

**CROWN MINERALS AMENDMENT BILL (NO. 3)**

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AS REPORTED FROM THE COMMITTEE OF THE WHOLE HOUSE

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## KEY TO SYMBOLS USED IN REPRINTED BILL

AS REPORTED FROM A SELECT COMMITTEE

### *Struck Out (Majority)*

Subject to this Act,

Text struck out by a majority

### *New (Majority)*

Subject to this Act,

Text inserted by a majority

<Subject to this Act,>

Words struck out by a majority

<Subject to this Act,>

Words inserted by a majority

AS REPORTED FROM THE COMMITTEE OF THE WHOLE HOUSE

### *Struck Out*

Subject to this Act,

Text struck out

### *New*

Subject to this Act,

Text inserted

((Subject to this Act,))

Words struck out

Subject to this Act,

Words inserted

Hon. Max Bradford

⟨**PROTECTED AREAS (PROHIBITION ON MINING)**⟩  
⟨**CROWN MINERALS AMENDMENT (NO. 3)**⟩

ANALYSIS

Title	
1. Short Title	
2. Access arrangements in respect of Crown land	
3. New Schedule added	
4. Resource Management Act 1991 amended	

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	SCHEDULE
	New Fourth Schedule of Principal Act
	Description of Crown Land to Which
	Section 61 (1A) Applies

A BILL INTITULED

**An Act to** ⟨*prohibit mining in certain protected areas and in Antarctica, and to amend certain enactments*⟩ ⟨amend the Crown Minerals Act 1991⟩

5 BE IT ENACTED by the Parliament of New Zealand as follows:

*Struck Out (Majority)*

**1. Short Title**—This Act may be cited as the Protected Areas (Prohibition on Mining) Act 1990.

*New (Majority)*

10 **1. Short Title**—This Act may be cited as the Crown Minerals Amendment Act (No. 3) 1996, and is part of the Crown Minerals Act 1991 (“the principal Act”).

*Struck Out (Majority)*

**2. Interpretation**—In this Act, unless the context otherwise requires,—

“Antarctica” means the following areas:

(a) The continent of Antarctica (including all its ice shelves): 5

(b) All Antarctic islands, that is to say, islands south of 60° south latitude:

(c) All areas of continental shelf that are adjacent to that continent or those islands: 10

“Continental shelf” means the seabed and subsoil of the submarine areas that extend throughout the natural prolongation of the land territory to the outer edge of the continental margin, as determined in accordance with international law, or to a distance of 200 miles where the outer edge of the continental margin does not extend up to that distance: 15

“Mine”, as a verb, means to carry on mining:

“Mineral”—

(a) Means any mineral, mineral substance, or metal; and 20

(b) Includes the following:

(i) Precious metals, precious stones, clay, stone, gravel, sand, and limestone:

(ii) Petroleum within the meaning of the Petroleum Act 1937: 25

(iii) Prescribed substance within the meaning of the Atomic Energy Act 1945:

(iv) Material to which section 146A of the Harbours Act 1950 applies: 30

(v) Ironsands within the meaning of the Iron and Steel Industry Act 1959:

(vi) Coal within the meaning of the Coal Mines Act 1979:

“Mining”— 35

(a) Means operations or purposes in connection with mining for any mineral; and

(b) Includes the following:

*Struck Out (Majority)*

- 5 (i) The removal of overburden by mechanical or other means, and the stacking, deposit, storage, and treatment of any substance considered to contain any mineral:
- (ii) The deposit or discharge of any mineral, material, debris, tailings, refuse, or wastewater produced from, or consequent on, any such operations or purposes:
- 10 (iii) The erection, maintenance, and use of plant and machinery, and the construction or use of roads, races, dams, railways, tramways, channels, batteries, dredges, buildings, dwellings, and other works connected with such operations or purposes:
- 15 (iv) The lawful use of land, water, rivers, streams, pools, lakes, and other natural channels or depositories of water (whether containing water or not), and tributaries, and the doing of all lawful acts incident or conducive to any such operations or purposes:
- 20 (v) Prospecting for and identifying mineral deposits and testing their mining feasibility:
- 25 (vi) Mining operations within the meaning of the Petroleum Act 1937:
- 30 (vii) Prospecting or mining that is carried on under the Iron and Steel Industry Act 1959:
- (viii) The removal of material to which section 146A of the Harbours Act 1950 applies:
- 35 (ix) Mining within the meaning of the Coal Mines Act 1979; but
- (c) Does not include—
- (i) The removal of gravel, shingle, stone, or other material for road construction purposes; or

