

## Mineral and Energy Resources and Other Legislation Amendment Bill 2024

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Every Queensland  
community deserves  
to be a liveable one

2 May 2024

Committee Secretary  
Clean Economy Jobs, Resources and Transport  
Parliament House  
George Street  
Brisbane Queensland 4000

Dear Committee Secretary

**RE: Mineral and Energy Resources and Other Legislation Amendment Bill 2024**

As the peak body for Queensland's 77 councils, the Local Government Association of Queensland (LGAQ) welcomes the opportunity to provide feedback to the Clean Economy Jobs, Resources and Transport Committee on the Mineral and Energy Resources and Other Legislation Amendment Bill 2024 (the Bill).

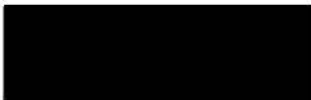
The Bill's objectives are to enhance the State's coexistence framework, provide a framework for managing the impacts of coal seam gas induced subsidence, improve regulatory efficiency, and modernise the Financial Provisioning Scheme. The Bill includes amendments to 13 pieces of legislation designed to support delivery of actions under the Queensland Resources Industry Development Plan.

The LGAQ is broadly supportive of the Bill, however we seek legislative clarification in relation to the **GasFields Commission Queensland's regulatory functions and oversight role**. For the new entity to truly fulfil the intent of its new role regarding the renewables industry, these functions should be retained.

The majority of the Bill is focussed on the introduction of a CSG-induced subsidence management framework. While the framework has been discussed in earlier consultation processes and is generally supported, the Bill's introduction on 18 April 2024 has meant there has been insufficient time to consult with local councils on the impacts of these amendments and how the framework will work in practice.

In total, the LGAQ has made 10 recommendations in this submission, and calls for extensive consultation as the proposed changes are implemented. Please do not hesitate to contact Jen Johnson, Lead – Regional Development and Economic Policy at [REDACTED] or phone 1300 542 700 should you wish to discuss any aspect of this submission.

Yours Sincerely,



Sarah Vogler  
HEAD OF ADVOCACY



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# Mineral and Energy Resources and Other Legislation Amendment Bill 2024

Submission to the Clean Economy Jobs,  
Resources and Transport Committee

May 2024

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## About the Local Government Association of Queensland (LGAQ)

The Local Government Association of Queensland (LGAQ) is the peak body for local government in Queensland. It is a not-for-profit association established solely to serve councils and their needs. The LGAQ has been advising, supporting, and representing local councils since 1896, enabling them to improve their operations and strengthen relationships with their communities. The LGAQ does this by connecting councils to people and places; supporting their drive to innovate and improve service delivery through smart services and sustainable solutions; and providing them with the means to achieve community, professional and political excellence.

## Partners in Government Agreement

The LGAQ on behalf of all 77 Queensland local governments is a signatory to a three-year partners-in-government-agreement with the State of Queensland.

The Agreement details the key principles underlying the relationship between the state and local governments and establishes the foundation for effective negotiation and engagement between both levels of government.

The Agreement acknowledges that local government is the closest level of government to the community, affecting the lives of everyday Queenslanders and acknowledging Local Government as a genuine partner in the Australian government system.

The intent of the Agreement was to continue the tradition of working in genuine partnership to improve the quality of life for all Queenslanders to enjoy. By identifying the roles and responsibilities of each party, it provides a solid foundation for effective negotiation and engagement between both levels of government.

The LGAQ is committed to working with the State Government and will continue to be a passionate advocate for councils, to serve our joint jurisdiction for the people of Queensland.

## Rural and Remote Councils Compact

The Rural and Remote Councils Compact<sup>1</sup> signed on 25 June 2021, complements the existing Partnership in Partners-in-Government agreement in place between the LGAQ and the Queensland Government to provide a platform to ensure issues of priority for these communities are properly considered by the Government when developing policies, programs, and legislation.

The Rural and Remote Councils Compact, pledges to amplify the voice of and improve outcomes for the state's 45 rural and remote councils and their local communities by enhancing engagement between both levels of government.

