

Greenhouse Gas Storage Amendment Bill 2025

Explanatory Notes

Short title

The short title of the Bill is the Greenhouse Gas Storage Amendment Bill 2025 (the Bill).

Policy objectives and the reasons for them

The primary objectives of the Bill are to amend the *Greenhouse Gas Storage Act 2009* (the GGS Act) to:

1. Enable the former holder of the ended greenhouse gas (GHG) exploration permit EPQ10, Carbon Transport and Storage Corporation (CTSCo), to convert a GHG well on EPQ10 to a water supply bore; and
2. Enable the transfer of ownership of a converted water supply bore to a landholder on whose property the bore is located; and
3. Streamline the development approval process for the conversion works and water licensing for landowners receiving a converted bore.

In June 2024, the *Mineral and Energy Resources and Other Legislation Amendment Act 2024* was passed, which, among other provisions, introduced a ban on GHG storage and enhanced petroleum recovery using a GHG stream in the Queensland component of the Great Artesian Basin (GAB). As part of the ban, the only granted GHG exploration permit, EPQ10, held by CTSCo, was ended under the GGS Act. Under the GGS Act, CTSCo is required to 'plug and abandon' any GHG wells on the former EPQ10 site to meet decommissioning obligations.

Providing a pathway for CTSCo to convert a GHG well to a water supply bore to meet its decommissioning obligations will provide for a positive legacy from the CTSCo project by repurposing these existing assets for a beneficial new use. This solution is considered to deliver more benefits when compared to plugging and abandoning the GHG wells. Converting the wells to water bores will mean that the wells can provide value to the landholders through access to a valuable water resource.

Achievement of policy objectives

To achieve its objectives, the Bill amends the GGS Act to provide a clear process and requirements for the former holder of EPQ10 to convert a GHG well to a water supply bore, and transfer ownership of the bore to the landholder on whose property the bore is located for their use.

The Bill will achieve its objectives by amending the GGS Act to:

1. Establish a legislative framework to allow CTSCo to meet its GHG well decommissioning obligations by either:
 - Converting a GHG well to a water supply bore and transferring ownership to a relevant landowner; or

- Plugging and abandoning a GHG well in the way prescribed by transitional regulation.
2. Streamline the development approval process for the conversion of the wells and associated works under the *Planning Act 2016*.
 3. Streamline the water licensing process under the *Water Act 2000*, in accordance with the Water Plan (Great Artesian Basin and Other Regional Aquifers) 2017, ensuring landholders can quickly and efficiently take ownership and use of a converted water supply bore for stock purposes.

This approach is reasonable and appropriate because it provides a practical solution to the decommissioning of CTSCo's GHG wells. By allowing CTSCo to convert the GHG wells to water supply bores, the Bill facilitates a positive, long-term outcome for the landholders, enhancing their access to water resources and repurposing existing infrastructure in an environmentally responsible way.

CTSCo will still have the option to plug and abandon the GHG wells. The amendments to the GGS Act will resolve a current regulatory gap by providing for the detailed requirements for plugging and abandoning these GHG wells to be prescribed in a transitional regulation.

Alternative ways of achieving policy objectives

There are no alternative ways of achieving the policy objectives other than by legislative amendment.

Estimated cost for government implementation

Implementation of the proposed amendments will not present additional administrative or capital costs to government. Any implementation costs will be absorbed from existing resources, noting that administrative processes apply to decommissioning the site irrespective of whether CTSCo plugs and abandons a well or converts it to a water bore.

Consistency with fundamental legislative principles

The proposed amendments have been drafted with regard to fundamental legislative principles (FLPs) as defined in section 4 of the *Legislative Standards Act 1992* (the Legislative Standards Act) and are generally consistent with these principles.

Proposed amendments in which FLP issues may arise, or be perceived to arise, together with justification for any departures, are outlined below.

Prohibition on Henry VIII clauses

The proposed amendments potentially depart from the principle that Henry VIII clauses, a clause of an Act of Parliament which enables the Act to be expressly or impliedly amended by subordinate legislation, should not be used.

The proposed amendments to the GGS Act introduce a transitional regulation-making power to support the operation of the amendments. This power will allow a regulation to modify the operation of the amended Act where it is necessary to make provision or facilitate the doing of anything to achieve the transition from the legislation prior to the commencement to its operation following commencement.

