Environment plan
Appendix 1-1
Relevant legislation

Stromlo-1 exploration drilling program

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Appendix 1-1 Relevant legislation

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1.0 Summary of Commonwealth legislation relevant to the project

Legislation	Scope	Application to activities	Related international conventions	Administering authority
Australian Heritage Council Act 2003	This Act identifies areas of heritage value listed on the Register of the National Estate and sets up the Australian Heritage Council and its functions.	No heritage sites are adjacent or near the Stromlo-1 drilling site; however, various sites have been identified within the Risk EMBA.	Not applicable (NA).	Australian Heritage Council
Australian Maritime Safety Authority Act 1990 (AMSA Act)	Facilitates international cooperation and mutual assistance in preparing and responding to a major oil spill incident and encourages countries to develop and maintain an adequate capability to deal with oil pollution emergencies. The National Plan for Maritime Environmental Emergencies (NATPLAN) (AMSA 2016) is managed by AMSA and sets out national arrangements, policies and principles for the management of maritime environmental emergencies. It gives administrative effect to Australia's emergency response obligations relating to the: • International Convention on Oil Pollution Preparedness, Response and Co-operation 1990 • Protocol on Preparedness, Response and Co-operation to Pollution Incidents by Hazardous and Noxious Substances 2000 • International Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties 1969 Articles 198 and 221 of the UNCLOS.	The Act is applicable to offshore petroleum activities where these have the potential to affect maritime safety and/or result in pollution and other environmental damage associated with the operation of ships. This is particularly relevant to the potential risk of oil spills associated with offshore petroleum activities. Impacts and risks associated with vessel movements and drilling as part of the proposed activities are discussed in Section 6 and Section 7. Further details on NATPLAN and oil spill response are described in the OPEP in Section 9.	International Convention on Oil Pollution Preparedness, Response and Cooperation 1990 (OPRC) Protocol on Preparedness, Response and Cooperation to Pollution Incidents by Hazardous and Noxious Substances 2000.	AMSA
Biosecurity Act 2015 and Regulations 2016	From 16 June 2016, the *Biosecurity Act 2015* (Biosecurity Act) replaced the *Quarantine Act 1908* as Australia's primary piece of legislation used to manage the biosecurity risks posed by ballast water and sediments. For the petroleum industry, it regulates the condition of vessels and drill rigs entering Australian waters with regard to ballast water and hull fouling.	For the petroleum industry, it regulates the condition of vessels and drill rigs entering Australian waters with regard to ballast water and hull fouling. If Drilling Program vessels are sourced from international ports, they will adhere to the Department of Agriculture and Water Resources (DAWR) guidelines regarding quarantine clearance to enter Australian waters and Australian ports.	International Convention for the Control and Management of Ships Ballast Water and Sediments 2004.	DAWR

Legislation	Scope	Application to activities	Related international conventions	Administering authority
	The regulation stipulates that all information regarding the voyage of the vessel and the ballast water is declared correctly to the biosecurity officers.	Management measures related to biosecurity risk associated with the program are presented in Section 7.		
Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)	The Act aims to: • Protect matters of national environmental significance (MNES); • Provides for Commonwealth environmental assessment and approval processes • Provides an integrated system for biodiversity conservation and management of protected areas. MNES are: • World heritage properties; RAMSAR wetlands; • Listed threatened species and communities; • Migratory species under international agreements; • Nuclear actions, • Commonwealth marine environment; Great Barrier Reef Marine Park • Water trigger for coal seam gas and coal mining developments. The assessment process is overseen by NOPSEMA as the delegated authority under the EPBC Act. The Act allows for the development of threatened species recovery plans, threat abatement plans and species conservation advices.	Where offshore petroleum activities have the potential to impact on matters of MNES, an assessment of these impacts is required to be presented in the EP. Potential impacts to matters of MNES due to the proposed activities are assessed in Sections 6, 7 and 8. An EPBC Act Protected Matters Database search (Appendix 4-1) conducted for the Impact EMBA in September 2018 lists the marine species or species habitat (including threatened species) as potentially occurring within the area, and the threatened ecological communities (TECs). A description of these marine (or coastal) species occurring within the Impact EMBA is provided in Section 4. Threatened species recovery plans, threat abatement plans and species conservation advices for relevant species are considered in the impact and risk assessment in Sections 6 and 7. The MNES search report includes some terrestrial species, TECs and heritage places within the defined Risk EMBA. These are assessed using criteria outlined in Appendix 7-1, and those considered outside the bounds of the Risk EMBA are not discussed further as part of this EP. The Australian Government has established numerous Australian Marine Parks (AMP) around Australia under the EPBC Act. The conservation values of those which intersect with the Impact EMBA are described in Section 4, and the those which intersect with the Risk EMBA are described in Section 7 and Appendix 7-1.	• Convention on Biological Diversity and Agenda 21 1992 • Convention on International Trade in Endangered Species of Wild Fauna and Flora 1973 (CITES) • Japan Australia Migratory Bird Agreement (JAMBA) • China Australia Migratory Bird Agreement (CAMBA) • Republic of Korea Australia Migratory Bird Agreement (ROKAMBA) • Convention on Wetlands of International Importance especially as Waterfowl Habitat 1971 (RAMSAR) • International Convention for the Regulation of Whaling 1946 Convention on the Conservation of Migratory Species of Wild Animals (Bonn Convention) 1979.	Department of Environment and Energy (DoEE) in general and NOPSEMA for offshore oil and gas

