

# **Petroleum lease application guideline**

**June 2023**

This publication has been compiled by Georesources Policy of Georesources Division, Department of Resources.

© State of Queensland, 2023

The Queensland Government supports and encourages the dissemination and exchange of its information. The copyright in this publication is licensed under a Creative Commons Attribution 4.0 International (CC BY 4.0) licence.



Under this licence you are free, without having to seek our permission, to use this publication in accordance with the licence terms. You must keep intact the copyright notice and attribute the State of Queensland as the source of the publication.

Note: Some content in this publication may have different licence terms as indicated.

For more information on this licence, visit <https://creativecommons.org/licenses/by/4.0/>.

The information contained herein is subject to change without notice. The Queensland Government shall not be liable for technical or other errors or omissions contained herein. The reader/user accepts all risks and responsibility for losses, damages, costs and other consequences resulting directly or indirectly from using this information.

**Interpreter statement:**



The Queensland Government is committed to providing accessible services to Queenslanders from all culturally and linguistically diverse backgrounds. If you have difficulty in understanding this document, you can contact us within Australia on 13QGOV (13 74 68) and we will arrange an interpreter to effectively communicate the report to you.

## What is a petroleum lease

A petroleum lease gives its holder the right to explore, test for production and produce petroleum within the defined area of the lease. To apply for a petroleum lease, you must hold a pre-requisite tenure in the form of an Authority to Prospect (ATP), a mining lease or mining lease application for coal or oil shale.

Petroleum leases may be granted under Chapter 2 of the *Petroleum and Gas (Production and Safety) Act 2004* (“the Act”). In certain situations, requirements under Chapter 3 of the Act must also be addressed.

### Key information

- Petroleum leases are granted for the exploration, testing for production and production of petroleum.
- A petroleum lease may also be granted to store petroleum in natural underground reservoirs.
- The petroleum lease application process supports, authorises, and regulates responsible petroleum activities to ensure the development of a safe, efficient, and viable Queensland petroleum industry.
- Regardless of how you apply, all petroleum lease applications must be accompanied by the payment of the prescribed application fee.
- Applying for a petroleum lease is as easy as registering for the [MyMinesOnline](#) electronic lodgement system
- or downloading and submitting a paper application form.

### The term and size of your petroleum lease

A petroleum lease may be granted for a maximum term of 30 years. There is no limit on the maximum area that a petroleum lease may be granted. However, your petroleum lease application must include information about why the size of the proposed petroleum lease is appropriate for the authorised activities under the lease. However, wherever possible, an application should be made over a single parcel of land.

If you are applying for a petroleum lease from a mining lease application or granted mining lease, there is no pre-defined area or shape for your application. The area will depend on the extent of the defined resource. However, the petroleum lease application is generally made over the same area as the application for, or the granted pre-requisite mining lease.

You must also have complied with the conditions of the pre-requisite ATP, or pre-requisite granted mining lease. Furthermore, you must submit information outlining your financial and technical resources, and your ability to manage petroleum exploration and production (the Capability Criteria).

### Development plans under your lease

An Initial Development Plan (IDP) provides detailed information about the nature and extent of the activities you intend undertaking in the first five years following the day of effect of the petroleum lease. An IDP must accompany your application for a petroleum lease.

At the end of the IDP period, or if there have been significant changes to the activities outlined in your IDP, the petroleum lease holder must lodge a Later Development Plan (LDP). A later development plan must detail any changes from the activities proposed under the IDP, the reasons for the changes and the nature of the intended activities for the next five years.

Please follow our [Development Plans](#) and [Work Program Guide](#) when preparing these documents, and lodge your plans quickly and easily through [MyMinesOnline](#).

## **Describing the area**

When applying for a petroleum lease from a pre-requisite ATP, you must use the blocks and sub-blocks description. These blocks and sub-blocks have been approved by the chief executive in Block Identification Maps (BIM) Series B. BIM Series B references the latitudes and longitudes defined in the Australian Geodetic Datum 1966 (AGD66). You can also access the BIM here:

<https://www.data.qld.gov.au/dataset/queensland-mining-and-exploration-administration-series>.

