Submission to the Legislative Assembly Inquiry
Into Mineral Exploration in Victoria

25 July 2011

(In this submission, the name Mines Department is used exclusively, because that is the name used in legislation and used colloquially from the time of the Eureka Stockade Rebellion in 1854 until about 1984. The present names of Department of Natural Resources and Department of Primary Industries are names of recent usage.)

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W. J. KYTE
1. **Introduction**

Thank you for this opportunity to make a submission on Mining in Victoria. I have spent a lifetime in the Australian mining industry, which has contributed so much to the development of this nation. I am truly saddened when I see lapses of integrity and sustained incompetence.

The very nature of mining lends itself to expectations of bonanza production and fabulous wealth for no work. In reality, great skill and close attention to detail are required. Integrity is a key factor for both Government administrators and Company supervisors.

When I travel to other states of Australia, especially Western Australia and Queensland, my breath is taken away with the scale of the mining and the prosperity that it generates. That boom and prosperity is not in Victoria, and it is difficult for Victorians to imagine the booming conditions that are in other states and which should be here, too.

Victoria was once considered as “the Jewel in the Crown” of the British Empire. Settlers came by the thousands to partake of the riches of Victoria, especially the mining riches. For a short time, Bendigo was bigger than Melbourne, when Melbourne was bigger than Sydney. The fabulous features of Melbourne, for example the magnificent Parliament building, and Bendigo’s breath-taking Post Office and Supreme Court, could have been built only in a gold-mining era.

The attached graph shows the fall-off of Victorian gold production over the years to almost zero. The gold price is not the cause of the fall, because the price is at an all-time high, even allowing for inflation. Other Australian states are producing huge amounts of gold. What have not improved are the technology and the will to produce. The Victorian Mines Department is not paying even lip service to its stated objective of encouraging gold production; personnel in the Department do not have the will to produce, because they are too busy acting as policemen. There have been times when officials of the Mines Department have moaned that the Small Miner is too much trouble to administer.

Mining is booming in other Australian states; the infrastructure and other benefits created by this mining boom are envied in Victoria. The Mines Department proudly trumpets that many mining companies have their corporate offices in Melbourne, but this is poor consolation for the spending, development and employment that are involved at the mines themselves.

**The problem is the policies of the Minister and the Mines Department officials**, causing Victoria to miss out on the current mining boom. The losers are the people of Australia, especially Victorians. **This paragraph is the crux of the whole problem.**
2. The Effects of Victoria’s Poor Mining Performance

Mining is a wonderful generator of capital for local business, probably more so than any other major industry. It creates employment, and is a major creator of infrastructure for the rural community.

Resource-rich states like Queensland and Western Australia could not have created their vast infrastructure without the creation of the mining industry. Western Australia builds more road mileages than Victoria, yet Western Australia has a smaller population; furthermore, they do not impose those hated tolls on drivers. Queensland’s roads are far longer than Victoria’s, yet there are only a couple of tollways – it is political suicide to suggest a tollway in Queensland. The Queensland rail network extends for thousands of kilometres, compared with a few hundred kilometres in Victoria. This is no accident of history – it is the result of mining booms, and Victoria should recognise that point.

I tried to build a mining operation in Rutherglen. One of my objectives, if I had been able to operate the venture, was to re-start the “Red Rattler” rail line from Springhurst to Rutherglen, a distance of 16 km. The Kennett Government closed the line as a cost-saving exercise in 1995. This line was used by local wineries as a weekend excursion from Melbourne and Albury-Sydney. No other industry, even Government and tourism, would have the national pride to re-open the rail line. It is hard for bureaucrats in Melbourne to imagine the devastation that these closure decisions have on local industry.

Every person living in rural Victoria knows how hard it is to find a permanent job. The result is a steady and endless drift to the cities. Unemployment is almost unknown in mining areas; Western Australia and Queensland pay massive wages to entice workers to minesites, yet these states still cannot meet their labour needs. Even in north-east Victoria I get at least one letter and one personal application every week from people almost begging for a job, yet bureaucrats in Benalla and Melbourne hold down cushy jobs and glibly refuse or reject Miners who are trying to create employment. It is un-Australian to hold a comfortable job while refusing a less fortunate person some employment; indeed, is immoral for anyone to premeditate how to create unemployment for a personal vindictive purpose.

I had a plan for direct employment of about forty people, and indirectly for many more by the flow-on effect. Unfortunately, the Shire Council and the Mines Department colluded over a lengthy period to defy that plan. The biggest losers are the people of Rutherglen and the Australian nation; the perpetrators are bureaucrats in Bright, Benalla and Melbourne.
3. Where Have the Big Miners Gone?
The obvious questions about mining in Victoria are: “Where are the Big Miners?” and “Where is the huge capital so essential for large mining ventures?” The answer is that the Big Miners have come and gone, and taken their capital with them. In the early 1980s a senior Mining Engineer in the Mines Department made a list of five mining companies that should be encouraged to mine in Victoria – all other Miners, big or small, were to be excluded, as Departmental policy. The five companies are:

- BHP,
- CRA,
- Mount Isa Mines Ltd.,
- Western Mining Corporation,
- Northern Mining Corporation

(Some of the companies were represented by subsidiaries.)

The presence in Victoria of these companies is described below:

- BHP is now the largest mining company in the world. They left Victoria with the cryptic comment: “Mining in Victoria is too hard”.
- CRA, which became Rio Tinto, is now the second largest mining company in the world; all of their subsidiaries left Victoria because mining elsewhere is easier.
- Mount Isa Mines Ltd, once the largest company in Australia, was taken over by Xstrata, who promptly withdrew from the area because mining in Queensland is easier.
- Western Mining Corporation (WMC) now exists only in South Australia.
- Northern Mining Corporation no longer exists.

The list of “preferred Miners”, drawn up by the Senior Mining Engineer, has the result that these companies do not exist at all today, or have gone elsewhere. They took their capital, employment, expertise and development promise with them. That tunnel vision of the Mines Department still persists today, although the above policy is no longer espoused publicly.

The five mining companies are testament to the conspiracy and impropriety of a handful of bureaucrats who have lost sight of their function as laid down in the preamble to the Mining Act – for various reasons, none of those companies is interested in mining in Victoria.

