

NORTHERN TERRITORY OF AUSTRALIA

PETROLEUM LEGISLATION AMENDMENT REGULATIONS 2026

Subordinate Legislation No. 22 of 2026

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NORTHERN TERRITORY OF AUSTRALIA

Subordinate Legislation No. 22 of 2026

Petroleum Legislation Amendment Regulations 2026

I, David Robert Connolly, Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, make the following regulations under the *Petroleum Act 1984*.

Responsible Minister:

J. R. BURGOYNE
Minister for Lands, Planning and Environment

D. R. CONNOLLY
Administrator

Date of making: 16 July 2026

Part 1 Preliminary matters

1 Title

These Regulations may be cited as the *Petroleum Legislation Amendment Regulations 2026*.

2 Commencement

These Regulations commence on 30 July 2026.

Part 2 Amendment of Petroleum (Environment) Regulations 2016

3 Regulations amended

This Part amends the *Petroleum (Environment) Regulations 2016*.

4 Regulation 3 amended (Definitions)

- (1) Regulation 3, definitions ***day***, ***environment management plan***, ***environmental performance standard***, ***hydraulic fracturing***, ***interest holder*** and ***stakeholder engagement***

omit

- (2) Regulation 3

insert

administrative amendment means an amendment:

- (a) correcting a clerical error; or
- (b) correcting an error arising from an omission, from a material mistake in a calculation or in the description of any person, thing or matter; or
- (c) removing duplicate or conflicting material; or
- (d) clarifying any matter.

Code of Practice: Environment means the Code of Practice: Environment established by the Minister under section 117AZV of the Act as that code is in force from time to time.

control measure means an action, activity, device, or system implemented to manage the environmental impacts and environmental risks of a regulated activity.

environmental performance standard means a statement of the performance required of a control measure.

serious public health risk, see section 4 of the *Public and Environmental Health Act 2011*.

supplementary management plan means a plan of a kind specified in the Code of Practice: Environment as a supplementary management plan for a regulated activity.

vary, in relation to the conditions of an environment management plan, includes adding, suspending, waiving or revoking a condition of the plan.

- (3) Regulation 3, definition **prescribed chemical legislation**, after paragraph (b)

insert

(ba) *Radiation Protection Act 2004*;

- (4) Regulation 3, definition **resubmission notice**

omit

11(2)(b)

insert

10(1)

5 Regulation 4 inserted

After regulation 3

insert

4 Application of Code of Practice: Environment

The Code of Practice: Environment applies to and must be complied with in:

- (a) the preparation of an environment management plan and any revision of that plan; and
- (b) the preparation of any supplementary management plan and any revision of that plan; and
- (c) the carrying out of any regulated activity to which a plan referred to in paragraph (a) or (b) applies.

6 Regulation 5 amended (Regulated activity)

(1) Regulation 5(1)(a)

omit, insert

(a) authorised under a petroleum interest; and

(2) Regulation 5(2)(i)

omit, insert

(i) the production, storage and transportation of petroleum and hazardous substances;

(j) the rehabilitation of an area disturbed by a regulated activity referred to in paragraphs (a) to (i).

(3) After regulation 5(3)(b)

insert

(ba) drilling a water bore in accordance with the *Water Act 1992*;

(bb) carrying out non-ground disturbing activities, including:

(i) vegetation or weed surveys; and

(ii) rehabilitation assessment surveys;

(bc) carrying out other environmental surveys and sampling;

(4) Regulation 5(3)(c)

omit

(a) or (b);

insert

(a), (b), (ba), (bb) or (bc);

(5) Regulation 5(4)

omit, insert

(4) In this regulation:

facility means a permanent or temporary structure or installation of any kind, including a building, road, dam, pond, flowline, water storage and treatment facility, wastewater storage and treatment facility, well pad, airstrip and powerline.

7 Regulation 5A amended (Decisions subject to the principles of ecologically sustainable development)

(1) Regulation 5A(a), (b), (c), (d) and (e)

omit, insert

(a) a decision to give an interest holder a resubmission notice under regulation 10(1);

(b) a decision to approve a plan under regulation 11(3)(a);

(c) a decision to refuse to approve a plan under regulation 11(3)(b);

(2) After regulation 5A(f)

insert

(fa) a decision under regulation 14B to vary the conditions of approval of a current plan (other than to make an administrative amendment);

8 Regulation 6 amended (Submission of plan for approval)

(1) Regulation 6(2), after 'stakeholder engagement'

insert

under regulation 7

(2) Regulation 6(4)

omit, insert

(4) An environment management plan submitted to the Minister must be accompanied by the fee determined in accordance with Schedule 1AA, clause 2.

