

THE MINER'S RIGHT

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

November 2018

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Reform to Queensland resources legislation

On 18 October 2018, the Queensland Parliament passed the Mineral, Water and Other Legislation Amendment Bill 2018 (MWOLA Act). The MWOLA Act provisions, upon their respective commencement dates, make significant changes to the Queensland resources legislation.

Key amendments under the *Mineral Resources Act 1989* (MRA) likely to affect metalliferous miners are as follows:

Restricted Land

Landowner consent for restricted land is no longer required to be obtained prior to the last day of objection for the mining lease and can now be obtained at any time prior to grant.

Mining Lease Compensation

Under the MRA, there are provisions for the chief executive to automatically refer unresolved mining lease compensation matters to the Land Court 3 months after the last day of objections for a mining lease application or 3 months after expiry (renewal lodged) of a granted mining lease. With the amendments in the MWOLA Act, if compensation has not been agreed, a party to the proposed agreement must refer the matter to the Land Court themselves. If the matter has not referred the matter to the Land Court within the specified timeframes, the Minister may refuse to grant the mining lease.

Continued on page 2...

Dates to remember

12 November 2018

NMQA November General Meeting
Mareeba Leagues Club 12:30pm

1 December 2018

Last day to pay overdue mining lease rent

24 December 2018 – 2 January 2019

DNRME Christmas Closure

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Reform to Queensland resources legislation continued...

The MWOLA Act also makes significant changes to the process of negotiation and dispute resolution for land access and compensation under the Mineral and Energy Resources (Common Provisions) Act 2014 (MERCPA).

This is by no means a comprehensive list of the amendments passed with the passing of the MWOLA Act. A great run down of the key changes affecting the resources sector has been provided by Clayton Utz and can be found on their web page by following the links provided below.

<https://www.claytonutz.com/knowledge/2018/may/land-access-tougher-for-queensland-resource-authority-holders-under-proposed-new-statutory-negotiation-scheme>

<https://www.claytonutz.com/knowledge/2018/october/further-reform-to-queensland-resources-legislation-key-changes-that-affect-industry>

AGM Results

Please find below the NQMA AGM results.

Key Committee Positions

President – James Nicholas Said

Vice-President – Graham Byrne

Secretary – Lyn Byrne

Treasurer – Michele Mobbs

Nominated Officers

Native Title Officer – Paul Crossland

Mining Heritage – Tim Forsayth

Environment – James Said & Paul Crossland

Mitchell River Liaison – Mike Scott

Additional Committee Members

Buddy Kelly

Greg Guernier

Graham Steine

We welcome the new committee and look forward to the coming year of moving forward under their direction.



The Land Access Ombudsman (LAO) is an independent body established under the *Land Access Ombudsman Act 2017*.

Their role is to:

- investigate disputes involving alleged breaches of conduct and compensation agreements and make good agreements
- give advice and make recommendations about how disputes could be resolved
- refer or recommend possible offences and breaches of resource authority conditions to appropriate government departments for investigation
- provide advice to government agencies about systemic issues arising from land access disputes
- promote public awareness of the Ombudsman's functions.

The LAO operates independently of the government and is not subject to direction by anyone.

For more comprehensive information about the service offered, including the dispute resolution process, please visit the LAO web page at <https://www.lao.org.au/services> or contact them by telephone to 1800 717 550 or by email to enquiries@lao.org.au.

Department of Environment and Science update

If you have recently received an annual fee invoice for your standard environmental authority, there will have been a notice included advising you of changes to the issue of your annual return. For members whose annual invoice has not been issued yet, I provide the following directly from the notice.

The Department of Environment and Science (the department) has changed the annual notice and annual return process for environmental authority holders. The annual notice (including invoice) and annual return will be sent to you separately rather than together as has been the current practice.

The annual reporting period will now be for the calendar year and submitted on 1 March versus the current approach of aligning with the anniversary day of the environmental authority. The changes will provide environmental authority holders with extra time to prepare the annual report between the end of the reporting period and the submission date. The changes will also provide more transparency to the community on the regulation and performance of environmentally relevant activities as the reporting periods will align for all environmental authority holders.

