

TREADING A MINEFIELD.

Mining companies are taking a more assertive stance in their quest for precious minerals; the conservation movement is proving equal to the task, having mounted a petition to reform mining laws. Guy Salmon outlines why the reforms are needed.

I believe the mining industry is too powerful for the good of New Zealand.

Under New Zealand's existing laws, the mining industry is given a privileged status. It is the only land-using industry which:

- Can operate without the consent of the landowner
- Is exempt from the Town and Country Planning Act
- Pays a special low tax rate and retains other tax privileges
- Does not pay royalties for Crown resources it uses, namely gold and silver
- Can clear forest and disturb land in national parks and conservation parks.

The number of listed mining companies operating in New Zealand has doubled since last year and there has been an explosion of prospecting activity, much of it in conservation parks and national parks (see map). A large proportion of the mining companies involved have come from Australia, where

the Wharepapa Declaration (see box) has been launched by the Native Forests Action Council. The aim is for this petition to be of similar size and historic impact to the Council's earlier Maruia Declaration petition on native forests.

It should be stated at this point that while we must reform our mining laws, there can be no room for an anti-mining attitude. Modern society clearly depends on the products of the mining industry; equally clearly, there are a number of reasonably responsible mining companies. We must encourage companies of that sort. It is unfortunate however that the New Zealand Mineral Exploration Association has become dominated by those who take an aggressive stance in opposition to conservationists, planning authorities and even private landowners.

It is this hardline stance by the mining industry which has to date stymied efforts to

The Hearn Report

There is no lack of desire by all parties for the mining laws to change. But the mining industry wants more freedom including the guaranteed right to override other land users. The Treasury and the Department of Trade and Industry are pressing for the privatisation of the Crown's mineral resources and the operation of a free market in minerals. For advice on the conflicting arguments on the planning and resource laws, the Government last year appointed Mr Anthony Hearn Q.C. to prepare an independent report. Mr Hearn's report was published in August.

Following the ideas developed in the Treasury, the Hearn Report favours privatising the Crown's mineral resources and thus getting the Crown out of any decision-making role in relation to the licensing of new mines. The Town and Country Planning Act would be the only direct means of control



An open-pit coal mine near Rotowaro in the Waikato. Water discharges from coal mines have caused significant pollution problems in lakes and rivers. The effluents from the hardrock gold and base metal mines now being contemplated are much more toxic and difficult to manage. All photos Guy Salmon

they are accustomed to operating in desert regions with little or no environmental control. The Australian mining industry has recently won major campaigns to open mines inside national parks, and to deprive aboriginal peoples of the right to say no to mining on their lands.

We have reason to fear what will now happen in this country. The Australian mining industry's established attitudes and practices are a distinctly unwelcome import into New Zealand. We have too much at stake in this country, both in terms of our race relations and the quality of our natural environment, to allow the mining industry to develop the sort of unbridled power it has in Australia and many Third World countries. Unfortunately, our mining laws at present offer little protection for the values we cherish in this country.

Nationwide petition

The conservation movement has decided to mount a major effort to reform New Zealand's mining laws. A nationwide petition,



After a long public campaign, the superb virgin beech forests of the west bank of the Maruia Valley were saved from a 140-hectare open-pit gold mine through a Ministerial veto. The proposed mine site is marked with a dotted line. This scene reminds us that citizen protest can be successful against the mining industry. And it emphasises the importance of retaining the existing powers of the Government to intervene and stop proposed mining developments in cases like this, where the losses would outweigh the likely benefits.

reform the mining laws. A series of meetings held last year between industry representatives, conservationists, Maori interests and government officials came to nothing.



The Cobb Valley, located in the North West Nelson Conservation Park, was chosen as the launching place for the Wharepapa Declaration petition on mining. This glorious mountain valley is threatened by the mining giant CRA, which is looking for a gold mine of 20 million tonnes or more, and wants approval to carry out extensive earthworks under a prospecting licence.

over mining, and this Act would be amended to provide that mining was a matter of national importance. The Conservation Act and Reserves Act would also become subject to the Planning Act and the Minister of Conservation would lose her power to say no to mining. Environmental assessment procedures are also unnecessary according to the Hearn Report.

Under the Hearn scenario, the mining industry would have a field day, especially in provincial areas where local authorities favour mining as a means of boosting business on main street. Conservation organisations want the Government to reject the proposals in the Hearn Report. We are anxious to retain ultimate political accountability for decisions to open land for mining.

There are precious few good features about the present mining laws, but political accountability is one of them. The Government has the power to say no to the mining of Crown minerals even when the Planning