



TE RŪNANGA O NGĀI TAHU POUNAMU RESOURCE MANAGEMENT PLAN



Tiakina he tino taonga Pounamu
mō tātou, ā, mō kā uri ā muri ake nei

For us and our children after us



Te Rūnanga o NGĀI TAHU

mō tātou, ā, mō kā uri ā muri ake nei

"for us and our children after us"

This is a vision adopted by the former Ngāi Tahu Māori Trust Board to guide the work of the iwi through the settlement and implementation of its Waitangi claim – Wai 27 or Te Kerēme, of which pounamu was a major part.

Cover photograph:

Te Huarahi Tōmairangi Aotaetaeata

"The pathway of the dew before the cloud of the early morning rain"

This 1200-pound Pounamu kōhatu (greenstone boulder) was found north of the Taramakau River. The finder Mr. Tony Maitland discovered the Pounamu kōhatu and informed the Te Rūnanga o Ngāi Tahu authorities, and in conjunction with Te Rūnaka o Kāti Waewae extracted the Pounamu. The handing back of this taoka (treasure) by Tony Maitland is symbolic of a relationship building process with the Maitland whānau (family) and the local community in which Te Rūnaka o Kāti Waewae and Te Rūnanga o Ngāi Tahu will embrace with respect and dignity. The Pounamu kōhatu will eventually rest in the planned Marae at Arahura as a mauri stone (Touch stone).

The above words are by Hemi Meihana. The cover photograph is courtesy of Tony Maitland.

Karakia Whakatuwheratia

Tipia

Tahia

Rakea rakea

Tipu te raki i ruka nei

Kia mau mai e

Toto mai i waho te whāriki o te rā

Auaha te ikoa, ko te raki puehu

Ka turuturu te raki i ruka nei

Kia mau mai e

Nā wai te raki i tokotoko

Nā Tāne anake

Nō wai hoki te kura i whakarere

Koe e

Tama e



Mihi – Foreword

Ka rere kau ake aku mihi ki a koutou e noho rā hai kaitiaki o te kōhatu matua,
Te riro taka mai a Tamaahua,
Kai te rua o Poutini taniwha e huna ana.

Te wāhi i takoto ai te kuru-auhuka,
Te kuru-tokarerewa whakakaitia ki te tarika,
Te tiki pounamu heia ki te kakī,
Te rau o tītāpu,
Te piki kōtuku ki ruka ki te ūpoko,

Koutou riro mana atu, riro mana mai mō tēnei taoka whakapaipai,
Te tohu rakatira o te Māori,

He ika, he pounamu.
He ika, he pounamu.

Ko Te Waipounamu rā.

Tēnā koutou katoa.

Te Rūnanga o Ngāi Tahu would like to acknowledge the following people and groups for their involvement in the development of this plan:

- Ngāi Tahu Whānui, Ngā Papatipu Rūnanga, the Pounamu Working Party, the Ngāi Tahu Pounamu Management Group, Te Rūnanga o Ngāi Tahu staff;
- Te Papa Atawhai/Department of Conservation, Local Government Authorities, Manatū Ōhanga/Crown Minerals, Te Mana Ārai o Aotearoa/New Zealand Customs, Ngā Pirihimana o Aotearoa/New Zealand Police, Toitū Te Whenua/Land Information New Zealand, The Institute of Geological and Nuclear Sciences; and
- All those who attended and contributed to hui held on pounamu management between 1998 and 2001.

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He Kaiwero; He Mere Pounamu



This picture shows the Ngāi Tahu kaiwero preparing to lay down the challenge to manuhiri coming onto the marae at Takahanga, Kaikōura for the signing of the Ngāi Tahu Deed of Settlement. The kaiwero are holding mere pounamu, an important taonga and weapon of Ngāi Tahu.

Photograph taken by Lloyd Park.

1 He Kupu Whakataki – *Introduction*

This plan is the first of its kind in New Zealand, and most likely the world, that deals with the management of a finite mineral resource owned and managed by indigenous people. It has been produced by Te Rūnanga o Ngāi Tahu in conjunction with its Kaitiaki Rūnanga to outline the ways in which the pounamu resource that Te Rūnanga o Ngāi Tahu owns, and is collectively responsible for on behalf of Ngāi Tahu Whānui, will be managed.

