



The Miner's Right

The North Queensland Miner's Association Incorporated
Representing Miners, Prospectors and Associated Industries

November 2011

President's Comment November 2011

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Lyn Byrne
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Next Meeting:
Monday
14th November
12.30 pm

Mareeba Leagues
Club

DEEDI : Small Mining Platform

No further industry involvement has occurred since the 3rd June meeting in Brisbane. A teleconference is scheduled for Tuesday 15th November .

DERM Fees

DERM convened a workshop at Mareeba during October . I was unable to attend due to prior commitments . Vicky Lake will provide a brief summary elsewhere in this newsletter .

Native Title

The native title agreement efforts continue to be led by Paul Crossland . Paul has an update elsewhere in this newsletter

Land Court Decisions

Some interesting Land Court determinations are expected in the near future particularly in the Palmer Goldfields area. There is also a case developing where a grazier is pursuing compensation where a mining lease is wholly within the bed and bank of the Palmer River and therefore wholly within Unallocated State Land . This should be an interesting one to follow as the grazier is claiming they are entitled to compensation because of activities occurring on someone else's land .

AGM election Results

President – Ralph De Lacey
Vice President – Frank Markert
Treasurer – Terry Edwards
Secretary – Vicky Lake (assisted by Fiona Abbey)
Management Committee:-

- Fiona Abbey
- Paul Crossland
- Graham Byrne
- Paul Turpin
- Graham Steine
- Jeremy Belcher and Kathy Hughes

Miners Right – Lyn Byrne
Native Title – Paul Crossland
Environment – Paul Crossland
Mining Heritage – Graham Byrne
Water Management Groups – Graham Steine
Publicity Officer – Kathy (Pixie) Hughes
Gold panning Co-ordinator – Lyn Byrne

Next meeting Monday November 14th commencing at 12.30pm .
Regards
Ralph

Update on The Native Title Act Section 29 - Right To Negotiate by Paul.E.Crossland
(NQMA Native Title Officer and representative for Native Title matters)

The Batch 1 ancillary agreement negotiations for the Western Yalanji Claimed areas were been finalized 6th of July 2011. The draft ancillary agreement is currently being reviewed by the legal counsel for the NQMA and the North Queensland Aboriginal Land Council before release of it to the Western Yalanji native title claimants and the miners in the batch for their approval. Once all parties have indicated acceptance of the agreements, arrangements for the signing by each party will be finalized along with the signing of the Section 31 Deeds. After the s31 Deeds have been signed, the mining tenement applications can proceed to grant.

RTN Batch 2- the BarBarrum Peoples and the Olkola Peoples Areas.

BarBarrum Peoples Areas- There remains 1 mining tenure applicant to have a negotiated agreement. The NQLC legal counsel has been corresponding with me for arrangements regarding a negotiation meeting between the miner in this batch and the BarBarrum Peoples representatives and a meeting will be held once arrangements have been finalized.

Olkola Peoples Areas- I have been corresponding with the legal representative for the Olkola Peoples, in the Cape York Aboriginal Land Council and with the chairman of the Olkola Aboriginal Corporation to progress the ancillary agreement negotiations. The meeting which was proposed for 19/20 October had to be postponed after the chairman for the Olkola Peoples was seriously injured in an accident on a cattle station near Laura. I extend my sympathies to him and his family, hoping that he has a speedy recovery to good health.

RTN Batch 3- the Ewamian Peoples and the Djungan Peoples Areas.

All the submissions from the mining tenement applicants in this batch have been received by DEEDI's Native Title Services Unit and sent to the minister for approval. The Section 29 Notice is proposed to be advertised at the end of November, after all payments by the miners in this batch for the advertisements have been received by DEEDI. I have had preliminary discussions with the Ewamian representatives and the Djungan representatives. Both parties have indicated a willingness to enter into negotiations with the miners for the ancillary agreements.

The NQMA Native Title Officer has been assisting those members of the NQMA who have requested assistance with their submission and any other matter relating to their involvement in the RTN process and the negotiation of ancillary agreements.

These ancillary agreements are "Commercial In Confidence" agreements which accompany the Section 31 of the Commonwealth Native Title Act 1993 "Deeds" (known as the s31 Deeds) and are required to be signed by the relevant parties once the ancillary agreement has been negotiated and finalized.

