resources.qld.gov.au

Department of Resources

Compliance plan report 2020–21



This report has been compiled by the Regulatory Strategy and Capability team in the Department of Resources.

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1. Executive summary

This report summarises the outcomes of the Department of Resources (the department) internal and external compliance plan focus areas, activities, targets and measures for each business area for 2021–22.

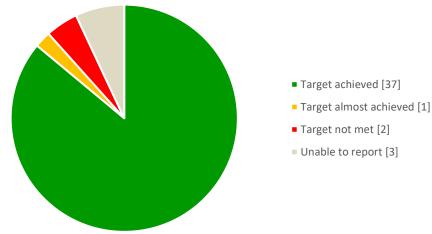
The report indicates where the department has achieved its targets and includes a case study for each area to highlight the forms of regulatory action that the department takes to guide, inform, enable, monitor and enforce our legislative obligations.

In February 2021, responsibility for several business areas and functions was transferred to the Department of Regional Development, Manufacturing and Water, as part of the machinery of government changes. This meant that the department was unable to report on eight targets in its compliance plan as it no longer undertook those activities or functions, or the tools were no longer available.

The graph below represents the 43 compliance plan targets across the department for 2020–21 and their deliverables, including:

- 37 targets achieved
- 1 target almost achieved
- 2 targets not achieved
- 3 targets unable to report.





2. Our regulatory approach

Queensland's land, vegetation and mineral resources are vital for our economic, social, environmental and cultural wellbeing.

The department's role is to ensure that these resources are managed fairly and responsibly to support sustainable economic prosperity and just outcomes for everyone.

To achieve this, our department administers a range of laws that govern how these resources are accessed and used, and supports our stakeholders to understand what they need to do to comply with these laws. This gives all Queenslanders confidence that our resources are being managed fairly and responsibly.

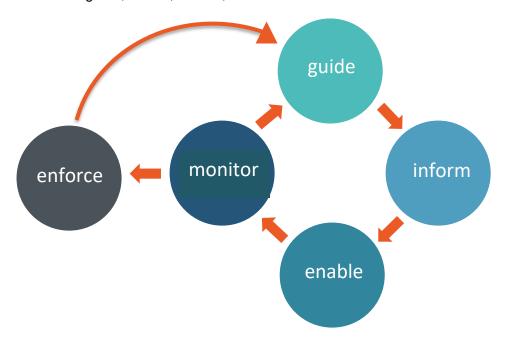
The department addresses compliance across a continuum from guiding and informing, through to enforcement. We try to engage early to help people comply with the legislation.

We aim to promote voluntary compliance through a range of educational activities that build the capacity and capability of our stakeholders, including:

- providing clear, timely information and tools to explain what our stakeholders need to do to comply with the legislation and obligations
- engaging with them to achieve awareness and building capacity and positive stakeholder and public sentiment through site visits, meetings, workshops and events
- promoting and reinforcing good regulatory and business practices, including promoting the benefits of complying and the potential consequences of non-compliant action.

Where compliance is not achieved, we take a risk-based approach to decide how best to respond.

Our approach includes five strategies to guide how we consistently approach our regulatory activities: guide, inform, enable, monitor and enforce.



3. Regulating state land

Building stakeholder understanding of how to lawfully use state land is a key tool in our regulatory approach. A recent example of this approach was on Moreton Island where our department's surveyors were re-surveying a portion of unallocated state land and noticed something wasn't right.

They found that three adjoining freehold properties had extended their outbuildings, encroaching onto the unallocated state land (a form of trespass). The department needed to resolve this issue, given its responsibility for managing the sustainable and fair use of the state's land.

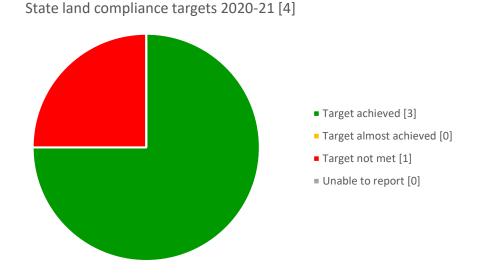
Instead of taking a heavy-handed approach, the surveyors wrote to the adjoining property owners to inform them of their responsibilities under the *Land Act 1994*. They also offered to meet with them to discuss what had happened and explain why their actions did not comply with the Land Act.