This plan is the end result of five years of consultation with Ngāi Tahu Whānui, other iwi, the commercial pounamu industry and the community, on how best to look after pounamu for the benefit of this generation and generations to come – *mō tātou, ā, mō kā uri ā muri ake nei*. The work over the past five years has been guided by the Pounamu Working Party, initially with the assistance of Ngāi Tahu Development Corporation staff, and the Ngāi Tahu Pounamu Management Group, with the assistance of Kaupapa Taiao staff of the Office of Te Rūnanga o Ngāi Tahu.

The focus of this plan is to inform Ngāi Tahu Whānui, ngā maata waka, the community, the commercial pounamu industry and resource managers about the management of pounamu by Te Rūnanga o Ngāi Tahu and the Kaitiaki Rūnanga. It outlines the ways in which this management will uphold the mana, mauri and taonga values of pounamu through a mixture of sustainable use and protection, and how this differs from the previous regime of management by the Crown.

The plan is set out in sections, outlining:

- The Ngāi Tahu relationship with, and values of, pounamu (Section 2);
- A description of the plan, its status and the resource being managed (Section 3);
- The roles and responsibilities of, and relationships between, Te Rūnanga o Ngāi Tahu, Kaitiaki Rūnanga and other groups involved in pounamu management (Section 4);
- The objectives, policies and processes covering the protection (Section 5), collection (Section 6), extraction (Section 7) and supply (Section 8) of pounamu;
- The process for monitoring and reviewing the plan (section 9); and
- Appendices of related documents including a glossary of terms.



1.1 Ko wai a Ngāi Tahu? – *Who are Ngāi Tahu?*

Ngāi Tahu literally means the “descendants of Tahu” after the tribe’s founder Tahupōtiki, who was born around 30 generations ago at Whangarā-mai-Tawhiti on the east coast of Te Ika ā Maui (the North Island of New Zealand).

Ten generations ago, the descendants of Tahupōtiki began their migration from Te Ika ā Maui into Te Waipounamu (the South Island), where through a combination of inter-marriage and conquest they merged with the resident hapū of Waitaha and Kāti Mamoe to form Ngāi Tahu Whānui as it is today.

Ngāi Tahu Whānui is the collective of individuals who descend from the primary hapū of these tribal groups and is recognised as the iwi with mana whenua over its takiwā (tribal area) within Te Waipounamu. Currently, there are over 30,000 registered Ngāi Tahu Whānui.

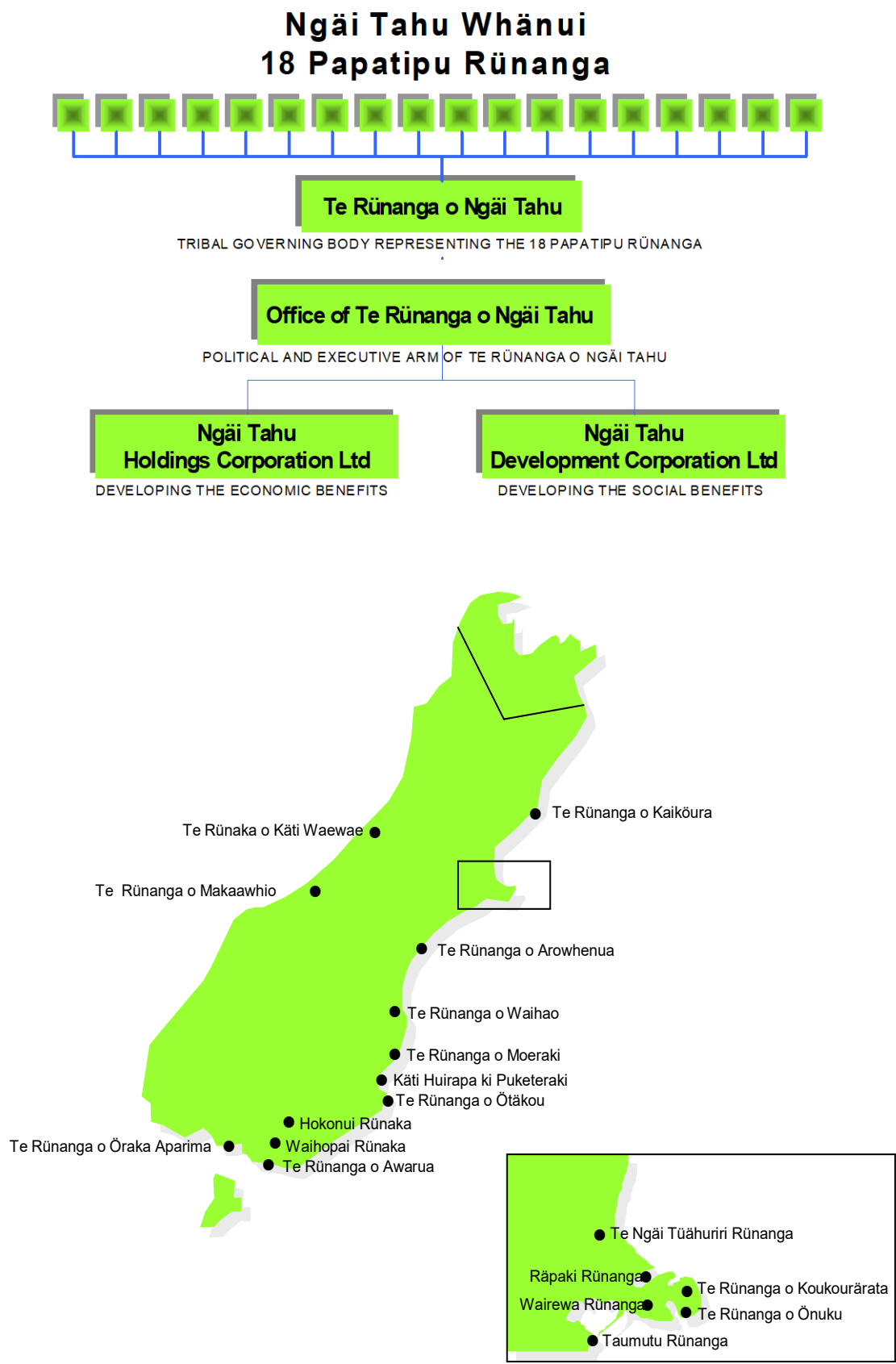
1.1.1 Te Rūnanga o Ngāi Tahu me Ngā Papatipu Rūnanga

