

INQUIRY INTO TOURISM IN LOCAL COMMUNITIES

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Submission from the Reilly family of Oberon NSW to the "Inquiry into tourism in local communities" being undertaken by General Purpose Standing Committee No.3.

Our family enjoy the recreational pursuit of fossicking in regional NSW locations and we are upset how the number of places we can legally fossick for gold and gems has dramatically diminished over recent years. We have many friends who prospect but who are unable to find many places to fossick. Many of the small towns where we prospect are struggling and if the government implemented legislative and other changes that have little or no cost to the government, they could greatly increase visitor numbers and expenditure to many of NSW regional towns and hamlets that are currently struggling. Other states, especially Western Australia, Victoria and the Northern Territory have recognised the high value of expenditure in small regional towns by fossickers and have opened up large areas for fossicking and developed websites to promote "fossicking tourism" to their states. The Northern Territory Government fossicking website is an example.

(See link: <http://www.nt.gov.au/d/fossicking/>). As a result of other state,s fossicking tourism initiatives, many thousands of people in NSW travel to other states to prospect because of the lack of fossicking areas in NSW. Many of my friends from NSW are currently in Western Australia using metal detectors to look for gold and spending money in the struggling outback towns in the goldfields there.

For the information of committee members: Fossicking is a recreational pursuit where people use gold pans, metal detectors and sluices to recover gold, gemstones and minerals from river gravels and sediments. Very few people make any profit from the gold or gems they find, they fossick for pleasure.

In relation to the inquiry into tourism and local communities, many inland NSW communities rely on the money injected in to local businesses from fossickers to allow their towns to survive. Many small towns and hamlets including Hill End, Windeyer, Ophir, Nundle, Oberon, Sofala, Torrington and dozens of others are visited every weekend by fossickers who stay in caravan parks and spend money in the local pub, café and service station. Many of these towns have only a few businesses who struggle due to the very small population size of the town and a lack of visitors. An increase in the number of fossickers visiting these towns and the multiplier effects of their expenditure can help these towns grow, however the diminishing areas that people can fossick and the recent abolishment (under changes to the Mining Act 1992) of 60 long established fossicking reserves is causing the number of fossickers visiting many regional towns to decrease. Fossicking magazines, web forums and people chatting in caravan parks in fossicking towns are all lamenting the loss of fossicking areas available to the public in many locations such including Nundle, Crookwell, Barrington Tops and Copeland Tops areas.

While many towns and regional tourism organisations promote fossicking and fossicking tour drive routes, the reality is that there is few places for people to actually fossick and avid

fossickers know this and will not visit these towns even though fossicking is promoted in them.

Below, I outline some legislative and policy changes that the government could implement at little or no cost that will help grow tourism and expenditure in many regional towns. These changes can reverse the current downturn in fossicking tourism within NSW and the drain of fossicking tourism money from NSW to the other states.

The current Mining Act 1992 abolished around 60 long established fossicking reserves established under the former mining Act and includes a clause that requires that you gain the permission from any Exploration Lease (EL) holder who has a lease on land you want to fossick on. This law is unworkable. Many EL's are large and cover key fossicking areas like Hill End and Sofala. So while you need the land owner or land managers authorisation to fossick you also need the permission of EL holders in many cases, even though EL holders are often only carrying out exploration and sampling of small areas of their large EL's. Many EL's are for coal and yet we need their permission just to fossick on the surface when the coal explorers are only interested in often deep coal deposits. I have tried to get permission from a number of companies and they did not even know that law required me to gain their permission to fossick. This part of the mining Act is ridiculous and should be abolished to assist the growth of fossicking tourism in regional NSW towns.

The Mining Act 1992 established seven fossicking districts (covering seven shires) where you do not need the permission of any EL holder to fossick however most of the key fossicking areas in the state are not within the seven designated districts. The designated fossicking districts is a part of the legislation that was put in place to try convince recreational fossickers they were being looked after in lieu of the popular Fossicking areas being abolished. It is not working, There is no logic to having the seven districts. As mentioned above the need to gain the permission of an EL holder should be repealed from the legislation and fossicking reserves should be re-established, and the designated fossicking districts can be also repealed from the legislation.

Peak bodies such as the New South Wales and ACT Fossickers and Prospectors Association (NAPFA) should be consulted about needed changes to the Mining Act that will assist fossickers without impacting mining companies. The current fossicking section of the Mining Act was obviously not prepared by people with any understanding of fossicking and the needs of fossickers. This probably happened because there was no peak association representing fossickers that could be consulted when the legislation was reviewed in 1992. The government can now consult with NAPFA for better outcomes for fossicking tourism in the state.

Many long established fossicking areas also occur on land managed by the Forestry Corporation of NSW. Over recent years Forestry Corporation have required people to visit a regional forest office and gain a permit at a cost of \$25 to fossick in forests in each region.

The \$20 permit fee discourages many families who are holidaying who just wish to visit a region and fossick for a weekend. Fossickers in forests do not impose any costs on the Forestry Corporation and individual fossickers should be treated similar to bushwalkers and picnickers who use Forest lands, no fee should be imposed. The permit requirement implemented by Forestry Corporation should be abandoned. The permit system gains very little revenue and is reducing greatly the income to a region which injected by fossickers if they were freely allowed to fossick in lands managed by the Forestry Corporation.

In the last few years many of the best fossicking areas that were in Forests NSW lands have been converted into land managed under the National Parks and Wildlife Act 1974 (E.g. Crookwell Reserves, Copeland Tops, The Cells Reserve) Most of these areas have become Nature Reserves or National Parks under the NP&W Act and fossicking is not allowed. If the land is reserved as a State Conservation Area under the Act, fossicking is permissible if included in the plan of management that applies to that reserve, however the Office of Environment and Heritage (OEH) has a policy not to allow fossicking in State Conservation Areas. While many locations in State Conservation Areas have sensitive conservation values and fossicking should not be allowed, there are many greatly disturbed old gold mining areas and other locations where people formally fossicked in the past where fossicking should be allowed. The government should direct OEH to review there "no fossicking policy" and allow fossicking in suitable locations in reserves, especially where fossicking was undertaken prior to a reserve being established.

Victoria has realised the high value of fossicking tourism and the fact that people have a right to fossick for gold and they allow fossicking in a number of National Parks. They are now opening up more parks to fossickers. Many National Park in NSW have places in them where fossicking is an appropriate activity (especially in some of the old mining areas) and the government should consider changing the NPW Act to allow fossicking as a recreational activity in all reserve categories under the Act, where it is appropriate and does not impact on conservation values. The areas in a park where fossicking is allowed and what conditions may apply can be included in the Plan of Management prepared for each reserve, as required by the Act.

So in summary, NSW is falling behind other states in the promotion of fossicking tourism as an important source of tourism revenue for the state and especially for many small regional towns. The measures outlined in this submission can be easily implemented by government to assist the growth of tourism, positive growth in many regional towns and the promotion of fossicking as a healthy recreation activity for the people of NSW.

Thank you for considering this submission.

Stephen Reilly (on behalf of my family)