Once the negotiated agreements have been signed by all the signatories and the Section 31 Deeds have been signed by all the signatories, the mining tenure applications can be recommended for granting by the Mining Registrar, subject to all the conditions of the MRA having been met by the tenure applicants and providing that the applicant has complied with all their relevant obligations under the Mineral Resources Act and the Environmental Protection Act. Mining tenure applicants are advised to contact their local DEEDI office (Mines Department) to ensure they are fully compliant to avoid any unnecessary delays in their tenement progress. Miners who have tenure applications in the RTN process and are financial members of the NQMA will receive assistance from the NQMA in the negotiation process.

I urge any miners who are not financial members to do so promptly, the benefit of this will reduce your costs in the negotiation process and ensure that your views are adequately considered.

The overall costs to the mining tenure applicants for their side of things in the negotiation process are to be shared between the miners involved in the RTN batch. The NQMA has authorized a group representative (Native Title Officer) who liaises between the applicants, the Native Title Claimants and the Qld State Government representatives.

The group representative is responsible as the chief negotiator and spokesperson for the mining tenure applicants and to oversee the conduct of negotiation meetings on the part of the tenure applicants.

I would like to remind all members that to obtain the best outcome in the R.T.N. matters we need your input as to agenda you would like to be included in the agreement negotiations.

Contacts: Paul. Crossland 40953324 Email- pc403@big pond .com
Graham Byrne 40914905
Graham Steine 0438726854
Paul Turpin 40963015

Update on the Small Scale Miner Area Indigenous Land Use Agreements

by Paul.E.Crossland.

The negotiations for the renewed Small Scale Miner ILUAs for the Ewamiam, Djungan and Western Yalanji Peoples areas have been completed. The drafting of the SSM ILUA document has been completed with drafting meetings held since the final negotiation meeting held on 1st September. These drafting meetings were held at the National Native Title Tribunal office in Cairns and were attended by the NQLC legal counsel, NQMA representative and our legal counsel from Preston Law, being assisted by the NNTT Member and case officers. The SSM ILUA document is currently being assessed by the State and the legal counsels for Native Title Parties and the NQMA for accuracy of wording and intent of the agreement. Once approved by all parties, the new SSM ILUAs will proceed through the registration process. This process includes authorization by the Native Title Groups to authorize their signatories to sign the ILUAs on behalf of the wider group. Once signed by the Native Title Parties, the State and the NQMA, the ILUAs will proceed to the NNTT for registration and then become available for miners to deed into for their mining tenure applications. The registration process can take several months to complete. I expect the new SSM ILUAs to be available for use mid 2012.

On behalf of the NQMA I would like to acknowledge the representatives from the Ewamian Peoples, the Djungan Peoples and the Western Yalanji Peoples; and extend thanks for their co-operation and willingness in negotiating these valuable new Small Scale Mining I.L.U.A.s.

The Cape York Landholders Forum will be held at the Laura Rodeo Ground on Friday 2nd and Saturday 3rd December.

Our intention is to bring all interested groups such as Regional Organisation of Councils Cape York, Cape York NRM groups, ALL land managers and business enterprises across Cape York together to learn more about various initiatives which will affect the sustainable management of properties and to be able to hear the views of the people of Cape York who are directly affected. It is anticipated that this forum will attract guest speakers *'to provide a wider range of information and answer questions'* on the following topics:

- Carbon Farming
- The Digital Economy
- New technology available
- World Heritage
- Wild Rivers

This is not meant to be a political meeting, but one for the politicians and others in decision making roles to hear the views directly from the people of Cape York Peninsula, and to get a better understanding of the issues of the people who are working to achieve sustainable practices whilst running viable economic business enterprises and achieving quality of life.

Friday 12 noon 2/12/2011 to 1.00 pm Saturday 3/12/2011

It is essential to advise if attending for catering purposes.

