



# Coexistence Queensland Act 2013

Current as at 1 July 2026

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## Queensland

# Coexistence Queensland Act 2013

## Contents

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		Page
<b>Part 1</b>	<b>Preliminary</b>	
1	Short title . . . . .	5
2	Commencement . . . . .	5
3	Purpose . . . . .	5
4	Act binds all persons . . . . .	5
5	Definitions . . . . .	5
<b>Part 2</b>	<b>Coexistence Queensland</b>	
<b>Division 1</b>	<b>Establishment, functions and powers of Coexistence Queensland</b>	
6	Establishment of Coexistence Queensland . . . . .	6
7	Coexistence Queensland's functions . . . . .	6
8	Coexistence Queensland's powers . . . . .	7
<b>Division 2</b>	<b>Membership</b>	
9	Membership of Coexistence Queensland . . . . .	8
9A	Appointment as a member . . . . .	8
10	Eligibility for appointment as a member . . . . .	9
11	Term of appointment . . . . .	9
12	Conditions of appointment . . . . .	10
13	Resignation . . . . .	10
14	Termination of appointment . . . . .	10
15	Leave of absence . . . . .	10
16	Acting chairperson or member . . . . .	10
17	Preservation of rights . . . . .	11
<b>Division 3</b>	<b>Disclosure of interests by members</b>	
18	Register of interests . . . . .	12
19	Disclosure of interests at Coexistence Queensland meetings . . . . .	13
<b>Division 4</b>	<b>Coexistence Queensland meetings</b>	
20	Coexistence Queensland meetings . . . . .	14

Contents

---

21	Purposes of Coexistence Queensland meetings . . . . .	14
22	Conduct of Coexistence Queensland meetings . . . . .	14
<b>Part 3</b>	<b>Particular powers of Coexistence Queensland</b>	
<b>Division 1</b>	<b>Powers relating to government entities</b>	
23	Power to require particular information from government entities	15
24	Power to require advice . . . . .	16
<b>Division 2</b>	<b>Powers relating to prescribed entities</b>	
26	Power to require particular information from prescribed entities .	17
<b>Division 3</b>	<b>Other</b>	
27	Publishing information . . . . .	18
28	Advisory bodies . . . . .	19
29	Community leaders council . . . . .	19
<b>Part 4</b>	<b>Administration</b>	
30	Employment of chief executive officer . . . . .	19
30A	Responsibilities of chief executive officer . . . . .	20
31	Other staff of Coexistence Queensland . . . . .	21
32	Alternative staffing arrangements . . . . .	21
33	Coexistence Queensland not subject to outside direction . . . . .	22
34	Annual budgets and financial management policies . . . . .	22
35	Annual report . . . . .	23
36	Delegation . . . . .	24
<b>Part 5</b>	<b>General offences and legal proceedings</b>	
<b>Division 1</b>	<b>General offences</b>	
37	False or misleading statements . . . . .	25
38	False or misleading documents . . . . .	25
39	Use of confidential information . . . . .	26
<b>Division 2</b>	<b>Evidentiary provisions</b>	
41	Appointments and authority . . . . .	26
42	Signatures . . . . .	27
43	Other evidentiary aids . . . . .	27
44	Protection from liability . . . . .	27
45	Coexistence Queensland is a statutory body . . . . .	27
<b>Part 6</b>	<b>Miscellaneous</b>	
46	Regulation-making power . . . . .	28
<b>Part 7</b>	<b>Transitional provisions</b>	
<b>Division 1</b>	<b>Transitional provisions for Gasfields Commission and Other</b>	

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	<b>Legislation Amendment Act 2017</b>	
47	Definitions for division . . . . .	28
48	Appointment of initial chief executive officer . . . . .	28
49	Initial chief executive officer—how employed and prohibition on particular benefits . . . . .	29
50	Continuation of particular former provisions about general manager	29
<b>Division 2</b>	<b>Transitional provisions for Mineral and Energy Resources and Other Legislation Amendment Act 2024</b>	
51	Change in name of Coexistence Queensland . . . . .	30
52	Continuation of particular former functions for 1-year period . . .	30
53	Continuation of commissioners as members . . . . .	30
54	Minister may remove existing members . . . . .	31
55	Continuation of gasfields community leaders council as community leaders council . . . . .	31
<b>Schedule 1</b>	<b>Dictionary . . . . .</b>	<b>32</b>



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# Coexistence Queensland Act 2013

## An Act to establish Coexistence Queensland

### Part 1 Preliminary

#### 1 Short title

This Act may be cited as the *Coexistence Queensland Act 2013*.

