with the EP documents to ensure consistency across all regulatory frameworks.

The decommissioning strategy should address the timely cessation of operations, including the proper closure and rehabilitation of the field. The FMP must describe how infrastructure, flowlines, and production facilities will be decommissioned progressively, and how each well will be properly decommissioned and the reservoir isolated.

Administration: Department of Mines, Petroleum and Exploration (DMPE)

Trigger: The FMP is essential when planning for petroleum recovery and decommissioning. The FMP must be updated as part of the decommissioning process, incorporating changes such as revised recovery forecasts, updated cessation of production timelines, and adjustments to decommissioning strategies. The need to revise these plans is triggered by significant changes in field management or production activities, or when new decommissioning strategies are introduced, ensuring that they remain current and in line with evolving project requirements.

8.3.1.3 Well Management Plans

The Well Management Plan (WMP) applies to the decommissioning of wells and outlines the arrangements for the permanent plugging or closing off wells, including removal of the wellhead and Christmas tree, installation of an environmental plug, and monitoring. The operator is responsible for administering the WMP, with revisions triggered when new activities are planned for the well. Revisions must be approved prior to the commencement of any new activities. Decommissioning marks the final activity in the life of a well, and the final revision to the WMP will be the decommissioning program. The approved WMP will remain in force until the well is permanently plugged or closed off. Upon completion of this process, the Final Well Activity Report (FWAR) is submitted to the DMPE for review. The title can only be surrendered once the Minister is satisfied with the FWAR and the plugging or closing off process.

There is added complexity in that the FWMP is submitted to DMPE but there is no statutory requirement for DMPE to accept or provide feedback on the FWMP until such a date that the proponent applies for title surrender (there could be a substantial time lag between these two processes). This introduces complexity, as the proponent may not know whether they have met the requirements for well abandonment.

Administration: Department of Mines, Petroleum and Exploration (DMPE)

Trigger: The requirement for revising or updating the WMP is triggered when new activities are planned, including the final decommissioning phase and wellhead removal. The process is initiated when a well is nearing the end of its operational life and the FWAR is submitted to DMPE before surrendering the title.



8.3.1.4 Relevant Regulations

Regulation	Description
Petroleum and Geothermal Energy Resources (Resource Management and Administration) Regulations 2015	This set of regulations governs the administrative aspects of petroleum and geothermal resource management including the requirement to submit FMP (See 8.3.1.2) and WMP (See 8.3.1.3).
Petroleum and Geothermal Energy Resources (Environment) Regulations 2012	These regulations mandate operators to prepare and submit EP (see 8.3.1.1) to ensure environmental protection throughout the lifecycle of petroleum and geothermal operations, including during decommissioning.
Work Health and Safety (Petroleum and Geothermal Energy Operations) Regulations 2022	The WA Work Health and Safety (Petroleum and Geothermal Energy Operations) Regulations 2022 (WHS PAGEO Regulations 2022) require a Safety Case to be ‘in force’ for any petroleum facility or operation. Safety Cases under these Regulations are submitted to and assessed by the DMPE WorkSafe Petroleum Safety and Dangerous Goods Directorate. This Safety Case provides the overarching framework for the management of all petroleum operations, including construction and decommissioning activities. A Safety Case is typically required for every stage of the operation, including the design, construction, operation, decommissioning, and post-decommissioning phases. For decommissioning, the Safety Case must be in place well before the commencement of activities, typically at least 12 months prior, to allow for thorough review and approval by the relevant authorities.

Relevant Guidelines:

- Guideline - Decommissioning of petroleum and geothermal energy property, equipment and infrastructure in Western Australian onshore areas and State coastal waters³³
- Guideline for the Development of Petroleum, Geothermal and Pipeline Environment Plans in Western Australia³⁴
- Guideline on how to prepare a Field Management Plan³⁵
- Updated guideline for Field Management Plan released³⁶

33 <https://www.wa.gov.au/media/64698/download?inline>

34 <https://www.wa.gov.au/system/files/2025-02/env-peb-177.pdf>

35 <https://www.wa.gov.au/government/publications/guideline-how-prepare-field-management-plan>

36 <https://www.wa.gov.au/government/announcements/updated-guideline-field-management-plan-released>

8.3.2 Petroleum (Submerged Lands) Act 1982 (PSLA)

The Petroleum (Submerged Lands) Act 1982 (PSLA) applies to petroleum resources located within Western Australia's territorial sea, including the waters surrounding State islands, and also covers related pipelines. It provides regulatory oversight for offshore petroleum activities in submerged lands. The PSLA includes provisions for licensing, environmental management, and safety, ensuring that exploration and production activities in Western Australia's marine environments are conducted responsibly.

Administration: Department of Mines, Petroleum and Exploration (DMPE)

Trigger: The PSLA is triggered when operators plan to undertake offshore petroleum activities within Western Australia's territorial waters. This includes exploration, production, and decommissioning activities related to offshore platforms, subsea pipelines, and wells. The Act becomes relevant when decommissioning offshore platforms, wells or pipelines, particularly when submitting plans for the abandonment of these structures, either through dismantling or abandonment in situ. It is also triggered when abandoning or plugging offshore wells to prevent leakage of hydrocarbons or other contaminants.

Timing: Decommissioning activities under the PSLA must be planned well in advance. Operators should submit revised Environment Plan (See 8.3.1.1), Field Management Plan (see 8.3.1.2) and Well Management Plan (see 8.3.1.3) for approval at least 12 months before the planned abandonment of offshore facilities or wells. In addition, S74 of the PSLA requires Minister's consent to cease operation of a pipeline. Further a Pipeline Licence (see 8.3.4) is required to be surrendered when an operator seeks to decommission or abandon a pipeline, and this will take at least 3 months.



8.3.2.1 Relevant Regulations

Regulation	Description
Petroleum (Submerged Lands) (Environment) Regulations 2012	The WA Petroleum (Submerged Lands) (Environment) Regulations 2012 apply to petroleum activities conducted in submerged lands, focusing on environmental management practices throughout the lifecycle of the project. These regulations require operators to develop an Environment Plan (See Section 8.3.1.1) that addresses environmental risks associated with offshore activities, including spill management, waste disposal, ecosystem protection, and decommissioning activities. Additionally, the regulations emphasize regular environmental performance monitoring, incident reporting, and the duty to maintain environmental standards to safeguard marine habitats during all stages, including decommissioning.
Petroleum (Submerged Lands) (Resource Management and Administration) Regulations 2015	The WA Petroleum (Submerged Lands) (Resource Management and Administration) Regulations 2015 provide a framework for managing petroleum resources located in offshore submerged lands under Australian jurisdiction. The regulations cover the entire lifecycle of petroleum resource development, including exploration, production, and decommissioning. They emphasize resource conservation, safety management, and environmental protection, requiring operators to submit plans, monitor resource use, and follow operational safety and reporting guidelines. The regulations also outline the requirements for a Field Management Plan and a Well Management Plan (see Section 8.3.1.2 and 8.3.1.3 respectively).
Petroleum (Submerged Lands) (Pipelines) Regulations 2022	Regulates the construction, operation, maintenance, and decommissioning of offshore pipelines within Western Australia’s territorial sea. Operators must develop and implement decommissioning strategies for pipelines, including safe removal or abandonment, ensuring that risks to the environment, other users of the sea, and infrastructure are minimised.
Petroleum (Submerged Lands) Regulations 1990	Provides administrative and procedural requirements for petroleum activities in Western Australia’s offshore areas, including licensing, registration, and reporting obligations. While less focused on operational activities, some provisions continue to apply to notification and administrative aspects of decommissioning.

Relevant Guidelines:

- Guideline for the Development of Petroleum, Geothermal and Pipeline Environment Plans in Western Australia³⁷
- Guidelines-Decommissioning of petroleum and geothermal energy property, equipment and infrastructure³⁸

37 <https://www.wa.gov.au/system/files/2025-02/env-peb-177.pdf>
 38 <https://www.wa.gov.au/media/64687/download?inline>

8.3.3 Petroleum Pipelines Act 1969 (PPA)

The PPA regulates the construction, operation, and maintenance of pipelines used for transporting petroleum on land within Western Australia. The Act mandates that pipeline operators obtain construction and operational licenses, adhering to established safety and environmental protection standards.

Administration: Department of Mines, Petroleum and Exploration (DMPE)

Trigger: The Act becomes relevant when a pipeline is being constructed, operated, or decommissioned on land within Western Australia. It is triggered during the approval process for constructing new pipelines or when decommissioning or abandoning an existing pipeline. The Act applies to both operational pipelines and those being abandoned, ensuring that safety and environmental protection measures are adhered to throughout the lifecycle of the pipeline.

Timing: Operators are required to submit an updated Environment Plan (EP) (see 8.3.1.1) several months in advance of decommissioning activities, depending on the complexity and potential environmental impacts of the pipeline's closure. It is advisable to start this process at least 12 months before actual decommissioning is planned. PPA also requires a Pipeline Licence (See 8.3.4) to be surrendered when an operator seeks to decommission or abandon a pipeline. To allow for timely approval and consideration of factors such as safety and environmental assessment, it is recommended that applications for pipeline surrender be submitted 3 months prior to the intended decommissioning commencement schedule. This is stated in the application to surrender pipeline forms.³⁹

8.3.4 Pipeline Licences

Pipeline licences only apply under *Petroleum Pipelines Act, 1969* (PPA) (see 8.3.3) within Western Australia onshore areas and *Petroleum Submerged Lands Act, 1982* (PSLA) (see 8.3.2) within Western Australia State coastal waters. Under both Acts, the Minister will not consent to the surrender of a pipeline licence unless all property associated with the licensed area has been removed, as stipulated in Section 23(2)(d) of the PPA and Section 104(2)(c) of the PSLA. However, the Minister can provide consent for surrender even if removal requirements have not been fully met, if special circumstances justify the exemption, as outlined in Section 23(3) of the PPA and Section 104(3) of the PSLA.

For pipelines considered for in-situ decommissioning or abandonment, it is the operator's responsibility to demonstrate that all feasible decommissioning and removal options have been explored. An exemption to the removal requirement may be granted for parts of a pipeline where a like-for-like, agreed environmental outcome can be proven in an ecologically sustainable manner, consistent with post-activity land uses or subsea ecology, without unacceptable liability to the State. The existing pipeline licence will remain in force, and the operator or registered holder will remain fully responsible for monitoring and maintaining the pipeline's integrity for possible future reuse.

A subsea pipeline licence granted under the PSLA covers the part of the pipeline extending from the mean low water mark on the WA coastal baseline to the 3 nautical mile (NM) limit, seaward from the WA coastal baseline. Where the pipeline extends seaward beyond the 3 NM limit, that part of the pipeline is covered under a pipeline licence granted under the OPGGS Act (Cth), administered by the National Offshore Petroleum Titles Administrator (NOPTA) and the National Offshore Petroleum Safety and Environmental Management Authority (NOPSEMA) (see Section 8.2.2).

Administration: Department of Mines, Petroleum and Exploration (DMPE)

Trigger: The requirement for a pipeline licence surrender and decommissioning process is triggered when the operator or registered holder seeks to abandon or surrender a pipeline licence. This includes when in-situ decommissioning is being considered or when new decommissioning strategies are incorporated. The administration of these processes is initiated by the submission of relevant documents and assessments to the Minister for approval.

³⁹ <https://www.dmp.wa.gov.au/Petroleum/PD-PTLA-PIP-116D.pdf>



8.3.4.1 Relevant Regulations

Regulation	Description
Petroleum Pipelines (Environment) Regulations 2012	The WA Petroleum Pipelines (Environment) Regulations, 2012 focus on the environmental management of petroleum pipeline projects, ensuring that environmental considerations are integrated throughout the entire lifecycle of the pipeline. The regulations establish requirements for operators to develop and implement an Environmental Plan (EP) (See Section 8.3.1.1), which outlines strategies to mitigate environmental impacts associated with the construction, operation, and decommissioning of pipelines. The EP ensures that potential risks are addressed proactively, with provisions for continuous environmental monitoring, reporting, and incident management.
Petroleum Pipelines Regulations 1970	This regulation provides the foundational framework for the construction, operation, and maintenance of pipelines under the Petroleum Pipelines Act 1969. It outlines the licensing procedures, operational safety requirements, and general guidelines for pipeline operators to ensure compliance with the safety and environmental standards set forth by the Act.

8.3.5 Environmental Protection Act 1986

The *Environmental Protection Act 1986 (EP Act)* provides the framework for protecting Western Australia’s environment by preventing, controlling, and abating pollution and environmental harm. It establishes mechanisms for environmental impact assessments, the licensing of prescribed activities, and the enforcement of environmental protection standards. The Act also outlines duties for individuals and entities to prevent environmental harm and rehabilitate impacted areas.

Ministerial statements are issued under the EP Act which require operators to submit a Decommissioning and Rehabilitation Plan (D&R Plan) before decommissioning activities can begin to ensure that environmental impacts are properly managed. These D&R Plans often contain the same (or similar) information /requirements as Environment Plans (under the PGER Act) and as such there is duplication. The D&R Plans may also be assessed on the advice from other agencies such as DMPE and the Department of Biodiversity, Conservation and Attractions (DBCA). This creates, not only, duplication for the proponent but also duplication within Government.

Administration: The Department of Water and Environmental Regulation (DWER) administers the Act, overseeing assessments, permits, and compliance.

Trigger: The EP Act is triggered by decommissioning activities that may involve emissions such as dust, noise, or contaminants during infrastructure dismantling, land clearing, or disturbances to protected areas. It also applies to the discharge or disposal of pollutants like hydrocarbons or residual chemicals into the environment.

Under Part V, Division 2 of the EP Act, clearing native vegetation is an offence unless done under the authority of a Native Vegetation Clearing permit or if an exemption applies.

Under Section 20 of the EP Act, the DMPE administers clearing provisions for mining and petroleum activities. Therefore, if decommissioning activities involve clearing native vegetation, a Native Vegetation Clearing Permit (NVCP) must be obtained from DMPE.

The EP Act makes it an offence for occupiers of prescribed premises (defined in Schedule 1 of the Environmental Protection Regulations 1987) to cause emissions from such premises unless they hold a valid licence. Licences include conditions designed to protect the environment and public health from emissions. Prescribed premises are defined in Schedule 1 of the Environmental Protection Regulations 1987 (EP Regulations) and consist of activities with the potential to cause emissions and discharges, including oil and gas production. In this context, a work approval and licence amendment may be required if decommissioning activities were not included in existing licences.

The Environmental Protection (Controlled Waste) Regulations 2004 (Controlled Waste Regulations) govern the licensing of carriers, drivers, and vehicles transporting controlled waste and the tracking of its movement on roads and is the main legislative instrument for the National Environment Protection (Movement of Controlled Waste between States and Territories) Measure. Carriers must hold a licence relevant to the type of controlled waste they transport. The regulations also require the tracking of controlled waste from its point of generation to unloading at an approved waste facility.

Permits required under the EP Act include:

- Work approval licences for prescribed activities.
- NVCP.
- Controlled waste licences for the transport and disposal of regulated waste (**CW17 Form**).⁴⁰

Timing:

- Work Approval and Licence (prescribed activities): 60 working days
- Native Vegetation Clearing Permit: 60 working Days
- Controlled waste licence: 30 calendar days
- CW17 Form: According to the form it states to allow five working days for the Department to process complete applications forms for consignment authorisation.
- D&R plans that require advice from other agencies such as DMPE or DBCA may have significant assessment timeframes of over 12 months.

8.3.6 Rights in Water and Irrigation Act 1914

The *Rights in Water and Irrigation Act 1914* regulates the access and use of water resources in Western Australia. The Act ensures the sustainable management and protection of water resources, including surface water, groundwater, and water bodies such as rivers, lakes, and wetlands. It sets out the conditions under which water may be taken or used, including the construction of bores, diversion of water, and interference with watercourse beds or banks. The Act includes provisions for licensing water use, establishing water management areas, and preventing environmental harm through inappropriate extraction or use of water.

Trigger: Decommissioning activities in the petroleum and gas industry may trigger the *Rights in Water and Irrigation Act 1914* under the following circumstances:

Water Extraction for Decommissioning Activities: If decommissioning requires significant water use, such as for cooling, dust suppression, or equipment cleaning, and the water is sourced from surface or groundwater resources within a proclaimed or prescribed area, a license may be required under Section 5C.

Bore Construction for Water Supply: If water needs to be extracted from underground sources via bore construction, a license is required under Section 26D.

Interference with Watercourses: If decommissioning activities involve disturbance to riverbanks or the bed of a watercourse (such as for pipeline removal or other infrastructure activities in or near waterways), approval is needed under Section 17.

Administration: DWER administers the Rights in Water and Irrigation Act 1914, including the issuance of water licenses and approvals.

Timing: A DWER assessment of a water licence will depend on the risk assessment level (low, medium, or high risk) associated with the licence. The risk level is determined by the nature of the proposal, the volume of water required, availability of water, and the sensitivity of existing users/receptors.

For planning purposes, indicative timeframes for each of these risk levels are as follows:

Low: 65 days

Medium: 75 days



⁴⁰ <https://www.wa.gov.au/system/files/2024-11/24250129-cw17.pdf>



8.3.7 Biodiversity Conservation Act 2016

The *Biodiversity Conservation Act 2016* aims to conserve biodiversity in Western Australia by providing a legal framework for the protection of native species and ecosystems. The Act integrates the conservation of biodiversity with land-use planning and development decisions, focusing on protecting threatened species, ecological communities, and their habitats. It also establishes processes for listing and managing threatened species and ecological communities, ensuring that any activities that may impact biodiversity are carefully managed and mitigated.

Administration: DBCA

Trigger: If the decommissioning site is located in or near areas with sensitive or protected ecosystems, such as wetlands, coastal zones, or conservation reserves. These areas may harbour threatened species or ecologically significant habitats, making the Act applicable for any work that could affect these environments

A Ministerial Authorisation under section 40 of the *Biodiversity Conservation Act 2016* is required to take or disturb threatened species (critically endangered, endangered or vulnerable). A Fauna taking (relocation) licence may also be required to safely relocate fauna encountered during the decommissioning of pipelines or other related infrastructure.

Timing: While the DBCA website does not specify exact time frames for processing these permits, operators are recommended to engage with the DBCA early in the decommissioning planning process to account for potential delays and ensure all necessary approvals are secured before commencing activities, particularly for the Ministerial Authorisation.



8.3.8 Waste Avoidance and Resource Recovery Act 2007

The *Waste Avoidance and Resource Recovery Act 2007* promotes the reduction of waste generation, maximisation of resource recovery, and responsible disposal of residual waste to minimize environmental harm. The Act provides the legal basis for the Waste Strategy and the establishment of waste management services and infrastructure. It emphasises waste avoidance through innovation and efficient resource use, targeting the entire lifecycle of materials.

Administration: DWER

Trigger: Triggered by decommissioning activities involving generation of construction and demolition waste disposal of hazardous or non-recyclable materials and opportunities for recycling or repurposing of materials, such as scrap metal or concrete.

8.3.9 Conservation and Land Management Act 1984

The *Conservation and Land Management Act 1984* (CALM Act) regulates the management and conservation of public land and natural resources in Western Australia. The primary objective of the Act is to ensure the protection, conservation, and sustainable use of the state’s natural environment, including its land, flora, and fauna. It provides a framework for the management of public lands, national parks, conservation reserves, and marine areas, while also detailing the processes for land-use planning, development, and resource extraction in these areas. Under the Act, land management decisions must prioritise conservation, especially when it comes to protecting biodiversity and ecosystems.

Administration: DBCA

Trigger: The Act becomes relevant to decommissioning when activities impact land that is managed or protected under the Act, including national parks, nature reserves, or conservation areas.

Access authorisation or agreements are required to entering any land or waters classified under section 62 of the Conservation and Land Management Regulations, 2002.

Works must also comply with environmental management and biodiversity protection requirements under the Act. This includes adhering to any conditions related to land disturbance, flora and fauna protection, and habitat restoration.

8.3.10 Contaminated Sites Act 2003

The *Contaminated Sites Act 2003* regulates the identification, assessment, and remediation of contaminated sites in Western Australia to protect human health, ecosystems, and the environment. It provides a legal framework for the DWER to manage the reporting, investigation, and cleanup of contaminated land. The Act requires individuals or organisations to notify DWER if they become aware of contamination on a site, whether it results from hazardous materials, chemical spills, or legacy contamination from prior industrial activities. The Act classifies contaminated sites into categories based on the degree of contamination and the potential risk to health and the environment. It mandates that contaminated sites be remediated to ensure they are suitable for safe use, whether for residential, industrial, or recreational purposes.

Administration: DWER

Trigger: This Act applies when decommissioning a site that shows evidence of contamination.

Timing: Classification of reported sites – 45 calendar days.

8.3.11 Aboriginal Heritage Act 1972

The *Aboriginal Heritage Act 1972* (AH Act) is designed to protect and preserve places and objects of cultural significance to Aboriginal people in Western Australia. The primary goal of the Act is to safeguard Aboriginal heritage, including sacred sites, ceremonial grounds, and other culturally significant places and artifacts. The Act establishes the requirement for identifying, protecting, and conserving Aboriginal heritage sites and objects.

Administration: Department of Planning, Lands, and Heritage (DPLH)

Trigger: The AH Act is relevant to decommissioning when activities are planned in areas where Aboriginal heritage sites have been identified during surveys or assessments. Where any activities, including decommissioning, might disturb or impact these identified sites, the Act requires prior approval from the Minister for Aboriginal Affairs. This includes undertaking heritage surveys to assess and mitigate potential impacts. Furthermore, there is a mandatory obligation to report for all discoveries of Aboriginal objects. The Aboriginal Cultural Material Committee (ACMC) plays a key role in assessing and recommending the protection of sites or objects.