Contact Mary Shephard on 40 925 285 for further information



Georgetown / Forsayth / Gilberton Gold Fields

748 Mineral Locations

Topographic Maps

Georgetown	1:100,000
Forsayth	1:100,000
North Head	1:100,000
Forest Home	1:100,000
Gilberton	1:100,000

Geological Maps

Georgetown	1:100,000	223 mine locations
Forsayth	1:100,000	223 mine locations
North Head	1:100,000	26 mine locations
Forest Home	1:100,000	128 mine locations
Gilberton	1:100,000	148 mine locations

The above gold field has potentially 748 known locations worthwhile investigating for fault lines and contact zones that may lead to a new discovery.

Depending on the mineral that is being sought you can include/eliminate some places as being not suitable because a) Under tenure, no permission granted b) wrong mineral c) Out or reach or too deep. Prospecting methods for the amateur should include panning, collecting rock chips and metal detecting.

Disclaimer:

Areas indicated as potential gold bearing are based on historical and geological information. Access is in no way guaranteed as all land is under some form of occupation.

Permission to enter must always be obtained with the necessary fossicking licence. Accurate up to date print outs of existing mining leases are available for a fee from the appropriate district mining offices (Department of Natural Resources and Mining)

You can also access information on mining leases, claims and exploration permits by visiting the Department of Mines website.

www.dme.qld.gov.au click on Interactive Resource and Tenure Maps link.

Complete map set (5 geological + 5 topographical) of the Etheridge Gold Field including Gilberton \$ 100.00 + postage

Individual topo maps \$ 9.50 ea. Geo maps \$12.00 ea

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Mitchell River Watershed Management Group

AGM followed by OGM
Thursday 10th November 2011 9.30am
DERM Office, Peters Street, Mareeba

Please RSVP by Monday 7th November so that catering and facilities can be organised.

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Email: bill@mitchell-river.com.au

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One day, an Irishman, who had been stranded on a desert island for more than 10 long years, sees an unusual speck on the horizon.

"It's certainly not a ship," he thinks to himself. As the speck gets closer and closer, he begins to rule out the possibilities of a small boat, then even a raft.

Suddenly, emerging from the surf comes a drop dead gorgeous blonde woman, wearing a wet suit and scuba gear.

She approaches the stunned man and says to him: "Tell me, how long has it been since you've had a cigarette?"

"Ten years," replies the Irishman.

With that, she reaches over and unzips a waterproof pocket on her left sleeve and pulls out a pack of fresh cigarettes.

He takes one, lights it, takes a long drag and says: "Faith and begorah! Is that good!"

"And how long has it been since you've had a sip of good Irish whiskey?" she asks him.

Trembling, the castaway replies: "Ten years."

She reaches over, unzips her right sleeve, pulls out a flask and hands it to him. He opens the flask, takes a long swig and says "Tis absolutely fantastic!"

At this point, she starts slowly unzipping the long zipper that runs down the front of her wet suit, looks at the man and asks: "And how long has it been since you've played around?"

With tears in his eyes, the man falls to his knees and sobs, "Oh begorah, don't tell me - you've got golf clubs in there too!"



Editor’s Comment

At the September meeting of the NQMA, President Ralph DeLacey was awarded Life Membership of the association. Vice President Frank Markert, on behalf of NQMA members presented Ralph with a plaque in recognition of his outstanding contribution to the association and related industry.

Ralph has provided an invaluable input to the NQMA in his role as President for many years and has represented the interests of all miners and associated organizations to the fullest. Congratulations on a well deserved award.

The 2012 Calendar is in the process of being organised and will be posted out when it has been printed. It features the winning photo from the Gold Panning Photo Competition and also has relevant meeting dates provided.

As this will be the last newsletter for 2011, I would like to extend best wishes to everyone for a safe and happy Christmas and a great New Year.

Regards
Lyn Byrne

History from the Palmer River

“Greasy Bill “ - William Clancy (Billy) Little

William Clancy Little was a well known prospector and miner of the Palmer Gold Rush.

He was one of the “Fortyniners” as he sailed from England to San Francisco and on to the gold fields of California. On his return he went to the gold rush in Victoria and is mentioned in papers of the time, 1867, in connection with the ‘Welcome Stranger’ nugget.

He travelled widely mining and prospecting , first to New England, then Gympie.

In 1871, he and three mates were the first to find payable gold on the north branch of the Woolgar River. Billy is credited with making 17 major gold discoveries on different Northern gold fields.