⟨Protected Areas (Prohibition On Mining)⟩  
 ⟨Crown Minerals Amendment (No. 3)⟩

*Struck Out (Majority)*

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- (ii) In relation to any part of Antarctica, scientific research activities undertaken pursuant to the Antarctic Treaty or associated logistic support activities: 5
- “Mining right” includes the following:
- (a) A prospecting licence or mining licence granted under the Petroleum Act 1937:
- (b) A licence issued under section 146A of the Harbours Act 1950: 10
- (c) An authority to prospect or mine that is granted under the Iron and Steel Industry Act 1959:
- (d) A mining privilege within the meaning of the Mining Act 1971:
- (e) A coal mining right granted under Part III of the Coal Mines Act 1979 or an authority granted under section 208 of that Act: 15
- “Protected area” means any of the following:
- (a) A national park constituted under the National Parks Act 1980: 20
- (b) A reserve declared under section 13 of the Reserves Act 1977 to be a National reserve, or a reserve classified under section 16 of that Act as a nature reserve or a scientific reserve:
- (c) A reserve or part of a reserve set apart as a wilderness area under section 47 of the Reserves Act 1977, or an area declared under section 18 of the Conservation Act 1987 to be a wilderness area or deemed by section 61 (4) of that Act to be a wilderness area: 25 30
- (d) An area declared under section 18 of the Conservation Act 1987 to be a sanctuary area:
- (e) An area declared under section 18 of the Conservation Act 1987 to be an ecological area or deemed by section 61 (6) of that Act to be an ecological area: 35
- (f) An area declared by the Governor-General under **section 3** of this Act to be a protected area for the purposes of this Act:
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*Struck Out (Majority)*

“Ross Dependency” includes all islands and ice shelves within the Dependency, and the continental shelf of the Dependency.

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*New (Majority)*

**2. Access arrangements in respect of Crown land—**  
(1) Section 61 of the principal Act is amended by inserting, after subsection (1), the following subsection:

10 “(1A) The Minister of Conservation must not accept any application for an access arrangement or enter into any access arrangement relating to any Crown owned mineral in any Crown owned land or internal waters (as defined in section 4 of the Territorial Sea and Exclusive Economic Zone Act 1977) described in the **Fourth Schedule**, except in relation to ~~((the following))~~ any activities:

15 “(a) ~~((Any mining operation that is))~~ That are necessary for the construction, use, maintenance, or rehabilitation, of an emergency exit or service shaft for an underground mining operation, where these cannot safely be located elsewhere, provided that it does not result in—

20 “(i) Any complete stripping of vegetation over an area exceeding 100 square metres; or

25 “(ii) Any permanent adverse impact on the profile or surface of the land which is not a necessary part of any such activity:

“(b) ~~((Any mining operation that does))~~ That do not result in—

30 “(i) Any complete stripping of vegetation over an area exceeding 16 square metres; or

“(ii) Any permanent adverse impact on the profile or surface of the land that is not a necessary part of any activity specified in **paragraph (a)**:

“(c) A minimum impact activity:

35 “(d) Gold fossicking carried out in an area designated as a gold fossicking area under section 98 of the Crown Minerals Act 1991:

⟨Protected Areas (Prohibition On Mining)⟩  
 ⟨Crown Minerals Amendment (No. 3)⟩

*New (Majority)*

“(e) Any activity carried out in accordance with a special purpose mining permit for demonstrating historic mining methods as provided for in the relevant minerals programme required under section 13 of the Crown Minerals Act 1991.” 5

