

1 **QLRFC Review of mining lease objections processes**
2 **Consultation paper – November 2024**
3 **“Conscious Consistency: mining and other resource production tenures”**

4 **Q1 – Q9 and P1 – P6 response:**

5 The focus of the review is on the processes for deciding application for the approvals required to
6 commence resource activity production (mining, petroleum, geothermal, carbon capture storage
7 etc.), this excludes exploration.

8 The **QLRFC Queensland Law Reform Commission** should note that in some cases, exploration can
9 cause significant damage and losses for the individual farmers who are required to co-exist with the
10 resource exploration activity.

11 Applications and Initial development plans for *Petroleum Leases, Geothermal Leases, Greenhouse*
12 *Gas Leases (GHG/CCS)* which provide details of the nature and extent of the proposed activities so
13 that assessment of the development can be undertaken should be public. The impact on
14 landholders and the public interest (State Interest as expressed through State Planning Policy)
15 cannot be considered or assessed when the farmers impacted (the primary stakeholder in context
16 of residual and unforeseen impacts) do not have any information. Notification requirements and
17 ability to make submission should exist. In the absence of information effective consultation and
18 consideration cannot be achieved.

19 The requirement that the Minister *must grant* a Petroleum Lease, having assessed the ‘Public
20 Interest’ in context of only whether it is in the interest of the State for the petroleum/gas to be
21 produced and no other criteria, must be removed.

22 In physical terms mining does not operate in a ‘silo’, therefore assessment of impacts and the public
23 interest cannot be assessed in compliance with *Organisation for Economic Co-operation and*
24 *Development (OECD)* and *United Nations (UN)* conventions to which Australia (and thus Qld) is a
25 signatory. ‘The public interest’ for any resource related application and assessment should in all
26 resource industry applications (exploration and production) be assessed with reference to State
27 Planning Policy. State Planning Policy sets out the objectives and direction of the State in
28 protecting the interests of current and future generations and considers the principle of ‘sustainable
29 development’ on a state-wide intergenerational equity basis.

30 Many resource industries are co-located with other land uses. Co-located land use and all the
31 restrictions and obligations the users of that land must comply with, and their interests, must be
32 considered in resource industry application decisions and operational regulations e.g.,
33 contamination of grain/cotton/beef industry by resource industry would likely stop produce being
34 able to be consumed/sold/exported, contamination of groundwater sources e.g., contamination of
35 groundwater supply would leave communities and producers without a water supply and render
36 land uninhabitable and unable to produce domestic and export primary produce.

37 All applications should be public and able to be submitted on. Without this aspect, effective
38 stakeholder engagement cannot occur. It is also in practical terms required for Australia to have a
39 framework which complies with OECD stakeholder consultation requirements (refer below).

40 Item 38, pg 8 says a resource production tenure cannot be granted unless an associated
41 environmental authority has been granted, however there is no consideration of pre-existing land
42 use or land use capability e.g., agricultural land use because an Environmental Authority (EA)
43 effectively only protects matters which the Environmental Protection Act 1994 (EP Act) says

1 *environmental harm* (as defined by the EP Act) can occur to. Thus, the EA protects only specified
2 matters on an environmental basis and has no consideration for farm use of land or farm use of
3 water (other than water quality). This enables the resource industry to destroy or diminish the
4 productive capacity and future capability of the land, without assessment and without protection.
5 This is unacceptable.

6 The requirement for EA applications to be public, and for submissions to be able to be made on,
7 should apply to all resource industry applications. A copy of the application should be available for
8 all resource industry applications via the *Queensland Government's Public Register* website.

9 The consultation paper notes a rising focus on Environmental & Social Governance (**ESG**) principles,
10 but there is no clear explanation as to how the QLRFC justifies its proposals are compliant with the
11 international ESG principles which Australia must follow due to its adherence, signature, or
12 membership of various OECD, (International Labour Organisation (**ILO**) and UN guidelines
13 conventions and principles. ESG principles are noted by the QLRFC as important for Queensland
14 resources industry future but falls short on how these are practically applied to protect stakeholders
15 (other than the resource sector). Put simply, the regulator must 'walk the talk' not just 'talk the talk'
16 by setting up ESG principles as a marketing ploy to gain international market share without having
17 any practical substance to resource sector regulation.

18 Despite '**sustainable development**' having a broadly accepted definition (refer below) of
19 *development that meets the needs of the present without compromising the ability of future*
20 *generations to meet their own needs*, it is not apparent how the QLRFC proposals will promote this to
21 occur.

