

THE BATTLE FOR HAPPY VALLEY

News Media, Public Relations, and Environmental Discourse

Saing Te

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...the specific character of
despair is precisely this: it
is unaware of being despair.

SØREN KIERKEGAARD,
The Sickness Unto Death

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Abbreviations

AMD	Acid mine drainage
BCG	Buller Conservation Group
BFAC	Beech Forest Action Committee
CCS	Carbon Capture Storage
CSR	Corporate Social Responsibility
DOC	Department of Conservation
EDS	Environmental Defence Society
ETS	Emissions Trading Scheme
IGCC	Integrated Gasification Combined Cycle
ISL	In-situ leaching
ISR	In situ recovery
NZI	New Zealand Institute
NZIER	New Zealand Institute of Economic Research
PM	Particular matter emissions
RMA	Resource Management Act
ROM	Run-of-mine
SCM	State Coal Mines
SHVC	Save Happy Valley Coalition
SLAPP	Strategic lawsuits against public participation

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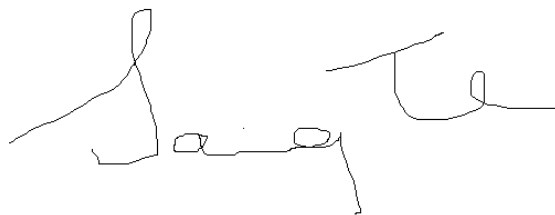
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Attestation of Authorship

“I hereby declare that this submission is my own work and that, to the best of my knowledge and belief, it contains no material previously published or written by another person, nor material which to a substantial extent has been accepted for the award of any other degree or diploma of a university or institution of higher learning, except where due acknowledgement is made in the acknowledgements.”

Signed:

A handwritten signature in black ink, consisting of a stylized first name and a last name, written in a cursive or semi-cursive style.

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Abstract

This thesis explores the ways in which state-owned enterprise Solid Energy and the news media have constructed and positioned the Cypress Mine project. Using public sphere critique, critical discourse analysis and ideology critique it shows how Solid Energy's framing of environmental discourse in its texts dominated the news media domain at the expense of environmental activist organisations. In this context, I examine the cumulative effects of the news media's organisational routines, the pressures and constraints of news practices, and the economic base of the media industry on news content. I also consider the symmetrical and asymmetrical manifestations of public relations, and how they permeate the news media domain and the public sphere generally. Organisational routines of news construction combined with corporate employment of public relations practices generate particular depictions of coal mining and its effects on the environment. Solid Energy, I argue, both shaped and benefitted from these depictions during the Cypress Mine controversy. I also examine actual mining practices and how they affect the environment both generally and in the case of the Cypress Mine project. Against this background I evaluate the conflicts between mining interests and their opponents in Happy Valley. I conclude that official environmental discourses comprised of 'Promethean' and conservative 'sustainability' conceptions marginalised ecologically informed arguments proposed by environmentalists.

1. INTRODUCTION

This thesis looks at the ways in which the Cypress Mine project has been constructed and positioned in the news media. In this introductory chapter, I will outline the structure of the thesis and the sequence of chapters. I will then briefly explore how corporations and environmentalists have used their resources to shape public opinion on ecological matters. In this sense, I look briefly at the news media domain and the public relations industry. Next, I propose the theoretical approach that will enable a critical evaluation of how the Cypress Mine issues have been constructed and positioned in the news media domain (and the opposing perspective on this). I will also outline my methodological approach for analysing environmental discourses in the news media. The important themes to be considered in relation to news coverage of the Cypress Mine issues are, the degrees of prominence accorded to environmental news stories, the use of news sources and the influences of frames.

Overview of chapters and their purpose

Chapter two builds upon introductory observations about the news media and public relations. I view the news media as part of a set of institutions embedded within society. Drawing on the work of scholars such as Rodney Tiffen, Herbert Gans, Gaye Tuchman, and Sharon Beder I explore the cumulative effect of the media's organisational routines, the pressures and constraints of news practices, the economic base of the media industry, and patterns of news content. Next, I consider symmetrical and asymmetrical manifestations of public relations, as described by James. E. Grunig and Todd Hunt. I also outline the history of public relations and its evolving practices since the early twentieth century by focusing on individuals such as Ivy Lee and Edward Bernays. They facilitated the proliferation of public relations throughout the government, public and private sectors. Since the news media is a central vehicle for public information and publicity, public relations practitioners have sought to cultivate a working relationship with news media personnel. In exchange for publicity, public relations firms can offer the journalists access to influential figures and stories, as well

as pre-packaged news. Even if the media do not use the resources offered to them by the public relations practitioners, these resources are always ready at hand. The news media and public relations are powerful institutions that can distort as much as they illuminate our understanding of social reality. I will develop these insights in relation to New Zealand. I focus on how successive governments have handled and managed the news media and how public relations practices have migrated into state-owned enterprises and the public sector generally. Lastly, in the context of the news media and public relations practices, I consider the positioning and theming of environmental discourses. My discussion of environmentalism, as such, moves from the 'Promethean' discourse, to the 'limits to growth' discourse, and then to the 'sustainable development' discourse. In this sense, I am concerned with how environmental activists and corporations have constructed and positioned environmental issues. Broadly speaking the environmental movement is comprised of two ideological tendencies: light-green and dark-green. Light-green environmentalists attempt to resolve environmental difficulties through discussion and compromise. Dark-green environmentalists generally take a more direct stance. They are less likely to collaborate with those individuals and organisations that disregard or downgrade environmental concerns. The corporate response to environmental controversies and crises has been largely united. In general, I will argue that large corporations effectively promote the idea that corporate culture, behaviour and actions are compatible with environmental concerns.

Chapter three examines mining practices and how they affect the environment. I begin by identifying the four stages: exploration, development, mining, and rehabilitation. With each succeeding stage the likely environmental damage becomes more extensive (with the exception of the final stage which seeks to remedy the environmental effects produced in previous stages). I then look specifically at coal mining; how coal is mined and its particular effect on the environment. Next, I consider the growing anti-coal movement. Early opponents to coal mining emphasised the social and economic impacts of mining, in particular the poor low paid working conditions. Over time, these socio-economic considerations have overlapped with environmental concerns. Environmental concerns include scarring of the natural landscape, endangerment of local flora and fauna, dust, noise pollution, dumped tailings, and seepage of poisonous leachate into nearby streams. In addition, opponents to mining have critically evaluated the viability of rehabilitation, the introduction of exotic weeds and animals to the area, the effects of mining on the cultivation of aquatic animals and plants, and the likelihood of future tourist development. More

recently, on the back of growing scientific evidence that mining damages the biosphere, as well as the physical environment, an anti-coal movement has organised and mobilised. Meanwhile, in response to the growing public and environmental concerns over coal mining, large mining companies have united to promote the use of coal. In this context, I examine the development of big coal's public relations campaign. The initial approach of coal mining companies was to disregard environmental concerns. More recently, focus has shifted to risk-management strategies. Big coal acknowledges that human activities are changing the earth's atmospheric conditions, but they argue that the consequences will be, on the whole, modest and that there is time to manage the situation. Next, I consider these insights in a local context, mainly by looking at the conflicts between mining interests and opponents in the Coromandel Peninsula. I also briefly consider how the modern environmental movement in New Zealand has developed since the 1960s.

Chapter four documents the transition from State Coal Mines to Coal Corporation of New Zealand Limited, and then to Solid Energy New Zealand Limited. I begin with a brief historical overview of coal mining in New Zealand. In particular, I look at the changing role of government in the industry. In the early twentieth century the government worked actively to establish a coal mining industry in New Zealand. During the 1930's economic depression the government aimed to sustain the industry and retain mining skills in the country. As the government acquired more mines it became the largest national operator; State Coal Mines. Overtime, many coal mines became uneconomic to operate, which forced the government to close them or take on their debt. To turn around the deficit, the Fourth Labour Government in 1987 restructured State Coal Mines into the state-owned enterprise Coal Corporation of New Zealand. The main aim of a state-owned enterprise is to operate as competitively as a private-owned company. In 1996, Coal Corporation was rebranded into Solid Energy New Zealand Limited. Using the annual reports I analyse the official discourse of Coal Corporation and Solid Energy. I look at the use of language, focusing on what was said, and was not, and how it was justified. Then, I focus more specifically on Solid Energy. I make explicit the overt and covert public relations strategies used by the enterprise to shape and reshape public perceptions about coal mining in the face of growing environmental concerns. My aim is to illustrate the ways in which Coal Corporation and Solid Energy have used their commercial power and resources to shape public knowledge, values and perceptions.

Chapter five draws on the themes discussed in chapter three to consider Solid Energy's proposal for an extension to the Stockton Opencast Mine. I begin with a brief historical overview of the West Coast economy. I then focus on Solid Energy. In this context, I discuss the Stockton Mine and detail the enterprise's application for a mining extension. Next, I consider the public response to the application. In general, public responses were divided, with many West Coasters favouring the mine and environmentalists opposing such a development. Many of those living on the West Coast viewed the proposal as a potential boost to the local economy. Environmentalists have, however, seen the proposal as environmentally detrimental, both locally and globally. In June 2004, the West Coast Regional Council and the Buller District Council considered Solid Energy's resource consent application. A month later the councils granted Solid Energy a resource consent to develop the Cypress Mine. In response, environmentalists appealed the decision to the Environment Court, with little to no avail. On 24 May 2005, the Court upheld the Councils' decision. In this context, I consider the evidence before the court and how each side of the debate was presented to the Court. I focus mainly on the most contentious issues concerning the environment and economy. I then discuss the main public issues associated with the Cypress Mine project: the *Powelliphanta "augustus"* Snails and the Spy Saga. My aim is to provide context for the content under analysis in the following chapter.

Chapter six analyses how the national and West Coast news media constructed and positioned the Cypress Mine project and related issues. Before doing so, I discuss the significance of environmental discourses in the news media by reviewing two traditional frames: the 'Promethean' deep frame and the 'limits to growth' counter-frame. The 'Promethean' deep frame places humanity at the centre of natural life and the environment at the periphery. The 'limits to growth' counter-frame questions this representation. I also look at the deep frame of 'sustainable development', which promotes the idea that the socio-economic activities of humanity are compatible with environmental concerns. I then briefly readdress the logic and principles of news construction, *vis-à-vis* news sources, news frames and news content. Next, I apply these insights to news coverage of the Cypress Mine project and its related issues. In this regard three categories of coverage are examined; the Cypress Mine project, Mt Augustus Snails, and the Spy Saga. The Cypress Mine project looks at the court cases and protest actions generated by Solid Energy's proposal to develop the Cypress opencast pits. The Mt Augustus category focuses on the issues relating to the discovery of the *Powelliphanta "augustus"* snail species in the Stockton mining permit area. The third

category covers Solid Energy's use of paid informants and the public fallout. I then provide a brief synopsis of the local and national news outlets to be examined. For each category I evaluate the use of news sources and the use of news frames. I then consider how news media reportage on the Cypress Mine issues and events might have shaped public perceptions.

Chapter seven evaluates the struggle between proponents and opponents of the Cypress Mine project. In evaluating the battle for Happy Valley, I focus on the news media performance *vis-à-vis* the Cypress Mine project, the Mt Augustus Snails and the Spy Saga. Specifically, I will discuss the extent to which various media provided a space for critical deliberation and debates and evaluate whether or not there were preferred news sources and frames. I assess the role of Solid Energy's public relations strategies in shaping news coverage and influencing environmental discourse. I then summarise the struggle between the different environmental discourses in relation to sustainability and coal mining. I then outline the political outcome of the battle for Happy Valley thus far, and the wider significance of this outcome for environmental politics and coal mining generally.

News Media Organisations and Public Relations

This thesis sets out to explore how the news media constructed and positioned the Cypress Mine project. Before doing so one must ask: How is news constructed? Does the news convey an accurate portrayal of society? To what effect does the production of news sustain prevailing relations of power? Traditionally, the role of journalists is to reflect a multifaceted reality as 'impartially' and 'objectively' as possible. This task is based on the assumption that 'facts' can be separated from opinions and conjectures. However, news no longer claims itself to be a simple reflection of reality. The older descriptive style of reporting the 'facts' of events or issues has been replaced by a tabloid mixture of facts and interpretation. As Thomas Patterson puts it: "Interpretation provides the theme, and the facts illuminate it. The theme is primary; the facts are illustrative."¹ This trend stems primarily from the dependence of news media organisations on market objectives. The increasing commercial orientation of

¹ Thomas. E. Patterson, "The News Media: An Effective Political Actor?" *Political Communication* 14, (1997),

the news media can impede the ability of journalists to report on events and issues taking place. Increasingly, news is found in issues and events that are novel, out of the ordinary, or provoke conflict. Such news values can attract and maintain audience levels, but are generally a weak perspective from which to gauge reality.

The constant pressure of the news cycle and the search for new captivating stories direct journalists toward certain developments and away from others. It also compels journalists to find quick and accessible information, prompting them to establish routine channels for newsgathering. Public relations personnel, having recognised the principles of newsworthiness and the unrelenting pressure of the news cycle, tailor their client organisation's message around news values. Visual, audio, and print materials are developed into readymade news that is simple to comprehend and easy to consume. News values and news cycle pressures steer journalists to the vast resources offered by the public relations firms. In turn, public relations personnel use the central vehicle of the news media to communicate their corporate client's point of view.

Critics claim that corporate public relations colonises the democratic public sphere. Those who have financial resources are equipped to communicate and present their viewpoints at the expense of subaltern groups. The practice of public relations, despite claims to the contrary, is mostly a one-way form of communication, flowing from wealthy clients to the public. At times the activities of corporations become controversial such that they require public relations practitioners to reduce public fallout. Public relations firms aim to cultivate public favour and shape the perceptions people have about a particular organisation, rather than change the organisation's practices. As later chapters will show, this is largely achieved through various means such as third party techniques, corporate philanthropy, and endorsements. In general, public relations practitioners use the news media to promote the achievements and voluntary initiatives of the client organisation. Sometimes, however public relations personnel resort to intimidation and covert manipulation in the form of legal threats and the surveillance of opponents. These tactics are not meant to be publicly visible. In general, positive contributions are publicised while the negative activities are obscured. If the covert negative practices are exposed the persuasive power of corporate public relations may be undermined.

Framing and Environmental Discourse

Framing is based on recognition that news representation of an issue or event can influence how it is understood by readers and viewers. The foundations of framing can be traced to psychology and sociology. From a psychological perspective, framing can be used to explain the cognitive devices of organising information. To make or cast judgements does not involve an individual's entire repertoire of knowledge, only those aspects of knowledge which come to mind are required. The sociological underpinnings of framing were laid out by Erving Goffman. He argued that each individual actively organises and interprets their life experiences through the use of frames.² This underscores the importance of framing as a bridging concept between cognition and culture. Frames, therefore, introduce or raise the salience of an idea or event. This in turn encourages readers and viewers to think, feel, decide, and react in a particular manner.

At the communication level, framing analysis suggests that the media can influence readers and viewers on what to think about.³ News frames are therefore a set of references that readers, listeners and viewers use to interpret and discuss an event or issue. Each frame however does not receive the same level of attention or have the same effect.⁴

Organisationally the process of framing takes place through selection, emphasis and exclusion. The social-structural or organisational norms, individual or ideological variables, and external sources (e.g. political actors, interest groups, and so on) may influence how news is framed.⁵ Frame contestation leads to questions about how information or meaning is organised and structured. These considerations move beyond the narrow concern with media bias to the broader theme of ideology. My framing research will seek to answer the following questions: How is a particular issue or event structured in news reports? How do news frames shape public attention? How well did the news frame do justice to the issue? And, why did journalists adopt the news frame that they did?

² Erving Goffman, *Frame Analysis*, (Harmondsworth: Harper & Row, 1974), 10-11.

³ Bernard Cohen, *The Press and Foreign Policy* (Princeton: Princeton University Press, 1963), 13.

⁴ It is important to note that systems of representation are not necessarily congruent with audience interpretation. The meanings that might be derived from frames are of a fundamental importance. However, owing to the limitations of this thesis, in terms of time and space, I have left the issue of audience reception largely unexplored.

⁵ Dietram Scheufele, "Framing as a Theory of Media Effects," *Journal of Communication* NA,NA (1999), 107, 109.

The significance of a frame is largely determined by how often it is in use.⁶ A deep frame encapsulates a widely perceived idea or event and that interpretation stays within the boundaries of broadly accepted norms. Deep frames often face little or no challenge, due to their taken-for-grantedness. Nevertheless, some action or event may take place, which questions the relevance of the deep frame. Alternatively, the deep frame may no longer seem natural due to the social construction of counter frameworks of understanding. There are many examples of deep frames, but for the purpose of this research the ‘Promethean’, ‘limits to growth’, and ‘sustainable development’ frames are the most pertinent. The ‘Promethean’ frame naturalises humanity’s triumph over nature, while ‘limits to growth’, the counter deep frame, emphasises the finitude of the natural environment. Concurrently, a more radical pro-active ecologist frame has emerged. This frame highlights the environmental dependence of human life. This however, did not become a central theme within mainstream news discourse.

Today, the ‘Promethean’ and ‘limits to growth’ frames are less in use. Instead, a ‘sustainable development’ deep frame has been promoted. The ‘sustainable development’ deep frame points to the possibility of a compatible working relationship between humanity and the environment over time. The flexibility of the ‘sustainable frame’ has meant that it is commonly appropriated by corporate discourses, to varying degrees. From a critical perspective compatibility between humanity and the environment is problematic, and sustainable development is not guaranteed. From a corporate perspective compatibility between humanity and environment is either assumed or easily achieved.

⁶ Stephen D. Reese, “Prologue – Framing Public Life: A Bridge Model for Media Research,” in *Framing Public Life: Perspectives on Media and Our Understanding of the Social World*, ed. Stephen Reese, Oscar Grandy, and August Grant, (Mahwah: Lawrence Erlbaum, 2003), 11-12.

The Corporate Response to Environmental Criticisms

Since the early twentieth century journalists such as Upton Sinclair have exposed the misconduct of big business and this has encouraged the public to support regulatory reform. By tradition, large corporations went about their daily activities with little to no concern about public opinion. As this approach became less and less successful large corporations responded by intimidating the press or by hiring press agents to plant favourable stories in the media. These measures were ineffective and large corporations were compelled to explore alternate means to communicate with and control the public. Eventually, the corporate sector called upon public relations practitioners to covertly influence public opinion.

Professional public relations flourished in the post World War Two era. In the United States and other western nations virtually every large organisation was engaging in public relations. As a result, the perceptions of corporations as riding roughshod over their consumers, workers and the natural resources had largely dissipated. However, from the late 1960s businesses once again came under intense public scrutiny. The rise in white-collar crime and the increasingly visible signs of pollution lead to a re-examination of corporate culture. The public called for greater restrictions on corporate practices, arguing that the prevailing practices were unacceptable. To protect their livelihood, the corporate sector undertook an even larger public relations effort. Public relations personnel worked to restore public confidence in big businesses and curtail legislative restrictions on business practices. From the end of the 1970s big business extended its power and public influence with the international proliferation of neo-liberal macro-economic policy agendas.

Towards the end of the 1980s public concern about the environment re-emerged, reinforced by a series of environmental disasters and the results of contemporary scientific research. Amidst all this public concern, regulatory agencies in various countries enacted new laws. This heightening of public anxiety and regulatory activity created a new wave of corporate political activity to counter public perceptions about environmental matters (especially with regard to the biosphere). Corporations and public relations firms drew on their experiences in the 1970s to adjust their techniques of persuasion and manipulation. Front group strategies, intensive lobbying of politicians and propaganda techniques were employed to quell public criticism of corporations and their environmental records. As corporations and public

relations firms adopted environmental language green public relations or ‘greenwash’ began to emerge. Public relations practitioners communicated the message that a profound change was occurring in corporate culture. This meant that the environmental damages associated with mining (i.e. air and water pollution) were addressed as issues to be managed in a favourable looking way, rather than as environmental problems to be corrected.

Theoretical and methodological considerations

This section considers the theoretical and methodological underpinnings of the study. In the first part, I discuss critical discourse analysis, ideology critique and public sphere critique of the news media domain. These theoretical underpinnings are used to inform my analysis of rival environmental discourses associated with the Cypress Mine project and its media depiction. The second part describes the methods adopted to implement the research. It details the analysis of how the local and national news media constructed and positioned the Cypress Mine project.

Critical Discourse Analysis

A discourse is not simply a collection of words or sentences. It embodies the social relations of knowledge which are built into the structures and patterns of language.⁷ Early studies of discourse focused on the systemic and symbolic nature of language (*langue*). Since the mid-twentieth century focus has shifted to the constitution and reproduction of power relations and social identities in language (*parole*).⁸ In the early 1970s Michel Foucault conceptualised discourse not in terms of ‘what was said’, but rather in terms of the categories and practices that were *a priori* to its formation; the mode of its existence.⁹ Foucault developed an archaeological analysis which focused on the play of discontinuities in the history of discourse. For Foucault a discourse contains a series of ‘signs’ that draws from a particular ‘episteme’. An episteme projects a certain dynamic on to the set of ‘signifiers’ that

⁷ Tony Bennett, Lawrence Grossberg, and Meaghan Morris, *New Keywords: A Revised Vocabulary of Culture and Society* (Oxford: Blackwell Publishing, 2005), 91-93.

⁸ Ferdinand de Saussure, *Course in General Linguistics*, trans. Wade Baskin, ed. Charles Bally and Albert Sechehaye (New York: McGraw-Hill, 1959), 9, 114; Norman Fairclough, *Language and Power* (Essex: Pearson Education Limited, 1989), 20-22, 74.

⁹ Michel Foucault, *The Archaeology of Knowledge*, trans. A. M. Sheridan Smith (London: Routledge, 1972), 125.

governs it. Therefore, he defined discourse in its various manifestations: “as the group of statements that belong to a single system of formation.”¹⁰ Emphasis is placed on the rules and practices governing the production of the discursive formations. It represented a shift from linguistic codes to the set of relations within which order is sustained and established through language. It is in the Foucauldian usage that discourse comes to entail not language *per se* but the material practices and structures that determine its power.

Examinations of discourse and power typically address the social context in which discourse is used and the social consequences of its usage. Attention is drawn on the relationship between discourse and its social conditions. As Barbara Johnston describes it:

Calling what we do ‘*discourse analysis*’ rather than ‘*language analysis*’ underscores the fact that we are not centrally focused on language as an abstract system. We tend instead to be interested in what happens when people draw on the knowledge they have about language...¹¹

Therefore, a discourse is a set of social relations of knowledge embedded in language.¹²

Each discourse rests on a set of shared assumptions or judgements that provide the terms of analysis, debate, accord or disagreement.¹³

The theory of discourse that will inform my research derives from the works of Norman Fairclough. Fairclough sought to expand the analysis of discourse by integrating a linguistic analysis with an analysis of power and politics. He defined this as ‘critical discourse analysis’:

By ‘critical’ discourse analysis I mean discourse analysis which aims to systematically explore often opaque relationships of causality and determination between (a) discursive practices, events and texts, and (b) wider social and cultural structures, relations and processes; to investigate how such practices, events and texts arise out of and are ideologically shaped by relations of power and struggles over power; and to explore how the opacity of these relationships between discourse and society is itself a factor securing power and hegemony.¹⁴

According to Fairclough discourse was not simply a reflection or representation of society, but rather a construction or constitution of society.¹⁵ The shift from the ‘mainstream’

¹⁰ Ibid., 107.

¹¹ Barbara Johnston, *Discourse Analysis* (Massachusetts: Blackwell Publishers, 2002), 3.

¹² Bennett et al, *New Keywords: A Revised Vocabulary of Culture and Society*, 91-93.

¹³ John Dryzek, *The Politics of the Earth: Environmental Discourses* (New York: Oxford University Press, 1997), 8.

¹⁴ Norman Fairclough, *Critical Discourse Analysis: The Critical Study of Language* (Essex: Pearson Education Limited, 1995), 132-33.

¹⁵ Norman Fairclough, *Discourse and Social Change* (Cambridge: polity Press, 1992), 3-4.

discourse analysis to a ‘critical’ approach signals a concern with the intricate relationships between discourse, power, and social justice.¹⁶

In general, critical discourse analysis focuses upon unequal relations of power. This is not to suggest that power is solely a matter of language or discourse. The crucial point is to recognise and elucidate the power relations behind particular discourses, including media discourses. Power can be enacted through the language in news texts by privileging certain discourses, or by positing certain discourses as true and others as false. When a certain discourse dominates an institution or social practice, whilst other discourses are either contained or excluded, the arbitrary nature of this process is not readily apparent. The research which follows will seek to answer the following questions: How were news media discourses on the Cypress Mine project constructed and contested? How else could such discourse have been constructed? What does the news text indicate about the media order of discourse? How are the relevant news texts informed by wider discourses and socio-cultural processes?

Ideology Critique

The notion of ideology critique extends the discussion of discourse to an institutional and societal level. Descriptively speaking ideology is a system of social beliefs, values and ideas which form the basis of either a social, economic or political philosophy. The terms also draw attention to the nature of social control and the structural relations of power in society. The term first appeared in English in 1796 in a translated work of the French ideologue philosopher Antonine Destutt de Tracy. His *idéologie* was taken to be the scientific study of the origin and development of ideas. Destutt de Tracy argued that an individual’s ideas and actions were governed by their upbringing and environment. He rejected the notion of ‘innate ideas’ deriving from God and biology. Rather, the ‘established authority’ of the Church and the institutions of state were the source and foundation of knowledge. In this context, a just system of government could be founded on the basis of a social theory of the mind, knowledge and human beings, rather than through establishment of institutional practices alone.¹⁷

¹⁶ John Richardson, *Analysing Newspaper: An Approach from Critical Discourse Analysis* (New York: Palgrave MacMillan, 2007), 42; Teun A. Van Dijk, “Principles of Critical Discourse Analysis,” *Discourse & Society* 4, no.2 (1993), 252.

¹⁷ James Paul Gee, *Social Linguistics and Literacies: Ideology in Discourse*, 2nd ed, (Bristol: Taylor & Francis, 1990), 1-2.

The scientific sense of ideology persisted till the early nineteenth century when Napoleon Bonaparte appropriated the doctrine to attack the so called ideologues and other defenders of the Enlightenment values. Napoleon argued that ideologues had brought about the failure of the French empire because of their ignorance of the realities of life. For Napoleon, history and experience were the foundations for a successful government.¹⁸ In this context, ideology was an ill-conceived, delusional concept. The pejorative understanding of ideology continued and expanded throughout the nineteenth century. Karl Marx and Friedrich Engels, for example, believed that the origin and development of ideas were underscored by the socio-economic structures of society. In *The German Ideology* Marx and Engels wrote:

The individuals composing the ruling class possess among other things consciousness...as they rule as a class and determine the extent and compass of an historical epoch, it is self-evident that they do this in its whole range, hence among other things rule also as thinkers, as producers of ideas, and regulate the production and distribution of their age: thus their ideas are the ruling ideas of the epoch.¹⁹

In this context, the relationship between different social classes extends beyond the economic structure of capitalism. Not only do material relationships structure the relations between various classes; prevailing or official ideas pervade social relationships. In so doing they promote and serve the interest of the ruling class.

From the late nineteenth century critical discussion of ideology began to encompass the complex concept of power. Antonio Gramsci, for instance, argued that ideology was an essential component of hegemony. Hegemony, according to Gramsci, is dependent on domination, intellectuality and moral leadership.²⁰ The supremacy of a social group is sustained through force and consent. Consent is preferable to force, although in cases where force is required it should be portrayed as consent. In order to achieve a consensus the interests and ideas of the dominant group have to be expressed in terms of a general interest, making it 'common-sense'. Once in power the dominant group has to constantly reassert itself.²¹ Therefore, an ideological struggle is part of the general social struggle for control.

The conception of ideology which informs this thesis draws on the work of John B. Thompson. For Thompson ideology is the way in which meaning is mobilised by symbolic

¹⁸ Raymond Williams, *Keywords: A Vocabulary of Culture and Society* (New York: Oxford University Press, 1976), 154.

¹⁹ Karl Marx and Friedrich Engels, *The German Ideology* (New York: Prometheus Book, 1998), 67.

²⁰ Antonio Gramsci, *Selections from the Prison Notebooks*, ed. and trans. by Quintin Hoare and Geoffrey Nowell Smith (New York: International Publishers, 1971), 57-58.

²¹ Ibid., 80f; Stuart Hall, "The Problem of Ideology-Marxism without Guarantees," *Journal of Communication Inquiry* 10, no.28 (1986): 42.

forms to structure and sustain relations of domination. Symbolic forms are taken to be either spoken or inscribed expressions. Thompson distinguishes between two concepts of ideology, a neutral conception and a critical conception. The former identifies ideology or ideological phenomena without implying that such phenomena are necessarily misleading, illusory or aligned with the interests of any particular group. The latter focuses on the negative, critical or pejorative sense of ideology.²²

Thompson identifies and outlines five modes of operation of ideology. Each mode is supplemented by strategies of symbolic construction. The five modes include 'legitimation', 'dissimulation', 'fragmentation', 'unification' and 'reification'. The modes primarily addressed in this study are legitimation, dissimulation and fragmentation. Legitimation maintains relations of domination through claims to rule that are based on rational, traditional or charismatic grounds. Dissimulation reproduces domination through concealment, denial or obfuscation. Fragmentation works to maintain relations of domination by creating a divide between individuals and groups that are capable of mounting an effective challenge to the dominant group, or by directing the opposition towards a target which is projected as detrimental to society.²³

This thesis does not analyse mass communication per se. It is however important to note that the advent of mass communication, especially as exemplified by the daily press and broadcasting, enabled a new kind of visibility for news messages. If we view ideology in terms of how meaning is mobilised by the construction of symbolic forms, then the development of mass communication has great significance for the nature and reach of ideological phenomena. As Stuart Hall points out:

The media defined, not merely reproduced, 'reality'. Definitions of reality were sustained and produced through all those linguistic practices (in the broad sense) by means of which selective definitions of 'the real' were represented. But representation is a very different notion from that of reflection. It implies the active work of selecting and presenting, of structuring and shaping; not merely transmitting of an already-existing meaning, but the more active labour of making things mean...The message had now to be analysed, not in terms of its manifest 'message', but in terms of its ideological structuration.²⁴

Although the media is a crucial site for ideological contestation, it is not the only site. The development of mass communication may have established new parameters for ideology, but

²² John B. Thompson, *Ideology and Modern Culture* (Stanford: Stanford University Press, 1990), 53.

²³ *Ibid.*, 58, 60-67, 293.

²⁴ Stuart Hall, "The Rediscovery of 'Ideology': Return of the Repressed in Media Studies," in *Cultural Theory and Popular Culture: A Reader*, 3rd ed (Essex: Pearson Education, 1994), 131.

to make strong claims about the efficacy of ideological media messages on this basis is imprudent.

Public Sphere Critique of News Media Domain

In order to analyse the news media in more detail I turn to public sphere critique. I refer here to Jürgen Habermas' concept of the public sphere and its structural transformation. The public sphere is an arena where private citizens gather to critically reflect on matters concerning the public. It is founded on basic rights such as freedom of expression, association and publication. The political and theoretical underpinnings were first elaborated in 1962 by Jürgen Habermas in *The Structural Transformation of the Public Sphere*. Habermas argued that the development of the modern state and economy was the precursor for a "new sphere of public authority."²⁵ He defines this as the 'bourgeois' public sphere, the "sphere [whereby] of private people come together as a public."²⁶ In this context, a public body of private individuals assemble to discuss matters of 'public concern' or 'common interest'. Initially, these issues centred on literature, art and societal matters, but over time it took a political form.²⁷ The claim to power *vis-à-vis* public authority was based on the ability to hold the state accountable to society through publicity.²⁸

According to Habermas' historical account, in medieval and early modern Europe power belonged to the monarchy. They engaged in 'representative publicity'. Power was displayed "not for but 'before' the people."²⁹ In this context, social status presupposes any 'common interest.' Private and public spheres were not distinguished from one another and as such there was no civil realm. In the eighteenth century a new form of social order emerged. The

²⁵ Jürgen Habermas, "The Public Sphere: An Encyclopedia Article," in *Critical Theory and Society: A Reader*, (London: Routledge, 1989), 137-138.

²⁶ Jürgen Habermas, *The Structural Transformation of Public Sphere: An Inquiry into a Category of Bourgeois Society*, trans. Thomas Burger (Cambridge: The Massachusetts Institute of Technology Press, 1989), 27. The conception of the bourgeois public sphere was premised *in principle* on rational-critical debate not class or tradition. However, entry was confined to those who had an education and property. For a discussion on the limits of Habermas's work see the collected essays in Craig Calhoun, ed., *Habermas and the Public Sphere*, (Massachusetts: Massachusetts Institute of Technology, 1992).

²⁷ Representative publicity preceded the literary public sphere. In a representative publicity power resided in feudal authorities and it was displayed 'before' the public, as oppose to 'for' the people. The literary public sphere represented the first time the public body could critically discuss art and literature. It eventually developed into the political public sphere, which focused on affairs of the state.

²⁸ Habermas, *The Structural Transformation of Public Sphere: An Inquiry into a Category of Bourgeois Society*, 28. Nancy Fraser, "Rethinking the Public Sphere: A Contribution to the Critique of Actually Existing Democracy," in *Habermas and the Public Sphere*, ed. Craig Calhoun, (Massachusetts: Massachusetts Institute of Technology, 1992), 112.

²⁹ Habermas, *The Structural Transformation of Public Sphere: An Inquiry into a Category of Bourgeois Society*, 8.

spread of commodities and news outlets facilitated a commercial trade and exchange system presided over by new national and territorial states powerful enough to disable representative publicity.³⁰ In light of these developments, the meaning of ‘public authority’ began to shift away from the nobility to activities of an emerging state system. This set in place a public domain between the state and society; and a private realm that is separate from the public. Habermas believed that these separations were essential for the authenticity of the public authority.

It is worth emphasising that the transformation of the bourgeois public sphere coincided with the rise of the periodical press. The late seventeenth and eighteenth century in Europe saw the establishment of literacy and scientific journals and newspapers. New mediums for public discussion were created.³¹ The bourgeoisie would gather in salons and coffee houses across Europe to discuss and critique the publications. Initially, their focus was on literature, art, and science, but eventually political and economic issues were covered. In the latter half of the eighteenth century the state and large economic organisations assumed greater control over civil society. As a result, the periodical press became a large-scale commercial venture. These developments coupled with the diversification of the capitalist model brought about a culture of consumption. In this sense, many aspects of personal and collective identity were formed, sustained, and reconstructed through consumption patterns. Image and opinion management became fundamental practices, and this at a societal issue resulted in a managed integration and manufactured consensus.³²

Consequently, the development of the modern public sphere has been dominated by persuasion, born of new communication fields such as advertising, market research and public relations. The media are now characterised by news as entertainment, rather than news as public information. Leon H. Mayhew claims that the professional domination of communication and the means of social influence have altered the interrelationships between the individual and the state. It prompts what Mayhew terms ‘The New Public’.³³ In this context, the forum for public debates and deliberation is diminished by professional practitioners who dominate the mediums of communication by setting the agenda and the

³⁰ Ibid., 10-11, 15.

³¹ Ibid., 31-43.

³² John B. Thompson, “The Media and the Development of Modern Societies,” in *The Media and Modernity: A Social Theory of the Media* (Cambridge: Polity Press, 1995), 44-80.

³³ Leon Mayhew, *The New Public*, (Cambridge: Cambridge University Press, 1997), 3-20.

terms of public discussion.³⁴ As the ‘publicness’ of the public sphere eroded the liberal bourgeois public sphere all but collapsed. Initially, the structural transformations of the public sphere created a more inclusive public body. But this was later followed by a degeneration of public sphere principles. Habermas terms this as the ‘refeudalisation of the public sphere’.

Critics of Habermas argue that his critical approach fails to address significant themes like religion and social movements. They also argue that critical theory needs to address more closely the divide between ‘private’ and ‘public’ realms. Nancy Fraser, for example, claims that the bourgeois public sphere is an inadequate basis for contemporary critical theory. She argues that the deliberation of a ‘public interest’ or ‘common good’ limits critical discussion to a narrow bourgeois viewpoint. The bourgeois conception of the public sphere is inadequate because it neglects those with unequal social and material status. In so doing, it obfuscates their interests. In this manner the ability for equal and intelligible communication with others outside of the bourgeois public sphere is limited.³⁵

More recently, critics of Habermas claim that he has failed to consider the developments in new media and how they can expand and lead to reconceptualisation of the public sphere.³⁶ Increasingly, electronic forms of exchange of symbols are taking the place of ‘face-to-face’ interaction, creating a new virtual medium for public discussion and debates. On the Internet, individuals read, interpret, respond and communicate with others. It is important to note that while the Internet may provide an arena for public participation, it does not necessarily translate into public activism. Nevertheless, individuals and organisations who want to engage with the public are quickly making use of these technologies. And, public sphere concerns about new media control, accessibility, accountability, and responsibility are becoming increasingly important.

Notwithstanding the criticisms, Habermas’ historical overview of the bourgeois public sphere and its fragilities provides an important perspective for the analysis of mass mediated discourse. He showed how the development of mass communication was interwoven with

³⁴ Ibid., 208.

³⁵ See Nancy Fraser, “Rethinking the Public Sphere: A Contribution to the Critique of Actually Existing Democracy,” In *Habermas and the Public Sphere*, (Cambridge: The MIT Press, 1992), 109-142.

³⁶ See for example Howard Rheingold’s (1995) discussion in *Virtual Community: Finding Connection in a Computerised World*; Mark Poster’s (1995) *Cyberdemocracy: Internet and the Public Sphere*; Douglas Kellner’s *Habermas, the Public Sphere, and Democracy: A Critical Intervention*.

the expansion of commercial organisations with strategic purposes. The practice of public relations, for example, can be viewed as a challenge to principles of the public sphere. Public relations personnel on behalf of their client organisation seek to advance or prevent certain issues from becoming the focus of public reflection. In effect, the practice of public relations looks to influence public opinion, not through a critical debate, but rather through the construction and management of information. In this sense the forum for critical public deliberation is controlled by public relations practitioners who mediate the terms of public discussion. This erodes the function of the public sphere.

Using Habermas' critical understandings I will examine the role of the media in providing a space for critical deliberation concerning matters of common concern. In this case I address environmental matters. My general purpose is to tie a critical discourse analysis with an ideology and public sphere critique of the news media domain. This will presage my analysis of environmental discourses in relation to the activities of Solid Energy New Zealand and their opponents, during the Cypress Mine controversy.

Method

News media representations of the Cypress Mine related issues were tracked over a six year period. The sample period begins on 11 July 2003 with the public reaction to the proposal for the Cypress Mine project and leads up to the Spy Saga of April 2008. Over this period news articles and news segments in the local and national news media were gathered and later analysed. The entire sample of news material ($n = 338$) included 301 news articles – *The New Zealand Herald* ($n = 54$), *Dominion Post* ($n = 21$), *The Press* ($n=73$), *Sunday Star Times* ($n = 6$), *The News* ($n = 89$), *Greymouth Star* ($n = 32$), *The West Coast Messenger* ($n=9$), *The West Coast Times* ($n = 17$); 32 television programmes – *One News* ($n = 10$), *3 News* ($n = 12$), *Breakfast* ($n = 1$), *Midday* ($n = 1$), *Tonight* ($n=5$), *Agenda* ($n = 1$), *Close Up* ($n = 1$), *60 minutes* ($n = 1$); and five radio broadcasts, *Checkpoint* ($n = 5$).³⁷

To ascertain the prominence of the Cypress Mine related issues in the news media I categorised all news reports as either a major, medium or minor news article. In the print

³⁷ n = number of news article(s)

media major news articles refer to front page news coverage, a featured inside article or an editorial.³⁸ Medium news articles refer to less prominent news articles, which nevertheless might include bold headings, pull quotes, photographs and borders. Minor news articles were news items in brief. My analysis primarily focuses on major news articles rather than medium or minor news articles. Of the news articles gathered 21 percent ($n = 64$) fitted with the selection criteria for major news articles and were analysed extensively. These included: *Dominion Post* ($n = 3$), *The Press* ($n=11$), *Sunday Star Times* ($n = 3$), *The News* ($n = 32$), *Greymouth Star* ($n = 12$), *The West Coast Messenger* ($n=1$), *The West Coast Times* ($n = 2$). It is important to note that in New Zealand's largest circulated newspaper, *The New Zealand Herald*, no news article fitted the criteria for major news articles. In broadcasting, the sample was admittedly small ($n = 37$) and did not merit the same precise categorisation of prominence. Instead, a qualitative judgement was made about the size and format of each broadcast segments.

In order to examine the use of sources by the news media, I recorded all the possible news sources and then categorised them into groups. In total, eighteen sources were identified; Solid Energy, Expert, Courts/Law Enforcement, Local Bodies, Labour Government, National Party, Green Party, Department of Conservation (DOC), Local Iwi, Riverwatch, Forest and Bird, Greenpeace, Save Happy Valley Coalition (SHVC), Buller Conservation Group (BCG), Buller Miner's Union, Unaccredited, Other, and Not Applicable (N/A). Expert sources refer to individuals who were described by journalists as such in the news stories. Local Government sources refer to local members of parliament and local body representatives. Other sources were individuals who provided background information, such as other journalists and members of the public. N/A refers to news articles which did not have any reference to sources.

Solid Energy sources primarily referred to chief-executive Don Elder, chief-operating officer Barry Bragg, environmental manager Mark Pizey, and spokesperson Vicki Blyth. The Local Bodies sources were primarily Damien O'Connor, Chris Auchinvole, Martin Sawyer, and Pat O'Dea. The main spokesperson for the Department of Conservation was Mike Slater. Kevin

³⁸ It is important to note that the front page format of *The News* was visibly different from other national and local news media outlets. There were multiple news articles on the Cypress Mine project and its related issues on the front page of *The News*. This warranted a different major categorisation. I decided to categorise major news stories in *The News* as news features on the front page which contained large bold font headings, and inside exclusive or an editorial.

Hackwell and Ingrid Gruner were the main representatives of Forest and Bird. Buller Conservation Group was represented by Pete Lusk, who was also a spokesperson for Forest and Bird. Save Happy Valley Coalition sources included various members, although Frances Mountier, Jonathan Oosterman, Jo McVeagh, and Fiona Gibson were the most frequently cited sources.

My news source analysis of how the Cypress Mine project and related issues were covered draws upon the work of Philip Elliot, Graham Murdock and Philip Schlesinger. In particular I use their three ideal types for discourse, official, alternative, and oppositional. In this study the official discourse stems from Solid Energy and is further elaborated by professionals involved in the promotion of the Cypress Mine project. The alternative discourse derives from groups like Forest and Bird and Buller Conservation Group. Such a discourse does not offer a fundamental challenge to the claims to legitimacy found in the official discourse. The alternative discourse questions whether Solid Energy can live up to its promise to protect the environment. Concerns within the alternative perspectives are extended and developed into an oppositional viewpoint, which seeks to delegitimize the official perspective. In the case examined here the oppositional points of view is sometimes taken up by Greenpeace, but is most consistently expressed by the Save Happy Valley Coalition. They aim to challenge prevailing power structures, which can often involve radical tactics.³⁹ In looking at journalists' selection of news sources and their construction of the Cypress Mine project and related issues I will track the prevalence of the official, alternative and oppositional discourses.

To determine the extent to which certain frames appeared in the news I undertake in advance, a critical overview of the Cypress Mine project and related issues. This also enabled a qualitative content analysis of the environmental discourses used in the news media. After reiterating the relevant deep frames associated with environmental discourse I employ Joseph Cappella and Kathleen Jamieson's model of frames as an appropriate categorisation of the news articles under analysis. Their model identified five different types of meso-frames: strategic, personal, conflict, issue, and episodic. To identify whether these five meso-frames appear in the news, I posed a series of questions: Does the news story focus on winning and losing, self-interest and mistrustfulness (strategic frame)? Does the news story focus on the

³⁹ Philip Elliott, Graham Murdock and Philip Schlesinger, "'Terrorism' and the state: a case study of the discourse of television," *Media Culture Society* 5, NA (1983), 155-177.

individual and their personal attributes (personal frame)? Does the news story focus on the conflict between opposing interest groups (conflict frame)? Does the news story focus on one or more general themes (issue frame)? And, does the news story focus on specific episodes, individual perpetrators, victims, or other actors rather than general, thematic information (episodic frame)?⁴⁰

⁴⁰ Joseph Cappella and Kathleen Hall Jamieson, *Spiral of Cynicism: The Press and the Public Good* (New York: Oxford University Press, 1997), 77-85.

2. NEWS MEDIA, PUBLIC RELATIONS AND ENVIRONMENTAL DISCOURSE

This chapter considers how the news media and the public relations industry shape environmental discourse. In this context, I will explain how news is produced and how the ownership and management of media organisations influences news form and content. Next, I discuss the emergence of the public relations industry and how it contributes to the formation of public knowledge. I will also bring into focus the structural relationships interlinking the news media and the public relations industry. I will then apply these insights to a New Zealand setting. Against this background I outline the growth of environmentalism, environmental discourse and the corporate response. This results in a framework from which to critique news media framings of the Cypress Mine project.

The News Media Domain

The Cassell Concise English Dictionary defines ‘news’ as: “recent or fresh information, tidings; a regular radio or television broadcast of up-to-date information on current affairs; a newspaper.”⁴¹ This definition does not take into account how reports or accounts are constructed. In this thesis, I am going to view news: “as the product of institutional demands and processes”.⁴² I do not deny the autonomy of journalists or the role of other prominent institutions such as the government in the production of news. In the first instance, however, the regular output of news places unremitting pressures on journalists and news institutions. For this reason, the production of news is largely sustained by institutionalised routines, standardised patterns of gathering news, and shared conventions about news value and representation.⁴³ Analysing news along these lines challenges the notion of news as a faithful reflection of events taking place in society and the world.

⁴¹ *Cassell Concise English Dictionary*, 4th ed., s.v. “News.”

⁴² Rodney Tiffen, *News and Power* (Sydney: Allen & Unwin, 1989), 3.

⁴³ *Ibid.*, 4-8.

Let us consider how an event or issue is selected for news by media professionals.⁴⁴ News reports are, in part, shaped by the event or issue that journalists are responding to, and the general cultural situation they live in. There are three main aspects concerning the context of an event or issue that have a bearing on the production of news. These are the subject matter, the news consumer, and the purpose for which the news report is being used.⁴⁵ It is important to note that the purpose of a news report will not necessarily be transparent. The selection of an event or issue is based on the degree to which the subject matter conforms to the requirements of the daily news cycle, news value, or news convention. The criteria for newsworthiness include proximity, timeliness, prominence, impact, oddity, conflict, currency, and magnitude.⁴⁶ The extent to which an event or issue fits the criteria for news influences the attention of the journalist. Therefore, an event or issue that is selected for news will underscore those conditions for which it was newsworthy.⁴⁷

Whether an event or issue gets news coverage is also affected by the information that is available to journalists. An event or issue is transformed into news on the basis of someone else's account. News sources may be individuals who witnessed the event unfold or were directly involved. More commonly, however, news sources are official bureaucrats from the public and private sector, whose accounts are typically imbued with factual authority. Given the quick cycle of news, journalists will look to sources that have been productive, trustworthy, authoritative, or articulate, in the past.⁴⁸ These criteria give known figures, state institutions, and corporations an advantage in communicating their points of view, as they are generally perceived to be more distinguishable, accessible, credible, and resourceful than ordinary citizens.⁴⁹ In a study of news sources, Lawrence Soley found that the process of selecting news sources erodes participatory democracy. He noted that journalists repeatedly turned to the same individuals and institutions for information and that this resulted in 'source

⁴⁴ Media personnel believe that their institution and their practice are professionally oriented. For this reason, I will treat journalism as a profession. Although, in the field of journalism there are not as many requirements, credentials or self-regulatory controls compared with other professions.

⁴⁵ Tiffen, *News and Power*, 52-69.

⁴⁶ Laura J. Hendrickson and James W. Tankard, Jr., "Expanding the News Frame: The Systems Theory Perspective," *Journalism & Mass Communication Educator* NA, NA, 1997: 42-43.

⁴⁷ Johan Galtung and Mari Ruge, "Structuring and Selecting News," in *The Manufacture of News: Social Problems, Deviance and the Mass Media* (London: Constable and Co, 1973), 60-61.

⁴⁸ Herbert J. Gans, *Deciding What's News: A Study of CBS, Evening News, NBC Nightly News, Newsweek, and Time* (Illinois: North Western University Press, 1979), 128-131.

⁴⁹ James Curran, Michael Gurevitch and Janet Woollacott, "The Study of the Media: Theoretical Approaches," in *Culture, Society and the Media* (London: Routledge, 1982), 20.

standardisation'; and an increasing reliance on 'news shapers'.⁵⁰ In this context, the selection of news sources by journalists can privilege particular points of view, while marginalising or isolating other voices. As Gaye Tuchman puts it: "whom one asks for information influences what information one receives."⁵¹ For this reason, news selection is a site of power and brings to the forefront the issue of power and ideology in the news media.