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<sup>1</sup> [Rural and Remote Councils Compact \(2021\)](#)

# Mineral and Energy Resources and Other Legislation Amendment Bill 2024

## 1.0 Executive Summary

The LGAQ welcomes the opportunity to provide feedback to the to the Clean Economy Jobs, Resources and Transport Committee on the Inquiry into the Mineral and Energy Resources and Other Legislation Amendment Bill 2024 (the Bill), released for consultation in April 2024.

Prior to the introduction of the Bill, the LGAQ provided submissions in response to the draft Queensland Resources Industry Development Plan (QRIDP) in June 2021, and in response to a suite of papers released in September 2023 that have informed the drafting of the Bill; *Proposed changes to improve regulatory efficiency for the resources sector*; *Improvements to Queensland's small-scale mining regulatory framework*; and *Proposed improvements to Queensland's coexistence framework*.

The LGAQ has also provided several submissions in response to the Queensland Energy and Jobs Plan (QEJP) following its release in September 2022. While the LGAQ does not have a formal position on the entire QEJP, over recent years our members have supported LGAQ Annual Conference resolutions on key issues outlined in the QEJP.

Throughout this period of consultation, the LGAQ has been supportive of changes that will strengthen oversight of the resources industry including expanding the remit of the Land Administration Ombudsman and the Office of Groundwater Impact Assessment, introducing an alternative dispute resolution process, and changes to mandate local government rates and charges. The LGAQ is also supportive of the decision to separate proposed changes to small-scale mining from the current draft legislation and undertake detailed consultation on this over the course of 2025.

While rebranding and expanding the remit of the GasFields Commission Queensland (GFCQ) to include renewable energy is in line with the LGAQ's Annual Conference Resolutions, we are concerned about the removal of its existing regulatory functions and oversight role. These functions are a critical reason why the GFCQ has been so successful, and to remove them undermines the intention to expand its role to cover renewable energy as well.

The LGAQ is also supportive of the introduction of a subsidence management framework which is critical to protecting the interests of the Queensland agricultural sector and broader local economies. However there has been insufficient time to properly consider and consult on the proposed framework, which is highly complex and will have a significant impact on all stakeholders.

The LGAQ and its members appreciate the significant consultation that has been undertaken over the past 2 years in developing the QRIDP and subsequent consultation papers. However, the timing and duration (9 business days) of consultation on this Bill does not have regard to the time local government officers require to review the Bill, draft a submission, brief councillors, and obtain the necessary approvals to provide a submission.



The limited timeframe is also not in line with expectations that are set under the Partners-in-Government Agreement, signed, and agreed with the State Government. In the absence of an appropriate consultation period, the LGAQ has engaged with its members to the extent possible and has based this submission on feedback from previous consultation processes, established policy positions and resolutions passed by Queensland councils at prior LGAQ Annual Conferences.

## 1.1 Recommendations

In total, the LGAQ has made 10 key recommendations in response to the Inquiry, summarised below:

- **Recommendation 1:** The LGAQ supports the rebranding of the GasFields Commission Queensland (GFCQ) to Coexistence Queensland and for the expanded remit to include renewable energy, however, recommends the regulatory oversight functions under section 7 and 25 are retained to ensure Coexistence Queensland's remit includes a coordinating regulatory function across its existing remit as well as renewable energy developments.
- **Recommendation 2:** The LGAQ recommends the State Government clarifies that Coexistence Queensland's advice to government function includes opportunities for providing both proactive and reactive advice.
- **Recommendation 3:** The LGAQ recommends the new Coexistence Queensland Community Leaders Council/s be established in consultation with the LGAQ to ensure a robust, knowledgeable, and geographically diverse range of local government and community participants are selected.
- **Recommendation 4:** To ensure parity in negotiations, the LGAQ recommends the Land Access Ombudsman (LAO) or other appropriate body provide individualised mentoring, support and training for affected landholders taking part in an ADR process.
- **Recommendation 5:** The LGAQ recommends the Office of Groundwater Impact Assessment (OGIA), as part of its expanded remit, undertake regular reviews of baseline data provided by relevant holders to ensure it is meeting prescribed requirements or best practice industry standards.
- **Recommendation 6:** The LGAQ recommends the State Government ensures the new subsidence management framework is accompanied by a robust consultation framework. This will ensure landholders are informed on the process and any issues, as well as expedite the resolution of any issues that may impede projects.
- **Recommendation 7:** The LGAQ recommends the State Government commits to a review of the subsidence management framework within 12-24 months of commencement to ensure that:
  - the process is efficient, streamlined, and commensurate with the level of risk for declared subsidence management areas,
  - established management plans and disputes can be managed effectively, and
  - any compensation requirements are appropriate for actual impacts.
- **Recommendation 8:** The LGAQ recommends the State Government monitors the impacts of the amendments in recently the passed Land and Other Legislation Amendment Bill (No.