22 No explanation has been provided by QLRFC as to why '*oversight*' has been omitted from ESG
23 principles which they list as independence, transparency, and accountability. Without effective
24 oversight *democracy* is eroded, miners cannot simply be relied upon to be responsible or act with
25 social licence as their financial obligation is to their shareholders to maximise their profits.

26 *Oversight by the regulator must be embedded in law so that the regulator is empowered to act when*
27 *required*. An example of how badly things can go wrong when the regulator is *not* empowered to
28 oversee is the development of coal seam gas (**CSG**) mining in priority agricultural areas where the
29 miner is *required* to comply with *Regional Planning Interests Act 2014 (RPI Act)* but is *not required* to
30 provide any evidence as to that compliance to the regulator, the public or the impacted farmer.

31 No explanation has been provided by QLRFC as to why their approach to reform omits reference to
32 State Planning Policy (**SPP**). SPP is the *whole of government approach* and resources industry
33 should not have a golden exemption ticket setting it over and above all other interests.

34 Notably under SPP, important agricultural areas are to be protected from current and future
35 diminishment of land use, whereas the resource industry is protected only from future land uses
36 which may impact on the ability to extract the resource. The current system circumvents SPP
37 through either requiring the Minister to approve petroleum leases or enabling the Minister to
38 approve resource leases without considering SPP and the RPI Act (as the RPI Act has precedence
39 over other legislation).

40 **Figure 2: Guiding Principles**

41 Fair – The process cannot be 'fair' without consideration of SPP, without effective stakeholder
42 engagement consultation and consideration. Applications must be notifiable, public, and able to be

1 submitted on. A Minister should not be required to approve a lease based on only the state interest
2 of resources.

3 Efficient – The process cannot be ‘fair’ without sufficient time and process for proper stakeholder
4 engagement consultation and consideration. There is no explanation as to what *unnecessary delay*
5 means, for whom, and regarding what. Rushed processed to mute stakeholders with legitimate
6 questions and concerns, particularly regarding science, technology, unresolved impacts on co-
7 located land use end up amplifying problems which could have been identified potentially making
8 management more costly and eroding intergenerational equity.

9 Effective & Contemporary – The process cannot be effective and will not be contemporary if it is
10 focused only on ongoing investment and sustainable growth in mining. Sustainable development,
11 and particularly in relation to Australia’s ESG OECD obligations (refer below), requires consideration
12 of original and future land use, ongoing co-existing land use, the impacts and costs of the resource
13 industry upon this. *The resource industry is not the only industry in Queensland* and the QLRFC would
14 err in limiting the process to consider only growth in mining.

15 Australia is a democratic system. **Democracy** requires an effective regulator (Government
16 Department or Court). The regulator (Court) cannot be effective where it is not accessible to
17 impacted stakeholders such as landholders. The biggest limitation on accessibility is affordability.
18 For example, currently several precedents ought to be set through the Court system in relation to
19 CSG mining in high value cropping land, under the *Petroleum and Gas (Production and Safety) Act*
20 *2004 (P&G Act)*, the *Mineral and Energy Resources (Common Provisions) Act 2014 (MERC Act)*, and
21 the RPI Act, however this has not occurred because the legal system is not affordable. This has left
22 landholders, miners, and Governments in limbo, and Australia open to ridicule on the international
23 ESG stage. Where the landholder, on whom resources industry has been imposed by law, has a
24 problem which is not facetious, the miner should be required to fund the landholder legal and
25 expert expenses. This would enable a binding body of case law to evolve which would provide
26 guidance to all stakeholders. Of note is that OECD guidelines require accessibility for stakeholders
27 and with the current system this is not occurring.

28 QLRFC should identify landholders as a key individual stakeholder. It is not acceptable that farmers
29 (the landholders) are lumped in with all others. The landholder required to co-locate with the
30 resource industry have their own impacts and these should not be diminished.

31 A common theme in the QLRFC consultation is an absence of *oversight*. Four key principles for
32 effective and efficient industry are GOAT: *governance, oversight, accountability and transparency*.
33 The QLRFC should reconsider its consultation to include ‘oversight’. Where in the approvals process
34 is the enforcement mechanism where the mining proponent has omitted wilfully or otherwise
35 disclosure requirements? Where is the mechanism to ensure the process as proposed is operating
36 as prescribed?

