



Queensland

Mines Legislation Amendment Regulation (No. 1) 2011

Subordinate Legislation 2011 No. 94

made under the

Coal Mining Safety and Health Act 1999

Explosives Act 1999

Fossicking Act 1994

Geothermal Exploration Act 2004

Greenhouse Gas Storage Act 2009

Mineral Resources Act 1989

Mining and Quarrying Safety and Health Act 1999

Petroleum Act 1923

Petroleum and Gas (Production and Safety) Act 2004

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Part 1 Preliminary

1 Short title

This regulation may be cited as the *Mines Legislation Amendment Regulation (No. 1) 2011*.

2 Commencement

- (1) This regulation, other than sections 10, 15 and 18, part 9 and section 27, commences on 1 July 2011.
- (2) Sections 10, 15 and 18, part 9 and section 27 commence on 1 September 2011.

Part 2 Amendment of Coal Mining Safety and Health Regulation 2001

3 Regulation amended

This part amends the *Coal Mining Safety and Health Regulation 2001*.

4 Replacement of sch 8 (Board of examiners' fees)

Schedule 8—
omit, insert—

[s 5]

‘Schedule 8 Board of examiners’ fees

section 372

	\$
1 Application for assessment for a first class, or second class, certificate of competency	33.45
2 Application for assessment for a deputy’s, or open-cut examiner’s, certificate of competency	19.95
3 Issuing a duplicate certificate of competency to replace a lost, destroyed or defaced certificate	6.55’.

Part 3 Amendment of Explosives Regulation 2003

5 Regulation amended

This part amends the *Explosives Regulation 2003*.

6 Replacement of sch 2 (Fees)

Schedule 2—

omit, insert—

‘Schedule 2 Fees

section 20

	\$
1 Licence to import explosives or licence to export explosives—	
(a) for blasting explosives—	
(i) application for licence	nil
(ii) licence for 1 year	566.90
(b) for propellant powders and ammunition—	
(i) application for licence	nil
(ii) licence for 1 year	374.15
(c) for fireworks—	
(i) application for licence	nil
(ii) licence for 1 year	275.90
(d) for distress signals—	
(i) application for licence	nil
(ii) licence for 1 year	84.35
(e) for an explosive not mentioned in paragraphs (a) to (d)—	
(i) application for licence	nil
(ii) licence for 1 year	275.90
2 Licence to manufacture explosives—	
(a) for an explosives factory other than a mobile manufacturing unit—	
(i) application for licence	nil
(ii) licence for 1 year	349.30
(b) for a mobile manufacturing unit—	
(i) application for licence	nil
(ii) licence for 1 year	160.75
(c) for manufacture of explosives at a place of use that is not an explosives factory—	
(i) application for licence	nil

[s 6]

		\$
	(ii) licence for 1 year	81.10
3	Licence to sell explosives—	
	(a) for blasting explosives—	
	(i) application for licence	nil
	(ii) licence for 1 year	68.20
	(b) for propellant powders—	
	(i) application for licence	nil
	(ii) licence for 1 year	68.20
	(c) for fireworks—	
	(i) application for licence	nil
	(ii) licence for 1 year	68.20
	(d) for ammunition—	
	(i) application for licence	nil
	(ii) licence for 1 year	12.70
	(e) for explosives not mentioned in paragraphs (a) to (d)—	
	(i) application for licence	nil
	(ii) licence for 1 year	68.20
4	Licence to store explosives—	
	(a) for blasting explosives up to 100kg—	
	(i) application for licence	nil
	(ii) licence for 1 year	89.55
	(b) for blasting explosives greater than 100kg—	
	(i) application for licence	nil
	(ii) licence for 1 year	349.25
	(c) for propellant powders up to 100kg—	
	(i) application for licence	nil
	(ii) licence for 1 year	33.65
	(d) for propellant powders greater than 100kg but not greater than 250kg—	
	(i) application for licence	nil
	(ii) licence for 1 year	89.55
	(e) for propellant powders greater than 250kg—	
	(i) application for licence	nil