Timing: The length of time it takes for the ACMC to assess and make a decision on whether a site or object should be protected can vary significantly based on a number

of factors and may include consultation with Indigenous Communities. A simple case could take 3-6 months while a more complex case could take 6-12 months. It is recommended that the results of historic heritage/cultural surveys are studied early on in the decommissioning phase to determine if any artefacts/objects may be discovered during the decommissioning process.

8.3.12 Planning and Development Act 2005

The *Planning and Development Act 2005* regulates the use and development of land to ensure orderly planning, sustainable development, and protection of community and environmental values. The Act consolidates laws related to land use planning and establishes processes for planning schemes, development approvals, and strategic land use planning. The Act also integrates environmental considerations into planning decisions.

Administration: The Western Australian Planning Commission (WAPC) oversees strategic planning, while local governments administer local planning schemes and development approvals.

Trigger: Triggered by decommissioning activities that:

- Propose changes to land use post-decommissioning.
- Impact sites within areas governed by local or regional planning schemes.
- Involve rehabilitation or redevelopment requiring approval under local zoning laws.

Permits: The specific permits or approvals needed under this Act are usually tied to compliance with local or regional planning schemes and these vary depending on local scheme, they can include development approvals, rezoning applications and planning permits.

Timing: Under the *Planning and Development Act 2005*, permits and approvals regulate land use and development to ensure orderly and sustainable planning. Development approvals typically require 60–90 days for local government processing, with more complex cases taking longer. Subdivision approvals through the WAPC usually take around 90 days, while rezoning or scheme amendments can take 6–12 months. Projects involving heritage-listed sites or environmentally sensitive areas may have additional timeframes due to consultations or assessments.

An Environment Plan developed under the WA petroleum legislation will require evidence that the *Planning and Development Act 2005* applicable permits are in progress. It is recommended that this process is started before an Environment Plan is submitted to DMPE.

8.3.13 Work Health and Safety Act 2020

The *Work Health and Safety Act 2020 (WA)* regulates health and safety standards for workers in Western Australia, focusing on preventing workplace accidents and ensuring safe working conditions. It consolidates various previous laws related to workplace health and safety, introducing a comprehensive framework for managing risks, obligations for duty holders, and processes for workplace inspections and compliance. While the *Work Health and Safety Act 2020* does not require specific “permits” for most activities, employers must comply with requirements for risk assessments and safety plans before starting high-risk activities.

Administration: Department of Local Government, Industry Regulation and Safety (DLGIRS)

Trigger: The Act applies to activities that could potentially pose risks to workers, such as decommissioning activities.

The Work Health and Safety (Petroleum and Geothermal Energy Operations) Regulations 2022 require a Safety Case to be ‘in force’ for any petroleum facility or operation. Safety Cases under these Regulations are submitted to and assessed by the Department of Local Government, Industry Regulation and Safety (DLGIRS). This Safety Case provides the overarching framework for the management of all petroleum operations, including Construction and Decommissioning Activities. A Safety Case is typically required for every stage of the operation, including the design, construction, operation, decommissioning, and post-decommissioning phases.

Timing: For decommissioning, the Safety Case must be in place well before the commencement of activities, typically at least 12 months prior, to allow for thorough review and approval by the relevant authorities.

8.3.14 Health (Miscellaneous Provisions) Act 1911

The *Health (Miscellaneous Provisions) Act 1911* can play a significant role in decommissioning activities, particularly in areas where public health and environmental health concerns are involved. Decommissioning projects, which often involve the dismantling or repurposing of facilities such as industrial sites, power plants, or waste management systems, can trigger health-related regulations under this Act.

Administration: Department of Local Government, Industry Regulation and Safety (DLGIRS)

Trigger: The Act becomes applicable in decommissioning activities when there are potential risks to public health

arising from the handling or disposal of hazardous materials or the management of sanitation systems. For instance, if a decommissioning project involves the removal of asbestos, hazardous waste, or contaminants, the Act is triggered to ensure proper health assessments and regulatory actions are taken to prevent exposure or environmental contamination. The Act also applies when alterations to waste management infrastructure or sanitation systems, such as sewage or water supply, occur during decommissioning, ensuring that these changes do not adversely affect public health. Additionally, projects involving the removal of industrial waste must comply with health and safety regulations outlined in the Act to prevent any negative impact on surrounding communities.

8.3.15 Dangerous Goods Safety Act 2004

The Dangerous Goods Safety Act 2004 (DGS Act) provides a comprehensive framework for the management of dangerous goods and the associated risks to people, property, and the environment. Its primary aim is to ensure that dangerous goods—such as chemicals, explosives, flammable substances, and other hazardous materials—are safely handled, transported, and disposed of. The Act imposes a general duty on industries, including the petroleum and gas sector, to identify hazards, assess risks, and implement appropriate measures to manage those risks effectively.

Administration: Department of Local Government, Industry Regulation and Safety (DLGIRS)

Trigger: The Act becomes highly relevant to decommissioning activities, particularly when those activities involve handling, storage, or disposal of hazardous substances permits will be required under the DGSA to ensure compliance with transport regulations. Additionally, activities will need to comply with general handling, storage and disposal requirements under this Act.

A Dangerous goods sites licence, if dangerous goods are stored or handles at a site in quantities exceeding manifest quantity limits as specified in Dangerous Goods Safety (Storage and Handling Non-Explosives) Regulation 2007.

A Dangerous goods Driver licence is Necessary for transporting dangerous goods exceeding 500 litres or 500 kilograms, as specified under the Dangerous Goods Safety (Road and Rail Transport of Non-Explosives) Regulations 2007.

Timing: Most applications are typically processed within 30 business days.



8.3.16 Radiation Safety Act 1975

The *Radiation Safety Act 1975* regulates the use, management, and disposal of radioactive substances in Western Australia. It aims to protect public health, the environment, and workers from the risks associated with radiation exposure. The Act covers a wide range of radioactive materials, including those that occur naturally, and sets stringent safety standards for the handling, storage, transport, and disposal of radioactive substances. It also provides frameworks for licensing and the monitoring of activities involving radiation to ensure compliance with safety regulations.

Administration: Radiological Council of Western Australia.

Trigger: The *Radiation Safety Act 1975* becomes relevant to decommissioning activities when the site or materials involved contain or have been exposed to radioactive substances, including Naturally Occurring Radioactive Materials (NORMs).

Examples include:

- Level gauges or density gauges on process equipment
- Management of naturally occurring radioactive material (NORM)
- Contamination in process systems
- Transport and disposal of radioactive materials to licensed facilities.

Operators must ensure that radioactive sources are identified and removed by licensed personnel and to not enter scrap metal recycling streams.

A Radioactive substance license is required for dealing with radioactive substances.

Website: radiologicalcouncil.wa.gov.au

Timing: The process of obtaining the necessary permits could take anywhere from 1 to 3 months on average, assuming all required information is submitted accurately and in a timely manner.

Proponents should engage early with the Radiological Council to confirm licensing requirements, disposal pathways and regulatory timelines for radiation management during decommissioning activities.

8.3.17 Shipping and Pilotage Act 1967

The *Shipping and Pilotage Act 1967* (SPA) governs maritime safety, pilotage, and the regulation of shipping operations in Western Australia. The Act establishes the legal framework for the operation of commercial shipping, pilotage services, and navigational safety within the state’s waters. It grants authority to the Department of Transport to ensure that shipping operations, including vessel movement and safety practices, adhere to prescribed standards. The Act aims to ensure the protection of the marine environment, public safety, and the smooth operation of shipping and port activities.

Administration: Department of Transport (DoT)

Trigger: The Act becomes relevant during the decommissioning of maritime infrastructure or shipping operations, particularly when infrastructure such as shipping lanes, navigational aids, or marine safety services are affected by decommissioning activities.

A Pilotage Exemption Certificate (PEC) is required for vessels operating in certain pilotage areas where pilotage is usually mandatory. For decommissioning activities, if a vessel is operating in a designated pilotage area and is exempt from requiring a pilot, the operator must hold a PEC.

A Shipping Licence may be required if operating commercial vessels during decommissioning operations, especially if they are also transporting materials or personnel for the decommissioning process.

Timing: This can take several weeks to a couple of months, depending on the complexity of the assessment.



8.3.18 Port Authorities Act 1999

The *Port Authorities Act 1999* is the legislation that governs the operation and management of ports in WA. It provides a framework for the regulation and governance of the state’s commercial ports and establishing guidelines for the management of port operations, safety, security and environmental considerations.

Trigger: For offshore decommissioning, the handling and transportation of hazardous waste or other decommissioned materials through a WA port for further processing, recycling or disposal.

Permit Type	Description	Approximate timeframe	Administered by
Port Entry Permit	Required for access to port facilities for docking, unloading, and storing decommissioned materials.	~ 1-4 weeks	WA DoT
Temporary Use Permit	Required for short-term use of port facilities for specific operations (e.g. bringing in large decommissioned structures)	~ 1-4 weeks	WA DoT
Vessel Entry Permit	Required for vessels bringing decommissioned materials into port. Includes safety and security checks for entry.	~ 1-2 weeks	AMSA
Hazardous Cargo Handling Permit	Required for transporting hazardous materials associated with decommissioned oil and gas infrastructure (e.g. waste, chemicals, equipment)	Up to 1 month	DWER
Worksite Safety Permit	Required if decommissioning activities are to take place within port premises. Includes safety assessment for hazardous work, working at heights, etc.	Varies depending on complexity of project	WorkSafe WA
Waste Disposal Permit	Required for disposing of hazardous or non-hazardous waste from offshore decommissioning activities within the port.	Up to 4-6 weeks for approval depending on waste type and disposal method.	DWER
Customs and Quarantine Permit	For importing or exporting materials that may be subject to quarantine or customs clearance	Varies depending on scope. Typically, 1-2 weeks.	ABF

Table 1: Permits associated with the Port Authorities Act 1999 (WA)



8.3.20 Scenario: Onshore decommissioning

Figure 4 below depicts the Western Australian onshore legislation applicable to decommissioning with a recommended order in which proponents should look to address the requirements.

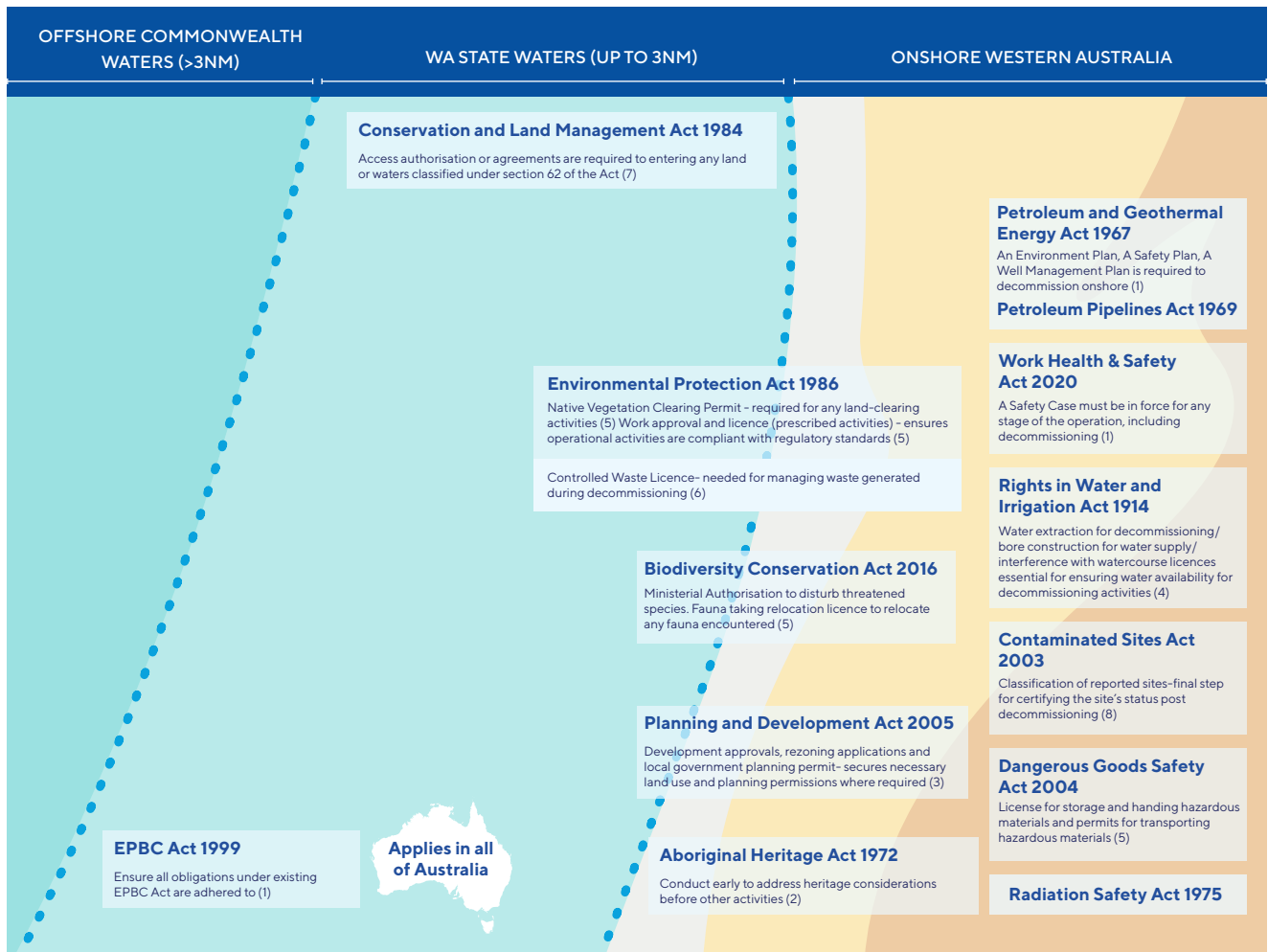


Figure 4: Onshore decommissioning scenario assumes all materials stay in WA. Includes only legislation that may require a permit/licence.

The suggested order in which to apply (or consider) these permits is provided in brackets (#). Please note that this recommended order may change as case studies are conducted.



8.3.21 Scenario: Offshore decommissioning within WA State waters- Full removal

Figure 5 below depicts the Western Australian offshore legislation applicable to decommissioning where the intent is for full removal of material with a recommended order in which proponents should look to address the requirements.

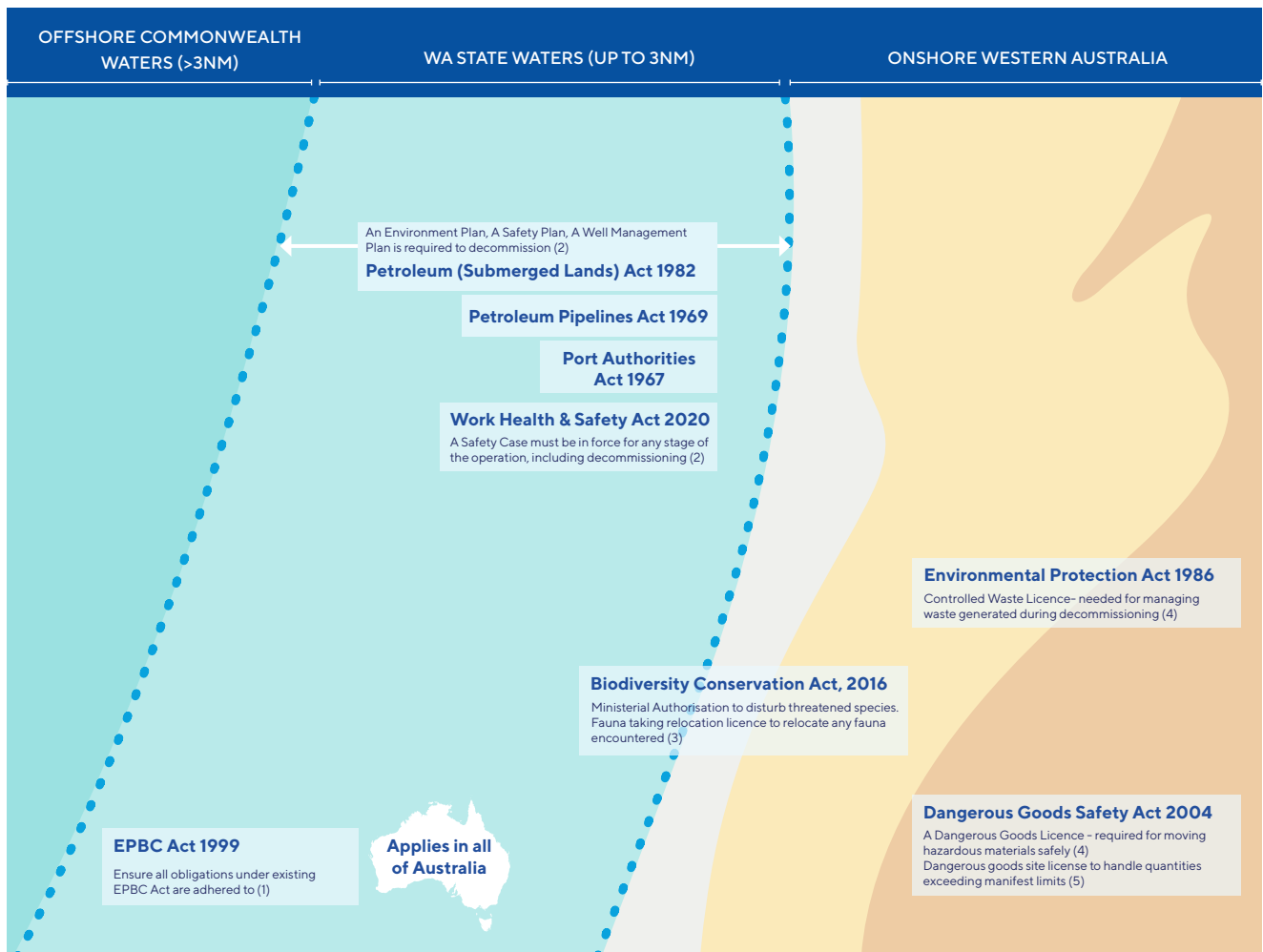


Figure 5: Offshore decommissioning in WA State waters- Full removal. Assumes all materials stay in WA. Includes only legislation that may require a permit/licence.

The suggested order in which to apply (or consider) these permits is provided in brackets (#). Please note that this recommended order may change as case studies are conducted (blue boxes represent WA legislation and white boxes Commonwealth legislation)



8.3.22 Scenario: Offshore decommissioning within WA State waters- Partial removal

Figure 6 below depicts the Western Australian offshore legislation applicable to decommissioning where the intent is for partial removal of material, with a recommended order in which proponents should look to address the requirements.

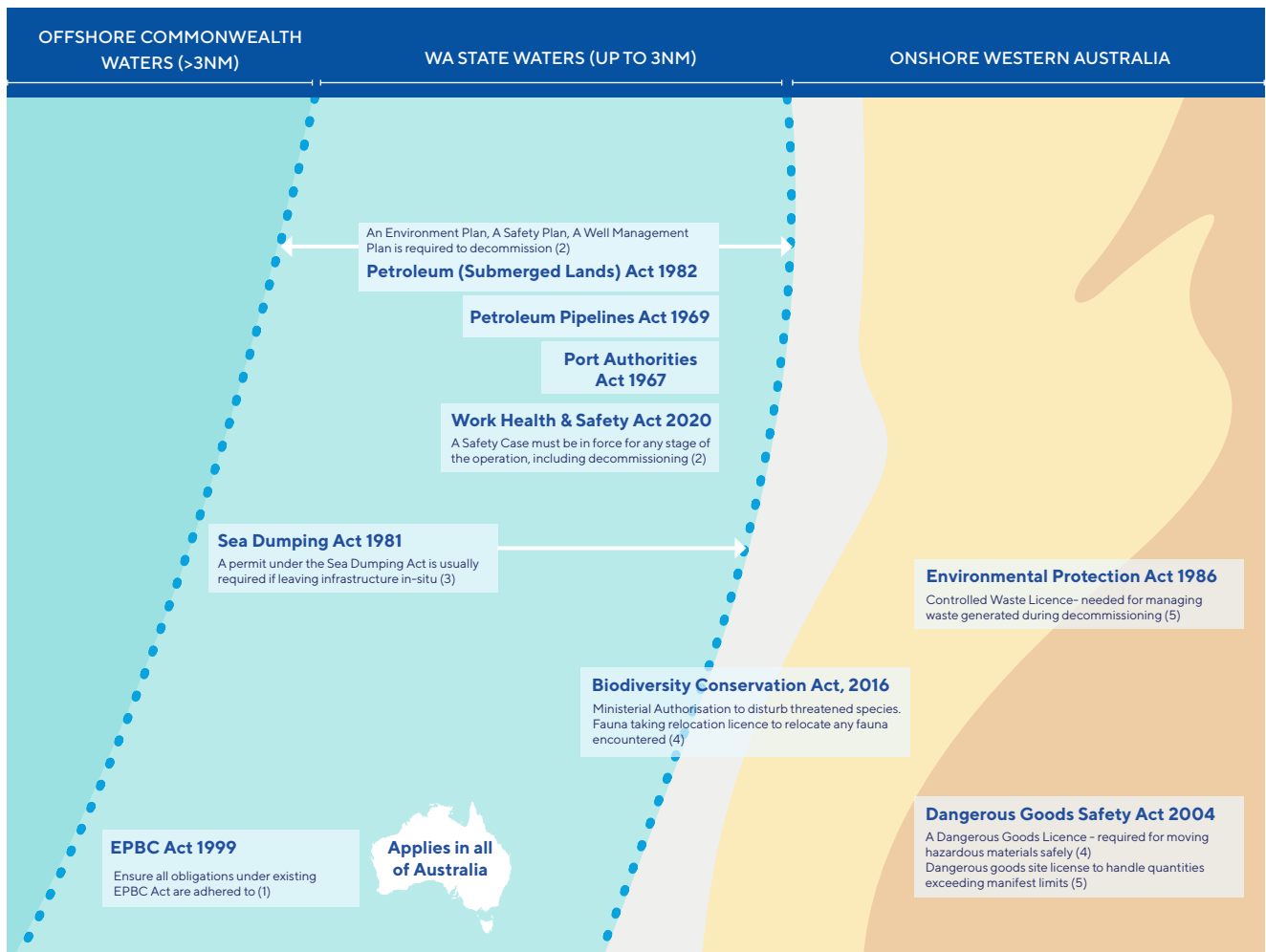


Figure 6: Offshore decommissioning in WA State waters- Partial removal. Assumes all materials stay in WA. Includes only legislation that may require a permit/licence.