As a department we understand that sometimes legislation can be complex and we are dedicated to supporting and educating our stakeholders and community to understand how these requirements relate to them and their property.

This approach meant that the property owners increased their awareness of the laws, how they could comply with them and what they needed to do to rectify any non-compliances.

Highlights

- 93 per cent (196 of 209) of audits were compliant or partially compliant
- 7 per cent (13 of 209) of audits required were non-compliant and required action
- 441 incidents of non-compliance with the Land Act were considered



Performance measure	Focus area	Activity	Target	Reporting at 30 June 2021
Decisions on compliance and enforcement action are made in a timely manner	Reporting, addressing and case managing non-compliance	responding to high priority non- compliance	prioritise 80% of recorded non-compliance incidents received in 2020–21	100% prioritised
•	·	·	allocate high priority cases for further investigation within 40 business days	100% high priority cases allocated for further investigation within 40 days
Decrease in non-compliant behaviour	Use and development of allocated State land	undertake targeted proactive desktop audits of tenures for compliance with Land Act tenure/authority conditions	conduct 12 targeted proactive audits of tenures issued under the Land Act to ensure compliance with tenure/authority conditions	3 tenure audits completed significant events and travel restrictions in 2020–21 impacted the capacity to undertake targeted proactive audits of tenure issues
	Use of state land, including non-freehold and trust land held by the department	use existing work programs to audit land held by the department	conduct 100 proactive field audits of unallocated state land held by the department, including checks for unauthorised activity	209 proactive field audits undertaken

4. Regulating vegetation

Stakeholder education is an important tool in the vegetation team's regulatory toolkit. A prime example of education in action is the VegHub, a state-wide contact point for landholders to access consistent and timely information and advice on a range of vegetation matters.

In 2020–21, the VegHub received and responded to more than 2700 phone calls and enquires, providing an opportunity for staff to engage early and provide timely advice and solutions. By contacting the VegHub, landholders can access resources, such as a property report tailored to their lot/plan enquiry and vegetation mapping that supports education on how to comply with the legislation.

Staff also participate in onsite meetings across the state to support landholders to understand their legal obligations.

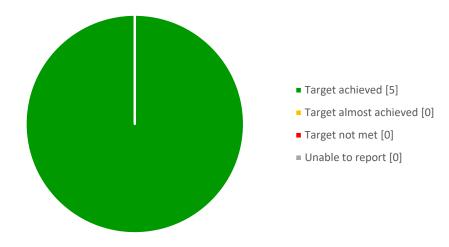
In Central Queensland, natural resource management officers organised a series of property visits with landholders to discuss the encroachment accepted development vegetation clearing code. During these visits, our staff demonstrated how they use drones to help identify native vegetation and any potential encroachment. Drones are just one of the new technologies that the department uses to help visualise encroachment so that landholders can understand the vegetation management framework in the field.

These opportunities to engage with landholders are proof that increased education results in fewer cases of non-compliance—a win for the state's vegetation resources and landholders.

Highlights

- 57 vegetation workshops and field days with 1200 stakeholders to answer questions on the vegetation management framework and demonstrate resources and new technology
- an increased emphasis on education and proactive engagement with landholders, reducing the need to use statutory or pecuniary outcomes for potential unauthorised clearing, including:
 - 45 opportunities for verbal education and engagement with landholders
 - 255 letters sent to inform landholders of their obligations to the vegetation management framework
 - 15 non-statutory warning notices
- proactively monitored Category A vegetation areas across the state, resulting in 100 per cent compliant audits
- 3 Category A property maps of assessable vegetation certified, securing 528 hectares
- investigated 1000 detections of changed vegetation cover identified using satellite imagery

Vegetation compliance targets 2020-21 [5]



