



Australian Government
**Department of Industry,
Science and Resources**

Guideline: Offshore Consolidated and Cross-boundary Greenhouse Gas Assessment Permits – Work-bid

In relation to the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*

Effective 24 January 2025

This document has been developed as a general guide only. It is subject to, and does not replace or amend the requirements of the [Offshore Petroleum and Greenhouse Gas Storage Act 2006](#) and associated regulations, which should be read in conjunction with the Offshore Greenhouse Gas Storage Guideline for Work-bid Consolidated and Cross-boundary Greenhouse Gas Assessment Permits (Guideline: Offshore Consolidated and Cross-boundary Greenhouse Gas Assessment Permits or the Guideline).

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This document has been prepared by the [Department of Industry, Science and Resources](#) (the Department). It will be reviewed and updated as required.

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1. Purpose

- 1.1 The purpose of this guideline is to provide information on the grant, administration and management of offshore work-bid greenhouse gas (GHG) assessment permits under [Chapter 3 of the Offshore Petroleum and Greenhouse Gas Storage Act 2006](#) (the OPGGS Act). This includes an overview of the requirements for all relevant processes including:
- a) the grant of consolidated work-bid GHG assessment permits and cross-boundary GHG assessment permits
 - b) suspension, extension, variation and exemption applications
 - c) surrender of permits
 - d) expiry of permits
 - e) cancellation of permits
 - f) renewal of permits.
- 1.2 This guideline also assists applicants and titleholders to understand the expectations of the responsible Commonwealth Minister (RCM) or Cross-boundary Authority (CBA) when making decisions on GHG assessment permit applications under the [OPGGS Act](#).

2. Overview of a consolidated work-bid greenhouse gas assessment permit or a cross-boundary greenhouse gas assessment permit

- 2.1 The [OPGGS Act](#) provides for three types of GHG assessment permits:
- a) work-bid GHG assessment permit, including a consolidated work-bid GHG assessment permit
 - b) cash-bid GHG assessment permit
 - c) cross-boundary GHG assessment permit.
- 2.2 This guideline is specific to consolidated work-bid GHG assessment permits and cross-boundary GHG assessment permit. Please see [Guideline: Offshore Greenhouse Gas Assessment Permits – Work-bid](#) for guidance on work-bid GHG assessment permits.
- 2.3 A GHG assessment permit authorises the titleholder to explore within the area that is the subject of the permit (the permit area) for potential GHG storage formations and potential GHG injection sites. Assessment activities, such as seismic acquisition and drilling, can occur subject to relevant regulatory approvals being met. This includes approval by the RCM for the titleholder to undertake a key GHG operation ([section 292 or 292A of the OPGGS Act](#)), and the acceptance of environment plans, well operations management plans and safety cases by the [National Offshore Petroleum Safety and Environmental Management Authority \(NOPSEMA\)](#). Additional environmental approvals, including under the [Environment Protection and Biodiversity Conservation Act 1999](#) and the [Environment Protection \(Sea Dumping\) Act 1981](#), will also be required.
- 2.4 A consolidated work-bid GHG assessment permit means:

- a) a GHG assessment permit arising from the unification of two existing and adjacent work-bid GHG assessment permits in Commonwealth waters (excluding a cross-boundary GHG assessment permit) that are held by the same titleholder and that were granted over blocks in the same offshore area under [Part 3.2 of the OPGGS Act](#).
- 2.5 A cross-boundary GHG assessment permit means:
- a) a GHG assessment permit arising from the unification of an existing GHG assessment permit granted under [Part 3.2 of the OPGGS Act](#) and an existing and adjacent State/ Territory GHG assessment title granted over State/ Territory blocks in the coastal waters of a State or the Northern Territory (NT) that are held by the same titleholder.
- 2.6 [Part 1.3A of the OPGGS Act](#) provides for the establishment of a CBA for each offshore area. The CBA for the offshore area of each State and the NT is constituted by the RCM and the responsible State or NT Minister. To establish the CBA, the State or NT must consent to the responsible State or NT Minister being a member of the CBA, in accordance with [subsections 76A\(6\) and \(7\) of the OPGGS Act](#) for the state or NT respectively.
- a) Only the state of Victoria has provided legislative consent to the establishment of a CBA, through the [Offshore Petroleum and Greenhouse Gas Storage Act 2010 \(VIC\)](#).
- 2.7 All communication with the RCM or the CBA must be through the [National Offshore Petroleum Titles Administrator \(NOPTA\)](#).
- 2.8 The key powers of the CBA are to:
- a) grant or refuse to grant cross-boundary permits, including permit renewals, under [sections 307B, 307C, 311B, 311C and 311D of the OPGGS Act](#)
- b) impose permit conditions per [section 291A of the OPGGS Act](#)
- c) vary or suspend permit conditions and/ or exempt compliance from permit conditions per [section 439A of the OPGGS Act](#)
- d) extend the permit term in accordance with [section 439B of the OPGGS Act](#) if the CBA has decided under [section 439A of the OPGGS Act](#) to suspend any of the conditions to which the permit is subject.
- 2.9 Decisions about other matters related to cross-boundary GHG assessment permits will be made by the RCM, as those decisions have a technical element that might affect the level of long-term risk to the Commonwealth. These include:
- a) approval of key GHG operations, including assessments of *significant risk of a significant adverse impact* (SROSAI) on Commonwealth and State/ Territory petroleum operations, per [section 292A of the OPGGS Act](#)
- b) declaration of an *identified GHG storage formation* under [section 312A of the OPGGS Act](#)
- c) surrender and cancellation of permits under [section 442 and 447 of the OPGGS Act](#).
- 2.10 Matters referring to *declaration of identified GHG storage formation* applications are addressed by the [Guideline: Declaration of Identified Greenhouse Gas Storage Formation \(including under a Cross-boundary Greenhouse Gas Assessment Permit\) and Notification of an Eligible Greenhouse Gas Storage Formation](#) (Guideline: Greenhouse Gas Storage Formations).
- 2.11 The RCM is also responsible for all decisions related to consolidated work-bid GHG assessment permits. See [section 5 of this Guideline](#).

3. Legislative framework

- 3.1 The [OPGGGS Act](#) governs Australia's offshore petroleum and GHG storage regulatory framework. It articulates the framework of rights, entitlements and responsibilities of governments and industry. An object of the [OPGGGS Act](#) is to provide an effective regulatory framework for GHG injection and storage in offshore areas.
- 3.2 The legislative framework creates a regime that enables progression from GHG storage assessment through to injection, site closing and decommissioning, and managing long term liabilities.
- 3.3 It is the responsibility of applicants to understand their obligations under other Commonwealth environmental legislation and to seek all necessary approvals.

Note: All legislation references in this guideline are from the [OPGGGS Act](#), unless stated otherwise.

