



Queensland

*Petroleum Act 1923*

*Petroleum and Gas (Production and Safety) Act 2004*

# **Petroleum and Gas (General Provisions) Regulation 2017**

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Queensland

# Petroleum and Gas (General Provisions) Regulation 2017

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# **Petroleum and Gas (General Provisions) Regulation 2017**

## **Part 1 Preliminary**

### **Division 1 Introduction**

#### **1 Short title**

This regulation may be cited as the *Petroleum and Gas (General Provisions) Regulation 2017*.

#### **2 Commencement**

This regulation commences on 1 September 2017.

### **Division 2 Interpretation**

#### **3 Definitions**

The dictionary in schedule 5 defines particular words used in this regulation.

#### **4 References to particular resource authorities and wells under this regulation**

- (1) A reference in this regulation to an authority to prospect is a reference to—
  - (a) an authority to prospect under the 2004 Act; and
  - (b) an authority to prospect under the 1923 Act.
- (2) A reference in this regulation to a petroleum lease is a reference to—
  - (a) a petroleum lease under the 2004 Act; and





- (b) to an authority to prospect holder evaluating or testing natural underground reservoirs for the storage of petroleum under the 2004 Act, section 32(1)(d) if—
  - (i) the testing is carried out on a particular block of the authority within—
    - (A) 2 years after the testing starts; or
    - (B) a longer period decided by the Minister within the 2 years; and
  - (ii) the Minister approves the testing on the particular block; and
  - (iii) the holder complies with any conditions the Minister imposes on the approval.

## 6 Substances that are fuel gas

For the 2004 Act, section 11(2)(c), the following substances are prescribed—

- (a) hydrogen used or intended to be used as fuel;
- (b) biogas;
- (c) biomethane;
- (d) a substance that is a mixture of LPG and air, known as ‘synthetic natural gas’.

## 7 Substance that may be transported under condition of pipeline licence

- (1) For the 2004 Act, section 402(1)(b), a distilled petroleum substance is prescribed.
- (2) In this section—

*distilled petroleum substance* means a substance—

- (a) produced by distilling crude oil; and
- (b) that consists of, or includes, hydrocarbons.

*Examples of a distilled petroleum substance—*

diesel, petrol, kerosene

## **Part 3 Reporting**

### **Division 1 Exploring for and producing petroleum**

#### **8 Authority to prospect—proposed work program**

For the 2004 Act, section 48(1)(f) and the 1923 Act, section 25A(1)(i), the matters prescribed in relation to an authority to prospect are—

- (a) a description of the geological model for the area of the authority to prospect; and
- (b) an assessment of the potential for petroleum discovery in the area; and
- (c) the rationale, in relation to the geological model for the area, for the activities proposed to be carried out under the authority to prospect.

#### **9 Petroleum lease—proposed development plan**

For the 2004 Act, section 138(1)(g) and the 1923 Act, section 53A(1)(g), the matters prescribed in relation to a petroleum lease are—

- (a) for each natural underground reservoir within the area of the lease of which the applicant is aware, the location of the boundaries of—
  - (i) the proved and probable reserves of petroleum in the reservoir; or
  - (ii) the reserves of petroleum in the reservoir worked out in another way approved by the chief executive; and

- (b) details, including the location, type and size, of any planned infrastructure intended to be located within the area of the lease or proposed lease.

*Examples of infrastructure—*

- 1 plant or works, including, for example, communication systems, compressors, powerlines, pumping stations, reservoirs, roads, evaporation or storage ponds and tanks
- 2 temporary structures or structures of an industrial or technical nature, including, for example, mobile and temporary camps

## **10 Shorter period to change production commencement day**

For the 2004 Act, section 175AA(b), the shorter period is 3 months.

## **11 Notice about conversion of petroleum well to bore**

For the 2004 Act, section 284 and the 1923 Act, section 75M, the information is—

- (a) a description of the location of the bore; and
- (b) the day on which the petroleum well was converted to a bore.

## **12 Notice about bore to Water Act regulator**

- (1) For the 2004 Act, section 543A(2) and the 1923 Act, section 75XA(2), the following information about a bore is prescribed—

- (a) the name and postal address of the holder of the petroleum tenure or water monitoring authority for the area containing the bore;
- (b) the identifying name of the bore;
- (c) a description of the location of the bore;
- (d) the purpose of the bore;
- (e) the diameter and depth in metres of the bore;

- (f) the following days—
  - (i) the day the drilling of the bore started;
  - (ii) the last day the drilling rig was used to drill the bore;
- (g) the drilling method used to drill the bore;
- (h) details of the casing, centralisers and equipment installed in the bore, including the type and location of centralisers;
- (i) the type of any slots or perforations in the casing, or screens installed, for water entry and the depth in metres of the top and bottom of the slots, perforations or screens;
- (j) details of the cementing in the bore, including the type of cement used and the depth in metres of the top and bottom of each cemented interval;
- (k) a geological interpretation of the bore, including the stratigraphy of the rock units it intersects;
- (l) details of the water produced by each stratum of rock, including—
  - (i) the quality and supply rate of the water; and
  - (ii) the depth at which the water is struck; and
  - (iii) the depth to which the water naturally rises;
- (m) if, on completion, the bore is a subartesian bore—
  - (i) the depth in metres to the standing water level, and either the pump suction inlet or bottom of the drill stem; and
  - (ii) details of the test used to estimate the groundwater supply rate;
- (n) if, on completion, the bore is an artesian bore—
  - (i) the rate of flow of unimpeded water from the bore at the surface; and

- 
- (ii) the pressure head of the water mentioned in subparagraph (i); and
  - (iii) the temperature of the groundwater.
- (2) The information mentioned in subsection (1) must be given to the Water Act regulator in the approved form.

### **13 Pipeline licence or petroleum facility licence—annual report**

For the 2004 Act, section 552(2), the following information is prescribed—

- (a) the authorised activities for the pipeline licence or petroleum facility licence carried out during the period to which the report relates;
- (b) a statement of the authorised activities proposed to be carried out under the licence during the next 12 months.

## **Division 2 Testing**

### **14 Notice about ATP production testing or PL production testing**

For the 2004 Act, sections 71A(2)(a) and 150A(2)(a), the following information is prescribed—

- (a) the identifying number of the authority to prospect or petroleum lease;
- (b) the day the testing started;
- (c) the identifying name of the petroleum well for which the testing is being carried out;
- (d) for each natural underground reservoir from which the testing is being carried out—
  - (i) an identification of the reservoir including, for example, a description of the geological features of the reservoir; and

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- (ii) the type of reservoir; and
  - (iii) the depth in metres of the top and bottom of the reservoir;
- (e) details of any stimulation to be carried out during the testing;

*Note—*

See sections 33 and 34 for notice requirements relating to hydraulic fracturing activities.

- (f) details of the use, or intended use, of petroleum in a gaseous state produced during the testing.

*Examples of use, or intended use, of the petroleum—*

for an authorised activity for the petroleum tenure, flaring, venting, processing

## **15 Notice about ATP storage testing or PL storage testing**

For the 2004 Act, sections 71B(2)(a) and 150C(2)(a), the following information is prescribed—

- (a) the identifying number of the authority to prospect or petroleum lease;
- (b) the day the testing started;
- (c) the identifying name of the petroleum well for which the testing is being carried out;
- (d) for each natural underground reservoir from which the testing is being carried out—
  - (i) an identification of the reservoir including, for example, a description of the geological features of the reservoir; and
  - (ii) the type of reservoir; and
  - (iii) the depth in metres of the top and bottom of the reservoir;
- (e) details of substances to be used to carry out the testing.

## 16 Notice about stopping of testing

For the 2004 Act, sections 71C and 150E the following information is prescribed—

- (a) the identifying number of the authority to prospect or petroleum lease;
- (b) the identifying name of the petroleum well for which the testing was carried out;
- (c) the day the testing started;
- (d) the day the testing stopped;
- (e) the reason the testing stopped.

## Division 3 Relinquishment, surrender, end of tenure and end of authority

### 17 Definitions for division

In this division—

*general area information*, for a relinquishment report or surrender report for a petroleum tenure, see section 18.

*hazard information*, for a relinquishment report or surrender report for a petroleum tenure, see section 19.

*relinquished area*, for a relinquishment report for a petroleum tenure, means the part of the area of the tenure that is relinquished.

*relinquishment report* means a report required to be lodged—

- (a) under the 2004 Act, section 545 if part of the area of a petroleum tenure is relinquished under that Act; or
- (b) under the 1923 Act, section 75Z if part of the area of a petroleum tenure is relinquished under that Act.

*surrendered area*, for a surrender report for a petroleum tenure or pipeline licence, means the part of the area of the tenure or licence—

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- (a) to be surrendered; and
- (b) for which approval of surrender is sought under the application.

**surrender report** means a report—

- (a) required under the 2004 Act, section 576(2) to accompany an application, under that Act, for approval to surrender all or part of the area of a petroleum authority; or
- (b) required under the 1923 Act, section 21(4)(b)(ii) to accompany an application, under that Act, for approval to surrender all or part of the area of an authority to prospect.

