Petroleum lease guide

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://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 an 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 resource authorities 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 P&G Act will likely apply. 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:

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

Petroleum lease guide
Department of Natural Resources, Mines and Energy
September 2020, version 3.03
If the application is within... | Additional lodgement requirements
---|---
An area of a coal or oil shale exploration tenement and the application is being made by or jointly with, or with the consent 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 by or jointly with, or with the consent 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 by or jointly with, or with the consent 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 by or jointly with, or with the consent 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* (MERCP Act) will likely apply. For information relating to the overlapping tenures framework under the MERCP Act please refer to the [Overlapping tenures guide – Coal and coal seam gas](#).

**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 MERCP Act applying. If the overlapping provisions under Chapter 4 MERCP Act apply to a petroleum lease application, then Parts 1-5 of the Chapter 3 P&G Act overlapping provisions are excluded. However, Parts 5 - 6 of the Chapter 3 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.

- **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.

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2 See section 303A of the P&G Act.
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

Log in to MyMinesOnline, select Apply for a new permit or renew a permit from the I want to… options of the My dashboard tab and select Enter a new permit application. Information on Mining Tenure types and the relevant forms are also available to download.

1. If you agree with the Terms and Conditions, select Continue and use the drop down boxes to select the Resource either mineral or coal and the Permit type you are applying for select Next
2. Provide any Prerequisite or Amalgamation Permits by entering the Permit type and Permit numbers and select Add permit
3. Upload the prerequisite or amalgamation permit holder/s consent/s and select Save

**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 Continue to your application.

4. Select the Continue to your application link

Once created, the steps to follow for the new permit application display in the Application status summary 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.

5. Select Step 1.

#### Step 1: Permit details

From the Application status summary table or form, select Step 1: Permit details

1. Enter the Permit name (for your reference only as it is not be used by the department)
2. Specify the term of the proposed permit
3. Attach a statement justifying the length of the term
4. Provide the general locality of the application by a brief description of the general area for example 15km South East of Mt. Isa. This description is used in the native title advertising process, if required
5. For minerals and infrastructure permits only: enter mineral name and select Add mineral or enter infrastructure information, if required
6. Select Save

**Note:** After each step, the system refreshes to display the status. If a step is complete, the Complete status displays. If incomplete, the status Incomplete displays. Steps can be revisited throughout the process.

#### Step 2: Permit holder details

From the Application status summary table, select Step 2: Permit holder details

1. Select either Add Company or Add Individual Holder
   Search for your company or individual holder with either name or ACN/ARBN or leave the field blank and select Search
2. Select the relevant company or holder or select Create new company/individual record and add/update contact details (including email address) and select Next
3. Specify the percent holding for each holder. The total holding must equal 100 per

**Supporting information**

- Prerequisite permit numbers
- Upload the prerequisite permit holder/s consent/s
- A justifying statement for the term of the lease
- Proof of identity
- Signed letter of authority
- Signed letter of consent by the holder/s
cent. If there is only one holder the percentage must equal 100 per cent for that holder. Use the check box to select the authorised holder, which will default to the principal contact.

4. Select tenancy type – **Joint, Sole Holder or Tenancy in Common**

5. Select **Next**

6. Review and confirm contact details

7. Assign an **Authorised Holder Representative** to act on your behalf and attach a signed letter of authority and consent of all holders for the authorised holder representative and select **Save**.

**Note:** 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.

For an individual

A copy of the original of **one** of the following

- the applicant’s full birth certificate (not an extract)
- passport in the name of the applicant
- 18+ card in the name of the applicant
- driver’s licence in the name of the applicant.

For a company

The applicant must possess the certificate of registration issued by the Australian Securities and Investments Commission (ASIC) showing the Australian Company Number (ACN).

When applying using the **electronic form** the department will confirm the validity of the ACN via a direct link with ASIC.

If applying using the **paper form**, a certified copy of the certificate of registration issued by ASIC must be attached to the application form.

### Step 3: Select permit area

From the **Application status summary** table or form, select Step 3: **Select permit area**.