Legislation	Scope	Application to activities	Related international conventions	Administering authority
Environment Protection (Sea Dumping) Act 1981 (and Regulations 1983)	Aims to prevent the deliberate disposal of wastes (loading, dumping, and incineration) at sea from vessels, aircraft, and platforms.	A sea dumping permit is required for any disposal of waste required to be made at sea from vessels, aircraft and platforms involved in the conduct of petroleum exploration and production activities in Australian waters, excluding operational discharges from ships (e.g. sewage and galley wastes). Disposal of wastes required during the proposed activities is discussed in Sections 6 and 7. There will be no waste disposal from the Drilling Program MODU or vessels that will trigger this legislation.	• Convention on the Prevention of Marine Pollution by Dumping of Wastes and other Matter 1972 (London Convention) 1996 Protocol to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972.	DoEE
Fisheries Management Act 1991 (and Regulations 1992)	This Act aims to implement efficient and cost-effective fisheries management on behalf of the Commonwealth, ensure that the exploitation of fisheries resources and undertaking of any related activities are conducted in a manner consistent with the principles of Ecologically Sustainable Development (ESD), maximise the net economic returns to the Australian community from the management of Australian fisheries, ensure accountability to the fishing industry and to the Australian community in AFMA's management of fisheries resources, and achieve government targets in relation to the recovery of the costs of AFMA.	This Act provides regulatory and other mechanisms to support any necessary fisheries management decisions in the event of a hydrocarbon spill in Commonwealth waters.	NA.	Australian Fisheries Management Authority (AFMA)
Hazardous Waste (Regulation of Exports and Imports) Act 1989 Regulations 1996	Controls the import and export of hazardous waste.	This Act applies to offshore petroleum activities when an Operator is required to move hazardous waste generated during the activity out of Australia. Hazardous wastes to be produced during the program are described in Section 2. Management measures applicable to hazardous wastes are presented in Sections 6, 7 and 8.	Basel Convention on the Control of Trans-boundary Movements of Hazardous Wastes and their Disposal 1992.	DoEE

Legislation	Scope	Application to activities	Related international conventions	Administering authority
Historic Shipwrecks Act 1976 (and Regulations 2018)	Protects the heritage values of shipwrecks and relics (older than 75 years) below the low water mark. The Act designates 'no-entry' zones which may cover an area up to a radius of 800 metres around a wreck site, where circumstances place a particular wreck site at risk of interference. The Act prohibits any activities within this zone unless a permit has been obtained.	No historic shipwrecks have been identified in the Impact EMBA, however wrecks have been identified in the Risk EMBA (Appendix 7-1, Section 1.6.3.6). In the event of discovery and /or damage to any wrecks, this legislation may be relevant.	Convention on Conservation of Nature in the South Pacific 1976 (APIA Convention) Agreement between the Netherlands and Australia concerning old Dutch Shipwrecks 1972 Convention on Protection of the Underwater Cultural Heritage 2001.	DoEE
Navigation Act 2012 and Navigation Regulation 2013	The Act regulates international ship and seafarer safety as well as the protection of the marine environment from shipping and the actions of seafarers in Australian waters. The Act also gives effect to international conventions for maritime issues where Australia is a signatory, including the International Convention for the Prevention of Pollution from Ships (MARPOL 73/78). The Act regulates: • vessel survey and certification; vessel construction standards; vessel crew • personnel qualifications and welfare; occupational health and safety; handling of cargoes • passengers marine pollution prevention; monitoring and enforcement activities.	All ships involved in petroleum activities in Australian waters are required to abide by the requirements under this Act. Several Marine Orders (MO) are enacted under this Act which relate to offshore petroleum activities, including: • MO Part 21: Safety of navigation and emergency arrangements • MO Part 30: Prevention of collisions • MO Part 47: Mobile offshore drilling units • MO Part 50: Special purpose vessels • MO Part 57: Helicopter operations • MO Part 58 Safe management of vessels • MO Part 60: Floating offshore facilities The Drilling MODU and support vessels will adhere to the relevant MOs while operating within Commonwealth waters. Management measures related to shipping safety during the program are presented in Section 7.	MARPOL 73/78.	AMSA
Offshore Petroleum and Greenhouse Gas Storage Act 2006 (OPGGS Act)	The Act addresses all licensing, health, safety, environmental and royalty issues for offshore petroleum exploration and development operations extending beyond the Australian three nautical mile limit.	The OPGGS Act provides the regulatory framework for all offshore petroleum exploration and production activities in Commonwealth Australian waters, to ensure that these activities are carried out:	NA.	NOPSEMA