2) 2023 related to council rates and charges, and consults with local councils to ascertain whether the amendments are sufficiently achieving their intent, or whether further amendments are required.

- **Recommendation 9:** The LGAQ recommends a separate, detailed consultation process be undertaken on the updated proposed changes to small-scale mining, which should consider the outcomes of the Gemfields planning study.
- **Recommendation 10:** The LGAQ recommends the State Government engages in a social impact assessment of the proposed changes to create a whole-of-government approach to mitigating the potential impacts of the introduction of regulations to small claims mining, with specific focus on the "hidden homelessness" that may be present in the Gemfields community.

Please do not hesitate to contact Jen Johnson, Lead – Regional Development and Economic Policy at [REDACTED] or phone 1300 542 700 should you wish to discuss any aspect of this submission.



## 2.0 Introduction

The LGAQ welcomes the opportunity to make this submission to the Clean Economy Jobs, Resources and Transport Committee on the Inquiry into the Mineral and Energy Resources and Other Legislation Amendment Bill 2024 (the Bill).

Due to the short consultation time allowed for this process, the submission reflects local government feedback that has been offered as part of the previous consultation processes, as well as incorporating the agreed policy positions of local government captured through the LGAQ Policy Statement and previous LGAQ Annual Conference resolutions, as discussed further below.

### 2.1 LGAQ Policy Statement

The LGAQ Policy Statement<sup>2</sup> is a definitive statement of the collective voice of local government in Queensland. The key policy positions of local government that are relevant in the context of the Bill are as follows:

#### 5.2.1 Sustainable Natural Resource Management

5.2.1.2 Local government seeks full and comprehensive consultation with relevant government agencies on proposals for the exploration and extraction of natural resources and associated activities that pose potential negative impacts to local communities.

5.2.1.3 Local government seeks ongoing support for local communities impacted by the extraction and exploitation of natural resources and associated activities within their local government area.

#### 8.6.1 Resource and Mineral Extraction

8.6.1.1 Local government seeks to work in collaboration with the State and Federal governments and private sector bodies, in identifying and addressing the infrastructure needs of local and regional communities required to support mineral and gas exploration and extraction and the environmental and social impacts that arise.

8.6.1.2 Local government, as an equal government partner in resource communities planning, requires early and comprehensive engagement in resource tenure approval processes to allow sufficient time to plan for impacts associated with the commencement or upgrading of a resource project.

8.6.1.3 Local government seeks equity and consistency across both resource and renewable sector projects.

8.6.1.3 Local government seeks that the State Government mandates the requirement for a Social Impact Assessment (SIA) and Social Impact Management Plan (SIMP) based on the actual and/or potential impact of a resource project on local communities and not just on whether the project has been the subject of an Environmental Impact statement

<sup>2</sup> <https://www.lgaq.qld.au/downloads/file/569/lgaq-policy-statement>

(EIS) process.

## 2.2 Relevant LGAQ Annual Conference Resolutions

The LGAQ is committed to member driven advocacy and working with members to build stronger local government and more resilient local communities.

