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Australian Government guidance for removal of oil and gas property and sea dumping of infrastructure in Commonwealth waters

May 2024

Collaboration between:

* Department of Climate Change, Energy, the Environment and Water
* Department of Industry, Science and Resources
* National Offshore Petroleum Safety and Environmental Management Authority

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## Summary

Decommissioning is a normal and necessary activity in the lifecycle of every offshore oil and gas project. It involves removing or otherwise satisfactorily dealing with property and infrastructure that was previously used for oil and gas operations. Decommissioning must be timely, safe and environmentally responsible.

Removal of all property and infrastructure and the plugging and abandonment of wells is required under Australian law. This reflects Australia’s international obligations and aims to remove any risk to the marine environment or other marine users in the future.

Australian law prohibits sea disposal of material considered too harmful to be released into the marine environment. Australia regulates permitted sea disposal to minimise any potential environmental impacts.

Leaving offshore oil and gas property and infrastructure in place instead of removing it, may be permitted in limited circumstances providing regulatory requirements are met. Titleholders[[1]](#footnote-2) and operators of oil and gas projects in Commonwealth waters may only leave property and infrastructure in the sea or on the seabed:

* in accordance with an accepted environment plan under the [*Offshore Petroleum and Greenhouse Gas Storage Act 2006*](https://www.legislation.gov.au/Details/C2023C00337) (OPGGS Act)
* with approval under the [*Environment Protection (Sea Dumping) Act 1981*](https://www.legislation.gov.au/C2004A02478/latest/text) (Sea Dumping Act).

Titleholders may also need to submit a referral under the [*Environment Protection and Biodiversity Conservation Act 1999*](https://www.legislation.gov.au/C2004A00485/latest/text) (EPBC Act) for any decommissioning activities outside the title area.

This guidance gives an overview of:

* regulatory requirements around the types of property and infrastructure that cannot be left in the sea
* property and infrastructure which may be permitted be left in the sea in some circumstances
* issues for titleholders and operators to consider.

Property and infrastructure that may be permitted to be left in the sea are subject to assessment under the OPGGS Act and Sea Dumping Act. Applications to leave property and infrastructure are assessed on a case by case basis. There is no guarantee that property and infrastructure will be approved to be left behind.

Every project will have different environmental and safety risks and impacts. These must be acceptable to regulators under the OPGGS Act and Sea Dumping Act for individual projects.

This guidance aims to provide clarity around:

* how Australia’s offshore decommissioning and sea dumping frameworks intersect
* application and assessment considerations when an oil and gas titleholder is seeking not to remove property or infrastructure.

## 1. Introduction

### 1.1. Purpose

This guidance gives industry stakeholders clarity on the Australian Government’s regulatory requirements for removing oil and gas property and infrastructure from Commonwealth waters as part of decommissioning. In most cases, all property and infrastructure will need to be removed when oil and gas operations are completed. However, there may be some limited cases where a regulator may grant approval for property and infrastructure to be left in the sea. There are 2 categories of property and infrastructure:

* property and infrastructure that cannot be left in the sea
* property and infrastructure that may be permitted to be left in the sea, subject to regulatory assessment under the OPGGS Act and Sea Dumping Act.

This guidance is consistent with the Sea Dumping Act and OPGGS Act. It was developed by the:

* Department of Climate Change, Energy, the Environment and Water (DCCEEW)
* Department of Industry, Science and Resources (DISR)
* National Offshore Petroleum Safety and Environmental Management Authority (NOPSEMA).

### 1.2. Scope and limitations

In this guidance, ‘property and infrastructure’ refers to oil and gas structures, infrastructure, equipment and property. When property and infrastructure is left in place, abandoned, dumped or toppled, it is referred to as ‘left in the sea’.

The guidance applies to all oil and gas property and infrastructure brought into an offshore title area granted under the OPGGS Act. It focuses on:

* specific materials and types of property and infrastructure involved in offshore oil and gas activities
* considerations to be addressed in applications under the OPGGS Act and the Sea Dumping Act.

Any property and infrastructure not included in this guidance still needs to be assessed under:

* the OPGGS Act
* Sea Dumping Act
* other relevant laws, such as the EPBC Act.