Te Rūnanga o Ngāi Tahu is the structure established by Ngāi Tahu Whānui under the Te Runanga o Ngai Tahu Act 1996 to protect the beneficial interests of all members of Ngāi Tahu, including the beneficial interests of the Papatipu Rūnanga of those members. This act also sets out the takiwā of Ngai Tahu Whānui described in Section 3.3.1 of this plan and shown in Figure 1 and Maps 1-3.

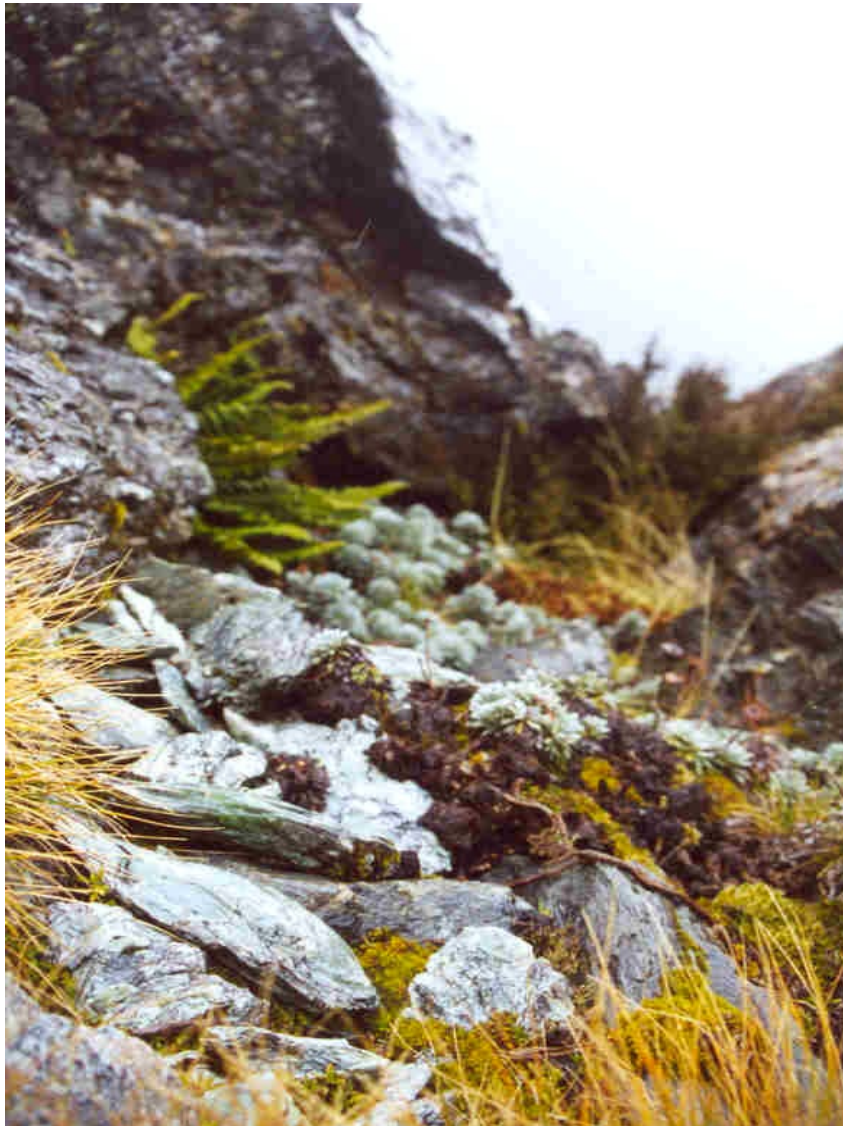
Te Rūnanga o Ngāi Tahu is a tribal council consisting of elected representatives from each of the 18 Papatipu Rūnanga. Papatipu Rūnanga are regional collective bodies that were established by Ngāi Tahu in the 19th century that today act as the governing councils of traditional Ngāi Tahu hapū and marae-based communities.