In the context of this Inquiry, the following LGAQ Annual Conference resolution passed by Queensland councils, is relevant:

### **Resolution 61 (2023) Carbon Farming and Renewable Energy Projects Commission**

The LGAQ calls on the State Government to either:

1. Establish a dedicated, independent, and statutory Carbon Farming and Renewable Energy Projects Commission; or
2. Extend the legislative functions of the current Queensland Gasfields Commission to cover the development and growth of Queensland's carbon farming and renewable energy industries.



### 3.0 LGAQ Response to the Bill

The LGAQ has reviewed the Bill and the accompanying Explanatory Notes. Based on our previous engagement with local councils, LGAQ Annual Conference resolution and the LGAQ Policy Statement, we've structured our comments in line with the stated objectives of the Bill to:

- enhance the State's coexistence framework,
- provide a framework for managing the impacts of coal seam gas induced subsidence, and
- improve regulatory efficiency.

We also refer to previous consultations that proposed mandating local government rates and charges, and introducing small-scale mining reforms.

#### 3.1 Enhancing the State's coexistence framework

##### Expansion of the role of the GasFields Commission Queensland

As outlined in Explanatory Notes, the LGAQ understands that under Part 4 of the *GasFields Commission Act 2013*, the GasFields Commission Queensland (GFCQ) will be renamed as Coexistence Queensland, and that Coexistence Queensland's purpose will be "to manage and improve the sustainable coexistence of landholders, regional communities, the resources industry, and the renewable energy industry".

While LGAQ supports the expansion of the GFCQ's remit to cover the broader resources industry and the renewable energy industry, and for the entity to provide information, engagement and education services to the community and industry, we are extremely concerned by the removal of its regulatory functions and oversight role.

These functions are a critical reason why the GFCQ has been so successful and to remove them undermines the intention to expand the commission's role to cover renewable energy as well.

Under clause 16 of the Bill, the following GFCQ functions under section 7 (1) will no longer be performed by Coexistence Queensland:

- (b) reviewing the effectiveness of government entities in implementing regulatory frameworks that relate to the onshore gas industry;
- (e) making recommendations to the relevant Minister that regulatory frameworks and legislation relating to the onshore gas industry be reviewed or amended;
- (f) making recommendations to the relevant Minister and onshore gas industry about leading practice or management relating to the onshore gas industry;
- (g) advising the Minister and government entities about matters relating to the onshore gas industry;
- (h) obtaining particular information from government entities and prescribed entities;
- (i) obtaining advice about the onshore gas industry or functions of the commission from government entities;

Further, under clause 22 of the Bill, the requirement for compulsory consultation under section 25 will be omitted:

- (1) A government entity that is developing policy or legislation intended to affect the onshore gas industry must consult with the commission about the proposed policy or legislation during the development.



In the *Co-existence Institutions & CSG-Induced Subsidence Management Framework* paper released by the Department of Resources in September 2023 it was noted that the GFCQ's functions would be refocused to provide information, engagement and education services to the community and industry. However, it was unclear which of its existing functions would no longer be performed.

With the proposed changes outlined in the Bill, there is a clear gap in reviewing and making recommendations on relevant regulatory frameworks, obtaining information from government entities and prescribed entities, and providing ministers and government entities with advice on leading practice and management. Successfully managing coexistence is more than just education and awareness.

Under section 52, the Bill does provide that Coexistence Queensland may perform existing functions for up to one year after the change is enacted, however it is unclear from the Bill and Explanatory Notes if after this time any entity will perform these functions going forward. This reduction of regulatory oversight is of concern to Queensland councils and the LGAQ.

In the LGAQ's December 2023 submission to the Transport and Resources Committee inquiry into the Energy (Renewable Transformation and Jobs) Bill 2023, the LGAQ called for a new statutory body, like the existing GFCQ, with regulatory powers and sufficient resourcing, as part of a regulatory oversight model that manages the development of renewable energy infrastructure and carbon farming, with a focus on community impacts, engagement, and industry social licence.