This guidance does not apply to property and infrastructure from other industries, or which is not used in the exploration for or recovery of oil and gas. It does not apply to re-using or repurposing oil and gas infrastructure. Titleholders are encouraged to engage with NOPSEMA at an early stage when considering the re-use or repurposing of property and infrastructure.

This guidance applies to removing property and infrastructure from Commonwealth waters[[2]](#footnote-3). It does not apply to activities in designated coastal waters or internal state waters.

This guidance does not cover any requirements or considerations outside the OPGGS Act and Sea Dumping Act. Titleholders must consider any other requirements not mentioned in this document.

This guidance is not advice on what ministers, or their delegates or agencies, will or will not approve. This guidance does not provide advice on decisions taken by NOPSEMA, which makes regulatory decisions independent to the Government.

This guidance also does not provide any advice on:

* legal requirements
* third-party liability exposure
* occupational health and safety
* marine engineering.

Titleholders should seek independent advice on these and any other issues.

## 2. Removing property and infrastructure

The OPGGS Act and accompanying regulations regulate decommissioning of offshore oil and gas property and infrastructure in Commonwealth waters. If a titleholder proposes leaving property and infrastructure in the sea, they also need approvals under the Sea Dumping Act. Titleholders should consider the safety risks of decommissioning activities when weighing up alternatives to full removal.

DISR and NOPSEMA administer the OPGGS Act. DISR is responsible for developing policy and regulations for oil and gas and greenhouse gas storage activities in Commonwealth waters. NOPSEMA is Australia's independent regulator for health and safety, structural (well) integrity and environmental management for offshore energy and greenhouse gas storage activities in Commonwealth waters.

The Sea Dumping Act is administered by DCCEEW, which is responsible for:

* protecting Australia’s environment and water
* delivering the Government’s climate change and energy agenda.

The Sea Dumping Act protects the Australian marine environment by preventing or regulating the loading and dumping of waste and placement of artificial reefs in Australian waters[[3]](#footnote-4).

Australia’s international memberships and legal obligations guide our requirements for decommissioning activities, especially the:

* 1996 Protocol to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972 (the London Protocol)
* United Nations Convention on the Law of the Sea (UNCLOS)
* International Maritime Organisation (IMO) Resolution A.672(16) adopted on 19 October 1989.

The London Protocol’s aims are to:

* protect and preserve the marine environment from all sources of pollution
* take effective measures to prevent, reduce, and eliminate pollution caused by dumping of wastes or other matter at sea.

Australia is a Contracting Party to the London Protocol. As part of Australia’s international obligations, it must uphold these aims and minimise its environmental impacts. This includes activities associated with decommissioning offshore infrastructure. In 2019, the parties to the London Protocol issued the *Revised specific guidance for assessment of platforms or other man-made structures at sea*. The revised guidance gives more detail on assessment considerations for evaluating applications to leave oil and gas infrastructure in the sea. As a Contracting Party to the London Protocol, the Australian Government considers this guidance when assessing sea dumping applications.

UNCLOS regulates all aspects of the resources and uses of the sea, including navigational rights, and conserving and managing living marine resources. Australia’s obligations as a party to UNCLOS include:

* establishing and maintaining navigational and safety aids for international vessels
* effectively protecting the marine environment.

IMO Resolution A.672.16 sets globally recognised principles for removing and disposing of offshore structures and installations. Australia is a member of the IMO, so the government must consider these principles when making decisions on decommissioning. In giving effect to these requirements certain classes of property and infrastructure cannot be left in the sea (as detailed in Table 2).

### 2.1. Offshore Petroleum and Greenhouse Gas Storage Act 2006

Titleholders are required to decommission and remove all property and infrastructure from a title area under section 572 of the OPGGS Act. This is consistent with Australian Government policy and our international obligations. Titleholders must plan and provide for removal of all property, unless and until alternative arrangements are approved. This includes ensuring there is an appropriate cost estimate and sufficient financial provisioning to address decommissioning costs. NOPSEMA assesses all environment plans against criteria in the [Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2023](https://www.legislation.gov.au/F2023L00998/asmade/text) (Environment Regulations).

