



Australian Government

Australian Government response to the
Senate Economics Legislation Committee report:

Offshore Petroleum and Greenhouse Gas Storage Legislation
Amendment (Safety and Other Measures) Bill 2024 [Provisions]

July 2026

Introduction

The Offshore Petroleum and Greenhouse Gas Storage Legislation Amendment (Safety and Other Measures) Bill 2024 (Bill) was introduced into the House of Representatives on 15 February 2024.

On 29 February 2024, the Senate referred the provisions of the Bill to the Senate Economics Legislation Committee (Committee) for inquiry and report by 22 March 2024.

The committee recommended that the Bill be passed.

The Bill passed the Senate on 16 May 2024 with Government amendments that removed Part 2 of Schedule 2 of the Bill and clarified that contractors are included in the protection against discrimination provisions. The Bill passed the House of Representatives on 28 May 2024.

The Bill received Royal Assent on 11 June 2024 and became the *Offshore Petroleum and Greenhouse Gas Storage Legislation Amendment (Safety and Other Measures) Act 2024*. The last provisions of the Act commenced on 12 June 2025.

Recommendations

In the report, the Committee recommended that the Bill be passed. The three additional dissenting reports from the Australian Greens, Senator David Pocock and Senator Lidia Thorpe each recommended that Part 2 of Schedule 2 of the Bill be removed or the Bill be opposed. Recommendations that the Bill be passed/not passed are not addressed in this Government response.

There are two additional recommendations from the Australian Greens and ten additional recommendations from Senator Lidia Thorpe. The Government's response to each dissenting recommendation is provided below.

Australian Greens' dissenting report - March 2024

Recommendation 2: That the Offshore Petroleum and Greenhouse Gas Storage legislative framework be amended to ensure that:

- First Nations people, Traditional Owners and Knowledge Holders are included in the definition of 'relevant people';
- First Nations people, Traditional Owners and Knowledge Holders have a veto power over any developments in their sea country; and
- During any consultations for Offshore Project Proposals and/or Environment Plans, proponents are required to identify areas of underwater cultural heritage, both tangible and intangible, how the activity may impact it and how these potential impacts can be avoided or mitigated.

The Government **notes** this recommendation.

In the 2023-24 Budget, the Government committed \$12 million over three years to a review of the environmental management regime for offshore petroleum and greenhouse gas activities to ensure it is fit for purpose for a decarbonising economy. The review will also consider opportunities to provide regulatory and administrative certainty for carbon capture and storage activities.

Consultation with affected stakeholders and communities is an important aspect of Australia's offshore regulatory regime for petroleum and greenhouse gas storage activities. The Offshore Environment Management Review includes a focus on clarifying existing consultation requirements for offshore activities, including with First Nations people and communities, to ensure consultation is targeted and effective.

The Department of Climate Change, Energy, the Environment and Water is considering an approach to First Nations engagement in the context of reforms to Commonwealth environmental and cultural heritage protection laws that is inclusive and respectful of cultural authority.

The *Native Title Act 1993* (Cth) (NTA) provides procedural requirements for 'future acts' which have the potential to impact native title rights and interests, including in offshore places (per s 24NA(8) of the NTA). While this does not provide a power of veto to native title holders or claimants, it provides procedural rights at a minimum. The Australian Law Reform Commission (ALRC) completed its review of the NTA's future acts regime and provided its Final Report to the Attorney-General in March 2026. The report was tabled in Parliament on 24 June 2026.

Recommendation 3: That the Government amend the *Human Rights (Parliamentary Scrutiny) Act 2011* (Cth) to ensure that the United Nations Declaration on the Rights of Indigenous Peoples is considered within The Statement of Compatibility with Human Rights included in the Explanatory Memorandum, including the principle of free, prior and informed consent, and that the sponsors of bills are required to provide the relevant information to prove that our obligations are being met.

The Government **notes** this recommendation.

This recommendation is not within the scope of the Bill.

The reports of the Parliamentary Joint Committee on Human Rights *Inquiry into Australia's Human Rights Framework* and the Joint Standing Committee on Aboriginal and Torres Strait Islander Affairs *Inquiry into the application of the United Nations Declaration on the Rights of Indigenous Peoples in Australia* have both made recommendations that the Government amend the definition of 'human rights' in the *Human Rights (Parliamentary Scrutiny) Act 2011* to include the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). The Government is carefully considering these reports.

Senator Lidia Thorpe's dissenting report - March 2024

Recommendation 2: Implement the UNDRIP into domestic law to have full domestic effect and enshrine in law First Peoples' rights to Free, Prior and Informed Consent.

The Government **notes** this recommendation.

This recommendation is not within the scope of the Bill.

Refer to the Government's response to the Australian Greens' recommendation 2.

Recommendation 3: Implement all recommendations from the 2023 Inquiry into the application of UNDRIP in Australia.

The Government **notes** this recommendation.

This recommendation is not within the scope of the Bill.

Refer to the Government's response to the Australian Greens' recommendation 2.

Recommendation 4: Amend the *Parliamentary Scrutiny (Human Rights) Act 2011* to include consideration of UNDRIP, so that no legislation is passed before proper consideration of its engagement and compatibility with the rights of First Peoples.

The Government **notes** this recommendation.

This recommendation is not within the scope of the Bill.

Refer to the Government's response to the Australian Greens' recommendation 3.

Recommendation 5: The Albanese Government must fulfil its election commitments to reform national environmental laws, including a National Standard for First Peoples Engagement and Participation in Decision-Making, in this term of government.

The Government **notes** this recommendation.

This recommendation is not within the scope of the Bill.

