



Queensland

Geothermal Exploration Act 2004

Geothermal Exploration Regulation 2005

Reprinted as in force on 1 September 2009

Reprint No. 3B

**This reprint is prepared by
the Office of the Queensland Parliamentary Counsel
Warning—This reprint is not an authorised copy**

Information about this reprint

This regulation is reprinted as at 1 September 2009. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

Spelling

The spelling of certain words or phrases may be inconsistent in this reprint or with other reprints because of changes made in various editions of the Macquarie Dictionary (for example, in the dictionary, ‘lodgement’ has replaced ‘lodgment’). Variations of spelling will be updated in the next authorised reprint.

Dates shown on reprints

Reprints dated at last amendment All reprints produced on or after 1 July 2002, authorised (that is, hard copy) and unauthorised (that is, electronic), are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If an authorised reprint is dated earlier than an unauthorised version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of an authorised reprint is the same as the date shown for an unauthorised version previously published, it merely means that the unauthorised version was published before the authorised version. Also, any revised edition of the previously published unauthorised version will have the same date as that version.

Replacement reprint date If the date of an authorised reprint is the same as the date shown on another authorised reprint it means that one is the replacement of the other.



Queensland

Geothermal Exploration Regulation 2005

Contents

		Page
Part 1	Preliminary	
1	Short title	5
2	Commencement	5
Part 2	Interpretation	
3	Definitions	5
Part 3	Fees	
5	Fees	5
Part 4	Tender process	
6	Security for permit—Act, s 31	6
Part 5	Annual rent and interest	
7	Annual rent	7
8	Interest rate on annual rent	7
Part 6	Reporting and public release of required information	
9	Reporting to chief executive	8
9A	Confidentiality of required information for permit	8
9B	Publication of required information	9
Part 7	Prescribed conditions for permits	
Division 1	Notices	
10	Notice of intention to drill exploration bore	9
11	Notice of completion, alteration or abandonment of exploration bore	10
12	Notice of intention to carry out seismic survey or scientific or technical survey	11
13	Notice of completion of seismic survey or scientific or technical survey	12
Division 2	Samples	
14	Keeping samples	12
15	Cutting samples	12

Contents

16	Cores	13
Division 3	Other obligations	
17	Open exploration bore	14
18	Displaying sign at exploration bore.	14
19	Using existing roads.	15
20	Uncontrolled flow from exploration bore.	15
21	Distance of excavation from railway works.	15
22	Removing drilling rig.	16
23	Preventing spread of declared pests	16
24	Unrestrained animals	17
25	Discharging firearms and lighting open fires	18
Part 8	Geothermal register	
26	Documents and information included in register	18
Part 9	Safety	
27	Application of pt 9.	18
28	Application of petroleum safety regulation provisions to geothermal exploration.	19
Part 10	Miscellaneous	
29	Dealing with application that is not a properly made application	20
Schedule 1	Fees	21
Schedule 2	Reporting	22
Part 1	Annual report	
1	When report required	22
2	Contents of report	22
3	Additional requirement	23
Part 2	Bore abandonment report	
4	When report required	23
5	Contents of report	23
Part 3	Bore completion report	
6	When report required	26
7	Contents of report	26
Part 4	Daily activity report	
8	When report required	28
9	Contents of report	28
10	Additional requirement	30

Part 5	Expenditure report	
11	When report required	30
12	Contents of report	30
Part 6	Supplementary bore completion report	
13	When report required	31
14	Contents of report	31
Part 7	Surrender report	
15	When report required	32
16	Contents of report	32
17	Combined report	34
Part 8	Survey report	
Division 1	Scientific or technical survey report	
18	When report required	34
19	Contents of report	34
Division 2	Seismic survey report	
20	When report required	35
21	Contents of report	36
Schedule 3	Dictionary	38
Endnotes		
1	Index to endnotes	40
2	Date to which amendments incorporated.	40
3	Key	40
4	Table of reprints	41
5	List of legislation	41
6	List of annotations	43

Geothermal Exploration Regulation 2005

[as amended by all amendments that commenced on or before 1 September 2009]

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Geothermal Exploration Regulation 2005*.

2 Commencement

This regulation commences on 25 March 2005.

Part 2 Interpretation

3 Definitions

The dictionary in schedule 3 defines particular words used in this regulation.

Part 3 Fees

5 Fees

The fees payable under the Act are stated in schedule 1.

[s 6]

Part 4 Tender process

6 Security for permit—Act, s 31

- (1) The following forms of security are prescribed—
 - (a) cash;
 - (b) cheque;
 - (c) electronic transfer of funds;
 - (d) an unconditional financial institution security issued by a financial institution that—
 - (i) is in favour of the ‘State of Queensland’ and is payable on demand; and
 - (ii) has no expiry day; and
 - (iii) states—
 - (A) the holder for the proposed permit on whose behalf the security is issued; and
 - (B) the address of the financial institution; and
 - (iv) is signed for the financial institution by an officer who has authority to sign the security;
 - (e) a combination of the forms mentioned in paragraphs (a) to (d).
- (2) The amount of security prescribed is \$12000.
- (3) A tenderer must give security for a permit at—
 - (a) the office of the department for lodging the security, as stated in a gazette notice by the chief executive; or
 - (b) if no office is gazetted under paragraph (a)—the office of the chief executive.

