



Western Australia

Petroleum and Geothermal Energy Safety Levies Amendment Act 2024

As at 14 May 2024

Official Version

No. 18 of 2024

Published on www.legislation.wa.gov.au

Petroleum and Geothermal Energy Safety Levies Amendment Act 2024

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Petroleum and Geothermal Energy Safety Levies Amendment Act 2024

No. 18 of 2024

An Act to amend the *Petroleum and Geothermal Energy Safety Levies Act 2011*.

[Assented to 14 May 2024]

The Parliament of Western Australia enacts as follows:

Part 1 — Preliminary

1. Short title

This is the *Petroleum and Geothermal Energy Safety Levies Amendment Act 2024*.

2. Commencement

This Act comes into operation as follows —

- (a) Part 1 — on the day on which this Act receives the Royal Assent;
- (b) the rest of the Act — on a day fixed by proclamation, and different days may be fixed for different provisions.

Part 2 — Amendments relating to regulated substances

3. Act amended

This Part amends the *Petroleum and Geothermal Energy Safety Levies Act 2011*.

4. Section 3 amended

- (1) In section 3 delete the definitions of:

explore

well

- (2) In section 3 insert in alphabetical order:

explore means to carry out a survey operation, drilling operation or other operation, other than a seismic survey, that relates to exploration for —

- (a) petroleum or a regulated substance; or
- (b) geothermal energy resources;

geological formation includes —

- (a) any seal or reservoir of a geological formation;
and
- (b) any associated geological attributes or features of a geological formation;

regulated substance means a naturally occurring substance that —

- (a) occurs in a natural geological formation; and
- (b) is prescribed by the regulations;

well means a hole in the Earth's crust made by drilling, boring or any other means in connection with any of the following, other than a seismic shot hole —

- (a) exploration for petroleum or a regulated substance;

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- (b) operations for recovery of petroleum or a regulated substance;
- (c) exploration for geothermal energy resources;
- (d) operations for recovery of geothermal energy;

5. Section 3D amended

- (1) In section 3D(1) in the definition of *petroleum title* paragraph (a)(i) delete “petroleum; or” and insert:

petroleum or a regulated substance; or

- (2) In section 3D(2):

- (a) in paragraphs (a), (b), (c), (e) and (f) delete “petroleum;” and insert:

petroleum or a regulated substance;

- (b) in paragraph (g) delete “petroleum.” and insert:

petroleum or a regulated substance.

Part 3 — Amendments relating to greenhouse gas storage

6. Act amended

This Part amends the *Petroleum and Geothermal Energy Safety Levies Act 2011*.

7. Long title amended

In the long title delete “operations and geothermal energy” and insert:

operations, geothermal energy operations and greenhouse gas storage

8. Section 1 amended

In section 1 delete “*Petroleum and Geothermal Energy*” and insert:

Petroleum, Geothermal Energy and Greenhouse Gas Storage

9. Section 3 amended

(1) In section 3 insert in alphabetical order:

GHG operation — see section 3CA;

GHG title means any of the following —

- (a) a GHG exploration permit, GHG drilling reservation, GHG retention lease, GHG injection licence, GHG special prospecting authority or GHG access authority granted under the *Petroleum, Geothermal Energy and Greenhouse Gas Storage Act 1967*;

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- (b) a consent granted under the *Petroleum, Geothermal Energy and Greenhouse Gas Storage Act 1967* section 116(1) for GHG exploration operations (as defined in section 5(1) of that Act);
- (c) a licence granted under the *Petroleum and Greenhouse Gas Pipelines Act 1969* if the pipeline is a greenhouse gas pipeline (as defined in section 4(1) of that Act);
- (d) a GHG exploration permit, GHG retention lease, GHG injection licence, GHG special prospecting authority or GHG access authority granted under the *Petroleum and Greenhouse Gas Storage (Submerged Lands) Act 1982*;
- (e) a consent granted under the *Petroleum and Greenhouse Gas Storage (Submerged Lands) Act 1982* section 123(1) for GHG exploration operations (as defined in section 4(1) of that Act);
- (f) a pipeline licence granted under the *Petroleum and Greenhouse Gas Storage (Submerged Lands) Act 1982* if the pipeline is a greenhouse gas pipeline (as defined in section 4(1) of that Act);
- (g) an infrastructure licence granted under the *Petroleum and Greenhouse Gas Storage (Submerged Lands) Act 1982* if the infrastructure facilities are for engaging in any of the activities mentioned in section 6B(3) of that Act;