For an application for a petroleum lease from a pre-requisite mining lease application or current mining lease, Digital Shape files are the department's preferred area description format. Alternatively, an Excel CSV file, including the Shape file converter tool, is also acceptable.

## **Evidence and coordination agreements**

Evidence is required to demonstrate that petroleum will be, or is likely to be, produced commercially within two years of the lease taking effect.

Where a contract, coordination arrangement, or other arrangement (a Relevant Arrangement) is in place to supply petroleum produced from the proposed lease area, you must provide evidence that the petroleum produced from the area of the lease will meet some or all of the petroleum required to be supplied under the relevant arrangement.

## **Overlapping resource authorities**

Submitting your application via [MyMinesOnline](#) means the system uses any available data to cross-reference your application against other resource authorities or land restrictions, providing advice on any overlapping resource authorities. Your lease application must specify any pre-existing or overlapping exploration or production resource authorities within the boundaries of the land. This includes mining or petroleum leases, mineral development licenses, mining claims or geothermal exploration permits or leases. Based on the available data, the system will advise whether the application can proceed depending on any existing overlaps. Where prohibited by legislation, these are automatically excised from your lease application.

## **Coal or oil shale mining tenements or a mineral development licence may overlap a petroleum lease application**

If a petroleum lease application was lodged prior to 27 September 2016 and overlaps a coal or oil shale mining tenement or mineral development licence, then the overlapping framework under the P&G Act will likely apply.<sup>1</sup>

---

<sup>1</sup> Unless the overlapping parties have opt-in to the overlapping framework under the MERCP Act by mutual agreement

In this situation, the petroleum lease application must address the overlapping provisions under Chapter 3 of the P&G Act. The provisions under Chapter 3 of the P&G Act for overlapping petroleum lease applications are outlined below:

If the application is within...	Additional lodgement requirements
An area of a coal or oil shale exploration tenement and the application is being made <i>by</i> or <i>jointly with</i> , or <i>with the consent</i> of, the coal or oil shale exploration tenement holder	A Coal Seam Gas (CSG) Statement Information that addresses the CSG assessment criteria Written consent (if applicable)
An area of a coal or oil shale exploration tenement and the application is being made other than <i>by</i> or <i>jointly with</i> , or <i>with the consent</i> of, the coal or oil shale exploration tenement holder	CSG Statement Information that addresses the CSG assessment criteria
An area of a coal or oil shale mining lease and the application is being made other than <i>by</i> or <i>jointly with</i> , or <i>with the consent</i> of the coal or oil shale mining lease holder	CSG Statement
An area of a coal or oil shale mining lease and is being made <i>by</i> or <i>jointly with</i> , or <i>with the consent</i> of the coal or oil shale mining lease holder	CSG Statement

If a petroleum lease application was lodged on or after 27 September 2016 and overlaps a coal or oil shale mining tenement or mineral development licence, then the overlapping tenure framework under Chapter 4 of the *Mineral and Energy Resources (Common Provisions) Act 2014* (MERC Act) will likely apply.

**Important Note:**

Some overlapping provisions detailed under Chapter 3 of the P&G Act will apply to a PL application despite the overlapping framework under Chapter 4 of the MERC Act applying. If the overlapping provisions under Chapter 4 of the MERC Act apply to a petroleum lease application, then Parts 1-5 of Chapter 3 of the P&G Act overlapping provisions are excluded.<sup>2</sup> However, Parts 5 - 6 of Chapter 3 of the P&G Act overlapping provisions will apply and some of the requirements such as a [CSG Statement](#) are still required to be lodged with a PL application.

**Land restrictions**

**Unavailable Land** is generally land other than the pre-requisite tenure, which may also include 'excluded land' for another petroleum tenure.

Please note that *Unavailable Land* will be removed from your lease application area, if it is accepted. Hardcopy applications received will also be amended accordingly.

