

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

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**Submitted by:** Gasfields Commission Qld  
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2 May 2024

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

To the Committee Secretary,

**Submission to the Mineral and Energy Resources and Other Legislation Amendment Bill 2024**

The GasFields Commission Queensland (the Commission) writes to the Clean Economy Jobs, Resources and Transport Committee (the Committee) to provide a submission to the Mineral and Energy Resources and Other Legislation Amendment Bill 2024 (the MEROLA Bill 2024).

The Commission commends the introduction of the MEROLA Bill 2024, which if passed will see the expansion of the Commissions remit to the resources and renewable energy sector. Importantly, the MERLOA Bill 2024 reflects the evolving needs of Queensland's energy transition and speaks to emerging challenges and opportunities for communities.

The energy landscape is rapidly transforming, which brings about new and additional coexistence challenges and opportunities. For over a decade, the Commission has been widely respected for helping bridge coexistence challenges between the onshore gas industry, landholders and communities. As a result, the Commission is well placed to play a similar role in supporting landholders, rural and regional communities and industries to navigate the coexistence challenges and co-create opportunities to thrive.

The Commission notes the Bill contains amendments relating to the implementation of a coal seam gas (CSG) induced subsidence framework and supports these proposed amendments. These amendments speak to regulatory review recommendations made to government by the Commission and provides for important enhanced protections for landholder. This evidences the important role the Commission can play in the provide practical and strategic advice to government and other stakeholders in facilitating sustainable coexistence.

**Amendments to the functions of the Commission under the *Gasfields Commission Act 2013* (GFC Act)**

As previously noted, the Commission is supportive of the amendments to the GFC Act. However, the Commission seeks clarification in relation to the policy intent described in the Explanatory Notes and requests clarification of the proposed advisory function contained in Clause 16 of the MEROLA Bill 2024.

Clause 16 lists nine (9) functions for the Commission, which are largely consistent with its current functions under the GFC Act. The Commission acknowledges the Explanatory Notes statements (page 4) which make clear that the proposed amendments to the GFC Act are intended to refocusing the legislative functions of the Commission on the provision of information, engagement and education services to the community and industry.

The Commission is concerned that the proposed amendments will *reduce its regulatory oversight function to provide advice to government and other stakeholders on such systemic issues upon request* (Explanatory notes, page 4). The Commission believes that this statement is inconsistent with the drafting of Clause 16 which outlines a function for the provision of advice to government and other stakeholders about matters relating to sustainable coexistence including emerging issues and leading practice about these matters (refer to proposed section 7(1)(d)).

Previous powers under the GFC Act included specific reference to the Commission providing advice and recommendations in relation regulatory and legislative frameworks:

- s7(1)(c) - reviewing the effectiveness of government entities in implementation regulatory frameworks; and
- s7(1)(e) - making recommendations to the relevant Minister that regulatory frameworks and legislation relating to the onshore gas industry be reviewed or amended.

Operating under these current functions, the Commission has been able to support enhanced coexistence outcomes via review and recommendations to government on the *Regional Planning Interests Act 2014* and the CSG induced subsidence regulatory framework – the outcomes of the latter of which are contained in the MEROLA Bill 2024. The outcomes of these review have greatly assisted in the maintenance of social licence for the onshore gas sector in the face of new and emerging challenges.

Importantly, the regulatory review and advisory functions of the Commission were a key area of focus in the 2020 Queensland Audit Office (QAO) Review of CSG regulation in Queensland with the QAO noting that they present a unique value proposition for the Commission as an independent entity.

The Commission acknowledges concerns expressed by some stakeholders about the removal of the Commission’s regulatory oversight function (page 17, Explanatory Notes).

Retaining the ability to provide advice in relation to policy and regulatory frameworks relevant to coexistence is vital to the Commission’s ability to add value in relation to coexistence matters across the broader resources and energy sector. The Commission is concerned that any reduction or removal of regulatory advice functions could be detrimental to the Commission’s ability to achieve its statutory purpose and reduce the benefit of having an independent body able to offer this informed advice to stakeholders.

The Commission recommends that the advice function be clarified either in legislation or in the Explanatory Notes to facilitate the ability of the Commission to provide advice to government and other stakeholders on current and emerging sustainable coexistence issues, including policy and regulatory frameworks relevant to those matters.

Additionally, the Explanatory Notes state that the proposed amendments allow the Commission to provide advice on systemic coexistence issues “upon request” (page 4). This statement is inconsistent with clause 16 of the MEROLA Bill 2024 which does not include any reference to advice being provided only on request. The Commission considers that the explanatory notes should be amended for consistency and to ensure that the Commission’s ability to perform this function under Clause 16 is not limited or impeded.

## Conclusion

The Commission is very supportive of the proposed amendments as drafted however asks that the suggested clarifications be made to support the Commission's charter to progress coexistence leading practice, process, and outcomes for the benefit of all Queenslanders and their communities.

The Commission is pleased to inform the Committee that it has commenced preparatory work in relation to the establishment of Coexistence Queensland to ensure that the organisation is ready to 'open the doors' and provide these important coexistence functions and services upon assent of the MEROLA Bill 2024.

The Commission is currently working closely with stakeholders and government agencies to help shape the service offerings and work program of Coexistence Queensland once operational and has received favourable feedback to date.

The Commission would welcome the opportunity to speak with the Committee on the MEROLA Bill 2024.

Please do not hesitate to contact me by phone on [REDACTED] or via email on [REDACTED] to further discuss any matters mentioned in this submission.

Yours sincerely

A black rectangular box redacting the signature of Warwick Squire.

Warwick Squire  
Chief Executive Officer  
**GasFields Commission Queensland**