Performance measure	Focus area	Activity	Target	Reporting at 30 June 2021
Decisions on compliance and enforcement action are made in a timely manner	Investigate alleged unauthorised clearing	manage reactive investigations of alleged clearing notifications (received via Early Detection System (EDS) and alleged tree clearing complaints)	prioritise 95% of EDS and alleged tree clearing complaints within 10 business days of receipt	 100% of alleged tree clearing complaints prioritised within 10 business days EDS continues as a valuable tool to analyse imagery to monitor both authorised and unauthorised vegetation clearing activities, with these prioritised within 5 days of receipt
			ensure 80% of cases result in recommended action within 9 months of detection	99.95% of cases resulted in action within 9 months
Decrease in non-compliant pehaviour	Monitoring Category A areas	audit Category A areas	 undertake a minimum of 12 desktop and/or field audits state-wide, such as: exchange areas restoration notices reasonable belief property map of assessable vegetation (PMAV) 	31 desktop and field audits completed100% compliant
	Proactive opportunities	proactive monitoring of authorised clearing activities	 conduct 12 desktop and/or field audits of authorised clearing, such as: development permits accepted development vegetation clearing codes (ADVCC) notifications 	 47 desktop and field audits completed, including: 26 development approvals 20 accepted development vegetation clearing codes 87% (40 of 46) compliant
	Education	stakeholder engagement	provide information and educate stakeholders about the vegetation management framework at a minimum of 12 state-wide workshops, meetings, field days, webinars or targeted education for landowners	attended 57 community workshops and field days, attracting 1200 stakeholders

5. Regulating Natural Resources Programs

Natural Resources Programs manages compliance of contractual agreements where government funding is provided to natural resource management groups across Queensland.

These agreements ensure that government funding is distributed to those groups to support good environmental outcomes and to encourage environmental stewardship at a local level.

Highlights

- 100 per cent compliance achieved for agreements
- responsibility for all reporting requirements for category 2 water boards was transferred to the Department of Regional Development, Manufacturing and Water as part of the machinery of government changes in February 2021



Performance measure	Focus area	Activity	Target	Reporting at 30 June 2021
Audits of Natural Resource Investment Program delivery organisations undertaken to	Monitor delivery organisations compliance with	undertake proactive audits of delivery	 audit 6 delivery organisations to ensure compliance with contractual obligations by 30 June 2021 	6 delivery organisations audited
ensure ongoing contractual obligations	contractual obligations	organisations' performance against their contracts with the department	 inform delivery organisations of the audit findings by 30 June 2021 	100% of audited organisations were informed about their audit findings by 30 June 2021
	Stakeholder engagement	undertake regular stakeholder engagement activities	engage with 100% of delivery organisations about their contractual obligations every quarter	100% of delivery organisation were engaged about their contractual obligations every quarter
			 attend 3 workshops/field days to develop and foster networks with delivery organisations 	3 workshops/field days attended
Category 2 water boards are aware of their obligations under the <i>Water Act 2000</i> regarding Board appointments	Engage with category 2 water boards about compliance with board appointment currency	undertake stakeholder engagement with category 2 water boards regarding compliance with board appointment currency	 engage with any category 2 water boards that have upcoming vacancies to explain their appointment obligations 12 months before their term of appointment expires 	not applicable – function transferred to another department
River improvement trusts are aware of their obligations ander the River amprovement Trust Act 1940 egarding membership appointments	Engage with river improvement trusts about compliance with trust membership appointment currency	undertake stakeholder engagement with river improvement trusts regarding compliance with trust membership appointment currency	engage with 100% of river improvement trusts about their trust membership obligations at a minimum, 12 months and again at 6 months before their term of appointment expires	not applicable – function transferred to another department

6. Strategy and Capability

The Strategy and Capability team was on the verge of rolling out face-to-face authorised officer training to almost 100 staff land, vegetation and water staff across the state when the coronavirus pandemic hit in March 2020, restricting travel and face-to-face activities.

During these unprecedented times, the team took on the challenge of redeveloping the training structure to ensure that the department could continue to train staff to undertake their critical role as authorised officers. Their challenge was to convert the existing, two full days of face-to-face training to a virtual format. The team worked in collaboration with operational subject matter experts to reconfigure the training into a series of three, half-day online sessions, supported by a series of smaller, break-out sessions where staff could work through case studies and practice their new skills.

