



Queensland

Mineral Resources (Reporting Requirements) Amendment Regulation 2020

Subordinate Legislation 2020 No. 207

made under the

Mineral Resources Act 1989

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1 Short title

This regulation may be cited as the *Mineral Resources (Reporting Requirements) Amendment Regulation 2020*.

2 Commencement

This regulation commences on 1 October 2020.

3 Regulation amended

This regulation amends the *Mineral Resources Regulation 2013*.

4 Amendment of s 13 (Activity reports—Act, ss 178A and 231AA)

(1) Section 13(3)(a), from ‘licence, including—’—

omit, insert—

licence;

(2) Section 13(3)(b) to (f)—

omit, insert—

- (b) a statement detailing whether the relevant work program for the permit or licence was complied with during the reporting period, including details of, and reasons for, any failure to comply with the program;
- (c) a statement about any resources and reserves identified;
- (d) an expenditure statement complying with section 14;
- (e) the hazard information for the permit or licence;
- (f) any other data or information for the report required under the practice direction.

[s 5]

5 Amendment of s 14 (Expenditure statement for activity report)

Section 14(2) to (5)—

omit, insert—

- (2) The expenditure statement must contain a separate itemisation of expenditure for—
 - (a) each activity carried out under a relevant work program for the permit or licence; and
 - (b) each activity, other than an activity mentioned in paragraph (a), carried out under the permit or licence.

6 Omission of s 15 (First activity report—Act, ss 178A and 231AA)

Section 15—

omit.

7 Amendment of s 16 (Partial relinquishment reports and partial surrender reports—Act, ss 178B and 231AB)

(1) Section 16(3)(a)—

omit, insert—

- (a) the day the relinquishment or partial surrender took effect;

(2) Section 16(3)(c) to (e)—

omit.

(3) Section 16(3)(f)—

renumber as section 16(3)(c).

(4) Section 16(3)—

insert—

- (d) a summary, including the name identifier and location, of holes or wells drilled under

-
- the permit or licence in the relinquished area or surrendered area;
- (e) the hazard information for the permit or licence to the extent the information has not been included in, or has changed since, the last report was given for the permit or licence;
- (f) any other data or information for the report required under the practice direction.
- (5) Section 16(4)—
omit.
- (6) Section 16(5), definition *general area information*—
omit, insert—
general area information for a partial relinquishment report or a partial surrender report means—
- (a) spatial information showing—
- (i) for a partial relinquishment report—the previous tenure area and the relinquished area of the exploration permit; or
- (ii) for a partial surrender report—the previous tenure area and the surrendered area of the mineral development licence; and
- (b) any other data or information for the report required under the practice direction.
- (7) Section 16(5), definition *tenure information*—
omit.
- (8) Section 16(5)—
renumber as section 16(4).

[s 8]

8 Amendment of s 17 (Final reports—Act, ss 178C and 231AC)

Section 17(3)(b)—

omit, insert—

- (b) a statement of expenditure (the *expenditure statement*) containing an itemisation of expenditure for each activity under the relevant work program for the permit or licence; and
- (c) the reason the permit or licence ended.

9 Amendment of s 29A (Activity reports for coal or oil shale mining leases—Act, s 315)

(1) Section 29A(1)—

omit, insert—

- (1) For section 315(1)(a) and (b)(i) of the Act, a holder of a coal or oil shale mining lease must give the Minister an activity report for the lease—
 - (a) if the chief executive approves a day nominated by the holder—within 2 months after the approved day; or
 - (b) otherwise—within 2 months after each anniversary day for the lease.

(2) Section 29A(2)(a), ‘last anniversary day’—

omit, insert—

reporting day

(3) Section 29A(2)(b), ‘a plan’—

omit, insert—

spatial information

(4) Section 29A(2)(c), ‘a plan of the mine working envelope’—

omit, insert—

spatial information of the mine workings

(5) Section 29A(2)(d)—

omit, insert—

- (d) any other data or information for the report required under the practice direction.

(6) Section 29A—

insert—

- (2A) The first activity report given to the Minister after an approved day mentioned in subsection (1)(a) must include the details under subsection (2)(a) for the period starting on the most recent reporting day and ending on the approved day.

(7) Section 29A(3), ‘anniversary day’—

omit, insert—

reporting day

(8) Section 29A(4), definition *mine working envelope*—

omit.

(9) Section 29A(4)—

insert—

mine workings, for a mining lease, means land that covers any of the following or is needed for post-production activities—

- (a) past mine workings for the mining lease;
- (b) current mine workings for the mining lease;
- (c) authorised activities for the mining lease associated with the processing, transportation, storage and use of the coal seam gas produced.

reporting day, for a mining lease, means—

- (a) if a day is approved under subsection (1)(a)—the approved day; or
- (b) otherwise—the anniversary day for the lease.

[s 10]

- (10) Section 29A(2A) to (4)—
renumber as section 29A(3) to (5).

