



Queensland

Resources Legislation Amendment Regulation 2019

Subordinate Legislation 2019 No. 53

made under the

Mineral and Energy Resources (Common Provisions) Act 2014

Mineral Resources Act 1989

Petroleum Act 1923

Petroleum and Gas (Production and Safety) Act 2004

Water Act 2000

Contents

		Page
Part 1	Preliminary	
1	Short title	3
2	Commencement	3
Part 2	Amendment of Mineral and Energy Resources (Common Provisions) Regulation 2016	
3	Regulation amended	3
4	Amendment of s 17 (Entry notice—Act, s 39)	3
5	Insertion of new s 30A	3
	30A Conference election notice—Act, s 83A	4
6	Amendment of s 31 (Negotiation notice—Act, s 84)	4
7	Amendment, relocation and renumbering of s 33 (Conduct of conference—Act, s 89)	4
8	Insertion of new s 33	5
	33 Arbitration election notice—Act, s 91A	5
9	Insertion of new ss 36A and 36B	5
	36A Prescribed arbitration institutes—Act, s 91A	5
	36B Prescribed ADR institutes—Act, sch 2, def prescribed ADR institute	6

Contents

10	Amendment of sch 3 (Dictionary)	6
Part 3	Amendment of Mineral Resources Regulation 2013	
11	Regulation amended	6
12	Insertion of new s 8A	6
	8A Prescribed documents—Act, s 93	7
13	Insertion of new s 20A	7
	20A Prescribed documents—Act, s 286	7
14	Insertion of new ss 29D to 29G	7
	29D Notice of intention to drill a CSG well	7
	29E Notice about completion, alteration or abandonment of CSG well	8
	29F Daily drilling report	9
	29G CSG well completion report	10
15	Insertion of new ch 2, pt 7	14
	Part 7 Water monitoring bores	
	31D Plugging and abandoning water monitoring bores—Act, s 334ZZS	14
16	Amendment of sch 6 (Dictionary)	15
Part 4	Amendment of Petroleum and Gas (General Provisions) Regulation 2017	
17	Regulation amended	16
18	Amendment of s 17 (Definitions for division)	16
19	Amendment of s 38 (Seismic survey reports)	16
20	Amendment of s 39 (Scientific or technical survey report)	17
21	Amendment of s 71 (Security for petroleum authorities)	17
Part 5	Amendment of Water Regulation 2016	
22	Regulation amended	18
23	Insertion of new ss 141A–141C	18
	141A Prescribed ADR institutes—Act, s 426	18
	141B Arbitration election notice—Act, s 433A	18
	141C Prescribed arbitration institutes—Act, s 433A	19

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Resources Legislation Amendment Regulation 2019*.

2 Commencement

This regulation commences on 19 April 2019.

Part 2 Amendment of Mineral and Energy Resources (Common Provisions) Regulation 2016

3 Regulation amended

This part amends the *Mineral and Energy Resources (Common Provisions) Regulation 2016*.

4 Amendment of s 17 (Entry notice—Act, s 39)

Section 17(3)—

insert—

- (e) the document called ‘A guide to land access in Queensland’ published on the department’s website or the Queensland Government business and industry portal.

5 Insertion of new s 30A

After section 30—

insert—

30A Conference election notice—Act, s 83A

- (1) This section prescribes, for section 83A(3)(b) of the Act, other information for a conference election notice.
- (2) The other information is—
 - (a) a description of the land proposed to be entered; and
 - (b) the contact details for the party.

6 Amendment of s 31 (Negotiation notice—Act, s 84)

Section 31(3)—

omit, insert—

- (3) The notice must be accompanied by a copy of—
 - (a) the land access code, if any, applicable to the eligible claimant; and
 - (b) the document called ‘A guide to land access in Queensland’ published on the department’s website or the Queensland Government business and industry portal.

7 Amendment, relocation and renumbering of s 33 (Conduct of conference—Act, s 89)

- (1) Section 33, heading, ‘s 89’—

omit, insert—

s 83B

- (2) Section 33(1), from ‘section 89(2)’—

omit, insert—

section 83B(2) of the Act, the requirements for conducting a conference to negotiate a resolution of the dispute.

- (3) Section 33(6)—

omit.

- (4) Section 33(7), ‘(6),’—

omit, insert—

(5),

- (5) Section 33(7)—

renumber as section 33(6).

- (6) Section 33—

relocate and *renumber* as section 30B.

