



**NORTHERN TERRITORY PROSPECTORS & DETECTORISTS ASSOCIATION INC.**



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## Introduction

This submission addresses the practical and policy impacts of the Mineral Titles Legislation Amendment Bill 2026 in the Northern Territory.

While the Bill is framed as a measure to streamline regulatory processes and support industry, its cumulative effect is to significantly increase regulatory burden on recreational fossickers without delivering corresponding benefits in access, opportunity, or support.

Fossicking is not merely an extractive activity. It is a longstanding part of the Northern Territory lifestyle, contributing to tourism, community engagement, mental wellbeing, and connection to the land. Any reform affecting this activity must be balanced, proportionate, and demonstrably beneficial to those impacted.

This Bill, in its current form, does not achieve that balance.

### 1. Inconsistency with the Northern Territory Lifestyle Objective

The Northern Territory Government has publicly committed to restoring and protecting the “Territory lifestyle.”

Recreational fossicking is part of that lifestyle. It represents:

- freedom to access the bush
- low-impact outdoor recreation
- family and community engagement
- connection to Territory history

The introduction of:

- mandatory permits
- fees
- increased compliance requirements
- expanded offence provisions

without delivering improved access or tangible benefits, represents a step away from that objective, not toward it.

Rather than restoring the Territory lifestyle, the Bill introduces additional layers of regulation over a traditional and low-impact activity.

## 2. Introduction of a Paid Fossicking Permit – No Clear Benefit to Users

The introduction of a mandatory fossicking permit, including an annual fee, represents a fundamental shift in how recreational fossicking is regulated in the Northern Territory.

However, the Bill does not clearly articulate:

- what fossickers will receive in return for this fee
- how revenue generated from permits will be used
- whether funds will be reinvested into fossicking access, infrastructure, or services
- whether the permit system will result in improved access to land

Without this transparency, the permit risks being perceived as a revenue and compliance mechanism, rather than a service-based system that supports the fossicking community.

A core principle of good regulatory design is that user-pays systems should deliver clear and measurable benefits to those paying. At present, that principle has not been met.

## 3. Increased Regulatory Burden Without Increased Access

The Bill introduces:

- mandatory permits
- additional notice requirements
- expanded consent requirements
- increased offence provisions
- formalised access processes on Exploration Licences (ELs)
- reporting obligations in certain circumstances

Despite this increased burden, there is no corresponding reform that guarantees:

- increased availability of fossicking land
- expansion of declared fossicking areas
- improved access pathways to existing land
- reduction in land currently inaccessible due to mineral titles

This creates a significant imbalance.

Fossickers are being asked to comply more and pay more, while continuing to face the same long-standing barrier:  
limited access to suitable land.

## 4. Continued Lock-Up of Land Under Exploration Licences

The Bill strengthens the position of exploration licence holders through:

- extended initial licence periods
- delayed reduction requirements
- greater administrative flexibility

While these changes may support industry certainty, they have a direct and foreseeable impact on recreational fossickers.

Specifically, they enable land to remain under exploration licences for longer periods without reduction, which in practice means:

- less land returning to availability
- reduced turnover of ground
- prolonged exclusion of fossickers from large areas

This reinforces an existing concern within the fossicking community that vast areas of the

Territory are effectively locked away for extended periods, often with limited visible on-ground activity.

The Bill does not introduce any meaningful mechanism to counterbalance this effect.

#### 5. Inconsistency with Recreational Fishing Policy

A significant inconsistency arises when comparing fossicking to recreational fishing in the Northern Territory.

Recreational fishing:

- is widely recognised as a core Territory activity
- is regulated through bag limits, size limits, and area restrictions
- does not require a general recreational fishing licence for NT residents

Fossicking shares many of the same characteristics:

- it is a recreational, non-industrial activity
- it can be effectively managed through rules and conditions
- it is part of Territory culture and identity

Despite this, fossickers are now proposed to be subject to:

- mandatory permits
- annual fees
- offence provisions for non-compliance

This raises a fundamental fairness question:

Why should fossickers be required to obtain and pay for a permit to engage in a low-impact recreational activity, when recreational fishers are not subject to an equivalent licensing regime?

Without a clear and compelling justification, this represents an inconsistent and inequitable policy approach.

#### 6. Expansion of Offence Provisions Targeting Recreational Users

The Bill introduces or strengthens offence provisions relating to:

- fossicking without a permit
- entering land without proper notice or consent
- fossicking where access has been declined
- failing to notify discoveries above prescribed thresholds

While compliance mechanisms are necessary, the cumulative effect is to create a system where hobby fossickers are exposed to:

- technical breaches
- administrative errors
- disproportionate enforcement risk

This is particularly concerning given that many fossickers are:

- retirees
- families
- tourists
- occasional hobbyists
- rehabilitation for mental health persons.

A regulatory framework should be proportionate to the nature and impact of the activity. The current approach risks over-regulating a low-impact recreational pursuit.

## 9. Key Concerns

In summary, the primary concerns arising from the Bill are:

1. Introduction of a paid fossicking permit without clear benefits to users
2. Increased regulatory burden without improved access to land
3. Continued and potentially extended lock-up of land under exploration licences
4. Risk of further monopolisation of land by titleholders and commercial operators
5. Inconsistency with government commitments to restore the Territory lifestyle
6. Inequitable treatment compared to recreational fishing
7. Expansion of offence provisions affecting ordinary hobby fossickers

## 10. Recommendations

It is recommended that the Bill be reconsidered or amended to:

1. Remove or reconsider the mandatory fossicking permit, or clearly justify its necessity
2. Ensure any permit fees are transparently reinvested into:
  - opening new fossicking areas
  - improving access
  - supporting fossicking infrastructure and services
3. Introduce measures to increase accessible land, including:
  - releasing suitable areas from inactive exploration licences
  - expanding declared fossicking areas
4. Limit the duration and scope of land lock-up under exploration licences, or introduce mechanisms to ensure turnover of underutilised ground
5. Protect and prioritise non-commercial recreational fossicking access, ensuring hobby fossickers are not displaced by commercial models
6. Align fossicking policy with recreational fishing principles, avoiding unnecessary licensing where lower-impact regulatory tools are sufficient
7. Reduce offence complexity, ensuring the framework remains practical and proportionate for everyday users

## 11. Conclusion

The Bill represents a significant shift in how fossicking is regulated in the Northern Territory.

While it delivers administrative and operational benefits for industry, it does so at the expense of recreational fossickers, who face increased costs, increased regulation, and no clear improvement in access or opportunity.

A fair and balanced framework should support both industry and the community. In its current form, this Bill does not achieve that balance.

Reform is needed to ensure that fossicking remains an accessible, low-impact, and valued part of the Territory lifestyle — not a regulated activity burdened by cost, complexity, and diminishing access.

Regards

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