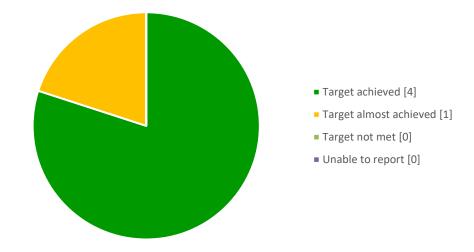
The team also identified opportunities for additional content to be delivered through online training modules, incorporating tests to check people's understanding of the new content. A final assessment piece was added for staff to demonstrate their new skills. This post-training assignment included a generic scenario that required staff to research and interpret legislation, consider information, and document their assessment and recommendations. Subject matter experts then assessed the assignment to validate their learning.

Innovation enabled the Strategy and Capability team to deliver on a key target and has set the scene for a new way for the department to deliver training to operational staff. This demonstrates our ability and commitment to building the department's capability as a regulator.

Highlights

- the team delivered an innovative, blended learning experience for staff that ensured they were trained in the skills they needed to become an authorised officer
- Strategy and Capability played a key role in establishing the department's compliance community of practice, supporting staff across the department and increasing their understanding of how we regulate. In 2020–21, the team hosted 5 compliance community of practice meetings and established 3 working groups to undertake priority projects
- 58 operational staff completed the online and virtual authorised officer training and 15 staff completed the Water Act competencies level 2 online training.

Strategy and Capability compliance targets 2020-21 [5]



Performance measure	Focus area	Activity	Target	Reporting at 30 June 2021
Implement the department's compliance approach (framework, strategy and plan)	Engagement and communication	develop communication materials to support staff to understand, communicate and consistently apply the department's compliance principles and approach	develop and release key messages and communication presentation for staff by 30 October 2020	 completed key messages about our regulatory approach released to staff in October 2020, including high level and operational internal messages, as well as external messages that staff can share with their customers and stakeholders developed and released an online training module to support staff to understand and apply a consistent approach to regulating
Compliance reporting drives continuous mprovement – identify isks, opportunities and priorities	Performance culture	report on the department's compliance plan	publish a summary report on the department's website within 3 months after the reporting period	delayed
Staff have the capability and confidence to do heir job well	Organisation and workforce capability	develop and deliver technical training that meets the needs of the business and staff	deliver 3 compliance-focused training courses by 30 June 2021 to build the regulatory capability of staff	 complete redeveloped the authorised officer face-to-face training to a virtual format delivered 4 virtual authorised officer training courses in July-December 2020: 3 x category 1 courses 1 x category 2 course 58 staff completed the online and virtual training commenced work to develop the State land technical curriculum to detail the skills and expertise that staff need to work in the department
Staff, customers and stakeholders understand our regulatory role and their obligations	Engagement and communication	publish contemporary information about our regulatory role, including the compliance framework and strategy	review and update, as needed, information about NR's role as a regulator on the department's website at the start of each quarter	complete information about the department's role as a regulator published on 1 July 2020, along with the department's compliance framework, strategy and compliance plan 2020-21
			provide resources for regional staff to educate and inform external stakeholders about NR's role as a	 complete information provided to staff to in July 2020 to support them to understand the

regulator through existing stakeholder networks	department's role as a regulator, including messages and a training module • key messages provided to support staff to explain our role to their customers and stakeholders	
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7. Georesources

Georesources aims to continuously improve how it coordinates information on activities across regulatory agencies to ensure consistency and quality of information and ease of use.

This is demonstrated by the successful delivery of resource community information sessions across the state, in collaboration with other areas of the department, other agencies, such as the Department of Environment and Science, and the Department of Agriculture and Fisheries, as well as entities, such as the Office of the Land Access Ombudsman, the GasFields Commission Queensland and the Land Court of Queensland.

These popular resource community information sessions focused on the interactions between landholders and the resources sector, including minerals, coal, and petroleum and gas.