Annual notice

The annual notice will be sent separately to the annual return. The annual notice will include an invoice for the annual fee for your environmental authority. This invoice will be required to be paid on the anniversary date as stated in the annual notice.

Reduced annual fee claim

The reduced annual fee claim process is now available through the annual notice rather than the annual return. There have been no changes to the claim process questions or requirements.

Annual return

The annual return will be sent separately to your annual notice. The reporting period for the annual return has changed. To date the reporting period has aligned to the year up to and including the anniversary date of your environmental authority. The new reporting period will now be 1 January to 1 December (calendar year).

The date for submission of your annual return has changed. The annual return is now to be submitted on a new date of 1 March.

Some other changes have been made to the annual return form including minor changes to the questions and to the rehabilitation and disturbance information required for resource activities.

Further queries can be directed to the Permit and Licence Management Team (PaLM) on 1300 130 372 (option 4) or by emailing palm@des.qld.gov.au.

I'm late, I'm late, for a very important date....

Despite our best efforts, sometimes we don't lodge a form or make a required payment on time. Unfortunately, Queensland government departments don't miss us when this occurs, and we often find ourselves having to pay penalty fees as a result.

With the recent changes within the Department of Natural Resources, Mines and Energy, these non-compliances are also being recorded against the holders of mining tenure and may be used when assessing future applications (including renewals).

Where possible, to save your own reputation, and to keep the mining industry compliance metrics looking healthy, please ensure that you are organised and attending to your lodgements on time.



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Fun Jokes for Kids!

Why are miners good at
keeping secrets?

Because they're always
mining their own
business!!

Transfer of mining tenement

Quick tips

- Mining Lease applications are not subject to transfer duty as they are not an existing right (until the Minister grants them). Lodge your documents directly with the Mines department.
- If transferring between related parties, you are required to show evidence of value of the mining lease. While the Office of State Revenue states that they require a valuation from a qualified person, you are able to provide justification such as the sale price of surrounding tenement, size and potential resource as an indication of value.
- For non-related parties, a similar level of evidence may be required if you are buying a mining lease for what is considered to be low value.
- Exploration Permits cannot be transferred until they are granted.
- A calculator to estimate your transfer duty can be found at <https://www.qld.gov.au/housing/buying-owning-home/advice-buying-home/transfer-duty/how-much-you-will-pay/calculating-transfer-duty/estimate-transfer-duty>.

More information can be found online at <https://www.business.qld.gov.au/industries/mining-energy-water/resources/minerals-coal/authorities-permits/payments/transfer-duty>.

Department of Natural Resources, Mines and Energy

Pre-lodgement or take a chance?

If you are looking to lodge a new application for mining tenure, it is worth ensuring that you are familiar with the lodgement requirements of the application you are making.

The department offers a number of guidelines on their business portal, which are great tools, but still contain a lot of jargon that a lot of us don't care to read and may not quite fit depending on the size and type of operation proposed.

There are a number of Mining Tenement Consultants who are members of the NQMA and offer professional services to ensure a smooth, hassle free lodgement of your applications.

Alternatively, if you are seeking to lodge your application yourself, the department offers a pre-lodgement service so that they can guide you through the information required and review your financial and technical statements and your proposed work program to ensure that you are making a winning application.

A starting point when considering making an application is to check out the departments [website](#) and review the available [policies and guidelines](#) to ensure that you can comply with the requirements of the *Mineral Resources Act 1989* and other relevant legislation.

Then make contact with the appropriate Assessment Hub or a Tenement Consultant to begin the process. Happy Mining 😊

Mineral Assessment Hub

The Mineral Assessment Hub administers mineral mining permits. These include mining claims, mining leases, mineral development licences, exploration permits and prospecting permits.

Level 9, 445 Flinders Street
Townsville QLD 4810
PO Box 1752, Townsville QLD 4810
Phone: (07) 4447 9230
Email: MineralHub@dnrme.qld.gov.au

Small Scale Mining Assessment Hub

The Small Scale Mining Assessment Hub administers all mining claims and mineral mining leases for opal, gemstones, and corundum or other precious stones predominately located in the Quilpie, Emerald and Winton districts.

