

The Miner's Right

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

September 2014

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Next Meeting

Monday 8th Sept

Mareeba Leagues
Club AGM

Secretary's Report for September 2014

Ahhh the Spring Months are upon us already, moving into September and on the home stretch to the end of the year... I read somewhere the other day how many Saturday's there were until Christmas and.. I ignored it..

I want to give a huge shout out to all our hard working volunteers that made the Gold Panning Day on Saturday 9th August such a great success. The day went by in a flash of excited novices and nervous skilled entrants. Some events were broken up in a couple of rounds due to the high number of entrants. The weather held up for a sunny day on the Tablelands and the crowds watching and enjoying the events were constant all day. The results are published in this Miners Right with some familiar names and some new names.

September brings the NQMA AGM on Monday 8th September 2014 from 12:30pm. As required all positions will become vacant and new nominations will be taken. Although we have the fun events of the Gold Panning the seriousness of the Association still remains with fighting the good fight for the Miners of the North and we need all interested parties to remain members and attend meetings to give strong support to an Association that plans to be around many years into the future. If you would like to be nominated or nominate someone for a position please make sure you attend the meeting or lodge a proxy form through myself or Michele Mobbs (as emailed out).

Please note there are a few important time frames coming up for Tenures including payment of ML rent by 31 August and Royalty Returns due to be lodged by 30 September (even if Nil). Rates have also been sent out from most Council Areas. If you have been hit by the EMFR Levy and believe this is unjust we still urge you to contact the relevant council and lodge a complaint. Also make sure to lodge a Statutory Declaration for vacant land if you are not working the Leases. NQMA have lodged a letter complaint with the Minister but have yet to receive a formal reply. NQMA will continue to lobby the Government for the changes needed to this levy. Have an amazing Spring everyone and see you at the AGM.

Native Title and Mining Report August 2014

by Paul.E.Crossland (NQMA Native Title Officer and representative for Native Title matters)

Update on The Native Title Act Section 29 - Right To Negotiate

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

Ewamian Peoples Area

The public advertising and notification date for this RTN batch was 14 December 2011. There are four mining applicants remaining in this batch, made up by 2 small scale miners and 2 proprietary companies. This batch of mining applications has been assisted through mediation provided by the National Native Title Tribunal. The negotiations were finalised during the last week of July 2014. The mining applicants and the Ewamian People's representatives reached agreement that the mining applicants could leave the RTN process and opt into the new Ewamian Small Scale Mining ILUA. The agreement has been recorded in a Memorandum of Understanding. The mining applicants are grateful for the assistance provided by the Cairns office of the National Native Title Tribunal.

Djungan Peoples Areas

The public advertising and notification date for this RTN batch was 14 December 2011. There are 3 mining applicants in this batch who are required to negotiate an ancillary agreement for their mining tenement applications, 1 is a small scale miner and 2 are proprietary companies. The future act representative acting for the Djungan Peoples is the North Queensland Aboriginal Land Council. The NQLC has advised that discussions have been conducted with the Djungan People's Registered Native Title Body Corporate for the negotiation of the ancillary agreements in the Djungan RTN batch. The NQLC has advised that they will progress this RTN batch as soon as they can.

RTN Batch 4- Birriah Peoples Area

This batched RTN was advertised on the 27th of June 2012, the native title party closing date was the 27th of September 2012 and the objection closing date was 29th October 2012. The NQMA is representing one miner with the negotiation of an agreement for two mining leases in the Birriah Peoples Area near Charters Towers. There has been some correspondence between the NQMA representative and the lawyer who is acting for the Birriah People. The sticking point has been the position of the Native Title party for the mining applicant to fund the negotiation process. The mining applicant has found it too difficult to commit to funding the negotiations without having been provided with a budget of costs and that it is too much of an expectation to commit to unknown costs.

The Mareeba Area Batched RTN

This batch of RTN notices was advertised in January 2013. The notification date was the 6th of February 2013. The native title party closing date was the 06 May 2013 and the objection closing date was 06 June 2013. This batch consists of twelve mining lease applications and three EPMS. There is one Small Scale Miner remaining in the Western Yalanji native title claim area who is required to negotiate an agreement to satisfy the native title obligations for the mining applications.

Mining tenement applicants in any of the RTN batches who wish to have the NQMA represent them in the negotiation process need to be financial members of the NQMA and authorize the NQMA to act on their behalf. The NQMA has a Standard Ancillary Agreement that is available to mining applicants. This purpose of this agreement is to save time and costs of drafting an agreement from scratch and it has been based on the new Small Scale Mining ILUAs.

For any information relating to the RTN process please contact the NQMA Native Title Officer.

Update on the Small Scale Mining Indigenous Land Use Agreements (SSM ILUA)

by Paul.E.Crossland.