This Henry VIII clause is justified on the basis that the amendments involve complex technical requirements for the conversion and decommissioning of GHG wells. The transitional regulation-making power provides flexibility to respond to unforeseen issues that may arise during implementation and enables immediate action to support the intended policy outcome.

Delegation of legislative power

The proposed amendments potentially depart from the fundamental legislative principle under section 4(2)(b) of the Legislative Standards Act that a Bill has sufficient regard to the institution of Parliament and allows the delegation of legislative power only in appropriate cases and to appropriate persons.

The Bill requires a licensed water bore driller to convert a GHG well to a water supply bore in accordance with the requirements in the water bore construction codes: the *Minimum Construction Requirements for Water Bores in Australia* and the *Minimum Standards for the construction and reconditioning of water bores that intersect the sediments of artesian basins in Queensland*. The Bill provides that the most current version of these two documents, which may be amended from time to time, would apply.

In doing so, the Bill delegates legislative power by enabling the non-legislative bodies responsible for maintaining the water bore construction codes to—in the course of updating the water bore construction codes—modify the minimum technical requirements that would apply to CTSCo when converting a GHG well to a water supply bore, without further parliamentary oversight.

However, this delegation of legislative power is considered justified. The water bore construction codes are developed and maintained by recognised industry bodies to reflect best practice bore construction standards. Applying the most current versions ensures that the highest available standards are used in converting the GHG wells to water supply bores, thereby supporting the intent of the Bill.

Consultation

Targeted consultation on the proposed amendments was undertaken with key Queensland Government agencies, including:

- The Department of the Premier and Cabinet
- The Department of Local Government, Water and Volunteers
- The Department of Primary Industries
- Resources Safety and Health Queensland
- The Department of the Environment, Tourism, Science and Innovation
- The Department of State Development, Infrastructure and Planning.

All agencies are supportive of the proposed amendments.

The Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development also consulted directly with CTSCo and the affected landholders. CTSCo and each landholder have confirmed their support of the proposed amendments.

Consistency with legislation of other jurisdictions

The Bill is specific to the State of Queensland, and is not uniform with, or complementary to, legislation of the Commonwealth or another state.

Notes on provisions

Clause 1 provides that, when enacted, the Bill will be cited as the *Greenhouse Gas Storage Amendment Act 2025*.

Clause 2 provides that this Act commences on a day to be fixed by proclamation.

Clause 3 states that this Act amends the *Greenhouse Gas Storage Act 2009* (the GGS Act).

Clause 4 inserts a note under section 455(2) referring the reader to the new section 466 for further modifications to the operation of section 256 in relation to CTSCo and the former EPQ10. This note directs the reader to section 466 which provides the new due date that will apply to the end of tenure report for EPQ10. This note ensures clarity that provisions 256, 455(2) and 466 are interrelated and must be read together in relation to the end of tenure report for EPQ10.

Clause 5 inserts a note under section 456(2) referring the reader to section 467 for further modifications to the operation of sections 267 and 456, and that apply to a greenhouse gas (GHG) well in the area of EPQ10 immediately before it ended. This note ensures the reader is aware that these provisions are interrelated and must be read together in the context of decommissioning obligations for the former EPQ10.

Clause 6 inserts a new Part 8, under Chapter 8, which establishes the transitional provisions for the *Greenhouse Gas Storage Amendment Act 2025* to give effect to the policy objectives of the Bill.

Part 8 Transitional provisions for Greenhouse Gas Storage Amendment Act 2025

Division 1 Preliminary

Section 464 inserts the following definitions for Part 8:

- ‘artesian bore’ relies upon the definition used in the *Water Act 2000* (the Water Act), schedule 4.
- ‘completed’ in relation to the conversion of a relevant GHG well into a water supply bore, is defined as meaning all works to convert the well into the bore have been fully carried out.
- ‘conversion certificate’ refers to the definition contained in section 467(1)(d).
- ‘CTSCo’, means Carbon Transport and Storage Corporation (CTSCo) Pty Limited ACN 143 012 971, the holder of the former EPQ10.
- ‘decommissioning day’ is the day before which a relevant GHG well must be decommissioned from use under section 267(1)(b), as modified by section 456(2)(c).
- ‘former EPQ10’, is the GHG permit, formerly held by CTSCo which was ended under section 454.
- ‘GAB Water Plan’ means the *Water Plan (Great Artesian Basin and Other Regional Aquifers) 2017*.
- ‘landowner’ means the owner of the land where a relevant GHG well or converted water supply bore are located.