He left Charters Towers early on when gold was found on the Palmer River. By mid 1875 he had formed a partnership with Johnny Byers at Byerstown. They had a butcher shop, hotel, store, gold buying and banking business. When gold was

discovered during the Hodgkinson gold rush, they opened similar businesses at Thornborough.

The nickname “Greasy Bill” came from the greasy moleskins he always wore when mining.

On June 19th 1888 he became a M.L.A., representing the mining district of Woothakata in the Queensland Parliament. He was M.L.A. until 20th May 1893.

The present Greasy Bill Creek was formally known as Oaky Creek and is a main tributary of Sandy Creek which enters the Palmer 11 km below Maytown.

Old maps also show a Greasy Bill gully on the Western side of Mt madden. This creek is now named Lantern Creek.

In June 1874 gold was found all along Sandy Creek, and in August it was found in Oaky Creek. These proved to be two of the richest of the Palmer’s Golden Gullies.

Graham Byrne
(Mining Heritage Rep)

Next Meeting

Monday 14th November
Mareeba Leagues Club
12.30 pm
All Welcome

DERM Workshop.

Amalgamating Environmental Authorities into a single Level 2 Mining Project EA.

On the 18th October 2011 DERM held a workshop at the Mitchell Room, 29 Peters Street, Mareeba to outline the criteria required by Small Scale Miners who hold multiple Environmental Authorities (EA's) to amalgamate EA's into a single project Environmental Authority for a level 2 mining project. The workshop was followed by individual assistance by- DERM / Permit and License Management (PaLM) staff.

The workshop was attended by DERM representatives from Cairns and Brisbane, representatives from PaLM, representatives from the Mareeba DEEDI office, and only a few Small Scale Miners or their representative. Perhaps the small turnout of SSM's was due to the fact that multiple EA holders were informed less than 2 weeks before the workshop was due to be held and it is not that easy to organize time to be in Mareeba at such short notice for a SSM.

However, it was very informative to attend the general information session, followed by a personal 45 minute session, which enable a DERM representative to assist with, or provide advice, in explaining and assessing eligibility for the EA amalgamation process. It was a step in the right direction to have DERM / PaLM staff having a face to face meeting with the SSM and other departments that are affected by the decisions made by DERM.

For operations carried out under multiple existing environmental authorities for level 2 mining projects to be considered a single integrated operation the following check list must be attainable. A brief summary of eligibility is as follows:

- Tenures to be amalgamated must be completely within a 500 km diameter area.
- The retained EA must be current and all fees fully paid at the time of lodgment of the amendment application.
- There must be a common holder across all EA's (note- this does not have to be the principle holder)
- Mining Claims cannot be amalgamated with Mining Leases, Mineral Development Licenses or Exploration Permits.
- Only Level 2 authorities may be included in this amendment and the total disturbance must not exceed 10 ha for any EA.
- No tribute Mining is allowed on a project mining authority.
- The activities carried out on each tenement associated with the EA's that form part of the amendment application must be managed on a day-to-day basis as a single integrated operation by the same supervisor.

During the Level 2 Environmental Authority Workshop information session several interesting points were raised that will affect the amalgamation process.

In summary:

- This process cannot proceed until the Legislation has been amended. DERM informed the SSM's at the workshop that as soon as the Legislation has been amended, DERM will inform all multiple EA holders as soon as possible via mail.
- On the date the Legislation is amended EA holders will have 12 months to submit their application to amend their Environmental Authorities.
- The application form has the criteria to amalgamated EA's on the back of the revised Amendment Form. I doubt the revised amendment form will be available from DERM and DEEDI web sights until the Legislation has been amended.
- A technical point to consider is if a SSM amalgamated several EA's but the tenures under the EA's has different secondary party interests that the secondary parties listed on the EA could be held accountable for all tenures listed on the amalgamated EA. For further information on this point contact DERM.
- The issue of whether the late fee's imposed on SSM's for making a stance and not paying all the Annual Fees will still be applicable after the Legislation has been amended is still not clear. When Ms Cathy Birt, a PaLM officer, was questioned on this issue Ms Birt informed the SSM's the issued will be addressed and information forth coming.
- Mr. Gordon Hopkins, a DERM officer, reiterated that the annual fee would not be applicable until the Grant of Mining Tenure under the amended Legislation.
- Note- forms revised by DERM are- 'Amendment form', 'Transfer form', 'Plan of Operations form' and 'Surrender form'.

