



THE MINER'S RIGHT

The North Queensland Miner's Association Incorporated
Representing Miners, Prospectors and Associated Industries
July 2015

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WEBSITE:

www.nqma.org

Next Meeting:

Monday
14 September
(AGM)
Mareeba
Leagues Club
12:30pm

EMERGENCY MANAGEMENT FIRE AND RESCUE LEVY (EMFR)

As you are aware the EMFR Levy replaced the 'Urban Fire Levy' and was applied to all properties within Queensland as of 1st January 2014. The levy was extended, to include Emergency Management, recognising that all Queenslanders are at risk from a wide range of emergencies. *The NQMA has no argument with this and we do not object to paying an EMFR Levy, what we do object to is the fact that the EMFR Levy is exorbitant, ambiguous and disproportionate.*

This is particularly obvious where miners are levied over \$1,400 for a small mining lease (and even a vacant mining lease) whilst the background landholder is levied \$90 for a huge cattle station.

What has NQMA done so far? To date the NQMA Committee has lobbied the various Government Departments to try to get some common sense recognised. We have spoken at length to Queensland Fire and Emergency Services to provide them with a clear understanding of the real issue of unfair and unjust discrimination that has resulted in the way this levy is being delivered. We attended the Cabinet meeting in Mareeba in November 2014 with the then Minister for Police, Fire and Emergency Services, Mr Jack Dempsey, with moderate success. But the Election saw him ousted with the new Minister for Police, Fire and Emergency Services, Hon. Jo-ann Miller, elected. The change of Government meant we had to start again and convince the new government to understand the real issue of unfair and unjust discrimination that has resulted in the way this Levy is being delivered. Which brings us to this point in time..... NQMA Committee have secured a meeting with the Minister for Police, Fire and Emergency Services, Hon. Jo-ann Miller, schedule for early August to discuss the issue. NQMA Committee met with Mr Shane Knuth, Mr Robert Katter, Mr Billy Gordon and the Shadow Minister for Police, Fire and Emergency Services- Mr Jarrod Bleijie and their advisers, on the 16th July, 2015, to discuss the EMFR with the objective to attain their understanding and support in reaching an expedient solution. The result being that the issue will be brought to the attention of Government, documented and recognised in Parliament.

Miners should contact their Local Member to raise awareness of this issue.

Robbie Katter- 07 4730 1100, Mount.Isa@parliament.qld.gov.au.

Billy Gordon- 074223 1100, cook@parliament.qld.gov.au

Shane Knuth- 07 4235 7100, dalrymple@parliament.qld.gov.au

The Council Rates are due to be issued at the end of July or in August. NQMA had previously suggested Members should consider not paying the EMFR Levy on the Rates Notices in protest to this unfair and unjust discrimination that has resulted in the way this Levy is being delivered. This may not be the best option as Councils are caught up in this as collectors of the Levy and they are obliged to comply with the legislation. Miners should submit objections to the Commissioner of Queensland Fire & Emergency (QFES) Services within 30 days of receiving Rates Notices.

It should also be noted that most Councils will not be accepting Statutory Declarations for vacant ML's, so the EMFR will be applied to all ML's regardless of whether they are being worked or not. QFES are attempting to find an avenue to recognise 'vacant land' and will undertake to submit a brief to the Minister, who will take it to the Governments, which may bring about a change in legislation.

Please note other than the objection process, should you wish to appeal the Levy assessment your appeal needs to be addressed to The Commissioner, Queensland Fire and Emergency Services (QFES). NQMA will continue to lobby the Government until a satisfactory outcome has been achieved.

Author: Vicky Lake, NQMA Committee Member

NATIVE TITLE ROUND UP: By Paul Crossland – (07) 40953324 Email: pc403@bigpond.com**Update – NTA Section 29 – Right to Negotiate****RTN Batch 3- the Djungan Peoples Areas.**

The public advertising and notification date for this RTN batch was 14 December 2011. There are 2 mining applicants in this batch who are required to negotiate an ancillary agreement for their mining tenement applications. Both are small proprietary companies. The future act representative acting for the Djungan Peoples is the North Queensland Aboriginal Land Council. The NQLC has advised that further discussions are planned to be held with the Djungan People's Registered Native Title Body Corporate to progress the Djungan RTN batch.

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 consisted of twelve mining lease applications and three EPMs. There were six mining applicants that fell within unclaimed native title areas. These applications have now been finalized. There were two mining applicants in the Western Yalanji SSM ILUA area. One application has been discontinued. The other three applications are being processed under the SSM ILUA.

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.

