



Mineral Resources and Other Legislation Amendment Bill 2026



Queensland

Mineral Resources and Other Legislation Amendment Bill 2026

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2026

A Bill

for

An Act to amend the *Environmental Protection Act 1994*, the *Mineral Resources Act 1989* and the legislation mentioned in schedule 1 for particular purposes

[s 1]

The Parliament of Queensland enacts— 1

Part 1 Preliminary 2

Clause 1 Short title 3
This Act may be cited as the *Mineral Resources and Other* 4
Legislation Amendment Act 2026. 5

Clause 2 Commencement 6
(1) The following provisions commence on the date of assent— 7
(a) section 37; 8
(b) section 55; 9
(c) section 56, other than to the extent it inserts new chapter 10
15, part 24, division 3; 11
(d) section 57(1). 12
(2) The remaining provisions of this Act commence on a day to 13
be fixed by proclamation. 14

Part 2 Amendment of Environmental 15
Protection Act 1994 16

Clause 3 Act amended 17
This part amends the *Environmental Protection Act 1994.* 18
Note— 19
See also the amendments in schedule 1. 20

Clause 4	Amendment of s 55 (Acceptance of submissions)	1
	(1) Section 55(1)(a) to (c)—	2
	<i>omit, insert—</i>	3
	(a) is in the approved form; and	4
	(2) Section 55(1)(d) and (e)—	5
	<i>renumber</i> as section 55(1)(b) and (c).	6
Clause 5	Amendment of s 112 (Other key definitions for ch 5)	7
	Section 112, definition <i>PRCP schedule</i> , paragraph (b), after ‘conditions’—	8
	<i>insert—</i>	9
	or amendment	10
Clause 6	Replacement of s 149 (When notification stage applies)	11
	Section 149—	12
	<i>omit, insert—</i>	13
	149 When notification stage applies	14
	Subject to section 150, the notification stage	15
	applies to an application if the application is a	16
	site-specific application and any part of the	17
	application is for a geothermal activity, GHG	18
	storage activity or petroleum activity.	19
		20
Clause 7	Amendment of s 150 (Notification stage does not apply to particular applications)	21
	Section 150(1)—	22
	<i>omit, insert—</i>	23
	(1) This section applies to an application for an	24
	environmental authority if—	25
	(a) any of the following applies—	26
		27

[s 8]

	(i)	for an EIS under this Act—the EIS for each relevant activity the subject of the application has been publicly notified under section 51;	1 2 3 4
	(ii)	for an EIS under the State Development Act—the draft EIS for each relevant activity the subject of the application has been publicly notified under section 33 of that Act;	5 6 7 8 9
	(iii)	for an IAR under the State Development Act—the draft IAR for each relevant activity the subject of the application has been publicly notified under section 34H of that Act; and	10 11 12 13 14
	(b)	since the public notification mentioned in paragraph (a)—	15 16
	(i)	the environmental risks of each relevant activity and the way it will be carried out have not changed; or	17 18 19
	(ii)	if the application proposes a change to the way a relevant activity will be carried out—the administering authority is satisfied the change would not be likely to attract a submission objecting to the thing the subject of the change, if the notification stage were to apply to the change.	20 21 22 23 24 25 26 27
Clause 8	Amendment of s 151 (When notification stage can start)		28
	Section 151(2)—		29
	<i>omit.</i>		30
Clause 9	Amendment of s 153 (Required content of application notice)		31 32
	Section 153(3)(a) and (b)—		33

omit, insert—

- (a) the environmental risks of the activity that have changed as a result of the proposed changes to the way the relevant activity is to be carried out;
- (b) the proposed changes to the way the relevant activity is to be carried out.

Clause 10 Omission of s 154 (Submission period for application—mining activities)

Section 154—

omit.

Clause 11 Amendment of s 155 (Submission period for application—other resource activities)

- (1) Section 155, heading, from ‘—other’—

omit.

- (2) Section 155, ‘other than a mining activity’—

omit.

Clause 12 Amendment of s 156 (Publication of application notice and documents on website)

- (1) Section 156(1)—

omit.

- (2) Section 156(3), ‘subsection (2)’—

omit, insert—

subsection (1)

- (3) Section 156(2) to (4)—

renumber as section 156(1) to (3).

[s 13]

Clause 13	Amendment of s 157 (Public access to application documents)	1 2
	(1) Section 157(2), definition <i>access period</i> , paragraph (b)(ii) and (iii)—	3 4
	<i>omit.</i>	5
	(2) Section 157(2), definition <i>access period</i> , paragraph (b)(iv)—	6
	<i>renumber</i> as paragraph (b)(ii).	7
Clause 14	Amendment of s 158 (Declaration of compliance)	8
	Section 158(1)(b)—	9
	<i>omit, insert—</i>	10
	(b) the requirement under section 156 to make a copy of the documents mentioned in section 156(1) available on a website.	11 12 13
Clause 15	Amendment of s 160 (Right to make submission)	14
	(1) Section 160(1), from ‘or’—	15
	<i>omit.</i>	16
	(2) Section 160(2)(a) and (b)—	17
	<i>omit, insert—</i>	18
	(a) the environmental risks of the activity that have changed as a result of the proposed changes to the way the relevant activity is to be carried out;	19 20 21 22
	(b) the proposed changes to the way the relevant activity is to be carried out.	23 24
Clause 16	Amendment of s 161 (Acceptance of submission)	25
	(1) Section 161(1)(a) and (b)—	26
	<i>omit, insert—</i>	27

	(a) is in the approved form; and	1
	(2) Section 161(1)(c) to (e)—	2
	<i>renumber</i> as section 161(1)(b) to (d).	3
Clause 17	Amendment of ch 5, pt 5, div 2, sdiv 1A, hdg (Standard applications—general)	4 5
	Chapter 5, part 5, division 2, subdivision 1A, heading, ‘— general’—	6 7
	<i>omit.</i>	8
Clause 18	Amendment of s 169A (Approval of standard applications generally)	9 10
	(1) Section 169A, heading, ‘generally’—	11
	<i>omit.</i>	12
	(2) Section 169A(1)(a), from ‘, other’ to ‘lease’—	13
	<i>omit.</i>	14
	(3) Section 169A, note 1—	15
	<i>omit.</i>	16
Clause 19	Replacement of ch 5, pt 5, div 2, sdiv 2, hdg (Other applications)	17 18
	Chapter 5, part 5, division 2, subdivision 2, heading—	19
	<i>omit, insert—</i>	20
	Subdivision 2 Variation applications and site-specific applications	21 22
Clause 20	Omission of ss 170, 175 and 177	23
	Sections 170, 175 and 177—	24
	<i>omit.</i>	25

[s 21]

Clause 21	Replacement of ch 5, pt 5, div 3 (Applications for mining activities relating to a mining lease)	1 2
	Chapter 5, part 5, division 3—	3
	<i>omit, insert—</i>	4
	Division 3 Site-specific applications for mining activities relating to a mining lease	5 6 7
	Subdivision 1 Preliminary	8
	180 Definitions for division	9
	In this division—	10
	<i>eligible entity</i> , for a site-specific application for a mining activity relating to a mining lease, means an eligible entity for the application for the mining lease, as defined under the Mineral Resources Act, section 260(6).	11 12 13 14 15
	<i>last objection day</i> , stated in a mining lease notice for an application for a mining lease, see the Mineral Resources Act, section 252(3)(i).	16 17 18
	<i>mining lease notice</i> , for an application for a mining lease, means the mining lease notice given to the applicant under the Mineral Resources Act, section 252.	19 20 21 22
	181 Application of division	23
	This division applies to a site-specific application for a mining activity relating to a mining lease.	24 25
	Subdivision 2 Issue of draft documents	26

182 Administering authority must issue draft documents	1 2
(1) This section applies if the administering authority decides—	3 4
(a) under section 172(2)(a) to approve subject to conditions a site-specific application for a mining activity relating to a mining lease; or	5 6 7
(b) under section 172(3)(a) to approve a proposed PRCP schedule for a proposed PRC plan for a site-specific application for a mining activity relating to a mining lease, with or without conditions or amendment.	8 9 10 11 12
(2) Within 5 business days after making the decision, the administering authority must issue the following documents to the applicant—	13 14 15
(a) a draft environmental authority in the approved form;	16 17
(b) a draft PRCP schedule.	18
(3) Immediately after issuing the draft documents, the administering authority must give a notice to the MRA chief executive stating—	19 20 21
(a) the draft documents have been issued; and	22
(b) where the draft documents may be inspected or accessed.	23 24
183 Objection to draft documents by eligible entity	25
(1) An eligible entity for a site-specific application for a mining activity relating to a mining lease may, on or before the last objection day stated in the mining lease notice for the application for the mining lease, lodge with the administering authority—	26 27 28 29 30 31
(a) an objection to the draft environmental authority for the site-specific application; or	32 33

[s 21]

- (b) an objection to the draft PRCP schedule for the site-specific application. 1
2
- Notes—* 3
 - 1 See the Mineral Resources Act, section 252(3)(h)(iv) for the requirement to state in the mining lease notice relating to the application for the mining lease where the draft documents may be inspected or accessed. 4
5
6
7
8
 - 2 See the Mineral Resources Act, section 252A for the requirement to give to particular persons, and publicly notify, the mining lease notice. 9
10
11
- (2) The grounds of objection must— 12
 - (a) be in the approved form; and 13
 - (b) state the grounds of objection and the facts and circumstances relied on by the eligible entity in support of those grounds. 14
15
16
- (3) The grounds of objection must relate to 1 or more of the following matters— 17
18
 - (a) for an objection mentioned in subsection (1)(a)— 19
20
 - (i) the draft environmental authority for the site-specific application; or 21
22
 - (ii) a matter mentioned in section 176; or 23
 - (b) for an objection mentioned in subsection (1)(b)— 24
25
 - (i) the draft PRCP schedule for the site-specific application; or 26
27
 - (ii) a matter mentioned in section 176A. 28
- (4) The eligible entity must give a copy of the objection to the applicant on or before the last objection day stated in the mining lease notice for the application for the mining lease. 29
30
31
32
- (5) The eligible entity may withdraw the objection by giving written notice to— 33
34

-
- (a) the administering authority; and 1
 - (b) if the objection has been referred to the 2
Land Court under section 186(1)(c)— 3
 - (i) the Land Court; and 4
 - (ii) the applicant. 5

