



Office of Hon Gerry Brownlee

MP for Ilam

Minister for Economic Development

Minister of Energy and Resources

Leader of the House

Associate Minister for the Rugby World Cup

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Julia Marton-Lefèvre and Nikitia Lopoukhine
International Union for Conservation of Nature (IUCN)
Rue Mauverney 28
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SWITZERLAND

DGO

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ACTION INFO

JTL
N. Lopoukhine

Dear Julia Marton-Lefèvre and Nikitia Lopoukhine

Thank you for your letter of 14 April 2010 to the Prime Minister relating to the review of Schedule 4 of the Crown Minerals Act 1991. As this matter falls within my portfolio responsibilities as the Minister of Energy and Resources I am responding to you on behalf of the Prime Minister.

The Government is determined to see living standards rise in New Zealand. We see our mineral resources playing a significant role in raising living standards over the long term, as long as this can be balanced with our environmental responsibilities and conservation values.

The discussion paper, *Maximising our Mineral Potential: Stocktake of Schedule 4 of the Crown Minerals Act and beyond*, sets out the areas proposed for removal from Schedule 4, which total 7,058 hectares (70 square kilometres) and account for 0.2 percent of Schedule 4 land (or 0.026 percent of New Zealand's total land area). The Government has pinpointed these areas as highly prospective and proposed them for removal from the schedule, so that mineral-related activity can be considered on a case-by-case basis.

While you note there is a risk of New Zealand being perceived to be diminishing the global importance of protected areas, New Zealand has one of highest proportions of land area protected as conservation land in the world. This will remain the case even if we decide to remove the proposed areas from the schedule.

You have suggested that removing land from Schedule 4 protection will leave these areas unprotected. This is not the case. Any land removed from Schedule 4 will continue to be afforded the same legislative protections as all other non-Schedule 4 conservation land. These other protections require that operators carrying out mineral activity need:

- consent to access the land from the landowner and/or occupier (the Minister of Conservation in the case of public conservation land). The Minister of Conservation must consider the objectives and purposes for which the land is held, policy or management plans applying, and any safeguards against potential adverse effects. Access is not guaranteed and is always subject to conditions;

- a mineral permit (for “prospecting”, which will usually involve only minimum impact activities over a relatively large area, for “exploration” of a more targeted area, and if commercial discoveries are found, for “mining”);
- one or more “concessions” (official authorities to operate in an area, for which fees are charged) to undertake associated activities in an area administered by the Department of Conservation; and
- approval under the Resource Management Act 1991. This will usually involve one or more resource consents, with public consultation first required where the potential effects are more than minor, and environmental conditions monitored and enforced by local councils.

These mechanisms provide for significant protection of land and biodiversity. In addition, there are examples of where companies have implemented programmes to protect endangered species beyond what has been required as part of their permit, land access or resource consent arrangements – conservation initiatives that would otherwise not have been able to happen.

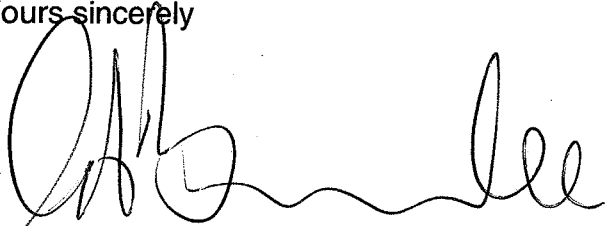
The Government is also committed to protecting public conservation land as conservation is a major contributor to the economy in its own right, as well as providing New Zealand with a unique identity. Hence, the Government is also proposing the addition of 12,400 hectares to Schedule 4, resulting in a net addition to Schedule 4 of 5,342 hectares.

You note that New Zealand’s biodiversity has experienced one of the highest species extinction rates in the world. Reversing some of the negative trends in New Zealand’s biodiversity is one of the Government’s highest environmental priorities along with climate change and freshwater management. New Zealand may need to include the development and use of a wider range of tools for biodiversity management than have been used to date. For example the Government is presently working on a National Policy Statement on biodiversity which would help facilitate a wider range of tools for biodiversity management by local authorities than have been used to date.

The Government’s proposals are fully outlined in the discussion paper, which along with related papers, information on the submission process, and a submission form, are accessible online from the Ministry of Economic Development’s website (www.med.govt.nz/schedule4). I encourage you to make a submission. Submissions close at 5.00pm, Wednesday 26 May 2010.

Thank you for taking the time to write to us on this important issue.

Yours sincerely



Hon Gerry Brownlee
Minister of Energy and Resources