37 The QLRFC should ensure that its proposals do not erode the rights of landholders, to speed the
38 application and development of resources industry. For example, there has been conversation in
39 various consultations over the last few years about duplication of process however, there is no
40 duplicate process for assessment of regional planning interest of priority agricultural land use under
41 RPI Act, for CSG (petroleum) mining this is not assessed under the P&G Act when the lease is
42 approved, nor is it assessed under the EP Act because the agricultural use of land is not something
43 which the EA is able to regulate due to agricultural use of land not being something that
44 environmental harm can occur to (under the provisions of the EP Act).

1 Prior to the RPI Act, the *Strategic Cropping Land Act 2011 (SCL Act)* prohibited an EA from being
2 granted for resource activities in strategic cropping areas without a SCL compliance certificate or
3 protection decision being applied for and granted. This was a better system than the *regional*
4 *interests development approval (RIDA)* system, as under the SCL Act the miner had no
5 environmental authority to mine if not compliant with the SCL Act.

6 Public notice should be made for all EA amendments, and submissions able to be made by the
7 public, because some 'minor' amendments can have significant impact on stakeholders and the
8 arbitrary thresholds in the EP Act may not follow the *precautionary principle* or *sustainable*
9 *development principles*.

10 While a RIDA under the RPI Act prior to grant of resource authority may be suitable for open cut
11 surface mining activity, it would not be suitable for mining which accesses the underground such as
12 CSG mining, greenhouse gas storage or geothermal. As the mining activity is widespread it will
13 likely have varying impacts which can only be identified based on the mining development. Unlike
14 an open-cut surface mine where the mine pit is identified in advance, other resource projects such
15 as CSG mining evolves and changes as the project develops, rendering RIDA approval in advance
16 unsuitable.

17 Submitters on any resource industry EA should have rights to appeal to Court. It is not equitable
18 that submitters on GHG and geothermal leases have no rights as to this.

19 Where material evidence comes into existence, additional evidence should be able to be provided
20 during the appeals process. There is a significant power imbalance between large/multinational
21 corporations and landholders/stakeholders and sometimes information is not able to be sourced in
22 limited time frames. The miner has often had years to plan their projects and obtain reports, the
23 landholder/stakeholder often has only a very short time. Under the OECD guideline (refer below),
24 this is a power imbalance which needs to be considered by QLRFC.

25 Item 109 the consultation process should also consider State Planning Policy and provide protection
26 for *Important Agricultural Areas (IAA)*, existing/potential land use as well as surface water and
27 groundwater. In Queensland surface water in the Murray Darling Basin, other than that already
28 authorised to be taken belongs to the Commonwealth Environmental Water Holder, projects must
29 comply with Water Acts (Qld,Cth), *Environment Protection and Biodiversity Conservation Act 1999*
30 **(EPBC Act)**, RPI Act. These should all be considered in the consultation process.

31 Item 111 it is essential that resource projects have landholder and community participation in the
32 design and assessment stage to support early identification of key concerns and gather information
33 for decision-making. This is also required under OECD Guidelines (refer below).

34 Item 111 should recognise that the landholders are the *current custodians of the land* and should be
35 entitled to recognition and consultation as a stakeholder, rather than being one of many
36 stakeholders classed as 'community'. **Landholders in co-located resource developments e.g.,**
37 **CSG, GHG, Geothermal are the stakeholders with most at risk and should not be marginalised.**

38 Item 116 consultation should not be limited to community advisory committees or reference
39 groups, or a community leader council. It is essential that anybody can make a submission and that
40 information sessions for impacted landholders, public meetings and also open house for community
41 members are mandatory. Effectively these are required under the OECD Guideline (refer below).
42 Submissions should be properly considered and genuine communication with submitters should
43 occur, rather than some stakeholders being classified as 'ideologically opposed' as was done by the

1 Qld *Office of Groundwater Impact Assessment (OGIA)* and their concerns ignored [Refer Attachment
2 *A, complaint regarding comments on landholder concerns in the OGIA November 2022 Expenditure*
3 *Advisory Committee Agenda 09.01.2025*].

4 The concept of committee or group consultation is open to *reduction bias*, it requires administration
5 of governance, oversight, transparency and accountability to remove opportunities for suasion,
6 corruption and predetermination of outcome by stacking the membership with representatives who
7 are not impartial and/or uniformed about what they are opining on. It is easy to direct a narrative,
8 or shut down conversation, by way of choosing who is on a committee.