#### 2 Commencement

This Act commences on 1 July 2013.

#### 3 Purpose

The purpose of this Act is to establish Coexistence Queensland to manage and improve the sustainable coexistence of landholders, regional communities, the resources industry and the renewable energy industry.

#### 4 Act binds all persons

This Act binds all persons, including the State.

#### 5 Definitions

The dictionary in schedule 1 defines particular words used in this Act.

## **Part 2                      Coexistence Queensland**

### **Division 1                      Establishment, functions and powers of Coexistence Queensland**

#### **6                      Establishment of Coexistence Queensland**

Coexistence Queensland is established.

#### **7                      Coexistence Queensland's functions**

- (1) Coexistence Queensland has the following functions—
  - (a) facilitating better relationships between landholders, regional communities, the resources industry and the renewable energy industry;
  - (b) providing a central point of contact for enquiries about matters affecting the sustainable coexistence of landholders, regional communities, the resources industry and the renewable energy industry;
  - (c) in response to requests for advice from the chief executive under the *Regional Planning Interests Act 2014* about assessment applications under that Act, advising that chief executive about the ability of landholders, regional communities and the resources industry to coexist within the area the subject of the application;
  - (d) providing advice to the Minister, other Ministers, government entities or other stakeholders about matters relating to the sustainable coexistence of landholders, regional communities, the resources industry and the renewable energy industry, including—
    - (i) emerging issues about those matters; and
    - (ii) leading practice about those matters;
  - (e) partnering with appropriate entities to deliver educational resources and other information about

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health and wellbeing matters relating to the sustainable coexistence of landholders, regional communities, the resources industry and the renewable energy industry;

- (f) facilitating appropriate entities to undertake community engagement and participation in community initiatives about assessing health and wellbeing concerns relating to activities carried out in the resources industry or the renewable energy industry;
  - (g) publishing educational resources and other information about the sustainable coexistence of landholders, regional communities, the resources industry and the renewable energy industry;
  - (h) any other function given to Coexistence Queensland under this Act or another Act;
  - (i) partnering with appropriate entities for the purpose of conducting research related to a function mentioned in any of paragraphs (a) to (h).
- (2) In this section—
- appropriate entities* includes, for example—
- (a) a government department, or agency, of Queensland or elsewhere; and
  - (b) an entity that is performing or has performed an independent academic or scientific study.

## **8 Coexistence Queensland's powers**

- (1) Coexistence Queensland has the powers necessary or convenient to perform its functions.
- (2) Coexistence Queensland also has the other powers given to it under this or another Act.

## **Division 2                      Membership**

### **9                      Membership of Coexistence Queensland**

Coexistence Queensland consists of—

- (a) a full-time or part-time member, who is the chairperson;  
and
- (b) up to 6 part-time members.

*Note—*

The members of Coexistence Queensland are also members of the advisory council established under the *Land Access Ombudsman Act 2017*—see section 31C of that Act.

### **9A                      Appointment as a member**

- (1) Each member is to be appointed by the Governor in Council.
- (2) In deciding whom to recommend to the Governor in Council for appointment to Coexistence Queensland, the Minister must be satisfied—
  - (a) each person nominated for appointment is eligible under section 10; and
  - (b) Coexistence Queensland will include—
    - (i) a member who has knowledge of, or experience with, the interests of landholders; and
    - (ii) a member who has knowledge of, or experience with, the interests of communities in which the resources industry or the renewable energy industry operates; and
    - (iii) a member who has knowledge of, or experience with, the resources industry; and
    - (iv) a member who has knowledge of, or experience with, the renewable energy industry; and
  - (c) the members reflect the diversity of the Queensland community involved in matters relating to the

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sustainable coexistence of landholders, regional communities, the resources industry and the renewable energy industry.

- (3) The performance of Coexistence Queensland's function mentioned in section 7(1)(c) is not invalid for the purposes of the *Regional Planning Interests Act 2014* only because of a defect or irregularity in the appointment of a member or because Coexistence Queensland was not properly constituted.

