

To,

“NPWS branch here”

Dear Sir/Madam,

I am writing to apply for consent to fossick for gold primarily in the “XYZ SCA” under Parks Policies – Fossicking Policy (6 Nov 2017). <http://www.environment.nsw.gov.au/topics/parks-reserves-and-protected-areas/park-policies/fossicking>

### **Fossicking Policy (requirements)**

Under section 15 of the policy I would propose to use only hand-held equipment being a metal detector and pick following the minimal impact guidelines in the Mining Regulation 2016 (<https://www.legislation.nsw.gov.au/#/view/regulation/2016/498/full>) and NSW Industry and Investment's Fossicking: A guide to fossicking in NSW (<https://www.resourcesandenergy.nsw.gov.au/miners-and-explorers/fossicking-in-nsw>).

While fossicking is generally not permitted in parks it can be with consent either in a plan of management for a park or, in the absence of a plan of management, in writing by a National Parks and Wildlife Service (NPWS) branch director. The purpose of this application is to gain permission to fossick in “XYZ SCA” via written consent due to the absence of a plan of management for this park.

“XYZ SCA” was created in December 2005. Prior to this it was a former State Forest tenure. As a State Forest up until December 2005 fossicking was an allowable activity. In December 2005 when the “XYZ SCA” was created the right to carry out fossicking as a previously allowable activity was removed without the proper consideration. At the time, there was nobody to effectively represent fossickers’ needs and it appears they were just ignored, not thought of as relevant, or not even thought about at all.

Example/s of other activities - The Statement of Management Intent: “XYZ SCA” does however permit licenced beekeeping activities and it was considered as an existing interest under the NPW Act as it predated the park’s reservation. These activities are allowed under the Beekeeping Policy.

“XYZ SCA” includes the occurrence of areas of alluvial gold.

It is obvious that fossicking, prospecting and mining also predated the park’s reservation and that fossicking was an existing activity in the general area, but no consideration was given to the very low impact activity of fossicking in the Statement of Management Intent.

NPWS should include recreational fossicking for consideration in any **Plan of Management** for “XYZ SCA” moving forward.

Fossicking is currently permitted in two parks through plans of management:

**Abercrombie Karst Conservation Reserve** (Grove Creek part only)

**Torrington State Conservation Area** (throughout the park).

From NAPFA (NSW & ACT Prospectors & Fossickers Association):

“Fossicking today is a recreational activity. Despite what some (green-oriented) elements who oppose recreational fossicking contend, recreational fossickers who use hand tools cannot be compared in any fair way with mining or exploration at any level, either current or historical.

It is NSW Government policy to encourage more sustainable use of NSW’s parks and reserves. In recent times this has resulted in positive changes to permit horse riding and even shooting in national parks. This is a commendable policy shift and is helping to restore some balance to the way that parks and reserves can be used by the people, who through the state, own them. They are public resources set aside for the best and widest possible use by the public.

Unfortunately, such policy has yet to have any positive impact on fossicking which continues to suffer unfair perception issues and outright rejection due it being an allowable activity under the Mining Act.

Given the extremely low and transitory impact of recreational fossicking compared to that of a full-scale exploration and mining operation, the amateur recreational fossicker cannot be said to pose any significant damage or risk to the area that is greater than any other visitor. Fossicking with hand tools has a minimal and passing impact.

What impact there is, is temporary, and pales in significance to the changes in the landscape that are wrought by the forces of nature, such as floods, fires, landslides, storms, feral animals, and even including native animals – such as wombats that dig massive holes.”

As such under sections 11 and 12 of the Fossicking Policy I don’t believe that fossicking activity using a metal detector and hand-held pick will pose any unacceptable risks to visitor safety or to park values. I would follow any conditions set by a generic conservation risk assessment or a review of environmental factors provided by the local NPWS office (as per the fossicking policy).

Fossicking activity:

- Would be done following the minimal impact guidelines in the Mining Regulation 2016 (<https://www.legislation.nsw.gov.au/#/view/regulation/2016/498/full>) and NSW Industry and Investment's Fossicking: A guide to fossicking in NSW (<https://www.resourcesandenergy.nsw.gov.au/miners-and-explorers/fossicking-in-nsw>);
- would be limited to hand-held equipment and follow the guidelines set down in NSW as indicated above;
- would not be carried out during or after any inclement wet weather conditions or in times of a very high bush fire danger or if NPWS temporarily close the park for any other reason;
- would be limited to any numbers permitted by NPWS (I usually fossick alone or with only 1 or 2 others – not in a large group);
- would be carried out with safety equipment carried on me always including first aid kit, PLB (registered personal locator beacon), mobile phone;
- would only target gold and any other semi-precious stone or gemstone in prescribed amounts as per clause 12 of the Mining Regulation 2016. All other natural materials would be returned to the ground and holes filled;
- would include the removal and disposal of any rubbish retrieved during fossicking including lead, other scrap metals etc.
- would not knowingly disturb any cultural or heritage sites or remove any cultural or heritage items and report anything found during fossicking that may be of interest to NPWS;
- would follow any other requirements set down by NPWS.