The role of the GFCQ as an independent statutory body is seen through its three existing functions:

1. Facilitating effective stakeholder relationships, collaborations and partnerships to support education and information sharing related to Queensland's onshore gas industry.
2. Reviewing effectiveness of the implementation of regulatory frameworks related to Queensland's onshore gas industry.
3. Advising agriculture and gas industry peak bodies, government ministers and regulators, landholders and community groups on matters relating to sustainable coexistence, leading practice and management of Queensland's onshore gas industry.

The LGAQ has concerns about the general and broad functions of the new entity – Coexistence Queensland, as outlined in clause 16 of the Bill. On the face of it, these changes appear to be potentially watering down the GFCQ functions two and three as outlined above.

That would be unacceptable and undermines the very reason why Queensland councils initially supported this policy proposal.

The onshore petroleum and gas industry is currently legislated by a broad range of Acts including: the *Environmental Offsets Act 2014*, the *Biosecurity Act 2014*, the *Environmental Protection Act 1994*, *Petroleum Act 1923*, the *Nature Conservation Act 1992*, the *Regional Planning Interests Act 2014* and others. The existing GFCQ has an important role in ensuring all legislation is considered and it will place significant pressure on industry without GFCQ's advisory and regulatory oversight role in place.

**Recommendation 1:** The LGAQ supports the rebranding of the GasFields Commission Queensland (GFCQ) to Coexistence Queensland and for the expanded remit to include



renewable energy, however, recommends the policy and regulatory oversight functions under section 7 and 25 are retained to ensure Coexistence Queensland's remit includes a coordinating regulatory function across its existing remit as well as renewable energy developments.

**Recommendation 2:** The LGAQ recommends the State Government clarifies that Coexistence Queensland's advice to government function includes opportunities for providing both proactive and reactive advice.

### Introduction of Community Leaders Councils

As outlined in the Bill, LGAQ understands that section 29 of the *GasFields Commission Act 2013* will be replaced, and that this amendment will:

- expand the requirements of Community Leaders Councils to ensure Coexistence Queensland is satisfied the councils represent local governments, regional communities, the resources industry and the renewable energy industry, and
- allow for more than one committee to be established.

Further, the Explanatory Notes indicate that these changes will provide flexibility to allow these council groups to be established based on area of interest, such as a community leaders council that relates to the resources industry and a separate community leaders council that relates to the renewable energy industry.

Queensland councils would like to ensure strong representation of community and industry representatives directly impacted by the energy transition. Considering the vast size and differentiation of areas in Queensland, the establishment of more than one Community Leaders Council can support place-based identification of issues affecting co-existence of landholders, regional communities and the resources and renewable energy industries.

The LGAQ supports the replacement of section 29 to allow for multiple community leaders councils to be established according to interests, but recommends that the composition, size, and location of these councils be set in consultation and with support from the LGAQ.

**Recommendation 3:** The LGAQ recommends the new Coexistence Queensland Community Leaders Council/s be established in consultation with the LGAQ to ensure a robust, knowledgeable, and geographically diverse range of local government and community participants are selected.

### Expansion of the role of the Land Access Ombudsman

As outlined in the Explanatory Notes, LGAQ understands that the remit of the Land Access Ombudsman (LAO) will be expanded beyond investigating breaches of conduct and compensation agreements and make good agreements, to enable it to provide Alternative Dispute Resolution (ADR) and conduct investigations into a broad range of disputes including those relating to subsidence management plans and subsidence compensation agreements (discussed further in section 3.2 of this submission).

The LGAQ supports the LAO's expanded remit as Queensland councils and the LGAQ have been calling for ADR mechanisms to be put in place for landholders and industry, to provide an avenue for disputes before they are elevated to the Land Court of Queensland. This will reduce the number of matters being escalated and ensure third party support is in place to negotiate better outcomes for both parties.



To ensure there is parity between negotiating parties in the ADR process, and therefore equitable outcomes, landholders will need to be educated on their rights and responsibilities, while managing risks and impacts of development on their land and agricultural activities.

**Recommendation 4:** To ensure parity in negotiations, the LGAQ recommends the Land Access Ombudsman (LAO) or other appropriate body provide mentoring, support and training for affected landholders taking part in an ADR process.