(2) Section 61 of the principal Act is amended by adding the following subsections:

“(4) Subject to **subsections (5) and (6)**, the Governor-General may from time to time, by Order in Council made on the recommendation of the Minister and the Minister of Conservation, amend the **Fourth** Schedule. 10

*New*

“(4A) Before making any recommendation for the purposes of **subsection (4)**, the Minister and the Minister of Conservation must consult to the extent that is reasonably practicable, having regard to all the circumstances of the particular case, those persons the Ministers have reason to believe are representative of interests likely to be substantially affected by the Order in Council or representative of some aspect of the public interest. 15 20

“(5) No Order in Council may be made under **subsection (4)** in respect of any land held under the Conservation Act 1987 for conservation purposes that is declared an ecological area under section 18 (1) of the Conservation Act 1987 unless the Minister and the Minister of Conservation make a recommendation to the Governor-General after making an assessment of— 25

“(a) The particular scientific value for which the land is held; and

“(b) The value of any Crown minerals in the land. 30

“(6) Notwithstanding **subsection (5)**, no Order in Council may be made under **subsection (4)** in respect of any ecological area to the extent that the ecological area includes land subject to the West Coast Accord as set out in the Fourth Schedule of the Conservation Act 1987. 35



*New (Majority)*

*Struck Out*

“~~(7) No Order in Council shall be made under subsection (4) of this section in respect of—~~

- 5     ~~“(a) Whakau Island; or  
“(b) Green Island; or  
“(c) Middle Island; or  
“(d) Korapuki Island.”~~

*New*

10     “(7) No Order in Council may be made under subsection (4) in respect of—

- “(a) Red Mercury Island (Whakau); or  
“(b) Green Island; or  
“(c) Atiu or Middle Island; or  
15     “(d) Korapuki Island,—  
all situated in the Mercury Islands.”

*Struck Out (Majority)*

20     **3. Declaration of additional protected areas**—For the purposes of this Act, the Governor-General may from time to time, by Order in Council made on the advice of the Minister of Conservation and the Minister of Energy, declare to be a protected area any area of land that is for the time being held subject to the provisions of the Wildlife Act 1953, the Marine Reserves Act 1971, the Reserves Act 1977, or the Conservation  
25     Act 1987.

*New (Majority)*

**3. New Schedule added**—The principal Act is amended by adding the **Fourth Schedule** set out in the Schedule.

*Struck Out (Majority)*

- 4. Offence to mine in protected areas or Antarctica**— 5
- (1) Notwithstanding anything to the contrary in any other enactment or any rule of law,—
- (a) No person shall mine for any mineral in any protected area:
- (b) No person shall mine for any mineral in the Ross 10  
Dependency:
- (c) No person, being a New Zealand citizen or being a person ordinarily resident in New Zealand within the meaning of the Antarctica Act 1960, shall mine for any mineral in Antarctica. 15
- (2) Every person who contravenes **subsection (1)** of this section commits an offence and is liable on summary conviction,—
- (a) In the case of an individual, to imprisonment for a term not exceeding 1 year or to a fine not exceeding \$10,000, and, where the offence is a continuing one, 20  
to a further fine not exceeding \$1,000 for every day on which the offence has continued:
- (b) In the case of any other person, to a fine not exceeding \$80,000, and, where the offence is a continuing one, 25  
to a further fine not exceeding \$10,000 for every day on which the offence has continued.
- (3) No proceedings for an offence against this section in respect of mining in Antarctica shall be instituted except with the consent of the Attorney-General and on his or her certificate that it is expedient that the proceedings should be 30  
instituted.
- (4) A person so charged may be arrested, or a warrant for his or her arrest may be issued and executed, and he or she may be remanded in custody or on bail, notwithstanding that the consent of the Attorney-General to the institution of a 35  
prosecution for the offence has not been obtained; but no

*Struck Out (Majority)*

further or other proceedings shall be taken until that consent has been obtained.