Part 5 Annual rent and interest

7 Annual rent

- (1) For section 43(1) of the Act, the annual rent for a permit is \$2.53 for each sub-block in the area of the permit.
- (2) For section 43(2) of the Act—
 - (a) the prescribed way for paying the annual rent is by—
 - (i) cash; or
 - (ii) cheque; or
 - (iii) electronic transfer of funds; or
 - (iv) a combination of the forms mentioned in subparagraphs (i) to (iii); and
 - (b) the prescribed day is the day before the anniversary day for the permit.
- (3) If the annual rent is paid for a year and the permit ends during the year, the proportion of the annual rent that relates to the remainder of the year may be refunded.
- (4) The permit holder must pay the annual rent at—
 - (a) the office of the department for lodging the annual rent, as stated in a gazette notice by the chief executive; or
 - (b) if no office is gazetted under paragraph (a)—the office of the chief executive.

8 Interest rate on annual rent

For section 43(3) of the Act, the rate of interest is 15% a year.

[s 9]

Part 6 Reporting and public release of required information

9 Reporting to chief executive

- (1) For section 49 of the Act, the prescribed requirements for reporting are stated in schedule 2.
- (2) A report mentioned in the schedule, other than a daily activity report or an expenditure report, must—
 - (a) be lodged electronically using the department's system for submission of reports; and
 - (b) be in the digital form stated in the document called 'Guidelines for the submission of digital company reports' held by the department.

Editor's note—

A copy of the document may be inspected, free of charge, during office hours at the department's head office at 61 Mary Street, Brisbane, and can be accessed on the department's website at <www.dme.qld.gov.au>.

9A Confidentiality of required information for permit

- (1) This section prescribes, for section 49A(1) of the Act, the confidentiality period for required information mentioned in subsection (2) for a permit.
- (2) The period starts on the day the information is lodged under the Act and ends on the following day—
 - (a) for samples of material that are obtained from an exploration bore in the area of the permit—the day that is 2 years after the rig release day for the bore;
 - (b) for a report given under section 49 of the Act—the day that is 2 years after the last day of the period to which the report relates.
- (3) There is no confidentiality period for required information not mentioned in subsection (2).

9B Publication of required information

For section 49A(1)(a) of the Act, the chief executive may publish required information for a permit in any of the following ways—

- (a) in a journal published by the department or under the Minister's authority;
- (b) in another publication considered appropriate by the chief executive;
- (c) on the department's website on the internet;
- (d) in a publicly available database;
- (e) on a map that is made available to the public for inspection or purchase;
- (f) in digital or electronic form, including, for example, on a disc or tape;
- (g) by displaying it on a notice that is available to the public for inspection at—
 - (i) the department's head office; and
 - (ii) other places the chief executive considers appropriate;
- (h) by telling it to another person or presenting it to the person in a visual form.

Part 7 Prescribed conditions for permits

Division 1 Notices

10 Notice of intention to drill exploration bore

- (1) A permit holder or an authorised person for the permit must,

[s 11]

at least 5 business days before starting to drill an exploration bore in the area of the permit, notify the chief executive that the bore is to be drilled.

- (2) The notice must—
 - (a) state a proposed identifying name for the bore; and
 - (b) be in the approved form; and
 - (c) be accompanied by a map showing the location of the bore in relation to the area of the permit.
- (3) The proposed identifying name for the bore stated in the notice must not be the same, or substantially the same, as a name recorded for an exploration bore in the geothermal register.

11 Notice of completion, alteration or abandonment of exploration bore

- (1) This section applies if, for an exploration bore in the area of a permit—
 - (a) drilling of the bore is completed; or
 - (b) the completion configuration of the bore changes; or
 - (c) the bore is abandoned.
- (2) For subsection (1)—
 - (a) drilling of the bore is completed if—
 - (i) the drilling rig last used to drill the bore is moved so it is no longer above the bore; and
 - (ii) the permit holder intends no further drilling of the bore to occur; and
 - (b) the completion configuration of the bore changes if, after drilling of the bore is completed—
 - (i) additional casing is installed in the bore; or
 - (ii) any part of the bore is plugged, other than for decommissioning the bore; or

-
- (iii) an interval in the bore is altered in any other way.
 - (3) The permit holder or an authorised person for the permit must, within 10 business days after the event mentioned in subsection (1) happens, give the chief executive a notice stating that the event has happened.
 - (4) The notice must—
 - (a) be in the approved form; and
 - (b) be accompanied by a map showing the location of the exploration bore.

12 Notice of intention to carry out seismic survey or scientific or technical survey

- (1) This section applies if a seismic survey or a scientific or technical survey is to be carried out in the area of a permit.
- (2) The permit holder or an authorised person for the permit must, at least 10 business days before the survey starts, give the chief executive a notice stating the following—
 - (a) a proposed identifying name or code for the survey;
 - (b) the type of survey to be carried out;
Examples—
 - seismic, geochemical, geophysical, geotechnical
 - (c) a description of the area to be surveyed;
 - (d) the day surveying will start;
 - (e) the expected duration of the surveying.
- (3) The notice must—
 - (a) be in the approved form; and
 - (b) be accompanied by a map showing the location of the area to be surveyed.
- (4) The proposed identifying name or code for the survey stated in the notice must not be the same, or substantially the same, as the name or code for another survey recorded in the geothermal register.

[s 13]

13 Notice of completion of seismic survey or scientific or technical survey

- (1) This section applies if a seismic survey or a scientific or technical survey carried out within the area of a permit is completed.
- (2) For subsection (1), a survey is completed as soon as all of the raw data for the survey has been recorded or recovered.
- (3) The permit holder or an authorised person for the permit must, within 10 business days after the completion day for the survey, give the chief executive a notice in the approved form stating that the survey has been completed.