**tenure information**, for a relinquishment report for a petroleum tenure, see section 20.

## 18 Meaning of **general area information**

The following information is **general area information** for a relinquishment report or surrender report for a petroleum tenure—

- (a) spatial information showing the location of—
  - (i) the area of the tenure immediately before the relinquishment or surrender (the **previous tenure area**); and
  - (ii) the relinquished area or surrendered area;
- (b) spatial information showing the leads and prospects in the relinquished area or surrendered area;
- (c) any other data or information for the report required under the practice direction.

## 19 Meaning of **hazard information**

In this division, **hazard information** for a relinquishment report or surrender report for a petroleum tenure means the



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following information for a hazard relating to activities carried out under the tenure—

- (a) the nature of the hazard;
- (b) the cause, or reasons for existence, of the hazard;
- (c) the location of the hazard;
- (d) measures taken to prevent or reduce the risk of the hazard to mitigate the effects of the hazard.

## **20 Meaning of *tenure information***

The following information is *tenure information* for a relinquishment report for a petroleum tenure—

- (a) the day the relinquishment takes effect;
- (b) the period of the work program or development plan for the tenure;
- (c) the blocks or sub-blocks comprising the relinquished area.

## **21 Authority to prospect—relinquishment or surrender report**

- (1) This section prescribes—
  - (a) other information for a relinquishment report for an authority to prospect for the 2004 Act, section 545(b) and the 1923 Act, section 75Z(b); and
  - (b) information for a surrender report for an authority to prospect for the 1923 Act, section 21(4)(b)(ii).
- (2) The information is each of the following—
  - (a) the tenure information for the report;
  - (b) the general area information for the report;
  - (c) a summary of the results of all authorised activities for the authority carried out in the relinquished area or surrendered area since the authority took effect and the

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- conclusions drawn by the holder based on the results, including any identified leads and prospects;
- (d) the hazard information for the report;
  - (e) for each year since the authority took effect—
    - (i) for a relinquishment report—the volume of petroleum or water produced from each petroleum well or bore in the relinquished area; or
    - (ii) for a surrender report—the location of each natural underground reservoir in the surrendered area and the volume of petroleum or water produced from each reservoir;
  - (f) the reason the holder has relinquished the relinquished area or is applying to surrender the surrendered area;
  - (g) any other data or information for the report required under the practice direction.

## **22 Petroleum lease—relinquishment report**

- (1) This section prescribes other information for a relinquishment report for a petroleum lease for the 2004 Act, section 545(b) and the 1923 Act, section 75Z(b).
- (2) The information is each of the following—
  - (a) the tenure information for the report;
  - (b) the general area information for the report;
  - (c) for each year since the lease took effect—
    - (i) the volume of petroleum produced under the lease from each petroleum well in the relinquished area; and
    - (ii) the volume of water produced from each bore in the relinquished area;
  - (d) the geological model of the natural underground reservoirs in the relinquished area;

- (e) a summary of the results of all authorised activities for the lease carried out in the relinquished area since the lease took effect and the conclusions drawn by the holder based on the results, including any identified leads and prospects;
- (f) the hazard information for the report;
- (g) the reason the holder has relinquished the area;
- (h) any other data or information for the report required under the practice direction.

## **23 Petroleum lease—surrender report**

For the 2004 Act, section 576(2), the following information is prescribed for a surrender report for a petroleum lease—

- (a) the hazard information for the report;
- (b) spatial information showing the location in the surrendered area of—
  - (i) each petroleum well and bore drilled under the lease; and
  - (ii) each seismic line used for a seismic survey carried out under the lease;
- (c) structure contour spatial information showing the seismic horizons (seismic reflectors) in the surrendered area;
- (d) spatial information showing the leads and prospects in the surrendered area;
- (e) the reason the holder has applied to surrender the part of the area of the lease;
- (f) any other data or information for the report required under the practice direction.

## **24 Pipeline licence—surrender report**

For the 2004 Act, section 576(2), the following information is prescribed for a surrender report for a pipeline licence—

- (a) in relation to the licence—
  - (i) the day the licence was granted; and
  - (ii) the term of the licence; and
  - (iii) a description of the surrendered area;
- (b) a description of, and spatial information showing, the location of the pipeline in the surrendered area, including access to the pipeline;
- (c) a summary of the methods used to decommission the pipeline;
- (d) details of all maintenance carried out on the pipeline during the term of the licence;
- (e) the hazard information for the licence;
- (f) any other data or information for the report required under the practice direction.

## **25 End of tenure report**

- (1) This section prescribes other information for an end of tenure report for the 2004 Act, section 546(b) and the 1923 Act, section 76(1)(b).
- (2) The information is the information stated in the following sections that is not mentioned in the 2004 Act, section 546(a) or the 1923 Act, section 76(1)(a)—
  - (a) sections 21 and 22;
  - (b) for an end of tenure report for a petroleum lease—section 23.
- (3) For subsection (2), a reference in section 21, 22 or 23 to the relinquished area or surrendered area is taken to be a reference to the area of the tenure immediately before it ended.

- (4) Subsection (2) does not apply to the extent the information has been included in a relinquishment report or surrender report lodged for the tenure.

## **26 End of authority report**

For the 2004 Act, section 546A(2), the following matters are prescribed—

- (a) the authorised activities for the data acquisition authority or survey licence carried out during the term of the authority or licence;
- (b) spatial information about each authorised activity carried out under the authority or licence;
- (c) any other data or information for the report required under the practice direction.

## **Division 4 Prescribed notices and reports**

### **Subdivision 1 Preliminary**

#### **27 Purpose of division**

This division prescribes the notices and reports required to be kept or lodged—

- (a) under the 2004 Act, section 553(1)(b) by the holder of a petroleum authority; and
- (b) under the 1923 Act, section 76G(1)(b) by the holder of a 1923 Act petroleum tenure.

## **Subdivision 2      Notices**

### **28      Owners and occupiers to be given copy of notices**

- (1) If the holder of a petroleum tenure is required to lodge a notice under this subdivision, the holder must give a copy of the notice—
  - (a) to each owner and occupier of the land on which the authorised activities to which the notice relates have been or are to be carried out; and
  - (b) by the time the notice is required to be lodged under this subdivision.
- (2) The requirement under subsection (1) does not apply to the extent the holder is an owner or an occupier of the land.

### **29      Notice about intention to drill a petroleum well or bore**

- (1) If the holder of a petroleum tenure intends to drill a petroleum well or bore, the holder must lodge a notice about the intended drilling.
- (2) The notice must—
  - (a) be lodged at least 10 business days before the drilling starts; and
  - (b) be in the digital form made or approved by the chief executive; and
  - (c) for a notice about a petroleum well—state a proposed identifying name for the petroleum well.
- (3) The proposed identifying name for the petroleum well must not be the same, or substantially the same, as an identifying name for another well recorded in the register.

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**30 Notice about completion, alteration or abandonment of petroleum well or bore**

- (1) If any of the following events happens, the relevant holder must lodge a notice about the event—
  - (a) drilling of a petroleum well or bore is completed;
  - (b) the completion configuration of a petroleum well changes;
  - (c) a petroleum well or bore is abandoned.
- (2) For subsection (1)(a), drilling of a petroleum well or bore is completed if—
  - (a) the drilling rig last used to drill the well or bore is moved so it is no longer above the well or bore; and
  - (b) the relevant holder intends no further drilling of the well or bore to occur.
- (3) For subsection (1)(b), the completion configuration of a petroleum well changes if, after drilling of the well is completed—
  - (a) additional casing is installed in the well; or
  - (b) any part of the well is plugged, other than for decommissioning the well; or
  - (c) an interval in the well is altered in any other way.
- (4) The notice must be—
  - (a) lodged within 10 business days after the event happens; and
  - (b) in the digital form made or approved by the chief executive.
- (5) In this section—

***relevant holder*** means—

  - (a) if the bore was drilled under a water monitoring authority under the 2004 Act—the holder of the water monitoring authority; or

- (b) otherwise—the holder of the petroleum tenure under which the petroleum well or bore was drilled.

### **31 Notice about intention to carry out seismic survey or scientific or technical survey**

- (1) If the holder of a petroleum tenure intends to carry out a seismic survey or scientific or technical survey in either of the following areas, the tenure holder must lodge a notice about the survey—
  - (a) the area of a petroleum tenure; or
  - (b) the area subject to a data acquisition authority that relates to a 2004 Act petroleum tenure.
- (2) The notice must state the following matters—
  - (a) an identifying name for the survey;
  - (b) the type of survey to be carried out;  
*Examples—*  
seismic, geophysical, geochemical, geotechnical
  - (c) a description of the area to be surveyed;
  - (d) the day the surveying will start;
  - (e) the expected duration of the surveying.
- (3) The identifying name for the survey must not be the same, or substantially the same, as an identifying name for another survey recorded in the register.
- (4) The notice must be—
  - (a) lodged at least 10 business days before the survey starts; and
  - (b) in the approved form; and
  - (c) accompanied by spatial information showing the location of the area to be surveyed.