Every individual Ngāi Tahu person affiliates to one or more of the Papatipu Rūnanga that are spread throughout Te Waipounamu. In this plan, nine Papatipu Rūnanga, known as Kaitiaki Rūnanga, are recognised as being the kaitiaki for the deposits of pounamu that occur naturally within their respective takiwā as defined by the Te Runanga o Ngai Tahu Act 1996. These Rūnanga are listed and described in Section 4.3. Figure 1 on the following page shows all 18 Papatipu Rūnanga.

Figure 1. Ngāi Tahu Whānui, Ngā Papatipu Rūnanga and Te Rūnanga o Ngāi Tahu



Taonga Tawhito ki Te Koroka



This picture shows a collection of worked pounamu pieces at a traditional work site situated within the Te Koroka – Dart/Sliptream special protection area. This distinctive pounamu was highly prized for the creation of toki and mere pounamu because of the shape in which it was naturally created, as is illustrated through the shape of the pieces shown in the bottom left hand corner of the photo. Te Koroka requires a permit to enter to protect the cultural and scientific significance of the work site.

Photograph taken by Craig Pauling.

2 He Whakapapa Pounamu

Ka kino tō pounamu; he kino pounamu onamata

Your pounamu is awesome and its quality comes from ancient times

Ngāi Tahu history and whakapapa is embedded in the landscape and resources of Te Waipounamu. Our ancient histories explain the landforms to us and the creation feats of the myriad of gods required to perform their fabulous tasks.

Ngāi Tahu customs, values, resources, mahinga kai, flora and fauna, place names and the pūrākau, pakiwaitara, whakataukī, waiata and accompanying kōrero are the embodiment of the tribe's ongoing identity.

Our traditions represent the values and beliefs of the land, of our tribe, and of the hapū who by whakapapa retain the customary rights and responsibilities associated with ngā taonga tuku iho.

For Ngāi Tahu, the range of natural resources, species and taonga, such as pounamu, found within our takiwā are tangible treasures that transcend the generations. The maintenance of the mauri of these resources is as important as the ability of the iwi to continue to survive and to foster healthy offspring.

Mauri may be described as the life force, present in all objects living and inanimate, a force that stems from the beginnings and a value that is distinguished by qualities of health, abundance, vitality, the pristine and unpolluted. It is something sacred to our whakapapa, a spiritual link in the widest sense, to the past, the present and to the future, the template of influence that maintains our culture with particular values and beliefs.

All of these things lie at the very roots of our existence and meaning – being the responsibility to pass on to the following generations, the values and resources, and the age-old customs that distinguish Ngāi Tahu from any other iwi, and identify our hapū and iwi as mana whenua of our takiwā within Te Waipounamu.

2.1 Tāhuhu Kōrero – *Background*

Koutou riro mana atu, riro mana mai mō tēnei taoka whakapaipai,

Te tohu rakatira o te Māori

Pounamu is a taonga of the utmost importance to Ngāi Tahu culture and tradition – a relationship that is recognised throughout iwi Māori. Pounamu is a pathway that provides an opportunity for our people to connect with their whenua and tūpuna. Just as precious stones are of a symbolic nature to many other cultures, to Ngāi Tahu, pounamu is a taonga that encapsulates our identity and culture and is central to our whakapapa and history.

