Regional Planning Interests (Condamine Alluvium) and Other Legislation Amendment Bill 2026

Explanatory Notes

FOR

Amendments To Be Moved During Consideration In Detail By The Honourable Jarrod Bleijie MP, Deputy Premier, Minister for State Development, Infrastructure and Planning and Minister for Industrial Relations

Short title

The short title of the Bill is the Regional Planning Interests (Condamine Alluvium) and Other Legislation Amendment Bill 2026.

Policy objectives and the reasons for them

The primary object of the Regional Planning Interests (Condamine Alluvium) and Other Legislation Amendment Bill 2026 (the Bill) is to amend the planning, environment and resources legislative frameworks to ensure that new coal seam gas (CSG) projects in the Condamine Alluvium are balanced with strong protections.

The objectives of the amendments to the Bill are to:

- address recommendation 2 of the Primary Industries and Resources Committee (the Committee) in its Report No. 19 (58th Parliament) tabled in the Legislative Assembly on 8 May 2026;
- clarify provisions of the Bill in light of stakeholder feedback received during consultation.

Amendments to the *South Bank Corporation Act 1989* to be moved during consideration in detail will increase administrative efficiency and bring the South Bank Corporation Board's operations in line with other boards.

Achievement of policy objectives

The amendments achieve the objectives of the Bill set out above by:

- clarifying the scope of the proposed subsidence compensation liability under the *Mineral and Energy Resources (Common Provisions) Act 2014* (MERCP Act).
- omitting the provisions in the *Regional Planning Interests Act 2014* (RPI Act) and retaining the regional interests development approval (RIDA) process; and
- clarifying the relationship between the RPI Act and the *Environmental Protection Act 1994* (EP Act) regarding the new deemed condition for water quality and conditions on a RIDA.

Clarification amendments to the MERCP Act

The amendments during consideration in detail relating to the MERCP Act progress the intent of the Bill by clarifying the subsidence compensation liability framework for the Condamine Alluvium CSG area.

Following introduction of the Bill, stakeholder feedback supported by further analysis of the operation of the proposed provisions identified two potential areas of ambiguity in the scope of the proposed subsidence compensation liability that needed clarification.

Firstly, as currently drafted, proposed sections 101J and 101K could be interpreted as being mutually exclusive—such that a landholder who is within the authorised area of, or access land for, one CSG resource authority may be precluded from seeking compensation for CSG-induced subsidence impacts caused by another CSG resource authority within the prescribed distance.

Secondly, the current provisions could allow subsidence compensation liability to arise in relation to a CSG resource authority located outside the Condamine Alluvium CSG area where that authority is within the prescribed distance of affected land. This would extend the operation of the framework beyond the intended policy scope, which was to only apply subsidence compensation liability to CSG resource authorities wholly or partly within the mapped Condamine Alluvium CSG area.

If not addressed, these provisions may create legal and operational uncertainty and potentially result in subsidence compensation liability applying more narrowly or broadly than intended.

Amendments 2 – 7 clarify the intended operation of these provisions and ensure the provisions operate consistently with the original policy intent.

Regional interests development approval process under the RPI Act

Amendment 8 removes the provisions associated with the RIDA process. While the policy intent to remove the RIDA was generally supported during targeted consultation undertaken in the development of the Bill, further consultation throughout the Committee process and submissions made to the Committee demonstrated concerns from stakeholders including Local Governments, community members, landholders, agricultural industry, and community groups.

Stakeholder feedback indicated that the provisions could lead to unintended consequences, particularly through the perceived loss of protections for land used or mapped for agricultural or township purposes.

The Committee's recommendation 2 proposed retaining the RIDA process for the Condamine Alluvium CSG area. This recommendation informed additional consultation with stakeholders to determine an appropriate policy direction that addressed both the concerns raised in submissions and the Committee's findings, while also responding to the issues the Bill sought to resolve–mainly lengthy and complex approvals and duplication in assessment requirements.