99 Hospital Road
Emerald QLD 4720
PO Box 245, Emerald QLD 4720
Phone: (07) 4987 9350
Email: SSMHub@dnrme.qld.gov.au

Coal Assessment Hub

The Coal Assessment Hub administers all coal mining permits. These include mining leases, mineral development licences, exploration permits and prospecting permits.

Corner of Bruce Highway and Yeppoon Road
Parkhurst QLD 4701
PO Box 3679, Red Hill QLD 4701
Phone: (07) 4936 0169 Fax: (07) 4936 0375
Email: CoalHub@dnrme.qld.gov.au

Petroleum Assessment Hub

The Petroleum Assessment Hub administers all petroleum, gas and geothermal authorities.

1 William Street
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Monitoring Respirable Dust in Coal Mines, Mineral Mines and Quarries

Dust particles are generated and can become airborne during many of the extraction and processing activities associated with producing and processing rock and mineral products.

Mine workers can be exposed to dust particles that differ in chemical composition, such as: dust containing crystalline silica, coal dust, dust containing metals such as lead, cadmium & arsenic and asbestos. Breathing in dust can result in a range of occupational illnesses and diseases.

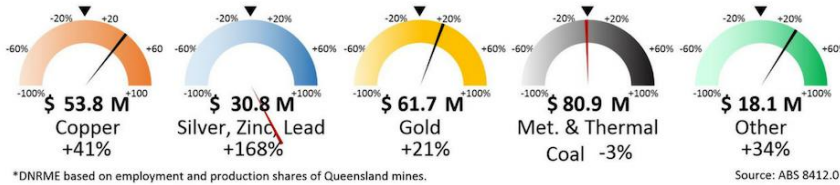
Monitoring of a worker's health is legally required when the hazard has the potential to exceed exposure limits or the level of risk from the hazard varies.

Mine operators must have a documented way of managing dust and a strict monitoring program to ensure dust exposure is kept to an acceptable level and statutory exposure standards are met. Part of this system must include monitoring to determine workers' exposure to airborne concentration of dust particles.

For more information, please visit <https://www.business.qld.gov.au/industries/mining-energy-water/resources/safety-health/mining/hazards/dust> and <https://www.business.qld.gov.au/industries/mining-energy-water/resources/safety-health/mining/hazards/dust/legislation>.

It is recommended that appropriate dust monitoring training is undertaken by the Site Senior Executive (SSE) to ensure that all legislative requirements are being met.

MINING EXPLORATION



Queensland exploration expenditure increased by 26% to \$280M over the year to June 2018. Growth contributors were Copper (+41% to \$53.8M), Silver, Zinc, Lead (+168% to \$30.8M) and Gold (+21% to \$61.7M) when compared to June 2017.

RESOURCES UPDATE



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Editors Notes:

The Miners Right is usually published every February, May, July, September and November prior to the NQMA general meetings. The MR is a great way to share information within our mining community. We are always looking for contributions to make the newsletter interesting and informative. If you would like to see something included or you can contribute stories, historical information or general mining info please contact the editor. Members can also advertise their business, items for sale or wanted items without charge. Please send requests via email to Claire@tenementmatters.com.au.

Disclaimer: While every effort is made to ensure that information provided in the Miners Right is correct, it should not be relied on when making decisions in relation for your business. The NQMA committee recommends that appropriate professional advice should be sought.