- ‘relevant GHG well’ means a GHG well that was drilled within the area of the former EPQ10 prior to EPQ10 ending.
- ‘subartesian bore’ relies upon the definition used in schedule 4 of the Water Act.
- ‘transitional regulation’ is defined under section 483(1).
- ‘Water Act regulator’ means the chief executive of the Queensland Government agency which administers chapter 2 of the Water Act.
- ‘water supply bore’ means an artesian or subartesian bore that is primarily used for the supply of water.

Section 465 provides the purpose of the new Part 8 of the GGS Act.

The purpose of Part 8 is to permit CTSCo to convert a relevant GHG well into a water supply bore and transfer the bore to the landholder for the bore. This is provided as an alternative approach to decommissioning from use under section 267, as modified by section 456. Section 267, as modified by 456, requires CTSCo to decommission a GHG well by plugging and abandonment within two years of the ending of the EPQ10 or a later day fixed by the Minister.

Part 8 also makes provision for the way for a relevant GHG well is to be plugged and abandoned under section 267(3)(a).

The provisions under the new Part 8 of the GGS Act apply in addition to the existing requirements under section 819 of the *Environmental Protection Act 1994* (the Environmental Protection Act) that require CTSCo to comply with the rehabilitation conditions of the former environmental authority for EPQ10. The new provisions under Part 8 do not conflict with these rehabilitation conditions and they must still be complied with for the remaining disturbed area of EPQ10.

Division 2 Modification of end of tenure report

Section 466 modifies the application of section 256, which relates to the obligation for the person who held a GHG tenure to give the chief executive an end of tenure report within six months of the tenure ending.

Section 466(1) provides that section 256 applies in relation to CTSCo as if the section requires the former EPQ10 end of tenure report to be given to the chief executive before the relevant day.

Section 466(2) provides that this section applies despite section 455(2), which provides that section 256 applies in relation to the ending of EPQ10 under section 454.

Section 466(3) provides the following definitions for section 466:

- ‘former EPQ10 end of tenure report’ means the report, relating to the former EPQ10, that was required to be given to the chief executive under section 256.
- ‘relevant day’ means the day that is 2 months after the latest of the following days:
 - the day that is 2 years from the day the former EPQ10 ended under section 454; or

- if, whether before or after the commencement, the Minister fixes a day for 1 or more relevant GHG wells under section 267(1)(b), as modified by section 456(2)(c)—the latest fixed day.

Division 3 Modification of obligation to decommission—general

The new section 467 modifies the application of section 267 and 456 of the GGS Act, which relate to CTSCo's existing obligations to decommission any GHG wells on the former EPQ10 by plugging and abandoning them in accordance with the requirements under a regulation before the day that is two years after the end of EPQ10 (18 June 2026) or a later day fixed by the Minister.

Section 467(1) provides that CTSCo's obligation to plug and abandon a GHG well under section 267(1) of the GGS Act does not apply if, before the decommissioning day, CTSCo does the things necessary under subsections (a) – (f) to convert a GHG well into a water supply bore and transfer ownership to a landowner.

Subsection (a) requires CTSCo to give a notice of intention to convert the well that complies with the requirements prescribed by transitional regulation for the notice; and is accompanied by a conversion plan for the well.

Subsection (b) requires that the landowner of a well gives CTSCo a signed statement in which the landowner:

- consents to the conversion of a well into a water supply bore; and
- states the purpose for which the landowner intends to take water using the water supply bore; and
- agrees to accept ownership and responsibility of the converted water supply bore, after the conversion is completed.

Subsection (c) requires that the conversion must be carried out by a licensed water bore driller in accordance with the requirements prescribed by transitional regulation for the conversion the well into a water supply bore. A licensed water bore driller is defined under this part as the holder of a class 3 water bore drillers licence under the Water Act.

Subsection (d) requires a licensed water bore driller to sign a document (conversion certificate) stating that conversion of a well into a water supply bore has been completed in accordance with the conversion plan for the well given to the Minister under section 467(a)(ii); and the requirements for the conversion of the well mentioned under section 467(c).

Subsection (e) requires that CTSCo, within 10 business days after the conversion certificate is signed, give the Minister a notice of completion, in relation to the conversion of a well into a water supply bore, that complies with the requirements prescribed by a transitional regulation for the notice.

Subsection (f) requires CTSCo, within 40 business days after the conversion certificate is signed, to transfer a converted water supply bore to a landowner, under division 5.