*New (Majority)*

5     **4. Resource Management Act 1991 amended—**  
(1) Section 2 (1) of the Resource Management Act 1991 is  
amended by adding to the definition of the term “prohibited  
activity” the words “and ~~((any activity set out in the **Eleventh**  
**Schedule**))~~ any prospecting, exploring, or mining for Crown  
10 owned minerals in the internal waters (as defined in section 4  
of the Territorial Sea, Contiguous Zone, and Exclusive  
Economic Zone Act 1977) of the Coromandel Peninsula, other  
than those prospecting, exploration, or mining activities set out  
in section 61 (1A) of the Crown Minerals Act 1991:”

*New*

15     (1A) The Resource Management Act 1991 is amended by  
inserting, in their appropriate alphabetical order, the following  
definitions:  
20     “‘Exploration’ has the same meaning as in the Crown  
Minerals Act 1991:  
“‘Mining’ has the same meaning as in the Crown Minerals  
Act 1991:  
“‘Prospecting’ has the same meaning as in the Crown  
Minerals Act 1991:”.

*Struck Out*

25     (2) The Resource Management Act 1991 is hereby amended  
by adding the **Eleventh** Schedule set out in the **Second** Schedule to  
this Act.

<Protected Areas (Prohibition On Mining)>  
 <Crown Minerals Amendment (No. 3)>

*New (Majority)*

*Struck Out*

(3) Where an application has been made, before the date of commencement of this section, for a coastal permit in relation to any activity set out in the **Eleventh** Schedule to the Resource Management Act 1991 (as added by **subsection (2)** of this section), the application may be heard and determined as if this section had not been enacted.

*New*

(3) Where, before the date of commencement of this section, an application has been made for a coastal permit (as defined in section 2 (1) of the Resource Management Act 1991) for any prospecting, exploring, or mining for any Crown owned minerals, other than those prospecting, exploration, or mining activities set out in section 61 (1A), in the internal waters (as defined in section 4 of the Territorial Sea, Contiguous Zone, and Exclusive Economic Zone Act 1977) of the Coromandel Peninsula, that application may be heard and determined in all respects, including any right of appeal, as if this section had not been enacted.

*Struck Out (Majority)*

**5. Transitional provision relating to existing mining rights**—Every mining right that is in force at the commencement of this Act and applies in respect of any protected area shall continue in force according to its tenor, but shall not be renewed in respect of that area.

**6. Transitional provisions relating to applications for grant of mining rights**—(1) The following provisions shall apply to every application for the grant of a mining right in

*Struck Out (Majority)*

5 respect of any protected area to which section 26 of the Mining Act 1971 or section 21 of the Coal Mines Act 1979 applies that has been made but has not been finally dealt with before the commencement of this Act:

- (a) Any consent given by the Minister of Conservation before the commencement of this Act, in respect of any application to which this subsection applies, shall be reconsidered by that Minister:
- 10 (b) The Minister of Conservation, having regard to the effect of the proposed mining and the desirability of mining in the protected area concerned, may either revoke or confirm the earlier consent:
- 15 (c) The proposed mining right shall not be granted if the Minister of Conservation revokes the earlier consent.

(2) The following provisions shall apply to every application for the grant of any mining right in respect of any protected area, other than an application to which **subsection (1)** of this section applies, that has been made but has not been finally  
20 dealt with before the commencement of this Act:

- (a) No mining right shall be granted in respect of any application to which this subsection applies:
- (b) Every consent given by any Minister other than the Minister of Energy, in respect of any application to  
25 which this subsection applies, is hereby revoked.

