

Crown Minerals (Protection of World Heritage Sites) Amendment Bill

Member's Bill

Explanatory note

General policy statement

This Bill is designed to add World Heritage Sites to Schedule 4 of the Crown Minerals Act 1991.

Currently World Heritage Sites have no formal legal protection within New Zealand. They are designated by UNESCO in consultation with the New Zealand Government. From 2004, the Department of Conservation has been considering new options to designate as World Heritage Sites. However the sites are currently limited to Te Wāhipounamu, Tongariro National Park, and the Subantarctic Islands of New Zealand.

The list of tentative new World Heritage Sites includes—

- Kahurangi National Park, Farewell Spit, Waikoropupū Springs, and the Canaan Karst System:
- the waters and seabed of the Fiords of Fiordland (Te Moana o Atawhenua) — an addition to Te Wāhipounamu:
- Napier Art Deco historic precinct:
- Kerikeri Basin historic precinct:
- Waitangi Treaty Grounds historic precinct:
- Kermadec Islands and marine reserve:
- Auckland volcanic field:
- Whakarua Moutere, or the North-East Islands (including the Poor Knights Islands).

If these sites are placed within Schedule 4, this will provide them with protection from mining, which was raised as an issue in early 2012 after it was discovered the Government was surveying for minerals in World Heritage Sites.

New Zealand must nominate potential sites before they will be included on the World Heritage List, so any new additions can be controlled by the New Zealand Government.

Clause by clause analysis

Clause 1 is the Title clause.

Clause 2 is the commencement clause and provides that the Bill is to come into force on the day after the date on which it receives the Royal assent.

Clause 3 provides that the Bill amends the Crown Minerals Act 1991 (the **principal Act**).

Clause 4 inserts a definition of World Heritage Site into section 2(1).

Clause 5 adds World Heritage Sites to Schedule 4, as set out in the *Schedule*. Areas described in Schedule 4 are subject to section 61(1A) of the Crown Minerals Act 1991, which limits the granting of access arrangements for the purposes of carrying out mineral-related activities in respect of certain land and waters.

Hon Ruth Dyson

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The Parliament of New Zealand enacts as follows:

- 1 Title**
This Act is the Crown Minerals (Protection of World Heritage Sites) Amendment Act **2017**.
- 2 Commencement** 5
This Act comes into force on the day after the date on which it receives the Royal assent.
- 3 Principal Act**
This Act amends the Crown Minerals Act 1991 (the **principal Act**).
- 4 Section 2 amended (Interpretation)** 10
In section 2(1), insert in its appropriate alphabetical order:

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cl 5

World Heritage Site means a site included in the World Heritage List by the World Heritage Committee under paragraph 2 of Article 11 of the Convention Concerning the Protection of the World Cultural and Natural Heritage 1972

5 Schedule 4 amended

In Schedule 4, after clause 14, insert the clause set out in the **Schedule**.

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**Schedule
Schedule 4 amended**

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In Schedule 4, after clause 14, insert:

15 All areas that are World Heritage Sites.

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