## 10 Eligibility for appointment as a member

A person is eligible for appointment as a member if the person has qualifications or experience in any of the following—

- (a) the resources industry;
- (b) the renewable energy industry;
- (c) a branch of science relating to activities carried out as part of the resources industry or the renewable energy industry, or the impact of those activities on the environment;
- (d) legal practice relevant to activities carried out as part of the resources industry or the renewable energy industry;
- (e) negotiations between landholders and the resources industry or the renewable energy industry;
- (ea) the agricultural industry;
- (f) land management;
- (g) land valuation;
- (h) community development;
- (i) the financial and business sector.

## 11 Term of appointment

- (1) A member is appointed for the term, not longer than 3 years, stated in the member's instrument of appointment.

- (2) A member may be reappointed.

## **12 Conditions of appointment**

- (1) A member is to be paid the remuneration and allowances decided by the Governor in Council.
- (2) A member holds office on the terms and conditions, not provided for by this Act, that are decided by the Governor in Council.
- (3) The members are appointed under this Act and not the *Public Sector Act 2022*.

## **13 Resignation**

A member may resign by signed notice given to the Minister.

## **14 Termination of appointment**

The Governor in Council may at any time remove a member from office for any reason or none.

## **15 Leave of absence**

The Minister may approve a leave of absence for a member who requests the leave.

## **16 Acting chairperson or member**

- (1) The Minister may appoint a person (whether or not a member), the Minister is satisfied is an eligible person, to act as the chairperson—
- (a) during a vacancy in the office of chairperson; or
- (b) during any period, or all periods, when the chairperson is absent from duty or from the State or, for any other reason, can not perform the duties of the office of chairperson.

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- (2) The chairperson may appoint any other member to act as the chairperson during a period, of not more than 14 days, when the chairperson—
    - (a) is absent from duty or from the State; or
    - (b) for any other reason, can not perform the duties of the office of chairperson.
  - (3) The Minister may appoint a person, the Minister is satisfied is an eligible person, to act as a member—
    - (a) during a vacancy in the office of a member; or
    - (b) during any period, or all periods, when a member is absent from duty or from the State or, for any other reason, can not perform the duties of the office of a member.
  - (4) In this section—

*eligible person* means a person who is eligible under section 10 for appointment as a member.

## 17 Preservation of rights

- (1) This section applies if—
  - (a) a person is appointed as a member; and
  - (b) the person resigns the person's role as a public service officer in order to accept the appointment.
- (2) The person retains and is entitled to all rights that have accrued to the person because of the person's employment as a public service officer, or that would accrue in the future to the person because of that employment, as if service as the member were a continuation of service as a public service officer.
- (3) At the end of the person's term of office or on resignation—
  - (a) the person is entitled to be appointed to an office in the public service at a salary level not less than the current salary level of an office equivalent to the office the person held before being appointed as the member; and

- (b) the person's service as the member is to be regarded as service of a like nature in the public service for deciding the person's rights as a public service officer.

## **Division 3                      Disclosure of interests by members**

### **18            Register of interests**

- (1) Coexistence Queensland must keep a register of each member's pecuniary interests.
- (2) The person appointed as chairperson must give the Minister and integrity commissioner—
  - (a) as soon as practicable after the person's appointment—a written summary of the person's pecuniary interests at the time of the person's appointment; and
  - (b) within 30 days after any substantial change in the person's pecuniary interests—notice of the change and an updated written summary of the person's pecuniary interests.
- (3) Each person appointed as a part-time member must give the chairperson—
  - (a) as soon as practicable after the person's appointment—a written summary of the person's pecuniary interests at the time of the person's appointment; and
  - (b) within 30 days after any substantial change in the person's pecuniary interests—notice of the change and an updated written summary of the person's pecuniary interests.
- (4) The register kept under subsection (1) must be updated at least once during each 12 month period of a member's term of office.
- (5) In this section—

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*integrity commissioner* means the Queensland Integrity Commissioner appointed under the *Integrity Act 2009*, section 6.

