



Queensland

# Regional Planning Interests (Lake Eyre Basin) Amendment Regulation 2024

## Subordinate Legislation 2024 No. 137

made under the

*Regional Planning Interests Act 2014*

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**1 Short title**

This regulation may be cited as the *Regional Planning Interests (Lake Eyre Basin) Amendment Regulation 2024*.

**2 Regulation amended**

This regulation amends the *Regional Planning Interests Regulation 2014*.

**3 Amendment of s 7 (Environmental attributes for the Channel Country strategic environmental area)**

(1) Section 7(a)(i) and (ii), ‘stream’—

*omit, insert—*

watercourse

(2) Section 7(b)—

*omit, insert—*

- (b) the natural geomorphic processes of the area characterised by—
  - (i) natural erosion; and
  - (ii) the transport and deposit of sediment by water throughout the catchments and along the watercourse systems;
- (ba) the functioning riparian processes of the area characterised by native riparian vegetation associated with watercourses, lakes, flood plains and wetlands;
- (bb) the functioning wildlife corridors of the area characterised by—
  - (i) natural habitat in the watercourse systems; and
  - (ii) permanent waterholes and springs;
- (bc) the natural water quality in the watercourse channels and aquifers and on flood plains in the

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area characterised by physical, chemical and biological attributes that support and maintain natural aquatic and terrestrial ecosystems;

(3) Section 7(ba) to (c)—

*renumber* as section 7(c) to (f).

#### 4 Insertion of new pt 9

After part 8—

*insert*—

### **Part 9 Transitional provision for Regional Planning Interests (Lake Eyre Basin) Amendment Regulation 2024**

#### **21 Existing assessment applications**

(1) This section applies in relation to an assessment application made, but not decided, before the commencement.

(2) New schedule 2, section 15 applies in relation to the assessment application.

(3) In this section—

*new schedule 2, section 15* means schedule 2, section 15 as in force from the commencement.

#### 5 Amendment of sch 2 (Criteria for assessment or decision)

(1) Schedule 2, section 15(2)—

*insert*—

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- (ba) if the designated precinct is in the Channel Country strategic environmental area—a petroleum resource activity;
- (2) Schedule 2, section 15(2)(c), after ‘mining’—  
*insert—*  
    , other than open cut mining for a critical mineral in a critical minerals reach in the Channel Country strategic environmental area
- (3) Schedule 2, section 15(2)(ba) to (e)—  
*renumber* as section 15(2)(c) to (f).
- (4) Schedule 2, section 15—  
*insert—*
  - (2A) However, subsection (2)(c) does not apply in relation to an application to the extent the application relates to—
    - (a) a petroleum resource activity to be carried out under an authority to prospect, or a petroleum lease, that—
      - (i) was in effect immediately before 22 December 2023; and
      - (ii) has not been amended, renewed or transferred on or after 22 December 2023; or
    - (b) a petroleum resource activity involving conventional gas or oil only to be carried out under a petroleum lease that—
      - (i) was in effect immediately before 22 December 2023; and
      - (ii) has been amended, renewed or transferred on or after 22 December 2023; or
    - (c) a petroleum resource activity involving conventional gas or oil only to be carried out

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under a petroleum lease granted on or after 22 December 2023 for—

- (i) an application made under the *Petroleum and Gas (Production and Safety) Act 2004* before 22 December 2023; or
- (ii) an application made under the *Petroleum and Gas (Production and Safety) Act 2004*, section 117 between 22 December 2023 and 30 August 2024, both dates inclusive; or
- (iii) a grant application for a replacement tenure mentioned in the *Petroleum and Gas (Production and Safety) Act 2004*, section 908(2).

(5) Schedule 2, section 15(3)—

*insert—*

***authority to prospect*** means an authority to prospect under the *Petroleum Act 1923* or the *Petroleum and Gas (Production and Safety) Act 2004*.

***coal seam gas*** means a form of natural gas contained in oil shale or coal that is extracted from a coal seam usually at a depth of between 300m to 1,000m.

***conventional gas or oil—***

- (a) means a gas or oil contained in, or extracted from—
  - (i) a natural underground reservoir largely consisting of porous sandstone capped by impermeable rock in which the gas or oil is trapped in discrete accumulations by buoyancy allowing release or recovery of the gas or oil to ground level from a petroleum well

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and, for a gas, often without the need for pumping; or

(ii) a natural underground reservoir that—

(A) is below a geological formation or structure largely consisting of sandstone capped by impermeable rock; and

(B) has reduced porosity and permeability and may require hydraulic fracturing in certain circumstances to allow the release or recovery of the gas or oil to ground level; but

(b) does not include unconventional gas or oil.

**critical mineral** means a mineral mentioned in the *Mineral Resources Regulation 2013*, schedule 4A.

**critical minerals reach** means an area identified as a critical minerals reach on the SEA map for the Channel Country strategic environmental area.

**deep coal gas** means a gas that is—

(a) extracted from a coal seam usually at a depth below 2,000m; and

(b) released to ground level from the coal seam using hydraulic fracturing.

**hydraulic fracturing** means the injection of a substance into a petroleum well under pressure for the purpose of stimulating a geological formation or structure.

**natural underground reservoir** see the *Petroleum and Gas (Production and Safety) Act 2004*, section 13.

**petroleum lease** means a lease under the *Petroleum Act 1923* or a petroleum lease under the *Petroleum and Gas (Production and Safety)*

*Act 2004.*

***petroleum resource activity*** means a resource activity for which a resource authority mentioned in section 13(d), (e)(i) or (e)(ii) of the Act is required to lawfully carry out the activity.

***petroleum well*** see the *Petroleum and Gas (Production and Safety) Act 2004*, schedule 2.

***shale gas*** means a gas that is—

- (a) extracted from clay-rich sedimentary rock with low permeability; and
- (b) absorbed within the rock or existing in a free state within the pores of the rock.

***tight gas*** means a gas that is—

- (a) extracted from a natural underground reservoir that has permeability below 0.1 millidarcies and porosity less than 10%; and
- (b) held within minuscule rock pores allowing extremely limited migration of the gas.

***unconventional gas or oil*** means—

- (a) any of the following gases—
  - (i) coal seam gas;
  - (ii) deep coal gas;
  - (iii) shale gas;
  - (iv) tight gas; or
- (b) a gas or oil contained in, or extracted from, a natural underground reservoir that is part of a complex geological formation or structure that prevents, or significantly limits, the recovery or release of the gas or oil to ground level without the use of innovative technological solutions for extraction, such as the use of each of the following—
  - (i) extensive hydraulic fracturing;

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- (ii) more than 2ML of ground or surface water for each petroleum well used for the recovery or release of the gas or oil;
- (iii) infrastructure which has a high or widespread impact on the environment.

*Examples of infrastructure that may have a high or widespread impact on the environment—*

- single well sites that disturb an area greater than 1ha or multiple well sites that disturb an area greater than 1.5ha
- extensive borrow pits greater than 0.2ha and deeper than 2m
- a petroleum facility



ENDNOTES

- 1 Made by the Governor in Council on 1 August 2024.
- 2 Notified on the Queensland legislation website on 2 August 2024.
- 3 The administering agency is the Department of Environment, Science and Innovation.

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