**184 Public submission about draft documents by 6
any person 7**

- (1) A person may, on or before the last objection day 8
stated in the mining lease notice for the 9
application for the mining lease relating to a 10
site-specific application for a mining activity 11
relating to a mining lease, lodge with the 12
administering authority— 13
 - (a) a submission about the draft environmental 14
authority for the site-specific application; or 15
 - (b) a submission about the draft PRCP schedule 16
for the site-specific application. 17
- (2) The submission must— 18
 - (a) be in the approved form; and 19
 - (b) state the grounds of the submission and the 20
facts and circumstances relied on by the 21
person in support of those grounds. 22
- (3) The person must give a copy of the submission to 23
the applicant on or before the last objection day 24
stated in the mining lease notice for the 25
application for the mining lease. 26

Subdivision 3 Decision on application 27

[s 21]

185 When administering authority must decide site-specific application	1
	2
(1) The administering authority must make a decision under section 186 for a site-specific application for a mining activity relating to a mining lease if—	3
	4
	5
	6
(a) the administering authority made a referral to the Land Court under section 186(1)(c) relating to the draft documents for the application and the Land Court made a recommendation under section 192; or	7
	8
	9
	10
	11
(b) the administering authority made a referral to the Land Court under section 186(1)(c) relating to the draft documents for the application that included an objection made under section 183 but, before the Land Court made a recommendation under section 192, all objections made under section 183 were struck out or withdrawn; or	12
	13
	14
	15
	16
	17
	18
	19
	20
(c) the administering authority received an objection made under section 183 but paragraphs (a) and (b) do not apply; or	21
	22
	23
(d) the administering authority received a submission made under section 184 but did not receive an objection made under section 183.	24
	25
	26
	27
<i>Note—</i>	28
If the administering authority received neither an objection under section 183 nor a submission under section 184 relating to the draft documents for the application, the administering authority is required to issue an environmental authority and PRCP schedule under section 195(1)(f) and (2)(b) or, for an amendment application, under section 242(1)(c) and (2)(b).	29
	30
	31
	32
	33
	34
	35
(2) The decision must be made—	36

-
- (a) if the MRA Minister or State Development Minister is given a copy of the Land Court's recommendation under section 194A—within 20 business days after the end of the period within which either Minister must give advice under section 194B relating to the recommendation; or
 - (b) otherwise—
 - (i) within 10 business days after the earlier of the following to happen—
 - (A) the receipt by the administering authority of notice under section 183(5) that the last remaining objection made under section 183 relating to the draft documents for the application is withdrawn;
 - (B) the remission by the Land Court under section 193(2) of the draft documents for the application or the specific matter; or
 - (ii) if an objection under section 183 was made relating to the draft documents for the application but the administering authority did not refer the draft documents to the Land Court under section 186(1)(c)—within 30 business days after the last objection day mentioned in section 183(4); or
 - (iii) if the administering authority received a submission made under section 184 but did not receive an objection made under section 183—within 30 business days after the last objection day mentioned in section 183(4).
 - (3) The administering authority may, by written notice given to the applicant and without the applicant's agreement, extend the period
-

[s 21]

- | | |
|---|----|
| mentioned in subsection (2)(b)(ii) or (iii) by not | 1 |
| more than 30 business days. | 2 |
| (4) Only 1 notice may be given under subsection (3) | 3 |
| for the application and it must be given before the | 4 |
| period mentioned in subsection (2)(b)(ii) or (iii) | 5 |
| ends. | 6 |
| (5) However, the period mentioned in subsection | 7 |
| (2)(b)(ii) or (iii) may be further extended if the | 8 |
| applicant, at any time before the decision is made, | 9 |
| gives written agreement to the extension. | 10 |

186 Deciding site-specific application 11

- | | |
|---|----|
| (1) The administering authority may, after | 12 |
| considering the criteria mentioned in section 187 | 13 |
| for making a decision on a site-specific | 14 |
| application for a mining activity relating to a | 15 |
| mining lease, decide to— | 16 |
| (a) approve the site-specific application | 17 |
| either— | 18 |
| (i) on the basis of the draft environmental | 19 |
| authority and draft PRCP schedule for | 20 |
| the site-specific application; or | 21 |
| (ii) with conditions or amendments that are | 22 |
| different from the draft environmental | 23 |
| authority and draft PRCP schedule for | 24 |
| the site-specific application; or | 25 |
| (b) refuse the site-specific application; or | 26 |
| (c) make a referral to the Land Court to conduct | 27 |
| a hearing on— | 28 |
| (i) each of the following generally— | 29 |
| (A) the draft environmental authority | 30 |
| for the site-specific application; | 31 |
| (B) the draft PRCP schedule for the | 32 |
| site-specific application; or | 33 |

- (ii) a specific matter stated by the administering authority. 1
2
- (2) However, the administering authority may make a referral under subsection (1)(c) only if the administering authority has received a properly made objection to a draft document for the site-specific application. 3
4
5
6
7

187 Criteria for deciding site-specific application 8

- (1) In making a decision on a site-specific application for a mining activity relating to a mining lease, the administering authority— 9
10
11
 - (a) must comply with any relevant regulatory requirement; and 12
13
 - (b) subject to paragraph (a), must have regard to— 14
15
 - (i) the draft environmental authority and draft PRCP schedule for the site-specific application; and 16
17
18
 - (ii) the standard criteria; and 19
 - (iii) a recommendation of the Land Court, if any, made under section 192 relating to the site-specific application; and 20
21
22
 - (iv) advice, if any, given by the MRA Minister or State Development Minister under section 194B relating to the site-specific application; and 23
24
25
26
 - (c) may have regard to a submission made under section 184. 27
28
- (2) However, for subsection (1)(b)(ii), in applying schedule 4, definition *standard criteria*, paragraph (f), a properly made objection to a draft document for a site-specific application is taken to be a submission made by a submitter. 29
30
31
32
33

[s 21]

- (3) Also, despite subsection (1)(b), the matters
mentioned in subsection (1)(b)(i) and (ii) need
only be considered to the extent they relate to—
 - (a) a properly made objection to a draft
document for the site-specific application;
or
 - (b) a recommendation of the Land Court
mentioned in subsection (1)(b)(iii); or
 - (c) advice given by the MRA Minister or State
Development Minister mentioned in
subsection (1)(b)(iv).
- (4) In deciding whether to approve the proposed
PRCP schedule for the plan for the site-specific
application, the administering authority must, in
addition to the criteria considered under
subsection (1)(b) and (3), also have regard to—
 - (a) the guidelines under section 550; and
 - (b) any relevant advice, report or guidance
published by the rehabilitation
commissioner under section 444K.
- (5) Also, the administering authority must not
approve the proposed PRCP schedule unless—
 - (a) each proposed non-use management area
under the schedule has been properly
identified as a non-use management area;
and
 - (b) the administering authority is satisfied the
schedule provides for all land the subject of
the schedule to be—
 - (i) rehabilitated to a stable condition; or
 - (ii) managed as a non-use management
area in a way that achieves best
practice management of the area and
minimises risks to the environment.

- (6) To remove any doubt, it is declared that the administering authority is required to consider a criterion under subsection (1)(b) for the purpose of exercising or not exercising a power under section 186 only to the extent the administering authority considers necessary.

Subdivision 4 Referral to Land Court

188 Referral to Land Court

- (1) This section applies if the administering authority decides under section 186(1)(c) to make a referral to the Land Court to conduct a hearing on—
- (a) each of the following generally—
- (i) the draft environmental authority for the site-specific application;
- (ii) the draft PRCP schedule for the site-specific application; or
- (b) a specific matter stated by the administering authority.
- (2) The administering authority must make the referral by filing with the registrar of the Land Court—
- (a) a notice, in the approved form, making the referral; and
- (b) a copy of the draft documents mentioned in subsection (1)(a)(i) and (ii); and
- (c) either—
- (i) for a hearing mentioned in subsection (1)(a)—a copy of each properly made objection to a draft document mentioned in subsection (1)(a)(i) or (ii); or

[s 21]

- (ii) for a hearing mentioned in subsection 1
(1)(b)—a copy of each properly made 2
objection to a draft document 3
mentioned in subsection (1)(a)(i) or (ii) 4
to the extent the administering 5
authority considers the objection 6
relevant to the specific matter. 7
- (3) The administering authority must give notice of 8
the referral to the MRA chief executive 9
immediately after making the referral. 10

189 Land Court must fix date for hearing 11

- (1) This section applies if the administering authority 12
makes a referral to the Land Court under section 13
188(2). 14
- (2) The Land Court must fix a date for the hearing and 15
immediately give written notice of the date to 16
each of the following— 17
 - (a) the administering authority; 18
 - (b) the MRA chief executive; 19
 - (c) the applicant; 20
 - (d) either— 21
 - (i) for a hearing mentioned in section 22
188(1)(a)—each person whose 23
properly made objection was filed 24
under section 188(2)(c)(i); or 25
 - (ii) for a hearing mentioned in section 26
188(1)(b)—each person whose 27
properly made objection was filed 28
under section 188(2)(c)(ii). 29
- (3) The date must be at least 20 business days after 30
the day the Land Court fixes the date. 31

190 Hearing by Land Court	1
(1) In conducting a hearing referred to the Land Court under section 188(2), the Land Court must—	2 3
(a) for a hearing mentioned in section 188(1)(a)—determine the relative merits of the draft environmental authority and draft PRCP schedule mentioned in section 188(1)(a) and any properly made objections filed under section 188(2)(c)(i); or	4 5 6 7 8 9
(b) for a hearing mentioned in section 188(1)(b)—determine the relative merits of the specific matter and any properly made objections filed under section 188(2)(c)(ii).	10 11 12 13
(2) Nothing in subsection (1) prevents the adjournment from time to time of a hearing.	14 15
 191 Striking out objections	 16
(1) This section applies to the extent an objection lodged under section 183 is—	17 18
(a) outside the jurisdiction of the Land Court; or	19
(b) frivolous or vexatious; or	20
(c) an abuse of process.	21
(2) Despite sections 186, 188, 190 and 192, the Land Court may, at any stage of the hearing, strike out all or part of the objection.	22 23 24
 192 Recommendation by Land Court	 25
(1) The Land Court must, after conducting a hearing referred to the Land Court under section 188(2), give the administering authority the Land Court's recommendation about the referral.	26 27 28 29
(2) If the hearing was a hearing mentioned in section 188(1)(a), the recommendation to the	30 31