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

There are two Small Scale Mining Indigenous Land Use Agreements presently in place. The new Western Yalanji SSM ILUA was registered on the 23rd of April 2014. The new Ewamian SSM ILUA was registered on the 24th of April 2014. Mining applicants who wish to utilise the provisions of the new SSM ILUA should contact the Department of Natural Resources and Mines 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 as per Schedule 4 of the SSM ILUA to the North Queensland Aboriginal Land Council and the relevant Native Title Party.. The address for service of the Notice is:

North Queensland Aboriginal Land Council:

C/ The Principle Legal Officer
North Queensland Land Council
PO Box 679N
Cairns North, Qld 4870 Phone: (07) 4042 7000

Western Yalanji SSM ILUA:

Western Yalanji Aboriginal Corporation
Street address: Unit 7B & C, Hort Street, Mareeba, QLD 4880
Postal: PO. Box 2682 Mareeba, QLD 4880
Phone: (07) 4092 6712
Email: admin@westernyalanjicorp.com

Ewamian Peoples SSM ILUA:

Ewamian Aboriginal Corporation at contact address -

9A Hort Street Mareeba Qld 4870

Phone (07) 4092 2555

Fax: (07) 4092 2555

Email: Sharon@Ewamian.com.au

Djungan Peoples SSM ILUA

The Djungan Peoples Small Scale Mining Indigenous Land Use Agreement (SSM ILUA) was considered at the Djungan Peoples community meeting held in Cairns on the 10th April 2015. A resolution was passed by the Djungan Peoples representatives who attended the community meeting, to proceed to authorization of the new SSM ILUA. The authorization meeting was held on the 24th April 2015 in Cairns. The new Djungan SSM ILUA was duly authorized by the Djungan Peoples. The NQMA signed the documents on 1st of May. The new ILUA has since been taken to the Queensland State Government for signing by the Minister before it goes to the National Native Title Tribunal for registration.

To avoid any confusion, now that 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.

North Queensland Aboriginal Land Council proposed Template Negotiation Process Document.

The NQLC has held two rounds of regional meetings involving thirteen Native Title groups to conduct workshops about negotiating agreements with mining applicants. The workshop meetings were held in the Cairns area in December 2014 and in the Mackay area in May 2015. Discussions at these meetings centered around the United Nations Declaration on the Rights of Indigenous Peoples, an international convention that the Australian Government had formally endorsed in April 2009. After 20 years of negotiations between Indigenous Peoples and nation-states, the United Nations (UN) General Assembly adopted the Declaration on the Rights of Indigenous Peoples (DRIP) in September 2007.

The Declaration recognises the human rights of Indigenous peoples to:

- self-determination
- land and natural resources
- developing and protecting cultural, political, religious and educational institutions, and intellectual property
- freedom from discrimination, assimilation and destruction of culture
- economic and social development
- environmental conservation
- free, prior and informed consent, consultation, and participation in decision-making
- fair and mutually acceptable procedures for conflict resolution
- fair and adequate compensation for rights violations

In the NQLC representation area, which covers from below Mackay, out west to Richmond and up to the Palmer River, there are approximately somewhat over 2000 Indigenous persons affected by mining and exploration activities. A central purpose of the workshops focused on capacity building of Native Title parties when it comes to working with mining applicants and especially the process of negotiating the agreements that are required under the National Native Title Act 1993 (Commonwealth). A process document has been developed by the NQLC as a guide to negotiating mining agreements. The document focusses on how the Native Title parties would conduct negotiations and how they would expect the mining parties to conduct themselves during the negotiation process and would be about 20 pages in volume. This Template Process document has been adopted by the persons who attended the workshops and it is planned to have the Template adopted by the individual Native Title groups in the NQLC area. It is envisaged that this Template would be made available to Right To Negotiate applicants by having it included in the information kit provided by the Department of Natural Resources, Mines and Energy.

Secretary Report – Claire Mackney

It's July and that time of year when we prepare ourselves to begin our annual reporting requirements and part with hard won monies to pay for another year of the favoured lifestyle that is mining.

Due Date	Reporting
20/07/2015	Health and Safety Levy Census Form
31/08/2015	Rent Invoice (annual)
17/09/2015*	Council Rates (Mining Leases)
17/09/2015*	Emergency Management, Fire and Rescue Levy (EMFRL)
30/9/2015	Statistical Return (Financial Year)
30/09/2015	Royalty Return (Financial Year)

*Approximate payment due date, refer to invoice received

Our last NQMA meeting was attended by Luke Croton, Regional Director of North Region Mines and Dean Sharpe, Manager, Assessment Minerals.