Legislation	Scope	Application to activities	Related international conventions	Administering authority
and OPGGS (Environment) Regulations 2009	Part 2 of the OPGGS(E) regulations specifies that an EP must be prepared for any petroleum activity and that activities are undertaken in an ecologically sustainable manner and in accordance with an accepted EP.	• consistent with the principles of ecologically sustainable development as set out in section 3A of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) • so that environmental impacts and risks of the activity are reduced to as low as reasonably practicable (ALARP) • so that environmental impacts and risks of the activity are of an acceptable level. Demonstration that the proposed activities will be undertaken in line with the principles of ecologically sustainable development (as described in the EP in Section 1.8.1) and that impacts and risks resulting from these activities are ALARP and acceptable is provided in Sections 6 and 7 of the EP.		
Ozone Protection and Synthetic Greenhouse Gas Management Act 1989 (and Regulations 1995)	Regulates the manufacture, importation and use of ozone depleting substances.	This Act applies to offshore petroleum activities when an Operator is required to use substances listed under the Act (HCFC, PFC and/or sulphur hexafluoride), e.g. for the operation of machinery such as refrigeration and air condition systems. The Drilling Program MODU and vessels will have a register of ozone-depleting substances (ODS) (as appropriate) where ODS are present. Relevant management measures are presented in Sections 6, 7 and 8.	• Montreal Protocol on Substances that Deplete the Ozone Layer 1987 United Nations Framework Convention on Climate Change 1992.	DoEE
Protection of the Sea (Civil Liability for Bunker Oil Pollution Damage) Act 2008 (and Regulations 2009)	Sets up a compensation scheme for those who suffer damage caused by spills of oil that is carried as fuel in ships' bunkers. There is an obligation on ships over 1,000 gross tonnage to carry insurance certificates when leaving/entering Australian ports or leaving/entering an offshore facility within Australian coastal waters.	Ships over 1,000 gross tonnage involved in offshore petroleum activities are required to abide to the requirements under this Act. The description of vessels involved in the program is provided in Section 2. The MODU and vessels will hold the necessary insurance certificates.	International Convention on Civil Liability for Bunker Oil Pollution Damage 2001.	AMSA
Protection of the Sea (Prevention of Pollution from	The Act aims to protect the marine environment from pollution by oil and other harmful substances discharged from ships in Australian waters. It also invokes certain requirements of the MARPOL	All ships involved in petroleum activities in Australian waters are required to abide to the requirements under this Act.	MARPOL 73/78 provisions and unified interpretations of the articles, protocols and Annexes of MARPOL 73/78,	AMSA

Legislation	Scope	Application to activities	Related international conventions	Administering authority
Ships) Act 1983	Convention such as those relating to discharge of noxious liquid substances, sewage, garbage and air pollution. This Act requires ships greater than 400 gross tonnes to have pollution emergency plans in place, and also provides for emergency discharges from ships.	Several MOs are enacted under this Act relating to offshore petroleum activities, including: • MO Part 91: Marine Pollution Prevention – Oil • MO Part 93: Marine Pollution Prevention – Noxious Liquid Substances • MO Part 94: Marine Pollution Prevention – Packaged Harmful Substances • MO Part 95: Marine Pollution Prevention – Garbage • MO Part 96: Marine Pollution Prevention – Sewage • MO Part 97: Marine Pollution Prevention – Air Pollution • MO Part 98: Marine Pollution Prevention – Anti-fouling Systems. The Drilling MODU and vessels will adhere to the relevant MOs by having in place and implementing where applicable: International oil Pollution certificate Vessel Shipboard Marine Pollution Emergency Plan • International Pollution Prevention Certificate • International Sewage Pollution Prevention Certificate • Shipboard Garbage Management plan • International Air Pollution Prevention, Engine International Air Pollution Prevention, International Energy Efficiency Certificates and Ship Energy Efficiency Management Plan • International Anti-fouling System Certificate. Management measures related to pollution from oil or other hazardous substances are presented in Sections 6, 7 and 8.	including the incorporation of all amendments that have been adopted by the Marine Environment Protection Committee (MEPC) and have entered into force, up to and including the 2000 amendments (as adopted by resolution MEPC.89(45)).	

2.0 Summary of key South Australian legislation relevant to the project

Legislation	Scope	Application to activities	Administering authority
Animal Welfare Act 1985 and *Animal Welfare Regulations 2012*	This Act is established to promote animal welfare. Under the Act, fish are excluded under the definition of animals. The Act is focused on preventing the ill treatment of an animal that causes serious harm or death to that animal.	This Act would be relevant in the event that wildlife rescue and treatment is required in the event of a hydrocarbon spill.	DEW
Coast Protection Act 1972 (and Regulations 2015)	The aim of this Act is to provide for the conservation and protection of the beaches (the area between the low and high water marks at spring tides and within 100 m of the mean high water mark) and coast (within 3 nm of the mean low water mark and within any estuary, inlet, river, creek, bay or lake subject to the ebb and flow of tides) of South Australia. A Coast Protection Board is appointed under the Act, and is charged with, among other things, protecting the coast from erosion, damage, deterioration, pollution and misuse, and to restore any part of the coast that has been damaged by erosion, damage, deterioration, pollution and misuse.	This Act would be relevant in the event that a hydrocarbon spill reaches the SA coast.	Department for Environment and Water (DEW)
Emergency Management Act 2004	This Act establishes strategies and systems for the management of emergencies in the State. It establishes the State Emergency Management Committee (SEMC), which manages the state emergency management plan.	This Act would be relevant in the event that a hydrocarbon spill threatens state waters and shorelines. The SEMC would implement the State Emergency Management Plan on behalf of the state.	Emergency Management Council (chaired by the Department of Premier and Cabinet)
Environment Protection Act 1993 and Environment Protection Regulations 2009	The aim of this Act is to provide for the protection of the environment and establish the Environment Protection Agency (EPA), to promote the principle of ecologically sustainable development (ESD) and to ensure that all reasonable and practicable measures are taken to protect, restore and enhance the quality of the environment. This involves preventing, reducing, minimising and where possible, eliminating harm to the environment through community and industry programs, regulation and monitoring. Part 4 of the Act states that a person must not undertake an activity that pollutes, or might pollute, the environment unless the person takes all reasonable and practicable measures to prevent or minimise any resulting environmental harm. Onshore Works Approvals and Licences are granted by the EPA for persons wishing to conduct activities of environmental significance. A number of Environmental Protection Policies are in place, with that of most relevance to this project being: Environment Protection (Water Quality) Policy 2003.	Hydrocarbons are listed in Schedule 1 of the Act as a Listed Waste. The Act would be relevant in the event that a hydrocarbon spill reaches state waters, particularly with regard to oil collection, waste treatment, transport and disposal.	Environment Protection Authority (EPA)