I once contracted to peg an area on behalf of a small public company. As part of the mapping procedure, I lodged an aerial photograph of the area and its surroundings. CRA asserted that I did not peg the area, but they were told at the counter: “If Bill Kyte said he pegged the area, then he did, and we believe him”. The Mining Engineer left the Department’s employment in hurried circumstances soon after. Next day when his office was being refurbished, the missing aerial photograph was found behind a wardrobe. If that aerial photograph had not been discovered, I would have been liable to a civil court action for negligence, even though I was later shown to be innocent and even though the liability was perpetrated by an employee of the Department.
4. Mining Warden Shenanigans

When Hon. David White announced that the Office of Mining Warden is to be re-activated, I was truly delighted, but two cases severely damaged that delight. The first few Mining Wardens heightened my delight; then two Mining Wardens caused my opinion to plummet significantly, but I live in hope that this wonderful historical concept will prevail over a litany of abuses of process. The Office of Mining Warden was created after the discontent of the Eureka Rebellion in 1854. The Mining Warden tried to settle mining disputes simply and cheaply, usually on the spot and usually without the presence of lawyers. The system worked well until the Office was discontinued following the reduction in mining activity after World War 1.

The Mining Warden is supposed to be acting outside the direct influence of Mines Department officials. They tend to accept the private opinions of Mines Department officials as though these officials are unbiased and always right. The Miner should be thought of as the innocent party, given the benefit of any doubt and any leeway. Now that lawyers have forced a change in the Mines Inspector’s role from that of a Friend to that of an Inspector, the Miner has a need for an Advocate amounting to a Miner’s Legal Aid. Companies can afford a Lawyer; and the Mines Department has the services of law experts in the Crown Law Office. The Small Miner needs the assistance and integrity of the Mining Warden to have a fair and equal standing.

Two cases in particular showed the very strong link that exists between the Mines Department and the Office of Mining Warden. One of the original intentions was that the Mining Warden would investigate differences in opinion between the Department and the Miner; in reality, this investigation does not happen or is only superficial. Department officials complained so often to the Minister about decisions of the Mining Warden that one Minister even dismissed the Mining Warden over personal differences, and even wanted to abolish the Office of Mining Warden altogether.

A surge in the price of gold caused a rush on pegging of tenements over tailings dumps on freehold land. The Mines Department was rejecting these applications on the basis that the tailings dumps had not been severed from the freehold and therefore the land and the contained gold belonged to the Freeholder. I was heavily involved with the Prospectors and Miners Association of Victoria (PMAV), being a Foundation Committee Member and long-term Treasurer. On behalf of the PMAV, I took on the task of presenting a test case to the Mining Warden. I thoroughly researched the matter, and a written presentation was prepared. This presentation was shown to a Lawyer with extensive knowledge and experience in mining law: he considered that the presentation had real merit. A week before the case was to be heard, the Mining Warden telephoned me to suggest that the Mines Department and I exchange our written submissions as a means of shortening the case. I agreed, so I prepared another copy and took it to the Mining Warden’s office. When I arrived, The Warden said that the Department’s copy was not quite ready, but a courier would deliver the document to my home before the case commenced. On the morning of the hearing, the copy was still not ready, but the Warden came and collected the Mines Department’s copy and took it away (to be photocopied, I found out later). These hearings normally start with the Crown’s case. To my surprise, I was asked to present my side first. During my presentation, a staff member came in and gave a note to the Mining Warden. Years later I found out that the note told him that my case was deemed by the Crown Law Office to be correct. When the time came for the Department to present its case, the Mining Warden announced that the Department would not be presenting a case.

This deceit by the Mining Warden, though otherwise legal, is a clear denial of natural justice.
I lost the case, even though the Department did not present any opposing case! Virtually no reason was given, and my points were not even discussed. The Editor of the “Eureka Echo” wrote a scathing condemnation of the Mining Warden for this tactic. The Mining Warden wrote a letter to the PMAV threatening to sue the PMAV for slander unless the article was withdrawn: the Editor then published the article again in a special edition, together with a facsimile of the threat to sue. Nothing more was ever heard of the matter. Even more amazingly, when the Mines Act was re-written a couple of years later, every point that I had mentioned was included in the revised Act.

In another case that is clothed in infamy, I appealed to another Mining Warden, against the intention of the Department not to recognise my method of exploring for deep leads at Moolort. This complex deep lead system had been the chief source for Victoria’s immense gold production. In the hearing I quoted numerous references from technical mining literature to show that my procedure followed standard practice as recommended by eminent mining authorities such as The Australasian Institute of Mining and Metallurgy and the Australian Stock Exchange. I brought to the hearing numerous publications and references that completely backed my assertions. My very detailed reasoning was not challenged even once by the Departmental representative, who conceded that she was without training in Mining. I even offered to show her my testwork, but that offer was summarily declined – O what a lost opportunity for Victoria!

The points of my submission coincided with those of the numerous authorities. I produced these references at the hearing, but not one of them was challenged. The points of exploration were to define:

- a means of discovering orebodies
- a method of mining the deposit
- a procedure for treating the orebody.

My Associate, Mr Lindsay Knight, had developed a means of locating unworked deep leads using the newly developed electron spin resonance phenomenon. He was able to use satellite technology to define the location, and he used his invention to predict the grade and depth of the deep lead. His results were uncanny. Thus I had a new method of discovering more unworked deep leads. I had been granted exploration licences over 90 km of unworked deep lead and probably many kilometres of unknown deep leads: this was Victoria’s chance to re-establish Victoria’s pre-eminence in Australian gold production.

The next part of the program was to develop a means of mining the deep leads, which are filled with water or have uncontrollable volumes of water that can break through the aquifer without warning. I devised a method of shaft-sinking and underground driving using grout. I showed the process to a grouting expert in Benalla who was sealing the wall of the Hume Reservoir. He unreservedly endorsed the procedure, and offered to write an endorsement for me. Thus I had a mining method that could be used safely and effectively.

I took tailings from two deep lead ores that had already been treated by cyanidation. Results steadily improved until I am able to recover 270 g Au / tonne from a tailings dam that fire assay (the standard method used for gold analysis) suggests contains 0.06 g / tonne. The Mining Warden could not hide his derision at this claim, and refused to accept the dozens of assays of numerous Assayers, all with impeccable credentials. He could not understand that the gold is present in a form that is not detectable by fire assay.
I thus had a method of locating, mining and treating the unworked deep leads. This was an opportunity to re-create the halcyon mining days in Victoria. The opportunity is lost because of the bias of the Mining Warden and the tunnel vision of Departmental officials.
5. Playing “God” With People’s Careers and Investments

One day I was in the office of the Mining Registrar. Two senior Mining Engineers walked in and announced to the Mining Registrar: “Well, he got off those six charges”. The Mining Registrar, said: “If he got off those six, we’ll find six more, but we’ll get him”. Eventually they did. This vigilante group simply wanted him out of Victoria. The Mines Department all too often plays “God” to weed out people who have crossed or offended Department officials, and he was secretly blackballed from mining in Victoria. Later, I found out whom they were referring to, and where he worked.