4. Obtaining a consolidated work-bid greenhouse gas assessment permit or a cross-boundary greenhouse gas assessment permit

[Division 2 and 3A of Part 3.2 of the OPGGS Act](#)

Overview

- 4.1 To responsibly manage resources, the Australian Government seeks to ensure applicants are capable, competent, can responsibly manage their activities and meet all regulatory obligations.
- 4.2 Applicants for either a consolidated work-bid GHG assessment permit or a cross-boundary GHG assessment permit must hold both pre-existing GHG assessment titles, where at least one block of each title has a side in common.
 - a) There must not be an *identified GHG storage formation* wholly within the pre-existing titles, per the definition in [section 7 of the OPGGS Act](#) and in accordance with [paragraphs 302A\(1\)\(g\) and 307A\(1\)\(e\) and \(f\) of the OPGGS Act](#).
- 4.3 In the case of an application for a cross-boundary GHG assessment permit, the pre-existing Commonwealth and State/ Territory GHG assessment titles must be of an equivalent nature. That is, both titles must be original titles (i.e. titles that have not yet been renewed), titles on their first renewal, or titles on their second renewal, per [paragraphs 307A\(1\)\(g\)-\(i\) of the OPGGS Act](#).
- 4.4 In order for an application for a cross-boundary GHG assessment permit to be accepted, the RCM must have declared a compatible cross-boundary law for the State or Territory in which the pre-existing State/ Territory GHG assessment title is located, per [section 24A and paragraph 307A\(1\)\(j\) of the OPGGS Act](#).
- 4.5 Prior to lodging an application for a cross-boundary GHG assessment permit or a consolidated work-bid GHG assessment permit with [NOPTA](#), in accordance with [section 451A or 451B of the OPGGS Act](#) for a cross-boundary GHG assessment permit or a consolidated work-bid GHG assessment permit respectively, the applicant must have informed the RCM that:
 - a) there is a part of a geological formation wholly situated in the area that consists of the combination of the areas of the two pre-existing titles

- b) the part extends to the area of each pre-existing title, and
- c) the applicant has reasonable grounds to suspect that the part could be an *eligible GHG storage formation*.

4.6 In accordance with [subsections 302B\(2\) and \(3\) of the OPGGS Act](#), the RCM must consider the following in deciding whether to offer a consolidated work-bid GHG assessment permit:

- a) the technical advice and financial resources available to the applicant to carry out the proposed work program, and
- b) any other matters prescribed by the regulations.

Refer to the [Guideline: Applicant suitability](#).

4.7 In accordance with [subsections 307B\(3\) and \(4\) of the OPGGS Act](#), the CBA must consider the following in deciding whether to offer a cross-boundary GHG assessment permit:

- a) the technical advice and financial resources available to the applicant to carry out the proposed work program, and
- b) any other matters prescribed by the regulations.

Refer to the [Guideline: Applicant suitability](#).

4.8 The RCM or CBA offers the respective GHG assessment permits subject to a set of standard conditions. If deemed appropriate, the RCM or CBA may also place additional conditions on the permit in accordance with [subsection 291\(1\) or 291A\(1\) of the OPGGS Act](#) respectively. See paragraphs 5.15 to 5.18 of this Guideline.

How to apply

4.9 In accordance with [paragraph 4.5 of this Guideline](#), a titleholder must notify the RCM of an *eligible GHG storage formation*. This notification must meet the requirements of:

- a) [section 451A of the OPGGS Act](#) for cross-boundary GHG assessment permits
- b) [section 451B of the OPGGS Act](#) for consolidated work-bid GHG assessment permits.

Application requirements

4.10 To be validly made the application must be:

- a) in the approved application form, correctly completed and executed, and be accompanied by any information or documents required by the application form, in accordance with [sections 302A or 307A and 426 of the OPGGS Act](#), and
- b) submitted before at least one of the pre-existing permits expires.

4.11 For further information on submission requirements refer to [section 7 of this Guideline](#).

Additional information requirements

4.12 Applicants are expected to have obtained and submitted any other approvals necessary to allow for the potential offer of an assessment permit. This includes approval by the [Foreign Investment Review Board \(FIRB\)](#), if applicable.

Work strategy

- 4.13 Applicants should propose a work strategy that has the capability to significantly advance the understanding of the *fundamental suitability determinants* of potential GHG storage formations and potential GHG injection sites within the consolidated work-bid or cross-boundary permit area to demonstrate the existence (or otherwise) of an *eligible GHG storage formation*.
- a) An *eligible GHG storage formation* is a part of a geological formation that is suitable, with or without engineering enhancements, for the permanent storage of a particular amount (at least 100,000 tonnes) of a particular GHG substance injected at a particular point or points, in accordance with [section 21 of the OPGGS Act](#).
- 4.14 *Fundamental suitability determinants* of an *eligible GHG storage formation* have the meaning given by [subsection 21\(8\) of the OPGGS Act](#):
- a) the amount of GHG substance that may be stored, noting that it must be at least 100,000 tonnes, per [subsections 21\(1\) and \(2\) of the OPGGS Act](#)
- b) the particular GHG substance which the storage formation is suitable to store
- c) the proposed injection point or points
- d) the proposed injection period
- e) the engineering enhancements (if any) required
- f) the effective sealing feature, attribute or mechanism of the storage formation that enables permanent storage.

Work program

- 4.15 The proposed work program for the permit term must be consistent with the applicant's proposed work strategy for the area and must be of equivalent or greater value to the residual work programs of the existing adjacent permits. The proposed work program should also be appropriate for the expected duration of the term of the consolidated work-bid GHG assessment permit or cross-boundary GHG assessment permit.
- 4.16 Work program activities should only include work that is to be undertaken within the permit area. Any work, studies or reprocessing to be undertaken outside the permit area must be clearly differentiated.
- 4.17 The amount, type and timing of proposed work program activities should be stated precisely to avoid ambiguity. The duration of the permit may influence how this is presented in the final work program (where possible 'permit years' will be at least a 12 month period).
- 4.18 Non-operational activities including but not limited to the preparation of future applications, statutory reports, environmental or regulatory approvals, and commercial studies at the assessment permit phase are not considered exploration activities for the purposes of the minimum work requirements. These activities should be clearly differentiated.
- 4.19 The minimum acceptable work program for an area will vary depending on the size of the area, its perceived storage potential, its location and available data.
- a) For areas with limited data availability, the work program should contain operational activities commensurate with the perceived storage potential.
- 4.20 If an applicant proposes either new seismic surveying or drilling within the permit term, it is expected that the applicant will have made preliminary enquiries as to the availability of either a

seismic vessel or drilling rig to meet these work program commitments. Applicants should provide evidence of these enquiries.

- 4.21 Where an area is fully covered by 3D seismic data, reprocessing a majority of this data may form part of the proposed work program and can be undertaken instead of acquiring new seismic data. The reprocessing would be expected to be from raw data or quality-controlled traces and utilise techniques not previously undertaken on seismic data within the permit area.
- 4.22 Where an area has existing drill results, significant new assessments or analysis of these data may form a substantial part of the proposed work program commitments.
- 4.23 The description of the proposed work program should include:
- a) an overview of the activities proposed to be completed in the consolidated work-bid GHG assessment permit or cross-boundary GHG assessment permit area during the full term
 - b) for each of the permit years of the program, an explanation of the extent and nature of the GHG storage assessment to be carried out
 - c) details of the nature, scope and objectives of any proposed geotechnical studies and any proposed static and/ or dynamic modelling
 - d) indicative expenditure in Australian dollars for each work activity proposed within each permit year at current market value
 - i) for operational activities, calculations detailing how the cost of the activities has been estimated should be provided.
 - e) the number of line kilometres of 2D seismic data and proposed line spacing and/ or square kilometres of 3D seismic data that will be acquired and processed within the permit area, including:
 - i) full fold numbers within the permit area
 - ii) a map showing the indicative location of the 2D lines or 3D survey outline (all existing seismic surveys should also be identified on this map)
 - iii) the parameters and methodology of the seismic acquisition and processing that will be undertaken (if known)
 - iv) whether acquisition of seismic survey data relates to purchase or licensing of existing seismic data, or whether a new seismic survey will be undertaken as part of the work program.
 - f) the amount, type and details of the applicable dataset of any new reprocessing the applicant proposes to undertake, including:
 - i) the number of line kilometres of 2D and/ or square kilometres of 3D seismic data that will be reprocessed within the permit area clearly stated
 - ii) a map showing the indicative location of the 2D lines or 3D survey outline (all existing seismic surveys should also be identified on this map)
 - iii) the parameters and methodology of the reprocessing that will be undertaken (if known)
 - iv) whether the proposed seismic reprocessing relates to the purchase or licensing of existing reprocessed data or whether new seismic reprocessing will be undertaken.