DNRM: Luke provided a presentation on the proposed changes to the *Mineral and Energy Resources (Common Provisions) Act 2014* (MERC P). The changes include repealing the following changes in relation to mining lease applications passed through legislation last year;

MERC P Act changes to Mining Lease applications

- ~~Removal of newspaper notice~~ Proposed for repeal
- ~~Limiting who can object~~ Proposed for repeal
- ~~Limiting the grounds for objection~~ Proposed for repeal
- Removal of datum post notice
- Land Court power to strike out frivolous/vexatious objections

MERC P Act changes to EA applications

- ~~No notification for standard/variation EA's~~ Proposed for repeal
- ~~No objections for standard/variation EA's~~ Proposed for repeal
- ~~No objections relating to CG conditions~~ Proposed for repeal
- Land Court power to strike out frivolous/vexatious objections

MERC P Act changes to restricted land

- Common restricted land for all resource types
- New definitions for restricted land
- Some exemptions
- Dispute Resolution
- ~~Ministerial extinguishment power~~ Proposed for repeal
- ~~Mining leases over restricted land (no consent)~~ Proposed for repeal
- ~~Removed Stockyards, bores, dams, bores (cat B)~~ Proposed for repeal
- Distances by regulation

Luke recommended that submissions in relation to the above, while due on 14 July 2014, be made no later than 24 July 2015.

EHP: No major changes within the Department of Environment and Heritage Protection (EHP). If you have concerns about your dealings, take the matter higher within the assessment division. Dean welcomes contact if you have any concerns and will assist in finding a resolution.

I hope to see you at the Gold Panning Championships next month!

Qld Budget Bits

Extracted from Media Release titled “Palaszczuk Budget delivers for natural resources and mines in tough times”

“This budget provides funding to support these sectors in challenging times and to ensure the ongoing sustainable management and use of our land, water and mining resources. The first Palaszczuk Government Budget will deliver better online services, boost coal seam gas compliance and manage public safety risks associated with abandoned mines”

Key initiatives in 2015-2016 include:

- \$6.2 million for the Abandoned Mines Land Program to manage the public safety risks associated with abandoned mine sites across Queensland
- \$3.6 million to fund compliance activities by the Coal Seam Gas Compliance Unit, including investigation of landholder concerns about the impact of CSG operations
- \$13.7 million, including \$7.8 million in capital funding, to modernise and enhance departmental online services to deliver faster service outcomes and make it easier for people to do business with the Dept of Natural Resources and Mines
- \$2.2 million to address immediate native title trial costs and help accelerate the resolution of all outstanding Queensland native title claims through the Federal Court

For the full media release please refer to <http://statements.qld.gov.au/Statement/2015/7/14/palaszczuk-budget-delivers-for-natural-resources-and-mines-in-tough-times>

Cooktown Discovery Festival

This year, Jay Santacatterina, Graham Steine, Claire Mackney and Michele Mobbs attended the Cooktown Discovery Festival to man a stall with fan panning and information about mining in the Northern Region. We successfully promoted the upcoming Gold Panning Championships and sold many raffle tickets for the gold jewellery.

Jay and Graham provided panning demonstrations for the children, with just as many adults gathering around for a lesson. We hope to make the event annually, while not overly profitable, the promotion of the North Queensland Miners Association and mining in North Queensland is invaluable!



\$ FOR SALE \$

Gold Leases for sale

ML20324 & ML20325

Camp/shed/plant/equipment/machinery*

Less than 10% worked

\$60,000 for the package

Please contact Stanley Hoffman on 07 4053 2467 for further details

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Hard Rock Mining Lease

The Good Hope ML 5102

Part of the Angelo Saxon group of mines

\$10,000 ono- must sell~ Bargain Ph: 0419657607 – Max Fisher

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Mobile Gravity Gold Plant

Professionally built in WA. 2 tph. Large capacity scrubber for the treatment of high clay content material.

Twin fines concentrators, Tails sluice. Fines sluice. Engine plant powered by a Honda GX 200.

Mounted on wheels but can be put on a trailer.

Excellent alluvial processing plant designed for either bulk sampling of deposits or full time small scale production.

View new model on www.amtas.com.au (Looks similar to pictured Gold Plant) \$14,000 ono

Ph: 0419 657 607 or 40602231 – Max Fisher

Editors Notes:

The ANNUAL Gold panning championships are now upon us for 2015.. I hope you have all been practicing your skills or call on your good luck if not.. The event is a great day out so please encourage your nearest and dearest to attend and join in the activities.

As per our front page the EMFR Levy is still ongoing in very much in our calendar. Vicky has taken on the ambassador role for this matter and is doing a great job getting the attention of our local members. I would encourage you to lodge your objections against the rating category or appeal the levy in general.

As this Miners Right is a little late, the next meeting will be noted as Monday 14th September. Please note that this will be our Annual General Meeting. All positions will become vacant and positions re-elected. Also please send in any ads, for sale/wanted or mining titbits to add to our next one out in Early September.