When considering decommissioning options, a titleholder must identify and manage the risks to safety. A facility must have a registered operator and safety case in force until decommissioning activities are complete. Under regulation 2.5 of the [Offshore Petroleum and Greenhouse Gas Storage (Safety) Regulations 2009](https://www.legislation.gov.au/F2009L04578/latest/text), the safety case needs to describe activities relating to the removal of property. These activities may proceed only once the safety case has been accepted by NOPSEMA. For more information see NOPSEMA’s document [*Section 572 maintenance and removal of property*](https://www.nopsema.gov.au/document-hub/policies).

In limited circumstances, it is permittable for titleholders to leave property and infrastructure in place, rather than removing it, where equal or beneficial environmental outcomes can be achieved while meeting safety and all other applicable requirements under the OPGGS Act and regulations, and other applicable laws. Beneficial environmental outcomes could relate to:

* enhancing marine ecosystems (living and non-living resources) over the long term
* the conservation of habitats for the protection of biological diversity and ecological integrity
* the maintenance or enhancement of economic, social and cultural benefits to people and communities.

In these cases, a titleholder may apply to NOPSEMA for approval to leave property and infrastructure in the sea. This includes submitting an environment plan, which must demonstrate the proposed arrangement:

* reduces environmental impacts and risks to as low as reasonably practicable (ALARP)
* is of an acceptable level
* is consistent with the principles of ecologically sustainable development[[4]](#footnote-5).

What NOPSEMA considers to be an ‘acceptable level’ will vary depending on the particular project and proposal. For more information see NOPSEMA’s [Environment plan decision making](https://www.nopsema.gov.au/document-hub/guidelines) guideline and [Environment plan content requirement](https://www.nopsema.gov.au/document-hub/guidance-notes) guidance note. Further information on deviation from removal requirements is contained in the Australian Government’s [Guideline: Offshore petroleum decommissioning](https://www.nopta.gov.au/guidelines-and-factsheets/offshore-petroleum-guidelines.html).

Titleholders seeking approval to leave property and infrastructure in the sea must consider and address several factors. These factors are outlined below and in section 3.

### 2.2. Environment Protection (Sea Dumping) Act 1981

The Sea Dumping Act protects Australia’s oceans from waste and pollution dumped at sea. It does this by preventing or regulating the dumping or abandonment of platforms and other man-made structures:

* in Australian waters
* from Australian vessels in any part of the sea.

The abandonment, movement, or modification of structures or materials for disposal at sea associated with the offshore oil and gas industry requires a permit issued under the Sea Dumping Act.

Oil and gas activities that may need a sea dumping permit include:

* moving oil and gas property or infrastructure from its location and dumping it in Australian waters
* abandoning in-situ oil and gas property or infrastructure in the location where it originally served its purpose in Australian waters
* placing an artificial reef in Australian waters that includes decommissioned oil and gas infrastructure.

A permit application submitted under the Sea Dumping Act must demonstrate that any proposal to leave property or infrastructure in the sea:

* is environmentally acceptable
* not contrary to the aims of the London Protocol.

Please see the [DCCEEW’s sea dumping page](https://www.dcceew.gov.au/environment/marine/sea-dumping/dumping-abandonment-structures) for more information.

Operators do not need sea dumping permits for exploration, exploitation or offshore processing activities in Australian waters (including the sub-seabed).

The Minister for the Environment and Water, or their delegate, makes the final decision on whether to grant or refuse a sea dumping permit. This guidance document does not pre-empt any decision that may be made.

### 2.3. Environment Protection and Biodiversity Conservation Act 1999

The *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act) is the Australian Government’s main environmental legislation. It is a legal framework to protect and manage matters of national environmental significance, including threatened flora, fauna, ecological communities and heritage places.

NOPSEMA's environmental plan assessment and approval process is accredited under Part 10 of the EPBC Act (the Program). This strategic arrangement means classes of actions, if done following the above process, will not need separate referral, assessment, and approval under the EPBC Act. These actions include on title decommissioning activities in Commonwealth waters.

An EPBC Act referral may still be required for activities outside the title area if they are not covered by the Program and/or likely to have a significant impact on a matter of national environmental significance under the EPBC Act.

Titleholders must determine the technical and legal requirements for environmental approvals that may be required for off-title activities, including those relating to the EPBC Act.

