

21 April 2026

Our ref: [WD:SS:KB:MC]

Committee Secretariat
Primary Industries and Resources Committee
Parliament House
George Street
BRISBANE OLD 4000

By email: [REDACTED]

Dear Committee

Regional Planning Interests (Condamine Alluvium) and Other Legislation Amendment Bill 2026 – Supplementary submission

We refer to our submission of 14 April 2026 in response to the Regional Planning Interests (Condamine Alluvium) and Other Legislation Amendment Bill 2026 (the **Bill**).

We have subsequently received further feedback from members and had the opportunity to review submissions published on the Committee's inquiry page. We respectfully ask the Committee to accept this supplementary submission.

QLS recognises there is often an inherent tension between balancing the protection of agricultural land with progressing resource developments. Ultimately, it is a matter for the Government of the day to determine how this will be achieved.

However, in light of the wide-ranging concerns raised in response to the Bill, it is critical there is adequate time for the Committee and the Department to investigate the concerns and provide considered responses. As QLS has outlined below, there are significant technical and legislative issues to be addressed before the Bill is progressed further.

The proposals in the Bill are clearly of interest to the wider community and the Bill would benefit from wider consultation and engagement. We recommend the Committee seek an extension of time to deliver its report, to allow this process to occur.

As outlined below, QLS considers the Bill as drafted does not achieve its stated objectives, removes existing rights without adequate consultation and requires drafting amendments to ensure those affected by the legislation can understand and apply the law.

Executive Summary

- Until there is a more detailed and considered public consultation process, QLS recommends extending the parliamentary inquiry process to ensure there is an opportunity for submitter feedback to be addressed by the Committee and the Department.

- As drafted, the Bill does not achieve its stated objective to “require gas companies to demonstrate beyond any reasonable doubt that new projects would not have a detrimental, long-term impact on the Condamine Alluvium, a large and significant water aquifer used for agricultural purposes (Government Election Commitment 20; GEC20).”¹
- The removal of an existing legislative approval process is a significant alteration of legal rights which should not be progressed without careful consideration and wide public consultation. A thorough public consultation period is required to examine the consequences, both intended and unintended, of removing the Regional Interests Development Authority (RIDA) process for projects in the Condamine Alluvium.
- There are technical drafting issues which must also be addressed and clarified before the Bill is progressed. Otherwise, this lack of clarity will lead to confusion in the industry which adds to costs of the parties and increases disputes.

Supplementary comments

1. **The Bill does not achieve the stated objectives of the Second Reading Speech, Explanatory Notes or election commitment.**

The materials accompanying the Bill indicate the purpose of the Bill is to deliver on the election commitment to legislative reform to “require gas companies to demonstrate beyond any reasonable doubt that new projects would not have a detrimental impact on the Condamine Alluvium.” We caution the Bill does not do so. We also reiterate, as noted in our original submission, the Bill does not include a test of ‘beyond any reasonable doubt.’

The effect of the Bill is to remove the existing protections of the *Regional Planning Interests Act 2014* (RPI Act) from the Condamine Alluvium area. The RPI Act process ensures there is a clear opportunity for priority agricultural land use, strategic cropping areas, priority living areas and strategic environmental areas to be assessed and balanced when considering the impacts of resource projects.

Replacing this existing regulatory process with the proposed deemed condition in an Environment Authority (EA) under the *Environmental Protection Act 1994* (EP Act) does not achieve the stated objectives.

2. **Broader consultation is required before removing existing legislative rights.**

The Explanatory Notes indicate targeted consultation was undertaken,² but the submissions made in response to the Bill, both from individuals and peak bodies, emphasise the high degree of concern with removing the RIDA process from Condamine projects.

Further stakeholder engagement is required, allowing adequate timeframes for response, before progressing such significant changes to the existing legislative landscape. Removing an existing legislative approval process is a significant alteration

¹ Explanatory Notes to the Bill at page 1.

² Explanatory Notes to the Bill at page 5.

of legal rights which should not be progressed without careful consideration and wide public consultation.

3. The deemed EA condition in clause 3 is not an equivalent replacement for the RIDA process.

There are significant differences between the EP Act and the RPI Act:

- a. The RPI Act was introduced in 2014 after many years of careful consultation and negotiation with industry and the community. Its stated purposes include to manage the impact of resource activities and other regulated activities on areas of 'regional interest' and manage the coexistence, in areas of regional interest, of resource activities and other regulated activities with other activities, including, for example, highly productive agricultural activities. To achieve its purposes, the RPI Act "provides for a transparent and accountable process for the impact of proposed resource activities and regulated activities on areas of regional interest to be assessed and managed."³
- b. Requiring a proponent to obtain a RIDA under the RPI Act is the mechanism under which the proponent is approved to carry out a resource activity, following an assessment of the extent of the expected impact of the activity on the area.⁴
- c. Further, the RPI Act process specifically requires consideration of impacts on others beyond the immediately affected landholder, which reflects the purpose of the legislation in section 3 to manage impacts on the areas of regional interest. This aspect of the legislation is evidenced by:
 - i. Section 27 of the RPI Act under which the relevant considerations are on "*impacts (on) an area of regional interest*".
 - ii. The availability of the exemption in section 22(2)(b) is prefaced on the activity being "*not likely to have an impact on land in the area of regional interest owned by another person*". This explicitly requires assessment of impacts on adjoining or nearby properties, presently requiring advertising to alert others potentially affected.
 - iii. The RPIA also provides potential rights of appeal by these other affected parties.