-
- (5) An environment management plan is submitted to the Minister by lodging it with the Agency.
 - (6) Within 14 days after an environment management plan is submitted to the Minister under subregulation (1), a public sector employee of the Agency may return the plan to the interest holder, without further consideration, if it is incomplete.

9 Regulation 8 amended (Form and content of plan)

- (1) Regulation 8(1)(a)
omit, insert
 - (a) be in the approved form (if any); and
- (2) Regulation 8(2), (3), (4) and (5)
omit, insert
 - (2) A plan may relate to more than one regulated activity.

10 Regulation 8A amended (Publishing certain plans for comment)

- Regulation 8A(3)
omit, insert
- (3) The requirement to publish does not apply to a plan resubmitted for approval under regulation 10.

11 Regulation 8B amended (Public comments on plan)

- After regulation 8B(2)
insert
- (3) The Minister is not required to consider any public comment submitted:
 - (a) by a person in the form of a form letter or petition prepared by another body or organisation; or
 - (b) after the end of the 28 day period.

12 Regulation 9 amended (Approval criteria for plan)

After regulation 9(1)(a)

insert

(ab) comply with the Code of Practice: Environment; and

(ac) comply with any published Ministerial guidelines relating to the preparation of environment management plans; and

13 Regulations 10 and 11 replaced

Regulations 10 and 11

repeal, insert

10 Resubmission of plan

(1) The Minister may give the interest holder written notice (a **resubmission notice**) to resubmit an environment management plan if the Minister is reasonably satisfied that:

(a) the plan should include further information about any matter required by these Regulations to be included in the plan; or

(b) administrative amendments are required to the plan; or

(c) the plan should be amended to take into account comments submitted under regulation 8B in relation to the plan; or

(d) the plan does not meet the approval criteria.

(2) A resubmission notice must:

(a) set out the reasons for requiring the resubmission of the plan; and

(b) specify a reasonable period within which the interest holder must resubmit the plan for approval.

(3) The Minister may issue more than one resubmission notice under this regulation in relation to a plan.

11 Approval of plan, refusal to approve and other actions

(1) Subject to subregulations (6) and (8), the Minister must make a decision under subregulation (3) as soon as practicable, but no later than 90 days, after an interest holder submits an environment management plan for approval.

- (2) The Minister must take into account any comments submitted under regulation 8B when making a decision under subregulation (3) in relation to a plan published under regulation 8A.
- (3) The Minister must:
 - (a) if reasonably satisfied that the plan meets the approval criteria:
 - (i) approve the plan, with or without conditions; and
 - (ii) give the interest holder an approval notice and statement of reasons for the approval; or
 - (b) if not reasonably satisfied that the plan meets the approval criteria:
 - (i) refuse to approve the plan; and
 - (ii) give the interest holder a refusal notice and a statement of reasons for the refusal.
- (4) The Minister must not decide under subregulation (3) to refuse to approve a plan on the basis that it does not meet the approval criteria unless the Minister has given the interest holder a resubmission notice under regulation 10 to address the criteria.
- (5) The 90-day period specified in subregulations (1), (8) and (9) ceases to run during:
 - (a) the period for submitting comments on the plan under regulation 8B; and
 - (b) if a resubmission notice has been given under regulation 10 – the period specified in the notice or any further period approved by the Minister for resubmitting the plan.
- (6) If a resubmission notice is given under regulation 10, and the environment management plan is resubmitted the Minister must make a decision under subregulation (3) as soon as practicable and no later than the later of:
 - (a) the end of the 90-day period that has recommenced to run; or
 - (b) the end of 28 days after the resubmission of the plan.
- (7) If more than one resubmission notice is given under regulation 10, subregulation (6) applies in relation to the environment management plan submitted in relation to the last resubmission notice to be issued.

- (8) If the Minister is satisfied that more than 90 days will be required to make a decision under subregulation (3), the Minister must give the interest holder a notice setting out a proposed timetable for consideration of the plan unless subregulation (6) or (9) applies.
- (9) If the reason that more than 90 days will be required to make the decision is because an Authority Certificate in relation to the land on which the activity to which the plan relates will be carried out has not been provided, the Minister must make the decision no later than 14 days after receiving the Authority Certificate.
- (10) Despite subregulations (1) and (3), an approval of a plan or a refusal to approve a plan is not invalid because the Minister did not give the interest holder a notice of the decision within the relevant period specified under this regulation.