## **19 Disclosure of interests at Coexistence Queensland meetings**

- (1) This section applies to a member if—
  - (a) the member or a close relative of the member has a direct or indirect pecuniary interest in a matter being considered, or about to be considered, at a Coexistence Queensland meeting; and
  - (b) the interest could conflict with either or both of the following—
    - (i) the proper performance of Coexistence Queensland's functions for the matter;
    - (ii) the proper exercise of Coexistence Queensland's powers for the matter.
- (2) As soon as practicable after the relevant facts come to the member's knowledge, the member must disclose the nature of the interest to the other members at the meeting.
- (3) The member may further participate in the meeting only if a majority of the other members at the meeting vote in favour of the member's further participation in the meeting.
- (4) However, the member can not participate in any vote on the matter at the meeting.
- (5) A disclosure under subsection (2) must be recorded in the meeting's minutes.
- (6) A failure to make a disclosure under subsection (2) does not, of itself, invalidate a decision by Coexistence Queensland.
- (7) This section, other than subsection (4), applies to the chief executive officer, as if the chief executive officer were a member.

*Note—*

The chief executive officer does not have a right to vote at a Coexistence Queensland meeting.

(8) In this section—

*close relative*, of a member, means the member's—

- (a) spouse; or
- (b) parent or grandparent; or
- (c) brother or sister; or
- (d) child or grandchild.

## **Division 4                    Coexistence Queensland meetings**

### **20            Coexistence Queensland meetings**

The chairperson must convene a meeting of members (a *Coexistence Queensland meeting*) at least 6 times each year.

### **21            Purposes of Coexistence Queensland meetings**

The purposes of Coexistence Queensland meetings are to—

- (a) ensure Coexistence Queensland performs its functions and exercises its powers in an appropriate, effective and efficient way; and
- (b) set the strategic priorities of Coexistence Queensland.

### **22            Conduct of Coexistence Queensland meetings**

- (1) Coexistence Queensland meetings are to be held at the times and places the chairperson decides.
- (2) The chairperson must preside at all Coexistence Queensland meetings at which the chairperson is present.
- (3) If the chairperson is absent from a Coexistence Queensland meeting, another member chosen by the members present must preside.

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- (4) A quorum for a Coexistence Queensland meeting is the chairperson and 2 other members.
  - (5) Subject to this Act, Coexistence Queensland may otherwise conduct Coexistence Queensland meetings in the way it considers appropriate.

## **Part 3                      Particular powers of Coexistence Queensland**

### **Division 1                Powers relating to government entities**

#### **23            Power to require particular information from government entities**

- (1) The chairperson may give a government entity a written notice requesting information in the entity's possession or control that relates to—
  - (a) the resources industry or the renewable energy industry; and
  - (b) a function of Coexistence Queensland.
- (2) The notice must state how, and a reasonable period of at least 10 business days by which, the information must be given.
- (3) The government entity must comply with a request made of it under subsection (1) unless—
  - (a) the information is not in its possession or control; or
  - (b) complying with the request would place the entity in contravention of a law; or
  - (c) the request relates to someone else's confidential information and the other person has refused to consent to it being disclosed to the chairperson despite the entity's reasonable efforts to obtain the consent.

- (4) If an exemption under subsection (3) applies to a request made of a government entity under subsection (1), the entity must inform the chairperson in writing that the exemption applies in relation to the request.

## **24 Power to require advice**

- (1) The chairperson may, by written notice, require the chief executive of a government entity to provide advice to the chairperson if the advice—
  - (a) relates to a function of Coexistence Queensland; and
  - (b) relates to a function of the government entity; and
  - (c) is something about which the chief executive could reasonably be able to provide advice.
- (2) The chief executive must, within a reasonable time, comply with a request made of the chief executive under subsection (1) unless—
  - (a) complying with the requirement would place the chief executive or entity in contravention of a law; or
  - (b) the requirement relates to someone else's confidential information and the other person has refused to consent to it being disclosed to the chairperson despite the entity's reasonable efforts to obtain the consent.
- (3) If an exemption under subsection (2) applies to a request made of a chief executive under subsection (1), the chief executive must inform the chairperson in writing that the exemption applies in relation to the request.

