

Your Rights As a Landowner

'Minimum Impact'

- The only activities you legally need to give access to a mining company are 'Minimum impact activities' which include taking samples by hand or hand held methods, aerial surveying, and land surveying.
- To conduct minimum impact activities no person may enter on land without the written consent of each owner and occupier unless **at least 10 working days'** notice has been given to each person or group whose consent is required of—
 - (a) the date of intended entry; and
 - (b) the type and duration of work to be carried out; and
 - (c) a telephone number in New Zealand of the person who intends to enter the land.
- If the activities are not 'minimum impact' or the company has not given you ten working days notice then you can lock the gate.
- If you are unsure whether the activities are 'minimum impact' you can ask the company to email you a copy of what they want to do and send it through to info@protectkarangahake.org.nz and we will have it checked for you.

Exploration & Access Agreements

- For anything more than minimum impact activities, the mining companies are required to make a written and signed Access Arrangement with **all owners/ occupiers of the land**.
- **Never sign ANYTHING over the kitchen table!** It is common practice for mining companies to hire PR professionals to solicit Access Arrangements with landowners, who either try confuse you or charm you into signing something without giving you all the information. Tell them to go away and communicate with you via mail or email.
- If you are considering signing an Access Arrangement with a mining company, have a lawyer, with expertise in this area, look over it carefully and tell you what you are really signing.
- It is normal practice for Access Arrangements, even if made for "Prospecting" or "Exploration", to include provision for the full spectrum of activities. Mining companies do this to make sure, if gold is found, landowners don't try ask for more compensation for access to their land or deny them access all together, but they'll tell you it's to prevent the Access Arrangement ending and leaving you with a mess to clean up.
- Access Agreements are also **binding or whoever subsequently owns the land**, whether it is inherited down or sold on.
- There is a process (Arbitration) through which landowners can be forced to sign Access Agreements but it takes at least 6 months and requires the Governor- General and the whole Cabinet to decide it is for the public good – a decision which could be challenge in court - and we don't know of this ever happening in NZ.

Mining

- To carry out thorough exploration activities mining companies need access to the surface area, above or near to the possible gold deposits – however to mine they do not necessarily!
- This means if someone in your area gives access to the mining company to explore, and they find gold, they may then tunnel in from neighbouring land, possibly Crown owned land (i.e. DOC land), meaning even if landowners are totally opposed they can do nothing to stop it happening. Meaning that early prevention is the best way to protect your area from mining.

What can you do?

- REFUSE to keep anything confidential
- ENSURE your neighbours KNOW about the threat
- DO NOT SIGN ANYTHING without legal advice
- UNITE AND DECLARE your community MINING FREE, make a local group and meet regularly to support each other and share information.

- Read it, write it, talk it:

www.watchdog.org.nz

www.nzpam.govt.nz

www.protectkarangahake.org.nz

Crown Minerals Act 1991