10 Amendment of s 29B (Relinquishment report for coal or oil shale mining leases—Act, s 315A)

Section 29B(2)—

insert—

- (c) any other data or information for the report required under the practice direction.

11 Amendment of s 29C (Surrender report for coal or oil shale mining leases—Act, s 315B)

Section 29C(2)—

insert—

- (c) any other data or information for the report required under the practice direction.

12 Amendment of s 29F (Daily drilling report)

- (1) Section 29F(4)—

insert—

- (q) any other data or information for the report required under the practice direction.

- (2) Section 29F(5)—

insert—

proppant means a solid material used to keep an induced hydraulic fracture open during, or after, stimulation of a natural underground reservoir.

Examples of a proppant—

sand, treated sand or manufactured ceramic materials

- (3) Section 29F(5), definition *stimulation*, from ‘cavitations’—
omit, insert—

cavitation, fracture acidising and treatments using a proppant.

13 Amendment of s 29G (CSG well completion report)

(1) Section 29G(2), ‘6 months’—

omit, insert—

12 months

(2) Section 29G(3)(d)—

omit, insert—

(d) a summary of the well including the information for the well required under the practice direction;

(3) Section 29G(3)(f), (s), (t) and (u)—

omit.

(4) Section 29G(3)(n)—

omit, insert—

(n) the type of any perforations in the well, the depth in metres of the top and bottom of the perforated intervals and the perforation spacing in metres;

(5) Section 29G(3)(p) and (q)—

omit, insert—

(p) a description of all tests and surveys carried out in the well, the depth in metres where each test was carried out and the distance in metres between the top and bottom of each testing interval;

(q) an interpretation of the data obtained from the well;

(6) Section 29G(3)(g) to (v)—

renumber as section 29G(3)(f) to (r).

(7) Section 29G(3)—

[s 14]

insert—

- (s) the hazard information for the lease;
 - (t) any other data or information for the report required under the practice direction.
- (8) Section 29G(7), definitions *geological summary*, *operator* and *rig release day—*
omit.

14 Insertion of new s 29H

After section 29G—

insert—

29H CSG well abandonment report

- (1) This section applies to the holder of a coal or oil shale mining lease or transitional lease in relation to the drilling of a CSG well under the lease if—
 - (a) the well is used for mining coal seam gas for a purpose mentioned in section 318CN(2) or 318CNA of the Act; and
 - (b) the well is plugged and abandoned after the rig release day for the well.
- (2) The holder must lodge a report about the abandonment of the well within 6 months after the well is abandoned.
- (3) The report must contain the following information—
 - (a) the number of the lease;
 - (b) the identifying name of the well;
 - (c) the name of the author of the report;
 - (d) the name of the holder of the lease;
 - (e) the name of the operator of the well;

-
- (f) a summary of the well including the information for the well required under the practice direction;
 - (g) the following information in relation to the abandonment of the well—
 - (i) a full description of all equipment, including prescribed equipment, left in the well, including the size and nature of the equipment and any features of the equipment that may cause a hazard to coal mining operations;
Example of features that may cause a hazard to coal mining operations—
 - aluminium, electronics or batteries
 - (ii) the surveyed location of any prescribed equipment;
 - (iii) the method of the cementing operations carried out in or on the well, 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 the abandonment of the well;
 - (h) any other data or information for the report required under the practice direction.

(4) In this section—

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

prescribed equipment means—

[s 15]

- (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

15 Amendment of s 31B (Requirements for reporting the taking of associated water—Act, s 334ZP)

Section 31B(4)—

omit, insert—

- (4) The holder must report under this section—
 - (a) if the reporting period ends on 31 October—within 1 calendar month after the end of the reporting period; or
 - (b) otherwise—on the day the licence or lease expires or is surrendered.

16 Insertion of new ch 4, pt 2

Chapter 4—

insert—

Part 2 Confidentiality periods for required information

87 Confidentiality periods for required information for mining tenements

- (1) This section prescribes, for section 382 of the Act, the confidentiality period for the required information stated in schedule 3A, 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 3A,

column 2 opposite the required information.

- (3) However, there is no confidentiality period for a CSG well abandonment report under section 29H if—
 - (a) the report is to be made available to a person under section 382(1)(b) of the Act; and
 - (b) the person is the holder of a coal or oil shale mining tenement; and
 - (c) the well was drilled in the area of the person's mining tenement.
- (4) Also, there is no confidentiality period for required information not mentioned in subsection (2).

88 Publication of required information

For section 382(1)(a) of the Act, 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;
- (e) on a map that is made available to the public for inspection or purchase;
- (f) in digital or electronic form, including, for example, on a disc or tape;
- (g) by displaying the information on a notice that is available to the public for inspection at—
 - (i) the department's head office; and

[s 17]

- (ii) other places the chief executive considers appropriate;
- (h) by telling the information to another person or presenting it to the person in a visual form.

