SUBMISSION TO THE PRIMARY INDUSTRIES AND RESOURCES COMMITTEE

Mineral Resources and Other Legislation Amendment Bill 2026

Joint regional conservation submission - objection to the Bill in its current form

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Primary Industries and Resources Committee

Queensland Parliament

Parliament House

George Street, Brisbane QLD 4000

Submitted via the Committee online submission portal

Re: Mineral Resources and Other Legislation Amendment Bill 2026

Acknowledgement of Country

Capricorn Conservation Council respectfully acknowledges the Aboriginal and Torres Strait Islander Peoples who are the Traditional Custodians of the lands, waters and Country across Queensland. We pay our deepest respects to Elders past and present and recognise the enduring authority, knowledge, cultures and responsibilities of First Nations Peoples in caring for Country.

We acknowledge that sovereignty was never ceded and that Aboriginal and Torres Strait Islander Peoples maintain continuing cultural, spiritual and physical relationships with their lands, rivers, waters, seas and natural resources.

In making this submission, we particularly recognise the Traditional Custodians whose Country is affected by mining and resource development. Decisions concerning land, water, biodiversity and natural resources are also decisions concerning culture, heritage, identity and the rights of future generations. First Nations Peoples must therefore have a meaningful and culturally safe role in environmental decision-making, consistent with their cultural authority and right to self-determination.

CCC also acknowledges the Ghungalu people and the leadership of the Ghungalu Three Rivers Sub-Committee, whose work reminds us that Country, waters, culture and people are inseparable, and that caring for Country carries responsibilities across generations.

We honour the living cultures, knowledge systems and continuing custodianship of First Nations Peoples and reaffirm our commitment to listening to Elders and Traditional Custodians, respecting Indigenous Cultural and Intellectual Property, and supporting Indigenous-led conservation and environmental governance.

Always was, always will be Aboriginal Land.

Executive summary and position

Capricorn Conservation Council (CCC) strongly objects to the Mineral Resources and Other Legislation Amendment Bill 2026 (the Bill) and asks the Primary Industries and Resources Committee to recommend that the Bill not be passed in its current form. The Bill would substantially narrow who can make a formal objection to a mining lease and associated environmental authority, replace automatic access to independent Land Court scrutiny with executive discretion, permit the scope of any referral to be narrowed before the Court considers the matter, and confine mining lease objection grounds to matters the Minister may consider while expressly excluding environmental harm from the mining lease criteria (Queensland Government 2026a).

The Government describes the reforms as a more efficient and predictable framework that removes duplication while maintaining appropriate opportunities for community participation (Queensland Government 2026b). CCC accepts that regulatory systems should be efficient, timely and intelligible. Efficiency, however, is not achieved legitimately by excluding affected communities, Traditional Custodians, public-interest organisations and independent scrutiny from decisions with consequences that may persist for decades or generations. The Bill changes not merely procedure, but the balance of power between proponents, government, communities and the specialist Land Court.

The Environmental Defenders Office identifies restriction of objection rights and discretionary Land Court referral as the two central community-law concerns raised by the Bill, and its public briefing material encourages Queenslanders to address those changes directly in submissions (Environmental Defenders Office 2026a, 2026b). CCC agrees with that framing and adds a specifically regional and First Nations analysis grounded in Central Queensland experience.

For CCC, the central issue is Country. In Central Queensland, mines interact with living catchments, aquifers, cultural landscapes, threatened species habitat, agricultural land, communities and downstream environments. Ghungalu Three Rivers governance describes the McKenzie, Comet and Dawson Rivers as integral to Ghungalu Country and states that rivers, land, waters, culture and people are inseparable; its vision is that Ghungalu people lead decisions about Ghungalu Country and that cultural autonomy and authority are maintained (Ghungalu Three Rivers Sub-Committee 2026a). CCC's Strategic Plan similarly embeds Indigenous leadership, self-determination and cultural authority in environmental advocacy and decision-making (Capricorn Conservation Council 2025). A 125 km property-based eligibility rule is fundamentally mismatched to these realities.