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**32 Notice about completion of seismic survey or scientific or technical survey**

- (1) This section applies if a seismic survey or scientific or technical survey is completed in either of the following areas—
  - (a) the area of a petroleum tenure; or
  - (b) the area subject to a data acquisition authority that relates to a 2004 Act petroleum tenure.
- (2) The holder of the petroleum tenure must lodge a notice about the completion of the survey.
- (3) The notice must be—
  - (a) lodged within 10 business days after the survey is completed; and
  - (b) in the approved form.
- (4) For subsection (2), a survey is completed as soon as all of the raw data for the survey has been recorded or recovered.

**33 Notice about intention to carry out hydraulic fracturing activities**

- (1) If the holder of a petroleum tenure intends to carry out hydraulic fracturing activities in the prescribed area for a petroleum tenure, the tenure holder must lodge a notice about the intended activities.
- (2) The notice must be—
  - (a) lodged at least 10 business days before the hydraulic fracturing activities start being carried out; and
  - (b) in the digital form made or approved by the chief executive.

**34 Notice about completion of hydraulic fracturing activities**

- (1) If the holder of a petroleum tenure has finished carrying out hydraulic fracturing activities in the prescribed area for the

tenure, the tenure holder must lodge a notice about the completion of the activities.

- (2) The notice must state—
  - (a) the days the hydraulic fracturing activities started and ended; and
  - (b) the name of the operator of the drilling project involving the activities; and
  - (c) the name of the contractor who carried out the activities for the operator of the drilling project; and
  - (d) details of the composition of the hydraulic fracturing fluid pumped into the petroleum well used for the activities.
- (3) The notice must be—
  - (a) lodged within 10 business days after the hydraulic fracturing activities are completed; and
  - (b) in the digital form made or approved by the chief executive.

## **Subdivision 3 Well and bore reports**

### **35 Daily drilling report**

- (1) The holder of a petroleum tenure must keep a daily drilling report for each day on which drilling of a petroleum well is carried out under the tenure.
- (2) A copy of each daily drilling report must be lodged with the petroleum well or bore completion report lodged for the well.
- (3) Also, a copy of a daily drilling report must be lodged if the chief executive asks for the report to be lodged.
- (4) A daily drilling report for a petroleum well must contain the following information about the drilling carried out on the day to which the report relates—
  - (a) the identifying name of the well;

- (b) the tenure holder's name and the tenure under which the well was drilled;
  - (c) the type of drilling rig used;
  - (d) a summary of the drilling operations carried out;
  - (e) the depth in metres of the well at the end of the day's drilling;
  - (f) the size and type of drill bit used;
  - (g) the drilling fluids and additives used;
  - (h) the size and depth in metres of any casing inserted in the well;
  - (i) the depth in metres of the top and bottom of each cemented interval in the well;
  - (j) the results of any deviation surveys carried out in the well;
  - (k) a description of any drill stem tests or other tests carried out in the well;
  - (l) the depth in metres of the top and bottom of the hydrocarbon show intervals in the well and the type and description of any surface observations of each interval;
  - (m) the type of any perforations in the well and the depth in metres of the top and bottom of the perforated intervals;
  - (n) details of any stimulation carried out;
  - (o) details of any squeeze cementing or cement plugging carried out;
  - (p) a description of any cores or cutting samples taken;
  - (q) any other data or information for the report required under the practice direction.
- (5) In this section—

***deviation survey*** means a survey of the path of a petroleum well that measures its direction in 3 dimensions.

### **36 Petroleum well or bore completion report**

- (1) If the drilling of petroleum well or bore under a petroleum tenure is completed, the tenure holder must lodge a report about the completion of the well or bore (a *petroleum well or bore completion report*).
- (2) The report must be lodged within 12 months after the rig release day for the well or bore.
- (3) The report must contain the following information—
  - (a) the type and number of the petroleum tenure;
  - (b) the name and postal address of the operator of the well or bore;
  - (c) the identifying name of the well or bore;
  - (d) a summary of the well or bore including the information for the well or bore required under the practice direction;
  - (e) spatial information showing the location of the well or bore;
  - (f) the height reference in metres for the drilling rig used to drill the well or bore;
  - (g) the total depth in metres of the well or bore;
  - (h) the following days—
    - (i) the day the drilling of the well or bore started;
    - (ii) the day the total depth of the well or bore was reached;
    - (iii) the rig release day for the well or bore;
  - (i) details of the drilling rig, the number and type of drill bits, and the drilling fluids, used in the well or bore;
  - (j) the status of the well or bore on the rig release day;
  - (k) the surveyed path of the well or bore;
  - (l) details of the casing and equipment installed in the well or bore, with a diagram showing their location in the well or bore;

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- (m) the type of any perforations in the well or bore, the depth in metres of the top and bottom of the perforated intervals and the perforation spacing in metres;
  - (n) details of the cementing in the well or bore, including its location, the type of cement used and the depth in metres of the top and bottom of each cemented interval;
  - (o) a description of all tests or surveys carried out in the well or bore, the depth in metres where each test was carried out and the distance in metres between the top and bottom of each testing interval;
  - (p) a geological interpretation of the well or bore, including the stratigraphy of the rock units it intersects;
  - (q) an identification of the intervals in the well that have the potential to produce petroleum;
  - (r) the tenure holder's reasons for choosing the location of the well or bore;
  - (s) any other data or information for the report required under the practice direction.
- (4) For a directional well, the report must also state the position of each of the following—
- (a) the stratigraphic units intersected by the well;
  - (b) the bottom of the well;
  - (c) any intersection of the well with another petroleum well.
- (5) For subsection (4), the position must be expressed in relation to—
- (a) total vertical depth in metres; and
  - (b) the horizontal plane.
- (6) The report must be accompanied by each of the following—
- (a) a digital image of the cores taken during the drilling of the well or bore;
  - (b) the raw data, in digital form, of each geophysical (or wireline) log that has been run in the well or bore;

- (c) a digital image of the graphic representations of the raw data mentioned in paragraph (b).
- (7) If the petroleum well or bore is plugged and abandoned on or before the rig release day for the well or bore, the report must also contain the information stated in section 37(4).

### **37 Petroleum well or bore abandonment report**

- (1) This section applies to a petroleum well or bore drilled under a petroleum tenure or water monitoring authority under the 2004 Act.
- (2) If the tenure holder or authority holder plugs and abandons the petroleum well or bore after its rig release day, the tenure holder or authority holder must lodge a report about the abandonment (a *petroleum well or bore abandonment report*).
- (3) The report must be lodged within 6 months after the day the plugging and abandoning of the well or bore is completed.
- (4) The report must contain the following information—
  - (a) the type and number of the tenure or authority;
  - (b) the identifying name of the well or bore;
  - (c) the name of the author of the report;
  - (d) the name of the tenure or authority holder;
  - (e) the name of the operator of the well or bore;
  - (f) a summary of the well or bore including the information for the well or bore required under the practice direction;
  - (g) the following information in relation to the completion or abandonment of the well or bore—
    - (i) a full description of all equipment, including prescribed equipment, left in the well or bore, including the size and nature of the equipment and any features of the equipment that may cause a hazard to coal mining operations;

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

aluminium, electronics or batteries

- (ii) the surveyed location of any prescribed equipment;
  - (iii) the method of the cementing operations carried out in or on the well or bore, including the location and type of plugs, the intervals covered by the operations, 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;
  - (iv) the method, materials and volume of cement used to cement voids;
  - (v) a description of procedures or activities undertaken for abandonment of the well or bore;
  - (h) any other data or information for the report required under the practice direction.
- (5) In this section—

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

*prescribed equipment* means—

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

*Examples of metal equipment—*

drilling equipment and geophysical logging tools

## **Subdivision 4      Survey reports**

### **38      Seismic survey reports**

- (1) This section applies if the holder of a petroleum tenure—
  - (a) carries out a seismic survey of an area of the tenure; or

- (b) for a 2004 Act petroleum tenure—carries out a seismic survey of an area subject to a data acquisition authority to which the tenure relates; or
  - (c) reprocesses raw data obtained from a survey mentioned in paragraph (a) or (b).
- (2) The tenure holder must lodge a seismic survey report within—
  - (a) for a survey mentioned subsection (1)(a) or (b)—2 years after the completion day for the survey; or
  - (b) if the tenure holder reprocesses raw data obtained as mentioned in subsection (1)(c)—2 years after the day the reprocessing is completed.
- (3) The report must contain the following information—
  - (a) a description of the location of the area surveyed;
  - (b) the objectives of the survey;
  - (c) 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;
  - (d) 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;
  - (e) a description of how the raw data was processed or reprocessed;
  - (f) an evaluation of the processed or reprocessed data;
  - (g) any other data or information for the report required under the practice direction.
- (4) The report must be accompanied by—
  - (a) each of the following in digital form—



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- (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; and
- (b) if an activity for the survey was carried out by a contractor of the tenure holder, a copy of any report given to the holder by the contractor in relation to the activity; and
  - (c) spatial information showing the location of the seismic lines used for the survey.