Section 467(2) provides the modified requirements that apply to CTSCo when plugging and abandoning a relevant GHG well under section 267(3)(a). Section 467(2) states that if section 267(1) applies to a relevant GHG well that is not a decommissioned well, section 267(3)(a) applies in relation to the well as if the paragraph required CTSCo to plug and abandon the relevant GHG well in the way prescribed by transitional regulation. This applies regardless of whether or not works to plug and abandon the relevant GHG well started prior to the commencement of the *Greenhouse Gas Storage Amendment Act 2025*.

Section 467(3) provides that section 476 applies despite section 456(2), which provides the modifications to the decommissioning requirements that apply to the former EPQ10 under section 267.

Section 467(4) provides the following definitions for section 467:

- ‘conversion plan’ for a relevant GHG well, means a plan approved and signed by a licenced water bore driller, showing how the well will be converted into a water supply bore in accordance with the water bore construction codes.
- ‘decommissioned GHG well’ for section 467(2) is defined as a relevant GHG well that, before the commencement of the Act, was decommissioned from use under section 267(3).
- ‘licensed water bore driller’ is someone who holds a class 3 water bore driller’s licence under the Water Act. The note included under this definition refers the reader to the section 122 of the Water Regulation 2016, which details the classes of water bore driller’s licences.
- ‘Queensland Government website’, for this part, means a Queensland Government website that relates to business and industry, with a URL that contains ‘qld.gov.au’ and does not include the website of a local government.
- ‘water bore construction codes’, for this part, means the most current versions of both of the documents published on a Queensland Government website called ‘Minimum construction requirements for water bores in Australia’ and ‘Minimum standards for the construction and reconditioning of water bores that intersect the sediments of artesian basins in Queensland’.

The intent of section 468 is to clarify that once a GHG well has been decommissioned from use, the responsibility for the GHG well is transferred to the State upon decommissioning.

Section 468(1) applies if a relevant GHG well is decommissioned from use under 267(3), as modified by section 467(2), on or after the decommissioning day for the well.

Section 468(2) provides that despite section 269(1), section 269(3) and section 269(4), as modified by section 456(4), applies in relation to the well. This section provides that once decommissioning has occurred under subsection (1), the relevant GHG well is taken to be transferred to the State.

Division 4 Conversion of relevant GHG wells

Section 469 provides CTSCo with a right of entry to land for the purpose of converting a well under this part; or plugging and abandoning a relevant GHG well under section 267(3)(a), as modified by section 467(2).

The intent of this section is to ensure CTSCo has the appropriate right to enter land to carry out conversion of a relevant GHG well to water supply bore and the decommissioning of a GHG well.

Section 470 declares that the works carried out to convert a relevant GHG well into a water supply bore under this part are water bore drilling activities under the Water Act. The intent of this section is to remove any doubt whether the conversion activity falls under the definition of water bore drilling activity under the Water Act. This clarification is to ensure that a licensed water bore holder keeps and provides records of water bore drilling activities for the conversion as required under section 983L of the Water Act.

Section 471 provides that if the conversion of a relevant GHG well into a water supply bore under Part 8 involves development that would otherwise be prohibited or assessable development under the *Planning Act 2016* (the Planning Act), the development is instead taken to be accepted development under that Act. Under section 44(4) of the Planning Act, accepted development is development that does not require a development approval.

The intent of this section is to categorise any development associated with the conversion as accepted development under the Planning Act. This removes the requirement for CTSCo to obtain separate development approval for operational works that would otherwise be considered assessable development.

Section 472 ensures that CTSCo remains responsible for plugging and abandoning a relevant GHG well if they begin, but do not complete, the conversion and transfer process for the well.

Section 472 applies if CTSCo gives the Minister a notice of intention to convert a GHG well under section 467(1)(a) and immediately prior to decommissioning date, has not complied with section 467(1)(b) – (f) (the necessary requirements to convert a GHG well into a water supply bore and transfer ownership to the landowner), and a well has not been decommissioned under section 267, as modified by sections 456 and 467(2).

Section 472(2) provides that the decommissioning obligations under section 267, as modified by sections 456 and 467(2), continue to apply in relation to the relevant GHG well despite anything done to convert the GHG well to a water supply bore under sections 467(1)(b) – (f).

Division 5 Transfer of converted water supply bores

Section 473 provides that division 5 which provides for a transfer process, applies if CTSCo has converted a relevant GHG well into a water supply bore before the decommissioning day and has complied with sections 467(1)(a) – (e) in relation to the conversion.