The Bill is also of serious human-rights concern. Section 28 of the Human Rights Act 2019 (Qld) protects the distinct cultural rights of Aboriginal peoples and Torres Strait Islander peoples, including rights to maintain and strengthen relationships with land, territories, waters and resources and to conserve and protect the environment and productive capacity of those places (Queensland Human Rights Commission 2026). UNDRIP recognises rights to participate in decisions affecting Indigenous rights, to be consulted through representative institutions, to free, prior and informed consent in relation to measures and projects affecting lands and resources, and to conservation and protection of the environment (United Nations 2007; Australian Human Rights Commission 2012).

CCC'S PRIMARY REQUEST

Recommend that the Mineral Resources and Other Legislation Amendment Bill 2026 not be passed in its current form. If the Government proceeds with reform, the Bill should be substantially amended to retain broad objection rights, automatic and independent Land Court referral, broad grounds of objection, culturally appropriate participation by Traditional Custodians, and consideration of cumulative, catchment-scale, climate and intergenerational impacts.

Key recommendations

1. Recommend that the Bill not be passed in its current form.
2. Remove the proposed 125 km eligibility restriction and retain the right of any person or organisation with a genuine environmental, cultural, social, economic or public-interest connection to lodge a properly made objection.

3. Expressly preserve standing for Traditional Custodians, Traditional Owner groups, registered and unregistered cultural authorities, descendants and representative Indigenous organisations where Country, waters, heritage, culture or rights may be affected, regardless of residence, property ownership or distance from a mine boundary.
4. Retain automatic referral to the Land Court where a properly made objection is lodged, subject to the Court's existing powers to strike out objections that are frivolous, vexatious, outside jurisdiction or an abuse of process.
5. Do not permit the Minister or administering authority to pre-select a "specific matter" and thereby confine which objections and evidence can reach the Court. The independent Court should determine relevance, scope and case management.
6. Retain broad grounds of objection and do not exclude environmental harm from the mining lease public-interest assessment merely because environmental matters are also assessed under the Environmental Protection Act 1994 (Qld).
7. Provide a specific statutory pathway for culturally safe participation, including on-Country evidence, recognition of Indigenous Cultural and Intellectual Property (ICIP), confidentiality orders where required, and engagement through Indigenous peoples' own representative institutions.
8. Require cumulative, regional and downstream impacts to be considered, including impacts on connected catchments, groundwater, threatened species, climate, rehabilitation outcomes, Great Barrier Reef catchments and future generations.
9. Undertake and publish a dedicated First Nations human-rights assessment of the Bill, including section 28 of the Human Rights Act 2019 (Qld) and UNDRIP Articles 18, 19, 25, 26, 29, 31 and 32, and consult affected Indigenous peoples before proceeding.
10. Retain meaningful public notification and objection rights for major environmental authority changes and ensure a public submission is not treated as an adequate substitute for party standing and independent merits review.
11. Require transparent written reasons for any decision not to refer a properly made objection to the Land Court, with a merits or judicial review pathway sufficient to ensure the discretion is not effectively unreviewable.
12. Invite regional conservation councils, Traditional Custodians, landholders and community organisations to the public hearing on 28 October 2026, and allow evidence about the practical operation of objection rights in regional Queensland.

1. About the submitter and regional context

Capricorn Conservation Council is a regional environmental organisation serving Central Queensland. CCC's Strategic Plan 2026-2028 commits the organisation to biodiversity protection, Indigenous leadership and self-determination, science-based advocacy, sustainability and climate action, community engagement, integrity and respect. It expressly requires First Nations leadership in environmental advocacy and decision-making and collaboration with regional networks (Capricorn Conservation Council 2025).

CCC works with the Ghungalu Three Rivers Sub-Committee, whose governance framework focuses on the McKenzie, Comet and Dawson Rivers and provides a culturally governed platform for Ghungalu descendants to protect Country, waters, culture and heritage. The Terms of Reference require Ghungalu voices to be centred in environmental advocacy and management decisions and preserve cultural autonomy, authority and confidentiality (Ghungalu Three Rivers Sub-Committee 2026b).

