State Development and Public Works Organisation (Critical Minerals) and Other Legislation Amendment Bill 2026

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Submission By: Shay Dougall
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Dear Primary Industries and Resources Committee, please find following my submission strongly opposing the proposed amendment for your detailed consideration.

Introduction

I make this submission as a researcher and practitioner working at the intersection of agricultural land use, workplace health and safety, coexistence, regional governance and major project development.

The author has previously raised concerns regarding the limited timeframe available for public submissions and parliamentary scrutiny of the Bill. While those concerns remain relevant, this submission focuses on the substantive policy and governance implications of the proposed reforms. The issues discussed below would remain material irrespective of the length of the consultation period.

This submission does not oppose development, critical minerals, infrastructure investment or economic growth.

Rather, it raises concerns regarding the cumulative direction of recent reforms and the extent to which the Bill continues a broader trend of prioritising project facilitation while altering the role of independent assessment, scrutiny and review.

The central question is not whether development should occur.

The question is whether equivalent effort is being directed towards identifying, assessing and protecting the agricultural, community and workplace interests expected to co-locate with that development.

Recommendations

This submission recommends that Parliament:

1. Amend the Bill to retain independent assessment pathways for agricultural land, farming businesses and rural communities that are not subordinate to project facilitation objectives.
2. Amend the proposed Regional Planning Interests Act provisions to ensure agricultural assessment remains an independent decision-making function rather than being absorbed into the coordinated project framework.

3. Require public consultation, transparency and publication of supporting material for Infrastructure Coordination Plans and associated investigations affecting private land and regional communities.

4. Retain meaningful review, scrutiny and appeal mechanisms where project facilitation powers affect private property, agricultural enterprises, homes and rural communities.

5. Introduce statutory requirements for cumulative impact assessment, including consideration of agricultural productivity, existing land uses, regional communities and long-term coexistence outcomes.

6. Recognise front-end risk assessment as a core public-interest function and ensure that independent assessment processes are not removed solely on the basis that they are considered duplicative or time-consuming.

7. Require that State Strategic Projects demonstrate how competing strategic interests, including agricultural production, food security, farming businesses and rural communities, have been identified, assessed and balanced before project facilitation powers are exercised.

8. Require periodic independent review of the operation and impacts of the State Strategic Project framework, including its effects on agricultural production, property rights, regional communities and competing land uses.

9. Amend the proposed investigation and access authority provisions to ensure that entry onto private land for State Strategic Project investigations occurs only where genuinely necessary, is subject to robust public-interest safeguards, and provides affected landholders with meaningful rights to information, review and compensation.
   The existence of a strategic development objective should not, of itself, justify the transfer of investigative burdens and risks onto affected landholders. Parliament should ensure that powers permitting entry onto private land prior to project approval remain proportionate, transparent and subject to independent oversight.

10. Review the concentration of decision-making authority created by the Bill and ensure major project decisions remain supported by multiple independent assessment, review and challenge mechanisms.

Dr Shay Dougall
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11. Recognise and resolve that consultation, objection and negotiation processes are not substitutes for independent assessment and should not be relied upon as the primary mechanism for protecting agricultural and community interests.

12. Conduct regional public hearings in areas likely to host State Strategic Projects, including agricultural and resource-producing regions, to ensure Parliament receives direct evidence from the communities, businesses and landholders most likely to be affected by the proposed reforms.
    Given that many of the projects contemplated by the Bill will occur in regional Queensland, meaningful scrutiny would be assisted by hearing evidence in the locations where the practical consequences of the framework will be experienced. Regional hearings would assist the Committee to understand how the proposed reforms may affect agricultural production, regional communities, private property interests and long-term co-location outcomes.

The Bill Should Not Be Viewed In Isolation

This Bill forms part of a broader sequence of reforms affecting agricultural land, regional planning interests, coexistence arrangements, subsidence management and major project assessment.

Many stakeholders now being asked to review this Bill have recently participated in parliamentary inquiries, consultation processes and legislative reviews concerning:

- Regional Planning Interests Act implementation;
- Condamine Alluvium protections;
- CSG induced subsidence management reforms;
- coexistence frameworks;
- Taroom Trough planning measures; and
- other project facilitation initiatives.

These processes have required substantial commitments of time, expertise and resources from agricultural organisations, local governments, private farming enterprises, individual landholders and regional communities.

The practical task facing stakeholders is therefore not simply to review a new Bill.

