

# Operational policy

## Obtaining a survey licence for hydrogen

MIN/2022/6181

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Version 1.00

### 1. Purpose

The Queensland Resources Industry Development Plan commits the Queensland Government to complete a review of relevant regulatory and assessment frameworks to focus on delivering a world-class regulatory assessment process for hydrogen that provides certainty for investors and the community (Action 14).

To support Action 14, this policy clarifies the department's position that a survey licence may be granted under the *Petroleum and Gas (Production and Safety) Act 2004* (P&G Act) for the purpose of planning a proposed pipeline route for hydrogen used or intended to be used as fuel. Note, broader changes to the regulatory frameworks for hydrogen are being considered as part of the review outlined in Action 14.

### 2. Background

The Minister may grant a survey licence under section 396 of the P&G Act. Proponents who have been granted a survey licence may enter the area of the licence to investigate and survey its potential and suitability for construction and operation of pipelines and identify possible pipeline routes and pipeline access routes.

A survey licence does not provide a direct pathway or right to obtain a pipeline licence for the construction and operation of a pipeline. However, a survey licence provides greater certainty for proponents planning construction and operation of a pipeline and for negotiating with landholders.

### 3. Policy determination

Hydrogen that is used or intended to be used as a fuel is prescribed as a 'fuel gas' for the purposes of section 11(2)(c) of the P&G Act.<sup>1</sup>

It is the Department of Resources' view that a person may apply for a survey licence under section 395 of the P&G Act for a hydrogen pipeline, when the hydrogen is considered to be 'fuel gas' (within the definition of 'fuel gas').

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<sup>1</sup> See section 6(a) of the Petroleum and Gas (General Provisions) Regulation 2017.

However, a survey licence cannot be granted for hydrogen carriers, such as ammonia, as these substances are not prescribed as fuel gas under section 6 of the Petroleum and Gas (General Provisions) Act 2017.

## 4. How to apply for a survey licence

An application for a survey licence may be lodged by an individual or corporation using the [MyMinesOnline](#) system and with payment of the prescribed fee.<sup>2</sup> A survey licence application must meet the [application requirements](#) and may be granted for a term of up to 2 years.

A relevant environmental authority (EA) must be issued by the Department of Environment and Science (DES) for the grant of a survey licence. DES has a [streamlined process to obtain a standard EA for survey licence activities](#) if the proponent is eligible.

Further information about applying for survey licences for hydrogen can be found on the department's [website](#).

### Document information

**Availability and location:** External – Business Industry Portal

**Owner and approver:** Deputy Director-General, Georesources Division

**Review date:** October 2023

**Related documents:** N/A

**Contacts:** For help and information about this policy, please contact the Petroleum Assessment Hub on (07) 3199 8118 or email [petroleumhub@resources.qld.gov.au](mailto:petroleumhub@resources.qld.gov.au).

### Disclaimer

The purpose of this policy is to provide a framework for consistent application and interpretation of the legislation administered by the department. Policies may be applied flexibly where individual circumstances require an alternative application of policy. Where this policy, or part of this policy, is inconsistent with relevant legislation, the legislation will prevail to the extent of the inconsistency. While this document has been prepared with care it contains general information and does not profess to offer legal, professional or commercial advice. The Queensland Government accepts no liability for any external decisions or actions taken on the basis of this document. Persons external to the Queensland Government should satisfy themselves independently and by consulting their own professional advisors before embarking on any proposed course of action.

### Keywords

MIN/2022/6181; Resources; operational policy; Survey Licence; Pipeline Licence; Hydrogen; fuel gas Queensland Resources Industry Development Plan; QRIDP; Petroleum and Gas (Production and Safety) Act 2004; P&G Act

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<sup>2</sup> See Schedule 2, Part 4, Item 1 of the Petroleum and Gas (General Provisions) Regulation 2017.