	\$
(ii) licence for 1 year	349.30
(f) for fireworks up to 100kg (gross weight)—	
(i) application for licence	nil
(ii) licence for 1 year	33.65
(g) for fireworks greater than 100kg (gross weight)—	
(i) application for licence	nil
(ii) licence for 1 year	349.30
(h) for explosives not mentioned in paragraphs (a) to (g), up to 100kg—	
(i) application for licence	nil
(ii) licence for 1 year	33.65
(i) for explosives not mentioned in paragraphs (a) to (g), greater than 100kg—	
(i) application for licence	nil
(ii) licence for 1 year	349.30
5 Licence to transport explosives—	
(a) application for licence	nil
(b) licence for 1 year for each vehicle stated in the licence	89.55
6 Shotfirer licence—	
(a) application for licence	nil
(b) licence for 1 year	48.35
7 Fireworks contractor licence—	
(a) application for licence	nil
(b) licence for 1 year	321.35
8 Fireworks operator licence—	
(a) application for licence	nil
(b) licence for 1 year	102.70
9 Licence to collect ammunition—	
(a) application for licence	nil
(b) licence for 1 year	12.70
10 Application for permit to import explosives	nil
11 Application for permit to export explosives	nil
12 Application for permit to store explosives.	nil
13 Application for explosives trial approval.	nil

[s 7]

	\$
14 Request for declaration that explosive be declared an authorised explosive	115.75
15 Transfer of licence	35.25
16 Duplicate of licence	35.25

Part 4 Amendment of Fossicking Regulation 2009

7 Regulation amended

This part amends the *Fossicking Regulation 2009*.

8 Replacement of sch 1 (Fees)

Schedule 1—

omit, insert—

‘Schedule 1 Fees

section 39

	\$
1 Individual fossickers licence—	
(a) for 1 month	6.65
(b) for 6 months	24.90
(c) for 1 year	41.80
2 Family fossickers licence—	
(a) for 1 month	9.50
(b) for 6 months	32.00
(c) for 1 year	55.95
3 Club fossickers licence	70.00

	\$
4	Educational organisation fossickers licence—
(a)	for 1 month 27.80
(b)	for 1 year 55.95
5	Commercial tour operator fossickers licence—
(a)	for 1 month 49.00
(b)	for 1 year 421.30
6	Individual or family fossickers camping permit—
(a)	for each whole week 19.85
(b)	for each night not part of a whole week 3.20
7	Club or educational organisation fossickers camping permit, for each person—
(a)	for each whole week 9.70
(b)	for each night not part of a whole week 1.65
8	Commercial tour operator fossickers camping permit, for each person—
(a)	for each whole week 19.85
(b)	for each night not part of a whole week 3.20
9	Copy of a licence 6.65
10	Application for agistment approval—for each tag 13.30
11	Agistment fee—for each tag, for each week 0.32’.

Part 5 Amendment of Geothermal Exploration Regulation 2005

9 Regulation amended

This part amends the *Geothermal Exploration Regulation 2005*.

10 Amendment of s 7 (Annual rent)

Section 7(1), ‘\$2.35’—

[s 11]

omit, insert—

‘\$2.40’.

11 Replacement of sch 1 (Fees)

Schedule 1—

omit, insert—

‘Schedule 1 Fees

section 5

	\$
1 Tender for proposed permit (Act, s 21(1)(i))	1 184.50
2 Change of address for service (Act, s 48(3))	59.15
3 Copy of required information for a permit (Act, s 49A(1)(b))—	
(a) for information made available on a CD or DVD	136.25
(b) for information made available on a tape cartridge	272.70
4 Application for renewal of the term of permit (Act, s 52B(1)(e))	591.20
5 Application by permit holder under section 57(1) of the Act (Act, s 57(2)(c))	474.40
6 Application for waiver of requirement to give notice of entry (Act, s 92(2)(c)(ii))	59.15
7 If a public counter is used to 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	41.20
(b) otherwise	103.00
	plus the applicable amount if relevant

	\$
8 Application for approval to transfer exploration bore to permit holder (Act, s 126(3)(c)).	177.85
9 Application for approval to transfer exploration bore to landholder or mining interest holder (Act, s 127(4)(c)) . . .	177.85
10 Application for approval to transfer exploration bore to the State (Act, s 128(5)(b))	177.85’.

12 Amendment of sch 3 (Dictionary)

Schedule 3—

insert—

‘*standard departmental public tenure enquiry report* means an extract from the geothermal register of particular information about a geothermal exploration permit including, for example, details of the permit holder and a description of the area of the permit in blocks and sub-blocks.’.

Part 6 Amendment of Greenhouse Gas Storage Regulation 2010

13 Regulation amended

This part amends the *Greenhouse Gas Storage Regulation 2010*.

14 Amendment of s 32 (Security for GHG authorities)

Section 32(2)—

omit, insert—

‘(2) For section 271(2)(b) of the Act, the following amounts are prescribed—

(a) for a GHG permit or proposed GHG permit—\$12360;

[s 15]

- (b) for a GHG lease or proposed GHG lease—\$36050;
- (c) for a GHG data acquisition authority or proposed GHG data acquisition authority—\$10815’.

