

# Mineral Resources Regulation 2025

Explanatory notes for SL 2025 No. 105

made under the

*Acts Interpretation Act 1954*

*Coal Mining Safety and Health Act 1999*

*Mineral and Energy Resources (Common Provisions) Act 2014*

*Mineral Resources Act 1989*

*Regional Planning Interests Act 2014*

## General Outline

### Short title

*Mineral Resources Regulation 2025*

### Authorising law

Section 52B of the *Acts Interpretation Act 1954*

Section 282 of the *Coal Mining Safety and Health Act 1999*

Section 210 of the *Mineral and Energy Resources (Common Provisions) Act 2014*

Section 417 of the *Mineral Resources Act 1989*

Section 95 of the *Regional Planning Interests Act 2014*

### Policy objectives and the reasons for them

The objectives of the *Mineral Resources Regulation 2025* are to:

1. support the *Mineral Resources Act 1989* (the MR Act) to ensure sustainable and responsible development of mineral resources for the benefit of Queensland and its people. This includes providing a framework for exploring, developing, and utilising these resources while considering economic, social, and environmental factors;
2. impose additional resource authority conditions that balance the needs of landowners and resource authority holders;
3. set prescribed thresholds for large mineral mining leases for greater oversight;
4. set out reporting requirements that allow the State to collect data and information that industry can use to value add to their exploration programs to identify new resource deposits;
5. prescribe rents and fees to recover costs for administration of the regulatory framework in line with the State's user pays policy.

## Achievement of policy objectives

The remade *Mineral Resources Regulation 2025* (the 2025 Regulation) is part of the legislative framework governing the exploration and production of minerals and coal and plays an important role in supporting the policy objectives of the MR Act. The 2025 Regulation sets out the requirements for work programs and development plans, plugging and abandoning CSG wells, reporting, notices, conditions for resource authorities, royalties and prescribed rents and fees.

The 2025 Regulation is made in substantially similar form to the *Mineral Resources Regulation 2013* with one major amendment to remove the royalty provisions into a separate Regulation, the Mineral Resources (Royalty) Regulation 2025. Minor amendments have also been made to correct errors, update reference standards, update wording based on current drafting style or incorporate changes suggested during the review and consultation processes.

To continue to achieve policy objectives, and to align with current practices, the below changes have been incorporated as a result of stakeholder consultation:

- An amendment to replace the 'Australian guidelines for estimating and reporting of inventory coal, coal resources and coal reserves' with reference to the 'Australasian code for reporting of exploration results, mineral resources and ore reserves (JORC code)', an internationally recognised code to measure coal reserves. The Australian guideline is no longer maintained and is not recognised internationally.
- Overlapping provisions relating to coal and coal seam gas resource authorities were historically managed by joint interactive management plans. Overlapping processes for mining leases are now contained in the *Mineral and Energy (Common Provisions) Act 2014*. The *Mineral Resources Regulation 2013* contained transitional provisions that applied to mining leases granted prior to 2017. These will be removed and the remaining provisions about joint interaction management plans will be transferred to the *Coal Mining Safety and Health Regulation 2017*.
- Schedule 1 of the 2025 Regulation contains conditions for resource authority holders to obtain consent from a landowner where they want to light a fire, discharge a firearm or use an alternative access, and provide this consent to the Chief Executive. The conditions have been amended to require a copy of consent to be given to an authorised officer on request.
- Amendments to modernise the list of prohibited machinery provisions and provide an exemption where the machinery is for fire management and prevention of water egress.
- Amend the description of existing application fee for an alluvial, eluvial or colluvial gold mining lease to include the mineral 'silver', to allow gold miners to sell any silver found in gold and tin mineral deposits, recognising that gold, tin and silver are usually located together.

- Expand the list of prescribed minerals and prescribed thresholds in preparation for an expansion of critical mineral projects.
- Introduce the ability for resource authority holders to have a common reporting date for activity reports that are required annually. This will enable resource authority holders with a large number of exploration permits or mineral development licences to request one due date for their reports to reduce regulatory burden.

