

24 February 2023

Mr Mark Cridland
Director-General
Department of Resources
PO Box 15216
CITY EAST QLD 4002

Dear Mr Cridland,

The GasFields Commission Queensland (the Commission's) appreciates this opportunity to consider and make a formal response to the "*Improving Queensland's Land Release Process*" discussion paper.

I am pleased to provide the Commission's attached response in keeping with its independent role of *managing and improving sustainable coexistence of landholders, rural and regional communities, and the onshore gas sector.*

During the past three years, the Commission has fulfilled its purpose by listening to and understanding the nature of changing industry and community demands and contributing learnings via a number of significant reviews.

Consequently, the Commission's functions and operations have evolved with a focus on activities in three key areas:

- **facilitating** effective stakeholder relationships, collaborations and partnerships to support information sharing related to the onshore gas sector;
- **reviewing** effectiveness of implementation of regulatory framework related to the onshore gas sector; and
- **advising** ministers, government and the onshore gas sector on matters related to sustainable coexistence, leading practice and management of the onshore gas sector.

The Commission is a genuine leader in the conversation around the coexistence of the onshore gas sector, landholders and rural and regional communities. It facilitated an ongoing dialogue around complex coexistence issues and brought about change and improvements in policy, legislation, relationships and behaviour.

Crucially, the Commission plays an important role in facilitating engagement between its stakeholders. These services offered by the Commission could be leveraged by the department in implementing the measures proposed in this discussion paper that relate to community and stakeholder engagement.

The Commission is well placed and willing to offer further support in implementing the proposed refinements to the process that provide coexistence benefits. In particular, the Commission is already actively forward planning engagement activities for communities where exploration activities for gas are proposed. The Commission would welcome opportunities to partner with the department to deliver information sessions to communities in these areas.

The proposed measures detailed in the discussion paper offer a range of benefits that would contribute to improved coexistence outcomes if implemented. There is a balance of measures providing benefits to both resource authority applicants and the communities where exploration is proposed.

Please see the attached submission for further detailed feedback on each of the proposed measures.

Should you require any additional information or wish to discuss the Commission's submission further please do not hesitate to contact me on 0423 781 995, or alternatively on warwick.squire@gfcq.org.au

Yours sincerely

A handwritten signature in dark red ink, consisting of a large, stylized 'W' followed by a horizontal line and a small flourish.

Warwick Squire
Chief Executive Officer
GasFields Commission Queensland

ATT: GasFields Commission Queensland – Submission to the “Improving Queensland's Land Release Process” discussion paper

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Theme 1 – Improve the strategy and framework for land release

Potential measure 1:

The GasFields Commission (the Commission) strongly supports the development and implementation of an overarching land release strategy to communicate the Government’s objectives, approach, and rationale to release land for resources exploration. The Commission agrees that the strategy as proposed would provide greater clarity, certainty and transparency for both resource companies, landholders, traditional owners and regional communities.

Following discussions at the land release process workshop on the 9th of February 2023, the Commission sees that this overarching strategy is pivotal to the suite of improvements for the land release process. This measure presents a great opportunity to refine and clearly communicate the department’s vision for land releases and to build a productive partnership with the resources industry and regional communities.

The Commission would welcome further opportunities to contribute to the discussion around developing and communicating this strategy.

Theme 2 – Streamline the land release process

Potential measure 1:

If the Department of Resources (the department) were to allow EOIs at any time of year, it would also need to consider potential implications for interested parties if measure 1 under theme 3 was also implemented. Ideally, if there are multiple areas being considered for release that are in close geographic proximity, they should be coordinated in a single release to reduce consultation fatigue on communities.

Potential measure 2:

The Commission supports an indicative schedule for land release that is publicly available as it would provide all stakeholders with greater clarity and advanced notice. This advanced notice would then mean that resource companies and communities can better plan their activities related to the land release process.

Potential measure 3:

The Commission supports measures that would reduce timeframes for decisions and provide greater certainty for stakeholders.

The Commission also supports the proposal that the department provide industry with more regular updates on the status of their application as well as sharing potential findings during the preliminary assessment of an EOI. This would increase transparency and improve communication with stakeholders.

As stated above for measure 1 under this theme, if multiple areas within a relatively small geographic area are to be released, they should be coordinated so the areas are released in the same tender process.

Theme 3 – Improve stakeholder engagement and communication

Potential measure 1:

The Commission strongly supports the proposed measure to seek stakeholder feedback on potential exploration areas before they are finalised and released.

