



Victoria Government Gazette

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Subordinate Legislation Act 1994

PROPOSED PETROLEUM REGULATIONS 2021

Notice of Preparation of Regulatory Impact Statement

Notice is given in accordance with section 11 of the **Subordinate Legislation Act 1994**, that a Regulatory Impact Statement (RIS) has been prepared in relation to the proposed Petroleum Regulations 2021 (the proposed Regulations).

Objectives

The proposed Regulations further the objectives of the **Petroleum Act 1998** (the Act) to encourage the exploration for petroleum in Victoria and to promote petroleum production for the benefit of all Victorians.

The proposed Regulations prescribe matters relating, but not limited to:

- providing for the elimination and minimisation, so far as is reasonably practicable, of the environmental, public amenity and safety hazards and risks involved in undertaking petroleum operations over the life of those operations;
- providing for the elimination and minimisation, so far as is reasonably practicable, of impacts from petroleum operations on local communities;
- ensuring effective engagement by authority holders with the community over the life of an authority;
- providing for the effective management of petroleum reservoirs and petroleum storage reservoirs;
- prescribing requirements for operation plans, storage development plans and petroleum production development plans;
- prescribing requirements for applications for, and notices of, applications;
- prescribing reporting requirements, including the information and samples, that an authority holder must provide to the Minister; and
- providing for various administrative matters, fees and other requirements of the Act.

The proposed Regulations will be made under section 252 of the Act. The proposed Regulations are necessary because the Act requires that certain matters and information requirements be specified in them to enable compliance with the Act. In addition to the regulation-making power in section 252 of the Act, the Act contains various other provisions that require certain matters to be prescribed by Regulation. This includes certain provisions inserted by the **Petroleum Legislation Amendment Act 2020** (the Amendment Act) to support the orderly restart of the onshore petroleum industry.

The proposed Regulations will update and modernise existing regulatory requirements, including to enhance reporting and data submission requirements, and strengthen operation plan requirements including for rehabilitation, decommissioning and community consultation.

The proposed Regulations will also prescribe requirements that are necessary to support the Amendment Act amendments, including factors to be considered by the Minister in decision-making on authority applications and operation plans; and certain requirements for new public submissions processes in relation to authority applications and operation plans.

Regulatory Impact Statement

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SPECIAL

The RIS analyses the following options, which are compared to the Base Case of allowing the regulations to sunset:

- Status Quo – Reinstating the current Petroleum Interim Regulations 2021 for a further 10 years with no changes
- Option 1 – Outcomes focussed regulations
- Option 2 – Standards based regulations (the proposed Regulations).

The RIS examines the costs and benefits of the proposed Regulations and possible alternatives, and concludes that the proposed Regulations which give effect to Option 2 are the most efficient method of achieving the objectives mentioned above.

Submissions

Public comment is invited on the proposed Regulations and RIS. Please note that all comments and submissions received will be treated as public documents.

Comments and submissions must be received by the Department of Jobs, Precincts and Regions no later than 5.00 pm, 3 September 2021.

The Engage Victoria website is the preferred method for receiving submissions, and can be found at: <https://engage.vic.gov.au/>

Submissions can also be received by post, marked ‘Petroleum Regulations 2021’ and addressed to: Director, Resources Policy and Legislation Reform, Department of Jobs, Precincts and Regions, GPO Box 4509, Melbourne, Victoria 3001.

Copies of the RIS and proposed Regulations can be obtained from the Engage Victoria website at <https://engage.vic.gov.au/>

JACLYN SYMES MP
Minister for Resources

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