



# NSW & ACT Prospectors and Fossickers Association Inc.

Incorporation No: INC 1200398

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

## VEAC Central West Investigation

Submission by the

NSW & ACT Prospectors and Fossickers Association Inc

21 August, 2017

**The NSW & ACT Prospectors and Fossickers Association Inc (NAPFA) fully supports the views of the Prospectors and Miners Association of Victoria (PMAV) in relation to this inquiry by the Victorian Environment Assessment Council.**

Although our association exists primarily to work on access issues in NSW, our members have a very keen and direct interest in what happens in Victoria because many NSW and ACT prospectors regularly spend time on the Victorian gold fields and have a keen interest in any changes to the Victorian prospecting environment.

We have a major concern if changes that stem from this current inquiry erode the access that Victorian prospectors and interstate visitors currently have, under their Miners Right, to public lands in the areas covered by this inquiry.

## Key points

1. Prospecting should be encouraged to continue in the areas under consideration by this inquiry because that will bring the best results for Victoria.
2. We are very concerned by the number of State Forests that seem to be earmarked to become State and National Parks. If these parks are established they become exclusion zones and hundreds of thousands of Victorians will be disadvantaged by not being able to continue with their chosen activities.
3. Simple, traditional activities such as firewood collection, apiary, prospecting, dog walking, horse riding, mining, timber harvesting, four-wheel driving, dirt bike riding and hunting will automatically be banned by legislation. Camping will only be allowed in small designated areas and fees will probably apply.
4. Recreational prospecting is a low impact activity and does not inhibit other users of lands. It is a healthy outdoor activity that should be encouraged by government because it is good for the physical and mental health of those who undertake it.
5. In one form or another, it has been practiced in Victoria, including within the areas of this investigation, since the 1850s gold rush.
6. It is an integral part of rural Victorian culture and mining heritage and needs to be protected from misguided prohibition. There are already many, many areas of Victoria that have already been unfairly put off-limits to prospectors, usually due to exaggeration of environmental risks and lack of genuine engagement with prospectors.
7. Thousands of interstate visitors visit Victoria each year on prospecting vacations and travel. They will be discouraged from visiting if they cannot access areas to prospect.
8. Many struggling regional towns receive economic benefits from prospectors who visit the area. No prospectors means no money spent by prospectors in those towns. Claims that more national parks and other areas that exclude fossickers will stimulate alternative economic activity are not backed by evidence. Rather, there is evidence that following additional State and National Parks created during the Box Ironbark process, that locking-up areas to prospectors reduces economic activity.
9. Recommendations that flow from the VEAC report must FAIRLY represent the diversity of activity that is part of a healthy society, including the rights and aspirations of prospectors.
10. We call on VEAC to actively promote recreational prospecting as an important regional industry and draw on PMAV's expertise to do that.
11. Prospectors are not looking for hand-outs, they simply want to be able to enjoy the bush while undertaking their chosen pastime.
12. Prospectors from NSW and the ACT fully support the PMAV's representations on this matter.

We note the key terms of reference:

*a) identify and evaluate the condition, natural and biodiversity values and cultural, social and economic values and the current uses of public land in the specified area; and*

*b) make recommendations for the balanced use and appropriate management arrangements to conserve and enhance the natural and cultural values.*

## **Tourism - Current and historical**

The areas concerned have been prospected, without major issues, by generations of Victorians, and visitors from other states. Prospecting for gold in the Victorian bush is part of the Victorian culture, and is quite special in an Australian and even international context.

This is because since the days of the gold rushes, fossickers and prospectors have always followed the gold. So it is that our members pack their camping gear, trailers and caravans and head to Victoria on a regular basis. They spend their money in Victoria. They get to enjoy the history, heritage, beauty and hospitality of your goldfields towns and world-famous goldfields.

In doing so they form friendships with Victorian prospectors and residents and put true meaning into the slogan of 'good relations between states.' Prospectors also provide a diversity of economic opportunity for regional towns that often don't have a lot of other attractions or opportunities.

Every year NSW recreational prospectors spend many thousands of bed nights in the Victorian gold fields and contribute significantly to the local economies of those towns where they visit for supplies, repairs, fuel, or accommodation. Many of them maintain temporary accommodation in caravan parks. In some of the smaller towns prospectors would be the bulk of caravan park customers, especially in winter.