- g) the licensing or use of any existing exclusive or non-exclusive datasets and, if applicable, how these are proposed to be used in conjunction with any reprocessing or geophysical studies proposed in the work program
- h) a description of the conceptual locations, targets and total depths of any wells that are proposed
- i) a description of, and the conceptual locations, targets and purpose of any other operational activities that are proposed
- j) a high resolution map indicating where the activities are anticipated to be carried out in the permit area
- k) an overview of proposed studies relating to potential impacts on overlapping, adjacent or nearby petroleum titleholders (current or future) for key GHG operations proposed in the work program. See [paragraph 4.26 of this Guideline](#).

Non-exclusive seismic data: Multi-client surveys and reprocessing products

- 4.24 If an applicant proposes to licence new or reprocessed non-exclusive seismic data as part of a work program, the applicant should:
- a) state whether the data is part of:
 - i) an existing non-exclusive seismic survey or reprocessed data volume, or
 - ii) a planned or not-yet-completed non-exclusive seismic survey or reprocessed data project that will be completed after grant of the consolidated work-bid GHG assessment permit or cross-boundary GHG assessment permit.
 - b) state when the processed or reprocessed data will become available for licencing
 - c) ensure that:
 - i) the data is in an industry standard format that is fit for purpose in meeting the objective of the work program
 - ii) the applicant would be able to provide information to [NOPTA](#) that demonstrates the work program obligation has been met
 - iii) the data submission and release requirements can be met.
- 4.25 An applicant may meet a proposed seismic surveying commitment by licensing an equivalent amount of non-exclusive seismic data that has been acquired within the permit area after the grant of the consolidated work-bid GHG assessment permit or cross-boundary GHG assessment permit.

Consideration of significant risk of a significant adverse impact

- 4.26 The applicant's proposed work program should have regard to [sections 27, 291 and 292 of the OPGGS Act](#) (consolidated work-bid GHG assessment permits) or [sections 27A, 291A and 292A of the OPGGS Act](#) (cross-boundary GHG assessment permits), which refer to an assessment by the RCM whether there is a SROSAI from any key GHG operational activity proposed during the permit term on either petroleum exploration or recovery operations that are being or could be carried on under an existing or future petroleum title. In the case of a cross-boundary permit, existing or future petroleum titles include State or Territory petroleum titles.

Applicant's technical advice and financial resources

- 4.27 In deciding whether to offer a consolidated work-bid GHG assessment permit or cross-boundary GHG assessment permit, the RCM or CBA must have regard to the matters specified in [subsection 302B\(3\) or 307B\(4\) of the OPGGS Act](#) on:
- a) whether the technical advice and financial resources available to the applicant are sufficient to:
 - i) carry out the operations and works that will be authorised by the permit, and
 - ii) discharge the obligations that will be imposed under the [OPGGS Act](#), or a legislative instrument under the [OPGGS Act](#), in relation to the permit
 - b) any other matters prescribed by the regulations.
- 4.28 The RCM or CBA may also have regard to any other matters the RCM or CBA considers relevant.
- 4.29 Applicants should include with their application any relevant information to demonstrate sufficient technical advice and financial resources available. Refer to [section 7 of this Guideline](#) and the [Guideline: Applicant suitability](#) for further details on application submission requirements, assessments and decision making against these criteria.

Lodgement of a security

- 4.30 In the case of a cross-boundary GHG assessment permit, an applicant should take into consideration the possible requirement for a security, pursuant to [section 307C and subsection 430\(4\) of the OPGGS Act](#).
- 4.31 In the case of a consolidated work-bid GHG assessment permit, a new security may be required to be lodged with the RCM (via [NOPTA](#)) under [section 454 of the OPGGS Act](#). If a security is required for the new consolidated permit, the applicant may elect to carry over any securities lodged in respect of the pre-existing permits to the new permit.

Assessment process

- 4.32 Applications for either a consolidated work-bid GHG assessment permit or cross-boundary GHG assessment permit will be assessed with consideration to this guideline by [NOPTA](#), who will provide advice to the RCM or CBA respectively.
- 4.33 [NOPTA](#), on behalf of the RCM and CBA, is the first point of contact on all titles administration matters relating to offshore GHG assessment permits. If [NOPTA](#) deems it necessary to clarify the content of the application, supplementary written information may be sought from the applicant.
- 4.34 As noted at [paragraph 4.27 of this Guideline](#), in deciding whether to exercise their discretion to offer a consolidated work-bid GHG assessment permit or cross-boundary GHG assessment permit, the RCM or CBA must have regard to the matters specified in [subsection 302B\(3\) or 307B\(4\) of the OPGGS Act](#).
- 4.35 The work program will be assessed with regards to the proposed work strategy, taking into account the following criteria:
- a) the amount, type, scope, objectives, timing and relevance of proposed geological studies (including geophysical, geotechnical, geomechanical and geochemical studies), modelling relating to potential migration pathways for injected GHG substances, or testing with respect to the characterisation of potential or *eligible GHG storage formations* and how these studies align with other work program activities and the work strategy

- b) the amount, type and timing of seismic acquisition and processing to be carried out, including parameters and methodology
- c) the amount, type and timing of other surveying, sampling, monitoring and data acquisition to be carried out
- d) the amount, type and timing of seismic data to be purchased or licenced
- e) the amount, type and timing of seismic data reprocessing to be carried out, including parameters and methodology
- f) the number and timing of exploration wells to be drilled and their utility in advancing the understanding of the perceived storage potential of the area and alignment with a supporting program of geological and geophysical work
- g) the proposed studies relating to potential impacts on petroleum operations
- h) the past performance of the applicant.

4.36 The work program must be credible, coherent and supportable.

Refusal to grant a greenhouse gas assessment permit

4.37 The RCM or CBA may refuse to grant a consolidated work-bid GHG assessment permit or cross-boundary GHG assessment permit if one or more of the following applies:

- a) the proposed work program is assessed as inadequate to significantly advance the understanding of the GHG storage potential of the area
- b) the work program is inadequate to lead to a declaration of an *identified storage formation*
- c) the RCM is not satisfied that the financial resources or technical advice available to the applicant are sufficient to:
 - i) carry out the operations and works, including the proposed work program, authorised by the permit, in addition to other guaranteed work program commitments in other titles under the [OPGGS Act](#) the applicant and/ or parent company has an interest in
 - ii) discharge the obligations that will be imposed under the [OPGGS Act](#), or a legislative instrument under the [OPGGS Act](#), in relation to the permit, in addition to obligations under other titles under the [OPGGS Act](#) the applicant and/ or parent company has an interest in.
- d) the RCM or CBA is not satisfied with the past performance of the applicant in Australia or internationally.

Duration of the permit term

Consolidated work-bid greenhouse gas assessment permit

4.38 The duration of the term of an original consolidated work-bid GHG assessment permit (i.e. a permit granted otherwise than by way of renewal) depends on the nature of the two existing GHG assessment permits that are combined to form the consolidated permit.

