

Purpose

The *Petroleum (Environment) Regulations* establish a regulatory framework to ensure that onshore petroleum activities are carried out in a manner consistent with the principles of ecologically sustainable development (ESD) and by which the environmental impacts and risks of the activities are reduced to a level that is both as low as reasonably practicable (ALARP) and acceptable.

Summary of key provisions

The regulations require interest holders to have an approved environment management plan in place before petroleum activities can be undertaken. If the interest holder does not comply with this requirement an offence of up to 200 penalty units (\$30,600) for an individual or 1000 penalty units (\$153,000) for a body corporate will apply.

A plan will be approved if the Minister is satisfied that the approval criteria, which are set out in regulation 9, have been met. In particular, the plan must demonstrate that all environmental impacts and risks associated with the activity are reduced to a level that is ALARP and acceptable.

In making the decision as to whether the approval criteria have been met, the Minister must take into account:

- the principles of ESD, and
- any recommendations from an assessment report prepared by the Environment Protection Authority under the *Environmental Assessment Act*.

The plan is not just an approval document. It is an implementation and management tool to be used in the field.

A plan must identify and assess all environmental impacts and risks associated with the regulated activity. For every impact and risk that is identified there must be an environmental outcome, environmental performance standard, measurement criteria and an implementation strategy in place. These components of a plan work together to ensure that the environmental impacts and risks identified in the assessment process are reduced to a level that is ALARP and acceptable. If risks or impacts arise that are not dealt with in a plan, the plan must be revised and resubmitted for approval. If an interest holder does not comply with this requirement, a maximum penalty of 100 penalty units applies (\$15,300) to an individual or 500 penalty units for a body corporate (\$76,500).

Legislative Authority

Section 118 of the *Petroleum Act*.