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## Division 2                      Powers relating to prescribed entities

### 26            Power to require particular information from prescribed entities

- (1) The chairperson may, by written notice, require a prescribed entity to give the chairperson—
  - (a) stated documents or information (the *relevant material*), or stated types of documents or information (also the *relevant material*), in its possession or control that Coexistence Queensland reasonably requires for the effective and efficient carrying out of Coexistence Queensland's functions; or
  - (b) access to the relevant material.
- (2) The notice must state how, and a reasonable period by which, the relevant material, or access to the relevant material, must be given.
- (3) An entity given a notice under subsection (1) must comply with the notice unless—
  - (a) the requirement relates to relevant material that is in someone else's possession or control and the other person has refused to give the relevant material to the entity despite the entity's reasonable efforts to obtain it; or
  - (b) complying with the requirement would place the entity in contravention of a law; or
  - (c) the requirement relates to someone else's confidential information and the other person has refused to consent to it being disclosed to the chairperson despite the entity's reasonable efforts to obtain the consent; or
  - (d) the giving of the relevant material might tend to incriminate the entity; or

- (e) the relevant material is confidential to the entity or the giving of the relevant material might be to the detriment of the entity's commercial or other interests.

Maximum penalty—100 penalty units.

- (4) If an exemption under subsection (3) applies to a requirement made of a prescribed entity under subsection (1), the entity must inform the chairperson in writing that the exemption applies in relation to the requirement.
- (5) In this section—

*prescribed entity* means—

- (a) a landholder; or
- (b) a resource authority holder; or
- (c) a renewable energy entity; or
- (d) a company engaged under a written agreement to carry out an activity, on behalf of a resource authority holder or a renewable energy entity, that is part of the resources industry or the renewable energy industry.

*renewable energy entity* means an entity that carries out an activity that is part of the renewable energy industry.

*resource authority holder* means the holder of a resource authority.

## Division 3            Other

### 27     Publishing information

- (1) Coexistence Queensland may publish any information relevant to the purpose or a function of Coexistence Queensland.
- (2) However, Coexistence Queensland must not publish any confidential information under subsection (1).

## 28 Advisory bodies

The chairperson may establish the advisory bodies the chairperson considers appropriate to give the chairperson or Coexistence Queensland—

- (a) additional or technical advice about a matter relevant to a function of Coexistence Queensland; or
- (b) feedback about advice Coexistence Queensland proposes to give the Minister or government entities.

## 29 Community leaders council

- (1) Coexistence Queensland must establish a committee, and may establish more than 1 committee, (each a ***community leaders council***) for the purpose of assisting Coexistence Queensland to identify issues affecting the coexistence of landholders, regional communities, the resources industry and the renewable energy industry.
- (2) A community leaders council is to consist of the chief executive officer and other individuals Coexistence Queensland is satisfied represent local governments, regional communities, the agricultural industry, the resources industry and the renewable energy industry.
- (3) The chief executive officer is to preside at meetings of a community leaders council.

# Part 4 Administration

## 30 Employment of chief executive officer

- (1) Coexistence Queensland must employ a chief executive officer.

*Note—*

The chief executive officer is also the land access ombudsman under the *Land Access Ombudsman Act 2017*—see section 9(2) of that Act.

[s 30A]

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- (2) The chief executive officer is employed under this Act and not the *Public Sector Act 2022*.
- (3) Coexistence Queensland may at any time remove the chief executive officer from office for any reason or none.
- (4) The chairperson may appoint a person, other than a member, to act in the office of chief executive officer during—
  - (a) a vacancy, or all vacancies, in the office; or
  - (b) any period, or all periods, when the chief executive officer is absent from duty, or can not, for another reason, perform the functions of the office.
- (5) If the office of chief executive officer is vacant for more than 4 months, the Minister may request the chairperson to have the vacancy filled.
- (6) Subsection (7) applies if the person employed as the chief executive officer resigns the person's role as a public service officer in order to accept the employment.
- (7) Section 17(2) and (3) applies to the person as if a reference in the section to appointment or service as a member were a reference to employment or service as the chief executive officer.

### **30A Responsibilities of chief executive officer**

- (1) The chief executive officer is responsible for the day-to-day administration of Coexistence Queensland, including, for example—
  - (a) implementing the strategic priorities of Coexistence Queensland set at Coexistence Queensland meetings; and
  - (b) developing plans to address key issues being considered by Coexistence Queensland; and
  - (c) for section 31, managing the process of employing other staff of Coexistence Queensland; and
  - (d) managing the other staff of Coexistence Queensland.

*Note—*

See section 32(2)(c) for when an officer or employee whose services are made available to Coexistence Queensland under section 32 is taken to be a member of the staff of Coexistence Queensland.

- (2) The chief executive officer is also responsible for carrying out any direction given by the chairperson to the chief executive officer in relation to helping Coexistence Queensland perform its functions.