The power of the news media, to a large degree, also stems from framing. Frames, as James Hertog and Douglas McLeod put it: "are structures of meaning that include a set of core concepts and ideas, especially basic conflicts, metaphors, myths, and narratives."⁵² In a news report there are a multitude of possible frames and the frame journalists select will encourage readers and viewers to understand and react in a particular way. Framing therefore necessitates the privileging of certain definitions and reconstructions of social reality. As Robert Entman has explained:

Framing essentially involves selection and salience. To frame is to select some aspects of a perceived reality and make them more salient in a communicating text, in such a way as to promote a particular problem definition, causal interpretation, moral evaluation, and/or treatment recommendation for the item described.⁵³

For instance, abrupt developments like a natural disaster will tend to place emphasis on the social impact, significance, or resonance of the event. Often the construction of news will convey sharp impressions of what it was like to be there in terms of seeing, feeling, hearing, and/ or tasting. As each frame competes for dominance, the frame that is adopted by journalists reflects not only the event or issue that has taken place but also the orientation of the journalist and the news media outlet. Thus, an analysis of frames extends beyond studying the news media content to analysing the issues of power and ideology.

The selection and production of news is also influenced by the education and/ or on-the-job training of journalists. The establishment of professional norms standardises the behaviour of journalists and prevents the incursions of ideological predispositions and personal biases in a news piece. 'Objectivity', for instance, gives media personnel legitimacy as independent and

⁵⁰ Lawrence C. Soley, *The News Shapers: The Sources Who Explain the News* (New York: Praeger, 1992), 26, 29-30, 151-153. Source standardisation refers to the journalistic practice of using the same individual or organisation for information. News shapers refer to professional or expert sources such as former politicians, economists, and teachers.

⁵¹ Gaye Tuchman, *Making News: A Study in the Construction of Reality* (New York: The Free Press, 1978), 81.

⁵² James K. Hertog and Douglas McLeod, "A Multiperspectival Approach to Framing Analysis: A Field Guide," in *Framing Public Life: Perspective on Media and Our Understanding of the Social World* (Mahwah: Lawrence Erlbaum Associates, 2003), 159.

⁵³ Robert M. Entman, "Framing: Toward Clarification of a Fractured Paradigm," *Journal of Communication* 43, no.4 (1993), 52.

credible sources of information. It asserts that journalists' commitments are to the truth and that their role is to assist the audience to make up their own minds for themselves. In this way it reassures news consumers, who are wary of the power of the news media, that the news media are fulfilling their democratic role. However, as Sharon Beder observed: "the journalistic norm of objectivity is not the same as truth."⁵⁴ News reporting necessitates certain judgements about what makes a good news report, who will be interviewed for it, what questions will be asked, and what facts are relevant. In addition to specifying norms, the organisational culture restricts the autonomy of media personnel by privileging certain behaviours. The profession rewards journalists by giving them certain leads and opportunities to cover certain stories, which serves to reinforce a particular behaviour.

In addition, the commercial and competitive environment of news institutions influences news coverage. Although journalists often deny the influence of internal and external pressures in their vocation, these pressures are built into the nature of news production. Each day represents new opportunities to find the latest exclusive story. The pressure to consistently create a news story can act as an impediment to the news coverage of an event or issue. The unrelenting and short-sighted news cycle limits the ability of journalists to take full account of the cumulative developments underlying a breaking story. It often overshadows the historical context and precludes a fair consideration of the wider social patterns and implications.⁵⁵ This is not to say that news cannot represent an accurate portrayal of social realities; however, its ability to do so is at times restricted.

Most major media outlets are owned by large corporations. Over time these corporations have become larger and fewer in number with mergers, takeovers, and the privatisation of state owned media and telecommunication assets.⁵⁶ Concentration in the ownership and control of media institutions tends to reduce the diversity of news media viewpoints and places the power of making news in the hands of a few corporations. As large conglomerates with holdings in many industries dominate news outlets, conflicts of interest may interfere with newsgathering. It is important to note that the owners of dominant news media outlets generally share the background, worldview and income bracket of political elites. Moreover,

⁵⁴ Sharon Beder, "Moulding and Manipulating the News," in *Controversies in Environmental Sociology*, (2004). <http://www.herinst.org/sbeder/PR/mediachap.html>

⁵⁵ Wayne Hope, "Media and Political Process," in *New Zealand Government and Politics* (Victoria: Oxford University Press, 1997), 330-331.

⁵⁶ Graham Murdock and Peter Golding, "Culture, Communications and Political Economy," in *Mass Media and Economy* (New York: Oxford University Press, 2005), 19.

in a limited marketplace, journalists and news institutions are wary of providing critical news coverage that might alienate sources and advertisers. This limits the spectrum of viewpoints that have access to the news media. The influence of corporate advertisers on media content, although hard to prove, can be direct and indirect. In general, the news corporations shape news content to attract an audience that will suit its advertisers and edit the materials that are likely to offend its advertisers.

The power of the media resides in its ability to capture and direct public attention. The way in which the public conceptualises an event or issue unfolding around them is influenced by the information available. Therefore, the public dialogue staged by the news media should be informed by a wide range of sources and perspectives. This raises the question, what role does the news media play in shaping reality? Are they a passive transmitter or an active participant in the news presentation process?

The Public Relations Industry

This section traces the evolution of public relations practice by using James Grunig and Todd Hunt's four models of public relations: 'Press Agency', 'Public Information', 'Two-way Asymmetric', and 'Two-way Symmetric'.⁵⁷ It is important to note that while the documented history of public relations here can be seen to be largely an American phenomenon, this is not exclusively the case. It is simply that public relations thrived there more than elsewhere and at an earlier stage.⁵⁸ Next, I discuss the roles and definitions of public relations. I will then consider the relationship between the public relations industry and the news media. My aim is to outline the practice of public relations in relation to environmental and mining issues.

The first model, press agency, also referred to as the 'publicity model', is closely linked to the entertainment industry. Publicity is seen to have its early roots in nineteenth century travelling entertainment. American showman and businessman P. T. Barnum, for example, used catchy names such as 'General Tom Thumb the midget' to attract media coverage for

⁵⁷ James E. Grunig and Todd Hunt, *Managing Public Relations* (California: Wadsworth/ Thomson Learning, 1984), 22.

⁵⁸ This can, in part, be due to the American political edifice, which was heavily founded on popular sovereignty and public opinion.

his travelling circus and to draw the public into the circus tents.⁵⁹ This early notion of publicity was aimed at captivating public attention through lavish acts and displays, which drew upon impressive, unusual or disturbing qualities. Since communication with the public is one-way there are no oppositional points of view, the fact, truth or reality is considered to be inessential. The publicity model can therefore be seen to be suggestive of propaganda techniques.

Unidirectional communication persisted throughout the nineteenth century. This practice of communication was widely adopted by organisations in the industrial sector. Rather than 'fooling' the public, these large industrial businesses refused to acknowledge the existence of a public. Railroad mogul William Vanderbilt was famous for having said: "The public be damned".⁶⁰ For such reasons, these businesses became negatively portrayed as 'robber barons'. Robber barons, such as JP Morgan in banking and Rockefeller in oil, were primarily concerned with the profit margin and gave little regard to the social and natural impacts of their commercial operations. Their rhetoric demonstrated a lack of regard not only for the public but also for the growing importance of journalism and mass media institutions.

So called 'muckraking' journalism, such as Upton Sinclair's *The Jungle*, brought the illegal practices of businesses to light and cast judgement upon their moral and ethical behaviours.⁶¹ Additionally, the relationship between corporate industries, government, and politicians, increasingly came under scrutiny. As a result, public sentiments started to favour restrictions on the excesses of businesses. Consequently, in response to public outcry politicians enacted legislative reforms like trust-busting legislations. Large corporations were forced to operate in a more transparent environment and with expectations of public accountability. In response to these developments corporations went on the offensive, by adopting tactics such as threatening the press with loss of revenue from advertising if they covered stories which were detrimental to business activities. Corporations also began hiring their own press agents to position favourable stories in the media, although with little early success at gaining public favour. The inability of corporations to win public sympathy resulted in the development of a new approach. Grunig and Hunt identify this new approach as 'public information'.

⁵⁹ See Neil Harris, *Humbug: the art of P. T. Barnum* (Chicago: The University of Chicago Press, 1973).

⁶⁰ As quoted in John Stauber and Sheldon Rampton, *Toxic Sludge is good for you: Lies, Damn Lies and the Public Relations Industry* (Common Courage Press: Maine, 1995), 19.

⁶¹ Upton Sinclair, *The Jungle* (1906). <http://xroads.virginia.edu/~hyper/SINCLAIR/toc.html>.

The public information model is considered to be the most widely practiced model of public relations. It focuses on the dissemination of information, where the truth is of fundamental importance. The techniques for the public information approach were principally developed by Ivy Ledbetter Lee in the early twentieth century. Amid a period of increasing animosity towards large corporations, Lee, a Princeton graduate and former Wall Street journalist, rose to prominence. He argued that corporations ought to abstain from acts of secrecy and intimidation in order to win influence over the public. Lee believed that the best way for businesses to respond to their critics was for them to communicate directly to the public, primarily through the news media.⁶² He developed communication techniques such as news releases, press conferences and press tours, which are still in use today. In this context, public relations personnel on behalf of corporate clients operated as shapers of public opinion.⁶³

Critics of this approach argued that practitioners of public relations acted as ‘paid liars’. Lee, in spite of his early achievements at promoting the interests of corporate elites, is also largely remembered for his alleged association with Nazi Germany. One critic was said to have called him a ‘Nazi Mastermind’.⁶⁴ Lee may have espoused the idea of ‘two-way communication’, however in practice symmetric communications proved difficult to implement. In the public relations model practiced by Lee the flow of communication generally stemmed from one direction, which was from the client to the public. In this fashion, the role of public relations practitioners was to advise corporations on to how to interpret and present information to the public. Public relations practitioners may advise their client against full disclosure, as in cases where a certain product is profitable to the company but harmful to human health. Selective truths are not necessarily in violation of any professional ethics; however, they can be seen to challenge civic and public sphere ideals.

In the third model, two-way asymmetric, communication flows in both directions, although not equally. Using theories from social sciences such as ‘formative research’, public relations practitioners persuade the public to the company’s points of view. The strategies and practices of two-way asymmetric communications were pioneered by Edward Bernays. Bernays, along with Ivy Lee, is considered to be a pivotal figure in the field of public

⁶² Ira Brasen, “Reporter’s Interview Transcript: Fraser Seitel,” in *CBC Radio’s The Sunday Edition: Spin, the Spinners and the Spun* (19 January 2007). <http://www.cbc.ca/news/background/spincycles/index.html>.

⁶³ Ibid.

⁶⁴ Stauber and Rampton, *Toxic Sludge is good for you: Lies, Damn Lies and the Public Relations Industry*, 22.

relations. Although originally Bernays was educated in agriculture he chose journalism as his first career, then he became a press agent before becoming a public relations practitioner. During the 1920s, Bernays became renowned for his ability to transform the subconscious, everyday habits and opinions of the American public.⁶⁵ He was heavily influenced by figures such as Walter Lippmann and Sigmund Freud. Bernays would test public opinion with psychological tests and surveys, which served as the basis for his orchestrated public relations campaigns. He also promoted the idea of indirect appeal, using techniques such as staged public events and third party endorsement, which created a platform for corporate elites to present thoughtful speeches which made their private interests appear to serve the public good.⁶⁶

Bernays viewed the general public as lacking the ability to decide what was best for them. He argued that the public were predisposed to act in a particular manner, which clouded their judgement. Moreover, they lacked access to a variety of resources that prevented them from making informed decisions (on the other hand powerful institutions and individuals were better equipped to make such decisions). Taking such a view, Bernays saw no problem with using propaganda and manipulation techniques in his work and regarded the practice of public relations as in keeping with democratic values.⁶⁷ The strategies pioneered by Bernays to shape public opinion continue to be widely practiced.

The last model identified by Grunig and Hunt, two-way symmetric, promotes the role of public relations practitioner as a mediator between an organisation and its targeted public. In a two-way symmetrical model both the organisation and its various publics can alter attitudes and behaviours. The role of public relations practitioners is not simply to disseminate information; rather practitioners research the values of the stakeholder and attempt to define the issue with its public, before communicating a corporate policy or a program regarding that issue. Essentially, it involves establishing long-term relationships between an organisation and its public through a balanced and open two-way flow of information. Critics, however, argue that at times the interest of both parties cannot be simultaneously pandered to and that feedback was mainly used to optimise the processes of persuasion and

⁶⁵ See Bernays's work with 'American Tobacco Company', in particular 'the torches of freedom' march. David Michie, *Invisible Persuaders* (London: Bantam Press, 1998), 76.

⁶⁶ Robert Jackall, "The Magic Lantern," in *Moral Mazes: The World of Corporate Managers* (New York: Oxford University Press, 1988), 358-359.

⁶⁷ Stauber and Rampton, *Toxic Sludge is Good For You! Lies, Damn Lies and the Public Relations Industry*, 22.

manipulation.⁶⁸ Notwithstanding the criticism, the two-way symmetric model is the most preferred as it encourages mutual influence and understanding.⁶⁹

The various approaches to public relations highlighted here draws attention to the critical themes of democracy and the public sphere. While it may be possible to imagine a situation where all relevant groups are allowed representation, it is more difficult to conceive of a situation where all those involved will be treated equally. The requirements and objectives of an influential client may, in given circumstances, override the principles of equal participation. This short overview suggests that the development of public relations is directly linked to the need for corporations to protect their businesses from close examination and scrutiny, rather than serve the public interest.⁷⁰ And it suggests that the power of public relations is limited.

As the field of public relations grew in scale and expertise it took on new forms. The post-war period saw the professionalization of public relations; professional associations, codes of conduct and academic journals were established. This period also saw new public relations clients such as churches, the military and universities. The early definitions of public relations emphasised the role of press agents and publicity, while the more modern definitions include the concepts of 'management' and 'communicative function'. The definition of public relations here is taken from the Public Relations Institute of New Zealand (PRINZ). PRINZ defines public relation as: "the deliberate, planned and sustained effort to establish and maintain mutual understanding and excellent communications between an organisation and its publics."⁷¹ The words 'deliberate,' 'planned' and 'sustained' inadvertently suggest that these relationships are artificially created and maintained. The keyword 'publics' highlights the point that public relations does not deal specifically with a citizen or a consumer, rather they address certain groups from the public and private sector. Although, the very definitions of public relations continues to evolve alongside the adaptations of public relations practitioners to the changing public perceptions of corporate activities and technological advances.

⁶⁸ Peggy Hoy, Oliver Raaz, and Stefan Wehmeier, "From facts to stories or from stories to facts? Analyzing public relations history in public relations textbooks," *Public Relations Review* 33, NA (2007), 195.

⁶⁹ This is because it comports with public sphere principles.

⁷⁰ See Ian Somerville, "Business Ethics, Public Relations and Corporate Social Responsibility", in *The Public Relations Handbook*, (London: Routledge, 2001), 107-118.

⁷¹ About PRINZ, "Constitution and Rules," Public Relations Institute of New Zealand, <http://www.prinz.org.nz/Site/About/Constitution.aspx>.

The basis of a successful public relations effort is to understand and communicate the goals of the client organisation to the target public. Accordingly, in order to effectively set priorities, public relations professionals must be aware of what these publics know about the organisation and the issue. This can, however, be complicated by the fact that these publics may be numerous and their interests may conflict with one another. In such instances, the role of public relations practitioners is to operate as interlocutors mediating between different groups of experts, media and publics.⁷² Their aim is to inform all relevant publics about the performance of the client organisation and to reconcile any differences of opinions in favour of the client. Generally, focus turns to a number of key areas such as economic performance, health and safety record, stakeholder relations, and environmental performance.⁷³ In directing public attention to certain events and issues public relations practitioners help facilitate the ways in which a corporation is perceived by its publics. It is important to note that while public relations may be successful in getting certain information to the public, it cannot dictate how the message will be received.⁷⁴ The ways in which corporations interact with their public can determine the public response to corporate initiatives. It can also be a good indicator of how future initiatives will be received. Moreover, it can aid in situations where the reputation of the corporation is brought into disrepute. Public relations campaigns are designed to strengthen a client organisation's image and reputation.⁷⁵ It is important to note that now, more than ever, the livelihood of a corporation is tied to their reputation.⁷⁶

⁷² Robert Jackall and Janice M. Hirota, *Image Makers: Advertising, Public Relations, and the Ethos of Advocacy* (Chicago: The University of Chicago Press, 2000), 111.

⁷³ Sandra Oliver, *Public Relations Strategy*, 2nd ed. (London: Kogan Page, 2001), 12.

⁷⁴ Jenkins Heledd, "Corporate Social Responsibility and the Mining Industry: Conflicts and Constructs," *Corporate Social Responsibility and Environmental Management* 11, NA (2004), 29. The term used to describe the management of the relationship between an organisation and its public is 'strategic public relations'. This principle underpins the fostering of corporate community relationships (ostensibly by means of mutual beneficial relations). Here, a corporation positions itself as a central component of the community, or as a key contributor to economic development and improving standards of living.

⁷⁵ While corporate image and branding in the public relations field dates back to the 1950s, with the introduction of commercial television, it is an area that has become increasingly mainstreamed professionally. Each of these fields has its own extensive literature: however, it is beyond the scope of this thesis to provide a summary of each of these areas.

⁷⁶ The long-term strategic management practice of an organisation is referred to as 'issue management'. This practice entails the identification of significant issues that may affect the operational activities of the corporation. In the late 1980s and early 1990s most major public relations firms began offering crisis management services. The aim is to restore the corporation's public reputation, rather than resolve the issue or prevent a reoccurrence. Increasingly, the financial security of a commercial enterprise is tied to their reputation and when disaster strikes the way in which a corporation handles it can make a huge difference to their image. See N/A, 'Public affairs and issues management' in *The Public Relations Handbook*, 2nd ed. (Oxfordshire: Routledge, 2001), 115; Tymson *et al*, *The New Australian and New Zealand Public Relations Manual*, 414.

Public relations strategies have also been increasingly used to influence legislators and governments. In general, many top lobbyists began their careers working in the field of politics. Similarly, many top public relations experts have worked in the government. Often lobbyists exploit their political contacts to provide their client organisation access to key individuals that can influence legislation. Nowadays lobbying firms maintain extensive files on politicians and other influential people, which they use to identify and target specific individuals, in order to further a campaign.

Public Relations and the News Media

The relationship between the news media and the public relations industry is a complex and symbiotic one. The media is a central vehicle for much of the public relations industry's message. However, journalists generally have a distrustful attitude towards the public relations sector and have become increasingly wary of professional story-pitchers. In order to overcome this barrier, the public relations practitioner aims to create, maintain, and manage any productive relationship with journalists and news sources. A successful relationship enables public relations practitioners more opportunities to exert influence on the news media. Although the bribing of journalist and/or editors to develop certain stories is increasingly rare, there are some questionable traditions that have been developed and maintained.

Public relations practitioners are the primary point of contact between businesses and the media and as such, they can control journalists' access to information. A public relations practitioner, for instance, may threaten not to cooperate with an unaccommodating journalist, although this tactic may backfire by generating suspicion. Withholding information gives public relations practitioners' considerable leverage in their negotiation with journalists. One of the roles of public relations personnel is to persuade journalists to report on the desired issues. In such cases events are not necessarily spontaneous, but they are planned or staged for the purpose of gaining news coverage. In so doing, public relations personnel help to set the news agenda. One of the main tools for supplying information to the news media is through press releases. A press release provides journalists with the basic content they need

to develop a news story. In general, the success of a story is measured by how much news coverage it obtains and the public reaction. In addition to planting stories in the press, public relations practitioners may also need to prevent stories from getting news media coverage. Naturally, the public relations industry has developed a number of ways of doing this. Public relations practitioner may threaten the media with legal actions, which may jeopardise a carefully cultivated relationship between a journalist and their news source, or they may assert that a story is old news, which casts doubt in the journalist's mind over the relevance of the story. Another more effective technique is for public relations practitioners to feed journalists a story that is more newsworthy.⁷⁷

As media organisations become more market driven their emphasis shifts from traditional news value of investigating and reporting, to profitability and audience maximising. The drive to maximize profits compels news outlets to produce news with fewer reporters and it often means that celebrity gossip, entertainment, marketing, and sensationalism dominate the news. With less time to cover each breaking event, journalists are increasingly pressured to rely on the public relations industry for information. Journalists, for instance, can rewrite press releases rather than do their own independent research, or broadcast promotional videos that are designed to look like news footage. The burgeoning public relations industry's relationship with the media leads to a steady dumbing down of much of the news content.

The News Media and Public Relations in New Zealand: Recent Developments

The discussion so far reveals the essential characteristics of news production and public relations and the relationship between them. I now turn to an analysis of the political economy of communication in New Zealand. I will focus on these aspects which are relevant to the analysis of New Zealand environmental discourse and the Cypress Mine project.

Under the Third National Government (1975-1984) the relationship between government and the news media became increasingly strained. Prime Minister Robert Muldoon openly intimidated media professional in order to get on side with his constituents. For example, he

⁷⁷ Beder, "Moulding and Manipulating the News."

threw journalists out of press conferences, legally threatened journalists, and cut off radio and television interviews when he did not like the questions being asked. During his prime ministerial reign Muldoon's interventionist style and antagonistic approach isolated many journalists in the country, with little to no avail.⁷⁸ After the fall of Muldoon in 1984, David Lange and his Labour Party entered parliament and adopted a new approach to the media, which followed an international trend of improving the communication and marketing of modern governments. Prime Minister David Lange and his party were acutely aware of the need to keep the media on side. Labour cultivated rather than antagonised the news media. For example, off the record briefings were held between politicians and certain journalists. In practice this resulted in politicians 'wining and dining' with journalists, whilst explaining the need for certain policy measures. Close relationships between news media personnel and the government can help to facilitate positive news coverage. Therefore, while Muldoon sought to directly control the media, the Fourth Labour Government's approach focused on controlling access to the information and the 'spin' of that information.

Under Labour, public service press secretaries were replaced by individuals from the private sector. Press secretaries, also known as Executive Assistant (Media), Press Officers, Public Relations staff and Media Secretaries, were individually selected by ministers, often sharing the same ideology. They were often people with extensive experience working in the media, which enables them to take advantage of their knowledge of how the media functioned, and their ties back to the media. Their main role is to control the access of the media to politicians. Other responsibilities include providing background information, setting up interviews and conferences, dealing with journalists and public queries, writing and circulating press statements through the gallery, and advising ministers on strategies for the releases of information, so as to best minimise or maximise the impact. Press secretaries, therefore, do not simply pass on the facts of the information they put a spin on news, giving it an interpretation.⁷⁹

It was also during the term of the Fourth Labour Government that the employment of political consultants proliferated. Public relations and advertising firms became routinely

⁷⁸ David T. Penney, "Spin Doctors: A Narrative Study of the Growing Professionalisation of Political Communication in New Zealand," MA thesis, Auckland Institute of Technology, 1999, 64-68; Fay Ann Burke, "A Stylish Revolution: The Fourth Labour Government and Information Management," MA thesis, University of Otago, 1992, 31-33.

⁷⁹ Burke, "A Stylish Revolution: The Fourth Labour Government and Information Management," 56-62.

involved in the releases of new right economic policy documents, taking over the role of public service secretaries. In order to persuade various publics and the media that the new right policies of deregulation corporatisation and privatisation were necessary, the Fourth Labour Government had to manage the distribution of information. Between April 1987 and June 1990 the Labour government spent \$114.8 million on advertising, public relations, and consultancy.⁸⁰ Eventually, however, in the second term the Fourth Labour Government's news and image management spun out of control as several ministers openly clashed. In particular the division between David Lange and Minister of Finance Roger Douglas became vividly apparent.

The Fourth Labour Government adapted neo-liberal or new right economic policy, which saw a programme of sweeping economic liberalisation.⁸¹ Essentially it marked a shift from a public service ethos that was designed to promote public welfare to an enterprise culture based on efficiency and economy. The prevailing market-led model ideology treated citizens as customers and reorganised the public policy process. Across the news media deregulation and the application of market mechanisms resulted in the removal of government controls and restrictions. These changes were apparently implemented to serve the public interest; however they accelerated the trend of monopolisation, conglomeration, and foreign ownership in the news media industry.⁸² It also restructured the broadcasting sector, such that two state-owned enterprises were established; Television New Zealand (TVNZ) and Radio New Zealand (RNZ). It is important to note that in local broadcasting foreign ownership levels had been restricted to no more than five percent. In 1989 this was raised to 15 percent. However, in May 1990 TV3 was placed in receivership and without local investors the National Government felt compelled to remove all foreign ownership restrictions in December 1991. This enabled Canadian owned company CanWest Global Group to take control of New Zealand's first private television network.⁸³ In 2008, there were two primary news media channels: TV One (state-owned) and TV 3. Other networks that provide news coverage include Sky Television and Maori Television.

⁸⁰ As quoted in Burke, "A Stylish Revolution: The Fourth Labour Government and Information Management," 84.

⁸¹ Richard C. Box, Gary S. Marshall, B. J. Reed, and Christine M. Reed, "New Public Management and Substantive Democracy," *Public Administration Review* 61, no. 5 (2001), 611.

⁸² Alan Cocker, "Media Ownership and Control," in *New Zealand Government and Politics* (Victoria: Oxford University Press), 452-461.

⁸³ In November of 1997 CanWest controlled 100 percent of TV3.

The print news media market is largely controlled by two groups; APN News and Media (ANM) and John Fairfax Holdings Ltd (Fairfax). ANM is controlled by Sir Anthony (Tony) O'Reilly's Irish group the Independent News and Media (INM), while Fairfax is an Australian company. All other remaining dailies are controlled by Allied Press or an independent company.⁸⁴ In 2008, Australian groups Fairfax and ANM controlled 91 percent of the daily newspaper circulation in New Zealand. Each group also has an extensive portfolio of community newspapers and magazines. Between the two groups they represent a near duopoly in print media and a near monopoly of daily newspapers in its main circulation areas.⁸⁵ In radio, there were sixty-four radio stations in 1989, of which over half were owned by RNZ. By late 1993 the number had increased to 170 radio stations, of which three-quarters were privately owned.⁸⁶ By 2008 the radio market had consolidated around two dominant Australian radio groups, The Radio Network (TRN) and Ironbridge Capital (MediaWorks NZ).⁸⁷ This duopoly controls 85 percent of the market.⁸⁸

In summary, there are four companies that dominate the news media market in New Zealand (outside of RNZ and TVNZ). There is a near duopoly in two of the three primary media markets, print and radio. In television, there is a monopoly in pay television and there are only three primary competitors in the free-to-air market. This represents an ownership pattern of consolidation and foreign ownership. The lack of competition can enable media proprietors to control the market and as such, undermine the independence of journalists. These observations are reflected in the findings of a recent survey. James Hollings, Geoff Lealand, Alan Samson and Elspeth Tilley surveyed New Zealand journalists and collated their opinions on issues such as news coverage, ethics and standards, changing technology, ownership and other related topics. The authors reported that more than half of the 213 journalists interviewed had felt pressured to do a story because it related to an advertiser,

⁸⁴ Bill Rosenberg, "News Media Ownership in New Zealand," *CAFCA*, 13 September 2008, 1-8. <http://canterbury.cyberplace.co.nz/community/CAFCA/publications/Miscellaneous/mediaown.pdf>

⁸⁵ *Ibid.*, 1.

⁸⁶ Crocker, "Media Ownership and Control," 458.

⁸⁷ Radio Network About Us, "Company Background and Ownership," Radio Network, <http://www.radionetwork.co.nz/AboutUs/Background/> (accessed 8 February 2010); The Radio Network is a subsidiary of Australian Radio Network (ARN), whose main shareholders are Clear Channel Communications and APN News & Media (ANM). MediaWorks, "About MediaWorks," Media Works New Zealand, <http://www.mediaworks.co.nz/Default.aspx?tabid=38> (accessed 8 February 2010).

⁸⁸ Rosenberg, "News Media Ownership in New Zealand," 22-26.

owner or sponsor. Moreover, more than two thirds of all journalists thought that commercial pressures were adversely affecting the news organisations' operational activities.⁸⁹

National, in the 1990s, built upon the Fourth Labour Government's approach to news management by adding new spin doctoring techniques. One of these techniques was timing. For example, large quantities of bad news would be released on Friday afternoon; it was known as 'dump day'. Information released during that time could not be reported on in much detail since Parliament was unopened during the weekend. By Monday, the bad news would no longer be relevant to news organisations. But once the full extent of National's policy agenda became known and people began to experience, in particular, the cuts to social welfare benefits, spin doctoring could not obscure public opposition. The National Government reverted to taking an aggressive stance towards the media. Prime Minister Jim Bolger, for instance, would not appear on certain programmes unless he was able to determine the issues to be discussed. Eventually, Bolger cancelled his weekly press conferences.⁹⁰

Under the National Government, a Communications Strategy Unit (Comstrat) was established to coordinate materials on government policies, to improve communications within the party, to strategically release information to journalists, and to pre-empt bad news.⁹¹ For example, when the National party received a request from a journalist for policy information under the Official Information Act (OIA), it would wait for as long as possible before releasing the information, usually to the twenty-eight day limit. The rationale for this was pointed out by journalist Bill Ralston: "The idea being to delay replies until the events are no longer newsworthy, and to widely disseminate them so it takes away the incentive to go for the information in the first place."⁹² The National Government not only hampered investigative journalism, they swamped journalists with advertising and public relations material. It is worth noting that news stories have higher credibility than items of advertising and they may reach individuals who normally do not pay attention to advertisements. In summary, the approach taken by the National Government limited the opportunities for the

⁸⁹ James Hollings, Geoff Lealand, Alan Samson and Elspeth Tilley, "The Big NZ Journalism Survey: Underpaid, Under-trained, Under-resourced, Unsure about the Future – but still Idealistic," *Pacific Journalism Review* 13, no. 2 (2007), 186-187.

⁹⁰ Gordon Campbell, "Media Clobbering Machine," *Listener & TV Times*, 3 June 1992, 19-22; John Campbell, "Over the Rainbow," *Listener*, 7 November 1998, 18-19.

⁹¹ Hope, "Media and Political Process," 333.

⁹² As quoted in Campbell, "Media Clobbering Machine," 21.

news media to question the government. During the 1980s and 1990s top down communications management limited the range of public debate and undermined the formation of public opinion.

The arrival of Mixed Member Parliament (MMP), coalition governments and the inclusion of more parties in parliament in the mid 1990s did not lead to a widening of political debate, rather it intensified the competition for publicity. During this time, the number of press secretaries rose 31 percent, from 32 to 42 and the number of press gallery journalists fell 24 percent, from 59 to 55.⁹³ This trend made it easier for the government and other organisations to get their press releases circulated in the news media, especially given the fact that press secretaries often had more journalism experience than journalists working for media organisations.

It is important to note that public relations strategies also migrated into the management of State-owned enterprises. The State Owned Enterprise Act (1986) introduced corporate structures to government activities, which gave each enterprise a considerable amount of autonomy. It permitted senior management to spend public funds at their own discretion to promote the commercial interests of the enterprise. Thus, in the case of the state-owned logging enterprise, Timberlands West Coast Limited, tax funded money was spent on a political and public relations campaign to defend its logging of native forests. Its public relations campaign included manipulating the news media, cultivating political allies, lobbying the government, corporate sponsorship, and the like.⁹⁴ Such activities, however, raise the question as to whether this is an acceptable use of public funds.

The emergence of 'third way' rhetoric in the late 1990s generated a new approach to public issue management. Third way politics constructed the notion that the government could mediate between market liberalism and state interventionism. It perpetuated the idea of continued innovation. There were broad ideals or general principles, but no specific intellectual framework for economic and social policy. This strategy was largely dependent on the performance of the Labour Party leader, Helen Clark. The image of Clark was carefully constructed. During the 1999 election campaign billboards were airbrushed giving

⁹³ Hope, "Media and Political Process," 335.

⁹⁴ See Nicky Hager and Bob Burton, *Secret and Lies* (Nelson: Craig Potton, 1999). This mirrors the activities of Solid Energy.

her the soft-focus look. She was also given special interview and presentation training by former broadcaster, Brian Edwards, and wife, Judy Callingham.⁹⁵ News management under the Labour government not only sought to communicate policies favourably, it also attempted to conceal unpopular policies.

This brief historical overview has highlighted the evolving relationship between various governments and the news media. In general, the government shifted from direct control of the news media to controlling the information the news media received (and thus the information they relayed to the public). Deregulation, economic recession and the media industry restructurings led to a reduction of news media personnel, inevitably affecting news coverage.⁹⁶ With limited numbers of staff there was less time, opportunity and resources available for investigative journalism. This may have led the news media to report on news without sufficient context and with an over reliance on routine channels and official sources. In any case the concentration of media ownership into the hands of a few organisations narrowed news content and limited the range of political perspectives.

News Frames and Environmental Discourse

In this section I will focus upon the changing viewpoints concerning the relationship between environment and humanity. I will consider how corporate organisations have responded to these changes. I then explore the ways in which environmental issues are reported and constructed in the news media. My aim is to highlight some areas of concern in regard to the relationship between corporate agendas and public perception about environmental issues. Various scholars have been concerned with the representation of environmental issues in mainstream and alternative news media outlets. Environmental problems have been generally poorly reported in the mainstream news media. This may reflect the hierarchy of news values. As Sharon Beder notes:

⁹⁵ Hope, "Media and Political Process," 336-337.

⁹⁶ Burke, "A Stylish Revolution: The Fourth Labour Government and Information Management," 76-77, 111.

Reporting of environmental problems tends to be superficial, narrowing the focus to specific events in isolation rather than looking at systemic problems that caused them such as the international monetary system or the unregulated power of corporations, and concentrating on the costs of environmental measures. Environmental problems become a series of events that emphasise individual action rather than social forces and issues.⁹⁷

Here, framing is central to how the news media comprehend, file, and represent environmental events and issues. This observation is especially important in times when environmental matters are the subject of conflicting accounts and factual uncertainty.

Environmental discourse emanates from the industrial revolution of the nineteenth century.⁹⁸ The environment was then positioned as external to humanity, to be used and exploited in the industrial process. In this sense, environmental protection was thought of as secondary to economic growth. This 'Promethean' discourse assumed that human knowledge and technology would overcome all obstacles including natural and environmental ones.⁹⁹ At best, environmental considerations were based on natural resource management. In the late 1960s activists argued that unrestrained economic and population growth could not be sustained without depleting the Earth's natural resources and overloading its absorbent capacity.¹⁰⁰ The counter discourse, 'limits-to-growth', argued that the natural threshold of the earth constituted the parameters of human development.¹⁰¹ Activists questioned the privileged frame of development and industrialisation, and criticised the unequal distribution of wealth and resource use.¹⁰² Accordingly, public scepticism of corporate culture became more evident. In response to this point of view corporations began to accommodate some environmental concerns. The accommodations included appropriating environmental themes in corporate discourse, implementing minor reforms, and sponsoring environmental projects.¹⁰³ Such accommodations coupled with newly introduced environmental legislation to control pollution levels were partly successful in placating concerns.¹⁰⁴ As a result, the

⁹⁷ Beder, "Moulding and Manipulating the News."

⁹⁸ Dryzek, *The Politics of the Earth: Environmental Discourse*, 12.

⁹⁹ Ibid., 45-60.

¹⁰⁰ Andrew Dobson, *Green Political Thought: An Introduction* (London: Unwin Hyman, 1990), 15-16.

¹⁰¹ See Donella H. Meadows, Dennis L. Meadows, Jørgen Randers, and William W. Behrens III, *Limits to Growth* (Universe Books: 1972).

¹⁰² Sharon Beder, "The Changing Face of Conservation: Commodification, Privatisation and the Free Market," University of Wollongong, (2006), <http://ro.uow.edu.au/artspapers/40>

¹⁰³ See Kenny Bruno, Joshua Karliner and China Brotsky, *Greenhouse Gangsters* vs. Climate Justice*, (NA: Transnational Resources and Action Centre, 1999). The corporate response to the environmental crisis is discussed in chapter 3.

¹⁰⁴ For example, the Australian government introduced clean air acts, clean water acts, and legislation that established regulatory agencies to control pollution and manage waste disposal.

decade that followed saw a backlash against the early environmentalists.¹⁰⁵ It is also important to note that during this time neo-liberal or new right economic policy was finding in favour with governments. As governments worldwide adopted a 'more market' approach to social and economic policy they prioritised private corporate sector interests.¹⁰⁶

Consequently, the condition of the environment was of less priority during the 1980s. The limits-to-growth discourse was readily dismissed, even by environmentalists. This was partly due to some of the earlier, flawed prophesies of imminent catastrophe; and the misplaced focus on the depletion of resources such as oil and minerals (rather than environmental degradation per se). Limits to growth arguments were also undermined by the success of well-financed corporate counter-attacks.¹⁰⁷ This saw the limits to growth framework disappear from mainstream media in favour of the notion of 'sustainable development'.

Since the 1960s, the term 'sustainability' has been used by activists to describe systems that were in equilibrium. They argued that perpetual economic growth was not environmentally sustainable since the earth's resources were finite. In the late 1980s, these concerns about sustainability were appropriated by the notion of 'sustainable development'. This locution has since dominated environmental and corporate discourses. Sustainable development views economic growth and environmental protection as complementary, and manageable through the application of new technology.¹⁰⁸ The locution as such, is open to a range of interpretations. In general, the concept of sustainable development has fostered new forms of environmentalism that complements the agendas of economists, politicians, business people and others. By avoiding the 'limits to growth' debate sustainable development provided an apparent compromise.

During the environmental debates of the 1960s and 1970s activists generally set the agenda and were the primary shapers of discourse. Here, it should be acknowledged that within the environmental movement there were tensions over which discourses to adopt and the extent

¹⁰⁵ Sharon Beder, "Revoltin' Developments: The Politics of Sustainable Development," *Arena Magazine*, June-July 1994, 37-39, <http://www.herinst.org/sbeder/esd/arena.html>.

¹⁰⁶ Key new right policies included a dismantling of the welfare state, deregulation of the corporate sector, privatisation of nationalised industries, and the restructuring of the national workforce. These developments aimed to increase industrial and economic flexibility in an increasingly global market.

¹⁰⁷ Sharon Beder, "The Sustainability Principle", in *Environmental Protection Principles* (Sydney: UNSW Press, 2006), 17, <http://www.herinst.org/sbeder/Books/principles%20excerpts/sustainability.pdf>.

¹⁰⁸ Michael Redclift, "Sustainable Development (1987-2005): An Oxymoron Comes of Age," *Sustainable Development* 13, NA (2005), 212-217.

to which supporters should align themselves with the prevailing power structures. Generally, the differences are characterised in terms of a spectrum ranging from light to dark green.¹⁰⁹ At the light-green end of the spectrum the environment is seen as a resource, which may potentially be protected, depleted, or damaged. At the dark-green end of the spectrum care for the environment presupposes radical changes in human relationships with it. Dark-green activists call into question the existing political, social and economic arrangements in a way that light-greens do not.¹¹⁰ The political strategies adopted also reflect these ideological differences. Light-green environmentalists such as the Sierra Club have tended to favour strategies of negotiation and compromise.¹¹¹ They work to establish a favourable relationship with dominant institutions. For light-green activists, making deals and accepting trade-offs with corporate organisations and governments enables access to the decision-making process.

Critics of negotiation argue that it creates a false sense of security and it overlooks the exigencies of environmental problems. Moreover, for an environmental organisation to make concessions or accept trade-offs with key decision-makers raises fundamental ethical questions. For many dark-greens their goals and assumptions are distinct from those in the decision-making process. So, to communicate their message they undertake actions such as demonstrations, blockades and protest marches. Dark-green activists seek to create a sense of emergency so that people are compelled to demand change. Over time, some dark-green activists who felt that they had been largely disenfranchised adopted more radical tactics that cross the line into civil disobedience. In its extreme form dark-green activism includes 'ecotage' and 'monkey wrenching', which involves the destruction or immobilising of property.¹¹² Such actions are generally condemned by mainstream environmental groups because it can alienate the general public and potential corporate allies. Nevertheless, they are used by some groups such as *Earth First!* and *Environmental Life Force* (ELF). In 1977, for example, ELF used explosive and incendiary devices on federal property in California in protest against the use of pesticides on domestic crops.¹¹³ Consequently, dark-green environmentalists have become branded as extremists and radicals, which affected their ability to communicate their message to the public.

¹⁰⁹ Sharon Beder, "Activism versus Negotiation: Strategies for the Environment Movement," *Social Alternatives* 10, no. 4 (1991).

¹¹⁰ Dobson, *Green Political Thought: An Introduction*, 15.

¹¹¹ See Sierra Club Explore, enjoy and protect the planet, "Sierra Club Homepage," Sierra Club, <http://www.sierraclub.org/>

¹¹² Beder, "Activism versus Negotiation: Strategies for the Environment Movement," 53-56.

¹¹³ See Earth Liberation Front, "Earth Liberation Front Homepage," <http://www.earth-liberation-front.org/>

In general, dark-green principles and direct confrontations characterised early environmental activism. Such activism, however, is regarded by many as obsolete. Modern professional or light-green activists have come to dominate the terms of environmental debates. They prepare submissions, negotiate with the government, and work with the corporate sector to portray a positive, constructive image to the public. The willingness to negotiate and make compromises creates little room for activists in the decision-making process. Negotiation and compromise takes place behind closed doors, away from public scrutiny, and this excludes a large proportion of the population including those who continue to engage in confrontational activities.

The function of news is to indicate events and in carrying out this function properly, journalists contribute to informing public opinion. But as journalists are driven by news values and not environmental values, environmental issues are poorly reported in the news media. The need to provide entertainment rather than political awareness and to attract audiences for advertisers affects news coverage. Moreover, many news editors are reluctant to deal with controversial political and social issues that might alienate potential consumers and advertisers. Of the news coverage on environmental issues the news media tend to reconstruct images and style, not meaning and content. For example, protest actions and events are described as theatrical events rather than as a part of a larger struggle for democratic rights and radical environmental groups are treated as tree hugging loons. This can discourage wider support for the environment cause.¹¹⁴

Reframing Environmentalism: The Corporate Response

Since the late 1960s the declining state of the environment and the environmentally questionable practices of corporations have become a political and public issue. In the late 1960s and early 1970s governments' enacted environmental legislations such as clean water acts and clean air acts and established environmental regulatory agencies to regulate and monitor corporate activities. Increasingly, as governments responded to public pressure to respond to local pollution problems corporations found themselves operating in a new

¹¹⁴ Beder, "Moulding and Manipulating the News," 204-220.

political situation. The language and politics of the debate had shifted to consider environmental concerns.¹¹⁵ To counter the gains made by environmentalists, corporations came together to collectively support an anti-regulatory agenda. In the United States, for example, the 'Business Roundtable' was established in 1972 to lobby the government against new regulations on businesses. The coalition comprised of chief-executive officers from some 200 corporations.¹¹⁶ Such alliances were designed to regain public confidence in corporate behaviour and to safeguard corporate freedom from government regulations. Corporations also began to finance comprehensive public relations strategies. They appropriated many of the strategies that public-interest groups and social movements had been using, to shape public perception. These strategies included grassroots organising, using the media, and testifying at hearings (with financial aid and professional guidance).¹¹⁷ By and large, corporations sought to demonstrate to the public that corporate culture had changed.¹¹⁸

On the whole, the corporate sector was able to stem the advancement of environmental activism. Towards the late 1980s, however, public concern over environment issues resurfaced with unprecedented disasters such as, the 1984 Union Carbide's chemical disaster in Bhopal, India, the 1986 Chernobyl disaster in the Ukraine, and the 1989 Exxon Valdez oil spill off the coast of Alaska.¹¹⁹ These environmental disasters, coupled with the growing body of scientific knowledge and public knowledge about issues such as ozone layer depletion; deforestation, toxic waste dumps, and global warming, were linked back to various corporate or state practices. These developments highlighted the shortcomings of the existing political, economic and regulatory structures. Increasingly, there were demands for more rigorous environmental standards and increased government regulation of private businesses.¹²⁰ In response to the heightened public anxiety over environmental matters a second wave of corporate activism was designed. It aimed to counter public perceptions of environmental crisis and persuade politicians against strict environmental regulations. This

¹¹⁵ Beder, 'Revoltin' Developments: The Politics of Sustainable Development,' 37-39.

¹¹⁶ Sharon Beder, *Global Spin: The Corporate Assault on Environmentalism* (Victoria: Australian Print Group, 1997), 17.

¹¹⁷ *Ibid.*, 21-25.

¹¹⁸ The concept of 'greenwashing' will be developed further in Chapter 3.

¹¹⁹ Joshua Karliner, 'A Brief History of Greenwash,' *CorpWatch: Holding Corporations Accountable*, 22 March 2001, <http://www.corpwatch.org/article.php?id=243>

¹²⁰ James Hoggan and Richard Littlemore, *Climate Cover-up: The Crusade to Deny Global Warming*, (Vancouver: Greystone Books, 2009), 18-20.

time around corporations capitalised on the strategies that had been used against them in the late 1960s and 1970s by developing more pervasive public relations techniques.

One of the most effective responses used was the ‘third party’ technique. Since many controversial issues involved corporate activities corporations had little credibility when presenting their own case. A third party was therefore needed to get corporate messages across to the public. The most recognisable third party vehicles are ‘front groups’ and ‘think tanks’. The use of front groups dates back to Edward Bernays. Front groups were used to covertly advance the corporate agenda. Traditionally, they were comprised of experts, but more recently they have come to include concerned citizens, who lobby the government and run campaigns to gain public attention. For example, the American front group ‘Clean Air Working Group’ was created to challenge the Clean Air Act of 1990 and millions of dollars were invested into the campaign by coal companies.¹²¹ It is important to note that certain public relations firms became skilful at creating the impression of grassroots support for corporate agendas in order to convince politicians to oppose environmental reforms.

Another third party technique is to support scholars and experts against the views of environmental activists. This typically involves corporate funding of private research and advocacy institutes (think-tanks). Local examples of think tanks include the New Zealand Institute of Economic Research (NZIER) and the New Zealand Institute (NZI).¹²² The private funding of an institute does not necessarily mean that researchers act as a shield for corporations. In general, however, the research and conclusions from think tanks are ideologically driven in accordance with the interests of its financiers. In effect, the use of front groups and think tanks enables corporations to take part in public debates behind an apparent concern for the public interest. It also amplifies the corporate voice behind a guise of ‘constructive alternative’. Therefore, not only are corporations able to get issues into the public forum, they are able to influence the way in which those issues are defined and framed.

From a corporate perspective there are two main groups of potential dissidents; environmentalists and local communities. Within these groups some individuals and organisations may be willing to cooperate with the corporate agenda. Corporations can offer

¹²¹ Sharon Beder, “Ecological Double Agents,” *Australian Science* 19, no. 1 (1998), 19-22, <http://herinst.org/sbeder/PR/agents.html>.

¹²² Solid Energy helped to finance a study conducted by NZIER and Don Elder is a member of NZI. The use of think-tanks is discussed further in Chapter 4.

financial aid or support to environmental and local projects. The mining multinational Rio Tinto Alcan (formerly Comalco), for example, works alongside the Department of Conservation to help save the endangered Kakapo. Since 1990, more than \$3 million has been donated to the rescue effort.¹²³ Sponsorship enables the conservation department to carry out their activities, but it can also restrict the ability of the department to critique the multinational's practice. Such assistance can also enable the corporate organisation access to information surrounding environmental groups and it can have the additional benefit of co-opting and corrupting members. However, not all environmentalists or local residents are prepared to work with corporate organisations (those on the light-green end of the spectrum tend to cooperate). In dealing with uncooperative environmentalists or local residents, corporate organisations generally adopt a 'divide and conquer' strategy. The corporate organisation exploits the differences amongst those on the light to dark green spectrum. For example, in some cases environmentalists are isolated or disenfranchised by being branded as extremist or terrorist. This can have the effect of undermining the general credibility of the activists and their cause.

It is important for corporate organisations to gather intelligence on their opposition. With this understanding corporate organisations can evaluate the possible impact oppositional groups may have on public perception. In so doing the corporate organisation can anticipate the actions of activists, affording the corporation an advantage by staying one step ahead. Increasingly activists have become the targets of surveillance. By hiring spies to infiltrate environmental groups corporations can obtain privileged information and scrutinise the thoughts and actions of activists.¹²⁴

Sometimes, however, construction of public consensus in the corporation's favour necessitates a degree of intimidation. In the 1970s in the United States a number of people were sued into silence and submission for speaking out against corporations. For example, in West Virginia, an activist faced a \$200,000 lawsuit for arguing that a coal mining company's activities was poisoning a local river.¹²⁵ More recently, however, five members of London Greenpeace were served with libel writs from McDonald's for the production and distribution

¹²³ Rio Tinto Alcan Our Approach, *Saving the Kakapo parrot*, Rio Tinto Alcan, http://www.riotintoalcan.com/ENG/ourapproach/34_features_1573.asp (accessed 23 March 2010).

¹²⁴ Beder, *Global Spin: The Corporate Assault on Environmentalism*, 137.

