



THE MINER'S RIGHT

The North Queensland Miner's Association Incorporated
Representing Miners, Prospectors and Associated Industries
NOVEMBER 2016

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MinersAssociation](https://www.facebook.com/NorthQueenslandMinersAssociation)

Next Meetings:

Monday
14th November
Mareeba Leagues
Club 12:30pm

President's Report

For the first time in 17 years there is a new President! This role has been held by Mr Ralph De Lacey and he has seen many changes and challenges over this time, the challenges may have changed but boy oh boy are they continuing! The Association has been built on a very strong foundation and we hope that the new committee continues to be a strong representative for all Miners in North Queensland. I thank the members who have voted myself to the Present role and look forward to working with the Committee to achieve great future outcomes for the Mining Industry. A full list of new committee is below.

The last NQMA meeting for the year will be held on Monday 14th November at the Mareeba Leagues Club from 12:30pm. I would urge all available members to come along and get involved. At this meeting we will have representatives from DNRM, DEHP, Safety and Health and others. These representatives are allocated a time to present to the meeting and then leave after this. The NQMA members then discuss important topics and make decisions/resolutions from these topics.

Topics on the go at the moment are:

- EMFRL – NQMA has requested another meeting with the another new Minister
- Water reform – NQMA has a representative on the DNRM Cape York Water Consultation Group
- DNRM Tenure Reform – NQMA has a representative on the DNRM Tenure reform Consultation Group
- Soil Conservation in Mitchel River Catchment – NQMA has representatives attending meetings with Northern Gulf Resource Management Group
- Alluvial Mining – NQMA's intention is to educate media and other Government bodies on the impact (non-impact) of this type of mining is having in Nth Qld

We need experienced Members to share their knowledge, skills and ideas when consultation is requested through these Government bodies. Our say is important!

PS... the 2017 Calendars are in.. they will be going out to Members mail boxes soon.

YOUR NEW COMMITTEE – CONGRATULATIONS TO ALL NEW OFFICE BEARERS.

President: Fiona Abbey
Secretary: Vicky Lake

Vice President: James Said
Treasurer: Claire Mackney

Executive Committee: Graham Steine, Amanda Blazely, Buddy Kelly, Graham Byrne, Ken Wilson, Reuben Thomas and Michele Mobbs

Appointed Representatives:

Native Title: Paul Crossland
Environment: Amanda and James
Northern Gulf: Vicky
Gold Panning: Fiona and Claire
Electronic Media: Claire

Miners Right: Fiona and Claire
Heritage: Graham B and Ken
Publicity: Claire and Graham S
Water: Amanda