Legislation	Scope	Application to activities	Administering authority
Fisheries Management Act 2007	This Act provides for the conservation and management of the aquatic resources of the State (within 3 nm of the mean low water mark and within any estuary, inlet, river, creek, bay or lake subject to the ebb and flow of tides), the management of fisheries and aquatic reserves, the regulation of fishing and the processing of aquatic resources, the protection of aquatic habitats, aquatic mammals and aquatic resources and the control of exotic aquatic organisms and disease in aquatic resources.	This Act would be relevant in the event that a hydrocarbon spill entered waters fished by State-based commercial or recreational fisheries, necessitating the need to declare a 'Temporary prohibition of certain fishing activities' under Part 7, Division 3 of the Act. Exotic organisms could be present on support vessels travelling in and out of SA ports as addressed in Section 7.2 of the EP.	Department of Primary Industries and Regions (PIRSA) - Fisheries
Harbors and Navigation Act 1993	This Act provides for the administration, development and management of harbors, to provide for safe navigation in SA waters, to promote the safe and efficient movement of shipping within harbors and SA waters, and provide for the safe use of SA waters for recreational and other aquatic activities.	This Act would be relevant when support vessels navigate through SA waters and docks at port and may be triggered in the event that a hydrocarbon spill reaches the coast, which would necessitate the issuing of navigational directions or aids.	Department of Planning, Transport and Infrastructure (DPTI)
Marine Parks Act 2007	This Act provides for the establishment and management of marine parks in SA waters, and establishes the Marine Parks Council of SA. The aim of the Act is to protect and conserve marine biodiversity and habitats. Four zones (general managed use, habitat protection, sanctuary and restricted access) are applied to marine parks. There are no SA marine parks in the Stromlo-1 Impact EMBA, but they do occur along the coast within the Risk EMBA (Section 4). The Marine Parks (Zoning) Regulations 2012 (the regulations) prohibit certain activities in the respective marine park zones. The regulations prohibit certain activities that may be relevant to hydrocarbon spills in habitat protection and sanctuary zones, such as the removal of soil, dredging, and the removal of water. The regulations also prohibit entering or engaging in any activity in a restricted access zone. The regulations allow for a number of exemptions from prohibitions and restrictions, including for persons acting in the course of emergency.	This Act would be relevant in the event of a hydrocarbon spill that threatens the protection of recognised values of coastal marine parks. The definition of emergency provided in the regulations includes an event that causes, or threatens to cause harm to the environment, so it is possible that a permit would not be necessary for activities associated with hydrocarbon spill management or remediation in marine parks. A permit under the Act may be required to allow for activities in a marine park (e.g. hydrocarbon containment and clean up) that would normally be prohibited.	DEW
National Parks and Wildlife Act 1972	This Act provides for the establishment and management of reserves (national parks, conservation parks, game reserves, recreation parks and regional reserves) for public benefit and enjoyment and for the conservation of wildlife in a natural environment. The Act establishes the SA National Parks and Wildlife Council and the Wildlife Conservation Fund.	The are no reserves in the Impact EMBA, although parks and reserves (including Nationally Important Wetlands, also managed under this Act) occur along the coast of the Risk EMBA and may be impacted in the event of a Level 3 hydrocarbon spill. This Act would be relevant in the event of a hydrocarbon spill that threatens the recognised values of the national parks located on the coast, or that access to respond to a hydrocarbon spill is required through these parks.	National Parks South Australia

Legislation	Scope	Application to activities	Administering authority
Protection of Marine Waters (Prevention of Pollution by Ships) Act 1987	This Act provides for the protection of the sea and certain waters (i.e., State waters) from pollution by oil and other substances from ships. As outlined in Part 2 of the Act, it does not apply to ships discharging oil or an oily mixture if it is not within a special area, is proceeding en route, and does not exceed 15 ppm oil-in-water. Any trading ship or vessel with a gross tonnage greater than 400 t must carry an up-to-date oil record book.	This Act may be relevant in the event that a hydrocarbon spill threatens state waters.	DPTI