During this further consultation, several alternative options to amend the RIDA process were explored. However, it was determined that to achieve the desired outcome of protecting the Condamine Alluvium, retaining the RIDA process was the most effective approach.

Amendment 12 provides clarification regarding the relationship between the RPI Act and the EP Act regarding the deemed condition on an environmental authority (EA) and conditions on a RIDA where there are inconsistences.

With the retention of the RIDA process, there is a risk of confusion and duplication between water quality considerations and conditions placed on EAs and RIDAs. The amendments to the Bill propose to clarify this matter by clearly outlining that the deemed condition prevails to the extent of any inconsistency with conditions of a RIDA.

This will provide clarity to stakeholders about compliance and enforcement actions and responsibilities, as well as address stakeholder concerns regarding duplication in approvals.

Amendments to the South Bank Corporation Act 1989

The amendments during consideration in detail relating to the *South Bank Corporation Act 1989* provide that the Governor in Council may remove members of the South Bank Board, deputies of members and the Corporation Manager at any time, for any reason or none, thereby not being restricted to specific reasons such as misconduct or incapacity.

Amendments will increase administrative efficiency and bring Board operations in line with other Boards, to ensure the Corporation and its Board work effectively and efficiently towards government commitments.

Alternative ways of achieving policy objectives

There are no alternative ways of achieving the policy objectives.

Estimated cost for Government implementation

There are no anticipated costs for Government in implementing the amendments.

Consistency with fundamental legislative principles

The amendments have been drafted with regard to the fundamental legislative principles (FLPs) as defined in section 4 of the *Legislative Standards Act 1992*. The amendments are generally consistent with these provisions.

Consultation

Consultation occurred with key stakeholders such as the Queensland Farmers' Federation, Cotton Australia, Central Downs Irrigators Limited, Arrow Energy, Queensland Resources Council, Australian Energy Producers and relevant Local Governments in relation to some of the amendments to be moved during consideration in detail stage, including the amendments to omit the provisions in the RPI Act relevant to the RIDA.

These amendments also respond to the Committee's report and feedback received through consultation on the Bill and submissions made during the Committee's inquiry on the Bill.

In particular, the amendments relating to the RIDA provisions arose directly from feedback received from stakeholders during the Committee's consideration of the Bill, including formal submissions. The Bill reflects this feedback and recommendations from the agricultural industry, such as the Queensland Farmers' Federation, which advocated for retention of the RIDA framework as a core protection for agricultural production and regional prosperity.

Consistency with legislation of other jurisdictions

The Bill, and therefore the amendments, are specific to Queensland and not uniform with or complementary to legislation of the Commonwealth or another State. The Bill makes minor amendments to the existing Queensland legislative framework.

Notes on provisions

Amendment 1 amends clause 3 to replace the reference to new section 11A of the RPI Act with new section 5A(2) to reflect that new section 11A is omitted by amendment 10. This ensures that the definition of Condamine Alluvium CSG area in the EP Act under new section 206(4) refers to the corresponding definition in the RPI Act.

Amendment 2 amends clause 7 to replace the definition of 'CSG resource authority' in proposed section 101H to limit it to authorities to prospect (ATPs) or petroleum leases (PLs) with an authorised area that is wholly or partly within the Condamine Alluvium CSG area. This means that subsidence compensation liability may only apply if the relevant ATP or PL is at least partly in the Condamine Alluvium CSG area. If all of the authorised area of an ATP or PL is outside the Condamine Alluvium CSG area, that ATP or PL will not give rise to the express subsidence compensation liability (although the general liability to compensate under section 81 may still apply).

Amendment 3 amends clause 7 to insert 'to a CSG resource authority holder' to be specific about to whom the liability applies.

Amendment 4 amends clause 7 to omit, 'a' and insert 'the', as a consequence of amendment 3.