4.39 Under [item 1C of subsection 293\(1\) of the OPGGS Act](#), if the existing permits were both original permits (i.e. permits that have not been renewed), both permits on their first renewal, or both permits on their second renewal, the duration of the term of the consolidated permit will be:

- a) if the grant occurs before the date of expiry of both permits, the time remaining on the permit with the later expiry date, or
 - b) if the grant occurs before the expiry date of only one of the permits, the time remaining on that permit.
- 4.40 If one of the existing permits is an original permit and the other is a permit on its first or second renewal, and the grant of the consolidated permit occurs before the expiry date of the original permit, the duration of the term of the consolidated permit will be the same as the time that would have remained on the original permit at the time the consolidated permit is granted, per [item 1D of subsection 293\(1\) of the OPGGS Act](#).
- 4.41 If one of the existing permits is a permit on its first renewal and the other is a permit on its second renewal, and the grant of the consolidated permit occurs before the expiry date of the permit on its first renewal, the duration of the term of the consolidated permit will be the same as the time that would have remained on the first renewal permit at the time the consolidated permit is granted, per [item 1E of subsection 293\(1\) of the OPGGS Act](#).
- 4.42 In all other cases, the consolidated permit will remain in force for a period specified in the permit, not exceeding 12 months per [item 1F of subsection 293\(1\) of the OPGGS Act](#).
- 4.43 A GHG assessment permit granted by way of renewal remains in force for a period of three years.

Cross-boundary greenhouse gas assessment permit

- 4.44 Per [item 1A of subsection 293\(1\) of the OPGGS Act](#), if the grant occurs before the expiry date of one or both of the existing Commonwealth and State/ Territory GHG assessment permits that are unified to create the cross-boundary permit, the duration of the term of an original cross-boundary GHG assessment permit (i.e. a permit granted otherwise than by renewal) will be the amount of time still to run on the permit with the later expiry date.
- 4.45 If both the existing Commonwealth and State/ Territory titles would have otherwise expired between the time that the application is lodged and grant of the cross-boundary permit, the duration of the term of the cross-boundary permit is for a period specified in the permit, not exceeding 12 months per [item 1B of subsection 293\(1\) of the OPGGS Act](#).
- 4.46 A GHG assessment permit granted by way of renewal remains in force for a period of three years.

5. Consolidated work-bid and cross-boundary GHG assessment permit conditions and administration

[Division 1 of Part 3.9 and Division 1 of Part 3.10 of the OPGGS Act](#)

Overview

- 5.1 Titleholders are expected to ensure that all obligations under the [OPGGS Act](#) and associated regulations, including the [Offshore Petroleum and Greenhouse Gas Storage \(Greenhouse Gas Injection and Storage\) Regulations 2023](#) (the GHG Regulations), the [Offshore Petroleum and Greenhouse Gas Storage \(Regulatory Levies\) Act 2003 \(the Levies Act\)](#), and any directions and title conditions are met at all times.
- 5.2 Titleholders must comply with the data management and reporting requirements under the [Offshore Petroleum and Greenhouse Gas Storage \(Resource Management and Administration\) Regulations 2011 \(the RMA Regulations\)](#).
- 5.3 The [OPGGS Act](#) allows for a:
- a) variation or suspension of permit conditions and/ or exemption from compliance with permit conditions of a consolidated work-bid GHG assessment permit or cross-boundary GHG assessment permit per [section 436 or 439A of the OPGGS Act](#)
 - b) surrender of permit, per [sections 441 to 443 of the OPGGS Act](#).
- 5.4 The RCM or CBA may also approve an extension to the permit term in accordance with [section 437 or 439B of the OPGGS Act](#) if the RCM or CBA has decided under [section 436 or 439A of the OPGGS Act](#) to suspend any of the conditions to which the permit is subject.
- 5.5 The RCM and CBA acknowledge that elements of an assessment permit work program or its timing may need to change:
- a) on technical grounds, for example if geological or technical knowledge is gained, requiring additional work
 - b) if the timing of an activity is impacted by *force majeure* circumstances, per [paragraphs 5.30 to 5.31 of this Guideline](#).
- 5.6 All applications per [paragraph 5.3 of this Guideline](#) are considered by the RCM or CBA on a permit-by-permit basis. A separate application must be lodged for each permit. Application forms are available on [NOPTA's website](#). Further information on application requirements is at [section 7 of this Guideline](#).
- 5.7 Applications made under [section 436 or 439A of the OPGGS Act](#) may be submitted at any time but should not be made later than 60 days before the end of the primary term or the permit year. This is to provide decision-makers with sufficient time to appropriately consider the application. It is the responsibility of the titleholder to ensure there is sufficient time for a decision to be made before entering the next permit year.

Titleholder's technical advice and financial resources

- 5.8 [Subsection 436\(2A\) or 439A\(3A\) of the OPGGS Act](#) provides that the RCM or CBA may take into account technical advice and financial resources available to the titleholder and any other matters the RCM or CBA considers relevant when making a decision under [subsection 436\(2\) or 439A\(3\) of the OPGGS Act](#) to vary, suspend or exempt the titleholder from compliance with permit conditions.
- 5.9 Titleholders should include with their application any relevant information to demonstrate sufficient technical advice and financial resources are available. Refer to the [Factsheet: Financial resources](#) and the [Guideline: Applicant suitability](#) for further details on application submission requirements, assessments and decision making against these criteria. Further information on application requirements is at [section 7 of this Guideline](#).
- 5.10 Following review of the initial information provided, [NOPTA](#) and/ or the RCM or CBA may request further information from a titleholder.
- 5.11 When determining whether a titleholder has sufficient financial resources and technical advice for the purpose of making a decision on their application, the RCM or CBA may consider:
- a) whether there has been any material change in the financial resources and technical advice available to the titleholder since the title was granted or last renewed
 - b) the impact of the application on the overall work program commitments
 - c) where future funding proposals have previously been identified to fund work program commitments, what progress has been made to date.

Important notes on work program commitment – seismic data and reprocessing

- 5.12 A titleholder may meet a seismic surveying commitment by licencing an equivalent amount of non-exclusive seismic data if the final processed data becomes available after the date the permit was granted.
- 5.13 A titleholder may purchase and/ or licence reprocessed seismic data to meet a seismic reprocessing work program commitment subject to the following conditions:
- a) reprocessed data will only be accepted to the extent it meets, in part or in full, the original work program commitment
 - b) data must have been reprocessed after the date the permit was granted
 - c) reprocessing will be from raw data or the quality controlled traces
 - d) reprocessing must utilise techniques not previously undertaken on seismic data acquired within the permit.
- 5.14 If a titleholder proposes to licence data to use in its current form, or to reprocess as part of a work program commitment, it must ensure that:
- a) data is in an industry standard form that is fit for purpose in meeting the objectives of the work program
 - b) it can provide information to [NOPTA](#) that demonstrates the work program commitment has been met
 - c) data submission and release requirements can be met.

Work program conditions

- 5.15 Under [section 291 or 291A of the OPGGS Act](#), the RCM or CBA may grant a consolidated work-bid GHG assessment permit or a cross boundary GHG assessment permit subject to whatever conditions the RCM or CBA thinks appropriate. Work-bid assessment permits will typically contain standard conditions in relation to minimum work requirements.
- 5.16 Titleholders must comply with all permit conditions, including the work program conditions specified in the permit. Failure to comply with the conditions of the permit may result in the refusal of an application to renew the permit ([section 310 or 311C of the OPGGS Act](#)), or refusal to consent to surrender of the permit ([section 442 of the OPGGS Act](#)), or in cancellation of the permit ([section 446 of the OPGGS Act](#)).
- 5.17 Undertaking assessment activities in excess of the specified work requirements is allowed.
- 5.18 Compliance with the permit conditions will be taken into account by the RCM or CBA in considering any application by a titleholder under [section 436 or 439A of the OPGGS Act](#) to vary, suspend or seek exemption from compliance with any of the work program conditions of the permit, or for consent to surrender the permit under [section 441 of the OPGGS Act](#).

Work program credit

- 5.19 The RCM or CBA places a standard condition on title instruments that enables [NOPTA](#), at its discretion, and by written instrument, to credit activities undertaken within an earlier permit year as meeting the work program commitments of a later permit year.
- 5.20 It is the responsibility of titleholders to obtain [NOPTA's](#) agreement to credit an activity to a later permit year.