¹²⁵ Stauber and Rampton, "SLAPP Happy: Corporations That Sue to Shut You Up", *PR Watch* 4, no. 2 (1997), <http://www.prwatch.org/prwissues/1997Q2/slapp.html>.

of a six sided factsheet: ‘What’s wrong with McDonald’s? Everything they don’t want you to know’.¹²⁶ This corporate technique has been labelled ‘Strategic Lawsuits Against Public Participation (SLAPP suit, SLAPPs)’. SLAPPs initially began as an American phenomenon, although it has spread worldwide. There have been reports of SLAPPs in Australia, Argentina, and New Zealand. SLAPPs are considered to be an effective mechanism to deter the opposition. Litigation is often a long and costly process for many grassroots organisations. In creating a climate of fear, corporate organisations can dissuade citizens from speaking out on matters of public interest and discourage activists from partaking in civil disobedience. It is important to note that in order for these kinds of public relations strategies to wield any influence they must be covert. The exposure of such strategies can undermine the benign impressions of corporations, created by ‘soft’ public relations techniques.

In general, corporate responses to environmental issues constitute an appropriation of environmental values, green public relations via ‘greenwashing’. The latter term is defined as: “disinformation disseminated by an organisation so as to present an environmentally responsible public image.”¹²⁷ The practice of greenwashing can take many forms, although it is essentially the art of engineering environmental optimism.¹²⁸ As part of greenwashing, the public is told that there is a profound voluntary change in corporate culture, which may include funding environmental research, sponsoring awards, social and environmental reporting, stakeholder engagement, and investing in socially focused companies.¹²⁹ If successful, greenwashing can enable corporate organisations to continue their damaging activities whilst keeping public scrutiny at bay.¹³⁰

The major contemporary influences on corporate strategy are globalisation and the development of new technology. These two topic areas contain major research literatures. Globalisation is the process whereby economies, societies and cultures are integrated via global networks of communication. Modern scientific advancements have created the

¹²⁶ See McSpotlight, *The McLibel Trial Story*, <http://www.spotlight.org/case/trial/story.html>

¹²⁷ Greenwash Awards, *Greenwash Fact Sheet*, CorpWatch: Holding Corporations Accountable, 22 March 2001, <http://www.corpwatch.org/article.php?id=242>.

¹²⁸ Tom Athanasiou, “The Age of Greenwashing,” *Capitalism Nature Socialism* 7, no. 1 (1996), 3.

¹²⁹ See Kenny Bruno and Jed Greer, *The Greenpeace Book of Greenwash* (NA: Greenpeace, 1992); Nicky Hager and Bob Burton, *Secret Lies: The Anatomy of Anti-Environmental PR Campaign* (Nelson: Craig Potton Publishing, 1999); John Stauber and Sheldon Rampton, *Toxic Sludge Is Good For You: Lies, Damned Lies and the Public Relations Industry* (Maine: Common Courage Press, 1995).

¹³⁰ Beder, *Global Spin: The Corporate Assault on Environmentalism*, 269-272.

telegraph, telephone, radio, television and computer, which have laid the foundations for an unprecedented integration of technological capabilities. The Internet, for example, has become ubiquitous, faster, and progressively more accessible to non-technical communities. In the last few years social networking and collaborative services have grown exponentially, enabling people to communicate and share interests and information in many ways. Sites such as Facebook, Twitter, YouTube, Flickr, blogs, wikis, and the like, have created a public space for individuals and organisations to share, instantaneously, their interests, points of view and knowledge with others from many places. The Internet has become a fundamental medium for reaching various publics and building commercial opportunity. This interaction, and the ability of users to create content and applications, is driving an unprecedented explosion of user-created content and content sharing. However, this also involves the exploitation of cyberspace for commercial and competitive gains.¹³¹

Since environmental problems can be found in virtually any locality the growth of the new media has offered new opportunities for international collective action. For example, Greenpeace in 1995 launched an anti-Shell campaign following Shell's plans to sink the Brent Spar, a large oil-storage platform, in the North Atlantic. On 30 April as Shell began towing the platform, Greenpeace activists arrived in helicopters and attempted to land on the Brent Spar (Shell was able to use water cannons to fend off the activists). The entire incident was captured on film and was almost instantaneously broadcasted on news screens worldwide. As a result, a few months later Shell capitulated and announced that it would dismantle the platform on land (at an estimated cost of \$70 million as opposed to \$16 million for sinking the platform at sea). It is important to note that the actions of Greenpeace were unlawful, while Shell's plans were legal. Moreover, it had become common practice to sink old platforms and there were doubts over whether land disposal was more ecologically sound. Nevertheless, the publicity aroused by Greenpeace within mass media and new media domains generated a large public outcry against Shell.¹³² Increasingly, activists have used new media to coordinate activities, plan protests, publicise their environmental concerns, contest global economic arrangements and put pressure on corporations; resulting in the expansion and coordination of activities that may not have happened by other means.

¹³¹ See Histories of the Internet, "A Brief History of the Internet," *Internet Society*, <http://www.isoc.org/internet/history/brief.shtml>

¹³² Naomi Klein, *No Logo* (London: Fourth Estate, 2010), 379-393; William Bennett, "New Media Power: The Internet and Global Activism," in *Contesting Media Power* (United States of America: Rowman and Littlefield, 2003), 20-21.

Conclusion

By tradition, journalists are expected to be independent and objective, but they are also employees of large corporations who determine what stories they will cover and what part of their coverage will be used. These constraints are often built into the definition of what is newsworthy. For journalists, novel developments and controversy are often seen as the focal point and the agenda shifts abruptly whenever something new, unusual, and sensational develops. Alongside their pursuit for such news, journalists have come to rely on routine channels for gathering information about public issues (i.e. concerning the economy, politics, education, crime, etc). They draw upon familiar, accessible, and credible people and/or institutions. At times journalists cultivate a working relationship with public relations personnel, press agents, and/or media advisors. The latter groups obtain publicity and journalists gain information. This arrangement may prevent investigative journalism inquiry.

Organizations have been 'relating' to the 'public' for centuries. The earliest notions of public relations centred on manipulation. Practitioners largely worked as press agents, attracting as much publicity as possible for the organisation. At the turn of the twentieth century the public information model emerged, largely in reaction to muckraking journalism.

Practitioners, such as Ivy Lee, argued that the best way for corporate organisations to respond to vehement criticism was for them to communicate openly to their publics. Information was disseminated to the public, largely through outlets of mass communication. Although the information espoused by corporate organisations was largely factual, it often involved selective rather than open disclosures of information. The early periods of public relations are characterised by one-way communication, audience feedback had yet to be fully considered. By the 1920s the practice of public relations had grown in scope and stature, and this continued till the 1950s. It was during this phase that corporate organisations were counselled in the ways to gain public consent. Practitioners like Edward Bernays began to use scientific research, audience feedback, and the evaluation of attitudes to persuade and at times, manipulate the public. Even though communication flowed in two directions, it was not necessarily symmetrical. Today, professional practitioners portray public relations as two-way symmetrical communication, where the perspectives of all parties are voiced and heard. The capacity of public relations firms to achieve this is widely debated.

Important changes in the corporate sector and society during the 1960s and 1970s affected the practice of public relations. Key issues such as nuclear power, civil rights, the women's movement and the regulation of big business generated tension between the corporate sector and public opinion. New demands were placed on public relations firms, they moved from public information to reputation management to relationship management. After 1970, the process of public relations was largely described in terms of decision making models and two-way communication. Practitioners set out to solve their client organisation's image problems by using social science research techniques and communication tactics such as advertisements, news releases, and the like. Increasingly, practitioners incorporated the idea of social responsibility, viewing it as good for public relations and hence good for business.

In New Zealand, since the late twentieth century governments have employed specialist personnel to develop media relationships. Their purpose has been to get government points of view communicated to the public. David Lange's government in the 1980s cultivated the news media in order to gain their approval for the government's policy agenda. National in the 1990s, established an organisation called Comstrat to facilitate and control information. They aimed to strategically release information and prevent 'bad' news from reaching the public. Such practices limit the opportunities for the media and the public to critically evaluate the performance of the government. The practice of public relations is not limited to the government; the public sector also employs the services of public relations personnel. State-owned enterprises, for example, have used public relations strategies to interact with their publics. Using public relations strategies like corporate philanthropy, political lobbying and the like, enterprises are able to create a positive environment to pursue their commercial activities. The use of such practices are however, politically contentious.

The dramatic increase in public concern for the environment, which occurred in the 1960s and again in the 1980s, confronted a number of difficulties. These had to do with corporate responses to the environment cause, internal divisions within the environmental movement, and obstructive media coverage. The development of themes such as corporate social responsibility and 'greenwash' helped to foster a new image of corporate culture and placate public concerns. The successes of the corporate sector in appropriating environmental concerns added to frictions within the environmental movement. The fundamental question for environmentalists is whether the environment should be given a price and who should

decide on it. Light-green activists aim to work within the institutional and political frameworks for change, while dark-green activists believe that real change for the environment can only occur with a complete overhaul of the existing social order. Since news is largely influenced by its commercial aims environmental reporting has tended to focus on events, accidents, disasters and avoided background information on context and structural causes. Thus, the official and oppositional environmental discourses are mediated by mainstream patterns of news coverage and the role and function of corporate functions. This subject area will be developed in the following chapters.

3. MINING, ENVIRONMENTAL CONCERNS AND THE CORPORATE RESPONSE

This chapter looks at mining and its effect on the environment. In this context, I will discuss mining methods and procedures, and outline the environmental challenges. I will then consider these insights in relation to coal mining. Next, I will look at the rise of environmental activism and its focus upon the excesses of the mining sector. In so doing, I will consider the counter measures taken by the mining industry. My aim is to demonstrate how corporate public relations responses set news agendas and frame the debate over mining and environmental issues.

Mining and the Environment

Mining is the extraction of minerals or natural materials such as aluminium, chromium, coal, copper, diamond, gold, iron, lead, limestone, mercury, nickel, platinum, silver, tin, titanium, tungsten, uranium, zinc and the like from the Earth's surface.¹³³ Generally, there are four stages to mining. The first stage is 'exploration'. Before mineral deposits can be mined, the proposed site has to be assessed for its financial and technical viability. Initial assessments are based on satellite images, airborne geophysical surveys and large-scale geological maps. After that the search is narrowed to a small promising area. The area is then mapped, sampled and surveyed more closely. During these preliminary examinations environmental impacts are nil to minor.¹³⁴ Next, subsurface examination takes place and during this step the environment is affected. Using large-scale equipment like bulldozers and drill rigs, a closer examination of the area takes place. Generally, roads are constructed to provide access to the site. There have been cases, however, in remote locations where companies have opted to use helicopters to deliver heavy machinery. The second stage is 'development'. Here the mining company constructs the mine and processing (beneficiation) facilities.¹³⁵ Other activities relating to the development of infrastructure and management also take place.

¹³³ Coal forms from plants and as such it is not a mineral.

¹³⁴ The affects of mining on the environment is also discussed further in a later section.

¹³⁵ Processing or beneficiation facilities are where mineral materials are prepared to meets the customer's needs.

During this stage the environmental impacts of such activities can be considerable, although generally not as extensive as the third stage; ‘mining’ and ‘processing’.¹³⁶

It is important to note that prior to developing a mine site, mining companies have to consider two types of public policy; land resource consents and environmental regulations. In the former context, before mining operations can be undertaken companies have to gain access to potential sites. The second type relates to environmental compliance. Mining companies have to obtain environmental permits and produce an environmental impact assessment.¹³⁷ Issues such as mine plans, waste management, rehabilitation, reclamation bond and so on are also considered.¹³⁸ The assessment of the environmental effects of the proposed mine are then used to determine whether mining permits can be granted.

There are two main methods to mining: opencast (surface) and underground. Opencast mining uses excavation machinery to remove the overburden material, exposing the ore body, vein or coal seam. With the underground mining method, tunnels are dug underground to reach the mineral deposits. In general, opencast mining is more preferable as it is more economically feasible. Some mining however, as is mostly the case with uranium involves less common methods such as in-situ leaching (ISL) (also known as solution mining, or in situ recovery, ISR).¹³⁹ Once the resource is extracted using more conventional method it is processed or upgraded into a concentrate; after that it is processed further, usually in a smelter or refinery. Mining and processing can have significant environmental impacts. The two most common are the excavation of land and solid waste (overburden, waste rock, and tailing).¹⁴⁰ It is important to point out that while solid waste by itself is environmentally detrimental, when combined with surface and ground waters it produces acid mine drainage (AMD). Acid mine drainage can affect living systems and contaminate drinking water.

¹³⁶ Roderick G. Eggert, “Mining and the Environment: An Introduction and Overview,” in *Mining and the Environment: International Perspective on Public Policy* (Washington: Resources for the Future, 1994), 4-17.

¹³⁷ *Ibid.*, 5.

¹³⁸ A reclamation bond is substantial sum of money put into an escrow account by the mining company; this helps to ensure that the company will perform the required rehabilitation work. The amount of the bond varies, although it has to be substantial enough to ensure that mining companies do not just leave the site once they have extracted the available coal.

¹³⁹ Bore holes are drilled from the surface into the ore body. A leach solution of sulphuric acid and oxygen is pumped into the ore body. The leach solution dissolves the uranium in the ore body. The uranium-bearing solution is pumped back to the surface for treatment. See Gavin Mudd, *An Environmental Critique of In Situ Leach Mining: The Case Against Uranium Solution Mining*, Victoria University of Technology, The Australian Conservation Foundation, 1998.

¹⁴⁰ Overburden is the layer of soil and rocks between the coal seams and the surface.

Other environmental impacts of mining and processing include depletion of natural resources, deforestation, water pollution, air pollution, noise pollution, and subsidence.¹⁴¹

The final stage ‘mine closure’, ‘rehabilitation’ or ‘reclamation’ occurs either when the mineral deposits are depleted or when mining then becomes uneconomic. Mine sites are rehabilitated so that they are suitable for future land use and are compatible with the natural surroundings. Traditionally, the definition of mine closure was surrender of the mining licence and vacation of the area. Today, mine closure is an integral part of the mining process, and is investigated and planned for before a mine begins to operate. Mine closure and rehabilitation activities vary according to the type of mining activity, the site location, and mining practices. Underground mines are generally plugged or sealed, and opencast mines are rehabilitated. Some opencast mine sites are refilled with overburden materials so that revegetation can take place. The most common post-mining environmental concerns are subsidence and contaminated water.

Coal Mining

The history of coal mining primarily derives from the Industrial Revolution. Coal is used in electricity generation, steel and iron production, cement manufacturing and other industrial processes, and as a liquid fuel. The World Coal Institute estimates that there are over 847 billion tonnes of proven coal reserves worldwide. Of the known reserves at current levels of production coal mining is expected to last over 130 years (respectively, proven oil and gas reserves are estimated to last around forty-two and sixty years). The biggest coal reserves are found in the United States, Russia, China and India. In most nations coal is primarily used domestically.¹⁴² The largest exporter of coal is Australia. Currently, coal mining companies are continuously trying to determine new reserves through improved exploration and mining techniques.

¹⁴¹ See Alice McKeown, *The Dirty Truth about Coal: Why Yesterday's Technology Should Not Be Part of Tomorrow's Energy Future* (California: Sierra Club, 2007).

¹⁴² World Coal Institute, “Where is Coal Found?” World Coal Institute, <http://www.worldcoal.org/coal/where-is-coal-found/>.

Coal reserves are discovered through exploration activities. This process involves creating a geological map of the area, carrying out geochemical and geophysical surveys, followed by exploration drilling. If coal can be economically recovered the area will then be developed into a mine. Coal is mined using two methods: opencast or ‘surface’ mining, and underground or ‘deep’ mining. The choice of mining methods is determined by the geology of the coal deposit. Opencast mining is used when the coal seam is near the surface and it is also the most efficient method. It allows for 90 percent or more of the coal deposits to be recovered, a higher proportion than the underground mining method (20 percent). In opencast mining the overburden soil and rock is first broken up by explosives; it is then removed by draglines or by shovels and trucks. Once the coal seam is exposed, it is drilled, fractured and then systematically mined in strips. The coal is then loaded on to trucks or conveyors for transport (either to coal preparation plants or directly to where it is to be used). There are two methods of underground extraction: ‘room-and-pillar’ and ‘longwall’ mining. In room-and-pillar mining coal deposits are mined by cutting a network of ‘rooms’ into the coal seam and leaving behind ‘pillars’ of coal to support the roof of the mine. Longwall mining involves the full extraction of coal from a section of the seam or ‘face’ using mechanical shearers. The coalface can vary in length from 100 to 350 metres. Self-advancing, hydraulically powered support systems temporarily hold up the roof while coal is extracted. Once the coal is extracted from the area, the roof is allowed to collapse. An advantage of room-and-pillar mining over longwall mining is that it allows coal production to start more quickly. However, the choice of mining technique is site specific and based on economic considerations.¹⁴³

Mined coal, which is also known as run-of-mine (ROM) coal, is of variable quality and it often contains impurities such as rock, dirt, sand and clay. In order to remove the impurities the mined coal is crushed and separated into various size fractions. The coal then goes through a process of preparation, which is also known as ‘coal beneficiation’ or ‘coal washing’. This ensures a consistent quality and to meet customer specifications. The treated coal is then transported to its desired destination. The transportation of coal is dependent on the distance it has to travel. Coal is generally transported by conveyer or truck over short distances. For long distances trains, barges and ships are used, or alternatively coal can be mixed with water to form a coal slurry for pipeline transportation.¹⁴⁴

¹⁴³ World Coal Institute, *The Coal Resource: A Comprehensive Overview of Coal* (London: NA, 2005), 7-8.

¹⁴⁴ *Ibid.*, 9.

Prior to coal mining studies are carried out to identify the sensitive and potential problems with the proposed mine site. Generally, these studies look at the impact of mining on the local environment. Once the impacts of mining are assessed a detailed rehabilitation or reclamation plan is designed. Mine rehabilitation can include the shaping and contouring of spoil piles, seeding with grasses, planting of trees, installation of a water treatment plant, and the relocation of streams, wildlife, and other natural resources.¹⁴⁵ In general, the rehabilitation plan outlines the proposed intention of the mining company to return the land and its surroundings to its original state. It covers the start through to the end of coal mining and includes after mine closure.

Anti-Coal Activism and the Corporate Response

Coal mining, by its very nature, has a variety of effects on the environment. Environmental concerns have centred on natural landscape deterioration, both during and after mining. Opencast mining in particular requires the removal of large areas of land. This can endanger ecosystems, destroy forests and wildlife habitat, and encourage soil erosion and floods. In West Virginia, for example, fourteen people have drowned in the last three years because of floods and mudslides caused by opencast mining.¹⁴⁶ In underground mining, tunnels are dug from the surface to reach the buried coal seams. This leaves behind empty underground spaces, which can collapse and cause the land above to subside. Subsidence can lead to structural damage of homes, buildings and roads. It can also pollute and change the flow of groundwater and streams.¹⁴⁷

During coal mining operations, workers and local communities can be exposed to air and noise pollution.¹⁴⁸ There are two main sources of air pollution in relation to the production of

¹⁴⁵ See Newmont, "Rehabilitation," <http://www.marthamine.co.nz/>

¹⁴⁶ Erik Reece, "Mountaintop-removal mining is devastating Appalachia, but residents are fighting back," *Grist*, 16 February 2006, <http://www.grist.org/article/reece/>.

¹⁴⁷ World Coal Institute, *The Coal Resource: A Comprehensive Overview of Coal*, 27; McKeown, *The Dirty Truth about Coal: Why Yesterday's Technology should not be part of Tomorrow's Energy Future*, 5.

¹⁴⁸ Coal mining can also put at risk the livelihood of local residents. It can damage homes and decrease its property value, making it difficult for residents to relocate. It can also jeopardise local sources of revenue from tourism and recreation.

coal, methane and particular matter emissions (PM).¹⁴⁹ Methane is released during coal formation, deep coal mining, coal washing and transportation. PM refers to a complex mixture of small particles and liquid droplets comprised of acids, organic chemicals, metals, soil, dust, and/or other elements. There are two main groups of PM: inhalable coarse particles such as those found near roadways and dusty industries, and fine particles, which are those found in smoke and haze. When inhaled, these air pollutants can lead to serious health problems such as black lung disease (pneumoconiosis). Harmful air pollutants are also released during the transportation of coal, either by rail or trucks on unsealed roads.¹⁵⁰ A prime example of the air pollution created by coal was the Great Smog of London in 1952, which killed some 4,000 people. The main pollutants were believed to be by-products of coal burning which was said to have reached “exceptional levels”.¹⁵¹

Water pollution is also another source of environmental concern. Acid mine drainage (AMD) can occur in active and abandoned mines. The drainage is formed when water mixes with the rocks containing sulphur-bearing minerals. When this contaminated water seeps out, it contaminates groundwater and streams, and damages soils. AMD can be harmful to plants and aquatic life. It can also make water unsafe to drink and unfit for recreational use. Additionally, during coal preparation large quantities of water and chemicals are used to separate impurities from the mined coal (which makes it easier for coal to be burnt). This process can result in large volumes of waste.¹⁵²

Coal mine fires or coal seam fires can also occur in opencast and underground mining. Coal fires can be ignited by ‘spontaneous combustion’, arising from lightning, forest fires, peat fires, electric sparks, mining accidents or human interaction. Some coal fires are difficult to extinguish. For example, the Millerton Mine underground coal fire in the West Coast has been burning since 1926. Uncontrolled coal seam fires are therefore an ecological and economic problem. Coal fires have occurred in many countries including China, India, Russia, United States, Indonesia, Venezuela, Australia and South Africa. Toxic fumes

¹⁴⁹ At times blasting is required to break up the material that is being mined. Explosives used during blasting releases carbon monoxide (CO), which is a health threat for workers when inhaled.

¹⁵⁰ United States Environmental Protection Agency, *Particular Matter*, 26 February 2010, <http://www.epa.gov/pm/>.

¹⁵¹ Chirag Trivedi, “The Great Smog of London”, 5 December 2002, BBC Online, London, http://news.bbc.co.uk/2/hi/uk_news/england/2545759.stm.

¹⁵² Natural Resources Defence Council, *Land Facts: There Is No Such Thing as “Clean Coal”* (Natural Resources Defence Council, 2008); McKeown, *The Dirty Truth about Coal: Why Yesterday’s Technology should not be part of Tomorrow’s Energy Future*, 7.

released from the coal fires can pose a threat to the health of the local inhabitants and the coal fires can result in land subsidence due to the loss in volume of underground land.¹⁵³

More recently, environmental concerns have centred on the carbon emissions of coal, although the issue of climate change has been widely discussed among scientific bodies and political figures since the late 1980s. In respect to coal, the greenhouse gases associated are methane (CH₄), carbon dioxide (CO₂), and nitrous oxide (N₂O). Methane is released during coal formation, deep coal mining, coal washing and transportation. CO₂ and N₂O are released when coal is used in electricity generation and in industrial processes. Coal accounts for 39 percent of the CO₂ emissions in the atmosphere (oil accounts for 42 percent and gas accounts for 19 percent). Recent studies have demonstrated that past CO₂ emissions from coal have a longer atmospheric lifetime than gas and oil. Half of the CO₂ remaining in the atmosphere today comes from coal (oil accounts for 37 percent and gas accounts for 13 percent).¹⁵⁴ It is also important to note that coal use is now increasing, while oil production has stagnated.¹⁵⁵ Therefore, of all the minerals and fossil fuels coal is the most carbon intensive.

Earlier protest actions against coal mining companies centred on poor working conditions and low wages. In the early twentieth century there were miners' strike actions worldwide. In the United States, for example, there was the Anthracite Coal Strike of 1902 and the Western Federation of Miners' Strike of 1912. In Britain there was the National Coal Strike of 1912 and the General Strike of 1926. A local example was the 1908 Blackball Miners' Strike in the Greymouth region of the West Coast. Over time workers issues associated with mining overlapped with environmental issues. For example, in the 1960s, in eastern Kentucky and other parts of Appalachia grassroots militancy and movements surged. This included a movement to abolish the practice of opencast coal mining. The coal mining industry was seen as compounding the impoverishment of the region. It provided short term employment and ruined further land use. The technological advancements in mining techniques also saw far fewer miners employed. Moreover, coal operators resisted taxes, and as a result it prevented the development of local and state infrastructures. Opencast mining also affected the environment in Appalachia, and at times this resulted in the loss of lives. The campaign

¹⁵³ Claudia Kuenzer, Galal Hassan, "Coal fires," in *Encyclopaedia of Earth*, ed. Cutler J. Cleveland, Washington, D.C: Environmental Information Coalition, National Council for Science and the Environment, http://www.eoearth.org/article/Coal_fires.

¹⁵⁴ James Hansen, 'Fossil Fuel Facts' attached to a letter to Governor Jim Gibbons: A Plea for Your Leadership, 14 April 2008.

¹⁵⁵ Ibid.

to abolish opencast coal mining was primarily made up of local farmers and workers working to expose the links between opencast mining and the poverty in the region.¹⁵⁶ In general, the campaign against opencast coal mining incorporated class conflict with demands for socio-economic equality.

While socio-economic issues remain, the environmental impacts of mining have come to the fore more recently. While early activists expressed concerns about mining in aesthetic terms, modern activist emphasises detrimental effects of mining on the land, water and air. More recently, coal has become a central aspect of the global warming issue. In a bid to attract media and public attention coal mining activists have launched media campaigns, held conferences, released publications, lobbied the government and participated in citizen protest actions.¹⁵⁷ In 2008, forty-four protests took place, twenty-six more than in 2007. These protests have taken place in countries such as New Zealand, United States, United Kingdom, Israel, Bangladesh, Canada, South Africa, Italy, Turkey, Poland, Venezuela, Norway, Colombia, India and Germany.¹⁵⁸ According to SourceWatch, there are currently over 350 citizen groups organising against coal mining.¹⁵⁹ The use of non-violent direct actions, in particular blockades and occupations, has become characteristic of anti-coal protests.¹⁶⁰ Generally, the anti-coal movement is working towards a coal moratorium and/or the phase out of existing coal plants. Coal moratorium refers to a halt in construction of new coal fired power plants.¹⁶¹ Proponents of such moratoriums generally make an exception for coal plants that have the technology for coal capture and sequestration, although others propose an unqualified ban. In 2008, twenty-four proposed coal plants were cancelled, abandoned, or

¹⁵⁶ Chad Montrie, *To Save the Land and People: A History of Opposition to Surface Coal Mining in Appalachia* (NA: The University of North Carolina Press, 2003), 1-6.

¹⁵⁷ See John McQuaid, "Mountaintop Mining Legacy: Destroying Appalachian Streams," *Yale Environment 360*, 20 July 2009, <http://www.e360.yale.edu/content/feature.msp?id=2172>; Sue Sturgis, "Citizens gather in Washington to end 'mountain bombing' of Appalachia," *Grist*, 10 March 2010, <http://www.grist.org/article/citizens-gather-in-washington-to-end-mountain-bombing-of-appalachia>.

¹⁵⁸ Ted Nace, "Ready to Rumble: A Global Movement is Bringing Down King Coal – One Power Plant at a Time," *Earth Island Journal*, 2010, http://www.earthisland.org/journal/index.php/eij/article/ready_to_rumble/

¹⁵⁹ SourceWatch, "Coal Portal Issue," *Coal Swarm*, http://www.sourcewatch.org/index.php?title=Portal:Coal_Issues.

¹⁶⁰ See Ted Nace, *Climate Hope: On the Front Line of Fights Against Coal*, (California: CoalSwarm, 2010), <http://climatehopebook.com/read-the-book/>.

¹⁶¹ The phasing out of coal plants has received less attention from scholars, activists and the news media.

put on hold.¹⁶² Of the twenty-four projects twenty-three were in the United States and one in the Netherlands.¹⁶³

The anti-coal movement despite its accomplishments continues to operate largely out of the public spotlight, partly due to the remote and rural locations of coal mining operations. Often people in the cities do not see the effects. It is also hard for people in rural areas to undertake resistance, especially when a large mining company comes in with a big project and offers a prospective income, which would in the short term reduce some economic hardship. At times when the local community are willing to oppose the proposed development they often do not have the resources to fight a major corporation. As a result, coal activism can be seen as a decentralized movement (which has, of late relied on Web 2.0. to mobilise support and coordinate supporters).

In response to criticisms from anti-coal activists the coal mining industry initially denied the severity of environmental issues. Over time, as outright denial became more untenable, coal companies got together to support an anti-regulatory agenda and to finance comprehensive public relations strategies. Coal mining corporations, like their cohorts in the oil and gas industry, have modelled their behaviour on historic corporate responses to environmental concerns.¹⁶⁴ As mentioned in the previous chapter these responses included establishing grassroots organisations, using the media, co-opting and distorting environmental language, and corporate philanthropy. In general, corporate public relations strategies were used to promote the efficiency and economic prospects of coal mining.¹⁶⁵

Central to public relations strategies was the ‘clean coal’ marketing campaign. It was designed to promote the supposed ecological benefits of new mining techniques. To this end the ‘clean coal’ front group American Coalition for Clean Coal Electricity was formed in 2000 to promote the interests of the mining companies, coal transporters, and electricity producers. Members include American Electric Power, Arch Coal, CONSOL Energy Inc and

¹⁶² However, the dynamics of coal plant cancellations are complex, it can result from a combination of factors like rising construction costs, legal challenges, public and political opposition, and regulatory delays.

¹⁶³ SourceWatch, “Coal plants cancelled in 2008,” *Coal Swarm*, http://www.sourcewatch.org/index.php?title=Coal_plants_cancelled_in_2008.

¹⁶⁴ See Kenny Bruno, Joshua Karliner and China Brotsky, *Greenhouse Gangsters* vs. Climate Justice* (NA: Transnational Resources and Action Centre, 1999).

¹⁶⁵ See Coal is Dirty, “Top 5 Clean Coal Myths,” <http://www.coal-is-dirty.com/top-5-clean-coal-myths>.

Peabody Energy.¹⁶⁶ Strictly speaking, the clean coal marketing campaign can be traced back to the 1890s.¹⁶⁷ The definition of ‘clean’ in relation to ‘coal’ has continuously shifted over the years. During the early twentieth century the term ‘clean coal’ was used to refer to ‘smokeless coal’. By the end of the century, the ‘clean coal’ marketing campaign was an established corporate response to the environmental movement. ‘Clean coal’ represented the coal industry’s investment in technologies that appeared to mitigate the harmful environmental effects of mining coal. The two main ‘clean coal’ technologies are ‘Carbon Capture and Storage’ (CCS) and ‘Integrated Gasification Combined Cycle’ (IGCC). CCS is a process whereby the CO₂ produced by coal mining is captured, transported and then stored in an underground reservoir; this prevents the harmful greenhouse gas from entering the atmosphere. IGCC converts coal into a syngas, which then can be burnt to produce electricity. IGCC technology is marketed as more suited to capturing waste products than conventional combustion technology. It is assumed that as much as 88 percent of the CO₂ produce from coal can be captured in an IGCC plant, along with 99 percent of its sulphur oxides and particulates and 95 percent of its mercury.¹⁶⁸ In effect, this technology seeks to reduce emissions and waste, while increasing the amount of energy gained from each tonne of coal.¹⁶⁹ It raises the prospects for mining coal by reducing the CO₂ emissions.¹⁷⁰ The usage of the term, CCS, signifies a futuristic new vision, that of low carbon emissions or ‘near zero carbon emissions’.¹⁷¹ Theoretically CCS is a promising concept; however there are numerous challenges. It is still unknown how the CO₂ will be separated, how it will be transported and how the gas will be sequestered so that it is sealed off. A leakage of CO₂ can prove fatal. For instance, on 21 August 1986, a cloud of CO₂ gas escaped out of Lake Nyos in Cameroon, Africa, killing over 1,200 people. The gas killed all living things within a

¹⁶⁶ Marianne Lavelle, ‘The ‘Clean Coal’ Lobbying Blitz,’ *The Climate Change Lobby*, 20 April 2009, http://www.publicintegrity.org/investigations/climate_change/articles/entry/1280/. The current annual budget for the group is of more than \$45 million. In 2008 alone \$9.95 million was spent by ACCCE on lobbying Washington.

¹⁶⁷ Nace, ‘Ready to Rumble: A Global Movement is Bringing Down King Coal – One Power Plant at a Time.’ Ted Nace dates the term ‘clean coal’ to the 1890s. However, according to writer Jeff Biggers the term was first introduced by Mr. Peabody 100 years ago.

¹⁶⁸ Nace, *Climate Hope: On the Front Lines of the Fight Against Coal*, 26-27.

¹⁶⁹ McKeown, *The Dirty Truth about Coal: Why Yesterday’s Technology should not be part of Tomorrow’s Energy Future*, 16-17.

¹⁷⁰ World Coal Institute, *The Coal Resource: A Comprehensive Overview of Coal*, 27-31.

¹⁷¹ Source Watch, *Clean Coal*, http://www.sourcewatch.org/index.php?title=Clean_coal#cite_note-0.

twenty-five kilometre radius of the lake, and the area is still highly contaminated. Moreover, deployment of CCS on a large commercial scale is not expected before 2030.¹⁷²

Proponents of clean coal also promote the technology of ‘coal-to-liquids’ (CTL) or liquid coal. Coal that has been converted into liquid fuels is refined to produce transport fuels and other oil products, such as plastics and solvents. It is marketed as the solution to the world’s dependency on oil. There are two ways to manufacture liquid coal; through a single process where coal is converted into a liquid fuel, or by converting coal into a gas and then into a synfuel.¹⁷³ These processes, however, are beset with economic and environmental difficulties. Liquid coal produces almost double the CO₂ emissions as regular diesel and requires large quantities of water. Four litres of water are needed for every litre of transportation fuel produced.¹⁷⁴ Moreover, a move to liquid coal production would lead to a substantial increase in coal mining, but it would only account for a small proportion of transportation fuel usage. For example, in the United States, coal mining would have to increase by 40 percent to provide ten percent of the nation’s transportation fuel. In addition to these environmental damages, liquid coal production will require substantial government subsidies and incentives for it to be feasible.¹⁷⁵

In summary, pollution from the production and transportation of coal has serious ecological, societal and economic impacts that need to be calculated into future energy policy. Advocates for coal argue that these impacts can be minimised. In so doing, they legitimate the continued dominance and expansion of the coal industry under the perception that coal can one day in the future be clean. The truth is that while such technological innovations could play a future role in maintaining the output of coal they are not currently available on a wide scale, and are unlikely to be so for a while. By that time the damage sustained by the ecosystem and the climate may prove to be irremediable. Therefore, I argue that greater consideration needs to be given to the immediate and long term impacts of coal mining, both

¹⁷² Emily Rochon, Erika Bjureby, Paul Johnston, Robin Oakley, David Santillo, Nina Schulz and Gabriela Von Gorene, *False Hope: Why Carbon Capture and Storage Won’t Save the Climate*, ed. Jo Kuper (Greenpeace International: Amsterdam, 2008), 5-7.

¹⁷³ World Coal Institute, *The Coal Resource: A Comprehensive Overview of Coal* (World Coal Institute: London, 2005), 24.

¹⁷⁴ The data used here is converted from gallons into litres, and then rounded.

¹⁷⁵ Joseph Romm, *Senior Fellow Centre for American Progress before the Committee on Science and Technology, Subcommittee on Energy and Environment, of the House Of Representatives*, 5 September 2007; Sierra Club, *Liquid Coal: A Bad Deal for Global Warming* (Sierra Club: San Francisco).

locally and globally. Concerns about these impacts need to be translated into effective measures that make and hold corporations accountable for their actions.

Development of the Environmental Movement in New Zealand

In this section I look at the emergence of the environmental movement in New Zealand. In this context, I will briefly discuss the colonial history of New Zealand and how it impacted upon the environment. I will then, consider the development of the modern environmental movement, with particular focus on mining for minerals and coal.

The early growth of environmentalism in New Zealand was underpinned by European colonialism and trade. Many European colonisers arriving in New Zealand looked to emulate the economic successes of the metropolitan state and this was predicated on the annexation of Maori land, the impairment of tribal economies, and use of natural resources, in particular gold, timber and Kauri gum.¹⁷⁶ By the 1860s New Zealand had largely been traversed by European colonisers and the primordial natural landscape of New Zealand had changed.¹⁷⁷ In response to such changes British colonial officials set aside land as reserves for ‘wise use’ and preservation purposes. The wise use approach aimed at regulating natural resources use so that future needs were considered and that the resources were being reserved for human use, and not because of any aesthetic or intrinsic value. By 1903, nature reserves were established and there were new initiatives for the preservation of national parks and scenery.¹⁷⁸ The early phase of environmentalism thus can be seen to be characterised by conservation and preservation.

From the 1960s governments were increasingly criticised by environmentalists for state-sponsored development projects. The most controversial was the proposal to raise the lake level of Manapouri in Fiordland National Park to increase hydro-electricity capacity. In

¹⁷⁶ Wayne Hope and Joce Jesson, “Contesting New Terrain: Red-Green Politics in New Zealand,” *Capitalism Nature Socialism* 4, no. 2, 1993, 3.

¹⁷⁷ Christine Dann, “The Environmental Movement,” in *New Zealand Government Politics*, ed. Raymond Miller, (Victoria: Oxford University Press, 2003), 368.

¹⁷⁸ Michael Roche, “The State as Conservationist, 1920-1960: ‘Wise Use’ of Forest, Land and Water,” in *Environmental Histories of New Zealand*, ed. Eric Pawson and Tom Brooking, (Victoria: Oxford University Press, 2002) 185.

raising the lake level, the ecosystem of the lakeshore and its surrounding areas would have been compromised. As a result, a national campaign, initiated by the Native Bird Protection Society (now Royal Forest and Bird Protection Society) was launched.¹⁷⁹ The level of public concern and media attention was unprecedented, culminating in the largest petition in New Zealand's history (264,907 people signed the petition in 1970).¹⁸⁰ Eventually, the incoming Labour Government of Norman Kirk (1972-1974) responded to public opposition and backed down from the plan. 'The Save Manapouri Campaign' is often seen as the inauguration of environmental activism in New Zealand.¹⁸¹

In the 1970s a wide range of environmental organisations were established, underpinned by the principles of the 'limits to growth' discourse. For example, the Environmental Defence Society (EDS) was founded in 1971 by a group of law students and scientists. The aim of EDS was to bring together the disciplines of science, law and planning to advocate for the environment. In 1973, a group of youthful conservationists set up the Beech Forest Action Committee (BFAC) to take a stronger stance on native forest conservation than that of Forest and Bird. In 1972 Greenpeace New Zealand began informally with protest boats sailing to the French nuclear site at Moruroa.¹⁸² In the late 1970s a small anti-mining group, the Coromandel Peninsula Watchdog, was formed. By 1981 a small group comprised mainly of local residents began to coordinate themselves in opposition to widespread gold mining on the Coromandel Peninsula (since most of the area was under licence for mineral exploration or prospecting).¹⁸³ Its functions include educating the public and media, lobbying Parliament, writing submissions on legislations and law reviews, and negotiating with mining representatives.¹⁸⁴ The group had also resorted to direct action by blockading drilling sites and occupying a drilling rig.

For over forty years in New Zealand mining was regulated by the Mining Act of 1926. By the late 1960s it was recognised that a more vigorous mining industry could be developed under more contemporary legislation, which would foster and assist the search for mineral resources. Consequently, the Mining Act of 1971 was favourable to the industry, affording

¹⁷⁹ Roger Wilson, *From Manapouri to Aramoana: The Battle for New Zealand's environment*, (Earthworks Press, 1982), 10-15.

¹⁸⁰ Dann, "The Environmental Movement," 370.

¹⁸¹ Nicola Wheen, 'A History of New Zealand Environmental Law', in *Environmental Histories of New Zealand* (Victoria: Oxford University Press, 2002), 262-265.

¹⁸² Dann, "The Environmental Movement," 370-372.

¹⁸³ Michael King, "Coromandel", *Metro*, March 1987, 93.

¹⁸⁴ *Ibid.*, 73.

them significant privileges in their exploration of minerals. The legislation had considerable input from the mining industry, and virtually none from those without a vested interest. As commodity prices for gold surged in the late 1970s and early 1980s intense prospecting and exploring activities took place. The problems concerning mining did not arouse much public interest in the early 1970s, and the environmental movement itself was not deeply involved. In general, environmental concerns centred on pollution and destruction of the natural landscape. For example, the American firm Kennecott and the Canadian Firm Cassiar (in association with the New Zealand company, Lime and Marble) began prospecting the Red Hills area of South Westland for asbestos. Federated Mountain Clubs were particularly concerned at the intrusion of prospectors into this area and the inability of the government to control the damage caused by a 100 kilometre access road bulldozed through virgin forest.¹⁸⁵ Another example is the Tui Mine at Te Aroha. The mine was owned and operated by the Norpac Mining Company mining operation. From 1966 to 1973 it extracted copper, lead and zinc sulphides. Once it was no longer economical to operate, the owners filed for bankruptcy, leaving behind waste, rock ore dumps and mine tailings from its previous seven years work.¹⁸⁶ As in the case of the Red Hills operation, the shareholders of the Tui Mine were two foreign owned companies (American) and a New Zealand company, Cable-Price Downer.

The theme of foreign exploitation of New Zealand's mineral resources was taken up by the group Campaign Against Foreign Control in New Zealand (CAFCAINZ).¹⁸⁷ CAFCAINZ organised efforts against a consortium of Japanese and New Zealand interests, which were prospecting for coking coal at Mount Davy, on the West Coast. It drew attention to the 'boom and bust' cycle that could undermine the proposed fifteen year operations and urged that the resources be kept in the ground until required by the New Zealand steel industry. The mine did not eventuate, due to the low price offered by the Japanese steel industry.¹⁸⁸

In 1979, then Minister of Energy, Bill Birch called for a study of the Southland lignite resources in terms of their potential as an export earner. Farmers strongly opposed such a development since the lignite areas were overlain by some of the richest farmland in

¹⁸⁵ Wilson, *From Manapouri to Aramoana: The Battle for New Zealand's Environment*, 25.

¹⁸⁶ Simon O'Rourke, "Mine's toxic time bomb to get \$9.8m clean-up," *The New Zealand Herald*, 27 May 2007, http://www.nzherald.co.nz/environment-waikato/news/article.cfm?o_id=441&objectid=10442519&pnum=0.

¹⁸⁷ CAFCAINZ is now 'The Campaign Against Foreign Control of Aotearoa (CAFCA)'.

¹⁸⁸ Wilson, *From Manapouri to Aramoana: The Battle for New Zealand's environment*, 25.

Southland. The issue that brought the mining debate into focus was the inadequacy of the Mining Act (1971). It could not reconcile the applications for mining privileges from huge, foreign owned companies, with the interests of people on whose land they wished to operate.¹⁸⁹ Matters came to a head when several of the largest mining companies made applications for exploration or prospecting licences on the Coromandel Peninsula. After eighty years of virtual inactivity in the region, mining companies returned to the district in the pursuit of gold. Twelve companies, mostly multinational companies took out licences to explore the mineral resources of the Peninsula, while some had already begun prospecting the region.¹⁹⁰ AMOCO was the first mining company to run into organised legal objections against their prospecting. In March 1980 it received 110 objections. This represented the first of many instances where a large number of objections were gathered in opposition to proposed mining projects. This led the government to rethink the Mining Act.¹⁹¹

Miners were not only interested in the Peninsula, other regions like the West Coast, Otago and even sensitive regions like Fiordland also attracted a flood of prospecting and exploring activities. Local responses were mixed. Old mining towns such as Thames and Greymouth were in favour of mining, arguing that it would reduce unemployment and restore commercial activities in their region. Opponents such as the Coromandel Peninsula Watchdog argued that mining would adversely affect the residents, farming and the coastal environment.¹⁹² Some, it could be argued, were fearful of a repeat of the Tui Mine at Te Aroha. During this time those that objected to the mining applications could express their concerns to the District Court. Such proceedings were overpowering for some and the Environment Defence Society (EDS) gave assistance to many such objectors in important cases. EDS worked closely with Coromandel Peninsula Watchdog, offering legal expertise.

In early November 1980, the government hinted at tightening the restrictions for mining applications. At a meeting in Coromandel, which was attended by 500 people, it was announced that there would be a moratorium on the issue of any further prospecting licences. Bill Birch also indicated that there might be significant changes to the Mining Act. The moratorium, however, did not affect the existing applications, some of which dated back to the previous year. Nevertheless, some progress had been achieved by the opponents of

¹⁸⁹ Ibid., 26

¹⁹⁰ King, "Coromandel," 62-63, 71-73.

¹⁹¹ Wilson, *From Manapouri to Aramoana: The Battle for New Zealand's environment*, 27.

¹⁹² King, "Coromandel," 62-63, 71-73.

mining and they continued to work on educating the public about the environment damage involved. In 1981, a landmark decision by the High Court saw the “automatic right to mine” provision in the Mining Act removed. The EDS was instrumental in achieving this. The environmental lobby against mining had by mid-1981, crystallised their views on the deficiencies in the Mining Act; there were only three weeks to lodge an objection, licences could permit “bulk sampling”, and the Minister of Energy had the final say.

Environmentalists argued that licence procedures should be brought under the Town and Country Planning Act, that there should be an increase in the time allowed for objections, and that there should be more information concerning the planned activities. Most of all, the environmental lobby was concerned that no economic study was conducted that demonstrated that the scale of mining proposed for New Zealand would be of a net benefit for the nation.¹⁹³

When, on 16 July 1981 the Mining Amendment Bill was introduced, both sides of the debate found fault with it. Submissions on the Bill were received during the next three weeks and as a result, significant changes were made. Most of these, environmentalists argued, favoured the mining industry. For instance, the clause compelling a prospecting licence holder to take “all necessary steps” to prevent damage to areas of scientific, wildlife, fishing, historic or scenic interest was amended to “all steps as are reasonably practicable”. The major concession granted to mining opponents was the removal of the “automatic right to mine” clause previously accorded to a prospecting licence-holder. This concession was enough to make some miners threaten to leave the country. Nevertheless, the new law came into effect on 1 January 1982.¹⁹⁴ The mining debate of the late 1970s and the early 1980s was successful in raising the consciousness of a large number of people who were not previously concerned with environmental issues.

Growing environmental concerns were also reflected in the political arena. New Zealand was the first country to have a political party to contest the general election on a platform of zero economic and population growth. The Values Party (Values) was founded in May 1972. In the elections of 1972 Values won 2.7 percent of the national vote. By the 1975 election this number had risen to 5.2 percent, largely due to Values’ ‘steady state’ economy manifesto. This economic platform promoted the idea of maintaining an ecologically sustainable and socially responsible equilibrium between the environment and human production and

¹⁹³ Wilson, *From Manapouri to Aramoana: The Battle for New Zealand's environment*, 31.

¹⁹⁴ *Ibid.*, 32-33

consumption.¹⁹⁵ Despite the gains made in electoral support, the party could not resolve its divisions and as a result it never gained a seat in Parliament.¹⁹⁶ The party eventually dissolved. In the 1990s it was revived as the Green Party.¹⁹⁷

From October 1973 the economy suffered from the rise in crude oil prices and a concurrent fall in export returns. As economic pressures continued to build the Third National Government (1975-1984) borrowed heavily to finance its multi-million “Think Big” policy of large-scale energy developments. Environmentalists criticised the government for a lack of concern for the possible ecological damage resulting from the new developments such as chemical emissions, leaching and spill-offs. The ‘think big’ projects were designed to increase the exports of energy-related commodities and to create jobs, but instead New Zealand was plunged further into debt.¹⁹⁸ After Muldoon’s defeat, the new Labour Government devolved state management of forests, land and energy into profit making corporations, or newly established state-owned enterprises. With the introduction of the State Owned Enterprise (SOE) Bill in 1986, approximately ten million hectares of land were passed over to these state-owned enterprises.¹⁹⁹ For example, the Forestry Corporation was established in 1987, taking over the commercial parts of the New Zealand Forest Service.²⁰⁰

Between 1984 and 1990, under the Fourth Labour Government, New Zealand’s institutional framework for environmental issues was overhauled. This resulted in the Resource Management Act of 1991 (RMA) and the establishment of three environmental agencies; a Parliamentary Commissioner for the Environment (1986), the Department of Conservation (1987), and the Ministry for the Environment (1991).²⁰¹ The Resource Management Act (RMA) amalgamated numerous environmental legislations. It established a framework for environmental decision-making and allowed regional councils and local authorities’ greater control over environmental issues. The Parliamentary Commissioner for the Environment was given wide-ranging powers to investigate environmental concerns. The Commissioner

¹⁹⁵ Dann, “The Environmental Movement,” 375.

¹⁹⁶ Hope and Jesson, “Contesting New Terrain: Red-Green Politics in New Zealand,” 9.

¹⁹⁷ Ton Buhrs and Robert V. Bartlett, *Environmental Policy in New Zealand: The Politics of Clean and Green?* (Auckland: Oxford University Press, 1993), 77.

¹⁹⁸ Hope and Jesson, “Contesting New Terrain: Red-Green Politics in New Zealand,” 11-13.

¹⁹⁹ Janine Hayward, “The Waitangi Tribunal in the Treaty Settlement Process,” in, *New Zealand Government Politics*, 3rd Edition (Victoria: Oxford University Press, 2003), 517.

²⁰⁰ John R. Martin, “The Public Service,” in *New Zealand Government Politics*, 3rd Edition (Victoria: Oxford University Press, 2003), 143.