EMFRL UPDATE

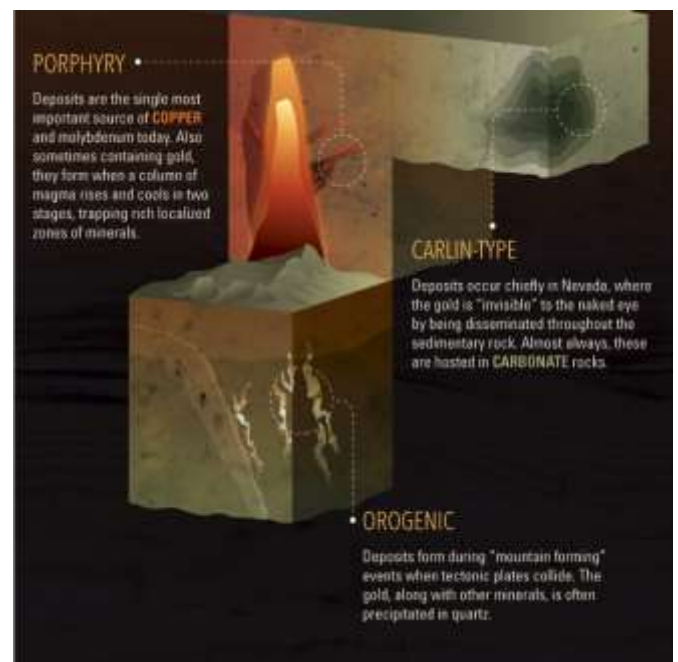
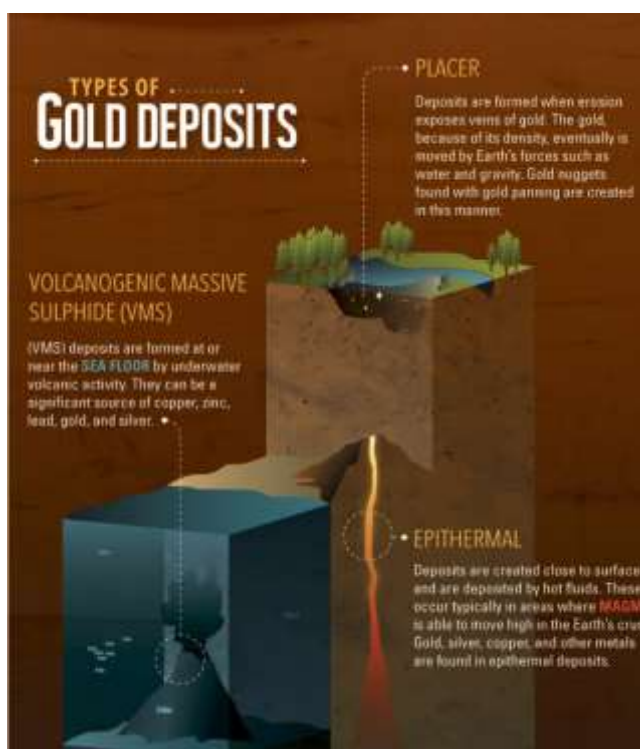
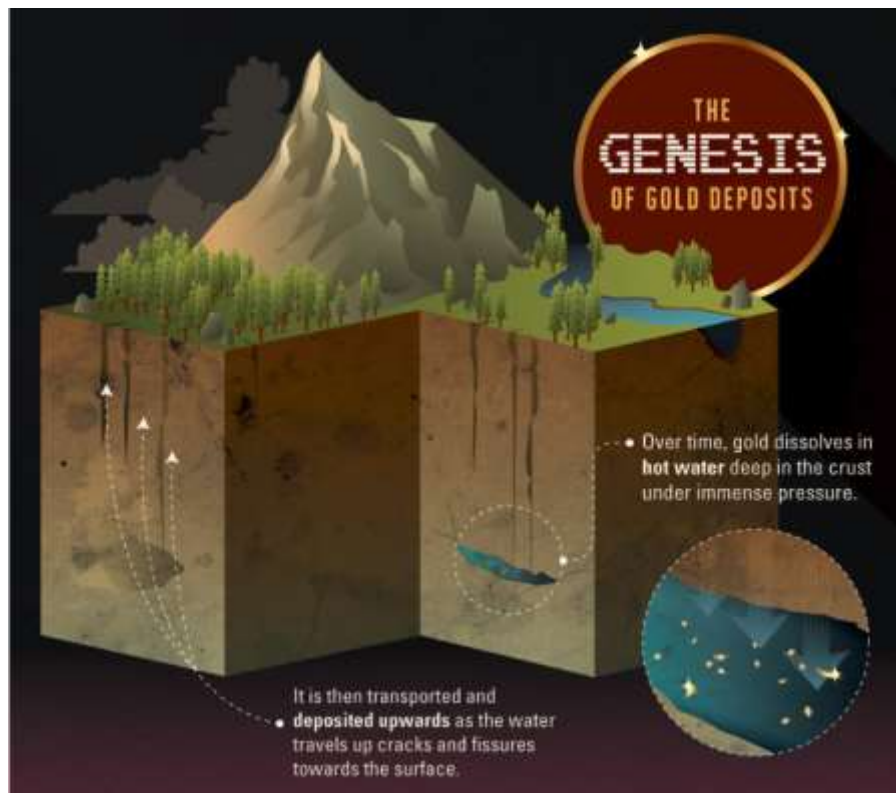
On 28th September a meeting was requested with Honorable Bill Byrne, Minister for Police, Fire and Emergency Services. To date NQMA had not received a date for the meeting. However on Thursday 3 November, Claire and Vicky attended a teleconference with the Chief of Staff and Senior advisor of Minister Bill Byrnes office. The Ministers office assured them that they would review all material provided and response to the NQMA submission (made in February 2016) within 4-6 weeks. They recognized that there is an issue that required addressing. Further to the meeting with the Ministers office, Claire and Vicky also attended a teleconference (don't you just love technology) on 7 November 2016 with Shane Knuth and Robbie Katter in relation to gaining support in the EML matter and other issues as they related to the small miner and industry in rural Qld. The NQMA have gained their support. This is a positive move forward but the battle is far from over. Watch this space....