The GEM Fest is on this weekend in Cairns – Graham Steine and Claire will be there manning the NQMA stall and selling tickets – call in and say hello if you can!

Please support our Associated Members:

- Drill North Pty Ltd, Malanda (Drill Rigs) 07 40951199
- Boundary Mining Carbon Serves, 07 40914905
- Rob Ryan, Geologist, Atherton, 07 40917546
- Tolga Traders, Tolga (Trailers and Heaters) 07 40954296
- North Qld Miners Den, Cairns, 07 40343439
- Heavy Equipment Hire, Mareeba, 07 40922477
- Apel Solicitors, Mareeba, 07 40922522
- Cooktown Earthmoving and Quarrying, Cooktown 07 40695340
- Nth Qld Metlabs, 07 40976110
- Tecsol – Tenement and Environment Compliance Solutions, 07 38558875
- Tilly's Crawler Parts Pty Ltd – Freecall 1800Tillys10
- Bremar Minerals (Tin Buyer) 0429440604
- Bidner Mining and Engineering, 0447968270
- Palmer River Roadhouse, 07 40602020
- AMETS Pty Ltd, Tenement Administration 07 40926431
- BJ Training & Mine Services (incl Explosives Training) 0428877940
- Marano's Fuel (All Fuel & Oil Needs) 07 40988222
- Kim Hillier Turbo Pans 0428250364
- Mining & Resource Permit Services (Pegging and Tenure Admin) 0407080673

OUT AND ABOUT FOSSICKING INFORMATION:

Mount Gibson – 5km north-west of Innot Hot Springs

Agate Creek – 70km south of Forsayth

O'Briens Creek – 38km north-west of Mount Surprise

Moonstone Hill - 90km south of The Lynd (Kennedy Development Road)

Young's Block – 15km east of Charters Towers

For more information including getting a Fossicking Licence and maps of the above areas visit

<http://www.qld.gov.au/recreation/activities/fossicking/north-qld/>

Fossicking Licences start from \$7.25 individual and \$10.45 family for 1 month...

C.J.Larkin & Associates

For advice on:

- safety management systems and documentation,
- blasting and explosives,
- training,
- Shaped charge and colliding shockwave technology, down hole tube cutting.

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 Cnr. Albrecht Street, & Maxwell Crescent,
 Atherton Industrial Estate, Tolga, Queensland

Thank you to the businesses listed here who are supporting the NQMA. They are also offering discounts to members on a wide range of products and services.

Membership must be current to take advantage of these discounts.



Pumping, Irrigation & Machinery Services
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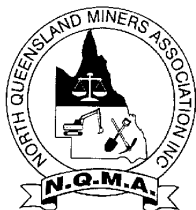
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NORTH QUEENSLAND MINERS' ASSOCIATION INC.

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 Miners' 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; 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: Michele Mobbs, 16 Forest Close, Speewah Qld 4881
email: michelemobbs@westnet.com.au

North Queensland Miners Association
Presents
Annual Gold Panning Championships 2015

When:

Saturday 8 August

First Event 9am –

Registration from
8am and up to
event time

Where:

Mareeba
Heritage Centre,
100 Park
(next to the Markets)



All Age Groups
can join in the fun!

From under 12's to
over 60's

A great way to
gain experience in
Fossicking for
GOLD!!!

**FREE entry to the Photo
Competition.**

**Photos must be related
to the Mining Industry!!**

**Bring your photos to the
event by 10am on the day
or drop off to Fiona
before the day**

1st Prize \$80

2nd \$60

3rd \$40



Schedule of Events

09:00am	Specialty Panning **
09:30am	Under 12 years
10:00am	Juniors 12 -16 years
10:30am	Novice Women
11:00am	Novice Men
11:30am	Gold Rush
12 noon	Skilled Women
12:30pm	Skilled Men
01:00pm	Mayor Presents: Photo Comp Winner
01:20pm	Veterans over 60 years
02:00pm	Open
02:30pm	Teams Challenge

Other things to do:

Stalls on Mining/Fossicking

**Fun Panning Bay. For just \$5
buy a parcel of sand and
learn how to pan. NQMA
representative will show
you how! Guaranteed to
find gold. Ideal for the kids.**

**Amazing jewellery
Raffle to be won**

**Fill up the hunger tank at
Frank's Sausage Sizzle**

****Important to Note:**

Entrants may use their own panning dish for this event only,
For all other events pans will be supplied by NQMA

***Trophies and amazing prizes to be won such as a
Metal Detector, valued at approximately \$850!***

Please contact Fiona Abbey on 40539808 or email fiona.abbey@cstdtin.com.au for further information.
Come along for a great day out and support the North Queensland Mining Industry