The Mines Department does not consider what the honesty of a situation is, nor do they care about the principle of Natural Justice. The Department has often categorically implied that a mining title will be granted, often in the near future, only for the Miner to realise later after spending vast amounts of money, time and hope, that there was no intention of the Department to grant a mining title.

The Department is not prepared to test their decisions in the Magistrates Court or in the Victorian Civil and Administrative Appeals Tribunal (VCAT); the Mines Department avoids all contact whenever possible with even the Mining Warden’s Court.

In a hearing of the Mining Warden’s Court, the Mining Warden announced that he would recommend to the Minister that my Exploration Licence be cancelled. The matter was blandly mentioned by the Mining Warden only during the closing minutes of a hearing on another matter. The Warden said: “I have to rush to catch a train, otherwise my staff will have to arrange accommodation for me in Benalla”. So he would not hear any submission or be otherwise.

- My mining interests apparently were not a consideration, delayed. The effect was:
  - My mining interests were cancelled,
  - There was no offer of compensation,
  - The matter was not listed for discussion,
  - I was unaware of any problem until the matter was raised at the end of the hearing,
  - I was not forewarned,
  - I was not given any opportunity to respond,
  - Eventually the Mining Warden wrote that the Mines Department and the Bendigo Bank were jointly at fault, and that I was not at fault,
  - I received a letter from the Mining Warden to advise that the Minister had cancelled that exploration report, too, for not submitting a bond, even though I had submitted half-yearly reports,
  - This is an extreme case of lack of Natural Justice.

Later, I received a letter from the Mining Warden saying that the Bendigo Bank had made a mistake and that I had done all that I could on the matter, and the Mines Department had been lax in the matter. The fact that I had shown a copy of the bond to the Mining Warden as proof that I had complied with the Act was of no avail to my cause and did not restore my exploration licence. That is certainly a denial of Natural Justice by the Mining Warden, the Minister or the Client Service Officer! No offer was made to refund my lodgment fees, even though I had complied with the Act in every way.

All too often it does not matter to the Department that the money expended by the Miner is:

- the savings of individuals
- intended to create a profit on the capital
- intended to develop the national resources
- intended to create employment
- high-risk capital
• invested in Victoria in the belief that sovereign risk is low
• at the mercy of Public Servants, who are expected to exercise honest judgment in decision-making.

On the other hand, Public Servants are highly remunerated to be free of bias and incompetence. They can have a sound job for as long as they want, free of financial risk. All that is desired by the Miner is that at least integrity, fairness and probity will be hallmarks of the administration. **Vigilantism, incompetence and dishonesty are un-Australian**, and reduce Victoria to the standards of Indonesia, Pakistan and Brazil.
6. New Technology and the Mines Department

The Victorian Mines Department has a surfeit of Geologists, but only a few Mining Engineers and no Metallurgical Engineer, the actual producers of gold.

The Geologists seem to be more engrossed in recording the history of Victoria’s golden age of mining and gold production – that is very altruistic because Australia should be keeping a record of our achievements, but the reality is that not one new mining field, or even one new mine, has been discovered for decades. (The only exception to this statement is the oil and gas fields in Bass Strait, but these fields were not discovered by Mines Department Geologists. Even so, the oil reserves are close to exhaustion.) Librarians are just as able to record mining history as Geologists.

Mr Mike Hollitt, the Executive Director of DPI’s Earth Resources Development Division, wrote (Eureka Echo, Autumn 2011), “…There seems to be a growing opportunity for greenfields exploration that has not been seen for decades”. I make the comment that the opportunity to develop these resources has always been here; but the Department and successive Governments have not had the will to carry out the developments.

Mr Hollitt further claims, “History shows that Victoria has always strongly supported resource development projects….. In DPI, we are continuing down that path with the help of our licensees and industry representatives”. No evidence or statistic is produced to back up this glamorous claim; most people in the mining industry would label this statement as “fanciful”.

The Mining Engineers are more engrossed with quarrying matters and with drafting new laws and regulations than they are in developing new mines. The Mines Act was virtually unchanged for decades during a period of enormous gold production. **Now, with almost no gold production, there is almost an annual change to the Act.** Surely mining technology is not improving so rapidly that such frequent changes are necessary. The cost and effort would be better directed to meaningful production rather than to paper warfare.

Mining Engineers are heavily engrossed in crime detection rather than supervision of mining matters. No longer is the Mining Engineer involved in advice; he is much more concerned with why the mine should exist at all. There is not a single Mining Engineer in the Department who has been involved with starting a new mine in Victoria in the last decade. On the other hand, every Mining Engineer has been involved in mine closures. In the Eastern Inspectorate, which used to be a prolific producer of gold, there is probably no gold mine operating now.

**Even the status of the Mining Engineer has fallen.** Whereas the Mines Inspector used to be the friend and advisor of the Miner, nowadays he is relegated to a junior role. His role of estimating the cost of restoration, which surely is an engineering role, is now performed by junior environmentalists with absolutely no knowledge of restoration or mining, and frustratingly little knowledge of engineering matters. In recent years I have not met any “Restoration Assessor” who had any knowledge of mine restoration beyond biology and botany. A Mining Engineer’s role now is more as a poorly trained Policeman – his specialised knowledge and skill are wasted.

So limited is the production of gold that the Department has had only **one Metallurgist and one Chemist for the last century.** Apparently the Department’s opinion is that, if a mining operation ever progresses to the production stage, the mining company could employ its own Metallurgist and Assayer. Other industries have specialists in every phase of the operation, but the thinking in Victoria Mines Department is that “mining is not encouraged, nor is it to be encouraged”.
I made a discovery using the principles of electron spin resonance (the same principle used by Lindsay Knight to find unknown orebodies). The discovery is treated with scepticism by the Mines Department. I am told that the Mining Warden at that time visited Mr Knight in Albury after my Benalla hearing. I expect that Mr Knight confirmed to him that my discovery is genuine, so it is very disappointing to know that the Mining Warden is still so sceptical of the invention. I can produce from tailings (and probably most other ores) more metal than the assay says is in the sample. As an example, I can recover 270 g/tonne gold from a tailings sample in which the fire assay says the total head grade is 0.06 g/tonne. (These tests have been performed in front of Referees. Assayers of unquestioned reputation have performed the assays. Similar results have been achieved for a host of metals, such as:

- Gold, * Antimony
- Silver, * Tantalum
- Platinum, * Zinc
- Copper, * Lead, etc.