<sup>2</sup> See section 303A of the P&G Act.

**Excluded Land** may be determined by the Minister when deciding whether to grant the petroleum lease application. For example, *Excluded Land* may include land within the area of the lease application falling within a gazetted National Park.

As *Excluded Land* may be returned to the area of a granted lease at a later date, it remains within the area of the proposed lease but cannot be accessed to carry out activities authorised by the lease.

The department provides written advice confirming the status of your lease application once appropriate assessments are complete.

## **Amalgamation of petroleum leases**

A petroleum lease holder may apply to amalgamate two or more petroleum leases into a single lease. You can apply to amalgamate two or more petroleum leases into a single lease as long as:

- all of the holders of the individual leases agree to the proposed amalgamation
- the holders of the amalgamated lease will be the same as the holders of the individual leases
- the individual lease holders have complied with the *Petroleum and Gas (Production and Safety) Act 2004*.

The petroleum leases do not need to be contiguous, but the proposed development plan must justify how the areas will be used in a single operation. The production commencement day of the amalgamated lease must also not be later than the earliest production commencement day of the individual leases.

The amalgamation provisions do not apply to petroleum leases granted under the *Petroleum Act 1923*. However, if you are the holder two or more petroleum leases issued under the *Petroleum Act 1923*, you may apply to amalgamate the leases into a single petroleum lease issued under the *Petroleum and Gas (Production and Safety) Act 2004* at the time of lodging a replacement petroleum lease application.

## **Tenders, underground storage, and application under the *Petroleum Act 1923***

For petroleum lease applications responding to tenders under Chapter 2 (Part 2, Division 3) of the P&G Act for the purpose of storing petroleum in natural underground reservoirs, or to be made under section 40 of the *Petroleum Act 1923*, please contact the department for further information.

## Application steps for MyMinesOnline

What you need to do	Supporting information
<p>Log in to <i>MyMinesOnline</i>, select <i>Apply for a new permit or renew a permit</i> from the <i>I want to...</i> options of the <i>My dashboard</i> tab and select <i>Enter a new permit application</i>. Information on <i>Mining Tenure</i> types and the relevant forms <a href="#">are also available</a> to download.</p> <ol style="list-style-type: none"> <li>If you agree with the <i>Terms and Conditions</i>, select <b>Continue</b> and use the drop-down boxes to select the <i>Resource</i> either mineral or coal and the <i>Permit type</i> you are applying for select <b>Next</b></li> <li>Provide any <i>Prerequisite or Amalgamation Permits</i> by entering the <i>Permit type</i> and <i>Permit numbers</i> and select <b>Add permit</b></li> <li>Upload the prerequisite or amalgamation permit holder/s consent/s and select <b>Save</b></li> </ol> <p><b>Note: At this stage the system creates the new application. This may take a few moments. You need to wait until the screen displays with the link <i>Continue to your application</i>.</b></p> <ol style="list-style-type: none"> <li>Select the <i>Continue to your application</i> link</li> </ol> <p>Once created, the steps to follow for the new permit application display in the <i>Application status summary</i> table if completing the steps online. Complete each step as described in the summary. The status of each step displays once details are completed. Some steps will not be available until a preceding step is completed.</p> <ol style="list-style-type: none"> <li>Select <b>Step 1</b>.</li> </ol>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Prerequisite permit numbers</li> <li><input type="checkbox"/> Upload the prerequisite permit holder/s consent/s</li> </ul>
<p><b>Step 1: Permit details</b></p> <p>From the <i>Application status summary</i> table or form, select <i>Step 1: Permit details</i></p> <ol style="list-style-type: none"> <li>Enter the <b>Permit name</b> (for your reference only as it is not be used by the department)</li> <li>Specify the term of the proposed permit</li> <li>Attach a statement justifying the length of the term</li> <li>Provide the general locality of the application by a brief description of the general area for example 15km Southeast of Mt. Isa. This description is used in the native title advertising process, if required</li> <li>For minerals and infrastructure permits only: enter mineral name and select <b>Add mineral</b> or enter infrastructure information, if required</li> <li>Select <b>Save</b></li> </ol> <p><b>Note:</b> After each step, the system refreshes to display the status. If a step is complete, the <b>Complete</b> status displays. If incomplete, the status <b>Incomplete</b> displays. Steps can be revisited throughout the process.</p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> A justifying statement for the term of the lease</li> </ul>
<p><b>Step 2: Permit holder details</b></p> <p>From the <i>Application status summary</i> table, select <i>Step 2: Permit holder details</i></p> <ol style="list-style-type: none"> <li>Select either <b>Add Company</b> or <b>Add Individual Holder</b> Search for your company or individual holder with either name or ACN/ARBN or leave the field blank and select <b>Search</b></li> <li>Select the relevant company or holder or select <b>Create new company/individual record</b> and add/update contact details (including email address) and select <b>Next</b></li> <li>Specify the percent holding for each holder. The total holding must equal 100 per cent. If there is only one holder the percentage must equal 100 per cent for that</li> </ol>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Proof of identity</li> <li><input type="checkbox"/> Signed letter of authority</li> <li><input type="checkbox"/> Signed letter of consent by the holder/s</li> <li><input type="checkbox"/> The Permit</li> </ul>