LEGISLATION UPDATE

On the 27th September parts of the Mineral Resources Act 1989 were amended to incorporate the MERCP Legislation. Whilst we originally thought these changes were relatively minimal it seems that there are quite a few changes that now affect North Qld Miners.

- No pre-requisite tenure is required to peg/mark out a mining tenure application (ML or MC). Therefore a Prospecting Permit is not required. Note that if the area is covered by an EPM that's not yours then you still have to get the consent to peg within someone else's area. Section 386V of the MRA allows you to enter the land after giving the landowner 5 business days' notice. If you are wanting to peg in a restricted area or a reserve area, schedule 1 of the MRA requires that you get this consent BEFORE you enter the land. Therefore if you are intending to peg in the Palmer Resources Reserve or over a Road Reserve or within the allowed distance of a restricted area – consent must be obtained first. Also note that there is Practice Direction that states that the land does not necessarily need to be pegged and there are alternative ways of achieving the describing of a mining tenure boundary. However any tenures intended to be applied for in the Palmer Resources Reserve must be pegged. These changes may require careful upfront planning and it would be suggested to have a meeting with DNRM before pegging or contact your friendly tenement consultant.
- The Certificate of Application is no longer applicable and the Certificate of Public Notice has had a change of name to Mining Lease Notice (MLN). The Notice is still required to be advertised and copies of the application must be sent to landowners, council and EPM holders. The requirement to attach the Certificates on the Datum Post is no longer required, saving a trip to the ML!
- There is no longer 50 hectare area restriction on mining lease applications applied for within moratorium areas. The maximum cumulative area per miner is still 300 hectares however this can be one mining lease or many different sizes up to 300.
- The major change to the Land Access agreements is that any Conduct and Compensation agreement and opt-out agreement must be recorded on the landholder's property title as an administrative advice. For more information in regards to this subject check out:
<https://www.business.qld.gov.au/industry/mining/land-access-environment/land-access-requirements/recording-titles>





Native Title Information

NQMA Native Title Officer and representative for Native Title matters
NQMA contact: Paul.E.Crossland- (07) 4095 3324 Email- pc403@bigpond.com

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

Tagalaka Peoples RTN Native Title Area - The Tagalaka People's native title area is located around Croydon. From mid-2013 to mid-2015, six mining lease applications commenced the Right to negotiate process with the required Section 29 of the Native Title Act public notification. These six mining applications involve six miners. Two mining lease applications were given the Section 29 public notification in 2013, one in mid-2014 and three more between August 2014 to July 2015. In mid-2014, one of the mining applicants requested NQMA to assist with the negotiation process, as there had little progress from the native title party's legal representative. This led to another mining applicant requesting NQMA assistance in mid-2015. Both miners made substantial efforts to progress the negotiation the required agreement and offered the NQMA Standard Ancillary Agreement, which has been based on recent Small Scale Mining Indigenous Land Use Agreements (SSM ILUAs). However, it appears that the person who held himself out as being the representative for the Tagalaka Aboriginal Corporation's board of directors has taken very little, if anything, to the board for them to consider.

In early 2016, four more mining applicants requested NQMA assistance and all six applicants have joined as a group for the RTN process. In July 2016, the mining applicants decided to request mediation assistance from the National Native Title Tribunal and instructed the NQMA Native Title Officer to do so. The request has been accepted by the NNTT, a case officer assigned and a Tribunal Member appointed to provide mediation between the Tagalaka People and the mining applicants.