The process does not use cyanide and is non-toxic. It recovers metal that other assay methods suggest is not even there. Government bodies would normally applaud such a discovery of a process that produces these amazing recoveries of a wide variety of metals, especially without toxicity. The Department’s reaction was “We are not interested in Bill Kyte’s invention”. There are interstate people who do not laugh at the invention! The Chief Assayer at Amdel, one of the world’s premier assaying firms, told my Associate: “We do not know what Bill Kyte is doing in his process, but he certainly is on the right track. You can see gold in the bottom of the jar”.

So rigid is the Department in its thinking that new technology is treated with derision, or ignored altogether. The Department cannot see past:

- auger drilling,
- fire assaying,
- ball milling,
- cyanidation,

These basic processes that have been used for the last century, but which are now out of date. The Mining Warden could not hide his bemusement at the thought that fire assaying is imperfect and that there is more gold in the tailings than was ever recovered. He apparently found the experience of meeting Mr Knight very eye-opening. (The pity is that my tenements were not restored or even that an apology was not made.)

This policy of the Department gives an almost unfettered right to the Department to determine who mines in Victoria. The right to work is a fundamental right laid down by the United Nations, to which Australia is a wholehearted signatory. That right to work should never be at the mercy of any Public Servant. All too often the Minister is involved in other matters, as is often boasted by the Public Servants themselves. That this is so is shown by the present practice of a Minister’s Delegate signing papers, without the involvement or even the knowledge of the Minister. If a person is to be denied his rights, then the victory of the Eureka Stockade Rebellion is in vain. Any decision to deny a person his working rights should be decided only by a Court; an independent person of unquestioned integrity sitting as a Magistrates Court should be the person who decides, if ever a decision has to be made.

I have had mining tenements cancelled because of mistakes by a local Mines Inspector. One example occurred when the Department claimed that I had not filed a six-monthly report. It is very common for the Department to lose correspondence. On this occasion I had a copy of that very report in my hand as I protested that I had presented the report. I was disbelieved, and was sent an Infringement Notice of $200 for not supplying the report. I replied again, /12
requesting that the matter be settled in the Magistrates Court where I intended to ambush the Department by producing the document.) That request was ignored; instead, the Department tagged me as a person who does not obey the mining law. **The Mines Act states that it is my right to have the matter finalised in the Court, but I have been denied this right.** The Mines Department is acting as a judge, prosecutor and juror. This is a clear case of Conflict of Interest.

I took out a series of three exploration licences to make a contiguous sequence of the Moolort Deep Lead (as shown by the attached map.) I used the services of Lindsay Knight, the person who had developed a means of finding deep leads. His record in finding oil deposits, deep leads and orebodies is breathtaking, but he said that he abandoned Victoria because of the bureaucracy of the Mines Department. I paid Mr Knight to come with me on an expedition to the Moolort Deep Lead, and a drill site was selected. (Significantly, the deep lead map did not show any deep lead at that point, let alone the depth and width or even the gold grade.) A map of a drill hole site was given to the Department and a Drilling Contractor was engaged. The Contractor was based in eastern Melbourne, half a day’s drive from the site.

One day the Contractor telephoned me to say that he had a drilling rig in the area for one day, so I drove to the site immediately to supervise the drilling activity. The drilling took less than an hour, during which the presence of the predicted deep lead was confirmed at the predicted depth. The samples were taken and the hole filled in. The Mines Department was informed of the confirmation of the deep lead and that the drilling and sampling had been done. The Mines Act requires that any new mineralised field is notified immediately to the Department.

The Mines Department was in uproar over the matter, saying that the drilling was unauthorised. To the officials it did not matter that, many weeks before this drilling, they had been notified that this was to be the prime target and that this would be a drilling site. The availability of the drill rig was short-term, and there would be considerable cost to bring the rig back to that spot from the east of Melbourne at some unknown time in the future. Three months after the drilling, there was no visible evidence of any drilling, so I removed the marker peg.

The Department issued an Infringement Notice against me, claiming illegal mining. I wrote back asking them to refer the matter to the Magistrates Court, as is provided for in the Mining Act. The Department ignored my letter, but still tags me as a person who does not obey the mining law.

In reality, the Crown Law Office probably advised the Department that a Magistrates Court would dismiss both cases, possibly with court costs being awarded against the Department. The **Department is engaging in pure bullying by continuing to harass me on matters that should have been referred to a Court as provided by the Act!**

The Moolort Deep Lead Map shows the map of the old Loddon River from which Victoria mined most of the alluvial gold in those halcyon mining days. This area was not mined because of the huge amount of underground water that is stored in the aquifers. The map shows only the known deep leads; the new technology is able to find maybe double the present known length, and with far greater gold recovery. In other words, the decision of the Mining Warden to recommend to the Minister that the exploration licences be taken from me cost the Victorian economy millions of ounces of gold and many billions of dollars. **Victoria could have had a new gold rush even bigger than the original gold rush, if it had not been for the intransigence of Mines Department officials** and their determination to eliminate my mining ideas. If this blunder had occurred in private industry, heads would have rolled. /13
The grid graticule on the geological map of the Moolort Deep Lead is a square of 1 km side. If the known deep leads are scaled from the map, the known length of the lead within the exploration licences is over 90 km. The discovery of unknown and unaccounted deep leads by Mt Lindsay Knight is almost certain to add significantly to this distance. From historical evidence, and the substantially greater quantity of gold recovered by my invention, it is probable that the amount of gold that could have been recovered is breathtaking, and could have propelled Victoria and Australia far out to the front as the world’s largest gold producer. This is a staggering loss, created by the incompetence and bias of the Mines Department officials.

It was always open to the sceptical Mining Warden and the Mines Department officials for them to challenge me to prove my invention, instead of totally disbelieving the many Assayers, and me, and instead of sniggering at me and callously cancelling my tenements. I offered the Client Service Officer the opportunity to view the tests, but I was turned down without hesitation. That attitude is reminiscent of the Dark Ages in Europe.
7. The Shameful Story of Great Southern Mine

In 1985 I pegged a tailings dump at the former Great Southern Mine, on the outskirts of Rutherglen. I was unaware that this site was the sand and gravel source of [redacted]. For many years [redacted] had been taking sand and gravel without any mining permit. They had take nearly five million tonnes, without a permit and without paying for it – in effect, “stealing” the material. The Mines Department never prosecuted them once in all those years!

[redacted] exacted a savage revenge, in concert with the Mines Department, to recover the site. At the request of the Mines Department, [redacted] delayed processing the application for nearly two years. [redacted] fabricated a secret fictitious Note to File to cancel the Planning Permit that had been handed down by VCAT. In concert with the Mines Department, [redacted] asserted that the treatment plant had not been operated within the required time, which is demonstrably untrue.