## 3. Considerations for property and infrastructure proposed to be left in the sea

It is expected that oil and gas property and infrastructure will be removed following completion of operations. However, there may be limited circumstances where a regulator may grant approval for property and infrastructure to be left in the sea, where equal or beneficial environmental outcomes can be achieved while meeting safety and all other regulatory requirements. Titleholders seeking to leave property and infrastructure in the sea need to demonstrate that the impacts and risks of this are:

* acceptable under the Sea Dumping Act and London Protocol
* acceptable and as low as reasonably practicable under the OPGGS Act and regulations.

In these cases, titleholders must address the below considerations with regards to specific requirements under the relevant legislation and the specific circumstances of their activity. Further considerations may also be required noting each project will be assessed on a case by case basis.

Table 1: Considerations for applications under the Sea Dumping Act and submissions under the OPGGS Act

| Consideration | Factors to address |
| --- | --- |
| Safety. | Safety of workers and other users of the sea. |
| Environment[[5]](#footnote-6). | **Environmental outcomes**  How the proposal delivers environmental outcomes that:   * ensure environmental impacts and risks are as low as reasonably practicable and are of an acceptable level * are consistent with the principles of ecologically sustainable development * are not contrary to the aims of the London Protocol.   The proposed evidence to support this (for example, monitoring).  **Environmental impacts**  Potential impacts the property or infrastructure may have on the environment, including marine ecosystems and their social, economic and cultural features. This must take a precautionary approach and consider direct, indirect and facilitated impacts[[6]](#footnote-7) on the environment. The property or infrastructure should not have a detrimental impact on the environment now or in the future.  Outcomes of consultation with the marine parks authority if the action interacts with marine parks.  Potential significant impacts to matters of national environmental significance under the EPBC Act. For example:   * Commonwealth marine areas * World and national heritage * Listed threatened species and ecological communities and migratory species * Ramsar wetlands. |
| Contamination (including radioactive materials). | * Risk of pollution in the marine environment from components of the property and infrastructure * Risk of contaminants and materials being released as the property and infrastructure degrades over time * Contaminants and materials with potential environmental or human health impacts (for example, mercury, mercury compounds and persistent organic pollutants). |
| Liability. | Long-term liability for any damage or loss because property or infrastructure has not been removed from the marine environment. |
| Location. | Locations of the:   * property and infrastructure * proposed area where property and infrastructure will be left in the sea.   These locations must be considered in relation to any environmental values or sensitivities. |
| Navigation. | Risks of interference with other users of the sea. |
| Potential for reuse. | Feasibility of reusing property and infrastructure for other purposes. |
| Scientific. | Scientific or technical evidence supporting the proposed outcomes of leaving the property and infrastructure in the sea. |
| Structural stability. | Risk of property or infrastructure movement over time, including during extreme weather events. |
| Technical. | Technical feasibility of removing the property or infrastructure without unacceptable safety risks or environmental impact. |

Please read section 3.2 of this guidance along with the above considerations. It includes the:

* references to extra guidance material
* categories and types of property and infrastructure that titleholders may be permitted to leave in the sea.

The titleholder must address any scientific or technical uncertainty around the outcomes of leaving property and infrastructure in the sea. Titleholders should include how uncertainty will be characterised and addressed. The government will not consider a proposal to leave property and infrastructure in the sea until the titleholder addresses scientific and technical uncertainty.

### 3.1. Consultation

Offshore oil and gas titleholders must consult when preparing an environment plan and an application for a sea dumping permit. Under the Environment Regulations, titleholders must consult relevant authorities, persons and organisations (known collectively as relevant persons) when preparing an environment plan. This allows relevant persons to assess any impact the activity may have on their functions, interests or activities. For more information see NOPSEMA’s [*Consultation in the course of preparing an environment plan*](https://www.nopsema.gov.au/sites/default/files/documents/Consultation%20in%20the%20course%20of%20preparing%20an%20Environment%20Plan%20guideline.pdf).

Before applying for a sea dumping permit, applicants must consult with (including but not limited to):

* relevant advisory bodies and government authorities
* local stakeholders and First Nations peoples who the proposal may affect.

When considering decommissioning options, titleholders must consult relevant persons under the OPGGS Act and other marine users for the purposes of a sea dumping permit, whose functions, interests or activities may be affected by the activity. The titleholder must assess the merit of any objections and claims through the environmental approval process.

Titleholders must also consider the impacts that leaving property and infrastructure in the sea may have on relevant persons and stakeholders in the future.