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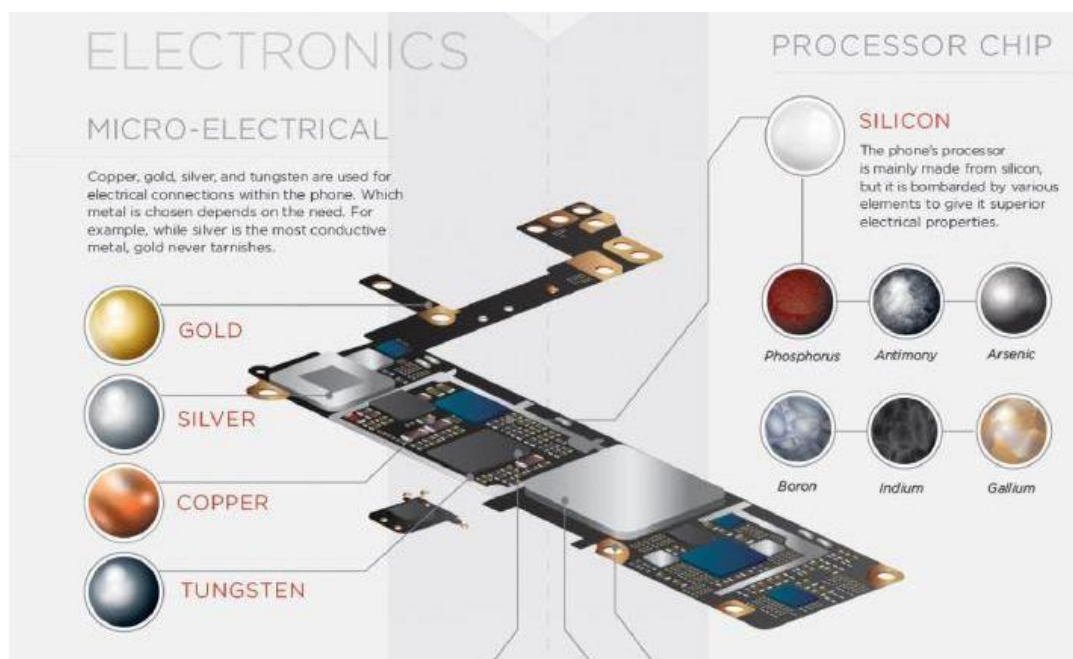


JOE VELLA
 INSURANCE BROKERS



Ausimm FNQ (information sourced from the AusIMM Facebook page)

Most of the metals in the smart phone are either being mined in North Queensland, or exploration is underway for them. The metals copper, silicon, gold, silver, tungsten and aluminium are currently being mined in North Queensland, with testing and exploration underway for cobalt and graphite, while deposits of indium, gallium, arsenic and antimony are known. An Australian company is developing production techniques to make artificial sapphire for phone lenses from kaolin, and the plastic in the cases comes from hydrocarbons either gas or oil that Australia can produce. Join this vital industry and become part of a professional team that can travel the world. Apply now to the [AusIMM FNQ Branch](#) to access funds through the Max Eden Bursary to assist first year Uni students studying any mining related subject next year.