Division 2 Samples

14 Keeping samples

- (1) This section applies if a permit holder or an authorised person for the permit obtains samples of materials from an exploration bore in the carrying out of geothermal exploration in the area of the permit.
- (2) The holder or authorised person must—
 - (a) keep the samples for at least 3 months after giving the chief executive a bore completion report for the bore; and
 - (b) ensure the samples are stored in a secure way that—
 - (i) prevents the loss or theft of the samples; and
 - (ii) protects the samples against damage from the effects of weather.

15 Cutting samples

- (1) A permit holder or an authorised person for the permit must, for each exploration bore drilled under the permit, keep the cutting samples of the geological formations penetrated by the drill for each interval mentioned in subsection (2).

-
- (2) For subsection (1), the intervals are—
- (a) each 10m interval, or part of a 10m interval, from the surface to as close as practicable to the top of the geological formation nearest to the surface that is likely to contain a natural underground reservoir; and
 - (b) each 3m interval, or part of a 3m interval, from as close as practicable to the top of the geological formation mentioned in paragraph (a) to the bottom of the bore.
- (3) If the permit holder or authorised person is, under section 107 of the Act, required to give the chief executive cutting samples, the part of the sample given must, unless the notice requires otherwise, be—
- (a) at least 250g, but not more than 500g; and
 - (b) washed and dried; and
 - (c) in a container that is suitable for long-term storage and handling and labelled with the following—
 - (i) the identifying name of the exploration bore from which the sample was taken;
 - (ii) the depth in metres of the top and bottom of the interval from which the sample was taken.
- (4) The sample must be lodged at the location stated in the notice.
- (5) In this section—

cutting sample means a sample of the cuttings produced by drilling an exploration bore.

16 Cores

- (1) A permit holder or an authorised person for the permit must keep each core recovered from an exploration bore in the area of the permit.
- (2) If the permit holder or authorised person is, under section 107 of the Act, required to give the chief executive samples of the core, the part of the core given must, unless the notice requires otherwise—

[s 17]

- (a) be at least 50% of the core recovered; and
 - (b) have as complete a vertical face as is practicable; and
 - (c) be given in a box or other suitable container that is suitable for long-term storage and handling and labelled with each of the following—
 - (i) the identifying name of the exploration bore from which the core was recovered;
 - (ii) if more than 1 core is recovered from the bore—the number of the core;
 - (iii) the depth in metres of the top and bottom of the interval cored;
 - (iv) the length in metres of the core recovered.
- (3) The sample must be lodged at the location stated in the notice.

Division 3 Other obligations

17 Open exploration bore

A permit holder or an authorised person for the permit must ensure an open exploration bore in the area of the permit is left in a condition that enables—

- (a) samples of fluids to be safely taken from the bore; and
- (b) bore head temperatures to be measured.

18 Displaying sign at exploration bore

- (1) A permit holder must ensure a sign complying with the requirements of subsections (2) and (3) is displayed in a conspicuous position at each exploration bore in the area of the permit.
- (2) The sign must—
 - (a) prominently state the following details—
 - (i) the holder's name;

- (ii) the identifying name of the bore; and
 - (b) be clearly visible to a person approaching the bore; and
 - (c) be displayed until the geothermal exploration at the bore stops.
- (3) Each letter on the sign must be legible, durable and clearly visible.

19 Using existing roads

A permit holder or an authorised person for the permit must ensure that—

- (a) existing roads or vehicular tracks are, to the greatest practicable extent, used to transport persons, equipment and materials to and from an exploration bore in the area of the permit; and
- (b) if damage is caused to a vehicular track that is not an improvement mentioned in section 46 of the Act—the track is restored at least to the same, or substantially the same, condition that it was in before the damage happened.

20 Uncontrolled flow from exploration bore

- (1) A permit holder or an authorised person for the permit must take all reasonable steps to prevent an uncontrolled flow of gas or liquid from an exploration bore in the area of the permit.
- (2) If there is an uncontrolled flow of gas or liquid from the bore, the holder or authorised person must, as soon as practicable, notify the chief executive of the flow.

21 Distance of excavation from railway works

- (1) This section applies if railway works for a railway are in, on or near the land to which a permit relates.

[s 22]

- (2) The permit holder or an authorised person for the permit must not excavate the land less than 12m horizontally, or 15m vertically, from the railway works.
- (3) However, subsection (2) does not apply if the holder or person—
 - (a) has written consent from the railway manager for the railway; and
 - (b) gives the chief executive a copy of the consent.
- (4) In this section—

railway manager see the *Transport Infrastructure Act 1994*, schedule 6.

railway works, for a railway, means works erected or placed for the railway, and includes, for example, a bridge, culvert, cutting, drain, embankment or pier.

22 Removing drilling rig

A permit holder or an authorised person for the permit must ensure a drilling rig used to drill an exploration bore in the area of the permit is not removed from the bore before the bore is in a safe and stable condition.

23 Preventing spread of declared pests

- (1) A permit holder or an authorised person for the permit must take reasonable steps to ensure the holder, the person or anyone else acting for the holder or person does not disperse the reproductive material of any declared pest when—
 - (a) entering or leaving land in the area of the permit; or
 - (b) carrying out an activity under the permit.
- (2) However, subsection (1) does not apply if the dispersal is authorised under the *Land Protection (Pest and Stock Route Management) Act 2002*.
- (3) In this section—

declared pest means any of the following—

- (a) a declared pest animal or declared pest plant under the *Land Protection (Pest and Stock Route Management) Act 2002*;
- (b) an animal or plant declared under a relevant local law to be—
 - (i) a declared pest animal or declared pest plant; or
 - (ii) the equivalent (however called) of a declared pest animal or declared pest plant for the local law.

relevant local law means a local law of a local government, the area of which includes the place at which the dispersal takes place.

reproductive material, of an animal or plant, means any part of the animal or plant that is capable of asexual or sexual reproduction.