### 3.2. Categories of property and infrastructure

#### 3.2.1. Category 1: Property and infrastructure that cannot be left in the sea

Table 2: Category 1 items

| Property and infrastructure | Rationale for why the property and infrastructure cannot be left in the sea |
| --- | --- |
| Floating infrastructure (production storage and offloading units and mooring structures). | * [IMO Resolution A.672(16)](https://www.imo.org/en/KnowledgeCentre/IndexofIMOResolutions/Pages/A-1987-89.aspx) – Guideline 2.1.1 * [IMO Resolution A.672(16)](https://www.imo.org/en/KnowledgeCentre/IndexofIMOResolutions/Pages/A-1987-89.aspx) – Standard 3.9 * Revised Specific Guidance for Assessment of Platforms or Other Man-made Structures at Sea ([London Protocol Revised Specific Guidance (RSG)](https://wwwcdn.imo.org/localresources/en/OurWork/Environment/Documents/2019%20Revised%20guidance%20for%20platforms.pdf)) – Guideline 3.8.5.1 * [London Protocol RSG](https://wwwcdn.imo.org/localresources/en/OurWork/Environment/Documents/2019%20Revised%20guidance%20for%20platforms.pdf) – Guideline 3.8.6.1 |
| Topsides of platforms. | * [IMO Resolution A.672(16)](https://www.imo.org/en/KnowledgeCentre/IndexofIMOResolutions/Pages/A-1987-89.aspx) – Guideline 2.1.1 * [London Protocol RSG](https://wwwcdn.imo.org/localresources/en/OurWork/Environment/Documents/2019%20Revised%20guidance%20for%20platforms.pdf) – Guideline 3.8.5.1 |
| Flexible flowlines, umbilicals, and ancillary items. | * [IMO Resolution A.672(16)](https://www.imo.org/en/KnowledgeCentre/IndexofIMOResolutions/Pages/A-1987-89.aspx) – Guidelines 2.1.2 * [IMO Resolution A.672(16)](https://www.imo.org/en/KnowledgeCentre/IndexofIMOResolutions/Pages/A-1987-89.aspx) – Standard 3.1 and 3.2 * [Threat Abatement Plan for the impacts of marine debris on the vertebrate wildlife of Australia’s coasts and oceans (2018)](https://www.dcceew.gov.au/environment/biodiversity/threatened/publications/tap/marine-debris-2018) * [London Protocol RSG](https://wwwcdn.imo.org/localresources/en/OurWork/Environment/Documents/2019%20Revised%20guidance%20for%20platforms.pdf) |
| Anything that is buoyant at the sea surface (for example, buoyant mooring structures or mid-water depth buoys). | * [IMO Resolution A.672(16)](https://www.imo.org/en/KnowledgeCentre/IndexofIMOResolutions/Pages/A-1987-89.aspx) – Guideline 2.1.1 * [IMO Resolution A.672(16)](https://www.imo.org/en/KnowledgeCentre/IndexofIMOResolutions/Pages/A-1987-89.aspx) – Standard 3.9 * [London Protocol RSG](https://wwwcdn.imo.org/localresources/en/OurWork/Environment/Documents/2019%20Revised%20guidance%20for%20platforms.pdf) |