The minerals known today as nephrite, semi-nephrite, bowenite and serpentine share a common whakapapa for Ngāi Tahu being known collectively as pounamu. Within these types, pounamu is known by names such as Kahurangi/Kahuraki, Kawakawa, Kōkopu, Tangiwai/Takiwai, and Inanga/Inaka, within which there are numerous variations. All names reflect the traditions and customs associated with each type, and the whānau and hapū who used and protected them.

Ahakoā he iti, he pounamu

Although it is small, it is pounamu

All types of pounamu were of immense value to our iwi. Ngāi Tahu whānau and hapū recognised the different qualities in the various types and used them accordingly. For generations, pounamu has been discovered, identified, collected, worked, traded and protected, and in turn provided for the livelihood, mana and mauri of those whānau and hapū associated with the taonga. It was pounamu that in essence fed these whānau and hapū, where it was traded for kai and resources from other regions. The traditions and customs involved in the collection, working and trading of pounamu remain important, particularly for those who uphold the ahi kā of where pounamu is found.

He mahi kai hōaka, he mahi kai takata

Just as work consumes sandstone, it also consumes people

Pounamu has played a major role in the development of Ngāi Tahu identity and the growth of technical and material advancement of Ngāi Tahu, particularly in the period of New Zealand history before new materials were introduced and accorded a new importance alongside pounamu. Its significance and value is seen in one respect through the development of mātauranga surrounding the creation, use and trading of tools, weapons and adornments such as the toki pounamu, mere pounamu and heitiki pounamu. This mātauranga illustrates a unique approach to working with such a hard and precious stone.

A further provenance of this mātauranga is reflected in the use of the mere pounamu for protection and warfare showing its strength as a survival tool. Its value as a natural stone and adornment also highlights its power and importance, being linked to the spiritual realms of atua, kaitiaki, and tūpuna. All of these uses made pounamu valuable not only to Ngāi Tahu, but to most other iwi. The existence of certain aspects of Māori culture today is evidence of increased mātauranga through the relationship with pounamu. This is highlighted by the numerous whakataukī, waiata and pūrākau created through the use of pounamu, some of which are given here and in the following sub-sections.

Tiakina he tino taonga pounamu;

mō tātou, ā, mō kā uri ā muri ake nei

Protecting the precious treasure of pounamu

for us and our children after us

Today, the traditional values and customs remain significant along with the added awareness of managing an ultimately finite resource for both present and future generations. This management balances the right of continual use to sustain and grow the well-being of those whānau and hapū associated with pounamu, with the responsibilities to safeguard this right for the future. This is a task that Kaitiaki Rūnanga and Te Rūnanga o Ngāi Tahu are embracing through the creation of this management plan.

2.2 He Whakapapa – Genealogical Origins and Creation

Kei a Te Pō te tīmatanga mai o te waiatatanga mai o te Atua.

Nā Te Pō, Ko Te Ao.

Nā Te Ao, Ko Te Aomārama.

Nā Te Aomārama, ko Te Aotūroa.

Nā Te Aotūroa, ko Te Koretēwhiwhia.

Nā Te Koretēwhiwhia, ko Te Koretērawea.

Nā Te Koretērawea, ko Koretētāmaua.

Nā Te Koretētāmaua, ko Te Koretēmātua.

Nā Te Koretēmātua ko Te Mākū.

Nā Te Mākū, ka noho i a Mahoranuiatea,

Ka puta ki waho ko Raki.

Whakapapa explains the very origins of every thing, past and present, within the Māori world. It is the foundation upon which all things are built, the web that connects all things together, the anchor which holds all things in place and the vehicle by which all things link back to the beginning of time.

Whakapapa accounts for the way in which the earth, the sky, oceans, rivers, elements, minerals, plants, animals and all people have been created. It is through whakapapa that all things are intricately linked, as well as having their individual place in the world.

Ultimately, it is whakapapa that connects people to each other, to their ancestors, to the land and natural resources. For Ngāi Tahu, it is whakapapa that elucidates our descent from the gods of creation.

It is whakapapa that also connects Ngāi Tahu to pounamu. The whakapapa of pounamu is reinforced by the multitude of stories, traditions, and as the name Te Waipounamu suggests, place names, associated with its creation, discovery and use.

The different types of pounamu have their own whakapapa that sets their place within the creation of the world known to Ngāi Tahu. It is the high place of pounamu within Ngāi Tahu whakapapa that first illustrates the importance of the taonga to the iwi.

While there are many traditions and interlinked threads of creation within Ngāi Tahu, all place pounamu in a position of high rank. It is from this whakapapa that pounamu takes its place as a tino taonga of Ngāi Tahu.