[s 21]

- | | |
|---|----|
| administering authority must be— | 1 |
| (a) either— | 2 |
| (i) the application for the environmental | 3 |
| authority be approved on the basis of | 4 |
| the draft environmental authority, and | 5 |
| the PRCP schedule be approved on the | 6 |
| basis of the draft PRCP schedule; or | 7 |
| (ii) the application for the environmental | 8 |
| authority and the PRCP schedule be | 9 |
| approved but with conditions or | 10 |
| amendments that are different from the | 11 |
| draft environmental authority and the | 12 |
| draft PRCP schedule; or | 13 |
| (b) the application for the environmental | 14 |
| authority be refused. | 15 |
| (3) If the hearing was a hearing mentioned in section | 16 |
| 188(1)(b), the recommendation to the | 17 |
| administering authority must relate to the specific | 18 |
| matter. | 19 |
| (4) In making a recommendation to the administering | 20 |
| authority, the Land Court must take into account | 21 |
| and consider only— | 22 |
| (a) for a hearing mentioned in section | 23 |
| 188(1)(a)— | 24 |
| (i) the draft environmental authority and | 25 |
| the draft PRCP schedule; and | 26 |
| (ii) the matters mentioned in section 187 to | 27 |
| the extent the matters are relevant to | 28 |
| the draft documents; and | 29 |
| (iii) each properly made objection filed | 30 |
| under section 188(2)(c)(i) to the extent | 31 |
| the objection is relevant to the matters | 32 |
| mentioned in subparagraph (i) or (ii); | 33 |
| or | 34 |

-
- (b) for a hearing mentioned in section 188(1)(b)—
 - (i) the matters mentioned in section 187 to the extent the matters are relevant to the specific matter; and
 - (ii) each properly made objection filed under section 188(2)(c)(ii) to the extent the objection is relevant to the matters mentioned in subparagraph (i).
 - (5) The Land Court must give reasons for its recommendation.
- Note—*
- The administering authority is required under section 187(1)(b)(iii) to consider the Land Court's recommendation when deciding to approve or refuse the site-specific application for a mining activity relating to a mining lease under section 186.

193 No recommendation required if no objections remaining

- (1) This section applies if, before the Land Court makes a recommendation under section 192, all objections filed for the hearing under section 188(2)(c) are—
 - (a) withdrawn under section 183(5); or
 - (b) struck out under section 191.
- (2) The Land Court—
 - (a) must—
 - (i) for a hearing mentioned in section 188(1)(a)—remit the draft documents for the site-specific application to the administering authority for a decision under section 186(1)(a) or (b); or

[s 21]

- (ii) for a hearing mentioned in section 1 188(1)(b)—remit the specific matter to 2 the administering authority; and 3
- (b) is not required to make a recommendation 4 under section 192. 5

194 Consolidation of proceedings 6

- (1) This section applies if, before the end of a hearing 7 on a site-specific application referred to the Land 8 Court under section 188(2), a referral is made 9 under the Mineral Resources Act, section 271C(2) 10 for a hearing by the Land Court on either of the 11 following relating to the mining lease application 12 relating to the site-specific application— 13
 - (a) the mining lease application generally; 14
 - (b) a specific matter stated by the Minister. 15
- (2) The Land Court may— 16
 - (a) order that the proceedings be consolidated; 17 or 18
 - (b) order that the proceedings be heard together 19 or in a particular sequence; or 20
 - (c) give a direction the Land Court considers 21 appropriate for the conduct of the 22 proceeding or proceedings. 23

194A Notice of Land Court recommendation 24

- The Land Court must, as soon as practicable after 25 a recommendation under section 192 is made, 26 give a copy of the recommendation to— 27
- (a) the MRA Minister; and 28
 - (b) if a relevant mining lease is, or is included 29 in, a coordinated project—the State 30 Development Minister. 31

**194B Advice from MRA Minister and State
Development Minister about Land Court
recommendation**

- (1) This section applies if the MRA Minister or State Development Minister (each the *advisory Minister*) is given a copy of the Land Court's recommendation under section 194A.
- (2) The advisory Minister must advise the administering authority about any matter the advisory Minister considers may help the administering authority to make a decision under section 186 about the site-specific application.
- (3) The advice must be given within—
 - (a) 10 business days after the copy of the recommendation is received; or
 - (b) if the advisory Minister and the administering authority have, within the 10 business days mentioned in paragraph (a), agreed to a longer period—the longer period.
- (4) In giving the advice, the advisory Minister may seek advice from any entity.
- (5) A contravention of this section does not invalidate—
 - (a) a decision made under section 186 about a site-specific application; or
 - (b) an environmental authority issued under division 4 for the site-specific application.

Clause 22 Replacement of ss 195 and 196

Sections 195 and 196—

omit, insert—

[s 22]

195 Issuing environmental authority or PRCP schedule	1 2
(1) This section applies if the administering authority—	3 4
(a) is taken under section 169A to have decided to approve a standard application; or	5 6
(b) has decided under section 171(2)(a) that a variation application be approved subject to conditions that are different from the standard conditions for the activity or authority; or	7 8 9 10 11
(c) has decided under section 171(2)(b) to issue an environmental authority subject to the standard conditions for the activity or authority, or is taken under section 178 to have decided to issue an environmental authority subject to the standard conditions for the activity or authority; or	12 13 14 15 16 17 18
(d) has decided under section 172(2)(a) to approve a site-specific application (other than a site-specific application for a mining activity relating to a mining lease) subject to conditions; or	19 20 21 22 23
(e) has decided under section 186(1)(a) to approve a site-specific application for a mining activity relating to a mining lease; or	24 25 26
(f) has issued under section 182 a draft environmental authority and draft PRCP schedule but has not received an objection made under section 183 or a submission made under section 184 relating to the draft documents.	27 28 29 30 31 32
(2) The administering authority must—	33
(a) for subsection (1)(a), (b), (c) or (d)—issue an environmental authority to the applicant	34 35

- within the period stated in section 196 for
the paragraph; or
- (b) for subsection (1)(e) or (f)—issue an
environmental authority and PRCP schedule
to the applicant within the period stated in
section 196 for the paragraph.
- (3) For a decision mentioned in subsection (1)(a), (b)
or (c) for a mining activity relating to a mining
lease, the administering authority must give
notice to the MRA chief executive of having
issued the environmental authority within 5
business days after issuing the environmental
authority.
- (4) The notice given to the MRA chief executive
under subsection (3) must include a copy of the
environmental authority.

196 Requirements for issuing environmental authority or PRCP schedule

- For section 195(2), the period within which an
environmental authority or PRCP schedule must
be issued is—
- (a) for section 195(1)(f)—within 5 business
days after the last objection day mentioned
in section 183(4) relating to the site-specific
application for a mining activity relating to a
mining lease; or
- (b) for an application for a development
approval that, under section 115, is taken to
be an application for an environmental
authority—
- (i) if the administering authority is the
assessment manager for the
development application—when the
decision notice is given under the

[s 23]

- Planning Act for the development 1
application; or 2
- (ii) if the administering authority is a 3
referral agency for the development 4
application—when the administering 5
authority gives its referral agency’s 6
response under the Planning Act to the 7
applicant for the development 8
application; or 9
- (iii) if the planning chief executive is a 10
referral agency for the development 11
application—within 5 business days 12
after the planning chief executive gives 13
its referral agency’s response under the 14
Planning Act to the applicant for the 15
development application; or 16
- (iv) if the planning chief executive is the 17
assessment manager for the 18
development application—within 5 19
business days after the planning chief 20
executive gives the applicant a decision 21
notice under the Planning Act for the 22
development application; or 23
- (c) otherwise—within 5 business days after the 24
decision mentioned in section 195(1)(a), (b), 25
(c), (d) or (e) is made or taken to have been 26
made. 27

Clause 23	Amendment of s 198 (Information notice about particular decisions)	28
		29
	(1) Section 198(1)—	30
	<i>insert—</i>	31
	(c) decides to amend a PRCP schedule relating	32
	to an environmental authority, if the	33
	amendment is not the same, or to the same	34

	effect, as an amendment agreed to by the applicant.	1 2
(2)	Section 198(4), after ‘an application’— <i>insert</i> —	3 4
	other than an application for a mining activity relating to a mining lease	5 6
(3)	Section 198(5)— <i>omit, insert</i> —	7 8
(5)	This section does not apply for a decision about a site-specific application for a mining activity relating to a mining lease if the Land Court has made a recommendation under section 192 relating to the draft documents for the application.	9 10 11 12 13
Clause 24	Amendment of s 223 (Definitions for part)	14
(1)	Section 223, definition <i>minor amendment (threshold)</i> , paragraphs (e) and (h), ‘relevant resource tenure’— <i>omit, insert</i> —	15 16 17
	relevant tenure	18
(2)	Section 223, definition <i>minor amendment (threshold)</i> , paragraph (e)(i), after ‘lease’— <i>insert</i> —	19 20 21
	(unless the new mining lease relates to only 1 or more mining activities that are an eligible ERA)	22 23
Clause 25	Amendment of s 226A (Requirements for amendment applications for environmental authorities)	24 25
(1)	Section 226A, heading, after ‘authorities’— <i>insert</i> —	26 27
	—general	28
(2)	Section 226A(1)(e), ‘relevant resource tenure’—	29

[s 26]

omit, insert— 1
relevant tenure 2

Clause 26 Insertion of new s 226AB 3

After section 226A— 4

insert— 5

**226AB Requirements for amendment applications
for environmental authorities—standard
conditions only** 6
7
8

(1) This section applies if— 9

(a) an amendment application is for the 10
amendment of an environmental authority 11
that relates to a new relevant tenure; and 12

(b) the amendment application— 13

(i) states that the applicant seeks an 14
amended environmental authority that 15
is subject only to the standard 16
conditions for the relevant activity or 17
environmental authority, to the extent 18
the standard conditions relate to the 19
new relevant tenure; and 20

(ii) states that each relevant activity will, if 21
the amendment is made, comply with 22
the eligibility criteria for the activity; 23
and 24

(iii) includes a declaration that the 25
statement mentioned in subparagraph 26
(ii) is correct. 27