A site meeting was scheduled, to include:
- Rutherglen Mining Pty. Ltd. (RMPL): William Kyte, Mine Manager
- [Redacted] Mines Department: Mines Inspector and his Client Service Officer.

The Mines Department officials were very late to arrive, so we started the plant tour without them. When they arrived, the Mines Inspector demanded that the meeting start immediately, or else they would drive home. We were left with no alternative but to cancel the plant tour, where indisputable evidence could be seen that the plant had been operating, which was contrary to what [redacted] had been asserting as a reason for cancelling the planning permit.

During the meeting [redacted] said that there were two reasons for [redacted] was cancellation of the planning permit. He claimed that one reason was that a bond had not been lodged. I quickly found our copy of the bond, then suddenly the Town Planner found [redacted] copy in their file. The other reason given is that [redacted] claimed that the plant had not been operated within the required time, based on a Note To File that was later found to be totally fabricated.

The refusal of the Mines Inspector to inspect the proof of the usage of the plant is a clear denial of Natural Justice. This is denying a Miner his right to a job and his right to a business to develop the nation’s resources. The Mines Department sees nothing wrong with this denial of Natural Justice. Their thinking evolves from the principle “The end justifies the means”.

The Mines Department used this cancellation of the planning permit to cancel the Mining Licence. Ironically, the Senior Planning Officer later wrote that the planning permit had actually been valid for a considerable time after this incident – that letter still disgusts me, and the cancellation was an illegal conspiracy.

After the cancellation of the planning permit, the Mines Department moved to cancel the Mining Licence. To prevent appeals to VCAT or the Supreme Court, the Cancellation Notice document was worded very carefully: no reason was given for the cancellation – a very sly act. From other correspondence, the purported reasons would be:
- Lack of a planning permit
- Failure to excise freehold land from the licence
- Lack of financial ability
- Not a fit and proper person (probably relating to the infringement notices)
The planning permit should not have been cancelled. All of the requirements had been met, but was determined to regain its source of sand and gravel.

The Mines Inspector himself has acknowledged with his signature and stamp that the private land had been excluded, so that condition had been met. Apparently the excision of private land was finally registered by the Mines Department on 5 November 2004, but supposed lack of excising was still used as one cause of cancellation of MIN 4382 on 16 December 2004.

In a hearing in the Mining Warden’s Court, the Manager of Minerals and Tenements, acknowledged that RMPL had spent far in excess of its financial requirements. The Senior Client Service Officer, in an e-mail to acknowledged that RMPL had spent more than was required by the licence. Any visit to the site, or any photograph of the site, will convince anyone that RMPL has adequate financial ability, and adequate financial intentions. Since that accusation alone RMPL has since spent well over one million dollars

The term “not a fit and proper person” probably relates to my requests to hear the two infringement notices in a Magistrates Court, as the Act allows. The failure to test the notices in the Court is a decision of the Mines Department, and is not the fault of RMPL or me; in fact, the mining licence was in the name of RMPL, not me, so that tag should never have been applied to RMPL.

RMPL paid Wantrup and Associates, Lawyers to examine the legality of the intransigence of the Mines Department and . The Lawyers pointed out that it was open, even desirable, for those two bodies to inspect the site, which they had previously refused to inspect. If this were done, it would clearly show, and so prove, that the plant had actually been operated in accordance with the Planning Permit. Because had already conceded that the plant had been built, it seems to them (the Lawyers) that there would be no harm in actually using the plant for its intended use. and the Mines Department pointedly ignored this request. Thus the investment was totally wasted because of this conspiracy.

RMPL kept its side of the mining licence agreement. We spent far in excess of the required money; we developed a process against all the odds, we installed most of the required treatment equipment and all of the facilities. Even then, we were not allowed to actually produce gold.

Sovereign Risk is a shameful action characteristic of poorly governed countries. In those rare Australian cases where injustices are perpetrated or mistakes occur, the Miner should be compensated by the Mines Department out of the Public purse. The Miner has expended money and time and hope in the genuine expectation of a financial return. When the role is reversed, the Mines Department has the laws and facilities in place to recover the debt from the Miner; so it is only natural and fair that the Mines Department should be equally liable.

Another company, BRI, was within a day of being ready to test a plant on water to use the new process. They were summarily stopped without any contact being made or the plant used to see if worthwhile production would come from the plant. The Department knowingly allowed the plant to be constructed and the money spent, and admitted that they were waiting to pounce – they had no interest in seeing if gold could be produced.

Another company, Fine Gold Recovery P.L. (FGR), not related to RMPL, went to the Mines Department office in Benalla to negotiate a new Mining Licence for themselves. Apparently, the Mines Inspector refused take part in the negotiations, so another Engineer and the
Client Service Officer represented the Mines Department. The Department’s offer to Fine Gold FGR was that they must demonstrate that they could produce gold; in return, the Mines Department would facilitate the granting of the mining lease over the area. The time delay was estimated to be 10 weeks, providing FGR engaged a Mining Consultant to prepare the tenement application. Within that estimated ten weeks, FGR spent $600,000 on equipment materials, labour and the Consultant’s fees. FGR was recovering gold in a pilot-plant based on my invention. FGR finally realised that they were not going to be granted the mining title. FGR has decided to use the recovery process in Queensland instead – FGR kept their side of the deal, but the Department has reneged on their side of the agreement.

Another applicant is applying for the mining title, but my prediction is that his fate will be the same as that for the previous applicants. The Mines Department had no compunction about mis-leading people and wasting their money and building up their hopes.

Someone may ask: “What is the monetary value of this tailing dump that is causing all the fuss?”

- The estimated mass of the dump is more than 3 million tonne.
- The recoverable gold grade is 270 g/tonne.
- The value of gold is $A 56.15 / g. (price at August 2011)
- The gross value of recoverable gold = \[56.15 \times \frac{g}{tonne} \times 270 \times \frac{g}{tonne} \times 3,000,000 \text{ tonne} \]

\[= \text{A} 45,500,000,000\]

So the value of the dump before operating costs and taxes is \text{A} 45 billion.

The ore does not have to be found, or mined or screened. The Mines Department refused me the right to mine it. Now it is doing the same to other applicants. The Department wants it to sit there forever, untouched!
8. **A Really Embarrassing Occasion**

I was in a meeting at Benalla with the Regional Mines Inspector and the Senior Client Service Officer on one hand and Mr Brian Jones (the other Director of Rutherglen Mining Pty. Ltd.). I asked for a copy of my original letter to excise some freehold land from a mining tenement. (I knew that the DPI had a copy of the letter, just as I had, but I wanted to overturn the DPI claim that the letter had not been written. Just as the Service Officer was turning to the document, the Inspector forced her to stop searching by closing the file over her arm and physically holding the file closed. When I said that I could get a copy by the Freedom of Information process, he berated me loudly for a prolonged period.