15 Replacement of sch 1 (Annual rent)

Schedule 1—

omit, insert—

‘Schedule 1 Annual rent

section 31

	\$
1 Annual rent for GHG permit (for each sub-block included in the area of the permit)—Act, s 86(1).	2.35
2 Annual rent for GHG lease (for each square kilometre or part of a square kilometre of the area for the lease)—Act, s 168(1)	122.65
3 Annual rent for GHG data acquisition authority (for each sub-block included in the area of the authority)—Act, s 243(1).	2.35’.

16 Replacement of sch 3 (Fees)

Schedule 3—

omit, insert—

‘Schedule 3 Fees

section 35

‘Part 1 GHG authority fees

	\$
1 Tender for GHG permit—Act, s 35(d)	1 103.00
2 Application for approval to amend the work program for a GHG permit—Act, s 68(b)	442.00
3 Proposed later work program given to the Minister within the time required under section 91(3) of the Act—Act, s 91(6), definition <i>relevant fee</i>	442.00
4 Application for renewal of GHG permit—Act, s 94(1)(d)(i)	550.55
5 Application for potential storage area declaration for a GHG permit—Act, s 101(2)(b)	882.00
6 Permit-related application for a GHG lease—Act, s 114(d)	1 103.00
7 Application for approval to amend the development plan for a GHG lease—Act, s 157(2)(b)	442.00
8 Proposed later development plan for GHG lease given to the Minister within the time required under section 172(3) of the Act—Act, s 172(6), definition <i>relevant fee</i>	442.00
9 Application for surrender of GHG lease—Act, s 177(1)(b)	442.00
10 Application for approval of proposed GHG coordination arrangement—Act, s 188(2)(b)(ii)	442.00
11 Application for GHG data acquisition authority—Act, s 234(b)	331.45

[s 17]

‘Part 2 General GHG authority fees payable under ch 5 of the Act

	\$
1 Fee for required information for a GHG authority made available by the chief executive—Act, s 261(1)(b)—	
(a) for information made available in an electronic form, other than on a tape cartridge	130.10
(b) for information made available on a tape cartridge . . .	260.60
2 If a public counter is used to search and take extracts from, or obtain a copy of all or part of a notice, document or information in, the GHG register—Act, s 341(1)(b) and (c)—	
(a) for a standard departmental public tenure enquiry report	41.20
(b) otherwise	103.00
3 Notice of a dealing other than a third party transfer—Act, s 350(2)	110.20
4 Application for approval and registration of a third party transfer—Act, s 352(3)(b)(ii)	110.20’.

Part 7 Amendment of Mineral Resources Regulation 2003

17 Regulation amended

This part amends the *Mineral Resources Regulation 2003*.

18 Replacement of schs 5 and 6

Schedules 5 and 6—

omit, insert—

‘Schedule 5 Rental payable

section 83

	\$
1 For a mining claim	nil
2 For an exploration permit—for each sub-block to which the exploration permit applies	127.05
3 For a mineral development licence—for each hectare to which the development licence relates—	
(a) for the first year of the licence	3.65
(b) for the second year of the licence	7.35
(c) for the third year of the licence	11.20
(d) for the fourth year of the licence	19.25
(e) for a year of the licence after the fourth year	23.10
4 For a mining lease—for each hectare to which the mining lease relates	49.05

‘Schedule 6 Fees

section 84

‘Part 1 Prospecting permits

	\$
1 Application for district prospecting permit—for each month (Act, s 21)	103.00
2 Application for parcel prospecting permit (Act, s 21)	103.00

[s 18]

‘Part 2 Mining claims

	\$
1 Application for grant of mining claim (Act, s 61)	309.00
2 Application for renewal of mining claim (Act, s 93)	309.00
3 Assigning mining claim or interest in mining claim (Act, s 96)	41.20
4 Mortgaging mining claim or interest in mining claim (Act, s 96)	41.20
5 Lodging caveat (Act, s 97)	41.20
6 Application for approval to mine minerals not specified in mining claim (Act, s 105)	41.20
7 Lodging notice of surrender of mining claim (Act, s 107)	41.20
8 Application for variation of the land used or proposed to be used as access in relation to land the subject of mining claim (Act, s 125)	41.20