More than 260 landholders, miners and community members attended the information sessions to better understand the resources regulatory framework, their rights and obligations, services and tools available, and where to go for help. Georesources adapted how it delivered the sessions because of the COVID-19 restrictions. They delivered webinars and collaborated with key partners and stakeholders to ensure the sessions included the right information, were in the right place and at the right time.

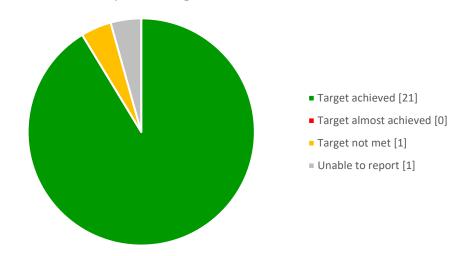
The department complimented its community information sessions with targeted engagement activities, such as the popular authorised holder representative forum. This virtual forum provided updates on legislation and policy changes, technology developments and tenure administration for industry representatives in April 2021 using the Teams Live platform.

Responsibility for associated water take reports and reporting transferred to the Department of Regional Development, Manufacturing and Water as part of the machinery of government changes in February 2021. As a result, Resources is unable to report against 1 compliance target.

Highlights

- a continued focus on early engagement and using technology successfully drove improvements in the efficiency and effectiveness of our compliance program
- actively managing resource tenures continues to allow the department to identify issues early and respond effectively
- onsite education and communication for fossickers to increase awareness of fossicking rules and responsibilities resulted in increased voluntary compliance

Georesources compliance targets 2020-21 [23]



Georesources c	ompliance pla	Georesources compliance plan report 2020–21					
Performance measure	Focus area	Activity	Target	Reporting at 30 June 2021			
Reduction in complaints regarding unauthorised mining Identified non- compliances are remedied in a timely	Desktop audits and field-based inspections	undertake proactive desktop assessment of satellite imagery followed by unannounced field inspections undertake proactive field inspections undertake targeted fossicking field	undertake 15 programmed inspections of fossicking areas (designated fossicking land and general permission areas) across the state at peak periods	 142 fossicking inspections completed 4 formal compliance actions taken elevated inspection numbers due to COVID-19 impacts, with a strong focus on fossicker engagement inspections timed at peak periods, where possible 			
nanner through appropriate compliance action		inspections • provide reactive responses to complaints at any time	Minerals • undertake 2 proactive compliance campaigns targeting illegal mining activities in high-risk areas – small-scale mining in Gemfields and alluvial mining in north/north-west Queensland	 4 proactive campaigns conducted at Mareeba, Quilpie and 2 campaigns at the Gemfields campaigns targeted numerous tenures, including a focus on engaging with resource authority holders 			
	Desktop audits and field-based inspections	undertake proactive desktop audits including: in conjunction with finance overdue reports checks of media and ASX statements and proactive engagement with mines at risk of non-compliance seek advice from Office of State Revenue re royalty payment status, and audits of production reporting for petroleum leases undertake proactive field inspections provide reactive, targeted responses to incoming complaints	Minerals conduct 200 desktop compliance audits (exploration and production)	442 desktop audits completed as a result of mandatory tenure renewal processes, including:			