It is suggested the department clarify the context within which feedback will be considered when deciding whether the land will be released under the Queensland Exploration Program (QEP) or other release process. It must be clear that community views are one of a range of considerations that will inform decisions to release land.

It is critical that interested parties are provided with information and education to enable them to provide effective feedback to the Queensland Government. The Commission could assist in this process where onshore gas activities are being contemplated.

Following the receipt of any feedback from interested parties, the Commission strongly encourages the Government to implement a process that closes the feedback loop, and provides submitters a response including how their feedback has considered and addressed. This would assist in building stakeholder confidence in the land release process. This feedback loop could be in addition to or in place of publishing the feedback received.

Potential measure 2:

The Commission strongly agrees with the potential measure to increase engagement with local communities to help them prepare for potential exploration activities within their region.

The Commission is well placed to assist in undertaking this activity for potential gas exploration activities, and already offers information sessions to communities with upcoming and current gas exploration activities.

The Commission sees that there is an opportunity to offer end to end engagement and education activities more formally under an improved land release process (specifically for areas of land released for gas exploration). This could include 'fit for purpose' landholder and community information sessions in land release areas. There is a particular opportunity to be proactive in engaging in areas that are relatively new to resource exploration (greenfield areas).

The Commission understands that landholders and regional communities often do not understand the land release process due to their competing priorities. The Commission is well placed to provide education materials to assist those affected stakeholders better understand the land release process, the implications of exploration activities and the potential opportunities.

The Commission also recommends that there should be a handover process for the stakeholder engagement when a tender is awarded to a resource company. Any engagement activities that the government has had with affected stakeholders during the QEP and tender process should be appropriately handed over to the preferred tender/resource authority holder. This would ensure continuity for stakeholders, thereby reducing uncertainty and increasing confidence.

Potential measure 3:

The Commission also encourages the department to seek opportunities to collaborate further on the development of the QEP. The Commission would be interested in facilitating collaboration through our events such as the annual Community Leaders Council and regional information sessions.

The Commission would recommend that any engagement and collaboration opportunities include the successful tenderer and subsequent tenure holder. This would allow for and ensure that there was a continuity and coordination of engagement activities across multiple stakeholders.

Theme 4 – Increase transparency of the process and decision-making

Proposed measure 1:

The Commission supports the proposal to expand upon the information and guidance material available to industry and other stakeholders about key components of the land release process. The Commission would promote and communicate these resources as well as direct stakeholders to these information services. The Commission would also be able to provide assistance given its strong focus on the development and delivery of information resources.

The Commission acknowledges that stakeholders, particularly landholders and community members, feel they are unaware of many aspects of the land release process. The Commission suggests that the department should consider a “case management” model whereby stakeholders have the ability to make contact with the department to discuss aspects of the process, and to be kept up to date as the process progresses. It is further suggested that the “case manager” is not a decision-maker in the process thereby removing any inference or perception of bias or a conflict of interest.

Proposed measure 2:

The Commission strongly supports the proposal to formalise, clarify and review the role and remit of decision-makers involved in the tender release process. This formalisation should include all entities or stakeholders who would be expected to provide input to the process. The Commission also expects that an updated process map would be developed to articulate the decision-making process to stakeholders.

The Commission’s remit includes its obligation to provide advice on the ability of a community to coexist with gas activities within an identified area, however this role has never been formalised in the tender release process despite continued input over the years.

Theme 5 – Ensure data and information is available

If a new layer were to be included on GeoResGlobe to show land constraints considered as part of EOI assessment, the department would need to ensure it is not simply replicating existing layers within GeoResGlobe. The most useful aspect of this process may be the act of clarifying what features of the landscape are a consideration for the department. This may be most helpful for communities looking to understand why their area is or is not being explored for resources.

Other considerations

The Commission acknowledges the details on page 10 of the discussion paper in relation to the competitive tendering and the process of assessing tender applications. With reference to the “special criteria”, the Commission would like to highlight the potential shortcoming of the special criteria and the inability for the department to enforce the criteria commitments once a tender has been awarded and a tenure granted.

The Commission understands that the special criteria can have a significant weighting in relation to the tender evaluation process and ultimate decision-making of tender outcomes.

The Commission is concerned that given the weighting of the special criteria, tenderers may (intentionally or unintentionally) overstate their expertise and or commitments in an effort to obtain a higher ranking in the assessment process.

Therefore, the Commission recommends that the department consider a means of being able to condition any grant of a resource tenure so that the special criteria commitments can be enforced once the tenure has been granted.