| Anything that is structurally unstable or at risk of shifting in the future. | * [IMO Resolution A.672(16)](https://www.imo.org/en/KnowledgeCentre/IndexofIMOResolutions/Pages/A-1987-89.aspx) – Guideline 2.1.4 * [IMO Resolution A.672(16)](https://www.imo.org/en/KnowledgeCentre/IndexofIMOResolutions/Pages/A-1987-89.aspx) – Standard 3.9 * [London Protocol RSG](https://wwwcdn.imo.org/localresources/en/OurWork/Environment/Documents/2019%20Revised%20guidance%20for%20platforms.pdf) |
| Anything that interferes with freedom of navigation. | * [IMO Resolution A.672(16)](https://www.imo.org/en/KnowledgeCentre/IndexofIMOResolutions/Pages/A-1987-89.aspx) – Guidelines 2.1.1 and 2.2 * [IMO Resolution A.672(16)](https://www.imo.org/en/KnowledgeCentre/IndexofIMOResolutions/Pages/A-1987-89.aspx) – Standard 3.6 and Standard 3.7 * [London Protocol RSG](https://wwwcdn.imo.org/localresources/en/OurWork/Environment/Documents/2019%20Revised%20guidance%20for%20platforms.pdf) – Guideline 3.8.5.1 * [London Protocol RSG](https://wwwcdn.imo.org/localresources/en/OurWork/Environment/Documents/2019%20Revised%20guidance%20for%20platforms.pdf) – Guideline 6.6 |
| Anything containing or releasing unacceptable concentrations of contaminants and materials to the environment. | * [IMO Resolution A.672(16)](https://www.imo.org/en/KnowledgeCentre/IndexofIMOResolutions/Pages/A-1987-89.aspx) – Guidelines 2.1.2 and 2.3 * [London Protocol Annex 2](https://www.imo.org/en/OurWork/Environment/Pages/London-Convention-Protocol.aspx) – Paragraphs 7 & 8 * [London Protocol RSG](https://wwwcdn.imo.org/localresources/en/OurWork/Environment/Documents/2019%20Revised%20guidance%20for%20platforms.pdf) – Guideline 5.1 * [London Protocol RSG](https://wwwcdn.imo.org/localresources/en/OurWork/Environment/Documents/2019%20Revised%20guidance%20for%20platforms.pdf) – Guideline 6.14 * [Minamata Convention on Mercury](https://minamataconvention.org/en) * [Stockholm Convention on Persistent Organic Pollutants](https://www.pops.int/TheConvention/Overview/tabid/3351/Default.aspx) * [International Convention on the Control of Harmful Anti-fouling Systems on Ships (for TBT)](https://treaties.un.org/Pages/showDetails.aspx?objid=080000028057e421) * [Threat Abatement Plan for the impacts of marine debris on the vertebrate wildlife of Australia’s coasts and oceans (2018)](https://www.dcceew.gov.au/environment/biodiversity/threatened/publications/tap/marine-debris-2018) |
| Any material which is more than de minimis concentration of radioactivity. | * [London Protocol Annex 1](https://www.imo.org/en/OurWork/Environment/Pages/London-Convention-Protocol.aspx) * [London Protocol RSG](https://wwwcdn.imo.org/localresources/en/OurWork/Environment/Documents/2019%20Revised%20guidance%20for%20platforms.pdf) |

