

**Submission to Department of Conservation on**  
**“DRAFT AUCKLAND CONSERVATION MANAGEMENT STRATEGY**  
**(MARCH 2013)”**

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## INTRODUCTION

1. Straterra<sup>1</sup> welcomes the opportunity to submit on the draft Auckland Conservation Management Strategy released for public consultation in late 2012. We do so in the interests of achieving benefits for the minerals sector, for the New Zealand economy as a whole, and in the interests of integrated conservation management.
2. Minerals is a relevant sector in Auckland Conservancy, in relation to mining history, a looming shortage of aggregate for roading and construction in Auckland City, and minerals prospectivity in the Kermadecs (outside of the marine reserve).
3. Straterra submits in support of the objective of enabling business opportunities that are consistent with conservation. This CMS will need to provide the framework, and our submission makes recommendations to achieve that.

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<sup>1</sup> Straterra represents by 90 % by value of NZ minerals production, exploration, research, services, and support  
<http://www.straterra.co.nz/About+Straterra>

## EXECUTIVE SUMMARY

4. Straterra supports the direction of the draft Conservation Management Strategy towards integrated management, and to enabling new business opportunities consistent with conservation.
5. In connection with integrated management, it is noted there is often a connection between where mining is done today and where it was done in the past (heritage).
6. Straterra urges caution in the use of language in relation to the Kermadecs. Future marine reserves legislation may provide for full or *partial* protection of New Zealand's wider marine jurisdiction, which would leave open the possibility of future minerals development under the new EEZ legislation in this vast region.
7. Straterra argues that seabed mining is NOT a major threat to the Maui's dolphin, and, further, that there is no evidence to suggest that it is any threat. Any connection between seabed mining and Maui's dolphin should be removed from the CMS. The safeguard for society is that any issues would be addressed under other legislation.
8. The Department's attention is drawn to the Crown Minerals (Permitting and Crown Land) Bill, in which changes to decision-making on applications for access arrangements are proposed, notably, the inclusion of the Minister of Energy and Resources as a decision-maker, and broadened criteria for decision-making to include economic and social criteria.

## RECOMMENDATIONS

9. Straterra recommends the Department of Conservation to:
  - a) Note Straterra's support of the purpose of the draft Auckland Conservation Management Strategy;
  - b) In relation to Rec. (a), agree to include an Objective in the CMS that refers specifically to "integrated management", cf. the draft Waikato CMS;
  - c) Note Straterra's support for the CMS's intent for the Department to "identify and promote new business opportunities and partnerships that deliver conservation gains and enhance prosperity", and include this aim as an Objective in the CMS;

- d) Subject to adoption of Rec. (c), note Straterra’s support of Objective 1.5.5.9 in relation to engaging businesses in conservation, on the basis that this can form part of businesses’ “social licence to operate”;
- e) Agree to reword Policy 2.1.7 to say: “Work with tangata whenua, communities and other agencies to achieve *full or partial* statutory protection of significant marine habitats and species in the EEZ adjacent to and between sections of the Kermadec Islands Marine Reserve,” to reflect the possible scope of the Marine Reserves Bill;
- f) Agree to remove the words “seabed mining” from page A14, because there is no evidence to suggest that this activity is a major threat, or any threat, to the Maui’s dolphin;
- g) Agree to include within the Minister of Conservation’s responsibilities on page A3, the Minister’s role as land owner under the Crown Minerals Act 1991;
- h) Agree to amend the statement on page A116 to say: “Under the Crown Minerals Act 1991, the Minister of Conservation *and the Minister of Energy and Resources share* the consenting role for all Crown land administered by the Department, *subject to conservation, economic and social criteria under that Act*”, for consistency with the Crown Minerals (Permitting and Crown Land) Bill; and
- i) Note the inextricable link between minerals activities today and minerals activities of the past (historic heritage), in the context of integrated management.

## DISCUSSION

### Integrated management

13. The purpose of the CMS (page A3) is supported: “to implement general policies ... and to establish objectives for the *integrated management* of natural and historic resources” (Straterra’s italics). It is noted that there is no objective relating to “integrated management” in this draft CMS (cf. Objective 1.5.1.6 of the draft Waikato CMS). We recommend there should be.

### Significant business opportunities should include mining

14. Straterra supports the statement: “the high-level objectives of the Department’s Statement of Intent 2012–17 ... are reflected in this CMS” (page A5). Certainly, “integrated management” is consistent with enabling new business opportunities consistent with conservation.