He was simply in a bullying mode. This physical brawling between two DPI staff members and the prolonged yelling and abuse by the Inspector completely unsettled me – I remember the occasion with horror whenever I think of it. If the roles had been reversed, I have no doubt that the police would have been called, and we would have been charged with assault after being escorted from the building.
9. What Lessons Should be Learnt?

The Mines Department needs a radical change of attitude. There should be no need to apologise for being a Miner; because if that is necessary, this inquiry is necessary. The nation is being carried by the resource states like Western Australia and Queensland, and even South Australia, Northern Territory and New South Wales. Successive Victorian Governments and successive Ministers have had the attitude that mining is an industry to be tolerated and apologised for; fortunately for Australia, that attitude is not shared in the rest of Australia.

There is the famous photograph of the Duke of Edinburgh berating the Chairman of a sand mining company on the north coast of New South Wales. The Duke was speaking on the site as President of the WWF, an international organisation for rehabilitation, wildlife and environment. Later, that same site won a United Nations award for rehabilitation. It is common for mining sites to be awarded recognition for excellence in environmental matters. There is a saying: "Most Miners are good environmentalists, but few environmentalists are good Miners".

The Mines Department needs to return to its traditional name. In the 1970s, there was hatred of mining by some people, so a re-organisation of Government Departments was made. What was the Mines Department was buried in a Department more concerned with environmental matters. Mining is a big industry in Victoria, encompassing gold, coal, oil and gas, quarrying, beach sands, alum and quartz. There is nothing wrong with having allied industries in the ministerial portfolio, such as energy and water, but these items should be operated from another department, not just another division.

Environmental groups considerably overshadow the professional mining people, both in numbers and in influence. We now have the farcical situation of simple engineering matters, and indeed the entire mining industry, being administered by people whose training, if any, is with environmental matters. Mining matters are too complex for non-engineering people.

I believe that the downhill slide of Mining in Victoria originates from the time that the name “Mines Department” was abandoned.

Ministerial responsibility has almost disappeared. Ministers should be more in contact with their responsibilities. Senior Public Servants say that the Minister is too busy to be involved with the daily administration of the Department. Even if that were so, too often the Minister is not contactable by the public. On one occasion the Minister granted me my request in two minutes despite the opposition of the Head of the Department: justice was done when it would not have been done otherwise. The Minister’s Delegate makes too many decisions against the wishes of the Miner, when access to the Minister may have a different outcome. There should be a half-day every month when the Minister is available for a brief interview: that, surely, is not too much to ask for. After all, the Minister is an elected official, whereas the Department official does not have to take any responsibility at the ballot-box.

Appeals to the Minister need not be the norm, but every Miner needs to be able to appeal to him just as any other member of the public appeals to any Minister occasionally. Appealing from one Public Servant to another to another is like “appealing from Caesar unto Caesar”. Whereas I had very high hopes of the Office of Mining Warden, when I made such an appeal regarding the cancellation of the Mining Licence at Great Southern Mine, the Mining Warden ruled that I did not have a dispute with the Department! (The Reader of this document must be bewildered by any suggestion that I do not have a dispute with the Department!) I believe that successive Ministers know nothing of this very long-running dispute.

Wrongful or unfair acts by Public Servants are too prevalent to be ignored. Abuse of authority is inexcusable because it warps the processing of applications, and the Public
Service risks being tagged with the reputations of Indonesia and some other countries. The mining industry does not like questionable tactics; most mining companies do not want to do business with Governments where there is suspect behaviour. Even more so, reputable mining companies will actually leave an area where there are questionable procedures. Reputable mining companies do not want tarnished names that may lead to litigation and other protests.

The Victorian Public Service is far from innocent, as any scan of daily newspapers will confirm. Ministers seem to rely on self-regulation by the Public Servants. Shady dealings and behaviour must be forced out of Public Service thinking. Integrity in the Public Service must be standard procedure, otherwise Miners take their plans elsewhere.

There have been occasions when Members of Parliament are lied to. The Mines Inspector wrote to my local Member of Parliament claiming that he (the Inspector) was still waiting for a bond to be lodged. The truth is that the bond had been lodged in favour of the Minister months before then and had been returned as not being on the proper form (which had been changed within the last year). The Inspector earlier claimed that there were instances of my not obeying the Act; this is a case of being guilty before being proven innocent, because the Mines Inspector has steadfastly refused to submit his case to the Magistrates Court, as required by law. To accuse Public Servants of lying is a very serious charge; for a Public Servant knowingly to lie to and so mislead a Member of Parliament is totally undemocratic.

**Vigilante actions by Mines Department officials are one of the most insidious practices.** This action is well known in Victoria; in fact, it is even enshrined in some legislation, especially in the Mines Act. There is no justification for any Public Servant to be able to determine the future of anyone else. If anyone has to be banned, that person should be banned only by a Court, where such a ban can be examined and tested. These bans are a complete abrogation of human decency and Australia’s international labour agreements. The original reason given for banning people from the mining industry was that people were using mining tenements to produce drugs. Such a mis-use of the mining licence is quite wrong, but that should be for a Court to determine (as happened in that one particular example). Unfortunately, the Mines Department officials use the legislation for other purposes, which is not the intention of the legislation. Driving anyone out of the mining industry without a Court order amounts to vigilante practice, and is thus an immoral use. (“The end does not justify the means”.)

It should be noticed that the Mines Department claims of illegality overlook their own unquestioned improper practice:

- The Mines Department overlooked for many years the blatant stealing of five million tonnes of tailings from the site by.
- No revenue of any kind was ever paid by to the Crown.
- No word of criticism was ever said by the Department to.
- The Mines Department did not ever prosecute for mining without a mining title over a period of many years.
- No restoration of any kind was ever carried out by.
- No restoration bond was ever lodged by.

If these offences had been done by any other Miner, a massive prosecution would have ensued long ago – in other words, the Mines Department is inconsistent in its actions.

**Infringement Notices** similar to traffic infringement notices are a relatively new method of punishing alleged misdemeanours. The principles of the traffic infringement notices are universally accepted; unfortunately, the same principles are not followed by the Mines Department, even though Parliament and the Minister probably thought that this would be / 20
the procedure. With the traffic note, the motorist has the right to contest the alleged violation, or else offer an alternative mitigating story.

