

## Running list of draft recommendations (as at 20 February 2025)

Draft recommendations	
Redefining the Land Court's role	
R#	Legislate to repeal mining lease objections hearings (including consequential amendments).
R#	Introduce statutory appeals by the Land Court of final Government decisions on mining lease and associated environmental authority applications.
R#	Amend relevant legislation to: <ul style="list-style-type: none"> <li>• specify the grounds on which an appeal can be brought</li> <li>• require the appellant to specify their grounds of appeal (with grounds not confined by or limited to the matters raised in their submission)</li> <li>• require the appellant to bear the onus of proof.</li> </ul>
R#	Amend relevant legislation to grant standing to appeal to: <ul style="list-style-type: none"> <li>• those who formally engaged in the decision-making process before the final decision was made</li> <li>• any person directly affected by the decision, upon the grant of leave to appeal.</li> </ul>
R#	Require the applicant, original decision-maker(s) and appellant(s) to be mandatory parties to an appeal. Allow any person directly affected by the decision to seek leave to join an appeal.
R#	Legislate that the appeal is a rehearing on the evidence before the primary decision-maker(s), with opportunity to lead further evidence in defined circumstances (criteria for 'defined circumstances' TBD, but to not include 'exceptional circumstances' or 'grave injustice').
R#	Make consequential amendments for the Land Court to be vested with full powers, with discretion to exercise as the Court sees fit.
R#	Amend the legislation to allow a party to a Land Court statutory appeal to appeal that decision to the Court of Appeal on the grounds of: <ul style="list-style-type: none"> <li>• error or mistake in law</li> <li>• jurisdictional error.</li> </ul>
R#	Costs [TBD]

Draft recommendations	
R#	Practices and procedures [TBD]
Better access to information	
R#	Establish a central online portal to facilitate public notice and give up-to-date information about mining proposals.
R#	Amend the Mineral Resources Act 1989 and Environmental Protection Act 1994 to insert a legislative framework facilitating independent and transparent expert advice.
	<p>Impose an obligation for decision-makers to give written reasons for their decision, when requested by 'eligible persons'.</p> <p>(The definition of 'eligible person' should be linked to those with appeal rights, for example, submitters.)</p>
Building on the statutory criteria for decision-making	
R#	<p>Amend the Mineral Resources Act 1989 and Environmental Protection Act 1994 to include statutory criteria requiring the decision-makers for a mining lease and environmental authority to consider:</p> <ul style="list-style-type: none"> <li>• information generated through the new participation process</li> <li>• any independent expert advice received.</li> </ul>
R#	Introduce a new statutory criterion into the Mineral Resources Act 1989 and Environmental Protection Act 1994 requiring decision-makers to consider the rights of Aboriginal peoples and Torres Strait Islander peoples when deciding a mining lease application and associated environmental authority.
R#	<p>Amend the Mineral Resources Act 1989 and the Environmental Protection Act 1994 to list factors relevant to considering the rights of Aboriginal people and Torres Strait Islander peoples under a proposed new statutory criterion.</p> <p>The legislation should allow further relevant factors to be prescribed by regulation.</p>
R#	The Queensland Human Rights Commission should issue and publish policy guidance for decision-makers on considering the rights of Aboriginal peoples and Torres Strait Islander peoples in deciding a mining lease application and associated environmental authority.
R#	Amend the statutory criterion in the Mineral Resources Act 1989 relating to 'sound use #' to clarify that the provision relates to the technical (rather than environmental) aspects of the project.
R#	Require the Government to issue and publish policy guidance for decision-makers on the public interest, clarifying its meaning for decisions about mining leases and associated environmental authorities.