Nā Te Anumātao, ko Te Anuwhakarere.

Nā Te Anuwhakarere, ko Te Anuwhakatoro.

Nā Te Anuwhakatoro, ko Te Anuwai.

Nā Te Anuwai, ko Takaroa.

Nā Takaroa, ko Te Pounamu

Ngāi Tahu values and beliefs explain all things from the time of nothingness – *Te Kore*, through the vast ages of darkness – *Te Pō*, to the first ever glimmer of light – *Te Ao*, to the longstanding light – *Te Aotūroa*, through to the emergence of moisture – *Te Mākū*.

A void, a parentless void with the potential for life encompassed all. In due course *Te Mākū* emerged and coupled with *Mahoranui-a-Tea* from which came *Rakinui*, who coupled with *Pokoharua-Te-Pō*. Their first child was *Aoraki*, who stands as the supreme mountain of Ngāi Tahu.

From the union of *Rakinui* and *Pokoharua-Te-Pō* also came the source of the great winds – *Tāwhirimātea*, *Tiu* and *Rakamaomao*. The elder brother of *Pokoharua-Te-Pō* was *Te Moretu*. From *Te Moretu* came *Takaroa* – the great progenitor of the oceans.

The first wife of *Takaroa* was the flat earth – *Papatūānuku*. While *Takaroa* was occupied with his work far out in the oceans, *Papatūānuku* went to be with *Rakinui*. It was from this union between *Rakinui* and *Papatūānuku* that into being came *Rehua*, *Tāne* and many children including the great voyager, *Paiakea*, the father of *Tahupōtiki*, the ancestor of Ngāi Tahu.

Upon his return from the oceans, *Takaroa*, discovering the union between his wife and nephew proceeded to exact revenge on *Raki*, which led to a great battle that left *Rakinui* wounded in both thighs, and his further descendents crippled.

From the great *Takaroa* came many more important creations including *Te Kāhui Anu*. From *Te Kāhui Anu* came *Te Anumātao* and later *Te Anuwai*. It was from the union of *Te Anuwai* and *Takaroa* that *Te Pounamu* first came into being.

This particular whakapapa states that pounamu is a direct descendant of the great Ngāi Tahu deity, *Takaroa*. This is important, because *Takaroa*, being an uncle of *Rakinui*, and the first husband of *Papatūānuku*, has a senior bloodline, in turn passing this to pounamu. It is this whakapapa that gives pounamu a higher bloodline than the uri of *Rakinui* and *Papatūānuku*, including people.

It is from this ancient whakapapa that the many traditions of pounamu being a fish are recalled, though this is only one explanation of the form pounamu took after its creation.

2.3 He Tipua me te Kōrero Pūrākau – *Creation Gods and Traditions*

Kā taero a Tutekoropaka

The many obstacles of Tutekoropaka

Tipua refer to the myriad of gods and deities responsible for the feats of creation and discovery. Their actions are remembered, revered and recounted in the multitude of pūrākau and traditions relating to the creation, discovery and naming of the landscape, resources, elements, species and people within Te Waipounamu.

These tipua and pūrākau are important to Ngāi Tahu as they represent the links between the world of the gods, the ancestors and the present generation. These histories reinforce tribal identity, continuity between generations as well as documenting the characteristics of, and events that shaped, the environment of Te Waipounamu and Ngāi Tahu as an iwi.

And, as would be expected, there are particular tipua and pūrākau associated with pounamu, its origin, creation, discovery and naming which are most often regionally and hapū specific. This means there are again a multitude of stories and explanations relating to pounamu.

The number of stories, in one respect, shows the importance of pounamu within the iwi, but more practically it represents the variations in the geological and physical characteristics of all pounamu sources and areas, as well as the unique whakapapa of the hapū and whānau associated with these sources and areas. These stories are therefore important to particular Kaitiaki Rūnanga and are not attempted to be told here.

What is important to tell, however, is that although numerous stories exist, many have a common thread binding them together. This common thread or essence demonstrates some of the values of pounamu to Ngāi Tahu and its importance to the identity of the iwi.