11A Lapsing of submission for approval of plan

- (1) A submission for approval of an environment management plan lapses:
 - (a) if an interest holder is given a resubmission notice under regulation 10 and does not submit a modified plan within the period specified in the notice, or a further approved period; or
 - (b) unless a longer period is determined by the Minister under subregulation (2), at the end of 12 months after the plan is first submitted for approval unless the plan or a resubmitted plan is approved within that period; or
 - (c) if a longer period is determined by the Minister under subregulation (2), at the end of that longer period unless the plan or a resubmitted plan is approved within that period.
- (2) On the application of the interest holder, the Minister may extend the period before a submission for approval of an environment plan lapses under subregulation (1).
- (3) The lapsing of a submission for approval of an environment management plan is not to be taken to be a refusal of approval of the plan.

14 Regulation 12 amended (Approval notice and statement of reasons)

Regulation 12(3)

omit, insert

- (3) An approval notice for a plan must be accompanied by a statement of reasons for the approval that includes information about how the plan meets the approval criteria.

15 Regulation 13 amended (Refusal notice and statement of reasons)

Regulation 13(2)

omit, insert

- (2) A refusal notice for a plan must be accompanied by a statement of reasons for the refusal that includes the reasons why the Minister is not reasonably satisfied that the environment management plan meets the approval criteria.

16 Regulation 14B inserted

After regulation 14A, in Part 2, Division 2

insert

14B Variation of conditions of approval of current plan

- (1) The Minister may, if the Minister considers it appropriate after consultation with the interest holder, by notice served on the interest holder, vary the conditions of approval of a current plan.
- (2) An interest holder for a current plan may apply to the Minister to vary the conditions of approval of the plan.
- (3) An application under subregulation (2) must be in the approved form.
- (4) On receiving an application under subregulation (2), the Minister may, by notice served on the interest holder, vary the conditions of approval of the current plan in accordance with the application or refuse to vary the conditions.

17 Regulation 15 amended (Application of Divisions 1 and 2)

- (1) Regulation 15, before 'The'

insert

(1)

- (2) Regulation 15, at the end

insert

- (2) Without limiting subregulation (1), a revision of an environment management plan submitted to the Minister must be accompanied by the fee determined in accordance with Schedule 1AA, clause 3.

18 Regulation 16A inserted

After regulation 16

insert

16A Revision of plan

- (1) This regulation applies to an interest holder if the interest holder proposes a change to an environment management plan which may result in:
- (a) a new environmental impact or environmental risk not provided for in the current plan; or
 - (b) an increase, not provided for in the current plan, in an existing environmental impact or environmental risk.
- (2) The interest holder must submit to the Minister, for approval, a proposed revision in the form of a revised part of the current plan assessing the new or increased environmental impact or environmental risk.
- (3) Regulation 16(2) applies to a proposed revision submitted under subregulation (2).
- (4) The interest holder must not make a change to the plan until the proposed revision is approved by the Minister.
- (5) Subject to regulation 16(2), the Minister may on the receipt of a proposed revision under this regulation:
- (a) approve the revision, if reasonably satisfied the revision meets the approval criteria; or

-
- (b) refuse to approve the revision if not reasonably satisfied that the revision meets the approval criteria.

19 Regulation 17 amended (Revision required for new or increased environmental impact or environmental risk)

- (1) Regulation 17, heading

omit

new or increased environmental impact or environmental risk

insert

serious public health risk or risk of significant environmental harm

- (2) Regulation 17(1)

omit

there has been:

insert

a serious public health risk or a risk of significant environmental harm has occurred as a result of:

- (3) After regulation 17(2)

insert

- (2A) The proposed revision of a current plan required to be submitted under subregulation (2) must be accompanied by a statement signed by the interest holder stating why the occurrence in subregulation (1)(a) or (b) could not have been predicted before it occurred.

20 Regulation 22 amended (Modification to regulated activity)

- (1) Regulation 22(2), at the end

insert

Note for subregulation (2)

The Environment Minister may require the review of an environmental security under section 117AS of the Act on receiving notice of the proposed modifications.