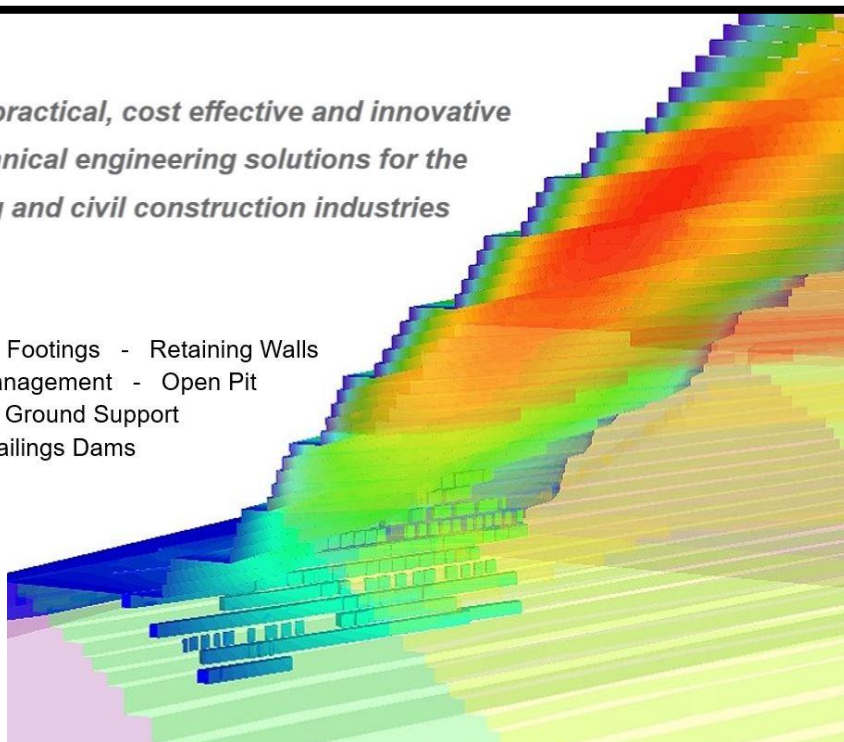


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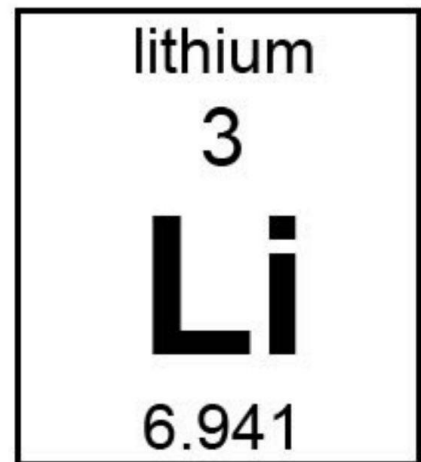
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Mineral in focus - Lithium

By: Claire Mackney



Lithium exploration has become increasingly popular in Australia in recent years with exploration permits popping up all over the country seeking this much coveted mineral. A chance conversation with a miner in the Palmer River Roadhouse on 13 October where he claimed to have a massive lithium deposit on his gold lease got me thinking, would I know lithium if I tripped over it? Being an avid Fossicker/Rockhound and mining professional, I figured that I should know - who knows, I could one day discover the next big lithium deposit! (What is more likely though is that I would pick it up, think "oh that's an interesting specimen" and bring it home and put in on the shelf with the rest of my dirty rocks.)

What is Lithium?

Lithium comes from two very different types of deposits. It is mined from pegmatite and recovered from the mineral spodumene, and to lesser extent, amblygonite, lepidolite and petalite

Lithium comes from the Greek word lithos which means "stone" because lithium was thought to exist only in minerals at that time.

Periodic Table Group and Classification of the Lithium Element

Elements can be classified based on their physical states (States of Matter) e.g. gas, solid or liquid. This element is a solid. Lithium is classified as an "Alkali Metal" and located in Group 1 elements of the Periodic Table. An Element classified as an Alkali Metal is a very reactive metal that does not occur freely in nature. Alkali metals are soft, malleable, ductile, and are good conductors of heat and electricity. Nearly 75% of all the elements in the Periodic Table are classified as metals which are detailed in the List of Metals.

Medical Uses of Lithium - Health and Treatments

Interesting information on the Medical Uses of Lithium, Health and Treatments. Lithium carbonate is a psychotropic drug used to treat recurrent attacks of manic-depressive illnesses and has helped correct sleep disorders in manic patients, apparently by suppressing the rapid eye movement phases of sleep. Therapeutic concentrations of lithium have no observable psychotropic effects on normal individuals.

Industrial/Commercial Uses of Lithium

Lithium-ion batteries are the key to lightweight, rechargeable power for laptops, phones and other digital devices. According to the U.S. Geological Survey, Argentina and Chile increased their lithium production 15 percent each in 2014 alone to meet the growing demand. Worldwide, production jumped 6 percent that year. Chile and Australia produce the most lithium in the world.

I think personally, I will probably stick to finding rocks that look good on my shelves and on my office desk...

Source information: <http://www.elementalmatter.info>, www.livescience.com, Wikipedia, google images





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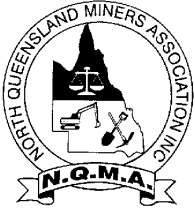
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NORTH QUEENSLAND MINERS' ASSOCIATION INC.

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.....

Daytime Phone: E-mail:

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'.

Account details for direct deposit: North Queensland Miners Assoc. Inc.
BSB: 633-108 Account: 128702172

SIGNED

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

Please send Application Form to: NQMA Treasurer
PO box 1548
Mareeba Qld 4880
michelemobbs@westnet.com.au