To be followed up:

- Is the amended Legislation in regards to amalgamating EA's any closer?
- Will the annual fees for the Mining Tenure applications be refunded prior to amended Legislation?
- Will the overdue fees be cancelled once the Legislation has been amended?

Finally, it would be considered prudent to delay submitting the "Application to amend an environmental authority for a level 2 mining project" form for the amalgamation of EA's until the Legislation has been amended.

To find out more information on amending Environmental Authorities contact Ms Cathy Birt or Mr. Nathan Sirl at Permit and License Management Unit (PaLM) on 1300130372.

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State Reputations are now in Dispute

(Courtesy Minelab Times)

Never has the crown for which state produces the biggest nuggets been more fierce.

Since detectors were first being used in the search for gold nuggets, the disputed crown for the biggest nugget has been largely between Victoria and Western Australia. Over the years there have been numerous 100oz plus nuggets detected in both states but the "Hand of Faith" found in Victoria in the early 1980's has ruled supreme. The "Hand of Faith" nugget weighs in at 27.2 kg (or 876 troy ounces.).

However, now there is another nugget that doesn't quite beat it, but comes very close.

Currently displayed in the Melbourne Museum is the "AusRox" nugget weighing a mammoth 23.26 kg (or 748 troy ounces). This nugget was found in Western Australia last year and has now caused the rivalry to be raised once again.

The finder of the AusRox nugget has chosen to remain anonymous as is the location of the find. All that has been divulged is that it was somewhere in the Eastern Goldfields of Western Australia.

Mad Wife Disease

A guy was sitting quietly reading his paper when his wife walked up behind him and whacked him on the head with a magazine.

"What was that for?" he asked. "That was for the piece of paper in your pants pocket with the name Mary Lou written on it," she replied.

"Two weeks ago when we went to the races, Mary Lou was the name of one of the horses I bet on," he explained.

"Oh honey, I'm sorry," she said. "I should have known there was a good explanation."

Three days later he was watching a ballgame on TV when she walked up and hit him in the head again, this time with the iron skillet, which knocked him out cold. When he came to, he asked, "What the hell was that for?"

She replied, "Your horse called."



NORTH QUEENSLAND MINER'S ASSOCIATION INC.

ABN 76 525 585 093

APPLICATION FOR MEMBERSHIP

I/We.....
the undersigned, being an eligible person, partnership, or company, hereby apply for Membership of the North Queensland Miner's Association Inc. (See eligibility clause below)

BUSINESS NAME.....

POSTAL ADDRESS.....
.....POSTCODE.....

CONTACT PERSON.....

Phone No during day:.....Fax No:.....

E-mail address if available.....

NUMBER and LOCATION of MINING TENEMENT/S held or ASSOCIATION WITH MINING INDUSTRY.....
.....

I/We hereby agree to comply with the Rules and Regulations as prescribed in the Constitution of the North Queensland Miner's Association Inc.

Full Membership. Enclosed herewith is Annual Membership Fee of \$100.00.

Eligibility for Membership: *'Any person, partnership or company who: is actively involved in mining or prospecting (including metal detecting); holds or has an application for any mining tenure allowable under the Queensland Mineral Resources Act 1989 or any Act that replaces it; has a tenement before the Land and Resources Tribunal; or has a direct professional interest in the mining industry.'*

Corporate Membership. Enclosed herewith is Annual Membership Fee of \$250.00.

Eligibility for Membership: *'Any company which: is actively involved in mining or prospecting; holds or has an application for any mining tenure allowable under the Queensland Mineral Resources Act 1989 or any Act that replaces it; has a tenement before the Land and Resources Tribunal; or has a direct professional interest in the mining industry.'*

Associate Membership. Enclosed herewith is Annual Membership Fee of \$40.00.

Eligibility for Associate Membership: *'Any person, partnership or company that provides goods or services to the mining industry but is not directly involved in mining'.*

SIGNED

DATE/...../.....

Please send Application form to: NQMA, PO Box 133, Malanda, Q4885

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Miner's Right

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