Western Yalanji Peoples SSM ILUA

The Western Yalanji Small Scale Miner ILUA was registered by the National Native Title Tribunal on the 23rd of April 2014. Mining applicants who wish to utilise the provisions of the new SSM ILUA should contact the Department of Mines and Energy regarding deeding into the ILUA.

Miners who need to have land clearance inspections carried out in order to comply with their obligations regarding Aboriginal Cultural Heritage protection should send a copy of the inspection notice to the North Queensland Aboriginal Land Council and the Western Yalanji Aboriginal Corporation.

North Queensland Aboriginal Land Council at contact address-

C/ The Principle Legal Officer
North Queensland Land Council
PO Box 679N

Cairns North, Qld 4870 Phone: (07) 4042 7000

Western Yalanji Aboriginal Corporation at contact address -

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Postal: PO. Box 2682 Mareeba, QLD 4880

Phone: (07) 4092 6712

Email: admin@westernyalanjicorp.com

Western Yalanji Aboriginal Corporation at contact address -

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Postal: PO. Box 2682 Mareeba, QLD 4880

Phone: (07) 4092 6712

Email: admin@westernyalanjicorp.com

The Ewamian Peoples SSM ILUA

The Ewamian Peoples Small Scale Miner ILUA was registered by the National Native Title Tribunal on the 24th of April 2014. Mining applicants who wish to utilise the provisions of the new SSM ILUA should contact the Department of Mines and Energy regarding deeding into the ILUA.

Miners who need to have land clearance inspections carried out in order to comply with their obligations regarding Aboriginal Cultural Heritage protection should send a copy of the inspection notice to the North Queensland Aboriginal Land Council and the Ewamian Aboriginal Corporation.

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Djungan Peoples SSM ILUA

I have been advised by the North Queensland Land Council future act lawyer that the Djungan people's RNTBC and other native title claimants have considered the new Small Scale Miner ILUA at a community meeting. The RNTBC has instructed the NQLC to proceed with the authorization meeting process with a view towards authorization of the new SSM ILUA. Authorization of the new Djungan SSM ILUA is reliant upon the North Queensland Land Council to schedule the authorization meeting.

To avoid any confusion, once the new Djungan SSM ILUA has been authorized by the native title parties, there are other stages required in the process for the new ILUA. There will still be several months required for the registering of the ILUA by the National Native Title Tribunal before the ILUA will be available for miners to deed into to satisfy the native title obligations for their mining tenure applications.

Contacts: Paul.E.Crossland - (07) 4095 3324 Email- pc403@big pond .com

IT vs MANAGEMENT

A man in a hot air balloon realized he was lost. He reduced altitude and spotted a woman below.

He descended a bit more and shouted, "Excuse me, can you help me? I promised a friend I would meet him an hour ago, but I don't know where I am."

The woman below replied, "You're in a hot air balloon hovering approximately 30 feet above the ground. You're between 40 and 41 degrees north latitude and between 59 and 60 degrees west longitude."

"You must be in Information Technology," said the balloonist. "I am," replied the woman, "How did you know?"

"Well, everything you told me is technically correct, but I've no idea what to make of your information and the fact is I'm still lost. Frankly, you've not been much help at all. If anything, you've delayed my trip."

The woman below responded, "You must be in Management." "I am," replied the balloonist, "but how did you know?"

"Well," said the woman, "you don't know where you are or where you are going. You have risen to where you are, due to a large quantity of hot air. You made a promise, which you've no idea how to keep, and you expect people beneath you to solve your problems. The fact is you are in exactly the same position you were in before we met, but now, somehow, it's my fault."



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2014 Nth Qld Gold Panning Championship Results

Specialty Panning Kim Hillier Jay Santacatterina Tess Willes	Junior (under 12) Fred Hickey Israel Lui Lochlan Phillips	Junior (12-16) Quinn Stocker Lleyton Phillips Brendan	Men's Skilled Ken Wilson Max Fisher Ray Wallace
Women's Novice Shirley Michelle Ryan Rebecca Hamilton	Men's Novice David Wright Alistair Wayne Derkson John Toonen	Women's Skilled Lyn Byrne Sue Shearer Karla Hellmuth	Veterans Tess Willes Jay Santacatterina Tim Land
Open Lyn Byrne Max Fisher Tyler	Teams Bushies Palmer River Pagans Vicente 3	Gold Rush Reuben Thomas Tim Land Jordan	
Photo Competition 1 st – Hell's Gate – Palmer Gold Fields 2 nd – Flood Water Mining - EH Mining (Mike Collins) 3 rd - Baal Gammon Drilling – Fiona Abbey		Raffle 1 st Bert Holland 2 nd Kevin Willes 3 rd John Toonen	