Suspension of a permit condition and extension of the permit term

[Division 1 of Part 3.9 of the OPGGS Act](#)

- 5.21 Titleholders may apply to suspend any of the conditions to which the permit is subject **or** apply to suspend any of the conditions to which the permit is subject together with an extension of the permit term – a ‘suspension and extension’ ([sections 436/437 or 439A/439B of the OPGGS Act](#)).
- 5.22 The RCM or CBA will decide these applications on a case-by-case basis, considering:
- the existence of *force majeure* circumstances (see [paragraphs 5.30 – 5.31 of this Guideline](#))
 - if the titleholder is seeking to undertake substantial above-commitment work that has critical implications for the assessment of the permit area, and requires additional time to complete that work (see [paragraphs 5.41 – 5.45 of this Guideline](#)).
- 5.23 The RCM or CBA considers the whole work program when reviewing a suspension or suspension and extension application.
- 5.24 The RCM or CBA will generally only consider a suspension with an extension of the permit term if the proposed work program for subsequent permit year/s is reliant on the work to be undertaken in the current permit year that is requested for suspension.
- 5.25 If a suspension application is lodged and the permit would otherwise expire before the RCM or CBA makes a decision on the application, the permit will remain in force until a decision is made by the

RCM or CBA. If the RCM or CBA refuses the application, the permit will continue in force for two months, or such longer period as the RCM or CBA allows, effective from the date the titleholder was notified of the refusal ([section 437A or 439C of the OPGGS Act](#)). This ensures the titleholder has time to apply for a renewal of the permit or for the grant of a GHG holding lease or GHG injection licence prior to the expiry of the permit.

- 5.26 A suspension or a suspension and extension will not change the reporting date for the Annual Titles Assessment Report. Refer to [regulation 3.03 of the RMA Regulations](#).
- 5.27 For the purposes of the work program conditions of a permit, a **suspension** will defer the end date of a current permit year for the purposes of meeting work program commitment(s) but will not alter the end dates of subsequent permit years. By comparison, an **extension of the permit term** will extend the end date of the current permit year and all subsequent permit years.
- 5.28 A suspension of condition(s) of the permit under [section 436 or 439A of the OPGGS Act](#) does not suspend the rights conferred on the titleholder by [section 290 of the OPGGS Act](#) to undertake work activities, subject to the conditions of the permit, the [OPGGS Act](#) and regulations.
- 5.29 Applications for suspension of the permit condition(s), or suspension with an extension of the permit term, must be submitted before the permit expires and should be submitted no later than 60 days before the conclusion of the permit year to which the application relates.

Force majeure circumstances

- 5.30 If the ability of a titleholder to meet a work program commitment is adversely impacted by an event that cannot be reasonably anticipated or controlled during the course of the assessment permit work program via experience or care (*force majeure*) the RCM or CBA may approve a suspension or a suspension and extension.
- 5.31 An application for a suspension or suspension and extension on *force majeure* grounds must include substantial and compelling documentary evidence to demonstrate how the *force majeure* circumstance has adversely impacted the ability to complete the work program, and a Gantt chart showing the proposed schedule for the forward work program.
- 5.32 Commercial circumstances and common risks in the industry are **not considered** to constitute *force majeure*. These may influence the perceived commercial viability of an activity but would not normally prevent the titleholder from adhering to its commitment. Such circumstances and risks may include, but are not limited to:
- a) changes in carbon prices
 - b) difficulty attracting a farm-in partner
 - c) difficulty in raising capital
 - d) avoidable delays in contracting a drilling rig/ seismic vessel
 - e) avoidable delays in receiving processed/ reprocessed data from contractors
 - f) disappointing GHG storage potential assessment results
 - g) the need to wait for the results of work activities undertaken outside the permit area
 - h) poor quality seismic data
 - i) rescheduling of appraisal/ injection/ monitoring wells ahead of exploration wells.

Technical grounds

- 5.33 If the ability of a titleholder to meet an existing work program commitment is affected by new geological knowledge or unexpected technical challenges, the RCM or CBA may approve a suspension or a suspension and extension on technical grounds.
- 5.34 If a titleholder proposes additional work activities to address new geological knowledge or unexpected technical challenges, the RCM or CBA would generally expect this work to be varied into the work program through an above-commitment work variation (see [paragraphs 5.41 – 5.45 of this Guideline](#)).
- 5.35 An application for a suspension or a suspension and extension on technical grounds should include compelling documentary evidence to demonstrate how these technical grounds have adversely impacted the ability to complete the work program, and a Gantt chart showing the proposed schedule for the forward work program.

Variation of work program conditions

[Sections 436 and 439A of the OPGGS Act](#)

- 5.36 Titleholders may apply to vary any of the conditions to which the permit is subject. In submitting variation applications titleholders should note that:
- a) proposed work program activities to be varied into the permit should only include work that will be undertaken within the permit area. Any work, studies or reprocessing proposed outside the permit area must be clearly differentiated
 - b) if a titleholder lodges an application in the last 60 days of the primary term or the relevant permit year, the titleholder may wish to consider lodging a suspension and extension application in the event an adverse decision is made by the RCM or CBA
 - c) if a titleholder applies for a suspension (or suspension and extension) and variation at the same time, this can be lodged as a single application on the appropriate application form.
- 5.37 A titleholder may apply for:
- a) a work equivalent variation to replace a guaranteed work program activity with an equivalent work program activity
 - b) an above-commitment work variation to undertake above-commitment work that has critical implications for the assessment of the GHG storage potential of the permit area.

Work equivalent variation

- 5.38 A titleholder may apply to replace a guaranteed work program activity with an equivalent work program activity.
- 5.39 The RCM or CBA will generally only agree to a variation if the proposed replacement work program activity is a similar or superior technique and the activity meets or exceeds the objective of the original work program commitment.
- 5.40 It is the responsibility of the titleholder not to commence the requested work equivalent activity until it has received notice of the work equivalent variation.

Above-commitment work variation

- 5.41 A titleholder may apply to include significant above-commitment work into the work program that will have critical implications for the assessment of the storage potential for the permit area. The RCM or CBA may agree to an above-commitment variation, to vary the work into the current permit year so that the work becomes guaranteed.
- 5.42 In deciding whether to vary the work program the RCM or CBA will consider whether the titleholder has demonstrated a significant effort to progress the understanding of the GHG storage potential of the permit.
- 5.43 An application should be supported by:
- technical evidence as to why the work program should be varied
 - a detailed outline of the proposed new activities
 - a Gantt chart showing the proposed schedule for the forward work program, and
 - documentary evidence (such as contracts with a relevant service provider to undertake the new activities).
- 5.44 When considering an application for an above-commitment work variation, the RCM or CBA may also agree to either a suspension or suspension and extension to enable the titleholder sufficient time to undertake the work.
- An application for a suspension or suspension and extension should be lodged with the variation application.
- 5.45 Generally, in the case of an above-commitment work variation, the RCM or CBA will consider up to a 12 month suspension or a 12 month suspension and extension, if supported by the circumstances of the application. However, a longer timeframe may be requested and the RCM or CBA will consider this on a case-by-case basis and on its merits for circumstances such as when the proposed work is significant and assessed to have critical implications on the titleholder's forward work plans.

Exemptions from compliance with conditions

[Sections 436 and 439A of the OPGGS Act](#)

- 5.46 The titleholder may apply to the RCM or CBA for exemption from compliance with any condition to which the permit is subject, pursuant to [section 436 or 439A of the OPGGS Act](#). An exemption application may be made on exceptional technical or *force majeure* grounds.
- 5.47 In deciding whether to exempt a titleholder from compliance with a work program condition, the RCM or CBA will consider:
- if the titleholder has demonstrated a significant effort to identify and assess the GHG storage potential of the permit and has provided substantial and compelling documentary evidence, and
 - if the objective of the original work program commitment has been met.
- 5.48 With respect to work program requirements, the RCM or CBA will approve an exemption in exceptional circumstances. However, applications will be assessed on a case-by-case basis.
- 5.49 Substantial and compelling documentary evidence, demonstrating the circumstances and that the objectives of the assessment work program has been met, should be provided with the application.

