

THE MINER'S RIGHT

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

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Ph: 40320123

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EDITOR:

Fiona Abbey
Ph: 40539808

WEBSITE:

[New one
coming - TBA](#)

Next Meeting:

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

EMERGENCY MANAGEMENT FIRE AND RESCUE LEVY (EMFR)

The following are the actions undertaken by myself and others on behalf of the NQMA and as an update from the previous Miners Right – Vicky Lake, Executive Committee Member.

I attended two meetings in Brisbane on 16th July, 2015. The first meeting was with the Shadow Minister for Police, Fire, Emergency Services and Corrective Services, Mr Jarrod Bleijie and Mr Nathan Ruhle from the Office of the Leader of the Opposition. Mr Bleijie recognised that there was an issue with the EMFR and confirmed that he would support Mr Knuth, Mr Katter and Mr Gordon in lobbying the Government to get a resolution.

I then attended a meeting with Member for Mt. Isa- Mr Rob Katter, Member for Dalrymple- Mr Shane Knuth and Member for Cook- Mr Billy Gordon. All three Members recognised that the EMFR was an exorbitant Levy and the first step was to address the issue during question time when Parliament was sitting. (See Question on Notice). This action essentially made the EMFR Levy a recognised and documented issue in Government.

Fiona Abbey and I attended two meetings in Brisbane on 13th August 2015. The first meeting was with the Regional Manager from AMEC, Mr Bernie Hogan. Mr Hogan tabled the issue at the AMEC QLD Advisory meeting held that day which has been noted in the AMEC Minutes.

The next meeting was with Minister for Police, Fire, Emergency Services and Corrective Services- Hon. Jo-ann Miller, her Policy Adviser- Mr Brad Reguse, Ministerial Liaison Officer- Inspector Steven Bates, Policy Advisers from PSBA on behalf of QFES- Ms Lucia La Spina and Mr Jason Smith. After presenting our case Minister Miller irrefutably stated that Statutory Declarations were a legal document and could be lodged with the Council. The Minister asked QFES to contact Council through LGAQ (Local Government Agency's QLD) after the meeting to confirm that Statutory Declarations be accepted.

Minister Miller accepted that the EMFRL applied to Mining Leases was an unjust Levy introduced by the previous Government and directed QFES to organise a meeting with LGAQ to discuss possible resolutions. However, the proposed resolutions had to be "revenue neutral". Fiona Abbey question the time frame and Minister Miller directed QFES to present her Office with a drafted resolution within a month. Fiona put it to QFES that a NQMA representative should attend the meeting between QFES and LGAQ, which is yet to be confirmed.

I was happy with the outcome from the meeting until the Rates were issued and the contentious decisions made by Councils to not accept Statutory Declaration for the rating period (as Council had not received any directive from QFES and were uncertain as to whether Stat Dec's were submittable). Graham Steine organised a meeting with the TLC Mayor – Rosa Lee Long, who in turn organised a tele-conference with QFES Officers - Phil Horn, Jason and Lucia. The matter was clarified and QFES said they would email all Councils in QLD confirming that Stat Dec's were to be accepted and a summary of the categories applicable to ML's.

I spoke to Jason Smith on the 1st September to follow up on decisions made and he confirmed that a drafted proposal should be completed within 2 months and submitted to the Legislation Department for approval. Following approval there will be community consultation with all stakeholders either later this year or early next year. The submissions, if accepted, would be attached to the drafted proposal for reconsideration with the aim to have the proposal accepted and the Legislation amended for changes to be enacted on the 1st July, 2016.

It is my intention to follow through with these time frames as it is crucial that the EMFRL issue be resolved by 1st July, 2016. In the meantime it is vital that we all continue to lobby local Members and Government and I would encourage all Miners and associates to email/convey your grievances to these departments. In the event we may need to take the EMFRL issue to the next level (Ombudsman) we will have accumulated physical evidence to back up our campaign.

