

VEAC Central West Investigation Draft Proposal Paper

August 2018

Response to the Draft Proposal by Mike Phillips a recreational prospector 9th December 2018.

The Central West Investigation paper into Mount Cole Pyrenees, Wellsford and the Wombat Macedon areas has not been properly and ethically investigated by VEAC. I would like to address the reasons why the document is flawed and biased. VEAC has not done a thorough investigation. They have not consulted with all the stakeholders and users who will be adversely affected by these proposed changes. The Community Reference Group provided advice to VEAC but there doesn't appear to be any references to specific assistance they gave to VEAC. How can their assistance be measured if VEAC do not record and investigate concerns other than ***“The Community Reference Group has already greatly assisted in Council understanding the issues and stakeholders involved in the investigation”***. (3.2 Community Reference Group page 50) What a lame comment. What exactly did the group present to VEAC? What was VEAC's understanding of this assistance? Why isn't there a detailed list that the Community Reference Group submitted to VEAC and a detailed VEAC response? It is extremely important that VEAC should have fully investigated all the concerns of persons affected. The Draft Proposal document is lacking any depth. It generally paraphrases objections, comments and observations. In most cases there is no supporting evidence and the findings have not been referenced. There are no definitions given for technical or specific words used. The exact VEAC meaning of some words are left open to the reader for interpretation. Also there has not been any consistency in the use of some words throughout the document (for example the word “Prospecting.”).

Sections 1 to 5 below have been extracted from the “Foreword” (page 1 Central West Investigation Draft Proposal Paper) by Janine Haddow (Chairperson). Each statement has been addressed by myself with comments regarding these assertions.

Haddow states that:

1. *“... make up the investigation area are distinct, both in terms of their environments and the communities that use and value them. But the pressures they face are similar. The effects of Victoria's rapidly increasing population, climate change, and habitat fragmentation in the most cleared state in Australia are common to all three blocks”*.
(Foreword Page1 2nd paragraph)

This is a broad statement that is generally accepted by most people. But nowhere in the Draft Proposal Paper is there any evidence, suggestion or factors that by making these areas into National or State Parks that the pressures of *“rapidly increasing population, climate change”* will diminish.

2. *“There is increased recognition of and partnership with Traditional Owners in contemporary land management across the state, including in the investigation area”*.
(Foreword Page1 2nd paragraph)

Where is the evidence or references that Traditional Owners in contemporary land management are skilled, have the education or the ability to manage the land. Why wasn't other land users spoken to or interviewed to ascertain other or their management practices. If the Traditional Owners do not have the skills how are the Parks going to be better managed?

3. *Recent work on the importance of the investigation area for threatened flora and fauna shows that it provides habitat for 375 threatened species. And the smaller vegetated blocks and strips of public land are important stepping stones in the landscape* (Foreword Page1 3rd paragraph)

This has not been properly addressed in the Draft Proposal Paper. How can changing these areas to National and State Parks protect the flora and fauna?

An article in the Herald Sun 21st November 2018 titled "Marsupials on the Brink" by Mark Dunn stated that a "**Rampant population of 20 million feral cats and foxes is the biggest threat to survival of 12 endangered or vulnerable native marsupials.**" The article was based on a report by the Threatened Species Recovery Hub and La Trobe University. How will changing the areas to National and State parks stop this decimation of fauna? **IT WILL NOT.**

As a recreational prospector I use a metal detector and in the course of looking for gold in these areas I dig holes. Sometimes I find gold but more often than most of the time I recover rubbish such as nails tin cans and bullets. This rubbish is removed from the bush and discarded elsewhere. Afterwards I refill the hole which will slightly settle over time. It is these divots and indentations from the metal detecting holes that seeds from trees and plants are trapped and flourish due also to ability to also trap ground water runoff.

4. *new national parks, conservation parks, nature reserves and bushland reserves make an important contribution to improving ecological representation of the protected area system and include a large part of the most important habitat for rare and threatened species.* (Foreword Page1 4th paragraph)

Where is the evidence or references in the document that new parks will improve and provide important habitat for rare and threatened species. There is no supporting information or evidence that new parks will have the desired effect as claimed.