²⁰¹ Wheen, “A History of New Zealand Environmental Law,” 269.

acts as an independent Officer of Parliament, she or he reports not to a Government Minister but to Parliament through the Speaker of the House and the Officers of Parliament Committee. The Commissioner is quite separate from the Ministry for the Environment (MfE). The Ministry is the Government's principal adviser on the environment in New Zealand and on international matters that affect the environment. It is responsible to the Minister for the Environment.²⁰² The Department of Conservation is the leading central government agency responsible for the conservation of New Zealand's natural and historic heritage.

Traditionally, New Zealand mining laws and land laws imposed few restrictions on the use of natural resources. It largely discounted social and environmental costs in the interests of sustained exploitation. Controls were only gradually introduced after the cost of unrestrained mining became apparent. For example, government funded money (about \$10 million) is expected to pay for the remedial work at the abandoned Tui Mine in Te Aroha.²⁰³ The government now requires mining companies to post bonds before allowing them access to the land and resources. Such developments were intended to resolve conflicts among competing interested parties, but instead they have continued to ensure the exploitation of New Zealand's natural and mineral resources (albeit with extra bureaucratic procedures).²⁰⁴

In summary, mainstream environmentalism was historically shaped by the ethos of conservation. The environmental movement was initially concerned with depletion of natural resources, population expansion, pollution, nature conservation, and wilderness preservation. By the 1990s, these concerns came to encompass a wide and complex range of issues such as energy supply, species extinction, deforestation, climate change, ozone depletion, toxic wastes, environmental justice, and quality of life.²⁰⁵

²⁰² The Ministry for the Environment is the main environmental policy agency in New Zealand.

²⁰³ Simon O'Rourke, "Mine's toxic time bomb to get \$9.8m clean-up," *The New Zealand Herald*, 27 May 2007, http://www.nzherald.co.nz/environment-waikato/news/article.cfm?o_id=441&objectid=10442519&pnum=0.

²⁰⁴ Terry Hearn, 'Mining the Quarry', in *Environmental Histories of New Zealand* (Victoria: Oxford University Press, 2002), 98-99.

²⁰⁵ Dryzek, *The Politics of the Earth: Environmental Discourse*, 3, 21.

Conclusion

Historically, coal mining benefitted from the early periods of exponential growth, but since then the image of coal has become tainted by social and environmental concerns. In the early twentieth century poor working conditions coupled with low wages resulted in worldwide industrial action from Mining Unions. Over time the harmful ecological effects of coal mining have come to the fore. Coal is of all the fossil fuels the most carbon intensive and its use is now increasing. With the growing scientific consensus over climate change, opponents of coal mining have called for a coal mining moratorium.

Today, prior to any coal mining activities, coal mining companies have to obtain all the necessary consents and regulations. Applications to develop mining sites have to contain a detailed rehabilitation plan, which outlines the intentions of the mining company to restore the land and its surroundings as close as possible to its natural state. Coal mining companies argue that new regulations along with the development of new mining technologies have reduced the social and environmental risk of mining. Mining takes place in stages, each stage affects the environment, although to varying degrees. Prospecting the land may have little effect on the environment, while exploring and developing the mine site can have long-term environmental effects. The obvious effects of mining include the scarring of the landscape, the effects on the flora and fauna inhabiting the land, the noise, air and water pollution, along with the social impact on a community. Mining opponents also express concerns about whether local and regional bodies can hold mining companies accountable to their stated goals.

The rise of the environmental activism, in the late 1960s and then again in the 1980s, brought the practices of big coal into the public domain. Increasingly, questions were asked as to whether economic development with such a heavy environmental cost was necessary. There is no doubt that mining impacts adversely on the environment. However, corporations claimed that their commercial activities were in keeping with sustainable practices. In contrast, environmentalists have argued that the corporate environmental and mitigation plans are insufficient and that corporate behaviour remains largely unchanged. The increasing sophistication of green public relations enabled big business to continue their everyday

practices behind a veneer of social responsibility. Thus, while the anti-mining movement may have had some successes, they see the battle as an uphill struggle.

In New Zealand as mineral prices surged in the late 1970s large mining companies took greater interest in the mineral and natural wealth of the country. As a result, numerous mining companies began prospecting for gold, silver, molybdenum, copper and nickel. At that time, New Zealand was considered to be largely unexplored and, more importantly, the government appeared to be susceptible to foreign enterprises specialising in the extractive industries. In the Coromandel a plethora of prospecting, exploration, and mining applications were lodged. As the buzz around mining grew, so too did the oppositional movement. The Coromandel Peninsula Watchdog in particular, organised and mobilised local residents that were concerned with the possible environmental problems of gold mining. The oppositional movement however, was unable to prevent the development of the mines. But they were able to influence mining legislation and arouse public knowledge. Today, the development of legislation such as the RMA aims to protect the environment, although without proper stipulations, management and repercussion it is largely ineffective.

4. FROM STATE COAL MINES TO SOLID ENERGY

This chapter considers the development and management of New Zealand's coal industry. In this context, I will examine the government's role in the production and organisation of coal mining. I will then outline the shift from State Coal Mines to the state-owned enterprise Coal Corporation. Within the state-owned enterprise model I will discuss the transition from Coal Corporation to Solid Energy. Next, I will focus on the 'official' environmental discourse advanced by the enterprises. I will also consider the political machinations and 'dirty tricks' employed to enforce the parameters of 'official' environmental discourse. Such discourses also reflect the use of corporate public relations techniques associated with 'greenwash'. My aim is to show how Coal Corporation and Solid Energy's official discourse reflects an emergent form of corporate environmental and social discourse in which corporate performances is measured against a triple bottom line of economic, social and environmental values.

Overview of New Zealand's Coal Industry

New Zealand has vast coal resources and they are widely distributed. 90 percent of the production areas are in the Northland, Waikato, Taranaki, Nelson-Westland, Canterbury, Otago, and Southland regions. Of these, the main coal regions are Waikato, Westland and Southland. It is estimated that there are some fifteen billion tonnes of coal, of which not all are economically recoverable. It is thought that nine billion tonnes of the coal resources are economically recoverable.²⁰⁶ New Zealand's in-ground coal resources include bituminous, sub-bituminous and lignite deposits. There are no true anthracite coal deposits in New Zealand.²⁰⁷ Sub-bituminous coals are mined in Waikato (North Island) and in West Coast,

²⁰⁶ Ministry of Economic Development, *New Zealand Energy Data File*, 2009, 11. The estimates of recoverable coal deposits are dependent on various factors. These factors include resource size and location, geological conditions, technical constraints, access to resources, project consents, market price, distribution costs and infrastructure, and the like.

²⁰⁷ The formation of coal began millions of years ago from debris from plant and vegetation accumulated in swamps and lagoon. The decomposing debris was submerged under layers of sediment which sealed it off from air, preventing oxidation decay from taking place. This resulted in physical and chemical changes in the

Canterbury, Otago and Southland (South Island). Bituminous coals are mined on the West Coast, and are generally of exceptional quality. The most common coal resource in New Zealand is low-rank lignite, which is found in Southland.²⁰⁸ Even though the locations of lignite deposits were well known it was thought that given their prevailing market value it was economically unfeasible to mine.²⁰⁹

In 1874 legislation gave Governor, Sir James Fergusson, the power to proclaim mining districts and appoint officers to inspect mining operations. Then in 1887 legislation was passed which enabled Governor, Marquess of Normanby, to issue mining licences, boards were also set up to oversee mining operations at a district level. By the early 1890's Mining Districts were able to issue their own licences and appoint their own Inspectors of Mines to ensure that mines were being run legally. A Mines Department was created to cover the mineral and coal mining industries. In 1901 the First Liberal Government passed the Coal Mines Amendment Act, which allowed the government to open and operate coal mines, and to set aside any Crown land for future coal mining prospects.²¹⁰ These state run mines were known collectively as State Coal Mines. State Coal Mines opened their first mine in 1903 at Seddonville in the Buller region.

Coal was first mined in New Zealand in the 1830s.²¹¹ The first recorded coal mine was in 1849 at Saddle Hill, Dunedin. Over the next two decades a number of small-scale mines were established throughout the country. In the 1870s British settlers developed the coal industry as the basis for New Zealand's industrial future.²¹² Coal became the dominant form of transport fuel and the principal energy source for households and the industrial sector. Coal output continued to grow slowly through to 1895 and more rapidly thereafter. From

vegetation (peat). The structural changes in the oxygen, water and carbon content transforms peat into coal. High quality of coal contains more carbon and lower levels of oxygen, hydrogen, ash and sulphur, which enables it to produce more heat energy. The ranks of coals, from those with the least carbon (low-rank coal) to those with the most carbon (high-rank coal), are lignite (brown coal), sub-bituminous, bituminous (hard coal) and anthracite (hard coal).

²⁰⁸ State Coal Mines and Ministry of Energy, *Coal and Coal Mining in New Zealand*, 1987, 7.

²⁰⁹ Currently evaluations are underway to determine the potential of lignite as a source of energy products.

²¹⁰ Solid Energy New Zealand Limited, "Industry History," 2004-2007, <http://www.coalnz.com/index.cfm/1,135,0,0,html/Industry-History>.

²¹¹ Coal was probably first mined at Shag Point, Otago in the 1830s.

²¹² In the 1890s trade unions were established in the coal industry as the relationship between employers and local labour deteriorated. The union actively contributed to the establishment of the 'Red' Federation of Labour and the growth of left-wing political organisation generally. These developments spread from the West Coast to become nationally significant.

1900 to 1914 New Zealand's coal production was 2.25 million tonnes.²¹³ By the 1930's economic depression the demand for coal had waned. However, the outbreak of the Second World War arrested this decline as the security of local energy resources became a national concern. The Labour Government of Peter Fraser progressively acquired coal mines, especially if they looked like they were about to close down and from 1942 coal miners were prohibited from changing their occupation.²¹⁴ These actions were taken to ensure the post-war economic recovery, to maintain employment, and to retain mining skills in New Zealand. By 1942 all the mines in the Grey River valley and the Waikato had been nationalised. By 1950 State Coal Mines was the largest coal mining producer in the country.²¹⁵ State Coal Mines was headed by the Deputy Secretary of Energy (Mines). As the following diagram (figure 1) suggests the management structure was comprised of two divisions; trading and non-trading services.

²¹³ Alan Sherwood and Jock Phillips, *Coal and Coal Mining*, Te Ara - the Encyclopaedia of New Zealand, 23 November 2009, <http://www.teara.govt.nz/en/coal-and-coal-mining/4> (accessed 5 May 2009)

²¹⁴ Richard Seddon's government created the Act to challenge the Union Steam Ship Company's coal monopoly and improve safety. The first State mine was at Seddonville, Buller in 1903. State Coal Mines ran until 1987.

²¹⁵ State Coal Mines, *Coal and Coal Mining in New Zealand*, 13; Alan Sherwood and Jock Phillips, *Coal and Coal Mining*.

Figure 1: State Coal Mines Organisational Structure

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After the war the coal industry went into slow decline. The availability of other cheap electricity fuels such as gas and oil gradually reduced the demand for coal.²¹⁶ In 1966 a number of coal mines became unprofitable and the government had to close them down. However, with the global oil crisis of 1973 the government had to reconsider its national energy plan. In response to the unstable foreign market for oil imports the government commissioned the New Zealand Coal Resource Survey to evaluate the country's coal resource. In 1973, when the survey began, New Zealand's known coal resources were estimated at 2 billion tonnes. By 1987 this number had increased to 8 billion tonnes. In spite of the coal reserves, employment in the industry continued to decline. The number employed in the industry dropped from 5,800 in 1949 to 3,300 in 1963, 1,600 in 1981 and 900 in 1988. This trend reflected the reduced numbers of mines, increased numbers of opencast mines and then mechanisation of coal mining.²¹⁷

In 1984, the incoming Fourth Labour Government of David Lange sought to implement a 'more market' approach to macro-economic and public policy. The process would include financial deregulation, active encouragement of foreign investment, public sector restructuring, and a regressive income tax regime. Counter cyclical fiscal policy was superseded by a monetarist policy agenda.²¹⁸ Reconfiguration of the government's role was exemplified by the State Owned Enterprises Act of (1986), the State Sector Act (1988), and the Public Finance Act (1989). Prior to these changes the public sector was a largely apolitical, non-commercial framework of administration.²¹⁹ From 1987, however large state trading companies such as State Coal Mines were 'decoupled' from direct ministerial control. The aim was to increase the level of commercial efficiency and financial accountability.²²⁰ The government's various commercial activities were to be managed by various independent boards of directors, appointed by two ministers. The new enterprises were to remain government owned, but they would operate similarly to private companies, with the objective of 'operating as a successful business'.²²¹

²¹⁶ From 1910 the use of coal had been steady, producing about 2 to 3 million tonnes of coal per year. However, consumption of other energy sources had increased.

²¹⁷ Coal Corporation of New Zealand, *Facts about New Zealand Coal*, 1989, 2.

²¹⁸ Shaun Goldfinch, "The State," in *New Zealand Government and Politics*, (Victoria: Oxford University Press, 1997), 552.

²¹⁹ John R. Martin, "The Public Service," in *New Zealand Government and Politics*, ed. Raymond Miller (Victoria: Oxford University Press, 1997), 135-136.

²²⁰ *Ibid.*, 136-137.

²²¹ *New Zealand Legislation*, 'State Owned Enterprises Act 1986 No 124 (as at 01 April 2008), Public Act,' 18 December 1986, 6-17, <http://www.legislation.govt.nz/act/public/1986/0124/latest/DLM97377.html>.

On 1 April 1987 State Coal Mines was corporatized into Coal Corporation New Zealand Limited (Coal Corporation). Eight directors were appointed to the board and they were accountable to two ministers. The board at the time was headed by Chairman John Perham. A general manager was appointed to ensure that the policy decisions of the board were implemented. He was supported by an office staff of forty-six in Wellington and a North and a South Island regional manager as follows:

Figure 2: Coal Corporation Management Structure

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The main objective of the enterprise was to operate as a commercial business in order to reduce the State Coal Mines debt of \$600 million. To this end new appointments drew from individuals with private sector experience, production was increased by 30 percent, and a number of unprofitable mines were closed. During 1987 the number of those employed dropped from 1,800 to 750.²²² In response, 1,000 people in Westport marched against Coal Corporation.²²³ By the end of its first year, Coal Corporation had recorded a trading profit of \$4 million.²²⁴

In August 1988, the government announced plans to sell its shares in Coal Corporation. This drew international interest from eighty companies of which twelve were short listed. The sale of Coal Corporation was abruptly halted by a court injunction granted to the Tainui Maori Trust Board. The Tainui Maori Trust Board claimed ownership of the Waikato coal fields.²²⁵ On 22 May 1995, a settlement between the Crown and Waikato Tainui was reached, although many issues were still unresolved. As part of the settlement over 4,000 hectares of Coal Corporation's land was transferred to the Tainui Maori Trust Board.²²⁶ In November 1998 the sale of Coal Corporation was abandoned due to low bids.²²⁷

In February 1996 Coal Corporation was rebranded and restructured into Solid Energy New Zealand Limited. In promotional terms the new name de-emphasised the mining and delivery of coal and instead, advanced the new enterprise as a primary supplier of energy.²²⁸ To ensure greater interaction between senior management and customers a flat structure was adopted. The national business was divided into three regional units; Solid Energy North, Central and Ohai. Solid Energy North handled all trading services in the North Island. Solid Energy Central serviced customers in the top half of the South Island and Solid Energy Ohai focused on the Otago-Southland region. The export business was handled entirely from the South Island. Each division was headed by a general manager and they received support from the department of National Services, Finance, Human Resources, and the Planning and

²²² Coal Corporation of New Zealand Limited and The Ministry of Energy Public Affairs Division, *Facts about New Zealand Coal*, 39. \$415 million debt; \$130 million accumulated losses and annual interest charges of around \$65 million.

²²³ Sean Weaver, "New Zealand's Last Colony", *New Zealand Political Review*, November 1998, 29.

²²⁴ Coal Corporation of New Zealand Limited and The Ministry of Energy Public Affairs Division, *Facts about New Zealand Coal*, 22.

²²⁵ *Ibid.*, 44.

²²⁶ Coal Corporation New Zealand Limited, *Annual Report 1994/1995*, 13.

²²⁷ Solid Energy New Zealand and Group, *Annual Report 1998/1999*, 2.

²²⁸ Solid Energy New Zealand and Group, *Annual Report 1996*, 1, 4.

Investment groups. The changes implemented by Solid Energy sought to provide local and international customer with better services. It also aimed to create and establish an environment that was favourable to mining.²²⁹

Currently, Solid Energy's management structure includes a chief executive officer (CEO) supported by a chief operating officer (COO) and a chief financial officer (CFO). The production management team was divided into three division; New Energy, Renewable Energy, and Coal. The coal division was separated into two operations; North and South. The senior management team also includes a General Counsel and Company Secretary, a Strategy and Risk Director, a Communications Director, a Group Technical Manager, a General Manager Group Logistics, a National Human Resources Manager, and a National Health, Safety and Environmental Manager.

In the 1990's Solid Energy's domestic coal production was 1.2 to 1.4 million tonnes per year. The biggest domestic users were BHP's steel plant at Glenbrook and the Huntly Power Station. During this period exports grew from approximately 0.5 million tonnes to about 1.5 million tonnes of hard coking coal, which came from the West Coast. Most of the West Coast coal was exported to Japan. Other destinations included Australia, China, Chile, the Republic of Korea, the United States of America, Britain, Belgium and New Caledonia. During the decade the enterprise's total revenue grew from \$111.9 million to over \$200 million (by 1997). However, during the 1998/1999 Asian financial crisis Solid Energy's export revenue fell from US\$70 million to under US\$40 million. During this time the trading value of the New Zealand dollar fell from USD0.70 to below USD0.40. It is important to note that Solid Energy trades on American currency and not the New Zealand dollar. Therefore, the combination of weak revenues, high extraction costs, and environmental liabilities produced an \$86 million loss for the 1998/1999 year. The enterprise was then technically insolvent. In September 1999 Solid Energy received a government bailout of \$39 million and a bank debt facility of \$40 million. Along with a new board and interim CEO Solid Energy was able to successfully improve the situation and by 2002 the enterprise had recovered.²³⁰

²²⁹ Solid Energy New Zealand and Group, *Annual Report 1998/1999*, 1-2.

²³⁰ Don Elder, "Solid Energy's Turnaround: Decision-Making and the Knowledge Wave," *The AusIMM 2002 Annual Conference*, Auckland, 1-4 September 2002, 369-370.

Since 2003, Solid Energy has diversified its operational activities by creating a renewable energy portfolio. This was achieved through the acquisition of three small companies; Pellet Fuels New Zealand Limited, Canterbury Biodiesel, and Sensible Heat.²³¹ The long-term growth of the company is based on developing the company's core coal business, while simultaneously diversifying and investing in new business areas. In 2008, Solid Energy extracted 4.5 million tonnes of coal from its seven underground and opencast mines around Huntly in the Waikato, Greymouth, Westport and Reefton on the West Coast, and Ohai in Southland. Over half of their annual output was sold for export.²³² Coal exports went to India (40%), Japan (24%), South Africa (21%), China (6%), Chile (6%), and United States of America (2%). In these locations the coal is used in steel manufacturing and other industries. Solid Energy has, for example, signed up to long-term partnerships with three major corporations: Mitsubishi Chemical Corporation (30 years, from January 2006), Mitsui Mining Company (25 years, from June 2005) and China's Baosteel Corporation (15 years, from March 2005).²³³ Solid Energy's other partnerships include those with Steel Authority of India Ltd, Tata Steel, Nippon Steel, Capital Steel, Nisshin Steel, and ArcelorMittal. In 2008, Solid Energy secured new customers in Japan and China and was able to expand its supply to India. The enterprise continues to work to expand its foreign market, in particular in the high-growth countries of India and China.²³⁴

In New Zealand, any mineral-related activity on Crown-owned land requires a minerals permit from Crown Minerals under the Crown Minerals Act 1991 and resource consent from the local governing bodies under the Resource Management Act 1991. However, claims made prior to 1991 may still be heard under the Mining Act of 1970. It is important to note that the objectives and effects of each of these two Acts are different. The Mining Act (1970) was established largely to facilitate mining operations. There were three types of mining applications; exploration, prospecting and mining. Once the applications had been approved it provided the applicant the right to access the property (although, if the land had conservational status, consent is required from the Minister of Conservation). Applications under this Act are heard by the Planning Tribunal and during this stage public notification is

²³¹ In August 2003 the enterprise purchased the assets of Pellet Fuels New Zealand Limited. In May 2007, Solid Energy acquired the company Canterbury Biodiesel and in July of the same year Switch was created after Solid Energy bought the assets of leading New Zealand solar heating company Sensible Heat.

²³² Solid Energy New Zealand Limited, *Statement of Corporate Intent 2008 for three years ending 30 June 2011*, 6.

²³³ Solid Energy New Zealand Limited, *Annual Report 2005*, 14.

²³⁴ Solid Energy New Zealand Limited, *Annual Report 2008*, 23-24.

required and objections to the applications can be heard. After which a recommendation is made to the Minister of Energy, who then has the final say.²³⁵

The Crown Minerals Act (1991) was established to ensure the efficient allocation of crown-owned land. It sets out a broad legislative policy for prospecting, exploration and mining of crown-owned minerals. A notable difference from the old legislation is that an access permit is required from the owner of the land, who can also claim compensation. Additionally, the applicant needs to apply for a mineral permit at the Minister of Energy. Mining companies who seek to mine on conservation land will require the consent of the Minister of Conservation and the Minister of Energy. In some cases land uses consent is required from the regional council. If a consent is granted it will be subject to certain conditions, this often relates to environmental management. Under the new legislation permits for prospecting, exploration and mining is still required. In certain applications prospecting will not require access permissions.²³⁶

Permits for exploration or mining will also require resource consents from the district and regional councils, subject to the Resource Management Act of 1991 (RMA). The purpose of the RMA is to promote sustainable management of New Zealand's natural and physical resources, including its usage and development.²³⁷ Members of the public can make a submission, which outlines their opinions of, concerns about, support of, or opposition to, the resource consent application. The decision reached by the district and regional councils can be appealed by the applicant or the submitters to the Environment Court. After obtaining all the necessary permits and consent, the successful applicant is then required to pay fees and royalties. It is important to note that if the minerals are on privately owned land a permit under the Crown Minerals Act is not needed, but all of the other consents are still required, together with the consent of the mineral owner.²³⁸

The RMA also outlines a range of penalties for individuals or corporate organisations who behave in an environmentally irresponsible manner. The enforcement of the Act is carried by the district and regional councils. The councils can issue an instant infringement notice, or an

²³⁵ David Relph, "Coromandel Gold," *Forest and Bird*, February 1994, 36.

²³⁶ Ibid.

²³⁷ Ministry of Economic Development, "Legislation," *Crown Minerals*, 16 April 2010, <http://www.crownminerals.govt.nz/cms/coal/legislation/legislation#legislation>.

²³⁸ New Zealand Mineral Exploration Association, "Mining Legislation: Permits & Access," 23 April 2010, http://www.minerals.co.nz/html/main_topics/overview/mining_legislation.html.

abatement notice. Members of the public can also apply for an enforcement order at the Environment Court to stop any activities that they view as adversely affecting the environment.²³⁹

In 2008, there were ninety-one permits issued by Crown Minerals for coal mining and thirty-seven permits for coal exploration. In total, five underground and twenty opencast mines were in operation. The national coal production was at a record high of 4.9 million tonnes, of which 2.4 million tonnes were exported. The majority of the coal produced was bituminous and sub-bituminous coals. Production was centred in the Waikato, the West Coast and, Southland. Of the national production of coal, Solid Energy accounted for almost 80 percent. The remainder was produced by Glencol Energy, MacDougall Mining, Birchfield Coal, Eastern Corporation, Frances Mining and about ten other smaller producers.²⁴⁰

Shifting Structures of Official Environmental Discourse

This section examines the official environmental discourse of Coal Corporation and Solid Energy.²⁴¹ Before doing so, I will provide a brief overview the development of environmental discourse from the industrial era to its modern day inflections. In this context, I will examine Coal Corporation's and Solid Energy's environmental discourse. In order to understand how and why these discourses have developed, I have analysed annual reports. I paid particular attention to the rhetoric and keywords texts over time. My aim is to show that the reports are rhetorical efforts to colonise public opinion *and* that they reflect and contribute to economic, environmental and social change.

As discussed in chapter two, environmental discourses reflect various perspectives in regard to humanity's relationship with the environment. In the early phase the environment was perceived to be external to humanity. However, as the level of human production and consumption increased natural resources were consumed at a greater rate and the effects of

²³⁹ Ministry for the Environment, "An Everyday Guide to the Resource Management Act Series 1.1: Getting in on the Act," December 2009, <http://www.mfe.govt.nz/publications/rma/everyday/overview/>.

²⁴⁰ Ministry of Economic Development, *Energy Data File*, 2009, 30-33.

²⁴¹ Due to the unavailability of resources on State Coal Mines I will focus primarily on Coal Corporation and Solid Energy.

environmental depletion and pollution became more visibly and physically evident. This casts doubt over the ability of the earth to supply and absorb human consumption and production patterns. Advocates of the environment argued that the natural limits of the earth defined the parameters of human development, and not vice versa. As green activists have sought to limit corporate activities, corporations have financed expansive public relations campaigns to preserve their businesses. Increasingly, corporations were forced to engage with green activists. These interactions ranged from debates, to protest actions, to eco-guerrilla combat. In recent times, corporations have conceded the importance of safeguarding the environment. However, they argue that corporate activities and protecting the environment can occur alongside one another. The battle to control the terms of the debate over the status of the environment represents a critical struggle for both sides of the argument.

There was no official environmental discourse for most of State Coal Mines' operating history. During the period of State Coal Mines' operation the government was focused on securing energy supply, maintaining employment and retaining mining skill in New Zealand. This approach towards the coal mining industry persisted until the late 1980s. During the late 1980s Coal Corporation became increasingly concerned about its social role. In the Coal Corporation annual report for 1989/1990 year the state-owned enterprise declared that: "Coal Corporation takes its responsibility to be a good corporate citizen extremely seriously."²⁴² The concept of 'corporate citizen' is generally used to describe corporations that are attempting to be socially responsible.²⁴³ It is a strategic response to the constantly shifting constraints in which the corporation operates. This creates a distinct image of a corporation as an entity that has rights, feelings, legitimacy, and behaves in a moral and ethical manner. By invoking the notion of corporate citizenship Coal Corporation was able to tap into a widely accepted international rhetoric and adopt its 'institutionalised vocabularies of motive' to gain support for its operations.²⁴⁴

²⁴² Coal Corporation New Zealand Limited, *Annual Report 1989-1990*, 14.

²⁴³ Corporate citizenship may be broadly or narrowly conceived. Depending on which way it is defined, the notion seems to overlap with corporate social responsibility, corporate social performance, business ethics, and stakeholder theory. Each of these themes or topics has its own extensive literature, however, it is beyond the scope of this thesis to provide a summary of each of these areas of research.

²⁴⁴ Heledd Jenkins, "Corporate Social Responsibility and the Mining Industry: Conflicts and Constructs," *Corporate Social Responsibility and Environmental Management* 11, NA (2004), 32.

Initially, Coal Corporation adopted a precautionary approach to environmental concerns. In the 1989/1990 report Coal Corporation emphasised the need: “to correct misconception about coal as a source of pollution when our research suggests that it is far less damaging to the environment than most alternative fuels.”²⁴⁵ The key phrases here are, ‘our research suggests’ and ‘far less damaging’. There was, however, no information given about the research. This begs three questions: did the expert(s) conducting such research have relevant credentials; is research in this field still being conducted and published in legitimate peer-reviewed journals; and is such research sponsored by vested interests associated with a ‘front’ group and/or think tank. The onus is then on the reader to answer these questions. But by creating a positive perception about coal mining Coal Corporation and its associates weaken the call for environmental action. They encourage public complacency, which favours the corporation’s operational activities. Moreover, the ‘no proof of harm’ defence is misleading, usually proof of cause and effect tends to come after the damage is already done.

In terms of environmental protection the 1989/1999 report tells the reader:

The popularity of ‘Green’ politics has clouded the reality of concerns such as the greenhouse effect and ozone layer depletion. Coal Corporation declares that it welcomes informed debate on these matters, but claims this is denied by ‘flavour of the month’ issue.²⁴⁶

There are two notable aspects in this declaration. The first is the deliberate use of jargon to de-legitimise green political thought. In this excerpt Coal Corporation question the legitimacy of environmental concerns by regarding the growing profile of environmental issues as merely a popular trend. The second concerns the way in which Coal Corporation seeks to control the environmental debate. They seek to cast inherent doubt on environmentally related information which is not their own. Anybody seen to be challenging or criticising Coal Corporation’s information is assumed to be uninformed. The self-promotion of Coal Corporation’s version of ‘informed debate’ is contentious and privileges the notion of self-regulation. It is worth emphasising that in this paragraph Coal Corporation acknowledges that the environmental debate surrounding coal mining has moved beyond the depletion and despoliation of the physical environment. Climatological and biospheric concerns are now also prominent considerations.

In the 1990/1991 report Coal Corporation turned the precautionary principle on its head, contrasting the supposed scientific uncertainty about climate change to the alleged certainty

²⁴⁵ Coal Corporation New Zealand Limited, *Annual Report 1989-1990*, 14.

²⁴⁶ Ibid.

of economic decline (if restrictions on mining and industrial activities are implemented): “[p]lans to reduce New Zealand CO₂ emissions by 20% by 2000 carry with them major assumptions about the sort of society we intend to live in, and almost what economic growth may be possible.”²⁴⁷ For Coal Corporation, the negative economic consequences of environmental regulations were more costly than the benefits of climate protection. The emphasis on economic development draws upon issues such as employment and consumer prices. In this way the public is divided, such that, the environmental movement is positioned against the needs of the working population. Notably absent from Coal Corporation’s discourse is the cost associated with inaction and how it will impact upon employment and economic growth.²⁴⁸ The discourse of ‘environment versus economy’ presents the false notion that solving environmental problems such as the climate crisis, will inevitably come at the expense of economic well-being. Scientists and economists, however, have stated that a delay will be more costly than the present investment needed to move the world away from a polluting fossil-fuel based economy.²⁴⁹

In the 1991/1992 report Coal Corporation asserted that:

At a practical level Coal Corporation is dedicated to protecting the nation’s long-term environment future. We support positive measures to increase energy efficiency and reduce greenhouse gas emissions, including afforestation projects.²⁵⁰

This begs the following questions. What are the terms for ‘practical’ and ‘positive’ measures? Who dictates them? And, most importantly, what happens when such measures restrict Coal Corporation’s operations? In similar vein Chairman Bob Henare wrote in the 1992/1993 report that: “it is important to put coal and the carbon dioxide emission and reduction debate into perspective.”²⁵¹ In emphasising the importance of acting only with all the facts and information in hand and making the right decision, not the quick decision, Coal Corporation delays action to address environmental concerns.

²⁴⁷ Coal Corporation New Zealand Limited, *Annual Report 1990-1991*, 11.

²⁴⁸ See Ryan Avent, “A Poor Strategy for Halting Climate Change: Reducing Emissions isn’t an Economy Killer,” *Grist*, 25 March 2009, <http://www.grist.org/article/2009-03-25-reduce-emissions-economy-kill/>; Joesph Romm, “Paging Elizabeth Kolbert: The New Yorker (!) parrots right-wing talking points,” *Climate Progress*, 25 March 2009, <http://climateprogress.org/2009/03/25/elizabeth-kolbert-the-new-yorker-global-warming-economy-vs-environment-david-owen/>.

²⁴⁹ See Janet Larsen, “Ignoring Climate Change Costs More,” *Earth Policy Institute*, 17 December 2009, <http://copenhagen.nationaljournal.com/2009/12/climate-costs-would-add-to-mou.php#1402142>.

²⁵⁰ Coal Corporation New Zealand Limited, *Annual Report 1991-1992*, 4.

²⁵¹ Coal Corporation New Zealand Limited, *Annual Report 1992-1993*, 6.

In the 1993/1994 report Coal Corporation asserted that: “at a time when the international debate on carbon dioxide’s effect on global warming is far from conclusive, it concerns us that a country potentially facing an energy shortfall should turn its back on the valuable coal resources it has.”²⁵² This suggests that without the production of coal national energy security will come under threat. The issue of uncertain energy supply is an unwelcome prospect that can be invoked to influence those who are initially sceptical of, or opposed to, greater domestic coal production.²⁵³ This rhetoric also exemplifies the propaganda technique of ‘fear’ mongering. It generates the anxiety that the nation would experience an energy shortfall if the mining of coal were curtailed.²⁵⁴

In the 1994/1995 report Coal Corporation pledged to place greater importance on: “cogeneration and on smaller, state-of-the-art coal-fired stations that are more efficient and therefore emit less carbon dioxide per unit of electricity produced.”²⁵⁵ Following, in the 1997/1998 report the newly formed Solid Energy announced the implementation of self monitoring environmental programmes. Then in the 1999/2000 report the reader hears for the first time that Solid Energy is committed to the “sustainable use of natural resources”, although no details were given as to how this would be achieved.²⁵⁶ In co-opting and distorting environmental language Solid Energy has moved aggressively to control the terms of the environment debate. This can also be seen as an attempt to convince the public that the enterprise champions environmental protection and is committed to the construction of a sustainable society. While Solid Energy has admittedly become increasingly concerned and sophisticated about environmental issues, the question arises as to whether the concern is for the environment as such or for its public image.

In the 2000/2001 report, Solid Energy reported that: “Coal is perceived sometimes as ‘part of the past’, a hangover from the Industrial Revolution. Yet, internationally, coal is regarded as the foundation of future global energy security...”²⁵⁷ The past/future binary seeks to define today’s practices as progressive and beneficial, rather than a ‘hangover from the Industrial Revolution’. By unfavourably comparing past practices to today’s ‘clean’ coal technologies

²⁵² Coal Corporation New Zealand Limited, *Annual Report 1993-1994*, 4.

²⁵³ The Luntz Research Companies, “Energy: Preparing for the Future,” *Straight Talk*, 2002, 107, 111, 116.

²⁵⁴ See Andy McDonald and Lene Palmer, “Propaganda,” *Responsible Rhetorics: Exploring Rhetoric and Responsible Reaction*, <http://mason.gmu.edu/~amcdonal/Other%20Techniques.html>.

²⁵⁵ Coal Corporation New Zealand Limited, *Annual Report 1994-1995*, 9.

²⁵⁶ Solid Energy New Zealand and Group, *Annual Report 1999-2000*, 4.

²⁵⁷ Solid Energy New Zealand and Group, *Annual Report 2000-2001*, 15.

Solid Energy was able to claim that the industry had voluntarily sought ways to safeguard the environment. In marketing coal as the energy source for the future Solid Energy creates a future world in which coal production is desirable.

Also in the 2000/2001 report Solid Energy refers to: ‘clean coal’, ‘reducing emissions’, and ‘rehabilitation’.²⁵⁸ Such terms, however, do not reveal whether Solid Energy’s environmental conversion is an indicator of environmental leadership, or a manifestation of reputation management, or risk-management. In my view, ‘clean coal’ is an oxymoronic phrase. The notion that coal is being burnt cleanly or safely in a way that does not contribute to the degradation of the environment or compromises the health of coal workers requires a supporting argument. While the technology for sequestering carbon emissions may be available, it is unaffordable on a large commercial scale, and is unlikely to be affordable until 2030.²⁵⁹ Moreover, the idea that natural ecosystems can be recreated or rehabilitated by rebuilding landforms and replanting vegetation is not substantiated.

Another notable aspect of the 2001/2002 report is the statement: “New Zealand can *choose* to make a transition to renewable energy long after most other countries have been forced to make this change.”²⁶⁰ On page nine, Solid Energy posits the question: “how can we best and most responsibly use coal to support the country’s economic growth and competitiveness during our transition to a fully renewable energy economy over the next hundred years?”²⁶¹ This statement suggests that Solid Energy is in the long-term, committed to a renewable energy economy. But at no point afterwards in the report does Solid Energy discuss possible renewable energy options. Instead, what follows on page ten is a list of ‘Cleaner Coals’: ‘Pulverised Fuel Combustion,’ ‘Advanced Pulverised Fuel Combustion,’ ‘Fluidised Bed Combustion,’ ‘Gasification,’ ‘Hybrid and Advanced Systems,’ and ‘Hydrogen Energy’.²⁶² Aside from Solid Energy’s financial contribution to the researching of hydrogen energy, there is no detail provided on Solid Energy’s supposedly involvement, in other clean coal technologies. The reader instead learns about ‘Expanding and Developing New Mines,’ and

²⁵⁸ Solid Energy New Zealand and Group, *Annual Report 2000-2001*, 15.

²⁵⁹ Emily Rochon, Erika Bjureby, Paul Johnston, Robin Oakley, David Santillo, Nina Schulz and Gabriela Von Gorene, *False Hope: Why Carbon Capture and Storage Won’t Save the Climate*, ed. Jo Kuper (Greenpeace International: Amsterdam, 2008), 5-7.

²⁶⁰ Solid Energy New Zealand and Group, *Annual Report 2001-2002*, 8.

²⁶¹ *Ibid.*, 9.

²⁶² *Ibid.*, 10.

‘Developing Our Markets’.²⁶³ In describing the latest technological advances in coal mining, Solid Energy is able to assure the public that these advances are compatible with a protected and clean environment. It is clear from the report that Solid Energy’s main focus is on the development of coal mining and not renewable energy. This, however, runs contrary to Solid Energy’s earlier claim concerning “[their] transition to a fully renewable energy economy” and it casts doubt on the level of commitment Solid Energy has to renewable energy and the protection of the environment.

Further, in the 2001/2002 report one other item particularly stands out. On page twenty, Solid Energy introduced its environmental policy under the subheadings: “A Positive Contribution to the Environment” or “No Net Negative Environmental Impact.”²⁶⁴ The implicit claims here are questionable. Nevertheless, Solid Energy subcategorises their contributions in terms of: “Greenhouse Gas Mitigation”, “Biodiversity Programmes”, “Rehabilitation”, and “Water Quality”. In emphasising their commitment to a clean, safe, and healthy environment Solid Energy is seeking to win public trust and respect on coal mining and energy issues. It is important to note, however, that these measures are aimed at fixing problems, rather than preventing them. The question remains, can the environmental impact of mining be minimised, immediately or in the long-term?

In the 2002/2003 report Solid Energy announced the purchase of the assets of biomass company Pellet Fuels New Zealand Limited. This served to indicate Solid Energy’s commitment to renewable energy, however in the same annual report coal production (4.09 million tonnes), revenue (\$317 million) and net profit (after tax of \$56 million) were said to be at record highs. Solid Energy also stated that they aim to increase coal production to almost seven million tonnes per annum within five years.²⁶⁵ This contrasts with the impression created by Solid Energy’s official discourse. The reality was that Solid Energy was developing a new renewable portfolio not in order to replace their production of coal, but rather to supplement it. Moreover, in the following annual report, Solid Energy stated: “The key to our future lies in our mining and supporting the use of coal in New Zealand to ensure

²⁶³ Ibid., 12, 14.

²⁶⁴ Ibid., 20-21.

²⁶⁵ Solid Energy New Zealand and Group, *Annual Report 2002-2003*, 6.

that this indigenous resource is available and affordable for generations to come and until renewables can fully meet New Zealand's energy needs."²⁶⁶

Another notable aspect of the 2002/2003 report was the four pages dedicated to environmental policy (previously only one to two pages long, usually accompanied by photos). The policy was now phrased in terms of: 'A Positive Environment Effect' and 'A Positive Net Effect'.²⁶⁷ Omitted from the policy was the previous year's subheading of 'No Net Negative', which may serve to indicate that it was not feasibly possible. In the report Solid Energy details for the first time its environmental policy. The enterprise sought to balance the socio-economic benefits of mining with the environmental costs. In so doing, Solid Energy adopted a cost-benefit analysis. Cost-benefit analysis is about aggregated costs and benefits. In a cost-benefit analysis the assumption is that environmental assets can be substituted by, or equated to, human-made assets. The main objective is to ensure that the aggregate gains outweigh the aggregated losses. In general, if the sum of benefits outweighs the sum of the costs, society as a whole is assumed to be better off, even if only a small proportion of the population benefits. It is important to note that in a cost-benefit analysis the value of future consequences is downplayed or discounted.²⁶⁸ The underlying question should be, do market based, cost benefit evaluations protect the environment over time?²⁶⁹

In the 2003/2004 report Solid Energy promoted the concept of 'sustainable development'. Its definition, taken from the 1987 World Commission on the Environment and Development (Brundtland Commission), defined sustainable development as: "development that meets the needs of the present without compromising the ability of future generations to meet their own needs."²⁷⁰ In my view, however, the idea of sustainable development in coal mining is oxymoronic. Coal, like all natural resources, is finite and so its extraction necessarily confronts the limits to growth discourse. Further in the text there are two notable aspects. The first aspect is the commitment to "energy security". There is a declared commitment to: "invest in and develop Solid Energy's coal reserves to provide New Zealand with energy

²⁶⁶ Solid Energy New Zealand and Group, *Annual Report 2004-2005*, 6.

²⁶⁷ Solid Energy New Zealand and Group, *Annual Report 2002-2003*, 22-25.

²⁶⁸ It is worth emphasising that the further the costs are into the future, the less likely they will be valued highly in the present, even though future generations will have to put up with the outcome.

²⁶⁹ Sharon Beder, "Costing the Earth: Equity, Sustainable Development and Environmental Economics", *New Zealand Journal of Environmental Law* 4, NA (2000), NA.

²⁷⁰ Solid Energy New Zealand and Group, *Annual Report 2003-2004*, 6

security as part of a balanced generation mix.”²⁷¹ This declaration of aims contrasted with the fact that over half of Solid Energy’s coal production was exported overseas. Moreover, Solid Energy has emphasised the importance of securing new foreign customer contracts in order to grow its specialist coal exports.²⁷² The second notable aspect was the list of “pros and cons of generation fuels”.²⁷³ The list includes: coal, wind, hydro, gas, geothermal, and oil. Coal was said to have four pros, which represents the most pros in the list. It also had four cons, which in my observations, made it the most inefficient in the list as well, equal to gas. In promoting a diversity of sources and solutions Solid Energy sells its policy as a complete package. In so doing, it positions coal as the rational energy source.

Also in the 2003/2004 report Solid Energy announced that it would: “implement a long-term research and technology strategy,” and that it is : “participating in international research projects designed to develop technologies to meet the environmental challenges of coal extraction and clean coal use, particularly in electricity generation.”²⁷⁴ In the 2004/2005 report more details were provided on these research investments: “Solid Energy joined forces with an independent US oil and gas company, Resource Development Technology (RDT) to investigate the commercial viability of extracting methane gas trapped in the deep coal seams of the North Huntly and Rotowaro coalfields”; “Solid Energy is participating in an A\$56 million Australian research programme developing methods to capture and store CO₂ produced from burning fossil fuels.”²⁷⁵ However, it was not clear in the report whether these research-based partnerships would actually improve the environmental performance of the extractive industry.

Another notable aspect of the 2003/2004 report was that Solid Energy: “does not support the continued use of coal on open fires or in burners that do not meet strict air quality standards. Coal and wood burnt on open fires and household burners cause air quality and health problems in a number of New Zealand cities and towns.”²⁷⁶ While this is encouraging it also raises the question of Solid Energy’s commitment to safeguarding the environment. It is important to emphasise that Solid Energy’s main markets are the international and industrial markets. Therefore, it does not stand to lose a great deal by withdrawing from the home

²⁷¹ Ibid., 7.

²⁷² Ibid., 9.

²⁷³ Ibid., 11.

²⁷⁴ Ibid., 13.

²⁷⁵ Solid Energy New Zealand and Group, *Annual Report 2004-2005*, 15-16.

²⁷⁶ Ibid., 6.

heating market. By granting minor concessions it serves to demonstrate the enterprise's flexibility, without major disruptions to its operational activities.

From the 2005/2006 report Solid Energy opts for the title 'New Energy' rather than 'Clean Coal' in its annual report. Advertising coal as 'new energy' enables the enterprise to rebrand and disassociate itself from the dirty reputation of coal. This is also reminiscent of British Petroleum's 2000 advertising campaign, changing the company's name from 'British Petroleum' to 'beyond petroleum'.²⁷⁷ The problem here is that even though the language has changed, the content and approach are still the same. The name and language conversion are no real indication of the enterprise's commitment to new forms of energy, especially when change interferes with the profit margin.

In the 2007/2008 report Solid Energy outlined its ten business sustainability principles. The principles dictate how Solid Energy manages its business, with consideration given to its specific expectations for value, its people and communities, health and safety, the environment and its reputation. One principle pledges Solid Energy to: "[e]ngage with our stakeholder[s] openly, clearly and honestly."²⁷⁸ However, the actions of the enterprise were incongruous with the professed principle. For example, the enterprise had set up the Stockton Environmental Consultative Group in order to engage with the local community and respond to its concerns. Solid Energy's chief-executive Don Elder told the group in late 2003, again in late 2004, and once more in February 2005 that the enterprise would not mine on a prominently featured skyline ridge in coastal Buller without community consultation. Nevertheless, on 21 March 2005, mining commenced on the ridgeline prior to the promised public consultation. Don Elder later apologised.²⁷⁹ In addition, Solid Energy has been reluctant to provide Forest and Bird with information requested in the course of the Environment Court hearing for the Cypress Mine, or under the Official Information Act (OIA).²⁸⁰ This aversion to public participation or consultation casts doubt on the commitment of Solid Energy to open communication and dialogue.

²⁷⁷ Sharon Beder, "bp: Beyond Petroleum?," in *Battling Big Business: Countering greenwash, infiltration and other forms of corporate bullying* (DevonL Green Books, 2002), <http://www.herinst.org/sbeder/PR/bp.html>

²⁷⁸ Solid Energy New Zealand Limited, *Annual Report 2008*, 13.

²⁷⁹ New Zealand Press Association, "Solid Energy admits goof over mining area," *The New Zealand Herald*, 31 March 2005, http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10117994.

²⁸⁰ Royal Forest and Bird Protection Society of New Zealand Incorporation, *Briefing for the Incoming Minister of State Owned Enterprises: Improving Solid Energy's Environmental Performance*, 2005.

Solid Energy also pledged under its sustainability principles to: “[h]ave a long-term business plan that takes into account the future effects of our current activities and decisions”; “Acknowledge our responsibilities, as a leading producer and supplier of energy, to enhance security of supply, availability of affordable energy to support economic prosperity and social wellbeing, and protect New Zealand’s environment.” However these commitments contradict each other. The growing consensus amongst scientists is that current patterns of consumption and production will create a fragile environment, and that mining and the production of coal is a primary cause.²⁸¹

Another sustainability principle pledges Solid Energy to: “protect New Zealand’s environment”, its record however did not match this statement.²⁸² In December 2002 blasting practices from the Strongman Opencast Mine pushed in a large slip of water and rock into Ten Mile Creek.²⁸³ In July 2004, a lapse in procedures resulted in a dirty water discharge into the Ngakawau River. In December of the same year a ‘non-standard blast’ at Strongman Opencast Mine caused a slip of soil and vegetation into the headwaters of Doherty Creek.²⁸⁴ In November 2006, routine monitoring identified deterioration in the water quality of the Mangatini Stream.²⁸⁵ In September 2007, an unplanned interruption to the electricity supply switched off the water treatment plant resulting in the discharge of untreated water to a local creek at Spring Creek Underground Mine. In December 2007, Solid Energy was issued an abatement notice for the discharge of wind-blown dust beyond the New Vale Mine and, in February 2008, an infringement notice for discharge of untreated water run-off at the mine.²⁸⁶ It is worth emphasising that the annual report normally documents the previous year and recent incidents; it fails to take into account any long-term patterns. Nevertheless, as the list of breeches demonstrates, Solid Energy has failed to match its claim of safeguarding the environment.

²⁸¹ James Hansen, ‘Fossil Fuel Facts’ attached to a letter to Governor Jim Gibbons: A Plea for Your Leadership, 14 April 2008.

²⁸² Solid Energy New Zealand Limited, *Annual Report 2008*, 13.

²⁸³ New Zealand Press Association, “Slip puts Solid Energy mines in jeopardy,” *The New Zealand Herald*, 22 May 2003, http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=3503291.

²⁸⁴ New Zealand Press Association, “Council raps Solid Energy,” *The New Zealand Herald*, 16 December 2004, http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=9003473.

²⁸⁵ Solid Energy New Zealand Limited, *Annual Report for 2007*, 25. In 2005 Solid Energy announced its intentions to clean up the Mangatini Stream and the Ngakawau River and plans to spend \$20 million on the measures to improve water quality.

²⁸⁶ Solid Energy New Zealand Limited, *Annual Report for 2008*, 8.

Political Machinations and ‘Dirty Tricks’

This section looks at Coal Corporation and Solid Energy’s response to the growing environmental movement in New Zealand. I will focus on the various techniques they employ to reshape public opinion and persuade the government against environmental legislation.²⁸⁷ The analysis here builds on the preceding discussions of public relations, environmental discourse, and the corporate response to the environmental movement, but it also involves a different concept of power. My aim is to expose the political machinations and manipulative, ‘dirty tricks’ activities which have been hidden under Coal Corporation and Solid Energy’s carefully manufactured green image.

