



NSW & ACT Prospectors and Fossickers Association Inc.

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“Fights for fairer access to land in NSW and represents the interests of prospectors and fossickers”

March 21, 2015

Dear Members,

[NSW Election – what is a good vote for fossickers?](#)

By Stephen Dangaard, President NSW & ACT Prospectors and Fossickers Association Inc.

Introductory Note: NAPFA is an apolitical organisation but plays a role in the political process by lobbying on behalf of members in relation to improving recreational fossicking and prospecting. In this political role it negotiates with governments, local councils and other relevant groups and may align itself with one or more groups or individuals in seeking to achieve its aims.

With the election next week on Saturday 28 March, I have been investigating for NAPFA members and fossickers generally, where the various parties stand on fossicking.

In January I contacted the major parties (Liberals, Labor, Nationals) and sought information about where they stood on the things that matter to fossickers. The position of the Greens Party is well known and therefore its views were not sought in this process.

It is very disappointing that to date not one of these parties formally responded to my letter and follow-up phone calls.

In the absence of formal reply from any Party organisation, NAPFA undertook an examination of respective Party policies and combined this with assessments made of dealings with various Parties over the last two years.

HOW TO VOTE FOR FOSSICKERS INTERESTS?

In the Legislative Assembly, vote for the party that you think can best run the state.

Of the two major parties, the assessment is that the Liberal/National coalition policy position best meets NAPFA's aims. It is also felt that Labor in Government, particularly as it has just announced a preference agreement with the Greens Party in many electorates, is unlikely to be sympathetic to NAPFA's aims. Greens should be relegated to last preference in all electorates where a Greens candidate is put forward.

In the Legislative Chamber, vote '1' for Shooters and Fishers followed by '2' for Outdoor Recreation Party, Christian Democrats, No Land Tax Party and others, in the order of your choice. For simplicity, you can stay above the line.

Shooters and Fishers are in position 'N' on the ballot paper, so you need to look for it.

If preferencing, the Greens Party should be preferenced last.

EVERY VOTE COUNTS – SO PLEASE GET OUT THERE AND HAVE YOUR SAY.

The current Government, led now by Premier Mike Baird, has been accessible to us and helped bring about some modest change over the past 18 months. There is still work to do, but the contact between NAPFA and the Government has been constructive.

On balance the best outcome for NAPFA would be that the current Liberal/National Coalition Government gets re-elected. I believe we can work with them.

Labor allied with the Greens party

Labor, when previously in government, made specific decisions which were not in our interests.

Its close affiliation with the Greens Party at this election is likely to worsen problems created under the Carr Labor Government, where the unbridled establishment of National Parks excluded fossickers from these areas in that process.

The current Labor Party, led by Mr Foley, has made it clear that it will create large new National Parks in the north of the State. This means we will be excluded from those areas.

In the **Upper House** our interests would be best served by an extra Shooters and Fishers Party Member, taking their number to three, and by a reduction of Green MLC representation. It would also be served by fewer Liberal or National MLCs.

The key to this analysis is that the minor parties that favour our cause (Shooters and Fishers, Outdoor Recreation Party) need to keep the balance of power so that concessions can be negotiated in the course of legislation.

This effectively means for the Shooters and Fishers Party, that Robert Borsak needs to get re-elected and Pete Johnson (a keen fisherman) needs to get elected. (Robert Brown, who has helped us from day one, is not up for election this time around.)

Robert Borsak some of you will recall was on hand at our "Take back the Bush" muster in Dubbo late last year.

To achieve this outcome of three MLCs the Shooters and Fishers need to get some 7% of Upper House votes or about double what they got in 2011. It will be a big challenge for them to do that.

Our best friend

The Shooters and Fishers Party have been our 'best friend' in the NSW Parliament because they have worked with NAPFA over the past two years, helping to open doors and giving us good advice on the best way to get things done. They are advocates for what fossickers need and deserve credit and support for that.