Small Scale Mining Indigenous Land Use Agreements (SSM ILUA)

There are three SSM ILUAs presently in place in the North Queensland area. The Ewamian SSM ILUA is in the area surrounding Georgetown and Einasleigh. The Djungan Peoples SSM ILUA is in the area surrounding Mt Mulligan. The Western Yalanji SSM ILUA covers an area from Mt Carbine to the Lakeland. These ILUAs are available for miners who qualify under the definition of a small scale miner to deed into to satisfy the native title obligations for their mining tenure applications.

A copy of the ILUA may be obtained from the Department of Natural Resources and Mines or online at - www.business.qld.gov.au/industry/mining/land-access-environment/native-title/indigenous-land-use-agreements/state-iluas

Once a miner has signed the Opt In Deed, a copy is to be sent to the relevant Native Title Party (at the address below), a copy to be lodged with the Department of Natural Resources and Mines, and a copy to be sent to the NQMA secretary - 395 Lake Street, Cairns North Qld 4870.

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.

Contacts for reference:

Western Yalanji SSM ILUA: Western Yalanji Aboriginal Corporation Street Address: Unit 39B, Constance Street, Mareeba Postal: PO Box 2683, Mareeba Qld 4880 Phone: (07) 40926712 Email: admin@westernyalanjiCorp.com	Ewamian Peoples SSM ILUA: Ewamian Aboriginal Corporation 9A Hort Street Mareeba, Qld 4880 Phone: (07) 40922555 Fax: (07) 40922555 Email: sharon@ewamian.com.au
Djungan Peoples SSM ILUA: Nguddaboolgan Aboriginal Corporation C/- Post Office Yarrabah Qld 4871 Email: nguddaboolganpbc@gmail.com Phone/Fax: To be advised	Department of Natural Resources and Mines: Field and Land Access North Region Street Address: Level 9, Verde Tower, Flinders Street Postal: PO Box 1752, Townsville Qld 4810 Phone: 07 44479227 Email: mineralhub@dnrm.qld.gov.au

Native title Information continued...

NQMA 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 assistance with interpreting 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.

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

History Lessons!

The following information was found in the depths of Google and included in a publication entitled "The Palmer Goldfield" written by Jillian Comber, describing the History of the area.

A government-sponsored expedition led by William Hann in 1872 reported traces of gold in the bed of a river which he named Palmer after the Colonial Secretary of the day. The following year James Venture Mulligan's party reported that payable gold could be found on the Palmer and the rush was on. The Palmer Goldfields proved to be an alluvial field of extreme wealth yielding a reported 40 tons of gold. However, the Palmer was significantly different from other Australian goldfields in several respects;

- (a) It was rich alluvial rather than reefing field.*
- (b) It was beyond the limits of settlement*
- (c) The Aboriginal people, Koko-minni, were still in possession their territory when the miners arrived*
- (d) The Chinese population on the Palmer Goldfield eventually far outnumbered the European population, becoming the largest Chinese community in the colony.*
- (e) Transport difficulties rendered the field nearly inaccessible and increased all costs associated with the field.*

The Palmer was an extremely rich alluvial field producing gold over a relatively short boom period from 1873-76. Between 20,000 and 30,000 people flocked to the field which was an isolated area beyond the limits of settlement (one report stated the actual number as being over 50,000).

Whilst far greater numbers had rushed to the New South Wales and Victorian diggings, they arrived after the pastoralists, not before, as on the Palmer. Thus the Palmer rush preceded any form of Government authority or administration. There were no roads, railways, established communication links or stores.

The major alluvial activity was short lived on the Palmer. Despite its promising start the isolation and harsh climatic and living conditions made gold recovery expensive and difficult. Its remoteness from any settlement made transport a major problem.

After the first reports of payable gold the Government acted immediately to overcome the absence of access and official administration. In 1873 an official expedition led by Gold Commissioner Howard St George was dispatched to establish the port of Cooktown and roads and communication routes to the Palmer.

The first settlement established was Palmerville (initially Palmerstown) with Maytown (initially known as Edwardstown) later becoming the focal point for business and administration on the Palmer. Four days after his arrival at Palmerville, St George wrote glowing reports of wealth of the field. However, despite the government's attempts to provide suitable access, transport costs were high and at times transport ceased completely. During the dry season there was insufficient water and grass to feed the draught horses. Few European miners won sufficient gold to offset these charges. After the first few years of relative affluence on the field it was estimated that the average earning of European alluvial miners were barely one pound per week, which was about a third of the skilled worker's wage at the time. Malnutrition and infectious diseases were also common.