‘Part 3 Exploration permits

	\$
1 Application for exploration permit (Act, s 133)—	
(a) for coal	1 030.00
(b) for any mineral other than coal—	
(i) for 4 or fewer sub-blocks in restricted area 256, 257, 258, 259, 260, 261, 262, 263, 264 or 265	257.50
(ii) otherwise	772.50
2 Application for renewal of exploration permit (Act, s 147)—	
(a) for coal	515.00
(b) for any mineral other than coal—	
(i) for 4 or fewer sub-blocks in restricted area 256, 257, 258, 259, 260, 261, 262, 263, 264 or 265	154.50

	\$
(ii) otherwise	515.00
3 Assigning exploration permit (Act, s 151)	154.50
4 Lodging caveat (Act, s 152).	41.20
5 Application to record agreements, arrangements or other dealings or interests (Act, s 158)	41.20

‘Part 4 Mineral development licences

	\$
1 Application for grant of mineral development licence (Act, s 183)—	
(a) for coal	2 060.00
(b) for any mineral other than coal	2 060.00
2 Application for renewal of mineral development licence (Act, s 197)—	
(a) for coal	721.00
(b) for any mineral other than coal	721.00
3 Assigning mineral development licence (Act, s 198)	154.50
4 Mortgaging mineral development licence (Act, s 198)	154.50
5 Lodging caveat (Act, s 199).	41.20
6 Application to record agreements, arrangements or other dealings or interests (Act, s 205)	41.20
7 Adding another mineral to mineral development licence (Act, s 208)	515.00
8 Lodging notice of surrender of mineral development licence (Act, s 210)	154.50
9 Application for variation of the land used or proposed to be used as access in relation to land the subject of mineral development licence (Act, s 231)	360.50

[s 18]

'Part 5 Mining leases

	\$
1 Application for grant of mining lease (Act, s 245)—	
(a) for coal	3 605.00
(b) for corundum, gemstones and other precious stones . .	643.75
(c) for elluvial, colluvial and alluvial gold and elluvial, colluvial and alluvial tin	643.75
(d) for any other mineral	1 287.50
2 Application for renewal of mining lease (Act, s 286)—	
(a) for coal	3 605.00
(b) for corundum, gemstones and other precious stones . .	643.75
(c) for elluvial, colluvial and alluvial gold and elluvial, colluvial and alluvial tin	643.75
(d) for any other mineral	1 287.50
3 Application for approval to mine specified minerals not specified in mining lease (Act, s 298(2)).	515.00
4 Application to add a purpose (other than mining of minerals) to mining lease granted for purposes other than the mining of minerals (Act, s 298(5))	515.00
5 Application to add a purpose to mining lease granted for mining of minerals (Act, s 298(7))	515.00
6 Application for consolidation of mining leases (Act, s 299)	515.00
7 Assigning mining lease or an interest, other than a sublease, in mining lease (Act, s 300)	154.50
8 Assigning sublease of mining lease (Act, s 300)	154.50
9 Mortgaging mining lease or interest in mining lease (Act, s 300)	154.50
10 Subleasing mining lease (Act, s 300)	360.50
11 Assigning application for mining lease, or interest in application for mining lease (Act, s 300)	154.50
12 Lodging caveat (Act, s 301)	41.20
13 Lodging notice of surrender of mining lease (Act, s 309) . .	154.50

	\$
14 Application for variation of the land used or proposed to be used as access in relation to land the subject of mining lease (Act, s 317)	360.50
15 Obtaining copy of mining lease application (s 17)	41.20

‘Part 6 Fees relating to part 7AA of Act

	\$
1 Application for amendment of relinquishment condition (Act, s 318DC(h))	1 030.00
2 Application to consolidate coal mining leases or oil shale mining leases (Act, s 318DM(2)(b))	1 030.00
3 Proposed later development plan lodged within the time required under section 318EB(3) of the Act (Act, s 318EB(6))	1 030.00
4 Lodging proposed initial development plan (Act, s 758(2)(b)).	1 030.00

‘Part 7 Royalty returns

	\$
Lodging royalty return after the last lodgement day for the return (s 28(4)).	154.50

[s 18]

‘Part 8 Register

	\$
1 Request to record sale under a writ of execution (s 61(2)(c)(ii))	41.20
2 Request to record transmission by death with or without a grant of probate or letters of administration (s 62(2)(c)(iii) or 63(2)(c)(iv)).	41.20
3 Request to record transmission in bankruptcy (s 64(2)(c)(iii)).	41.20
4 Request to record death of joint holder (s 65(2)(c)(iii)) . . .	41.20
5 Request for change or correction of name, for each mining tenement affected by the change or correction (s 66(2)(c)(iii)).	41.20
6 If a public counter is used to search and take extracts from, or obtain a copy of all or part of a notice, document or information in, the register (Act, s 387A(2)(b) and (c))—	
(a) for a standard departmental public tenure enquiry report	41.20
(b) otherwise	41.20

‘Part 9 Other fees

	\$
Issue of a duplicate of mining tenement (Act, s 389)—	
(a) for a prospecting permit.	41.20
(b) for a mining claim	41.20
(c) for an exploration permit.	41.20
(d) for a mineral development licence.	41.20
(e) for a mining lease	41.20’.