<p>holder. Use the check box to select the authorised holder, which will default to the principal contact</p> <ol style="list-style-type: none"> <li>4. Select tenancy type – <b>Joint, Sole Holder</b> or <b>Tenancy in Common</b></li> <li>5. Select <b>Next</b></li> <li>6. Review and confirm contact details</li> <li>7. Assign an <b>Authorised Holder Representative</b> to act on your behalf and attach a signed letter of authority and consent of all holders for the authorised holder representative and select <b>Save</b>.</li> </ol> <p><b>Note:</b> The Act requires all applicants to provide proof of identity when making applications. Each applicant must be an eligible person as defined under the relevant Act. To establish eligibility all applicants are required to provide proof of identity by submitting the following as an attachment with the application.</p> <p><u>For an individual</u></p> <p>A copy of the original of <b>one</b> of the following</p> <ul style="list-style-type: none"> <li>▪ the applicant's full birth certificate (not an extract)</li> <li>▪ passport in the name of the applicant</li> <li>▪ 18+ card in the name of the applicant</li> <li>▪ driver's licence in the name of the applicant.</li> </ul> <p><u>For a company</u></p> <p>The applicant must possess the certificate of registration issued by the Australian Securities and Investments Commission (ASIC) showing the Australian Company Number (ACN).</p> <p>When applying using the <b>electronic form</b> the department will confirm the validity of the ACN via a direct link with ASIC.</p> <p>If applying using the <b>paper form</b>, a certified copy of the certificate of registration issued by ASIC must be attached to the application form.</p>	<p>Administration Guide has more detailed information about what to include in a letter of authority</p>
<p><b>Step 3: Select permit area</b></p> <p>From the <i>Application status summary</i> table or form, select Step 3: <i>Select permit area</i>.</p> <ol style="list-style-type: none"> <li>1. For applications over a pre-requisite <i>Authority to Prospect permit</i> or over <i>Petroleum Leases</i> subject to an amalgamation choose the BIM, <i>block and sub block</i> option</li> <li>2. For applications over a pre-requisite mining lease application or granted mining lease choose <i>Freeform</i> only. For <i>Freeform</i> permit areas, enter the approximate size of the lease in hectares (to two decimal places) and provide a statement justifying the size of the lease and the term of the application.</li> <li>3. Select the datum standard and enter the coordinates for the datum post with GPS points in latitude and longitude on GDA2020 Datum</li> <li>4. Start typing within the search field and select the required local authority from the drop-down list and select <b>Add local authority</b></li> <li>5. Provide a Shape or Excel CSV file of the proposed permit area, its boundaries and access for an application from a pre-requisite mining lease application or granted mining lease</li> <li>6. Provide a map of the area setting out the boundaries and access</li> <li>7. Add any supporting documents if required and select <b>Save</b>.</li> </ol>	<ul style="list-style-type: none"> <li><input type="checkbox"/> A statement outlining the size of the lease and the term of the application</li> <li><input type="checkbox"/> Supporting documentation or graphic representation of the area, including photos or maps</li> <li><input type="checkbox"/> If required, a Shape file, Excel CSV, sketch or map clearly showing the external boundaries and total area of the proposed lease</li> </ul>