- (2) In section 3 in the definition of ***adjacent area*** delete “*Petroleum (Submerged Lands) Act 1982*” and insert:

Petroleum and Greenhouse Gas Storage (Submerged Lands) Act 1982

- (3) In section 3 in the definitions of ***geothermal energy*** and ***geothermal energy resources*** delete “*Petroleum and Geothermal Energy Resources Act 1967*” and insert:

Petroleum, Geothermal Energy and Greenhouse Gas Storage Act 1967

10. Section 3A amended

In section 3A(2) delete “petroleum operation” and insert:

petroleum operation, or a GHG operation,

11. Section 3C amended

In section 3C(1) delete the definition of ***geothermal energy title*** and insert:

geothermal energy title means a permit, drilling reservation, lease, licence or other authority (however described), other than a GHG title, granted under the *Petroleum, Geothermal Energy and Greenhouse Gas Storage Act 1967* in relation to geothermal energy or geothermal energy resources.

12. Section 3CA inserted

After section 3C insert:

3CA. GHG operation

(1) In this section —

accommodation premises —

(a) means residential premises —

(i) the occupation of which is necessary for the purposes of workers' engagement at a GHG site; and

(ii) that are not situated within a townsite as defined in the *Land Administration Act 1997* section 26(1) or the metropolitan region as defined in the *Planning and Development Act 2005* section 4(1);

and

(b) includes land, buildings and recreational facilities used in connection with the occupation of those premises;

GHG site —

(a) means a place at which an activity referred to in subsection (2) is, or is to be, carried out; and

(b) includes any fixture, fitting, plant or structure at the place.

(2) A ***GHG operation*** is an activity —

(a) that is carried out in an area in respect of which a GHG title is in force or that is carried out in the adjacent area; and

- (b) the carrying out of which —
 - (i) is authorised under a GHG title; or
 - (ii) is for the purposes of an activity that is so authorised.
- (3) Without limiting subsection (2), a **GHG operation** includes the following activities —
 - (a) planning, designing, preparing or constructing a GHG site if the activity is carried out at or in the vicinity of the GHG site;
 - (b) commissioning, operating or maintaining a GHG site;
 - (c) decommissioning or abandoning a GHG site or removing any fixture, fitting, plant or structure from a GHG site;
 - (d) constructing, commissioning, operating or maintaining administrative or other support facilities at or in the vicinity of a GHG site;
 - (e) an activity relating to the care, security or maintenance of a GHG site carried out at or in the vicinity of the GHG site;
 - (f) constructing, commissioning, operating or maintaining accommodation premises at or in the vicinity of a GHG site;
 - (g) a prescribed activity carried out in —
 - (i) an area in respect of which a GHG title is in force; or
 - (ii) the adjacent area.

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13. Section 3D amended

In section 3D(1) in the definition of *petroleum title* delete paragraph (a) and insert:

- (a) a permit, drilling reservation, lease, licence or other authority (however described), other than a GHG title, granted under —
 - (i) the *Petroleum, Geothermal Energy and Greenhouse Gas Storage Act 1967* in relation to petroleum or a regulated substance; or
 - (ii) the *Petroleum and Greenhouse Gas Pipelines Act 1969*; or
 - (iii) the *Petroleum and Greenhouse Gas Storage (Submerged Lands) Act 1982*;
- or

14. Section 3E amended

In section 3E(2)(a) delete “operation or a geothermal energy” and insert:

operation, a geothermal energy operation or a GHG

15. Section 4 amended

In section 4(1) and (3) delete “operation or a geothermal energy” and insert:

operation, a geothermal energy operation or a GHG

16. Section 10 amended

In section 10(2) delete “*Petroleum and Geothermal Energy Resources Act 1967*, the *Petroleum Pipelines Act 1969*, the *Petroleum (Submerged Lands) Act 1982*” and insert:

Petroleum, Geothermal Energy and Greenhouse Gas Storage Act 1967, the *Petroleum and Greenhouse Gas Pipelines Act 1969*, the *Petroleum and Greenhouse Gas Storage (Submerged Lands) Act 1982*