The suggested order in which to apply (or consider) these permits is provided in brackets (#). Please note that this recommended order may change as case studies are conducted (blue boxes represent WA legislation and white boxes Commonwealth legislation).



8.3.23 Scenario: Offshore WA Commonwealth waters- Full removal

Figure 7 below depicts commonwealth and Western Australian offshore legislation applicable to decommissioning where a facility spans both jurisdictions and the intent is for full removal of material, with a recommended order in which proponents should look to address the requirements.

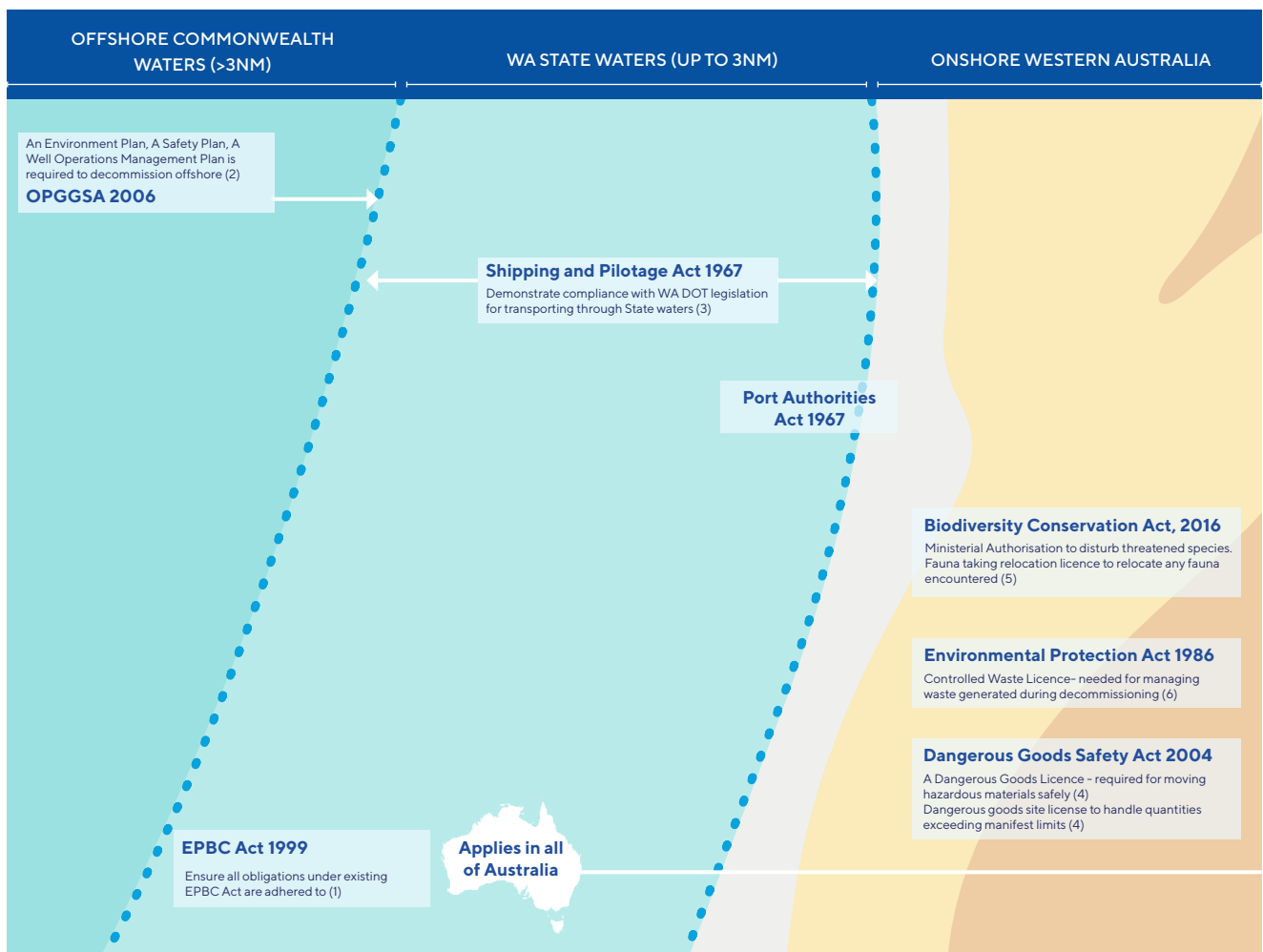


Figure 7: Offshore WA Commonwealth water decommissioning- Full removal. Assumes all materials stay in WA. Includes only legislation that may require a permit/licence.

The suggested order in which to apply (or consider) these permits is provided in brackets (#). Please note that this recommended order may change as case studies are conducted (blue boxes represent WA legislation and white boxes Commonwealth legislation).



8.3.24 Scenario: Offshore WA Commonwealth waters- Partial removal

Figure 8 below depicts commonwealth and Western Australian offshore legislation applicable to decommissioning where a facility spans both jurisdictions and the intent is for partial removal of material, with a recommended order in which proponents should look to address the requirements.

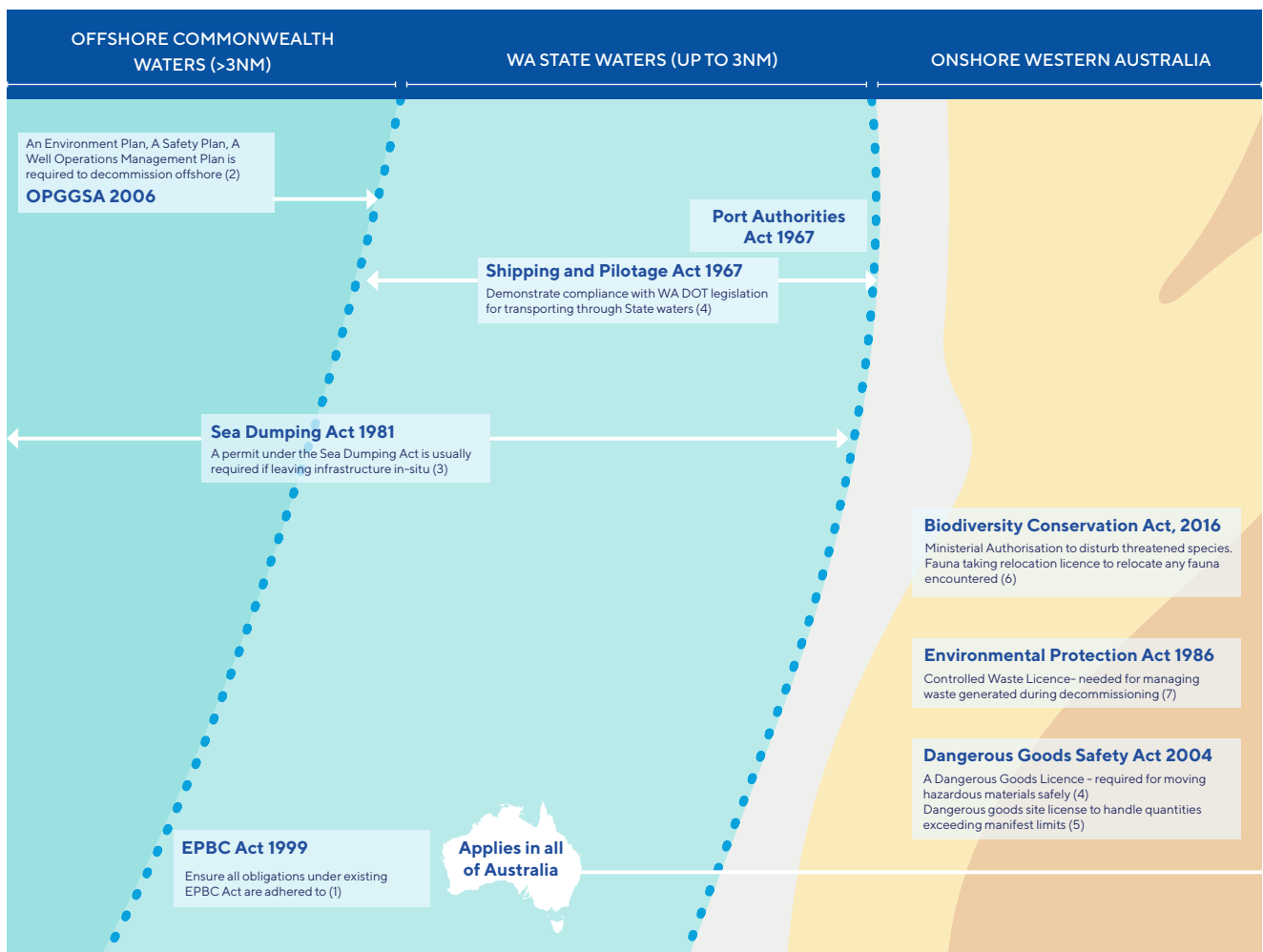


Figure 8: Offshore WA Commonwealth waters decommissioning- Partial removal. Assumes all materials stay in WA. Includes only legislation that may require a permit/licence.

The suggested order in which to apply (or consider) these permits is provided in brackets (#). Please note that this recommended order may change as case studies are conducted (blue boxes represent WA legislation and white boxes Commonwealth legislation).

8.3.25 Western Australian (WA) Petroleum Regulations

Regulation	Description
Petroleum and Geothermal Energy Resources (Resource Management and Administration) Regulations 2015	The WA <i>Geothermal Energy Resources (Resource Management and Administration) Regulations, 2015</i> govern the management, exploration, and production of geothermal energy resources. They outline the requirements for resource planning, licensing, and reporting, aiming to ensure sustainable and safe exploitation of geothermal energy resources. It outlines the requirements of a Field Management Plan and a Well Management Plan (see Section 8.3.1.2 and 8.3.1.3 respectively). Key provisions include guidelines for environmental protection, resource management plans, data reporting obligations, and the establishment of safety standards for geothermal operations
Petroleum and Geothermal Energy Resources (Environment) Regulation 2012	The WA <i>Petroleum and Geothermal Energy Resources (Environment) Regulation, 2012</i> sets forth environmental requirements for petroleum and geothermal activities on land. It establishes the need for operators to develop an Environment Plan (EP) (See Section 8.3.1.1) to mitigate environmental risks and impacts. The regulation emphasizes risk-based environmental management, with provisions for continuous environmental monitoring, incident reporting, and public consultation. These provisions extend their relevance to decommissioning, ensuring that operators continue to prioritise environmental protection during the closure of petroleum or geothermal activities. Compliance with these regulations is necessary to protect ecosystems and align with sustainability.
Offshore Petroleum and Greenhouse Gas Storage (Resource Management and Administration) Regulations 2011	The WA Petroleum (Submerged Lands) (Resource Management and Administration) Regulations 2015 provide a framework for managing petroleum resources located in offshore submerged lands under Australian jurisdiction. The regulations cover the entire lifecycle of petroleum resource development, including exploration, production, and decommissioning. They emphasize resource conservation, safety management, and environmental protection, requiring operators to submit plans, monitor resource use, and follow operational safety and reporting guidelines. The regulations also outline the requirements for a Field Management Plan and a Well Management Plan (see Section 8.3.1.2 and 8.3.1.3 respectively).
Petroleum (Submerged Lands) (Environment) Regulations 2012	The WA Petroleum (Submerged Lands) (Environment) Regulations 2012 apply to petroleum activities conducted in submerged lands, focusing on environmental management practices throughout the lifecycle of the project. These regulations require operators to develop an Environment Plan (See Section 8.3.1.1) that addresses environmental risks associated with offshore activities, including spill management, waste disposal, ecosystem protection, and decommissioning activities. Additionally, the regulations emphasize regular environmental performance monitoring, incident reporting, and the duty to maintain environmental standards to safeguard marine habitats during all stages, including decommissioning.
Petroleum Pipelines (Environment) Regulations 2012	The WA Petroleum Pipelines (Environment) Regulations, 2012 focus on the environmental management of petroleum pipeline projects, ensuring that environmental considerations are integrated throughout the entire lifecycle of the pipeline. The regulations establish requirements for operators to develop and implement an Environmental Plan (EP) (See Section 8.3.1.1), which outlines strategies to mitigate environmental impacts associated with the construction, operation, and decommissioning of pipelines. The EP ensures that potential risks are addressed proactively, with provisions for continuous environmental monitoring, reporting, and incident management.
Work Health and Safety (Petroleum and Geothermal Energy Operations) Regulations 2022	The WA Work Health and Safety (Petroleum and Geothermal Energy Operations) Regulations 2022 (WHS PAGEO Regulations 2022) require a Safety Case to be ‘in force’ for any petroleum facility or operation. Safety Cases under these Regulations are submitted to and assessed by the Department of Local Government, Industry Regulation and Safety (DLGIRS). This Safety Case provides the overarching framework for the management of all petroleum operations, including construction and decommissioning activities. A Safety Case is typically required for every stage of the operation, including the design, construction, operation, decommissioning, and post-decommissioning phases. For decommissioning, the Safety Case must be in place well before the commencement of activities, typically at least 12 months prior, to allow for thorough review and approval by the relevant authorities.

8.4 Northern Territory Legislation

This section provides an overview of the key legislative requirements related to the decommissioning of offshore and onshore oil and gas assets within the Northern Territory (NT). As Commonwealth waters are addressed in a previous section, this section focuses solely on the NT regulatory framework.

8.4.1 Petroleum Act 1984

The *Petroleum Act 1984* governs the exploration, production, and decommissioning of petroleum resources onshore in NT. The act is supported by the Petroleum Regulations 2020 and Petroleum (Environment) Regulations 2016. It establishes the framework for licensing, permitting, and the safe management of petroleum activities, including requirements for decommissioning and site rehabilitation. The Act outlines the environmental responsibilities and safety protocols that must be adhered to during all phases of petroleum operations, from exploration to decommissioning.

Administration: The Department of Lands Planning and Environment (DLPE) are responsible for regulating matters relating to the environment, including the Petroleum (Environment) Regulations 2016.

The Department of Mining and Energy (DME) are responsible for all other matters, including petroleum titles, well integrity and surface infrastructure, including pipeline maintenance and leaks.

Trigger: The Act becomes applicable when operators intend to decommission petroleum resources in the NT. Specifically, it requires operators to submit an Environment Management Plan (EMP)⁴¹ before decommissioning activities commence. The decommissioning scope may involve infrastructure removal, well abandonment, or field closure, additional plans such as the Petroleum Surface Infrastructure Plan (PSIP)⁴², Field Management Plan (FMP)⁴³, and Well Operation Management Plan (WOMP)⁴⁴ must also be reviewed and approved.

Timing: Operators are recommended to submit the necessary plans at least 12 months before the cessation of production activities to allow sufficient time for regulatory review and approvals. The timeline may vary depending on the complexity of the decommissioning process. Any significant changes to the decommissioning scope, such as newly identified environmental risks or modifications to well integrity management, require updated submissions well in advance of execution.

Relevant Regulations:

- Petroleum Regulations 2020:
- Schedule 4B: Prescribes information that must be included in a Well Operations Management Plan (WOMP), detailing well activities, integrity management, and decommissioning procedures.
- Schedule 4C: Prescribes information that must be included in a Field Management Plan (FMP), outlining field development strategies, equipment specifications, and procedures.
- Schedule 4D: Prescribes information for a Petroleum Surface Infrastructure Plan (PSIP), covering infrastructure design, operation, and decommissioning phases.
- Petroleum (Environment) Regulations 2016:
- Mandate the submission and approval of an Environment Management Plan (EMP) to ensure environmental risks are managed throughout the petroleum activity lifecycle.

Codes of Practice:

- Code of Practice: Onshore Petroleum Activities in the Northern Territory 2025⁴⁵: Provides minimum standards that the onshore petroleum industry in the NT must adhere to. This Code is legally enforceable through the Petroleum (Environment) Regulations 2016.
- Code of Practice: Well Integrity 2025⁴⁶: This Code provides detailed requirements for the design, construction, maintenance, and decommissioning of wells to ensure they remain secure and do not pose environmental or safety risks.

41 <https://environment.nt.gov.au/onshore-gas/environment-management-plan>

42 <https://nt.gov.au/industry/energy/petroleum-operations/resource-management-activity-infrastructure-plans/petroleum-surface-infrastructure-plan>

43 <https://nt.gov.au/industry/energy/petroleum-operations/resource-management-activity-infrastructure-plans/field-management-plan>

44 <https://nt.gov.au/industry/energy/petroleum-operations/resource-management-activity-infrastructure-plans/well-operations-management-plan>

45 https://nt.gov.au/_data/assets/pdf_file/0006/1484727/2025-code-of-practice-onshore-petroleum-activities-in-the-NT.pdf

46 https://nt.gov.au/_data/assets/pdf_file/0007/1484728/2025-code-of-practice-well-integrity.pdf

8.4.2 Environment Management Plan

The EMP outlines the environmental protection measures that must be followed during the decommissioning phase of petroleum operations. The EMP ensures that all decommissioning activities are carried out in an environmentally responsible manner, in compliance with the Petroleum (Environment) Regulations 2016. The EMP addresses potential environmental impacts and risks associated with the decommissioning process, ensuring that mitigation strategies are in place to minimise harm to the environment.

Administration: The Department of Mining and Energy approves the EMP; however, approval will not be granted unless the Aboriginal Areas Protection Authority (AAPA) has issued an Authority Certificate under the *Northern Territory Aboriginal Sacred Sites Act 1989* (see Section 8.4.15), confirming that the decommissioning works do not interfere with sacred sites. Additionally, if the activity has been referred to the Northern Territory Environment Protection Authority (NT EPA), the NT EPA will review the environmental impacts and may require an Environmental Impact Assessment (EIA) if the scope of decommissioning warrants it.

Trigger: The EMP is triggered when operators plan decommissioning activities, especially if any new environmental risks emerge or if there are changes to the scope of previously approved plans. The plan becomes relevant when preparing for the cessation of production and the decommissioning of assets. Operators must submit a revised EMP if significant changes to the decommissioning activities occur, particularly if they introduce new environmental impacts or risks.

Timing: It is recommended that operators submit their EMP, 12 months prior to the start of decommissioning activities, allowing sufficient time for regulatory review and approval. Any revisions to the EMP due to changes in decommissioning scope or new environmental risks must also be submitted well in advance of starting the decommissioning phase.

8.4.3 Petroleum Surface Infrastructure Plan

The Petroleum Surface Infrastructure Plan (PSIP) provides the framework for managing the design, operation, and decommissioning of surface infrastructure related to petroleum operations. This plan ensures that all infrastructure associated with petroleum extraction, processing, and decommissioning is appropriately designed, built, and operated. For decommissioning, the PSIP outlines how the infrastructure will be safely removed or repurposed, ensuring the cessation of operations meets regulatory requirements and environmental standards. It must ensure that risks to the integrity of surface infrastructure, during the decommissioning phase, are minimised and managed effectively to avoid harm to the environment and public safety. The Petroleum Regulations 2020 set out the requirements for submitting a PSIP.

Administration: DME

Trigger: The PSIP is triggered when operators move into the decommissioning phase of surface infrastructure, which involves the removal or permanent closure of facilities such as pipelines, platforms, and processing units. It becomes relevant at the point when decommissioning activities are initiated. Additionally, the PSIP must be updated or resubmitted if there are significant changes to the decommissioning plans or if new risks to infrastructure integrity arise during the process. The plan must also be reviewed at least every 5 years, or whenever there are significant changes to the decommissioning scope or risk management processes. If new risks to infrastructure integrity emerge, the plan should be updated and resubmitted to ensure continued compliance with safety and environmental standards.

Timing: The PSIP must be submitted at least 90 days prior to decommissioning activities for review and approval by the relevant authorities. However, it is recommended that operators submit these well in advance of starting the decommissioning phase.

8.4.4 Field Management Plans

A Field Management Plan (FMP) outlines the approach to managing petroleum fields throughout their life cycle, from exploration through production to decommissioning. The FMP ensures that the field's development and production are carried out safely and sustainably, while adhering to regulatory requirements. For decommissioning, the FMP must outline how the field will be safely closed and decommissioned, including the abandonment of wells and the removal of infrastructure. The plan should address the specific risks, environmental considerations, and procedures for the safe cessation of production activities and the management of residual petroleum resources.

Administration: DME

Trigger: The FMP is triggered when a petroleum field enters the decommissioning phase. This includes the cessation of production, and all activities related to field abandonment, including the removal of infrastructure and well abandonment. The plan must be reviewed if significant changes occur, including changes to the decommissioning methodology or the introduction of new technologies or techniques for abandonment.

Timing: An FMP must be submitted at least 90 days before the planned decommissioning activities commence. However, it is recommended that operators submit these well in advance of starting the decommissioning phase.