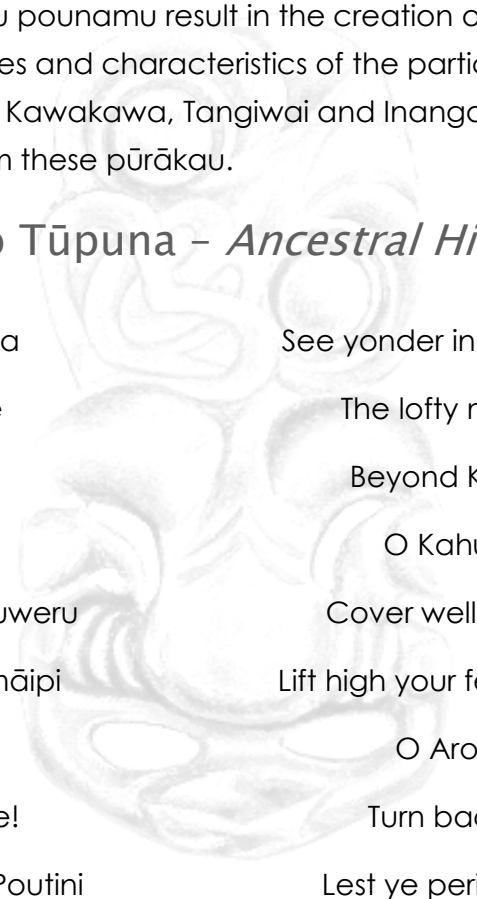
All pounamu related pūrākau tell of the extreme beauty and value of pounamu. Most pūrākau, such as the traditions of Ngahue, Tama-ki-te-raki and Poutini tell of the extraordinary journeys undertaken to either protect and/or pursue pounamu. Often the journeys involved incredible pain, loss and anguish that were balanced by the enduring need to protect pounamu from loss, or the rewards associated with discovering pounamu for use.

Some pūrākau associate pounamu with the beauty of particular women who are turned into stone, often involving a third party, and the resilience of their husbands who are steadfast in their pursuit of them. Again, these stories involve incredible journeys and highlight the extreme effort and risk taken to pursue such a beautiful and valuable resource. The whakataukī at the start of this section is one example of this from the tradition of Tama-ki-te-raki showing the many obstacles he had to overcome in pursuit of pounamu, personified as his lost wives.

Some pounamu traditions, such as particular versions of the Ngahue tradition, are related to the very discovery of New Zealand, linking the importance and value of pounamu to the very reason for initial migration.

And finally, all pūrākau pounamu result in the creation of particular pounamu deposits and the names and characteristics of the particular pounamu found there. Names such as Kawakawa, Tangiwai and Inanga are just some examples coming from these pūrākau.

2.4 He Kōrero Tūpuna – *Ancestral History*



E atu tū te tarahaka	See yonder in the dawning light
A tūhoro ki Kaniere	The lofty mountain pass
E Kahu e!	Beyond Kaniere's lake
A Purua rā e!	O Kahu, O Purua!
Pokipoki te weruweru	Cover well your garments
Putawake te māipi	Lift high your feathered weapon
E Aro e!	O Aro, O Kume!
A Kume rā e!	Turn back to Poutini
Whakatahuri ki Poutini	Lest ye perish of weariness
Kei mate koe i te ruha e,	Lest those base tribes crave
Hiakaitia koe e ngā porī	to eat your flesh

From the realms of pūrākau and traditions about the creation and discovery of pounamu, we move to the accounts of ancestors within the recent whakapapa of Ngāi Tahu that played influential roles in the history of Ngāi Tahu and pounamu.

These accounts are important in strengthening and reinforcing Ngāi Tahu culture and identity, especially for the particular regions, hapū and whānau they relate to. They also reinforce the values of pounamu expressed in pūrākau and traditions and most importantly they demonstrate the extreme importance of pounamu to the well-being and survival of the iwi.

Specifically they outline how Ngāi Tahu came to use and manage pounamu, the development of mātauranga surrounding this, and how these things resulted in Ngāi Tahu creating a highly sophisticated economic and social system based around pounamu prior to the arrival of Pākehā.

The kōrero relate to the discovery by Ngāi Tahu of the usefulness of pounamu for creating tools through interaction with those hapū and iwi inhabiting Te Waipounamu at the time of the migration of various Ngāi Tahu hapū from Te Ika ā Maui.

Perhaps the most famous history of this time is that of Raureka, a woman of the Ngāti Wairangi tribe of the West Coast who discovered the pass through the Southern Alps to the east coast now known as Nōti Raureka or Brownings Pass. Upon reaching the east coast Raureka encountered the Ngāi Tahu settled there and showed them a small piece of pounamu, which they immediately saw value in and planned to set out for the West Coast to obtain it.

After this discovery of the value and power of pounamu, Ngāi Tahu began a period of securing control of pounamu through conquest over, and intermarriage with, the various resident hapū in the west.