This submission also draws on the practical experience and analysis of Environmental Advocacy in Central Queensland (EnvA), which has participated in multiple Queensland resource approval and Land Court matters. EnvA's submission demonstrates that objection processes have produced additional evidence, stronger conditions and material project changes, even where a mine ultimately proceeded (Environmental Advocacy in Central Queensland 2026). This is important: the public value of objection rights cannot be measured only by project refusal rates.

2. Parliamentary submission requirements and the question before the Committee

Queensland Parliament's guidance asks a submission on a Bill to state clearly whether the Bill is supported, explain why, identify relevant clauses, and support views with facts, experience or research. It also requires the author's name, the approval level where made on behalf of an organisation, and at least two contact methods (Queensland Parliament 2026a). This submission is structured accordingly.

CCC does not support the Bill. The Committee should ask whether the proposed restrictions are necessary, evidence-based, proportionate and compatible with democratic participation, specialist independent review, environmental protection and human rights. The Committee should also distinguish between administrative speed and sound decision-making. Faster approval is not an adequate public-policy objective if achieved by preventing relevant evidence or affected voices from reaching an independent decision-maker.

3. What the Bill changes - clause-by-clause concerns

Bill provision	Effect	CCC concern

Clause 21 - proposed EP Act ss 180-192	Creates a new objection and referral framework for site-specific mining environmental authorities. Formal objections are limited to an "eligible entity"; any person may make a public submission, but only formal objections can underpin a referral to the Land Court.	A submission is not equivalent to standing. The distinction removes an independent merits pathway from people and groups outside the eligibility test.
Clause 41 - proposed MRA s 260	Limits formal mining lease objections to affected persons, occupiers of the lease area, and owners or occupiers within the 125 km eligibility zone. Grounds must relate to matters the Minister may consider under s 271(1).	The test is property- and proximity-centred, not impact-centred. It can exclude public-interest organisations, downstream communities, cultural authorities and people affected by climate or cumulative impacts.
Clause 43 - proposed MRA s 271	Recasts mining lease decision criteria and provides that the Minister must not consider a criterion to the extent it relates to environmental harm.	Artificially separates environmental harm from the public-interest decision whether a mining lease should be granted. Environmental consequences are integral to land-use appropriateness, community impact and public interest.
Clause 44 - proposed MRA s 271A	Changes referral to the Land Court from the existing objection-triggered pathway to a discretionary ministerial referral, and permits referral of the application generally or only a specific matter.	Independent scrutiny becomes contingent on executive discretion exercised within the same approvals system responsible for deciding the lease.
Clause 46 - proposed MRA s 271C	Where only a specific matter is referred, only objections the Minister considers relevant to that matter are filed with the Court.	The executive can shape the evidentiary and legal field before the independent Court sees the objections.

Clause 49 - proposed MRA ss 273-274A	The Court determines relative merits only within the scope of the referral and may strike out frivolous, vexatious, out-of-jurisdiction or abusive objections.	The Bill itself confirms the Court already has strong case-management and strike-out tools, weakening the claimed need to exclude broad standing or automatic referral.
Proposed EP Act ss 186-192	The administering authority may approve, refuse or refer the EA/PRCP generally or on a specific matter, and the Court must stay within the referred scope.	The same structural concern arises under environmental approvals: independent scrutiny is optional and its scope can be predetermined administratively.
Clauses 8-10, 19-21 and related amendments	Restructure notification and assessment for mining-related environmental authority applications and remove or replace several existing provisions.	Any streamlining must preserve effective notice, adequate time, accessible information and a genuine path from public concern to independent review.