8 Insertion of new s 33

After section 32—

insert—

33 Arbitration election notice—Act, s 91A

- (1) This section prescribes, for section 91A(3)(f) of the Act, other information for an arbitration election notice.
- (2) The other information is—
 - (a) that the party who receives the notice must accept or refuse the request for arbitration within the period mentioned in section 91A(4) of the Act; and
 - (b) either party may be represented by a lawyer at the arbitration.

9 Insertion of new ss 36A and 36B

After section 36—

insert—

36A Prescribed arbitration institutes—Act, s 91A

For section 91A(8) of the Act, definition *prescribed arbitration institute*, the following

[s 10]

entities are prescribed—

- (a) the Queensland Law Society ABN 33 423 389 441;
- (b) the Resolution Institute ABN 69 008 651 232.

**36B Prescribed ADR institutes—Act, sch 2, def
*prescribed ADR institute***

For schedule 2 of the Act, definition *prescribed ADR institute*, the Resolution Institute ABN 69 008 651 232 is prescribed.

10 Amendment of sch 3 (Dictionary)

Schedule 3—

insert—

Queensland Government business and industry portal means a website with a URL that contains ‘qld.gov.au’, other than the website of a local government, and that relates to business and industry.

Part 3 Amendment of Mineral Resources Regulation 2013

11 Regulation amended

This part amends the *Mineral Resources Regulation 2013*.

12 Insertion of new s 8A

After section 8—

insert—

8A Prescribed documents—Act, s 93

For section 93(3)(a) of the Act, the document called ‘A guide to landholder compensation for mining claims and mining leases’ published on the department’s website or the Queensland Government business and industry portal is prescribed.

13 Insertion of new s 20A

After section 20—

insert—

20A Prescribed documents—Act, s 286

For section 286(3)(a) of the Act, the document called ‘A guide to landholder compensation for mining claims and mining leases’ published on the department’s website or the Queensland Government business and industry portal is prescribed.

14 Insertion of new ss 29D to 29G

After section 29C—

insert—

29D Notice of intention to drill a CSG well

- (1) If the holder of a coal or oil shale mining lease intends to drill a CSG well, 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) state a proposed identifying name for the CSG well.

[s 14]

- (3) The proposed identifying name for the CSG well must not be the same, or substantially the same, as an identifying name for another CSG well or petroleum well recorded in the register.

29E Notice about completion, alteration or abandonment of CSG well

- (1) If any of the following events happens, the holder of a coal or oil shale mining lease must lodge a notice about the event—
 - (a) drilling of a CSG well is completed;
 - (b) the completion configuration of a CSG well changes;
 - (c) a CSG well is abandoned.
- (2) For subsection (1)(a), drilling of a CSG well is completed if—
 - (a) the drilling rig last used to drill the well is moved so it is no longer above the well; and
 - (b) the holder of the coal or oil shale mining lease intends no further drilling of the well to occur.
- (3) For subsection (1)(b), the completion configuration of a CSG 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.

29F Daily drilling report

- (1) The holder of a coal or oil shale mining lease must keep a daily drilling report for each day on which drilling of a CSG well is carried out under the lease.
- (2) A copy of each daily drilling report must be lodged with the CSG well 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 CSG 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 coal or oil shale mining lease holder's name and the mining lease number 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;

[s 14]

- (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.
- (5) In this section—

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

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.

29G CSG well completion report

- (1) If the drilling of a CSG well under a coal or oil shale mining lease is completed, the lease holder must lodge a report about the completion of the well (a ***CSG well completion report***).
- (2) The report must be lodged within 6 months after the rig release day for the well.
- (3) The report must contain the following

information—

- (a) the number of the coal or oil shale mining lease;
- (b) the name and postal address of the operator of the well;
- (c) the identifying name of the well;
- (d) a summary of the information about the well in the report (referred to as a well card);
- (e) spatial information showing the location of the well;
- (f) a geological summary of the area of the lease;
- (g) the height reference in metres for the drilling rig used to drill the well;
- (h) the total depth in metres of the well;
- (i) the following days—
 - (i) the day the drilling of the well started;
 - (ii) the day the total depth of the well was reached;
 - (iii) the rig release day for the well;
- (j) details of the drilling rig, the number and type of drill bits, and the drilling fluids, used in the well;
- (k) the status of the well on the rig release day;
- (l) the surveyed path of the well;
- (m) details of the casing and equipment installed in the well, with a diagram showing their location in the well;
- (n) the type of any perforations in the well and the depth in metres of the top and bottom of the perforated intervals;

[s 14]