If they can maintain the balance of power in the new Upper House, then we will be in a good position to continue to lobby for changes. If that balance is lost, then we will need to consider the best way forward.

As we have seen in other Governments, well-placed minor parties can actually make a difference for groups like ours whose interests are overlooked by the major parties.

An MLC from the Outdoor Recreation Party, which is aligned with the Liberal Democratic Party, would also serve us well as they have expressed support for our claims.

They agree with us that in National Parks' many users (including fossickers) are unreasonably restricted while the parks are often mismanaged and neglected with many feral animals, rampant weeds and uncontrolled fuel loads.

Their lead MLC Candidate, Peter Whelan, attended the "Unlock the Bush Muster" at Dubbo last year and is well aware of our plight.

What about others...

Another minor party has popped up in recent times – the “No Land Tax” party. As they have the first position on the Legislative Council ballot paper, there is a chance they could fall over the line for an MLC due to “donkey” votes – where people just number the boxes starting with ‘1’ in column ‘A’.

I have forwarded information about NAPFA to this party and spoken with them by phone. We are not on their radar at the present time, but it is likely they would favour less intervention by Government, so if you are going to indicate preferences above the line, they are better for us than major parties or the greens, but not as good as Shooters and Fishers and Outdoor Recreation Party.

NAPFA is prepared to work with any democratically elected Government in NSW. However, as noted already, Labor’s close affiliation with the Greens Party at this election is assessed as not being in NAPFA’s overall interests.

It will take time

Regardless of who wins the election, NAPFA as the credible voice for prospectors and fossickers in NSW will need to establish links with the new government and new Ministers and try to pick up where things left off when the election was called. It will take time.

For the rest of this year we will concentrate our efforts on access issues, especially in relation to lands under the management of NSW National Parks – which manages a massive 9 million hectares or around 10 per cent of the State.

This is not a new goal for NAPFA but it is critically important that we continue to engage with NSW Ministers and their various departments to put our case.

We have also set up a working group to look at some of the rules and regulations around sluicing.

Our approach is to work with the relevant authorities in a respectful and constructive way rather than to bang the table and make demands.

Militant approaches are a great campfire topic when there are a few cold ones going down dry throats, but the harsh reality of lobbying is that aggressive approaches won’t get you anywhere unless you can muster very large numbers and we are not able to do that.

Our best option is to rely on analysis, logical and reasonable arguments, and presentation to get our points across and to effect change.

Summary of fossickers' needs

For your interest, these are the areas of interest we highlighted to the parties.

That:

1. NSW National Parks and State Conservation Areas be made available to recreational fossicking in a similar way that occurs with State Forests. In the interests of maximising access, this right of fossicking access should extend to all national parks, especially those with old gold fields, except if there are genuinely unique historical or conservation requirements that in the interests of national heritage need to be met.
2. The current requirement under the *Mining Act 1992* for fossickers to seek permission of Mining Exploration Lease holders be repealed or nullified.
3. The *Mining Act 1992* and associated Mining Regulations 2010 be amended to permit the use of recreational-scale, powered equipment such as sluices or dry-blowers to process material that has been extracted by hand. Present regulations are very restrictive and do not encourage technical innovation.
4. Regular reviews and amendments to the Crown Lands Act, Mining Act, Forestry Act and NPWS Act enshrine and strengthen the right to fossick for minerals, gems, rocks and gold and to provide minimally regulated opportunities to fossick in NSW.
5. The few remaining public fossicking areas in NSW are not closed and sold-off or leased in such a way that excludes fossicking. Where that has occurred since 1970, that such rights are restored where possible with consent of new landowners.
6. The right to fossick, with notification to leaseholders, is restored on Western Lands leases in NSW.
7. Recreational fossickers receive similar consideration in planning and legislation as fishers, shooters and 4WDers who also seek to use public land for their health and enjoyment.
8. NSW government and its ministries consult in a timely and practical way with representatives of the fossicking community when considering laws and regulations which have an impact on this activity. This has not been occurring.

Best of luck to you all!

Regards

Stephen Dangaard
President