(2) Section 226A does not apply in relation to the 28
amendment application. 29

Note— 30

See section 227B(b) and division 5A. 31

Clause 27	Replacement of s 227B (Amendment applications to which div 3 does not apply)	1 2
	Section 227B—	3
	<i>omit, insert—</i>	4
	227B Amendment applications to which div 3 does not apply	5 6
	This division does not apply to—	7
	(a) an amendment application for a condition conversion; or	8 9
	(b) an amendment application mentioned in section 226AB.	10 11
Clause 28	Replacement of s 230 (Administering authority must require public notification for particular amendment applications)	12 13 14
	Section 230—	15
	<i>omit, insert—</i>	16
	230 Public notification—environmental authority for resource ERA	17 18
	(1) This section applies if—	19
	(a) an amendment application is for an environmental authority for a resource ERA (other than an amendment application for an environmental authority for a mining activity relating to a mining lease) (the <i>amendment application</i>); and	20 21 22 23 24 25
	(b) the assessment level decision is that the amendment is a major amendment; and	26 27
	(c) at least 1 of the environmentally relevant activities the subject of the amendment application is an ineligible ERA.	28 29 30
	(2) The notice under section 229 must state that part 4 applies to the amendment application.	31 32

[s 28]

230A Public notification—addition of mining lease	1
(1) This section applies if—	2
(a) an amendment application is for an	3
environmental authority for a mining	4
activity relating to a mining lease (the	5
<i>amendment application</i>); and	6
(b) the assessment level decision is that the	7
amendment is a major amendment; and	8
(c) the major amendment consists of the	9
addition of a mining lease; and	10
(d) at least 1 of the mining activities the subject	11
of the amendment application is an	12
ineligible ERA.	13
(2) The notice under section 229 must state that part	14
5, division 3 applies to the amendment	15
application.	16
(3) For subsection (2), part 5, division 3 applies as if	17
a reference to a site-specific application for a	18
mining activity relating to a mining lease were a	19
reference to the amendment application.	20
 230B Public notification—major amendment other	21
 than addition of mining lease	22
(1) This section applies if—	23
(a) an amendment application is for an	24
environmental authority for a mining	25
activity relating to a mining lease (the	26
<i>amendment application</i>); and	27
(b) the assessment level decision is that the	28
amendment is a major amendment; and	29
(c) the major amendment does not consist of the	30
addition of a mining lease; and	31

-
- (d) at least 1 of the mining activities the subject of the amendment application is an ineligible ERA.
- (2) The notice under section 229 must state that part 5, division 3, other than section 182(3), applies to the amendment application.
- (3) For subsection (2), part 5, division 3 applies as if a reference to a site-specific application for a mining activity relating to a mining lease were a reference to the amendment application.
- (4) In addition to issuing the draft documents for the application under section 182, the administering authority must give the applicant a written notice (the *major amendment notice*) stating each of the following—
- (a) the mining leases to which the amendment application relates;
- (b) the documents or other information the applicant is required to give to each affected person;
- (c) the number of the draft environmental authority or draft PRCP schedule, if any, issued under section 182;
- (d) that an eligible entity may object to the draft environmental authority or draft PRCP schedule mentioned in paragraph (c) under section 183;
- (e) that a person may lodge a submission about the draft environmental authority or draft PRCP schedule mentioned in paragraph (c) under section 184;
- (f) where the following documents may be inspected or accessed—
- (i) the documents and other information mentioned in paragraphs (b);
-

[s 28]

- (ii) the draft environmental authority and draft PRCP schedule mentioned in paragraph (c);
 - (iii) a document that shows—
 - (A) the boundary of the mining lease area of each mining lease to which the amendment application relates; and
 - (B) the boundary of the 125km eligibility zone for each mining lease to which the amendment application relates;
 - (g) the last day (the *last objection day*) for lodging—
 - (i) an objection mentioned in paragraph (d); or
 - (ii) a submission mentioned in paragraph (e).
- (5) The last objection day must be at least 20 business days after the major amendment notice is given to the applicant.
- (6) The applicant must give the following documents and information to each affected person—
 - (a) a copy of the major amendment notice;
 - (b) the documents and other information mentioned in subsection (4)(b).
- (7) The applicant must publish the major amendment notice in an approved newspaper circulating generally in the area of the subject land.
- (8) The publication must take place at least 15 business days before the last objection day.
- (9) The administering authority for the amendment application may decide an additional or substituted way, or a longer or shorter period, for

-
- the giving of the documents and other information 1
mentioned in subsection (6) or the publication of 2
the major amendment notice mentioned in 3
subsection (7). 4
- (10) If the administering authority makes a decision 5
under subsection (9)— 6
- (a) the administering authority must give the 7
applicant written notice of the decision no 8
later than the giving of the major 9
amendment notice to the applicant; and 10
- (b) the applicant must comply with the decision 11
instead of subsections (6) to (8). 12
- (11) Terms used in the definitions mentioned in 13
subsection (12) have the same meaning in the 14
definitions as they have in the Mineral Resources 15
Act, section 252A(7) and schedule 2. 16
- (12) In this section— 17
- 125km eligibility zone***, for a mining lease, means 18
the area of land outside the boundary of the lease 19
that is within 125km of any point along the 20
boundary of the lease. 21
- affected person*** means— 22
- (a) an owner of the subject land; or 23
- (b) an owner of land necessary for access to the 24
subject land; or 25
- (c) an owner of adjoining land; or 26
- (d) the relevant local government; or 27
- (e) an entity that provides infrastructure wholly 28
or partially on the subject land. 29
- approved newspaper*** means a newspaper 30
approved by the administering authority for the 31
amendment application. 32
- subject land*** means land the subject of each 33
-

[s 29]

	mining lease to which the amendment application relates.	1 2
Clause 29	Amendment of s 232 (Relevant application process applies)	3 4
(1)	Section 232(1), ‘Parts 3 to 5’— <i>omit, insert—</i> Parts 3 to 5, other than part 5, division 4,	5 6 7
(2)	Section 232(2), ‘part 4’— <i>omit, insert—</i> part 5, division 3	8 9 10
(3)	Section 232(2A)— <i>omit, insert—</i> (2A) Sections 139(2)(b) and 143A do not apply to the amendment application if the amendment application is for an environmental authority for a mining activity relating to a mining lease. (2B) Part 4 does not apply to the amendment application unless the notice given under section 229 states that part 4 applies to the amendment application as mentioned in section 230(2). (2C) Part 5, division 3 does not apply to the amendment application unless the notice given under section 229 states that part 5, division 3 applies to the amendment application as mentioned in section 230A(2) or 230B(2).	11 12 13 14 15 16 17 18 19 20 21 22 23 24 25
(4)	Section 232(4), after ‘section 160,’— <i>insert—</i> an objection made under section 183, or a submission made under section 184,	26 27 28 29
(5)	Section 232(2A) to (4)— <i>renumber</i> as section 232(3) to (8).	30 31

Clause 30	Insertion of new ch 5, pt 7, div 5A	1
	Chapter 5, part 7—	2
	<i>insert—</i>	3
	Division 5A Process if proposed amendment relates to standard conditions only	4
		5
		6
	241A Approval of amendment application relating to standard conditions only	7
		8
	(1) This section applies to an application mentioned in section 226AB if the application is a properly made amendment application.	9
		10
		11
	(2) Within 5 business days after the application is made, the administering authority is taken to have decided to approve the application subject to the standard conditions for the relevant activities for the application.	12
		13
		14
		15
		16
Clause 31	Replacement of s 242 (Steps after deciding amendment application)	17
		18
	Section 242—	19
	<i>omit, insert—</i>	20
	242 Steps after deciding amendment application	21
	(1) This section applies if the administering authority—	22
		23
	(a) decides to approve an amendment application under section 172, 186 or 240; or	24
		25
		26
	<i>Note—</i>	27
	See section 232 for the application of sections 172 and 186 to an amendment application.	28
		29

[s 31]

- (b) is taken to have decided to approve the amendment application under section 241A; or
 - (c) issues under section 182 a draft environmental authority and draft PRCP schedule but has not received an objection made under section 183 or a submission made under section 184 relating to the draft documents.
- (2) The administering authority must—
 - (a) amend the environmental authority or PRCP schedule to give effect to the amendment; and
 - (b) issue the amended environmental authority or PRCP schedule to the applicant; and
 - (c) include a copy of the amended environmental authority or PRCP schedule in the relevant register.
- (3) The action mentioned in subsection (2) must be taken within 5 business day after—
 - (a) for subsection (1)(a)—the decision is made; or
 - (b) for subsection (1)(b)—the decision is taken to have been made; or
 - (c) for subsection (1)(c)—the last objection day mentioned in section 183(4) relating to the amendment application.
- (4) Subsection (5) applies if the administering authority decides to—
 - (a) refuse the application; or
 - (b) make an amendment, other than an amendment agreed to by the applicant.
- (5) The administering authority must, within 5 business days after the application is refused, or

[s 32]

	the amendment is made, give the applicant an information notice about the decision.	1 2
	(6) If the amendment application mentioned in subsection (1)(a) or (b) relates to adding a new mining lease and section 230A does not apply, the administering authority must give the MRA chief executive—	3 4 5 6 7
	(a) a notice stating the amended environmental authority has been issued; and	8 9
	(b) a copy of the amended environmental authority.	10 11
Clause 32	Amendment of s 540 (Registers to be kept by administering authority)	12 13
	Section 540(1)(a)—	14
	<i>insert—</i>	15
	(xiii) draft environmental authorities issued under section 182(2)(a);	16 17
	(xiv) draft PRCP schedules issued under section 182(2)(b).	18 19
Clause 33	Amendment of s 555 (Electronic system for automatically issuing particular environmental authority)	20 21
	Section 555(1), after ‘section 169A’—	22
	<i>insert—</i>	23
	, or an amendment application mentioned in section 241A,	24 25
Clause 34	Insertion of new ch 13, pt 37	26
	Chapter 13—	27
	<i>insert—</i>	28

[s 34]

Part 37	Transitional provisions	1
	for Mineral Resources	2
	and Other Legislation	3
	Amendment Act 2026	4

Division 1	Preliminary	5
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863 Definitions for part	6
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In this part—	7
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<i>amendment Act</i> means the <i>Mineral Resources</i>	8
<i>and Other Legislation Amendment Act 2026</i> .	9

<i>former</i> , in relation to a provision of this Act,	10
means the provision as in force from time to time	11
before the commencement.	12

<i>new</i> , in relation to a provision of this Act, means	13
the provision as in force from the commencement.	14

