PIRC - Submission - Resources Safety and Health Queensland and Other Legislation Amendment Bill 2026

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Primary Industries and Resources Committee (PIRC)
Parliament House
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Via email: PIRC@parliament.qld.gov.au

Submission: Resources Safety and Health Queensland and Other Legislation Amendment Bill 2026

Dear Primary Industries and Resources Committee,

As a farmer and agricultural stakeholder whose farm is subject to potential future gas development, and whose wider community has been impacted by coal seam gas development, I take particular interest in the proposed changes to the Land Access Ombudsman (LAO).

Lack of Public Consultation

Firstly, it must be noted that this Bill, and the significant changes being proposed, has not undergone any public consultation whatsoever. For changes that affect the rights and protections of landholders, this is very poor conduct and lacks a concerning amount of transparency on behalf of the Crisafulli Government.

This total lack of public consultation is confirmed by the Department in the Written Briefing provided to the Committee[1]:

> **Consultation**
>
> No public consultation was undertaken on the Bill. However, engagement occurred with RSHQ on the proposed governance changes to the RSHQ Board, and with CQ and the Office of the LAO on the proposed changes to the LAO Act, MEROLA Act and CQ Act.

Members of the public would only know about this Bill and the proposed changes to the LAO, if they were perusing the Hansard from the relevant sitting week the Bill was introduced to Parliament, or had subscribed to the Parliamentary Committee e-newsletter. This would be extremely rare circumstances amongst many landholders and busy farmers, who happen to be the largest affected stakeholder group.

[1] Written Briefing to PIRC, 12/3/26 – p5
https://documents.parliament.qld.gov.au/com/PIRC-1135/RSHQOLAB20-9158/Committee%20-%20Written%20briefing%20RSHQOLA%20Bill%2012%20March%202026.pdf

Repeal of Industry Funding Levy

It would appear that the Queensland Government is pandering to the desires of the resource industry in repealing the industry funding levy for the LAO, as opposed to doing what is best for the Queensland taxpayer. This funding levy was introduced to cover the expanded remit and functions of the LAO under the MEROLA Act 2024, and subsequent associated increase in costs, so that the Qld taxpayer wasn't burdened by the costs of dispute resolution arising from the activities of resource companies in their pursuit of shareholder profits. It states in the first reading of the Bill that this has been done to reduce the financial burden on the resources industry. So, now we have that financial burden put back on the already challenged coffers of the State. The government goes on to say this approach will support industry to assist in managing growing operational costs, fostering a more supportive environment for growth and investment in the industry. The fact remains that Queensland has the much-desired resources and Australia has the excellent reputation as a stable and reliable destination for resource industry investment and development. They will invest regardless, especially in this very volatile world we are experiencing. We do not have to genuflect and bend to all their cost-saving wants and desires, at the expense of the Qld taxpayer.

It has to be noted, that until now, the services of the LAO have been under-utilised because of its narrow remit and functions. Currently, the LAO can only assist landholders with disputes or compliance matters, once an agreement is already in place. However, many landholders need assistance in the early stages, including negotiation of land access or make good agreements. Many landholders have sought to use the services of the LAO in the past but have been refused assistance as it falls outside the parameters of the LAO's jurisdiction. For this reason, the MEROLA Act expanded the functions of the LAO, to also include much needed pre-agreement negotiation and dispute resolution, to assist under-resourced and poorly supported farmers/landholders up against well-resourced mining giants. Therefore, once the expanded functions of the LAO come into effect on 19th June 2026, we will see a significant increase in its services being utilised by landholders who have so far been starved of independent and impartial resolution assistance. This increased uptake in dispute resolution services and its associated costs will now fall to the Qld taxpayer and not the party responsible for the intrusion on private land, the potential diminution of property value and the impact(s) to agricultural business operations and daily lives. This is wrong.

The industry funding levy should be retained.

Amalgamation of the Land Access Ombudsman with Coexistence Queensland

In order to save costs, that have now been applied to the Qld taxpayer instead of the party responsible for the activity, it is proposed that the LAO be amalgamated with Coexistence Queensland (CQ). This is all about cost cutting for the ultimate benefit of the resource industry, and not about positive outcomes for the farmers and landholders forced to coexist with industry and their impacts. This is quite frankly a slap in the face to farmers.

