

Draft Petroleum, Geothermal Energy and Greenhouse Gas Storage (Greenhouse Gas Injection and Storage) Regulations 2025 and Petroleum and Greenhouse Gas Storage (Submerged Lands)(Greenhouse Gas Injection and Storage) Regulations 2025

Information Sheet

Purpose

This information sheet provides guidance on key aspects of the draft Petroleum, Geothermal Energy and Greenhouse Gas Storage (Greenhouse Gas Injection and Storage) Regulations 2025 and the Petroleum and Greenhouse Gas Storage (Submerged Lands)(Greenhouse Gas Injection and Storage) Regulations 2025 (GHG Regulations), which prescribe the requirements for certain matters related to the permanent underground storage of greenhouse gas substances in Western Australia.

Stakeholders are invited to review the two sets of draft GHG Regulations and provide feedback.

Background

The *Petroleum Legislation Amendment Act 2024* (PLAA2024) amended the *Petroleum and Geothermal Energy Act 1967* (PGERA67) and the *Petroleum (Submerged Lands) Act 1982* (PSLA82) to, amongst other things, provide a legislative framework for the pipeline

transport and permanent underground storage of greenhouse gas substances. These activities form part of what is commonly referred to as Carbon Capture and Storage (CCS).

Marked up versions (Blue Bills) of the amended PGERA67 and the PSLA82 can be obtained from the Parliament of Western Australia website for the [Petroleum Legislative Amendment Bill 2023](#).

Regulations Summary

These draft GHG Regulations relate specifically to certain matters for permanent underground storage and will sit alongside other subsidiary regulations made under PGERA67 and the PSLA82.

Drafting of the GHG Regulations has been modelled on the Commonwealth's equivalent [Offshore Petroleum and Greenhouse Gas Storage \(Greenhouse Gas Injection and Storage\) Regulations 2023](#) and adapted to the Western Australian context.

Applications for Declaration of Identified GHG Storage Formations

Upon commencement of PLAA2024, matters relating to the declaration of identified GHG storage formations will be subject to Subdivision 1 of Division 3B of the amended PGERA67 (Subdivision 1, Division 4AAB PSLA82). Part 2 and Schedule 1 of the GHG Regulations deal with the requirements for applications for declaration of identified GHG storage formation. To be declared, the part of the geological formation must be determined to be suitable for the injection and permanent storage of the GHG substance.

Once a declaration is in force, a titleholder may apply for a GHG injection licence or a GHG retention lease over the area covered by the identified GHG storage formation. Operations for the injection and permanent storage of the GHG substance are not permitted to commence until an approved site plan is in force.

Site Plans

Upon commencement of PLAA2024, matters relating to site plans will be subject to Subdivision 2 of Division 3B of the amended PGERA67 (Subdivision 2, Division 4AAB PSLA82). Part 3 and Schedule 2 of the GHG Regulations deal with the requirements for an application and the management of approved site plans. To be approved, the plan must satisfy the criteria set out in regulations 11, 12 and 13 and Part B must contain the information set out in Schedule 2 of the draft GHG Regulations.

If an approved site plan is in force, a GHG injection licensee must comply with the plan.

Serious Situations

Upon commencement of PLAA2024, matters relating to serious situations will be subject to Subdivision 3 of Division 3B of the amended PGERA67 (Subdivision 3, Division 4AAB PSLA82). This subdivision sets out the circumstances for which a serious situation exists in relation to an identified GHG storage formation, notification and reporting requirements, and powers for the Minister to give directions to the licensee. Part 4 of the GHG Regulations details the required manner and content of the notification and reporting of a serious situation.

Information that May be Made Publicly Available

Part 4 of the GHG Regulations sets out the information that the Minister may make publicly available for transparency, and to ensure the public of ongoing monitoring to ensure safe and sustainable operations. The information that may be made publicly available includes the information related to the detecting and monitoring of leakages of GHG substances as set out in clause 6 and 7 of Schedule 2 and site plan summaries submitted under regulations 21 and 41.

Relationship With Other Subsidiary Regulations

For PLAA2024 to commence, amendments to the four existing sets of regulations under the PGERA67 and the five existing sets under the PSLA82 will be required. In addition to GHG, these other regulations will be amended to provide for other matters in the PLAA2024 such as regulated substances (including natural hydrogen), a number of petroleum operational-based amendments, and the introduction of electronic transactions.

The Petroleum and Geothermal Energy Resources (Resource Management and Administration) Regulations 2015 and the Petroleum (Submerged Lands)(Resource Management and Administration) Regulations 2015 will require updates to extend operations relating to wells and surveys to include the equivalent GHG operations, extend the existing framework to cover the management, submission and release of GHG data and to require the submission of monthly and annual GHG title reports.

The Petroleum and Geothermal Energy Resources (Environment) Regulations 2012, Petroleum (Submerged Lands)(Environment) Regulations 2012 (Environment Regulations) and the Petroleum and Geothermal Energy Resources Regulations 1987 and the Petroleum (Submerged Lands) Regulations 1990 will also be extended to cover matters relating to the permanent underground storage of GHG substances.

The department will, in due course, conduct public consultation for these other regulations.

Consultation

The draft GHG Regulations are available for comment until close of business

5 September 2025.

The consultation and draft documents are available on the [DMPE website](#).

Any comments or feedback can be emailed to REC.Consultation@dmpe.wa.gov.au