5. *VEAC is awarewhether their access to public land will be affected and they are fewer than is often thought. Four wheel driving, trail bike riding, mountain biking, horse riding, car rallies, camping, bee keeping, and dog walking in specific designated sites, can all be accommodated in national parks.* (Foreword Page1 5th paragraph)

There are no in depth details in the report about these particular activities (*four wheel driving, trail bike riding, mountain biking, horse riding* etc). Where they will be allowed, restrictions and what designated sites etc. Currently there are costs involved in camping in National Parks. Why should bush users have to pay for the use of areas which will now be decreed National Parks? The statement that **fewer people** will be affected has not been substantiated or clarified. **All people who will use the new parks will be in some way affected.**

The activity I represent - Recreational Prospecting - will be adversely affected by the changes to the areas within the Central West. I will not be allowed to continue prospecting activities in these areas that I currently enjoy. There has been no reason why Recreational Prospecting has been banned within these areas. The advent of metal detectors is relatively new since about the early 1980's in Victoria. Where is the evidence in the document that the use of metal detectors has caused adverse and irreparable damage to the environment, flora and fauna?

Mining and exploration have been occurring since the 1850's and the evidence is quite clear that early mining have in a lot of cases caused irreparable environmental damage. The irony is that these old mining areas are now tourist destinations.

Why hasn't VEAC investigated the activities of Recreational Prospectors rather than just banning them from the new parks? There is no reference or interpretation in the document as to what Recreational Prospecting is all about. Today's Recreational Prospector must hold a Miners Right and are restricted to using hand tools such as gold pan, sluice box and metal detectors. There are currently National and State Parks where Recreational Prospecting is permitted.

It is quite clear from the Mineral Resources Development Act (See Appendix B) that Recreational Prospecting under a Miners Right is not permitted in a National Park. The exception being an authority by the minister that searching for minerals under a miner's right or tourist fossicking will be permitted. National Parks Act 1975 **Section 32D Authorities to search for minerals in certain parks.**

(See Appendix A)

If the authority by the minister can be given to holders of Miners Rights to recreational prospecting in other National and State Parks why wasn't this avenue investigated and explored by VEAC.

Recreational Prospecting is allowed in other parks and if these 3 new VEAC areas become National and State Parks there should be no reason why prospecting should be not allowed in them as well. These is no indication within the document that Recreational Prospectors were fully informed, consulted or reasons given that their activities should be not allowed. There are over 7,000 holders of Miners Rights.

There has been a draconian process by VEAC that to save the environment these areas must become National or State Parks. Within the investigation there has been no supporting evidence that by changing a name and not allowing certain activities that the areas will be beneficial to Victorians and other users within these areas. There is a falsehood that National Parks will attract Eco tourists and suddenly flora and fauna will flourish.

It is easy to assert unsubstantiated premises as pointed out above (From VEAC Foreword section 1.and section 2. See above) but is important to support those assertions with clear concise accurate compelling evidence or scientific studies which show that these areas will be better managed and maintained.

The establishment of new parks has a real feel-good sense to it and will be believed by the general public as a great marketing exercise but new parks will not be the saviour of the flora, fauna.

By not allowing Recreational Prospectors in these areas will not save any one of the 375 threatened species.

Recreational Prospectors have been short changed for no apparent reason. If VEAC are hell bent on pushing through these changes I request that VEAC consult the minister with the view of making an exception in these new parks for Recreational Prospectors under National Parks Act 1975 Section 32D *Authorities to search for minerals in certain parks.* See Appendix A)

Version No. 117 National Parks Act 1975

No. 8702 of 1975

Version incorporating amendments as at 1 July 2007

32D Authorities to search for minerals in certain parks

- (1) Notwithstanding anything contained in this or any other Act, the Minister may by notice in the Government Gazette designate the area or areas in—
- (a) the parks described in any of the following—
 - (i) Part 30, 41, 42 or 43 of Schedule Two;
 - (ii) Part 15, 26, 31, 36 or 38 of Schedule Two B;
 - (iii) Part 1 or 13 of Schedule Three;
 - (iv) Part 8 of Schedule Four—
in which searching for minerals under a miner's right or tourist fossicking authority will be permitted;
 - (b) the parks described in any of the following—
 - (i) Part 31 of Schedule Two;
 - (ii) Part 15 or 30 of Schedule Two B;
 - (iii) Part 15 of Schedule Three—
in which searching for gemstones under a miner's right or tourist fossicking authority will be permitted;
 - (c) the tidal zones of the park described in Part 4 of Schedule Two in which searching for gemstones under a miner's right or tourist fossicking authority will be permitted.

APPENDIX B

Version No. 080 Mineral Resources (Sustainable Development) Act 1990

No. 92 of 1990

Version incorporating amendments as at 14 October 2010

Section 6 Land not available for exploration, mining and searching (1) the following land is exempted from being:

Section S. 6(2) Despite subsection (1)(b), any area of a park that is the subject of a notice under section 32D(1) of the National Parks Act 1975 is **not exempted from being subject to a miner's right or a tourist fossicking authority** to the extent that any activity permitted under such a right or authority is consistent with an authorisation under section 32D(2)(b) of that Act in the area designated by the notice.