Division 2	Standard applications and	15
	variation applications for a	16
	mining activity relating to a	17
	mining lease	18

864 Standard application or variation application	19
made before commencement	20

(1) This section applies if—	21
------------------------------	----

(a) before the commencement, a standard	22
application or a variation application for a	23
mining activity relating to a mining lease	24
was made under section 125 (each the	25
<i>application</i>); and	26

-
- (b) immediately before the commencement, the Land Court had not made an objections decision for the application under former section 190. 1
2
3
4
 - (2) The administering authority must decide the application under new section 169A and section 171. 5
6
7
 - (3) A submission taken to be an objection to the application under former section 182(2) in relation to the application is of no effect for new chapter 5, part 4. 8
9
10
11
 - (4) A request by the applicant under former section 183(1)(a) that the administering authority refer the application to the Land Court is of no effect. 12
13
14
 - (5) If the application has been referred to the Land Court under former section 185— 15
16
 - (a) the referral is no effect; and 17
 - (b) the Land Court must remit the application to the administering authority to decide the application under new section 169A and section 171. 18
19
20
21
 - (6) Subsection (7) applies if, before the commencement, the Land Court— 22
23
 - (a) fixed a date for an objections decision hearing relating to the application; and 24
25
 - (b) gave written notice of the date for the objections decision hearing to the parties to the proceeding under former section 186. 26
27
28
 - (7) The Land Court must give a written notice to the parties to the proceeding under former section 186 stating the following— 29
30
31
 - (a) the referral under former section 185 is of no effect; 32
33
-

[s 34]

(b) the date mentioned in subsection (6)(a) is vacated;	1 2
(c) the administering authority is required to decide the application under new section 169A and section 171.	3 4 5
(8) The notice mentioned in subsection (7) must be given within 7 business days after the commencement.	6 7 8
Division 3	
Site-specific applications for a mining activity relating to a mining lease	9 10 11
865 Definition for division	12
In this division—	13
<i>site-specific application</i> , for a mining activity relating to a mining lease, includes an amendment application to which former chapter 5, parts 3 to 5 applies under former section 232(1).	14 15 16 17
866 Application made and not referred to Land Court before commencement	18 19
(1) This section applies if—	20
(a) before the commencement, a site-specific application for a mining activity relating to a mining lease application was made under section 125 or 224 (the <i>application</i>); and	21 22 23 24
(b) immediately before the commencement, the administering authority had not referred the application under former section 185 to the Land Court for an objections decision.	25 26 27 28
(2) Former chapter 5, part 4 and former sections 181, 182 and 183 continue to apply in relation to the	29 30

application as if the amendment Act had not been
enacted.

- (3) However, if, before or after the commencement,
an entity lodges with the administering authority
an objection notice under former section 182, the
objection is taken to be an objection to the draft
documents for the application made under new
section 183.
- (4) The administering authority must decide the
application under new chapter 5, part 5, division
3, subdivision 3.
- (5) The Land Court must hear and determine any
referral to the Land Court under new section
186(1)(c), relating to the application, under new
chapter 5, part 5, division 3, subdivision 4.

867 Referral to Land Court made before commencement if objections decision hearing not started

- (1) This section applies if—
 - (a) before the commencement, the
administering authority made, under former
section 185(3), a referral to the Land Court
for an objections decision hearing for an
objections decision relating to a site-specific
application for a mining activity relating to a
mining lease (the *application*); and
 - (b) immediately before the commencement, the
Land Court had not—
 - (i) started the objections decision hearing
mentioned in subsection (1)(a); or
 - (ii) made any other order or direction in
relation to the objections decision
hearing mentioned in subsection (1)(a),
other than fixing a date for the hearing.

[s 34]

- (2) The referral under former section 185(3) is taken never to have been made and the referral under former section 185 is of no effect.
- (3) The administering authority must decide the application under new chapter 5, part 5, division 3, subdivision 3.
- (4) The Land Court must hear and determine any referral to the Land Court under new section 186(1)(c), relating to the application, under new chapter 5, part 5, division 3, subdivision 4.
- (5) A submission taken to be an objection under former section 182 in relation to the application is taken to be an objection to the draft documents for the application made under new section 183.
- (6) Subsection (7) applies if, before the commencement, the Land Court—
 - (a) fixed a date for the objections decision hearing mentioned in subsection (1)(a); and
 - (b) gave written notice of the date for the objections decision hearing to the parties to the proceeding under former section 186.
- (7) The Land Court must give a written notice to the parties to the proceeding under former section 186 stating the following—
 - (a) the referral under former section 185 is of no effect;
 - (b) the date mentioned in subsection (6)(a) is vacated;
 - (c) the administering authority is required to make a decision under new chapter 5, part 5, division 3, subdivision 3 in relation to the draft documents for the application.
- (8) The notice mentioned in subsection (7) must be given within 7 business days after the commencement.

- 868 Referral to Land Court made before commencement if objections decision hearing started**
- (1) This section applies if—
- (a) before the commencement—
- (i) the administering authority made, under former section 185(3), a referral to the Land Court for an objections decision hearing for an objections decision relating to a site-specific application for a mining activity relating to a mining lease (the *application*); and
- (ii) the Land Court had fixed a date for the objections decision hearing mentioned in subparagraph (i); and
- (b) immediately before the commencement, the Land Court—
- (i) had—
- (A) started the objections decision hearing mentioned in subsection (1)(a)(i); or
- (B) made any other order or direction in relation to the objections decision hearing mentioned in subsection (1)(a)(i), other than fixing a date for the hearing; and
- (ii) had not made an objections decision under former chapter 5, part 5, division 3, subdivision 3 in relation to the application.
- (2) The Land Court must continue to hear, and determine, the referral under former chapter 5, part 5, division 3, subdivision 3 as if the amendment Act had not been enacted.

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- (3) The administering authority must decide the application under former chapter 5, part 5, division 3, subdivision 4 as if the amendment Act had not been enacted. 1 2 3 4
- (4) An environmental authority issued under subsection (3) is taken to be an environmental authority issued under new chapter 5, part 5, division 3. 5 6 7 8
- (5) A PRCP schedule issued under subsection (3) is taken to be a PRCP schedule issued under new chapter 5, part 5, division 3. 9 10 11

869 Objections decision made before commencement

- (1) This section applies if— 12 13
 - (a) before the commencement, the Land Court made an objections decision under former chapter 5, part 5, division 3, subdivision 3 in relation to a site-specific application for a mining activity relating to a mining lease (the *application*); and 15 16 17 18 19 20
 - (b) immediately before the commencement, the administering authority had not made a decision under former chapter 5, part 5, division 3, subdivision 4 taking into account the Land Court's objection decision as required under former section 194B(1)(a)(i). 21 22 23 24 25 26
- (2) The administering authority must decide the application under former chapter 5, part 5, division 3, subdivision 4 as if the amendment Act had not been enacted. 27 28 29 30
- (3) An environmental authority issued under subsection (2) is taken to be an environmental authority issued under new chapter 5, part 5, division 3. 31 32 33 34

- (4) A PRCP schedule issued under subsection (2) is
taken to be a PRCP schedule issued under new
chapter 5, part 5, division 3.

Clause 35	Amendment of sch 2 (Original decisions)	4
(1)	Schedule 2, part 1, division 3, entry for section 155(a), from ‘, other’—	5
	<i>omit.</i>	6
(2)	Schedule 2, part 1, division 3, entry for section 159(2) and (3), ‘or proposed PRC plan’—	7
	<i>omit.</i>	8
(3)	Schedule 2, part 1, division 3, entries for sections 171(2), 172(2)(a), second occurring and 172(2)(b), from ‘, other’ to ‘lease,’—	9
	<i>omit.</i>	10
(4)	Schedule 2, part 1, division 3, entry for section 234, ‘or PRCP schedule’—	11
	<i>omit.</i>	12
(5)	Schedule 2, part 1, division 3—	13
	<i>insert—</i>	14

172(3) imposition of a condition on, or the making of an amendment of, a PRCP schedule relating to an environmental authority, if the condition or amendment is not the same, or to the same effect, as a condition or amendment agreed to by the applicant

[s 36]

- 186(1)(a) imposition of a condition on an environmental authority for a mining activity relating to a mining lease, or imposition of a condition on, or the making of an amendment of, a PRCP schedule relating to the environmental authority, if the condition or amendment is not the same, or to the same effect, as a condition or amendment agreed to by the applicant (but only if the Land Court has not made a recommendation under section 192 relating to the draft documents for the application)
- 186(1)(b) decision to refuse a site-specific application for a mining activity relating to a mining lease (but only if the Land Court has not made a recommendation under section 192 relating to the draft documents for the application)

Clause 36	Amendment of sch 4 (Dictionary)	1
(1)	Schedule 4, definitions <i>draft environmental authority</i> , <i>objection notice</i> , <i>objections decision</i> , <i>objections decision hearing</i> and <i>objector</i> —	2
	<i>omit.</i>	3
(2)	Schedule 4—	4
	<i>insert—</i>	5
	<i>draft documents</i> , for a site-specific application for a mining activity relating to a mining lease, means—	6
	(a) the draft environmental authority; and	7
	(b) the draft PRCP schedule.	8
	<i>draft environmental authority</i> , for a site-specific application for a mining activity relating to a mining lease, means the draft environmental authority issued under section 182(2)(a) in relation to the application.	9
	<i>draft PRCP schedule</i> , for a site-specific application for a mining activity relating to a	10
		11
		12
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-
- mining lease, means the draft PRCP schedule
issued under section 182(2)(b) in relation to the
application.
- eligible entity***, for a site-specific application for a
mining activity relating to a mining lease, see
section 180.
- last objection day***—
- (a) stated in a mining lease notice for an
application for a mining lease, see section
180; or
- (b) stated in a major amendment notice under
section 230B(4), see section 230B(4)(g).
- mining lease notice***, for an application for a
mining lease, for chapter 5, part 5, division 3, see
section 180.
- MRA chief executive*** means the chief executive
of the department in which the Mineral Resources
Act is administered.
- properly made objection***, to a draft document for
a site-specific application for a mining activity
relating to a mining lease, means an objection to
the draft document lodged under section 183 that
has not been withdrawn.
- (3) Schedule 4, definition *regulatory requirement*, paragraph
(c)—
omit, insert—
- (c) the Land Court to make a recommendation
under section 192.
- (4) Schedule 4, definition *replacement environmental authority*,
paragraph (b), ‘section 242(1)(b)’—
omit, insert—
section 242(2)(b)