NQMA wishes to thank the following sponsors for their generous contribution to the 2014 Gold Panning Championships

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Editor's Comment

The 2014 Gold Panning Championships held in Mareeba on 9th August proved once again to be a very popular day. There were record entries in some events and spectator numbers were up on previous years. The variety of stalls attracted a lot of people and we look forward to them attending next year. One of the most popular would have been George Mayer's Nth Qld Miners Den with an extensive display of fossicking and prospecting equipment. One of the major sponsors of the day, Garrett Australia, was also present. Thanks to George for the loan of his camera on the day and to Ken Wilson for taking photos. The Fun Panning Bay was a hive of activity all day with first time Junior and Senior competitors keen to have a go. The sausage sizzle once again was sold out. I have received extremely positive feedback from this event and I have been pleased to have been able to contribute to the NQMA over the years with organising this event.

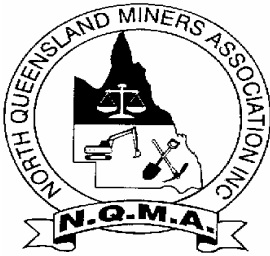
Thank you to all members who help set up, work on the day and pack up at the conclusion of the event, and also to the generous sponsors.

A reminder of the AGM to be held on September 9th at the Mareeba Leagues Club. All positions will become vacant so come along and support your association.

I would like to mention the contribution over many years of our Treasurer Terry Edwards. Terry has done an amazing job in this position and also organises the Raffle for the Gold Panning which is a major factor of this event.

As Editor of the Miner's Right this will be my last edition. I have held this position for approx. 15 years and have enjoyed the experience of putting together an industry newsletter which helps promote our association. I have appreciated all contributions over the years.

Regards
Lyn Byrne



NORTH QUEENSLAND MINER'S ASSOCIATION INC.

APPLICATION FOR MEMBERSHIP

ABN 76 525 585 093

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

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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; 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 or partnership who has interests in fossicking for gold, gems and metals; or any company or individual providing goods or services to the mining industry but not directly involved in mining'.

SIGNED

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

Please send Application Form to:

NQMA Treasurer: Terry Edwards, P O Box 133, Malanda QLD 4885

Ph 07-40965094 email : tezzedwards@gmail.com

.How the Herberton Mining Museum Started by Ivan Searston (Volunteer at the Mining Museum)

The Herberton Mining Museum owes its existence to a number of people, but two were very important at the beginning. First of all, Harry Skennar who in the mid 1990s challenged me, as a newby Shire councillor at the time, to 'do something about the ... expletive...Great Northern Mine'! The mine had been heritage listed since 1978 (the work of Janet Crump, a Herberton Shire councillor at that time). Fortunately, Jim Robinson, Shire chairman, was pretty much of the same opinion, so inquiry was made about purchase of the now sadly run down site.

To go back one step: the last owner of the Great Northern mine had died in 1992 and the estate passed into the hands of his family who, not living locally, regarded the land as a windfall possibly worth millions! When the Herberton Shire Council started negotiations with the family, this was an immediate obstacle and one that caused the idea of acquisition to be shelved for some time. The public expense simply could not be justified. However, not long after, the Herberton Kindy faced closure because the building they were using was deemed to not meet changed official requirements. As a consequence, the Council looked at the possibility of sponsoring a new building on another site. The Great Northern land, provided it could be obtained at a reasonable price, was one site investigated.

Heritage approval was obtained, negotiations restarted and a final reasonable price agreed. At the same time grants for the building of a purpose-designed kindy were accessed. Only some people at Ravenshoe objected.

It was a fraught time! Purchase was completed in May 1999, approvals were in place and the construction started within months and the kindy was ready for children in the New Year. The official opening was March 31st, 2000. The purchase of the property was largely validated by the new public service for the people of Herberton – the kindy and day care.

Council could then turn its mind to the heritage values of the site. The first step was to document these values and the extant buildings and equipment professionally and again, a government grant came to the rescue.

In the meantime, tourism in Herberton took a major hit. The Kalunga vineyards had closed, the Historic Village had closed, RAILCo was stumbling. It did not look too good! As a consequence, another Shire councillor, Blue Stewart, decided to establish a visitor information centre with a small mining display in an empty main street shop to try to lessen the void. This proved successful and was the impetus for considering a purpose built building somewhere in Herberton that could be dedicated to that role. In a subsequent feasibility study (again funded by a grant), the Great Northern site was identified as a possible site for this building. Then came a huge effort in grant application writing with almost no results. However, it was ascertained that the flavour of the time for the state government was walking trails so a funding application was written to develop the Great Northern Walking Trails – the trailhead would be the future car park for the visitor centre/museum if funds ever came available.