3.0 Summary of key Victorian legislation relevant to the project

Legislation	Scope	Application to activities	Administering authority
Coastal Management Act 1995	The objectives of this Act include the planning and management of the use of Victorian coastal resources on a sustainable basis for recreation, conservation, tourism, commerce and similar uses; protecting and maintaining areas of environmental significance on the coast; and maintaining and improving coastal water quality. This is achieved via the implementation of Coastal Management plans to guide planning and management at a regional level. Under this legislation a person must not use or develop coastal Crown land unless the written consent of the Minister has first been obtained. Coastal Crown land also includes marine environments from shore to 3 nm including the seabed. Key management documents include the Victorian Coastal Strategy 2014, the Western Regional Coastal Plan 2015 and the South West Regional Coastal Action Plan 2002.	This Act would be relevant in the event that a hydrocarbon spill reaches the coast.	Department of Environment, Land, Water and Planning (DELWP)
Environment Protection Act 1970 (and various regulations)	This is the key Victorian legislation which controls discharges and emissions (air, water) to the environment within Victoria (including state and territorial waters). The Act provides for the maintenance and, where necessary, restoration of appropriate environmental quality, including spill response.	The Act would be relevant in the event that a hydrocarbon spill reaches state waters, particularly with regard to oil collection, waste treatment, transport and disposal.	Victorian Environment Protection Authority (EPA)
	The State Environment Protection Policy (Waters of Victoria) designates: Spill response responsibilities by Victorian Authorities to be undertaken in the event of spills (DEDJTR) with EPA enforcement consistent with the *Environment Protection Act 1970* and the *Pollution of Waters by Oil and Noxious Substances Act 1986*. Requires vessels not to discharge to surface waters sewage, oil, garbage, sediment, litter or other wastes which pose an environmental risk to surface water beneficial uses. To protect Victorian state waters from marine pests introduced via domestic ballast water, ballast water management arrangements applying to all ships in state and territorial waters must be observed as per the Environment Protection (Ships' Ballast Water) Regulations 2006, Waste Management Policy (Ships' Ballast Water) and the	Discharge of domestic ballast water into Victorian state waters must comply with these requirements. Ship masters must undertake a ballast water risk assessment on a voyage by voyage basis to assess risk level, provide accurate and comprehensive information to the EPA on the status and risk of origin of ballast water contained on their ships (i.e. domestic/ international), and to manage domestic ballast water discharges with EPA written approval.	Victorian EPA

Legislation	Scope	Application to activities	Administering authority
	Protocol for Environmental Management. High risk domestic ballast water (ballast water which originates from an Australian port or within the territorial sea of Australia (to 12 NM), regardless of the source, must not be discharged into Victorian state waters.		
Emergency Management Act 2013 (and Regulations 2003)	Provides for the establishment of governance arrangements for emergency management in Victoria, including the Office of the Emergency Management Commissioner and an Inspector-General for Emergency Management. The Act provides for integrated and comprehensive prevention, response and recovery planning involving preparedness, operational co-ordination and community participation, in relation to all hazards. These arrangements are outlined in the Emergency Management Manual Victoria.	This Act would be relevant in the event that a hydrocarbon spill threatens state waters and shorelines. Emergency response structure for managing emergency incidents within Victorian State waters. Emergency management structure will be relevant in the event of a spill (Level 2 or 3 reaching state waters)	Department of Justice and Regulation (Inspector General for Emergency Management)
Flora and Fauna Guarantee Act 1988 (FFG Act) (and Regulations 2011)	The purpose of this Act is to protect rare and threatened species; and enable and promote the conservation of Victoria's native flora and fauna and to provide for a choice of procedures that can be used for the conservation, management or control of flora and fauna and the management of potentially threatening processes. Where a species has been listed as threatened, an Action Statement is prepared setting out the actions that have been or need to be taken to conserve and manage the species and community.	Action Statement controls for threatened species present in the Risk EMBA (as relevant) may be relevant in the event of a hydrocarbon spill. Relevant if an incident results in the injury or death of an FFG Act listed species (e.g. collision with a whale).	DELWP
Heritage Act 2017 (and Heritage (Underwater Cultural Heritage) Regulations 2017	The purpose of the Act is to provide for the protection and conservation of historic places, objects, shipwrecks and archaeological sites in state areas and waters (complementary legislation to Commonwealth legislation). Part 4 of the Act is focused on historic shipwrecks, which are defined as the remains of all ships that have been situated in Victorian state waters for 75 years or more.	Would be relevant in the event of impacts to a known or previously un-located shipwreck in Victorian state waters. The Act addresses the registration of wrecks, establishment of protected zones, and the prohibition of certain activities in relation to historic shipwrecks.	Heritage Victoria (DELWP)
Marine (Drug, Alcohol and Pollution Control) Act 1988 (and Regulations 2012)	This Act provides for the prohibition of masters and other persons involved in vessel operations from being under the influence of prescribed drugs or alcohol; defines prohibited discharges (refer to *Pollution of Waters by Oil and Noxious Substances Act 1986*); and allocates roles, responsibilities and liabilities to ensure there is a capacity and obligation (i.e. Director – Transport Safety, public statutory body) to respond to marine incidents which have the potential to, or do, result in pollution.	Applies to vessel masters, owners and crew operating vessels in Victorian state waters. Provides the Victorian Government response structure and contingency planning arrangements for marine pollution incidents in Victorian state waters (i.e. Victorian Marine Pollution Contingency Plan).	Department of Economic Development, Jobs, Transport and Resources (DEDJTR)

