

FOSSICKING CODE OF CONDUCT PASTORAL LAND





Department of Mining and Energy
Northern Territory Government
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OVERVIEW

Fossicking is a non-commercial, recreational activity allowing a person to collect, extract and remove a limited amount of rocks, minerals and crystals by means of digging by hand or using hand held implements, to a depth of up to one metre.

Authorised fossicking in the Northern Territory is permitted under the *Mineral Titles Act* (the Act) and Mineral Titles Regulations on pastoral land and other relevant land, provided the necessary notices or consents are obtained prior to commencing fossicking activities.

CODE OF CONDUCT

The Code of Conduct has been developed specifically to promote responsible fossicking practices on pastoral land in the Northern Territory. The code does not apply to Aboriginal Freehold Land.

The Code:

- recognises the rights, obligations and concerns of fossickers and pastoralists.
- provides general conditions of entry and expected behaviours for anyone intending to fossick on pastoral land.
- is designed to complement existing legislation and foster stronger relationships, understanding and communication.
- is based on an understanding that fossickers are 'guests' on pastoral land.
- acknowledges that fossicking is a recreational activity and should not disrupt pastoral activities.



RIGHTS OF FOSSICKERS AND PASTORALISTS



When fossicking on pastoral land it is important to remember that the property is not only operating as a business, but it is also a family home!

Pastoralists and fossickers both have rights to undertake their respective activities. It is not the intention of the Act that the activities of fossickers cause disruption to ongoing pastoral activities.

A person wearing a light-colored jacket, a red hat, and dark pants is seen from the side, looking out over a vast, dry, and rocky landscape. The terrain is covered with sparse, low-lying vegetation and scattered red rocks. The sky is clear and blue. The person appears to be engaged in an outdoor activity, possibly hiking or exploring.

Fossickers are expected to conduct themselves in a lawful and courteous manner at all times when engaged in fossicking or other related activities on pastoral land.

Additionally, fossickers must respect the activities of the landholder by leaving gates as they find them (e.g. open or closed), removing rubbish and minimising ground disturbance.

NOTIFICATION OF INTENTION TO FOSSICK

While the Act generally only requires that you provide a pastoralist with a minimum of seven days' notice before entering their land to commence fossicking, consent may be required in certain circumstances, including when:

- the proposed fossicking area is actively being used for pastoral activities such as mustering or feral animal control.
- the proposed fossicking area is within 2km of a homestead.
- the proposed fossicking area is within 1km of a stockyard.





While it may be impossible to determine if any of these factors should be taken into account when providing a notice, by ensuring the pastoralist has as much notice as possible, they will then have an opportunity to consider your proposal and advise you if the activities are likely to conflict with planned pastoral activities. They may also direct you to another area for your own safety, thus preventing you travelling unnecessary distances only to end up disappointed or frustrated.

It is a matter of courtesy and safety that the pastoralist receives your notification and is aware of your intending visit prior to your arrival at the property. Many pastoral properties in the Territory are remote and mail may only be received on a fortnightly or monthly basis. Please take this into account and plan ahead.

You can download a copy of the form to give notice, or seek consent, from the government's dedicated fossicking website: www.fossicking.nt.gov.au/application-forms

INFORMATION TO BE INCLUDED IN NOTIFICATION



When providing your notification, please ensure that you include the following key details:

- the proposed entry date.
- a detailed description or map of the area where you intend to fossick, clearly indicating the location and any proposed camping sites. Latitude/longitude of the area or grid references may be used; this information can be obtained from STRIKE (a publically available spatial database located at strike.nt.gov.au).
- the nature of fossicking, including what equipment will be used. Include in this section what type of mineral or stone you are intending to fossick for.
- the duration you intend to remain on the relevant land.



- the make, model, colour and registration number of all vehicles that will be covered by the Fossicking Notice/Request.
- contact details of the primary fossicker in a group who will act as the main contact between the fossicking party and the landowner.
- full names and addresses of all additional members of the fossicking party on the sheet provided.

The postal or email address included on the notification should be a reliable communication mode which is regularly accessed and where the pastoralist can contact you and/or return their written consent (if required).

ENTRY ONTO A PASTORAL PROPERTY

Planned pastoral activities can change at short notice and this could impact on access to different areas during the time you intend to be on the property.

Weather can also play a large part in accessibility and delay pastoral activities.

It is important for your own safety that you report to the homestead when you arrive at the property.



Not only is this courteous it will enable the pastoralist to make you aware of any specific conditions that you must abide by while you are on the pastoral property or areas you should avoid.

You should report to the homestead again when you are leaving the property so that the pastoralist is aware you are no longer on the property.



GENERAL CONDITIONS

Even though fossicking can be undertaken on pastoral land, the pastoralist has the right to set conditions that you must abide by while on the property.

You must comply with all reasonable conditions or requests from the pastoralist. The Act also contains certain conditions for fossicking and access onto pastoral land.

1. Give notice and carry your proof of notification (or consent) with you at all times.
2. Prior to entering pastoral land all fossickers should clean their vehicles and camping equipment to prevent the spread of weeds and disease.
3. Call into the homestead upon arrival at the property.
4. Exchange relevant UHF/VHF radio frequency with pastoralist.
5. Fossickers are responsible for their own personal safety and wellbeing while on the property.
6. You must remain in the areas specified in the notice or agreed to with the pastoralist.
7. No camping or fossicking to be undertaken within 1km of a bore or stockyard.

Compliance will ensure that your stay is not marred by the disappointment of being asked to leave the property and may assist in fostering relationships for future access.



8. No camping or fossicking to be undertaken within 2km of the homestead.
9. No dogs to be brought onto the pastoral property.
10. No quad bikes to be used at any time.
11. Water is not to be taken from a bore or any other artificially stored area unless agreed to by the pastoralist.
12. No camp fires to be lit unless prior approval is obtained.
13. All non-biodegradable rubbish is to be removed when you leave the property.
14. Call into the homestead when you leave or contact the pastoralist by radio to advise of your departure.

SUMMARY OF OFFENCES

It is important to remember that the provisions of the Act are there to protect a person who intends to enter pastoral land to fossick appropriately, and also to protect the pastoralist's rights.

The Act contains significant penalties for a person who fails to comply with the relevant fossicking provisions.

It is an offence to:

- enter the land without giving a fossicking notice to the relevant landowner.
- enter the land prior to the date specified in the fossicking notice, unless agreed to by the pastoralist.
- not provide relevant documents (copy of notice, photographic ID etc) if requested to do so by the pastoralist.
- not comply with reasonable conditions or requests of the pastoralist.
- use water artificially conserved by or for the pastoralist.
- engage in any activity that is unrelated to fossicking.
- interfere with infrastructure or animals owned or under the control of the pastoralist.
- extract more than the prescribed amount of a mineral.
- prevent a person authorised under the Act from entering relevant land or fossicking on that land.





The TERRITORY ROCKS

For further information, please contact

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