Amendment 5 amends clause 7 to replace proposed section 101K(1) to clarify that the subsidence compensation liability may apply where affected land is within the prescribed distance of a CSG resource authority (or multiple CSG resource authorities), notwithstanding that the land might also be in the authorised area of a different CSG resource authority (or access land for that authority). This recognises that CSG subsidence impacts may be caused by one or more CSG resource authorities in the Condamine Alluvium CSG area. The change to section 101K will allow a landholder that has a CSG resource authority on their land to claim compensation from other CSG resource authorities not over their property, where they are located within 5 kilometres.

Amendment 6 amends clause 7 to omit 'A' and insert 'The' to be specific about the CSG resource authority holder who is liable.

Amendment 7 amends clause 9 to omit '11A' and insert '5A(2)' to correct the reference to the section of the RPI Act that defines the Condamine Alluvium CSG area.

Amendment 8 amends clause 11 to remove provisions relating to the proposed new s5A for application of the Act in relation to the Condamine Alluvium CSG area.

Amendment 9 inserts new section 5A to define the Condamine Alluvium CSG area and provide a head of power for the Regional Planning Interests Regulation 2014 to prescribe the Condamine Alluvium CSG area map.

New section 5A also provides that the RPI Act applies to a resource activity or a regulated activity in the Condamine Alluvium CSG area subject to amended section 59(3). In effect, this provides that a deemed condition under section 206(3) of the EP Act prevails over any condition of a RIDA to the extent of any inconsistency for a resource activity or regulated activity, where it is for the carrying out of a CSG activity, in the Condamine Alluvium CSG area for a priority agricultural area or strategic cropping area.

Amendment 10 removes the proposed provision associated with the Condamine Alluvium CSG area as a result of amendment 9 to insert new section 5A.

Amendment 11 removes the proposed note that refers to the proposed section 5A provision in relation to carrying out a CSG activity in the Condamine Alluvium CSG area as a result of retaining the RIDA process in the Condamine Alluvium CSG area.

Amendment 12 amends section 59(3) of the RPI Act to clarify that if an environmental authority issued for a CSG activity in the Condamine Alluvium CSG area includes a condition under new section 206(3) of the EP Act prohibiting the release of contaminants, by the operation of a well, into waters in the Condamine Alluvium CSG area that results in water quality that is inconsistent with the water quality objectives that apply to the waters, that condition will prevail over any condition in a RIDA to the extent of any inconsistency.

This amendment recognises that the RIDA process under the RPI Act assesses matters that relate to water quality and the impact to waters from the extraction of CSG. This could result in a condition being imposed on a RIDA that seeks to regulate similar or the same matters as the deemed condition under the EP Act. This can create a high risk of confusion about which

condition takes precedence where there are inconsistencies, especially where the relevant EA is amended after a RIDA is authorised which includes the deemed condition where the original EA did not.

This provision will ensure that where conditions under both approvals manage the same or similar impacts, there is clarity in which condition prevails where there are inconsistencies.

Amendment 13 removes the proposed provisions associated with transitional provisions as a result of retaining the RIDA process in the Condamine Alluvium CSG area.

Amendment 14 amends Schedule 1 to refer to the renumbered section 5A provision for the Condamine Alluvium CSG area.

Amendment 15 removes the proposed provisions associated with a new definition for CSG activity as a result of retaining the RIDA process in the Condamine Alluvium CSG area.

Amendment 16 amends the proposed provisions associated with the Condamine Alluvium CSG area to refer to the renumbered section 5A provision for the Condamine Alluvium CSG area.

Amendment 17 amends the proposed provisions associated with the Condamine Alluvium CSG area to refer to the renumbered section 5A provision for the Condamine Alluvium CSG area.

Amendment 18 amends Schedule 1 (Part 1), section 12 and section 13 of the *South Bank Corporation Act 1989* to:

- provide that the Governor in Council may, at any time, remove all members or any member of the Board for any reason or none
- allow for the removal of deputies of members by the Governor in Council for any reason or none
- allow for the removal of the Corporation Manager by the Governor in Council for any reason or none.

Amendment 19 amends the long title of the Bill to include reference to the *South Bank Corporation Act 1989*.

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