Coal Corporation and Solid Energy have a vested interest in all stages of the coal industry, from exploration to production, to transport, and marketing. In order to protect the longevity of their commercial ventures the state-owned enterprises had to promote themselves as friends of the environment and to stop actions that sought to reduce the levels of carbon emissions into the atmosphere. Employing techniques developed in America, Coal Corporation and Solid Energy’s strategy consisted of manufacturing a pro-mining campaign while undermining environmental groups and their supporters. The key requirement for this type of strategy is secrecy. The exposure of such tactics can undermine the persuasive power of the public relations campaign.

In response to growing international and local concerns over the environment, Coal Corporation stated in their 1989/1990 report: “the inter-relationship of carbon dioxide production and dissipation remains poorly understood.”²⁸⁸ In stressing the uncertainty of such scientific studies Coal Corporation undermined the impetus for change. Effectively, it sought to delay a response to the issues associated with global warming. In the report for the 1990/1991 year Coal Corporation was still in the ‘deny’ mode: “Coal Corporation recognises the seriousness of the long term environmental issues facing both New Zealand and the world. However, we also see the pressing need for rational and informed decision making

²⁸⁷ The data included Coal Corporation and Solid Energy’s annual and environmental reports, speeches delivered by chief-executive Don Elder, Solid Energy press releases, reports to government, corporate-authored trade journal articles, features from employee magazines, research papers and publications, school newsletters, school websites, government publications and websites and the news media.

²⁸⁸ Coal Corporation New Zealand Limited, *Annual Report 1989-1990*, 14.

when confronting those issues.”²⁸⁹ While the enterprise conceded that there was ‘concern’ it continued to stress the lack of certainty to delay action.

In the report for 1991/1992, Coal Corporation proclaimed that the enterprise: “has made a significant contribution to the debate on New Zealand’s energy future...through sponsorship of the visit by an international expert on climate change, Professor Fred Singer, to the Coal Research Association conference.”²⁹⁰ The use of reputable experts serves to legitimise the corporate organisation and advance its corporate agenda. Coal Corporation identified Professor Singer as a reputable climatologist who was qualified to partake in the environmental debate. However, readers might have judged his input differently if Coal Corporation had been more forthcoming about his qualifications and corporate affiliations. Professor Singer is a distinguished scientist who specialises in physics and who for more than twenty years has been closely associated with think-tanks and lobby groups that support the kind of industries that attract negative public attention such as the tobacco and oil industry.²⁹¹

By the 1993/1994 report, Coal Corporation, while still in ‘deny’ mode had started to emphasise the consequences of curtailing coal production. Coal Corporation stated: “at a time when the international debate on carbon dioxide’s effect on global warming is far from conclusive, it concerns us that a country potentially facing an energy shortfall should turn its back on the valuable coal resources it has.”²⁹² The supposed threat to national economic security over the lack of energy supply is a standard argument used to influence those who are initially sceptical of, or opposed to, greater domestic coal production.²⁹³ The purpose here is to divide the public and slow the momentum for the phase out of coal.

In February 1996 the state-owned enterprise launched its new brand name ‘Solid Energy’. The name signified a move towards becoming a primary supplier of energy, as opposed to a miner of coal.²⁹⁴ Its logo, which was previously a lump of coal in the shape of a ‘C’, takes the form of a half orange sun with two rings slanted on opposite sides. The question arises as to whether the new name ‘Solid Energy’ is just an advertising marketing campaign, or a

²⁸⁹ Coal Corporation New Zealand Limited, *Annual Report 1990-1991*, 10.

²⁹⁰ Coal Corporation of New Zealand Limited, *Annual Report*, 1991-1992, 4.

²⁹¹ See James Hoggan and Richard Littlemore, *Climate Cover-Up: The Crusade to Deny Global Warming*, (Vancouver: Greystone Books, 2009).

²⁹² Coal Corporation New Zealand Limited, *Annual Report 1993-1994*, 4.

²⁹³ The Luntz Research Companies, ‘Energy: Preparing for the Future’, 107, 111, 116.

²⁹⁴ Solid Energy New Zealand Limited, *Annual Report*, 1996, 1, 4.

commitment to expanding the energy sources of their products, or a genuine attempt to engage the public in debate, or a corporate rallying cry to change the coal mining paradigm. The problem here is that Solid Energy's revenue depends upon the current and future value of its assets, which are primarily coal based. Despite the restructuring of Solid Energy's business the enterprise remained largely unchanged. Solid Energy is committed, over the long term, to the continued production of coal.

In the 1997/1998 report Solid Energy discussed environmental reporting for the first time: "Solid Energy is committed to sound environmental management. The company has an Environmental Management System (EMS) that includes the key elements of ISO14000...An internal audit protocol exists for auditing major sites on a two-yearly or biennial frequency".²⁹⁵ No information, however, was given on how the 'Environmental Management System' was to be implemented or monitored. Moreover, the content of the system was provided by the enterprise only. This opens Solid Energy to accusations of 'spin doctoring'. In appropriating environmental terms and ideas the enterprise creates an environmentally conscientious appearance, without having to drastically change its operational activities.

In the 2001/2002 report Solid Energy announced its contribution to the Department of Conservation's 'Blue Duck (Whio) Recovery Programme' (\$50,000, over three years).²⁹⁶ In supporting environmental groups or projects the enterprise is able to 'get environmentalists on side'. The association with a reputable environment group can afford the enterprise credibility.²⁹⁷ Sponsorships of environmental projects can also suggest to the public that the enterprise is proactive in environmental protection. It is worth emphasising that if an environmental group enters into a 'partnership' with an organisation it might restrict the ability of the environmental group to critique the organisation's operational activities.²⁹⁸ For example, it was revealed in February 2009 that Meridian Energy had agreed to pay \$175,000 to the Department of Conservation, \$179,000 to the Historic Places Trust, and \$220,000 to

²⁹⁵ Solid Energy New Zealand Limited, *Annual Report*, 1997/1998, 8.

²⁹⁶ Solid Energy New Zealand Limited, *Annual Report*, 2001/2002, 21.

²⁹⁷ Pete Lusk published *Coal News* from 1 February 2004 till 16 April 2007. In *Coal News 18* it was reported that Hokitika DOC officer Mike Slater's daughter won a sports scholarship to Australia funded by Solid Energy, <http://www.savehappyvalley.org.nz/resources.php?page=242>

²⁹⁸ Beder, *Global Spin: The Corporate Assault on Environmentalism*, 130-133.

Ngai Tahu, to settle their concerns over the \$2 billion Project Hayes. Subsequently, the organisations withdrew their objections.²⁹⁹

Solid Energy has also contributed to charity organisations such as the Canterbury West Coast Air Rescue Trust, which helps to fund the Westpac Rescue Helicopter.³⁰⁰ Such partnerships enable charities to gain from the financial aid and the enterprise benefits from the social profile. The association with a good cause can help win over public favour, making it difficult for members of the local community and activists to criticise Solid Energy's activities. In public relations terms this is referred to as 'cause-related marketing'.

In August 2003, Solid Energy purchased Pellet Fuels New Zealand Limited. This marked the enterprise's foray into the renewable energy market. In the 2002/2003 report, the enterprise stated:

Solid Energy is supporting international research into the co-firing of coal and biomass as a path to greater commercial acceptance of this renewable energy. We are also investigating wind power options at sites where it may be complementary to existing activities or to site rehabilitation.³⁰¹

Further in the report, Solid Energy asserted: "Solid Energy will support the continued growth in New Zealand's energy demand by developing other energy supply options that are complementary to our coal business."³⁰² The problem here is that Solid Energy was developing these new capacities merely to supplement its production of coal. Scientists like James Hansen have stated that the most critical action needed to avert climate disasters is simply to prevent the use of coal. Moreover, Solid Energy's strategy of appropriating the language of environmentalism and positioning itself as a socially responsible company on the issue of climate change is a clear example of an organisation attempting to take intellectual leadership of an issue on which it is heavily criticised.

On 12 September 2003, journalist Simon Hendry wrote in a *New Zealand Herald* piece that: "Solid Energy has Prius vehicles in its fleet of pool cars and rents them from Avis as part of its overall emphasis on improving the company's environmental performance and corporate

²⁹⁹ Colin Espiner, "DOC offered hush money by Meridian," *The Press*, 17 February 2009; Heather Ben, "Meridian money 'gags' dissent," *The Southland Times*, 17 February 2009; Mark Hotton, "No secret behind Meridian grants," *The Press*, 18 February 2009.

³⁰⁰ Solid Energy New Zealand Limited, *Annual Report*, 2001/2002, 22.

³⁰¹ Solid Energy New Zealand Limited, *Annual Report*, 2002/2003, 14.

³⁰² *Ibid.*, 14.

sustainability.”³⁰³ Such reportage can enhance the enterprise’s environmental image. Sharon Beder argues that an organisation can enhance its public image by ‘emphasising the positive’ activities it participates in. In general, the positive actions taken by the corporate organisation, no matter how inconsequential, are publicised, while negative aspects, no matter how significant, are downplayed.³⁰⁴

In 2004 Solid Energy issued an Environmental Report (in addition to its annual report).³⁰⁵ Environmental reporting is a relatively new practice among businesses. It often takes the form of an independent, technical account of the company’s environmental impacts and remedial efforts. The contents of the report are guided by environmental laws and voluntary guidelines promoted by industry associations and international bodies.³⁰⁶ Solid Energy’s environmental report details the enterprise’s environment record and demonstrates its commitment to environmental planning and management, and research. The progress of the enterprise’s environmental performance is verified by an ‘independent review’. Such procedures are considered to be necessary to establish the reliability and credibility of the enterprises data. However, the fundamental question here is, by what verifiable standards of measurement are environmental performances determined?

In May 2005, the Environment Court heard appeals against Solid Energy’s resource consents to open and operate an opencast coalmine in the Ngakawau Ecological District. These resource consents had been granted in June 2004 by the Buller District and West Coast Regional Councils. One of those appeals was lodged by the Royal Forest and Bird Society. Eventually, the Environment Court confirmed the consents, subject to a more rigorous conditions regime. During the preparation for the Environment Court hearing, Forest and Bird argued that the conduct of Solid Energy’s chief-executive Don Elder led to the withdrawal of one of its key expert witnesses (a wetland ecologist).³⁰⁷ According to Forest and Bird, on 12 December 2004, Landcare Research scientist Dr. Robyn Simcock (client for

³⁰³ Simon Hendry, “Hybrid car picks up the pace,” *The New Zealand Herald*, 12 September 2005, http://www.nzherald.co.nz/business/news/article.cfm?c_id=3&objectid=10345061.

³⁰⁴ Beder, *Global Spin: The Corporate Assault on Environmentalism*, 128.

³⁰⁵ From 2004 to 2008 the Environmental Reports were separate from the Annual Reports. From 2009, Solid Energy’s environmental reporting were incorporated into its Annual Reports

³⁰⁶ Sharon Livesey, “The Discourse of the Middle Ground: Citizen Shell Commits to Sustainable Development,” *Management Communication Quarterly* 15, NA (2002), 317.

³⁰⁷ Royal Forest and Bird Protection Society of New Zealand Incorporation, *Briefing for the Incoming Minister of State Owned Enterprises: Improving Solid Energy’s Environmental Performance*, 2005. The expert witness who withdrew was Dr Peter Johnson. Given the circumstances the media was asked not to refer to him by name.

Solid Energy) was asked by senior Landcare Research manager David Choquenot whether Landcare Research's policy of allowing witnesses to appear for both sides would be acceptable to Solid Energy. She responded that Solid Energy would be: "most unhappy and that the long standing, mutually beneficial research relationship between Landcare Research and Solid Energy, as well as contracts worth several hundred thousand dollars, could be adversely affected." Dr Simcock further advised that Solid Energy's chief executive Don Elder would be getting in touch with Landcare Research's chief executive Andrew Pearce.³⁰⁸ Consequently, the Landcare Research expert witness for Forest and Bird withdrew from the Environment Court hearing. Solid Energy has rejected any allegations that it tried to prevent the expert witness from providing evidence on behalf of Forest and Bird.³⁰⁹ Correspondence was later obtained through the OIA after an Ombudsman's investigation, which supported the claims made by Forest and Bird:

Internal email (12 December 2004) from senior Landcare Research manager, Dr David Choquenot: "SE has gotten wind of this and is understandably keen that we withdraw from the appellants' side of the case".

Email from [Andrew] Pearce, dated 15 December 2004, subject heading: "URGENT: Re: Environment Court Evidence – Solid Energy's Cypress Mine":

"Further to my message yesterday, and a subsequent discussion with Don Elder, CEO of Solid Energy it is imperative that our staff giving evidence do NOT refer to [the scientist] as a Landcare Research employee. Please ensure that everyone associated with this matter takes great care to avoid referring to or acknowledging [the scientist] as a Landcare Research employee in discussion, evidence or conversation...."³¹⁰

Effectively, the senior management teams of Solid Energy and Landcare Research prevented a reputable scientist from critically evaluating the proposed Cypress Mine's impact on wetlands, the significance of the proposed environmental management plan, and presenting this information to the Environment Court. This demonstrates that Landcare Research can be influenced by their corporate client organisations, leading to doubts over the ability of Landcare Research scientists to present independent expert evidence. Such actions compromise the credibility of both organisations.

In August 2005 Solid Energy sought to recover \$176,682 in legal fees and expenses, and \$202,659 in witness costs from the Royal Forest and Bird Protection Society (Forest and Bird) and the Buller Conservation Group (BCG). Eventually, the Environment Court

³⁰⁸ Royal Forest and Bird Protection Society, "Landcare Research's excuses don't stack up," *Press Release*, 11 July 2005, <http://www.scoop.co.nz/stories/PO0507/S00100.htm>.

³⁰⁹ Solid Energy New Zealand Limited, "Solid Energy Rejects Forest & Bird Allegations," *Press Release*, 8 July 2005, <http://www.coalnz.com/index.cfm/1,209,600,0,html/Solid-Energy-Rejects-Forest-amp-Bird-Allegations>.

³¹⁰ Royal Forest and Bird Protection Society of New Zealand Incorporation, "Landcare Research's excuses don't stack up," *Press Release*, 11 July 2005.

dismissed Solid Energy's cost application. The use of litigation tactics can intimidate opponents of coal development and suppress public debate. Strategic lawsuits against public participation (SLAPPs) challenge the ability of individuals to speak freely and confidently about issues. SLAPPs also have the capacity to distract the opposition from the main issues and tie up the opposition's resources in the courtroom, where the real issues are not discussed. In certain cases it can shift the balance of power, giving the corporate organisation filing the SLAPPs the advantage when they were losing the intellectual and political debate. It is worth emphasising that the threat of court cases may also deter potential opponents in the future.

In May 2006, May 2007 and April 2008 it was reported that Solid Energy had hired spies or paid informants, to gather information on the environmental group Save Happy Valley Coalition.³¹¹ The tactic of gathering intelligence about environmental activists enables corporate organisations to manage grassroots organisations. The organisation can keep track of the activists and what they are planning to do.³¹² It can also provide the corporate organisation with the opportunity to get moderate activists onside while marginalising the so called extremists. However, if the use of this strategy becomes public knowledge, it may lose its effect and damage the reputation of the corporate organisation. It is important to note that during the public fallout from the spying accusations, Solid Energy's chief-executive Don Elder in a press statement referred to environmentalists as 'illegal', 'not peaceful', 'protestors', 'anarchist', and 'willing to endanger'.³¹³ The negative connotations associated with these terms are reflective of the propaganda technique 'name-calling'. Here, Solid Energy encourages the public to form judgements that reject and/or condemn members of the Save Happy Valley Coalition without examining the evidence.³¹⁴ Such labels not only seek to harm the reputation and the effectiveness of the opponents and their cause, it can also deter people from participating in environmental issues.³¹⁵

³¹¹ Nicky Hager, "Finding the Enemy Within", *Sunday Star-Times*, 27 May 2007.

³¹² Beder, *Global Spin: The Corporate Assault on Environmentalism*, 135-137.

³¹³ Solid Energy New Zealand Limited Press statement, 'Solid Energy stands by use of Security advisors,' 27 May 2007, <http://www.coalnz.com/index.cfm/1,214,435,0,html/Solid-Energy-stands-by-use-of-Security-advisors>.

³¹⁴ Institute for Propaganda Analysis, *Propaganda Analysis*, <http://www.propagandacritic.com/articles/ct.wg.name.html>.

³¹⁵ Beder, *Global Spin: The Corporate Assault on Environmentalism*, 122.

On 27 March 2008 Solid Energy premiered *Snail – The Movie* in Wellington.³¹⁶ The twenty minute long documentary tells Solid Energy's story of the first two years of relocating the *powelliphanta* "*augustus*" snails. Certain accounts of the tale are absent like Forest and Bird's High Court legal battle or the Save Happy Valley Coalition's protest actions. The cost of the documentary was reported to be \$50,000.³¹⁷ This expenditure was peculiar and it opens Solid Energy to charges of propaganda. The enterprise reported in its 2006 environmental report that:

The total effective cost to the company associated with protecting the snails at Stockton will now be close to \$35 million by the end of June 2007. The cost to Solid Energy are many times greater than what has ever been spent by anyone before in New Zealand to protect a single species...The issue is not just the cost to Solid Energy. It is whether in New Zealand today there could have been better uses for...the cost we will have incurred...³¹⁸

The same question could be asked about the \$50,000 spent on the documentary.

In the 2008 report Solid Energy listed some thirty-five industry and group affiliations.³¹⁹ The associations range from front groups to lobby groups. The use of such groups provides corporate organisations with the resources and opportunity to mount an effective challenge to any legislation that impinges on corporate activities, and to promote the members agenda. Solid Energy's membership in the mineral sector front group Straterra, for example, aims to reorientate public opinion in favour of the enterprise's agenda and placate the efforts of the opposition.³²⁰ Similarly, Solid Energy's involvement in lobby groups such as Greenhouse Policy Coalition (GPC) can exert pressure on government policies.³²¹ It is important to note that Solid Energy also employs 'management firms' or 'strategic advisors' (also referred to as public relations firms) like Concept Consulting, CRL Energy and Castalia to assist them.³²² Castalia, for example, is currently advising: "Solid Energy on the relationship between

³¹⁶ A copy can be obtained at: <http://www.coalnz.com/index.cfm/1,250,0,49,html/Snail-the-Movie>

³¹⁷ Mike Houlahan, "Moving snail tale, an epic for some, hits silver screen," *The New Zealand Herald*, 28 March 2008, http://www.nzherald.co.nz/mike-houlahan/news/article.cfm?a_id=300&objectid=10500596

³¹⁸ Solid Energy New Zealand Limited, *Environmental Report for 2006*, 5.

³¹⁹ For a complete list of Solid Energy's industry association and groups see Appendix I.

³²⁰ Straterra encompasses and represents the interests of the mineral sector including metals, aggregates, coal and petroleum in New Zealand. It aims to facilitate a relationship with the government. It is important to note that Straterra chief-executive Chris Baker is also the Managing Director of the public relations firm Saunders Unsworth, the Chairman of the Coal Association of New Zealand, Executive Chairman of the New Zealand Carbon Capture Storage (CCS) Partnership, and a Director of the Canberra based CO2CRC.

³²¹ The Greenhouse Policy Coalition aim: "[t]o achieve a climate change policy framework that secures for New Zealand a growing, competitive, profitable and sustainable business sector." GPC acknowledges environmental problems but argue that the solutions being promoted are too expensive, cost jobs, and would have detrimental economic consequences.

³²² Solid Energy New Zealand Limited, "Solid Energy contribution to NZIER ETS report," *Press Release*, 12 January 2009, <http://www.coalnz.com/index.cfm/1,293,814,0,html/Solid-Energy-contribution-to-NZIER-ETS-report>.

energy and carbon prices, plausible ‘scenarios’ for this relationship in the future, and the implications of these scenarios for Solid Energy’s coal business.”³²³ Solid Energy’s participation in front groups and lobby groups makes it possible for it to participate in public debates and government hearings behind an appearance of social concern.

In January 2009 it was reported that Solid Energy spent \$240,750 of tax payer’s money to partially fund the New Zealand Institute of Economic Research (NZIER) study into the economic impact of the Emissions Trading Scheme (ETS).³²⁴ This puts Solid Energy in a position to exploit the NZIER’s research in some way for their corporate benefit. Such influences could make it difficult for NZIER to fulfil its research impartially and could compromise their findings. Consequently, the NZIER report was heavily critical of the government’s emission trading scheme, an outcome that favours Solid Energy, given the nature of coal mining. Solid Energy has defended its research expenditure stating that it regularly commissioned research in order to remain up-to-date about its commercial environment and the implications of any regulatory changes. According to the enterprise’s media release statement, Solid Energy also spent an additional \$24,000 on a second NZIER research proposal. Ironically, they refused to reveal the subject matter due to commercial sensitivity.³²⁵ Such actions also contradict their commitment to be more transparent.

Throughout the years, particularly since the appointment of Don Elder as chief-executive, Solid Energy has offered financial contributions to many facilities and programmes in its mining area. In Ohai, for example, Solid Energy contributes to Ohai Women’s Bowling Club, Nightcaps Ladies’ Bowling Club, Western Southland Show jumping, Ohai Golf Club, Awanua Boating Club, and Otago and Southland Axeman.³²⁶ Such investments in the local community can help to win over public trust and public favour. It is important to note that the West Coast economy is marginal, therefore local funding for projects are limited.³²⁷ But

³²³ Castilia’s senior analyst Veronica Chalmers is currently assisting Solid Energy to develop a carbon management strategy, evaluating commercial risks and opportunities offered by the emissions trading scheme in New Zealand. See Practical Areas “CLEAN ENERGY AND CARBON STRATEGY | Key Staff,” *Casitila*, http://www.castilia-advisors.com/key_staff_clean_energy.php.

³²⁴ NA, “Coal Firm Pays For Emission Report: Solid Energy Defend Expenses as Research,” *The Dominion Post*, 11 January 2009, <http://www.stuff.co.nz/national/790985>.

³²⁵ Solid Energy New Zealand Limited, “Solid Energy contribution to NZIER ETS report,” *Press Release*, 12 January 2009, <http://www.coalnz.com/index.cfm/1,293,814,0,html/Solid-Energy-contribution-to-NZIER-ETS-report>.

³²⁶ Solid Energy New Zealand Limited, *Update: Ohai*, August 2005, 1, http://www.coalnz.com/index.cfm/3,138,345/update_ohai_july05.pdf.

³²⁷ The West Coast Economy will be developed further in chapter five.

acceptance of Solid Energy's contributions makes it difficult for the local community to critically review the enterprise's activities.

Solid Energy also contributes to local community schools and children's activities.³²⁸ For example, it supports the Ministry of Education's primary and secondary school programme 'Linking Education and Antarctic Research in New Zealand' (LEARNZ). LEARNZ started in 1995 as an Antarctic focused education programme. Over time, it has evolved into a comprehensive virtual field programme for the education sector, covering topics such as science, social studies, and the arts. It is available for free to all New Zealand registered and provisionally-registered teachers, although there is a cost of \$35 for a Teacher Manual. Some teachers however, will be eligible for a free manual, courtesy of Solid Energy. According to the LEARNZ website: "[a] letter from Solid Energy will be sent to the Principals of all New Zealand schools by the beginning of Term 2, 2010."³²⁹ Of the five supporting organisations only Solid Energy has offered to pay for the manual. It is also the only organisation that has contacted all New Zealand's primary and secondary schools.³³⁰ The field trips for levels 4 to 8 supported by Solid Energy include Coal and the Environment, Renewable Energy, Waikato Coal Mining, West Coast Earth Science, Coast to Coast Earth Science and the like (see figures 3 to 6).³³¹ As Figure 3 and 4 illustrate, coal is promoted as a necessary product for New Zealand society. Figure 5 and 6 feature the images of Solid Energy's product; wood pellets and Biodiesel.

³²⁸ See Appendix II.

³²⁹ LEARNZ website, "Your LEARNZ Teacher Manual," <http://www.learnz.org.nz/faq.php>.

³³⁰ The other supporting organisations include Meridian, DairyNZ, EQC, and the Department of Conservation.

³³¹ LEARNZ website, "LEARNZ Field Trip Chooser," *Ministry of Education*, <http://www.learnz.org.nz/field-trip-chooser.php>.

Figure 3: Slide 3 of the LEARNZ Waikato Coal Mining Field Trip for Term 3, 2009 based at Huntly.

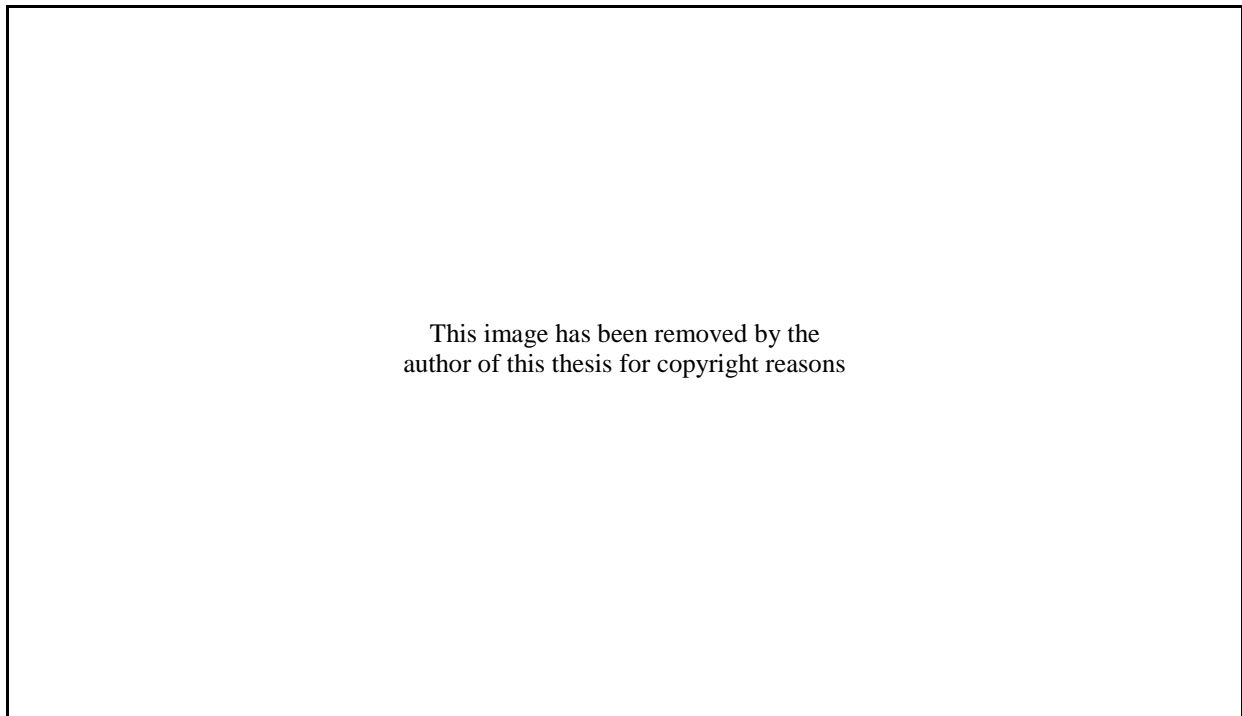


Figure 4: Slide 7 of the LEARNZ Waikato Coal Mining Field Trip for Term 3, 2009 based at Huntly.

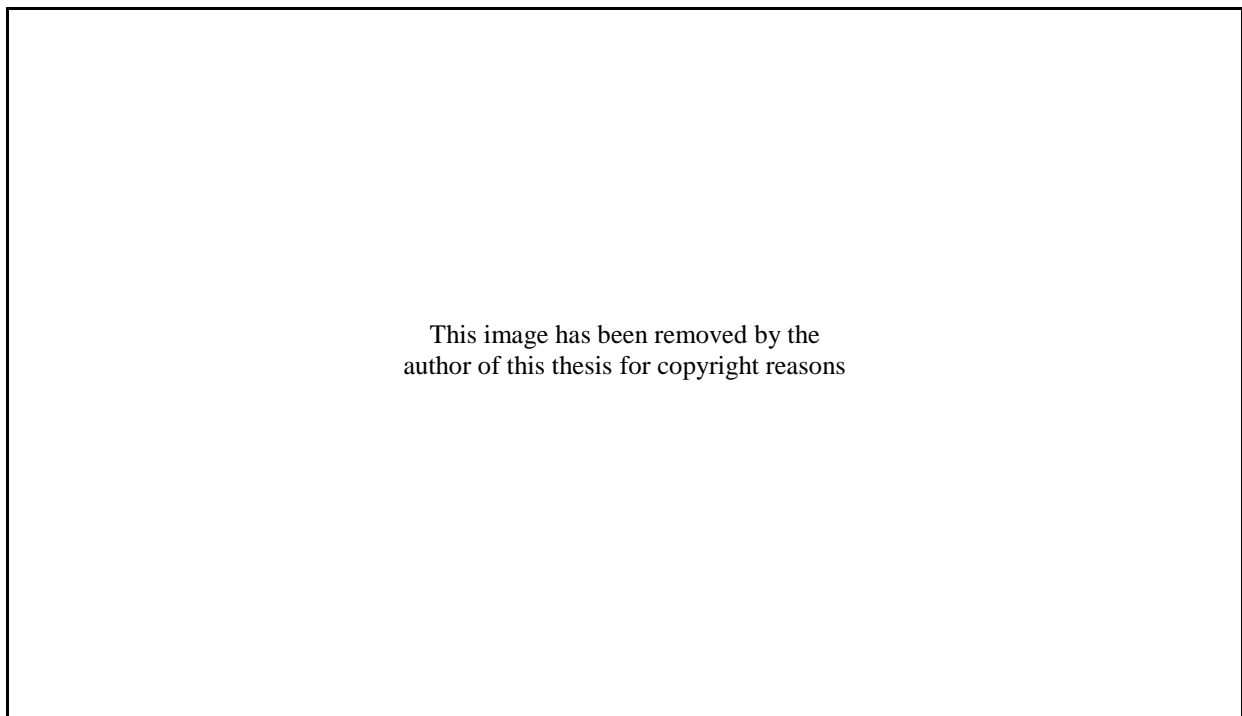


Figure 5: Slide 9 of the LEARNZ Renewable Energy Field Trip for Term 1, 2009 based in Canterbury.

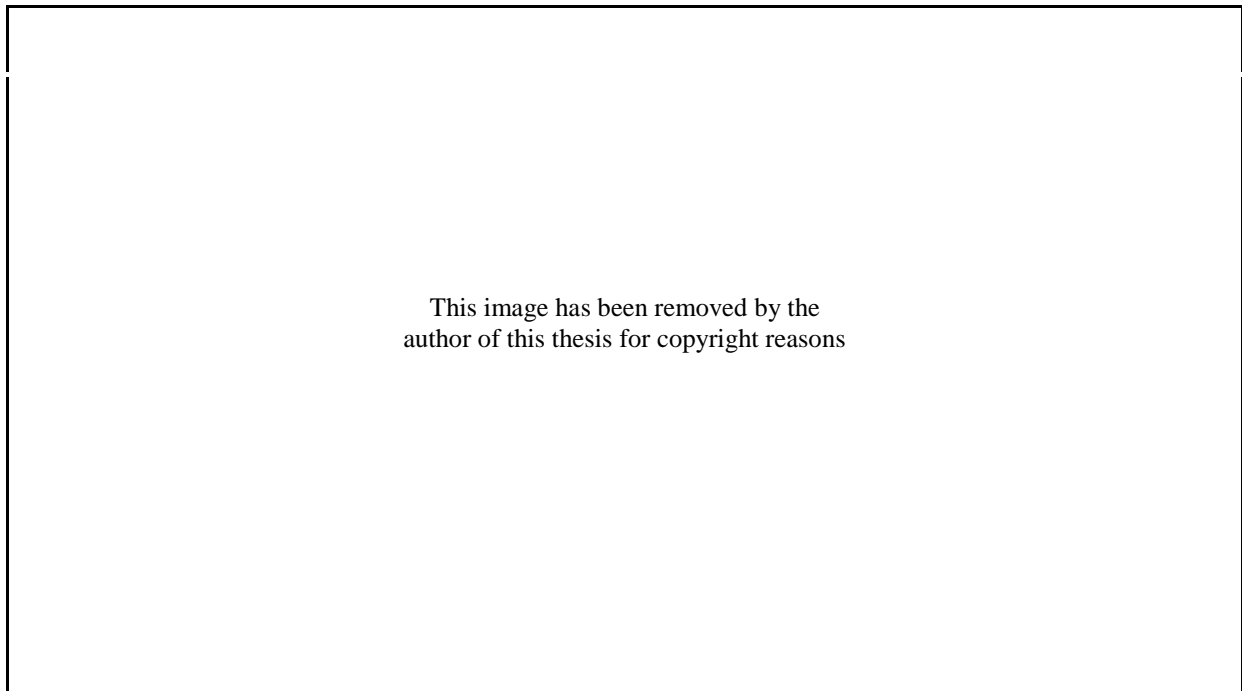
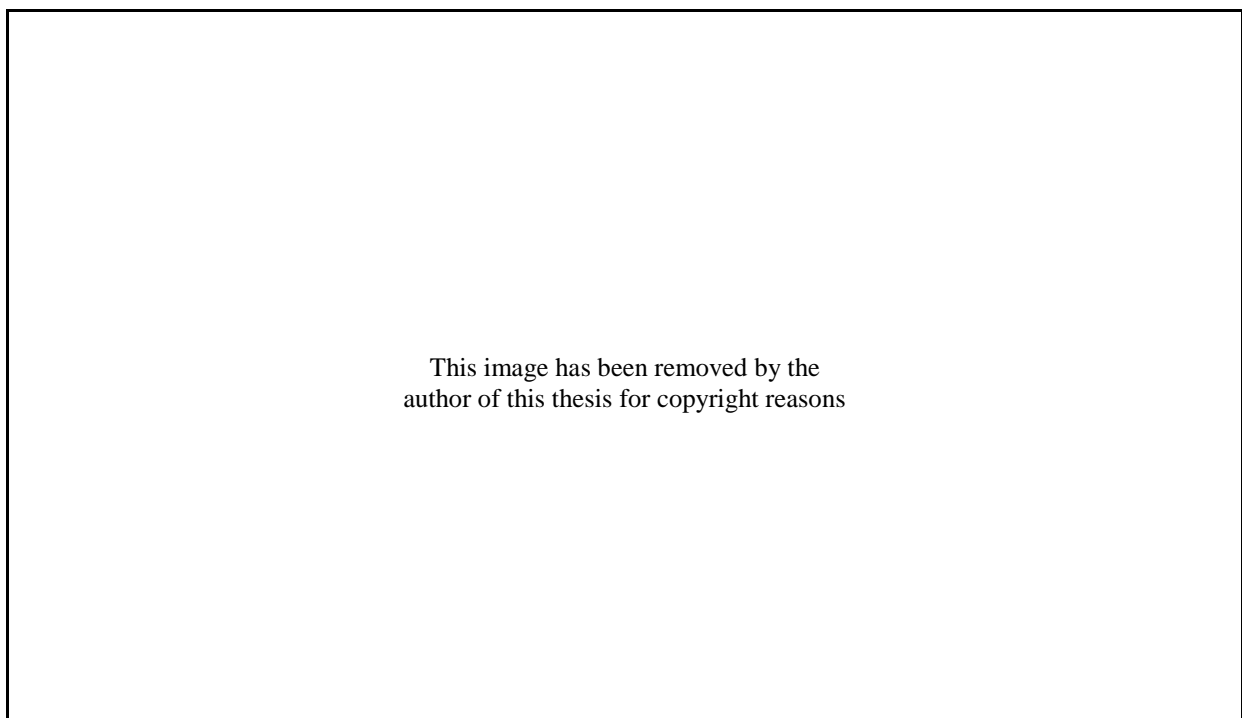


Figure 6: Slide 11 of the LEARNZ Renewable Energy Field Trip for Term 1, 2009 based in Canterbury.



By sponsoring learning materials Solid Energy has the opportunity to embed its commercial message and products within non-commercial formats. Conventional advertisements and public relations materials are more likely to draw suspicion from the public. According to Sharon Beder:

In most cases, the so-called educational materials give students a distorted picture of environmental issues and other problems, social choices and tradeoffs. They present a corporate view as 'fact' and report the result of corporate-funded studies without saying who financed them. They often fail to 'acknowledge the sponsor's own financial interest, or to disclose conditions and information that affect the accuracy of what they teach.'³³²

Other Solid Energy contributions include the funding of sports teams, sponsoring musical concerts, establishing awards and essay competitions, and offering scholarships. Solid Energy thus benefits from the fact that local news coverage highlights local events involving sport, cultural and musical activities. Altogether for the year 2009 the enterprise made donations and sponsorships totalling \$2,254,405 (2008: \$1,781,707; 2007: \$1,851,846).³³³

Solid Energy staff members have also volunteered their time to educate local children on issues such as road safety and environmental protection. For example, in 2005 Solid Energy's Ohai area Manager Robert Wilson handed out environmentally friendly bags and fluoro safety vests for pupils at Takitimu and St Patrick's Primary School.³³⁴ This helps to establish a good public image and it endears the enterprise to children and the community. In targeting children, it enables Solid Energy access to the child's caregiver or parent. This can help to build a relationship between the enterprise and the local community, which can influence the decision-making process. It is worth emphasising that children are more susceptible to marketing, advertising and public relations strategies, and the judgements formed during their youth are likely to be carried through to adulthood.³³⁵

Solid Energy has also targeted the younger generation through the endorsement of events. For example, in May 2009 television personality 'Bug Man' Ruud Kleinpaste visited Buller as part of Solid Energy's Stockton Mine Environment Week. Kleinpaste spoke to children at the Solid Energy Centre and visited the schools of Waimangaroa and Granity.³³⁶ The use of

³³² Beder, *Global Spin: The Corporate Assault on Environmentalism*, 167-168.

³³³ Solid Energy New Zealand Limited, *Annual Report 2008*, 60.

³³⁴ See Solid Energy New Zealand Limited, *Update: Ohai*, August 2005, http://www.coalnz.com/index.cfm/3,138,345/update_ohai_july05.pdf.

³³⁵ Beder, *Global Spin: The Corporate Assault on Environmentalism*, 162-174.

³³⁶ NA, "Bug Man Visits," *Westport News*, 11 May 2009. "The Bugman" first appeared in 1987 on Newstalk ZB talkback show (Ruud's Awakening), a number one-rating program that has continued in various formats over the past 17 years. Ruud Kleinpaste also published his book *Scratching for a Living* in 1997. He has also been

endorsements is reflective of the propaganda technique ‘transfer’. Transfer is the device by which the credibility of a well recognised, authoritative figure or a revered institution is carried over to the propagandist, making them more reputable and more likely to be accepted.³³⁷ Kleinpaste can be seen to be a favourable endorser for Solid Energy. His continued presence in broadcasting makes him relevant and popular to children and adults, and his position in numerous public trusts adds credibility to his character.

It is important to note that these philanthropic activities were generally complemented by favourable coverage in local schools’ newsletters and the West Coast media.³³⁸ For example, the Runanga Primary School newsletter for 10 April 2008 (number ten) it lists the following announcement:

SOLID ENERGY AND COMMUNITY CONSULTATIVE MEETING:

A new safety mirror was installed on the Carroll Street railway crossing late last week by Solid Energy.

A month later, the school newsletter of 8 May 2008 (number twelve) carried the following report:

SOLID ENERGY AND CANCER SOCIETY GIFT:

Yesterday we were presented with a wonderful sunshade cover, sponsored by Solid Energy and Cancer Society. Along with Blaketown, Cobden, Paparoa Range and St Patrick’s Schools we were provided with our new portable shade cover for outside events during Term 1 and 4. We thank them very much for this fantastic support for our West Coast children and in particular Runanga School. You are GREAT.

In the following newsletter of 15 May 2008 (number thirteen) readers are provided with the following information:

PUBLIC CONCERT ENSEMBLE OF SOUTHERN OPERA (SOLID ENERGY SPONSORSHIP)

This Saturday night, there will be a concert at St Patrick’s Church, sponsored by Solid Energy. When you book through I-Site, say “Solid Energy” and you will get the tickets for \$15 instead of \$30. 768 5101 A great saving, thanks to Solid Energy. A wide variety of singing. Do come along and support these amazing singers. Thank you to Solid Energy.³³⁹

appearing on television since 1990; he worked on TV3’s “Early Bird Show”, the kid’s show “What Now?”, the “New Zealand Today Show”, “Maggie’s Garden Show” and narrated a four part documentary-drama (The Enduring Land). Recently, he has been appearing as entomologist on Animal Planet/Discovery programs and regularly contributes to segments for Good Morning (TVNZ). His documentary, *The Bughouse* was screened on TV ONE in August 2001. In 2003/2004 he worked on *The World’s Biggest and Baddest Bugs* for the Discovery Channel and Animal Planet. Currently, Ruud is fronting a series of shows for Animal Planet called *Buggin’ with Ruud*. Ruud Kleinpaste is also a trustee of Project Crimson, the Little Barrier Island Supporters Trust, Bank of New Zealand Kiwi Recovery Trust and the Zoo Charitable Trust, as well as patron of Keep New Zealand Beautiful. He served on Auckland’s Zoo Enterprise Board from 1989 to 1998 as a co-opted member, <http://tvnz.co.nz/view/page/410940/467959>.

³³⁷ Institute for Propaganda Analysis, *Propaganda Analysis*,

<http://www.propagandacritic.com/articles/ct.fc.transfer.html>.

³³⁸ See Appendix II.

³³⁹ See Runanga School Website, “Newsletter Archive,” Runanga School, <http://www.runanga.school.nz/Site/Newsletters/Archive.html>. (original emphasis).

A more strident Solid Energy promotion can be found in the Buller High School newsletter for 2009 (issue three). Principal Sheila Grainger' message to students and caregivers contains the following viewpoint:

Last week, like lots of other Westport community members, I had the pleasure of breakfasting with Executives of Solid Energy Limited. In that room were salaries totalling millions of dollars. Don Elder earns over \$1million a year, and his second in command, over \$500,000. Yet when our students talk about leaving school to go and "work up the hill" as soon as they are 16, all they think of are the basic, minimum wage type jobs. ***What a waste, when there is so much more to be "mined" from having a multi million dollar, internationally competitive company in our own backyard!!!!!!!!!!!!!!!!!!!!***³⁴⁰

Various local media outlets have also highlighted Solid Energy's contribution to the West Coast Community. For instance, the *Buller Bay Bulletin* of June 2009, it thanked Solid Energy for supporting its newsletter. Similarly, in *The Clarion*, a newsletter for the Reefton and Inangahua area (halfway between Westport and Greymouth), thanked Solid Energy for sponsoring Reefton Rugby in its issue of 10 September 2009. While it is hard to determine the persuasive influence of sponsoring local community schools, community projects and activities, it does maintain the public profile of Solid Energy. Such a profile gives the strong impression that support for Solid Energy equates with community involvement.

On 24 November 2008 Solid Energy held its first stakeholder annual meeting at Auckland. Chairman John Palmer stated that the aim of the meeting was to provide:

...a more public exposure and disclosure of what Solid Energy's business is, how well it has performed and some of our plans for the future...to build a better understanding of the key issues that face the company, in the strategic and operational sense, and how we are resolving those.³⁴¹

He goes on to say however: "[a]t the conclusion of the addresses I will open up the meeting to questions. I stress I will only accept questions in relation to Solid Energy and its business. This meeting is not a forum for interest groups to represent their position."³⁴² While Solid Energy aimed to be more transparent on the way the state-owned enterprise operates, the promise is somewhat illusory. Through their capacity to control the forum, selection of participants, and processes of communication, Solid Energy was able to avert the risk of critical discussion. Moreover, the annual meeting and its accompanying report was strategically constructed. It was designed to represent the enterprise in a particular manner.

³⁴⁰ See Buller High School Newsletter, Issue 3, 2009, <http://www.buller.ac.nz/index.cfm/3,88,225/issue-3.pdf> (accessed 23 October 2009) (original emphasis)

³⁴¹ Solid Energy New Zealand Limited, *Annual Meeting*, 2008, 3.

³⁴² Ibid.

Conclusion

British settlers arriving in New Zealand in the mid-late nineteenth century sought to emulate the mining successes of the old country. This saw coal develop into a primary energy source for households and the industrial sector. The output of coal continued through to the 1930's economic depression. In response to the declining coal mining industry the Labour Government of Peter Fraser acquired more and more coal mines so as to ensure employment and the survival of the industry. By 1950 State Coal Mines was the largest coal mining establishment. Despite sustained government efforts, from the 1960s the numbers of mines in operation decreased. The reduced number of mines and the increased mechanisation of coal mining operations led to a smaller workforce.

From 1984, neo liberal deregulation resulted in an overhaul of the public sector. On 1 April 1987 State Coal Mines was transformed into the state-owned enterprise Coal Corporation New Zealand. The function of a state-owned enterprise is to operate as a successful business that is as commercially competitive as its private-owned counterparts. In February 1996, Coal Corporation was rebranded into Solid Energy New Zealand. The change in name signalled a new direction for the enterprise. It aimed to rebrand its image from that of a coal mining operation to that of a primary supplier of energy. The enterprise continued to grow steadily until the Asian currency crises of the late 1990s, which brought technical insolvency. By 2002, however, the enterprise had recovered, and has since continued to expand its market. Both Coal Corporation and Solid Energy moved quickly to shape and reshape the parameters of environmental discourse through strategies such as corporate philanthropy, emphasising the positive activities of the enterprise, and by promoting local community involvement in the discussion on mining. From the data gathered, it is evident that Coal Corporation and Solid Energy promoted the idea that profits, environmental protection and social values are inherently compatible. For Solid Energy, more so than Coal Corporation, the annual reports indicate a turn towards corporate public relations spin and managerialist discourse rather than a practical commitment to New Zealand's environmental and energy future. The annual reports were generally imbued with public relations speak, slogans, catchphrases and managerial doublespeak.

Some of the strategies employed by Solid Energy were designed to go largely unnoticed by the public. These strategies included spying, deterring public involvement by using intimidatory tactics such as SLAPPs, getting corporate-based environmental and safe-and-health materials into schools, and funding conservative think tanks opposed to environmental causes and stricter environmental regulations. Against this background the question becomes, do changes in Solid Energy's official discourse reflect genuine concerns for the environment or do they reflect a desire to maintain the public image of the enterprise? In my view, Solid Energy's attempt to become more transparent and more responsive was contradicted by its covert political manoeuvrings. Meanwhile, the impact of its core business, the mining of coal, remained a contentious environmental issue.

5. THE CYPRESS MINE PROJECT

This chapter focuses on Solid Energy's proposed Cypress extension of the Stockton Opencast Mine. As background I will discuss the economy of the West Coast and the development of coal mining in the region. Next, I will look at the local and national significance of the Stockton Mine. With these considerations in mind I will examine the proposal for the Cypress Mine. My focus will be on both the official and oppositional points of view. I will then briefly outline the most contentious issues surrounding the project. My aim is to provide a context for the project and to familiarise the reader with the issues that gained news media coverage nationally and regionally.

The West Coast Economy

Historically, the West Coast has been developed largely for the regional or national export of raw materials such as coal, gold, timber and the like. These industries have been predominately owned and controlled by those living outside of the West Coast. Therefore, while employment opportunities at the bottom end of the production cycle are available to locals, the majority of the benefits tend to leave the region. At the same time, the region imports relatively expensive manufactured products from other regions. This creates a trade imbalance that works against local development and helps to perpetuate the West Coast's marginal condition.³⁴³

In the nineteenth century the investment capital for gold and timber industries was sourced within the West Coast, while the coal industry was externally financed by those regions which were the largest consumers of coal. This began the unbalanced relationship between external capital and West Coast resources. From about 1900 onwards and particularly since the Second World War, the West Coast economy became dependent on investment from private companies and public sector agencies. West Coast resources and labour tended to

³⁴³ Weaver, "New Zealand's Last Colony", 26.

leave the region instead of being reinvested in the local economy in the form of local infrastructural development. In 1949 the Second Labour Government of Peter Fraser commissioned an inquiry into the problem of uneven development in the West Coast. The commission concluded that the major factor behind the marginal economic status of the West Coast was the repatriation of general wealth.³⁴⁴

By the early 1970's the Government saw the West Coast as a priority area for regional development and assistance. Eleven percent of state spending on regional development was given to the area between 1973 and 1986, which is more than its proportion of the national population. The majority of the local resources were not transformed into local capital; employment on the West Coast was therefore heavily dependent on public sector jobs and regional development assistance.³⁴⁵ After the 1986 election the West Coast economy was affected by the state and private sector restructuring that swept through the country. Of particular significance was the passing of the State Owned Enterprise Act (1987) and the establishment of the Department of Conservation (1987). During that time employment on the West Coast relied heavily on the allocation of state resources for conservation and development. Land allocated to conservation was managed by the Department of Conservation (DOC), while land assigned to resource extraction was given to state owned agencies. Any allocation that appeared to place too much land into the hands of conservation would signal that the marginal status of the West Coast economy was being ignored and that the Government had no concern for its problems. As it turned out, the establishment of the DOC and the State-Owned Enterprise Act in 1987 significantly changed employment opportunities on the West Coast. Between March and April 1987 the number of state sector employees dropped from 2,371 to 1,497.³⁴⁶ Falling employment inevitably affected the viability of other businesses in the region. As a result, a series of mills, factories, post offices and banks were forced to close. The West Coast economy was also affected by the removal of regional development grants and the loss of trade tariffs for manufacturing, which saw job losses in the private sector.³⁴⁷ In 1987 Minister of Finance, Roger Douglas, announced that there would no longer be regional development assistance. External investment in the region also diminished, partly through a removal of subsidies that had brought investors to the West

³⁴⁴ Ibid.

