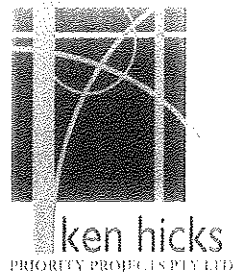


Submission No. 034
17 January 2014
11.1.14



11 January 2014

The Research Director
State Development, Infrastructure and Industry Committee
Parliament House
George St
Brisbane QLD 4000

via email – sdiic@parliament.qld.gov.au

Submission to the Regional Interests Bill 2013 – K E Hicks

Dear Ms Pasley

I wish to express my congratulations to the government in the initiative of drafting new legislation which has the intention to protect the Steve Irwin Wildlife Reserve (SIWR) from open cut and strip mining.

I act as Consultant Planning and Property Manager of Australia Zoo, and also serve as a director of Wildlife Warriors Worldwide Ltd. As Chair of the SIWR Steering Committee, I have lodged a separate submission on behalf of the Committee.

This is a personal submission as an individual having a wide knowledge of the SIWR both on the ground and its management since inception in 2007.

I support the objectives of the Regional Planning Interests Bill 2013 and the Draft Cape York Regional Plan (CYRP).

I also support submissions made in favour of the Bill by scientists and other experts who have experience and knowledge of the SIWR.

The distinction I make between my submission and others, is that I concentrate on my knowledge of the dealings of the mining company Cape Alumina Pty Ltd in relation to the SIWR.

Background

I am a surveyor and town planner with 40 years experience in Queensland.

In August 2006 I was invited by Steve and Terri Irwin to participate in their crocodile research program held at that time in Lakefield National Park. I was impressed by the expertise and dedication of the "croc team" and the way the crocs were captured, processed and released without tranquilisation. Steve and Terri did the "hands-on" supervision of every crocodile and Professor Craig Franklin of UQ managed the research component.

Shortly after Steve's death on 4 September 2006 I was asked by Terri Irwin to go to Cape York and endeavour to purchase a specific property called "Bertiehaugh". Terri indicated that Steve had carried out crocodile research

DEVELOPMENT
MANAGEMENT
5 COOMOO CRES
MOUNTAIN CREEK, Q 4557
AUSTRALIA
P +61 (0)7 5444 2578
F +61 (0)7 5444 2507
M +61 (0)417 749 686
E khpp@bigpond.net.au
ABN 11 010 278 261

in the Wenlock River on Bertiehaugh prior to 2006 and that her response to the offer by Prime Minister John Howard for a living memorial in honour of Steve was to acquire this land as a Wildlife Reserve in his name.

I spent several days in March 2007 inspecting the property with the landholders and was immediately impressed by the pristine untouched condition of the 135,000ha property. Australia Zoo's Senior Ranger Barry Lyon had already appraised me of the exceptional natural values of the land and water areas.

Barry and I prepared an application to the Department of Environment and Heritage for the acquisition of the property "**for addition to the National Reserve System (National Heritage Trust 2006 – 2007)**". The application was accompanied by a comprehensive preliminary Management Plan and an independent valuation by a registered valuer.

The following statements were disclosed in the application. "*Cape Alumina Company has exploration rights in the south western corner of the property. Exploration grid lines have been surveyed in this area with minimal disturbance. There are no mining leases over the property*".

It is my understanding that it is not unusual for mining companies to "cover" their exploration tenements with a widely spaced grid survey which provides little precise information regarding resource deposits, but does allow them to claim they are performing work. I did not observe or have knowledge of any other mining activities on the property.

At this time Cape Alumina had approximately 2500km² of exploration permits and pending applications in western Cape York. Only approximately 200 km² was on the Bertiehaugh property.

I have provided below the historical events which followed the initial investigation and the application by Australia Zoo to purchase the property.

The Commonwealth Environment Minister Hon Malcolm Turnbull MP announced the acquisition of SIWR on 22 July 2007.

On 24 July 2007 Cape Alumina's parent company, Metalica Minerals, made an announcement (attached) that Cape Alumina will be listed on the stock exchange to fund a "Bankable Feasibility Study" which will include "the **commencement** of a major drilling program at Wenlock in August".

On 1 November 2007 Cape Alumina made applications for 3 Mining Leases, which included 12,300ha within SIWR.

There is clear evidence therefore that Cape Alumina did not commence a major drilling program, or make mining lease applications over this land until immediately after the announcement of the acquisition of the Bertiehaugh property as the SIWR on 22 July 2007.

It is my opinion that Cape Alumina reacted to the announcement of the SIWR out of panic and out of sequence with the normal due diligence process that would be associated with an announcement of this kind. In fact

the CEO Paul Messenger acknowledged in the announcement that all approvals were not in place at that time.

The question could reasonably be asked as to whether Cape Alumina attempted to commence mining so that it would have its destructive strip mining of bauxite started before the comprehensive environmental protections to safeguard this pristine environment could be put in place?