### **39 Scientific or technical survey report**

- (1) This section applies if the holder of a petroleum tenure—
  - (a) carries out a scientific or technical survey of an area of the tenure; or
  - (b) for a 2004 Act petroleum tenure—carries out a scientific or technical survey of an area subject to a data acquisition authority to which the tenure relates; or
  - (c) reprocesses raw data obtained from a survey mentioned in paragraph (a) or (b).
- (2) The tenure holder must lodge a scientific or technical survey report within—
  - (a) for a survey mentioned subsection (1)(a) or (b)—2 years after the completion day for the survey; or
  - (b) if the tenure holder reprocesses raw data as mentioned in subsection (1)(c)—2 years after the day the reprocessing is completed.
- (3) The report must contain the following information—

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- (a) a description of the location of the area surveyed;
  - (b) the type of survey carried out;
  - (c) the objectives of the survey;
  - (d) the activities carried out for the survey, including, for example, the days on which the activities were carried out;
  - (e) the methods and equipment used for acquiring and processing, or reprocessing, data;
  - (f) an interpretation of the processed or reprocessed data derived from the survey;
  - (g) spatial information showing the location of—
    - (i) the area surveyed; and
    - (ii) where any measurements were made or samples were taken in connection with the survey;
  - (h) any other data or information for the report required under the practice direction.
- (4) The report must be accompanied by each of 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.

## **Subdivision 5      Petroleum reports**

### **40      Definition for subdivision**

In this subdivision—

***6-month period***, for a petroleum tenure, means a following period in a year during which, for all or part of the period, the tenure is in effect—

- (a) 1 January to 30 June;
- (b) 1 July to 31 December.

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#### **41 How particular measurements must be stated in reports**

- (1) This section applies if this subdivision requires a measurement to be stated in a report.
- (2) The measurement of a volume or mass must be stated in—
  - (a) for water—megalitres; or
  - (b) for gas—million cubic metres (Mm<sup>3</sup>); or
  - (c) for LPG—kilotonnes; or
  - (d) for crude oil or condensate—million barrels (also known as MMbbl).
- (3) The measurement of energy must be stated in—
  - (a) for petroleum, a prescribed storage gas or substance prescribed under the 2004 Act, section 402(1), including coal seam gas—petajoules; or
  - (b) for crude oil or condensate—energy of oil in million barrels of oil equivalent (also known as MMBOE).
- (4) The measurement of a depth, length or other distance must be stated in metres.

#### **42 Petroleum production report**

- (1) The holder of a petroleum lease must lodge a petroleum production report for the lease for each 6-month period.
- (2) The report must be lodged within 60 business days after the 6-month period ends.
- (3) The report must contain the following information—
  - (a) the number of the lease;
  - (b) an identification of each production interval or geological unit from which first-produced petroleum is produced under the lease during the 6-month period;
  - (c) the volume of each of the following produced under the lease during the 6-month period—

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- (i) each petroleum product derived from first-produced petroleum;
  - (ii) first-produced petroleum that was flared or vented in a gaseous state;
  - (iii) first-produced petroleum that was used to produce other petroleum;
- (d) the volume, or estimated volume, of associated water taken from each natural underground reservoir during the 6-month period and the lease period;
- (e) for each natural underground reservoir from which petroleum is produced under the lease—the number of petroleum wells producing petroleum from the reservoir;
- (f) for each petroleum well drilled for the purpose of producing coal seam gas within the area of the lease—the volume, or an estimate of the volume, of associated water taken from the well under the lease during the 6-month period;
- (g) if a petroleum well within the area of the lease changes after a report for the well is lodged under section 36—details of the casing and equipment installed in the well and a diagram showing the location of the casing and equipment;
- (h) any other data or information for the report required under the practice direction.
- (4) In this section—

***first-produced petroleum*** means petroleum extracted from a natural reservoir, other than petroleum that is stored, in a natural reservoir or otherwise, and later re-extracted.

***lease period*** means—

- (a) for a volume of petroleum, or a petroleum product derived from petroleum, produced under a lease for a 6-month report—the period starting on the day petroleum was first produced under the lease and ending on the last day of the 6-month period; or

- (b) for a volume or estimated volume of associated water taken under a lease for a 6-month report—the period starting on the day associated water was first taken under the lease and ending on the last day of the 6-month period.

### 43 Petroleum resources and reserves report

- (1) A petroleum tenure holder must lodge a petroleum resources and reserves report for the tenure for each calendar year.
- (2) The report must be lodged within 60 business days after the calendar year ends.
- (3) The report must contain the following information—
  - (a) the type and number of the tenure;
  - (b) an identification of each natural underground reservoir in which there were, during the period, any 2C contingent resources, 1P reserves, 2P reserves or 3P reserves under the PRMS;
  - (c) the amount of any 2C contingent resources, 1P reserves, 2P reserves or 3P reserves under the PRMS within the area of the tenure worked out on the last day of the period;
  - (d) details of project maturity subclasses for any 2P reserves or 2C contingent resources under the PRMS that relate to the tenure worked out on the last day of the period;
  - (e) any change not less than 10% for any 2P reserves under the PRMS within the area of the tenure at field-level or basin-level that occurred during the period;
  - (f) any other data or information for the report required under the practice direction.

- (4) In this section—

**PRMS** means the document called ‘Petroleum Resources Management System’, also referred to as the SPE Code, published in 2018 by the Society of Petroleum Engineers.

*project maturity subclass* means a sub-classification of activities for a project mentioned in the PRMS, part 2.1.3.5.

#### **44 Production testing report**

- (1) This section applies if production testing for a petroleum well is carried out under a petroleum tenure.
- (2) The tenure holder must lodge a production testing report for the relevant testing period.
- (3) The report must be lodged within 60 business days after the relevant testing period ends.
- (4) The report must contain the following information—
  - (a) the type and number of the tenure;
  - (b) the identifying name of the petroleum well;
  - (c) an identification of each natural underground reservoir and the reservoir formation (or geological unit) from which petroleum was produced as part of the production testing;
  - (d) the duration of the production testing carried out during the period;
  - (e) the type of any perforations in the well and the depth in metres of the top and bottom of the perforated intervals;
  - (f) the volumes, or estimated volumes, of gas, oil and water produced from the testing during the period;
  - (g) the choke size used for the well;
  - (h) the density of any oil produced from the testing during the period, measured using the American Petroleum Institute’s scale of measuring the specific gravity of oil, commonly known as the ‘API gravity’ of the oil;
  - (i) the pressure in the well, measured during the period, at which petroleum can not escape from the wellhead, commonly known as the ‘shut-in pressure’ of the well;
  - (j) if petroleum in a gaseous state was produced during the testing—

- (i) details of the use, or intended use, of the petroleum; and

*Examples of use, or intended use, of the petroleum—*

for an authorised activity for the petroleum tenure, flaring, venting, processing

- (ii) the volume, or estimated volume, of the petroleum used, or intended to be used, other than by flaring or venting;
  - (k) data in relation to samples, and the analysis of the samples, taken from the area of the tenure;
  - (l) any other data or information for the report required under the practice direction.
- (5) In this section—

***end day***, for production testing for a petroleum well, means—

- (a) if the well intersects a natural underground reservoir containing coal seam gas, shale gas, tight gas or basin-centred gas and the testing relates to petroleum produced from the reservoir—the day that is 13 months after the testing starts; or
- (b) otherwise—the day that is 6 months after the testing starts.

***production testing*** means testing for petroleum production from a petroleum well within the area of the petroleum tenure.

***relevant testing period*** means—

- (a) the period starting on the first day production testing for the petroleum well is carried out and ending on the earlier of—
  - (i) the end day; or
  - (ii) the last day the testing is carried out; and
- (b) if the production testing is carried out after the end day with the Minister’s approval—the period starting on the day after the end day and ending on the last day the testing is carried out.

## **Subdivision 6      Hydraulic fracturing activities report**

### **45      Hydraulic fracturing activities completion report**

- (1) After the holder of a petroleum tenure has finished carrying out hydraulic fracturing activities in the prescribed area for the tenure, the tenure holder must lodge a hydraulic fracturing activities completion report.
- (2) The report must be lodged within 6 months after the hydraulic fracturing activities are completed.
- (3) The report must contain the following information—
  - (a) the type and number of the tenure;
  - (b) the name and postal address of the contractor who carried out the hydraulic fracturing activities on behalf of the operator of the drilling project;
  - (c) the identifying name of each treatment well or observation well for which the activities were carried out;
  - (d) the days the activities for each petroleum well started and ended;
  - (e) a description of each method of activities carried out;
  - (f) the depth in metres of the top and bottom of—
    - (i) each stage over which the activities were carried out; and
    - (ii) each geological interval over which activities were carried out and the name of each geological interval;
  - (g) a summary of the operations performed at each stage in carrying out the activities, including the volume and type of chemical used at each stage;
  - (h) an assessment of the implications of the activities for each petroleum well for the future management of the natural underground reservoir involved, including for



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each stage of the activities, over the geological interval, a graphic representation of the following—

- (i) casing pressure with time;
- (ii) calculated bottom hole pressure with time;
- (iii) calculated bottom hole concentration with time;
- (iv) the rate at which the hydraulic fracturing fluid is pumped into the well used for the activities with time;
- (v) the concentration of proppant in the hydraulic fracturing fluid with time;
- (vi) maximum surface treatment pressure reached during each stage of the activities;
- (vii) the estimated targeted fracture pressure over the geological interval during each stage of the activities;
- (i) details of—
  - (i) the equipment used to carry out and monitor the activities; and
  - (ii) the diagnostic techniques used to monitor the activities;
- (j) if known, details of—
  - (i) any geological connection between a geological interval over which activities were carried out and an aquifer; and

*Example—*

In the Surat Basin, if a Walloon subgroup geological interval hydraulic fracture treatment stage breaks through to the Upper Springbok Formation, the holder must include details of this event.