### **31 Other staff of Coexistence Queensland**

- (1) Coexistence Queensland may employ other staff it considers appropriate to perform its functions.
- (2) The other staff are to be employed under the *Public Sector Act 2022*.

### **32 Alternative staffing arrangements**

- (1) Coexistence Queensland may, with the agreement of the chief executive of a department, a local government, a government entity or a government owned corporation, arrange for the services of officers or employees of the department, local government, entity or corporation to be made available to Coexistence Queensland.
- (2) An officer or employee whose services are made available under subsection (1)—
  - (a) continues to be an officer or employee of the department, local government, entity or corporation; and
  - (b) continues to be employed or otherwise engaged by the department, local government, entity or corporation on the same terms and conditions applying to the officer or employee before his or her services were made available; and
  - (c) is, for the period the services are made available and for the carrying out of Coexistence Queensland's functions,

taken to be a member of the staff of Coexistence Queensland.

- (3) Nothing in subsection (1) requires a chief executive to enter into an arrangement with Coexistence Queensland for the services of officers or employees.

### **33 Coexistence Queensland not subject to outside direction**

Members, the chief executive officer or other staff of Coexistence Queensland are not subject to direction in the performance of their duties by any person, other than from within Coexistence Queensland.

### **34 Annual budgets and financial management policies**

- (1) Before each 31 March—
  - (a) Coexistence Queensland must prepare a budget—
    - (i) of estimated costs of Coexistence Queensland for the next financial year; and
    - (ii) consistent with the strategic priorities of Coexistence Queensland; and
  - (b) the members must approve giving the budget and Coexistence Queensland's financial management policies to the Minister; and
  - (c) Coexistence Queensland must give the approved budget and financial management policies to the Minister.
- (2) The Minister must approve, or refuse to approve, the budget and financial management policies by each 30 April.
- (3) However, a failure by the Minister to act under subsection (2) does not prevent the Minister approving, or refusing to approve, a budget or financial management policy at a later time.
- (4) A budget or financial management policy has no effect until it has been approved by the Minister.

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- (5) During a financial year Coexistence Queensland may prepare amendments to the budget for that year.
  - (6) An amendment of a budget has no effect until it has been approved by—
    - (a) for a minor amendment—the chairperson in consultation with the other members; or
    - (b) otherwise—the Minister on the recommendation of the chairperson in consultation with the other members.
  - (7) If the chairperson and the other members differ about what should be recommended to the Minister for an approval under this section, the Minister may still give the approval.
  - (8) In this section—

*financial management policies* means the policies to be observed in financial and performance management by Coexistence Queensland.

*Note—*

Under the *Financial Accountability Act 2009*, section 57 Coexistence Queensland must comply with a provision of a financial and performance standard that applies to Coexistence Queensland as a statutory body.

*minor amendment*, of an annual budget, means an amendment of a minor nature that does not change the total of the estimated costs mentioned in the budget.

## 35 Annual report

- (1) Coexistence Queensland must prepare and give to the Minister a written report about the operations of Coexistence Queensland during each financial year.
- (2) Before the report is given to the Minister the members must approve the report.
- (3) The report must be given to the Minister as soon as practicable after the end of the financial year, but within a period that will allow the report to be tabled in the Legislative

Assembly within 3 months after the end of the financial year to which the report relates.

- (4) Without limiting subsection (1), Coexistence Queensland must include in the report—
  - (a) details of the functions performed by Coexistence Queensland during the year; and
  - (b) financial statements for Coexistence Queensland for the year; and
  - (c) a description of the prosecutions, if any, undertaken by Coexistence Queensland during the year; and
  - (d) information about how efficiently and effectively Coexistence Queensland has carried out its operations, including identifying key achievements and financial and non-financial performance.
- (5) A description may include statistics.
- (6) The report must not be prepared in a way that discloses confidential information.

## **36 Delegation**

- (1) The chairperson may delegate any of the chairperson's functions to any other member or to the chief executive officer.
- (2) However, the chairperson may not delegate to the chief executive officer the chairperson's function under section 23(1) or 24(1) in relation to a written notice to be given to the office of the land access ombudsman or the land access ombudsman.
- (3) Coexistence Queensland may delegate any function of Coexistence Queensland to the chief executive officer or other staff of Coexistence Queensland.
- (4) The chief executive officer may delegate any of the chief executive officer's responsibilities under section 30A to other staff of Coexistence Queensland.