It is to assess how the proposed reforms interact with a broader sequence of legislative changes and whether concerns previously raised through parliamentary inquiries,

Dr Shay Dougall
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submissions and consultations have been addressed, modified or incorporated into the current reform package.

Recent amendments and parliamentary debate relating to the RPIOLA Bill and the Condamine Alluvium illustrate a further challenge for stakeholders attempting to engage with successive reform processes. At the time of this submission, aspects of those reforms are only now being implemented and have had limited opportunity to operate in practice. Their effectiveness, unintended consequences and overall contribution to balancing agricultural and development interests have therefore not yet been fully evaluated.

This raises an important governance question. Effective policy reform normally involves implementation, observation and evaluation before further structural changes are considered. Where successive reforms are introduced before the operation of earlier reforms can be assessed, Parliament risks making decisions without the benefit of evidence regarding whether previous measures have achieved their intended outcomes.

The issue is not whether further reform should occur. The issue is whether the pace of legislative change is exceeding the opportunity to learn from the practical effects of earlier reforms. In this respect, stakeholders may reasonably question whether agricultural protection frameworks are being afforded sufficient time to demonstrate their effectiveness before being altered again through subsequent project facilitation reforms.

Competitiveness Is Not A Balancing Framework

The Government's justification for the Bill is largely founded upon competitiveness, investment attraction and project delivery.

Evidence provided to the Committee by the Coordinator-General reinforced this emphasis on competitiveness. In explaining the rationale for the reforms, repeated reference was made to ensuring Queensland remains competitive with other jurisdictions and possesses equivalent facilitation powers to those available in states such as Western Australia, South Australia and the Northern Territory.

Competitiveness is a legitimate policy objective. However, competitiveness alone does not provide a framework for balancing competing public interests. The existence of similar powers in other jurisdictions does not answer the question of how Queensland should weigh agricultural production, food security, regional communities, private property interests and long-term coexistence outcomes when exercising those powers.

Dr Shay Dougall
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The relevant policy question is therefore not whether Queensland can facilitate development as effectively as other jurisdictions, but whether the framework provides adequate mechanisms to identify, assess and balance the full range of strategic interests affected by those decisions.

The Bill repeatedly identifies the strategic importance of resources, critical minerals, infrastructure and industrial development.

Much less attention is directed toward the strategic importance of agricultural production, food security, rural communities and existing regional workplaces.

The question for Parliament is not whether Queensland should pursue development.

The question is whether equivalent effort is being directed towards the institutions responsible for independently assessing and protecting the agricultural enterprises, communities and workplaces expected to host that development.

Strategic Interests Must Be Balanced

The Bill establishes powerful new mechanisms to facilitate sectors regarded as strategically important to Queensland's future prosperity.

The economic significance of critical minerals, resources, infrastructure and industrial development is repeatedly emphasised throughout the justification for the reforms.

However, many of these developments will occur on productive agricultural land and within established farming enterprises that are themselves strategically important to Queensland's economy.

Agriculture contributes significantly to regional employment, export earnings, food production and the long-term resilience of rural communities. Yet the Bill contains comparatively little discussion of how agricultural interests will be recognised and protected when the expanded facilitation powers are exercised.

This raises a broader governance question for Parliament.

Why is one strategic sector being supported through a sophisticated facilitation architecture while another strategic sector is largely expected to protect itself through consultation, submissions and objections?

This corresponding policy question for Parliament is, if Queensland is prepared to establish new powers, institutions and facilitation mechanisms to accelerate strategic development, what equivalent mechanisms exist to ensure agricultural production,

Dr Shay Dougall
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farming businesses and rural communities are recognised and protected as strategic interests within the same framework?

Agriculture Is Not An External Stakeholder

Further in relation to the recurring feature of the Bill where the assumption is that agricultural interests can be accommodated through consultation, submissions, participation processes and project-by-project negotiations.

This framing overlooks a fundamental reality.

Agriculture is not an external stakeholder commenting on development proposals.

Agriculture is often the land use upon which those proposals will occur.

The powers created or expanded by this Bill will frequently operate upon:

- productive agricultural land;
- family farming businesses;
- agricultural workplaces;
- rural communities; and
- private homes.

The issue is therefore not simply whether agricultural stakeholders are consulted.

The issue is whether agricultural production and farming enterprises are recognised as competing strategic interests within the framework itself.

The Transfer Of Governance Responsibility

One of the most significant but least discussed consequences of recent and proposed reforms is the transfer of governance responsibilities from institutions to affected communities.

Historically, governments, regulators and assessment agencies performed much of the work associated with identifying impacts, assessing risks and balancing competing interests.

