



Every Queensland
community deserves
to be a liveable one

13 September 2024

Queensland Law Reform Commission
PO Box 13312
George Street Post Shop
Brisbane QLD 4003

Attn: Mining lease objections review
qlrc-miningobjections@justice.qld.gov.au

To whom it may concern,

RE: Review of mining lease objections process – Consultation Paper (July 2024)

As the peak body for Queensland's 77 local governments, the Local Government Association of Queensland (LGAQ) welcomes the opportunity to provide feedback to Queensland Law Reform Commission (QLRC) on the *Reimagining decision-making processes for Queensland Mining – Review of mining lease objections process – Consultation Paper* (the Consultation Paper), released in July 2024.

The LGAQ has been advising, supporting, and representing local councils since 1896, enabling them to improve their operations and strengthen relationships with their communities. The LGAQ does this by connecting councils to people and places; supporting their drive to innovate and improve service delivery through smart services and sustainable solutions; and providing them with the means to achieve community, professional and political excellence.

The LGAQ Policy Statement¹ is a definitive statement of the collective voice of local government in Queensland. The key policy positions of local government that are relevant in the context of this consultation are:

2.2.1.2 Local governments understand that community engagement contains the core elements of information, consultation and participation, which will be applied, where appropriate, to facilitate meaningful community involvement in the decision-making process.

5.2.1.1 Local government is committed to the sustainable use of Australia's natural resources for the intergenerational benefit of the broader community.

5.2.1.2 Local government seeks full and comprehensive consultation with relevant government agencies on proposals for the exploration and extraction of natural resources and associated activities that pose potential negative impacts to local communities.

It is understood that the Mining Lease Objection Review process is a key action from the Queensland Resources Industry Development Plan (QRIDP) commitment to improve regulatory efficiency across the resource sector.

The LGAQ notes that the QLRC is consulting on six proposals for reform of the mining lease objections review process, with feedback from this consultation to be used to further develop the proposals ahead of a submissions paper being published by the QLRC in November 2024.

¹ [LGAQ Policy Statement \(2023\)](#)



These proposals include:

1. Removing the Land Court from the pre-decision phase and introducing a new, non-adversarial participation process.
2. Introducing a new online portal as the primary way of informing the community about mining proposals.
3. Establishing a new Independent Expert Advisory Panel for environmental authority applications.
4. Amending existing statutory criteria to require decision-makers to consider public input and expert advice.
5. Introducing new statutory criteria to require decision-makers to consider the rights and interests of Aboriginal peoples and Torres Strait Islander peoples.
6. Introducing a new merits and judicial review process in the Land Court, after a decision on relevant applications has been made.

Queensland councils understand that the mining sector is a substantial contributor to Queensland's economy, with an important role to play in generating local employment and business opportunities. Councils are therefore key stakeholders in any mining proposal taking place within their community.

The LGAQ is supportive of proposals that ensure councils are appropriately consulted during the mining lease application and objections process, and of proposals that ensure information is transparent and easily accessible. While an online hub can provide a centralised repository for this information for all those with an interest in a mining lease application, it should not replace the legislated requirement for mining companies to notify affected persons, including local governments and registered native title claimants, of a mining lease notice.

In January 2024, the LGAQ launched its Cost Shifting Report² revealing that Queensland councils are spending at least \$360 million each year to deliver a range of services that are the responsibility of other levels of government and the private sector. It is noted that the establishment of a new participation process and online portal will likely require new funding and additional resources from the Department of Resources, which have not been addressed within the consultation or background papers. The LGAQ considers that these financial impacts should be clearly addressed as the proposals are progressed.

The LGAQ appreciates the significant time invested by the QLRC to date in engaging with the LGAQ and Queensland councils and looks forward to working with the QLRC as the proposals are developed and the submissions paper is released in November 2024.

Should you have any questions relating to this letter, please contact [REDACTED], Lead – Regional Development and Economic Policy via email: [REDACTED] or phone: [REDACTED].

Yours sincerely,

[REDACTED]

CHIEF EXECUTIVE OFFICER

² [LGAQ Cost Shifting Report \(2024\)](#)