**7. Transitional provisions relating to mining rights under Petroleum Act 1937**—The following provisions shall apply to every mining right that has been granted under the Petroleum Act 1937 in respect of a protected area to which  
30 section 29 of that Act applies but has not been exercised before the commencement of this Act:

- (a) The consent of the Minister of Conservation under section 29 of the Petroleum Act 1937, in respect of the grant of a mining right to which this section applies, shall be reconsidered by that Minister:
- 35 (b) The Minister of Conservation, having regard to the effect of the proposed mining and the desirability of mining in the protected area concerned, may either revoke or confirm his or her earlier consent:

*Struck Out (Majority)*

(c) No mining in the protected area concerned shall be carried on under the mining right unless and until the consent of the Minister of Conservation is confirmed under **paragraph (b)** of this section. 5

**8. Effect of sections 5 to 7**—The provisions of **sections 5 to 7** of this Act shall have effect notwithstanding anything in **section 4** of this Act or in any other enactment.

**9. Amendments to other Acts**—The enactments specified in the Schedule to this Act are hereby amended in the manner indicated in that Schedule. 10

*Struck Out (Majority)*

SCHEDULE

Section 9

ENACTMENTS AMENDED

Enactments	Amendment
<p>1937, No. 27—The Petroleum Act 1937 (R.S. Vol. 7, p. 647)</p>	<p>By repealing paragraphs (a) and (c) of subsection (1) of section 29 (as substituted by section 3 of the Petroleum Amendment Act 1975).</p> <p>By repealing subsection (6) of section 29 (as so substituted), and substituting the following subsection:</p> <p style="padding-left: 40px;">“(6) In the case of land in a public reserve, the appropriate Minister shall, before giving his or her consent under this section, consult with the administering body of that reserve.”</p> <p>By omitting from section 29 (7) the words “National Park or”.</p> <p>By adding to section 29 the following subsection:</p> <p style="padding-left: 40px;">“(8) Notwithstanding any other provision of this section, nothing in this section shall authorise mining operations in any protected area within the meaning of the Protected Areas (Prohibition on Mining) Act 1990.”</p>
<p>1971, No. 25—The Mining Act 1971 (R.S. Vol. 17, p. 355)</p>	<p>By repealing paragraph (a) of section 26 (2).</p> <p>By omitting from the proviso to section 26 (4) (as substituted by section 2 of the Mining Amendment Act 1978) the words “National Park or”.</p> <p>By repealing the proviso to section 26 (5) (as so substituted).</p> <p>By repealing subsection (8) of section 26, and substituting the following subsection:</p> <p style="padding-left: 40px;">“(8) In the case of land in a public reserve, the appropriate Minister shall, before giving his or her consent under this section, consult with the administering body of that reserve.”</p> <p>By omitting from section 26 (9) the words “National Park or”.</p> <p>By adding to section 26 the following subsection:</p>

⟨Protected Areas (Prohibition On Mining)⟩  
 ⟨Crown Minerals Amendment (No. 3)⟩

*Struck Out (Majority)*

SCHEDULE—*continued*

ENACTMENTS AMENDED—*continued*

Enactments	Amendment
<p>1971, No. 25—The Mining Act 1971 (R.S. Vol. 17, p. 355)—<i>continued</i></p>	<p>“(11) Notwithstanding any other provision of this section, nothing in this section shall authorise mining in any protected area within the meaning of the Protected Areas (Prohibition on Mining) Act 1990.”</p>
<p>1977, No. 66—The Reserves Act 1977</p>	<p>By inserting in section 16 (as substituted by section 4 of the Reserves Amendment Act 1979), after subsection (4), the following subsection:</p> <p>“(4A) Where the Minister proposes to classify a reserve as a scientific reserve or a nature reserve, he or she shall, at the time of giving public notice of the proposed classification under subsection (4) of this section or as soon as practicable if no such notice is required, give to the Minister of Energy notice of the proposed classification.”</p>
<p>1979, No. 21—The Coal Mines Act 1979</p>	<p>By repealing paragraph (a) of section 21 (1).          By omitting from section 21 (6) the expression “paragraph (a), paragraph (b),” and substituting the expression “paragraph (b)”.</p> <p>By repealing subsection (7) of section 21, and substituting the following subsection:</p> <p>“(7) In the case of land in a public reserve, the appropriate Minister shall, before giving his or her consent under this section, consult with the administering body of that reserve.”</p> <p>By omitting from section 21 (8) the words “National Park or”.</p> <p>By adding to section 21, the following subsection:</p> <p>“(9) Notwithstanding any other provision of this section, nothing in this section shall authorise mining in any protected</p>