If it was not for the opportunity to prospect on public lands, then most of the NSW prospectors would not have anywhere to go in Victoria, and therefore would not visit your regional Victorian towns. Recreational prospectors from South Australia, Tasmania and Queensland are also regular visitors to Victoria.

VEAC should have a good hard look at the impact of the State and National Parks created during the Box Ironbark process. Central Victoria was promised jobs in tourism to replace those lost in traditional mining, timber harvesting, eucalyptus distillation etc. But we hear the jobs didn't happen, and tourism visitation went through the floor. Central Victoria, an area that desperately needs employment opportunities, missed out then and will miss out again if new restricted areas are created.

## **Economy**

Recreational prospecting is a big regional industry in Victoria – it employs many people in retail, small manufacturing and services, both directly and indirectly. Any gold found in the process of prospecting is also part of the state's GDP. Given that many areas where prospectors go don't allow commercial mining, prospecting is the only way that this gold resource can be recovered to the benefit of Victoria.

## **Natural environment**

The areas that are under examination in this inquiry contain areas of previous known alluvial gold deposits. Such areas are not untouched by their mining history.

While some relics remain from the gold rush era, natural recovery has obscured much evidence of former gold extraction. The goldfields have undergone great change from that era and it is inconceivable that they would ever return to anything like their original state under current Victorian prospecting laws.

Severe floods that occur from time to time also cause major change in river-beds and are a continuing variable that result in far more extensive change than that created by modern-day prospectors/fossickers using their hand tools. These floods also obliterate the workings left by modern gold-seekers. Fires periodically wreak havoc and cause damage to infrastructure and make a temporary impact on the environment.

However, these areas have a strong natural recovery cycle that is simply part of the wider landscape.

## **Biodiversity on goldfields – the real story**

Today, in former goldfields that have not been turned into farms and towns, the amount of regrowth of timber is quite amazing. There are many areas where an old stump is surrounded by four or five saplings. This demonstrates that former gold field areas recover under their own timetable – naturally – and are not being adversely affected by the limited and passing environmental effect of today's responsible prospecting/fossicking or flood disturbance.

If anything, goldfield reserves in Victoria have helped maintain areas of natural regrowth and have been of benefit to the environment as a whole. Some areas are even more heavily vegetated now than at the time of the gold rushes and European settlement. Artworks and eye witness accounts from that era show moderately sparse vegetation in areas now heavily timbered.

Recently I was speaking with the respected, now retired zoologist (and recreational prospector) from the Australian National University, Dr M. Tanton, who stated in unequivocal terms that variety of landscape in the bush actually assists biodiversity.

In this context, a forest where there is old trees and successional stages of young trees has a healthier biodiversity than a forest where all the trees are the same age. The same thing applies to prospecting areas. These assist biodiversity because they can provide an opportunity for pioneer and dormant plant species to establish and provide more habitats within the overall matrix.

Dr Tanton, who produced Fauna Impact Statements and the Fauna chapter for seven Environmental Impact Statements prepared for State Forest of New South Wales, says the biggest risk to biodiversity is loss of forested land and habitats on private land, not in the fair use of national parks or state forests by recreational prospectors and others.

This progressive thinking is at odds with doomsday protectionists who insist that 'environmental values' will be trashed by allowing someone to scratch the ground.

The bush is a big place and it is constantly changed by the forces of nature. Natural erosion, trees that fall over in the wind and leave large holes, wombats that tunnel through the ground, floods, fires and rock falls all leave their mark in the bush.

These marks are far more noticeable than the odd scratch mark made by metal detectorists or a panner who has creviced some dirt from rocks near a creek.

### **Responsible prospecting**

Recreational prospectors get about their activity in a self-sustaining, responsible and practical way. With the odd exception (no different to any other recreational group), prospectors today are people who care strongly about the environment and wish to leave it in better condition for their children and grandchildren.

Today's prospectors don't leave piles of tin cans and sheets of iron in the bush like the old timers. We don't fire our muskets at night and create lead pollution. We don't pollute waterways with mercury and cyanide. We don't leave rolls of fencing wire or dump truckloads of tyres and household rubbish.

Instead we comb through the bush with metal detectors picking up yesterday's junk. We also routinely take our rubbish, and that of others, out of the prospecting areas.