Examples of reproductive material of an animal—

egg or part of an egg, semen

Examples of reproductive material of a plant—

- 1 seed or part of a seed
- 2 bulb or part of a bulb, rhizome, stolon or tuber
- 3 stem or leaf cutting

24 Unrestrained animals

A permit holder or an authorised person for the permit must take reasonable steps to ensure an animal in the custody of the holder, person or anyone else acting for the holder or person is not allowed on land in the area of the permit unless—

- (a) the land is fenced in a way to prevent the animal from leaving the land; or
- (b) the animal is restrained.

[s 25]

25 Discharging firearms and lighting open fires

- (1) This section applies to land in the area of the permit if the land is occupied land.
- (2) A permit holder or authorised person for the permit must take reasonable steps to ensure the holder, the person or anyone else acting for the holder or person does not discharge a firearm or light an open fire on the land in the area of the permit.
- (3) However, subsection (2) does not apply if the holder or authorised person—
 - (a) has written consent from the landholder of the land; and
 - (b) gives the chief executive a copy of the consent.
- (4) In this section—

occupied land has the meaning given by the *Mineral Resources Act 1989*.

Part 8 Geothermal register

26 Documents and information included in register

A copy of each call for tenders is prescribed for section 122(2)(c) of the Act.

Part 9 Safety

27 Application of pt 9

The safety requirements mentioned in this part apply in addition to the safety requirements mentioned in section 132A of the Act.

Editor's note—

See also the safety requirements in the *Petroleum and Gas (Production and Safety) Regulation 2004* applying under section 132A of the Act.

28 Application of petroleum safety regulation provisions to geothermal exploration

(1) The petroleum safety regulation provisions apply to a facility or plant used for geothermal exploration—

(a) as if—

(i) the facility or plant were an operating plant under the provisions; and

(ii) a reference in the provisions to petroleum or fuel gas were a reference to geothermal energy; and

(iii) a reference in the provisions to a petroleum authority were a reference to a geothermal exploration permit; and

(iv) a reference in the provisions to the *Petroleum and Gas (Production and Safety) Act 2004* were a reference to the Act; and

(b) with other necessary changes.

(2) In this section—

petroleum safety regulation provisions means the following provisions of the *Petroleum and Gas (Production and Safety) Regulation 2004*—

(a) sections 60 and 61;

(b) schedule 3;

(c) schedule 12, to the extent it defines words mentioned in a provision mentioned in paragraph (a).

[s 29]

Part 10 **Miscellaneous**

29 **Dealing with application that is not a properly made application**

For section 133A(4) of the Act, the amount is 50% of the application fee.

Schedule 1 Fees

section 5

	\$
1 Tender for permit (Act, s 21(1)(i))	1 150.00
2 Change of address for service (Act, s 48(3))	57.45
3 Copy of required information for a permit (Act, s 49A(1)(b))—	
(a) for information made available on a CD or DVD	132.30
(b) for information made available on a tape cartridge	264.80
4 Application for renewal of permit (Act, s 52B(1)(e))	574.00
5 Application by permit holder under section 57(1) of the Act (Act, s 57(2)(c))	460.60
6 Application for waiver of requirement to give notice of entry (Act, s 92(2)(c)(ii))	57.45
7 Search and take extracts from, or obtain a copy of all or part of a document or information in, the geothermal register (Act, s 124(1)(b) and (c))—	
(a) for a standard departmental public tenure enquiry report	10.55
(b) otherwise	22.95
	plus the applicable amount if relevant
8 Application for transfer of exploration bore to permit holder (Act, s 126(3)(c))	172.70
9 Application for transfer of exploration bore to landholder or mining interest holder (Act, s 127(4)(c))	172.70
10 Application for transfer of exploration bore to the State (Act, s 128(5)(b))	172.70

Schedule 2 Reporting

section 9

Part 1 Annual report

1 When report required

- (1) A permit holder must prepare an annual report for the permit for each reporting year the permit is in force.
- (2) The report must be given within 2 months after the anniversary day for the permit.

2 Contents of report

The annual report for a reporting year must include the following information or documents—

- (a) the name of the author of the report;
- (b) the permit number;
- (c) a statement giving details of all activities carried out during the reporting year under the permit;
- (d) results of all geothermal exploration carried out in the reporting year, including relevant maps, sections, test results and other charts;
- (e) the status at the end of the reporting year of all exploration bores for the permit;
- (f) a statement about the permit holder's compliance with the agreed specific objectives for the reporting year, including any reasons for any non-compliance with the objectives;
- (g) a list of other reports given to the chief executive during the reporting year;
- (h) the amount of geothermal energy used or released through geothermal exploration in the reporting year;

-
- (i) the volume of water taken during the reporting year for activities authorised under the permit;
 - (j) a statement of proposed activities for the following reporting year.

3 Additional requirement

The report must be accompanied by an expenditure report for the reporting year.

Part 2 Bore abandonment report

4 When report required

- (1) A permit holder must prepare a bore abandonment report if an exploration bore is plugged and abandoned.
- (2) The report must be given—
 - (a) for a bore that is plugged or abandoned before the rig release day for the bore—with the bore completion report for the bore required under part 3 of this schedule; or
 - (b) otherwise—within 2 months after the completion day.
- (3) In this section—

completion day means the day on which plugging and abandoning of the bore is completed as required to comply with the requirements under the *Petroleum and Gas (Production and Safety) Regulation 2004*, schedule 3.