*Struck Out (Majority)*

SCHEDULE—*continued*

ENACTMENTS AMENDED—*continued*

Enactments	Amendment
1979, No. 21—The Coal Mines Act 1979— <i>continued</i>	area within the meaning of the Protected Areas (Prohibition on Mining) Act 1990.”
1980, No. 66—The National Parks Act 1980	By inserting in section 7, after subsection (1), the following subsection: “(1A) The Minister shall give to the Minister of Energy notice of his or her intention to make a recommendation under subsection (1) of this section.”
1987, No. 65—The Conservation Act 1987	By inserting in section 18, after subsection (2), the following subsection: “(2A) Where the Minister proposes to declare any land to be held as a wilderness area, a sanctuary area, or an ecological area, he or she shall, at the time of giving public notice under subsection (2) of this section, give to the Minister of Energy notice of the proposed declaration.”  By inserting in the First Schedule, in its appropriate alphabetical order, the item “The Protected Areas (Prohibition on Mining) Act 1990”.

*New (Majority)*

**SCHEDULE**

**Section 3** NEW FOURTH SCHEDULE OF PRINCIPAL ACT

**Section 61 (1A), (4)** "FOURTH SCHEDULE

DESCRIPTION OF CROWN LAND TO WHICH SECTION 61 (1A) APPLIES

1. All land within a national park held and administered under the National Parks Act 1980:
2. All land within any reserve classified as a nature reserve or a scientific reserve under section 20 or section 21 of the Reserves Act 1977:
3. Every part of a reserve or conservation area set apart or declared as a wilderness area under section 47 of the Reserves Act 1977 or section 18 ((or section 22)) of the Conservation Act 1987:
4. All land within any conservation area declared as a sanctuary area under section 18 ((or section 22)) of the Conservation Act 1987:
5. Every wildlife sanctuary declared under section 9 of the Wildlife Act 1953:
6. Every marine reserve declared under section 4 of the Marine Reserves Act 1977:
7. Any land within a wetland approved by the Minister of Foreign Affairs and notified to the Bureau of the Convention on Wetlands of International Importance done at Ramsar on the 2nd day of February 1971:
8. The Otahu Ecological Area as described on page 654 of the *Gazette* 1976:
9. The Parakowhai Quarry Ecological Area as described on page 2408 of the *Gazette* 1976:
10. All land that is—
  - (a) Held, managed, or administered under the Conservation Act 1987 or under any enactment set out in the First Schedule to that Act at the commencement of this Act; and
  - (b) Situated on any island in the area bounded by latitude 35 degrees 50 minutes and latitude 37 degrees 10 minutes, and longitude 177 degrees and longitude 174 degrees 35 minutes—  
but does not include—

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- (i) Whakau Island; or
- (ii) Green Island; or
- (iii) Middle Island; or
- (iv) Korapuki Island:

*New (Majority)*

NEW FOURTH SCHEDULE OF PRINCIPAL ACT—*continued*

“FOURTH SCHEDULE—*continued*

DESCRIPTION OF CROWN LAND TO WHICH SECTION 61 (1A) APPLIES—*continued*

*New*

- (i) Red Mercury Island (Whakau); or
  - (ii) Green Island; or
  - (iii) Atiu or Middle Island; or
  - (iv) Korapuki Island,—
- all situated in the Mercury Islands.