For certain there is illegal dumping in areas around towns – but this dumping is not done by prospectors. We are likely to report illegal dumping if we see it – and alert authorities to other illegal activities in areas that are far from the eyes and the ears of the law.

In a state that is prone to bushfires our tracks into prospecting areas ensure that if fire fighters need to go into areas, then there is a good chance that tracks are navigable through use. We can also report any fires, so assisting your fire management regime.

Existing Victorian prospecting laws are already very prescriptive about how prospecting can occur. For example, the restriction to using hand tools means that holes are never very big and can be easily filled in, as they usually are.

These operating rules mean that prospecting today is by definition a low impact activity with minor and temporary environmental effect.

Effort should be put into the far bigger problems in national parks and forests – like foxes, blackberries, European wasps, feral cats and dogs, and rubbish dumpers rather than cracking down on individual citizens who are simply looking for a low cost, low risk, healthy outdoor recreational activity.

## **Prospecting – living heritage – not looking for handouts**

Human activity is also a natural force. We have evolved and include the ability to prospect for precious metals or gems as part of our natural mining heritage that dates back thousands of years – and 170 or so in Victoria.

Prospectors in Victoria have a right to be able to explore their state freely with minimal restriction and the law and access arrangements should assist rather than hinder them.

The very act of prospecting, today, continues that long tradition of ‘having a go’ and continues a traditional activity. Many prospectors today proudly count old timer miners among their ancestors.

The act of prospecting constitutes living heritage that should be celebrated and encouraged like other cultural/heritage activities instead of being pushed into tight, regulated corners.

We have heritage buildings, heritage lands, cultural heritage. We are constantly spending money in pursuit of ‘heritage at risk’. Well, make no mistake, Victorian prospecting is at risk and deserves its own protections.

Prospecting in Victoria remains a living activity that stands on the shoulders of previous generations and should be celebrated and supported.

From my own observations, prospectors today, both men and women, come from all walks of life. Often for reasons of ‘life’ they tend to be older people who seek to enjoy a healthy, exciting and potentially rewarding outdoor activity in retirement, although I have also seen family groups – mum dad and the kids enjoying prospecting at Castlemaine and elsewhere.

As our society struggles with obesity and inactivity, surely anything that encourages physical activity by an at-risk group should be encouraged in the interest of public health?

This is especially so when this group is not looking for handouts of government money – just the necessary permission to be able to use the bush in a low impact way.

The interest and keenness shown by children who learn how to pan for gold or use a metal detector is wonderful.

Prospecting should be considered a heritage activity and the right to do it needs to be protected.

## Who should manage?

Management of the areas under review needs to be objective and fair. This means that departments and agencies involved should not have inbuilt bias against prospectors. The deck is already stacked so high against prospector interests that agencies and their regulations have lost a lot of credibility due to their restrictive, unbalanced and prohibitive approach to environmental risk. Well-funded green lobby groups function to distort public discourse and decisions.

In the interests of Victoria, recommendations from this inquiry need to be objective and live up to the rhetoric about fostering a diverse community with a healthy regional economy.

## Conclusion

NAPFA does not advocate unrestrained access to genuinely fragile ecosystems in Victoria.

However, we do strongly recommend that any laws and changes strike a fair and reasonable balance between the needs of the environment (which are often grossly overstated by the protectionist industry) and the needs of the community to be able to enjoy the experience and bounty of the bush, including national parks, state forests and any other public lands.

We request that prospecting continue to be allowed in the areas under consideration by this inquiry.

We also go further and call on VEAC to actively promote recreational prospecting as an important regional industry, and draw on PMAV's expertise to do that.

Once again, on behalf of the fossickers of NSW and the ACT, we state our support for the PMAV on this matter.

Should the inquiry wish, we would be happy to expand on any matters in this submission to the best of our ability.

Yours sincerely,

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*About NAPFA – Our association was formed in 2012 to lobby the NSW Government in matters that affect the rights and regulations around fossicking in NSW. There are many tens of thousands of fossickers in NSW and the activity is a welcome contribution to the regional towns of NSW. Many fossickers are retired and travel extensively and for long periods of time for their hobby. NAPFA also works with its interstate counterparts on matters of mutual interest – such as this inquiry.*