9 Q4 all stakeholders must be able to directly participate in some way and P2 information should be
10 published on a public online website. Existence of the website/portal should be made known to
11 landholders through direct communication.

12 Q5 yes should apply to other resource proposals, and the online portal should also include
13 compliance returns and defects.

14 P3 the membership of any *Independent Expert Advisory Panel (IEAP)* should be published, it should
15 also have proper governance, oversight, accountability and transparency including strict controls
16 over who has the choice of the membership and who they report to. Currently the OGIA has an
17 anonymous technical review panel whose comments are not published, with the Executive Director
18 of the OGIA having complete control over the membership and their participation. Right to
19 information revealed for the UWIR 2021 a subsidence model for which the 'technical review' was
20 simply a PowerPoint presentation to persons with no suitable qualification in measuring subsidence.
21 This system is open to corruption and errors and is not an acceptable process in 2025, particularly
22 with billions of dollars of Important Agricultural Area (under State Planning Policy) at risk.

23 P4 the concept of an IEAP is sound but only if it has proper governance, oversight, accountability
24 and transparency, and it has the necessary range of suitably qualified experts (for all expert areas
25 required) in its membership.

26 P5 landholders who are the current custodians of the land should be recognised as a stakeholder in
27 their own right and properly consulted.

28 Q6 the public interest is expressed through State Planning Policy and this should be considered in
29 any resource development, particularly the SPP for Agriculture as it prioritizes agricultural land use
30 over resource development in Important Agricultural Areas. Noting that IAA (identified as priority
31 agricultural areas under the Regional Plans) comprise less than 3% of Qld. The OECD Guideline and
32 the definition of 'sustainable development' should also be embedded in the decision-making
33 process. Intergenerational Equity is critical.

34 P6 not allowing additional information to be provided does not follow the 'precautionary principle',
35 additional information where it is not simply facetious should be able to be provided in Court.

36 Environment matters should stay in the P&E Court.

37 Q7 resource applications processes including consultation should be amended so that they comply
38 with the OECD Guidelines and international definition of 'sustainable development'.

39 Figure 5 should include a Landholder Advisory Committee, as the current holders of the land (the
40 farmers) are the current custodians of the land and have the most interest in and in-depth
41 knowledge of the current issues impacting the land, risks to the land, and constraints on the land.

1 Item 145 the Water Trigger should apply to GHG storage and Geothermal Energy. The State of Qld is
2 heavily dependent on both surface water and groundwater and should lobby the Commonwealth
3 for amendment of the EPBC Act to include these in the Water Trigger.

4 Item 146 it should be highlighted in the application process that the RPI Act also applies to GHG and
5 Geothermal.

6 Q8 has the QLRFC considered the Water Acts Intergovernmental Agreement between the
7 Commonwealth and the States and the Joint Industry Framework? Freehold Land Tenure?

8 **Relevant to this consultation, items from the**

9 **QLRFC Mining Lease Objections Review Background paper 2 October 2023 "Scanning the**
10 **horizon: Queensland mining in the future"**

11 **Rising focus on ESG principles, The global context**

12 *A 'social licence to operate'*

13 *"This concept does not have a clearly accepted meaning. It is generally understood to mean that the*
14 *local community that will be directly impacted has approved the mining project proceeding. There are*
15 *some concerns about the use of this term. It has been noted that the term suggests a positive approval*
16 *that is rarely meaningfully obtained in practice."*

17 Item 45 notes the rising focus on ESG principles is being driven by international developments,
18 including the **OECD Guidelines for Multinational Enterprises on Responsible Business Conduct**
19 (1976, updated 2023) which set standards to enhance business contribution to sustainable
20 development and address adverse impacts associated with business activities on people, the plant
21 and society; the **UN Global Compact (2000)** which prescribes environment, human rights, labour &
22 anti-corruption standards that corporations can commit to follow; the **UN Guiding Principles and**
23 **Human Rights (2011)**; and the **UN 2030 Agenda for Sustainable Development (2015)**.

24 Item 48 identifies that ESG is now considered a priority for publicly listed companies and investors,
25 and the regulatory environment is evolving to reflect this focusing on climate, environment, social
26 issues (e.g., modern slavery, workplace health & safety), and governance.

27 Item 49 says strong ESG performance is a key focus of the Australian Critical Minerals Strategy
28 2023-2030, identifying that high ESG credentials are seen as a point of difference for Australia in
29 global markets.