8.4.5 Well Operation Management Plans

A Well Operation Management Plan (WOMP) outlines the approach to managing the drilling, completion, operation, and decommissioning of wells. The plan must include detailed procedures for well abandonment and decommissioning to ensure the safe and environmentally responsible closure of wells once production ceases. The WOMP must identify all necessary activities for well integrity management during decommissioning, such as cementing, plugging, and any necessary interventions to prevent leakage or contamination after well closure. It must also outline how risks associated with well decommissioning will be mitigated.

Administration: DME

Trigger: The WOMP is triggered during the decommissioning phase, particularly when wells are to be abandoned. The plan must be updated whenever there are changes in the decommissioning approach, including adjustments to well abandonment techniques or new risks associated with well integrity during the closure process. An approved WOMP must be reviewed and potentially revised every 5 years or before starting any activity not covered by the original plan or inconsistent with it. The WOMP becomes critical in managing well decommissioning safely and ensuring long-term environmental protection.

Timing: The assessment and approval process may typically take up to 90 days, depending on the complexity of the plan. Operators are recommended to submit the WOMP well in advance of the decommissioning phase.



8.4.6 Petroleum (Submerged Lands) Act 1981 (PSLA)

The Act governs the construction, operation, maintenance, and decommissioning of pipelines for the conveyance of energy-producing hydrocarbons in the Northern Territory’s coastal waters. While the Act itself is still in force, its provisions were back captured and integrated into the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* (OPGGSA). The Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2023 (OPGGS(E)R) under the OPGGSA now carry out the environmental regulatory functions that were previously part of the PSLA.

Administration: DME

Trigger: The Act is triggered when operators wish to decommission petroleum resources or infrastructure in the Northern Territory’s submerged lands. This includes the cessation of production and decommissioning of pipelines, platforms, and other infrastructure. Under the OPGGS(E)R, operators are required to submit a revised environmental plan under Section 26 if they wish to introduce a new activity under the title, including decommissioning activities that were not previously covered or need to be modified.

Timing: Operators are required to submit an Environment Plan for decommissioning activities at least 12 months before the cessation of production. This timeline allows authorities to review the proposed decommissioning methods and assess the environmental and safety risks. For larger or more complex decommissioning efforts, additional time may be required for detailed reviews.

Relevant Regulations: Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2023 (OPGGS(E)R): The regulations require operators to submit an environment plan before commencing any offshore petroleum activity, ensuring that operations comply with accepted environmental standards. They mandate that operations cease if new or increased environmental risks are identified. Additionally, operators must demonstrate financial assurance as a prior condition for the acceptance of an environment plan.

Codes of Practice: Section 783 of the Offshore Petroleum and Greenhouse Gas Storage Act 2006 (OPGGS Act) allows regulations to apply, adopt, or incorporate relevant codes of practice or standards, provided they are pertinent to the matter at hand. Therefore, the following codes of practice are applicable:

- Code of Practice: Onshore Petroleum Activities in the Northern Territory 2025⁴⁷
- Code of Practice: Well Integrity 2025⁴⁸



47 https://nt.gov.au/_data/assets/pdf_file/0006/1484727/2025-code-of-practice-onshore-petroleum-activities-in-the-NT.pdf
 48 https://nt.gov.au/_data/assets/pdf_file/0007/1484728/2025-code-of-practice-well-integrity.pdf

8.4.7 Energy Pipelines Act 1981

The Act provides provisions for the construction, operation, maintenance, and cessation of use or abandonment of pipelines that convey energy-producing hydrocarbons within the NT. The Act ensures that operators manage pipelines responsibly throughout their lifecycle, including during decommissioning activities. The Act outlines requirements for operators to develop and implement a Pipeline Management Plan (PMP) (see Section 8.4.8) to guide the operation, maintenance, and eventual abandonment of pipelines. While the Act itself does not explicitly require the PMP to consider environmental impacts and risks, the Energy Pipelines Regulations 2001 stipulate that an EMP must be submitted alongside the PMP for approval. This ensures that decommissioning activities are undertaken with due regard for the environmental consequences of pipeline abandonment or cessation of use. Key considerations for decommissioning under the Act include minimising potential risks to the surrounding ecosystems, managing any associated waste or contaminants, and restoring the site to a state that does not pose a long-term environmental hazard.

Administration: DME

Trigger: The Act is triggered when an operator intends to construct, operate, maintain, or decommission a pipeline conveying energy-producing hydrocarbons in the NT. It becomes particularly relevant when operators plan to cease the use of a pipeline or abandon it altogether. Operators must obtain written consent from the Minister before ceasing pipeline operations, except in cases of routine operation, maintenance, or emergency situations. If a pipeline licence ceases, the owner must apply for approval to abandon the pipeline within three months. The Minister may approve or refuse the abandonment request and may impose specific conditions, including adherence to prescribed standards and any additional environmental or remediation requirements. Pipeline abandonment must be carried out in compliance with these conditions to ensure responsible decommissioning and environmental protection. Decommissioning activities must be planned in accordance with the requirements of the Act, including the submission of PMP that outlines the approach to pipeline abandonment or cessation of use.

Timing: Operators are required to submit the PMP at least 90 days before the planned commencement of pipeline decommissioning or modification activities. It is recommended that operators submit PMP well in advance of the decommissioning phase.

Regulations: Energy Pipelines Regulations 2001:

These regulations provide detailed requirements for the development and submission of PMPs and EMPs. They mandate that the EMP must demonstrate how environmental risks are controlled and reduced to a level that is as low as reasonably practicable (ALARP) and acceptable. The regulations also require that stakeholders affected by the activity are properly consulted and engaged, and that the full contents of the EMP, with the exception of strictly confidential information, be made public.

8.4.8 Pipeline Management Plan

A PMP sets out the framework for managing the design, construction, operation, modification, and decommissioning of pipelines. It ensures that pipelines are operated and decommissioned safely, efficiently, and in compliance with environmental and regulatory standards. The PMP must outline detailed procedures for pipeline decommissioning, including cleaning, purging, removal, or in-situ abandonment strategies, as well as measures to prevent long-term environmental risks such as residual contamination or structural failure.

Administration: DME

Trigger: Under the Petroleum Regulations 2020, a PMP must be approved before any pipeline construction, operation, modification, or decommissioning can proceed. If a pipeline modification or decommissioning is not already covered in an existing PMP, a revised plan must be submitted and approved before any changes can take place.

Timing: Operators are required to submit the PMP at least 90 days before the planned commencement of pipeline decommissioning or modification activities. It is recommended that operators submit PMP well in advance of the decommissioning phase.



8.4.9 Environmental Protection Act 2023

The Act establishes the framework for assessing and managing the environmental impacts associated with the decommissioning of development projects within the NT. The primary objective of the Act is to ensure that activities, which may have significant environmental consequences, are thoroughly examined and considered in decision-making processes by the NT Government. The Act is designed to protect the environment through the promotion of sustainable development and effective management of environmental impacts during decommissioning through an environmental approval process.

The key purposes and objectives of the Act include protecting the environment of the NT, promoting ecologically sustainable development, and ensuring that the wellbeing of the Territory’s people is maintained or improved without adverse environmental effects. The Act recognises the importance of environmental impact assessments and approvals in decommissioning activities, ensuring that such processes are conducted responsibly and in consideration of environmental, cultural, and community values. Additionally, the Act emphasises the inclusion of Aboriginal people as stewards of their land and ensures their participation in environmental decision-making processes, particularly when decommissioning activities may affect culturally significant areas.

Administration: Approvals and assessment is undertaken by the Northern Territory Environment Protection Authority (NT EPA). Department of Lands, Planning and Environment (DPLE) is also responsible for monitoring a proponent’s compliance with the conditions of its environmental approval. DPLE has enforcement powers and can act in the event of non-compliance.

Trigger: The Act is triggered when a decommissioning project is likely to have a significant impact on the environment. It applies to activities involving large-scale land disturbances, resource extraction, infrastructure decommissioning, or other activities with the potential to affect sensitive environmental or cultural areas during decommissioning.

Timing: Proponents must refer their decommissioning proposals to the NT EPA for assessment at the earliest stage of project planning to allow adequate time for evaluation of potential environmental impacts. The environmental impact assessment and approval process must be completed before any decommissioning activities that could significantly impact the environment commence. Timelines for assessment vary depending on the complexity of the proposal, the required level of assessment (e.g., Environmental Impact Statement or Public Environmental Report), and the need for public consultation and stakeholder engagement.

8.4.10 Northern Territory Environment Protection Authority Act 2012

The Act establishes the NT EPA as an independent body responsible for providing advice and recommendations on environmental matters. While the Act does not directly regulate decommissioning activities, it gives the NT EPA authority to assess environmental impacts, provide strategic advice, and ensure compliance with environmental legislation throughout the decommissioning process. The NT EPA’s involvement is triggered when environmental advice, assessment, or regulatory oversight is needed, ensuring that decommissioning activities align with sustainable development principles and environmental protection goals.

Administration: NT EPA

Trigger: The Act is triggered when decommissioning activities require environmental advice, assessment, or regulatory oversight. This includes situations where a decommissioning project is referred for environmental impact assessment or when the NT EPA is involved in the review of environmental policies or programs related to decommissioning.





8.4.11 Waste Management and Pollution Control Act 1998

The Act provides the legislative framework for protecting the environment by promoting effective waste management and pollution prevention measures. In the context of decommissioning, the Act regulates activities that may result in the discharge of pollutants to air, water, or land, ensuring that any waste generated or removed from the site is managed responsibly. This includes the disposal, treatment, or transport of waste offsite.

The purpose of the Act is to protect the environment and restore or enhance the quality of the NT's ecosystems. It achieves this by preventing pollution, reducing waste generation, encouraging recycling, and ensuring that waste is disposed of in an environmentally sound manner. Decommissioning activities, such as site cleanup, equipment removal, and restoration, must adhere to the provisions of this Act to prevent pollution and manage waste effectively during the decommissioning process.

The Act sets out provisions for responding to pollution incidents and emergencies and enforces compliance through penalties for unauthorised discharges or poor waste management practices. It also aligns with national environmental protection objectives, supporting the implementation of National Environment Protection Measures (see Section 8.4.17).

Administration: NT EPA

Trigger: The Act is triggered when decommissioning activities involve the discharge of pollutants or the offsite transport, treatment, or disposal of waste. This includes activities such as dismantling infrastructure, soil remediation, and managing hazardous waste generated during the decommissioning process. During decommissioning, any transportation, storage, recycling, or disposal of these types of listed wastes would require the appropriate environment protection approval or environment protection licence, depending on the activity. The relevant approvals and licences are triggered by the scale of the waste and the commercial or fee-for-service nature of the activity, ensuring that waste is handled safely and in compliance with environmental standards.

However, decommissioning activities related to petroleum exploration, extraction, and certain pipeline-related waste may be excluded from the Act if they are authorised under the *Petroleum Act 1984* (see Section 8.4.1), *Petroleum (Submerged Lands) Act 1981* (see Section 8.4.6), *Energy Pipelines Act 1981* (see Section 8.4.7), or relevant Commonwealth Acts. Additionally, waste confined to land within 1 kilometre of a pipeline during specific activities is exempt. Coordination with interstate or international regulatory bodies is required, and appropriate documentation, including consignment authorisations, must be completed prior to the transportation of waste. Clarification should be sought from the regulator to confirm any applicable exclusions or specific requirements.

Furthermore, any cross-jurisdictional movement of waste leaving the NT must comply with waste tracking and consignment authorisation requirements. If controlled waste is produced in the NT and is being transported out, an NT-licensed party (either the producer or transporter) is responsible for creating the consignment authorisation (CA) and issuing Waste Tracking Consignments (WTCs). The party must apply for and obtain an approved CA from the destination jurisdiction. Once obtained, the CA must be recorded in the NT Online Waste Tracking System. A WTC must then be created and submitted in the system, with a separate WTC required for each consignment of waste leaving the NT. For example, if a CA is obtained from the South Australian EPA, it must be recorded in the NT Waste Tracking portal, and a corresponding NT WTC will be created from that CA record. Waste shipments must also be tracked through the National Waste Reporting system or other regional waste management frameworks. International shipments must comply with the Basel Convention on hazardous waste movement. Waste consignments entering or leaving the NT may require approval from the NT EPA or other relevant regulatory authorities for cross-jurisdictional waste movements.

Timing: Licence applications should be submitted early to allow sufficient time for assessment and approval. The approval process generally takes six to eight weeks but may extend up to three months for more complex activities.

8.4.12 Nuclear Waste Transport, Storage and Disposal (Prohibition) Act 2004

The Act prohibits the transport, storage, and disposal of nuclear waste in the NT. This Act ensures that nuclear waste is not imported or managed within the region, safeguarding public health, the environment, and the overall safety of the territory. Under this Act, any attempt to transport, store, or dispose of nuclear waste is prohibited, with strict penalties for non-compliance. It applies to all nuclear waste, whether originating inside or outside the Territory, with certain exceptions, such as nuclear waste lawfully stored in the Territory before the Act’s commencement.

Administration: DLPE

Trigger: The Act is triggered in the context of decommissioning activities if there is any involvement in the transport, storage, or disposal of nuclear waste. The Act prohibits the transport, storage, and disposal of certain nuclear waste within the Northern Territory, ensuring that such activities do not occur within its jurisdiction. Therefore, decommissioning activities that involve nuclear waste must adhere to this prohibition, and alternative arrangements must be made for the management of such waste outside the Territory. Essentially, the NT does not allow nuclear waste to be stored within its boundaries, nor can any new facilities for storing nuclear waste be established.

However, naturally occurring radioactive materials (NORMs) can be incidentally generated from oil and gas activities. In 2019, the NT Parliament passed the Nuclear Waste Transport Storage and Disposal (Prohibition) Amendment Bill⁴⁹ which includes a new exemption that nuclear waste derived from pipelines and exploration and recovery activities in the oil and gas industries is exempt, so long as the relevant oil and gas project has a relationship with the Territory and is providing an economic benefit to the Territory.

As such, an offshore oil and gas project can be legislated under Commonwealth laws but will need to have a sufficient connection to the Territory for the exemption to apply. The scope of ‘significant economic and social benefits’ is not defined.

Timing: The prohibitions under the Act are immediate and apply as soon as there is any indication or action related to nuclear waste management. The Act sets out clear enforcement measures to ensure compliance with the prohibition.

8.4.13 Heritage Act 2011

The Act establishes a framework for identifying, assessing, and protecting cultural and natural heritage in the Northern Territory. It defines heritage places and objects, including those of historical, scientific, aesthetic, or social significance. Notably, all Aboriginal and Macassan archaeological sites are automatically declared heritage places under this Act.

Administration: Heritage Branch in Department of Lands, Planning and Environment (DLPE).

Trigger: The Act is triggered during decommissioning activities when a site or object meets the criteria for heritage significance, such as being an Aboriginal or Macassan archaeological site. In such cases, any proposed works must be assessed and approved by the Northern Territory Heritage Council to ensure heritage values are preserved.

Timing: Proponents must seek approval before commencing any decommissioning activities that may impact a heritage-listed place or protected archaeological site. This includes submitting a heritage assessment or application for a permit well in advance of planned decommissioning activities to allow sufficient time for review and consultation. The timing of approvals may vary depending on the complexity of the heritage site, with more sensitive sites requiring detailed assessments and potentially longer approval timelines.



⁴⁹ NT offshore petroleum industry gets (some) relief... | Clayton Utz



8.4.14 Planning Act 1999

The Act and the accompanying Planning Regulations 2000 establish the legislative framework for land use planning and development control in the NT. These laws aim to ensure appropriate and orderly planning, guiding how land can be used and developed to balance environmental, social, and economic considerations.

Administration: Development Consent Authority (DCA).

Trigger: In the context of decommissioning, the *Planning Act 1999* is pertinent when the process involves changes to land use or development status. For instance, if decommissioning a facility leads to land rehabilitation or a shift to a different land use, approvals under the Act may be required. This ensures that any new use or development aligns with the established planning schemes and regulations. Planning approval is required when carrying out works, such as earthworks involving excavation or fill. It is recommended to consult with Development Assessment Services (DAS) to determine specific requirements.

Timing: The process for obtaining planning approval can take approximately eight weeks or more, depending on the complexity of the application and compliance with all requirements. Engaging with DAS early in the planning stages can help streamline the approval process and address any potential issues promptly.

8.4.15 Northern Territory Aboriginal Sacred Sites Act 1989 (NT)

The Act provides a legal framework for the protection and management of Aboriginal sacred sites in the NT. It aims to balance the preservation of Aboriginal cultural heritage with the interests of land development and use. The Act defines sacred sites as areas of significance according to Aboriginal tradition and establishes procedures for their registration and protection. Unauthorised entry to or damage of these sites is prohibited under the Act.

The Act also establishes the AAPA, an independent statutory body responsible for administering the Act, maintaining the Register of Sacred Sites, and facilitating consultations between Aboriginal custodians and land users. It applies to both public and private land and imposes penalties for unauthorised damage or disturbance to sacred sites, underscoring the importance of preserving Aboriginal cultural heritage during decommissioning activities.

Administration: AAPA

Trigger: The Act is triggered during decommissioning activities when such activities are planned on or near a registered sacred site or an area likely to contain

unregistered sacred sites. In these cases, it is mandatory to consult with the AAPA to obtain the necessary clearances or Authority Certificates before proceeding. This ensures that decommissioning does not harm or desecrate sacred sites.

Timing: Proponents must apply for and obtain an Authority Certificate from AAPA before commencing any decommissioning activities that could affect a sacred site. The application process should be initiated early in the project planning phase, allowing adequate time for consultations with Aboriginal custodians, site assessments, and certificate issuance. The time required to obtain an Authority Certificate can vary depending on the complexity of the decommissioning activities and the level of consultation needed with custodians.

8.4.16 Marine Pollution Act 1999

The Act and its accompanying Marine Pollution Regulations 2003 aim to protect the NT's marine and coastal environment by minimising intentional and negligent discharges of ship-sourced pollutants into coastal waters. The overall purpose of the Act is achieved primarily through giving effect to relevant provisions of the International Maritime Organisation's MARPOL Convention, particularly the following annexes: Annex I (pollution by oil), Annex II (pollution by noxious liquid substances in bulk), Annex III (pollution by harmful substances in packaged form), and Annex V (pollution by garbage). The Act further aims to protect the Territory's marine and coastal environment by providing a regulatory framework that complements the approaches taken by the Commonwealth and the States of Australia.

The legislation outlines specific requirements for preventing pollution from ships, including the management of oil, noxious liquid substances, harmful packaged substances, and garbage. It also details protocols for transfer operations and mandates the maintenance of pollution emergency plans and records.

Administration: DLPE

Trigger: The legislation is applicable during decommissioning activities involving vessels or offshore installations when there is potential for discharging pollutants into coastal waters. This includes the removal or disposal of hazardous materials, fuels, or other contaminants that could impact the marine environment.

Timing: While the legislation does not specify exact timelines, early engagement with the relevant authorities is recommended to ensure all necessary approvals are obtained in a timely manner.

8.4.17 National Environment Protection Council (Northern Territory) Act 1994

The Act establishes the framework for the Northern Territory’s participation in the National Environment Protection Council (NEPC). The NEPC is a statutory body formed through an intergovernmental agreement between the Commonwealth, states, and territories of Australia. Its primary role is to develop and implement National Environment Protection Measures (NEPMs) that ensure a consistent approach to environmental protection across all jurisdictions.

Administration: DLPE

Trigger: In the context of decommissioning, the Act is pertinent when activities involve potential environmental impacts that fall under existing NEPMs. For example, if decommissioning processes may affect air or water quality, the relevant NEPMs provide guidelines and standards to manage these impacts. Compliance with these measures ensures that decommissioning activities do not adversely affect the environment and adhere to nationally consistent standards.

Timing: Compliance with the Act is required throughout all decommissioning activities.

8.4.18 Northern Territory Parks and Wildlife Conservation Act 1976

The Act provides the legislative framework for the protection, conservation, and sustainable utilisation of wildlife in the Northern Territory. It ensures the protection of threatened species and places, requiring proponents to consider both direct and indirect impacts on these species or places during their activities.

Administration: Parks and Wildlife Commission of the NT.

Trigger: For decommissioning projects, a permit is required before removing animals or relocating threatened plants during activities such as pipeline removal or trenching. Additionally, a permit is needed to conduct scientific research, including wildlife surveys, as part of the biological survey program required for environmental approvals.

Timing: Allow a minimum of four (4) weeks for processing of an application and for a permit to be issued, if approved. Proponents should apply for permits well in advance of planned activities to allow for necessary assessments, approvals, and coordination with the regulatory authority.

8.4.19 Soil Conservation and Land Utilisation Act 1969

The Act establishes a framework for preventing soil erosion and promoting the conservation and reclamation of soil in the Northern Territory. The Act outlines measures to manage land degradation, including soil erosion, salinity, and other forms of deterioration, ensuring sustainable land use practices are maintained.

Administration: DLPE

Trigger: Decommissioning projects that involve land disturbance, such as the removal of infrastructure or rehabilitation activities, may trigger the need for compliance with the Act. Activities that could lead to soil erosion or degradation require adherence to the guidelines and, in some cases, obtaining necessary approvals to ensure soil conservation measures are in place.

Under the Act, areas susceptible to soil erosion or at risk of becoming so can be declared Erosion Hazard Areas. These areas are mapped, and specific measures are prescribed to mitigate erosion hazards. Declarations may mandate treatments and impose other restrictions to ensure effective land management.

Timing: It is recommended to consult with DLPE early in the project planning process to determine specific requirements and ensure all necessary approvals or plans are in place before commencing decommissioning activities.



8.4.20 Water Act 1992

The Act provides the legal framework for the investigation, allocation, use, control, protection, and management of water resources in the NT. This includes the extraction of groundwater, wastewater management, and the regulation of water pollution.

