Proposed ERA Standards and Codes for Petroleum Activities

Information sheet

This information sheet helps petroleum activity operators understand proposed changes to the framework for regulation of lower risk petroleum activities.

Background

The *Environmental Protection (Efficiency and Streamlining) and Other Legislation Amendment Act 2026* (EP(ES)OLA Act) became law on 16 June 2026. It made changes to Queensland's environmental legislation to improve efficiency and keep regulatory frameworks up to date and effective.

Some changes to the *Environmental Protection Act 1994* (EP Act) will start on a later date by proclamation. This includes establishing ERA codes for regulating lower-risk activities and introducing significant environmental values (SEVs) to support the administration of the EP Act.

The Department of the Environment, Tourism, Science and Innovation (the department) is undertaking consultation on draft ERA codes to ensure they are practical, transparent, effective and will achieve their intended environmental and regulatory outcomes. Changes to relevant ERA standards are also being considered and consulted on to complement the introduction of proposed ERA codes.

It is proposed to:

- move data acquisition and water monitoring activities from the Exploration ERA standard and develop respective ERA codes for these activities;
- replace the current petroleum survey ERA standard with a new ERA code;
- revise the pipeline ERA standard with updates to consider and apply SEVs; and
- revise the exploration ERA standard (which would be applicable to Authority to Prospect only) with updates to consider and apply SEVs.

Given the recent changes to the exploration and pipeline standards that took effect in June 2026, these standards are primarily proposed to be updated to refer to SEVs instead of environmentally sensitive areas (ESAs), and otherwise only relatively minor changes are proposed.

A summary of the proposed breakdown of the different activities is shown visually in Appendix A.

A further summary on what is included in each document is in Appendix B and a FAQ about proposed changes is included as Appendix C.

Transitional arrangements

Where it is decided to give effect to the new ERA codes for relevant petroleum activities, operators will need to advise of their intention to either operate under the ERA code or continue to operate under their environmental authority in accordance with the new EP Act Chapter 6, Part 2.

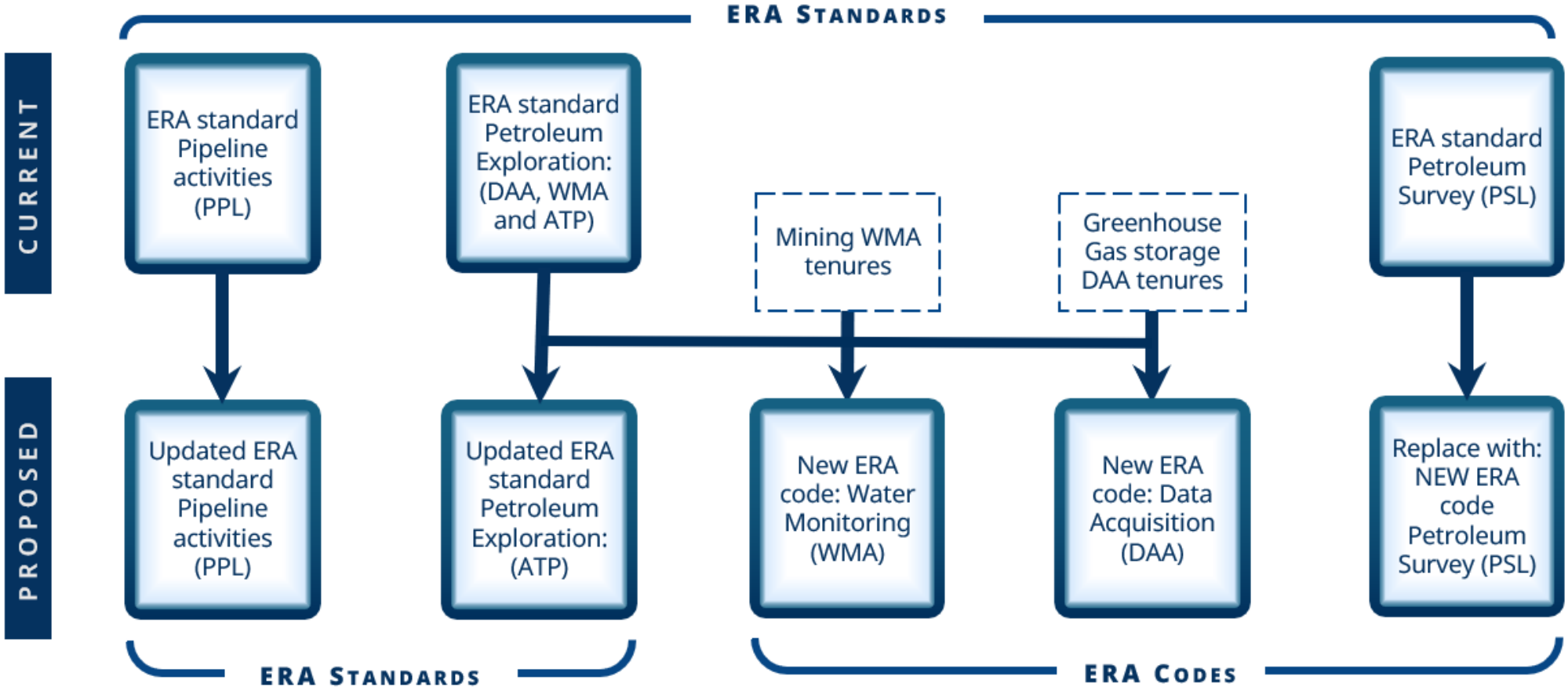
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Where it is decided to give effect to the revised ERA standards for relevant petroleum activities, all new applications will be required to be made subject to the revised ERA standard for those activities.