30 Item 52 identifies there is a need for ongoing and enhanced efforts to ensure Qld's mining sector
31 maintains and strengthens its ESG credentials, item 56 says there is a strong policy and industry
32 focus on ensuring that the ESG credentials of Qld and Australian mining operators meet
33 international standards and expectations, and item 57 notes the rise of ESG principles are increasing
34 focus on independence, transparency and accountability in mining approval processes.

35 Item 78 says the intention of the QLRFC is to make recommendations for a process that is fair,
36 efficient, effective and contemporary, identifying ESG credentials in Figure 3 as a key driver and
37 stronger ESG performance and transparent and rigorous processes as desirable outcomes.

38 **OECD Guidelines for Multinational Enterprises on Responsible Business Conduct**

39 Australia is an adherent to the OECD Guidelines for Multinational Enterprises on Responsible
40 Business Conduct (the Guidelines), this means Australia has made a binding commitment to further
41 their effectiveness (para 2, pg 10). Governments have an important role to play in supporting

1 effective implementation of the Guidelines, including by creating an enabling policy environment to
2 drive, support, and promote responsible business practices (para 6, pg 11).

3 The recommendations of the QLRF should follow the Guidelines General Policies (chap II), in
4 particular that “*there should not be any contradiction between the activity of multinational enterprises
5 and sustainable development*” (para 3, pg 15).

6 **Definition “Sustainable Development”**

7 The Guidelines note (footnote, pg 15) that one of the most broadly accepted definitions of
8 sustainable development is that of the **1987 World Commission on Environment and
9 Development**: “*Development that meets the needs of the present without compromising the ability of
10 future generations to meet their own needs*”.

11 The recommendations of the QLRF should follow the principle of sustainable development, as this
12 is a key driver of ESG.

13 Importantly, the Guidelines say (para 22, pg 18) that where an enterprise contributes to or may
14 contribute to an adverse impact, then it should take the necessary steps to cease or prevent its
15 contribution and use its leverage to mitigate any remaining impacts to the greatest extent possible,
16 and critically (para 23, pg 19), the Guidelines recognise that **responsibility should not be shifted
17 from an entity causing an adverse impact to the enterprise with which it has a business
18 relationship**. An example of this is subsidence caused by coal seam gas (CSG mining), where
19 farmland on the Condamine River Floodplains is sinking causing damage and economic loss which is
20 currently being borne solely by the farmers and not by the multinational corporation causing the
21 subsidence (Arrow Energy).

22 Meaningful stakeholder engagement (para 28, pg 20) is required with the degree of impact on
23 stakeholders informing the degree of engagement, it requires two-way good faith interaction which
24 is responsive to stakeholders’ views. This requires potential barriers to engagement being identified
25 and removed, particularly for those in positions of vulnerability and marginalisation (e.g., holders of
26 farmland subsiding from CSG mining, who were undermined by the OGIA categorising them as
27 “ideologically opposed” in its November 2022 Expenditure Advisory Committee meeting Agenda
28 [refer Attachment A]).

29 The Guidelines say the **OECD Due Diligence Guidance for Responsible Business Conduct** and
30 sector specific guidance such as the **OECD Due Diligence Guidance on Meaningful Stakeholder
31 Engagement in the Extractive Sector** must be considered by the QLRFC in its recommendations as
32 these are particularly important in planning & decision making where e.g., intensive use of land or
33 water could significantly affect local communities.

34 While all the Guidelines have not been reviewed by the submitter due to time constraints, some of
35 the Guidelines QLRFC should particularly note are:

36 **Disclosure** (chap III, pg 21) so that timely, reliable, clear, complete, accurate and comparable
37 information in sufficient detail on material matters is available.

38 **Human Rights** (chap IV, pg 25) as the State of Queensland has the duty to protect human rights and
39 should require meaningful mitigation of human rights where infringed by mining projects.

40 **Employment and Industrial Relations** (chap V, pg 28) which effectively includes the landholder
41 psychosocial occupational health and safety hazard and ‘forced labour’ aspect of landholders being
42 forced to host mining activities e.g., CSG mining for the public interest, without being remunerated

1 for their time spent in preliminary dealings and negotiation of coexistence contractual
2 arrangements, and in complete disregard of Workplace Health and Safety laws.