Section 474 provides that CTSCo may transfer the water supply bore to the landowner for the bore if CTSCo gives the chief executive a notice of the transfer that complies with the requirements prescribed by transitional regulation for the notice.

The note under section 474 refers the reader to section 478 to clarify that the transfer of ownership for a water supply bore by CTSCo is only valid if a notice of transfer is given to

the chief executive as required. Section 478 provides that any transfer made by CTSCo outside the process outlined in section 474 has no effect.

Section 475(1)(a) – (c) provides that if CTSCo gives the chief executive a notice of transfer under section 474:

- (a) the ownership of all infrastructure and equipment forming part of the bore is transferred to the landowner;
- (b) the bore, including all infrastructure and equipment, is no longer a GHG well regulated under the GGS Act; and
- (c) the landowner assumes ownership and responsibility of all infrastructure and equipment forming part of the bore for the purposes of any Act or law that applies to the bore, infrastructure or equipment.

Section 475(2) clarifies that the change in classification described in 475(1)(b) applies despite the definition of GHG well in schedule 2, ensuring the bore is no longer regulated as a GHG well once transferred.

Section 475(3) clarifies that the transfer of the water supply bore to the landowner does not of itself authorise the landowner to take or interfere with underground water from the water supply bore. The first note under section 475(3) refers the reader to section 479 for the granting of a water licence to the landowner to take water for stock purposes using the water supply bore. The second note refers the reader to the *Water Plan Great Artesian Basin and Other Regional Aquifers 2017* (the GAB Water Plan), part 4, division 3 in relation to taking or interfering with water in the GAB Water Plan area.

The intention of sections 474 and 475 together ensure that the converted water supply bore is transferred from CTSCo to the landowner upon giving the transfer notice to the chief executive.

Section 476(1) requires that if CTSCo provides the chief executive with a notice of transfer relating to a water supply bore under section 474, the chief executive must, within 30 business days of receiving the notice, provide a copy to the Water Act Regulator. The purpose of this notification is to inform the Water Act Regulator that a converted water supply bore has been transferred to a landowner. Upon receiving this notice, the Water Act Regulator must grant a water licence for stock purposes to the landowner under section 479.

Section 476(2) provides that in the case that section 476(1) is not complied with, the transfer to which the notice of transfer relates still applies and is not invalidated or otherwise affected.

Division 6 Other matters relating to converted water supply bores

Section 477(1) provides that within 60 business days after a conversion certificate relating to the conversion of a GHG well into a water supply bore is signed, CTSCo must give the chief executive a conversion report that complies with the requirements prescribed by transitional regulation for the report. A maximum penalty of 100 penalty units applies for noncompliance with this requirement. This is consistent with the existing penalty under section 257(4) for failing to comply with a requirement to keep or give information or reports under the Greenhouse Gas Storage Regulation 2021.

Section 477(2) provides that within 30 business days of receiving the report, the chief executive must give a copy to the Water Act regulator.

Section 477(3) provides that if CTSCo does not give a conversion report to the chief executive under section 477(1) or if the chief executive does not give a copy of this report to the Water Act regulator under section 477(2), this does not invalidate or otherwise affect the transfer of the water supply bore to which the conversion report relates.

Section 478 provides that if CTSCo has met the requirements in section 467(1)(a) – (e) to convert a relevant GHG well to a water supply bore, but CTSCo has purported to transfer the bore in a way other than providing a notice of transfer to the chief executive under section 474, the transfer is of no effect.

The note inserted under section 478(2) refers the reader to the new section 472 Partial compliance with requirements under s467(1). This section clarifies that failure to give a notice of transfer to the chief executive means CTSCo has only partially complied with the requirements for converting a GHG well to a water supply bore under section 467(1)(b) – (f). In such cases, CTSCo remains responsible for the decommissioning of the GHG well under section 267, as modified by sections 456 and 467(2), until a notice of transfer is given or the well is plugged and abandoned.

Sections 472, 474, 475 and 478 read together make it clear that compliance with the conversion requirements under section 467 and CTSCo giving the chief executive a notice of transfer under section 474 are critical to the transfer of a converted water supply bore to a landowner.

Section 479 outlines the process by which a landowner, upon assuming ownership and responsibility for a water supply bore under section 474, will be granted a water licence to take water for stock purposes. These provisions have been developed in consultation with the Department of Local Government, Water and Volunteers, as the administering agency of the Water Act and the GAB Water Plan.