5 Contents of report

- (1) The bore abandonment report must state the following—
 - (a) on the first page, the following details—
 - (i) the permit number;

- (ii) the bore's identifying name and location;
- (iii) the name of the author of the report;
- (iv) the name of the permit holder;
- (v) the name of the operator of the bore;
- (vi) the name of the person submitting the report;
- (vii) the date of the report, in day-month-year format;
- (b) a summary and history of the bore, including a location map and the date on which a bore completion report for the bore was given;
- (c) the following details about the bore—
 - (i) its total depth in metres;
 - (ii) the position at the top and bottom, expressed as required under subsection (2), and the thickness, of any of the following intersected by the bore—
 - (A) a coal seam;
 - (B) a natural underground reservoir;
 - (C) an aquifer;
 - (iii) the depth in metres of any perforations in the casing of the bore;
 - (iv) the type of drilling rig used to drill the bore;
- (d) all surveys and measurements made in the bore, including any detailed interpretation of a survey or measurement;
- (e) in relation to the completion or abandonment of the bore, each of the following—
 - (i) details of the casing and equipment installed in the bore, with diagrams showing the major dimensions and features of the casing and equipment;
 - (ii) a full description of all equipment, including prescribed equipment, retained in the bore, including the size and nature of the equipment and

any features of the equipment that may cause a hazard to coal mining operations;

Example of features that may cause a hazard to coal mining operations—

aluminium, electronics or batteries

- (iii) the surveyed location of any prescribed equipment;
 - (iv) the method of the cementing operations carried out in or on the bore, including the location and type of plugs, the intervals covered, the volume and type of cement used, any losses of cement due to voids or permeable strata, and the methods used to overcome losses of cement;
 - (v) the method, materials and volume of cement used to cement voids;
 - (vi) a description of any other abandonment procedures used for the bore;
 - (vii) any other details of the activities carried out in drilling, completing and plugging and abandoning the bore, including an assessment of their possible impacts, that would assist a person in making an assessment of potential risks to safe and efficient mining of coal.
- (2) For subsection (1)(c)(ii), the position at the top and bottom of the coal seam, natural underground reservoir or aquifer must be identified in relation to—
- (a) for a directional bore—
 - (i) total vertical depth in metres; and
 - (ii) the horizontal plane; or
 - (b) otherwise—the depth in metres.
- (3) In this section—

coal mining operations see the *Coal Mining Safety and Health Act 1999*, schedule 3.

directional bore means a part of an exploration bore that is intentionally not drilled vertically.

prescribed equipment means—

- (a) metal equipment, other than casing; and
- (b) any other equipment that may create a hazard to coal mining operations.

Editor's note—

For requirements about removing casing from a petroleum well, see the *Petroleum and Gas (Production and Safety) Regulation 2004*, schedule 3 (Requirements for plugging and abandoning petroleum wells and bores).

Part 3 Bore completion report

6 When report required

- (1) A permit holder must prepare a bore completion report for each exploration bore in the area of the permit.
- (2) The report must be given within 2 months after the rig release day for the bore.

7 Contents of report

- (1) The bore completion report must include the following—
 - (a) the name of the author of the report;
 - (b) the permit number;
 - (c) the identifying name for the bore;
 - (d) survey information for the bore, including—
 - (i) the location and elevation of the bore collar in AMG coordinates; and
 - (ii) a location map at an appropriate scale;
 - (e) an interpretation of the data obtained from the geophysical (or wireline) logs that have been run in the bore;

-
- (f) the bore's total depth and diameter;
 - (g) information about samples taken, lost circulation zones found or blowouts reported during the drilling of the bore;
 - (h) a lithological log of the bore from the surface of the land to the bore's total depth;
 - (i) information about all tests and surveys performed in the bore;
 - (j) details of stimulation carried out in the bore;
 - (k) the significance of the bore in relation to the geothermal potential of the area;
 - (l) the surveyed path of the bore;
 - (m) the identification of potential production intervals intersected by the bore;
 - (n) a statement about whether the bore has been—
 - (i) discontinued; or
 - (ii) suspended; or
 - (iii) converted to another use; or
 - (iv) plugged and abandoned;
 - (o) details of casing and equipment installed in the bore, including relevant schematics for the bore;
 - (p) the bore's history, including information about the following for the bore—
 - (i) the day drilling of the bore started;
 - (ii) depth of various marker horizons;
 - (iii) drilling rig details;
 - (iv) cementing operations;
 - (v) bit records;
 - (vi) drilling fluids used;
 - (vii) the rig release day.

(2) The report must be accompanied by the following—

- (a) a digital image of the cores taken during the drilling of the bore;
- (b) the raw data, in digital form, of each geophysical (or wireline) log that has been run in the bore;
- (c) a digital image of the graphic representations of the raw data mentioned in paragraph (b).

Part 4 Daily activity report

8 When report required

- (1) A permit holder must prepare a daily activity report for an exploration bore in the area of the permit for each day the permit holder drills or otherwise works on the bore.
- (2) The daily activity reports for a calendar week must be given within 1 week after the calendar week for which the report is made.