- 5.50 The RCM or CBA may not approve an exemption which would relieve a titleholder from having to complete an activity if the following permit years are reliant on that work being undertaken.

Permit surrender

Division 1 of Part 3.10 of the OPGGS Act

- 5.51 A titleholder may apply for consent to surrender all the blocks that the permit is in force over.
- 5.52 The RCM may only consent to the surrender if the criteria in [section 442 of the OPGGS Act](#) have been met, including that the titleholder has:
- a) paid any fees and amounts payable under the [OPGGS Act](#), the [RMA regulations](#), and [section 10E of the Levies Act](#), or has made arrangements that are satisfactory to the RCM for the payment of those fees and amounts pursuant to [paragraph 442\(3\)\(a\) of the OPGGS Act](#)
 - b) complied with all conditions to which the permit was subject in accordance with [paragraph 442\(3\)\(b\) of the OPGGS Act](#), including if:
 - i) work program commitments have been met. In the case of a consolidated work-bid GHG assessment permit, in determining whether work program commitments have been met, if a permit condition requires specified work during a permit year, and the application is made during that year, the titleholder is taken not to have complied with the condition unless the titleholder has completed the work specified for the year, pursuant to [subsection 442\(8\) of the OPGGS Act](#)
 - ii) all reports (including reports required by any directions given to the titleholder) have been submitted (for example, reports on specified activities, quarterly reports, annual reports), and
 - iii) all required data has been submitted as required under the [RMA Regulations](#).
 - c) complied with the relevant provisions of the OPGGS Act and regulations in accordance with [paragraph 442\(3\)\(b\) of the OPGGS Act](#)
 - d) satisfied the RCM or made arrangements that are satisfactory for the remediation, protection and preservation of the marine environment in accordance with [paragraphs 442\(3\)\(c\) to \(f\) of the OPGGS Act](#).
- 5.53 In undertaking its assessment, in accordance with the OPGGS Act, [NOPTA](#) consults with [NOPSEMA](#).
- 5.54 The RCM may give consent to surrender, notwithstanding that the permit conditions, relevant provisions of the [OPGGS Act](#) or regulations have not been complied with, if the RCM is satisfied there are sufficient grounds to warrant the giving of consent to the surrender in accordance with [subsection 442\(7\) of the OPGGS Act](#). In determining if sufficient grounds exist for a surrender in non-compliance, the RCM may consider:
- a) if the titleholder has demonstrated a significant effort to identify and assess the GHG storage potential of the permit and has provided substantial and compelling documentary evidence
 - b) if the objective of the original work program commitment has been met
 - c) other matters as considered relevant by the RCM.
- 5.55 In the case of a cross-boundary GHG assessment permit, before consenting or refusing to consent to the surrender of the permit, under [subsection 442\(7A\) of the OPGGS Act](#) the RCM must consult with the responsible State or Northern Territory Minister.

- 5.56 Following the RCM's consent to surrender, the titleholder may surrender the permit by written notice to the RCM via [NOPTA](#) in accordance with [subsection 443\(2\) of the OPGGS Act](#).
- 5.57 [NOPTA](#) will publish notice of the surrender of the permit in the [Australian Government Gazette](#), in accordance with [item 5 of section 734 of the OPGGS Act](#).
- 5.58 The surrender takes effect the day a notice is published in the [Australian Government Gazette](#), in accordance with [subsection 443\(3\) of the OPGGS Act](#).

Permit expiry

- 5.59 The expiry date of a permit is the day on which the permit ceases to be in force, in accordance with [table item 3 of subsection 10\(2\) and section 293 of the OPGGS Act](#). The expiry date may be extended from time to time by the grant of an extension of the permit term by the RCM or CBA (see [paragraphs 5.21 – 5.29 of this Guideline](#)).
- 5.60 The duration of the permit term may be extended where an application has been lodged for:
- renewal of the permit, in accordance with [subsection 308\(6\) or 311A\(9\)](#)
 - declaration of an *identified GHG storage formation*, in accordance with [section 294](#)
 - a GHG holding lease or GHG injection licence, in accordance with [section 295 or 295A](#).
- 5.61 If the permit is eligible for renewal, the titleholder may apply to renew the permit under [section 308 or 311A of the OPGGS Act](#), prior to the expiry date, and within the prescribed timeframe (see [section 6 of this Guideline](#)).
- 5.62 Titleholders are not required to lodge an application if it is intended to let a permit expire. In this event, a titleholder should ensure that:
- all conditions of the title, including any work program commitments, have been met
 - all relevant provisions of [Chapters 3, 5, 5A and 6 and Part 8.1 of the OPGGS Act](#) and the regulations have been complied with including the submission of all reports and data due to [NOPTA](#) and completion of any decommissioning obligations
 - any direction(s) given by the RCM and/ or [NOPSEMA](#) have been complied with
 - all outstanding fees and amounts are paid or arrangements have been made that are satisfactory to [NOPTA](#) for the payment of those fees and amounts.
- 5.63 When a permit has expired, [NOPSEMA](#) or the RCM may give remedial directions to former titleholders for the remediation, protection and preservation of the marine environment, in accordance with [sections 594A and 595 of the OPGGS Act](#).
- 5.64 After the expiry of the permit, [NOPTA](#) will:
- undertake a compliance check of the title and if any of the matters outlined in [paragraph 5.62 of this Guideline](#) are outstanding, [NOPTA](#) will contact the titleholder.
 - publish a formal notice of expiry in the [Australian Government Gazette](#), in accordance with [item 8 of section 734 of the OPGGS Act](#)
 - make an entry on the Register of Titles regarding expiry of the title, in accordance with [section 523 of the OPGGS Act](#)
 - advise the titleholder in writing that the title has expired.

Permit cancellation

[Division 1 of Part 3.11 of the OPGGS Act](#)

- 5.65 Titleholders are expected to ensure that all obligations under the [OPGGS Act](#), [Levies Act](#), associated regulations, any directions and permit conditions are met at all times. Failure to comply with any such obligations, directions or permit conditions is a ground for the RCM to cancel the permit under [section 446 of the OPGGS Act](#).
- 5.66 In the case of a cross-boundary GHG assessment permit, before making a decision to cancel the permit, under [subsection 447\(4\) of the OPGGS Act](#) the RCM must consult with the responsible State or Northern Territory Minister.
- 5.67 If there is ground for cancellation, before making a decision the RCM will issue the titleholder a written notice of intention to cancel the permit, setting out the reasons for the proposed cancellation and inviting a written submission to the RCM per [section 448 of the OPGGS Act](#).
- 5.68 Titleholders will be given at least 30 days to make a submission regarding the proposed cancellation, and to provide any information or raise any issues that the titleholder wishes the RCM to consider in reaching a decision in respect of the cancellation, in accordance with [subsections 448\(1\) and \(2\) of the OPGGS Act](#).
- 5.69 Before deciding to cancel a title, the RCM must:
- a) consider any submissions made by the titleholder or other relevant persons, in accordance with [subsection 448\(3\) of the OPGGS Act](#)
 - b) take into account any action taken by the titleholder to remove the grounds for cancellation, or prevent its recurrence, in accordance with [paragraphs 447\(2\)\(a\) and \(b\) of the OPGGS Act](#).
- 5.70 The titleholder will be advised in writing regarding the RCM's decision in respect of the cancellation.
- 5.71 The cancellation takes effect the day a notice is published in the [Australian Government Gazette](#), in accordance with [subsection 447\(3\) of the OPGGS Act](#).