 and intelligence from external sources undertake performance audits for petroleum and gas production leases 		conduct 60 field inspections	 341 field inspections undertaken across all sectors, including: 158 proactive inspections 183 inspections responding to requests from resource assessment hubs to assist tenure application and renewal processes, and in response to complaints 	
		Coal conduct 40 desktop compliance audits (exploration and production)	111 desktop audits completed 37 issues identified relating to outstanding reporting requirements, unauthorised mining, outstanding expenditure statements, outstanding rent, contravention of permit conditions of a renewal application, including: 5 show cause notices issued 17 reminders of obligations sent 13 notices to resolve non-compliances issued 2 notices to lodge later development plans issued	
		Petroleum and Gas • audit performance of all petroleum production leases in the Surat and southern Bowen Basins using the Petroleum Lease Compliance framework	 318 production leases audited across Queensland 12% of audits (41 of 318) required further investigation 6% of audits (19 of 318) identified potential non-compliance due to issues relating to no production activities carried out as proposed 4 information notices were issued to address non-compliance 	
Proactive industry engagement and field-based	review land access systems and protocols, and provide best practice advice to targeted small and junior exploration companies	Petroleum and Gas • Phase 1: campaign on 3 small/junior petroleum explorers	3 junior CSG explorer audits completed	
inspections	provide reactive, targeted responses to incoming complaints and intelligence from external sources about land access	Minerals and Coal Phase 2: campaign on 7 small/junior mineral and coal explorers	8 small/junior explorer reviews of land access systems and protocols undertaken	
Desktop audits and field-based inspections	 undertake spot check desktop and field inspections on tenure granted native title excluded provide reactive, targeted responses to incoming complaints 	pilot spatial analysis on tenure granted with native title excluded – develop methodology to assess compliance and pilot on 3 resource exploration tenures	 developed assessment methodology piloted spatial analysis technique on 14 exploration tenures granted with native title excluded: 5 mineral 6 coal 	

		and intelligence from external sources		- 3 petroleum and gas
		undertake proactive desk-top	review 100% of AWT reports	100% of AWT reports reviewed
		outcomes	report AWT usage state-wide within 5 months of receiving AWT reports	100% of usage state-wide was reported within 5 months of receiving AWT reports
			audit 2 sites for AWT annually	100% of the audit program completed
		undertake proactive field inspections	audit 3 conversion of coal seam gas wells to groundwater monitoring bores annually	0 CSG well to groundwater monitoring bore conversions undertaken as no audit requirement
		undertake reactive, targeted responses to incoming complaints and intelligence from external sources	initiate CSG and Mining Impact investigations within 10 days of receiving complaint/enquiry	100% of CSG and mining investigations initiated within 10 days of receiving complaint/enquiry
All compliance staff have core competencies and our critical and specialist	development and compliance framework review and eveloped essed utilisation w technologies // e efficiencies in electronic etencies and our and compliance framework review and improvement experience	development and compliance framework review and improvement capability upskilling based on capability needs assessments build capability and consistency in compliance and enforcement by collaborating with and shadowing formal investigation experts evaluate increased use of automated and spatial technologies for assessment or inspection purposes	deliver targeted competency upskilling for compliance personnel	competency upskilling project commenced to identify current and future skills, develop an action plan to prioritise actions and initiated implementation of targeted priorities
skills are understood and developed Increased utilisation of new technologies to drive efficiencies in business			develop and evaluate Georesources compliance risk and prioritisation framework and tool	 compliance risk and prioritisation tool developed completed evaluation identified opportunities to enhance by incorporating additional risk parameters and application within a spatial viewer—these options are being explored prior to implementation
			develop and evaluate spatial assessment tool pilot to assist with desktop tenure application and compliance assessment process	pilot spatial assessment tool developed with further refinements and ground-truthing being undertaken in 2021–22
		ensure all major compliance investigations include shadowing by investigation experts from other parts of the department or Resources Safety and Health Queensland	0 major investigations undertaken of the 23 investigations commenced across all sectors, 4 were undertaken in collaboration with state government investigation experts	

Positive feedback received from attendees as part of formal, structure feedback process	Community and industry engagement	industry engagement sessions, such as face-to-face, webinars e review and update supporting	deliver 5 stakeholder engagement sessions targeted at communities or industry within resource communities	7 events held across the state and targeted at resource communities and key issues, including webinars and face-to-face events
Reduction in requests for information, enquiries and			hold 2 annual resources industry forums	0 annual resources industry forums undertaken because of travel and meeting restrictions of COVID-19
complaints	i i		hold 1 authorised holder representative forum	1 authorised holder representative forum held online on 29 April 2021 to discuss legislation updates, spatial tools and resource authority applications. A post-event survey was positive
			 engage with all key stakeholders regarding Queensland Exploration Program 	100% of key stakeholders engaged with for Queensland Exploration Program
			annual publication of key compliance plan outcomes relating to compliance priorities	 published report on compliance plan 2019–20 on the department's website published the compliance plan 2020–21 on the department's website