

Tribunal has recommended in favour. The Government does not, however, have the power to water down any conditions and safeguards attached to a Tribunal recommendation. Unfortunately the Tribunal operates under a law whose object is to facilitate the development of mineral resources.

Power to say no

Nonetheless, the Government retains a broad reserve power to say no, a power which might rarely be used but remains important.

The Minister of Conservation also has the power to consent or refuse a mining privilege on lands controlled by the Department of Conservation. The department has recently published guidelines for mining and prospecting which represent a brave effort to ensure such activities do not compromise the value of its lands. Submissions on the proposed guidelines are due with the department on 30 March. There can be little doubt that the present Minister will be conscientious in the exercise of her responsibilities, but conservationists worry about what could happen in future. With the wrong sort of Minister and a continued lack of legal protection for national parks and conservation parks, the guidelines could be pushed

over like a card house. What is really needed is for these prime natural areas to be exempted by law from mining.

The conflict between the mining industry and our great conservation parks like Northwest Nelson and Coromandel is a prime example of the difficulty of applying a more market approach to such matters. The very high value of some gold deposits can readily be expressed in money terms. Mining companies can aggressively demand that those money values must be weighted against the values of park lands and water which, on the face of it, seem to have little tradeable value. Yet most New Zealanders would be in no doubt about the intangible values which these areas have for the protection of native forest and for public enjoyment — the purpose for which they were set aside in the first place.

Closed to mining

Decisions about mining in such areas obviously cannot be left to market mechanisms. Nor can they be left to Planning Tribunals to adjudicate, unless we are prepared to abandon the non-political, judicial character of the Tribunal. One solution is to take a collective decision as a nation that our national parks, conservation parks and reserves will actually be closed to mining. It

is a great credit to the conservation spirit of New Zealanders that nine out of every ten people approached are willing to sign a petition calling for just that solution.

More than 80 percent of New Zealand's land area would in any event remain open to mining, and here there is some greater scope for using market mechanisms. For example, the rights of landowners to undisturbed enjoyment of their land can be reinforced by removing the override provisions in the Mining Act and thereby leaving the winning of landowner consents to the market. The payment of substantial bonds by mining companies and the extension of liability for mines and tailings dumps long after they have ceased operation can provide powerful market incentives for good environmental management by the mining industry. Conservationists would not stand in the way of reasonable measures to reduce administrative procedures and delays, but we feel the Planning Act should apply to mining on private land, just as it does to other industries.

In the end, however, an adequate reform of New Zealand's mining laws must accept that some areas of New Zealand should never be mined, and accordingly, that the minerals in those areas should be left in the ground. ✎

Whangaroa Harbour: BHP Minerals' prospect in the hills around Kaeo, where gold has been found associated with mercury and arsenic, is one of several prospects in Northland with the potential - if developed - to pollute Northland's superb harbours and estuaries.

Lake Waahi: This lake ecosystem is dead, killed by coal mine discharges. Waikato Maori and conservationists are now pressing Coalcorp to clean up.

Pureora: NFAAC threw the loggers out of this park, but BP Minerals has now published plans for a massive \$10 million search for gold.

Ruahine Range: Manawatu residents could be in for a nasty surprise if exploration by Freeport Australia Minerals leads to a mining proposal.

Golden Bay: CRA's prospect at Sam's Creek has been put on the market as a potential goldmine. It is the tip of an iceberg, since CRA and Sigma have about a third of the North-West Nelson Conservation Park under prospecting licence applications, seeking gold and base metals.

Wharepapa: CRA has 5,000 ha of prospecting applications for the Cobb Valley and Mt Arthur Tablelands, involving blasting, earthmoving and roading.

Waggon Creek: NZ Cement holdings got this area excluded from the Paparoa National Park because they want to open a huge limestone quarry. The forested catchment is riddled with caves that are full of precious, prehistoric bone deposits.

Paparoa National Park: Southwestern Minerals has found 34 gold-bearing boulders in the Tiropahi River and traces of uranium, thorium and lanthanum in the Fox River, and is now searching for the source on the western flanks of the Paparoa Range.

Arawata River: Kiwi Gold has found gold in beach sands at the mouth of this magnificent river, in the heart of the proposed South-West NZ World Heritage Area.

Glenorchy: Restech has published plans for a big tungsten mine on the top of Mt McIntosh, above the pure waters of Lake Wakatipu.

Takitimu Range: Platinum Group Metals has applied to search for platinum on the Takitimu Range, down its rivers, and on Southland's beaches.

Russell State Forest: Sigma Resources holds a prospecting licence over dense kauri forest including the Waikare Ecological Reserve, where gold is associated with arsenic.

Great Barrier Island: Sigma Resources is appealing against a Ministerial refusal to agree to prospecting on Te Ahumata.

Coromandel: As everyone knows, this scenic and forested peninsula is densely covered with mineral prospecting. Licence applications are now extending over the mudflats and even the seabed of the Firth of Thames.

Kaimai Range: Public opposition and the forest park advisory committee were overridden recently when the government granted an exploration licence to BHP Minerals.

Wairarapa: Sigma Resources is searching for platinum group metals around Ngahape and the Wairarapa coast.

Marlborough: Sigma Resources has staked claims for exploration over the Richmond Range Conservation Park and on Kaikoura's sacred mountain, Tapuae-o-Uenuku.

Nelson Lakes National Park: Sigma Resources has a licence to explore for platinum over the Spenser Mountains and the headwaters of the Glenroy and Matakaiti rivers within the park, plus a licence application over the adjoining Howard forest.

Fletcher Creek: The opencast coal mine operating inside this ecological reserve is a reminder of the formidable power of the mining industry and its unique ability to successfully override protected areas legislation.

Mount Davy: Greymouth Coal Ltd is in an advanced stage of its feasibility study for a massive coal mine, slurry pipeline and offshore loading terminal for exporting coal to Japan.

Westland National Park: Opencast mining for gold threatens the Waikukupa river valley and the special coastal vegetation on sand dunes at Okarito's Five Mile Lagoon.

The Red Hills: Sigma Resources is opposing the addition of this area to Mt Aspiring National Park because it wants to search for platinum.

The Wharepapa Declaration

Petition to Parliament on Mining

We the undersigned wish to see the laws relating to the mining of minerals and coal reformed to include these principles:

LANDOWNERS' RIGHTS: The consent of the landowner and occupier should be required before prospecting or mining can take place.

PROTECTED LANDS: National parks, reserves and specially protected areas should be closed to mining.

PLANNING: On all private lands, a planning consent should be required before a mine can be opened up.

GOVERNMENT: The Crown should continue to own its minerals. It should retain its existing powers to decide whether its minerals should be prospected and mined, subject to landowner and planning consents. It should uphold the principles of the Treaty of Waitangi in relation to mining.

EQUITY: The Crown should charge a royalty for the use of the minerals it owns. And it should make mining companies pay tax according to the same rules as other companies.

Petition forms are available from the Native Forests Action Council, PO Box 756, Nelson.