6. Renewal of permits

[Division 4 of Part 3.2 of the OPGGS Act](#)

Overview

- 6.1 A titleholder may apply to renew a consolidated work-bid GHG assessment permit or a cross-boundary GHG assessment permit in accordance with [section 308 or 311A of the OPGGS Act](#).
- a) However, an application to renew a consolidated work-bid GHG assessment permit or a cross-boundary GHG assessment permit cannot be made if each of the existing work-bid GHG assessment permits (for a consolidated permit) or the existing Commonwealth GHG assessment permit (for a cross-boundary permit) that were unified were granted by way of a second renewal.
- 6.2 A GHG assessment permit cannot be renewed more than twice.
- a) However, a consolidated work-bid GHG assessment permit cannot be renewed more than once if each of the existing work-bid GHG assessment permits that were unified were granted by way of first renewal, or if one of the existing work-bid GHG assessment permits was granted by way of first renewal and the other was granted by way of second renewal. A cross-boundary GHG assessment permit cannot be renewed more than once if the existing Commonwealth GHG assessment permit, which was unified with an existing State/Territory GHG assessment title, was granted by way of first renewal.
- 6.3 It is the RCM's and CBA's expectation that the proposed work program for the renewal will be supported by a proposed work strategy that has the capability to significantly advance the understanding of GHG storage potential within the permit area during the three-year renewal term.
- 6.4 There is no primary or secondary term during the three-year renewal term. Work program commitments will be split over three separate permit years and become guaranteed upon entry into the individual permit year.
- 6.5 The proposed work strategy underpinning the work program should deliver an increased understanding of the *fundamental suitability determinants* (see [paragraph 4.14 of this Guideline](#)) of GHG storage formations within the permit area.

How to apply

- 6.6 An application must be made at least 180 days before the expiry date of the permit, but not more than 12 months before the expiry date. An application may be accepted later than 180 days before the expiry date, but no later than the expiry date, pursuant to [subsection 308\(4\) or 311A\(7\) of the OPGGS Act](#).
- 6.7 An application to renew a consolidated work-bid GHG assessment permit or a cross-boundary GHG assessment permit must be submitted to [NOPTA](#) in an approved manner, in accordance with [section 426 of the OPGGS Act](#).
- 6.8 To be validly made the application must be made in the correctly completed and executed application form, and accompanied by any information or documents required by the application form, in accordance with [subsection 308\(5\) or 311A\(8\) of the OPGGS Act](#). The application must also be accompanied by the correct fee, in accordance with [section 427 of the OPGGS Act](#).

- 6.9 An application is taken to be accompanied by the documents or information referenced in [paragraph 6.8 of this Guideline](#) where they are given to the RCM or [NOPTA](#) before the expiry date of the permit, in accordance with [subsection 308\(5A\) or 311A\(8A\) of the OPGGS Act](#). An application is taken to be accompanied by the correct fee if the fee is received by NOPTA before the end of 10 days after the day the application was made, in accordance with [subsection 427\(4A\) of the OPGGS Act](#).
- 6.10 A renewal application should include:
- a) an overview of the permit history, including work undertaken in the permit during the initial permit term or last renewal term
 - b) a technical evaluation of the storage potential of the area
 - c) a proposed work strategy for the permit area
 - d) a work program and activities, including proposed expenditure for the renewal term
 - e) an overview of compliance with the permit conditions, [Chapters 3, 5, 5A and 6 and Part 8.1 of the OPGGS Act](#) and the associated regulations, and
 - f) technical advice and financial resources available to the applicant.
- 6.11 For further information on submission requirements refer to [section 7 of this Guideline](#) and [NOPTA Forms Guidance](#).

Assessment criteria

- 6.12 In offering a renewal of a consolidated work-bid GHG assessment permit or a cross-boundary GHG assessment permit, the RCM or CBA must have regard to the criteria mentioned in [section 309 or 311B of the OPGGS Act](#) respectively:
- a) compliance with the permit conditions, [Chapters 3, 5, 5A and 6 and Part 8.1 of the OPGGS Act](#) and the regulations
 - b) in the case of a consolidated work-bid GHG assessment permit, whether, during the permit term, at least one notice was given under [section 451 of the OPGGS Act](#) (notification of *eligible GHG storage formation*) about a part of a geological formation wholly situated in the permit area
 - c) the technical advice and financial resources available to the titleholder and whether they are sufficient to carry out operations and works authorised by the permit and discharge obligations in relation to the permit
 - d) any other matters prescribed by the regulations.

Work program

- 6.13 The proposed work program for the three-year renewal term should be consistent with the proposed work strategy and underpinned by the technical evaluation of the area incorporating results and findings from the previous permit term.
- 6.14 The early elements of the proposed work program should be sufficient to enable the later elements to proceed and be aligned with the work strategy. This includes the need for the number and timing of operational activities to be justifiable and be supported by the maturity of the titleholders understanding of the *fundamental suitability determinants* and the number of storage formations defined within the permit area. That is, the work program should be pursuable if storage potential within the permit area does not increase.

- 6.15 The proposed work program should significantly advance the understanding of *fundamental suitability determinants* and the storage potential of the permit area.
- 6.16 The minimum acceptable work program for an area will vary depending on the size of the area, its perceived storage potential, its location and the nature of any existing data. At a minimum, it is expected that the proposed work program will contain either one or both of the following:
- a) new operational activities, such as data acquisition and/ or exploration well/s
 - b) reprocessing and/ or geophysical and geological studies to enable enhanced understanding of the *fundamental suitability determinants* and storage potential of the permit area.
- 6.17 Where extensive non-exclusive seismic data or significant reprocessed seismic data (normally from field tapes) are available over an area, it is generally expected that the work program includes the licensing of the relevant portion of those data.
- 6.18 Where an area is fully covered by 3D seismic data, reprocessing a majority of this data may form part of the proposed work program and can be undertaken instead of acquiring new seismic data. The reprocessing would normally be expected to be from raw data or the quality controlled traces and to utilise techniques not previously undertaken on seismic data within the permit area.
- 6.19 Where an area has existing drill results, substantial new assessments or analysis of these data may form a substantial part of the proposed work program commitments.
- 6.20 If a titleholder proposes either new seismic surveying or drilling within the renewal term work program, it is expected that the titleholder will have made preliminary enquiries as to the availability of either a seismic vessel or drilling rig to meet these work program commitments and provide evidence of these enquiries.
- 6.21 Work program activities should only include work that is to be undertaken within the permit area. Any work, studies or reprocessing to be undertaken outside the permit area must be clearly differentiated.
- 6.22 The amount, type and timing of proposed work program activities should be stated precisely to avoid ambiguity. The description of the proposed work program for the renewal term should include:
- a) an overview of the activities proposed to be completed in the GHG assessment permit area during the full term
 - b) for each of the three years of the program, explain the extent and nature of the GHG storage assessment to be carried out (year-by-year explanation of activities to be undertaken)
 - c) details of the nature, scope and objectives of any proposed geological studies (including geophysical, geotechnical, geomechanical and geochemical studies) and any proposed static and/ or dynamic modelling
 - d) indicative expenditure in Australian dollars for each work activity proposed within each permit year at current market value:
 - i) for operational activities, calculations detailing how the cost of the activities has been estimated should be provided.
 - e) the number of line kilometres of 2D and proposed line spacing and/ or square kilometres of 3D seismic data that will be acquired and processed within the permit area, including:
 - i) full fold numbers within the permit area
 - ii) a map showing the indicative location of the 2D lines or 3D survey outline (all existing seismic surveys should also be also identified on this map)