3.1 The 125 km eligibility zone is arbitrary and not impact-based

Proposed section 260(6) of the Mineral Resources Act 1989 (Qld) would confine formal objections to specified “eligible entities”, including owners or occupiers of land within 125 km of the proposed lease boundary (Queensland Government 2026a). That line is an administrative radius, not an ecological, hydrological, cultural or social boundary. Mining impacts can move through groundwater systems, river networks, species ranges, transport corridors and the atmosphere. EnvA identifies greenhouse emissions, threatened species impacts, water-system changes, cumulative impacts and Great Barrier Reef pressures as examples that can extend far beyond the mine site (Environmental Advocacy in Central Queensland 2026).

The Bill therefore uses the wrong proxy. If standing is to be refined, it should be tied to a genuine interest or plausible impact, not residential or property proximity. A community organisation may represent members across a large region while maintaining a single office hundreds of kilometres from a project. A Traditional Custodian may live away from Country because of historical displacement, employment, housing, family responsibilities or the continuing consequences of colonisation. Neither circumstance extinguishes the substantive interest in Country or environmental protection.

3.2 A public submission is not a substitute for an objection right

Proposed EP Act section 184 would allow any person to make a public submission about draft documents, but the Land Court referral mechanism is tied to a properly made objection by an eligible entity (Queensland Government 2026a). The difference is fundamental. A submission allows information to be provided to the administrative decision-maker; an objection right can confer party status, enable evidence to be tested, and create a pathway to independent merits scrutiny. Environmental Advocacy in Central Queensland (2026) correctly identifies that these are qualitatively different forms of participation.

A regime that invites broad public submissions but reserves enforceable objection rights to a narrow class risks becoming consultative in form but not in substance. Meaningful participation requires a decision-maker to be accountable for engaging with unresolved evidence, not merely receiving it.

3.3 Discretionary referral undermines institutional independence

Under proposed MRA sections 271A and 271C, the Minister may refer a mining lease application generally or a specific matter to the Land Court. Under the parallel EP Act framework, the administering authority has a similar discretion for the environmental authority and PRCP (Queensland Government 2026a). This is a structural change: a properly made objection would no longer itself secure an independent hearing.

CCC's concern is not that Ministers or administering authorities necessarily act improperly. The concern is institutional design. Independent merits review is most valuable precisely where an objector disputes the sufficiency of the administrative assessment. Requiring that same administrative system to decide whether independent review is warranted creates an avoidable conflict of institutional roles and diminishes public confidence.

The Bill also permits a referral to be confined to a "specific matter", with only objections the Minister considers relevant to that matter filed in the Court. That risks pre-judging relevance before the independent tribunal has heard the evidence. If proceedings need focus, the Land Court is already empowered to strike out frivolous, vexatious, abusive or jurisdictionally irrelevant objections and to manage evidence and procedure proportionately (Queensland Government 2026a; Environmental Advocacy in Central Queensland 2026).

3.4 Excluding environmental harm from the mining lease criteria creates artificial fragmentation

Proposed MRA section 271(3) states that the Minister must not consider a criterion in section 271(1), or section 386M, to the extent the criterion relates to environmental harm (Queensland Government 2026a). The policy rationale is to remove duplication between the Mineral Resources Act and Environmental Protection Act processes (Queensland Government 2026b). CCC supports removing genuine duplication, but environmental harm is not merely a technical add-on. It can be integral to whether a proposed mining operation is an appropriate land use, whether public rights and

interests are prejudiced, whether rehabilitation is realistic, and whether cumulative regional impacts are acceptable.

A better reform would coordinate the two statutory processes and allow common evidence, joint directions and consolidated hearings while preserving the capacity of the Minister and Court to understand the whole project. The Bill already provides mechanisms for consolidation of related Land Court proceedings; that is a more proportionate response to duplication than excluding environmental harm from one decision framework (Queensland Government 2026a).

4. First Nations rights, Country and cultural authority

4.1 Country is not a 125 km property interest

CCC asks the Committee to treat the Bill's impact on First Nations peoples as a central issue, not an ancillary one. Section 28 of the Human Rights Act 2019 (Qld) recognises distinct cultural rights, including maintaining and strengthening spiritual, material and economic relationships with land, territories, waters, coastal seas and other resources, and conserving and protecting the environment and productive capacity of those places (Queensland Human Rights Commission 2026). These rights are collective and relational. They are not reducible to a registered residential address, a freehold title or a circular distance from a mining lease.