Recommendation 6: The federal government must commence Treaty negotiations with First Peoples as a matter of urgency.

The Government **notes** this recommendation.

This recommendation is not within the scope of the Bill.

Recommendation 7: Australia cannot pursue any more new coal and gas projects if we are to meet our emissions reduction obligations under the Paris Agreement.

The Government **notes** this recommendation.

This recommendation is not within the scope of the Bill.

Australia has national emissions reduction targets of 43% by 2030 on 2005 levels, 62-70% by 2035, and Net Zero by 2050. These targets apply to all parts of the economy, and all greenhouse gases. Australia's Net Zero Plan articulates how Australia will transition to a net zero economy, consistent with our international and domestic commitments. The Net Zero Plan is underpinned by six sectoral plans covering all major sectors of the economy, including the

resources sector. The resources sector plan will identify opportunities to reduce emissions from all activities in scope, including coal and gas projects.

The Safeguard Mechanism plays a key role in incentivising long-term investment in emissions reduction for the country's largest industrial facilities, including coal mines and gas projects. All covered facilities are required to steadily reduce their emissions through declining emissions limits, or baselines, on a trajectory consistent with achieving Australia's emission reduction targets of 43% below 2005 levels by 2030 and net zero by 2050. Any new facilities have their baselines determined using emissions intensity values set using international best practice levels, recognising the opportunity to build world's best practice emissions performance into their design.

The Government's Future Gas Strategy, echoed in the Net Zero Plan and Resources Sector Plan, establishes that the role of gas will change as we move towards net zero in Australia by 2050. Australian gas will play an important role in an orderly global and domestic energy transformation. Even in net zero scenarios, Australia and the world will need gas through to 2050 and beyond.

Our trading partners have indicated Australia will play a vital role in supplying the resources needed to ensure their energy and economic security as they follow their own path to meet their net zero commitments. The international demand for low emissions fuels and materials underpins our Future Made in Australia ambitions. The Government is investing in the establishment of new industries such as critical minerals processing and low carbon liquid fuels to lower our emissions, attract investment and grow the economy.

Recommendation 8: State and federal governments must grant greater protections and declare critical habitats for cetaceans, including Koontapool/Southern Right Whale.

The Government **notes** the recommendation.

This recommendation is not within the scope of the Bill.

The Southern Right Whale is listed as endangered and migratory under the *Environment Protection and Biodiversity Conservation Act 1999*. In September 2023, the Government publicly released updated Biologically Important Areas for the Southern Right Whale. This includes areas used by the species that are important for migration and areas designated as critical for reproduction. The National Recovery Plan for the Southern Right Whale was finalised in 2024 in consultation with state agencies and species experts and includes current scientific information on the species, habitat, identified threats and a range of conservation and management actions required to mitigate potential impacts to the species.

Recommendation 9: Governments must ban seismic blasting and refuse any further fossil fuel projects impacting Sea Country.

The Government **does not** support this recommendation.

On 9 December 2025, the Government published the revised Offshore Exploration Work Bid Guidelines which included a requirement to apply a technology-neutral approach to seismic acquisition and to minimise seismic surveying, where possible, to align with the Government's Future Gas Strategy.

The Government is committed to protecting our marine environment and enforcing safe and environmentally responsible practices by the offshore resources sector. Offshore exploration and development activities, including seismic surveying, are subject to a robust environmental approvals regime, regulated by the National Offshore Petroleum Safety and Environmental Management Authority (NOPSEMA). NOPSEMA employs qualified technical experts with experience in offshore environmental impact and risk management, marine ecology and environmental science.

Environment plans for proposed seismic surveys must demonstrate that any impacts and risks associated with the activity have been evaluated, and that controls have been adopted to reduce those impacts and risks to as low as reasonably practicable and to acceptable levels. If the environmental impacts of a proposed seismic survey cannot be managed, NOPSEMA will not allow the activity to proceed.

The Government's Future Gas Strategy outlines a pathway for Australia to manage its evolving role as a trusted gas producer and as a responsible climate actor which acts with transparency, integrity, and from a strong evidence base. As the Future Gas Strategy states, gas will continue to play an important role in Australia's transition to net zero.

The Government recognises the importance of First Nations people's connection to country and is committed to improving social and economic outcomes through future energy projects. Offshore titleholders must consult with relevant persons under the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2023*, which may include Traditional Owners and other cultural knowledge holders, during the preparation of an environment plan, and demonstrate how impacts and risks will be mitigated.

Recommendation 10: The government must implement in full all recommendations from the 2021 A Way Forward Report into the destruction of Juukan Gorge.

The Government **notes** this recommendation.

This recommendation is not within the scope of the Bill.

The Government is continuing to implement the recommendations agreed under *A Way Forward*, as outlined in the 2022 Government response to the destruction of Juukan Gorge.

Recommendation 11: Political donations from fossil fuel companies and other harmful industries should be banned.

The Government **notes** this recommendation.

This recommendation is not within the scope of the Bill.

The Government has clear commitments to improve transparency and accountability across our electoral system.

Following the 2022 election, the Government asked the Joint Standing Committee on Electoral Matters (JSCEM) to inquire into and report on various matters, including political donations.

JSCEM did not recommend banning donations from specific donors. It did, however, recommend the Government consider ways to provide greater transparency of political donations.

In February 2025, the Government's historic reforms to the electoral system to improve public transparency and impose limits on political donations were passed by the Parliament. These new laws will come into effect 1 January 2027.

The Government believes electoral reform should be undertaken in a consultative and multipartisan manner and looks forward to continued engagement with colleagues across the Parliament on electoral reforms.