

South Australia - Petroleum and Geothermal Energy Act 2000 Review - Updated Energy Resources Act to meet community expectations

Media release - Hon Dan van Holst Pellekaan MP Minister for Energy and Mining

The South Australian State Government has launched a review of the Petroleum and Geothermal Energy Act, to ensure sure that it keeps pace with improvements in regulatory practice and facilitates the transmission and storage of new fuels such as hydrogen.

It is proposed that the act will be renamed the Energy Resources Act, reflecting the changing future mix of energy sources, and sets up South Australia as the leading jurisdiction when it comes to managing energy resources to reduce carbon emissions.

“The Marshall Liberal Government has announced the strongest climate change policies of any state in Australia, and we’re marshalling our community’s efforts to deliver a 50% cut to emissions by 2030, and net zero emissions by 2050,” said the Minister for Energy and Mining Dan van Holst Pellekaan.

“We want our laws around energy resources to keep pace with changing technologies, and reflect community expectations around consultation, transparency, compliance and enforcement”.

“This review is a regular 5-year review of the Act, to make sure the government maintains best practice regulation across gas storage and transmission, carbon capture and geothermal energy”.

“In addition, the act will become fit for purpose for new resource such as hydrogen, and to that end the government will gazette new regulations for the transportation of hydrogen in gas pipelines.”

Key proposed improvements include:

- New stakeholder consultation requirements for statements of environmental objectives, with mandatory 30-day public consultation and requiring stakeholder engagement plans,
- Enhancing the rehabilitation and decommissioning security provisions of the Act,
- Aligning the penalties with comparative regulations within the state and other jurisdictions,
- Allowing gas pipelines to transport manufactured or imported gases, such as hydrogen,
- Granting the Government first priority over a Licensee’s property in the event of bankruptcy,
- Introducing Ministerial determinations, to provide more explicit guidance and tailored legislative requirements outside the regulations,
- Adding greater flexibility over licences such as the size of the licence area and strata titling,
- Extending Ministerial powers to other facilities to ensure competition and security of supply

“These proposed amendments will make the new Energy Resources Act a modern, efficient and effective regulatory framework to meet community expectations and provide for new fuels”.

Comments from David Norman – CEO Future Fuels CRC - Mike Malavazos from the SA Department of Energy and Mining has kindly shared the development of a Review of related legislation in SA. As stated in the press release, the purpose of these proposed amendments will make the new Energy Resources Act a modern, efficient and effective regulatory framework to meet community expectations and provide for new fuels.

These proactive developments in SA, are a timely next step building on the Regulatory Mapping Research work that was conducted by the Future fuels CRC in 2020, under RP2.2-01, as well as other regulatory aspects identified previously such as in the NHS (National Hydrogen Strategy). The pioneering and detailed RP2.2-01 work was the subject over a series of highly subscribed and interactive webinars in late 2020 and the detailed research papers and spreadsheet listings are all available in the members sections of the FFCRC website (<https://www.futurefuelscrc.com/>). We are shortly intending to make this highly important identification of 100’s of codes and regulatory issues more widely available.



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