Mandatory transitions are not proposed for the updated ERA standards. Operators can apply to adopt the new standard conditions through a 'condition conversion which is a streamlined amendment application process.

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Appendix A: Proposed approvals framework for lower risk petroleum activities



Appendix B: Summary of changes/new codes

Document	Summary of changes
Petroleum Pipeline ERA standard (PPL tenure only)	• Remove reference to Category A, B and C environmentally sensitive areas (ESAs) • New condition inserted that instead limits what activities can occur within certain SEVs and other specific areas of value (e.g. some former Category B and C areas) • Removal of Primary and Secondary Protection Zones in place of a new condition that requires activities to avoid impacts to a SEV • Reformatted, updated definitions where required and minor corrections • Standard conditions otherwise largely unchanged from the updates that took effect in June 2026
Petroleum Exploration ERA standard (ATP tenure only)	• Remove applicability to Water Monitoring Authority (WMA) and Data Acquisition Authority (DAA) tenures • Remove reference to Category A, B and C ESAs • New condition inserted that instead limits what activities can occur within certain SEVs and other specific areas of value (e.g. some former Category B and C areas) • Removal of Primary and Secondary Protection Zones in place of a new condition that requires activities to avoid impacts to a SEV • Reformatted, updated definitions where required and minor corrections • Standard conditions otherwise largely unchanged from the updates that took effect in June 2026

Document	Summary of changes
Petroleum Survey ERA standard > ERA Code (PSL tenure only)	• Survey activities to be replaced with new petroleum survey ERA code • Similar conditions but streamlined and more targeted conditions as compared to the current ERA standard • Conditions have been reviewed and tailored to the nature and scale of the activity, with a stronger focus on environmental outcomes and risk management • Remains limited to 10 test pits and 1ha concurrent disturbance per current standard requirements • No buffer/protection zones proposed - activities that would have an adverse impact on a SEV are not permitted
New ERA code Data Acquisition (DAA tenure only)	• Applicable to DDA tenure holders. Can also be used for Greenhouse Gas Storage related DAAs • DAA tenure to be removed from petroleum exploration standard • Streamlined conditions more targeted at the activities • Conditions have been reviewed and tailored to the nature and scale of the activity, with a stronger focus on environmental outcomes and risk management • Limited to low risk seismic survey • Remains limited to 1% of tenure concurrent disturbance (consistent with the current exploration standard) • No buffer/protection zones proposed • Activities that would have an impact on a SEV would not permitted under an ERA code • Activities limited within areas of SEVs

Document	Summary of changes
New ERA code Water Monitoring (WMA tenure only)	• Applicable to WMA tenure holders. Can also be used for mining WMAs under the *Mineral Resources Act 1989* • WMA tenure to be removed as an option under the exploration standard • Conditions have been reviewed and tailored to the nature and scale of the activity, with a stronger focus on environmental outcomes and risk management • Remains limited to 1% of tenure concurrent disturbance (consistent with the current exploration standard). • No buffer/protection zones proposed. • Activities that would have an impact on a SEV would not be permitted under an ERA code Activities limited within areas of SEVs.

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Appendix C: Frequently Asked Questions

The responses to questions and answers in this information sheet reflect the current proposed position at the time of consultation. It should be noted that these may change as a result of the consideration of feedback during the consultation processes.

1. What is the difference between an ERA code and an ERA standard?

ERA standards apply to activities that require an EA and set out the eligibility criteria, standard conditions and environmental requirements that must be met by the operator. An applicant who meets the requirements of the relevant ERA standard may apply for an EA that is conditioned using that standard. The standards have been developed to manage the environmental risks associated with an activity and provide a streamlined approval pathway where those risks are well understood and can be effectively managed through standardised conditions.

ERA codes, by contrast, provide a streamlined authorisation framework for eligible low-risk activities where environmental risks are well understood and can be effectively managed through prescribed operating requirements. Operators that comply with the relevant ERA code may undertake the activity without the need to obtain an EA.