As project approval pathways are streamlined and independent checkpoints are reduced, that work does not disappear.

Instead, increasing responsibility is transferred to:

- individual landholders;
- farming businesses;
- local governments;
- community organisations; and
- volunteers.

Affected communities are increasingly expected to understand legislation, review technical reports, assess project impacts, prepare submissions, engage consultants, participate in hearings, negotiate agreements and monitor compliance.

The burden does not disappear when approvals are streamlined.

It is transferred.

A recurring assumption within project facilitation frameworks is that the interests of affected landholders and Agricultural enterprises can be adequately protected through consultation, negotiation and objection processes.

However, consultation is not equivalent to independent assessment.

Nor does the existence of an opportunity to object necessarily provide meaningful protection for affected farmers and communities.

Individual farming businesses are rarely positioned to undertake the level of technical, legal, planning, environmental and economic analysis required to assess major development proposals on an equal footing with project proponents and government agencies.

The practical effect is that responsibility for identifying impacts, scrutinising assessments, engaging expert advice, participating in consultations and defending agricultural interests is increasingly transferred onto those directly affected by development.

This transfer is particularly significant where compulsory acquisition, land access powers or project-specific facilitation mechanisms may ultimately override the concerns of affected farmers or communities. In such circumstances, consultation and negotiation should not be treated as substitutes for robust independent assessment and public-interest decision making.

The issue is not whether landholders should have opportunities to participate.

Dr Shay Dougall
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The issue is whether participation is being relied upon to perform functions that were historically undertaken through independent assessment, regulatory scrutiny and institutional oversight.

Lessons From Previous Resource Development

The Bill is partly justified on the basis that Queensland's existing resource sector demonstrates the benefits of facilitation and streamlined development processes.

However, Parliament should be cautious about treating project delivery outcomes alone as evidence of policy success.

The expansion of Queensland's gas industry was accompanied by extensive consultation processes, complaints, submissions, disputes and ongoing concerns raised by landholders, agricultural businesses and regional communities.

Many of those concerns continue to be raised more than a decade after the original approvals occurred.

The issue is not whether development should have proceeded.

The issue is whether the experiences of those required to host development have been adequately incorporated into subsequent reforms.

The lessons generated by those communities were not free.

They were produced through years of participation in consultations, reviews, inquiries, complaints processes and regulatory investigations.

Parliament should carefully consider whether those lessons have informed this Bill.

Front-End Risk Assessment Matters

The Bill proceeds from the premise that assessment processes can be streamlined because they represent duplication, delay or regulatory friction.

This characterisation risks overlooking the fundamental purpose of independent assessment.

The purpose of assessment is not to create delay.

The purpose of assessment is to identify, evaluate and where possible eliminate foreseeable risks before they become impacts borne by communities, landholders, agriculture and the State.

From a workplace health and safety perspective, front-end risk assessment is a core principle of effective risk management.

Hazards are identified before work proceeds.

Controls are considered before consequences occur.

Major project assessment serves a similar function.

Reducing independent assessment may accelerate project delivery, but it also increases the risk that impacts are identified only after decisions have been made and development has occurred.

The importance of front-end assessment is illustrated by Queensland's recent experience with Underground Coal Gasification and CSG induced subsidence management reforms.

The newly recognised need for and attempts at drafting a dedicated subsidence reform process demonstrates that the consequences of major development do not necessarily end when a project is approved or constructed. Where impacts are not adequately identified, assessed or managed at the front end, affected communities, regulators and governments may spend years responding to and carrying the burden of issues that emerge after development has occurred.

The issue is not whether subsidence could have been entirely avoided. The issue is that the costs of addressing unforeseen or insufficiently assessed impacts are often borne later by landholders, agriculture, communities and future governments.

This highlights an important policy question for Parliament. Streamlining approvals may reduce the time devoted to assessment before a project proceeds, but it does not eliminate the underlying risks associated with development. Those risks remain and, if not adequately considered at the front end, may re-emerge later through complaints, disputes, regulatory intervention, legislative reform and ongoing coexistence challenges, and ultimately threaten the sustainability of the agricultural industry.

Front-end assessment is therefore not simply a procedural requirement. It is a mechanism for identifying and preventing foreseeable consequences before they become long-term governance, regulatory and community burdens.

The benefits of accelerated project delivery may accrue primarily to project proponents, while many of the longer-term costs associated with coexistence, monitoring and impact management remain with affected communities and future governments.

