



# Environmental Defenders Office

Our ref: PR-01824

20 August 2025

Land Release Review Team  
Department of Natural Resources and Mines,  
Manufacturing and Regional and Rural Development

*By email only:* [Resources-Tenders@resources.qld.gov.au](mailto:Resources-Tenders@resources.qld.gov.au)

Dear Land Release Review Team,

## **Submission on the Land Release Review**

Environmental Defenders Office (**EDO**) welcomes the opportunity to make a submission on the land release review (the **Review**) proposed through the Queensland Government's Resources Cabinet Committee. EDO's response to the Review is focused on Queensland's international climate obligations and the potential challenges that could arise from the accelerated nature of the tender process.

EDO notes that the expansion of fossil fuel exploration and production is contrary to the scientific consensus on the urgent need to reduce greenhouse gas (**GHG**) emissions, Australia's international obligations to reduce emissions under the Paris Agreement and Australia's own domestic policy positions.

EDO is concerned that the proposed strategies to streamline the process of land releases for exploration run the risk of depriving communities due process through the substantially reduced timeline. EDO is also concerned that the regulatory streamlining proposed by the Review will lead to an increase in environmental harm and degradation by reducing the scrutiny which is applied to proponents as part of the tender application process.

In summary, EDO recommends the following:

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- **Recommendation 1:** The land release process should reflect Australia’s international obligations under the Paris Agreement, domestic policy objectives and scientific consensus by preventing any further fossil fuel exploration.
- **Recommendation 2:** The land release process should ensure that the timeline of the tender processes is sufficient to allow appropriate consideration of areas proposed to be released, scrutiny of each tender application and appraisal of the proponent.
- **Recommendation 3:** The Review should contain clear and genuine opportunities for community consultation as part of any land release process including a process to ensure First Nations People are afforded the opportunity to provide free, prior and informed consent.

The remainder of this submission provides greater detail to these recommendations.

**Recommendation 1: The land release process should reflect Australia’s international obligations under the Paris Agreement, domestic policy objectives and the scientific consensus on the need to stop fossil fuel exploration.**

Australia is a signatory to the Paris Agreement under the United Nations Framework Convention on Climate Change (**UNFCCC**). Under that Agreement, Australia has committed to emissions reduction targets and transition pathways that require a reduction in fossil fuel projects. The International Court of Justice’s (**ICJ**) recent advisory opinion, *Obligations of States in respect to Climate Change*,<sup>1</sup> held that state obligations go beyond climate specific treaties like the Paris Agreement. It says that states have a legal obligation to prevent climate harms outside as well as inside their national borders and have a responsibility to prevent all range of activities which contribute to global warming, including the production of fossil fuels.

Continuing to release land for exploration of fossil fuels undermines these commitments and obligations. The International Energy Agency has confirmed in its Net Zero Roadmap that, in order to achieve the Paris Agreement goal of limiting global warming to 1.5°C, no new coal and gas projects are required.

As one of the world’s largest fossil fuel exporters, Australia is under an obligation to cease approving new fossil fuel-related activities, including exploration, to prevent the creation of domestic or exported fossil fuel related GHG emissions.

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<sup>1</sup> International Court of Justice, *Summary of the Advisory Opinion of 23 July 2025: Obligations of States in respect of Climate Change* (Summary, 23 July 2025) <https://www.icj-cij.org/sites/default/files/case-related/187/187-20250723-sum-01-00-en.pdf>.

**Recommendation 2: The land release process should ensure that the timeline of the tender processes is sufficient to allow appropriate consideration of areas to proposed to be released, scrutiny of each application and appraisal of proponent.**

The reduction in timeframes in the land release process from 18 months to 9 months, combined with bi-annual release cycles, creates a substantial risk that inappropriate areas may be opened for exploration and that projects may be poorly conceptualised due to reduced preparation and assessment time.

The most significant reduction in time relates to the tender evaluation stage (a cut from 16 weeks to 8 weeks). The period for requests for further information by the Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development (the **Department**) is proposed to be reduced from 12 to 8 weeks. These reductions will impede the capacity of the Department to undertake a rigorous and considered assessment.

Exploration projects require robust preparation and assessment to ensure that technical, environmental, and social impacts are comprehensively understood. This preparation then informs a proponent's work program for an exploration project. It also assists both proponents and the Department in understanding whether a project may involve site-specific technical requirements or challenges.

Accelerating the timeline may result in proponents being unable to undertake detailed feasibility studies. This could result in poorly conceptualised projects proceeding with limited understanding of potential risks, thus increasing the likelihood of project failures and community opposition.

Internationally, research on large-scale resource projects shows that rushed approval processes are more prone to oversights, cost blowouts, and community opposition.<sup>2</sup> These risks are amplified in the exploration sector, where speculative or under-resourced operators can enter the system with minimal scrutiny. The tender application process is therefore an important check and balance allowing the Department to appraise the capability of proponents to carry out exploration activities.

**Recommendation 3: The Review should include clear and genuine opportunities for community consultation as part of any land release process including a process to ensure First Nations People are afforded the opportunity to provide free, prior and informed consent.**

It is essential that any land release process includes a robust procedure for stakeholder engagement. EDO supports the introduction of better notification for impacted communities. However, the process

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<sup>2</sup> Bent Flyvbjerg, 'Quality Control and Due Diligence in Project Management: Getting Decisions Right by Taking the Outside View' (2013) 31(9) *International Journal of Project Management* 760.

proposed in the Consultation Paper fails to afford the community an opportunity for community consultation.

The Review proposes a process whereby the Department will consult with industry proponents with respect to developing priority areas for exploration. The Consultation Paper also indicated that the Department will consider data available on GeoRes. This process fails to account for the full range of stakeholders impacted by exploration and resources production. In order to do so, the process should also consider community perspectives.

Australia has endorsed the UN Declaration on the Rights of Indigenous Peoples (**UNDRIP**),<sup>3</sup> Article 10 of which provides that there is an expectation of obtaining free, prior, and informed consent (**FPIC**) for activities affecting Indigenous lands and resources. Dramatically reducing the timeframe of tender processes will strain the ability of Indigenous communities to negotiate or provide consent that is genuinely free, prior, and informed. The reduced timeframes will also place greater pressure on native title holders and claimants when navigating the right to negotiate process.

The vast majority of exploration proposals are assessed and approved by standard environmental authority (**EA**) applications. Standard EA applications do not provide third parties with the right to make submissions with respect to the proposal. There are also no rights to appeal decisions to grant EAs in relation to exploration. It is therefore particularly crucial that these community members are able to have a say on the land release process. Reducing the timeframe of tender processes by such a significant amount will make providing input much more difficult for community members, which are often under-resourced.

EDO applauds the Review's goal of improving transparency in government decision making, and the proposal to improve community and landholder notifications. However, these amendments must be expanded to include meaningful community submission rights and sufficient timeframes for considering land releases to allow for community engagement. These objectives will be undermined in practice if communities do not have enough time to gather reliable evidence and to put together submissions which provide their fulsome feedback.

Yours sincerely,

**Environmental Defenders Office**

**Maeve Rose Parker**

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<sup>3</sup> Australian Human Rights Commission, *The Community Guide to the UN Declaration on the Rights of Indigenous Peoples* (Community Guide, 2010) Front-cover page  
[https://humanrights.gov.au/sites/default/files/document/publication/declaration\\_community\\_guide.pdf](https://humanrights.gov.au/sites/default/files/document/publication/declaration_community_guide.pdf).