(5) In this section—

*functions* includes powers.

*land access ombudsman* see the *Land Access Ombudsman Act 2017*, schedule 1.

*office of the land access ombudsman* see the *Land Access Ombudsman Act 2017*, schedule 1.

## Part 5                      General offences and legal proceedings

### Division 1                General offences

#### 37        False or misleading statements

- (1) This section applies to a person who, in compliance with this Act, must provide information to the chairperson.
- (2) The person must not state anything to the chairperson that the person knows is false or misleading in a material particular.

Maximum penalty—100 penalty units.

#### 38        False or misleading documents

- (1) This section applies to a person who, in compliance with this Act, must provide information to the chairperson.
- (2) The person must not give the chairperson a document containing information that the person knows is false or misleading in a material particular.

Maximum penalty—100 penalty units.

- (3) Subsection (2) does not apply to a person if the person, when giving the document—
  - (a) tells the chairperson, to the best of the person's ability, how it is false or misleading; and

- (b) if the person has, or can reasonably obtain, the correct information—gives the correct information.

### **39 Use of confidential information**

- (1) This section applies to a person who—
  - (a) is, or has been, a member or the chief executive officer or other staff member of Coexistence Queensland; and
  - (b) obtains confidential information in administering or performing a function under this Act.
- (2) The person must not, whether directly or indirectly, disclose the confidential information unless the disclosure is—
  - (a) in the performance of functions under this Act; or
  - (b) with the consent of the person to whom the information relates; or
  - (c) otherwise required or permitted by law.

Maximum penalty—50 penalty units.

## **Division 2 Evidentiary provisions**

### **41 Appointments and authority**

In a proceeding, the following must be presumed unless a party to the proceeding, by reasonable notice, requires proof of it—

- (a) the appointment under this Act of a member;
- (b) the authority of a member or the chief executive officer or other staff of Coexistence Queensland to do anything under this Act.

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## **42 Signatures**

A signature purporting to be the signature of a member or the chief executive officer is evidence of the signature it purports to be.

## **43 Other evidentiary aids**

- (1) In a proceeding, a certificate purporting to be that of the chairperson stating any of the following matters is evidence of the matter—
  - (a) a stated document is an appointment or notice made or given under this Act;
  - (b) a stated document is a document given to Coexistence Queensland under this Act;
  - (c) a stated document is a copy of a document mentioned in paragraph (a) or (b);
  - (d) on a stated day, a stated requirement was made of a person.
- (2) A statement in a complaint for an offence against this Act that the matter of the complaint came to the knowledge of the complainant on a stated day is evidence of when the matter came to the complainant's knowledge.

## **44 Protection from liability**

- (1) A member and the chief executive officer do not incur civil liability for an act done, or omission made, honestly and without negligence under this Act.
- (2) If subsection (1) prevents a civil liability attaching to a member or the chief executive officer, the liability attaches instead to the State.

## **45 Coexistence Queensland is a statutory body**

- (1) Coexistence Queensland is a statutory body under—

- (a) the *Financial Accountability Act 2009*; and
  - (b) the *Statutory Bodies Financial Arrangements Act 1982*.
- (2) The *Statutory Bodies Financial Arrangements Act 1982*, part 2B sets out the way in which Coexistence Queensland's powers under this Act are affected by that Act.

## Part 6 Miscellaneous

### 46 Regulation-making power

The Governor in Council may make regulations under this Act.

## Part 7 Transitional provisions

### Division 1 Transitional provisions for Gasfields Commission and Other Legislation Amendment Act 2017

#### 47 Definitions for division

In this division—

*amending Act* means the *Gasfields Commission and Other Legislation Amendment Act 2017*.

*former*, in relation to a provision, means the provision as in force at any time before the commencement.

#### 48 Appointment of initial chief executive officer

- (1) This section applies if, immediately before the commencement, a person was employed as the general manager under former section 30.

- (2) On the commencement, the person is taken to be appointed as the chief executive officer under section 30 as in force on the commencement.

**49 Initial chief executive officer—how employed and prohibition on particular benefits**

- (1) The person taken to be appointed as the chief executive officer under section 48—
  - (a) is employed by the commission as the chief executive officer on the same terms, as far as practicable, as the person was, immediately before the commencement, employed on as the general manager; and
  - (b) is not entitled to an amount or other benefit that is or might otherwise be payable to, or acquired by, the person because of the repeal of former section 30.
- (2) Subsection (1)(b) has no effect on superannuation entitlements or leave entitlements.
- (3) No compensation is payable to the person because of the repeal of former section 30.