ERA standards

2. Will the revised ERA standards impact current projects operating under a standard?

Existing Environmental Authority (EA) holders operating under the current ERA standards can continue their activities as usual and will not be required to transition to the revised standards. The revised ERA standards will apply to new applications, including where a new tenure is added to an existing EA, and new authorities issued after the commencement date. Any existing EAs will remain subject to the conditions and standards that applied at the time they were granted, unless otherwise specified through a separate regulatory process.

3. Are there any changes to the application pathway for an ERA standard?

The proposed revisions to the ERA standards do not change the existing application pathway. Applicants will continue to follow the same approval and assessment processes currently in place. The changes relate to the content of the ERA standards themselves and do not introduce any new application requirements, assessment steps, or approval pathways. Where applicable, new applications will be assessed against the revised ERA standards once they take effect. Where a holder cannot meet a standard condition, there remains the ability to seek a variation of one or more standard conditions.

4. Are there any changes to fees for an ERA standard?

No, the proposed revisions to the ERA standards do not change the fees associated with applying for an EA. Existing fee structures and charging arrangements will continue to apply.

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5. Will activities currently operating under an ERA standard be required to transition to the relevant revised ERA Standard?

Current EA holders will not be required to transition to the revised ERA standards framework and can continue operating under the conditions and standards that apply to their existing EA. Existing EA holders may be able to transition to the new ERA standard through an amendment to their environmental authority under the EP Act. Where a holder can meet the applicable eligibility criteria and standard conditions for the ERA standard this may be processed as a condition conversion.

6. What does 'revised ERA standard' mean?

For the purposes of this consultation, the term "revised ERA standards" is being used to refer to the review and remaking of the current ERA standards. While section 318DA of the EP Act provides that an amendment of an ERA standard, other than a minor amendment, is made by the making of a new ERA standard, the standards being proposed are largely intended to update and replace existing standards rather than introduce an entirely new framework.

7. How are ERA standards made?

Under section 318 of the *Environmental Protection Act 1994*, the chief executive may make an ERA standard that sets out the eligibility criteria and standard conditions for an ERA. Pursuant to section 318A of the EP Act, a statutory public consultation process must be undertaken when an ERA standard is developed, or an existing standard is substantially changed.

The statutory consultation process must be at least 30 business days and will require:

1. the proposed standard to be published on the department's website;
2. a notice that invites public submissions and provides instructions on how to make such a submission to be published on the department's website; and
3. written notice about the proposed code and consultation process to be given to each holder of a relevant existing EA that is in effect immediately before the consultation period starts.

All submissions must be considered when deciding whether to make an ERA standard.

The new or revised ERA standards will come into effect when approved by regulation, or a later date if specified in the regulation. All ERA standards will be published on the department's website.

8. How are the Significant Environmental Values considered for an ERA standard?

EP(ES)OLA introduced the ability for Significant Environmental Values (SEVs) to be prescribed through a regulation. Under section 9 of the *Environmental Protection Act 1994*, environmental values are defined as the important qualities or physical characteristics of the environment.

In making an ERA Standard, the administering authority considers the object of the EP Act, which is to protect Queensland's environment while allowing for ecologically sustainable development, when determining the eligibility criteria and standard conditions for an ERA. This includes considering the environmental values as set

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out under the EP Act. SEVs are proposed to be prescribed within the Environmental Protection Regulation 2019 concurrently with the making of the ERA Standards, the SEVs have been considered as part of this process.

Where an ERA would adversely after SEV, the area is constrained through the eligibility criteria. For example, National Parks are ineligible because a resource ERA cannot occur within a National Park without impacting the environmental values. This is further supported by a standard condition requiring that activities do not cause environmental harm to specified SEVs, including where an ERA is located adjacent to a National Park.

Where it has been identified that a resource ERA can occur within an area containing significant environmental values, depending on the environmental values, conditions may be applied to the type, scale or location of the activity to manage those impacts.

ERA Codes

9. What is a code-managed ERA?

EP(ES)OLA introduced code-managed ERAs within the EP Act. A regulation may declare an ERA to be a code-managed ERA, only if the Minister is satisfied –

- the risk of environmental harm that may be caused by the carrying out of the activity is known; and
- the environmental harm can be effectively prevented, minimised, rehabilitated or remediated, by requiring compliance with an ERA code.

The declaration of code-managed ERAs are considered suitable for lower-risk activities. Code-managed ERAs will be defined within Schedule 3A of the Environmental Protection Regulation 2019. Where an operator meets the definition of a code-managed ERA, the operator is also required to comply with the conditions associated with the ERA Code for that activity.