Within three years the majority of Europeans held left the field whilst the Chinese population (mainly from Canton) increased. In 1877-1878 the Chinese numbers 18,000 whilst the European population had declined to 1,500. This was the largest Chinese community in the colony. The Chinese methods of working co-operatively proved successful. Their operational methods were described as 'the safest and surest'. Co-operative cradling featured two people digging, two carrying wash dirt, two at the cradle, and the remainder of the group bagging gold. Their claims were usually worked two or three times. The fact that the Chinese on the Palmer were restricted to ordinary claims although they qualified for extended claims would have contributed to this industrious reworking of claims. The Chinese were also discouraged from reef mining. Yet even in the field's decline from 1877-1879 when the number of Chinese on the field was at its highest, due to the endeavors of the Chinese alluvial miners, the Palmer retained the highest yield in the colony.

Reefs sufficient to sustain profitable underground mining were sought by the Europeans. Despite all expectations, the Palmer geology continued to thwart such hopes. Only three principal quartz reef systems were discovered. These reefs were in the Maytown area where underground mining continued energetically for ten years and intermittently for another sixty years. The reefs of the Palmer were not suited to profitable large scale mining. Due to the geological peculiarities of irregular deposits of very fine gold, considerable money and energy had to be expended to extract a small amount of payable gold. The costs of mining and ore treatment were further increased by the climatic obstacles, isolation and labor shortages. According to Bell, reef mining on the Palmer became the most expensive in Australia. Poor management also burdened the company-owned Palmer mines. Capital invested was rarely sufficient so that the mines worked inefficiently with inadequate machinery and equipment. Initially mills were established to service mines in the area, with a fee being charged for crushing. Eventually the cost of transportation from mine to mill and the cessation of transport during the wet or exceptionally dry seasons (due to lack of feed for the teams) led to many mines, even the smaller ones, setting up their own stampers. The first period of underground mining was short. The first mill opened in 1876 and by 1884 the significant Maytown mines had closed down, although some later re-opened.

During its hey-day, Maytown, which became the administrative and business centre of the field in 1875, boasted three banks (opened in 1876), a post office, police station, Warden's office, school and hotels and a billiard saloon. Other smaller settlements, containing stores, hotels and boarding houses, were established on the Palmer Goldfields to service miners remote from Maytown. The Ida (or Idatown), German Bar, Echotown and Gregory were representatives of these small centers.

In 1896 the Palmer Mining Warden and Mining Surveyor were withdrawn and the field was administered from the Cooktown office. The population had dwindled to 386 (216 Europeans and 170 Chinese). By 1900 the field was even less populated. A brief but unsuccessful revival of the occurred during the 1930's. The Louisa mine closed during the Second World War and the last remaining family that of Mrs Parsons, who operated the post office, left Maytown at the end of 1945 when the post office closed.

Please support our Associated Members:

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- Heavy Equipment Hire, Mareeba, 07 4092 2477
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- Cooktown Earthmoving and Quarrying, Cooktown 07 4069 5340
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- Bremar Minerals (Tin Buyer) 0429 440 604
- Bidner Mining and Engineering, 0447 968 270
- Palmer River Roadhouse, 07 4060 2020
- Marano's Fuel (All Fuel & Oil Needs) 07 4098 8222
- Kim Hillier Turbo Pans 0428 250 364
- Atherton Mower and Chainsaw Services 07 4091 7499
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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/...../.....

Payment can be paid by either sending the application and cheque to the below address OR by bringing the application and cash/chq to a NQMA meeting OR direct deposit and emailing completed application form to the Treasurer.

Direct Deposit Details: Account Name: NQMA Bank: Bendigo BSB: 633-000 Account: 128702172 (add name in comment field)

NQMA TREASURER: Claire Mackney, C/- 395 Lake Street, CAIRNS NORTH QLD 4870
EMAIL: Claire.mackney@bigpond.com