(2) After regulation 22(2)

insert

(2A) A notice under subregulation (2) must:

- (a) be in the approved form; and
- (b) include a declaration by the interest holder that the proposed modification of the regulated activity will not increase the environmental impact or the environmental risk of the activity; and
- (c) be accompanied by the following documents prepared in an approved form:
 - (i) a consolidated copy of the environment management plan incorporating all proposed modifications;
 - (ii) a table of all proposed modifications setting out when the proposed modifications are intended to take effect.

21 Part 2, Division 4A inserted

After regulation 23

insert

Division 4A Amalgamation of plans

23A Amalgamation of plans

- (1) An interest holder for 2 or more current plans may amalgamate the plans into one environment management plan if the amalgamation does not increase the environmental impact or environmental risk of the activities identified in the plans.
- (2) The interest holder must give the Minister a notice of the amalgamated environment management plan.
- (3) The notice must:
 - (a) be in the approved form; and
 - (b) identify the current plans included in the amalgamated environment management plan; and

- (c) include a declaration by the interest holder that the amalgamation is of 2 or more current plans and that the amalgamation does not increase the environmental impact or the environmental risk identified in those plans.
- (4) The notice must be accompanied by a copy of the amalgamated environment management plan.
- (5) On receipt of the notice, the Minister must publish the amalgamated environment management plan in accordance with regulation 26.
- (6) On publication of the amalgamated plan under subregulation (5), the amalgamated environment management plan replaces the relevant current plans.
- (7) For the purposes of regulation 18, in relation to the first revision of the amalgamated environment management plan, the 5-year period is taken to start on the day the most recent approval notice was given to the interest holder in respect of the current plans before the amalgamation.

22 Regulation 24A inserted

After regulation 24

insert

24A Publication of variation to conditions of current plan

Within 14 days after the Minister gives an interest holder notice under regulation 14B of a variation of the conditions of approval of a current plan, the Minister must publish notice of the variation.

23 Part 2, Division 6A inserted

After regulation 28

insert

Division 6A Supplementary management plans**28A Supplementary management plans**

- (1) This regulation applies in relation to an environment management plan if the Code of Practice: Environment requires the interest holder for the plan to prepare a supplementary management plan.

- (2) The interest holder for the environment management plan must prepare the supplementary management plan in accordance with the Code of Practice: Environment and the environment management plan.
- (3) The interest holder for the environment management plan must ensure that the supplementary management plan is certified by an independent qualified person in accordance with the Code of Practice: Environment and the environment management plan.
- (4) The interest holder for the environment management plan must give the certified supplementary management plan to the Minister before commencing to carry out the regulatory activity to which the plan applies.
- (5) Within 14 days after an interest holder gives the Minister a certified supplementary management plan, the Minister must publish the certified supplementary management plan.
- (6) If the interest holder is required under the Code of Practice: Environment to prepare a revision of a supplementary management plan subregulations (2) to (5) apply to the revised plan with any necessary changes.
- (7) If the interest holder amends a supplementary management plan and a revision of the plan is not required, the interest holder must give a copy of the amended plan to the Minister before the amendment takes effect.
- (8) Within 14 days after an interest holder gives the Minister an amended supplementary management plan under subregulation (7), the Minister must publish the amended supplementary management plan.
- (9) In this regulation:

independent qualified person has the same meaning as in the Code of Practice: Environment.

24 Regulation 29AA amended (Judicial review of decision)

Regulation 29AA

omit

Schedule 1A,

insert

Schedule 2,

25 Regulation 29 amended (Review by Tribunal)

Regulation 29(1) and (2)

omit

Schedule 2

insert

Schedule 3

26 Regulation 31 amended (Compliance with current plan)

- (1) Regulation 31, heading, after 'plan'

insert

or supplementary management plan

- (2) After regulation 31(5)

insert

- (5A) A person commits an offence if the person carries out a regulated activity in a manner which contravenes a current supplementary management plan published under regulation 28A.

Maximum penalty: 200 penalty units

- (5B) An offence against subregulation (5A) is an offence of strict liability

27 Regulation 33 amended (Notice of reportable incident)

After regulation 33(4)

insert

- (4A) After giving notice of an incident as a reportable incident under subregulation (1) and before giving the Minister the first interim report of the incident under regulation 34(3A), the interest holder may, by notice, advise the Minister that the incident is no longer considered to be a reportable incident and is to be recorded as a recordable incident instead.
- (4B) A notice under subregulation (4A) must set out clear evidence as to why the incident is not considered to be a reportable incident.
- (4C) The Minister, by notice to the interest holder, may refuse to accept the notice given under subsection (4A) if the Minister is not satisfied that the incident is not a reportable incident.