[s 37]

Part 3	Amendment of Mineral Resources Act 1989	1
		2
Clause 37	Act amended	3
	This part amends the <i>Mineral Resources Act 1989</i> .	4
	<i>Note—</i>	5
	See also the amendments in schedule 1.	6
Clause 38	Replacement of s 252 (Issue of mining lease notice)	7
	Section 252—	8
	<i>omit, insert—</i>	9
	252 Issue of mining lease notice	10
	(1) This section applies if the chief executive is	11
	satisfied the applicant for the grant of a mining	12
	lease—	13
	(a) is eligible to apply for the mining lease; and	14
	(b) has complied with the requirements of this	15
	Act for the application; and	16
	(c) is not disqualified under the Common	17
	Provisions Act, chapter 7 from being	18
	granted the mining lease; and	19
	(d) either—	20
	(i) if the applicant has made a site-specific	21
	application relating to the mining lease	22
	application—has been issued under the	23
	Environmental Protection Act, section	24
	182(2) both of the following	25
	documents—	26
	(A) a draft environmental authority;	27
	(B) a draft PRCP schedule; or	28

-
- (ii) if the applicant has made a standard application or a variation application relating to the mining lease application—has been issued an environmental authority under the Environmental Protection Act, section 195; or
- (iii) if the applicant has made an amendment application—has been issued an amended environmental authority under the Environmental Protection Act, section 242.
- (2) The chief executive must give the applicant a written notice for the application (the ***mining lease notice***).
- (3) The mining lease notice must state each of the following—
- (a) the number of the proposed mining lease;
 - (b) the date and time the mining lease application was lodged;
 - (c) the documents or other information, other than the documents mentioned in section 252A(1)(a) or (b), the applicant is required to give to each affected person under section 252A;
 - (d) that an eligible entity may lodge an objection to the mining lease application under section 260;
 - (e) if subsection (1)(d)(i) applies—
 - (i) the number of the draft environmental authority and draft PRCP schedule; and
 - (ii) that an eligible entity may object to the draft environmental authority and draft PRCP schedule under the
-

[s 38]

Environmental Protection Act, section 183; and	1 2
(iii) that a person may lodge a submission about the draft environmental authority and draft PRCP schedule under the Environmental Protection Act, section 184;	3 4 5 6 7
(f) if subsection (1)(d)(ii) applies—the number of the environmental authority;	8 9
(g) if subsection (1)(d)(iii) applies—the number of the amended environmental authority;	10 11
(h) where the following documents may be inspected or accessed—	12 13
(i) the documents and other information the applicant is required to give to an affected person under section 252A(1);	14 15 16
(ii) a document that shows—	17
(A) the boundary of the proposed lease area; and	18 19
(B) the boundary of the 125km eligibility zone for the proposed mining lease;	20 21 22
(iii) any additional information the applicant is required under section 386J to give the chief executive relating to the application;	23 24 25 26
(iv) if subsection (1)(d)(i) applies—the draft environmental authority and draft PRCP schedule;	27 28 29
(i) the last day (the <i>last objection day</i>) for lodging—	30 31
(i) an objection mentioned in paragraph (d) or (e)(ii); or	32 33

	(ii) a submission mentioned in paragraph (e)(iii).	1 2
	(4) The last objection day must be at least 20 business days after the mining lease notice is given to the applicant.	3 4 5
	(5) In this section—	6
	<i>amendment application</i> see the Environmental Protection Act, section 224.	7 8
	<i>standard application</i> see the Environmental Protection Act, section 122.	9 10
	<i>variation application</i> see the Environmental Protection Act, section 123.	11 12
Clause 39	Amendment of s 252A (Giving and publication of mining lease notice and other information)	13 14
	(1) Section 252A(1)(c), from ‘stated’—	15
	<i>omit, insert—</i>	16
	required under section 252(3)(c) to be given to each affected person.	17 18
	(2) Section 252A(3)—	19
	<i>omit, insert—</i>	20
	(3) The applicant for a proposed mining lease must publish a copy of the mining lease notice in an approved newspaper circulating generally in the area of the subject land.	21 22 23 24
Clause 40	Amendment of s 252C (Continuing obligation to notify)	25
	Section 252C(1)—	26
	<i>omit, insert—</i>	27
	(1) This section applies if the applicant for a mining lease gives the chief executive an additional document about the application in the period—	28 29 30

[s 41]

	(a) starting on the day the mining lease notice is given to the applicant under section 252(2); and	1 2 3
	(b) ending on the last objection day for the application.	4 5
Clause 41	Amendment of s 260 (Objection to application for grant of mining lease)	6 7
	(1) Section 260(1), before ‘entity’— <i>insert—</i>	8 9
	eligible	10
	(2) Section 260(3), ‘shall’— <i>omit, insert—</i>	11 12
	must	13
	(3) Section 260(4)— <i>omit, insert—</i>	14 15
	(4) The grounds of objection must relate to 1 or more matters the Minister is able to consider under section 271(1).	16 17 18
	(5) The eligible entity must give a copy of the objection to the applicant on or before the last objection day for the application.	19 20 21
	(6) In this section— <i>eligible entity</i> means—	22 23
	(a) an affected person under section 252A(7); or	24 25
	(b) an occupier of land wholly or partly within the area of the proposed mining lease; or	26 27
	(c) an owner or occupier of land wholly or partly within the 125km eligibility zone for the proposed mining lease.	28 29 30

Clause 42	Omission of ss 265 and 267A–269	1
	Sections 265 and 267A to 269—	2
	<i>omit.</i>	3
Clause 43	Replacement of s 271 (Criteria for deciding mining lease application)	4
	Section 271—	5
	<i>omit, insert—</i>	6
	271 Criteria for deciding mining lease application	7
	(1) In considering an application for the grant of a mining lease, the Minister must consider whether—	8
	(a) the provisions of this Act have been complied with; and	9
	(b) the area of land applied for is mineralised or the other purposes for which the lease is sought are appropriate; and	10
	(c) if the land applied for is mineralised, there will be an acceptable level of development and utilisation of the mineral resources within the area applied for; and	11
	(d) the land and the surface area of the land in respect of which the mining lease is sought are of an appropriate size and shape in relation to—	12
	(i) the matters mentioned in paragraphs (b) and (c); and	13
	(ii) the type and location of the activities proposed to be carried out under the lease and their likely impact on the surface of the land; and	14
	(e) the term sought is appropriate; and	15

[s 43]

- (f) the applicant has the necessary financial and technical capabilities to carry on mining operations under the proposed mining lease; and 1
2
3
4
- (g) the past performance of the applicant has been satisfactory; and 5
6
- (h) any disadvantage may result to the rights of— 7
8
 - (i) holders of existing exploration permits or mineral development licences; or 9
10
 - (ii) existing applicants for exploration permits or mineral development licences; and 11
12
13
- (i) the operations to be carried on under the authority of the proposed mining lease will conform with sound land use management; and 14
15
16
17
- (j) the public right and interest will be prejudiced; and 18
19
- (k) taking into consideration the current and prospective uses of that land, the proposed mining operation is an appropriate land use. 20
21
22
- (2) Also, the Minister must consider— 23
 - (a) any properly made objection to the application to the extent the objection is relevant to the matters the Minister is able to consider under subsection (1); and 24
25
26
27
 - (b) any recommendation of the Land Court made under section 274A relating to the application; and 28
29
30
 - (c) whether there is any other good reason for rejecting the application. 31
32
- (3) Despite subsection (1) and section 386M, the Minister must not consider a criterion mentioned 33
34

	in subsection (1) or section 386M to the extent the	1
	criterion relates to environmental harm.	2
	(4) To remove any doubt, it is declared that the	3
	Minister is required to consider a criterion under	4
	this section for the purpose of exercising or not	5
	exercising a power under section 271A only to the	6
	extent the Minister considers necessary.	7
	(5) In this section—	8
	<i>environmental harm</i> see the Environmental	9
	Protection Act, section 14.	10
Clause 44	Amendment of s 271A (Deciding mining lease	11
	application)	12
	(1) Section 271A(1)(c)—	13
	<i>omit, insert—</i>	14
	(c) make a referral to the Land Court to conduct	15
	a hearing on—	16
	(i) the application generally; or	17
	(ii) a specific matter stated by the Minister.	18
	(2) Section 271A—	19
	<i>insert—</i>	20
	(1A) However, the chief executive may make a referral	21
	to the Land Court under subsection (1)(c) only if	22
	the chief executive has received a properly made	23
	objection to the application.	24
	(3) Section 271A(2), ‘However’—	25
	<i>omit, insert—</i>	26
	Also	27
	(4) Section 271A(3), ‘Also’—	28
	<i>omit, insert—</i>	29
	In addition	30

[s 45]

Clause 45	Amendment of s 271AB (Application for later specific purpose mining lease or transportation mining lease)	1
		2
	Section 271AB, heading—	3
	<i>omit, insert—</i>	4
	271AB Deciding application for specific purpose mining lease or transportation mining lease if consent not obtained	5
		6
		7
Clause 46	Insertion of new s 271C	8
	After section 271B—	9
	<i>insert—</i>	10
	271C Referral to Land Court	11
	(1) This section applies if the Minister decides under section 271A(1)(c) to make a referral to the Land Court to conduct a hearing on—	12
		13
		14
	(a) a mining lease application generally; or	15
	(b) a specific matter stated by the Minister.	16
	(2) The chief executive must make the referral by filing with the registrar of the Land Court—	17
		18
	(a) a notice, in the approved form, making the referral; and	19
		20
	(b) a copy of the mining lease application; and	21
	(c) a copy of any additional information given by the applicant under section 386J(1)(b); and	22
		23
		24
	(d) either—	25
	(i) for a hearing mentioned in subsection (1)(a)—a copy of each properly made objection to the mining lease application; or	26
		27
		28
		29
	(ii) for a hearing mentioned in subsection (1)(b)—a copy of each properly made	30
		31

[s 47]

objection to the mining lease 1
application to the extent the Minister 2
considers the objection relevant to the 3
specific matter. 4

- (3) If there is a site-specific application relating to the 5
mining application, the chief executive must give 6
notice of the referral to the EPA administering 7
authority for the site-specific application within 5 8
business days after making the referral. 9