The Ghungalu Three Rivers vision is an example of why this matters in practice. The group's work is organised around the McKenzie, Comet and Dawson Rivers and the Country, culture, heritage, knowledge and community connected to them. Its values include cultural authority, connection to Country, truth, fairness and self-determination, and intergenerational responsibility. It states plainly that rivers, land, waters, culture and people are inseparable (Ghungalu Three Rivers Sub-Committee 2026a).

A mining proposal can affect cultural landscapes, waterways, story places, species, access routes, heritage, burial places, food and medicine resources, and the ability of Elders to transmit knowledge. Those relationships can extend across broad Country and across generations. A statutory eligibility rule that privileges property proximity over cultural relationship risks excluding the people whose rights are most deeply connected to the affected Country.

4.2 Native title mechanisms are not a complete substitute for cultural rights

The existence of native title processes does not answer the Bill's cultural-rights problem. Native title is a distinct legal framework with its own thresholds, parties and procedures. Section 28 cultural rights under the Human Rights Act are broader in important respects, and UNDRIP concerns Indigenous peoples' rights as peoples, including participation through their own representative institutions and rights concerning traditionally owned, occupied or used lands, territories and resources (Queensland Human Rights Commission 2026; United Nations 2007).

The Mineral Resources Act contains provisions that extend particular entitlements to registered native title bodies corporate and registered native title claimants in specified contexts, but those provisions do not mean every Traditional Custodian, descendant, cultural authority or community organisation will qualify as an “eligible entity” for every objection under proposed section 260 (Queensland Government 2026a). The Committee should not assume that federal native title mechanisms cure exclusions created by the Bill.

4.3 Participation, consultation and free, prior and informed consent

UNDRIP Article 18 recognises the right of Indigenous peoples to participate in decision-making in matters affecting their rights through representatives chosen by themselves. Article 19 requires States to consult and cooperate in good faith through Indigenous peoples’ representative institutions to obtain free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them. Article 29 recognises the right to conservation and protection of the environment and productive capacity of Indigenous lands and resources, while Article 32 addresses projects affecting lands, territories and resources, including mineral and water resources (United Nations 2007; Australian Human Rights Commission 2012).

The Australian Human Rights Commission describes effective participation as requiring consultation, free, prior and informed consent and good faith, with consultation designed to build consensus and respect Indigenous collective decision-making structures (Australian Human Rights Commission 2014). CCC therefore recommends that the Committee seek evidence of what dedicated consultation occurred with affected First Nations peoples about the objection reforms and how that consultation influenced the Bill. General stakeholder consultation is not equivalent to engagement through Indigenous peoples’ own representative institutions.

4.4 On-Country evidence, ICIP and cultural safety

Queensland human-rights jurisprudence already demonstrates the importance of culturally appropriate procedure. The Queensland Human Rights Commission records that the Land Court has recognised the value of taking evidence on Country because confining First Nations witnesses to written statements could limit cultural rights and deprive the Court of the best evidence (Queensland Human Rights Commission 2026). This is directly relevant to the Bill: reducing access to the Land Court can also reduce access to a forum capable of adapting its procedure to cultural rights.

Ghungalu Three Rivers governance also requires cultural knowledge and sensitive discussions to remain protected and shared only with permission; its Chair determines what can be communicated externally (Ghungalu Three Rivers Sub-Committee 2026a, 2026b). A robust mining objection framework must therefore allow culturally sensitive evidence to be protected through confidentiality, restricted access, culturally appropriate hearing arrangements and respect for Indigenous Cultural and Intellectual Property. Participation must not force Traditional Custodians to choose between protecting confidential knowledge and protecting Country.