The Mines Department does not follow this procedure. Officials will not take the matter to Court; they act as though they are always right and that the recipient is guilty automatically. If the Miner is charged and does not pay the fine, that is tantamount to admission of guilt in the eyes of the Mines Department, and it hangs over the Miner as an adverse record forever. This is so, even if the Miner requests a Court hearing. This policy is completely contrary to the procedure for traffic tickets, and is certainly contrary to what Parliament intended.

The Mines Department used this very point to cancel the Mining Licence at Great Southern, thus wiping out an investment of over $2,000,000. Officials claimed that I was not willing to obey the Mines Act because I wanted the two infringements notices to be heard in a Magistrates Court. It is my unfettered right to be heard in a Court! (In any case, RMPL was the Miner, not me.) The Mines Act provides that the matter be settled in the Court. That should be the matter is heard and decided, not in the office of some Mines Department official.

**Bureaucracy** is ever present in dealing with Government bodies, so Victoria can never be an exception. It remains a fact that companies that operate in other states and internationally are forever complaining of the Victorian bureaucracy. These companies cannot all be wrong. BHP and Rio Tinto and Knight industries made their frustrations very public when they pulled out of Victoria. Lindsay Knight of Knight Industries took his huge manufacturing business (which employed 300 people) out of Victoria to Albury. Two of the three companies that tried to mine here at Great Southern have left Victoria for Queensland. I am considering taking my technology to Queensland: I want to build three titanium refineries in Queensland, New Zealand and Western Australia. Victoria has huge titanium reserves near Mildura, so that would be an obvious site. The political and bureaucratic environment in Victoria is not attractive enough for me to make another huge investment in Victoria.

Victoria’s bureaucracy has been infamous for decades, and every new Government pays lip service to a New Deal, but the bureaucracy quickly takes over and so there is no change.

When the Mines Act was re-written in the 1980s, there was much publicity that there would be a “one-stop shop”. This turned out to be far from the case. In reality, there are about two dozen different agencies and departments to negotiate with often in succession rather than simultaneously, and there is absolutely no certainty of success, regardless of effort and undertakings and plans made by the Miner. The Mines Department on occasions has led the Miner to believe that a tenement will be processed in about ten weeks; finally, the Miner realises that no tenement is going to be granted, and that there was never any intention to grant. This deceit has happened twice on the Great Southern Mine alone.

Miners do not tolerate this shoddy business style. Their capital, employment, services and infrastructure are valued in so many other places that they eventually form the obvious conclusions and so withdraw from Victoria. The Department does not care to see the end of “troublemakers” – *There will always be more comers, and we will still be here and We do not care about Bill Kyte’s invention* are the standard responses. Any other State would hold an inquiry if BHP, Rio Tinto, Xstrata, WMC, Knight Industries and Bill Kyte and the other companies left the area and took their capital and expertise with them.

A long–time problem for Miners has been Planning Permits. A mine is a wasting asset; so, by definition the Miner is a temporary occupier. All too often, the mine does not go ahead, often for reasons beyond the control of the Miner. The planning permit for Great Southern mine required the Miner to:
• protect and restore a site that had been vandalised by [redacted] heavy machinery,
• tidy up a site that had been permitted by [redacted] to be used as a rubbish tip,
• build up and maintain levee banks that are off the site,
• construct two highway intersections that are up to 2 km away,
• maintain a stockpile that [redacted] did not even own,
• maintain weed and vermin control on land that had been abandoned by the Department
• protect heritage works that had already been damaged by [redacted] and which [redacted] had forgotten about,
• build or develop or do a host of other matters to save money for the Government.

If [redacted] and the Government are not prepared to do the works and spend the money before the Miner occupied the site, it is an unrealistic burden to expect the Miner to do the work. Mining is a good charity contributor, but there are limits to charity required to save Public money. The paperwork alone is exhausting and expensive.

It should be possible for the Mines Department to organise all of the bodies that may be involved; a list of who could be involved should be given to the Miner. The advertisements and signs and publicity must surely be sufficient notice for what is a temporary occupation. The biggest problems are the sheer length of time and duplication of effort.

Qualifications of people in Mining should be an important consideration. When Mount Isa Mines Limited was Australia’s largest company (yes, bigger than BHP), Sir James Foots, made the statement that, while he was Chairman, Engineers would occupy all senior positions in the company, because the company is basically an engineering company. When Sir James retired, the company board was gradually filled with Accountants, Lawyers, Bankers and other professions until there was only one Engineer on the Board. The company shrank in value and size until it was taken over by Xstrata. The moral of this story is that mining is not for non-miners.

The present Department of Primary Industries is made up of mostly non-mining people. Unbelievably, Engineers do not even set the bond conditions and scales; young environmentalists with no knowledge of mining or engineering now set the bond. Environmentalists are cheaper than Engineers; but if Victoria does not pay for Engineers, the State gets what it pays for, which is a poor mining industry. Precisely that has happened.

The Small Miner is Not A Burden. For too long the Small Miner has been seen as a burden on the Mines Department. This should not be so, because the Small Miner pays the same fees as the Big Miner. The world’s largest miner, BHP, was once a Small Miner. History is littered with stories of Small Miners who became Big Miners, just as history is littered with stories of Big Miners who failed.

Mine Inspectors Are Being Used as Policemen, instead of inspecting mining practices – there is a difference. Legal matters are for other people, if there is any need. Encouragement of mining is not a priority at present, at any level of the Department. Mines Inspectors do not follow simple legal principles, such as Natural Justice and Civil Rights.

Document ID is common in the Commonwealth Government record-keeping system. The Mines Department infamous for losing track of documents. On one document I had already submitted the same document three times. On the fourth requirement, I attached a letter commenting that this is the fourth version of that letter. Incredibly I still had to submit one more copy. Where do the copies go?
I now use a better but an imperfect system, which is to take the hard copy to the counter, have it photocopied, stamped, dated and initialled. This is not possible for electronic mailing. The best system is the document ID system, as used by the Australian Tax Office. This document ID system would have avoided the infringement notice fracas that caused so much heartburn. There is no cost to the Government, because the ID number can be e-mailed to the Miner.

**Major Policy Changes and Law Changes** have been almost annual in the last three decades. One could understand a necessity for fine-tuning if the regulation of the industry had been successful, but the production of gold in particular has been a dismal failure; in fact, new mines are not even being considered and existing mines are on a care-and-maintenance standing.

Hopefully, this review by the Legislative Council will put the Victorian Mining industry on a better footing. The present administration, from the Minister down, has lost its way. There is great scope for metalliferous mining to make a significant contribution to Victoria’s economy, but greater desire to produce metal is needed. Some laws and regulations have lasted only a couple of years, and then were modified or even deleted.

There is no substitute for better Ministerial supervision of the Mines Department, and for the Mines Department to concentrate on building mining operations in conjunction with Private Enterprise.

