

ENQUIRIES TO:  
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FILE REF:  
11/10/2

PB:JH

25 January 2013

The Research Director  
State Development, Infrastructure and Industry Committee  
Parliament House  
George Street  
BRISBANE QLD 4000

By email: [sdiic@parliament.qld.gov.au](mailto:sdiic@parliament.qld.gov.au)

Dear Sir/Madam,

**Re: Gasfields Commission Bill 2012**

The Western Downs Regional Council (WDRC) thanks you for the opportunity to respond to the 'Gasfields Commission Bill 2012 (Bill)' and provides the following submission.

The WDRC supports the objective of the Bill to provide for the establishment of a Gasfields Commission (Commission) to facilitate better relationships between landholders, regional communities and the onshore gas industry in Queensland. However, we would raise the following issues for your consideration in relation to the Bill.

## 1. Commission's Functions

WDRC refers to the Commissions functions<sup>1</sup> and make the following observations:

- i. WDRC notes the broad powers that the Commission has. In relation to "(b) reviewing the effectiveness of government entities in implementing regulatory frameworks that relate to the onshore gas industry" and (d) making recommendation to the relevant Minister that regulatory frameworks and legislation relating to the onshore gas industry be reviewed or amended". WDRC would request clarity around whether the reviewing of effectiveness of government entities would include the review of performance of those government entities when implementing regulatory frameworks; and in making recommendations for review and amendment of performance as well as legislation.
- ii. As stated under (f) "advising the Minister and government entities about matters relating to the onshore gas industry", should it not include agricultural or other industries where landholders are affected and communities, to ensure that the "facilitation of better relationships between landholders, regional communities and the onshore gas industry" as stated in (a) is fully informed and can be performed more effectively.

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<sup>1</sup> Section 6 - Pg5

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- iii. WDRC would question why (j) "*publishing educational materials and other information about onshore gas industry*":
  - a. Is a role of the Commission and not the role of the onshore gas industry; and
  - b. If it is a role of the Commission, why does it not include education materials in terms of the landholders and how they practice their industry to ensure there is a joint understanding from both perspectives to educate understanding of co-existence.
- iv. WDRC is fully supportive of research to ensure mutual benefit co-existence of existing industries with the onshore gas industry, however would questions (k) "*partnering with other entities for the purpose of conducting research related to the onshore gas industry*", should this not include landholder industries?

In relation to the above points there appears to be greater support for the onshore gas industry and not other parties such as landholders and communities.

## 2. Powers relating to government entities

Under the "*Particular powers of the Commission*"<sup>2</sup> WDRC would raise concern over the powers of the Commission to:

- i. Request information from government entities<sup>3</sup>;
- ii. Power to require advice from the chief executive of a government entity<sup>4</sup>;
- iii. Require compulsory consultation from government entities developing policy or legislation intended to affect the onshore gas industry<sup>5</sup>; and
- iv. Require particular information from prescribed entities<sup>6</sup>.

There are 99 resource sector major projects and 284 sub-projects (total 383) operating or proposed in the Western Downs region, of which 265 projects are related to the onshore gas industry. WDRC must highlight the enormous time and effort in the management and responses by Council of this amount of activity and resulting impacts the resultant major impost on the WDRC's resources. Additional requests by the Commission for information would be a further burden on the resources of the Council. WDRC believes any Council valuable and limited resources in the provision of information to the Commission must be acknowledged and recompensed accordingly.

## 3. Alternative staffing arrangements

WDRC would raise concern over the power of the Commission to request the services of officers or employees of local governments.<sup>7</sup> The WDRC would surmise that the services of officers would be of those in critical areas of expertise. For officers with such technical knowledge, experience and skill to be seconded from a local council could have a major impact on a local council resources and would therefore question this approach of accessing such skills. The WDRC requests clarity around the rights of local councils to refuse such requests.

The WDRC however, does support the use of Advisory Bodies<sup>8</sup>, and would be most keen to support the Commission with information, technical advice and feedback through this approach.

<sup>2</sup> Part 3, Division 1 - Clauses 21, 22, 23 & 24

<sup>3</sup> Clause 21 - Pg 11,12

<sup>4</sup> Clause 22 - Pg 12

<sup>5</sup> Clause 23 - Pg 12

<sup>6</sup> Clause 24 - Pg 13

<sup>7</sup> Clause 30 - Pg 16

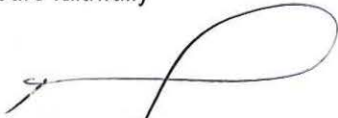
<sup>8</sup> Clause 26 - Pg 26

## Conclusion

The WDRC is supportive of the intent and objectives of the Gas Commission Bill 2012. However, as stated above, would raise concerns related around certain stated approaches the Commission intends to take in undertaking its functions. WDRC is further concerned at the possible impact on the resources of the Council that are already under pressure from the resource sector activities.

We thank you once again for the opportunity to provide a response to the Bill and look forward to your response.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Phil Berting', with a large, stylized loop at the end.

Phil Berting PSM  
**CHIEF EXECUTIVE OFFICER**