

'Land justice, environmental responsibility, and governance reform': How Indigenous peoples' land rights in Australia intersect with abandoned mine clusters

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The recently published article 'Abandoned mine clusters and their intersection with Indigenous peoples' land rights in Australia' by Unger, Burton and Kemp (2025) highlighted a critical issue in Australia's environmental policy that fails to support Indigenous communities in managing sites where mines have been abandoned. Abandoned mines, which are those that are no longer in use, are not reclaimed, and therefore have no responsible owner - by default, their obligations are left to landowners and governments. The significant cost to remediate the mines often leaves the sites abandoned indefinitely. Consequently, environmental impacts associated with abandoned mines including waste dumps, decaying infrastructure, abandoned pits, and contaminated water bodies continue to have profound impacts over many years.

Due to poor existing data research, there is no definite number of abandoned mines globally, but estimates exceed millions, with more than 50,000 in Australia. In Australia abandoned mines are likely to be situated on lands where Indigenous persons have legally recognised rights to the land, and these lands therefore are commonly impacted from abandoned mines. Studies in Canada, the US and Australia have found mines have had impacts on Indigenous communities such as from economic displacement, chronic radiation exposure, and inadequate compensation following loss to land and culture. Subsequently, cultural and social systems, health and safety, and traditional knowledge are impacted by the abandoned mine sites. The general observation from these studies is that Indigenous populations are more likely to experience negative impacts from mining and less likely to share any benefits; highlighting inequity and a need for measures to be implemented to support Indigenous communities that are located within the vicinity of abandoned mines.

Furthermore, most commonly, research on impacts and remediation efforts are on large scale mines, with small or clustered mines that still pose significant long term environmental and social impacts typically neglected. Therefore, within the Australian context it is critical to have research on cumulative impacts of dense clusters of small and medium abandoned mines, to implement policy strategies to mitigate these, with the need for support and consideration for Indigenous Communities.

Recent Findings on the Intersection between Indigenous Land and Abandoned Mines

Unger, Burton and Kemp (2025) investigated this research gap by examining how abandoned mines intersect with Indigenous people legally recognised land rights in Australia, using Queensland as a case study. The study developed a spatial analysis method to map and quantify the relationship between abandoned mines and Indigenous land rights in Queensland (Figure 1). Queensland has an estimated 15,000 abandoned mines, the majority of which are small to medium-sized historical sites that have received little regulatory attention. Comparing mine location data with information on legally recognised Indigenous land ownership that includes land rights legislation and native title was used to determine the degree of overlap between these sites and Indigenous lands.

The study found that **40.4% of Queensland is covered by two Land Acts and Native Title** instating Indigenous rights to land. The Native Title Act also means that rights and interests can be reinstated upon mining lease expiry, with impairment to rights requiring compensation. However, compensation is often unresolved. This is also made difficult as environmental assessment is not generally conducted before Native Title land claim so the condition of the site caused by abandoned mines is not documented at time of determination.

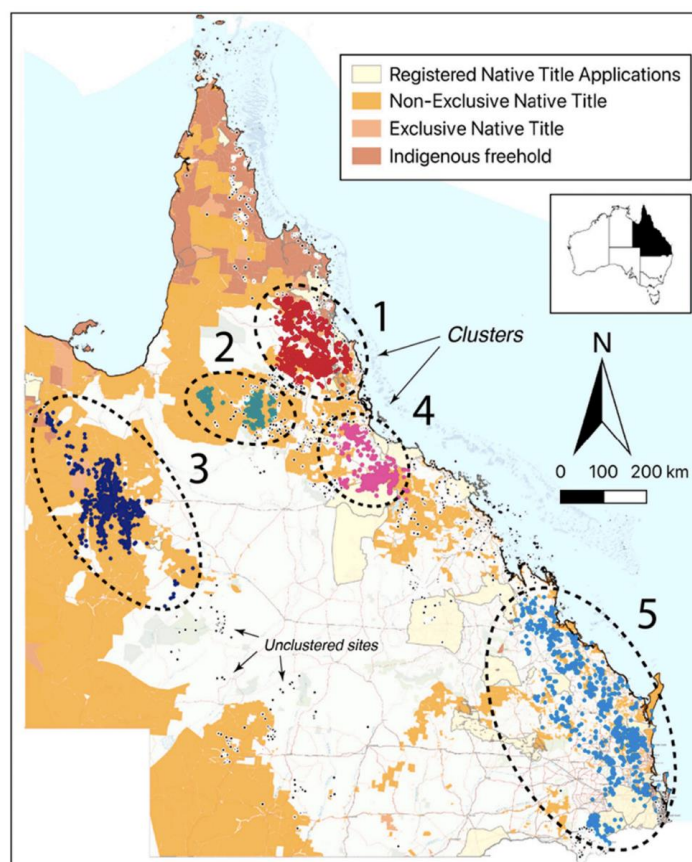


Figure 1. Clusters of major concentrations of abandoned mines in QLD. Source: Unger, Burton and Kemp 2025.

The results also reveal that **54.8% of Queensland's abandoned mines are located on land where Indigenous persons hold legally recognised rights**. The analysis identified five dense clusters of abandoned mines that require further investigation due to their potential cumulative impacts on surrounding environments and communities. These findings suggest that abandoned mining legacies disproportionately affect Indigenous landholders and may restrict how these lands can be used in Queensland. These findings are likely to be a common trend in other mining jurisdictions in Australia.

Future Recommendations

The study conducted highlighted the significant scale of the intersection of abandoned mines and Indigenous land rights, and the need to implement policy responses that address both environmental impacts and Indigenous land justice. Despite the dense clusters of small abandoned mines in Australia, policy and management addressing their impacts are negligible, with government practice continuing to prioritise further expansion of mining developments, exacerbating their cumulative impacts.

Prior efforts to make the mining industry more sustainable has failed to achieve meaningful progress to support and minimise impacts for Indigenous communities and abandoned mines. For example, the International Council on Mining and Metals, which many major mining operators within Australia are members of, has failed to explicitly address this intersection. Additionally, the Mining Minerals and Sustainable Development project report in 1998 observed that abandoned mines were 'poorly accounted for' and suggested Indigenous knowledge to be included on research of abandoned mines, mechanisms for funding that continues over generations be established, and strategies for managing mining legacies be inclusive of different stakeholders. However, minimal progress has been made on these recommendations. More recently, in 2024, the United Nations held a panel on critical energy transition minerals that suggested a global mining legacy fund should be implemented to improve financial assurance mechanisms for mining closure and remediation. Yet again, this fails to incorporate the intersection with Indigenous communities.

Furthermore, the history of marginalisation of Indigenous communities about mining projects, has corrupted trust and confidence in the mining industry and government policy and planning. Notably, Indigenous persons have reported feeling used as a tool to 'green' the mining industry, and powerless without meaningful participation, and are therefore more reluctant to attend consultation events. This presents the need for genuine effort to restore trust through actively engaging Indigenous communities in policy and governance planning, incorporating Indigenous knowledge and perspectives into environmental monitoring and rehabilitation efforts.

Ultimately, the article revealed the overlap between abandoned mines and Indigenous land, exposing the critical need for governance and policy to address this as a current, prevalent challenge. Adopting a more integrated approach to abandoned mine management that assesses cumulative impacts of smaller sized abandoned mines, rather than focusing exclusively on large legacy sites, should be incorporated into policy. Additionally, Indigenous participation should be strengthened in abandoned mine governance with active meaningful involvement in consultation, impact assessments, remediation planning, and long-term site management that supports the community, such as through the establishment of mechanisms for compensation.