4.5 Intergenerational responsibility

Both CCC's Strategic Plan and Ghungalu Three Rivers governance are expressly intergenerational. CCC's strategic direction links biodiversity, culture and climate action and seeks to elevate Indigenous and youth voices; Ghungalu Three Rivers commits to protecting Country and knowledge for children and future generations (Capricorn Conservation Council 2025; Ghungalu Three Rivers Sub-Committee 2026a). Mining approvals can establish impacts and rehabilitation liabilities lasting many decades. The decision-making system should therefore broaden, not narrow, the pathways by which intergenerational interests and long-term cultural responsibilities are heard.

5. Human rights and democratic participation

5.1 Section 28 cultural rights

Section 28 is directly engaged where laws or decisions interfere with First Nations relationships to land, waterways or resources, or result in environmental harm or destruction of culturally significant sites (Queensland Human Rights Commission 2026). The QHRC also notes that cultural rights can be limited only where the limitation is reasonable and demonstrably justified in a free and democratic society. The Committee should therefore require a specific proportionality analysis of the 125 km eligibility rule and discretionary referral system as they affect cultural rights.

5.2 Taking part in public life, expression and fair hearing

The Human Rights Act 2019 (Qld) protects freedom of expression, taking part in public life and fair hearing rights. EnvA's analysis identifies sections 21, 23 and 31 as particularly relevant to the restriction of objection rights and access to an independent tribunal (Environmental Advocacy in Central Queensland 2026). The proposed reforms do not merely regulate how a person speaks; they determine who can invoke a statutory objection process and whether an objection can reach the specialist Court. Those are substantial participation consequences.

The relevant proportionality question is not whether the Government has a legitimate interest in efficient approvals. It plainly does. The question is whether excluding whole classes of potential objectors and making independent review discretionary is reasonably necessary when less restrictive alternatives exist. Those alternatives include early issue identification, timetables, costs powers, expert conclaves, mediation, case management, strike-out powers, page limits, coordinated MRA/EP Act proceedings and targeted procedural reforms. The Bill itself preserves Court strike-out powers, illustrating that less restrictive tools are available (Queensland Government 2026a).

5.3 Equality of arms and public confidence

Mining proponents typically have professional legal, technical and financial resources. Regional communities, landholders and volunteer conservation organisations often do not. Removing a reliable independent forum can magnify that imbalance. Public confidence is enhanced when evidence can be tested before an impartial specialist Court and reasons are given publicly. It is

weakened when the executive branch can determine whether, and on what confined question, independent review occurs.

6. Environmental and regional impacts do not stop at administrative boundaries

6.1 Water and catchments

Central Queensland is structured by connected river systems, groundwater and catchments. The Ghungalu Three Rivers framework itself is organised around three rivers and the Country and communities connected to them (Ghungalu Three Rivers Sub-Committee 2026a). Mining impacts on groundwater drawdown, surface flows, contamination, sediment, levees and rehabilitation can move downstream or manifest over time. A person or organisation outside 125 km may therefore hold highly relevant evidence about a connected catchment.

6.2 Biodiversity and ecological connectivity

Threatened species, ecological communities and habitat corridors do not conform to lease boundaries or radii. Habitat loss can interact cumulatively with other clearing, fire, invasive species and climate pressures. CCC's Strategic Plan prioritises terrestrial, aquatic and reef ecosystems and integrates Indigenous ecological knowledge with science-based advocacy (Capricorn Conservation Council 2025). A credible approvals system should be able to receive evidence from organisations and experts whose ecological knowledge spans regions.

6.3 Climate and the Great Barrier Reef

Greenhouse gas emissions are inherently non-local. Climate impacts are experienced through heat, drought, flood, bushfire, sea-level rise and ecological change. Central Queensland mining regions are also connected through catchments and the economy to the Great Barrier Reef. EnvA's submission identifies climate, downstream water quality and Reef impacts as examples demonstrating why a fixed 125 km standing test is not an appropriate proxy for environmental interest (Environmental Advocacy in Central Queensland 2026).