(4D) If the Minister refuses to accept the notice, the interest holder must provide the first interim report to the Minister under regulation 34(3A) before the later of:

- (a) 60 days after the incident; and
- (b) 21 days after the Minister gives the refusal notice under subregulation (4C).

28 Regulation 34 amended (Report about reportable incident)

(1) After regulation 34(3)

insert

(3A) An interim report about a reportable incident must be given to the Minister as soon as practicable but no later than 60 days after the reportable incident first occurs.

(3B) The interim report under subregulation (3A) must include:

- (a) a root cause analysis of the reportable incident; and
- (b) further information about the matters mentioned in subregulation (3)(b) and any other matters relevant to the reportable incident.

(2) Regulation 34(5) and (6)

omit, insert

(5) The final report must include further information about:

- (a) the matters mentioned in subregulations (3)(b) and (3B); and
- (b) any other matters relevant to the reportable incident.

(6) If no clean up or rehabilitation of the area affected by the reportable incident is required, the Minister may direct that an interim report is to be treated as the final report.

(6A) During the period between giving the first interim report under subregulation (3A) and the final report, the interest holder must give the Minister further interim reports that include further information about the matters mentioned in subregulation (3)(b) and any other matters relevant to the reportable incident.

-
- (3) Regulation 34(7), after 'Interim reports'

insert

under subregulation (6A)

- (4) Regulation 34(7)(b)

omit

initial report

insert

first interim report under subregulation (3A)

29 Regulation 36 amended (Records to be kept)

Regulation 36(3)(h)

omit

engagement;

insert

engagement under regulation 7 or the plan;

30 Part 3A heading amended (Reporting requirements for hydraulic fracturing)

Part 3A, heading

omit

hydraulic fracturing

insert

flowback fluid and produced water

31 Regulation 37A amended (Report about flowback fluid)

- (1) Regulation 37A(2A)

omit

(2) Regulation 37A(3)

omit

and assessment

32 Regulation 37B amended (Report about produced water)

(1) Regulation 37B(1)

omit, insert

- (1) An interest holder must give the Minister a report about produced water within 6 months of the produced water being extracted.

(2) Regulation 37B(2A)

omit

(3) Regulation 37B(3)

omit

and assessment

(4) Regulation 37B(6), definition ***produced water***

omit, insert

produced water means naturally occurring water that is extracted from a reservoir.

*Note for definition ***produced water****

Reservoir is defined in section 5(1) of the Petroleum Act 1984 to mean any subsurface formation or geological sequence containing a petroleum pool.

33 Part 3B inserted

After regulation 37B

insert

Part 3B Administration

37C Electronic processes

- (1) For section 117K of the Act, a direction or notice to be given or provided to a person under these Regulations may be given or provided by sending it to the recipient's email address as an attachment to an email.

- (2) Subject to evidence to the contrary, a direction or notice sent in accordance with subregulation (1) is taken to be given or provided to the recipient when it is sent to the recipient's email address.

34 Regulation 38 amended (Infringement notice offence and prescribed amount payable)

Regulation 38(1) and (2)

omit

Schedule 3

insert

Schedule 4

35 Part 7 inserted

After regulation 48

insert

Part 7 Transitional matters for Petroleum Legislation Amendment Regulations 2026

49 Definitions

In this Part:

amending Regulations means the *Petroleum Legislation Amendment Regulations 2026*.

commencement means the commencement of regulation 2 of the amending Regulations.

50 Application of amending Regulations to existing regulated activities and existing environment management plans

- (1) This regulation applies in relation to an environment management plan for a regulated activity that was approved before the commencement.
- (2) The interest holder for the plan may carry out the regulated activity after the commencement in accordance with the plan as approved before the commencement.
- (3) Despite regulations 4 and 9(1)(aa), the Code of Practice: Environment does not apply to a revision of the plan under regulation 16A or 17.

- (4) The Code of Practice: Environment applies to a revision of the plan under regulation 18.
- (5) If 2 or more environment management plans that were approved before the commencement are amalgamated under regulation 23A, then, despite regulations 4 and 9(1)(aa), the Code of Practice: Environment does not apply to the amalgamated environment management plan.
- (6) Despite regulation 23A, an environment management plan approved before the commencement cannot be amalgamated with an environment management plan approved after the commencement.