Administration: The NT EPA handles matters related to waste discharge licenses, while the DLPE manages water resources, including water allocation plans, water extraction licenses, and bore construction permits.

Trigger: The Act is triggered during decommissioning activities when groundwater is extracted for use, such as for drilling bores or other decommissioning operations, or when wastewater is discharged into the environment. Water Extraction Licenses are required for the extraction of groundwater or surface water for use during decommissioning activities. A Waste Discharge License (WDL) is required for any discharges into water bodies in the NT. A Bore Work Permit is required for drilling, constructing, decommissioning, plugging, or sealing off a bore. This permit does not grant the right to extract water; a separate water extraction license is required for water use.

Timing: Proponents must apply for the relevant permits well in advance of decommissioning activities to allow sufficient time for assessment and approval. It can take up to 60 business days for an application to be processed for the approvals. Timeframes may vary based on the information provided and the complexity of an application.

8.4.21 Bushfires Management Act 2016

The Act provides the legal framework for the management, mitigation, and suppression of bushfires in the NT. It outlines the responsibilities of landholders and operators to take reasonable steps to prevent and manage bushfire risks.

Administration: Bushfires NT within the Northern Territory Fire and Emergency Services (NTFES).

Trigger: The Act is triggered during decommissioning activities when there is a foreseeable risk of bushfire due to operational activities that may ignite fires. Operators are required to comply with the general duties under the Act, including maintaining appropriate firebreaks, securing permits to burn if necessary, and implementing control measures to reduce bushfire risks. These duties are particularly relevant during decommissioning activities that may increase the potential for bushfire ignition, such as land clearing, vegetation removal, the use of machinery and equipment that generate heat or sparks, and the handling of flammable materials.

While the Act does not explicitly require the development of a Bushfire Management Plan (BMP), a BMP may be necessary under other regulatory frameworks, such as the Petroleum (Environment) Regulations 2016 and the Code of Practice: Onshore Petroleum Activities in the NT. In the context of decommissioning, including a BMP within an Environmental Management Plan (EMP) is a proactive measure to identify and manage bushfire risks. A BMP can support compliance with the Act by enhancing bushfire preparedness, managing risks effectively, and facilitating coordination between staff, contractors, neighbouring landholders, and Bushfires NT.

Timing: Although a BMP is not mandated by the Act itself, proponents should ensure that bushfire risk management measures are in place prior to commencing decommissioning activities that could pose a bushfire hazard. Where a BMP forms part of an EMP under the Petroleum (Environment) Regulations 2016, it should be prepared, reviewed, and approved before decommissioning operations begin to ensure all bushfire-related risks are adequately addressed.

8.4.22 Fisheries Act 1988

The Act establishes the framework for the regulation, conservation, and management of fisheries and fishery resources in the Northern Territory, aiming to maintain their sustainable utilisation.

Administration: Department of Agriculture and Fisheries (DAF).

Trigger: The Act is relevant during decommissioning activities that may impact aquatic environments, as it mandates compliance with regulations concerning the conservation and management of fisheries and fishery resources. It is advisable to consult with the Department of Agriculture and Fisheries to determine the specific approvals required for a decommissioning project.

Timing: While no specific approvals are required early engagement with the relevant authorities is recommended.



8.4.23 Weeds Management Act 2001

The Act provides the legal framework for managing and controlling the spread of invasive weed species in the Northern Territory. It is designed to protect the environment, agriculture, and human health from the adverse impacts of weeds by regulating the movement, introduction, and spread of invasive plant species.

Administration: DLPE

Trigger: The Act is relevant during decommissioning activities when vehicles, equipment, or materials are transported to and from a site, potentially carrying weed seeds or plant material. In the context of decommissioning, the Act requires proponents to prevent the spread of weeds from decommissioning sites, particularly during activities such as vehicle movement, equipment use, or the disposal of materials that may contain invasive species.

Timing: Compliance with the Act must be considered before and during decommissioning activities.

8.4.24 Ports Management Act 2015

The Act provides the legislative framework for the regulation, operation, and management of ports and port facilities within the NT. It aims to ensure the safe, secure, and efficient operation of ports, including the protection of the marine environment and the management of potential risks associated with port activities. In the context of decommissioning, this Act is relevant where activities occur within or in proximity to designated port areas, particularly when there is the movement of vessels, handling of hazardous materials, or disturbance of marine infrastructure.

Administration: Department of Logistics and Infrastructure.

Trigger: The Act is relevant where decommissioning activities involve the use of port facilities, marine infrastructure removal, vessel traffic management, or the loading and unloading of equipment, waste, or hazardous substances within a designated port area. Activities that may pose risks to port security, safety, or the marine environment—such as the handling of contaminated materials, vessel discharges, or potential impacts on port infrastructure—require compliance with the Act. This may include obtaining necessary permits or approvals from the port authority, complying with operational procedures, and adhering to marine pollution prevention measures.

Timing: Proponents must engage with the relevant port authority well in advance of decommissioning activities to identify any permits, approvals, or operational requirements necessary under the Act. This includes coordinating vessel movements, securing access approvals, and ensuring that decommissioning operations align with port safety and environmental management protocols. Ongoing compliance is required throughout the decommissioning process, particularly for activities that could impact port operations or the marine environment.

8.4.25 Radiation Protection Act 2004

The Act is administered by the Radiation Protection unit within the NT Department of Health. This unit oversees the implementation of the Act, processes license applications, maintains a register of radiation sources, and ensures adherence to safety standards.

Administration: NT Department of Health.

Trigger: The Act is triggered during decommissioning when there is involvement with radiation sources, such as dismantling equipment containing radioactive materials or decommissioning facilities that have utilised radiation apparatus. In such cases, obtaining the necessary licenses and ensuring proper registration and compliance are mandatory.

Timing: The process for obtaining licenses and ensuring compliance can vary in duration, depending on the complexity of the decommissioning project and the specific radiation sources involved. It is advisable to engage with the Department of Health early in the planning stages to understand the specific requirements and integrate them into the decommissioning timeline effectively.

8.4.26 Dangerous Goods Act 1998

The Act establishes the legislative framework for the safe storage, handling, and transport of certain dangerous goods within the NT. Its primary objective is to protect public safety, property, and the environment by regulating activities involving these substances. In the context of decommissioning, this Act governs the safe management of hazardous materials present on decommissioned sites, outlining specific requirements for their classification, packaging, labelling, and documentation.

Duty holders must implement appropriate risk management measures, including the safe removal and disposal of dangerous goods, maintaining safety equipment, conducting regular inspections, and providing adequate training to personnel handling these substances during decommissioning. The Act also requires emergency response plans to address potential incidents, ensuring effective actions to mitigate harm to people, property, and the environment in emergencies.

Administration: WorkSafe NT.

Trigger: The Act is triggered during decommissioning when activities involve the removal, storage, handling, or transportation of dangerous goods above specified threshold quantities. This includes the storage, disposal, transfer, or transport of dangerous goods and explosives as part of the decommissioning process.

Timing: It is advisable to consult with NT WorkSafe to understand specific timelines and requirements based on the circumstances of the decommissioning project.

8.4.27 Transportation of Dangerous Goods by Road and Rail (National Uniform Legislation) Act 2010

The Act provides the legal framework for the safe transport of dangerous goods within the NT, aligning with national standards to ensure consistency across jurisdictions. The Act regulates the classification, packaging, marking, handling, and transport of dangerous goods to minimise risks to public safety, property, and the environment.

Administration: WorkSafe NT.

Trigger: In the context of decommissioning, this legislation is relevant when hazardous materials, such as chemicals, fuels, asbestos, or contaminated waste, are transported to or from a project site via road or rail. All dangerous goods must be classified, packaged, and labelled in accordance with regulatory requirements, with appropriate documentation and the use of licensed transport companies where applicable. The Act also mandates specific vehicle and equipment standards, as well as training for personnel involved in the handling and transportation of dangerous goods.

Timing: Generally, the process for obtaining a Dangerous Goods Transport License takes a few weeks, provided that all required documentation and safety information are submitted promptly. For Explosives Transport Licences, the process may take longer, potentially several weeks or months, due to additional safety assessments and regulatory requirements. It is advisable to allow extra time for the processing of applications and any potential delays and to consult with the WorkSafe NT, for more specific timelines based on the circumstances of the decommissioning project.

8.4.28 Work Health and Safety (National Uniform Legislation) Act 2011

The Act provides the legal framework for ensuring the health and safety of workers and others in the Northern Territory. The Act outlines the responsibilities of employers, workers, and other duty holders in managing risks to health and safety during workplace activities. In the context of decommissioning, the Act mandates that risks associated with decommissioning activities, including hazardous materials, machinery, and site conditions, are identified and controlled to ensure the safety of all involved parties.

Administration: WorkSafe NT.

Trigger: The Act is triggered during decommissioning activities when workers or contractors are exposed to potential hazards, including those related to the handling of dangerous goods, site conditions, machinery, and other risks inherent in the decommissioning process. This includes ensuring that a safe working environment is maintained that workers are provided with appropriate personal protective equipment (PPE), and that risks are managed effectively throughout the decommissioning phase.

Timing: Compliance with the Act must be maintained throughout the decommissioning process.

8.5 Victoria Legislation

This section highlights the requirements and legislation in the state of Victoria associated with the decommissioning of offshore and onshore oil and gas assets. It also includes provisions for the transport of materials between states.

For offshore Commonwealth waters requirements see previous section Commonwealth Legislation which covers activities beyond three nautical miles to the outer extent of the Australian Exclusive Economic Zone at 200 nautical miles.

Note that in 2013, Victoria conferred some of its functions to NOPSEMA for the regulation of health and safety and structural integrity of offshore petroleum operations in Victorian waters.⁵⁰ As such the requirement for Safety Cases, Well Operation Management Plans and diving project plans in Victorian state waters was conferred to NOPSEMA. Environmental management is still regulated by the Victorian State Government Department of Energy, Environment and Climate Action (specifically the Earth Resources Regulator).

8.5.1 Offshore Petroleum and Greenhouse Gas Storage Act 2010 & Offshore Petroleum and Greenhouse Gas Storage Regulations 2021

This Act and corresponding Regulations apply to petroleum operations within three nautical miles of the Victorian coast (state waters) and addresses licensing, health, safety, environmental and royalty issues for offshore petroleum exploration and development operations.

This Act is the equivalent of the OPGGS Act in Commonwealth waters. The OPGGS Act, and associated regulations are administered by Australian Government Department of Industry, Science and Resources (DISR) and NOPSEMA. The National Offshore Petroleum Titles Administrator (NOPTA) is a Branch within DISR that administers the OPGGS Act. The Commonwealth and Victorian legislation are similar regarding petroleum and decommissioning requirements.

The Victorian Offshore Petroleum and Greenhouse Gas Storage Regulations 2021 (VIC OPGGSR 2021) require authority holders to submit an environment plan for acceptance before any work under the authority can commence. Safety cases and WOMPs are dependent on the equipment to be used (i.e. not all equipment to be used necessitates a safety case) and the nature of the proposed work (i.e. not all decommissioning work will require a WOMP, like removal of a pipeline).

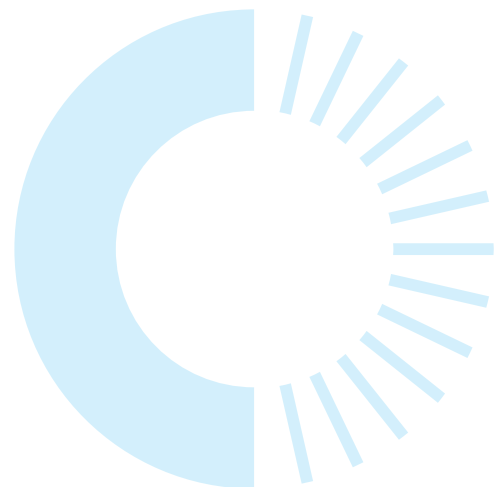
8.5.2 Environment Plan

The Offshore Petroleum and Greenhouse Gas Storage Regulations 2021 require authority holders to submit an environment plan for acceptance before any work under the authority can commence. Environment plan submission details and summaries are published on Resources Victoria website.⁵¹

Administration: Department of Energy, Environment and Climate Action (DEECA)- Earth Resources Regulation (ERR) branch.

Trigger: The Victorian Offshore Petroleum and Greenhouse Gas Storage Regulations 2021 (VIC OPGGSR 2021) require authority holders to submit an environment plan for acceptance before any work under the authority can commence. An Environment Plan is submitted to the Earth Resources Regulator.

Timing: Similar to Commonwealth Environment Plan approvals the regulations state that decisions to accept or request further information are provided within 30 days after a titleholder submits a plan (environment plan, safety case, well operations management plan). Whilst these are statutory timeframes, the regulations are not clear as to how many times the Minister/NOPSEMA may require further information. As such it is advisable to allow at least 6 to 12 months for approval of plans required under the VIC OPGGSR 2021.



⁵⁰ NOPSEMA is a Commonwealth Government statutory agency and is Australia's national regulator for health and safety, structural (well) integrity and environmental management for all offshore oil and gas operations and greenhouse gas storage activities in Commonwealth waters and in coastal waters where regulatory powers and functions have been conferred.
⁵¹ Environment plans - Resources Victoria - <https://resources.vic.gov.au/licensing-approvals/oil-and-gas-permits-leases-and-licences/environment-plans>

8.5.3 Safety Plan & Well Operations Management Plan

A Safety Case is submitted to NOPSEMA for approval. According to the Vic OPGGSR 2021 an operator of a facility for which a safety case is in force must submit a proposal for a variation of the safety case to NOPSEMA as soon as the operator proposes to modify or decommission the facility, and the proposed modification or decommissioning is not adequately addressed in the current safety case.

A Well Operations Management Plan is usually also required⁵² – similar to Commonwealth OPGGS Act legislation.

Administration: NOPSEMA- Victoria has conferred regulatory powers for health and safety and structural (well) integrity to the Commonwealth.

Trigger: The Victorian Offshore Petroleum and Greenhouse Gas Storage Regulations 2021 (VIC OPGGSR 2021) require authority holders to submit a safety case/well operations management plan for acceptance before any work under the authority can commence.

Timing: Similar to Commonwealth approvals, the regulations state that decisions to accept or request further information are provided within 30 days after a titleholder submits a plan (environment plan, safety case, well operations management plan). Whilst these are statutory timeframes, the regulations are not clear as to how many times the Minister/NOPSEMA may require further information. As such it is advisable to allow at least 6 to 12 months for approval of plans required under the VIC OPGGSR 2021.

Relevant Regulation: Offshore Petroleum and Greenhouse Gas Storage Regulations 2021: These regulations outline the procedural and technical requirements for offshore petroleum operations in Victorian state waters. They include provisions for the preparation and submission of Environment Plans, the acceptance and revision of Safety Cases, and the requirement for WOMPs where applicable. The regulations also address the expectations for decommissioning, including stakeholder consultation, environmental impact management, and the safe removal or rehabilitation of offshore infrastructure.



⁵² Not all decommissioning activities will require a WOMP (i.e. decommissioning a pipeline).



8.5.4 Petroleum Act 1998 & Petroleum Regulations 2021 & Pipelines Regulations 2017

This Act provides the regulatory framework for onshore petroleum exploration and development activities, excluding transmission pipelines.

This Act and relevant regulations provide the primary legal framework for regulating onshore oil and gas operations, including requirements for the removal of structures and equipment. The legal framework covers all aspects including well abandonment, site rehabilitation and removal of equipment. A dedicated ‘Code of Practice for the Construction, Operation and Decommissioning of Petroleum Wells’ exists which provides guidelines for decommissioning activities in accordance with the Act.

Before starting any onshore oil and gas operation, an operation plan must be submitted by the authority holder and accepted by the regulator. An operation plan describes how the authority holder will carry out onshore oil and gas activities in a safe and environmentally responsible manner to ensure any risks identified are managed as far as is reasonably practicable over the course of the operation. The operation plan remains in force for the duration of the operation and until all rehabilitation is complete.⁵³

The operation plan must include detailed environment management and rehabilitation plans and, if well activities are proposed, a well operation management plan. It must address all regulatory requirements including those pertaining to community consultation, risk management, groundwater monitoring, hydrocarbon gas estimation, reporting and operator suitability. Details on how to prepare an operations plan are available here: [Preparing-operation-plans-under-the-Petroleum-Act-1998.pdf](https://resources.vic.gov.au/_data/assets/pdf_file/0010/966466/Preparing-operation-plans-under-the-Petroleum-Act-1998.pdf)⁵⁴

Administration: DEECA

Trigger: For petroleum decommissioning activities that involve a well 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. A proponent must apply for consent to suspend a well which will include details of the proposed suspension or decommissioning program, including the method by which the well will be made safe after it is suspended.

Timing: DEECA aims to provide an initial response within 90 business days. However, this timeframe can be extended if the plan requires more detailed review or if additional information or clarifications are needed.

Relevant Regulation: Petroleum Regulations 2021: These regulations support the *Petroleum Act 1998* by specifying requirements for the submission and content of Operations Plans, safety and environmental obligations, and reporting for petroleum activities, including decommissioning and rehabilitation.

Guidelines and Code of Practice:

[Code-of-Practice-Petroleum-Wells-Victoria.pdf](https://resources.vic.gov.au/_data/assets/pdf_file/0004/864148/Code-of-Practice-Petroleum-Wells-Victoria.pdf):⁵⁵ Provides practical guidance to authority holders carrying out petroleum operations that involve wells, including construction, operation, and decommissioning.

[Guideline for authority Holders under *Petroleum Act 1998*](https://resources.vic.gov.au/_data/assets/pdf_file/0010/966466/Preparing-operation-plans-under-the-Petroleum-Act-1998.pdf):⁵⁶ This guideline specifies the requirements for an Operations Plan under the *Petroleum Act 1998* and Petroleum Regulations 2021. It addresses activities such as seismic surveys, drilling, community consultation, and risk management. The plan must include provisions for communications and engagement, environmental management, rehabilitation, emergency response, and well operation management.

8.5.5 Gas Safety Act 1997

The Gas Safety Act 1997 primarily focuses on ensuring the safety of gas infrastructure, gas supply and the operation of gas systems. This Act requires that any decommissioning of gas infrastructure such as pipelines and associated facilities must be done in a way that does not pose a risk to public safety, the environment or the continued safe operation of the gas supply.

Administration: DEECA and Energy Safe Victoria.

Trigger: Before decommissioning, operators must ensure that any infrastructure still in use, or in the process of being shut down, meets safety standards as specified under the Gas Safety Act.

Timing: DEECA/Energy Safe Victoria aim to assess decommissioning plans within 30 business days, but timeframes can extend if further information is required, or revisions are needed.

⁵³ Whilst operation plans remain in force for the duration of the operation, for operations plans accepted prior to 2021 the operation plan remains in force for the duration of the operation that was detailed in the operation plan. This is due to some pre-2021 operation plans not containing the required level of detail about rehabilitation. In these cases, a new operation plan detailing all rehabilitation will be required. In addition, operation plans must be updated every five years which must satisfy the contemporary requirements for operation plan.

⁵⁴ https://resources.vic.gov.au/_data/assets/pdf_file/0010/966466/Preparing-operation-plans-under-the-Petroleum-Act-1998.pdf

⁵⁵ [Code-of-Practice-Petroleum-Wells-Victoria.pdf](https://resources.vic.gov.au/_data/assets/pdf_file/0004/864148/Code-of-Practice-Petroleum-Wells-Victoria.pdf) - https://resources.vic.gov.au/_data/assets/pdf_file/0004/864148/Code-of-Practice-Petroleum-Wells-Victoria.pdf

⁵⁶ [Guideline for authority Holders under *Petroleum Act 1998*](https://resources.vic.gov.au/_data/assets/pdf_file/0010/966466/Preparing-operation-plans-under-the-Petroleum-Act-1998.pdf) - https://resources.vic.gov.au/_data/assets/pdf_file/0010/966466/Preparing-operation-plans-under-the-Petroleum-Act-1998.pdf



8.5.6 Environment Protection Act 2017

This new Environment Protection Act (EP Act), which came into force from July 2021 aims to prevent harm to public health and the environment from pollution and waste. The new Act gives the Environment Protection Authority (EPA) enhanced powers to prevent risk to human health and the environment. The key element of the Act is the General Environmental Duty (GED) which shifts the expectations to businesses to:

- Minimise the risk of harm to the environment
- Manage activities to avoid the risk of environmental damage
- Respond to a pollution event if it occurs.

The Industrial Waste Management Policy (Movement of Controlled Waste between States and Territories) is implemented through the EP Act. The intent of the policy is to implement a nationally consistent statutory framework in Victoria for the management of the movement of controlled wastes between the State of Victoria and other States and Territories originating from commercial, trade, industrial or business activities. The NEPM (see Section 8.7.1) is implemented in Victoria through the Industrial Waste Management Policy (Movement of Controlled Waste between States and Territories).

Administration: EPA Victoria.

Trigger: The Act focuses on ongoing environmental protection and management during and after a project’s operations. It is applicable once a project is approved and operational, ensuring compliance with pollution, waste and environmental standards.

Timing: For timing see below under Environmental Protection Regulation 2021.

8.5.7 Environmental Protection Regulations 2021

These regulations require specific permits for waste management, including the disposal of hazardous substances and decommissioning waste. A permit is required before undertaking prescribed activities. Under Schedule 1 of the Environment Protection Regulations 2021 certain activities are considered to be ‘prescribed activities’. To undertake ‘prescribed activities’ a proponent requires permission from the EPA before commencing these activities.