The trails were officially opened by the then Minister for Art and Sport in February 2003 and some 4000 visitors use them on average each year. The trails are also popular with locals. Subsequently, a federal government political focus on 'regions' began and suddenly, funds became available for the visitor centre/museum. Building could start. But first, more approvals had to be obtained: contaminated lands, heritage, building. Further, funds were limited so a team made up of a dedicated local builder and council workers undertook the construction and fit-out. The result was an official opening of the combined visitor information centre and mining museum on 21st May 2005.

Then came cyclone Larry! The heritage listed mine buildings on the site were largely destroyed. The original reason for Council purchasing the site was in jeopardy. However, the then Prime Minister when visiting Innisfail, the scene of greatest damage from the cyclone, made a statement that had positive repercussions for the Great Northern. He promised that heritage buildings damaged by Larry would be rebuilt. Obviously he meant Innisfail, but the statement was general enough for us to put up our hands at Herberton and, to their credit, the federal government made good on the promise. Funds were allocated for rebuilding and the professional documentation of the values of the site done half a decade before reaped its reward. The rebuilt buildings were to the original designs, only stronger.

What started, in the minds of many as being a pipe dream, was now a reality. Herberton had a new kindergarten and day care, walking trails, a visitor centre and mining museum and restored heritage mine buildings and they were all funded mainly from grants from other levels of government. In the meantime, the volume of documentary and photographic donations to the mining museum made volunteers acutely aware that community information needed a home – an archives storage. Plans were drawn up 'just in case' another grant could be obtained. And, guess what – the GFC hit us and a grant materialised. The building was extended to allow for dedicated archive processing and storage. Herberton now has a dedicated area for the storage of local history including general, mining, social and family histories. Further, tourism has revived in Herberton. There are now four attractions with a heritage focus: the amazing Heritage Village has reopened; the Spy and Camera Museum continues to attract visitors; the Railway Museum has opened and the Mining Museum continues development.

All this is the successful public face of Herberton tourism. Volunteers at the Mining Museum are justly proud not only of the work of designing and constructing new displays about mining, but also of the efforts to find and preserve the documentary history of Herberton and its mining past – material that often cannot be made into displays, but is so important to preserve for future generation to remember the detail of local history. Many of our volunteers have interests in research and helping others with local and family research.

If you have material that could be added to the Mining Museum archives – family histories, photographs, dusty documents and old books – please contact us at the Mining Museum. We can also copy photos and documents so you can keep the originals. The material will then be catalogued and placed into dedicated storage in the archives area. Remember, your donation becomes publicly owned data – the facility is owned by the Tablelands Regional Council – as distinct from private ownership. This ensures the material remains in the local domain. Archive material is then available for research and study into the future. Already, dozens of people have availed themselves of this service. Contact the Mining Museum to arrange a study time. And when you visit you can catch up with the latest displays in the museum.

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1.30 pm

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FRACKING

Listening to and reading the nonsense that is promulgated about fracking, the public could be forgiven for thinking that the process is some new evil technique invented by 'Big Oil' and 'Big Gas' so that they can make huge profits and destroy the world in the process. In fact nothing could be further from the truth. Fracking, which is derived from 'fracturing', has been in use by the petroleum industry for around 70 years.

Oil and gas, which are derived from the decomposition of little marine organisms and vegetation, are held in layers of rock at depth. Some of these layers are permeable and release their hydrocarbons as soon as a hole is drilled into them. Some are not, and the rock has to be fractured to release the oil and gas. Huge amounts of low-polluting energy are stored in sedimentary basins around the world. It is said that the USA has reserves so large that before long it will not need Arab oil. The fracking industry there has provided a major boost to the American economy. Australia could do the same if sanity was allowed to prevail.

Fracking involves drilling a hole down to the productive strata, and then along it, and then pumping down fluids under pressure to fracture the rock. Done properly, it poses no more threat to the water supply than any other process that makes a hole in the ground, such as a water bore. The technology is improving all the time. The important thing is to isolate any shallow water aquifers from the fluids coming up from below. That is quite easy to do and is done successfully in thousands of wells around the world.

However, like all processes, the engineering must be done properly. Sadly, whether it is a collapsed bridge, a chemical factory such as Bhopal, where many thousands died, a faulty dam, or a nuclear power station, human greed or incompetence can trigger a failure.

It makes no sense to deny ourselves the advantages that releasing our huge low-polluting energy reserves offer. But we must demand of government that it does its job properly and makes sure that the wells are put down to the highest standards.

Contributed by Rob Ryan



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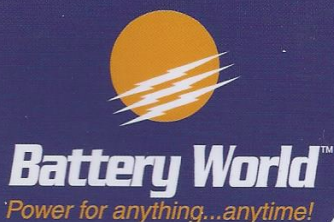
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