



**HD Norm McCleary, the midnight pegger, at centre of NT cash-for-documents claims**

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The man at the centre of cash-for-documents allegations in the Northern Territory is a West Australian **mining** entrepreneur dubbed "the midnight pegger".

In 2006 Norm McCleary masterminded an audacious midnight claim to a pair of **billion**-dollar **uranium** sites in Central Australia.

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That year a rising yellowcake price and a new Australian agreement to sell **uranium** to **China** led to a scramble to secure **uranium** supply.

The Pamela and Angela deposits 25 kilometres south of Alice Springs were estimated to be worth up to \$2 **billion**.

More than 40 international **mining** companies had expressed interest in the land, with restrictions on pegging to expire at midnight on December 6.

As the date approached, the Perth-based miner spent up to \$30,000 and flew people from Darwin and the USA to assist him with pegging the lease, according to his testimony in a subsequent criminal trial.

On December 6 Mr McCleary's application to enter the land was knocked back by the **mining** warden.

That evening Mr McCleary and a crew of six men synchronised watches and drove out to the sites in a convoy of four-wheel drives.

They began pegging both sites on the stroke of midnight.

"We were set up and the moment it turned 12, or about a nanosecond after, we banged in those first sticks and took up seven leases immediately," he said.

"[The other companies] did theirs from their computers somewhere else in the world.

"I got out of bed and did the job."

In just a few hours they staked a claim to an estimated 12,000 tonnes of **uranium**.

Supreme Court battle to secure **billion**-dollar leases

Mr McCleary said his **stake** should take priority because it came hours before a flood of email applications from other companies.

When his claim was denied, Mr McCleary sought an injunction in the NT Supreme Court preventing the government from deciding who would be granted exploration rights until his case was heard.

He claimed in court documents the department did not follow correct procedure when dealing with his application and unfairly denied consent for him to enter the land.

Meanwhile, with the verdict pending, resources **company** Segway paid Mr McCleary \$220,000 and a 15 per cent **stake** in the **company** whether he won or lost the case.

Justice Trevor Reilly found the group had failed to seek permission to enter the site from the **mining** warden and were actually trespassing.

"I do not accept he believed he only needed approval to enter the land for the physical activity of pegging the land," he said.

"The plaintiff sought to exploit what it saw as a loophole in the scheme in order to obtain for itself an advantage over others who had an interest in the mineral potential of the land.

"The decision of the warden, which served to avoid that consequence, was consistent with the objects of the [law]. It allowed the value of the mineral resources concerned to be maximised."

Mr McCleary appealed. He lost his final legal bid in October 2007.

In February 2008 Cameco and Paladin Resources were approved the right to explore the Pamela and Angela deposits.

Maley represents McCleary in criminal trial

Mr McCleary and his **company** McCleary Investments faced a further 28 criminal charges for pegging claims without seeking the prior authority of the **mining** warden.

His solicitor in the Darwin Magistrates Court trial was Peter Maley, the future magistrate. His counsel was the prominent Darwin QC, Jon Tippet.

The criminal trial revealed the Supreme Court civil proceedings may have cost Mr McCleary as much as \$400,000.

Chief Magistrate Jenny Blokland found Mr McCleary guilty of all 28 charges.

"I accept his submission approval to enter the land was made in expectation approval could be granted," she said.

"I don't accept however he could have possibly thought that in this situation it would be automatic.

"She also said I have come to the view it could be more wishful thinking on behalf of Mr McCleary than genuine belief."

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**NS** gpol : Domestic Politics | gcat : Political/General News | gpir : Politics/International Relations

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