#### 3.2.2. Category 2: Property and infrastructure that may be permitted to be left in the sea subject to regulatory assessment under the OPGGS Act and Sea Dumping Act

Table 3: Category 2 items

| Property and infrastructure | Domestic and international framework and guidance | Assessment considerations |
| --- | --- | --- |
| Pipelines (depending on diameter, length, characteristics and level of cleaning). | * [London Protocol Article 1](https://www.imo.org/en/OurWork/Environment/Pages/London-Convention-Protocol.aspx) * [London Protocol RSG](https://wwwcdn.imo.org/localresources/en/OurWork/Environment/Documents/2019%20Revised%20guidance%20for%20platforms.pdf) * [IMO Resolution A.672(16)](https://www.imo.org/en/KnowledgeCentre/IndexofIMOResolutions/Pages/A-1987-89.aspx) | * The property or infrastructure should not cause a navigational impact or risk of interference with other users of the sea. * The property or infrastructure should not have a detrimental impact on the environment now or in the future. * There should be no movement of the property or infrastructure over time. * Arrangements are clearly established for the management of property which is not removed. * The pipelines must be cleaned to an acceptable standard. * As the pipeline degrades over time, there should be no release of contaminants and materials that will have detrimental environmental or human health impacts. |
| Chains, mooring cables and wires. | * [IMO Resolution A.672(16)](https://www.imo.org/en/KnowledgeCentre/IndexofIMOResolutions/Pages/A-1987-89.aspx) * [London Protocol RSG](https://wwwcdn.imo.org/localresources/en/OurWork/Environment/Documents/2019%20Revised%20guidance%20for%20platforms.pdf) | * The property or infrastructure should not cause a navigational impact or risk of interference with other users of the sea. * The property or infrastructure should not have a detrimental impact on the environment now or in the future. * There should be no movement of the property or infrastructure over time. * Technical feasibility of removing the property or infrastructure without unacceptable safety risks or environmental impact. * As the property or infrastructure degrades over time, there should be no release of contaminants or materials that will have detrimental environmental or human health impacts. |
| Subsea infrastructure. For example, wellheads, Xmas trees[[7]](#footnote-8), pipeline inspection gauge (‘pig’) launchers, manifolds and similar structures. | * [IMO Resolution A.672(16)](https://www.imo.org/en/KnowledgeCentre/IndexofIMOResolutions/Pages/A-1987-89.aspx) * [London Protocol RSG](https://wwwcdn.imo.org/localresources/en/OurWork/Environment/Documents/2019%20Revised%20guidance%20for%20platforms.pdf) | * The property or infrastructure should not cause a navigational impact or risk of interference with other users of the sea. * The property or infrastructure should not have a detrimental impact on the environment now or in the future. * There should be no movement of the property or infrastructure over time. * Arrangements are clearly established for the management of property which is not removed. * Technical feasibility of removing the property or infrastructure without unacceptable safety risks or environmental impact. * As the property or infrastructure degrades over time, there should be no release of contaminants or materials that will have detrimental environmental or human health impacts. |
| Structures containing plastic (for example, plastic reinforced concrete). | * [IMO Resolution A.672(16)](https://www.imo.org/en/KnowledgeCentre/IndexofIMOResolutions/Pages/A-1987-89.aspx) * [London Protocol RSG](https://wwwcdn.imo.org/localresources/en/OurWork/Environment/Documents/2019%20Revised%20guidance%20for%20platforms.pdf) * [Threat Abatement Plan for the impacts of marine debris on the vertebrate wildlife of Australia’s coasts and oceans (2018)](https://www.dcceew.gov.au/environment/biodiversity/threatened/publications/tap/marine-debris-2018) | * The property or infrastructure should not have a detrimental impact on the environment now or in the future. * The property or infrastructure should not cause a navigational impact or risk of interference with other users of the sea. * There should be no movement of property or infrastructure over time. * Arrangements are clearly established for the management of property which is not removed. * Technical feasibility of removing the property or infrastructure without unacceptable safety risks or environmental impact. * As the property or infrastructure degrades over time, there should be no release of contaminants or materials that will have detrimental environmental or human health impacts. |
| Steel pile jacket components. | * [IMO Resolution A.672(16)](https://www.imo.org/en/KnowledgeCentre/IndexofIMOResolutions/Pages/A-1987-89.aspx) * [London Protocol RSG](https://wwwcdn.imo.org/localresources/en/OurWork/Environment/Documents/2019%20Revised%20guidance%20for%20platforms.pdf) – Guideline 3.4.2 | * The property or infrastructure should not cause a navigational impact or risk of interference with other users of the sea. * The property or infrastructure should not have a detrimental impact on the environment now or in the future. * There should be no movement of property or infrastructure over time. * Arrangements are clearly established for the management of property which is not removed. * Technical feasibility of removing the property or infrastructure without unacceptable safety risks or environmental impact. * As the property or infrastructure degrades over time, there should be no release of contaminants or materials that will have detrimental environmental or human health impacts. |

## Resources

### Australian Government legislation

* [*Environment Protection (Sea Dumping) Act 1981*](https://www.legislation.gov.au/C2004A02478/latest/text)
* [[Environment Protection (Sea Dumping) Regulations 1983](https://www.legislation.gov.au/Details/F2009C00261)](https://www.legislation.gov.au/Details/F2009C00261)
* *[Offshore Petroleum and Greenhouse Gas Storage Act 2006](https://www.legislation.gov.au/Details/C2023C00337)*
* [[[Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2023](https://www.legislation.gov.au/F2023L00998/asmade/text)](https://www.legislation.gov.au/F2023L00998/latest/text)](https://www.legislation.gov.au/F2023L00998/asmade/text)
* [Offshore Petroleum and Greenhouse Gas Storage (Safety) Regulations 2009](https://www.legislation.gov.au/F2009L04578/latest/text)
* [*Environment Protection and Biodiversity Conservation Act 1999*](https://www.legislation.gov.au/C2004A00485/latest/text)