- (ii) the distance separating a geological interval over which activities were carried out from an aquifer;

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- (k) details of the total volume of hydraulic fracturing fluid, in kilolitres, pumped into each petroleum well during each stage of the activities;
  - (l) if activities were carried out on a coal seam—any other details about the activities that would assist a person to make a future assessment of the impact of the activities on the coal seam and any increased risk to safe and optimal mining of coal;
  - (m) if a known event related to the activities has caused material environmental harm or serious environmental harm under the *Environmental Protection Act 1994*—details of each step taken to mitigate the harm;
  - (n) any other data or information for the report required under the practice direction.
- (4) The holder must ensure the report is accompanied by a hydraulic fracturing fluid statement about the composition of the hydraulic fracturing fluid used in carrying out the activities, including—
- (a) the quantity of each component of the hydraulic fracturing fluid; and
  - (b) the concentration of each component in the hydraulic fracturing fluid; and
  - (c) the name of any chemical compound contained in the hydraulic fracturing fluid.

Maximum penalty for subsection (4)—20 penalty units.

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## **Part 4**                      **Matters relating to records, samples and required information**

### **Division 1**                **Records**

#### **46**        **Record of supply of gas from PGPLR land**

- (1) For the 2004 Act, section 175H(2), a record of the following information must be kept—
  - (a) details of the petroleum lease for the PGPLR land, including its number and the area of the lease;
  - (b) the entity to whom the gas was supplied;
  - (c) the volume of gas supplied to the entity.
- (2) Each record must be kept—
  - (a) for at least 7 years after the day the record was made; and
  - (b) in a way that enables the selling entity to comply with a request for a copy of the record within the time stated in a notice given under the 2004 Act, section 175H(3).

*Examples of ways records may be kept—*

hard copy or electronic format

### **Division 2**                **Samples**

#### **47**        **Purpose of division**

This division prescribes matters for the 2004 Act, section 547(1) and the 1923 Act, section 76A(1).

#### **48**        **Keeping samples**

- (1) A sample must be kept until the later of the following—

- (a) the end of the term of the petroleum tenure;
  - (b) the sample, or part of the sample, is lodged under the 2004 Act, section 548 or the 1923 Act, section 76B.
- (2) A sample must be kept in a way that prevents unnecessary deterioration or loss of the sample.

## **49 Cutting samples**

- (1) Each cutting sample of geological formations taken as follows must be kept—
- (a) when the formations are penetrated making a petroleum well under a petroleum tenure;
  - (b) at each interval stated in subsection (2).
- (2) For subsection (1)(b), the intervals are—
- (a) for a petroleum well other than a development well—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 well.
- (3) However, subsection (1) applies to a cutting sample taken when making a petroleum well solely for coal seam gas exploration or production only if, before the well was made, the chief executive gave the tenure holder notice that the sample must be kept.
- (4) The part of the sample lodged under the 2004 Act, section 548(1) or the 1923 Act, section 76B(1) must 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 is labelled with—

- (i) the identifying name of the well from which the sample was taken; and
- (ii) the depth in metres of the top and bottom of the interval from which the sample was taken.

(5) In this section—

*cutting sample* means a sample of the cuttings produced making the well.

## 50 Cores

- (1) Each core recovered from a petroleum well under a petroleum tenure must be kept.
- (2) However, subsection (1) applies in relation to a core from a petroleum well made solely for coal seam gas exploration or production only if—
  - (a) the holder gives the chief executive notice, in the approved form, offering to give the chief executive a sample of the core; and
  - (b) the notice is received within 5 months after the day the core is recovered; and
  - (c) within 20 business days after receiving the notice, the chief executive gives the holder notice that the sample must be kept.
- (3) The part of the core lodged under the 2004 Act, section 548(1) or the 1923 Act, section 76B(1) must—
  - (a) be at least 50% of the core recovered; and
  - (b) have as complete a vertical face as is practicable; and
  - (c) be lodged in a box or other suitable container that is suitable for long-term storage and handling, and is labelled with—
    - (i) the identifying name of the well from which the core was recovered; and
    - (ii) if more than 1 core is recovered from the well—the number of the core; and

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- (iii) the depth in metres of the top and bottom of the interval cored; and
- (iv) the length in metres of the core recovered.

## 51 Fluid samples

- (1) A sample (a *fluid sample*) of liquid petroleum recovered from a petroleum well under a petroleum tenure must be kept if—
  - (a) the sample is more than 10l; and
  - (b) within 5 months after the day the sample is recovered, the chief executive gives the holder of the petroleum tenure notice that the sample must be kept.
- (2) For the 2004 Act, section 548(1) and the 1923 Act, section 76B(1), the part of the fluid sample lodged must be—
  - (a) at least 500ml of the fluid sample recovered; and
  - (b) in a glass bottle that is teflon sealed with a screw top; and
  - (c) labelled with at least—
    - (i) the identifying name of the well; and
    - (ii) the depth in metres of the top and bottom of the interval from which the sample was recovered; and
    - (iii) the day on which the sample was recovered; and
    - (iv) the method by which the fluid sample was recovered.

*Examples—*

drill stem tests, production tests

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## **Division 3                      Releasing required information**

### **52            Confidentiality periods for required information for petroleum tenures**

- (1) This section prescribes, for the 2004 Act, section 550(1) and the 1923 Act, section 76D(1), the confidentiality period for the required information stated in schedule 1, column 1.
- (2) The confidentiality period for the required information starts on the day the information is lodged and ends on the day stated in schedule 1, column 2 opposite the required information.
- (3) However, there is no confidentiality period for a petroleum well or bore abandonment report under section 37 if—
  - (a) the report is to be made available to a person under the 2004 Act, section 550(1)(b) or the 1923 Act, section 76D(1)(b); and
  - (b) the person is the holder of a coal or oil shale mining tenement; and
  - (c) the well or bore was drilled in the area of the person's petroleum tenure.
- (4) Also, there is no confidentiality period for required information not mentioned in subsection (2).

### **53            Publication of required information**

For the 2004 Act, section 550(1)(a) and the 1923 Act, section 76D(1)(a), the chief executive may publish required information in 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;
- (d) in a publicly available database;





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**55 Requirements for measuring the taking of non-associated water**

- (1) This section prescribes, for the 2004 Act, section 186(4), the requirements for measuring the volume of non-associated water taken by a holder of a 2004 Act petroleum tenure.
- (2) The volume of non-associated water taken must be calculated by—
  - (a) measuring the volume of non-associated water taken, in the area of the tenure, using a meter complying with AS 4747-2013 (Meters for non-urban water supply); or
  - (b) if non-associated water taken in the area of the tenure is transported by one or more vehicles—
    - (i) multiplying the maximum water storage capacity of each vehicle by the number of loads of water (whether part or full) transported by the vehicle (the *per vehicle volume*); and
    - (ii) if more than one vehicle is used—adding the per vehicle volume for each vehicle.
- (3) Despite subsection (2), the holder may calculate, in whole or in part, the volume of non-associated water taken in the area of the tenure using an alternative method—
  - (a) submitted to the chief executive in writing with—
    - (i) information supporting the reliability and accuracy of the method; and
    - (ii) an explanation of why the alternative method is being used instead of a method mentioned in subsection (2); and
  - (b) approved by the chief executive.

**56 Requirements for reporting the taking of non-associated water**

- (1) This section prescribes, for the 2004 Act, section 186(4), the requirements for reporting the volume of non-associated water taken by a holder of a 2004 Act petroleum tenure.

[s 57]

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- (2) For each reporting period, the holder must report—
  - (a) the total volume of non-associated water taken in the area of the tenure during the reporting period; and
  - (b) for non-associated water extracted from a bore in the area of the tenure—
    - (i) the volume of non-associated water extracted from the bore during the reporting period; and
    - (ii) the source geological formation from which the non-associated water was taken; and
    - (iii) whether the source geological formation is artesian or subartesian; and
  - (c) the authorised activity for the tenure for which the non-associated water was used; and
  - (d) if, during the reporting period, the holder uses an alternative method under section 55(3) for the first time—an explanation of the alternative method.
- (3) Reporting must be lodged by the holder under this section—
  - (a) if the reporting period ends on 30 June or 31 December—within 20 business days after the end of the reporting period; or
  - (b) otherwise—on the day the tenure expires or is surrendered.

## **57 Chief executive may review alternative method**

- (1) This section applies if the holder uses an alternative method under section 55(3) for calculating a volume of non-associated water taken by the holder instead of a method mentioned in section 55(2).
- (2) The chief executive may, at any time, review the alternative method to assess the reliability and accuracy of the method.
- (3) If, as a result of the review, the chief executive no longer considers the alternative method to be reliable or accurate—

- (a) the chief executive must, as soon as practicable, give the holder notice of the result of the review; and
- (b) for the next reporting period, the holder must use—
  - (i) a method mentioned in section 55(2); or
  - (ii) another alternative method that complies with section 55(3).