³⁴⁵ Ibid., 26-27.

³⁴⁶ Ibid., 28. This number dropped further by 1991 to 917.

³⁴⁷ Native Forest Action, "West Coast Jobs – Facts and Fallacies," *Native Forest Action: Information Series*, 4 July 2000, <http://www.converge.org.nz/nfa/Info.html>.

Coast. By December 1987 the regional unemployment rate had risen to 13 percent from seven percent eighteen months prior. By 1991 65 percent of the population over the age of fifteen was receiving a benefit.³⁴⁸

Eighty-seven percent of West Coast land is owned by the Crown; 11 percent is privately owned and the rest is either Maori land or owned by local authorities or quasi-governmental agencies. Only 21 percent of the land in the region is rateable compared with 73 percent for the rest of the country.³⁴⁹ The large proportion of Crown land means that there is only a small remaindered area available for rate revenues. This revenue has to sustain the provision of services, spread over a large region. This reflects the fact that much of the West Coast population (32,400) live in relatively small towns. Rates from these areas do not translate into many of the public services enjoyed in other parts of the country. Moreover, the West Coast supports the lowest population density in New Zealand.³⁵⁰ Therefore, there is more pressure placed on local authorities to provide infrastructure and social services than in other regions.

Stockton Mine

Coal was first mined in Stockton in 1908 by the Westport-Stockton Coal Company. The company was later purchased by State Coal Mines in 1944.³⁵¹ Currently, Stockton mine is owned and operated by Solid Energy New Zealand Limited. The Stockton opencast mine is Solid Energy's largest mine and the Stockton Coal Mining Licence (CML) covers an area of approximately 2,500 hectares.³⁵² Stockton's annual coal production is approximately two million tonnes. With new initiatives such as a \$100 million coal processing plant, developing

³⁴⁸ Weaver, "New Zealand's Last Colony," 28.

³⁴⁹ *Ibid.*, 28-29.

³⁵⁰ New Zealand Statistics Department, *Estimated Resident Population: Regional Council Areas at 30 June 1996-2009*, <http://www.stats.govt.nz/>.

³⁵¹ In 1948 State Coal Mines also purchased the assets of the Westport Coal Company.

³⁵² The coal mining licence will expire in March 2027. The main coal mining licence area for Stockton is 2310.3 hectares and there are three ancillary coal mining licences for processing facilities covering an area of 224.3 hectares. See Jan Wright, *Stockton revisited: The mine and the regulatory minefield*, Parliamentary Commissioner for the Environment, Wellington, October 2009.

areas within the former Millerton underground mine and the Cypress extension, Solid Energy expects to extract coal from the area until 2028.³⁵³

Stockton mine is situated on a plateau at an altitude of between 600 and 1,100 metres above sea level, and is about twenty-five kilometres northeast of Westport on the West Coast of the South Island. The climate of the area is characterised by high rainfall and cool temperatures. Mean annual rainfall is approximately 6000mm and as a result, streams draining from the plateau have high flow rates and flooding capacity.³⁵⁴ There is also occasional frost and snow in the area. In the higher altitude of the plateau, winds are south-westerly and the cloud base is often below the mine elevation.³⁵⁵ Fog is also a notable climatic feature of the Denniston-Stockton uplands. Given the harsh climatic conditions in the area, vegetation and topsoil on the plateau are sparse.³⁵⁶ There are, however, native species and plant communities, which are of conservation interest in the area.

The coal found at Stockton sits within a coal seam that is four to fifteen metres thick, with an upper layer (up to 35 metres) of quartzose sandstones and grits.³⁵⁷ Stockton contains bituminous coking coal, with low ash and low phosphorus content (less than 1 per cent). The characteristics of the coal are ideal for the export market. Over half of the annual production is sold offshore. Stockton coal is used as a specialist product for steelmaking and in the manufacture of carbon fibre, filters and catalysts.³⁵⁸ The coal is extracted using opencast techniques.³⁵⁹ First, the topsoil and vegetation are removed and placed in rehabilitation areas. Next, the overlying sandstone is blasted away using explosives, and removed by excavators

³⁵³ Solid Energy New Zealand Limited, "Solid Energy in talks with Downer EDI Mining to negotiate joint operation of Stockton Mine," *Press Release*, 13 May 2009, <http://www.coalnz.com/index.cfm/1,293,842,0,html/Solid-Energy-in-talks-with-Downer-EDI-Mining-to-negotiate-joint-operation-of-Stockton-Mine>; In 1891 the Westport Coal company built the Millerton Incline and the Millerton Mine began production five years later. In the late 1960s mining stopped at Millerton and Denniston.

³⁵⁴ There are three stream catchments within the area covered by the Stockton coal mining licences; Mine Creek, Mangatini Stream, and St Patrick Stream. These streams all flow northward into the Ngakawau River.

³⁵⁵ Doug Hood Mining Limited, *Mining – Case Studies*, 2002, http://www.doughood.co.nz/mining_case_studies.asp; Doug Hood Mining Limited (DHML) is a privately owned and New Zealand based mining and civil contracting company with extensive experience in contract coal and gold mining and large civil earthmoving projects across the country. Since December 2003 Doug Hood Mining Ltd has been contracted to perform opencast coal mining and associated works at Stockton Mine for Solid Energy NZ Ltd.

³⁵⁶ Wright, *Stockton revisited: The mine and the regulatory minefield*, 15.

³⁵⁷ Doug Hood Mining Limited, *Mining – Case Studies*.

³⁵⁸ Wright, *Stockton revisited: The mine and the regulatory minefield*, 16-17.

³⁵⁹ Before 1970 most of the coal was produced using underground methods. Since then most New Zealand coal has been produced by opencast mining.

and trucks. An excavator then extracts the coal, which is then blended with other coals from various pits to required qualities and specifications. Once the coal is blended it is transported by truck and aerial ropeway down to the Ngakawau coal handling facility and rail terminal. The coal is then transported by rail to the Port of Lyttleton in Christchurch, where it is mostly exported to Japan, China, India, South Africa and Brazil. The Stockton operation directly employs some 500 people and provides regular work for an additional 200 consultants and contractors. Other local and national businesses also derive part of their income from work related to the Stockton mining operations.³⁶⁰ Solid Energy has committed about \$200 million to a new coal processing plant, mine expansion, mine equipment and site infrastructure upgrades.

The Cypress Extension of Stockton Opencast Mine

Each year, Stockton Mine produces up to two million tonnes of high-value coal for export. To fill customer orders and to ensure maximum value for the remaining stocks an integrated mining method was adopted. Coal found at Stockton was blended with coal found elsewhere. This method should ensure that the Stockton Mine produces coal for up to twenty years. In order to do so, however, Solid Energy believed that they had to develop new coal resources. In the mid-1990s Solid Energy began to investigate the feasibility of mining in the Upper Waimangaroa Valley (Cypress or Happy Valley, see figure 7). However, due to the 1997-1998 Asian financial crises, the price and demand of coal dropped and the project was put on hold. By 2002 the proposed project had regained viability and in December 2003, Solid Energy applied for resource consent to extend the Stockton Mine's operational area eastward into the Upper Waimangaroa Mining Permit area. The Cypress extension of the Stockton Mine is Solid Energy's first large scale mining proposal to be considered solely under the Resource Management Act 1991. Other Stockton coal resources are administered under a Coal Mining Licence issued under the Coal Mines Act 1979 (as well as resource consents issued under the Resource Management Act).

³⁶⁰ Solid Energy New Zealand Limited, *Stockton Mine*, April 2009.

The coal depth requires the removal of twenty-nine million cubic metres of overburden, which will lead to the recovery of some five million tonnes of coal. The proposed extension will have a footprint of approximately 260 hectares. It includes two opencast pits (the north and south pits) covering an area of approximately eighty hectares. Additionally there is planned a thirty metres wide buffer zone, an over-burden placement area of some sixty-five hectares, three top soil storage areas, and a haul road approximately four kilometres in length and thirty-five metres wide. Other facilities like water management facilities and office areas will also be developed. The proposal is to extract the coal using opencast techniques. Opencast mining enables at least 90 percent recovery of the coal, whereas underground mining methods would enable less than 20 percent.³⁶¹ Vegetation is to be removed, stored and reused on site once the mining phase is completed. Once the coal has been mined and blended it is transported by large haul trucks approximately four kilometres west to the mine's processing area. There it will be blended with other coals from the Stockton pits. The coal will then be transported to the Ngakawau loading facility and railed to the Port of Lyttelton, where it will be exported.³⁶² Some of the coal produced will be used locally.³⁶³ The estimated life of the mine is ten to fifteen years, with an extended period required for mine closure and rehabilitation.³⁶⁴ Mining is to start in the north pit and then progress to the south pit. The proposed Cypress Mine is expected to contribute approximately five million tonnes of bituminous coal to Stockton's production over a period of ten years. The value of the coal reserve is estimated to be \$850 million.³⁶⁵ On 22 April 2009 Solid Energy announced that it was about to start preliminary work on the new \$60 million Cypress project. It expects to begin large-scale development in 2010, with the aim of extracting coal from the northern pit in late 2011.³⁶⁶

³⁶¹ Solid Energy New Zealand Limited V. Director General of Conservation and ANOR EC CHCH, 25 May 2005, 8.

³⁶² Solid Energy New Zealand Limited, *Cypress Extension of Opencast Mine*, April 2009.

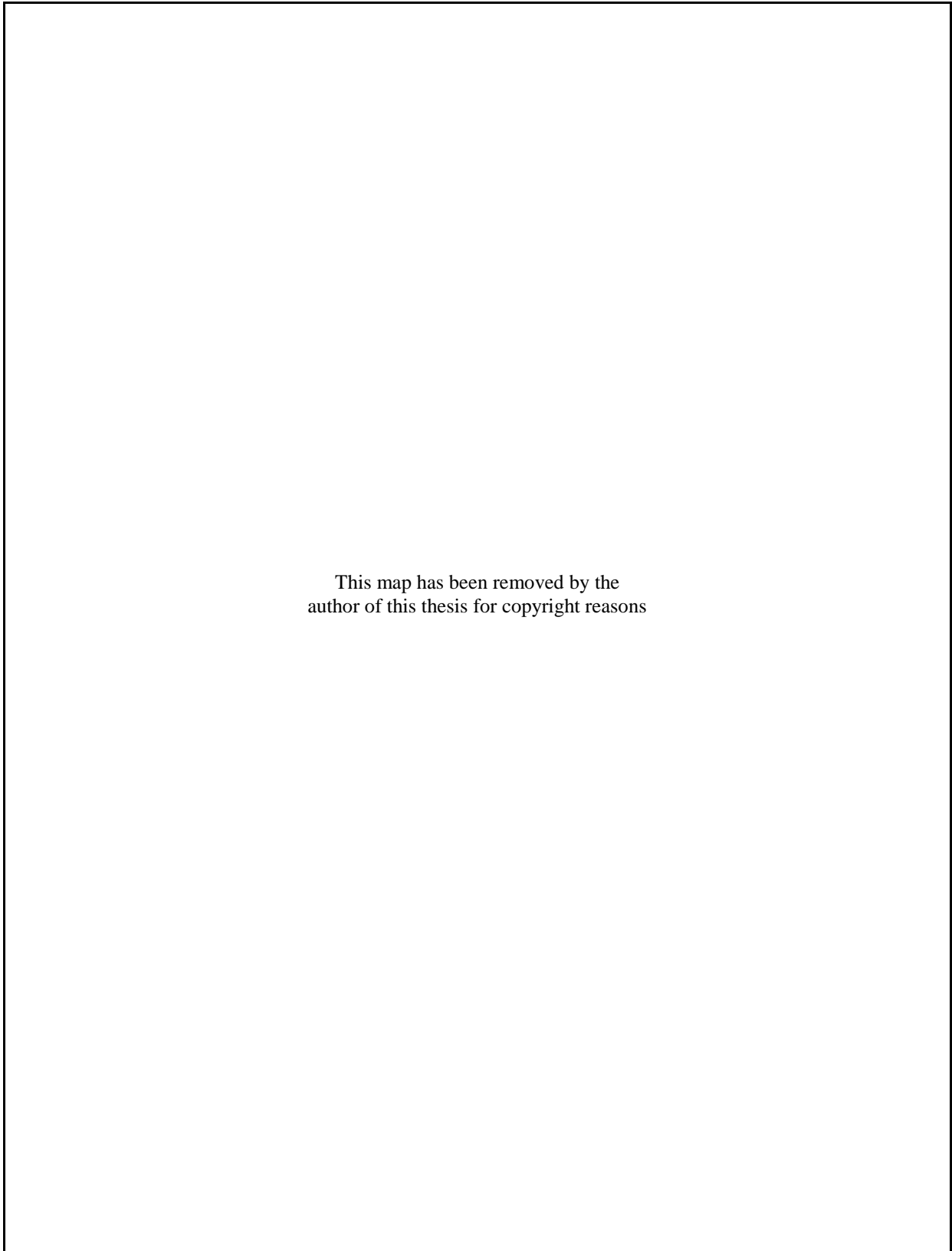
³⁶³ For instance at Holcim's cement plant near Westport.

³⁶⁴ Royal Forest and Bird Protection Society of New Zealand Inc. V Buller District Council and ANOR HC CHCH CIV-2005-485-001240, 21 December 2005, 2.

³⁶⁵ Solid Energy New Zealand Limited V. Director General of Conservation and ANOR EC CHCH, 25 May 2005, 4-6.

³⁶⁶ Solid Energy New Zealand Limited, *Stockton Mine Cypress Extension*, 2004-2007.

Figure 7: Map of the Stockton Mine area and the Cypress extension



Local Response

The public responses to Solid Energy's application to extend the Stockton Mine were minimal and largely one-sided. In total, the resource consent for the Cypress Mine received 347 submissions, with 310 in support, thirty-five in opposition and two neutrals.³⁶⁷ The main concerns of those opposing the application were about water pollution and the likely impact of development upon two threatened species; the great spotted kiwi and the *Powelliphanta "partinkensis"* snail specie. In June 2004, the West Coast Regional Council and the Buller District Council's hearing committee, made up of Warwick Heal, John Clayton and Graeme Neylon, stated that: "the development has the potential to maintain and create additional employment and economic benefits for the local community, the West Coast region and the country as a whole."³⁶⁸ While the committee did acknowledge that Solid Energy had, in the past, failed to meet best environmental practices, they stated that the committee could only consider the Cypress Mine application "on its own merits".³⁶⁹ The committee was largely satisfied with Solid Energy's proposed measures to protect and safeguard the environment, with the exception of their water management plans. The committee called for a clean water diversion system and a ground water monitoring regime. Importantly the commissioners stated that they could not rule on the issue of coal burning. Solid Energy was also required to post a \$5 million performance bond, \$1 million more than the enterprise had suggested. The committee granted Solid Energy a thirty-five year term for all except one of its twenty consents. The overburden discharge consent was granted for twenty-years.³⁷⁰

The joint Buller and West Coast Regional Councils' decision allowing Solid Energy to develop the Cypress extension was appealed by several organisations, including Solid Energy. Other appellants included Forest and Bird, Buller Conservation Group (BCG), Tai Poutini Conservation Board, the Department of Conservation (DOC), and Ngakawau Riverwatch Incorporated. The principal protagonists before the Environment Court were Solid Energy and Forest and Bird. Solid Energy appealed two of the additional conditions of the committee upon which the consent has been granted; the bonding arrangement and the

³⁶⁷ Save Happy Valley Coalition did not make a submission; they were at the time unaware of the proposal. Therefore, under the RMA the coalition could not appeal the councils' decision. It is worth noting that Greenpeace made a submission against the proposed mine, they did not however participate in the court proceedings. N/A, "Opencast coal mine gets nod," *New Zealand Press Association*, 21 June 2004.

³⁶⁸ Solid Energy New Zealand Limited, *Cypress Extension of Opencast Mine*, April 2009, 1.

³⁶⁹ Holly Reid, "New Solid Energy mine gets go-ahead," *The News*, 21 June 2009.

³⁷⁰ Ibid.

consent conditions for storm water discharge.³⁷¹ Forest and Bird sought to overturn the councils' decision, arguing that the proposed mitigation plans were insufficient and would not arrest the decline of the environment or the indigenous flora and fauna inhabiting the area. Riverwatch was not opposed to the mine, although they wanted to address in particular the issue of water quality standards and monitoring requirements before any activities took place.³⁷² Just prior to the hearing DOC and Ngakawau Riverwatch entered into a mediation process with Solid Energy and a private arrangement was reached. As a result both parties took no active part in the Environment Court hearing.³⁷³ The Buller Conservation Group took part as an interested party.

At the Environment Court the main focus was on the identification of the national, regional and local importance of the area, the effect of the proposed mining activities, and the value of the mitigation and compensatory measures proposed. Other concerns expressed included the location of access points, tracks and mine roads; distance and gradient of mined land to boundaries; effects on water bodies, wetlands and riparian margins; total area of disturbances; the effect of bulk and location of stockpiling buildings; hours of operation; protection of areas of significant indigenous vegetation or significant fauna; effects on indigenous flora and fauna; the life-supporting capacity and functioning of indigenous ecosystems; effects on outstanding natural features and landscapes; effects on cultural, archaeological and historic sites; site restoration, rehabilitation or re-vegetation, noise control (including vibrations, use, storage and transportation of hazardous substances); financial contributions relating to landscaping, land restoration and road constructions; impacts on public access, including recreation; and the performance bond.³⁷⁴ It is important to note that the wider issue of climate change was not considered by the Court.

Within the proposed mine site area there was significant indigenous vegetation. In 1998 the Department of Conservation had recommended that the Upper Waimangaroa Mining Permit

³⁷¹ Bonding arrangements were put in place to cover the cost of any rehabilitation and associated maintenance and management that might require completion if Solid Energy failed to do so.

³⁷² Holly Reid, "Cypress Mine to be appealed," *The News*, 12 July 2004.

³⁷³ Their withdrawal was contingent on the understanding that the final conditions to be imposed would be no less stringent than those contained in the initial set of conditions; See *Solid Energy New Zealand Limited v Director General of Conservation and ANOH EC CHCH*, 25 May 2005.

³⁷⁴ *Solid Energy New Zealand Limited v Director General of Conservation and ANOH EC CHCH*, 25 May 2005, 56-57. A performance bond is an agreed sum of money placed into an escrow account. This bond guarantees that the third-party will perform the said work in accordance with the permits and the resource consent.

and part of the proposed Cypress Mine area be marked out for protection (RAP).³⁷⁵ This highlighted the national significance of the region to New Zealand. Such recommendations however, have no binding power. In Happy Valley, there were twelve hectares of red tussock wetland that were considered to be of significant ecological value. Solid Energy's application proposed a plan to 'direct transfer' the red tussock wetland to an immediate site before mining. After mining, the wetland would be relocated onto a rehabilitated site. Two expert witnesses were called upon to critically discuss the value of the red tussock wetland community within the mine site: Dr. R. M Bartlett a Solid Energy consultant and Dr. K. M. Lloyd for the Buller Conservation Group. Dr. Bartlett observed that only some of the Happy Valley's red tussock wetland communities were within the mining footprint; therefore mining coal in the region would only partly impact upon the wetlands. In contrast, Dr. Lloyd concluded that Solid Energy's rehabilitation plan for the red tussock wetland would not work and that direct transfer was not feasible. The Environment Court, however, concurred with the testimony of Dr. Bartlett and as such it did not view the mine area as having significant vegetation to justify the withholding of the consent.³⁷⁶

Also in the Waimangaroa Valley were significant indigenous fauna. There were between seventy-five and 145 adult great spotted kiwi. In particular, there were four pairs and two males living within the proposed mine footprint. Since the great spotted kiwi is by nature a strong territorial specie, mining would not necessarily cause them to migrate to adjacent areas. As such, the kiwis would need to be relocated to a different site before any mining activities began. The feasibility of relocating kiwis was however, not known. According to expert witness Dr J. McLennan, in the worst case scenario the ten birds would be lost. He recommended that the kiwis be monitored for several months prior to any mining activities before a decision was made.³⁷⁷ On the Stockton Plateau and down to the Denniston area there is the nationally endangered snail species the *Powelliphanta "patrickensis"*. *Powelliphanta "patrickensis"* cannot be found in any other area. Since mining activities would destroy its habitat the species would require collection and removal before the commencement of mining. The relocation of the snails is however, complicated by the secretive and nocturnal habitat of *Powelliphanta "patrickensis"*.

³⁷⁵ F.B Overmars, M. J. Kilvington, R. S. Gibson, C. L. Newll, and T. J. Rhodes. *Ngakawau Ecological District: Survey Report for the Protected Natural Areas Programme*. Atawhai: Department of Conservation, 1992.

³⁷⁶ Solid Energy New Zealand Limited V Director General of Conservation and ANOH EC CHCH, 56-57.

³⁷⁷ Ibid., 32.

In order to manage and remedy the environmental impact of mining, Solid Energy proposed mitigation measures. These included rehabilitation, a predator control programme, and ongoing monitoring and management of the area. Rehabilitation was designed to return the mine site to a stable self-sustaining landform compatible with its natural surrounding area. In certain instances Solid Energy claimed that they would be able to return the land to a better condition than that which existed prior to coal mining. In contrast, opponents argued that the mining activities would lead to short-term environmental damage and that there was insufficient evidence to suggest that the mitigation measures would arrest the decline of native species. By that time the loss of the native species would be irreversible.³⁷⁸ Despite these concerns, the Environment Court ruled in favour of Solid Energy. Its main reasons were that there was already predation in the area and that the species were already declining in their current situation.³⁷⁹

Section 6(e) of the Resource Management Act acknowledges: “the relationship of Maori and their culture and traditions with their ancestral lands, waters, sites, *waahi tapu*, and other *taonga*.”³⁸⁰ *Waahi tapu* refers to resources of historical and cultural importance, and *Taonga* refers to tangible or intangible treasured things.³⁸¹ In Maori culture, each *hapu* (group of extended families or clan) or *whanau* (extended family) possesses a *mana whakapapa* (genealogy rights) of its own that connects it with others within a given landscape. Such areas are well sustained within tribal histories and traditions. Each *hapu* and *whanau* is empowered to act in defence of tribal *mana* (extraordinary power, essence or presence) in a given circumstance.³⁸² The concern expressed by the Te Runanga O Ngati Waewae was whether the *hapu* would be able to retain its spiritual and legal links to the land, or *mana whenua* (absolute authority over the land). The *hapu* claimed that their *mana* and concerns

³⁷⁸ Ibid., 40.

³⁷⁹ Ibid.

³⁸⁰ Resource Management Act 1991 No 69 (as at 08 December 2009), Public Act, http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM231907.html?search=ts_all%40act%40bill%40regulation_resource+management+act_resel

³⁸¹ Te Ahukaramū Charles Royal. 'Te Ao Mārama – the natural world - Mana, tapu and mauri', Te Ara - the Encyclopedia of New Zealand, 1 March 2009, www.TeAra.govt.nz/en/te-ao-marama-the-natural-world/5. It is worth emphasising that the act leaves *waahi tapu* undefined. A reason for this may be that Parliament realised that there are differences between the various *hapu* and tribes. Generally, from a Maori perspective *waahi taonga* is substitute to convey the meaning and intent of *waahi tapu*. *Waahi taonga* refers to those natural resources that sustain life, and that are culturally and historically important to each tribe. See Rakihihi Taku, “Waahi taonga and Waahi tapu,” *Planning Quarterly*, June 1992, 11-13.

³⁸² Danny Keenan, “Bound to the Land: Maori Retention and Assertion of Land and Identity,” in *Environmental Histories of New Zealand* (Victoria: Oxford University Press, 2002), 246-250, 260.

were inadequately recognised in the commissioner's decision. At the Court hearing the *hapu* wanted to see an enhancement of the *Mauri* (an energy which binds and animates all things in the physical world) in the Stockton Plateau. The *hapu* were interested in maintaining a dialogue and entering into a partnership with Solid Energy.³⁸³

In the hearing an economic perspective was also given. According to the consulting economist, Mr Geoffrey Butcher, the Cypress Mine project is expected to increase employment numbers in the West Coast region by 1,930. It is also expected to generate some \$151 million of value to the Buller District and \$184 million in the West Coast region.³⁸⁴ He was the only economic consultant called upon. It is important to note that there was no consideration to the likely impact of environmental depletion on tourism revenue.

On 24 May 2005, Justice J. A. Smith concluded that there should be a grant of resource consent (with minor additions). In his conclusion he stated:

We conclude that a granting of a consent in this case would enable not only Solid Energy (and thus the taxpayer in general) but also people in the region and district. Without the substantial conditions proposed the proposal would adversely affect the potential of the natural and physical resources to meet reasonably foreseeable needs, affect the life-supporting capacity of the water, soil and ecosystems and have adverse effects.³⁸⁵

Through the discussion and the conclusion reached, it becomes obvious that priority was given to economic goals. This enables corporate organisations to make decisions that affect others on the basis of their economic interests, but it also carries the facade that environmental and mining interests are compatible; a viewpoint which fits 'soft' versions of sustainability discourse.

Environmental Groups

This section identifies the main environmental groups involved in the Cypress Mine controversy. I will detail the involvement of each group and outline the strategies they adopted. The main organisations were the Department of Conservation, the Royal Forest and

³⁸³ Environment Court, 22.

³⁸⁴ Solid Energy New Zealand, *Cypress Mine – Environment Court Decision – Extracts*, 7 June 2005, 1.

³⁸⁵ Solid Energy New Zealand Limited v Director General of Conservation and ANOH EC CHCH, 25 May 2005, 62.

Bird Protection Society and the Save Happy Valley Coalition. Other environmental groups included the Buller Conservation Group, Ngakawa Riverwatch (Riverwatch), and Greenpeace.

The Department of Conservation was established in 1987 under the legislative mandate of the Conservation Act (1987). It is the leading central government agency responsible for the conservation of New Zealand's natural and historic heritage. Its mission is: "[to] conserve New Zealand's natural and historic heritage for all to enjoy now and in the future".³⁸⁶ A key function of the department, as set out in the Conservation Act, is: "to manage land and other natural and historic resources".³⁸⁷ In accordance with this the department initially opposed the Cypress Mine project proposal. However, after a private consultation with Solid Energy the department took no active part in the Environment Court hearing for the Cypress Mine. Shortly after the court hearing, Solid Energy applied to the Department of Conservation for consent to translocate the *Powelliphanta "augustus"* snails. Eventually, consent was granted. Solid Energy in partnership with the department has since relocated the snails and is gradually releasing them back into the wild.³⁸⁸

The Royal Forest and Bird Protection Society (Forest and Bird, formerly the Native Bird Protection Society) was founded in 1923 by Val Sanderson. The environmental group was originally formed to protect New Zealand's native forests and birds. Over time the focus of the group broadened. In the 1940s the group became a political pressure group (in the contemporary sense), especially after the successful campaign for the establishment of the Waipoua Forest Kauri Sanctuary.³⁸⁹ Currently, Forest and Bird works to preserve the natural heritage and native species of New Zealand. The group is New Zealand's largest independent conservation organisation with a membership number of at least 30,000.³⁹⁰ Since 2003 the pro-conservation group has opposed Solid Energy's proposal for the Cypress Mine.

Forest and Bird believed that mining coal from the Happy Valley area would lead to the destruction of native species and habitats, and the contamination of the natural surroundings.

³⁸⁶ See the Department of Conservation Homepage, "Mission, Vision, and Statutory Mandate," *Department of Conservation*, <http://www.doc.govt.nz>.

³⁸⁷ Ibid.

³⁸⁸ This is further developed in the following section.

³⁸⁹ Dann, "The Environmental Movement", 369.

³⁹⁰ The Royal Forest and Bird Society, "Forest and Bird Homepage," <http://forestandbird.co.nz/>.

The group was the main oppositional appellant in the Environmental Court hearing on the Cypress Mine. After the Environment Court upheld the councils' decision, there were additional legal issues relating to whether or not Solid Energy had the authority to translocate the snails under the Wildlife Act. The Society then petitioned the High Court. The Crown Law then advised Solid Energy that the consent of the Minister of Conservation and Minister of Energy was required under s71 of the Wildlife Act before Solid Energy could translocate the snails. Eventually, Conservation Minister Chris Carter and Associate Minister of Energy Harry Duynhoven granted a permit to Solid Energy to relocate the snails from the Mt Augustus ridgeline on the West Coast. After exhausting all legal avenues the society were left with no alternate course of action, which saw them fade from the news media spotlight.

This is where the Save Happy Valley Coalition (now known as Powelliphanta Augustus Incorporated) was different. The organisation was formed in April 2004 by groups and individuals from around the country. Each individual group had their own focus, although collectively the coalition worked to raise awareness on environmental issues, especially on the issue of climate change in New Zealand. Members of the Save Happy Valley Coalition are committed to grassroots organisation and non-violent direct actions. This has helped to ensure the group constant news media attention. The coalition worked alongside organisations such as the Buller Conservation Group (BCG), Te Runanga o Ngati Waewae, Forest and Bird, Greenpeace and the Green Party, to create public awareness about the proposed Cypress Mine.

From 28 January 2006 to 22 April 2009 the coalition occupied Happy Valley. The occupation site is set on the west side of the Valley overlooking the red tussock wetlands, within sight of the Stockton mine, Mt Augustus and Mt Frederick. The coalition sought to draw attention to the environmental issues surrounding coal mining and coal-fuelled energy generation.³⁹¹ They actively opposed Solid Energy's proposed Cypress Mine. The group were particularly concerned about the fate of all endangered species in the area and promoted its message to the public and the news media through various protest actions. These included taking part in lawsuits, public rallies, camp-outs, hunger strikes, tree sit-ins, land occupation, train blockades, scaling buildings and dropping banners, fastening activists with chains to buildings and storming award ceremonies. For example, on 13 August 2005, Save Happy

³⁹¹ Save Happy Valley Coalition Homepage, "Our History," *Save Happy Valley Coalition*, <http://savehappyvalley.org.nz/getinvolved.php?page=ourhistory>.

Valley Coalition members blockaded a train track, which leads from Solid Energy's coal mines to the Port of Lyttelton.³⁹² Three people locked themselves to the tracks, while a further twenty-five gathered around in support. This halted four Solid Energy trains for five hours as police cleared the blockade.³⁹³ Solid Energy later claimed in court that the blockade cost it USD \$150,000. Three blockaders were arrested.³⁹⁴ Another one of their most controversial actions was the publication of a satirical Solid Energy environmental report. The parody report, published in 2007, expressed the group's views on Solid Energy and coal mining. In response to the report Solid Energy pursued a defamation lawsuit against members of the Save Happy Valley Coalition. The enterprise sought five orders as part of an interim injunction application designed to stop the group from publishing the material. The application included the link to the report on the coalition website (Solid Energy argued that this was an infringement on its trademark and copyright). On 26 July 2007, the High Court ruled that the Save Happy Valley Coalition would have to drop Solid Energy's logos and trademarks.³⁹⁵ The group have also documented their struggle on film and on-line.³⁹⁶ Their website provides an up-to-date account of the events and issues taken place, and information on how to contribute to the cause. At the time, print materials such as flyers and bumper stickers were also in circulation.³⁹⁷

³⁹² On 29 April 2007 Save Happy Valley Coalition members locked themselves onto the track in protest against the proposed Cypress Mine. See Save Happy Valley Coalition, "End of the line for coal: Protestors blockade coal trains," *Press Release*, 29 April 2007, <http://www.savehappyvalley.org.nz/resources.php?page=91>.

³⁹³ Save Happy Valley Coalition, "Stopping Climate Change in its Tracks," *Press Release*, 13 August 2004, <http://www.savehappyvalley.org.nz/resources.php?page=31>.

³⁹⁴ Solid Energy denied that it sought reparations for the cost it incurred during the train blockade. However, a letter obtained from Save Happy Valley Coalition suggests otherwise. See <http://img2.scoop.co.nz/media/pdfs/0602/ReparationsSolidEnergy.pdf>.

³⁹⁵ NZPA, "Everyone happy as coal firm wins bid to stop logo misuse," *The New Zealand Herald*, 27 July 2007.

³⁹⁶ See www.youtube.com and www.savehappyvalley.org.nz for examples.

³⁹⁷ See Appendix III

Issues surrounding the Cypress Mine project

In this section I outline the two major issues that were indirectly related to the proposed Cypress extension of the Stockton mine. The battle for Mt Augustus follows the story of the *Powelliphanta* “*augustus*” snail specie found on the Mt Augustus ridgeline at Stockton. The Spy Saga reveals the tactics used by Solid Energy to gather information from the Save Happy Valley Coalition.

*The Battle for Mt Augustus*³⁹⁸

In 1996 *Powelliphanta* “*augustus*” snails were first discovered in the northeast of Mt Augustus by members of the Nelson Botanical Society. It was assumed that the snails were *Powelliphanta* “*patrickensis*”. After a critical examination however, in 2003 the shells were found to be a new species *Powelliphanta* “*augustus*”. All *Powelliphanta* snails are endemic to New Zealand and are protected species under the Wildlife Act 1953.³⁹⁹ It was estimated that 800 to 1000 snails were in existence, although DOC scientists believed that the population numbers were likely to be lower. After the discovery DOC staff and Solid Energy contractors began searching the northeast area of Mt Augustus, where the snails were first discovered. However, the area had been mined and all snail inhabitants had been lost. There remained a small area of 5.3 hectares of subalpine forest and scrub on the northern ridge of Mt Augustus where the snail habitat lies. This site was close to the boundary between Solid Energy’s Stockton mining licence area and conservation land.

On 21 November 2005 Forest and Bird filed documents in the High Court seeking a declaration on the interpretation of section 71 of the Wildlife Act 1953. The High Court granted an urgent hearing.⁴⁰⁰ The High Court reached the decision that Solid Energy had to seek consent from both the Minister of Conservation and the Minister of Energy before the enterprise could proceed with any of its mining activities. Solid Energy had to also amend

³⁹⁸ *Powelliphanta* “*augustus*” is not the snail species found at Happy Valley (*Powelliphanta* “*patrickensis*”) within the proposed Cypress opencast coal mine. *Powelliphanta* “*augustus*” is found only on the ridgeline of Mt Augustus, some four kilometres to the east of the proposed Cypress mine.

³⁹⁹ Press Release: New Zealand Government, “Permits approved to move Mt Augustus snails,” 12 April 2006, <http://www.scoop.co.nz/stories/PA0604/S00233.htm>

⁴⁰⁰ Royal Forest And Bird Protection Society, “Fight to Save Threatened Snail Heads to High Court,” *Press Release*, 12 December 2005, <http://www.scoop.co.nz/stories/PO0512/S00100.htm>.

the permit application to include “direct transfer” of the habitat.⁴⁰¹ In February 2006, Conservation Minister Chris Carter approved a permit under the Wildlife Act and this allowed for Solid Energy to relocate a small population of *Powelliphanta* “*augustus*” snails. This went against the recommendation from DOC scientist Dr. Kath Walker. Dr. Kath Walker believed that if a decision were to be made purely in the interest of the snails it would be for them to remain where they were and for no mining to take place at the ridgeline.

On 12 April 2006 Conservation Minister Chris Carter and Associate Minister of Energy Harry Duynhoven granted another permit for Solid Energy to relocate the remainder of the snails from the Mt Augustus ridgeline on the West Coast.⁴⁰² The permit enabled the enterprise to capture and relocate snails, shells and eggs found in the area. In response Save Happy Valley Coalition (SHVC) filed proceedings for two court cases. The first case was held in the Environment Court and it was considered under the Resource Management Act. The coalition claimed that since Solid Energy’s Stockton Coal Mining Licence (CML) was issued under the Coal Mines Act 1979 it was inoperable. The enterprise required a resource consent before it could mine in the Upper Waimangaroa.⁴⁰³ The second case was a Judicial Review of the ministers’ decision to grant the permit to relocate the *Powelliphanta* “*augustus*”. SHVC challenged the process by which the decision was made.⁴⁰⁴ Both cases pursued by the SHVC were aimed at stopping the mining activities of Solid Energy. The coalition argued that the mining activities would impact negatively on the environment. In both cases the courts found against their appeal.

After obtaining all the necessary consents and permissions Solid Energy and the department captured and relocated the native land snails of the ridgeline. In total 6,140 snails, 8,057 shells and 1,116 eggs were collected. The process finally concluded in May 2007.⁴⁰⁵ To date, up to 40 percent of the snails have died after being transferred, and many are still being

⁴⁰¹ Judge A. D. Mackenzie J, *In the matter of Section 71 of the Wildlife Act and in the matter of the Declaratory Judgement Act 1908*, 13-16 December, pp.1-14. The hearing was held on 13 December 2005; a decision was released by Judge Mackenzie J on the 16 December 2005.

⁴⁰² <http://www.scoop.co.nz/stories/PA0604/S00233.htm>

⁴⁰³ Save Happy Valley Incorporated v. Solid Energy New Zealand Limited, *In the matter of the Resource Management Act 1991*, 26-30 October 2006.

⁴⁰⁴ Save Happy Valley Incorporated v. Minister of Conservation; Associate Minister of Energy; Solid Energy New Zealand Limited, *In the matter of the Section 71 of the Wildlife Act 1953*, 6 December 2006.

⁴⁰⁵ Solid Energy New Zealand Limited, “Relocating Native Land Snail,” *Press Release*, <http://www.coalnz.com/index.cfm/1,288,0,0,html/Relocating-Land-Snails>.

kept in ice-cream containers in fridges.⁴⁰⁶ The financial costs associated with the relocation of the *Powelliphanta "augustus"* snails were estimated at \$10 million. Solid Energy claims that the enterprise suffered an additional loss of about \$25 million from delays to its shipments for exports. By the end of June 2007 the total effective cost to the enterprise with protecting the snails was estimated at \$35 million

Spy Saga

In April/May 2006 Solid Energy and Mighty River Power admitted that they had employed spies to monitor the activities of protest groups, which included the Save Happy Valley Coalition group. The spies were recruited by an Auckland private investigation company, Thompson and Clark Investigations Limited (TCIL). In May 2007 journalist Nicky Hager reported in the *Sunday Star-Times* that TCIL had recruited a member of Save Happy Valley Coalition group, Ryan Paterson-Rouse to leak information.⁴⁰⁷ Ryan Paterson-Rouse wrote regular reports on the groups' meetings and plans, collected information on special subjects of interest and helped set up systems to automatically redirect all the groups' internal emails to TCIL.⁴⁰⁸ In response to these allegations, Solid Energy's chief executive Don Elder stated that he was not prepared to comment on whether such action was occurring but said he was unconcerned: "What do I feel about that? So what?" Elder also claimed that the enterprise had acted: "...legally, ethically and morally". In response, State-Owned Enterprises Minister Trevor Mallard gave formal instructions to Solid Energy's board that the practice must cease.⁴⁰⁹

In April 2008 Nicky Hager revealed that TCIL had once again tried to recruit spies. It was reported that TCIL director Gavin Clark had tried to recruit a Christchurch man, Rob

⁴⁰⁶ Helen Bain, "'Surgical' and 'mining' – those two words go together about as well as 'honest' and 'politician,'" *The Royal Forest and Bird Society*, NA, <http://www.forestandbird.org.nz/what-we-do/publications/forest-bird-magazine/articles-archive/mining-new-zealands-green-heart>.

⁴⁰⁷ Evidence suggests a second student, Somali, was paid by Thompson & Clark to join two Wellington groups – Wellington Animal Rights Network (which protests about vivisection and cruelty to animals) and peace group Peace Action Wellington. Over the past two years, she was a core member of the groups taking minutes at meetings and joining all their activities – while reporting to clients interested in the vivisection and arms industry intelligence. She denied any involvement when the *Sunday Star-Times* confronted her last week.

⁴⁰⁸ Save Happy Valley Coalition, along with Peace Action Wellington and Wellington Animal Rights Network (the other groups under surveillance), complained to the Registrar of Private Investigators and Security Guards that Thompson and Clark broke the law by employing unlicensed agents to infiltrate the groups. In March 2008, the three groups were told their complaint failed because the paid informants did not meet the legal standard of employees. There was no contract, set pay, tax deducted or control exercised over them by the investigation firm.

⁴⁰⁹ Nicky Hager, "Finding the Enemy Within," *Sunday Star-Times*, 27 May 2007. John Palmer at the time was overseas; acting chairman was John Spencer.

Gilchrist, to spy on the Save Happy Valley Coalition, despite the government's strict instructions that such spying must cease. Solid Energy's chief-executive Don Elder stated that the enterprise had complied with the Minister's directive and instructed the private investigators to stop using 'paid-for' informants. The government was puzzled but took no further action. TCIL's attempts to recruit Rob Gilchrist raise an obvious question: If Solid Energy had instructed TCIL to stop spying, why was the private investigator still trying to recruit a Happy Valley informant?⁴¹⁰

In summary, the politics of the battle for Mt Augustus suggest that while environmental protection and conservation were important issues, they were not important enough for the government to prevent environmentally harmful economic development. The Ministers believed that the measures and assurances from Solid Energy gave them enough certainty that the snails would not be threatened. However, scientific evidence from the Department of Conservation had concluded that the best way to ensure that the species did not become extinct was to leave the snails intact. The actions of the government also indicated that they did not place much emphasis on the *future* environmental costs of mining development. In the spy saga, the morally and ethically questionable practice of using private investigators did not encourage the government to change the management of Solid Energy. The Minister merely issued a stern warning, which he did not reinforce. The government's response to both controversies indicated a concern for their public image rather than the issue at stake. Appearing to be environmentally conscious overruled the realities of environmental depletion, and sensitivity about the perceived misuse of tax-payers money overruled the fact of civil liberty curtailment.

⁴¹⁰ Nicky Hager, "Coal Mine Spies Return Despite Government Ban", 20 April 2008, <http://www.nickyhager.info/coal-mine-spies-return-despite-govt-ban/>.

Conclusion

Since the nineteenth century the West Coast has been continually exploited for its natural resources of gold, timber and coal. Such developments are representative of a 'boom and bust' economy. In a boom and bust economy the rising price of a particular commodity sparks an expansion in the extraction and production of that commodity. This is then followed by a local downturn as the commodity price falls or as the resource declines. Resource driven economic expansions are usually unsustainable and lead to economic decline. Solid Energy's application for an extension to the Stockton Mine reflects this boom-bust cycle. The enterprise proposed to spend \$60 million on developing two opencast pits at Cypress. It was envisaged that this would in turn benefit the local community. The development is expected to generate over \$180 million to the West Coast region, mainly through revenues and employment. Solid Energy believes that in developing the new resources, Stockton can continue to produce at around its current levels for another 20 years.

Public reaction to the Cypress extension of Stockton was mixed. Generally, those in favour of the mine stated that the mine would provide a much-needed economic boost to the region. They believed that the Cypress Mine would reduce unemployment and help restore some of the lost commercial activity to the region. Meanwhile environmentalists argued that the conservational value of the area, along with Solid Energy's poor environmental record, militated against developing the mine. At the committee hearing for the consent application the local and regional councils, whilst acknowledging each side of the debate, believed that the measures outlined by Solid Energy (along with the newly imposed regulations of the committee) would effectively monitor the environmental impact of the Cypress Mine. Environmentalists, however, did not agree and appealed the decision to the Environment Court. At the hearing, Solid Energy defended its application and environmental groups presented their concerns. In the end, the court found in favour of Solid Energy. Currently, Solid Energy is in the process of developing the mine.

While the battle over the Cypress Mine project was largely portrayed as a classic battle between environmental values and economy, and of greenies versus local communities, the issues at stake were more complex and wide ranging. Coal mining is more than a locally defined environmental and economic matter; it involves national and international concerns

about the relationship between ecological sustainability, energy extraction and modern ways of life.

6. NEWS MEDIA REPRESENTATIONS OF THE CYPRESS MINE PROJECT

This chapter begins by discussing environmental discourse in the news. My analysis will readdress the underpinnings of news construction; news values, news sources, news frames, and discourse. I will also draw upon the work of Norman Fairclough and Raymond Williams to discuss the news media's usage of discourse and keywords. My empirical purpose is to outline the extent to which the 'official' environmental discourses and corporate public relations framed news coverage of the Cypress Mine controversy against the views of environmental activists and lobby groups.

Environmental Discourse in the News: Deep Frames, Meso-Frames and Counter Frames

The news media is a central site of the struggle over meaning, and so news must also be understood in relation to how different groups and organisations try to influence its content. For major players access to news coverage is a crucial element in winning public support, but it is equally important to have a favourable definition, interpretation, evaluation and/or recommendation concerning the issue or event at hand. In general, frames reflect the social order in which they are constructed. Those in positions of power assume the right to define and establish the meaning of an event or issue. These frames are referred to as 'deep frames'. They reflect the embedded power structures of society. Deep frames persist over time and appear natural or in accordance with socio-cultural norms.⁴¹¹ A 'counter frame' questions the legitimacy, relevance, and/or need of the deep frame. It evolves out of the incapacity of the dominant frame to reflect reality and/or social change. The clash of frames is not solely a contest about meaning and representation; it is an ideological encounter between opposing interests.

⁴¹¹ Reese, "Prologue – Framing Public Life: A Bridge Model for Media Research," 14-19.

For the purpose of this research environmental discourses are categorised into three frames: ‘Promethean’, ‘limits to growth’, and ‘sustainable development’. Each frame seeks to promote its own perspectives concerning the relationship between humanity and the environment. In this sense, the ‘Promethean’ deep frame classifies the environment as external to humanity, while the ‘limits to growth’ counter frame challenges this point of view (by expressing concerns about exponential economic growth, environmental depletion and the limited availability of energy resources). From the late 1960s the taken-for-granted predominance of the ‘Promethean’ perspective was challenged by the ‘limits to growth’ framework. Advocates of the ‘limits to growth’ framework believed that continual economic growth was causing environmental decline, and argued that it could not continue. There was a backlash against the ‘limits to growth’ framework.

During the 1980s the ‘limits of growth’ framework was readily dismissed. Instead, the ‘sustainable development’ framework emerged as a prominent official discourse on the environment. It aims to integrate environmental and economic goals into a unified sustainable mode of development. However, there is a clear difference between the ethos of sustainable development, as espoused by big business and that proposed by environmentalists. From the latter perspective economic and mining development may threaten environmental sustainability. The conservative version of sustainability succeeded in gaining widespread support from world leaders and influential figures since it promoted the idea that economic growth and environmental protection were inherently compatible. As I have indicated radical conceptions of sustainability focus upon the incompatibilities of economic growth and environmental protection.

The diversity of situations in which ‘sustainable development’ can be applied suggests that words gather meaning from intention, reception and context. Raymond Williams’ research into the meanings derived from vocabulary over time reveals the evolutionary tendencies at work. He states that:

We find a history and complexity of meanings; conscious changes, or consciously different uses; innovation, obsolescence, specialisation, extension, overlap, transfer; or changes which are masked by a nominal continuity so that words which seem to have been there for centuries, with continuous general meanings, have come in fact to express radically different or radically variable, yet sometimes hardly noticed, meanings and implications of meanings.⁴¹²

⁴¹² Williams, *Keywords: A Vocabulary of Culture and Society*, 17.

In this sense, words can assume radically different meaning under different circumstances. The notion of ‘sustainable development’ originated from the 1987 World Commission on Environment and Development (Brundtland Commission). They defined ‘sustainable development’ as: “...development that meets the needs of the present without compromising the ability of future generations to meet their own needs.”⁴¹³ By ‘needs’ the Brundtland Commission is referring to the essential needs of the poor, to which priority ought to be given. The contemporary notion of sustainable development has come to include a balance between environmental protection, economic growth and social development.⁴¹⁴ Although this meaning is common, the construction of it is problematic. Using a quantitative content analysis, I will identify the use of such frames in news coverage concerning the Cypress Mine and related issues. A quantitative content analysis can help to elucidate how the environment is positioned in the news media during periods of controversy.

The Metropolitan and West Coast news media domains: news outlets and news coverage

The primary aim of this research is to investigate how the national and local news media constructed and positioned the Cypress Mine project and its related issues. In order to do so, I examine the prominence of the Cypress Mine project and related issues in the national and local West Coast news media. News coverage can have a positive or negative impact. It can foster sympathy or isolate and marginalise an individual, organisation, or cause. Source selection and framing are also useful conceptual tools for analysing the specific construction of news reports; it draws attention to the privileging of certain definitions and constructions of reality. Sources play a crucial role in shaping news content. However, individuals and organisations differ in their ability to reach and capture journalists’ attention. Revelations of conflicting viewpoints provide journalists with the opportunity to elucidate controversy and debate. In analysing the relationship between journalists and news sources I seek to answer the following questions: Is there a monopoly or diversity of sources? How strong are the

⁴¹³ World Commission on Environment and Development, *Our Common Future* (Oxford: Oxford University Press, 1987), 43.