Infrastructure Coordination Plans

The proposed Infrastructure Coordination Plan framework illustrates a broader shift within the Bill from independent assessment toward project facilitation and administrative coordination.

The proposed framework would permit investigations on private land without consent, limit consultation requirements, concentrate decision-making powers and reduce opportunities for review in certain circumstances.

The concern is not that infrastructure should never proceed.

The concern is that many of the affected areas are likely to comprise productive agricultural land, farming businesses, rural homes and existing workplaces.

In those circumstances, Parliament should carefully consider whether consultation with selected parties is being relied upon as a substitute for broader public scrutiny and independent assessment.

The significance of the provisions lies not in any individual power, but in their cumulative effect. When investigation powers, planning interventions, limited consultation, reduced review opportunities and land access powers operate together, the practical ability of affected landholders, farming enterprises and communities to influence outcomes may be substantially reduced.

The framework therefore provides another example of the broader transfer of governance responsibility identified throughout this submission. Rather than strengthening independent assessment of agricultural impacts, the Bill increasingly relies upon affected landholders to identify, understand and respond to proposals affecting their land, businesses and communities.

Regional Planning Interests Act

The Bill's integration of Regional Planning Interests Act processes into the coordinated project framework warrants particular scrutiny.

During the Committee briefing, the Coordinator-General described the amendments as bringing Regional Planning Interests Act considerations forward into a coordinated whole-of-government assessment process and reducing unnecessary duplication. This explanation highlights the central issue raised by this submission.

The concern is not whether duplication should be removed. The concern is whether an agricultural protection framework designed to provide an independent assessment of impacts on strategic and priority agricultural land and areas of regional interest retains that independence once it is incorporated into a broader project facilitation framework. Integration may improve administrative efficiency, but efficiency and independence are not synonymous concepts.

Parliament should therefore consider whether the reforms alter not only the location of agricultural assessment within the process, but also its function and institutional purpose.

Repeated concerns have been raised regarding the implementation of the RPI Act, including reliance on proponent self-assessment and the limited availability of independent review.

The response to those concerns should be to strengthen independent agricultural assessment and oversight.

It should not be to further subsume agricultural assessment within a project facilitation framework before the existing system has demonstrated that it is operating effectively.

Compulsory Acquisition And Public Interest

Queensland has long recognised circumstances where compulsory acquisition may be justified.

The significance of this Bill is not that compulsory acquisition powers exist.

The significance is the broader development facilitation framework within which such powers may now operate.

When private land, homes and businesses may ultimately be acquired to facilitate development by private proponents, Parliament should ensure that independent assessment of competing public interests remains robust and transparent.

The greater the power being exercised, the greater the need for confidence in the assessment processes that precede it.

Case Study: Underground Coal Gasification and the Consequences of Inadequate Front-End Assessment

Queensland's experience with Underground Coal Gasification (UCG) provides an important lesson regarding the relationship between project facilitation, uncertainty and front-end assessment.

Dr Shay Dougall
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At the time UCG was being developed, the technology was promoted as an innovative opportunity capable of delivering significant economic benefits. However, the technology involved substantial uncertainty regarding environmental performance, groundwater impacts, long-term rehabilitation and decommissioning.

Subsequent investigations revealed that these uncertainties were not adequately accommodated within the regulatory framework that existed at the time.

In 2012, the Queensland Ombudsman examined the approval and oversight of the Kingaroy UCG project. The investigation found that government decision-makers were dealing with a novel technology characterised by significant unknowns and limited information regarding potential impacts. Existing assessment pathways had largely been designed for more familiar activities and were not well suited to evaluating emerging technologies involving uncertain environmental consequences.

The Ombudsman concluded that the default position of not requiring an Environmental Impact Statement despite identified areas of significant impact and uncertainty was unreasonable. The investigation highlighted broader concerns regarding the ability of existing approval frameworks to identify and manage risks associated with projects involving novel technologies and incomplete scientific knowledge.

These concerns were reinforced by the Independent Scientific Panel established to review Queensland's UCG industry. Importantly, the Panel did not conclude that UCG should be prohibited. Rather, it concluded that commercial-scale development should not proceed until critical uncertainties had been resolved through comprehensive risk assessment, demonstrated decommissioning capability, independent oversight and site-specific "Go / No Go" decision gates.

The Panel repeatedly emphasised that site selection, hydrogeological assessment, environmental monitoring, risk management and community considerations were not secondary matters to be addressed after approval. They were the primary mechanisms through which risks should be identified before development occurred.

