

Options for Dispute Resolution



Assistance for landholders when negotiating agreements

The Queensland Government ensures there are a range of options available to help you reach agreements if negotiations with resource companies become challenging.

Options for **dispute resolution** are in place to protect landholder rights when negotiating – these include:

- land access agreements, such as a Conduct and Compensation Agreement (CCA); and
- Make Good Agreements (MGA).

For a better understanding of Queensland's land access laws, '[A Guide to Land Access in Queensland](#)' is available online via the **Department of Resources**.

It is important to note that **GasFields Commission Queensland** *does not engage in individual negotiations* between landholders and resource companies, *nor does it investigate complaints* made against individual resource companies.

Landholders who are wanting to make enquiries or lodge complaints about any resource exploration or development activities in their local area should contact the **Department of Resources'** [Resource Community Infoline](#) on 13 71 07 or via resources.info@resources.qld.gov.au.



Either party can seek to enter into the dispute resolution process by providing written notice to the other.

Option 1: Conference

An authorised officer from the **Engagement and Compliance Unit (ECU)** facilitates discussions between the parties with the aim of reaching agreement usually within 20 business days. **This is a low-cost, non-binding option.**

Neither party can be represented by a lawyer unless the other party agrees and the authorised officer is satisfied there are no disadvantages.

For more information contact the **Resource Community Infoline** via phone **13 71 07** or email resources.info@resources.qld.gov.au.

Option 2: Alternative Dispute Resolution (ADR)

Issues are resolved with the aid of a qualified and independent expert. If you request an ADR to reach a **CCA**, you are responsible for the costs of engaging the independent third party. For **MGAs**, the resource company is always responsible for covering the costs of an ADR.

There are four types of ADR options:

1. **Mediation** - an independent person facilitates a discussion between the parties. The mediator does not advise or make any decisions.
2. **Conciliation** - an independent person who is an expert on the subject provides advice on the strengths and weaknesses of each side of the dispute. While the conciliator provides advice, they do not make any decisions.
3. **Collaborative negotiation** - both parties work through their legal counsel to reach a negotiated agreement.
4. **Arbitration** - an independent person acts as a judge. The arbitrator hears the arguments from both parties and makes a decision that is binding on both parties.

Option 3: Land Court

Either party can submit an application to the **Land Court** to resolve the dispute if:

- the conference or ADR process was not concluded within the required period
- only one party attended the requested conference or ADR
- no agreement was reached at the end of the conference or ADR.

The decision of the Land Court is binding.

For more information:

 enquiries@gfcq.org.au  www.gfcq.org.au  (07) 3067 9400