The NQMA Committee volunteer a lot of their time and resources lobbying the government to protect our industry. Not everyone is always going to be happy with the outcome but the mining industry has always had to fight Government to keep the industry equitable. Please feel free to contact myself and/or the NQMA if you have any suggestions or queries. Author: Vicky Lake, NQMA Committee Member

**Question on Notice
No. 707**

Asked on 17 July 2015

MR KNUTH asked the Minister for Police, Fire and Emergency Services (HON J MILLER)—
QUESTION:

Will the Minister advise what measures are being put in place to ease the burden on small family operated mines, which under the current system will be required to pay up to ten times the amount that neighbouring property owners are required to pay, and disproportionately more than larger mines, for the Emergency Management Fire and Rescue Levy?

ANSWER:

All Queensland property owners are required to pay the Emergency Management Levy (EML) to help fund our essential emergency services.

The EML applies to mining leases and claims granted under the *Mineral Resources Act 1989* (MRA) in the same way as local government rates and charges. The EML is determined by the local government for the area depending on the use and size of the land holding.

Recognising that mining operations in the E Class levy districts are often smaller scale operations in remote areas of the State, the EML is capped at levy group 6 (\$1409.20 for 2015-16) regardless of the size of the mining area.

If a lessee holds multiple mining leases they may be charged a levy for each lease holding just as a person owning more than one house has to pay a levy on each house they own. If holders of mining claims or mining leases disagree with the category that their local government has determined and the land is vacant, without permanent structures and is not being used for the extraction of material from the ground, the holder of the mining claim may submit a Statutory Declaration to their Local Council, for their consideration.

NATIVE TITLE ROUND UP: By Paul Crossland – (07) 40953324 Email: pc403@bigpond.com

Update on Native Title Act 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.

Assistance to RTN applicants

Assistance is available to mining tenement applicants in the RTN process who are NQMA members. The type of assistance available is: advice on the process and interpretation of the required documents, advice on "what to do next" with the process and establish a contact point between the applicant and the Native Title Party. 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 relevant Native Title Party and a copy to the North Queensland Aboriginal Land Council.

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.

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

Secretary Report – Claire Mackney

It's hard to believe that it is September already!

The Gold Panning Event was a great success thanks to all of our volunteers and sponsors. The positive feedback has been appreciated and we're already looking forward to next year's event.

I need to express my appreciation for the members who have campaigned the government and local councils in regards to the Emergency Management Fire and Rescue Levy fee situation. With persistence, phone calls and in person visits, we have had a small win while the battle continues. You the individual are not alone in this fight, if you have correspondence or discussions with stakeholders you think might be worthwhile sharing, please let us know.

The Department of Environment and Heritage Protection are proposing a review to the codes of environmental compliance for mining. We are assured that community consultation will occur but members need to be aware that the time frame provided may not be long. I cannot advise at this stage what changes may be proposed or when the consultation may occur, but it is worth giving some thought to your feelings on the existing code.

I am not aware of any changes to DNRM processes at this time. The contact number for the Mineral Hub is 07 4447 9230 for your tenure related queries. A very handy online tool is the public report search feature found at <https://www.business.qld.gov.au/industry/mining/mining-online-services/mining-permit-search>. Not only can you search for mining tenure, you can search information on lot on plan and local government authorities (such as Marreba Shire Council).

Our AGM being held at the Marreba Leagues Club on the 14th September and we encourage all members to attend or submit a proxy form. We are seeking nominations for new members for the executive committee as we have a couple of members stepping down from their positions this year. It's always good to bring fresh perspective to the committee while recognising the hard work previously having been carried out. If you choose not to nominate for the committee, we would still appreciate your attendance ☺ I look forward to seeing you on the 14th September!!

Claire Mackney
NQMA Secretary

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**FOR MORE INFORMATION PLEASE CALL
MICHELE on 40930052 or Graham on 0438 726854**

Annual Gold Panning Championships 2015!

The weather turned it on and the crowd turned up at the Annual Gold Panning Championships for 2015. The entrants were on par with 2014 and maybe a few more in the Men's Novice and Open as we had to run two heats in each event.