## **Part 6 Metering parameters**

### **58 Tolerance for error for a meter**

- (1) This section prescribes, for the 2004 Act, section 635(a), the tolerance for error in accuracy for a meter.
- (2) If the meter measures not more than 25m<sup>3</sup> of petroleum or fuel gas in an hour, the tolerance is—
  - (a) for a meter installed before 31 December 2004—plus 2% or minus 3%; or
  - (b) otherwise—plus or minus 1.5%.
- (3) For a meter not mentioned in subsection (2), the tolerance is plus or minus 1%.
- (4) This section is subject to sections 59 and 60.

### **59 Other requirements for accuracy of meter—100TJ to 1PJ**

- (1) This section applies in relation to a meter that measures 100TJ or more, but not more than 1PJ, a year.
- (2) The controller of the meter must ensure the meter is installed with a device to correct the meter's readings to standard temperature and pressure.
- (3) The overall tolerance for error for the meter, including the correcting device, is plus or minus 1%.
- (4) The accuracy of the meter must be checked at least once in each 6-month period.

[s 60]

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(5) In this section—

*standard temperature and pressure* see the 2004 Act, section 11(3).

## **60 Other requirements for accuracy of meter—over 1PJ**

- (1) This section applies in relation to a meter that measures more than 1PJ a year.
- (2) The controller of the meter must ensure the meter is installed with a flow computer to calculate the energy of the petroleum or fuel gas flowing through the meter.
- (3) The overall tolerance for error for the meter, including the flow computer, is plus or minus 1%.
- (4) The accuracy of the meter must be checked at least once in every 3-month period.

## **61 Requirements for measurement scheme**

- (1) For the 2004 Act, section 637(1)(d), a meter that measures more than 25m<sup>3</sup> of petroleum or fuel gas in an hour must be replaced or tested at least once every 10 years.
- (2) For the 2004 Act, section 637(1)(k), if a measurement of petroleum or fuel gas is to be converted into another form of measurement under a measurement scheme, the scheme must state the method for converting the measurement.
- (3) For this section—

*form of measurement* means any of the following—

  - (a) a measurement of the energy of the petroleum or fuel gas;
  - (b) a measurement of the mass of the petroleum or fuel gas;
  - (c) a measurement of the volume of the petroleum or fuel gas.

## **62 Requirement for gas pressure regulator**

The controller of a meter must ensure the addition of a gas pressure regulator to the meter does not disadvantage a consumer.

*Example of how a gas pressure regulator could disadvantage a consumer—*

excessive regulator droop that could result in incorrect billing

Maximum penalty—20 penalty units.

## **63 Metering factors**

If there is a correction factor for calculating the price of gas flowing through a meter, the controller of the meter must ensure the pressure at which the meter must be operated is clearly marked on, or in the immediate vicinity of, the meter.

Maximum penalty—20 penalty units.

# **Part 7 Financial provisions**

## **Division 1 Fees and rents payable**

### **64 Fees generally**

- (1) The fees payable under the 2004 Act are stated in section 66A and schedule 2.
- (2) The fees payable under the 1923 Act are stated in schedule 3.

*Note—*

See also the *Petroleum and Gas (Royalty) Regulation 2021*, section 39 and the *Petroleum and Gas (Safety) Regulation 2018*, section 152 and schedule 6.

### **65 Annual rent**

The annual rent payable for each of the following resource authorities is stated in schedule 4, part 1—

[s 66]

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- (a) a petroleum tenure;
- (b) a data acquisition authority;
- (c) a water monitoring authority.

**66 Storage rent payable by owner of stored petroleum or prescribed storage gas**

For the 2004 Act, section 227(3), the rate at which rent is payable is stated in schedule 4, part 2.

**66A Annual fee that is proportion of cost of State's funding commitments to national energy market regulation**

For the 2004 Act, section 423(3), the annual fee payable by a pipeline licence holder that is a proportion of the cost of the State's funding commitments to national energy market regulation is \$315.34 for each kilometre of pipeline the subject of the licence.

## **Division 2 Payment of annual fees and rents**

**67 Application of division**

This division applies for the payment of—

- (a) the following fees (each an *annual fee*)—
  - (i) an annual fee payable by a pipeline licence holder under the 2004 Act, section 423(3) that is a proportion of the cost of the State's funding commitments to national energy market regulation;
  - (ii) an annual fee stated in schedule 2 for a pipeline licence or petroleum facility licence; and
- (b) annual rent payable for a resource authority mentioned in section 65; and
- (c) rent for storing petroleum or a prescribed storage gas payable under the 2004 Act, section 227.

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## **68 When annual fee or rent must be paid**

- (1) An annual fee or rent must be paid on or before 31 August each year.
- (2) However, an annual fee or rent must be paid within 20 business days after—
  - (a) on the grant of a pipeline licence or petroleum facility licence—the licence takes effect; or
  - (b) on the grant of a resource authority for which annual rent is payable—the authority takes effect; or
  - (c) for the first payment of rent for storing petroleum or a prescribed storage gas payable by a person—
    - (i) if a notice has been lodged under the 2004 Act, section 219 for the petroleum or prescribed storage gas—the day the person becomes the owner of the petroleum or prescribed storage gas; or
    - (ii) otherwise—the day the Minister decides, under the 2004 Act, section 215, the person is the owner of the petroleum or prescribed storage gas.
- (3) Subsection (2) does not apply on the grant of a pipeline licence, petroleum facility licence or resource authority if the Minister has already required payment of an annual fee or rent.

*Note—*

See the 2004 Act, sections 40(1), 410(1) and 446(1) for examples of when the Minister may require payment of rent or payment of an annual fee for a pipeline licence or petroleum facility licence.

## **69 Prescribed way for paying annual fee or rent**

An annual fee or rent must be paid by cash or electronic transfer of funds.

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## **70 Reduced annual fee or annual rent for part of a year**

- (1) If the period to which an annual fee or rent relates is less than a year, a pro-rata amount of the fee or rent is payable for the year.
- (2) If an annual fee or rent is paid for a year and any of the following happens during the year, the proportion of the fee or rent for the remainder of the year may be refunded—
  - (a) the licence for which the annual fee was paid ends;
  - (b) the resource authority for which the rent was paid ends;
  - (c) the petroleum or prescribed storage gas stops being stored.

## **Division 3 Other matters**

### **71 Security for petroleum authorities**

- (1) For the 2004 Act, section 488(2)(a) and the 1923 Act, section 78E(2)(a), the following forms of security are prescribed—
  - (a) cash;
  - (b) electronic transfer of funds;
  - (c) an unconditional 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 the type and number of—
      - (A) the petroleum authority or 1923 petroleum tenure; or
      - (B) the proposed petroleum authority or proposed 1923 petroleum tenure; and
    - (iv) states the address of the financial institution; and



- 
- (v) is signed for the financial institution by an officer who has authority to sign the security;
  - (d) a combination of the forms mentioned in paragraphs (a) to (c).
- (2) For the 2004 Act, section 488(2)(b) and the 1923 Act, section 78E(2)(b), the following amounts are prescribed—
- (a) for an authority to prospect or proposed authority to prospect—\$12,000;
  - (b) for a data acquisition authority or proposed data acquisition authority—\$10,500;
  - (c) for a petroleum lease or proposed petroleum lease—\$35,000;
  - (d) for a water monitoring authority or proposed water monitoring authority—\$10,500.

## **72 Prescribed interest rate for amounts owing to the State**

For of 2004 Act, section 588(3) and the 1923 Act, section 102(2), the rate of interest is 15% a year.

## **Part 8 Miscellaneous**

### **73 Required level of knowledge for a deposit of coal or oil shale**

- (1) For the 2004 Act, section 318(1)(c), the level of knowledge about a deposit of coal or oil shale in the land is—
- (a) at least 20% of the area of the deposit must be a reserve under the relevant code; and
  - (b) the remainder of the deposit must be an indicated or measured resource under the relevant code.

*Note—*

See the 2004 Act, section 318(4) for the meaning of *relevant code*.

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- (2) The estimate of reserves and resources made for subsection (1) must comply with the relevant code.
- (3) The document called ‘Australian guidelines for the estimation and classification of coal resources’ (2014) published by the Coalfields Geology Council of New South Wales and the Queensland Resources Council must be considered for determining the amount of data required to make the estimate for a deposit of coal.

*Editor’s note—*

This document may be inspected free of charge at the office of the department notified on the department’s website.

## **74 Prescribed way for making applications, giving or lodging documents or making submissions**

- (1) This section prescribes, for the 2004 Act, section 851AA(2)(b), and the 1923 Act, section 124AA(2)(b), ways for doing any of the following—
  - (a) making an application or submission;
  - (b) giving a document to the Minister, chief executive or chief inspector;
  - (c) lodging a document.
- (2) For subsection (1), the ways are—
  - (a) electronically using the online system provided for the purpose and accessible from a Queensland Government website; or
  - (b) if the department’s website states a postal address or facsimile number for making a particular type of application or submission, or giving or lodging a particular type of document—by sending it to the stated address or number.
- (3) Also, the chief executive may, by a notice given to a person making an application or submission, or giving or lodging a document, require the person to lodge a hard copy of the application, submission or document at the place required

under the 2004 Act, section 851AA(2)(a) or the 1923 Act, section 124AA(2)(a).