Subsection (1) provides that section 479 applies if the chief executive gives the Water Act regulator a copy of a notice of transfer for a water supply bore under section 476, and the Water Act regulator considers the landowner for the water supply bore will take water for stock purposes using the bore.

Subsection (2) provides that the Water Act regulator must, within 60 business days of receiving a copy of the notice, grant a water licence, which may or may not have conditions, to the landowner to take water from the bore for stock purposes only.

Subsection (3) requires that the granted water licence must not allow the take of water for stock purposes unless the converted water supply bore has a watertight delivery system in the meaning of section 29(2) of the GAB Water Plan.

The note under subsection (3) refers the reader to sections 26(2)(a) and 31(1) of the GAB Water Plan which relate to the requirements to have a watertight delivery system to take water from a bore.

Subsection (4) provides that for the purposes of section 31(2) of the GAB Water Plan, the converted water supply bore is taken to have been drilled after the commencement of the GAB Water Plan.

Subsection (5) provides that part 4, division 5 of the GAB Water Plan does not apply in relation to the granting of the water licence.

Subsection (6) states that for section 116(2) of the Water Act, the process mentioned in subsections (1) – (5) is taken to be stated in the GAB Water Plan.

The note under subsection (6) refers to section 116(2) of the Water Act which clarifies when the Water Act regulator may grant a water licence without the need for an application to be made under section 107 of the Water Act.

Subsection (7) provides the following definitions for section 479:

- ‘stock purposes’ relies upon the definition used under schedule 4 of the Water Act.
- ‘water licence’ relies upon the definition used under schedule 4 of the Water Act.

Division 7 Other Provisions

Section 480 clarifies that, despite the ending of the former EPQ10, a relevant GHG well is taken to be an operating plant under section 670(2)(h) of the *Petroleum and Gas (Production and Safety) Act 2004* (the P&G Act) until:

- the relevant GHG well is decommissioned from use in accordance with section 267(3) as modified by section 467(2); or
- the conversion of a water supply bore under this part is completed and the bore is no longer a GHG well for the purposes of the GGS Act under 475(1)(b).

The purpose of this amendment is to clarify that the *Workplace Health and Safety Act 2011* does not apply to a relevant GHG well. In effect, this ensures that Resources Safety and Health Queensland remains the safety regulator for a relevant GHG well under the P&G Act, until it is either plugged and abandoned or transferred to a landowner as a water supply bore.

Section 481 provides that the no compensation is payable by the State to any person because of the enactment or operation of this part or anything done to carry out to give effect to this part.

Section 482 provides that CTSCo has a continued right to enter land on which a relevant GHG well is located, after it has been decommissioned and transferred to the State, to comply with its rehabilitation conditions 58 to 60 of environmental authority number ‘EPPG00646913.

Section 482(1) provides that this section applies to a relevant GHG well if it has been decommissioned and transferred to the State under section 269(3), as modified by section 456(4)(c).

Section 482(2) provides that the decommissioning and transfer of the GHG well does not affect the application of the rehabilitation conditions to CTSCo.

Section 482(3) provides that CTSCo may, after the decommissioning and transfer, enter the following land to the extent it is necessary to comply with the rehabilitation conditions:

- land on which the relevant GHG well is located; and
- other land it is reasonably necessary to cross for access to the above-mentioned land.

Section 482(4) provides the following definitions for section 482:

- ‘decommissioned’ in relation to a relevant GHG well is defined as:
 - decommissioned from use under section 267(3), as it applied immediately before commencement; or
 - decommissioned from use under section 267(3), as modified by section 467(2).
- ‘rehabilitation conditions’ is defined as meaning conditions 58 to 60 of the environmental authority, with the environmental authority number ‘EPPG00646913’, ended under the Environmental Protection Act, section 819(1)(a).

Division 8 Transitional regulation-making power

Section 483 provides a transitional regulation-making power to support the implementation of this part.

Section 483(1) provides that a regulation (a transitional regulation) may make provision about:

- matters that may be prescribed by transitional regulation under another provision of this part; and
- any other matter for which it is necessary to make provision to allow or facilitate the doing of anything to achieve the operation of this part, where this part does not provide or sufficiently provide.

Section 483(2) provides that a transitional regulation may have retrospective operation to a day not earlier than the day this section commences.

Section 483(3) requires that a transitional regulation must declare that it is a transitional regulation.

To accommodate transitional processes under this part, section 483(4) provides that this division and any transitional regulation expire on 18 June 2029.