

AT A GLANCE – Disputes about Make Good Agreements

What to do and where to go to for help

I HAVE A DISPUTE

STEP 1 MAKE A 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 departmental 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 EXISTING MGA

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 DNRME/DES, arbitration or Land Court proceeding*

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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