Legislation	Scope	Application to activities	Administering authority
Marine Safety Act 2010 (and Regulations 2012)	This Act provides for safe marine operations in Victoria, including imposing safety duties on owners, managers and designers of vessels, marine infrastructure and marine safety equipment; marine safety workers, masters and passengers on vessels; regulation and management of vessel use and navigation in Victorian state waters; and enforcement provisions of Police Officers and the Victorian Director of Transport Safety. This Act reflects the requirements of international conventions - Convention on the International Regulations for Preventing Collisions at Sea and International Convention for the Safety of Life at Sea.	Applies to vessel masters, owners, crew operating vessels in Victorian State waters. The Act also defines marine incidents and the reporting of such incidents to the Victorian Director of Transport Safety.	Maritime Safety Victoria
National Parks Act 1975	Established a number of different types of reserve areas onshore and offshore, including Marine National Parks and Marine Sanctuaries. A lease, licence or permit under the OPGGS Act 2010 that is either wholly or partly over land in a marine national park or marine sanctuary is subject to the National Parks Act 1975.	Applies where there are activities within marine reserve areas that require Ministerial consent.	Department of Environment, Land, Water and Planning (DELWP)
Pollution of Waters by Oil and Noxious Substances Act 1986 (POWBONS) (and Regulations 2012)	The purpose of the *Pollution of Waters by Oils and Noxious Substances Act 1986* (POWBONS) is to protect the sea and other waters from pollution by oil and noxious substances. This Act also implements the MARPOL Convention (the International Convention for the Prevention of Pollution from Ships 1973) in Victorian state waters. The Act restricts within Victorian state waters the discharge of treated oily bilge water according to vessel classification (>400 tonnes); discharge of cargo substances or mixtures; prohibition of garbage disposal and packaged harmful substances; restrictions on the discharge of sewage; regulator reporting requirements for incidents; ship construction certificates and survey requirements.	This Act is relevant in the event of a hydrocarbon spill. The Act requires mandatory reporting of marine pollution incidents. Restriction on discharges within Victorian state waters are incorporated into this EP.	Jointly administered by DEDJTR and EPA
Seafood Safety Act 2003 (and Regulations 2014)	The purpose of this act is to provide a regulatory system under which all sectors in the seafood supply chain are required to manage food safety risks.	Relevant in the event that a hydrocarbon spill impacts commercial fisheries or the prevention of sale of seafood caught in waters affected by a spill.	Victorian Fisheries Authority (VFA)
Wildlife Act 1975 (and Regulations 2013)	This Act promotes the protection and conservation of wildlife. It prevents wildlife from becoming extinct and prohibits and regulates persons authorised to engage in activities relating to wildlife (including incidents). The Wildlife (Marine Mammal) Regulations 2009 prescribe minimum distances to whales and seals/seal colonies, restrictions on feeding/touching and restriction of noise within prescribed caution zones for marine mammal (dolphins (150 m), whales (300 m) and seals (50 m).	Prescribed minimum proximity distances to whales, dolphins and seals will be maintained. This Act is also relevant if an incident results in the injury or death of whales, dolphins or seals.	Department of Environment, Land, Water and Planning (DELWP)

4.0 Summary of key Tasmanian legislation relevant to the project

Legislation	Scope	Application to activities	Administering authority
Emergency Management Act 2006	This Act provides for the protection of life, property and the environment in a declared State emergency by outlining prevention, preparedness, response and recovery procedures.	This Act would be relevant in the event that a hydrocarbon spill threatens Tasmanian state waters and shorelines and the emergency management structure will be initiated	Tasmania State Emergency Service
Environmental Management and Pollution Control Act 1994	This Act provides for the management of the environment and the control of pollution. It provides the Tasmanian Government response structure and contingency planning arrangements for marine pollution incidents in Tasmanian waters (i.e. Tasmanian Marine Pollution Contingency Plan) that Equinor must observe for vessel incidents.	Applies to vessel masters, owners, crew operating vessels in Tasmanian State waters.	Tasmanian EPA
Historic Cultural Heritage Act 1995	The purpose of the Act is to provide for the protection and conservation of historic places, objects, shipwrecks and archaeological sites in state areas and waters (complementary legislation to Commonwealth legislation). Part 9 of the Act is focused on historic shipwrecks, which are defined as the remains of all ships that have been situated in Tasmanian state waters for 75 years or more.	This Act would be relevant in the event of impacts to a known or previously un-located shipwreck in Tasmanian state waters. The Act addresses the registration of wrecks, establishment of protected zones, and the prohibition of certain activities in relation to historic shipwrecks.	Tasmanian Heritage Council
Living Marine Resources Management Act 1995	This Act is concerned with commercial exploitation and development of fisheries and marine resources. Under the Act, development projects must be carried out sustainably and so as not to adversely impact on fisheries and marine resources.	This Act would be relevant in the event that a hydrocarbon spill enters state waters and has the potential to impact commercial fishing activities (e.g. closures).	Department of Primary Industries, Parks, Water and Environment (DPIPWE)
Pollution of Waters by Oil and Noxious Substances Act 1987	This Act is designed to protect Tasmanian state waters from pollution by oil and other substances and to give effect to certain parts of the MARPOL convention.	Applies to vessel masters, owners, crew operating vessels in Tasmanian waters. The Act would be triggered in the event that a hydrocarbon spill reaches state waters with regard to oil collection, waste treatment, transport and disposal.	Tasmanian Environment Protection Authority (EPA)
Primary Produce Safety Act 2011 (and Primary Produce Safety (Seafood) Regulations 2014	The purpose of this Act is to provide a regulatory system under which all sectors in the primary production supply chain are required to manage food safety risks.	Relevant in the event that a hydrocarbon spill impacts commercial fisheries or the prevention of sale of seafood caught in waters affected by a spill.	DPIPWE and the Department of Health and Human Services (DHHS)