19 Amendment of sch 7 (Dictionary)

Schedule 7—

insert—

‘standard departmental public tenure enquiry report means an extract from the register of particular information about a tenure administered under the Act including, for example, details of the tenure holder and a description of the area of the tenure in blocks and sub-blocks.’.

Part 8 Amendment of Mining and Quarrying Safety and Health Regulation 2001

20 Regulation amended

This part amends the *Mining and Quarrying Safety and Health Regulation 2001*.

21 Replacement of sch 6 (Board of examiners’ fees)

Schedule 6—

omit, insert—

‘Schedule 6 Board of examiners’ fees

section 151

	\$
1 Application for assessment for a first class certificate of competency	33.45
2 Issuing a duplicate certificate of competency to replace a lost, destroyed or defaced certificate	6.55’.

[s 22]

Part 9 **Amendment of Petroleum and Gas (Production and Safety) Regulation 2004**

22 **Regulation amended**

This part amends the *Petroleum and Gas (Production and Safety) Regulation 2004*.

23 **Replacement of schs 9 and 10**

Schedules 9 and 10—

omit, insert—

‘Schedule 9 Fees

sections 118(2), 126(2), 133, 134(1), 135(3), 140(3), 142(2) and
168(3)

‘Part 1 Petroleum tenure fees

	\$
1 Tender for authority to prospect—Act, s 37(e)	2 060.00
2 Application for approval to amend the work program for an authority to prospect—Act, s 61(b)	1 030.00
3 Proposed later work program lodged within the time required under section 79(3) of the Act—Act, s 79(6)	1 030.00
4 Application for renewal of authority to prospect—Act, s 82(1)(j)(i)	2 060.00
5 Application for potential commercial area for an authority to prospect—Act, s 89(2)(c)	1 545.00
6 Application for extension of the term of a declaration of a potential commercial area for the area of an authority to prospect—Act, s 93(2)(b)	1 545.00

	\$
7 Application to divide an authority to prospect—Act, s 104(h)	1 545.00
8 ATP-related application for a petroleum lease—Act, s 118(1)(g)	3 605.00
9 Proposed later development plan for petroleum lease lodged within the time required under section 159(3) of the Act—Act, s 159(6).	1 030.00
10 Application for renewal of petroleum lease—Act, s 162(1)(h)(i)	3 605.00
11 Application to divide petroleum lease—Act, s 172(h)	3 605.00
12 Notice of claim for stored petroleum or prescribed storage gas—Act, s 213(2)(c).	1 030.00
13 Application for approval of proposed coordination arrangement—Act, s 235(2)(c)(ii).	1 545.00
14 Application for amendment of relinquishment condition—Act, s 372(1)(h).	1 030.00
15 Proposed later development plan for converted lease lodged before the relevant time under section 897 of the Act—Act, s 897(8)(a)	1 030.00

'Part 2 Data acquisition authority and water monitoring authority fees

	\$
1 Application for data acquisition authority—Act, s 177(c) .	1 545.00
2 Application for water monitoring authority—Act, s 191(c)	1 545.00
3 Application to amend water monitoring authority—Act, s 203(3)(c)	1 545.00

[s 23]

‘Part 3 Transfer fees

	\$
1 Transfer of bore in the area of a petroleum tenure to the landowner—Act, s 288(3)(b)	1 545.00
2 Transfer of petroleum well in the area of a petroleum tenure to the holder of a geothermal exploration permit or mining tenement—Act, s 289(b)	1 545.00
3 Transfer of water observation bore in the area of a petroleum tenure or water monitoring authority to the holder of another petroleum tenure or water monitoring authority—Act, s 290(b)	1 545.00