17 Amendment of s 94 (Prescribed way for making applications etc.—Act, s 386O)

Section 94, heading, from ‘applications’—

omit, insert—

applications, giving or lodging documents or making submissions

18 Insertion of new ch 4, pt 14

Chapter 4—

insert—

Part 14 Transitional provisions for Mineral Resources (Reporting Requirements) Amendment Regulation 2020

116 Time for lodgement of particular reports

- (1) This section applies if a person would, other than for this section, be required to give or 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 give or lodge the report under the relevant section is taken to be 30 June 2021.
- (3) In this section—

relevant section means section 13, 16, 17, 29A, 29B, 29C, 29F, 29G, 29H or 31B.

117 Required information lodged before commencement

- (1) This section applies in relation to the holder of a relevant mining tenement if—
 - (a) before the commencement of this section, required information for the relevant mining tenement was lodged under the Act; and
 - (b) on the commencement of this section—
 - (i) the required information has not been publicly released under section 382 of the Act; and
 - (ii) a confidentiality period would apply for the required information under section 87 if the required information had been lodged after the commencement.
- (2) Subject to subsections (3) to (9), on the commencement, section 87 applies in relation to the required information.
- (3) The holder of the relevant mining tenement may, on or before 30 November 2020, give the chief executive a notice stating—
 - (a) that the holder intends to re-lodge the required information as if the holder were required to lodge the information under the Act after the commencement; and
 - (b) the day, no later than 30 November 2021, by which the required information will be re-lodged.
- (4) Subsection (5) applies if—
 - (a) the holder does not give the chief executive a notice under subsection (3); and

[s 18]

- (b) under subsection (2), the confidentiality period for the required information would, other than for subsection (5), end before 1 January 2021.
- (5) The confidentiality period for the required information is taken to end on 1 January 2021.
- (6) Subsection (7) applies if—
 - (a) the holder gives the chief executive a notice for a relevant mining tenement under subsection (3); and
 - (b) the holder complies with the notice in relation to the required information; and
 - (c) under subsection (2), the confidentiality period for the required information would, other than for subsection (7), end before 1 January 2022.
- (7) The confidentiality period for the required information is taken to end on 1 January 2022.
- (8) Subsection (9) applies if—
 - (a) the holder gives the chief executive a notice under subsection (3); and
 - (b) the holder fails to comply with the notice in relation to required information; and
 - (c) under subsection (2), the confidentiality period for the required information would, other than for subsection (9), end before 1 December 2021.
- (9) The confidentiality period for the required information is taken to end on 1 December 2021.
- (10) In this section—
 - relevant mining tenement***, of a holder, means—
 - (a) the holder’s mining tenement; or
 - (b) any mining tenement granted on or after the commencement of section 382 of the Act for

all or part of the land the subject of the mining tenement mentioned in paragraph (a) for which the holder has, or has access to, required information.

19 Insertion of new sch 3A

After schedule 3—

insert—

Schedule 3A Confidentiality periods for required information

section 87

Required information	End day
an activity report under section 13	5 years after the day on which the report is required to be given to the Minister
a partial surrender report under section 16 for a partial surrender of a tenure required because of the grant of a higher tenure application mentioned in section 139A(1) of the Act	5 years after the day on which the surrender took effect
a final report under section 17 for the end of a tenure required because of the grant of a higher tenure application mentioned in section 139A(1) of the Act	5 years after the day the tenure ends
an activity report for a coal or oil shale mining lease under section 29A	the day on which the tenure ends

[s 20]

Required information	End day
a CSG well completion report under section 29G	5 years after the rig release day for the well

20 Amendment of sch 6 (Dictionary)

(1) Schedule 6, definition *operator*—

omit.

(2) Schedule 6—

insert—

hazard means a thing or situation with potential to cause harm to a person, property or the environment.

hazard information, for a mining tenement, means the following information for a hazard relating to activities carried out under the mining tenement—

- (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.

higher tenure application see section 139A(1)(a) of the Act.

operator—

- (a) of an operating plant, for chapter 2, part 4, division 4, see section 24; or
- (b) for chapter 2, part 4, division 5, means an operator of a coal mining-CSG operating plant under the Petroleum and Gas (Production and Safety) Act, section 673(2).

practice direction means the practice direction called ‘Minerals and Coal Reporting Practice Direction’ stated in the practice manual kept under the Common Provisions Act, section 202.

relevant work program means—

- (a) for a mineral development licence—the statement of activities proposed to be carried out under the licence mentioned in section 183(1)(m)(ii) of the Act; or
- (b) for an exploration permit—the work program (activities-based) for a term of the permit.

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.

ENDNOTES

- 1 Made by the Governor in Council on 17 September 2020.
- 2 Notified on the Queensland legislation website on 18 September 2020.
- 3 The administering agency is the Department of Natural Resources, Mines and Energy.

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