**Clause 47 Replacement of s 272 (Minister may remit to Land Court 10
for additional evidence) 11**

Section 272— 12

omit, insert— 13

272 Land Court must fix date for hearing 14

- (1) This section applies if the chief executive makes a 15
referral to the Land Court under section 271C(2). 16
- (2) The Land Court must fix a date for the hearing and 17
immediately give written notice of the date to 18
each of the following— 19
- (a) the chief executive; 20
- (b) if the applicant has made a site-specific 21
application for a mining activity relating to a 22
mining lease—the EPA administering 23
authority for the mining lease application; 24
- (c) the applicant; 25
- (d) either— 26
- (i) for a hearing mentioned in section 27
271C(1)(a)—each person whose 28
properly made objection was filed 29
under section 271C(2)(d)(i); or 30
- (ii) for a hearing mentioned in section 31
271C(1)(b)—each person whose 32

[s 48]

	properly made objection was filed	1
	under section 271C(2)(d)(ii).	2
	(3) The date must be at least 20 business days after	3
	the day the Land Court fixes the date.	4
Clause 48	Relocation and renumbering of s 273 (Restriction on	5
	grant of mining lease that does not include surface of	6
	land)	7
	Section 273—	8
	<i>renumber</i> and <i>relocate</i> as section 271AC.	9
Clause 49	Insertion of new ss 273 to 274C	10
	After section 272—	11
	<i>insert</i> —	12
	273 Hearing by Land Court	13
	(1) In conducting a hearing referred to the Land Court	14
	under section 271C(2), the Land Court must—	15
	(a) for a hearing mentioned in section	16
	271C(1)(a)—determine the relative merits	17
	of the mining lease application and any	18
	properly made objections filed under section	19
	271C(2)(d)(i); or	20
	(b) for a hearing mentioned in section	21
	271C(1)(b)—determine the relative merits	22
	of the specific matter and any properly made	23
	objections filed under section	24
	271C(2)(d)(ii).	25
	(2) Nothing in subsection (1) prevents—	26
	(a) the adjournment from time to time of a	27
	hearing; or	28
	(b) the question of compensation being	29
	determined by the Land Court under section	30
	279.	31

- (3) The Minister may, at any time, ask the Land Court to tell the Minister why a hearing under this section has not been finalised.

274 Striking out objections

- (1) This section applies to the extent an objection lodged under section 260 is—
 - (a) outside the jurisdiction of the Land Court; or
 - (b) frivolous or vexatious; or
 - (c) an abuse of process.
- (2) Despite sections 271A, 271C, 273 and 274A, the Land Court may, at any stage of the hearing, strike out all or part of the objection.

274A Recommendation by Land Court

- (1) The Land Court must, after conducting a hearing referred to the Land Court under section 271C(2), give the Minister the Land Court's recommendation about the referral.
- (2) If the hearing was a hearing mentioned in section 271C(1)(a), the recommendation to the Minister—
 - (a) must be to grant or reject the mining lease application in whole or in part; and
 - (b) may state any conditions to which the mining lease is recommended to be subject.
- (3) Also, if the hearing was a hearing mentioned in section 271C(1)(a) that related to land that is the surface of a reserve and the owner of the reserve has not consented to the grant of a mining lease over the surface area, the recommendation to the Minister—

[s 49]

- (a) must be to recommend to the Governor in Council to consent or not to consent to the grant over the surface area; and
 - (b) may state any conditions to which the mining lease is recommended to be subject.
- (4) However, if the hearing was a hearing mentioned in section 271C(1)(a) that related to an application for a coal mining lease for which, under section 318BA, a preference decision is required, the recommendation under subsection (2) can not be to grant the application so as to give preference to a petroleum development.
- (5) If the hearing was a hearing mentioned in section 271C(1)(b), the recommendation to the Minister must relate to the specific matter.
- (6) In making the recommendation to the Minister, the Land Court must take into account and consider only—
 - (a) for a hearing mentioned in section 271C(1)(a)—
 - (i) the matters the Minister is able to consider under section 271(1); and
 - (ii) each properly made objection filed under section 271C(2)(d)(i) to the extent the objection is relevant to the matters mentioned in subparagraph (i); or
 - (b) for a hearing mentioned in section 271C(1)(b)—
 - (i) the matters the Minister is able to consider under section 271(1) to the extent the matters are relevant to the specific matter; and
 - (ii) each properly made objection filed under section 271C(2)(d)(ii) to the

extent the objection is relevant to the	1
matters mentioned in subparagraph (i).	2
(7) The Land Court must give reasons for its	3
recommendation.	4
<i>Note—</i>	5
The Minister is required under section 271(2)(b) to	6
consider the Land Court's recommendation when	7
deciding to grant the mining lease or reject the	8
application under section 271A.	9
274B No recommendation required if no objections	10
remaining	11
(1) This section applies if, before the Land Court	12
makes a recommendation under section 274A, all	13
objections filed for the hearing under section	14
271C(2)(d) are—	15
(a) withdrawn under section 261; or	16
(b) struck out under section 274.	17
(2) The Land Court—	18
(a) must—	19
(i) for a hearing mentioned in section	20
271C(1)(a)—remit the application to	21
the Minister for a decision under	22
section 271A(1)(a) or (b); or	23
(ii) for a hearing mentioned in section	24
271C(1)(b)—remit the specific matter	25
to the Minister; and	26
(b) is not required to make a recommendation	27
under section 274A.	28
274C Consolidation of proceedings	29
(1) This section applies if, before the end of a hearing	30
on a mining lease application referred to the Land	31
Court under section 271C(2), a referral is made	32

[s 50]

	under the Environmental Protection Act, section 188(2) for a hearing by the Land Court on either of the following relating to a site-specific application relating to the mining lease application—	1 2 3 4 5
	(a) a draft environmental authority and draft PRCP schedule;	6 7
	(b) a specific matter stated by the EPA administering authority.	8 9
	(2) The Land Court may—	10
	(a) order that the proceedings be consolidated; or	11 12
	(b) order that the proceedings be heard together or in a particular sequence; or	13 14
	(c) give a direction the Land Court considers appropriate for the conduct of the proceeding or proceedings.	15 16 17
Clause 50	Amendment of s 275 (Application for inclusion of surface of area of mining lease)	18 19
	Section 275, heading ‘Application’—	20
	<i>omit, insert—</i>	21
	Subsequent application	22
Clause 51	Amendment of s 275A (Application for surface of restricted land to be included in mining lease)	23 24
	Section 275A, heading ‘Application’—	25
	<i>omit, insert—</i>	26
	Subsequent application	27

Clause 52	Amendment of s 279A (Minister may refuse to grant mining lease if compensation not determined)	1
		2
	(1) Section 279A(1)(d)(ii), ‘section 265’—	3
	<i>omit, insert—</i>	4
	section 271C(2)	5
	(2) Section 279A(1)(d)—	6
	<i>insert—</i>	7
	(ia) if an objection was lodged in relation to the	8
	application for the grant of the mining lease	9
	but no referral to the Land Court was made	10
	under section 271C(2)—the last objection	11
	day for the application; or	12
	(3) Section 279A(1)(d)(iii) and (iv)—	13
	<i>omit, insert—</i>	14
	(ii) if, under section 274A, the Land Court made	15
	a recommendation about the grant of the	16
	mining lease—the day the Land Court made	17
	the recommendation; or	18
	(iv) if, under section 274B(2)(a), the Land Court	19
	remitted a matter relating to the mining	20
	lease to the Minister—the day the Land	21
	Court remitted the matter; or	22
	(4) Section 279A(1)(d)(ia) to (v)—	23
	<i>renumber</i> as section 279A(1)(d)(iii) to (vi).	24
Clause 53	Amendment of s 318AAE (Limits on consideration and disclosure of Aurukun agreement in Land Court hearing)	25
		26
	(1) Section 318AAE(1)(a)—	27
	<i>omit, insert—</i>	28
	(a) if the Land Court is conducting a hearing	29
	referred to the Land Court under section	30
	271C(2); and	31

[s 54]

(2)	Section 318AAE(1)(b), ‘section 268(2)’—	1
	<i>omit, insert—</i>	2
	section 273(1)	3

Clause 54	Amendment of s 318CB (Restriction on issuing mining lease notice and additional requirements for grant)	4
		5
(1)	Section 318CB(1), ‘Section 252A’—	6
	<i>omit, insert—</i>	7
	Section 252	8
(2)	Section 318CB(2A), ‘section 252A’—	9
	<i>omit, insert—</i>	10
	section 252	11
(3)	Section 318CB(5)—	12
	<i>renumber</i> as section 318CB(6).	13
(4)	Section 318CB(2A)—	14
	<i>renumber</i> as section 318CB(5).	15

Clause 55	Omission of ch 12, pt 4C (Provisions about Byerwen mine)	16
		17
	Chapter 12, part 4C—	18
	<i>omit.</i>	19

Clause 56	Insertion of new ch 15, pt 24	20
	Chapter 15—	21
	<i>insert—</i>	22

Part 24	Transitional provisions	23
	for Mineral Resources	24
	and Other Legislation	25
	Amendment Act 2026	26

Division 1	Preliminary	1
902 Definitions for part		2
In this part—		3
<i>amendment Act</i> means the <i>Mineral Resources and Other Legislation Amendment Act 2026</i> .		4
<i>former</i> , in relation to a provision of this Act, means the provision as in force from time to time before the commencement of the transitional provision in which the term is used.		5
<i>new</i> , in relation to a provision of this Act, means the provision as in force from the commencement of the transitional provision in which the term is used.		6
<i>transitional provision</i> means a provision of this part.		7
Division 2	Provisions for Byerwen mine	16
903 Continuation in effect, and variation, of ML700066		17
(1) From the commencement, ML700066 continues in effect as if it had been granted by the Minister under section 271A on 1 September 2023.		18
(2) However, despite section 284(3), the initial term of ML700066 commenced on 1 September 2023.		19
(3) On the commencement, ML700066 is varied to remove the conditions included in the lease by former section 334ZJN(4), including a condition varied before the commencement as mentioned in former section 334ZJN(7).		20

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- (4) ML700066 as it continues in effect under this section—
 - (a) expires on 31 March 2030; and
 - (b) despite former section 334ZJN(3)(b) and (c), may be renewed or consolidated with another mining lease.
- (5) To remove any doubt, it is declared that this section applies despite any noncompliance with a provision of this Act in relation to the application for the mining lease mentioned in former section 334ZJN(1).
- (6) In this section—

ML700066 means the mining lease granted under former section 334ZJN(2).