3 **Environment** (chap VI, pg 33) to strengthen processes and ensure that 'streamlining approvals' does
4 not mean an erosion of precautionary principles, protections and rights, including those under
5 Regional Planning Interests Act 2014 which enables State Planning Policy Agriculture.

6 **Science, Technology and Innovation** (chap IX, pg 46) to ensure due diligence on actual and
7 potential adverse impacts are identified including matters which may risk the ability of co-located
8 industry such as agriculture to produce and to export e.g., mining industry contamination may 'lock
9 out' farm produce export (e.g., beef, cotton, grains). In 2022-23 Australian agricultural, fisheries and
10 forestry exports reached \$80 billion (www.agriculture.gov.au).

[REDACTED]

Sent: Thursday, 9 January 2025 3:59 PM
To: 'lgwv@ministerial.qld.gov.au'
Cc: 'Warrego Electorate Office'; Condamine Electorate Office; 'Callide Electorate Office';
[REDACTED]
[REDACTED]

Subject: Complaint Regarding Comments on Landholder Concerns in the OGIA November 2022 Expenditure Advisory Committee Agenda

Dear Minister Leahy
Minister for Local Government and Water

cc: Members for Warrego, Condamine, and Callide; Coexistence Queensland, Industry representatives

Re: Complaint Regarding Comments on Landholder Concerns in the OGIA November 2022 Expenditure Advisory Committee Agenda

I am writing to express my concerns regarding comments and complain about comments made by the Executive Director (or relevant person) of the Office of Groundwater Impact Assessment (OGIA), as reported in the November 2022 agenda of its Expenditure Advisory Committee. Specifically, about remarks that dismissed the legitimate concerns of landholders whose farms and cropping operations have been impacted by subsidence attributed to coal seam gas (CSG) mining activities. The comments characterize these landholders as "ideologically opposed" to CSG mining, which, I believe, is both an unfair and inappropriate assessment.

- Revitalisation of OGIA's data management system is likely to streamline this process in the future. OGIA is also reviewing process workflow for receiving and managing the requests.

Landholders' enquiries

- OGIA regularly receives requests from landholders to seek specific information or clarifications. However, in the recent months there has been a huge spike on these requests – including 49 items of correspondence from three landholders – with following key differences of note:
 - requests are almost always from landholders from the western Condamine areas and relating to subsidence or Horrane Fault with specifics on some very detailed aspects of the technical assessment
 - requests are from those who are ideologically opposed to the CSG development in prime agricultural land, and by a small but very vocal number of landholders
 - the requests are often mixed with claims and counter claims questioning the validity of science and pointing to perceived uncertainties – with correspondence copied to a range of government agencies, and sometime posted to social media
 - information is mis-interpreted or deliberately mis-constituted to discredit science or, to fit a pre-conceived views – by those who are ideologically opposed to the CSG development.
- Regardless, in OGIA's opinion, majority of the landholders have been genuinely seeking to better understand the process of subsidence, its monitoring, and the predictions – mostly through phone call or during the meetings/public session, instead of formal correspondence or email.
- In the above context, OGIA has been pursuing the following strategies to manage those queries and potential misinformation:
 - a standard Q&A through email to provide a common and succinct response across the landholder groups, industry and the regulatory agencies
 - broader and focused public meetings to provide detailed and illustrated responses to queries
 - providing more information, and interactive tools, for landholders to gradually improve their understanding

Agenda paper 2, page 3 of 5

22-216

File B

Page 45 of 63

OGIA Expenditure Advisory Committee Meeting Nov 2022

- limiting and minimising direct response to claims, unless there are factual errors that are quoted in the emails or correspondence
- maintaining GFCQ as the central unit for managing engagement on matters relating to management of the subsidence
- fast-tracking establishment of OGIA's independent website.

Modelling

- OGIA's modelling team has been engaging internally and externally to re-develop the next-generation modelling approach.
- The modelling approach is likely to be materially different from the one employed so far. In the immediate term, OGIA is progressing:
 - proof of concept for model calibration at the local scale, and against the impact signal
 - development of a detailed model in and around the Condamine Alluvium to test various hypotheses, improve the model predictions at margins, and

As you are aware, farmers such as myself who have reported damage to their properties due to subsidence are expressing genuine concerns about the direct and tangible impacts on their livelihoods and the sustainability of their agricultural operations. To reduce their concerns to ideological opposition undermines the validity of their experiences and dismisses the very real, economic and environmental risks they face as a result of mining activities.