9 Contents of report

- (1) The daily activity report must contain the following information—
 - (a) the name of the author of the report;
 - (b) the permit number;
 - (c) the bore's identifying name and location;
 - (d) drilling rig details;
 - (e) details of all activities carried out on the bore on the day.
- (2) Without limiting subsection (1)(e), the following information must be included—
 - (a) the bore's true vertical depth and actual depth at the beginning of, and at the end of, each shift for the day;
 - (b) the bit size and bit type used to drill the bore;

-
- (c) casing data for the bore, including—
 - (i) the size, type, grade, weight, depth and type of the perforations; and
 - (ii) whether the casing is new or used; and
 - (iii) the depth at which the casing is set;
 - (d) details of the following for the bore—
 - (i) cementing carried out;
 - (ii) mud used in the bore, including a mud log;
 - (iii) water, brine, petroleum or other fluid found in the bore;
 - (iv) stimulation carried out in the bore;
 - (v) any occasions when the blowout preventers for the bore are closed and the reason for the closure;
 - (vi) loss of drilling fluid from the bore;
 - (vii) samples taken from the bore;
 - (viii) volume of water taken from the bore;
 - (e) the results of any test made in the bore;
 - (f) allocation of time spent on each operation in the bore;
 - (g) the day drilling of the bore started;
 - (h) the rig release day.

(3) In this section—

mud means a drilling fluid, commonly used in the geothermal industry, consisting of any suitable mixture of water, oil, clay or other material, or any mixture of these materials, that will—

- (a) remove the drill cuttings from an exploration bore; and
- (b) control rock and reservoir pressures; and
- (c) stabilise disturbed formation conditions; and
- (d) seal formations into which fluid from the bore is escaping.

10 Additional requirement

The permit holder must, unless the holder has a reasonable excuse, keep a copy of each daily activity report for an exploration bore for 1 year after giving the chief executive the bore completion report for the bore.

Part 5 Expenditure report

11 When report required

- (1) A permit holder must prepare an expenditure report for each year the permit is in force.
- (2) The report must be given when the annual report for the year is given.

12 Contents of report

- (1) The expenditure report for a year must state the following—
 - (a) the name of the author of the report;
 - (b) the permit number;
 - (c) details of expenditure directly incurred in relation to the permit for the year.
- (2) For subsection (1)(c), the report must separately itemise expenditure in relation to the following, as appropriate—
 - (a) drilling an exploration bore;
 - (b) seismic surveying;
 - (c) scientific or technical surveying;
 - (d) technical evaluation and analysis;
 - (e) cultural heritage survey costs;
 - (f) operational and administrative expenses.

-
- (3) However, the report must not include expenditure relating to any of the following—
- (a) costs of obtaining background land tenure searches and assessments;
 - (b) rent, fees and security paid under the Act for the permit;
 - (c) legal costs;
 - (d) expenditure on capital items.

Part 6

Supplementary bore completion report

13 When report required

- (1) A permit holder must prepare a supplementary bore completion report for an exploration bore in the area of the permit if the bore is reopened for geothermal exploration under the permit.
- (2) The report must be given within 2 months after completing the exploration.

14 Contents of report

- (1) The supplementary bore completion report—
 - (a) must contain information for the bore as if the report were a bore completion report; but
 - (b) is not required to contain information that has already been given in a bore completion report for the bore.
- (2) If more than 1 supplementary bore completion report for an exploration bore is given, the reports must be consecutively numbered.

Part 7 Surrender report

15 When report required

- (1) A permit holder must prepare a surrender report if the holder of the permit applies to the Minister to surrender all or part of the permit.
- (2) The report must be given when the application for surrender is made.

16 Contents of report

- (1) The surrender report must include the following information or documents—
 - (a) the name of the author of the report;
 - (b) the permit number;
 - (c) information about the permit, including the following—
 - (i) the day the permit was granted;
 - (ii) a description of, and map showing, the area (the *surrendered area*) the subject of the application, including access to the area;
 - (iii) any transfers of, or transfers of a holder's interest in, the permit;
 - (d) the main methods of geothermal exploration used;
 - (e) a description of the geological features of underground reservoirs in the surrendered area;
 - (f) the results of all geothermal exploration carried out in the surrendered area during the term of the permit;
 - (g) any conclusions from the results mentioned in paragraph (f);
 - (h) an index of all reports given, as required under this schedule, about the authorised activities carried out in the surrendered area;
 - (i) the hazard information for the report;

-
- (j) a map showing the location in the surrendered area of—
 - (i) each bore drilled under the permit; and
 - (ii) each seismic line used for a seismic survey carried out under the permit;
 - (k) structure contour maps of the seismic horizons (seismic reflectors) in the surrendered area;
 - (l) the reason the permit holder is applying to surrender all or part of the permit.
- (2) The information required under subsection (1)(e) may be given as—
- (a) a list of previous reports, given under section 49 of the Act, that contain the results of the geothermal exploration; or
 - (b) a combination of the reports and results.
- (3) In this section—

hazard information, for a surrender report, means each of the following—

- (a) a summary of all significant hazards to future safe and efficient mining of coal, created under the permit, that are, under section 132A of the Act or this regulation, required to be reported;
- (b) for each hazard mentioned in the summary under paragraph (a)—a reference to the report that contains details of the hazard;
- (c) for any other hazard, or potential hazard, to future safe and efficient mining of coal or oil shale in the area of the permit, created under the permit—
 - (i) the nature of the hazard or potential hazard; and
 - (ii) the way in which the hazard or potential hazard was created; and
 - (iii) the location of the hazard or potential hazard; and
 - (iv) measures taken to prevent or reduce the hazard or potential hazard, or to mitigate its effects.