1. For applications over a pre-requisite **Authority to Prospect permit** or over **Petroleum Leases** subject to an amalgamation choose the **BIM, block and sub block** option.

2. For applications over a pre-requisite mining lease application or granted mining lease choose **Freeform** only. For **Freeform** 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.

3. Select the datum standard and enter the coordinates for the datum post with GPS points in latitude and longitude on GDA2020 Datum.

4. Start typing within the search field and select the required local authority from the drop down list and select **Add local authority**

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.

6. Provide a map of the area setting out the boundaries and access

7. Add any supporting documents if required and select **Save**.

- The Permit Administration Guide has more detailed information about what to include in a letter of authority.

- A statement outlining the size of the lease and the term of the application

- Supporting documentation or graphic representation of the area, including photos or maps.

- If required, a Shape file, Excel CSV, sketch or map clearly showing the external boundaries and total area of the proposed lease.
### Step 4: Land information details
From the Application status summary table or form, select Step 4: Land information details

1. Upload a land owner consultation statement
2. Select Yes or No to specify if the reservoir overlaps an adjacent petroleum lease or coal/oil shale mining lease
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 Permit number field and select Add permit
4. Select Yes or No to specify if the land applied for is situated within a greenhouse gas tenure and select Save.

### Step 5: Environmental authority
From the Application status summary table or form, select Step 5: Environmental authority

1. All other types of EA applications must be lodged directly with the Department of Environment and Science (DES) using the Connect system or lodging a paper application.

**Note:** 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. 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.

### Step 6: Native title
From the Application status summary table or form, select Step 6: Native title

**Note** 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.

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. You will need in all cases to upload a Right to negotiate submission
2. If you select Right to negotiate and ILUA you need to nominate the type of ILUA you will opt into.

**Note:** 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

**Note:** 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.

3. Select the check box and select Next

Please review our full Native Title Guide for more information on this step.
### Step 7: Proposed program and plan

From the Application status summary table or form, select Step 7: Proposed program and plan

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.

1. Use the drop down list to select the number of years for the proposed development plan
2. Upload the completed proposed development plan and select **Save**

Please review our full Development Plan and Work Program Guide on preparing a development plan.

![Provide your development plan](image)

### Step 8: Financial and technical capability

From the Application status summary table or form, select Step 8: Financial and technical capability

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.

1. Upload financial capability statements
2. Upload financial commitments document
3. Upload any supporting evidence and select **Next**
4. Upload technical capability statements
5. Upload other resource commitment statements

**Note:** If a third party is providing resources for the applicant’s permit activities, a statement declaring the resource availability is required.

6. Upload third party declarations as required

**Note:** 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 Financial and Technical Capability Guide

1. Upload supporting evidence as required
2. Select **Save**

![Financial capability statements](image)

![Financial commitments documents](image)

![Supporting evidence](image)

![Technical capability statement](image)

![Resource commitment statements](image)

![Third party declarations](image)

![Supporting evidence](image)

### Step 9: Understanding your obligations

From the Application status summary table or form, select Step 9: Understanding your obligations

**Note:** As a result of the granting of a permit, permit holders must know their obligations generally listed on the Instrument of Grant as ‘permit conditions’ or mandatory conditions as prescribed by the Act or the Regulation. These obligations are also attached to the EA, so you must confirm you understand your permit obligations.

1. Select the check box to indicate your understanding of an agreement to the obligations and select **Save**.

![Check the Permit Holder Obligations Guide](image)
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**

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**More information**

**Coal Hub** Phone: (07) 4936 0169  
Email: CoalHub@dnrme.qld.gov.au

**Mineral Hub** Phone: (07) 4447 9230  
Email: MineralHub@dnrme.qld.gov.au

**Petroleum Hub** Phone: (07) 3199 8118  
Email: PetroleumHub@dnrme.qld.gov.au

For technical support contact the **MyMinesOnline Helpdesk**  
Telephone: +61 7 3199 8133  
Email: mines_online@dnrme.qld.gov.au

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