Under the Environment Protection Regulations 2021 a permit is required to move solid reportable priority waste out of Victoria. The permit is for Scheduled Activity A12 (Transporting waste out of Victoria). Waste consigners must apply for the permit through the EPA Portal. Section 28(d) of the Environment Protection Regulations 2021 sets out the criteria the EPA considers when it assesses an application. Criteria to be considered include the type of waste and how best practice disposal or deposit of the waste may occur, the engineering specifications of the facility to which the waste is proposed to be deposited or disposed. Other considerations include whether the waste consigner has a consignment authorisation issued by the destination State or Territory (in WA this would be the CW17 form). The EPA may request further information to support the application and may also consult the interstate jurisdiction as part of the assessment.⁵⁷

Administration: EPA Victoria.

Trigger: A permit A12 is required before moving waste out of Victoria.

Timing: The EPA will issue or refuse a A12 permits within 42 business days.

Link: [Interstate transport | Environment Protection Authority Victoria](#)⁵⁸



⁵⁷ Note! The CW17 Form (issued by the WA Department of Water and Environmental Regulation- DWER) regulates the transportation of controlled waste under the Environmental Protection (Controlled Waste) Regulations 2004 (WA). The regulations provide for the licensing of carriers, drivers, and vehicles involved in the transportation of controlled waste on roads in WA.
⁵⁸ <https://www.epa.vic.gov.au/for-business/waste/transporting-waste/interstate-transport>



8.5.8 Environment Effects Act 1978

The primary objective of the *Environment Effects Act 1978* is to provide a legal framework for the environmental assessment of potentially significant developments or projects in Victoria. The Act establishes a process for evaluating the potential environmental impacts of certain projects before they are approved or undertaken.

While the *Environment Effects Act 1978* interacts with the *Environmental Protection Act 2017* they both have distinct roles in the environmental management process. The two Acts work together to ensure that environmental impacts are both assessed and mitigated at different stages of a project's lifecycle.

Administration: Department of Transport and Planning (DTP). The Minister for Planning has the discretion to determine if a project or development is likely to have significant environmental effects and whether an Environment Effects Statement (EES) is required.

Trigger: A decommissioning project may require an EES if it is likely to cause significant environmental effects—such as large-scale vegetation clearing, disturbance of critical habitat, major impacts to water systems, or cultural heritage values. Referral criteria are detailed in the *Ministerial Guidelines for Assessment of Environmental Effects* and include both individual and combined types of impacts (e.g. ≥10 ha native vegetation removal, Ramsar wetlands, greenhouse gas emissions exceeding 200,000 t CO₂-e per year).

Timing: The process begins when a project is proposed, and the Minister for Planning determines whether an EES is required due to the potential for significant environmental impacts. This process involves environmental impact assessments, public consultation and recommendations for mitigating environmental risks. It is advisable to do this before post-approval and ongoing environmental regulations associated with the *Environmental Protection Act 2017*.

8.5.9 Flora and Fauna Guarantee Act 1988 (FFG Act) (& Regulations 2011)

The purpose of this Act is to protect rare and threatened species and enable and promote the conservation of Victoria's native flora and fauna and the management of potentially threatening processes. Where a species is listed as threatened, an Action statement is prepared setting out the actions that have been or need to be taken to conserve and manage the species or community.

Administration: DEECA

Trigger: This Act would be triggered if a decommissioning activity causes (or have the potential to cause) the injury or death of an FFG Act-listed species in State waters.

Timing: DEECA typically assesses environment plans within decommissioning impacts on species within 30 business days, but this timeframe can extend if the plan requires more detailed environmental impact assessments or mitigations strategies.

8.5.10 Planning and Environment Act 1987

This Act deals with land use changes, planning permits in relation to infrastructure. The Act provides the framework for land use planning and development approvals in Victoria, including infrastructure projects like decommissioning activities that affect land use. The Act ensures that development or decommissioning activities align with zoning laws, land use regulations and environmental protection goals.

Administration: Victorian Planning Authority (VPA) or local councils (depending on the scope).

Trigger: Planning permits for activities like site demolition, decommissioning or changes in land use. A permit application is to be submitted before any physical work can commence. Under section 61(3) of the *Planning and Environment Act 1987*, the local government cannot issue a planning permit on marine and coastal Crown land unless consent under the *Marine and Coastal Act 2018* has been issued. If the Minister (or delegate) refuses to issue consent, the local government must also refuse to issue a planning permit.

Timing: Planning permit assessments can take anywhere from 28 to 60 days, depending on the complexity of the project and whether public consultation is required.

8.5.11 Occupational Health and Safety Act 2004

This Act is mainly associated with the health and safety of workers and is relevant to decommissioning activities, transport and handling. The Act requires Safety Management Plans, including risk assessments and safe work method statement (SWMS) must be submitted to demonstrate how hazards will be controlled during decommissioning.

Under Section 63 of the Offshore Petroleum and Greenhouse Gas Storage Act (OPGGSA) and Regulation 126 of the Offshore Petroleum and Greenhouse Gas Storage (Resource Management and Administration) Regulations, the application of certain Victorian OH&S laws – including the Occupational Health and Safety Act, Dangerous Goods Act 1985 – is disapplied in relation to offshore petroleum and greenhouse gas storage facilities. This ensures consistency in OH&S regulation, with NOPSEMA having sole regulatory responsibility for such offshore facilities. However, these laws remain applicable to the transport and handling of dangerous goods within Victoria onshore or outside the scope of an OPGGSA facility.

Administration: WorkSafe Victoria.

Trigger: Decommissioning activities involving hazardous substances, machinery or high-risk tasks trigger workplace safety regulations.

Timing: WorkSafe Victoria may issue directions on safety protocols. Assessment of decommissioning plans may take up to 30 business days.

8.5.12 Dangerous Goods Act 1985, Dangerous Goods (Transport) Regulations 2018

The Act provides the legal framework for the safe transport of dangerous goods, including oil, gas, chemicals, and hazardous waste. These laws apply to the transportation of dangerous goods in Victoria by road or rail and aim to minimise risks to people, property, and the environment.

Under Section 63 of the Offshore Petroleum and Greenhouse Gas Storage Act (OPGGSA) and Regulation 126 of the Offshore Petroleum and Greenhouse Gas Storage (Resource Management and Administration) Regulations, the application of certain Victorian OH&S laws – including the Occupational Health and Safety Act, Dangerous Goods Act 1985 – is disapplied in relation to offshore petroleum and greenhouse gas storage facilities. This ensures consistency in OH&S regulation, with NOPSEMA having sole regulatory responsibility for such offshore facilities. However, these laws remain applicable to the transport and handling of dangerous goods within Victoria onshore or outside the scope of an OPGGSA facility.

Administration: WorkSafe Victoria.

Trigger: Licensing requirements are triggered when transporting dangerous goods in quantities above prescribed thresholds. A Dangerous Goods Driver Licence and/or Dangerous Goods Vehicle Licence may be required when transporting dangerous goods in quantities above the thresholds specified in the Australian Code for the Transport of Dangerous Goods by Road & Rail (ADG Code). During the decommissioning planning phase, a full identification and classification of hazardous materials must be undertaken, and all dangerous goods must be appropriately labelled, packaged, and documented in accordance with the ADG Code.

Timing: The processing time for licenses and permits can vary based on the complexity of the application and the nature of the dangerous goods involved. Applicants should consult WorkSafe Victoria for specific guidance on application timeframes.





8.5.13 Flammable and Combustible Liquids Regulations 2018

The Flammable and Combustible Liquids Regulations 2018 sits under the *Dangerous Goods Act 1985*.

These regulations deal with the handling, storage and transportation of hazardous liquids.

Administration: WorkSafe Victoria.

Trigger: The regulations are relevant to decommissioning oil and gas assets when dealing with flammable or combustible liquids (e.g., fuels, oils, chemicals). These liquids pose significant risks during decommissioning and require careful handling, storage, and disposal to prevent accidents, fires, or environmental contamination.

Proponents must submit applications for permits if transporting large quantities of dangerous goods.

Timing: Risk assessments and safety planning should be done during the early phases of the decommissioning process. Permits and approvals can take anywhere from a few days to several weeks, depending on the complexity of the operation.

8.5.14 Port Management Act 1995

The *Port Management Act 1995* is the main piece of legislation that regulates the operation of ports, including the handling, storage and transport of good within port areas.

Under this Act all ports must prepare a Safety Management Plan and Environmental Management Plan (SEMPs).

Administration: Jointly administered by the EPA Victoria & Victorian Ports Corporation (Melbourne)

Trigger: During the decommissioning of oil and gas assets, activities such as the transportation of decommissioned materials, waste disposal and storage of hazardous substances may involve the use of ports and port facilities. If the decommissioning activity involve significant environmental risk (e.g. hazardous materials disposal) an environmental impact assessment may be required.

Timing: Permit applications from port authorities typically take a few weeks to several months depending on the scale of the activity at the port.

8.5.15 Emergency Management Act 2013

This Act ensures that the components of emergency management (prevention, response and recover) are organised to facilitate planning, preparedness, operational coordination and community participation.

Administration: Department of Justice and Community Safety (DJCS).

Trigger: For offshore activities this Act would be triggered in the event of a Level 2 or 3 oil spill in Victorian waters⁵⁹. For onshore activities the Act would be triggered where the authority holder is unable to respond to the emergency.

Timing: Decommissioning project should demonstrate compliance with this Act throughout the project.

8.5.16 Marine Safety Act 2010 & Regulations 2012

This Act ensures the safe operations of marine activities in Victoria. This Act reflects the requirements of international conventions including the Convention for the Safety of Life at Sea and the Convention on the International Regulations for Preventing Collisions at Sea.

The Act looks after maritime safety and requires permits for oil and gas transport by sea, including the need for specific navigation and safety plans.

Administration: Maritime Safety Victoria.

Trigger: If offshore structures are being removed, or hazardous materials are being transported, applications for relevant permits must be submitted to Maritime Safety Victoria. WorkSafe Victoria may also need to review and approve decommissioning plans that involve marine operations, particularly if hazardous materials are involved.

Timing: Obtaining permits for decommissioning activities, such as structure removal or hazardous materials transport, can take anywhere from a few weeks to a few months, depending on the project scope and regulatory review.

⁵⁹ There are a number of Acts that would be triggered in the event of an oil spill. However, as these are not unique to decommissioning they are not all listed here.

8.5.17 Land Act 1958

The Land Act 1958 is a significant piece of legislation that governs the use, management, and disposal of Crown land within the state. While it may not directly address decommissioning oil and gas assets in its entirety, it has important relevance when decommissioning involves land or land-based activities, such as the removal of infrastructure, restoration of land, and the transfer or management of land rights related to oil and gas projects.

The Act requires access permits for using land to decommission or transport oil and gas assets.

Administration: DEECA.

Trigger: If a decommissioning project involves access to Crown land, the proponent will need to apply for land access permits or licenses under the Land Act 1958. This will be required if there are any works, such as removal of infrastructure, that take place on Crown land.

Timing: Land access approvals may take a few weeks to several months.

8.5.18 Waste Management and Recycling Act 2000

This Act deals with the management, handling, recycling and disposal of waste materials. It applies to various types of waste including hazardous materials and includes provisions for the waste reduction, recycling and the safe disposal of waste.

Administration: EPA Victoria.

Trigger: If hazardous waste is being transported, the waste transporter must have a waste transport permit issued by EPA Victoria. This permit ensures that waste is being transported by a licensed, qualified party who will handle the waste safely and in compliance with the law.

Facilities that handle, treat, store, or dispose of hazardous waste (such as landfills and recycling centres) require an EPA issued waste management or disposal permit. This permit ensures that facilities are properly equipped and meet environmental and safety standards for handling hazardous materials.

If waste is being recycled the facility that processes the waste must have a permit from EPA Victoria.

Link: There are several different permits issued by Victoria EPA. More information can be found here: **Types of permits | Environment Protection Authority Victoria.**⁶⁰ Applications for permits are subject to a standardised assessment process. Permit applications are assessed within 15 to 42 business days.

8.5.19 Energy Safe Victoria Act 2005

The *Energy Safe Victoria Act 2005* establishes Energy Safe Victoria (ESV) as the regulatory body responsible for ensuring the safe decommissioning of energy infrastructure like electricity, gas and pipeline installations within Victoria. They oversee the proper dismantling and removal of infrastructure to prevent safety hazards during the decommissioning process.

The Act gives ESV the power to set safety standards and guidelines for decommissioning activities, including procedures for safely disconnecting equipment, managing hazardous materials, and ensuring proper site restoration.

Administration: ESV.

Trigger: Proponents wishing to decommission pipeline installations will need to check in with ESV to ensure the public is protected from environmental, health and safety risks resulting from the activity. Regulation is conducted in accordance with the *Gas Safety Act 1997, Pipelines Act 2005 and Gas Industry Acts 2001*.

⁶⁰ <https://www.epa.vic.gov.au/for-business/permissions/permits/types-of-permits>

8.5.20 Pipelines Act 2005

The *Pipelines Act 2005* is the primary Act governing the construction and operation of pipelines carrying liquid and gaseous fuels and other industrial products at high pressure in Victoria.

Pipelines are owned by private enterprises and operated under a license issued under the *Pipelines Act 2005* by the Department of Energy, Environment and Climate Action (DEECA). DEECA and Energy Safe Victoria are the responsible entities for administering onshore licensed pipelines and co-regulate pipeline licensees.

Administration: DEECA's Critical Infrastructure Regulator and Energy Safe Victoria (ESV).

Trigger: The construction and operation of a licensed pipeline triggers the requirement for an approved Environment Management Plan (EMP), regulated by DEECA's Critical Infrastructure Regulator, and a Safety Management Plan (SMP), regulated by ESV. These plans must demonstrate how environmental risks and safety hazards will be managed throughout the pipeline lifecycle..

Timing: The Energy Safe Victoria does not provide information about timelines. They do however provide an email address: pipeline.regulation@delwp.vic.gov.au.

8.5.21 Heritage Act 2017 & Underwater Cultural Heritage Act 2018

The purpose of the Heritage Act 2017 is to provide for the protection and conservation of the cultural heritage of Victoria. The Act creates a framework to identify the most important non-Aboriginal heritage in Victoria and regulates changes to those places. The Act also creates offences and other enforcement measure to protect and conserve heritage.

The Act sets out procedures to identify places of state heritage significance, and of historical archaeological value. It also establishes the processes for obtaining approvals for changes to those places, enforcing compliance, and other administrative procedures.

The Heritage Act 2017 came into operation on 1 November 2017 and was amended by the Heritage Amendment Act 2023 which included streamlining provisions.

The Underwater Cultural Heritage Act 2018 is Commonwealth legislation. It is administered by the Australian Commonwealth Government. Heritage Victoria has a delegated responsibility for day-to-day decisions under the Act.

Administration: Heritage Victoria.

Trigger: These Acts may be triggered if a decommissioning activity has the potential to impact known or unknown heritage items, whether onshore or offshore. This includes historical and archaeological sites or shipwrecks in Victorian waters.

Timing: The Heritage Victoria website does not provide information about timelines. They do however provide an email address: heritage.victoria@transport.vic.gov.au

8.5.22 National Parks Act 1975

The Act, and the associated National Parks Regulations 2013 aim to preserve and protect Victoria’s natural environment, including indigenous flora and fauna, scenic and archaeological features, and remote wilderness areas. The Act establishes a framework for creating protected areas, such as national parks, state parks, marine national parks, and coastal parks, where activities and access are restricted to maintain the integrity of these areas.

The Act and regulations provide for the management of these protected areas and outline the processes through which public authorities can obtain written approval from Parks Victoria, the declared management authority under the Parks Victoria Act 2018. Approval is required for specific activities within these protected areas, including leases, licences, and agreements. Under Section 27 of the National Parks Act 1975 and Clause 184 of the associated regulations, Parks Victoria has the authority to grant consent to a public authority to perform its functions within a park.

Administration: DEECA, Parks Victoria.

Trigger: The Act is triggered if a decommissioning activity is proposed within a declared national park, state park, marine national park, or coastal park.

Timing: Specific timelines are not provided by Parks Victoria.

8.5.23 Radiation Act 2005

The Radiation Act 2005 provides for licencing for the use and management of radioactive sources and conducting radiation practice (including radiation testing). It primarily regulates the use, handling, storage and disposal of radioactive materials and radiation sources to protect public health, safety and the environment. The Act gives effect to Victoria’s commitment to the National Directory for Radiation Protection (NDRP), which outlines a common approach to be undertaken by federal, state and territory governments towards the management of radiation protection.

Administration: Victorian Department of Health.

Trigger: The Act may be triggered if oil and gas infrastructure, such as gauges, detectors, or pipeline equipment, contains radioactive materials. This includes infrastructure that may have Naturally Occurring Radioactive Material (NORM) embedded in it. When decommissioning equipment or infrastructure that contains radioactive materials, including NORM, a permit or authorisation from the Victorian Department of Health may be required.

In such cases, a Radiation Management Plan must be submitted as part of the application for a new radiation management licence or when seeking to vary an existing licence. This plan outlines safety measures for working with or around radiation sources, including precautions for handling radioactive materials. While the plan is not subject to an approval process, it must be included in the application for obtaining or modifying a radiation management licence.

Timing: Proponents should engage early with the Victorian Department of Health to understand licencing requirements and timelines for radiation management.





8.5.24 Marine and Coastal Act 2018

This Act provides for co-ordinated strategic planning and management for Victorian coast, the preparation and implementation of management plans for coastal Crown land and a co-ordinated approach to approvals for use and development of coastal Crown land. The Act essentially protects Victoria’s marine and coastal environment now and into the future. Consent for use and development of coastal crown land within Victorian Waters and within 200 metres inland of the highwater mark. This consent usually takes place prior to construction activities. A person may apply for a consent to use or develop, or undertake works on, marine and coastal Crown land.

Administration: DEECA and Parks Victoria.

Trigger: Any modifications to shore crossings (decommissioning pipelines) may require consent. If the Minister consents to a proposed activity under the Marine and Coastal Act 2018, the proposed activity may still require other statutory authorisation and approvals. The applicant is responsible for obtaining all other relevant Victorian and Commonwealth statutory authorisation and approval, such as relevant leases and licences, permits to take protected flora under the Flora and Fauna Guarantee Act 1988 and approvals under the Environment Protection and Biodiversity Conservation Act 1999.

Timing: Before applying for consent, a proponent should also consult with the relevant local government and determine if the proposed use, or decommissioning works also requires a planning permit. If a planning permit is required, a copy of a planning permit application can also be taken to be an application for consent under the Marine and Coastal Act 2018. Once an application form is accepted as valid, the Minister (or delegate) must decide within 60 business days.

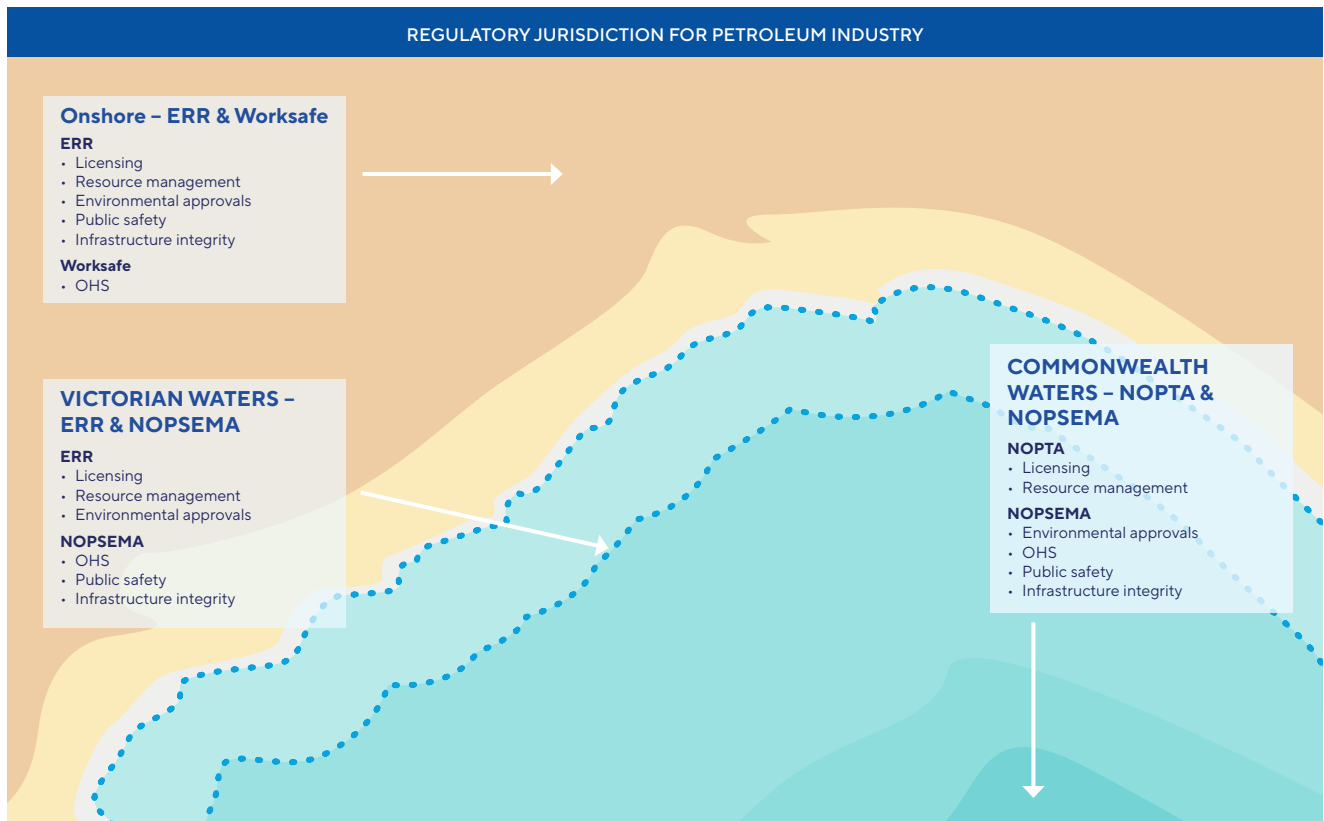
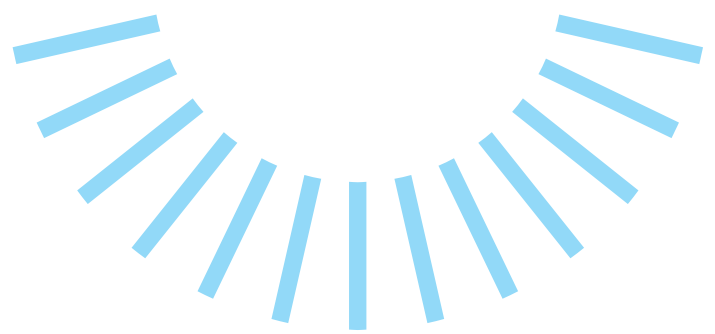


Figure 9: Map of applicability of Victorian legislation relative to Commonwealth



8.6 South Australia Legislation

This section provides an overview of the key legislative requirements and associated codes of practice related to the decommissioning of oil and gas assets within South Australia (SA). There is no offshore infrastructure in South Australia and this section has primarily been included for onshore decommissioning purposes and to address the transportation and waste management within and through the State. As Commonwealth waters are addressed in Section 9.2, this section focuses solely on the regulatory framework in South Australia.