51 Application of amending Regulations to environment management plan not yet approved

- (1) This regulation applies in relation to an application for approval of an environment management plan that was made but not approved before the commencement.
- (2) Despite the amendments made by the amending Regulations, these Regulations as in force immediately before the commencement, and any approved code of practice applying immediately before the commencement, continue to apply to the determination of the application for the approval of the environment management plan.

52 Application of amending Regulations if application for approval of environment management plan made within 12 months after commencement

- (1) This regulation applies in relation to an application for approval of an environment management plan (other than approval of a revision of an environment management plan) that is made within 12 months after the commencement.
- (2) The interest holder, when making the application for approval, may, by written notice to the Minister, elect that this regulation apply to the determination of the application.
- (3) If an election is made under subregulation (2), then despite the amendments made by the amending Regulations, these Regulations as in force immediately before the commencement, and any approved code of practice applying immediately before the commencement, continue to apply to the determination of the application for the approval of the environment management plan.

- (4) If an interest holder does not make an election under subregulation (2), these Regulations as amended by the amending Regulations and the Code of Practice: Environment will apply to the determination of the application.

36 Schedule 1AA inserted

Before Schedule 1

insert

Schedule 1AA Fees for environment management plans

regulations 6 and 15

1 Definitions

In this Schedule:

assessment rating means the assessment rating for a particular activity category specified in the Table.

base fee means 28 047 revenue units.

unit value means 2 104 revenue units.

2 Fee for approval of environment management plan

- (1) The fee for the approval of an environment management plan is the sum of:
- (a) the base fee; and
 - (b) the sum of the assessment ratings for each title area for the regulated activities to which the environment management plan relates, multiplied by the unit value.
- (2) In calculating the component of the fee under subclause (1)(b):
- (a) if 2 or more activities to be undertaken in a particular title area fall into the same activity category, that category will be counted once in relation to that title area; and
 - (b) an activity to be undertaken in 2 or more title areas will be counted once for each title area; and
 - (c) for 2 or more seismic surveys to be undertaken in a particular title area, the total length of seismic surveys in that title area are to be added together for the purposes of the Table.

Table

Item	Activity category	Assessment rating
1	Land clearing (for any purpose) and earthworks (including cutting, filling, excavating or trenching)	2
2	Seismic surveys (total length):	
	up to 100 km	1
	more than 100 km	2
3	The drilling, completion, operation, modification, decommissioning, suspension or abandonment of a well that does not include hydraulic fracture stimulation activities – up to 3 wells	2
4	The drilling, completion, operation, modification, decommissioning, suspension or abandonment of a well that does not include hydraulic fracture stimulation activities – 4 or more wells	4
5	The drilling, completion, operation, modification, decommissioning, suspension or abandonment of a well that includes hydraulic fracture stimulation activities – up to 3 wells	6
6	The drilling, completion, operation, modification, decommissioning, suspension or abandonment of a well that includes hydraulic fracture stimulation activities – 4 or more wells	12
7	The construction, operation, modification, decommissioning, dismantling or removal of other facilities used for the recovery or processing of petroleum	6
8	The construction, operation, modification, decommissioning, dismantling or removal of any other facilities	3

3 Fee for revision of current environment management plan

The fee for a revision of a current environment management plan, payable when the proposed revision is submitted to the Minister, is the same as the fee for the approval of an environment management plan.

37 Schedule 1 amended (Information to be included in environment management plan)

(1) Schedule 1, clause 3(1)

omit, insert

(1) The plan must include:

- (a) details of the environmental impacts and environmental risks of the regulated activity described in the plan; and
- (b) an assessment of the environmental impacts and environmental risks, appropriate to the nature and scale of each impact and risk; and
- (c) a description of the process used to assess the environmental impacts and environmental risks; and
- (d) the control measures used to manage the environmental impacts and environmental risks.

(2) Schedule 1, clause 3(2)

omit

(1)(a)

insert

(1)(b)

(3) Schedule 1, clause 4A(2)

omit, insert

- (2) A plan under subclause (1) must be accompanied by a full human health risk assessment relating to the chemicals or other substances used in hydraulic fracturing activities carried out for the purpose of petroleum recovery on an appraisal basis or for petroleum production under a petroleum interest.