Queensland's experience with Underground Coal Gasification demonstrates that the costs of inadequate front-end assessment are often not borne during project approval. They emerge years later, when governments, regulators, landholders, farmers and communities are left to manage consequences that were insufficiently understood at the time decisions were made.

Importantly, this lesson extends beyond UCG.

Dr Shay Dougall
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Queensland has repeatedly found itself addressing significant consequences of major development long after the original approval decisions were made. Examples include the eventual prohibition of UCG, contamination issues associated with pilot projects, the subsequent need for subsidence reform frameworks, ongoing challenges associated with coal seam gas wastewater and salt management, and continuing coexistence issues and loss of productive capacity raised by agricultural landholders and regional communities.

The common feature across these examples is not that development should never have proceeded. Rather, it is that many of the governance, environmental, social and agricultural consequences only became fully visible after project approvals were streamlined and implemented.

These experiences raise an important question for Parliament.

If Queensland's own regulatory history demonstrates that unforeseen consequences frequently emerge after development occurs, should the response be to further reduce institutional checkpoints and independent scrutiny, or to strengthen the mechanisms available to identify risks before approvals are granted?

The State Development and Public Works Organisation (Critical Minerals) and Other Legislation Amendment Bill 2026 proceeds on the premise that project facilitation can be improved through streamlining assessment pathways and concentrating decision-making authority. Queensland's experience with UCG suggests caution with this approach.

This lesson is particularly relevant given evidence provided to the Committee by the Coordinator-General that modification orders may be utilised where emerging technologies or industries develop more quickly than existing regulatory frameworks. While the ability to respond flexibly to innovation may be attractive from a project facilitation perspective, Queensland's experience with UCG demonstrates the importance of ensuring that regulatory adaptation does not occur at the expense of rigorous front-end assessment.

The lesson from UCG is not that development should be prevented. The lesson is that assessment, independent scrutiny and front-end risk identification are not obstacles to development. They are the mechanisms through which governments discover problems before those problems become long-term burdens for communities, regulators and future governments.

Dr Shay Dougall
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When these functions are weakened, the burden does not disappear. It is transferred. The consequences may not become apparent for years, but when they do emerge, they are often far more difficult and expensive to address than they would have been at the time of approval.

Governance Architecture

The lessons from Queensland's UCG experience are also relevant to the governance architecture proposed by this Bill.

The Independent Scientific Panel did not recommend that uncertain projects be assessed by a more powerful decision-maker. It recommended the opposite approach: independent expertise, multiple assessment stages, risk-based decision gates and clear opportunities for projects to be modified, delayed or prevented from proceeding where uncertainties could not be adequately resolved.

This reflects an important governance principle. Where projects involve significant uncertainty, competing public interests or potentially irreversible consequences, confidence should derive from the strength of the assessment framework rather than the discretion of individual decision-makers.

Many of the reforms proposed by the Bill move in the opposite direction. By consolidating assessment pathways, reducing institutional checkpoints and increasing reliance upon executive facilitation powers, the framework places greater importance on the judgement of a relatively small number of decision-makers.

The issue is not whether those individuals are capable or well-intentioned. The issue is whether a system designed around fewer independent review points is as capable of identifying unforeseen consequences as a system deliberately structured around multiple opportunities for scrutiny, challenge and reassessment.

Conclusion

The issue raised by this Bill is not whether Queensland should pursue economic development.

The issue is whether Queensland's pursuit of competitiveness and project acceleration is being matched by equivalent attention to the institutions responsible for identifying risks, assessing competing public interests and protecting the agricultural enterprises, workplaces and communities expected to co-locate with that development.

Dr Shay Dougall
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Many of the concerns raised in this submission have been raised repeatedly through previous inquiries, reviews and consultation processes. In many cases, those concerns emerged from the practical experience of communities required to host major development and from the consequences of decisions made years earlier.

Parliament should consider whether the lessons generated through those processes are being incorporated into legislative reform, or whether affected communities are being required to repeatedly identify the same issues while development facilitation powers continue to expand.

The burden of scrutiny, participation and risk management does not disappear when approvals are streamlined.

It is transferred.

The transfer of governance responsibility occurs when governments treat participation as protection, consultation as assessment, and negotiation as a substitute for independent scrutiny.

As Queensland expands the powers available to facilitate strategic development, Parliament should ensure equivalent attention is directed toward the institutions, assessment processes and safeguards responsible for protecting the strategic agricultural interests expected to co-locate with that development.

Dr Shay Dougall
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