This will not create strengthened nor improved coexistence outcomes, nor will it ensure landholders have access to a trusted independent body to assist with the negotiation and resolution of land access disputes. As a farmer and community member that has been in this space for a number of years, I can safely say that Coexistence Queensland, formerly the GasFields Commission Queensland (GFCQ), is not seen as an independent and impartial body; they are indeed seen as an industry facilitator. In order to be an effective and trusted dispute resolution service, the parties using their services must

have confidence in their independence. Sadly, this is not the case of CQ in the eyes of the community. Whereas the current LAO is considered an independent body demonstrating the required integrity.

The mandates of the two bodies are separate and, in some interpretations, opposing. CQ facilitates coexistence (development), whereas the LAO acts as an impartial arbiter. The amalgamation of the two bodies risks conflicting allegiances and responsibilities, which will be extremely difficult to manage.

What is more, the terms and conditions of the LAO holding office, are not provided for in the Act – refer clause 19, section 10(2). Instead, they are to be decided by the Minister. Similarly, section 31D(2) relays the same for the terms and conditions of holding office for the advisory council. This is excessively discretionary and non-prescriptive and means that there is no public transparency as to the appointed terms and conditions of both parties. Furthermore, this does not assist in ensuring clear demarcation lines between the roles of CQ and the LAO.

The amalgamation of the LAO with CQ - a coexistence (development) enabler and advisory arm to the Queensland Government - also risks influence from government, whether actual or perceived, creeping into the decision-making process of the LAO under the structural umbrella framework of CQ.

Lack of appropriate expertise and use of outside contractors

The members of Coexistence Qld will be taken to be the LAO's advisory council. However, the members of CQ have been appointed against the membership requirements of CQ, in accordance with the *Coexistence Queensland Act 2013*, and not with the requirements of an advisory council overseeing independent dispute resolution and therefore may lack the necessary skills and expertise in order to carry out this function.

The Explanatory Notes also state that there will be a repealing "of the advisory council appointment and procedural provisions that are no longer required."[2] It goes without saying that procedural provisions for the LAO advisory council, separate to those of the members of CQ, are still required.

There is a lack of confidentiality provisions outlined for the LAO advisory council beyond their tenure. As matters and information pertaining to dispute investigations may come to the attention of the LAO advisory council, otherwise known as the CQ members, they may become privy to private and confidential information that could form part of future litigation against a resource company. Some of the CQ members' allegiances to the resource industry, and their future employment prospects, could create a significant risk of privacy breaches occurring and confidential information being leaked.

The possible engagement of outside contractors for carrying out the functions of the LAO is also of major concern, both in terms of independence and integrity, and the risk of a cost blow-outs when using the services of private enterprise, especially if there is a significant uptake in the services of the LAO as envisaged.

The use of outside contractors is also of concern, as the Bill does not state the required qualifications in order to carry out the delegated LAO functions under section 16(1)(a) or (b) – refer clause 26.

[2] Explanatory Notes – p4 https://www.parliament.qld.gov.au/Work-of-the-Assembly/Tabled-Papers/docs/5826t0254/5826t254.pdf

Conclusion

Palming off the services of the LAO to CQ, as a blunt cost-cutting measure, will exceed the capabilities of CQ and overstretch their resources, as well as create a fraught environment in which conflicts of interest will be extremely difficult and challenging to manage. This will ultimately result in poor outcomes for farmers and regional community members. Resource industry interests are being prioritised above those of farmers and regional communities.

Regional Queensland is bearing a massive burden in terms of traditional fossil fuel mining developments, emerging critical mineral developments and the renewables transition. We carry a huge load compared with our urban counterparts. As landholder rights and protections - such as access to an effective, trusted and impartial LAO - are taken away from us, the stresses and strains of what we are being asked to bear, will start to crack.

The LAO should remain as a standalone statutory body, separate to Coexistence Queensland.

The lack of public consultation, input and review on the detrimental changes to the LAO being proposed, smacks of authoritarian tendencies working for vested interests, rather than in the interests of Queensland taxpayers, regional community members and the public interest. Queensland without a Senate is extremely poor in democratic values, as it allows such surreptitious behaviour to occur.

I thank the Committee for taking this frank and fearless feedback on board.

Yours sincerely

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