⁴¹⁴ World Summit on Sustainable Development, ‘Summit Brochure,’ The United Nations Department of Public Information, October 2001, 4, <http://www.un.org/jsummit/html/brochure/brochure12.pdf>.

publicity interests of the sources? And, to what extent are relations between journalists and sources routinised?⁴¹⁵ It is important to note that a frame analysis must also incorporate a consideration of news value. The more the issue or event satisfies the criteria for newsworthiness the more likely it will be constructed into a news story or article. Here I employ Joseph Cappella and Kathleen Jamieson's model of meso-frames as an appropriate categorisation of the news articles under analysis. Their model identified five different types of meso-frames: strategic, personal, conflict, issue, and episodic.

In order to identify the ways in which the Cypress Mine project and its related issues were constructed in the news media, I gathered a wide range of news material. Any news material from print and broadcasting which contained news segments on the Cypress Mine project and related issues were collected. Print materials were primarily gathered from online sites (www.scoop.co.nz; www.stuff.co.nz; and www.nzherald.co.nz) and the Alexander Turnbull Library.⁴¹⁶ Other locations where materials were gathered included the Christchurch City Library, Auckland City Library, and the Greymouth office of the *Greymouth Star*. Broadcasting materials were collected from the programme catalogue of the Robert and Noeline Chapman Audio Visual Archive at the University of Auckland. A complication arose within the broadcasting sample that should be noted. After gathering the news segments I discovered that there was only a small amount of material. Consequently, my primary focus here is on print media, rather than broadcasting. However, I also decided that referring to these broadcast news segments where applicable would add to my findings. All print material gathered was categorised into either a major, medium or minor news article. All major news articles were then analysed in depth. In total, 338 news materials were collected, of which 301 were print articles and 37 broadcast segments. Of the print articles gathered 21 percent ($n = 64$) fitted with the selection criteria for major news article and were analysed extensively. These included: *Dominion Post* ($n = 3$), *The Press* ($n=11$), *Sunday Star Times* ($n = 3$), *The News* ($n = 32$), *Greymouth Star* ($n = 12$), *The West Coast Messenger* ($n=1$), *The West Coast Times* ($n = 2$).

⁴¹⁵ Tiffen, *News and Power*, 37-38.

⁴¹⁶ The materials gathered online were then cross checked with the microfiche database at the Alexander Turnbull Library and the Auckland City Library.

Newspaper outlet profiles

The New Zealand Herald

Base: Auckland

Publisher: APN News & Media

Published: Morning Mon-Sat

Average Net Circulation: 180,939

Readership: Average issue - 583,000; Weekly - 1,007,000

The New Zealand Herald is New Zealand's largest circulation daily. The paper was founded by William Chisholm Wilson and its first issue was published on 13 November 1863. In 1876 it was merged with *The Southern Cross* newspaper, which was owned by Alfred Horton. In 1996 Tony O'Reilly's Independent News & Media Group of Dublin (INM) purchased Horton family's share in the company. Currently, *The New Zealand Herald* is owned by APN News and Media (APN), which is largely-owned by Independent News & Media. Its regular features include National News, World News, Technology, Sports, Entertainment, Lifestyle, Travel, Weather, Opinion, Property, Motoring, and Jobs. The paper is generally perceived to be liberal on international relations, often printing material from British newspapers such as *The Independent* and *The Observer*. However it maintains neo liberal perspectives on economic matters such as trade and foreign investment. In 2008 *The New Zealand Herald* won the Qantas Media award for newspaper of the year.

The Dominion Post

Base: Wellington

Publisher: Fairfax New Zealand Limited

Published: Morning Mon-Sat

Average Net Circulation: 92,055

Readership: Average issue - 247,000; Weekly - 420,000

The Dominion Post is New Zealand's newest daily newspaper. It was launched on 8 July 2002 by International Newspaper Limited (INL), following the merger of *The Dominion* and Wellington's only evening daily *The Evening Post*. In 2003 INL sold the publication to Fairfax New Zealand Limited (Fairfax). *The Dominion Post* circulates mainly in the central North Island. It also sells in Auckland and at the top of the South Island. *The Dominion Post* provides news coverage of local and international stories, as well as special features. Its

regular features include: News, World, Politics, Capital Day, Entertainment, Opinion, Business Day, Sport, and Weather.⁴¹⁷ The daily features include: World Extra, InfoTech, Sport Extra, RSVP, Commercial Property, TV Week (tabloid), Presto (inside TV Week, NIE Zoned In (Fortnightly)), Bumper Business Day, College Sport, Life (tabloid), Motoring Section, Property Section, Job market, Arts and Entertainment (tabloid), Corporate Cuisine, Farming, Friday Sports (lift out) and Race Form magazine, The Verdict, Your Weekend, Indulgence, Insight, and Green Zone.

The Press

Base: Christchurch

Publisher: Fairfax New Zealand Limited

Published: Morning Mon-Sat

Average Net Circulation: 85,053

Readership: Average issue - 222,000; Weekly - 364,000

The Press has the largest circulation in the South Island. Its first edition was on 25 May 1861, making it the oldest surviving newspaper in the South Island. *The Press* is the only remaining daily newspaper in Christchurch and has two publications: *The Press* (daily), and *The Mail* (a weekly tabloid). The weekly features include: Local, National news, Opinion and Perspective pages, Weather, World news, Business day, Sport, Entertainment and TV and movies listings. The daily features include: Escape - travel & recreation, Super Sport, The Box - TV Guide & Technology, Zest - food and fashion, Your Career, Property, Drive, Good Living - family, health & lifestyle, Farming, GO - Cinema, arts & music and Punt. The Weekend Press is the largest newspaper of the week and has extra sections which cover in depth the news of the week.⁴¹⁸ In 2006 and 2007 *The Press* won the Qantas Media award for newspaper of the year. It is a division of Fairfax New Zealand Limited.

⁴¹⁷ Business Day is a joint business-publishing venture with *The Press* of Christchurch

⁴¹⁸ Including, 48Hours, Weekend Sport, Mainlander, Gardening, Book reviews, Drive, Property, Your Career and Classifieds. *The Press* also publishes regular tabloid lift outs such as: At Home, Summer Style and Winter Style, I do and House of the Year.

Sunday Star-Times

Base: Auckland

Publisher: Fairfax New Zealand Limited

Published: Morning Sun

Average Net Circulation: 174,154

Readership: Average issue - 608,000

Sunday Star-Times is New Zealand's second largest selling newspaper. It was first published in March 1994 after the merger of *The Dominion Sunday Times* and *The Sunday Star*.

Sunday Star-Times is a newspaper which breaks and backgrounds stories of national significance, while providing a light Sunday read of news, features and celebrity gossip. The paper has six sections: News, Sport, Focus, Escape, SUNDAY magazine and Business. It is a division of Fairfax New Zealand Limited.

The News

Westport

Publisher: Independent

Published: Afternoon Mon-Fri

Average Net Circulation: 2,016

Readership: Not surveyed

The News is published independently. It was established in 1871. It is the only locally printed newspaper in and that serves the Buller region. The paper features local, national and international news, as well as, sport, farming, education, arts and health and home.

The Greymouth Star

Greymouth

Publisher: Independent

Published: Afternoon Mon-Fri, Morning Sat

Average Net Circulation: 4,306

Readership: Average issue - 11,000; Weekly - 17,000

Established in 1866, the *Greymouth Star* serves the province of Westland. The newspaper's circulation area stretches from Westport in the north to Haast in South Westland. *Greymouth Star* is New Zealand's sixth oldest daily newspaper. It was founded by James Snyder Browne as a four-page daily and began publication on 18 March 1866. Currently, Dunedin-based Allied Press, which prints the *Otago Daily Times*, controls fifty-one per cent of The

Greymouth Evening Star Company Ltd. Although the larger shareholder is in Dunedin, forty-nine per cent of the shareholding still remains in the West Coast.⁴¹⁹

The West Coast Times

Hokitika

Publisher: Greymouth Evening Star Company Ltd.

Published: Morning Mon-Fri

Circulation: 13,800

Readership: Not Surveyed

First published in 1865, *The Times* is oldest newspaper on the West Coast. A morning daily, it primarily serves the Hokitika area. *The Times* is published in a tabloid format and normally runs to twenty-four pages. It focuses on soft local news, comments, photos, shopping and services and classifieds. In 1998 *The Times* was acquired by Greymouth Evening Star Company Ltd.⁴²⁰

The West Coast Messenger

West Coast

Publisher: Greymouth Evening Star Company Ltd.

Published: Weekly Wed

Circulation: 14,000⁴²¹

Readership: Not Surveyed

Established as an independent in 1993, *The Messenger* was bought by the Greymouth Evening Star Company Ltd in 1997 and merged with its existing weekly, *The Coaster*. As a tabloid paper, the focus is on softer news and local regional events. It circulates every Wednesday and is delivered free to households and businesses throughout the West Coast.⁴²²

⁴¹⁹ Allied Press Limited, 'Greymouth Star', <http://www.alliedpress.co.nz/papers.php?pub=gs>; Greymouth Star, "About Us," http://www.greystar.co.nz/index.php?id=19&option=com_content&task=view.

⁴²⁰ Allied Press Limited, 'The West Coast Times', <http://www.alliedpress.co.nz/papers.php?pub=wct>; Greymouth Star, "Advertising," http://www.greystar.co.nz/index.php?option=com_content&task=view&id=18
⁴²¹ http://www.odt.co.nz/files/u111/The_South_Island_Buy.pdf.

⁴²² Allied Press Limited, 'The West Coast Messenger', <http://www.alliedpress.co.nz/papers.php?pub=ms>; Greymouth Star, "Advertising," http://www.greystar.co.nz/index.php?option=com_content&task=view&id=18.

Broadcasting samples

Television New Zealand's *Breakfast* airs from 6:30am till 9am weekdays on *TV1*. It focuses on early morning news, entertainment and lifestyle content. The show is anchored by two hosts Paul Henry and Pippa Wetzell. *Midday* is a midday daily news bulletin on *TV1*. *One News* covers national, international, business, entertainment, 3 Sports, and weather news from 6pm till 7pm. *One News Tonight* is presented by Greg Boyed; it usually screens around 10:30pm. *Close Up* airs 7pm weekdays on *TV1* and is hosted by Mark Sainsbury. It is also presented by Paul Henry and Mike Hosking. It blends political issues with soft human interest and entertainment pieces. *Agenda* is a part of Front Page, which is New Zealand's leading independent producer of television current affairs. It is a political interview show that breaks major news stories on *TV1*.

3 News is broadcast by *TV3*, which is owned by the private equity company Ironbridge. It covers national, international, business, entertainment, 3 Sports, and weather news from 6pm till 7pm. *60 minutes* is a current affairs show on *TV3*. It began in New Zealand in 1989 and is based on an American programme of the same name. The show is presented by Mike McRoberts and also features Melanie Reid, Amanda Millar, Sarah Hall, Karen McCarthy, Rod Vaughan and Alison Horwood. Many stories centre on allegations of wrongdoing and corruption on the part of corporations, politicians, and other public officials. The show undertakes its own investigations and follows up on investigations instigated by newspapers and other news organisations.

Checkpoint is broadcast every weekday for 2 hours from 5pm Mary Wilson presents the day's major national and international stories, as well as business, sport and Maori news. It is New Zealand's longest running news programme, airing for the first time in 1967. It has evolved through the years from a current affairs show to become a hard-hitting news-focused programme with bulletins on the half hour and business and sports updates each hour.

From a preliminary overview of relevant issues and events three major categories of news coverage were identified: the Cypress Mine project, the Mt Augustus Snails, and the Spy Saga. The Cypress Mine project covers all the issues relating to the project as such. These included Solid Energy's resource consent application, the resource consent hearing and

appeal, other related court actions, and protest activity. The Mt Augustus Snails relates to any issues regarding the *Powelliphanta "augustus"* snails, their translocation, relevant court proceedings and protest actions. The Spy Saga relates to any reports on the use of paid informants or spies by Solid Energy with regard to the Save Happy Valley Coalition.

The Cypress Mine project

The Cypress Mine project category covers the issues of Solid Energy's application for resource consent to develop the Cypress Mine, the submissions made to the Councils, and the appeal to the Environment Court. It also features the Save Happy Valley Coalition's non-violent direct actions. In total, press coverage of the Cypress Mine project contained 32 major news articles. Twenty five of these were published in *The News* from Westport. The *Greymouth Star* carried six major news articles. The only other news story was published by *The Press* in Christchurch. This reveals a substantial difference in prominence concerning Metropolitan based press and local West Coast news coverage. Furthermore, newspapers located in Canterbury and Westland gave major news prominence to the Cypress Mine project, while Northern based New Zealand Metropolitan dailies and the *Sunday Star Times* did not. These discrepancies concerning the degrees of prominence suggest that the Cypress Mine project had a higher profile in the Canterbury and Westland based press. Since the Cypress extension to the Stockton Mine has a more direct impact on those living in the West Coast region it follows that Canterbury and Westland news consumers would be more concerned with what was happening. Overall the majority of the news coverage in the Metropolitan based press and local West Coast news media carried articles of medium level prominence. In the *New Zealand Herald* and the *Dominion Post* the issue of the Cypress Mine project was also present, although it was not given much prominence in each paper (there were no medium level news stories). This pattern of news coverage indicates that issues relating to the Cypress Mine project did not have a high profile in the New Zealand print media.

Metropolitan based newspapers

For the Metropolitan based newspapers only one news publication, *The Press* had a major news story on the Cypress Mine project. *The Press*'s two page feature entitled "Clinging On" published on the 8 April 2006 focuses on the Save Happy Valley Coalition's campaign to stop Solid Energy's Cypress Mine development. The title gives no indication as to what the news report is about, although it evokes the idea that something or somebody is barely hanging on. In the news report feature five sources were cited; three members of the Save Happy Valley Coalition group Lynley Hargreaves, Ross, and Frances Mountier; the environmental manager of Solid Energy Mark Pizey; and the mayor of the Buller District Martin Sawyers. Save Happy Valley Coalition sources accounted for 56 percent of news source usage. Local body sources amounted to 33 percent. The remaining 11 percent was from Solid Energy. The prominence of Save Happy Valley Coalition as a new source reflects the subject of the feature story. The inclusion of Solid Energy and the local body sources can be seen as a journalistic attempt to give balance to the issues involved. However, the different points of view were not accorded the same status within the news story. Thus, the views of Solid Energy's environmental manager Mark Pizey supported by the comments Buller District Mayor Martin Sawyers appear as official and authoritative. By contrast the Save Happy Valley Coalition spokespeople are positioned as oppositional and reactive.

Both the official and oppositional discourses advance the environmental deep frame of 'sustainable development'. Save Happy Valley Coalition spokesperson, Frances Mountier states:

"Happy Valley is a symptom of climate change and we recognise that as being important to our generation. The Government has double standards here and rather than exploiting coal and putting the environment at risk, it needs to start working on sustainable industry on the Coast."

Solid Energy's Mark Pizey appropriates the principles behind 'sustainable development':

"Solid Energy recognises there are always going to be conflict between mining activities and their associated environmental impacts and so we now seek to manage those impacts in such a way that we either eliminate or minimise them. Cypress is an example where significant concessions have been made during the planning phase, which have in turn been reflected in the granted consents through the Environment Court."

While the Buller District mayor Martin Sawyers asserts:

...“It’s never going to go away. But for a lot of the conservation movement, it’s not just about saving snails, it’s about bigger issues beyond Buller. It’s about things like global warming...We just happen to be the battleground for that and, unfortunately, quite often, the victims.”

...Despite the fact that Sawyers has never been to Happy Valley – “and I don’t really intend to either” –he says he knows the economic benefits for the West Coast and New Zealand far outweigh environmental impacts in the valley.

...“Buller people just want to get on and work hard and we’re not into wholesale environmental destruction either. What we are into is sustainable mining practices. A lot of lives are in the balance. If the mine didn’t get the go-ahead, the impact on the community would be huge. It would rip the heart out of it.”

The official discourse from Solid Energy and Martin Sawyers, views the proposed development of coal mining and environmental protection of the local area as complementary and manageable over time. For the Save Happy Valley Coalition their oppositional discourse positions coal mining as a threat to environmental sustainability. The fact that each side of the debate employed the frame of ‘sustainable development’ reflects the contested nature of the phrase. This also reflects what Raymond Williams has stated about the ambiguous and discrepant uses of words. In addition to the assumption that coal mining and environmental protection are mutually sustainable the official discourse also connotes the Promethean deep frame. For instance, Martin Sawyers states: “...the economic benefits for the West Coast and New Zealand far outweigh environmental impacts in the valley.” Here, the ‘Promethean’ deep frame automatically prioritises economic development over the natural environment.

In *The Press*’s “Clinging On” feature, the meso-frame of conflict was adopted. In this instance, the struggle between proponents and the opponents of the Cypress Mine project was highlighted. This kind of coverage can deflect attention away from the underlying issues of the Cypress Mine project (i.e. those concerning coal mining practices and ecological protection). Another notable framing technique used in *The Press* article involves the jaundiced personal descriptions of Save Happy Valley Coalition members, that is:

But, right now, it is home for three environmental protestors: Jonah Marinovich, 32, a Wellingtonian, who wanted to be a builder but was held by an ankle injury; Julia, 22, an American, who, since moving to New Zealand eight months ago, has been a professional activist; and Ross, a nocturnal (he goes to bed at 5am) homeless protester who fellow activists say won’t reveal his last name for fear his unemployment benefit might be cut.⁴²³

The selective emphasis on the lack of professional status of the environmentalists connotes a negative image of the group and casts doubt over the legitimacy of their cause. This also reflects the ideological mode ‘fragmentation’, whereby the power of those in control is reinforced by creating a collective identity of ‘us’ against ‘the other’. This symbolic

⁴²³ Anna Claridge, “Clinging On,” *The Press*, 08-09 April 2006.

construction of fragmentation entails the ‘expurgation of the other’. This involves the construction of an individual or group as harmful and/or as outsiders.⁴²⁴ The portrayal of environmental activists here as odd and out of work, is an instance of the expurgation of the other. Such descriptions cue the public to align themselves, with the statements of Solid Energy. Their particular involvement in environmental issues was never scrutinised in *The Press*’s feature article.

West Coast news coverage

In total, 31 major news articles on the Cypress Mine project were collected from the West Coast based press. Twenty-five major news articles were published in *The News* from Westport and six in the *Greymouth Star*. In *The News*’s coverage of the Cypress Mine project the issues and events were treated more extensively. This reflects the close geographical proximity of the publication to the proposed developments. *The News* overall had the largest variety of news sources; they cited 15 different sources whereas while the *Greymouth Star* had seven. Altogether, as table 1 indicates, Solid Energy sources accounted for 29 percent of the sources cited. The Local Body sources amounted to 16 percent. Save Happy Valley Coalition sources represented 14 percent and the Buller Conservation Group sources accounted for 12 percent. Other sources used includes Forest and Bird, Experts, Green Party, Other, Police, Court, Ngakawau Riverwatch group, the Labour Government and the Department of Conservation. Ironically, given the political issues at hand the National Party was not used as a source in the West Coast news media.

Overall, Solid Energy sources were used twice as those associated with the Save Happy Valley Coalition. This suggests that Solid Energy had more access to and/or were approached more often by the West Coast news media. This allowed Solid Energy more opportunity to communicate their viewpoints to the public. Overall, the official discourse, which argues in favour of Solid Energy’s Cypress Mine development, dominated West Coast press coverage. The official discourse was primarily represented by Solid Energy and the Local Body, but was also advanced by Experts, Court representatives and spokesperson, the Labour Government, the Department of Conservation and the Buller Miner’s Union sources. In total, these sources accounted for over half of the news sources cited by the West Coast press. The alternative discourse represented here by Forest and Bird and the Buller

⁴²⁴ Thompson, *Ideology and Modern Culture*, 58, 60-67, 293.

Conservation Group amounted to 18 percent of the news sources cited. Both organisations argued that given the effects of coal mining on the local flora and fauna the proposed Cypress Mine should not take place. Sources from the local Iwi, Ngakawau Riverwatch group and the Green Party can also be seen to be reflecting the alternative discourse. The oppositional discourse characterised here principally by the Save Happy Valley Coalition, but also Greenpeace, represented 16 percent of the sources cited. The oppositional discourse elaborates upon the alternative discourse. It opposes Solid Energy's proposed mine development and the production and mining of coal, in general.

Table 1: Percentage distribution of news sources within major West Coast press stories on the Cypress Mine project

Sources	Local Newspaper Outlets		Total %
	The News	Greymouth Star	
Solid Energy	31	13	29
Experts	5	-	4
Courts	1	-	1
Police	2	-	2
Local Body/ Individuals	11	41	16
Labour Government	1	-	1
National Party	-	-	-
Green Party	2	16	4
DOC	1	-	1
Local Iwi	3	-	2
Riverwatch	1	-	1
Forest and Bird	7	5	6
Greenpeace	2	5	2
SHVC	14	9	14
BCG	14	-	12
Buller Miner's Union	3	-	2
Unaccredited	-	-	-
Other	3	3	3
N/A	-	-	-

All three deep frames were present in the West Coast news coverage. The official discourse draws upon the 'Promethean' deep frame and formulations of 'sustainable development'

which assume a mutual compatibility between coal mining and environmental protection. The alternative and the oppositional discourses within press coverage incorporated the counter frame of 'limits to growth' and the contested frame of 'sustainable development'. For example:

Holly Reid, "Protestors occupy mine site," *The News*, 13 April 2004

University students have occupied the site of Solid Energy's proposed opencast mine in upper Waimangaroa's Happy Valley, in protest at coal-fuelled energy generation and coal mining. Group spokeswoman Jo McVeagh said students from environmental groups all over New Zealand made the three-hour trek into the Valley on Sunday to join the occupation.

"Our week-long occupation sends a clear message to business leaders and politicians that, as New Zealanders, we will not allow our natural heritage to be ruined to satisfy the business sector's greed."

Ms McVeagh said recent calls for more coal mining would result in more pollution and the destruction of "magnificent wild places like this."

About 20 students from Otago, Massey, Victoria and Canterbury universities have occupied a site adjacent to the Orikaka Ecological Area. The surrounding area is home to great spotted kiwi, kaka and western weka, as well as threatened *Powelliphanta* snails.

State-owned Solid Energy has applied for resource consent for two opencast pits that will cover 105ha of the 256ha site. It aims to extract 500,000 tonnes of coal each year for 10 years, mostly for export.

Protestor Jonathan Oosterman said the Government was making a mockery of its commitment to addressing climate change by mining one of the worst greenhouse gas-producing fuels.

"How can the government keep a straight face when talking about Kyoto Protocol?" he said.

"We are at crucial point in the development of New Zealand's future energy strategy. A continued reliance on fossil fuels directly contradicts New Zealand's clean, green image."

Buller Conservation Group (BCG) spokesman Pete Lusk was unaware of plans to stage a protest until the weekend. BCG had not yet decided whether to support the occupation but agreed in principle with opposition to the planned Cypress opencast mine.

Mr Lusk said he had visited the site to discuss the group's objectives and ensure they were prepared for the harsh alpine environment.

"Their main focus is that they see New Zealand at a cross-roads," Mr Lusk said.

The students were worried about the greenhouse effect of coal-fired generation. They supported more sustainable forms of energy generation, such as wind farm. "They're also interested in kiwi, snails and native wildlife in the area."

Most of the students specialised in ecology and biology-related subjects.

They planned to camp out for a week, mostly to raise public awareness of the issue.

"They're really well prepared. They have experienced trampers with them and pretty good gear. They're also quite dedicated," Mr Lusk said.

All the students, mostly in their early 20s, hitchhiked with food provisions and equipment to the West Coast.

The New Zealand Forest and Bird Society backs the occupation. Spokesperson Geoff Keey said the protest supported Forest and Bird's application against resource consent for the mine.

"It's our view that it shouldn't go ahead because of the damage it will cause."

Buller Mayor Pat O'Dea said the occupation represented an ill-conceived protest by a "bunch of economic saboteurs."

The Cypress mine like most mining operations now is going to be high-tech. The disasters of the decades gone by are well and truly gone as technology has improved.

Conditions and constraints on mining operations ensured that environmental damage was almost negligible he said. As well, the mine site at high altitude represented a landscape similar to the moon, Mr O'Dea said.

The protesters were jeopardising the employment of thousands in the South Island. The Midland railway line and Lyttelton Port depended on West Coast coal. "If the conservation movement had any decency, that could be held in any high regard or respect, then they would be approving it (the Cypress coal mine) by working with the company to ensure the best practices were incorporated in the mining operation," Mr O'Dea said.

“There is a place for conservation. The vast majority of Coasters are Greenies, I consider myself one but I’m not an extremist.”

Extreme stances which did not consider other views could be devastating, Mr O’Dea said.

The official discourse is represented here by Buller Mayor Pat O’Dea. He adopts the ‘Promethean’ deep frame and a version of ‘sustainable development,’ which assumes coal mining and environmental protection to be compatible. Pat O’Dea suggests that the development of new technology has enabled coal mining companies to overcome environmental obstacles. He goes on to state that “the best practices” have been adopted, implying that there is compatibility between environmental values and economics. However, he gives prominence to the economic importance of the mine development. The alternative discourse here is portrayed by Forest and Bird spokesperson Geoff Keey. The organisation believes that the mine should not be developed given the ecological damage it will cause, however this deep frame was not openly declared. In contrast, the oppositional discourse advances a counter frame of ‘limits to growth’ and the radical conception of ‘sustainable development’. It is characterised here by the group, Save Happy Valley Coalition. The organisation focuses on the ecological damage of coal mining to the local ecology and the global environment, and advances the need to develop alternative forms of energy development, which are conducive to environmental sustainability.

A notable aspect of this news article is the use of labels. The article is one of the earliest news articles on the Cypress Mine project. Here, the Save Happy Valley Coalition group are identified as protestors, not as conservationists or environmentalists. The label of ‘protestors’ has a more negative connotation. Pat O’Dea also describes the group as a “bunch of economic saboteurs” and uses the term “extremist”. Such descriptions promote a view of the group as disobedient and mischievous. It is important to note the structure of the article. Pat O’Dea is referred to at the end. His opinion is the last one the news consumer is exposed to. In his concluding segment he refutes the previous claims of environmentalists and is able to make charges against environmentalist, while environmentalists are not afforded the opportunity to respond. This skews the news coverage.

Overall, the meso-frames that were most commonly used within the West Coast news coverage was the personal frame and the conflict frame at 35 percent each. The strategic frame was used 16 percent of the cases. The issue and episodic frame were the least employed, each being used six percent of the time. The prominence of the personal and

conflict frames suggest that particular news values rather than the issues at hand shaped news coverage. Framing news stories in a dramatic, conflictual, and human interest terms enables media professionals to capture and retain the readers' attention, but it is selective in what topics are covered and can obscure and overlook the environmental matters at stake. The use of the conflict frame can also fashion a negative image of the events, issues or individuals involved. In the major news article that adopted the conflict frame like *The News*'s "Stockton snail debate resumes" and the *Greymouth Star*'s "Miner turn table on snail protesters," focus was on the disagreements were between proponents and opponents of the Cypress Mine development.⁴²⁵ The latter were positioned as emotive and reactive. In most cases, proponents of the mine were Solid Energy and the local body, and opponents were Forest and Bird, Buller Conservation Group, and the Save Happy Valley Coalition group. Often the conflict frame within news stories positioned the Save Happy Valley Coalition group and its members as outsiders or deviants. This pattern of news coverage can delegitimize the group and their cause.

Broadcasting

A notable aspect of the national broadcasting coverage was the descriptions of the Save Happy Valley Coalition group as being merely reactive to mining developments. For example, in 3 News report at 6pm on 21 June 2004, a two minute segment focused on environmentalists' disappointment concerning Solid Energy's resource consent grant. Two sources were used, Barry Bragg for Solid Energy and environmental activist Jack Mace. In general, Barry Bragg evoked the 'Promethean' deep frame by emphasising how the advances in contemporary mining practice had, supposedly, diminished environmental concerns. Jack Mace drew upon facets of the 'limits to growth' counter frame. He argued that given the ecological destruction of mining it was disappointing that the resource consent was granted. It is important to note that in this news segment, opponents of the Cypress Mine development, which includes Save Happy Valley Coalition members, were described as "environmentalist".

⁴²⁵ Other examples include: NA, "Conservationists head to Buller to protest mine," *Greymouth Star*, 13 April 2004; NA, "O'Dea hits back at Green co-leader," *Greymouth Star*, 16 April 2004; NA, "Fitzsimons hot over Cypress approval," *Greymouth Star*, 22 June 2004; Holly Reid, "Mine approval angers greens," *The News*, 22 June 2004; Holly Reid, "Protestors vow to return," *The News*, 7 September 2004; Sandra Cox, "Happy Valley protestors may be charged," *The News*, 23 November 2005; Amy Milne, "Coal miner accused of endangering wildlife," *The News*, 1 February 2007; Laura Mills, "Greens target Coast Coal," *Greymouth Star*, 27 March 2007.

On 6 March 2005 in a thirty seconds news segment on *3 News* the Save Happy Valley Coalition protest action at Solid Energy's headquarters labelled the group as "anti-mining campaigners" (rather than as proponents of ecological perspectives and alternative energy scenarios). News media attention was on the dispute between Solid Energy and Save Happy Valley such that the Save Happy Valley Coalition was positioned as a disruptive element. In adopting this meso frame, the deep frames *vis-à-vis* the environment were overlooked.

On 26 May 2005, *3 News*'s two minute news segment attention centred upon the reaction to the Environment Court ruling (this granted permission to Solid Energy to develop the Cypress Mine project). Three sources were cited: Don Elder for Solid Energy; Eugenie Sage for Forest and Bird; and Jonathan Oosterman for Save Happy Valley Coalition. Each source represented the official, alternative and oppositional discourse. However, the Save Happy Valley Coalition group was characterised here as a "militant environmental group".

In the 21 June 2004 *3 News* coverage of the Cypress Mine project Save Happy Valley Coalition members were described in negative terms. The term 'environmentalist' is relatively neutral, the label 'militant' however, is evocatively negative. Such descriptions are also an example of the propaganda technique of 'name calling'. Use of this tactic demeans the members, group and their ideas. This compels the audience to reject individual members, the group and their ideas on the basis of the label, instead of looking at evidence about their activities.

The Mt Augustus Snails

The category of Mt Augustus snails covers the search for, protection of and the translocation of the *Powelliphanta "augustus"* snail specie found on the Mt Augustus ridgeline. The snails were first discovered in 1996 and were identified to be *Powelliphanta "augustus"* in 2003. Following the identification, Forest and Bird and later the Save Happy Valley Coalition pursued legal cases to protect the indigenous specie. Eventually, Solid Energy was granted consent to remove the snail specie from the Upper Waimangaroa Valley.

In total, 19 major news articles were gathered. Five of these were published from two Metropolitan newspapers and fourteen from the local West Coast press. Overall there were more major news articles on the Mt Augustus Snails than was the case with the Cypress Mine project generally. This suggests that the former issue was considered to be more newsworthy in the West Coast newspapers. However, as I will point out later *The News* carried six major news articles on the Mt Augustus Snails (as opposed to 25 major news articles on the issue of the Cypress Mine project). This indicates that while *The News* considered the issue of the Mt Augustus Snails important, it was only one part of the broader issue; the Cypress Mine Project itself.

Metropolitan based press

Overall, five major news articles were gathered from two Metropolitan newspapers; *The Press* and the *Sunday Star Times*. In chronological order, these articles were headlined as follows:

'Giant project down to a snail's pace'	<i>The Press</i>	25 November 2004
'Snails set the pace for change'	<i>The Press</i>	17 December 2005
'Coast politicians work together on snails'	<i>The Press</i>	8 April 2006
'Molluscs on the move'	<i>The Press</i>	9 December 2006
'The Snail Tale'	<i>Sunday Star Times</i>	3 June 2007

After adding up all references to a news source across the preceding news articles, the distribution of news sources categories was calculated. Solid Energy sources were drawn upon in 23 percent of cases followed by Forest and Bird (18 percent) and then expert sources (15 percent). Other prominent news sources were the Labour Government sources (13 percent), Local Body sources (10 percent), the Save Happy Valley Coalition sources (10 percent), the Department of Conservation sources (eight percent), Court related spokespeople or organisations (three percent) and other (three percent). The Police, National Party, Green Party, local Iwi, Ngakawau Riverwatch group, Greenpeace, the Buller Conservation Group and the Buller Miner's Union were not cited as news sources. This suggests that in the metropolitan press the various viewpoints on this contentious issue were disproportionately represented. For example, Solid Energy sources were cited twice as often as those of Save Happy Valley Coalition sources. Collectively, those in favour of translocating the snails (Solid Energy and generally expert sources, the Local Bodies, the Labour Government and the Department of Conservation) accounted for 70 percent of the news sources used. Those opposing the translocation, Forest and Bird and the Save Happy Valley Coalition represented

28 percent of the news sources used. Thus, the Metropolitan press was more likely to represent the views of Solid Energy and their supporters.

Although, the deep frames were not openly disclosed, the official discourse found in the Mt Augustus Snail issue had echoes of the 'Promethean' opposition between the environment and the economy. In *The Press's* news articles entitled "Snails set the pace for change" and "Giant project down to a snail's pace," the implication is that over-concerns about the snails was preventing economic development. In both news articles, foregrounding the snails obscured the underlying issues of ecological complexity and biodiversity. Moreover, the Metropolitan press obscured the view that keeping the snails within their natural ecology might be more important than proceeding with the Cypress Mine development.

Translocating the snails and going ahead with the Cypress Mine project was assumed to be economically beneficial and environmental sustainable.

Overall, the most common meso-frames were the conflict and episodic frames, each being used on 40 percent of occasions (when framing devices were employed). The strategic frame was also adopted by the Metropolitan press in 20 percent of the cases. The prominence of the conflict frame suggests that opponents of the expansion of opencast mining are generators of conflict. In so doing, it delegitimizes proponents of the Mt Augustus Snails and Cypress ecology (who were sceptical about translocation). The high percentage of the episodic frame indicates that journalists reported on immediate events or incidents, rather than the contextual significance of the snail issue. Thus, broader ecological concerns were left unexplored in the news coverage. For example, in *The Press* news article "Snails set the pace for change," it appeared that over-concern for the snails prevented economic development, and put human livelihood in jeopardy. This ruled out the argument that one should protect New Zealand's natural heritage and that there might be environmental limits to economic development.

The prevalence of the conflict and episodic frames also suggests that news values, instead of environmental or normative values determined news coverage. News values are aimed at attracting and maintaining the news consumer, which can influence news issues and content.

West Coast press coverage

As I have mentioned, 14 of the 19 major news articles concerning the Mt Augustus Snails came from the West Coast press. After adding up all references to a news source in major articles from the four West Coast publications the distribution of news source categories was calculated. As table 2 indicates Solid Energy sources were drawn upon in 29 percent of cases. This was followed by Save Happy Valley Coalition sources (19 percent), Local Body sources (17 percent), expert sources (nine percent), the Department of Conservation sources (nine percent), and Forest and Bird sources (six percent). Less common news sources were other (three percent), the Labour Government (three percent), Court organisations or spokespeople (one percent), the Buller Conservation Group (one percent) and the Buller Miner's Union (one percent). Sources representing the Police, National Party, Green Party, the local Iwi and the Ngakawau Riverwatch group did not appear in the West Coast, major news articles on the Mt Augustus Snails.

Generally, with regard to Mt Augustus snails related stories, supporters of the proposed Cypress Mine development were most likely to be drawn upon as news sources. For example, in *The News*' article of 23 February 2006 "Snails threaten Stockton mine jobs" by Lee Scanlon, Solid Energy's point of view was represented and this was supported by the Buller Mayor Martin Sawyers, West Coast/ Tasman Member of Parliament Damien O'Connor, the Buller Miners Union president Dave Reece, and a mine employee. In comparison, the alternative points of view were only represented by Buller Conservation Group and West Coast Forest and Bird spokesperson, Pete Lusk. This discrepancy suggests that local journalists favoured one-side, and that this promoted a distorted view of the issue or event taking place.⁴²⁶ There were nevertheless internal variations across West Coast news coverage. Overall, *The News* had the largest range of sources, followed by the *Greymouth Star*. The primary West Coast newspapers had a wider range of sources (*The News* used 10 various sources, *Greymouth Star* used 5 sources), in comparison to the community publications (*The West Coast Times* used 3 various sources and *The West Coast Times* used 2 sources). This may reflect the varied sample size and the resources available to each outlet. The limited range of sources used may restrict the ability of journalists to represent the issue and the events unfolding.

⁴²⁶ See also Jamie Shaw, "First permit to move snails approved," *The News*, 27 February 2006; Laura Mills, "Snail shift okayed," *Greymouth Star*, 27 February 2006; Jamie Shaw, "Snail count skyrockets," *The News*, 25 September 2006.

Table 2: Percentage distribution of news sources within major West Coast press stories on the Mt Augustus news stories

Sources	Local Newspaper Outlets		Community Newspaper Outlets		Total %
	The News	Greymouth Star	The West Coast Messenger	West Coast Times	
Solid Energy	37	18	-	50	29
Experts	14	-	-	25	9
Courts	1	-	-	-	1
Police	-	-	-	-	-
Local Body/ Individuals	17	24	-	-	17
Labour Government	-	13	-	-	3
National Party	-	-	-	-	-
Green Party	-	-	-	-	-
DOC	8	11	20	-	9
Local Iwi	-	-	-	-	-
Ngakawau Riverwatch	-	-	-	-	-
Forest and Bird	10	-	-	-	6
Greenpeace	-	-	-	-	-
SHVC	4	34	80	-	19
BCG	2	-	-	-	1
Buller Miner's Union	2	-	-	-	1
Unaccredited	-	-	-	-	-
Other	4	-	-	25	3
N/A	-	-	-	-	-

A notable difference between the Metropolitan and West Coast press use of news sources concerned the Save Happy Valley Coalition sources. In the West Coast press sources from the Save Happy Valley Coalition were more likely to be used than in the Metropolitan based press. The Metropolitan based press also drew upon central government more often than did the West Coast press. They used the local government sources more often than did Metropolitan press. These differences may reflect the accessibility, and routine usage of primary news sources in each kind of publication.

The most common meso-frame used in the West Coast news media on the Mt Augustus news stories were the episodic frame (used in 43 percent of cases). This was followed by the strategic frame at 36 percent and then the conflict frame at 14 percent. The issue frame was also used, although to a lesser extent at seven percent. The personal frame was not used. The prominence of the strategic frame suggests that a number of news stories were constructed around the issues of winning and losing, self-interest and mistrustfulness. For example, in Sandra Cox's news article on 25 November 2006 in *The News* "Forest and Bird want snail ruling" attention is given to Forest and Bird's appeal to the High Court and their mistrust of Solid Energy. The article also centres on whether Solid Energy will be able to safely transfer the snail specie. The conflict between the two organisations was more about will, power and manoeuvring than about the environmental issues at stake (in regards to coal mining and ecological integrity).⁴²⁷

Neither the Metropolitan nor the West Coast based newspapers used the personal frame in their news coverage. The episodic frame was common in both the Metropolitan and West Coast based news outlets. A notable difference between the two newspaper categories is in the use of the conflict and issue frame. The West Coast news media used both frames, although not extensively. While the Metropolitan based press used the conflict frame often, it did not adopt the issue frame. These distinctions may reflect the differences in news values. It also suggests that the wider issue of the environment was overlooked. In general, West Coast press coverage of the Mt Augustus Snails centred on the legality and cost of translocating the species. Thus, the major news articles in the *Greymouth Star* included the following headlines: "Snail move to cost \$6 million" and "Snails cost mining job".⁴²⁸ In *The News* major news articles included the headlines: "Snails threaten Stockton mine jobs" and "First permit to move snails approved".⁴²⁹ The news content stressed the economic and personal cost of translocating the snails. These kinds of stories presented the issue as one of development and people versus snails (rather than a discussion on the ecological repercussions of coal mining).

⁴²⁷ Other examples include: Lee Scanlon, "Snail threaten Stockton mine jobs," *The News*, 23 February 2006; Jamie Shaw, "First permit to move snails approved," *The News*, 27 February 2006.

⁴²⁸ See also Laura Mills, "Snail moves to cost \$6 million," *Greymouth Star*, 10 January 2007; Laura Mills, "Snails cost mining jobs," *Greymouth Star*, 23 February 2006.

⁴²⁹ Other examples include: Lee Scanlon, "Snails threaten Stockton mine jobs," *The News*, 23 February 2006; Jamie Shaw, "First permit to move snails approved," *The News*, 27 February 2006.

Broadcasting

Broadcasting news coverage focused upon the issue of the cost of translocating the Mt Augustus Snails. For example, in *One News* on 15 December 2006, reporter Vicki Wilkinson-Barker states that the relocation of the snail species was: "...a huge effort given most New Zealanders won't even see them and most don't even care."⁴³⁰ This statement reveals two tacit assumptions. The first is that the journalist's view is representative of public consensus, and secondly that Solid Energy's efforts, was wasteful of time and money. It evokes the 'Promethean' deep frame by belittling environmental concerns.

Similarly, on 26 April 2007, *TV1's Tonight* news segment focused upon the cost of saving the endangered *Powelliphanta "augustus"* snail specie. Reporter Greg Boyed states in his opening segment: "State-owned enterprise, Solid Energy says saving an endangered snail has cost it 90 months production and \$25 million in profits..." He goes on to say: "...even though more than 5000 have been found environmentalists stand by their claim that the snails are critically endangered."⁴³¹ The use of the word 'claim' in relation to environmentalists concerns devalues their understanding of the situation (compared to the authoritative factual statements of Solid Energy).

The controversial nature of the Mt Augustus Snails issue compelled the *TV3* current affairs show *60 minutes* to cover the story under the title "Wild West". This was aired on the 24 April 2006. It was presented by Karen McCarthy and produced by Chris Wilks. The fifteen minutes documentary depicts the proposed Cypress Mine project as a threat to the fate of a rare and endangered snail. It posits the question at what cost could the snails be saved? Karen McCarthy travels to the West Coast and interviews three local West Coasters; Mickey Ryan (heavy machine driver at Stockton and mine tour operator), Maurie Beuth (local school caretaker) and Pete Lusk (environmentalist).

The focus of the documentary centres on the disagreements between proponents and opponents of the Cypress Mine. Mickey Ryan and Maurie Beuth support Solid Energy's expansion of the Stockton mine, while Pete Lusk opposes the development. The deep 'Promethean' frame of is drawn upon by Mickey Ryan and Maurie Beuth. Both West Coasters argue that the Stockton mine contributes to the local economy, and without it West

⁴³⁰ Vicki Wilkinson-Barker, *One News*, 15 December 2006.

⁴³¹ Greg Boyed, *Tonight*, 26 April 2007.

Coasters would suffer. Pete Lusk employs the counter frame of ‘limits to growth’. He states that he wants to ensure that indigenous species do not become extinct. While both sides of the debate are represented, they are disproportionately represented. Proponents of the Cypress Mine project outnumber opponents of the mine, two to one. Moreover, Pete Lusk is mostly pictured relaying his disagreements with proponents of the mine, namely Maurie Beuth. This detracts from the broader ecological issues. Furthermore, no environmental experts or anybody living outside the West Coast were used as sources.

A notable aspect of the documentary was the editing. Karen McCarthy asks: “Saving the snail but at what cost? Was it your idea?”, in response, Maurie Beuth laughs spontaneously and replies: “It was my idea.” At one point in the documentary Pete Lusk is portrayed with a picture of a snail on his head. This promotes a certain image of those campaigning for the snail (even though he is not one of them). The image of Maurie Beuth, an old man in his 70s, laughing incessantly, denigrates those environmentalists that were campaigning to save the snail on ecological grounds. Furthermore, Karen McCarthy’s point of view can be inferred from her descriptions of the *Powelliphanta “augustus”* snail specie. She states:

The carnivorous *Powelliphanta “augustus,”* it eats slugs and worms, is believed by some to be a unique species, threatened with extinction. But according to others it’s little different from the other seventy-two species and sub-species of *Powelliphanta* snails that are found in New Zealand.”

The words ‘some’ and ‘seventy-two’ are stressed by Karen McCarthy and the change of tone suggests doubt over the significance of the snails to New Zealand’s indigenous fauna. This could have the effect of skewing public perceptions of the oppositional argument. In focusing on the snail issue per se, rather than the underlying issues of coal mining and the environment, the documentary drastically simplifies the debates about the proposed Cypress Mine.

Overall, the *Wild West* documentary portrays the snails as the cause of delay for mining activities (as oppose to portraying the snails as a symbol of New Zealand’s natural heritage and as a symbol of the environmental limits of mining development). This effectively legitimated the official discourse on the proposed Cypress Mine project.

The Spy Saga

The Spy Saga issue centers on Solid Energy's use of spies. On 27 May 2007, journalist Nicky Hager reported in the *Sunday Star-Times* that Thompson and Clark Investigation Limited (TCIL) had recruited a member of Save Happy Valley Coalition group, Ryan Paterson-Rouse to gather and report information on the group. On 20 April 2008, Nicky Hager once again revealed that TCIL had tried to but failed to recruit a spy. It was reported that TCIL director Gavin Clark had tried to recruit Christchurch man, Rob Gilchrist, to spy on the Save Happy Valley Coalition.

Altogether 13 major news articles were collected on the Spy Saga; 11 from the Metropolitan based press and two from the West Coast based papers. This suggests that of all the issues associated with the proposed Cypress Mine project, the Spy Saga was given the highest national profile. This was, however, not the case for the West Coast press coverage. They accounted the Spy Saga less profile compared to the Cypress Mine project itself, and the Mt Augustus Snails.

Metropolitan based press

The 11 major news articles associated with the Spy Sage were headlined as follows:

'Finding the enemy within'	<i>Sunday Star Times</i>	27 May 2007
'Coal mine spies return despite govt ban'	<i>Sunday Star Times</i>	20 April 2008
'Spy a former security guard'	<i>Dominion Post</i>	29 May 2007
'Spying wrong and foolish'	<i>Dominion Post</i>	20 May 2007
'Is coalmining now one of the black arts?'	<i>Dominion Post</i>	02 June 2007
'Tinker, tailor, student, spy'	<i>The Press</i>	28 May 2007
'Sabotage and spies keep coal war burning in Happy Valley'	<i>The Press</i>	30 May 2007
'Spies, lies and damned tactics'	<i>The Press</i>	02 June 2007
'SOE stick with spy firm'	<i>The Press</i>	21 April 2008
'Spy farce'	<i>The Press</i>	22 April 2008
'The problem with spying is...'	<i>The Press</i>	26 April 2008

Each time, in 27 May 2007 and 20 April 2008 Nicky Hager was the journalist to uncover and report on the story. The story was subsequently picked up by various newspaper outlets. The issue of the spy saga first appeared in the *Sunday Star-Times*. The *Sunday Star-Times* is a newspaper known for its investigative journalism. It often breaks and backgrounds stories of national significance. Since Solid Energy is a state-owned enterprise, the use of tax-payers money to spy on an interest group was seen to be an important public issue.

For the preceding articles as a whole, all references to a news source were counted and the distribution of news source categories was calculated (see table 3). Solid Energy news sources were drawn upon in 23 percent of cases. Expert sources and Ryan Paterson Rouse each accounted for 18 percent of news source usage. Sources from the Labour Government amounted to 13 percent of news source references. The corresponding figure for the Save Happy Valley Coalition was 13 percent. For Thompson and Clark's Investigation Limited the figure was eight percent. Unattributed sources, National Party sources, and Rob Gilchrist were also used, although not often.⁴³² Notable absences include the Police, Local Body and the Green Party. This was also the first occasion that the Prime Minister at the time, Helen Clark and the National Party became involved. Expert sources that were used to discuss the issue largely did so in terms of image management (as oppose to civil liberties concern or a debate over the tactics employed by Solid Energy to defend their project).

Table 3: Percentage distribution of news sources within major Metropolitan press stories on the Spy Saga news stories

Sources	National Newspaper Outlets			Total %
	The Dominion Post	The Press	Sunday Star Times	
Solid Energy	20	33	5	23
Experts	33	10	15	18
Courts	-	-	-	-
Police	-	-	-	-
Local Body/ Individuals	-	-	-	-
Labour Government	7	15	20	13
National Party	-	2	-	1
Green Party	-	-	-	-
SHVC	13	17	5	13
BCG	-	-	-	-
TCIL	-	6	25	8
Ryan Paterson-Rouse	17	17	25	18
Rob Gilchrist	-	-	5	1
Unaccredited	-	-	-	-
Other	7	-	-	2
N/A	3	-	-	1

⁴³² Rob Gilchrist is the second spy recruited by TCIL to inform on the Save Happy Valley Coalition.

The dominance of Solid Energy sources over those of the Save Happy Valley Coalition suggests that their opposed viewpoints received far from equal coverage. Solid Energy was cited more often, which indicates that they were more able to communicate their perspective to the public. By contrast the target of the spying activities, the Save Happy Valley Coalition had less opportunity to present their case.