‘Part 4 Survey licence, pipeline licence and petroleum facility licence fees

	\$
1 Application for survey licence—Act, s 395(2)(e)	515.00
2 Application for pipeline licence—Act, s 409(g)	3 605.00
3 Handling fee for recording information about completion of pipeline—Act, s 420(3)(d)	154.50
4 Annual licence fee for pipeline licence—Act, s 423(1)—	
(a) for a point-to-point pipeline licence (for each kilometre of the pipeline)	122.75
(b) for an area pipeline licence (for each kilometre of the pipeline)	30.50
5 Application for petroleum facility licence—Act, s 445(g)	3 605.00
6 Annual licence fee for petroleum facility licence—Act, s 454(1)—	
(a) if the petroleum facility land for the licence is 2km ² or less.	2 456.70

		\$
	(b) if the petroleum facility land for the licence is more than 2km ² (for each square kilometre of the petroleum facility land)	1 227.80
7	Application for a part 5 permission—Act, s 464(c)	772.50
8	Application to amend licence—Act, s 475(c)	1 545.00
9	Application for renewal of licence—Act, s 480(d)(i)	1 545.00

‘Part 5 General petroleum authority fees payable under chapter 5 of the Act

		\$
1	Fee for required information for a petroleum tenure made available by the chief executive—Act, s 550(1)(b)— (a) for information made available in an electronic form, other than on a tape cartridge	139.75
	(b) for information made available on a tape cartridge . . .	279.70
2	If a public counter is used to search and take extracts from, or obtain a copy of all or part of a notice, document or information in, the petroleum register—Act, s 566(1)(b) and (c)— (a) for a standard departmental public tenure enquiry report	41.20
	(b) otherwise	103.00
3	Request fee—Act, s 571(3)	515.00
4	Application for approval of dealing—Act, s 572(2)(c)(iii) .	772.50
5	Application for surrender of petroleum authority other than an authority to prospect—Act, s 576(1)(c)	772.50

[s 23]

'Part 6 Gas work licence and gas work authorisation fees

	\$
1 Application for gas work licence—Act, s 728A(c)	36.25
2 Annual fee for gas work licence—s 118	24.20
3 Application for gas work authorisation—Act, s 728A(c)—	
(a) for a gas work authorisation (industrial appliances)	60.60
(b) for a gas work authorisation (major project) 1	823.30
(c) for a gas work authorisation (motor fuel)	60.60
(d) for a gas work authorisation (servicing)	60.60
4 Annual fee for gas work authorisation—s 126—	
(a) for a gas work authorisation (industrial appliances)	36.25
(b) for a gas work authorisation (major project) 1	823.30
(c) for a gas work authorisation (motor fuel)	36.25
(d) for a gas work authorisation (servicing)	36.25
5 Application to change the scope of work stated in a gas work authorisation—Act, s 728A(c)	60.60
6 Replacement of gas work licence or gas work authorisation under section 849 of the Act	36.25

'Part 7 Other fees mentioned in Act

	\$
1 Late fee for royalty return—Act, s 595(3)	154.50
2 Application for gas quality approval—Act, s 622(2)(c)	296.40
3 Fee for copy of a document or information held in the register of gas work licences and authorisations—Act, s 731(1)(c)	11.65

‘Part 8 Safety and health fees

‘1 Drilling wells

‘The safety and health fee payable for a financial year by the operator of an operating plant used to drill a prescribed well, geothermal well, GHG well or UCG well during the year is \$1194.80 for each kilometre drilled.

‘2 Well completion or maintenance work

‘The safety and health fee payable for a financial year by the operator of a work over rig that performs well completion or maintenance work for a prescribed well, geothermal well, GHG well or UCG well during the year is \$224.50 for each well for which completion or maintenance work was done during the year.

‘3 Exploration

‘The safety and health fee payable for a financial year by the holder of an authority to prospect, a geothermal exploration permit or a GHG permit is \$0.67 for each square kilometre of the area to which the authority or permit applies.

‘4 Producing petroleum under a petroleum lease or 1923 Act lease

‘The safety and health fee payable for a financial year by the holder of a petroleum lease, or 1923 Act lease, under which petroleum was produced during the year is \$5.35 for each terajoule of petroleum produced.

‘5 Petroleum facilities

‘(1) The safety and health fee payable for a financial year by the operator of a petroleum facility is as follows—

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- (a) for the operation of a major processing facility—\$10300;
 - (b) for the operation of a facility that produces syngas—\$5150;
 - (c) for the operation of a facility that produces LPG from petroleum—\$7725;
 - (d) for the operation of a facility that produces LNG and is not a major hazard facility under the *Dangerous Goods Safety Management Act 2001* and must operate under a safety management plan—\$7725;
 - (e) for the operation of a facility that produces CNG and must operate under a safety management plan—\$3605;
 - (f) for the operation of a facility that produces an underground gasification product—\$10300;
 - (g) for the operation of a petroleum facility on an area to which a petroleum facility licence applies that is not included in paragraphs (a) to (f)—\$10300.
- ‘(2) However, if there is more than 1 facility mentioned in subsection (1)(a) to (g) operated at a single site under a single safety management plan, the operator is only required to pay—
- (a) if the fee under subsection (1) for any of the facilities is higher than the fee under that subsection for any other of the facilities—the highest of the fees; or
 - (b) otherwise—only the fee for 1 of the facilities.

