



# **Offshore Petroleum and Greenhouse Gas Storage Legislation (Repeal and Consequential Amendments) Regulations 2023**

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I, General the Honourable David Hurley AC DSC (Retd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated: 6 July 2023

David Hurley  
Governor-General

By His Excellency's Command

Madeleine King  
Minister for Resources

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# Contents

1	Name.....	1
2	Commencement .....	1
3	Authority.....	1
4	Schedules.....	1
<b>Schedule 1—Repeals</b>		<b>2</b>
	<i>Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009</i>	2
<b>Schedule 2—Amendments</b>		<b>3</b>
	<i>Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Regulations 2022</i>	3
	<i>Offshore Petroleum and Greenhouse Gas Storage (Resource Management and Administration) Regulations 2011</i>	5



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## 1 Name

This instrument is the *Offshore Petroleum and Greenhouse Gas Storage Legislation (Repeal and Consequential Amendments) Regulations 2023*.

## 2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	At the same time as the <i>Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2023</i> commences.  However, the provisions do not commence at all if that instrument does not commence.	10 January 2024

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

## 3 Authority

This instrument is made under the following:

- (a) the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*;
- (b) the *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003*.

## 4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

## **Schedule 1—Repeals**

### ***Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009***

#### **1 The whole of the instrument**

Repeal the instrument.

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## **Schedule 2—Amendments**

### ***Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Regulations 2022***

#### **1 Section 4 (definition of *Environment Regulations*)**

Omit “2009”, substitute “2023”.

#### **2 Subsection 59BA(1)**

Omit “(1) For”, substitute “For”.

#### **3 Subsection 59BA(1)**

Omit “regulation 9”, substitute “section 26”.

#### **4 Subsection 59BA(2)**

Repeal the subsection.

#### **5 Subsection 59C(1)**

Omit “, or a proposed revision of an environment plan,”.

#### **6 Subsections 59C(2) to (5)**

Omit “or revised plan” (wherever occurring).

#### **7 Subsection 59D(1)**

Omit “, or a proposed revision of an environment plan,”.

#### **8 Subsection 59D(2)**

Omit “or proposed revision”.

#### **9 Subsection 59D(3)**

Omit “(or revised plan)”.

#### **10 Subsections 59D(4) and (5)**

Omit “or proposed revision”.

#### **11 Subsection 59E(1)**

Omit “or a proposed revision of an environment plan”.

#### **12 Subsection 59E(2)**

Omit “subregulation 11AA(1)”, substitute “subsection 37(1)”.

#### **13 Subsection 59E(3) (heading)**

Omit “*or proposed revision*”.

#### **14 Subsection 59E(3)**

Omit “or proposed revision under regulation 10”, substitute “under section 33”.

**15 Subsection 59E(4)**

After “submission of an environment plan”, insert “relating to an activity”.

**16 Paragraph 59E(4)(a)**

Omit “a proposed revision of the environment plan under regulation 10”, substitute “a revised environment plan relating to the activity under section 33”.

**17 Paragraph 59E(4)(b)**

Omit “proposed revision”, substitute “revised plan”.

**18 Subsection 59G(1)**

Omit “, or a proposed revision of an environment plan,”.

**19 Subsections 59G(2) to (5)**

Omit “or revised plan” (wherever occurring).

**20 Subsection 59H(1)**

Omit “, or a proposed revision of an environment plan,”.

**21 Subsection 59H(2)**

Omit “or proposed revision”.

**22 Subsection 59H(3)**

Omit “(or revised plan)”.

**23 Subsections 59H(4) and (5)**

Omit “or proposed revision”.

**24 Subsection 59I(1)**

Omit “or a proposed revision of an environment plan”.

**25 Subsection 59I(2)**

Omit “subregulation 11AA(1)”, substitute “subsection 37(1)”.

**26 Subsection 59I(3) (heading)**

Omit “*or proposed revision*”.

**27 Subsection 59I(3)**

Omit “or proposed revision”.

**28 Subsection 59I(3)**

Omit “regulation 10”, substitute “section 33”.

**29 Subsection 59I(4)**

After “submission of an environment plan”, insert “relating to an activity”.

**30 Paragraph 59I(4)(a)**

Repeal the paragraph, substitute:



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- (a) NOPSEMA accepts a revised environment plan relating to the activity under a provision of a law of a State or Territory that substantially corresponds to section 33 of the Environment Regulations; and

**31 Paragraph 59I(4)(b)**

Omit “proposed revision”, substitute “revised plan”.

***Offshore Petroleum and Greenhouse Gas Storage (Resource Management and Administration) Regulations 2011***

**32 Regulation 9.15 (note)**

Omit “2009”, substitute “2023”.

**33 Regulation 11B.01 (table items 1 to 9 and 11, column 2)**

Omit “*Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009*”, substitute “*Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2023*”.

**34 Regulation 11B.01 (after table item 17)**

Insert:

- 17A Subparagraph 646A(1)(g)(ii) *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2023*

**35 Regulation 11B.01 (table item 20, column 2)**

Omit “2009”, substitute “2023”.

**36 Regulation 11B.01 (cell at table item 20A, column 2)**

Repeal the cell, substitute:

- (a) *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009*;  
(b) *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2023*

**37 Regulation 11B.01 (cell at table item 20AA, column 2)**

Repeal the cell, substitute:

- (a) *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009*;  
(b) *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2023*

**38 Regulation 11B.01 (cell at table item 20AB, column 2)**

Repeal the cell, substitute:

- (a) *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009*;  
(b) *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2023*

**39 Regulation 11B.01 (cell at table item 20AC, column 2)**

Repeal the cell, substitute:

- (a) *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009*;
- (b) *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2023*

**40 Regulation 11B.01 (cell at table item 20AD, column 2)**

Repeal the cell, substitute:

- (a) *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009*;
- (b) *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2023*

**41 Regulation 11B.01 (table item 20B, column 2)**

Omit “2009”, substitute “2023”.

**42 Subregulation 12.05(2) (paragraph (b) of the definition of *reportable incident*)**

Omit “2009”, substitute “2023”.