

The Land Court of Queensland's first fully electronic hearing

The Land Court of Queensland recently conducted a six-day mining objection hearing (*Pembroke Olive Downs Pty Ltd v Sunland Cattle Co Pty Ltd & Ors*) completely online. The file was an eFile, that is, all documents were sent to the Court electronically and filed using the Court's document management system.

The hearing itself was conducted via Pexip videoconferencing software, and, at its peak, up to 14 external participants were in the conference. Four counsel appeared. A combination of Pexip and the Court's eTrial software was used to display and share documents, as well as manage exhibits. All parties uploaded documents to the site and the Court Registry and Associate managed the site. There were 450 exhibits.

Ordinarily, the Court would conduct a site inspection on the first day of the hearing, however due to restrictions on travel, the parties conducted a "virtual" site inspection using a helicopter to take footage of the site. On the first day of hearing, the Court and everyone in the videoconference watched flyover videos, which were accompanied by images showing the flight paths plotted over the mining lease application areas. During the videos, counsel for the applicant gave some commentary and noted points of particular interest which could also be seen on the images. This was a great alternative, particularly in this case, where the flyover allowed the Court to see more of the site than would have been possible if we had conducted the inspection in person, simply due to the large area of the mining lease application area.

Of note, there was a concurrent evidence session involving five experts, all in different locations. The concurrent evidence session lasted three days.

Given the nature of the issues and the number of participants, the potential for technical difficulties and delays was high. However, the Court encountered very few difficulties and the entire hearing ran smoothly.