The Land Court's role in examining climate and human-rights evidence has already been demonstrated in Queensland. The QHRC summarises Waratah Coal Pty Ltd v Youth Verdict Ltd & Ors (No 6) [2022] QLC 21, in which the Court found that climate impacts would profoundly affect cultural rights and that identified human-rights limitations were not justified (Queensland Human Rights Commission 2026). Narrowing access to that independent forum therefore has real consequences for the development of evidence-based decision-making.

7. The practical value of independent Land Court scrutiny

EnvA's recent experience provides concrete evidence that objection and court processes improve decisions even when projects proceed. Its submission identifies the following examples (Environmental Advocacy in Central Queensland 2026):

- Sonoma East: the Land Court recommended stronger greenhouse-gas accountability, including specific and measurable emissions-reduction planning.
- Rolleston Spring Creek North: the Court recorded that extensive evidence not available at the draft EA stage enabled more comprehensive consideration; additional conditions addressed greenhouse gas abatement, air quality and water monitoring.
- Ensham Life of Mine Extension: the Court scrutinised greenhouse-gas emissions and mitigation and recommended against approval unless meaningful progress was demonstrated.
- Blue Energy Bowen Basin gas project: legal challenge and settlement resulted in substantial reduction of the proposed gas well program.
- Lake Vermont Meadowbrook: the Court process resulted in changes to greenhouse-gas, groundwater, rehabilitation, levee and social-impact requirements.
- Coppabella: proceedings strengthened requirements concerning groundwater, dust, biodiversity, threatened species habitat, rehabilitation, incident reporting and post-mining outcomes, including attention to Aboriginal input.

These examples answer an important policy question. The purpose of merits review is not merely to stop projects. It is to improve evidence, expose uncertainty, strengthen conditions, test expert disagreement and make the final decision more defensible. A system should not be judged efficient because it removes these steps if the result is poorer information or weaker conditions.

8. The Government's efficiency rationale can be met by less restrictive reform

The explanatory material presents the Bill as streamlining the assessment of mining lease and associated environmental authority applications and reducing duplication while maintaining appropriate community participation (Queensland Government 2026b). CCC agrees that unnecessary duplication should be addressed. However, several less restrictive reforms are available:

- align notification periods and documentation between the MRA and EP Act;
- provide a single public portal containing the mining lease, draft EA, PRCP and supporting technical material;
- use joint directions hearings and consolidated Land Court proceedings for related MRA and EP Act issues;
- require early identification of issues and expert disciplines;
- use mediation and expert conclaves before contested hearing;
- impose proportionate timetables and page limits;
- retain and actively use existing strike-out powers for frivolous, vexatious or abusive objections;

- give the Court clear case-management powers to narrow issues after hearing parties, rather than allowing an executive decision-maker to narrow the case before referral;
- require costs consequences for unreasonable conduct rather than excluding standing in advance; and
- fund regional and First Nations participation so evidence is timely and technically useful.

These measures target delay and duplication directly. The 125 km rule and discretionary referral instead target who is allowed to participate and whether independent review occurs. That is a substantive rights restriction, not merely procedural streamlining.

Community organisations have also criticised the proposed proximity restriction on the basis that mine impacts, including impacts on food and water security, are not confined to a 125 km radius (Lock the Gate Alliance 2026). CCC adopts that concern in a Central Queensland context: standing should follow plausible impact, cultural connection and public-interest expertise, not an arbitrary circle around a lease boundary.

9. Specific concern: regional conservation organisations

Regional conservation councils are often the organisations with the continuity, technical literacy, local networks and institutional memory required to review complex mining documents. They may coordinate scientists, Traditional Custodians, landholders and community members across large areas. Their office address is an administrative convenience; it is not the geographic limit of the communities or ecosystems they represent.

The email discussion between regional conservation organisations about this Bill reflects a shared concern and a desire to pool regional examples and expertise. Participants included Capricorn Conservation Council, Gecko Environment Council, Mackay Conservation Group, North Queensland Conservation Council, Queensland Conservation Council and representatives from other regional networks. The discussion explicitly contemplated a joint submission and regional examples (Regional Conservation Councils 2026).