In Nicky Hager's two *Sunday Star-Times* major news articles were framed as strategic. Emphasis was placed on winning and losing, self-interest and the trustfulness or otherwise of Solid Energy. Nicky Hager's news articles focused on the issue of civil liberties. In *The Dominion Post* and *The Press* the episodic and issue frames were adopted. The major news articles centred on the case of spying, independently of other previous incidents between Solid Energy and the Save Happy Valley Coalition. Also, journalists drew upon numerous expert sources to elaborate on the issue of spying. From the various headlines, it appears that the two Metropolitan dailies were focused on the ethical issue of spying. However, on a closer examination of the texts, the following meso-frames were discovered.

Table 4: Percentage distribution of meso-frames within major Metropolitan press stories on the Spy Saga news stories

News Frame	National Newspaper Outlets			Total %
	The Dominion Post	The Press	Sunday Star Times	
Strategic Frame	-	17	100	27
Personal Frame	-	-	-	-
Conflict Frame	-	-	-	-
Issue Frame	33	33	-	27
Episodic Frame	67	50	-	45

In general, the most significant finding seems to be, the preponderance of the episodic frame (see table 4). This suggests that the Spy Saga was mainly covered as a series of incidents, events or issues, disconnected from the wider themes of ecology, coal mining and Solid Energy's political machinations and 'dirty tricks'. In particular press coverage failed to identify consistent patterns in Solid Energy's behaviour. This prevented a fair and critical evaluation of Solid Energy's behaviour over the spying issue. Foregrounding the Spy Saga

meant that there was less reference to official, environmental, and oppositional frames concerning the environment.

In order to bear out the preceding observations I will discuss two major news articles in some detail. Firstly, *The Dominion Post* published an editorial on 30 May 2007 entitled “Spying wrong and foolish.” This major news article was published a few days after Nicky Hager published his investigative article in the *Sunday Star Times*. The *Dominion Post* editorial represents the newspaper’s position on the spy saga issue. The title suggests that the newspaper regards Solid Energy’s actions as deplorable. However, the editorial content implies that while Solid Energy’s actions were wrong they could be justified. In the first paragraph the snails and protesters are positioned as obstacles to the project, however, the protesters’ perspectives are invisible. In the second paragraph the editorial portrays the protesters as “problematic,” but it has not made Solid Energy, as such, look problematic at all. The editorial also seems to imply that the protestors’ threat to legal order and to the mining economy justifies the use of spying. Later in the second paragraph, the editorial asserts that protesters’ disruption of blasting has cost Solid Energy \$25 million, without any external verification of the figure. This adds credibility to Solid Energy’s claim. Later, the editorial states that “boards, shareholders and private companies” need to undertake an “examination of consciences.” By implication this implies that Solid Energy’s spying activities are quasi-legitimate. The larger issue of civil liberties is left unexamined. At best, Solid Energy’s tactic is mildly criticised. In the closing sentence the editorial states, its concluding judgement on Solid Energy: “The tactics used on its behalf are as unacceptable as those the protesters have used against it.” The editorial does not specify why the tactics used by Solid Energy are “unacceptable”. Moreover, the editorial suggests an apparent balance between protesters’ actions and those of Solid Energy. This fails to address Solid Energy’s strategic objectives in relation to its economic imperatives. I refer here to overall employment of public relations techniques, ‘greenwash’, political machinations and ‘dirty tricks’. Instead, the editorial assumes that Solid Energy has simply responded to a serious threat, albeit in an overzealous manner.

Spying wrong and foolish, *The Dominion Post*, 30 May 2007

WHO'D want Solid Energy chief executive Don Elder's job? He's in charge of a coalmining company at a time when public concerns about global warming threaten to make promoting fossil fuels as politically acceptable as advertising cigarettes. His owner is promoting a carbon-neutral future that will have little, if any, role for large-scale coal burning, but in the meantime still wants the dividends selling coal can produce. On top of that, he's dealing with a major project that has been held up by snails on the ground and protesters on the tracks. Permission for the Happy Valley project was given on condition the supposedly rare powelliphanta augustus carnivorous snails on the site of the proposed mine were carefully removed. Estimates before the operation started put the population at 500. Nearly 6000 have been moved.

The protesters have proved equally problematic. Solid Energy has spent, according to reports, \$10 million clearing the hurdles to the mine. It has faced legal battles every step of the way, and when those protesting against the mining failed in the courts, they took direct action. According to Solid Energy, protester disruption of blasting led to it cancelling export shipments with a potential loss of \$25 million.

State Owned Enterprises Minister Trevor Mallard has rightly described the protesters' actions as appalling.

Against that background, it is easy to understand the frustrations of the company. It is seeking to go about its business, the legality of which it has painstakingly established, but is being harried by a group with little respect for the law.

However, Mr Mallard is equally justified in telling the board of the SOE that it is not acceptable to react to that frustration by using paid undercover informants.

Solid Energy did not directly hire Ryan Paterson-Rouse to do the deed. That was the responsibility of Thompson & Clark Investigations, a private security firm it employed, but Dr Elder has said he is comfortable with the tactics it used.

Most New Zealanders are not. The operation has uncomfortable echoes of the DGSE infiltration of Greenpeace in the run-up to the Rainbow Warrior bombing, which saw French agent Christine Cabon posing as a Greenpeace activist to gather information.

The protesters believe the spying operation was illegal. That is a moot point, but Solid Energy should acknowledge there is a world of difference between something being legal and something being right.

New Zealand is an intimate democracy that prides itself on both its openness and its willingness to allow for dissent.

If the security industry is to be believed, the practice of spying on protest groups is accepted in the private sector. That is something over which boards and shareholders of private companies need to examine their consciences. However, for a state-owned organisation to use deceit -- albeit at one remove -- as a tool to fight dissent is simply unacceptable.

Dr Elder is reported as saying he is taking seriously the threat to staff, contractors and equipment from protesters prepared to indulge in disruptive and "at times" illegal activities. However, those are issues for the police to address.

At the very least, Solid Energy has acted unwisely, creating sympathy for a protest group that does not deserve it. The tactics used on its behalf are as unacceptable as those the protesters have used against it.

Spy farce, *The Press*, 22 April 2008

When the gaff was blown on the first ham-fisted attempt by Solid Energy's contracted private eyes to infiltrate a West Coast protest group, it seemed inconceivable that the same low trick would again be attempted. Senior Government figures made it clear that Solid Energy, which is a State-owned Enterprise, must not itself stoop to such tactics nor countenance its so-called security consultant, Thompson and Clark Investigations, doing so. But TCIL director Gavin Clark has again attempted to hire a paid informer. Even if Solid Energy had no knowledge of this, its continued commercial relationship with the security firm places its own credibility on the line. It is time that Solid Energy cut TCIL adrift.

Clark met several times with Christchurch man Robert Gilchrist earlier this year to persuade him to spill the beans on several groups in return for money. And among these groups was the Save Happy Valley Coalition, which has been a thorn in the side of Solid Energy's mining operations and was also the target of the first spying attempt.

This latest farcical resort to espionage was no more successful than the first, which was uncovered when the TCIL spy inadvertently sent an email report to coalition member. On this second occasion the intended spy taped his meetings with Clark and promptly informed Nicky Hager, which guaranteed front page exposure.

On the face of it, the Government's unambiguous directive to Solid [Energy] last year had been breached. This might explain the speed with which the SOE chief executive Don Elder specifically ruled out his organisation having any involvement in or knowledge of the second effort to hire a paid informer.

For good measure Elder also went into bat for TCIL, saying that Solid Energy was not aware of anything which indicated that its consultant had breached the Government directive.

The convenient explanation from Clark was that he had approached Gilchrist, not to benefit Solid Energy, but in a private capacity, to protect himself, his family and others against threats from extremist members of the targeted groups. This explanation raises rather more issues than it resolves.

Firstly, had his infiltration exercise not been a ludicrous failure worth of Mad magazine's Spy vs. Spy comic strip, it stretches credibility to believe that information about coalition activities gained privately would not have somehow been used in the interests of a major client Solid Energy. The SOE might not even be informed if this occurred, giving Solid Energy a protection from its political masters straight out of the doctrine of plausible deniability.

Second, even if Clark's belief in sinister, extremist threats against him and others really was serious enough to spend \$500 a week on a spy, there is a group of people better equipped to deal with these than him. Those people are called the police.

For Solid Energy this latest spying row is hugely counterproductive. A coal company in this age of heightened environmental awareness is always going to struggle to get good publicity. But the SOE does have some positive stories to tell, such as its entry into the biodiesel market and its involvement in the first Southern Hemisphere carbon storage project.

Instead it has become mired in accusations about a private espionage operation, and activity which was last year shown to be distasteful to most New Zealanders. Compounding the perception problem, the accusations could also create sympathy and publicity for the targeted protest groups which they do not necessarily deserve.

Solid Energy's other concern should be whether its rejection of any involvement in the latest spying episode will be believed. During last year's informer controversy it firmly backed TCIL's security activities, saying that activists, including anarchists, posed a threat to Solid Energy's staff and business.

Suspensions that the SOE was somehow involved in this latest spying operation might be unfair or unduly cynical, given Elder's denial, but Solid Energy has an obvious means to dispel them. It could and must reinforce its commitment to the Government directive by getting rid of the services of TCIL.⁴³³

⁴³³ NA, "Spy farce," *The Press*, 22 April 2008.

In *The Press*'s editorial on 22 April 2008, "Spy farce" reveals similar patterns to the *Dominion Post* editorial. The editorial portrays the spying issue as a nuisance to Solid Energy, rather than as a deeper problem concerning Solid Energy's actual practices. The editorial also presents the issue of spying as an accusation as opposed to a fact; "Instead it has become mired in accusations about a private espionage operation, and activity which was last year shown to be distasteful to most New Zealanders." This casts doubts over whether Solid Energy has been involved in spying. There are also discrepancies in how the editorial treats Solid Energy and the Save Happy Valley Coalition. The editorial is unsympathetic to the Save Happy Valley Coalition group. As the target of the spying their perspectives on the proposed Cypress Mine project are invisible. The characterisation of the Save Happy Valley Coalition group is also reminiscent of how Solid Energy's chief-executive Don Elder has described the group. In a press statement Don Elder referred to environmentalists as 'illegal', 'not peaceful', 'protestors', 'anarchist', and 'willing to endanger'.⁴³⁴ Such skewed reporting, and the re-presentation of Don Elder's judgements in this editorial precludes a critical evaluation of Solid Energy's character and actions. It also gives credence to Solid Energy's perception of the Save Happy Valley Coalition. This could cause the public or any likely supporters of the group to distance themselves from their activities and cause. Such framings of the spy saga were typical of other Metropolitan coverage, with the exception of the *Sunday Star-Times*.

West Coast news coverage

The low level of spy saga coverage in the West Coast based press in comparison to the Metropolitan press suggests that the issue of spying was not seen as a local priority. The second instance of spying (reported in the *Sunday Star Times* in 20 April 2008) was not of major news significance on the West Coast. The aversion to the spy saga suggests that either the issue was seen as insignificant by West Coast newspapers or that by Monday, other pressing issues had taken the news spotlight. The two major news articles associated with the Spy Saga were headlined as follows:

'Mayor defend SE over spy'	<i>The News</i>	28 May 2007
'Prime Minister wades into spy row'	<i>Greymouth Star</i>	28 April 2007

The headlines suggest that attention was focused on the official reactions to the spy saga.

Local body sources were used in 27 percent of the cases in these articles. Solid Energy

⁴³⁴ Solid Energy New Zealand Limited, "Solid Energy stands by use of Security advisors," *Press Release*, 27 May 2007, <http://www.coalnz.com/index.cfm/1,214,435,0,html/Solid-Energy-stands-by-use-of-Security-advisors>.

sources and Labour Government sources each accounted for 17 percent. The Buller Conservation Group accounted for nine percent, the Save Happy Valley Coalition for seven percent and 'Other' accounted for seven percent of source usage. Other less prominent news sources included the Green Party (four percent), Ryan Paterson-Rouse (four percent), Experts (two percent), Courts (two percent), and TCIL (two percent). In *The News* article of 28 May 2007, of the four local body representatives cited, three had no concerns with Solid Energy's spying activities. All four figures sought to justify Solid Energy's use of such tactics. In the *Greymouth Star* article the Save Happy Valley Coalition was not used a source, which suggests a particularly distorted news piece. *The News*, as opposed to, the *Greymouth Star* had a wider range of sources. In the two West Coast major news articles concerning the Spy Saga, the conflict and episodic frames were each used. *The News* adopted the conflict frame, while the *Greymouth Star* used the episodic frame. The adoption of such frames fails to connect the issue back to the wider context of the Cypress Mine project. It also precludes proper analysis of Solid Energy's activities. In constructing the news stories as a series of incidents, as opposed to, a larger picture of uniform behaviour the *Greymouth Star* fails to adequately scrutinise Solid Energy's strategies. It should also be noted that the local news media had picked up the issue in reaction to the original Nicky Hager story and its revelations. Both local news outlets did not adopt environmental perspectives, instead their news pieces centred solely on the issue of spying.

One difference between the Metropolitan and West Coast press was in the use of the local bodies as a news source. The Metropolitan based press did not use local bodies, while in *The News* it was the most cited source. In Lisa Davidson's piece in *The News* on 28 May 2007, "Mayors defend SE over spy", three West Coast Mayors; Buller Mayor Martin Sawyers, Grey Mayor Tony Kokshoorn, Westland Mayor Maureen Pugh were cited. They each argued that Solid Energy was justified in their actions. This difference reflects the prominence of local official sources in West Coast publications. The *Greymouth Star* and *The News*, like the *Dominion Post* and *The Press* all attempted to justify Solid Energy's action, and provided little context concerning Solid Energy's strategic objectives.

Discussion and Implications

As this study has shown, the Metropolitan based press did not cover the Cypress Mine project and issues as extensively as the West Coast based news media. Of the Metropolitan based press, *The Press* had the most extensive news coverage of the Cypress Mine project and issues. This implies that the Cypress Mine project and issues was predominantly a South Island concern (although, the Mt Augustus Snails issue and, in particular, the Spy Saga drew more national news media coverage). The pattern of Metropolitan news coverage suggests that matters to do with coal mining and the environment were of low priority, when compared to the issues of spying and snails.

Across all news outlets the most popular news source was Solid Energy, followed by the local bodies and Save Happy Valley Coalition sources. Sources from Experts, Forest and Bird, Labour Government and Buller Conservation Group were relatively popular news sources. Other news sources included Courts, Police, the National Party, the Green Party, the Department of Conservation, Local Iwi, Ngakawau Riverwatch, Greenpeace, Buller Miner's Union, Unaccredited, Other, Thompson and Clark's Investigation Limited, Ryan Paterson-Rouse, and Rob Gilchrist. Overall, Solid Energy was more likely to be used as a news source than the Save Happy Valley Coalition. In each category of news coverage (the Cypress Mine project, Mt Augustus Snails, and the Spy Saga) Solid Energy sources dominated over Save Happy Valley Coalition sources. This discrepancy suggests that Solid Energy's points of view were privileged over the Save Happy Valley Coalition and that Solid Energy's interpretation of the Cypress Mine controversy shaped news coverage.

From the data gathered, the official discourse (that the coal mine was necessary and, in any case compatible with environmental sustainability) was the most prevalent in the news media, followed by the alternative and oppositional discourses overall (to a greater or lesser degree they regarded coal mining as anti-ethical to environmental sustainability). Solid Energy and its supporters accounted for over half of the sources used. The alternative and oppositional discourses were reflected in about one fifth of the sources used. Together alternative and oppositional discourses were reflected in about a third of the news sources used. This discrepancy indicates that Solid Energy had a higher chance of communicating its points of view through to the news media. The official discourse, aside from Solid Energy, was

generally promoted by authoritative sources such as politicians and experts. Thus, those connected with or belonging to, an established organisation or profession were more likely to be selected as primary news sources; smaller groups like Ngakawau Riverwatch and the local Iwi had little status or visibility as news sources.

It is important to note that the official discourse was prevalent in all three news issue categories. The alternative discourse was only prominent during the early periods of the Mt Augustus Snails coverage, but faded after the Ministers granted Solid Energy wildlife consent to translocate the snails. The oppositional discourse was prominent in the initial stages of the Cypress Mine project issue. On the issues of the Mt Augustus Snails and the Spy Saga the oppositional discourse was less visible. This reflects the increasingly politicised nature of each news issue. As each issue category developed it became more politicised, which brought in more non-oppositional participants into the news content. More specifically, there were more authoritative sources involved in news coverage of the Mt Augustus and Spy Saga, than the Cypress Mine project. This reflects the idea that journalists rely to a considerable degree on official or authoritative sources during periods of controversy. It can also be suggested that journalists viewed the Save Happy Valley Coalition as an unreliable or a barely credible news source. Thus, there were not equal opportunities for all interested parties to make a meaningful contribution to the Cypress Mine controversy.

It is important to note that ordinary people were not often used as sources. In the few instances when they were used, they were normally cited in the local media and were West Coast residents conveying what the proposed development meant for them. All of them argued in favour of the development. In using local residents as sources in this way the West Coast press were tugging at the hearts and minds of its readers. In addition, some experts excluded themselves from being used as a news source.⁴³⁵ The exclusion of such sources suggests that all relevant information was not represented to the public. This prevented a fair and critical evaluation of the issues and events that were unfolding.

⁴³⁵ The clearest example of this was Landcare ecologist Dr. Johnson. There has also been speculation that DOC scientist Kathleen Walker was advised not to speak to the media. Pete Lusk also resigned his position as spokesperson for BCG and Forest and Bird as a result of the continual harassment he received from locals on the West Coast. My research has been unable to determine conclusively whether these examples of aversion from the news media spotlight were the result of personal choice or the result of intimidation tactics. Given the antagonistic atmosphere at the time, the latter is a likely possibility.

News content was usually constructed as a two sided debate, although not uniformly. Across all news issue categories news articles acted as a forum for each side to voice their opinions. However, the official points of views were typically presented as the norm against oppositional groups and spokespeople whose views were less often represented. For each news issue category there was little context or historical background provided. The patterns of news source selection that I have discovered suggest that journalists were following traditional avenues for routine newsgathering, seeking out trusted sources rather than searching for critical information. This limited the possibilities for a fair, critical evaluation of the proposed Cypress Mine project and related issues.

Since those with power in society are usually at the centre of news story construction those who are positioned at the periphery often seek ways to attract news media attention, as in the case of Save Happy Valley Coalition. The group often employed direct protest tactics such as scaling buildings and chaining themselves to railway tracks to gain news coverage. This, however, engendered a particular image of the group and its members, that of unruly behaviour such that doubts could be raised about the legitimacy of their cause. This tendency was clearly reflected in the news coverage of the Spy Saga. In a short span of time the news media made the group the exemplar of environmental activism. This kind of news coverage may deflect attention from the larger movement, and other groups and institutions.⁴³⁶ So while protest movements often depend on the news media to diffuse and/ or legitimise its messages to the public, they can fall victim to the processes of news making, including the news media's preference for events and novel developments and the pressure of the quick news cycle. And so, visibility in the news media does not necessarily ensure the movement's survival.⁴³⁷

Overall, the most common meso-frames were, in order of dominance, conflict, episodic, strategic, issue and personal. Conflict framing techniques were primarily used in broadcasting segments, *The Press*, *Greymouth Star* and *The News*. Framing news in a dramatic, conflictual way allows journalists and editors to capture and retain audience attention. The prevalence of the episodic frame over the issue frame indicates that the news media reported immediate events or incidents and gave little or no regard to the underlying

⁴³⁶ It is possible to assume that Save Happy Valley made a conscious decision to adopt direct protest actions to draw the attention to its cause in the hope that other 'serious' environmental groups would carry the debate.

⁴³⁷ See Todd Gitlin, *The Whole World is Watching: Mass Media in the Making and Unmaking of the New Left* (Berkeley: University of California Press, 1980).

issues. Coal mining related issues such as air, noise, and water pollution, and Solid Energy's past environmental performance were largely unconsidered in the news coverage.

Furthermore, in focusing on conflict and immediate incidents news coverage overlooked future environmental and economic costs (such as the likely impact of mining development on the tourism industry).

It is clear that news values rather than normative and environmental values have characterised reporting on the Cypress Mine project and related issues. The salience of the snail and spy saga issue in the news coverage forced other issues like climate change, ecological protection and biodiversity to the periphery. Comparatively, all news outlets; both print and broadcasting were, directly or indirectly, influenced by the 'Promethean' deep frame. The issues were framed around the problematic economic cost of delaying mining activities and the likely economic loss to the area in the absence of the project. Thus, in adopting a binary opposition of say, economic livelihood versus snails' survival, people's lives are positioned against a small, local specie. This construction made it difficult to formulate an oppositional argument against the Cypress Mine development. The broader theme of preserving the natural ecology and biodiversity was obscured by a story construction whereby snails were preventing the development of a profitable mine that would deliver economic benefits to the region.

The most persistent ideological modes employed by all news media outlets were legitimisation and fragmentation. Ideological modes serve to sustain the existing relations of domination, either by establishing an unspoken consensus or by creating the appearance of division amongst individuals and groups. In this study such ideological modes effectively isolated the Save Happy Valley Coalition during the Cypress Mine project debate. The news media, both print and broadcasting, were generally unsympathetic to members of the Save Happy Valley Coalition. They were typically represented as deviants or misfits in society. Such stereotypical type casting undermines their cause and obscures underlying concerns about coal mining, ecology and environmental sustainability.

This news analysis has practical implications insofar as it highlights the essentially commercial nature of news production and the lack of environmental awareness among journalists on issues of national and global concern. In this respect, news coverage and reporting practices illustrated by this research reflect a desire to attract and sustain audiences,

as opposed to engaging and informing the public about the significance of environmental concerns. News values criteria that privileges novelty, immediacy and conflict, limits rigorous evaluation of unfolding issues and events. The lack of news media attention on the historical background and context of the Cypress Mine project controversy reduced the communicative space for critical discussion and reflection.

7: CONCLUSION: EVALUATING THE BATTLE FOR HAPPY VALLEY

In this concluding chapter I will evaluate the struggle between contesting points of view over Solid Energy's proposed Cypress Mine project. In this context, I look at how Solid Energy sought to shape news coverage and influence general patterns of environmental discourse. I will highlight the news media coverage of the Cypress Mine project and issues. I then focus on the use of news sources, and the salience and selection of certain aspects of the Cypress Mine related issues. Lastly, I outline the political outcome of the battle for Happy Valley thus far, and the wider significance of this outcome for environmental politics and coal mining generally.

Solid Energy strategies

Over past decades Coal Corporation and Solid Energy, successively have been forced to confront organisational restructuring, dramatic fluctuations in international commodity markets, and a growing consensus that human induced climate change foretells an eventual end to the use of coal. Historically, coal mining in New Zealand had benefitted from the periods of exponential growth. However, the rise of environmentalism from the late 1960s challenged the very notion of coal mining. High profile accidents in the 1980s reinforced public perceptions about the ecological damaging effects of all mining practices. And, large corporations in general were being criticised for their policies and practices. Notwithstanding such constraints, Coal Corporation and Solid Energy moved quickly to give the impression that they were living up to their environmental and social responsibilities. They also committed themselves, on the surface, to open and transparent communication about their activities. The changes signalled that the old, purely economic paradigm, which assumed that mining equated with progress could not hold. Solid Energy for example highlighted their apparent commitment to renewable energy, compliance with local regulations, and dialogue processes with local communities. Here, the conventional discourse of big business and

economics was intertwined with a discourse of environmental care and community awareness.

A critical examination of Solid Energy's texts revealed certain contradictory features. On one hand, Solid Energy brought values of environmental and social welfare into commercial, development discourse, by introducing language such as "sustainability", "a positive net effect on the New Zealand environment", and "social wellbeing". This approach denaturalised the conventions of traditional economics by acknowledging thinkable alternatives. Solid Energy projected a vision of integrating economic, environmental and social objectives. At the same time, however, Solid Energy also introduced accounting and reporting practices, and a management system which effectively incorporated social, economic, social, and environmental factors. Consequently, environmentalism was perceived in terms of measurable outcomes. This promotes a view of environmentalism which conforms to the capitalist model. In this regard Solid Energy was, in effect, adopting established private sector, corporate practices. In proposing an apparent middle ground between economics and environmental imperatives Solid Energy sought to preserve and legitimate key elements of the 'Promethean' development paradigm. Solid Energy's annual reports constituted part of a larger rhetorical effort to demonstrate that the enterprise cared about environmental issues and social well-being (even though it remained, at base a coal mining operation). However, as I have demonstrated, its use of 'greenwash' public relations, political machinations and 'dirty tricks' reveal limits to the enterprise's apparent commitment to environmental and social wellbeing.

In summary, an analysis of Solid Energy's official discourse and practices (following those of Coal Corporation) tells the story of the attempt by New Zealand's largest coal mining enterprise to embrace the concept of environmentalism. Solid Energy attempted to dissolve the tensions between the enterprise and nature, the enterprise and the local community. With regard to the proposed Cypress Mine project, the enterprise hoped to protect against what it perceived to be a distorting, emotionally charged atmosphere of public controversy by contending that mining profits and environmental principles were compatible.

Evaluating news media coverage

Developments in recent decades have led to a reappraisal of the role of the media in society. Generally, news media production has become increasingly dominated by large corporations and shaped to serve their interests.⁴³⁸ Privatisation has enabled large foreign corporations to dominate the marketplace of ideas. However, public dialogue staged by the media should be informed by a wide range of sources and perspectives. Journalists ought to facilitate this process by providing a forum of information and public debate, and by allowing private citizens to become a public body in the form of public opinion. The ideal public sphere, as discussed in the previous chapters, is an open, diverse, and accessible space for discussion and reflection on matters of common interest. This is premised on guaranteed rights to representation and expression. The function of news is to indicate particular issues or events in a way that contributes to the informing of public opinion. Increasingly, however, news is not so much a simple reflection of reality as it is a means of distorting reality. This occurs when media personnel rely upon a narrow range of news sources. As I have argued, this makes media personnel especially vulnerable to strategic public relations techniques. When these techniques take the form of ‘greenwash,’ environmental matters become publicly presented in a superficial and distorted way.

The Cypress Mine project and related issues appeared in the Metropolitan and West Coast press, and broadcast news with varying degrees of prominence. Overall, issues on and associated with, the Cypress Mine project featured more prominently in the West Coast based press, which suggests the importance of proximity as a news value which might shape coverage. Of the Metropolitan based press, *The Press* had the most extensive news coverage, while the *New Zealand Herald’s* coverage had no major news articles. This indicates that the Cypress Mine project and issues were viewed largely as a South Island issue (although, the Spy Saga issue received more Metropolitan based press coverage). This implies that journalists favoured novel developments and controversy over environmental investigations. In general, the lack of Metropolitan based news coverage of the Cypress Mine project and related issues suggests that debates concerning coal mining and the environment were not considered to be of a high national priority. A similar conclusion can also be drawn from the small amount of broadcast news coverage.

⁴³⁸ Golding and Murdock, “Culture, Communications and Political Economy,” 19.

Journalists' selection of news sources indicates a tendency to rely on official sources, which comports with traditional news conventions. Overall, authoritative and professional figures like Solid Energy staff and local body representatives were the most common news source. This reliance upon known figures affords recognised individuals or organisations an advantage in communicating their viewpoints to the public. In repeatedly turning to the same individuals or organisation for information journalists can marginalise and isolate other viewpoints and opinions. This can result in the erosion of participatory democracy. Since Solid Energy was more likely to be cited as a source than the Save Happy Valley Coalition, their viewpoints appeared more often in the news media. By implication the official discourse was promulgated more often than the oppositional discourse.

From the data gathered in the previous chapters, the official discourses concerning the environment dominated the news media. The construction of the Cypress Mine project as an issue of economic development versus the environment draws upon the 'Promethean' deep frame and, potentially, the 'limits to growth' counter frame. The official discourse also promoted the view that recent developments in technology and stricter environmental regulations had rendered coal mining to be compatible with environmental sustainability. Essentially, however, official perspectives gave precedence to economic development over ecological concerns. The oppositional and alternative discourses challenged this view. They argue that coal mining is still too ecologically harmful. The distinctions between the alternative and oppositional discourse lies in their strategic objectives. Fundamentally, the oppositional discourse calls for an end to the mining of coal. The alternative discourse does not oppose mining per se, rather they argue that certain areas should not be mined and call for stricter measures to control the environmental harm of mining.

The news media also had a tendency to frame news around dramatic, conflictual and novel developments. The prominence of the conflict and episodic meso-frames suggests that news values, rather than environmental issues determined news coverage. Such framing techniques limit the news media's investigation of the issues at stake. Placing emphasis on meso-frames of an issue or event news coverage neglected the wider ecological and social context of the proposed Cypress Mine project. Thus, this makes it difficult to sustain a large resistance against the proposed Cypress Mine project. The use of these framing techniques also fashion certain perceptions of participants involved in the controversy. This was largely evident with the Save Happy Valley Coalition, since the conflict frame often centred on the

division between proponents and opponents of the Cypress Mine project. The Save Happy Valley Coalition and their spokespeople were often treated as social dissidents. This was evident in news reports of, and editorial judgements about, their protests. While direct actions provided the group with more public spotlight, it often overshadowed their cause and delegitimized the group. By and large, their points of view were accorded low status in the news media.

Overall, the news media's coverage of the Cypress Mine project and issues suggest that journalists followed traditional conventions of news construction. The preponderance of authoritative figures as sources suggests that the production of news is top-down. This made it difficult to understand how sophisticated the oppositional movement actually was and obscured their various sources of their dynamism. Additionally, the predominance of the conflict and episodic frame suggests that news is the end product of commercial pursuits, rather than environmental or normative values. This also highlights the limitations of the idea that the news is a 'mirror held up to society'. Journalists' categorisation, salience and selection of events, issues and sources compromise the news media's capacity to create a public forum for critical discussion.

Environmental discourse and the battle for Happy Valley

For Solid Energy, the difficulties of dealing with the harmful effects of its coal mining activities on ecologically fragile local environments, were driven home by the Save Happy Valley campaign. The proposal to expand the Stockton mine was received with mixed reaction. West Coast residents believed that the Cypress Mine project would reduce unemployment and restore lost commercial activity to the region. Environmentalists and conservationists, however, argued that the environmental cost of mining was still too high. Despite the conflicts, Solid Energy was granted resource consent to develop two opencast pits at Cypress. So while environmental protection is desirable in a general sense, at a practical level it is politically contentious. In part, the problem was that 'conservation' was always a narrow way to conceptualize the larger issues at stake. In the news domain the isolation of the Cypress Mine project and issues from the broader environmental movement underplayed

the significance of the struggle. In the Cypress Mine controversy the oppositional arguments were accorded low status or rendered invisible. For instance, they were unable to get the wider issue of climate change (in relation to coal mining) across to the media, or in turn to the public. Instead, the proposed Cypress Mine issue was represented as a battle between local communities and greenies, or as economic development versus the survival of the *Powelliphanta "augustus"* snail specie. The question of mining and its impact on the environment was not properly addressed. This limited the alternative and oppositional arguments against coal mining, which inhibited the public's ability to critically evaluate the events and issues taking place. Moreover, economic development was positioned as the solution to financial hardship in the West Coast region. Solid Energy, the Courts and politicians claimed that the livelihoods of those living on the West Coast would be better off if the economy grew. Without such an argument Solid Energy and politicians would have had little response against the arguments for ecological protection and alternative forms of energy and economic development. However, short term economic growth aimed at extracting finite resources will not necessarily eliminate the financial problems of the West Coast.

In relation to the Cypress Mine controversy, both the official and oppositional arguments employed the environmental discourse of 'sustainable development.' This highlights the ambiguous nature of the term. The concept of sustainable development has become a source of confusion and contestation. Generally 'sustainable development' in its oppositional sense posits a conflict between coal mining practices and the sustainability of the environment (including the biosphere). Conservative, official notions of 'sustainable development' assume that the aims of economic development and ecological wellbeing can be reconciled and managed. The co-option of the term 'sustainable development' by proponents of coal mining reflects the pervasive use of manipulative language in environmental discussions. In the Cypress Mine controversy thus far 'Promethean' discourse and official appropriations of 'sustainability' discourse have dominated the public sphere.

Although, this is a very difficult time, politically and economically, to start talking about aggressive engagement with environmental concerns, in particular climate change, delaying action is dangerous. It is becoming increasingly clear that the environment is deteriorating irrespective of whether resources are depleting (as suggested by proponents of the 'limits to growth' discourse). It is the pollution and environmental degradation resulting from fossil

fuel extraction, production and consumption that is the real threat to the planet's future. Efforts to control and limit the excesses of big business and state-owned enterprises must critique the power of corporations. Failure to do so reinforces, rather than challenges power structures, and undermines popular struggles for autonomy, democracy, human rights and environmental sustainability. This calls for a new wave of environmentalism, one which effectively counters the public relations strategies developed by big business and state-owned enterprises. None of this is to suggest that mitigating the threat of environmental depredation will be easy. However, decisions need to be made in the best interests of people, rather than public relations firms, their clients, corporate managers and establishment politicians. Individuals and organisations who suggest otherwise should, at some point in the near future, be made accountable for their recklessness.

Appendix I: Solid Energy's industry associations and groups for 2008

The material in Appendix I on pages 177 to 179 has been removed by the author of this thesis for copyright reasons.

Appendix II: Examples of Solid Energy's sponsorship in the West Coast





The material in Appendix II on pages 182 to 188 has been removed by the author of this thesis for copyright reasons.

Appendix III: Save Happy Valley Coalition materials

The material in Appendix III on page 189 has been removed by the author of this thesis for copyright reasons.

Take Action!

ACT

Join the occupation! For more details, visit www.savehappyvalley.org.nz/occupation. Attend events, demonstrations or protests. Email contact@savehappyvalley.org.nz with "Announcement List" in the subject to receive up to date information. Join your local group: for details of your nearest group, visit www.savehappyvalley.org.nz/contact.htm

SUPPORT

Make a donation. Donations can be sent to P.O. Box 9263, Te Aro, Wellington (make cheques out to "Save Happy Valley Campaign"). You can make a direct transfer to our Kiwibank account: *Save Happy Valley Campaign*, 38-9003-03341 46-00. Set up an Automatic Payment by downloading a form from www.savehappyvalley.org.nz/getinvolved.htm or email us at contact@savehappyvalley.org.nz and we'll send one out to you.

WRITE

There are postcards available to voice your opposition to the Prime Minister, Minister of Conservation and Minister of State Owned Enterprises. Contact us at contact@savehappyvalley.org.nz, or use form below.

Contact the Save Happy Valley Coalition

Name:
Address:
Email:
Send to: **Save Happy Valley Coalition,**
P.O. Box 9263, Te Aro, Wellington.



The **Save Happy Valley Coalition** is a network of groups from across Aotearoa/New Zealand whose aim is to prevent the Happy Valley mine from going ahead. We are committed to raising awareness about the mine, building opposition and using non-violent direct action to ensure that it never goes ahead. With the go-ahead from the Environment Court, time is running out.

To learn more about us, and the history of the campaign, visit our website.

Please find enclosed my donation:

☐ \$10 ☐ \$20 ☐ \$50 ☐ \$5

Please send me campaign updates:

☐ By post ☐ By email

Please send me (specify number):

☐ Automatic payment form
☐ Postcard set
☐ "Stop Solid Energy" bumper stickers*
☐ Kiwi patches*
* Gold coin donation



Happy Valley is a stunning, wild and untouched landscape on the West Coast of the South Island that is under threat from coal miner Solid Energy.

Located in the Upper Waimangaroa near Westport, Happy Valley is home to thirty great spotted kiwi/roa, the rare *Powelliphanta patrickensis* snail and eleven other endangered birds and animals. It is a colourful mosaic of magnificent red tussock wetlands, low forests of lush mountain beech and pygmy pine, and dense mats of intricate herbfield plants scattered over striking sandstone rocks and bluffs.

Under Threat! In late 2005, state owned enterprise Solid Energy was given final permission to strip Happy Valley into an opencast coal mine. This was despite overwhelming evidence of the ecological destruction the mine would cause.

It must be stopped. Since the end of January 2006, the mine site has been occupied in a concerted effort to stop this impending environmental disaster. Join people from across the country and help us save Happy Valley!

www.savehappyvalley.org.nz

10 REASONS

why Happy Valley must not be mined...

1. This mine will lead to the emission of 12 million tonnes of carbon dioxide, a harmful greenhouse gas that causes climate change. The mine will extract 5 million tonnes of coal, exported primarily for use in the steel industry.
2. Kiwi habitat will be destroyed, despite Happy Valley being a 'natural refuge' for the bird. Solid Energy and the Environment Court admit that up to ten kiwi may die, despite being "absolutely protected" under the Wildlife Act.
3. The mine will destroy around 10% of the remaining population of fully protected native land snail, *Powelliphanta patrickensis*. Killing even a single snail is normally illegal, yet the government is allowing Solid Energy to kill an unlimited number of snails.
4. The opencast mine will desecrate the magnificent red tussock wetland, which has been identified by the Department of Conservation as nationally significant. It is irreplaceable. There is no evidence that Solid Energy's plan to transfer, store and replace the wetland will work.

Climate Change

The Earth is getting hotter as we pump carbon dioxide and other greenhouse gases into our atmosphere: burning Happy Valley's coal further intensifies this process.

Globally, it is estimated that a temperature rise of 2-3 degrees Celsius will put 100 million more people at risk of coastal flooding, and more than 3 billion more people at risk of fresh water shortages. It is predicted to drive more than half of all species to extinction by the end of the century. New Zealand faces more flooding, drought, and exotic pests and weeds as a result.

NZ emissions have risen more than 37% in the last 15 years, showing NZ's Kyoto Protocol commitment to reduce emissions to 1990 levels to be a sham.

Pristine Ecosystem

Happy Valley is home to 13 threatened native species including: great spotted kiwi (roa), South Island kaka, kakariki, *Powelliphanta patrickensis*, western weka, western long tailed bat, and the South Island fern bird.

Many other endemic species also live here, including: NZ robin (toutouwai), tomtit (ngiru-ngiru), red tussock, pygmy pine (the world's smallest conifer), pink pine, southern rata, and numerous rare mosses and lichens.

It is estimated that the total remaining population of the carnivorous land snail *Powelliphanta patrickensis* numbers only 1000. A core goal of NZ's Biodiversity Strategy is to protect important ecosystems. As part of that strategy, DOC identified Happy Valley as nationally important in 1998.

5. Ngati Waewae, the local hapu, opposed Solid Energy's planned mine in Happy Valley. Solid Energy has continued mining other areas despite Ngati Waewae stating that these are important to them.

6. The Environment Court has left the monitoring of Solid Energy's operations to local government and a Peer Review Panel selected by Solid Energy. West Coast Regional and Buller District Councils have not enforced even the most minimal environmental standards, and turn a blind eye to pollution.

7. Solid Energy has a track record of broken promises and wilful environmental damage. The previously magnificent Ngakawau River is now unable to support aquatic life as a result of mining activities. Solid Energy's operations at Stockton are pushing the rare carnivorous land snail *Powelliphanta augustus* to extinction.

8. The economic benefits of the project have been exaggerated. Solid Energy stated that the mine would create 30 new jobs. Later, CEO Don Elder said there will be no net increase in jobs, even as his own salary exceeds \$670,000. Coal profit and royalties from Happy Valley could be as little as \$15 million. The cost of climate change and the loss of biodiversity haven't even been considered.

9. Worse is yet to come: Solid Energy plans more mines down the entire Waimangaroa valley. This would result in the loss of 74% of the *Powelliphanta patrickensis* population.

10. The Department of Conservation made a side-agreement not to challenge Solid Energy in court. When DOC is bowing to economic pressures from within Government and is failing to fulfil its conservation mandate, it is critical that all members of society stand up for the environment!

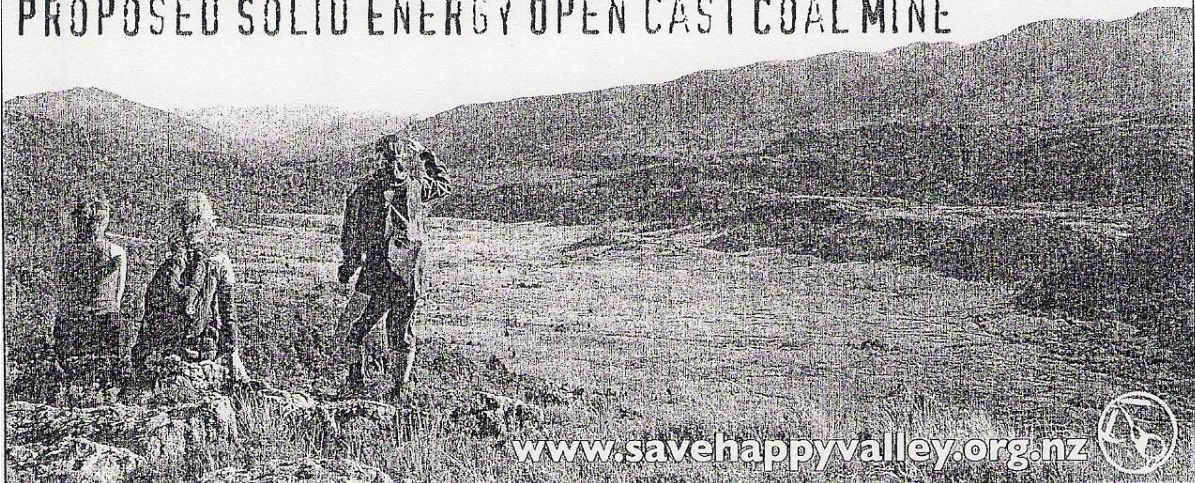
A Bit of History...

- 1921 Great spotted kiwi totally protected under law.
- 1987 State Owned Coal Corporation Solid Energy formed.
- 1998 Department of Conservation report recommends protection of Happy Valley area.
- 2002 New Zealand Government signs Kyoto Protocol.
- 2003 Solid Energy applies for Resource Consent to mine Happy Valley.
- 2004 Despite opposition from locals and national groups, Resource Consent is granted. Forest & Bird, Te Runanga o Ngati Waewae, Buller Conservation Group (BCG), Ngakawau Riverwatch and DOC appeal decision.
- Save Happy Valley Coalition formed at a campout in the valley. Protests, tree-sits, public meetings and campaigning follow.
- 2005 Environment Court finds in favour of Solid Energy's proposal.
- Court decision claims that mine will add to the life force of the area! Solid Energy applies for costs of \$379,342 from Forest & Bird and BCG.
- Three activists block coal trains for 5 hours. Solid Energy threatens to seek reparations of \$US150,000.
- Forest and Bird's High Court appeal unsuccessful.
- 2006, January 28th SHV Coalition begins indefinite occupation of Happy Valley. 75+ people tramp in for first weekend.



Join the Occupation!

HAPPY VALLEY, WEST COAST.
PROPOSED SOLID ENERGY OPEN CAST COAL MINE



Come join the occupation and help stop Solid Energy's proposed open cast coal mine in Happy Valley, on the West Coast!

From Saturday 28th January 2006 the *Save Happy Valley Coalition* will be occupying the Valley to protect the pristine wetland ecosystem and fragile beech forest from Solid Energy.

The proposed mine will:

- Destroy the habitat of a number of endemic native species that are already threatened with extinction including great spotted kiwi (roa) and the snail *Powelliphanta "patrickensis"*.
- Pollute local waterways by acid mine drainage
- Contribute up to 12 million tonnes of climate changing carbon dioxide to the atmosphere when the coal is burnt for steel manufacture.

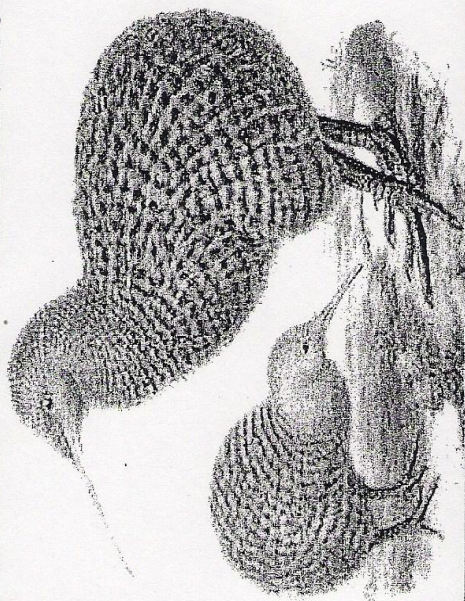
Happy Valley is located in the Upper Waimangaroa Valley, approximately 25km north-east of Westport and takes less than half a day to tramp. You need to come as a self-contained trumper, prepared for unpredictable weather.

You can stay as long or as short as you wish, though the occupation will be ongoing.

Contact the *Save Happy Valley Coalition* at contact@savehappyvalley.org.nz for further information about the occupation, the tramping gear required and carpooling/transport.

www.savehappyvalley.org.nz

SAVE HAPPY VALLEY



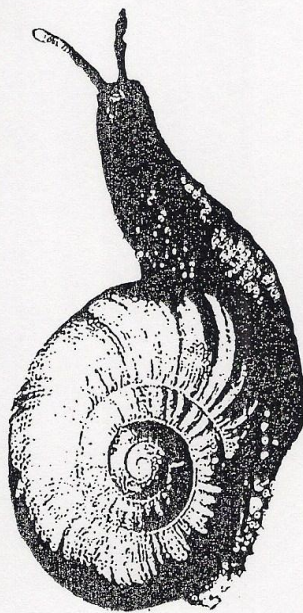
1921 The Great Spotted Kiwi is Totally Protected by Law
2006 State-Owned Solid Energy plans to destroy Kiwi habitat in Happy Valley (West Coast) for an open-cast coal mine

STOP SOLID ENERGY

www.savehappyvalley.org.nz



SAVE THE SNAILS



STOP SOLID ENERGY

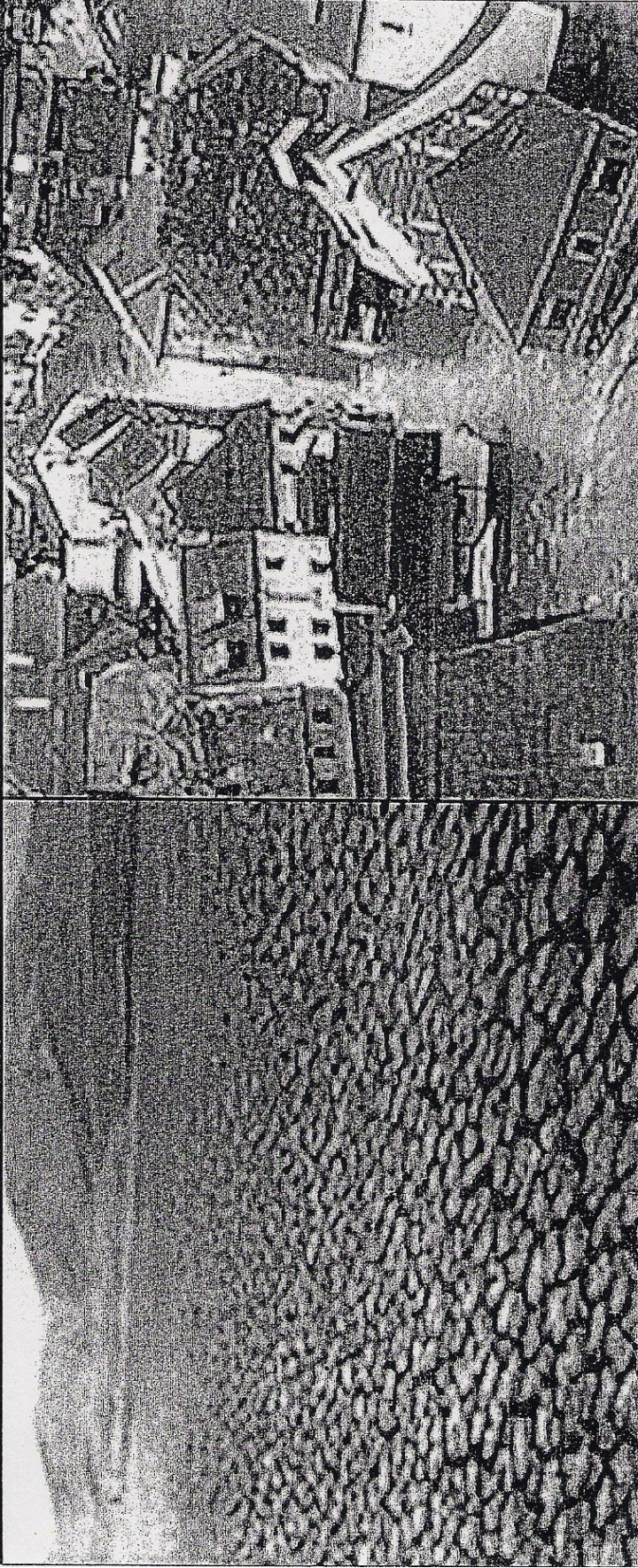
Approximately 1000 *Powelliphanta "patrickensis"* snails currently exist in 3 main locations. State-owned coal mining company Solid Energy wants to mine all of these.

If you or I even touched one of these snails we would be prosecuted. So why is the Labour Government allowing Solid Energy to bulldoze them into extinction?

savehappyvalley.org.nz



STOP CLIMATE CHAOS



RENEWABLE ENERGY NOW

savehappyvalley.org.nz



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