



Department of Mines,
Petroleum and Exploration

Information Sheet

Further guidance to support the implementation of the *Petroleum Legislation Amendment Act 2024*

Consultation information sheet

Purpose

This information sheet provides an overview of the purpose for each of the nine guidelines and documents which have been released for public consultation. They each address aspects of administering the state petroleum legislation:

- *Petroleum, Geothermal Energy and Greenhouse Gas Storage Act 1967* (PGEGBSA);
- *Petroleum and Greenhouse Gas Storage (Submerged Lands) Act 1982* (PGGS(SL)A);
- *Petroleum and Greenhouse Gas Pipelines Act 1969* (PGGPA); and
- The supporting suite of Regulations.

Background

Commencing on 28 May 2026, the *Petroleum Legislation Amendment Act 2024* (PLAA) amended the State's three principal petroleum Acts to introduce, among other things, two new industries into Western Australia: greenhouse gas (GHG) transport and storage, and the exploration and production of regulated substances (natural hydrogen and helium). The PLAA also introduced the ability to approve forms that must be used to make an application or lodge information required to be provided under the Acts. A suite of 14 supporting Regulations also either commenced or were amended on commencement day.

To support the continued implementation of the PLAA, the Department of Mines, Petroleum and Exploration (DMPE) has developed further new and amended guidance material to provide guidance to proponents. This second package of guidelines released for public consultation will assist proponents with understanding how applications for subsisting titles will be assessed and subsisting titles managed, applying for consent to undertake scientific investigation, the requirements for a title holder upon discovery of a resource, potential storage formation or potential injection site and annual assessment reporting requirements.

Overview of guidelines

Management of subsisting titles

The updated guideline (previously titled “Guide note on the management of subsisting petroleum and geothermal energy titles”) has been expanded to incorporate the new title frameworks introduced by the PLAA. In particular, the amendments address:

- The ability for onshore GHG titles to subsist with onshore petroleum titles and geothermal energy titles. Under the PEGGSA, onshore titles can subsist in any combination of the three title categories.
- Considerations for subsisting petroleum and GHG titles in State waters, in accordance with the PGGS(SL)A.
- References to petroleum rights that where approved, can extend to exploration and recovery of regulated substances.

Applying for consent to undertake scientific investigation

The PEGGSA and PGGS(SL)A (the Acts) provide for the ability to apply to the Minister for consent to undertake a scientific investigation.

The specified operation would under normal circumstances be conducted under a granted title; however, the consent relates only to the specified operation and does not afford the holder any title rights, nor the land access tenure required.

The draft guideline clarifies the requirements for an applicant seeking consent to undertake scientific investigation.

Energy resource discovery policy

The Acts require the discovery of petroleum, a regulated substance, geothermal energy resources, a potential GHG storage formation or a potential GHG injection site to be notified to the Minister, irrespective of the resource type to which the title relates. This policy sets out DMPE’s interpretation of what constitutes a discovery, the timing of reporting and the information required.

Annual assessment report forms and supporting guide notes

DMPE provides these three proposed forms for submitting an annual assessment report (AAR) for the purpose of section 152A of the PEGGSA and section 152J of the PGGS(SL)A. Following the consultation process, it is intended to make them approved forms under the Acts, after which they must be used to submit an AAR.

The proposed forms have been developed to improve reporting consistency for exploration permits and drilling reservations, retention leases and production licences. Each of the proposed AAR forms is supported with a corresponding guide note to inform title holders of the information to be submitted in an AAR in the approved form.

The proposed forms and guide notes will apply to all petroleum, geothermal or GHG permittees or holders of a drilling reservation (noting drilling reservations may only be granted under the PGEGGSA), all petroleum and geothermal lessees and all petroleum and geothermal licensees.

Consultation

These guidelines are available for comment until the close of business on **30 October 2026 at 4pm AWST**. Please note that the closing date is final, and no extensions of time will be granted on this occasion.

The consultation and draft documents are available on the DMPE WA.gov.au website:

<https://www.wa.gov.au/organisation/departments/mines-petroleum-and-exploration>.

Any comments or feedback can be emailed to petroleum.titles@dmpe.wa.gov.au.

If providing comment or feedback, please clearly identify which guideline(s) it corresponds to.

DMPE will publish a response to submissions for each corresponding document or set of documents. All submissions will be published verbatim, with the submitter identified in the document.

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