A rule that makes standing turn on the location of an office or property title risks excluding precisely the organisations that help communities engage effectively with technically complex approvals. That would reduce, not improve, the quality of decision-making.

10. Recommendations for First Nations safeguards if the Bill proceeds

CCC's primary position remains that the Bill should not pass in its current form. If the Government nevertheless proceeds, the following First Nations safeguards should be inserted expressly:

- A statutory definition of eligible Indigenous participant broad enough to include Traditional Custodians, Traditional Owner groups, prescribed bodies corporate, registered claimants,

representative bodies, recognised cultural authorities and other Indigenous representative institutions with a cultural connection to affected Country.
- No geographic radius for Indigenous cultural standing. Connection to Country, waters, heritage or culture should be the relevant test.
- A requirement that decision-makers identify potentially affected First Nations peoples and consult through their own representative institutions before key decisions.
- A right to request on-Country evidence and culturally appropriate hearing arrangements.
- Express protection for ICIP, confidential cultural information, gender-restricted knowledge and culturally sensitive locations.
- A requirement to consider cultural landscape and cumulative impacts, not only mapped heritage sites.
- A requirement to consider intergenerational cultural obligations and impacts on the ability to teach and transmit knowledge.
- Funding and procedural support for Elders and Traditional Custodians to participate without being personally out of pocket.
- A requirement that reasons address section 28 cultural rights and explain any limitation by reference to section 13 proportionality.
- A requirement for decision-makers to consider whether a project and its rehabilitation plan maintain the productive capacity of Country and waters and whether Traditional Custodians have an ongoing role in rehabilitation and closure.

11. Requested Committee findings

CCC respectfully asks the Committee to find that:

- The Bill would materially reduce formal community objection rights compared with the current framework.
- The proposed 125 km eligibility zone is not demonstrated to be an evidence-based measure of environmental, cultural or public-interest impact.
- Allowing any person to make a public submission does not replace the legal significance of a formal objection and access to independent merits review.
- Discretionary referral and specific-matter referral concentrate power in the executive and can prevent relevant objections from being independently examined.
- The Bill's treatment of First Nations rights requires further scrutiny under section 28 of the Human Rights Act 2019 (Qld) and UNDRIP.
- There are less restrictive means of improving timeliness and reducing duplication.
- Regional conservation organisations perform a legitimate public-interest role and should not be excluded because of office location or property ownership.
- The Land Court's specialist independent role should be preserved and strengthened.

12. Conclusion

Queensland can have an efficient resources approval system without weakening the public's ability to protect land, water, biodiversity, climate, cultural heritage and Country. Good administration is not measured only by how quickly a decision is made. It is measured by whether the right evidence reaches the decision-maker, whether affected people can participate meaningfully, whether rights are respected, whether reasons are transparent, and whether an independent institution can test contested evidence.

For First Nations peoples, this is especially important. Country is not an abstract parcel bounded by a mining lease or a 125 km radius. Country is land, water, culture, kinship, knowledge, law, responsibility and future generations. The Ghungalu Three Rivers values of cultural authority, connection to Country, truth, fairness, self-determination and intergenerational responsibility provide a practical regional expression of those principles (Ghungalu Three Rivers Sub-Committee 2026a). Queensland law should create space for those responsibilities to be exercised, not narrow them.

CCC therefore asks the Primary Industries and Resources Committee to recommend that the Mineral Resources and Other Legislation Amendment Bill 2026 not be passed in its current form. If reform proceeds, the Committee should recommend substantial amendments preserving broad community objection rights, automatic access to independent Land Court scrutiny, full consideration of environmental and public-interest matters, and culturally safe rights-based participation for Traditional Custodians and Indigenous peoples.

Co-signing and endorsement options

Organisation	Authorised representative	Signature
Capricorn Conservation Council	Sophie George (BEnvS BSBio) President	S George

Jennifer Waithman

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