*Struck Out*

11. All Crown-owned land held under the Conservation Act 1987 or any enactment set out in the First Schedule to that Act that lie north of State Highway 25A (Kopu-Hikuai Rd):

*New*

11. All Crown owned land held under the Conservation Act 1987 or any enactment set out in the First Schedule of that Act on the Coromandel Peninsula that lies north and north west of State Highway 25A (Kopu-Hikuai road) and the road from Hikuai to Pauanui Beach known as the Hikuai Settlement Road:

12. The internal waters (as defined in section 4 of the Territorial Sea and Exclusive Economic Zone Act 1977) of the Coromandel Peninsula—where those lands or areas were so held, managed, administered, classified, declared, notified, or gazetted at the date of commencement of this Act.”

*Struck Out*

*New (Majority)*

Section 4 (2)

SECOND SCHEDULE

NEW ELEVENTH SCHEDULE TO RESOURCE MANAGEMENT ACT 1991

“ELEVENTH SCHEDULE

Section 2 (1)

LIST OF PROHIBITED ACTIVITIES

Any activity which is a mining operation as defined in section 2 (1) of the Crown Minerals Act 1991; but does not include—

- (a) Any mining operation that is necessary for the construction, use, maintenance, or rehabilitation, of an emergency exit or service shaft for an underground mining operation, where these cannot safely be located elsewhere, provided that it does not result in—
  - (i) Any complete stripping of vegetation over an area exceeding 100 square metres; or
  - (ii) Any permanent adverse impact on the profile or surface of the land which is not a necessary part of any such activity:
- (b) Any mining operation that does not result in—
  - (i) Any complete stripping of vegetation over an area exceeding 16 square metres; or
  - (ii) Any permanent adverse impact on the profile or surface of the land that is not a necessary part of any activity specified in subsection (a) of this section:
- (c) A minimum impact activity:
- (d) Gold fossicking carried out in an area designated as a gold fossicking area under section 98 of the Crown Minerals Act 1991:
- (e) Any activity carried out in accordance with a special purpose mining permit for demonstrating historic mining methods as provided for in the relevant minerals programme required under section 13 of the Crown Minerals Act 1991—

which are carried out in any of the following areas:

1. All land within a national park held and administered under the National Parks Act 1980:
2. All land within any reserve classified as a nature reserve or a scientific reserve under section 20 or section 21 of the Reserves Act 1977:
3. Every part of a reserve or conservation area set apart or declared as a wilderness area under section 47 of the Reserves Act 1977 or section 18 or section 22 of the Conservation Act 1987:
4. All land within any conservation area declared as a sanctuary area under section 18 or section 22 of the Conservation Act 1987:
5. Every wildlife sanctuary under section 9 of the Wildlife Act 1953:
6. Every marine reserve declared under section 4 of the Marine Reserves Act 1977:

*Struck Out*

*New (Majority)*

SECOND SCHEDULE—*continued*

NEW ELEVENTH SCHEDULE TO RESOURCE MANAGEMENT ACT 1991—*continued*

“ELEVENTH SCHEDULE—*continued*

LIST OF PROHIBITED ACTIVITIES—*continued*

7. Any land within a wetland approved by the Minister of Foreign Affairs and notified to the Bureau of the Convention on Wetlands of International Importance done at Ramsar on the 2nd day of February 1971:
8. All land that is—
  - (a) Held, managed, or administered under the Conservation Act 1987 or under any enactment set out in the First Schedule to that Act at the commencement of this Act; and
  - (b) Situated on any island in the area bounded by latitude 35 degrees 50 minutes and latitude 37 degrees 10 minutes, and longitude 177 degrees and longitude 174 degrees 35 minutes—

but does not include—

    - (i) Whakau Island; or
    - (ii) Green Island; or
    - (iii) Middle Island; or
    - (iv) Korapuki Island:
9. All Crown-owned land held under the Conservation Act 1987 or any enactment set out in the First Schedule to that Act that lie north of State Highway 25A (Kopu-Hikuai Rd):
10. The internal waters (as defined in section 4 of the Territorial Sea and Exclusive Economic Zone Act 1977) of the Coromandel Peninsula—

where those lands or areas were so held, managed, administered, classified, declared, notified, or gazetted at the date of commencement of this Act.”