17 Combined report

The surrender report and annual report for the year in which the surrender happens may be given as 1 document.

Part 8 Survey report

Division 1 Scientific or technical survey report

18 When report required

- (1) This section applies if a permit holder or authorised person for the permit—
 - (a) carries out a scientific or technical survey of the area of the permit; or
 - (b) reprocesses raw data obtained from a survey mentioned in paragraph (a).
- (2) The permit holder must prepare a scientific or technical survey report for the survey.
- (3) The report must be given within 6 months after the completion day for the survey.

19 Contents of report

- (1) The scientific or technical survey report must contain the following—
 - (a) the name of the author of the report;
 - (b) the permit number;
 - (c) a description of the location of the area surveyed;
 - (d) a geological summary of the area surveyed;
 - (e) the type of survey carried out;

-
- (f) an index of previous scientific or technical surveys, of the same type as the survey for which the report is given, carried out under the permit within the area;
 - (g) the objectives of the survey;
 - (h) the activities carried out for the survey, including, for example, the days on which the activities were carried out;
 - (i) the methods and equipment used for acquiring and processing, or reprocessing, data;
 - (j) an interpretation of the processed or reprocessed data derived from the survey;
 - (k) a map showing the location of—
 - (i) the area surveyed; and
 - (ii) where any measurements were made or samples were taken in relation to the survey.
- (2) The report must be accompanied by the following in digital form—
- (a) the raw data obtained in relation to the survey;
 - (b) the processed or reprocessed data derived from the survey.

Division 2 Seismic survey report

20 When report required

- (1) This section applies if a permit holder or authorised person for the permit—
 - (a) carries out a seismic survey of the area of the tenure; or
 - (b) reprocesses raw data obtained from a survey mentioned in paragraph (a).
- (2) The permit holder must prepare a seismic survey report for the survey.

- (3) The report must be given within 1 year after the completion day for the survey.

21 Contents of report

- (1) The seismic survey report must contain each of the following—
 - (a) the name of the author of the report;
 - (b) the permit number;
 - (c) a description of the location of the area surveyed;
 - (d) a geological summary of the area surveyed;
 - (e) an index of previous seismic surveys carried out under the permit within the area and a summary of the results of the surveys;
 - (f) the objectives of the survey;
 - (g) the activities carried out for the survey, including, for example, details of the seismic lines used and the days on which the activities were carried out;
 - (h) a description of each method used to acquire raw data, including—
 - (i) the equipment used for positioning, surveying, navigation or other purposes; and
 - (ii) the techniques and equipment used for recording and testing the data;
 - (i) a description of how the raw data was processed or reprocessed;
 - (j) an evaluation of the processed or reprocessed data, including an interpretation of the seismic horizons (seismic reflectors) and any leads or prospects identified from the data;
 - (k) a map showing the location of the seismic lines used for the survey;
 - (l) if the report is not accompanied by grid files for the area surveyed in digital form—

-
- (i) structure contour maps of seismic horizons (seismic reflectors) in the area surveyed; and
 - (ii) maps of the area showing variations in the thickness of stratigraphic units (isopach maps).
 - (2) The report must be accompanied by—
 - (a) the following in digital form—
 - (i) the raw data obtained in relation to the survey and the record made as the data was recorded (commonly known as the ‘observer’s logs’);
 - (ii) a list of the seismic lines used and the range of the numbered stations on each line;
 - (iii) the surveyed location, including the elevation, of each seismic source and receiver point;
 - (iv) the processed or reprocessed data derived from each seismic line used for the survey;
 - (v) a graphical representation of the data mentioned in subparagraph (iv); and
 - (b) if an activity for the survey was carried out by a contractor of the permit holder, a copy of any report given to the holder by the contractor in relation to the activity.
 - (3) In this section—

grid file, for an area, means a representation, on a close-spaced, regular grid, of an interpretation of time and depth to seismic horizons (seismic reflectors).

Schedule 3 Dictionary

section 3

AMG means the Australian Map Grid reference specified in the Australian Geodetic Datum Technical Manual of the Australian Survey and Land Information Group.

anniversary day, for a permit—

- (a) means each anniversary of the day the permit is granted; and
- (b) does not change merely because the permit is amended or transferred.

annual report see schedule 2, part 1.

applicable amount, for a copy of a notice, document or information held on the geothermal register, means—

- (a) for a black and white copy in A4 size of a notice, document or information—\$0.20 for each page; or
- (b) otherwise—an amount that is not more than the actual cost of providing a copy of the notice, document or information.

bore abandonment report see schedule 2, part 2.

bore completion report see schedule 2, part 3.

completion day, for a survey, means—

- (a) if the survey involves reprocessing of raw data recorded or recovered for a previous survey—the day on which reprocessing of the data is completed; or
- (b) otherwise—the last day on which raw data is recorded or recovered for the survey.

daily activity report see schedule 2, part 4.

drilling rig details includes the following details for the drilling rig—

- (a) the drilling contractor's or service company's name;

(b) the drilling rig's number.

expenditure report see schedule 2, part 5.

identifying name, for an exploration bore, means the unique identifying name for the bore recorded in the geothermal register.

permit number, for a permit, means the unique identifying number for the permit recorded in the geothermal register.

reporting year, for an annual report or an expenditure report for a permit, means each period of 1 year starting on the day, or the anniversary of the day, the permit takes effect.

rig release day, for an exploration bore, means the day the drilling rig last used to drill the bore is moved so it is no longer above the bore, if the permit holder for the bore intends no further drilling of the bore to happen.

scientific or technical survey means a geochemical, geophysical or geotechnical survey or another survey for a similar purpose, other than a seismic survey.

scientific or technical survey report see schedule 2, part 8, division 1.

seismic survey means a survey carried out to decide the subsurface features by transmitting soundwaves into the ground and measuring the time they take to return to the surface.

seismic survey report see schedule 2, part 8, division 2.

stimulation means a technique used to increase the permeability of an underground reservoir, including, for example, hydraulic fracturing, cavitations, fracture acidising, and the use of proppant treatments.

supplementary bore completion report see schedule 2, part 6.

surrender report see schedule 2, part 7.

