



Office of Hon Harry Duynhoven
MP for New Plymouth

Minister for Transport Safety
Associate Minister of Energy

01 AUG 2005

AER 05-06/0001

Kenneth J Landaus
R D 2, Tukurua
Takaka
GOLDEN BAY

Dear Mr Landaus

I refer to your letter of 5 July 2005 regarding statutory costs relating to your mining privilege applications for pounamu.

Over the past ten years you have written a significant amount of correspondence to myself, and previous Ministers of Energy, and officials from the Ministry of Economic Development (formerly Ministry of Commerce) regarding your claim for compensation for a perceived economic loss following the transfer of ownership of pounamu from the Crown to Ngai Tahu. During this time the Crown has clearly and consistently outlined its stance to you regarding this matter and this position has not changed.

As I outlined in my letter to you of 30 June 2005, prospecting licence application 31 2583 is the only application of yours to meet the criteria for the reimbursement of costs of meeting statutory requirements. You have been offered a second opportunity to accept reimbursement of \$2,200 for the statutory costs that you incurred in making this application. Further, I am advised that it was not necessary for a prospecting licence application over 40 hectares to be surveyed or marked out (refer section 54 of the Mining Act 1971) so your claim for survey costs for this application has no foundation. The above offer is conditional on this reimbursement being in full and final settlement of this matter.

I am satisfied that myself, previous Ministers of Energy, and Ministry officials, have addressed all the issues raised by you in relation to these matters and I therefore see no benefit in your suggestion of the Ministry of Economic Development funding a judicial review. You may however wish to seek your own legal advice.

Please advise Mr Robert Smillie, Manager Exploration and Mining Services, Crown Minerals, P O Box 1473, Wellington of your decision regarding the offer of reimbursement. I am unable to provide you with any further assistance in this regard and therefore consider that correspondence is at an end.

Yours sincerely

Hon Harry Duynhoven
Associate Minister of Energy