8.6.1 Energy Resources Act 2000

The Act was formerly known as the Petroleum and Geothermal Energy Act 2000. It has now been renamed the Energy Resources Act 2000. This Act governs the decommissioning of oil and gas assets in South Australia and requires licensees to submit a decommissioning program while ensuring compliance with safety, environmental, and rehabilitation standards.

According to Section 97 of the Act, licensees are required to prepare an Environmental Impact Report (EIR) and an associated Statement of Environmental Objectives (SEO) for all regulated activities, including decommissioning. The EIR assesses the potential environmental, social, and economic impacts, while the SEO establishes legally binding environmental performance standards.

An EIR and SEO would have already been submitted during the initial application for the regulated activity licence, such as for pipelines. However, for decommissioning, the Department for Energy and Mining (DEM) may require an updated or supplementary EIR and SEO if there are changes in environmental conditions, regulatory requirements, or project scope. If the decommissioning project presents significant environmental risks, additional regulatory review and stakeholder consultation may also be required.

Administration: Department for Energy and Mining (DEM)- Energy Regulation Branch.

Trigger: The Act becomes relevant to decommissioning when a licensee seeks to modify or decommission transmission pipelines or facilities, as well as rehabilitate land affected by petroleum or geothermal activities. licensees must submit an updated or supplementary Environmental Impact Report (EIR) and a revised Statement of Environmental Objectives (SEO) where required by DEM. If the project is deemed high-risk, additional regulatory scrutiny and consultation with stakeholders, landholders, and government agencies may be necessary.

Timing: Approvals for decommissioning activities must be obtained before any infrastructure is removed or site rehabilitation begins. It is recommended to commence the process well in advance, as approval timelines depend on the complexity of the project and regulatory review requirements. The overall timeframe from submission to approval is approximately nine to eighteen months, but this may extend further for complex projects. Exact timelines vary based on project scope, environmental risks, and stakeholder engagement requirements.

Relevant Regulations: Energy Resources Regulations 2013: These regulations, under the Energy Resources Act 2000, outline procedural and technical requirements associated with the approval of regulated activities, including decommissioning. They cover aspects such as licence applications, environmental assessments, incident reporting, and recordkeeping. Additionally, they provide detailed requirements for the development and submission of Environmental Impact Reports (EIRs) and Statements of Environmental Objectives (SEOs).

Guidelines:

- **Criteria for Classifying Environmental Impact of regulated activities⁶¹:** These criteria establish the framework for assessing and classifying the level of environmental impact of regulated activities. Classification is not a requirement for Environmental Impact Reports (EIRs) and Statements of Environmental Objectives (SEOs) submitted under the Energy Resources Act 2000, except for those submitted under transitional provisions, which must comply with the requirements of the previous Act (the Petroleum and Geothermal Energy Act 2000).

⁶¹ <https://sarigbasis.pir.sa.gov.au/WebtopEw/ws/samref/sarig1/image/DDD/PGRG004.pdf>

- **Environmental Impact Assessment Guidelines**⁶²: DEM has provided these guidelines to assist proponents in preparing an impact assessment in accordance with the Environmental Impact Assessment Criteria. Licensees must meet the requirements stipulated in these criteria as part of an impact assessment and include them in the EIR in accordance with Section 97 of the Energy Resources Act 2000.
- **Guidance on Making a Public Submission on EIRs and Draft SEOs**⁶³: DEM has provided guidance to assist stakeholders in making a public submission on EIRs and draft SEOs. Under the Energy Resources Act 2000 and Energy Resources Regulations 2013, EIRs and draft SEOs classified as relating to medium impact activities must be published for public comment. These documents are published on the DEM website and in state and regional newspapers.

8.6.2 Petroleum (Submerged Lands) Act 1982

The Act provides a legislative framework for governing petroleum exploration and production in offshore areas within the state's jurisdiction. It was designed to regulate petroleum resources in submerged lands, typically extending up to three nautical miles from the coastline, while ensuring environmental protection, resource conservation, and operational safety. The Act aligns with the broader national offshore petroleum regulations and interacts with the Commonwealth's Offshore Petroleum and Greenhouse Gas Storage Act 2006 (OPGGs Act), which governs petroleum activities beyond state waters.

Administration: DEM.

Triggers: Decommissioning obligations under the Act primarily arise through requirements for a Pipeline Management Plan and safety case compliance. The Act requires that a Pipeline Management Plan be submitted to the Minister for approval, covering various stages of a pipeline's lifecycle, including design, operation, modification, and decommissioning. Additionally, decommissioning activities must align with the facility's approved safety case, unless the Safety Authority consents to alternative arrangements.

Timing: The timeline for approvals varies, depending on the complexity of the decommissioning project and regulatory reviews required, but it typically involves a comprehensive review process that can take several months, especially for large-scale offshore operations.

Regulations: Petroleum (Submerged Lands) Regulations 2020: These regulations, under the Petroleum (Submerged Lands) Act 1982, outline procedural and technical requirements for the approval of regulated activities, including decommissioning. They specify the requirements for the acceptance, revision, and content of Pipeline Management Plans (PMPs), and mandate that decommissioning activities align with the facility's approved safety case unless alternative arrangements are consented to by the Safety Authority.

⁶² <https://sarigbasis.pir.sa.gov.au/WebtopEw/ws/samref/sarig1/image/DDD/PGRG015.pdf>

⁶³ <https://www.energymining.sa.gov.au/industry/energy-resources/regulation/policies-and-guidelines/guidelines>

8.6.3 Environment Protection Act 1993

The Act establishes a general duty of care to prevent or minimise environmental harm from activities that may cause pollution. It requires that reasonable and practicable measures be taken to mitigate potential environmental impacts. The Act regulates activities of environmental significance, requiring environmental authorisations for prescribed activities and ensuring compliance with waste management standards. However, it does not apply to wastes generated under the Energy Resources Act 2000 (see Section 8.6.1) licence when disposed of within the licensed area.

The Act is the primary legislation for administering obligations under the National Environment Protection Measures (NEPM), ensuring compliance with controlled waste transport and handling regulations. The South Australia Environment Protection Authority (SA EPA) is responsible for regulating waste movement, including issuing waste transport permits.

The Environment Protection (Movement of Controlled Waste) Policy 2014, made under the Environment Protection Act 1993 enables South Australia to legislate the national tracking of controlled waste and the movement of controlled waste between states and territories.

Administration: South Australia Environment Protection Authority (SA EPA).

Triggers: The Environment Protection Act 1993 triggers relevance to decommissioning activities when pollution risks are posed, such as contamination, hydrocarbon leaks, or improper waste disposal during the dismantling or closure of oil and gas infrastructure. It applies when activities lead to discharges to marine or inland waters, require significant earthworks, or involve controlled waste movement outside the licensed area, such as hazardous waste from decommissioning activities. Specific activities such as abrasive blasting, dredging, and discharges to water are considered prescribed activities under Schedule 1 of the Act and require environmental authorisations. If any decommissioning activity exceeds thresholds, such as dredging or discharges into water exceeding 50 kilolitres per day, operators are required to apply for specific permits.

Operators must comply with the general environmental duty, ensuring they take appropriate steps to prevent pollution. The SA EPA may issue Environmental Protection Orders or Clean-up Orders if it finds that decommissioning activities risk environmental harm outside of the licensed area. Compliance with the NEPM is particularly relevant for waste transport and handling during decommissioning, and operators may need to apply for a Waste Transport Certificate to ensure that controlled waste is handled in accordance with the law.

Timing: The timing of permits or approvals for decommissioning activities under the Environment Protection Act 1993 can vary depending on the type and scale of activities involved. For example, activities such as dredging, abrasive blasting, or significant discharges into water require the submission of environmental authorisations before decommissioning can commence. The approval process typically takes 1 to 3 months, but it may be extended if the SA EPA requires additional information or if public consultation is necessary for larger-scale projects. For activities involving controlled waste, approval for waste transport and handling must be obtained prior to removal, with a Waste Transport Certificate often being issued once compliance with regulatory standards is confirmed.



8.6.4 Planning, Development and Infrastructure Act 2016

The Act establishes the framework for planning and development within South Australia, encompassing both land-use planning and environmental impact assessments for major projects. While the Act primarily focuses on land development and planning, it also plays a significant role in regulating activities related to the decommissioning of structures and sites, ensuring that decommissioning is carried out in compliance with state planning policies and environmental standards. The Act provides a structured approach for the cessation of activities, land rehabilitation, and the removal or repurposing of infrastructure. Its primary objective is to ensure that all development activities, including decommissioning, are undertaken sustainably, with due regard for environmental, safety, and community well-being.

Administration: The relevant authority (local council or the State Commission Assessment Panel). Assessments may be referred to the SA EPA, for additional environmental assessments, particularly when environmental impacts are significant.

Trigger: The Act is triggered when decommissioning activities involve land-use changes, removal of infrastructure, or any actions that fall under the category of “development”. Decommissioning that alters land use, such as the abandonment of an oil and gas facility or the demolition of structures, is considered a form of development that must comply with the provisions of this Act. Operators are required to submit a Development Application (DA), which outlines the proposed works and the impact on land use. In instances where the decommissioning scope exceeds certain thresholds or involves major infrastructure removal, an environmental impact assessment may be required to ensure that the development is consistent with environmental sustainability and regulatory requirements. The SA EPA may become involved to assess any potential environmental harm and ensure that proper mitigation strategies are in place.

Timing: The timing for obtaining permits or approvals under the Act depends on the nature and scale of the decommissioning activities. If the proposed decommissioning involves land-use changes or major infrastructure removal, the operator must submit a Development Application. The review and approval process for this application typically takes between 1 to 3 months. However, if an environmental impact assessment is required—especially for major development projects—the approval timeline may extend further, typically taking 3 to 6 months, as it involves additional consultation with stakeholders, environmental assessments, and regulatory reviews. This timeline can be influenced by the complexity of the project, the size of the infrastructure, and the potential environmental impact associated with land rehabilitation or infrastructure removal.

8.6.5 Dangerous Substances Act 1979, Dangerous Substances (General) Regulations 2017

The Act regulates the handling, storage, transportation, and disposal of dangerous substances within South Australia. This includes fuels such as petroleum, diesel, and LPG, which are classified as dangerous substances under the Act. The Act ensures that dangerous substances are managed safely throughout their lifecycle, from handling and transportation to disposal. It also implements the provisions of the Australian Code for the Transport of Dangerous Goods by Road and Rail, which establishes uniform standards for the safe transport of hazardous materials across the country. The overarching aim of the Act is to prevent harm to individuals, property, and the environment by regulating the activities associated with dangerous substances. Operators are required to take all reasonable precautions to avoid environmental harm, breaches of safety, or endangerment to public health and safety.

Administration: SafeWork SA.





Trigger: The Act becomes relevant during decommissioning when dangerous substances such as petroleum, diesel, or LPG are involved. This may occur during the dismantling, transport, and disposal of infrastructure or during the process of decommissioning offshore or onshore oil and gas assets. When handling or disposing of these substances, compliance with the Act and its regulations is required to mitigate risks associated with environmental harm, fire hazards, and health and safety concerns. Activities such as the storage, conveyance, or disposal of dangerous substances during decommissioning are subject to strict licensing requirements. Depending on the quantity of substances involved, bulk storage and transportation may require a specific license, and operators must demonstrate that the required safety measures are in place. Failure to comply with the provisions of the Act is considered an offense.

Timing: The timing of permits or approvals under the Dangerous Substances Act 1979 is dependent on the nature and volume of the dangerous substances involved in the decommissioning process. For example, bulk storage or conveyance of petroleum products or other dangerous substances requires a license under the Act. Depending on the complexity of the operation, obtaining the necessary approvals typically takes around 1 to 2 months. The timeframe for receiving approval will depend on factors such as the volume of substances being stored or transported, the adequacy of safety measures implemented, and the extent to which the decommissioning activities adhere to the safety and environmental standards prescribed under the Act. Additionally, SafeWork SA may require further consultation or inspections to ensure that all relevant safety and environmental considerations have been addressed.

8.6.6 Radiation Protection and Control Act 2021

The Act governs activities involving radiation sources in SA. It is designed to protect people, property, and the environment from the harmful effects of radiation. The Act establishes controls over radiation sources, including licensing and regulatory requirements for activities involving radioactive materials. It replaces the earlier *Radiation Protection and Control Act 1982* and includes provisions to amend the *Environment Protection Act 1993* to align with radiation control standards. The Act applies to any activities involving radioactive substances, ensuring that these activities do not present a threat to human health or the environment.

Administration: SA EPA.

Trigger: The Act becomes relevant to decommissioning activities when radioactive materials are part of the assets being decommissioned, particularly if the process involves transportation, handling, or disposal of radioactive substances. Operators must secure relevant licenses if radioactive substances are involved in decommissioning activities. For instance, if decommissioning involves the removal of equipment or materials that are contaminated with radioactive substances, transport permits, and disposal authorisations are required under the Act.

Timing: It is advisable to submit applications for licenses well in advance of planned decommissioning activities. This allows time for regulatory processing and helps mitigate potential delays. Engaging with the SA EPA early in the planning process ensures that all required approvals are in place before work begins, preventing compliance risks and project disruptions.



8.6.7 Nuclear Waste Storage Facility (Prohibition) Act 2000

The Act is a key piece of legislation that prohibits the establishment of certain nuclear waste storage facilities within South Australia. The primary objective of the Act is to protect public health, safety, and the environment by preventing the storage of nuclear waste in the state. The Act is a proactive measure designed to ensure that SA does not become a site for the storage of high-level nuclear waste, which could pose significant risks to both human health and the environment.

The Act is specific to nuclear waste and does not apply to radioactive material handled or disposed of under the *Radiation Protection and Control Act 2021* (see section 8.6.6), provided these activities have been conducted according to a licensed permit or authority.

Administration: Department for Environment and Water (DEW).

Trigger: The Act is relevant to decommissioning projects where there is potential for nuclear waste storage or handling activities. However, its direct relevance is minimal in most decommissioning scenarios, as it primarily prohibits the establishment of storage facilities rather than regulating handling processes. If decommissioning activities involve the transportation, storage, or disposal of radioactive materials that could fall within the scope of nuclear waste, operators must ensure that they do not conflict with the prohibitions outlined in this Act.

Timing: While the Act does not impose specific licensing or approval requirements for decommissioning projects, compliance is required throughout the decommissioning phase. Operators must ensure that no aspect of their activities leads to the establishment of a nuclear waste storage facility, either intentionally or inadvertently.

8.6.8 Work Health and Safety Act 2012

The Work Health and Safety Act 2012 is administered by SafeWork SA the state’s workplace health and safety regulator.

The Work Health and Safety Act requires all activities to be conducted in a manner that prioritises worker safety, minimising risks to health and safety during the decommissioning process including removal, dismantling and disposal of equipment. The general requirements including a duty of care for the company to ensure as far as is reasonably practicable the health and safety of all workers involved during the decommissioning process.

Administration: SafeWork SA.

Trigger: All activities are subject to this Act.

8.6.9 Explosives Act 1936

The Act governs the use, handling, storage, and transportation of explosives within SA. It establishes a regulatory framework designed to ensure that explosives are used safely and responsibly, mitigating risks to public safety and the environment. The Act mandates that operators obtain the necessary licenses for the possession, use, storage, and transport of explosives. It also outlines safety regulations to govern explosive activities, ensuring that these activities are conducted in a controlled and secure manner. The Act is essential for maintaining safety standards in environments where explosives are required, such as in the demolition or removal of infrastructure during decommissioning projects.

Administration: SafeWork SA.

Trigger: The Act is triggered when decommissioning activities involve the use of explosives or the handling of hazardous materials that present a significant risk to workers’ safety or public health. In decommissioning projects, this typically applies to activities such as the demolition of large structures, where explosives may be necessary for controlled dismantling. Operators must ensure that all explosive handling complies with the licensing and safety requirements under the Act. Licenses are required to use, store, transport, and import explosives.

Timing: The time required for approvals is not specified; however, it is recommended that operators engage SafeWork SA early in the process to allow sufficient time for the necessary licensing and safety requirements.



8.6.10 Native Vegetation Act 1991

The Act is designed to protect native vegetation across South Australia. The Act ensures that vegetation clearance is minimised and only occurs under specific conditions, particularly when it is necessary for development or operational activities. It establishes a rigorous process for obtaining permits for vegetation clearance and emphasises the need to offset any environmental damage through a Significant Environmental Benefit (SEB). The *Native Vegetation Regulations 2017* further define the rules governing the clearance of native vegetation, including when clearance can occur and what conditions apply. For petroleum operations, Regulation 14 allows the clearance of native vegetation if it is incidental to operations authorised under the *Energy Resources Act* (see Section 8.6.1), provided it is conducted in accordance with an approved management plan.

Administration: DEW.

Trigger: The Act is triggered when there is a need to clear native vegetation as part of decommissioning activities. For example, if decommissioning operations involve removing native vegetation, a permit under the Act will be required. This may apply to projects involving the removal or disturbance of coastal or marine ecosystems, including those involving infrastructure removal or site rehabilitation. Operators must ensure that vegetation clearance is done in accordance with an approved management plan, and the SEB requirements must be met if clearance cannot be avoided. A Native Vegetation Clearance permit must be obtained before any clearance of native vegetation is carried out.

Timing: DEW recommends submitting the application at least 10 weeks before a decision is required. The timing for obtaining the permit will depend on the scale of the clearance and the specific assessment required.

8.6.11 Aboriginal Heritage Act 1988

The Act provides protection to Aboriginal heritage, including sites, objects, and remains, within SA. The Act ensures that any Aboriginal heritage is preserved and protected, with a strict prohibition on damage, disturbance, or interference unless authorised by the Minister for Aboriginal Affairs and Reconciliation. This includes both known and unknown sites, objects, and remains, emphasising that they are of significant cultural and historical importance.

Administration: Department of Premier and Cabinet, specifically the Aboriginal Affairs and Reconciliation Division.

Trigger: The Act is triggered during decommissioning activities if there is any risk of impacting Aboriginal heritage sites, objects, or remains. This could occur when decommissioning involves excavation, construction, or other activities that may affect land where Aboriginal heritage is present, either known or unknown. It is essential for project operators to conduct a heritage assessment to ensure that no Aboriginal heritage is impacted and to seek written authorisation from the Minister if any disturbance to heritage sites is unavoidable. Decommissioning operators must apply for written authorisation from the Minister for Aboriginal Affairs and Reconciliation before commencing any activities that may damage, disturb, or interfere with Aboriginal heritage. The application process may involve consultations with relevant stakeholders, including Traditional Owners, and may require cultural heritage assessments to be conducted.

Timing: The timing for obtaining authorisation is dependent on the scope of the decommissioning activities and the complexity of the heritage assessment. Operators should submit the application well in advance to allow for sufficient time for consultation, assessment, and review. It is advisable to initiate the application process several months before the planned decommissioning activities to account for potential delays and required consultations.



8.6.12 Heritage Places Act 1993

The Act aims to identify, protect, and manage places, objects, and archaeological artefacts of heritage significance within SA. This includes State Heritage Places and objects, whether they are officially listed as heritage sites. The Act ensures that significant heritage sites and items are preserved, with specific provisions to prevent their destruction or disturbance without proper authorisation. Permission is required for any activity that may impact these heritage places or objects, ensuring that heritage values are respected during development or decommissioning projects.

Administration: DEW.

Trigger: The Act is triggered during decommissioning activities if any listed State Heritage Places or related objects are potentially at risk of being destroyed or disturbed. This could include activities such as excavation, demolition, or removal of infrastructure. A heritage assessment should be conducted to identify whether the decommissioning project might impact any heritage places or objects. If the project involves these, permission must be sought from DEW to ensure the heritage values are not compromised. Decommissioning operators must apply for a permit from DEW if their activities could affect State Heritage Places or heritage objects. This should be done before commencing any activities that might disturb or damage heritage-listed items. The process may involve consultation with heritage experts, the public, and potentially the relevant Indigenous communities.

Timing: The timing for obtaining approval will depend on the scale of the decommissioning activities and the heritage assessment required. Early engagement with DEW is recommended to ensure that all heritage requirements are met before the commencement of decommissioning activities.