Endnotes

1 Index to endnotes

		Page
2	Date to which amendments incorporated	40
3	Key	40
4	Table of reprints	41
5	List of legislation	41
6	List of annotations	43

2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 1 September 2009. Future amendments of the Geothermal Exploration Regulation 2005 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments included	Effective	Notes
1	none	25 March 2005	
1A	2005 SL No. 239	30 September 2005	
1B	2006 SL No. 110	1 July 2006	
1C	2006 SL No. 293	1 January 2007	
1D	2007 SL No. 132	1 July 2007	R1D withdrawn, see R2
2	—	1 July 2007	
2A	2007 SL No. 273	1 January 2008	
2B	2008 SL No. 59	17 March 2008	
2C	2008 SL No. 192	1 July 2008	
2D	2008 SL No. 282	1 September 2008	
2E	2008 SL No. 366	1 January 2009	R2E withdrawn, see R3
3	—	1 January 2009	
3A	2009 SL No. 73	1 July 2009	
3B	2009 SL No. 73	1 September 2009	

5 List of legislation

Geothermal Exploration Regulation 2005 SL No. 44

made by the Governor in Council on 24 March 2005

notfd gaz 24 March 2005 pp 996–7

ss 1–2 commenced on date of notification

remaining provisions commenced 25 March 2005 (see s 2)

exp 1 September 2015 (see SIA s 54)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

amending legislation—

Geothermal Exploration Amendment Regulation (No. 1) 2005 SL No. 239

notfd gaz 30 September 2005 pp 425–6

commenced on date of notification

Natural Resources Legislation Amendment Regulation (No. 1) 2006 SL No. 110 pts 1, 8

notfd gaz 2 June 2006 pp 572–6

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2006 (see s 2)

Mines and Energy Legislation Amendment Regulation (No. 1) 2006 SL No. 293 pts 1–2

notfd gaz 1 December 2006 pp 1587–90
ss 1–2 commenced on date of notification
remaining provisions commenced 1 January 2007 (see s 2)

Mines and Energy Legislation Amendment Regulation (No. 1) 2007 SL No. 132 pts 1, 5

notfd gaz 22 June 2007 pp 1018–20
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2007 (see s 2)

Mines and Energy Legislation Amendment Regulation (No. 2) 2007 SL No. 273 pts 1–2

notfd gaz 9 November 2007 pp 1355–7
ss 1–2 commenced on date of notification
remaining provisions commenced 1 January 2008 (see s 2)

Mines and Energy Legislation Amendment Regulation (No. 1) 2008 SL No. 59 pts 1–2

notfd gaz 14 March 2008 pp 1469–72
ss 1–2 commenced on date of notification
remaining provisions commenced 17 March 2008 (see s 2)

Mines and Energy Legislation Amendment Regulation (No. 3) 2008 SL No. 192 pts 1, 7

notfd gaz 27 June 2008 pp 1268–78
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2008 (see s 2)

Transport and Other Legislation Amendment Regulation (No. 1) 2008 SL No. 282 ss 1–2(1), pt 3

notfd gaz 29 August 2008 pp 2831–5
ss 1–2 commenced on date of notification
remaining provisions commenced 1 September 2008 (see s 2(1))

Mines and Energy Legislation Amendment Regulation (No. 5) 2008 SL No. 366 pts 1–2

notfd gaz 7 November 2008 pp 1319–21
ss 1–2 commenced on date of notification
remaining provisions commenced 1 January 2009 (see s 2)

Mines and Energy Legislation Amendment Regulation (No. 1) 2009 SL No. 73 pts 1, 7

notfd gaz 5 June 2009 pp 486–8
ss 1–2 commenced on date of notification
s 23 commenced 1 September 2009 (see s 2(2))
remaining provisions commenced 1 July 2009 (see s 2(1))

6 List of annotations

PART 2—INTERPRETATION

Graticulation of earth's surface into blocks and sub-blocks

s 4 om 2005 SL No. 239 s 3

Annual rent

s 7 amd 2006 SL No. 293 s 4; 2007 SL No. 273 s 4; 2008 SL No. 366 s 4; 2009 SL No. 73 s 23

PART 6—REPORTING AND PUBLIC RELEASE OF REQUIRED INFORMATION

pt hdg amd 2005 SL No. 239 s 4

Confidentiality of required information for permit

s 9A ins 2005 SL No. 239 s 5

Publication of required information

s 9B ins 2005 SL No. 239 s 5

Distance of excavation from railway works

s 21 amd 2008 SL No. 282 s 7

PART 10—MISCELLANEOUS

pt hdg ins 2005 SL No. 239 s 6

Dealing with application that is not a properly made application

s 29 ins 2005 SL No. 239 s 6

SCHEDULE 1—FEES

amd 2005 SL No. 239 s 7

sub 2006 SL No. 110 s 16; 2007 SL No. 132 s 10; 2008 SL No. 59 s 4; 2008 SL No. 192 s 16; 2009 SL No. 73 s 24