**An New Head of the Department from Outside** is needed, to inject new ideas and practices into the Department. The present personnel follow the practices that were in place when they joined the Department. A new Head from outside is needed. That person should have a reputation for innovation and be along the lines of “the Untouchables”. “More of the same “ is not a solution when the present principles are not working. Victoria should be benefiting from the minerals boom being experienced in other Australian States.
10. **Summary of Recommendations**

10.1 The Mines Department should revert to its original name, which will focus the purpose of the Department more on its intended function.

10.2 The Minister and the Department officials should concentrate on the efficiency of the Mines Department to encourage the production of more gold.

10.3 The Small Miner should be given more encouragement to search for gold deposits and to produce more gold.

10.4 The vigilante hunts should be outlawed. The exclusion of anyone from the industry should be a matter for the Courts to decide.

10.5 An assay Laboratory specialising in gold analysis would be a significant boost to the industry. Gold assaying need be the only element to be assayed. The laboratory should be in the Goldfields, not in Melbourne. The presence of a Chemist would provide some simple knowledge of chemistry that may be of use to the Miner in areas such as environmental matters and metallurgical leaching. A Metallurgist would be a useful person.

10.6 The work of Lindsay Knight should be expanded under licence as a means of locating deep leads. It would be a relatively simple matter to map the whole of the Victorian deep lead system, which would identify unknown deep leads, and their grades and depths.

10.7 The Mining Wardens Court needs a review of its impartiality and even its integrity. There are some glaring examples of impropriety. It is important, though, that the Mining Warden be seen as not susceptible to pressure from the Mines Department or even the Minister.

10.8 It should be fully acceptable for a Miner to ask for a copy of a letter that the Mines Department has sent to the Miner, or that the Miner has sent to the Department. The sight of two Departmental officials physically brawling in a meeting with the Miners is appalling.

10.9 The standard of Ministerial performance has fallen in the time since the Hon David White. Ministers lately have left the administration of the Department to their Minister’s Delegates and have let the Department make the policy decisions. The result is a poor standard and “more of the same”. The Minister should be available for interview or intercession for half a day per month.

10.10 Too many mining businesses are leaving Victoria. These businesses are led by serious businessmen, who want profits; that means employment and development. They will not deal with a bureaucracy when they can do better in other states.

10.10 The Mines Department should be staffed by mining professional people. In other industries, qualifications are crucial. The same should apply to people in the Mines Department.

10.12 Document ID should be used for documents submitted to the Department. The system works very well in the Australian Tax Office, which is far more complex than any document handling process that is necessary for the Mines Department.
10.13 A slowdown in the rate of changes to the laws and regulations is necessary.

10.14 The integrity of some past Mining Wardens should be a major concern of the Minister. Similarly, the integrity of Departmental officials must improve, otherwise companies will take their business elsewhere. After all, the prosperity of the state of Victoria depends on the integrity of the Minister and all who report to him.

10.15 More extensive Ministerial supervision and monitoring of the Mines Department is required.

10.16 A new Head of the Mines Department, recruited from interstate or overseas, is needed to create a new drive within the Department and to inject a deep sense of integrity into the Department
11. Summary of the Writer’s Career and Achievements

1. After graduation as a Metallurgical Engineer, I was a Trainee Metallurgist at Mount Isa. I did every job in the Concentrator, finishing as Leading flotation Operator, Shift Foreman and Day Foreman. In the 2½ months that I was a Leading Flotation Operator, I was never beaten in flotation results by any other crew.

2. At Peko Mines in Tennant Creek, I was finally given control of the flotation section because of prolonged poor results by other Metallurgists. Results improved immediately and dramatically.

3. Against the strong opinion of the other Metallurgists, I introduced radical changes to the flotation process. The improvements were so dramatic that my work was widely credited with saving a major Australian mining company, Peko–Wallsend Limited (later Rio Tinto), from financial collapse. My work was specifically mentioned in the Company’s Annual Report -- only the second time in Australia’s long mining history that an individual Metallurgist has been mentioned in an Australian mining company’s Annual Report (after the legendary G. K. Williams).

4. I did all of the testwork for the Company’s new major mines at Warrego and Juno, the stars of the Company. At that time, the Company was Australia’s major gold producer. During this period, I invented the method, now used world-wide, for the recovery of bismuth and selenium. Peko eventually became the world’s largest miner of bismuth and selenium.

5. As Mill Superintendent I saved Walkermineco in Herberton when teams of Metallurgists from consulting firms could not make the flowsheet work. Within a week I was achieving excellent results without the benefit of assays. The Senior Principal Research Scientist of CSIRO told the Owner: “If Bill Kyte cannot get it to work, nobody can”. The Chief of Amdel told him the same thing. My old colleague from Peko rated my work there “almost beyond belief”.

6. The Managing Director of a Public Company, Lone Star Exploration Ltd., asked me to consult on their gold concentrator. Teams of Metallurgists from Amdel and Robertson Research had tried to make the operation work. He said to me: “We have checked you out. You are rated as Australia’s top Flotation Metallurgist”. I produced the first gold in a week on a shoe-string budget.

7. The gold-antimony Brunswick mine was closed. Amdel and Robertson Research and a host of others could not find a treatment process. I demonstrated a process within days.

8. Geo2 Ltd. spent five million dollars trying to recover “unassayable gold”. I developed a laboratory process, and have now recovered 270 g / tonne in front of Referees. (The fire assay says that the total head grade is 0.06 g/ tonne.) The first proof was two gold beads, followed by a gold-plated teaspoon. I have now designed a commercial operation.

9. A miner came to me saying that assays of his concentrates showed a product rich in gold, yet he was unable to extract the very fine metal. He had been to several “experts”, and all were unsuccessful. He was advised to consult me. I recovered the gold.

10. I have been testing a recovery process for titanium. Metallurgists world-wide have tried to develop a cheap and efficient process; I am close to achieving this target.
Australia has most of the world’s reserves of titanium, yet we do not produce any titanium metal. Because of the negative attitude in the Victorian Mines Department, I plan to build the first three refineries interstate and in New Zealand. Victoria has very large reserves of titanium, so Victoria is an obvious site for a refinery. That Victorian mine is shut down because there is a limited market to titanium oxides. The potential benefit to Australia is billions of dollars annually. What is lacking is a refinery to produce titanium metal. This refinery will not be built in Victoria unless there is an improvement in the standard of integrity in the Victoria Mines Department.

The world-wide value of titanium production is $40 billion / year. Australia holds most of the world’s titanium reserves, and should be booming from this industry alone; yet we do not produce any titanium metal.