- (4) An application or submission made, or document (other than a safety and health fee return) given or lodged electronically under subsection (2)(a) after 4.30p.m. on a working day and before 8.30a.m. on the next working day (the *later day*) is taken to have been lodged at 8.30a.m. on the later day.
- (5) In this section—

*Queensland Government website* means a website with a URL that contains ‘qld.gov.au’, other than the website of a local government.

*safety and health fee return* see the *Petroleum and Gas (Safety) Regulation 2018*, section 157(1).

## Part 9 Transitional provision for SL No. 162 of 2017

### 75 Notice or report given under repealed provision

- (1) A person is taken to have given or lodged a document mentioned in the following table, column 1, under the relevant provision of this regulation if, before the commencement, the person gave or lodged the document under the relevant repealed or expired provision.

Column 1 Document	Column 2 Provision of this regulation	Column 3 Repealed or expired provision
a copy of a notice to the owner or occupier of land	section 28	P&G Regulation, section 30A  Petroleum Regulation, section 15A

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<b>Column 1 Document</b>	<b>Column 2 Provision of this regulation</b>	<b>Column 3 Repealed or expired provision</b>
a notice about intention to drill a petroleum well or bore	section 29	P&G Regulation, section 31  Petroleum Regulation, section 16
a notice about completion, alteration or abandonment of petroleum well or bore	section 30	P&G Regulation, section 32  Petroleum Regulation, section 17
a notice about intention to carry out survey	section 31	P&G Regulation, section 33  Petroleum Regulation, section 18
a notice about completion of survey	section 32	P&G Regulation, section 34  Petroleum Regulation, section 19
a notice about intention to carry out hydraulic fracturing activities	section 33	P&G Regulation, section 35  Petroleum Regulation, section 20
a notice about completion of hydraulic fracturing activities	section 34	P&G Regulation, section 35A  Petroleum Regulation, section 20A
a daily drilling report	section 35	P&G Regulation, section 36  Petroleum Regulation, section 21

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<b>Column 1 Document</b>	<b>Column 2 Provision of this regulation</b>	<b>Column 3 Repealed or expired provision</b>
a petroleum well or bore completion report	section 36	P&G Regulation, section 37  Petroleum Regulation, section 22
a petroleum well or bore abandonment report	section 37	P&G Regulation, section 38  Petroleum Regulation, section 23
a seismic survey report	section 38	P&G Regulation, section 39  Petroleum Regulation, section 24
a scientific or technical survey report	section 39	P&G Regulation, section 40  Petroleum Regulation, section 25
a petroleum production report for a 6-month period	section 42	P&G Regulation, section 43  Petroleum Regulation, section 28
a petroleum reserves report for a 6-month period	section 43	P&G Regulation, section 44  Petroleum Regulation, section 29
a production testing report for a relevant testing period	section 44	P&G Regulation, section 45  Petroleum Regulation, section 30

<b>Column 1 Document</b>	<b>Column 2 Provision of this regulation</b>	<b>Column 3 Repealed or expired provision</b>
a hydraulic fracturing activities completion report	section 45	P&G Regulation, section 46A  Petroleum Regulation, section 30A

(2) In this section—

***P&G Regulation*** means the *Petroleum and Gas (Production and Safety) Regulation 2004* as in force before the commencement.

***Petroleum Regulation*** means the expired *Petroleum Regulation 2004*.

***relevant provision of this regulation***, for a document mentioned in the table in subsection (1), means the provision of this regulation stated in column 2 opposite the document in the table.

***relevant repealed or expired provision***, for a document mentioned in the table in subsection (1), means a provision of the Petroleum and Gas Regulation or Petroleum Regulation stated in column 3 opposite the document in the table.

## **Part 10**

# **Transitional provisions for Petroleum and Gas (General Provisions) (Reporting Requirements) Amendment Regulation 2020**

### **76 Time for lodgement of reports**

(1) This section applies if a person would, other than for this section, be required to lodge a report under a relevant section on or after the commencement but before 30 June 2021.

- (2) The day the person is required to lodge the report under the relevant section is taken to be 30 June 2021.
- (3) In this section—  
*relevant section* means section 21, 22, 23, 24, 26, 36, 37, 38, 39, 42, 43, 44 or 45.

## **77 Required information lodged before commencement**

- (1) This section applies if—
  - (a) before the commencement, required information for a petroleum tenure was lodged under the 2004 Act or the 1923 Act; and
  - (b) on the commencement, the required information has not been publicly released under the 2004 Act, section 550 or the 1923 Act, section 76D.
- (2) On the commencement, schedule 1 as amended by the *Petroleum and Gas (General Provisions) (Reporting Requirements) Amendment Regulation 2020*, applies in relation to the required information.

## Schedule 1 Confidentiality periods for required information

section 52

Required information	End day
an annual report required to be lodged under the 2004 Act, section 552	5 years after the last day of the period to which the report relates
a petroleum well or bore completion report—	
(a) for an appraisal well, exploration well or bore	3 years after the rig release day
(b) for a development well	5 years after the rig release day
a petroleum well or bore abandonment report—	
(a) for an appraisal well, exploration well or bore	3 years after the rig release day
(b) for a development well	5 years after the rig release day
a seismic survey report for a survey required to be lodged under section 38	3 years after the completion day
a scientific or technical survey report required to be lodged under section 39	3 years after the completion day
a petroleum production report required to be lodged under section 42	6 months after the last day of the period to which the report relates
a petroleum resources and reserves report required to be lodged under section 43	6 months after the last day of the period to which the report relates



Required information	End day
<p>a production testing report required to be lodged under section 44—</p> <p>(a) for an authority to prospect</p> <p>(b) for a petroleum lease</p>	<p>3 years after the last day of the relevant testing period under section 44</p> <p>5 years after the last day of the relevant testing period under section 44</p>
<p>a cutting sample, core or fluid sample required to be lodged under the 2004 Act, section 548 or the 1923 Act, section 76B—</p> <p>(a) for an appraisal well or exploration well</p> <p>(b) for a development well</p> <p><i>Note—</i> See also sections 49, 50 and 51.</p>	<p>2 years after the day on which the part of the sample or core is required to be lodged</p> <p>5 years after the day on which the part of the sample or core is required to be lodged</p>
<p>a hydraulic fracturing activities completion report required to be lodged under section 45</p>	<p>5 years after the day on which the activity was completed</p>

## Schedule 2 Fees payable under 2004 Act

section 64(1)

### Part 1 Petroleum tenure fees

	<b>Fee units</b>
1 Tender for authority to prospect (2004 Act, s 37(d)(i))	2,724.00
2 Application for approval to amend the work program for an authority to prospect (2004 Act, s 60(4))	1,360.00
3 Lodging a proposed later work program for an authority to prospect within the time required under the 2004 Act, section 79(3) (2004 Act, s 79(6), definition <i>relevant fee</i> , paragraph (a))	1,360.00
4 Application for renewal of authority to prospect (2004 Act, s 82(1)(h)(i))	2,724.00
5 For a declaration that all or a stated part of the area of an authority to prospect is a potential commercial area for the authority—	
(a) application for the declaration (2004 Act, s 89(2)(b))	2,039.00
(b) application for extension of the term of the declaration (2004 Act, s 93(2))	2,039.00
6 Application to divide an authority to prospect (2004 Act, s 104(g))	2,039.00
7 Application to amalgamate 2 or more potential commercial areas for an authority to prospect (2004 Act, s 107AB(d))	2,039.00
8 Application for approval of a special amendment (2004 Act, s 107A(4))	1,360.00
9 ATP-related application for a petroleum lease (2004 Act, s 118(f))	4,767.00





	<b>Fee units</b>
5 Application for petroleum facility licence (2004 Act, s 445(e))	4,767.00
6 Annual licence fee for petroleum facility licence (2004 Act, s 454(1))—	
(a) if the petroleum facility land for the licence is 2km <sup>2</sup> or less	3,247.00
(b) if the petroleum facility land for the licence is more than 2km <sup>2</sup> (for each square kilometre of the petroleum facility land)	1,621.00
7 Application for a part 5 permission (2004 Act, s 464(b))	1,017.00
8 Application to amend licence (2004 Act, s 475(b))	2,039.00
9 Application for renewal of licence other than a survey licence (2004 Act, s 480(c)(i))	2,039.00

## **Part 5                      General petroleum authority fees**

	<b>Fee units</b>
1 Fee for required information for a petroleum tenure made available by the chief executive (2004 Act, s 550(1)(b))—	
(a) for information made available in electronic form, other than on a tape or cartridge	184.70
(b) for information made available on a tape or cartridge	369.70
2 Application for approval of surrender of petroleum authority other than an authority to prospect (2004 Act, s 576(1)(b))	1,017.00

## Schedule 3 Fees payable under 1923 Act

section 64(2)