### Expansion of the role of the Office of Groundwater Impact Assessment

As outlined in the Explanatory Notes, the LGAQ understands that the remit of the Office of Groundwater Impact Assessment (OGIA) will be expanded to provide for cumulative assessment of CSG-induced subsidence, and provide advice, on request, on broader matters relating to subsidence from petroleum and gas activities across the State.

The LGAQ supports the expansion of the role of the OGIA to include this work, as an independent party from both landholders and industry. Further discussion on the CSG-induced subsidence management framework is below.

## 3.2 Providing a framework for managing the impacts of coal seam gas induced subsidence

As outlined in the Explanatory Notes, the LGAQ understands the purpose of the subsidence management framework is to ensure that CSG-induced subsidence is managed and mitigated in areas where priority agricultural land uses occur and to support coexistence between the resources and agricultural sectors. It is understood as intended to facilitate sustainable prosperity for regional communities, ensuring food security and affordability and export earning potential, and allow the sustainable development of the State's CSG resources.

Queensland councils and the LGAQ strongly support the introduction of a new framework for managing the impacts of CSG-induced subsidence, as local government understands the need for balance between the needs of the agriculture sector and the resource sector and the concerns of the wider community when it comes to CGS-induced subsidence management.

Within the timeframe provided, there has been limited opportunity to review the subsidence management framework proposed in the Bill. Given the significance of this complex framework, it will need to be introduced using a comprehensive consultation process to communicate how:

- subsidence management areas will be determined,
- baseline and ongoing monitoring data will be collected and disseminated,
- subsidence management plans will be introduced and monitored for compliance,
- the new alternative dispute resolution process will be implemented,
- the critical consequences application and decision process will operate, and
- potential landholder compensation will be determined and distributed.

As outlined in the LGAQ's December 2023 submission to the consultation paper, *Proposed improvements to Queensland's coexistence framework*, it was noted that baseline data collection will be done by the CSG industry – effectively policing themselves. The LGAQ recommended that an independent third party be created or accessed to do the monitoring work, so the veracity of the data collected is not in question. In lieu of this, the OGIA should consider





conducting regular reviews of the baseline data provided to ensure it is meeting prescribed requirements or best practice industry standards.

Once legislation has commenced and the framework is in use, a review of its effectiveness should also be undertaken to ensure it is meeting landholders and local councils' expectations for effective monitoring and oversight.

**Recommendation 5:** The LGAQ recommends the Office of Groundwater Impact Assessment (OGIA), as part of its expanded remit, undertake regular reviews of baseline data provided by relevant holders to ensure it is meeting prescribed requirements or best practice industry standards.

**Recommendation 6:** The LGAQ recommends the State Government ensures the new subsidence management framework is accompanied by a robust consultation framework. This will ensure all landholders and local councils are fully informed on the process and any issues, as well as expedite the resolution of any issues that may impede projects.

**Recommendation 7:** The LGAQ recommends the State Government commits to a review of the subsidence management framework within 12-24 months of commencement to ensure that:

- the process is efficient, streamlined, and commensurate with the level of risk for declared subsidence management areas,
- established management plans and disputes can be managed effectively, and
- any compensation requirements are appropriate for actual impacts.

### 3.3 Improving regulatory efficiency

The Department of Resources consultation paper *Improved Regulatory Efficiency*, and the exposure draft of the Bill released in September 2023 proposed amendments to legislation to insert a new mandatory condition requiring lease holders to pay all relevant local government rates and charges.

In its December 2023 submission, the LGAQ was strongly supportive of these amendments and noted the significant impact the non-payment of rates and charges is having on local government. Case studies provided by Maranoa Regional Council and Quilpie Shire Council highlighted that these charges are often in the millions of dollars, reflecting a significant portion of a local council's total rate revenue generated in a given financial year.