5.0 Summary of key Western Australian legislation relevant to the project

Legislation	Scope	Application to activities	Administering authority
Animal Welfare Act 2002 Animal Welfare (General) Regulations 2003	This Act is established to provide for the welfare, safety and health of animals, to regulate the use of animals for scientific purposes and for related purposes. The Act is focused on prohibiting cruelty to, and other inhumane or improper treatment of, animals.	This Act may be relevant in the event that wildlife rescue and treatment is required in the event of a hydrocarbon spill.	Department of Biodiversity, Conservation and Attractions (DBCA)
Conservation and Land Management Act 1984 (and Regulations 2002)	This Act makes provision for the use, protection and management of certain public lands and waters and the flora and fauna. It establishes authorities responsible for such protection.	This Act would be relevant in the event of a hydrocarbon spill that threatens coastal marine parks, or that access to respond to a hydrocarbon spill is required through such parks.	Department of Biodiversity, Conservation and Attractions (DBCA)
Contaminated Sites Act 2003 and Regulations 2006	This Act provides for the identification, recording, management and remediation of contaminated sites. Under the Act, a 'site' is an area of land or water in WA, including surface water, groundwater and offshore areas out to 3 nm. A site is 'contaminated' if it has a substance in it at above background concentrations, which presents or has the potential to present a risk of harm to human health or the environment.	This Act would be relevant in the event that a hydrocarbon spill contaminates state waters and shorelines and requires remediation.	Department of Water and Environmental Regulation (DWER)
Emergency Management Act 2005	This Act provides for prompt and coordinated organization of emergency management in the State. Hazards captured under the Act include events that result in destruction of or damage to the environment. It establishes the State Emergency Management Committee (SEMC), which is the peak management body in responding to emergencies of state significance.	This Act would be relevant in the event that a hydrocarbon spill threatens state waters and shorelines. The SEMC would implement the State Emergency Management Plan on behalf of the state.	State Emergency Coordinator (Commissioner of Police)
Environmental Protection Act 1986	This is the principal Act relating to environmental protection in WA. It establishes the EPA and gives the EPA overall responsibility for the prevention, control and abatement of environmental pollution and for the conservation, preservation, protection, enhancement and management of the environment. Part 5 of the Act states that a person who causes pollution or environmental harms or allows pollution or environmental harm to be caused commits an offence.	Hydrocarbons are listed in Schedule 1 of the Act as a Listed Waste. The Act would be relevant in the event of a hydrocarbon spill that reaches the coastal waters of the state, particularly with regard to waste treatment, transport and disposal.	WA Environmental Protection Authority (EPA)
Environmental Protection (Controlled Waste) Regulations 2004	These regulations detail the appropriate management and handling of controlled wastes in respect to the environment. Schedule 1 of the regulations lists waste oil and water, or hydrocarbons and water, mixtures or emulsions as a controlled waste.	These regulations would be relevant in the event that a hydrocarbon spill enters state waters and reaches shorelines, requiring collection and onshore handling, transport and disposal.	WA EPA

Legislation	Scope	Application to activities	Administering authority
Environmental Protection (Unauthorised Discharges) Regulations 2004	These regulations make it an offence to cause pollution through unauthorised discharges, particularly with regard to dark smoke (anything darker than shade 1 on the Australian Miniature Smoke Chart, AS 3543, 1989). It may be an offence to cause dark smoke to prevent irreversible damage to a significant part of the environment. Schedule 1 of the regulations lists hydrocarbon as a material that must not be discharged to the environment.	This Act would be relevant in the event that a hydrocarbon spill enters state waters and/or in-situ burning is a response consideration.	WA EPA
Fish Resources Management Act 1994 and Regulations 1995	This Act is concerned with commercial exploitation and development of fisheries and marine resources. Under the Act, development projects must be carried out so as not to adversely impact on fisheries and marine resources.	This Act would be relevant in the event that a hydrocarbon spill enters state waters and has the potential to impact commercial fishing activities (e.g. closures).	Department of Primary Industries and Regional Development (DPIRD) - Fisheries
Harbours and Jetties Act 1928	This Act relates to the liability of owners of ships for damage to harbours and jetties and works connected therewith.	This Act may be relevant in the event that a support vessel used for the project causes loss or damage to a harbor or jetty.	Department of Transport (DoT)
Pollution of Waters by Oil and Noxious Substances Act 1987 Regulations 1993	This Act provides for the protection of the sea and certain waters from pollution by oil and other noxious substances discharged from ships (as defined in the WA Marine Act, see below). This Act prohibits the discharge of oil or noxious substances into State waters and provides for the removal of oil or any mixture containing oil from affected waters.	This Act may be relevant in the event that a hydrocarbon spill enters state waters.	Department of Transport (DoT)
Western Australian Marine Act 1982 Regulations 1985	This Act regulates navigation and shipping in WA waters.	All project support vessels traversing WA state waters (e.g., in the event of hydrocarbon spill) must abide by the requirements of the Act with regard to marine safety requirements.	Department of Transport (DoT)
Biodiversity Conservation Act 2016 and Regulations 2018	This Act provides for the conservation and protection of wildlife. Licences to take (i.e. for fauna, to kill, capture, disturb, hunt and for flora to gather, pluck, dig up, destroy, etc.) protected flora and fauna on Crown land (e.g. coastal parks) are required under this Act. The regulations provide for the issuing of licences to take, keep, import and export flora and fauna, and for the caring of sick or injured fauna.	This Act would be relevant in the event that native wildlife rescue and treatment is required in the event of a hydrocarbon spill, or that native habitat on the coast is damaged in the process of responding to coastal stranding of hydrocarbons.	DBCA

