

AT A GLANCE – Disputes about Make Good Agreements

What to do and where to go for help

I HAVE A DISPUTE

Step 1 Make reasonable attempt to resolve

Before you raise a dispute about your Make Good Agreement (MGA), you should first make a reasonable attempt to resolve the situation with the other party. This could include:

- > contacting the other party to discuss the matter – via phone, email or in person
- > attempting to directly negotiate with the other party
- > participating in an Alternative Dispute Resolution (ADR) process.

Step 2 seek help

I AM NEGOTIATING A MGA

Department of Resources

- > Conference facilitated by department officer
- > Free service
- > Informal
- > No legal representation required.

Alternative Dispute Resolution (ADR)

- > Mediation, conciliation, case appraisal or arbitration
- > Conducted by an independent private facilitator
- > Lawyers and experts may be involved
- > Parties pay facilitator, legal and expert fees.

Land Court

- > Formal legal process
- > Parties pay legal and expert fees
- > Court makes binding decision.

**Option unavailable if parties have not first tried to resolve via departmental conference or ADR.*

Land Access Ombudsman

- > Investigates disputes about alleged MGAs
- > May offer Alternative Dispute Resolution (ADR) processes - mediation, conciliation, case appraisal
- > Provides fair and impartial advice to parties on their positions
- > Makes non-binding recommendations about how to resolve disputes
- > Free service to all parties
- > Independent of government
- > Minimal formality, although can exercise investigation powers
- > Alternative to court, faster and less expensive
- > No legal representation required.

**Option unavailable if the dispute is, or has been, the subject of an investigation by Department of Resources/Department of Environment and Science, arbitration or Land Court proceeding.*

I HAVE AN EXISTING MGA

Department of Resources

- > Conference facilitated by department officer
- > Free service
- > Informal
- > No legal representation required.

Alternative Dispute Resolution (ADR)

- > Mediation, conciliation, case appraisal or arbitration
- > Conducted by an independent private facilitator
- > Lawyers and experts may be involved
- > Parties pay facilitator, legal and expert fees.

Land Court

- > Formal legal process
- > Parties pay legal and expert fees
- > Court makes binding decision.

**Option unavailable if parties have not first tried to resolve via departmental conference or ADR.*

I HAVE AN ENQUIRY OR COMPLAINT ABOUT RESOURCE ACTIVITIES

Department of Resources

- > Manages resource enquiries, information requests and complaints
- > Investigates possible offences and breaches of resources, legislation and resource authority conditions
- > Undertakes compliance action
- > Coordinates responses with other government agencies.

Department of Environment and Science (DES)

- > Investigates possible offences and breaches of environmental legislation or environmental authority conditions
- > Undertakes compliance action
- > Responds to pollution and environmental incidents.

Gasfields Commission

- > Provides information and referral services
- > Helps landholders understand their rights and obligations
- > Provides extension and education material including land access framework, negotiation and dispute resolution options
- > Advises government on systemic issues
- > Does not deal with individual disputes.

CONTACTS

Land Access Ombudsman – ☎1800 717 550

✉ enquiries@lao.org.au 🌐 www.lao.org.au

Department of Resources – ☎137 107

✉ resources.info@resources.qld.gov.au 🌐 www.resources.qld.gov.au

Department of Environment and Science (DES) – ☎1300 130 372

✉ info@des.qld.gov.au 🌐 www.des.qld.gov.au

Land Court – ☎(07) 3406 7777

✉ landcourt@justice.qld.gov.au 🌐 www.courts.qld.gov.au/courts/land-court

Gasfields Commission – ☎(07) 3067 9400

✉ enquiries@gfcq.org.au 🌐 www.gasfieldscommissionqld.org.au