<p><b>Step 4: Land information details</b> From the <i>Application status summary</i> table or form, select <i>Step 4: Land information details</i></p> <ol style="list-style-type: none"> <li>1. Upload a landowner consultation statement</li> <li>2. Select <b>Yes</b> or <b>No</b> to specify if the reservoir overlaps an adjacent petroleum lease or coal/oil shale mining lease</li> <li>3. If applicable, specify any production or exploration permits for coal or oil shale that overlaps the permit land. Select the permit type and enter the permit number in the <b>Permit number</b> field and select <b>Add permit</b></li> <li>4. Select <b>Yes</b> or <b>No</b> to specify if the land applied for is situated within a greenhouse gas tenure and select <b>Save</b>.</li> </ol>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Landowner consultation statement</li> <li><input type="checkbox"/> Production or exploration permits</li> <li><input type="checkbox"/> A GHG statement along with any supporting documentation addressing GHG assessment criteria</li> </ul>
<p><b>Step 5: Environmental authority</b> From the <i>Application status summary</i> table or form, select <i>Step 5: Environmental authority</i></p> <ol style="list-style-type: none"> <li>1. All other types of EA applications must be lodged directly with the <a href="#">Department of Environment and Science</a> (DES) using the <a href="#">Connect</a> system or lodging a paper application.</li> </ol> <p><b>Note:</b> Your EA will be assessed by DES, who will advise you the EA number once issued. Confirmation that the EA is issued is required before your resource authority can be granted.</p> <p>Please note, once technical assessments and native title processes are complete, the department will advise you of any outstanding monies (for example rent, security) and you have 20 business days from the date of the letter to finalise these accounts.</p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> You will be required to submit EA application directly to DES using <a href="#">Connect</a></li> <li><input type="checkbox"/> You must be registered suitable operator before the EA can be issued.</li> </ul>
<p><b>Step 6: Native title</b> From the <i>Application status summary</i> table or form, select <i>Step 6: Native title</i></p> <p><b>Note</b> As the available processes depend on the type of permit, the works to be undertaken and the area of land that is subject to native title, you need to confirm which native title process you intend to undertake by use of the radio buttons.</p> <ol style="list-style-type: none"> <li>1. If you select that you wish to undertake a native title process, use the drop-down function to select the applicable process for your permit.</li> <li>2. If you select <b>Right to negotiate and ILUA</b> you need to nominate the type of ILUA you will opt into.</li> </ol> <p><b>Note:</b> Any application which includes more than 10 per cent non-exclusive land must undertake a native title process. An incorrect process selection could render your application invalid and liable to rejection</p> <p><b>Note:</b> If you select to proceed without undertaking a native title process, you need to indicate by use of the check box that if after a full assessment is completed it is determined that native title does exist; you accept that a native title process is required and advertising fees will be requested by the Department.</p> <ol style="list-style-type: none"> <li>3. Select the check box and select <b>Next</b></li> </ol> <p>Please review our full <a href="#">Native Title Guide</a> for more information on this step.</p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Acceptance of fees if required</li> </ul>