- iii) the parameters and methodology of the seismic acquisition and processing that will be undertaken (if known)
 - iv) whether acquisition of seismic survey data relates to purchase or licensing of existing seismic data, or whether a new seismic survey will be undertaken as part of the work program.
- f) the amount, type and details of the applicable dataset of any new reprocessing the titleholder proposes to undertake, including:
- i) the number of line kilometres of 2D and/ or square kilometres of 3D seismic data that will be reprocessed within the permit area clearly stated
 - ii) a map showing the indicative location of the 2D lines or 3D survey outline (all existing seismic surveys should also be identified on this map)
 - iii) the parameters and methodology of the reprocessing that will be undertaken (if known)
 - iv) whether the proposed seismic reprocessing relates to the purchase or licensing of existing reprocessed data or whether new seismic reprocessing will be undertaken.
- g) the licensing or use of any existing exclusive or non-exclusive datasets and, if applicable, how these are proposed to be used in conjunction with any reprocessing or geophysical studies proposed in the work program
- h) a description of the conceptual locations, targets and total depths of any proposed wells
- i) a description of, and the conceptual locations, targets and purpose of any other operational activities that are proposed
- j) a high resolution map indicating where the activities are anticipated to be carried out in the permit area
- k) an overview of proposed studies relating to potential impacts on overlapping, adjacent or nearby petroleum titleholders (current or future) for key GHG operations proposed in the work program.

6.23 Evaluation of the titleholder's proposed work strategy and assessment of the titleholder's work program will also be undertaken in accordance with the principles outlined in [section 2 of this Guideline](#).

Consideration of significant risk of a significant adverse impact

6.24 The proposed work program should have regard to [sections 27 and 292 or 27A and 292A of the OPGGS Act](#), which refer to assessing whether there is a SROSAI from any key GHG operational activity proposed within the renewal term on petroleum exploration or recovery operations that are being or could be carried on under an existing or future petroleum title.

Applicant's technical advice and financial resources

6.25 As set out in [paragraph 6.12 of this Guideline](#) in deciding whether to renew a consolidated work-bid GHG assessment permit or a cross-boundary GHG assessment permit, the RCM or CBA must have regard to the following, per [subsection 309\(2\), 309\(3A\) or 309\(4A\), or subsection 311B\(2\) or 311B\(3A\), of the OPGGS Act](#):

- a) whether the RCM or CBA is satisfied that the technical advice and financial resources available to the titleholder are sufficient to:

- i) carry out the operations and works that will be authorised by the permit
 - ii) discharge the obligations that will be imposed under the [OPGGGS Act](#), or a legislative instrument under the [OPGGGS Act](#), in relation to the permit
- b) whether the RCM is satisfied of any other matters prescribed by the regulations.

6.26 Refer to [section 7 of this Guideline](#) and the [Guideline: Applicant suitability](#) for further details on application submission requirements, assessments and decision making against these criteria.

Refusal to renew a permit

6.27 [Section 310 or 311C of the OPGGS Act](#) provides that the RCM or CBA must refuse to renew a permit if:

- a) the RCM or CBA is not satisfied as to the sufficiency of the technical advice and financial resources available to the titleholder, per [subsection 310\(3A\) or 311C\(2A\) of the OPGGS Act](#)
- b) there has been non-compliance with permit conditions (where the RCM or CBA is not satisfied that the non-compliance is attributable to unavoidable delays caused by the unavailability of essential services and/ or equipment), the provisions of [Chapters 3, 5, 5A or 6 or Part 8.1 of the OPGGS Act](#) and/ or the provisions of the regulations, and the RCM or CBA is not satisfied that there are sufficient grounds to warrant the renewal of the permit, per [subsection 310\(2\) or 311C\(2\) of the OPGGS Act](#)
- c) in the case of a consolidated work-bid GHG assessment permit, during the period when the permit was in force, no notice was given under [section 451 of the OPGGS Act](#) about a part of a geological formation wholly situated within the permit area, and the RCM is not satisfied that there are sufficient grounds to warrant the renewal of the permit, per [subsection 310\(3\) of the OPGGS Act](#).

Sufficient grounds may include whether the titleholder has taken any reasonable actions to resolve or mitigate the non-compliance.

6.28 The RCM or CBA may refuse to renew a permit if the RCM or CBA is not satisfied of the matters (if any) prescribed by the regulations, per [subsection 310\(3B\) or 311C\(2B\) of the OPGGS Act](#).

6.29 Where the RCM intends to refuse to renew a consolidated work-bid GHG assessment permit, consultation procedures apply under [section 434 of the OPGGS Act](#).

6.30 Where the CBA intends to refuse to renew a cross-boundary GHG assessment permit, consultation procedures apply under [section 434A of the OPGGS Act](#).

7. General information about applications

Decision making

- 7.1 The [OPGGS Act](#) provides that the decision-maker must (or in some cases, may) have regard to certain suitability matters when making decisions in respect of certain applications for or in respect of GHG titles. These include:
- a) the sufficiency of the technical advice and financial resources available to the applicant
 - b) any other matters prescribed by the regulations.
- 7.2 The decision-maker may also have regard to any other relevant matters.
- 7.3 Where the decision-maker is not satisfied that the applicant has access to sufficient technical advice and financial resources, the application must (or in some cases may) be refused.

Decision-maker

- 7.4 For consolidated work-bid GHG assessment permits, the RCM is the decision-maker on applications for grant, renewal and surrender, as well as variation and suspension of, and exemption from compliance with, permit conditions and the extension of permit terms.
- 7.5 For cross-boundary GHG assessment permits, the CBA is the decision-maker on applications for grant and renewal, as well as variation and suspension of, and exemption from compliance with, permit conditions and the extension of permit terms.
- a) The RCM is the decision-maker for applications to surrender a cross-boundary GHG assessment permit. Prior to making a decision, the RCM is required to consult with the relevant responsible State or Northern Territory Minister.
- 7.6 Applications are assessed by [NOPTA](#) and technical advice is provided to the RCM or CBA.

Related guidance, factsheets and information

- 7.7 When preparing an application, the applicant should review the associated documents relevant to that application, including:
- a) provisions within the [OPGGS Act](#)
 - b) [the GHG Regulations](#)
 - c) [the RMA Regulations](#)
 - d) [subject matter guidelines and factsheets published by NOPTA](#), in particular the [Factsheet: Declarations of experience and disclosures](#)
 - e) [NOPTA Forms Guidance](#), which is a consolidated application guidance document covering:
 - i) submission requirements and details
 - ii) forms execution (signatures)
 - iii) notification requirements
 - iv) other government considerations such as foreign investment and *prior usage rights*
 - f) [application forms](#).

Submission requirements

- 7.8 To be validly made all applications must be:
- a) in the approved form
 - b) accompanied by any information or documents required by the form
 - c) submitted in the approved manner
 - d) accompanied by the application fee.

Information gathering powers

Consolidated work-bid greenhouse gas assessment permit

- 7.9 The RCM has powers to require applicants to provide further information in connection with an application, as set out in [section 429 of the OPGGS Act](#). Where further information is required, applicants will be notified in writing. The notice will specify the time within which the information is to be provided.
- 7.10 Failure to provide the required information may result in the RCM deciding to refuse to consider the application or take any action (or further action) in relation to the application, in accordance with [subsection 429\(3\) of the OPGGS Act](#).

Cross-boundary greenhouse gas assessment permit

- 7.11 The Titles Administrator has powers to require applicants to provide further information in connection with an application, as set out in [section 429A of the OPGGS Act](#). Where further information is required, applicants will be notified in writing. The notice will specify the time within which the information is to be provided.
- 7.12 Failure to provide the required information may result in the CBA deciding to refuse to consider the application or take any action (or further action) in relation to the application, in accordance with [subsection 429A\(3\) of the OPGGS Act](#).