### Part 1 Petroleum tenure fees

	<b>Fee units</b>
1 Application for renewal of lease (1923 Act, s 45(2A)(c)(i))	4,767.00
2 Application for consent to surrender and terminate lease (1923 Act, s 52(1B)(b)(i))	1,017.00
3 Lodging a proposed later work program for an authority to prospect within the time required under the 1923 Act, section 74K(3) (1923 Act, s 74K(6), definition <i>relevant fee</i> , paragraph (a))	1,360.00
4 Lodging a proposed later development plan for a lease within the time required under the 1923 Act, section 74Q(3) (1923 Act, s 74Q(6), definition <i>relevant fee</i> , paragraph (a))	1,360.00
5 Application for amendment of relinquishment condition (1923 Act, s 77T(1)(g))	1,360.00

### Part 2 Transfer fees

	<b>Fee units</b>
1 Transfer of water observation bore or water supply bore in the area of a 1923 Act petroleum tenure to the landowner (1923 Act, s 75Q(3)(b))	2,039.00
2 Transfer of well in the area of a 1923 Act petroleum tenure to the holder of a geothermal tenure or mining tenement (1923 Act, s 75R(b))	2,039.00

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	<b>Fee units</b>
3 Transfer of water observation bore in the area of a 1923 Act petroleum tenure to the holder of another 1923 Act petroleum tenure, 2004 Act petroleum tenure or water monitoring authority (1923 Act, s 75S(1)(b))	2,039.00

### **Part 3 Other fees**

	<b>Fee units</b>
1 Fee for required information for a 1923 Act petroleum tenure made available by the chief executive (1923 Act, s 76D(1)(b))—	
(a) for information made available in electronic form, other than on a tape or cartridge	184.70
(b) for information made available on a tape or cartridge	369.70

## **Schedule 4      Rent**

sections 65 and 66

### **Part 1                  Annual rent**

	<b>Fee units</b>
1    Annual rent for authority to prospect under the 2004 Act (for each sub-block included in the area for the authority) (2004 Act, s 75(1)(b))	3.00
2    Annual rent for petroleum lease under the 2004 Act (for each square kilometre of the area for the lease) (2004 Act, s 155(1)(b))	162.00
3    Annual rent for data acquisition authority (for each sub-block included in the area of the authority) (2004 Act, s 184A(1))	3.00
4    Annual rent for water monitoring authority (for each sub-block included in the area of the authority) (2004 Act, s 202A(1))	1.51
5    Annual rent for a lease under the 1923 Act (for each square kilometre of the area for the lease) (1923 Act, s 46(1))	162.00
6    Annual rent for an authority to prospect under the 1923 Act (for each sub-block included in the area for the authority) (1923 Act, s 74N(1)(b))	3.00



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## Part 2                      Storage rent

	<b>Fee units</b>
1    Annual rent for storing petroleum or prescribed storage gas as mentioned in the 2004 Act, section 212(1)(b) (2004 Act, s 227(3)) for each square kilometre of—	
(a) the area of the old lease, unless paragraph (b) applies	162.00
(b) for a proposed petroleum lease the area of which includes the reservoir where the petroleum is stored, if the Minister has made a call for tenders under the 2004 Act, section 218—the area of the proposed petroleum lease stated in the call for tenders	162.00

## Schedule 5 Dictionary

### section 3

**6-month period**, for part 3, division 4, subdivision 5, see section 40.

**annual fee** see section 67(a).

**appraisal well** means a petroleum well that is drilled to test the potential of 1 or more natural underground reservoirs for producing or storing petroleum.

**biogas** has the meaning given by ISO 20675 ‘Biogas—Biogas production, conditioning, upgrading and utilization—Terms, definitions and classification scheme’.

*Examples of biogas—*

- biogas derived from a waste disposal tip
- biogas derived during the treatment of sewage

**biomethane** has the meaning given by ISO 20675 ‘Biogas—Biogas production, conditioning, upgrading and utilization—Terms, definitions and classification scheme’.

*Examples of biomethane—*

- biomethane derived from a waste disposal tip
- biomethane derived during the treatment of sewage

**bore** means a water injection bore, water observation bore or a water supply bore.

**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.

**condensate** means liquid formed as a result of condensation caused by reduced pressure and temperature of hydrocarbons in a gaseous state in a natural underground reservoir.

***development well*** means a petroleum well that is drilled to produce or store petroleum.

***directional well*** means a part of a petroleum well that is intentionally not drilled vertically.

***exploration well*** means a petroleum well that is drilled to—

- (a) explore for the presence of petroleum or natural underground reservoirs suitable for storing petroleum; or
- (b) obtain stratigraphic information for the purpose of exploring for petroleum.

***general area information***, for a relinquishment report or surrender report for a petroleum tenure, see section 18.

***geological summary***, of an area, means a summary of—

- (a) the major structural and stratigraphic features of the area; and

*Examples—*

- the history of the accumulation and structuring of stratigraphic units
- the timing of structural and metamorphic events

- (b) the geophysical features of the area.

*Examples—*

the gravitational and magnetic potential fields

***hazard*** means a thing or situation with potential to cause harm to any of the following—

- (a) a person, including, for example, financial losses or increased liabilities;
- (b) property;
- (c) the environment.

***hazard information***, for a relinquishment report or surrender report for a petroleum tenure, see section 19.

***hydraulic fracturing activities*** means a form of stimulation that involves specially engineered fluids being pumped at a

high pressure and rate into a reservoir for the purpose of opening fractures.

***hydraulic fracturing fluid*** means a fluid that—

- (a) is a mixture of water, liquid chemicals and other additives, including, for example, proppants; and
- (b) is commonly known as slurry.

***identifying name***—

- (a) for a bore—means a number by which the bore is identified in the Groundwater Database System operated by the chief executive of the department in which the *Water Act 2000* is administered; or
- (b) for a petroleum well—means the unique identifying name and number for the well recorded in the register; or
- (c) for a seismic survey or scientific or technical survey—means the unique identifying name or number for the survey recorded in the register

***lead*** means a potential prospect that is, in the reasonable opinion of a petroleum tenure holder, indicated by the available seismic or other data.

***non-associated water*** means water a holder of a petroleum tenure may take or interfere with under the 2004 Act, section 186(2).

***operator***, of a drilling project, means the corporation or other entity that is the decision-maker and has responsibility for the overall management for the project.

***petroleum product*** means any of the following—

- (a) coal seam gas;
- (b) condensate;
- (c) crude oil;
- (d) LPG;
- (e) processed natural gas.

***petroleum well or bore abandonment report***, for a petroleum well or bore, see section 37(2).

***petroleum well or bore completion report***, for a petroleum well or bore, see section 36(1).

***practice direction*** means the practice direction called ‘Petroleum and Gas reporting practice direction’ stated in the practice manual kept under the Common Provisions Act, section 202.

***prescribed area***, for a petroleum tenure, means an area within the tenure—

- (a) where hydraulic fracturing activities for a well are to be or have been conducted; and
- (b) that may be affected, or was affected, by the hydraulic fracturing activities associated with the well.

***proppant*** means well-sorted and consistently-sized sand or manufactured materials that are mixed into a hydraulic fracturing fluid to hold the fracture faces apart after the fluid used for hydraulic fracturing activities has been pumped under pressure into the well and the pressure has been released.

***prospect*** means a geological structure, such as an anticline—

- (a) that, in the reasonable opinion of a petroleum tenure holder based on a seismic survey or other data, is likely to contain a quantity of petroleum suitable for commercial production; and
- (b) from which petroleum has not yet been commercially produced.

***proved and probable reserves***, of petroleum or a petroleum product, has the meaning given under the document called ‘Petroleum Resources Management System’, also referred to as the SPE Code, published in 2018 by the Society of Petroleum Engineers.

*Editor’s note—*

The SPE Code may be inspected free of charge at the office of the department notified on the department’s website.

**relinquished area**, for a relinquishment report for a petroleum tenure, for part 3, division 3, see section 17.

**relinquishment report** see section 17.

**reporting period**, for part 5, see section 54.

**resource authority** see the *Mineral and Energy Resources (Common Provisions) Act 2014*, section 10.

**rig release day**, for a petroleum well or bore, means the day the drilling rig last used to drill the well or bore is moved so it is no longer above the well or bore, if the petroleum tenure holder intends no further drilling of the well or bore to occur.

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

**seismic survey** means a survey carried out to determine the subsurface features by transmitting sound waves into the ground and measuring the time they take to return to the surface.

**status**, of a petroleum well or bore, means any of the following that describes the well or bore—

- (a) for a petroleum well that is producing petroleum or a water supply bore that is in use—producing;
- (b) for a petroleum well that has temporarily stopped producing petroleum—shut in;
- (c) for a petroleum well that is capable of producing petroleum but the productive interval in the well has not been completed for production—cased and suspended;
- (d) for a water observation bore that has not been plugged and abandoned—in use;
- (e) for a petroleum well or bore that has been plugged and abandoned—plugged and abandoned;
- (f) for a petroleum well that has been converted to a water observation bore—converted to a water observation bore;

- (g) for a petroleum well that has been converted to a water supply bore—converted to a water supply bore;
- (h) for a petroleum well that has been converted to a Water Act bore—converted to a Water Act bore.

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

***surrendered area***, for a surrender report to accompany a surrender application for a petroleum tenure or pipeline licence, for part 3, division 3, see section 17.

***surrender report*** see section 17.

***tenure information***, for a relinquishment report for a petroleum tenure, see section 20.