6.0 Summary of key New South Wales legislation relevant to the project

Legislation	Scope	Application to activities	Administering authority
Fisheries Management Act 1994	This Act is concerned with commercial exploitation and development of fisheries and marine resources. Under the Act, development projects must be carried out so as not to adversely impact on fisheries and marine resources.	This Act would be relevant in the event that a hydrocarbon spill enters state waters and has the potential to impact commercial fishing activities (e.g. closures).	Department of Primary Industries (DPI)
Food Act 2003 (and Regulations 2015)	The purpose of this Act is to provide a regulatory system for the handling of food for sale and the sale of food to provide for the application of the Australia New Zealand Food Standards Code in New South Wales. Part 11 of the Food Regulation 2015 outlines the seafood safety scheme and focuses on the regulation of seafood safety standards in NSW.	Relevant in the event that a hydrocarbon spill impacts commercial fisheries or the prevention of sale of seafood caught in waters affected by a spill.	DPI and NSW Food Authority
Heritage Act 1977	The purpose of the Act is to provide for the protection and conservation of historic places, objects, shipwrecks and archaeological sites in state areas and waters (complementary legislation to Commonwealth legislation). Part 3C of the Act is focused on historic shipwrecks, which are defined as the remains of all ships that have been situated in New South Wales state waters for 75 years or more.	This Act would be relevant in the event of impacts to a known or previously un-located shipwreck in NSW state waters. The Act addresses the registration of wrecks, establishment of protected zones, and the prohibition of certain activities in relation to historic shipwrecks.	NSW Office of Environment and Heritage
Marine Estate Management Act 2014	This Act provides for the strategic exercise of government functions in the management of the marine estate of New South Wales; for the declaration and management of marine parks and aquatic reserves; and the establishment of the Marine Estate Management Authority.	The are no marine parks or aquatic reserves in the Impact EMBA, although parks and reserves occur within the Risk EMBA and may be impacted in the event of a Level 3 hydrocarbon spill. This Act would be relevant in the event of a hydrocarbon spill that threatens the recognised values of the marine estates, or that access to respond to a hydrocarbon spill is required through these estates.	Marine Estate Management Authority
Marine Pollution Act 2012 (and Regulations 2014)	This Act is designed to protect state waters from pollution by oil and other substances and to give effect to certain parts of the MARPOL convention.	Applies to vessel masters, owners, crew operating vessels in NSW state waters. The Act would be relevant in the event that a hydrocarbon spill reaches state waters, particularly with regard to oil collection, waste treatment, transport and disposal.	NSW Environment Protection Authority (EPA)
Marine Safety Act 1998	This Act provides for safe marine operations in NSW, including imposing safety duties on owners, managers and designers of vessels, marine infrastructure and marine safety equipment; marine safety workers, masters and passengers on vessels; regulation and management of vessel use and navigation in NSW state waters; and enforcement provisions of the Office of Transport Safety Investigations. This Act reflects the requirements of the Convention on the International Regulations for Preventing Collisions at Sea.	Applies to vessel masters, owners, crew operating vessels in NSW state waters. The Act also defines marine incidents and the reporting of such accidents to the Office of Transport Safety Investigations.	Department of Transport

Legislation	Scope	Application to activities	Administering authority
Protection of the Environment Operations Act 1997 and Protection of the Environment Operations (General) Regulation 2009	This Act provides for the management of the environment and the control of pollution	Applies to vessel masters, owners, crew operating vessels in NSW state waters. The Act would be relevant in the event that a hydrocarbon spill reaches state waters, particularly with regard to oil collection, waste treatment, transport and disposal.	NSW Environment Protection Authority (EPA)
State Emergency and Rescue Management Act 1989 (as amended)	This Act provides for the protection of life, property and the environment in a declared state emergency by outlining prevention, preparedness, response and recovery procedures.	This Act would be relevant in the event that a hydrocarbon spill threatens state waters and shorelines. Emergency response structure for managing emergency incidents within NSW state waters. Emergency management structure will be triggered in the event of a spill.	NSW State Emergency Service