

LAND COURT OF QUEENSLAND

PRACTICE DIRECTION No. 1 of 2012

Objectors Participation in Mining Hearings

1. This Practice Direction repeals and replaces Practice Direction No. 7 of 2009.
2. This Practice Direction applies to applications for mining claims, mining leases or additional surface areas of land to be included in mining leases where objections under the *Mineral Resources Act 1989* or the *Environmental Protection Act 1994* are involved.
3. The Court recognises that not all objectors desire to fully participate in the hearing process. To accommodate that, the Court is now able to offer objectors three options from which to choose their level of participation, as follows.
4. Level 1 objectors would rely upon their notice of objection only and would not attend the hearing.
5. Level 2 objectors, in addition to relying upon their notice of objection, would
 - (a) attend the hearing,
 - (b) not call evidence or cross-examine witnesses, and
 - (c) make submissions at the end of the hearing.
6. Level 3 objectors, in addition to relying upon their notice of objection, would
 - (a) attend the hearing,
 - (b) call evidence and cross-examine witnesses, and
 - (c) make submissions at the end of the hearing.
7. In all cases the following documents will be forwarded to an objector:
 - (a) Copies of Court orders and decisions, and
 - (b) Hearing notices
8. Objectors should complete and deliver the attached **Form 7** to indicate their level of participation in the Court proceedings.
9. Objectors may choose to change the level of their participation prior to the hearing, with at least twenty-eight (28) days notice to the Court.
10. Where an objector fails to make an election as set out above, the objector will be treated as a Level 3 objector.

Carmel MacDonald
President
2 April 2012