

Investigation into additional prospecting areas in parks

Question: What is recreational prospecting?

The term 'recreational prospecting' (also known as 'recreational fossicking') refers to the search for minerals using no equipment for excavation other than non-mechanical hand tools, under a Miner's Right or Tourist Fossicking Authority. The most common method involves the use of metal detectors, picks and shovels. Some prospectors use gold pans and sluice boxes to search for minerals, and shovels or picks for excavation of soil. Gold is the mineral commonly sought, but some prospectors search for gemstones.

Question: How is recreational prospecting managed in Victoria?

The *Mineral Resources (Sustainable Development) Act 1990* is the legislation under which recreational prospecting is managed in Victoria. The Department of Primary Industries is responsible for management of the activity.

Where prospecting is permitted in national, state or other parks, the applicable legislation is the *National Parks Act 1975*. Parks Victoria is responsible for management of these parks.

Question: What permits are required by recreational prospectors?

All prospectors must have a Miner's Right, which is a permit to prospect for minerals on Crown land and private land (with owner's permission), and to own any minerals found. Organised groups may operate under a Tourist Fossicking Authority that applies to the entire group.

Holders of a Miner's Right must observe certain conditions: they must use non-mechanical hand tools only for the purpose of excavation; they must not use explosives; they must not remove or damage any shrubs or trees, nor disturb, or remove any heritage feature or destroy, interfere with or endanger an archaeological site or Aboriginal place or object. Any damage arising out of the search must be repaired.

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Question: Where is prospecting allowed in Victoria?

Recreational prospecting can take place in much of Victoria's public land (State forest, other Crown land areas, including 16 national, state and other parks (see list of parks below). This totals approx 4.8 million hectares, although not all areas are likely to be prospective for minerals. Recreational prospecting can be undertaken on private land, with consent of the landowner.

Some areas of public land are specifically exempted from recreational prospecting, for example most areas of national, state and other parks (non-designated areas), reference areas, wilderness areas, designated water supply catchment areas, and exempted rivers and streams.

The list of the exempted rivers and streams can be found [here](#).

Question: Where is prospecting currently permitted in national parks in Victoria?

Recreational prospecting is permitted in designated sections of the following national parks, state parks and other parks, scheduled under *National Parks Act 1975*:

- St Arnaud Range National Park
- Castlemaine Diggings National Heritage Park
- Chiltern-Mt Pilot National Park
- Greater Bendigo National Park
- Heathcote-Graytown National Park
- Beechworth Historic Park
- Enfield State Park
- Kooyoora State Park
- Paddys Ranges State Park
- Reef Hills State Park
- Steiglitz Historic Park
- Warrandyte State Park

Gemstone only prospecting is permitted in designated sections of the following parks:

- Great Otway National Park
- Mornington Peninsula National Park
- Warby - Ovens National Park
- Cape Liptrap Coastal Park

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Question: Are there any conditions placed on recreational prospecting in national, state and other parks in Victoria?

Recreational prospectors operating in designated areas in national, state or other parks, prospectors must have a Miner's Right and observe conditions applying to the Miner's Right. They must also observe additional conditions that are applied under the *National Parks Act 1975*. These include, only non-mechanical hand tools may be used; excavation and damage to ground layer vegetation must be kept to a minimum; and any damage must be repaired on the same day (reinstatement of litter, soil and debris).

Question: How many people participate in recreational prospecting?

The Department of Primary Industries advises that as of June 2012 there are approximately 4,157 current Miner's Rights; 3,341 are two year Miner's Rights and 816 are 10 year Miner's Rights.

There are 7 current tourist fossicking authorities with 33 applications under review.

Question: Why has VEAC been requested to undertake this investigation?

Victoria has a long history of allowing prospectors to search for gold and gemstones and prospectors already have access to parts of many of Victoria's parks. Government has now asked the Victorian Environmental Assessment Council (VEAC) to investigate under what circumstances it is appropriate that greater access be provided for this activity, while still protecting the heritage and environmental values of our national parks.

Question: How were the eight national parks and one state park chosen?

The Department of Sustainability and Environment advised that the parks were requested by prospectors represented by the Prospectors and Miners Association of Victoria. The request was supported by the Hon Michael O'Brien MP, Minister for Energy and Resources and the Hon Ryan Smith MP, Minister for Environment and Climate Change, resulting in the request for this investigation.

Question: Has the government already decided to allow prospecting in the national parks?

The government has asked VEAC to conduct an investigation. That is not the same as making a decision on what is allowed in the parks. VEAC carries out its investigations separate from government, considering all the relevant matters including impact on the environment and consulting with the community. At the conclusion of the investigation, VEAC will make its recommendations then Government will consider those recommendations.

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Question: The terms of reference refer to agreements under the *Traditional Owner Settlement Act 2010* and the *Conservation, Forests and Lands Act 1987* relating to the specified parks. What does this mean?

As part of the Gunaikurnai Recognition and Settlement Agreement, the state entered into a Traditional Owner Land Management Agreement under the *Conservation, Forests and Lands Act 1987* to establish the Gunaikurnai Traditional Owner Land Management Board to jointly manage ten national parks and reserves in their agreement area.

Mitchell River National Park is one of the jointly managed parks and is also one of the ten areas over which it has been agreed that Aboriginal title will be granted to the Gunaikurnai People under the *Traditional Owner Settlement Act 2010*.

Under the Traditional Owner Land Management Agreement, one of the functions of the board is to make submissions on matters affecting the land to which the agreement applies. The board also has a function under the *Conservation, Forests and Lands Act 1987* to prepare a draft management plan for the park, consistent with the *National Parks Act 1975*.

The Council will take into account the relevant agreements when making recommendations.

Question: What are the benefits or potential benefits of recreational prospecting?

Recreational prospecting is an outdoor activity, generally conducted on public land and has health and wellbeing benefits for users similar to other outdoor recreations. It can be assumed that recreational prospectors contribute to local economies in terms of spending on consumables and accommodation in towns adjacent to prospecting areas, in prospecting supply shops and through participation on prospecting tours. No statistical information is available on the contribution to local economies.

Question: What are the negative impacts or potential negative impacts of recreational prospecting?

There is no research available on the impact of prospecting. There is the potential that excavation activities may assist in the spread of harmful weeds and pathogens in parks and have an impact on ground dwelling plants, and plant and animal habitats. Similarly, impacts may occur when erodible soils, waterway sediments or contaminated tailings are disturbed. These activities are likely to be more harmful in land that is in its near natural state or when the practices required under a Miner's Right are not adhered to.

These potential impacts, and the management of prospecting more generally, can add to the already significant demands of public land management.



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Question: Is prospecting permitted in national parks in other parts of Australia?

Recreational prospecting (usually referred to as fossicking) is not permitted in national parks in Western Australia, South Australia, Tasmania, New South Wales, or Queensland.

For some people national parks are set aside as places that should be free from activities that disturb the environment or generate private economic gain.

Question: How will VEAC conduct the Investigation?

VEAC must follow a process and take into account a range of matters specified in the *Victorian Environmental Assessment Council Act 2001*. VEAC will investigate the activity of recreational prospecting by consulting with stakeholders, government departments and the general community; and by establishing a community reference group to provide advice to the Council. The work will involve mapping the parks under investigation to determine their potential for designating additional recreational prospecting areas, taking into account factors such as the natural environment, access, land management, exempted areas and legal factors.

Submissions from the public will be analysed and a report containing recommendations will be prepared for the government.