Example for paragraph (a)—

If there is a facility that produces syngas and a facility that produces a gasification product operated at a single site under a single safety management plan, the operator of the facilities is only required to pay a fee of \$10300 rather than fees totalling \$15450.

‘6 Facility used to carry out a GHG storage activity

‘The safety and health fee payable for a financial year by the operator of a facility, including a well, or a series of wells, and associated storage and injection equipment used to carry out injection of a GHG stream into the same or associated reservoirs that are part of the 1 GHG project is \$10300 for each GHG project for which any work was started by the operator during the year.

‘7 Pipelines

‘(1) The safety and health fee payable for a financial year by the operator of a pipeline under a pipeline licence or the operator of GHG stream pipeline under the GHG Storage Act or a distribution pipeline that is not part of a distribution system is \$0.00030 for each pipeline index for the pipeline.

‘(2) The *pipeline index* for a pipeline means the amount calculated using the following formula—

$$PI = L \times D^2$$

where—

D means the diameter (mm) of the pipeline.

L means the length (km) of the pipeline.

PI means the pipeline index.

‘8 Operating a distribution system

‘The safety and health fee payable for a financial year by the operator of a distribution system is \$156.55 for each kilometre of pipeline in the distribution system that was used to transport fuel gas, or was commissioned, during the year.

‘9 LPG delivery network that is an operating plant, if Act, 675A(1) applies

‘The safety and health fee payable for a financial year by the operator of an LPG delivery network that is an operating

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plant, if section 675A(1) of the Act applies for any stage of the operating plant, is \$463.50 for each LPG delivery network.

‘10 Other LPG delivery network that is an operating plant

‘(1) The safety and health fee payable for a financial year by the operator of an LPG delivery network that is an operating plant, if section 9 does not apply, is \$0.72 for each container index of the operator for the year.

‘(2) However—

- (a) the minimum fee payable by the operator under subsection (1) for a financial year is \$3605; and
- (b) the maximum fee payable by the operator under subsection (1) for a financial year is \$515000.

‘(3) The *container index* of the operator for the year must be worked out using the following formula—

$$CI = D/40 + (E \times 2) + (G \times 5) + (H \times 25)$$

where—

CI is the container index.

D is the number of fuel gas containers owned by the operator at any time during the year with a capacity less than 50L.

E is the number of fuel gas containers owned by the operator at any time during the year with a capacity of 50L or more but less than 1kL.

G is the number of fuel gas containers owned by the operator at any time during the year with a capacity of 1kL or more but less than 8kL.

H is the number of fuel gas containers owned by the operator at any time during the year with a capacity of 8kL or more.

‘11 Product supplier of automotive LPG

‘The safety and health fee payable for a financial year by a product supplier of automotive LPG is \$3.55 for each time the product supplier supplied automotive LPG to an automotive LPG site during the year.

‘12 Tanker delivery carrier

‘The safety and health fee payable for a financial year by a tanker delivery carrier is \$0.36 for each site the tanker delivery carrier delivers to.

‘13 Major consumer

‘The safety and health fee for a financial year by a major consumer is as follows—

- (a) for a site that has a total gas capacity of not more than 150GJ for each hour—\$7725;
- (b) for a site that has a total gas capacity of more than 150 but not more than 500GJ for each hour—\$12875;
- (c) for a site that has a total gas capacity more than 500GJ for each hour—\$15450.

‘14 Biogas or gas derived from a waste disposal tip or during treatment of sewage

‘The safety and health fee payable for a financial year by the operator of a facility that produces, processes or uses biogas or gas derived from a waste disposal tip or during the treatment of sewage is \$3605 for each site operated by the operator during the year.

‘15 Entertainment events

‘The safety and health fee payable for a financial year by the operator of a gas system used for special effects for

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entertainment or amusement purposes is \$1030 for each gas system operated by the person during the year.

'16 Late fees

- '(1) For section 142(2), the late fee for paying a safety and health fee after the last day for payment under section 142(1) is the lesser of the following—
- (a) \$515;
 - (b) the safety and health fee.
- '(2) For section 140(3), the late fee for lodging a safety and health fee return after the last day for lodging the return under section 139(1) is \$515.