- (o) details of the cementing in the well, including its location, the type of cement used and the depth in metres of the top and bottom of each cemented interval;
 - (p) a description of all tests or surveys carried out in the well, including the depth in metres of the place or interval at which the testing was carried out;
 - (q) a geological interpretation of the well, including the stratigraphy of the rock units it intersects;
 - (r) an identification of the intervals in the well that have the potential to produce coal seam gas;
 - (s) an assessment of—
 - (i) the relevance of the well to the coal seam gas potential within the vicinity of the well; and
 - (ii) the implications of the well for the future management of the natural underground reservoir to which the well relates;
 - (t) a description of each geological sample taken during the drilling of the well, including the depth in metres at which the sample was taken;
Examples of geological samples—
cuttings, sidewall cores and conventional cores
 - (u) an interpretation of the data obtained from the geophysical (or wireline) logs that have been run in the well;
 - (v) the lease holder's reasons for choosing the location of the well.
- (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 CSG well or a 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;
 - (b) the raw data, in digital form, of each geophysical (or wireline) log that has been run in the well;
 - (c) a digital image of the graphic representations of the raw data mentioned in paragraph (b).
- (7) In this section—

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

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.

[s 15]

Examples—

the gravitational and magnetic potential fields

operator, of a CSG well, means an operator of a coal mining-CSG operating plant under the Petroleum and Gas (Production and Safety) Act, section 673(2).

rig release day, for a CSG well, means the day the drilling rig last used to drill the well is moved so it is no longer above the well if the coal or oil shale mining lease holder intends no further drilling of the well to occur.

status, of a CSG well, means any of the following that describes the well—

- (a) for a CSG well that is producing—producing;
- (b) for a CSG well that has temporarily stopped producing CSG—shut in;
- (c) for a CSG well that is capable of producing CSG but the productive interval in the well has not been completed for production—cased and suspended;
- (d) for a CSG well that has been plugged and abandoned—plugged and abandoned.

15 Insertion of new ch 2, pt 7

Chapter 2—

insert—

Part 7 Water monitoring bores

31D Plugging and abandoning water monitoring bores—Act, s 334ZZS

For section 334ZZS(3)(a) of the Act, for decommissioning a water monitoring bore, the

bore must be plugged and abandoned in accordance with the document called ‘Minimum construction requirements for water bores in Australia’, published on the department’s website.

16 Amendment of sch 6 (Dictionary)

- (1) Schedule 6, definitions *authorising document*, *holder*, first mention and *native title holder*—

omit.

- (2) Schedule 6—

insert—

CSG well means a well that is made for the production of coal seam gas under—

- (a) a coal or oil shale mining lease for a use under section 318CN(2) of the Act; or
- (b) a transitional lease.

identifying name means the unique identifying name and number for the CSG well recorded in the register.

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

Queensland Government business and industry portal means a website with a URL that contains ‘qld.gov.au’, other than the website of a local government, and that relates to business and industry.

transitional lease means a mineral hydrocarbon mining lease as defined in section 739 of the Act.

well—

- 1 A *well* is a hole in the ground made or being made by drilling, boring or any other means—

-
- (c) an index of previous seismic surveys carried out within the area or any part of the area and a summary of the results of the surveys;
 - (ca) the results of each previous seismic survey mentioned in paragraph (c);
- (3) Section 38(3)(ca) to (j)—
renumber as section 38(3)(d) to (k).

20 Amendment of s 39 (Scientific or technical survey report)

- (1) Section 39(1)(a) and (b), ‘of the area’—
omit, insert—
of an area
- (2) Section 39(3)(d)—
omit, insert—
- (d) an index of previous scientific or technical surveys, of the same type as the survey for which the report is given, carried out within the area or any part of the area;
 - (da) the results of each previous scientific or technical survey mentioned in paragraph (d);
- (3) Section 39(3)(da) to (i)—
renumber as section 39(3)(e) to (j).

21 Amendment of s 71 (Security for petroleum authorities)

- Section 71(1)(c)(iii)—
omit, insert—
- (iii) states the type and number of—
 - (A) the petroleum authority or 1923 petroleum tenure; or

141C Prescribed arbitration institutes—Act, s 433A

For section 433A(8) of the Act, definition *prescribed arbitration institute*, the following entities are prescribed—

- (a) the Queensland Law Society ABN 33 423 389 441;
- (b) the Resolution Institute ABN 69 008 651 232.

ENDNOTES

- 1 Made by the Governor in Council on 18 April 2019.
- 2 Notified on the Queensland legislation website on 19 April 2019.
- 3 The administering agency is the Department of Natural Resources, Mines and Energy.

© State of Queensland 2019