8.6.13 Native Title Act 1994

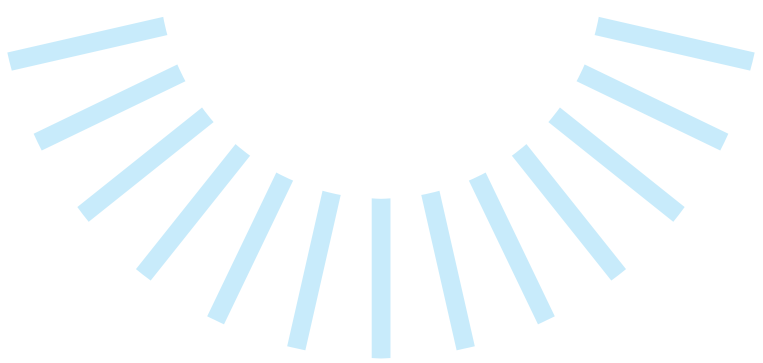
The Act provides a framework for the recognition and protection of native title rights in SA. It addresses the registration, investigation, and determination of native title claims and provides mechanisms for compensation for any acts that may affect native title rights. This legislation ensures that the rights of Aboriginal peoples over their traditional lands and waters are acknowledged and respected, particularly in cases where activities such as decommissioning may impact areas subject to native title.

Administration: The National Native Title Tribunal is responsible for the administration of the Native Title Act, in collaboration with relevant state government departments, Indigenous Land Councils, and, for South Australia, the Department for Aboriginal Affairs and Reconciliation.

Trigger: The Act is triggered when decommissioning activities involve land or waters that are subject to native title rights or claims. This includes activities such as infrastructure removal or disturbance of sites in areas where native title exists or is being claimed. Operators must engage with the relevant Native Title holders or claimants to consult and ensure compliance with the requirements under the Act before decommissioning activities commence.

Timing: The process of consultation and approval under the Act can be complex, depending on the nature of the claim or determination. The timing can vary significantly based on the specific circumstances of each case, such as the level of consultation required and the response of the Native Title holders or claimants. The process could take several months to a year, depending on the complexity of the native title claim and the need for legal determinations.





8.6.14 Historic Shipwrecks Act 1981

The Act protects historic shipwrecks, aircraft, and relics/artifacts within SA waters. It is unlawful to damage, destroy, interfere with, or remove any shipwreck, aircraft, or artifact that falls under this Act without a permit. The Act applies to historic shipwrecks within the territorial limits of SA waters (i.e., waters within the three-nautical-mile limit and 'internal waters' like bays and gulfs). However, the Commonwealth Historic Shipwrecks Act 1976 holds jurisdiction over waters adjacent to South Australia's coast (such as Investigator Strait and Backstairs Passage), and the Commonwealth has responsibility for shipwrecks in these areas.

Administration: DEW.

Trigger: The Act is triggered when any project activity, such as decommissioning, has the potential to damage or disturb a historic shipwreck, aircraft, or associated relic/artifact within South Australian waters or adjacent Commonwealth waters. This includes any interference (other than on the shoreline) with shipwrecks or artifacts attributable to the project. This could arise from marine operations, construction, or decommissioning work that involves excavation or disturbance of the seafloor or waters where historic wrecks are located.

Timing: Obtaining a permit under the Act can take several months, depending on the complexity of the project and the specific requirements for protecting the wrecks. The process may involve consultations with heritage officers, assessment of the significance of the wrecks, and potentially detailed assessments to determine impacts. This can take anywhere from a few months to over a year, especially if consultation with the Commonwealth is required for areas under its jurisdiction.

8.6.15 Marine Parks Act 2007

The Act aims to protect and conserve SA's marine biological diversity and habitats by establishing and managing marine parks. It also facilitates ecologically sustainable development and use of marine environments. The Act grants the state government authority to declare marine parks, develop management plans, and establish interim protection orders to control activities within marine parks before a management plan is finalised. The Act defines the management of marine parks, zoning within them, and specific restrictions or regulations for activities within those zones. The general duty of care requires individuals to take reasonable measures to prevent or minimise harm to marine parks during their activities.

Administration: DEW.

Trigger: The Marine Parks Act is triggered during any decommissioning activities that could impact marine parks or designated areas within them. This includes disturbances to marine habitats, wildlife, or water quality, as well as activities like excavation or disposal of materials in marine environments. If the project is in or near a marine park, it is necessary to assess the impact on the park and comply with relevant zoning regulations or permit requirements.

Timing: The approval process may take several months, especially if significant environmental impact assessments or consultations with stakeholders are required.

8.6.16 National Parks and Wildlife Act 1972

The Act is administered by the Department for Environment and Water (DEW), provides legal recognition and protection for threatened flora and fauna species in South Australia, including those that are endangered, vulnerable, or rare. The Act specifically protects animal species listed in Schedule 8 and plant species that are classified as protected. It is an offence under the Act to "take" (i.e., injure, kill, or disturb) any protected species without obtaining a permit. Additionally, the National Parks and Wildlife (Protected Animals – Marine Mammals) Regulations 2010 impose restrictions on human activities, such as vessel operations, near marine mammals, including whales, to reduce disturbance.

Administration: DEW.

Trigger: For decommissioning operations, the relevance of the NPW Act lies in the potential impact on threatened species or their habitats. If any protected plant or animal species (especially those listed in Schedule 8) are found within the area of operation, a permit will be required to prevent disturbance, injury, or death. This may also apply to marine mammals if vessels or operations are near protected species during the decommissioning phase.

Timing: The application process for permits may take several weeks to a few months, depending on the nature of the decommissioning activities and the species involved.

8.6.17 Landscape South Australia Act 2019

The Act establishes a framework for managing and protecting the state’s natural resources, focusing on land management, water resources management, and pest plant and animal control. The Act empowers the creation of regional landscape plans that guide the management of water, soil, and biological assets, including defining water-affecting activities that require permits. The Act also sets out regulatory frameworks for the management of surface and groundwater resources, particularly in prescribed areas.

Landholders, and those undertaking work on their behalf, are legally obligated to manage declared pest plants and animals, as well as to prevent land and water degradation.

Administration: DEW.

Trigger: For decommissioning projects, the relevance of the Landscape South Australia Act lies in its focus on water resources and pest management. If decommissioning activities impact water bodies or involve the disturbance of land, particularly in prescribed areas or in relation to declared pest species, permits may be required. A well construction permit is necessary to construct a bore, and only an approved well driller can carry out the work. Additionally, a water licence is required for water extraction, depending on the prescribed areas where the project is taking place.

Timing: The timing for obtaining permits may take 6–8 weeks, depending on further assessment and specific project requirements.

8.6.18 Coast Protection Act 1972

The Act was established to protect, restore, and manage SA’s coast, focusing on preventing erosion, damage, deterioration, pollution, and misuse. The Act formed the Coastal Protection Board (CPB), which sets guidelines for coastal development and manages coastal processes. The Act applies to the coast, including the land within 100 meters of the mean high-water mark, the sea within three nautical miles of the mean low-water mark, as well as bays, inlets, and estuaries.

Administration: DEW and Coastal Protection Board (CPB).

Trigger: This Act is relevant to decommissioning activities that could impact coastal environments. Any activities conducted near or in the coastal zone (e.g., decommissioning infrastructure, disturbing coastal or marine environments) may trigger the need to comply with CPB guidelines. Specific consideration must be given to water quality and coastal processes to ensure that the decommissioning activities do not negatively affect the coastline, such as causing erosion or pollution.

Timing: Compliance is required throughout the Project, ensuring that all activities align with CPB guidelines and environmental protections at all stage.



8.7 Interstate Movement of Waste

As opposed to the international movement of controlled waste, which is governed by the Basel Convention and the domestic Hazardous Waste (Regulation of Exports and Imports) Act 1989, the interstate movement of waste is mostly governed by a National Environment Protection Measure (NEPM). Each State and Territory works closely with the Commonwealth Government in implementing the NEPM and uses its own legislative framework to ensure the safe and regulated movement of controlled waste across borders.

8.7.1 National Environment Protection (Movement of Controlled Waste between States and Territories) Measure

A NEPM is a National Environment Protection Measure made by the National Environment Protection Council. The council is a statutory body consisting of the environment ministers from each State and Territory, and the Commonwealth. All ministers have an equal say on the issues they consider and any decisions they make requires the agreement of at least two-thirds of the members. The mandate of the NEPC is to ensure that all Australians have the same level of environmental protection and to ensure that business decisions are not distorted by differences in environment protection measures between Australian States and Territories.

The NEPC makes National Environment Protection Measures (NEPM) which then become law and must be implemented by each of the participating governments (unless they already have tougher environment protection standards in place).

The National Environment Protection (Movement of Controlled Waste between States and Territories) Measure 1998 ensures that controlled waste that is to be moved between States and Territories is properly identified, transported and handled in ways that are considered to be environmentally sound. The NEPM was created in June 1998. The NEPM introduced a system to track the movement of controlled waste around Australia.

Link: [mcw-nepm-variation-july2012.pdf](#)

The NEPM is intended to deliver the following benefits:

- ensures that controlled wastes are properly identified, transported and handled
- minimises the potential for adverse impacts on the environment and human health
- provides a national framework for managing the movement of controlled waste
- lower costs for businesses because only one transport licence is needed nationwide, and application and reporting requirements are standardised across Australia
- greater community confidence that controlled waste is being moved safely and sent to appropriate receiving facilities for treatment or disposal

The Environment Outcome of the NEPM “are to minimise the potential for adverse impacts associated with the movement of controlled waste on the environment and human health”.

While the NEPM outlines a framework for the movement of controlled waste, each State and Territory has its own regulations in line with the NEPM. The following table summarizes the specific requirements in each jurisdiction:

Jurisdiction	Legislation	Requirements
Western Australia	Environmental Protection (Controlled Waste Regulations 2004)	Consignment authorisation (CW17) required for transporting controlled waste
South Australia	Environment Protection Act 1993 and Waste to Resources Policy 2010)	Waste Transport certificates required
Northern Territory	Waste Management and Pollution Control Act 1998	Specific permits and tracking forms required for controlled waste movement
Victoria	Environment Protection Act 2017	Waste transport certificates necessary for transporting controlled waste

While the Basel Convention is mainly designed for international shipments, it indirectly influences the movement of hazardous waste within Australia. When moving hazardous waste between states the waste must be handled in a manner that complies with environmental protection standards in both states. For example, waste sent to Western Australia (i.e. Sandy Ridge) must be processed in a facility that is authorised to manage hazardous waste safely, as per both state regulations and the overarching goals of the Basel Convention.

Article 4 of the Basel Convention lays out the general obligation of parties to reduce the generation of hazardous waste and to minimise its transboundary movement. This is mainly so that the waste does not end up in inappropriate or unsafe disposal sites. Article 4 also highlights that the transboundary movement of hazardous waste should only be conducted when necessary and in accordance with the environmentally sound management of the waste. The idea is that moving waste over long distances should be avoided unless it is essential to do so for environmentally sound disposal or recovery.



8.8 Waste Facilities

There are only a number of facilities that are designed to accept and manage hazardous and intractable wastes in Australia. The two facilities summarised below have both been granted EPBC approval (through various bilateral assessments). Sandy Ridge received Ministerial approval by the Western Australian Government and the Chandler Facility have received approval from the Northern Territory Government. The facilities both utilise geological formations for the purpose of waste containment. Sandy Ridge employs a near-surface geological repository, whereas Chandler plans to use deep geological storage within salt beds.

8.8.1 Sandy Ridge Project

The Sandy Ridge Project (owned by Tellus Holdings Ltd) involves a dual kaolin (clay) mine and waste facility which accepts waste from all over Australia including waste from offshore Oil and Gas facilities. The waste includes amongst other things low level radioactive waste and persistent organic pollutants. The approved facility is located 140 km west northwest of Kalgoorlie.

The project was assessed under the Bilateral agreement between Western Australia and the Commonwealth Government. This Agreement allows the WA EPA to assess and approve certain projects that would otherwise require approval under the EPBC Act. Once the EPA has assessed a project, the WA Minister for Environment makes the final decision on approval, in accordance with the EPA's recommendations. The Commonwealth Minister for the Environment may still need to review the state approval and retains an oversight role and may intervene if necessary to ensure compliance with national standards.

The EPA assessment report included impacts to human health during transport and operations including the proposed route via rail to Kalgoorlie and then by road using licensed transport contractors. A risk assessment was conducted to identify, evaluate and mitigate potential environmental impacts associated with the proposal and the transport of hazardous and intractable waste. The risk assessment concluded that transport of wastes did not represent an unmanageable risk. The EPA concluded that "having regard to the relevant EP Act principles and environmental objective for human health, that the impacts to this factor are manageable and would no longer be

significant provided there is appropriate conditioning of waste auditing and management ...". The assessment report then notes that "there are a number of national and state regulations to manage waste transport. These cover both state and inter-state transportation and management of chemical wastes and management of low-level radioactive waste. They include:

- The *National Environmental Protection (Movement of Controlled Waste between States and Territories) Measure* which has been adopted by all States and Territories and addresses interstate transport of controlled waste (see Section 0).
- The Environmental Protection (Controlled Waste) Regulations 2004 (Controlled Waste regulations) which sets out licensing requirements for drivers and vehicles and the use of Controlled Waste Tracking Forms; and
- *Radiation Safety Act 1975* and associated Radiation Safety (Transport) Regulations 2002. These instruments regulate the transport, storage and disposal of radioactive materials within Western Australia. Also requires the carrier to develop and transport management plans for the movement of low-level radioactive wastes to the Sandy Ridge Facility.

The Project was approved under Ministerial Statement 1078 with conditions in June 2018. Condition 6 states that "the proponent shall ensure that only wastes generated within Western Australia, other Australian States and Territories, and the Australian Exclusive Economic Zone are accepted at the Sandy Ridge Facility", thus confirming that the facility is approved to receive wastes from other states.

The report concludes that the EPA considers that interstate waste should only be disposed to the Sandy Ridge Facility if this represents the best option and not simply if it is the cheapest option.

The EPBC number 2015/7478 was approved with conditions in January 2019.

The Sandy Ridge facility can accept solid mercury-contaminated waste but are prohibited by the conditions on their licence from handling liquid waste contaminated with mercury or elemental mercury. Mercury is considered a controlled waste in all states and territories.⁶⁴

⁶⁴ managing-mercury-when-decommissioning-offshore-oil-and-gas-infrastructure.pdf

8.8.2 Chandler Facility (Northern Territory) (proposed, not yet operational)

The Chandler Facility Project, proposed by Tellus Holdings Ltd, is a dual-purpose salt mine and waste storage facility located within the Maryvale and Henbury Station Pastoral Leases, approximately 120 km south of Alice Springs and 15 km from the Titjikala community in the Northern Territory. The facility is designed to provide long-term storage and disposal solutions for hazardous and intractable wastes, including those generated by oil and gas decommissioning activities.

The project was assessed under the *NT Environmental Assessment Act 1982* at the level of an Environmental Impact Statement (EIS), with the Northern Territory Environmental Protection Authority (NT EPA) overseeing the assessment. Additionally, due to potential impacts on listed threatened species and communities, the project was designated a controlled action under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC 2012/6684) and assessed through an accredited process.

The Chandler Facility has been designed to store and dispose of a variety of hazardous wastes, including contaminated equipment and infrastructure (e.g., pipelines, platforms, tanks, drill cuttings), Naturally Occurring Radioactive Material (NORM), heavy metals, asbestos, hydrocarbons, and PFAS (per- and polyfluoroalkyl substances), as well as other chemical contaminants. The facility is aligned with international best practices, including principles outlined in the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, ensuring environmentally sound management of hazardous materials. Waste Acceptance Criteria (WAC) have been established to restrict certain types of waste, such as highly corrosive, oxidizing, explosive, or biodegradable materials, ensuring long-term environmental safety.

Waste transport to the Chandler Facility is regulated under both national and international frameworks, including:

- The National Environmental Protection (Movement of Controlled Waste between States and Territories) Measure, which governs interstate waste transport.
- The NT EPA's Waste Management Strategy for the Northern Territory 2015-2022, providing a framework for critical infrastructure to safely store and permanently isolate hazardous wastes.
- The *Radiation Protection Act 2004* (see Section 8.4.25) (NT), governing the transport and disposal of radioactive materials, including NORM.
- The *Dangerous Substances Act 1998* (NT), regulating the transport and handling of hazardous materials.

The Chandler Facility will be governed by these regulatory standards to ensure the safe and environmentally responsible movement and storage of oil and gas decommissioning wastes. It is also positioned to contribute to national and international waste management efforts, including handling waste from industries like utilities and resource sectors.

To ensure the facility's long-term safety and compliance with environmental protection standards, Waste Acceptance Criteria (WAC) have been established. These criteria are in line with internationally recognised best practices and include restrictions on certain waste types, including gases, highly corrosive or oxidising materials, infectious or uncertified wastes, explosive, flammable, or self-combusting materials, biodegradable wastes, and wastes that could react with the host geology. Additionally, nuclear and uranium mining waste are excluded from acceptance, ensuring the facility only receives waste that meets its defined safety criteria. Naturally Occurring Radioactive Material (NORM) up to exemption levels will be accepted, providing a safe storage solution for long term.

8.9 Management of sealed radioactive sources

During the operational life of oil and gas facilities, sealed radioactive sources may be installed on process equipment such as level gauges, density gauges and flow measurement devices. These sources are typically small but highly regulated.

During decommissioning, operators must ensure that:

- all radioactive sources are identified and recorded prior to dismantling
- sources are removed by licensed radiation professionals
- transport and disposal occurs via licensed facilities
- sources do not enter scrap metal recycling streams.

8.10 Graphic summary of all regulations per state

This graphic summarises all main regulations pertinent for Commonwealth, Western Australia, South Australia, Victoria and Northern Territory.

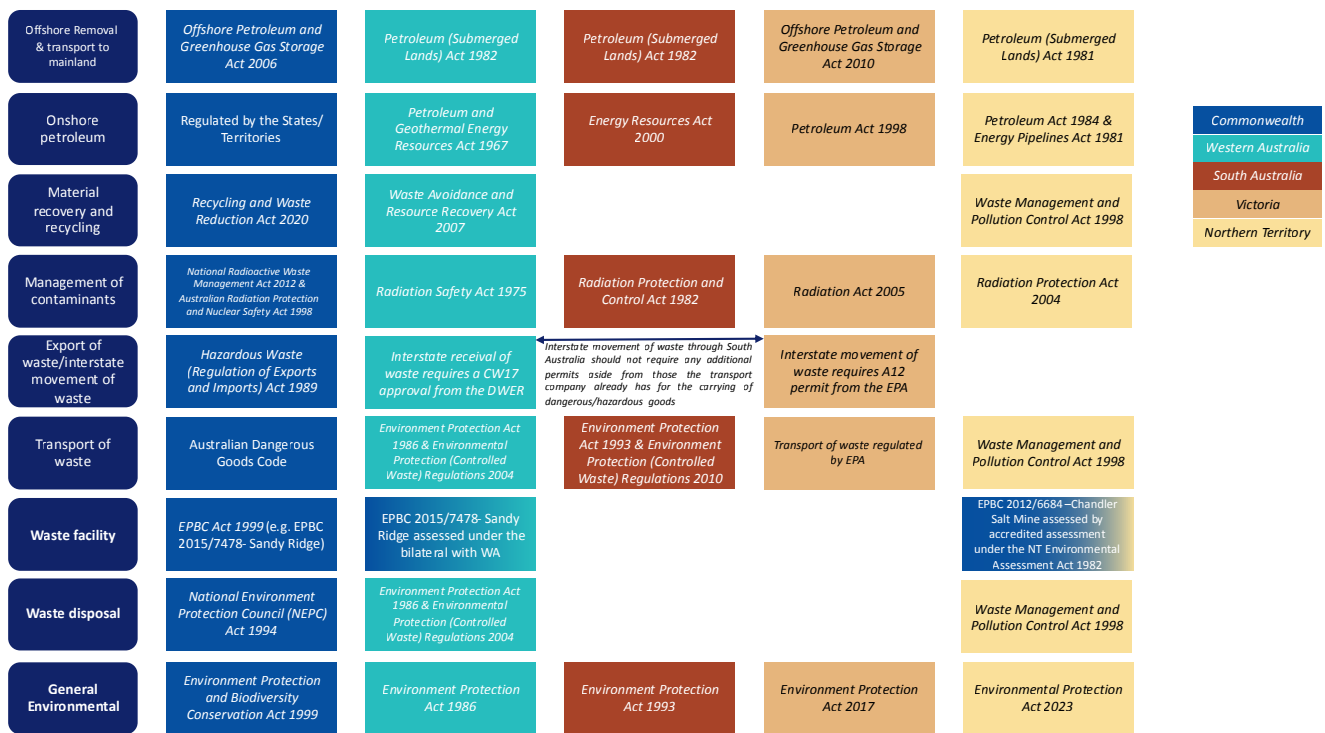


Figure 10: Summary graphic of main legislations associated with decommissioning per state





8.11 Definitions

Term	Definition
Titleholder	The person or company that holds a legal title to explore for or extract petroleum resources. This term is commonly used in the Commonwealth offshore legislation (e.g. <i>Offshore Petroleum and Greenhouse Gas Storage Act 2006</i>)
Licensee / Licence Holder	A general term used to refer to a party that holds a licence under a specific piece of legislation (e.g. a pipeline licence under the <i>Pipelines Act 2005</i> or a radiation management licence under the <i>Radiation Act 2005</i>). These terms are used interchangeably in this report depending on the legislative context.
Operator	The party appointed by the titleholder or Licensee to carry out day to day activities associated with a facility or project. The operator may also be the titleholder or licensee, but not always. Under the OPGSS Act, the operator is responsible for holding the Safety Case and/ or Well Operations Management Plan (WOMP).



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