904 Variation of other Byerwen mining leases

- (1) This section applies to each of the following—
 - (a) mining leases 70434, 70435, 70436 and 700058;
 - (b) any mining lease granted or renewed before the commencement in relation to an application mentioned in former section 334ZJP(1)(a) or (b).
- (2) On the commencement, the mining lease is varied to remove the conditions included in the lease by former section 334ZJO(2) or as required under former section 334ZJP(3).

905 How Act applies to variations under this division

This Act applies in relation to a variation of a mining lease under this division as if the variation had been made by the Minister under section 294(1) on the day of the commencement.

906 No compensation payable by the State	1
(1) No compensation is payable by the State to any person in connection with the enactment or operation of former chapter 12, part 4C or this division, or anything done to give effect to those provisions, other than as required under sections 279 and 280.	2 3 4 5 6 7
(2) This section applies despite any other Act or law.	8
 Division 3 Other provisions	 9
 907 Mining lease notice not issued before commencement	 10 11
(1) This section applies if—	12
(a) before the commencement, a mining lease application was made under section 232 (the <i>application</i>); and	13 14 15
(b) immediately before the commencement, the chief executive had not given the applicant a mining lease notice under former section 252 for the application.	16 17 18 19
(2) The chief executive must give the applicant a mining lease notice under new section 252 for the application.	20 21 22
(3) New chapter 6, part 1 applies in relation to the application.	23 24
 908 Mining lease notice issued before commencement	 25 26
(1) This section applies if—	27
(a) before the commencement—	28

[s 56]

- (i) a mining lease application was made under section 232 (the *application*); and
 - (ii) the chief executive gave the applicant a mining lease notice under former section 252 for the application; and
- (b) immediately before the commencement—
 - (i) the chief executive had not referred the application to the Land Court under former section 265(2) or (5); or
 - (ii) the Minister had not decided the application under former section 271A.
- (2) Former sections 252A, 252B, 252C, 253 and 260 continue to apply in relation to the application as if the amendment Act had not been enacted.
- (3) However, if, before or after the commencement, an entity lodges with the chief executive an objection to the application under former section 260, the objection is taken to be an objection to the application made under new section 260.
- (4) The Minister must decide the application under new sections 271 and 271A.
- (5) The Land Court must hear and determine any referral to the Land Court under new section 271A(1)(c), relating to the application, under new chapter 6, part 1.

909 Referral to Land Court made before commencement if hearing not started

- (1) This section applies if—
 - (a) before the commencement—
 - (i) the chief executive made, under former section 265(2) or (5), a referral to the Land Court for hearing the matters

-
- mentioned in former section 265(2)(a) 1
 - to (d) or (5) (the *hearing*); or 2
 - (ii) the Minister decided, under former 3
 - section 271A(1)(c), to refer the 4
 - application to the Land Court to 5
 - conduct a hearing or further hearing on 6
 - the application generally or on specific 7
 - matters raised by the Minister (also the 8
 - hearing*); and 9
 - (b) immediately before the commencement, the 10
 - Land Court had not— 11
 - (i) started the hearing; or 12
 - (ii) made any other order or direction in 13
 - relation to the hearing, other than 14
 - fixing a date for the hearing under 15
 - former section 265(7) or 272(2). 16
 - (2) The referral under former section 265(2) or (5) is 17
 - taken never to have been made. 18
 - (3) The decision under former section 271A(1)(c) is 19
 - taken never to have been made. 20
 - (4) The Minister must decide the application under 21
 - new sections 271 and 271A. 22
 - (5) The Land Court must hear and determine any 23
 - referral to the Land Court under new section 24
 - 271A(1)(c), relating to the application, under new 25
 - chapter 6, part 1. 26
 - (6) An objection made under former section 260 in 27
 - relation to the application is taken to be an 28
 - objection to the application made under new 29
 - section 260. 30
 - (7) Subsection (8) applies if, before the 31
 - commencement, the Land Court had— 32
 - (a) fixed a date for the hearing; and 33

[s 56]

- (b) given written notice of the date for the hearing to the persons mentioned in former section 265(7) or 272(2). 1
2
3
- (8) The Land Court must give a written notice to the persons mentioned in former section 265(7) or 272(2) stating the following— 4
5
6
 - (a) the referral under former section 265(2) or (5) or 271A(1)(c) is of no effect; 7
8
 - (b) the date mentioned in subsection (7)(a) is vacated; 9
10
 - (c) the Minister is required to make a decision under new section 271A in relation to the application. 11
12
13
- (9) The notice mentioned in subsection (8) must be given within 7 business days after the commencement. 14
15
16

910 Referral to Land Court made before commencement if hearing started

- (1) This section applies if— 17
18
 - (a) before the commencement— 19
20
 - (i) the chief executive made, under former section 265(2) or (5), a referral to the Land Court for hearing the matters mentioned in former section 265(2)(a) to (d) or (5) (the *hearing*); and 21
22
23
24
25
 - (ii) the Land Court had, under former section 265(7), fixed a date for the hearing; and 26
27
28
 - (b) immediately before the commencement, the Land Court— 29
30
 - (i) had— 31
32
 - (A) started the hearing; or

-
- (B) made any other order or direction 1
 - in relation to the hearing, other 2
 - than fixing a date for the hearing 3
 - under former section 265(7); and 4
 - (ii) had not made a recommendation on the 5
 - hearing under former section 269. 6
 - (2) The Land Court must continue to hear, and 7
 - determine, the referral under former chapter 6, 8
 - part 1 as if the amendment Act had not been 9
 - enacted. 10
 - (3) The Minister must decide the application under 11
 - former chapter 6, part 1 as if the amendment Act 12
 - had not been enacted. 13
 - (4) A decision made under subsection (3) is taken to 14
 - be a decision made under new chapter 6, part 1. 15

**911 Recommendation of Land Court made before 16
commencement 17**

- (1) This section applies if— 18
 - (a) before the commencement, the Land Court 19
 - made a recommendation under former 20
 - section 269 in relation to a mining lease 21
 - application (the *application*); and 22
 - (b) immediately before the commencement, the 23
 - Minister had not made a decision under 24
 - former section 271A(1) on the application 25
 - taking into account the Land Court's 26
 - recommendation as required under former 27
 - section 271(a). 28
- (2) The Minister must decide the application under 29
 - former chapter 6, part 1 as if the amendment Act 30
 - had not been enacted. 31
- (3) A decision made under subsection (2) is taken to 32
 - be a decision made under new chapter 6, part 1. 33

[s 57]

Clause 57	Amendment of sch 2 (Dictionary)	1
(1)	Schedule 2, definitions <i>accommodates</i> , <i>Byerwen mine</i> , <i>Byerwen mine project</i> , <i>Glenden</i> , <i>ML700066</i> , <i>rostered worker</i> and <i>worker</i> —	2 3 4
	<i>omit</i> .	5
(2)	Schedule 2—	6
	<i>insert</i> —	7
	<i>125km eligibility zone</i> , for a proposed mining lease, means the area of land outside the boundary of the lease that is within 125km of any point along the boundary of the lease.	8 9 10 11
	<i>properly made objection</i> , to a mining lease application, means an objection to the application lodged under section 260 that has not been withdrawn.	12 13 14 15
	<i>site-specific application</i> means a site-specific application for a mining activity relating to a mining lease as mentioned in the Environmental Protection Act, section 181.	16 17 18 19
(3)	Schedule 2, definition <i>last objection day</i> , paragraph (b), 'section 252(3)(e)'—	20 21
	<i>omit, insert</i> —	22
	section 252(3)(i)	23

Part 4	Other amendments	24
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Clause 58	Acts amended	25
	Schedule 1 amends the Acts it mentions.	26

Schedule 1	Other amendments	1
	section 58	2
	Environmental Protection Act 1994	3
1	Section 126D(2)(b)(i), ‘relevant resource tenure’—	4
	<i>omit, insert—</i>	5
	relevant tenure	6
2	Section 171(2)(a), ‘different to’—	7
	<i>omit, insert—</i>	8
	different from	9
3	Section 173(4), ‘sections 170, 171 and 172’—	10
	<i>omit, insert—</i>	11
	sections 171 and 172	12
4	Section 213(1)(d), ‘different to’—	13
	<i>omit, insert—</i>	14
	different from	15
5	Section 234(1), ‘sections 153(1)(g) and 154’—	16
	<i>omit, insert—</i>	17
	section 153(1)(g)	18

Land Court Act 2000

		1
1	Section 52A, definition <i>recommendatory provision</i>, paragraph (c), ‘subdivision 3’—	2
	<i>omit, insert—</i>	3
	subdivision 4	4
		5
2	Section 52A, definition <i>recommendatory provision</i>, paragraph (d)(ii), ‘sections 265, 268 and 269’—	6
	<i>omit, insert—</i>	7
	sections 271C, 273 and 274A	8
		9
3	Section 52C(3)(f), ‘section 78 or 268’—	10
	<i>omit, insert—</i>	11
	section 78 or 273	12
4	Section 52C(6), definition <i>relevant objection</i>, paragraph (b), ‘section 182’—	13
	<i>omit, insert—</i>	14
	section 183	15
		16
5	Schedule 2, definition <i>administrative function</i>, example 2, ‘section 269’—	17
	<i>omit, insert—</i>	18
	section 274A	19
		20

Mineral Resources Act 1989	1
1 Section 261(1)(b), ‘section 265’—	2
<i>omit, insert—</i>	3
sections 271C(2)	4
2 Section 299(7), from ‘Sections 232’ to ‘275’—	5
<i>omit, insert—</i>	6
Sections 232, 238, 245, 251 to 253, 260, 266 and	7
271 to 275	8
3 Section 307(3)(a), ‘section 265’—	9
<i>omit, insert—</i>	10
section 271C(2)	11
4 Section 318AAA(3), ‘271A(1)(c), 271B, 272, 273’—	12
<i>omit, insert—</i>	13
271AC, 271B	14
5 Section 318AAF, heading, ‘273’—	15
<i>omit, insert—</i>	16
271AC	17
6 Section 334ZJ(5)(g), note, ‘sections 269(4) and 271’—	18
<i>omit, insert—</i>	19
sections 271 and 274A(6)	20