<p><b>Step 7: Proposed program and plan</b> From the <i>Application status summary</i> table or form, select Step 7: <i>Proposed program and plan</i></p> <p>The scope of development plans may vary depending on the size and complexity of the proposed operations. If the proposed lease supports other permits or forms part of a broader project, the development plan must describe it and clearly show the relationship to the proposed lease</p> <ol style="list-style-type: none"> <li>1. Use the drop down list to select the number of years for the proposed development plan</li> <li>2. Upload the completed proposed development plan and select <b>Save</b></li> </ol> <p>Please review our full <a href="#">Development Plan and Work Program Guide</a> on preparing a development plan.</p>	<p><input type="checkbox"/> Provide your development plan</p>
<p><b>Step 8: Financial and technical capability</b> From the <i>Application status summary</i> table or form, select Step 8: <i>Financial and technical capability</i></p> <p>Applicants must demonstrate how they intend to meet the financial and technical capability and commitments for the permit to ensure any planned activities are sufficiently funded and adequately resourced.</p> <ol style="list-style-type: none"> <li>1. Upload financial capability statements</li> <li>2. Upload financial commitments document</li> <li>3. Upload any supporting evidence and select <b>Next</b></li> <li>4. Upload technical capability statements</li> <li>5. Upload other resource commitment statements</li> </ol> <p><b>Note:</b> If a third party is providing resources for the applicant's permit activities, a statement declaring the resource availability is required.</p> <ol style="list-style-type: none"> <li>6. Upload third party declarations as required</li> </ol> <p><b>Note:</b> If any holder has less than five years of satisfactory compliance history with a current permit in the Queensland resources sector, or wishes not rely on this history, additional supporting evidence is required. Please review our full <a href="#">Financial and Technical Capability Guide</a></p> <ol style="list-style-type: none"> <li>1. Upload supporting evidence as required</li> <li>2. Select <b>Save</b></li> </ol>	<p><input type="checkbox"/> Financial capability statements</p> <p><input type="checkbox"/> Financial commitments documents</p> <p><input type="checkbox"/> Supporting evidence</p> <p><input type="checkbox"/> Technical capability statement</p> <p><input type="checkbox"/> Resource commitment statements</p> <p><input type="checkbox"/> Third party declarations</p> <p><input type="checkbox"/> Supporting evidence</p>
<p><b>Step 9: Understanding your obligations</b> From the <i>Application status summary</i> table or form, select Step 9: <i>Understanding your obligations</i></p> <p><b>Note:</b> As a result of the granting of a permit, permit holders must know their obligations generally listed on the <i>Instrument of Grant</i> as 'permit conditions' or mandatory conditions as prescribed by <i>the Act</i> or <i>the Regulation</i>. These obligations are also attached to the EA, so you must confirm you understand your permit obligations.</p> <ol style="list-style-type: none"> <li>1. Select the check box to indicate your understanding of an agreement to the obligations and select <b>Save</b>.</li> </ol>	<p><input type="checkbox"/> Check the Permit Holder Obligations Guide to ensure you've understood your responsibilities as a permit holder.</p>

### Step 10: Pay and Submit Application

From the *Application status summary* table or form, select Step 10: *Pay and submit Application*

**Note:** If submitting a paper copy, acknowledge you've read the declaration by signing and dating the form. The form must be signed **by all permit holders** or it will be delayed or may not be accepted.

1. Select your payment option by use of the radio buttons
  - Submit your form in person or post it to a [Mines Assessment Hub](#). You can pay by cash, via EFTPOS or by cheque if submitting your form in person.
  - If posting your application, **only cheque payments** are accepted
  - If you have registered for the MyMinesOnline portal and are submitting via the website, selecting the Pay and Submit task will offer payment options to complete your transaction
2. Click **OK** to accept the fee payment method or **Cancel** to change payment method
3. Once you have paid or provided proof of payment, select **Next** and an electronic email receipt will be sent. Your request will be submitted once payment is confirmed
4. Select **Close**

Proof of payment to verify your application has been successfully lodged

### More information

**Petroleum Hub** Phone: (07) 3199 8118

Email: [PetroleumHub@resources.qld.gov.au](mailto:PetroleumHub@resources.qld.gov.au)

For technical support contact the **MyMinesOnline Helpdesk**

Telephone: +61 7 3199 8133

Email: [MyMinesOnline@resources.qld.gov.au](mailto:MyMinesOnline@resources.qld.gov.au)

8.30am – 4.30pm (AEST) Monday to Friday on Queensland business days.