**50 Continuation of particular former provisions about general manager**

Former sections 30(4), 39, 41 and 42 continue to apply to each person who, at any time before the commencement, was employed as the general manager under former section 30, as if the amending Act had not been enacted.

## **Division 2**                      **Transitional provisions for Mineral and Energy Resources and Other Legislation Amendment Act 2024**

### **51**            **Change in name of Coexistence Queensland**

- (1) To remove any doubt, it is declared that the amendment of section 6 by the *Mineral and Energy Resources and Other Legislation Amendment Act 2024* has effect only to change the name of the entity that is Coexistence Queensland, and does not establish a new entity.
- (2) A reference in an instrument to the Gasfields Commission may, if the context permits, be taken to be a reference to Coexistence Queensland.

### **52**            **Continuation of particular former functions for 1-year period**

- (1) This section applies if Coexistence Queensland has started, but not finished, carrying out a former function before the commencement.
- (2) Coexistence Queensland may continue to carry out the former function as if the *Mineral and Energy Resources and Other Legislation Amendment Act 2024* had not been enacted.
- (3) However, Coexistence Queensland must finish carrying out the former function within 1 year after the commencement.
- (4) In this section—  
*former function* means a function under section 7(1)(b), (e) or (f) or 25 as in force immediately before the commencement.

### **53**            **Continuation of commissioners as members**

- (1) A person who was a commissioner immediately before the commencement continues as a member until the person's appointment as a member ends under this Act.

- (2) A reference in an instrument to a commissioner may, if the context permits, be taken to be a reference to a member.

#### **54 Minister may remove existing members**

- (1) The Minister may, within 1 year after the commencement, remove an existing member from office as a member by notice given to the member.
- (2) In deciding whether to remove an existing member from office, the Minister must have regard to the matters mentioned in section 9A(2).
- (3) If the Minister decides to remove an existing member from office by notice given under subsection (1), the removal takes effect on the day stated in the notice, which must not be earlier than the day the notice is given to the member.
- (4) No compensation is payable to a person who is removed from office under this section.
- (5) To remove any doubt, it is declared that subsection (4) does not limit or otherwise affect a person's right to a benefit or an entitlement that has accrued before the person is removed from office under this section.
- (6) In this section—  
*existing member* means a person who continues as a member under section 53.

#### **55 Continuation of gasfields community leaders council as community leaders council**

The gasfields community leaders council in existence immediately before the commencement continues as a community leaders council under section 29.

## Schedule 1 Dictionary

### section 5

***agricultural industry*** means the industry involved in the carrying out in Queensland of an activity related to the use of land for agricultural purposes.

***chairperson*** means the person appointed as the chairperson under section 9A.

***chief executive officer*** means the person appointed as the chief executive officer under section 30.

***Coexistence Queensland*** means Coexistence Queensland established under section 6.

***Coexistence Queensland meeting*** see section 20.

***confidential information***—

- (a) means any information that—
  - (i) could identify an individual; or
  - (ii) is about a person's current financial position or financial background; or
  - (iii) would be likely to damage the commercial activities of a person to whom the information relates; but
- (b) does not include—
  - (i) information that is publicly available; or
  - (ii) statistical or other information that could not reasonably be expected to result in the identification of the individual to whom it relates.

***government entity*** see the *Public Sector Act 2022*, section 276.

***landholder*** means an entity that holds either a freehold or leasehold interest in land within Queensland.

**member** means a person appointed as a member of Coexistence Queensland under section 9A.

**renewable energy industry** means the industry involved in the carrying out in Queensland of the following activities—

- (a) generating electricity from a renewable energy source;
- (b) transmitting or supplying electricity generated from a renewable energy source;
- (c) storing energy generated from a renewable energy source.

**renewable energy source** means a source of renewable energy other than a source prescribed by regulation.

*Examples of sources of renewable energy—*

solar, wind, biomass, geothermal, hydropower

**resource authority** see the *Mineral and Energy Resources (Common Provisions) Act 2014*, section 10.

**resources industry** means the industry involved in the carrying out in Queensland of an activity for which a resource authority is required to lawfully carry out.