### Australian Government policies and guidelines

* [DISR - Offshore oil and gas](https://www.industry.gov.au/mining-oil-and-gas/oil-and-gas/offshore-oil-and-gas)
* [Australian Government Guideline: Offshore petroleum decommissioning](https://www.nopta.gov.au/guidelines-and-factsheets/offshore-petroleum-guidelines.html)
* [DCCEEW - Sea Dumping](https://www.dcceew.gov.au/environment/marine/sea-dumping)
* [DCCEEW - Dumping and abandonment of offshore oil and gas platforms and structures at sea](https://www.dcceew.gov.au/environment/marine/sea-dumping/dumping-abandonment-structures)

### NOPSEMA guidance

* [NOPSEMA - Decommissioning](https://www.nopsema.gov.au/offshore-industry/decommissioning)
* [NOPSEMA - N-00500-PL1903 A720369 Section 572 maintenance and removal of property](https://www.nopsema.gov.au/document-hub/policies)
* [[NOPSEMA - N-04750-GL2086 A900179 Consultation in the course of preparing an environmental plan](https://www.nopsema.gov.au/document-hub/guidelines) guideline](https://www.nopsema.gov.au/document-hub/guidelines)
* [NOPSEMA - N-04750-GL1721 A524696 Environment Plan decision making guideline](https://www.nopsema.gov.au/document-hub/guidelines)
* [NOPSEMA - N-04750-GN1344 A339814 Environment Plan content requirement guidance note](https://www.nopsema.gov.au/document-hub/guidance-notes)

### For more information

* [[[1996 Protocol to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter 1972 (the London Protocol)](https://www.imo.org/en/OurWork/Environment/Pages/London-Convention-Protocol.aspx)](https://www.imo.org/en/OurWork/Environment/Pages/London-Convention-Protocol.aspx)](https://www.imo.org/en/OurWork/Environment/Pages/London-Convention-Protocol.aspx)
* [2019 Revised specific guidance for platforms or other man-made structures at sea](https://wwwcdn.imo.org/localresources/en/OurWork/Environment/Documents/2019%20Revised%20guidance%20for%20platforms.pdf)
* [IMO Resolution A.672(16) - Guidelines and standards for the removal of offshore installations and structures on the continental shelf and in the Exclusive Economic Zone](https://www.imo.org/en/KnowledgeCentre/IndexofIMOResolutions/Pages/A-1987-89.aspx)
* [United Nations Environment Programme Global Mercury Partnership Study report: mercury from oil and gas](https://wedocs.unep.org/bitstream/handle/20.500.11822/41126/mercury_from_oil_and%20_gas.pdf?sequence=3&isAllowed=y)
* Adopted [technical guidelines issued under the Basel Convention](https://www.basel.int/Implementation/TechnicalMatters/DevelopmentofTechnicalGuidelines/TechnicalGuidelines/tabid/8025/Default.aspx)

1. Titleholder is defined as per section 572 of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* [↑](#footnote-ref-2)
2. Commonwealth waters are any area of water situated between three nautical miles from the territorial sea baseline and the outer limits of the Australian continental shelf. [↑](#footnote-ref-3)
3. ‘Australian waters’, as defined for the purposes of the Sea Dumping Act, cover the territorial seas (other than seas within the limits of a state or the Northern Territory), the exclusive economic zone, all Commonwealth waters and waters above the Australian continental shelf. This is broader than the coverage of ‘Commonwealth waters’ under the OPGGS Act, which extends from three nautical miles seaward of the territorial sea baseline. [↑](#footnote-ref-4)
4. The principles of ecologically sustainable development are outlined in Section 3A of the EPBC Act. [↑](#footnote-ref-5)
5. For the purposes of the Environment Regulations, environment is defined in Regulation 4. [↑](#footnote-ref-6)
6. 'Direct impact' is defined as an event or situation that is a direct consequence of your action. 'Indirect impact' is defined as an impact that is an indirect consequence of an action. 'Facilitated impact' is defined as an impact of further actions, including by a third party, that an action makes possible. For more information see the [Significant Impact Guidelines 1.1 - Matters of National Environmental Significance](https://www.dcceew.gov.au/environment/epbc/publications/significant-impact-guidelines-11-matters-national-environmental-significance) via the DCCEEW website. [↑](#footnote-ref-7)
7. Xmas tree is defined as the assembly of valves, spools, and fittings that sits on top of the wellhead and controls the flow of oil or gas from the well. [↑](#footnote-ref-8)