In addition, the royalty provisions previously within the *Mineral Resources Regulation 2013* will be moved into a new standalone regulation.

A Regulatory Impact Analysis has been completed under The Queensland Government Better Regulation Policy.

Some chapters have been restructured and a summary of each chapter and schedule is outlined below.

#### Chapter 1 Preliminary

Chapter 1 sets out preliminary matters for the 2025 Regulation.

#### Chapter 2 Mining Tenements

Chapter 2 prescribes other requirements and conditions for mining tenements.

#### Chapter 3 Miscellaneous

Chapter 3 prescribes miscellaneous requirements relating to publishing information, and confidentiality periods.

#### Chapter 4 Transitional provisions

Chapter 4 sets out provisions for conditions, reporting and other requirements in effect prior to commencement of the 2025 Regulation.

#### Chapter 5 Amendment of *Coal Mining Safety and Health Regulation 2017*

Chapter 5 amends the *Coal Mining Safety and Health Regulation 2017* to include transitional provisions for joint interactive management plans.

#### Chapter 6 *Mineral and Energy Resources (Common Provisions) Regulation 2016*

Chapter 6 amends fees in the *Mineral and Energy (Common Provisions) Regulation 2016* to align with the 2025 Regulation.

#### Chapter 7 Other amendments

Chapter 7 prescribes consequential amendments to other legislation.

## **Consistency with policy objectives of authorising law**

The 2025 Regulation is consistent with the policy objectives of the MR Act, as it provides the administrative framework necessary to facilitate and regulate the carrying out of responsible mineral resources exploration and production activities.

## **Inconsistency with policy objectives of other legislation**

The 2025 Regulation is not inconsistent with the policy objectives of other legislation.

## **Benefits and costs of implementation**

The 2025 Regulation ensures that the regulatory framework supporting the MR Act continues appropriately. A robust framework regulating mineral and coal resources benefits government and industry by clarifying stakeholder obligations, responsibilities and entitlements.

Implementing the 2025 Regulation will not result in any increased costs for government, industry or community, as the 2025 Regulation remains substantively the same as the preceding *Mineral Resources Regulation 2013*.

## **Consistency with fundamental legislative principles**

The 2025 Regulation has been drafted with regard to fundamental legislative principles and as defined in section 4(5) of the *Legislative Standards Act 1992*.

The 2025 Regulation may be inconsistent with one fundamental legislative principle: 'the delegation of legislative power only in appropriate cases and to appropriate persons'.

The reporting provisions delegate legislative power to a practice direction forming part of the practice manual approved under section 202 of the *Mineral and Energy Resources (Common Provisions) Act 2014*.

The references to a practice direction were included in the *Mineral Resources Regulation 2013* in 2020 for the practice direction to provide for the technical contents of a report including types of digital data. Any inconsistency is justified on the basis that the practice direction allows the Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development (NRMMRRD) to respond quickly to changes in technology in the resources sector.

No concerns were raised during consultation about this use of the practice direction that has been in effect for five years. NRMMRRD has a practice of conducting consultation as part of the development of a practice direction to ensure it meets operational needs and satisfies requirements of government and industry.

## **Consultation**

In January 2025, NRMMRRD wrote to key stakeholders in agricultural, resources, environmental sectors and invited submissions about improvements to the *Mineral Resources Regulation 2013*. This was followed up with meetings to discuss issues upon request. The Queensland Resources Council requested an amendment to allow for an approved 'reporting day' for exploration permits to allow for reports for projects

to be aligned. This amendment has been included as it will create a regulatory efficiency for industry in line with government objectives.

In March 2025, a draft of the 2025 Regulation was circulated to the same stakeholders inviting feedback on any amendments. Feedback was supportive with only minor issues being raised that have now been addressed.

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