10. What is an ERA code?

Where an activity is declared a code-managed ERA, the administering authority may make an ERA Code. The ERA Code authorises the code-managed ERA to be carried out without an EA while ensuring the activity is carried out in a way that is consistent with the object of the EP Act. The ERA Codes are approved by a regulation, and will be identified in Schedule 15A of the Environmental Protection Regulation 2019.

11. What are the benefits for transitioning to an ERA code?

ERA codes are designed for low-risk activities, with conditions developed to manage known and manageable risks.

Transitioning to an ERA code makes it easier for operators to understand their requirements. A key benefit is consistency across activities. The ERA code sets clear conditions for specific activities, ensuring similar activities are regulated in the same way and reducing confusion.

There will be no requirement to pay financial surety under an ERA code and any payments already held will be refunded.

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12. How will the introduction of ERA codes affect new and existing operators?

Once the new ERA codes are made for small mining activities, all new operators will be required to operate under the code or obtain an environmental authority (EA).

For pre-existing operators (including those operating under prescribed conditions stated in the Environmental Protection Regulation 2019), a 12-month transition period will begin. During this period, operators must notify the Department of their intention to operate under the ERA code or obtain an EA. If you are already operating under an EA you may also choose to continue operating as normal through that approved EA.

If an existing small mining operator does not notify the department of their intention, they may be automatically transitioned to the ERA code framework by default, 12 months after the ERA code takes effect.

13. Do I need to do anything to have my financial assurance (surety) refunded if I transition to operating under an ERA code?

No. The Scheme Manager will contact you to refund any existing surety after the operator gives notice of intention to carry out activity under ERA code, or is otherwise transitioned to a code (12 months after approval of the ERA code). Because of high volumes, refunds will be processed in stages after the ERA code begins and may take several years. Refunds will not happen for all operators at the same time.

The department will provide further detailed instructions about this process following progression of the amendments to the Environmental Protection Regulation 2019.

14. Will the department and public have visibility of all persons operating under an ERA code?

When an ERA code is made, a decision is made as to whether a person is required to register with the department to operate under that code. Where registration is required, operator details will be recorded on the department's public register.

In principle, it is proposed that activities already subject to registration requirements including under another Act (such as activities carried out under petroleum tenures), will not be required to register to operate under an ERA code, as their details will already be available through those other registration processes.

15. How are ERA codes made?

A statutory public consultation process must be undertaken, in accordance with new section 551B under EP(SO)OLA, when a new ERA code is developed, or an existing code is substantially changed.

The consultation process must be at least 30 business days and will require:

- the proposed code to be published on the department's website;
- a notice that invites public submissions and provides instructions on how to make such a submission to be published on the department's website; and
- written notice about the proposed code and consultation process to be given to each holder of a relevant existing environmental authority that is in effect immediately before the consultation period starts.

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All submissions must be considered when deciding whether to make an ERA code.

The new or revised ERA code will come into effect when it is approved by regulation, or a later date if specified in the regulation. All ERA codes will be published on the department's website.

16. Will there be any fees associated with ERA codes?

No, operators will not be required to pay any application or annual fees to operate under an ERA code for small scale mining activities or hand mining.

17. What are significant environmental values?

EP(ES)OLA introduced the ability for Significant Environmental Values (SEVs) to be prescribed through a regulation. Under section 9 of the EP Act, environmental values are defined as the important qualities or physical characteristics of the environment.

These include ecological health, public health, safety or amenity, biodiversity and integrity, intrinsic or attributed scientific value or interest, amenity, harmony and sense of community or another quality of the environment identified or declared under an environmental protection policy or regulation.

SEVs are intended to clearly identify environmental matters that are a state priority for protection. Section 9A of the EP Act will set out how SEVs are prescribed. All proposed SEVs relate to matters that would already have been considered through the existing environmental assessment processes.

18. How are the Significant Environmental Values considered in declaring a code-managed ERA?

A code-managed ERA may be declared where the impact to values is known and the impacts may not be able to be effectively prevented, minimised, rehabilitated or remediated by requiring compliance with an ERA Code. SEVs are considered in declaring a code-managed ERA by:

- where the impact to the SEV unknown, the definition of the code-managed ERA will ensure those impacts do not occur, such as through restricting the activity within areas where the SEVs are located;
- where the impact to the SEV is known, however is unable to be effectively prevented, minimised, rehabilitated or remediated by requiring compliance with an ERA Code, the definition of the code-managed ERA will ensure those impacts do not occur;
- where the impacts to the values can be effectively prevented, minimised, rehabilitated or remediated, by requiring compliance with an ERA code, the impacts will be regulated through the conditions of the code.

19. How are the Significant Environmental Values considered in making an ERA Code?

When making an ERA Code, SEVs are considered to ensure the activity is undertaken in a way that is consistent with the object of the EP Act. Where an impact to a SEV is known and can be managed through conditions of an ERA Code, conditions will be applied.

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