15. On that note, we fully support the statement: “Conservation is an investment in New Zealand’s future prosperity—with ‘prosperity’ defined in the broadest economic, cultural, social and environmental terms. The aim is to shift perceptions of conservation as a cost, to conservation as an investment. The Department wants to inspire and involve others to work together to achieve more conservation than it could achieve alone” (page A8).
16. We also support the statement: “the Department will continually look for new and innovative opportunities to create new partnerships with iwi, business, local authorities and communities, to bring about successful conservation outcomes,” (page A26, and a similar statement on page A27).
17. We support the heading on page A29 “More business opportunities delivering increased economic prosperity and conservation gain”, and the statement: “The Department will seek to identify and promote new business opportunities and partnerships that deliver conservation gains and enhance prosperity,” (page A29). We believe that an Objective should be added to the CMS to encapsulate that aim.
18. It is noted that the minerals sector today comprises “businesses [that] are increasingly seeking to demonstrate how they can contribute to sustaining a healthy environment and support a vibrant society”. Newmont Waihi Gold furnishes an excellent example, via their Dotterel Watch partnership with the Department, and riparian conservation at the Ohinemuri River, once lifeless because of historic mining, and today a valued trout stream. Objective 1.5.5.9 “Build productive business partnerships that deliver conservation gains” is supported (page A30).
19. It is noted that a shortage of aggregates<sup>2</sup> for roading and construction is looming for Auckland City, with much of the area’s resource in this strategic mineral having been “sterilised” by other, incompatible land uses. Given that the price of aggregate at the quarry gate doubles on average after 30km of road transport, the need to source aggregate from suitable public conservation land in Auckland Conservancy may need to be considered in the future, in the way proposed in the draft CMS.

### **Kermadecs**

13. We draw attention to the statement: “Natural values in the EEZ adjacent to and between sections of the Marine Reserve are *protected* through working with government agencies and others,” (Straterra’s italics, page A41). There is a subtlety to be observed, which is that the

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<sup>2</sup> This is the considered view of the Association of Quarries and Aggregates

Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 provides for the “sustainable management” of New Zealand’s wider marine jurisdiction, rather than protection per se. Even though work is underway on a new Marine Reserves Bill, any future marine reserves in the EEZ may provide for either full or partial protection of natural values. That still leaves open the possibility of minerals development in a future marine reserve in the Kermadecs (or anywhere in the EEZ).

14. Two companies have an interest currently in exploring for seabed precious and base metals in the Kermadecs, Neptune Minerals and Nautilus Minerals, and, to that end, have worked with GNS Science and NIWA. Collectively, it is believed is that the effects of minerals development in the Kermadecs are manageable, although it is accepted that would need to be tested. The forum for that will be the marine consent process under the EEZ Act.
15. Accordingly, we believe Policy 2.1.7 “Work with tangata whenua, communities and other agencies to achieve statutory protection of significant marine habitats and species in the EEZ adjacent to and between sections of the Kermadec Islands Marine Reserve” (page A42) should be reworded to reflect the foregoing discussion. We make a recommend to that end.

#### **Maui’s dolphin**

1. We draw attention to the statement: “Maui’s dolphin, which is the world’s smallest and rarest marine dolphin, is found only on the west coast of the North Island of New Zealand and has a population size of fewer than 100 individuals. Entanglement in set nets poses a major threat to this species, as does trawling, *seabed mining*, marine pollution and disease.” (Straterra’s italics, page A13).
2. There is no evidence in support of the assertion that “seabed mining” poses a major threat, or, indeed, any threat to the Maui’s dolphin. This statement appears to have been drawn from an unpublished report, which the author and the Department accept contains errors in its characterisation of seabed mining. We suggest removal of the reference to seabed mining, noting that society’s interests in the event of any application to mine being lodged would be safeguarded under the Resource Management Act 1991, and under the Marine Mammal Protection Act 1978.

#### **Access to land for exploration and mining**

20. It is noted that the Minister of Conservation *also* has a role as a land owner under the Crown Minerals Act 1991, in particular, in respect of access for prospectors, explorers and miners to

public conservation land (page A3). That is expressly referred to on page A116 in relation to access arrangements.

21. We propose a correction to the statement: “Under the Crown Minerals Act 1991, the Minister of Conservation has the consenting role for all Crown land administered by the Department” (page A116). Once that Act has been amended the Minister of Energy and Resources will also have a role, under broadened criteria to include “the economic and other benefits of the proposal”. We suggest including an explanation to that end in the CMS.

#### **Historic mining heritage**

22. It is noted that the Department’s work on historic heritage will include former mining sites on islands such as Kawau, and Aotea (Great Barrier Island). It is a fact that mining today is usually done where there was mining in the past. The irony is that miners today must put things back as best they can, while the evidence of the old-timers’ activities has become today’s heritage.
23. The link between historic mine sites and any new mining proposal is that the resource is the same but the technology for resource discovery, extraction, and environmental management has advanced. This connection is relevant in the context of integrated conservation management.