'Schedule 10 Annual rent

sections 145(1) and 146(1)

'Part 1 Annual rent

	\$
1 Annual rent for authority to prospect (for each sub-block included in the area for the authority)—Act, s 75(1)(b) . . .	2.40
2 Annual rent for petroleum lease (for each square kilometre of the area for the lease)—Act, s 155(1)(b). . . .	122.70
3 Annual rent for data acquisition authority (for each sub-block included in the area of the authority)—Act, s 184A(1)	2.40

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	\$
4 Annual rent for water monitoring authority (for each sub-block included in the area of the authority)—Act, s 202A(1)	1.15
5 Annual rent for 1923 Act ATP (for each sub-block included in the area for the authority)—1923 Act, s 74N(1)(b).	2.40

‘Part 2 Storage rent

	\$
1 Annual rent for storing petroleum or prescribed storage gas (for each square kilometre of the area for the old lease or, if the Minister has made a call for tenders under the Act, section 218, the area of the proposed petroleum lease stated in the call for tenders)—Act, s 227(3).	122.70’.

24 Amendment of sch 12 (Dictionary)

Schedule 12—

insert—

‘standard departmental public tenure enquiry report means an extract from the petroleum register of particular information about a petroleum tenure including, for example, details of the tenure holder and a description of the area of the tenure in blocks and sub-blocks.’.

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Part 10 **Amendment of Petroleum Regulation 2004**

25 **Regulation amended**

This part amends the *Petroleum Regulation 2004*.

26 **Amendment of s 40 (Annual rent [P&G, s 145])**

Section 40(1), ‘\$119.15’—

omit, insert—

‘\$122.70’.

27 **Replacement of sch 2 (Fees)**

Schedule 2—

omit, insert—

‘Schedule 2 Fees

section 39(1)

‘Part 1 1923 Act petroleum tenure fees

	\$
1 Application for approval to surrender of authority to prospect—Act, s 21(4)(c)(i)	772.50
2 Application for approval to amend the work program for an authority to prospect—Act, s 25I(b)	1 030.00
3 Application for renewal of authority to prospect—Act, s 25M(1)(j)(i)	2 060.00
4 Application for renewal of lease—Act, s 45(2A)(e)(i)	3 605.00
5 Application for consent to surrender and terminate lease—Act, s 52(1B)(c)(i)	772.50

	\$
6 Proposed later work program for authority to prospect lodged within the time required under section 74K(3) of the Act—Act, s 74K(6)	1 030.00
7 Proposed later development plan for lease lodged within the time required under section 74Q(3) of the Act—Act, s 74Q(6)	1 030.00
8 Application for amendment of relinquishment condition—Act, s 77T(1)(h)	1 030.00

‘Part 2 Transfer fees

	\$
1 Transfer of water observation bore or water supply bore in the area of a 1923 Act petroleum tenure to the landowner—Act, s 75Q(2)(c)	1 545.00
2 Transfer of well in the area of a 1923 Act petroleum tenure to the holder of a geothermal exploration permit or mining tenement—Act, s 75R(b)	1 545.00
3 Transfer of water observation bore in the area of a 1923 Act petroleum tenure to the holder of another 1923 Act petroleum tenure or a 2004 Act petroleum tenure—Act, s 75S(b)	1 545.00

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‘Part 3 General fees

		\$
1	Fee for required information for a 1923 Act petroleum tenure made available by the chief executive—Act, s 76D(1)(b)—	
	(a) for information made available in an electronic form, other than on a tape cartridge	139.75
	(b) for information made available on a tape cartridge . . .	279.70
2	If a public counter is used to search and take extracts from, or obtain a copy of all or part of a notice, document or information in, the petroleum register—Act, s 80(1)C(b) and (c)—	
	(a) for a standard departmental public tenure enquiry report	41.20
	(b) otherwise	103.00
3	Request fee—Act, s 80H(3).	515.00
4	Application for approval of dealing—Act, s 80I(2)(c)(iii) .	772.50’.

28 Amendment of sch 4 (Dictionary)

Schedule 4—

insert—

‘standard departmental public tenure enquiry report means an extract from the petroleum register of particular information about a 1923 Act petroleum tenure including, for example, details of the tenure holder and a description of the area of the tenure in blocks and sub-blocks.’.

ENDNOTES

- 1 Made by the Governor in Council on 16 June 2011.
- 2 Notified in the gazette on 17 June 2011.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Employment, Economic Development and Innovation.

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