Simon White walked away with the Prize for Men's Skilled and Lyn Byrne took out the Women's Skilled for the 2nd year in a row. We will be watching Lyn with eagle eyes in 2016 as she will be eligible to take home the Women's Open Trophy which has been filling up with gold over the past 10 years! Go LYN!

The Event Results are as follows:

Specialty Panning 1. Tess Willes 2. Robert Willes 3. Scott	Junior (under 12) 1. Chays Shearer 2. Jack White 3. Cogen Jones	Junior (12 - 16) 1. Ben White 2. Harry Laredo 3. Jordan Stocker
Women's Novice 1. Kathy Billing 2. Kylie 3. Ghis Gallo	Men's Novice 1. Wayne 2. Shane Mackenney 3. Tony	Women's Skilled 1. Lyn Byrne 2. Sue Shearer 3. Tess Willes
Men's Skilled 1. Simon White 2. Scott 3. Robert Willes	Veterans 1. Ray Wallace 2. Stu Foster 3. Tim Land	Open Event 1. Ken Wilson 2. Des Brickie 3. Tess Willes
Teams 1. A-Team 2. Kookaburras 3. Gender Benders	Gold Rush 1. Allan Gale 2. Peter Kayes 3. Allen Gale Lucky Number: Allen Gale	Jewellery Raffle 1. Claire Mackney 2. Nev Franklin 3. Vicki Wieland

We were well sponsored this year and we are lucky to get in some great prizes to give away on the day! Also a special thanks to Gregg Construction of Mareeba – they turned up in the trusty BOBCAT to empty the big tanks of water and sand. Without this assistance the day would be extra-long and weary for the poor few that have had to empty them by other means in previous years!!

Our very much appreciated sponsors are:

Mr Donald Walker	Yungaburra Hotel	Lambert and Cells
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Palmer River Roadhouse	Mystical Spirit	Consolidated Tin Mines Limited
Bradford Coins	Minelab	North Queensland Miners Den
Garrett Australia	Top End Picks	Northern Gulf Regional Management Group
Kim Hillier TURBO Pans	Mareeba Historical Society	Mining and Resource Permit Services
Mareeba Heritage Museum	Gregg Construction	Armstrong Industries
Barry Jarman	AusIMM	Dept of Natural Resources and Mines

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Editors Notes:

The Annual Gold Panning Championships is done and dusted for another year – thank you to all that helped set up and pack up and also to all our wonderful sponsors! We have already had a donation of Sapphires for next year's jewellery – it would be great if our gold miners could set aside a few grams during the year to contribute to the making of this jewellery as it is our main fund raiser for the year.

The AGM is now upon us with the Committee to be elected for a further 12 months. This is your opportunity to join the Executive Committee and assist the NQMA with our current battles. It is very easy to sit back and ask “what is NQMA doing for us” when a select few volunteers fight these battles year in and out. **All members** are part of the NQMA and we would appreciate a few more supporters to assist fighting our causes. If you can't attend meetings please get involved via email and send through your thoughts or contributions so that they can be read out at the meetings. Don't avoid us – join us at the next Meeting!

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
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- Tilly's Crawler Parts Pty Ltd – Freecall 1800Tillys10
- Bremar Minerals (Tin Buyer) 0429440604
- Bidner Mining and Engineering, 0447968270
- Palmer River Roadhouse, 07 40602020
- 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
- Atherton Mower and Chainsaw Services 07 40917499

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...



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Membership must be current to take advantage of these discounts.



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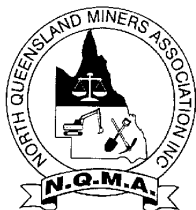
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Any members who have projects with the commodity gold, copper, jade or opals who are looking to sell whole or part of the project or are looking for investors, please contact Ray Chen from New Century Mining on 0402 386 160 or email ncmaus88@gmail.com or cccsyd@gmail.com.

Ray will be in Cairns on the 15th and 16th September if any members would like to discuss the above.



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