(4) Schedule 1, after clause 4A, in Part 1

insert

4B Supplementary management plans

- (1) This clause applies in relation to an environment management plan if the Code of Practice: Environment requires the interest holder for the plan to prepare a supplementary management plan.

- (2) The environment management plan must specify:
 - (a) the requirements for preparation and certification of the supplementary management plan and giving the certified plan to the Minister; and
 - (b) how those requirements will be met.
 - (5) Schedule 1, clause 9
- omit, insert*

9 Stakeholder engagement

- (1) An environment management plan must include a stakeholder engagement plan.
- (2) The stakeholder engagement plan must set out details of the stakeholder engagement carried out in the preparation of the environment management plan required under regulation 7(2).
- (3) The stakeholder engagement plan must also set out the plan for stakeholder engagement during the term of the plan, setting out:
 - (a) the stakeholder groups or individuals who may be affected by the activity; and
 - (b) the process for inclusion in the plan of new stakeholders identified during the term of the plan; and
 - (c) the strategies and methods the interest holder will use to engage with stakeholders throughout the term of the plan; and
 - (d) how the interest holder will provide ongoing access to information about the environmental impacts of the activity and the management of those impacts during the term of the plan; and
 - (e) how the interest holder will respond to stakeholder concerns or feedback during the term of the plan; and
 - (f) how consultation outcomes will be documented and considered in decision-making and environmental management.

(4) In this clause:

stakeholder means:

- (a) a person or body whose rights or activities may be directly affected by the environmental impacts or environmental risks of the regulated activity proposed to be carried out; or
- (b) an agent or representative of a person or body mentioned in paragraph (a).

(6) Schedule 1, clause 10(2), definition ***legislative requirements***

omit

an approved

insert

the Code of Practice: Environment and any other approved

38 Schedules 1A, 2 and 3 replaced

Schedules 1A, 2 and 3

repeal, insert

Schedule 2 Judicial Review of decision

regulation 29AA

Item	Provision	Decision
1	regulation 11	A decision to approve plan subject to conditions or refuse to approve plan
2	regulation 14B(1)	A decision to vary the conditions of approval of a current plan (other than an administrative amendment)
3	regulation 14B(4)	A decision to refuse to vary the conditions of approval of a current plan
4	regulation 20(2)	A decision that revision still required
5	regulation 27	A decision to revoke approval of current plan

Schedule 3 Reviewable decisions and interested persons

regulation 29

Item	Reviewable decision	Affected person
1	A decision of the Minister to issue a resubmission notice under regulation 10(1)	The interest holder who submitted the plan for approval
2	A decision of the Minister to approve an environment management plan subject to conditions under regulation 11(3)	The interest holder who submitted the plan for approval
3	A decision of the Minister to refuse to approve an environment management plan under regulation 11(3)	The interest holder who submitted the plan for approval
4	A decision of the Minister under regulation 14B(1) to vary the conditions of approval of a current plan (other than an administrative amendment)	The interest holder for the plan
5	A decision of the Minister under regulation 14B(4) to refuse to vary the conditions of approval of a current plan	The interest holder for the plan
6	A decision of the Minister to require a revision of an environment management plan under regulation 20(2)	The interest holder for the plan
7	A decision of the Minister to revoke the approval of a current plan under regulation 27(1)	The interest holder for the plan

Schedule 4 Infringement notice offences and prescribed amounts

regulation 38

Provision		Prescribed amount in penalty units	
		for individual	for body corporate
1	regulation 17(3)	15	75
2	regulation 18(2)	15	75
3	regulation 19(5)	15	75
4	regulation 20(3)	15	75
5	regulation 22(3)	5	25
6	regulation 23(3)	5	25
7	regulation 30(3)	30	150
8	regulation 31(3)	30	150
9	regulation 31(5A)	30	150
10	regulation 33(5)	30	150
11	regulation 34(8)	30	150
12	regulation 35(3A)	15	75
13	regulation 36(5)	15	75
14	regulation 37(7)	15	75

Part 3 Consequential amendment of Petroleum Regulations 2020

39 Regulations amended

This Part amends the *Petroleum Regulations 2020*.

40 Regulation 4 amended (Prescribed fees and amounts)

Regulation 4(3)

omit

41 Schedule 1B repealed

Schedule 1B

repeal

Part 4 Repeal

42 Repeal of Regulations

These Regulations are repealed on the day after they commence.