Since 2007 I have been the point of contact for dealings between Australia Zoo and Cape Alumina and have made myself familiar with company activities and public announcements

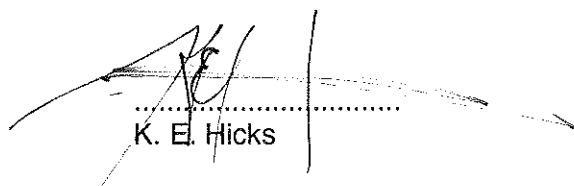
In discussions with Cape Alumina over the intervening 6 years, Australia Zoo wrote to Cape Alumina to advise that it would do all legal things possible to stop mining on the SIWR.

Also, the company was constantly made aware of the strong public support to ban mining on the Reserve. Coincidentally, on the same day as the announcement by the Premier to ban mining on the SIWR, the Australia Zoo website showed that 451,234 people had petitioned against the mine. To my knowledge this is record in Australia for any petition.

It is reasonable to suggest that the company was, or should have been, at all times aware of the risks involved in pursuing this project on the SIWR, the significant environmental values of land it sought to mine, and the likely opposition it would attract by doing so.

In the event that mining is prohibited on the SIWR, it is my opinion that Cape Alumina Pty Ltd should have been cognisant of this potential eventuality, and should accept full responsibility associated with its actions since 2007.

I believe that it is important for the Parliamentary Committee to be made aware of these historical facts when considering any claims by Cape Alumina Ltd in relation to the Bill.



K. E. Hicks

Attached. – Metallica Minerals Limited ASX and Media Release 24 July 2007.

DEVELOPMENT
MANAGEMENT

5 COOMOO CRES
MOUNTAIN CREEK, Q 4557
AUSTRALIA

P +61 (0)7 5444 2578

F +61 (0)7 5444 2507

M +61 (0)417 749 686

E khpp@bigpond.net.au

ABN 11 010 278 261



ASX AND MEDIA RELEASE

24 JULY 2007

CAPE ALUMINA IPO TO FUND FEASIBILITY STUDY FOR DEVELOPMENT OF NEW WEIPA BAUXITE PROJECT

Metallica Minerals Limited today announced that its 40% owned associate, Cape Alumina Pty Ltd, will proceed with an Initial Public Offer (IPO) and stock exchange listing within the next 12 months

The IPO will fund completion of a Bankable Feasibility Study and if positive, move toward development of a new bauxite mine in Cape York at Wenlock.

Metallica Managing Director, Mr Andrew Gillies, said after three years of advancing Cape Alumina's flagship Wenlock bauxite project, **the time is now right** to list the company and expedite development plans. A final location for the proposed Cape Alumina listing has not yet been decided but Australia or Hong Kong are likely stock exchanges.

"Cape Alumina will commence a major drilling programme at Wenlock in August which is expected to significantly increase the company's initial 54 million tonnes Inferred and Indicated *insitu* bauxite resource," Mr Gillies said (*details of which area shown in Table 1 at bottom of this release and included in ASX release dated 22 January, 2007*). Results from the drilling will be incorporated into the Feasibility Study which should be completed by the end of 2008".

Cape Alumina CEO Dr Paul Messenger today said "all the necessary agreements and consents for exploration are in place and **we're just waiting for the formal granting of EPM15278**, which we understand is imminent, for the new drilling program to commence.

"Approximately 2,000 shallow aircore holes have been planned to infill and extend last years drilling onto the adjoining Cape Alumina exploration permit so as to quantify resources at the Measured, Indicated and Inferred categories," Dr Messenger said.

"Based on a combined mapped bauxite plateau area extent of about 45 square kilometres and an assumed average thickness of over 2 meters, we are targeting a total of 100 to 130 million tonnes * *insitu* bauxite at Wenlock (including the current 54 million tonne resource – *Table 1*) suitable for export to Chinese alumina refineries after beneficiation," he said.

"A field camp will be established on Bertiehaugh Station and a Cultural Heritage survey of the drilling area will be completed next month. Transport, drilling, surveying and assay contracts are in place and a field crew will be mobilised to site in late August. Drilling is expected to run through until November and a final resource estimate model should be completed in the first quarter of 2008"

Also this week, Cape Alumina engaged Brisbane-based Australasian Resource Consultants (AARC) to assist the company in the preparation of a voluntary Environmental Impact Study (EIS) of the Wenlock project. Dry season baseline environment studies will be conducted in conjunction with this years drilling programme with a target of completing the EIS in the third quarter of 2008

Cape Alumina made **two new key staff appointments** which will ensure that the bauxite projects are advanced in a rapid and professional manner.

*Note: (*) The potential quantity and grade is conceptual in nature, that there has been insufficient exploration to define a Mineral Resource and that it is uncertain if further exploration will result in the determination of a mineral resource.*

Mr John Cameron was appointed as General Manager – Exploration and will be based in the company's Brisbane office. John has over 20 years experience in the minerals industry predominantly within BHP Billiton. Prior to his most recent role as global head of Health, Safety, Environment and Communities for BHP Minerals Exploration, John held exploration management roles in Australia, Asia, Africa, India and the Russian Far East. John brings significant experience in generating and delivery of exploration projects in challenging environments and the development and leadership of high performing multi-cultural teams.