The aspects of the Bill that place those protections and considerations at risk are a significant intrusion on the intent of the RPI Act.

- d. One key benefit of a RIDA is that the RIDA conditions are publicly available for landholders and their legal advisors to review when negotiating with proponents.

³ Section 3 of RPI Act

⁴ Section 16 and Part 3 of RPI Act

- e. A further benefit of the RPI Act framework is that a proponent will be exempted from obtaining a RIDA if the proponent and landholder enter into a Conduct and Compensation Agreement (CCA) under the relevant resources legislation. The CCA is a site-specific agreement, negotiated on an individual basis with the affected landholder, covering matters relevant to the individual property. The CCA is also enforceable as a contract between the parties, with clear consequences for a breach. The enforcement pathway is clear for an aggrieved landholder.
- f. The EP Act's objectives are more broadly directed at protecting Queensland's environment while allowing for development that is consistent with the principle of ecologically sustainable development.⁵ Conditions imposed under an EA are typically broad and general, applying across the whole of the project. Details of management or rehabilitation obligations are usually then included in other plans and documents which proponents consider to be commercial in confidence, leading to limited transparency about site specific arrangements.
- g. The breach of an EA is dealt with by way of prosecution under the EP Act, meaning the broad statutory defences to environmental nuisance and environmental damage will be available to the proponent. In practice, this is a more complex and stressful remedial process for an aggrieved landholder.
- h. Instead of reforming and strengthening RPI Act, the Bill is shifting to the EP Act process.
- i. The deemed EA condition in the Bill is broad and similar conditions are, in our members' experience, already included in EAs. If this is to be the basis of law reform, then it is recommended that appropriate management, monitoring and reporting obligations for each EA be both developed, maintained and submitted by the proponent.

4. The terminology in the Bill will cause confusion unless the drafting is revisited.

There are existing definitions in the *Petroleum and Gas (Production and Safety) Act 2004* (PAG Act) and EP Act, and new terms introduced in the Bill. Some consideration of the drafting is required to ensure consistency:

- a. The Bill uses the term "well" throughout the clauses amending the EP Act (see Part 2 of the Bill), but the Bill does not include a definition or reference another legislative definition. This term is not otherwise defined in the RPI Act or the PAG Act. This is likely to cause confusion. The PAG Act uses the terminology "petroleum well" and we suggest this could be the basis for a definition in the Bill, provided it is limited to apply only in the context of a CSG activity.

⁵ Section 3 of EP Act.

- b. The Bill does include a definition of “*directional well*” in clause 9 of the Bill and references the PAG Act definition. However, the Bill intends its provisions only to apply in the context of a CSG activity. The definition should be limited to apply only in the context of a CSG activity.
- c. The EP Act defines *CSG activity*. The Bill adds clauses to the *Mineral and Energy Resources (Common Provisions) Act 2014* referencing the concept of *CSG activity* but this clause does not reference the EP Act so as to incorporate the EP Act definition (see clause 7 in particular). The Bill should ensure express acknowledgement for consistency as to the source of the various definitions and terms used.
- d. Any definitions must be drafted in contemplation of advances or changes in the nature and impact of ‘wells’, as is evident from the development of deviated wells themselves. Approvals for a type of well should not be so general in nature that the approval will permit impacts well beyond what is understood at the time the approval is granted. Wells with a depth of 600 metres are vastly different to wells travelling 4 kilometres and may have significantly implications or involve significantly different processes or uses. Similarly, conditions which are imposed on an approval need to be drafted appropriately and prudently, with a view to future impacts.

5. Progressing the Bill in its current form will introduce two different approval processes in the Condamine Alluvium depending on the petroleum substance that is the subject of the petroleum activity, rather than the type of activity.

This is a substantial shift in regulatory concepts from regulating by reference to activity, under the PAG Act, to regulating by reference to substance, under the Bill.

The application of the Bill is limited only to petroleum activities for coal seam gas (**CSG**). If the intention of the Bill is not to regulate those petroleum activities related to other petroleum substances which are not CSG (eg gas), then the consequence is that petroleum activities with respect to other petroleum substances will continue to be regulated under the PAG Act and the RPI Act.

This creates a dual and parallel system of regulation, which is dependent on the *type* of petroleum substance, rather than the *activity*. We query whether this is the intended consequence.

In its current form, the result of the Bill is there will be one process under the PAG Act for the exploration and production of petroleum substances, excluding coal seam gas. There will be a different process for the exploration and production of coal seam gas.

This seems to be a curious outcome when the PAG Act regulates the tenures and activities concerning the exploration and production of “petroleum” (which includes coal seam gas as well as a number of other petroleum substances), when the activities involved in the exploration and production of coal seam gas are broadly similar.

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It seems possible that on the one property, and at the same time, there will be exploration or production activities relating to a petroleum substance such as gas (which is not CSG) and also exploration or production activities with respect to CSG only.

This situation would mean the proponent(s) and landholder will need to pursue both approval processes in parallel for the same property. Such a distinction, and duplication, has the potential to cause confusion and significantly increase costs for all involved.

If you have any queries regarding the contents of this letter, please do not hesitate to contact our Legal Policy team via policy@qls.com.au or by phone on [REDACTED] [REDACTED]

Yours faithfully

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Peter Jolly
President