It is noted that these concerns have largely been addressed through the recent passage of the Land and Other Legislation Amendment Bill (No. 2) 2023 (LOLA Bill) on 16 April 2024, that has resulted in amendments to the *Petroleum Act 1923*, *Geothermal Act 2010*, the *Greenhouse Storage Act 2009*, and the *Petroleum and Gas (Production and Safety) Act 2004* to require leaseholders to pay "all rates and charges payable to the local government in whose area the lease is situated", including interest on unpaid rates.

The amendments through the LOLA Bill also allow the State Government to take prescribed non-compliance action against a resource authority holder in the event their rates and charges are unpaid, including using security collected by the Minister on certain lease holders to repay unpaid rates and charges, and allowing the Minister to take non-payment of rates and charges into consideration when processing a renewal application.

The LGAQ strongly welcomed those amendments, recognising these are critical to support affected councils' ongoing financial stability. As noted in our previous submission on the LOLA Bill, the LGAQ and Queensland councils seek to work closely with the State Government to ensure effective implementation of these changes.

**Recommendation 8:** The LGAQ recommends the State Government monitors the impacts of the amendments in recently the passed Land and Other Legislation Amendment Bill (No. 2) 2023 related to council rates and charges, and consults with local councils to ascertain whether the amendments are sufficiently achieving their intent, or whether further amendments are required.

### 3.4 Small-scale mining

The Department of Resources consultation paper *Legislative Enhancements to Mining Claims* released in September 2023, proposed legislative changes that would have a significant impact on the small-scale mining communities. In its December 2023 submission, the LGAQ provided feedback on this issue, reflecting council concerns on the impact to local miners and the local economy.

In April 2024, the Department released an update paper *Feedback & Revised Proposals – Legislative enhancements to mining claims*. This paper addressed the five proposals previously put forward, noting that the Department is:

- no longer proposing a limit on the number of times a mining claim can be renewed,
- proposing that the maximum number of prescribed mining claims a person can have will be increased from two to three,
- proposing that for at least two years after legislation is passed by Parliament, mining claims with structures that don't comply with the department's requirements will be able to be transferred to any other person. After this time, non-compliant structures can remain on an existing mining claim until the holder decides to transfer the mining claim to someone other than a spouse.
- no longer proposing the introduction of a new offence or maximum penalty of 1000 units and will instead use existing offence provisions in the Mineral Resource Act 1989 and develop a compliance and enforcement strategy, which will include a focus on education and awareness.
- no longer proposing to introduce a new administrative and regulatory fee, due to the impact on some in the small-scale mining sector.

It is noted that consultation on these proposed changes will now occur in 2025, rather than 2024 as previously advised. The LGAQ is supportive of this approach, given the significant impact the proposed changes will have on the small-scale mining community. This will also allow time for a social impact assessment on the proposed changes to be conducted, and for the Gemfields planning study, which will inform the future direction of the industry, to be completed.

It is understood that until proposed legislative changes are made, and implemented, existing mining claims holders can continue to operate under the existing framework.

**Recommendation 9:** The LGAQ recommends the State Government undertakes a separate, detailed consultation process on the updated proposed changes to small-scale mining, which should consider the outcomes of the Gemfields planning study.





**Recommendation 10:** The LGAQ recommends the State Government engages in a social impact assessment of the proposed changes to create a whole-of-government approach to mitigating the potential impacts of the introduction of regulations to small claims mining, with specific focus on the “hidden homelessness” that may be present in the Gemfields community.

## 4.0 Conclusion

Overall, the LGAQ supports the introduction of the Bill, provided the newly rebranded Coexistence Queensland can retain its policy and regulatory oversight functions, and the new CSG-induced subsidence management framework is introduced, implemented, and monitored through an extensive consultation process.

However, we urge the State Government to ensure Coexistence Queensland retains key regulatory and oversight functions currently within the remit of the Gasfields Commission Queensland. These functions are a key reason why the GFCQ has been so successful, and to remove them undermines the intention to expand its role to cover renewable energy.

The LGAQ looks forward to continuing engaging with the State Government on future resources industry consultations, including the small-scale mining consultation process that will take place in 2025.