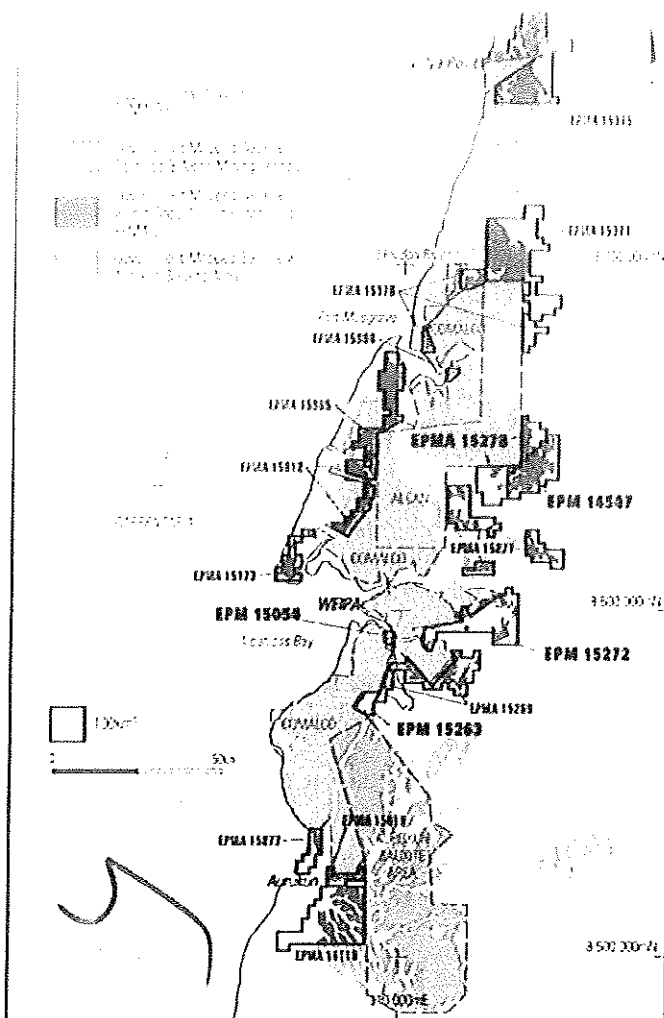
Mr Ron Tibaldi was appointed Operations Manager and will oversee all field operations in Cape York. Ron gained 32 years experience at the Gove bauxite mine and alumina refinery in the Northern Territory where he was Mine Production Superintendent before coming to Cape Alumina. Ron brings a wealth of experience in all facets of bauxite mining and exploration in northern Australia.

"These are key positions in the company as Cape Alumina moves towards completion of resource definition, an IPO and Feasibility studies" Dr Messenger said.

Enquiries: Andrew Gillies – Managing Director - agillies@metallicaminerals.com.au

Dr Paul Messenger – CEO Cape Alumina Pty Ltd – pmessenger@capealumina.com.au

For further information please visit our websites - www.metallicaminerals.com.au and www.capealumina.com.au



Competent Persons Statement

The mineral resources information in this report is based on, and accurately reflects, information compiled by Mr Andrew Gillies B.Sc Geology (Managing Director of Metallica Minerals Ltd) and Dr Paul Messenger BSc (Hon) Geology, PhD (CEO of Cape Alumina Ltd) who are Members of the Australasian Institute of Mining and Metallurgy. Both have the relevant experience in relation to the mineralisation, exploration target and resources being reported upon to qualify as a Competent Person as defined in the 2004 Edition of the 'Australian Code for Reporting of Exploration Results, Minerals Resources and Ore Reserves'. Mr Gillies and Dr Messenger consents to the inclusion in this report of the matters based on the information in the form and context in which it appears

Table 1. Mineral Resource for Wenlock and Cattfish Creek bauxite deposits - EPM14547.

Location	Resource Category	In-situ Dry Tonnes (Mt)	Dry Beneficiated Tonnes (Mt)	Beneficiated Bauxite Qualities					
				Total Al ₂ O ₃ (%)	Total SiO ₂ (%)	Fe ₂ O ₃ (%)	TiO ₂ (%)	LOI (%)	Recovery (%)
Wenlock	Indicated	32	20	53.2	12.8	6.4	2.2	25.2	64.0
	Inferred	17	11	53.2	13.0	6.1	2.2	25.3	64.0
Wenlock	Total	49	31	53.2	12.8	6.3	2.2	25.2	64.0
Cattfish 1	Inferred	2	1	51.5	13.4	6.3	2.5	26.0	64.8
Cattfish 2	Inferred	3	2	49.7	12.2	12.2	2.3	25.3	60.0
All	Total	54	34	52.9	12.8	6.5	2.2	25.3	63.8