I understand that coal seam gas (CSG) mining is a significant industry in Queensland, but the responsibility of protecting the interests of farmers and ensuring that their grievances are heard and adequately addressed should be a priority for government agencies such as OGIA. The comments made by the Executive Director (or relevant person) not only reflect a lack of empathy towards affected farmers but also potentially **damage the credibility and impartiality of OGIA** in fulfilling its mandate to assess and manage the impacts of groundwater and subsidence associated with CSG operations.

It is problematic to frame farmers as “ideologically opposed to CSG” when they express the need for details and answers to questions that are valid and relevant to the provision of evidence that assures a scientific basis to investigations and activities being undertaken that directly impact their livelihood and future sustainability of their business and their industry. It is definitely improper in terms of a leader of a statutory department, speaking in an official government report addressing and justifying the expenditure by virtue of them being public servants expected to serve the public, with the public interest trumping all others, there are other aspects that are problematic.

OGIA's role is to not only study emerging problems from an emerging industry but to inform rational policy debate among stakeholders. Labelling farmers "ideologically opposed" when they are **significant stakeholders, perhaps the greatest stakeholders**, in the outcome of the problem of CSG-induced subsidence reveals a fundamental and systemic problem that has plagued the government and governance of unconventional gas from its earliest inception.

It represents one of a repertoire of methods, techniques, arguments and tactics that have been used to manipulate 'CSG science' in the service of powerful interests to the detriment of the public and specifically farmers, those most impacted. It is a use of **suasion**, a rhetorical device of moving the audience to the rhetor's position. It influences policy makers by not data but political and social values that lack consideration of those specific stakeholders, farmers. It **foments** uncertainty for policy makers, **casts doubt and seeds repression** of the needs and opinions of the farmers as stakeholders. It **denigrates farmers** as experts in their own right with their own specific needs for data and means of investigation into a looming problem that impacts them directly. Taking part in such misuse of methods in science is **disinformation** itself. It presents a **bias** in itself, assuming that disagreement or need for validation of approach and method of study is the result of ideological opposition, not in fact based on the untapped knowledge and phenomenology of the farmer resulting from their decade long severe minimisation and lack of participation in the roll out of the unconventional gas industry across their homes, businesses and workplaces. It actively **prevents the identification and protection of adverse impacts** for the most vulnerable, sensitive and susceptible to the subject of the study. It confirms **repression bias** in the institution by its very use, as it confirms that the line of inquiry being called for by the farmers is not being pursued because the research question upsets the binary dominant paradigm (“the narrative”), **one must be pro-gas, or you are ideologically opposed, that in fact there is not possibly a third option that has failed to be considered, Pro-farming.**

It entrenches an inability for policy makers to make changes to the approach to government and governance of unconventional gas that would protect and improve the safety, wellbeing and sustainability of farmers required to host this industry in their workplace and business.

Given the significant role that the OGIA plays in regulating and overseeing the impact of CSG activities on water resources and land use, I respectfully request you to take the following actions:

1. **Investigation:** Conduct a thorough review of the remarks made in the November 2022 agenda and take appropriate disciplinary action, to ensure that the treatment of landholder concerns aligns with the values of independence, fairness, respect, and professionalism.

2. **Public Reassurance:** Provide a public statement or reassurance to affected farmers that their concerns are being taken seriously, without prejudice based on ideological assumptions.
3. **Training and Sensitivity:** Implement additional training for OGIA staff to ensure that they are better equipped to impartially handle sensitive matters concerning farmers' experiences and concerns about the impacts of mining activities on their properties.
4. **Best Practice Guidelines:** Develop best practice and ethics guidelines to guide such establishments who have or should have consideration for all stakeholders when it comes to creating, building, disseminating and responding to the need for data and its appropriate application and interpretation.

Queenslanders, particularly farmers, should not feel that their legitimate concerns are trivialized or dismissed by government agencies. The integrity of the OGIA and its capacity to address the concerns of all stakeholders in a fair and balanced manner must be maintained.

I trust that you will give this matter your attention and take appropriate action to ensure that the concerns of Queensland's farmers are treated with the respect and seriousness they deserve.

Thank you for your time and consideration. I look forward to your response.

Sincerely,

[Redacted signature]

[Redacted contact information]

This communication (and any attachment) is confidential, may contain legally privileged information and is intended solely for the named addressee. If you receive this in error, please destroy it and advise the sender.