The accounts during this period reinforce the many traditional pūrākau by further demonstrating the incredible journeys, efforts and risk taken to gain pounamu. The chant at the start of this section outlines some of the enduring values associated with pounamu, demonstrating the care, patience, determination and discipline involved in making the journeys necessary to obtain the valuable stone.

2.5 Mahinga Pounamu – The Working of Pounamu

E mahana pū werawera tēnei te āhuru te taka nei

This whakataukī, said by Takawa, one of the leading men of Te Rakitāmau, refers to the fact that he would attempt to keep warm no matter the conditions as their party crossed the Southern Alps in pursuit of pounamu

As Ngāi Tahu gained more control over pounamu they became more familiar with the uses of the stone which led to the important developments surrounding the widespread manufacture and use of the mere pounamu, and later the heitiki pounamu.

Both the mere pounamu and heitiki stand as testaments to the skill in the use of pounamu in the pre-European period of New Zealand history. As well as being important for their particular uses, the mere and heitiki were also highly valued trade items that brought a high level of economic well-being to Ngāi Tahu.

Further, the tremendous effort, skill and organisation involved in the creation and use of the mere and heitiki as well as other tools, weapons and taonga also highlight the values of pounamu to Ngāi Tahu through the associated mātauranga, kawa and tikanga.

As highlighted in the above sections, the journeys involved in both obtaining and transporting pounamu required much care, patience, determination, strength and discipline. The trails and pathways across the plains and through the alps needed to be remembered and passed on through careful learning and practice. Actually undertaking the journeys required careful planning and preparation to ensure those who went would not only return themselves, but that they would return with the desired prize. Finding pounamu also required patience and discipline, as locating the right piece could sometimes be like finding a needle in a haystack.

The processes of cutting, shaping and polishing pounamu again required all the patience, strength and determination involved in obtaining it. The knowledge and skill involved in the creation of toki, mere and heitiki is something we can only now marvel at. As the descendants of the tūpuna that undertook such feats, it is these things that add to our value of pounamu above and beyond the actual physical qualities of the stone.

Trading and gifting pounamu also came with its own skills and associated values and was an essential part of traditional life. Being able to provide for the well-being of the whānau as well as bringing prestige to ones family were paramount values, which remain important today. Trading and gifting also provided the opportunities to build, maintain and enhance relationships between whānau, hapū, iwi and with others. The importance of manaakitanga and whakawhanaungatanga being expressed through these processes and practices.

2.6 Mana Pounamu – The Power of Pounamu

Me utu a Te Aka ki te aha?

What was the ransom for Te Aka?

Coupled with the wondrous physical qualities of pounamu and the huge amounts of skill and effort surrounding the working of pounamu are the numerous uses that pounamu was put to, and how these relate to the development of Ngāi Tahu culture and identity. Combined, the qualities, skills and uses associated with pounamu demonstrate the mana or power of pounamu for Ngāi Tahu. These values however are not limited to Ngāi Tahu, in fact, pounamu has immense value and mana to other iwi and people that have come into contact with the stone.

One such use that demonstrates this mana and value is the use of pounamu as a kuru kōhatu mauri or mauri stone. Mauri stones are used to protect the mauri or life force associated with particular areas, sites or resources, such as an important birding ground, fishing site, pā or whare. The stones are dedications to particular atua, where the mana and tapu of the atua is held to oversee and protect the area and resource concerned.

Because of its physical qualities – hardness, weight, durability, beauty and appearance – pounamu is highly sought after and used as a mauri stone. There are countless examples where kōhatu pounamu have been laid to protect the mauri of areas. This is a custom that continues to be important today.

Because of this use alone, natural river stones were sought after throughout both Te Waipounamu and Te Ika ā Maui. Again, the finding, transportation and working of such stones involved momentous skill, effort and risk.

Mere and heitiki pounamu also demonstrate the mana of pounamu and the extreme economic, social and cultural importance of the stone to Ngāi Tahu. As expressed above, the processes involved in manufacturing and trade alone were important parts of Ngāi Tahu culture. There is another example, however, that perhaps demonstrates its greatest power and value to Ngāi Tahu.

In the period immediately after the arrival of Pākehā, pounamu began to lose some of its traditional value as steel became more readily available, and as the musket began overtake the mere as a weapon. In spite of this, pounamu was still seen as an important cultural taonga, resource and valuable trade item. These positive benefits soon brought accompanying dangers to those upholding the ahi kā of pounamu control and use. This danger eventually came from northern iwi who saw pounamu as an important resource to control.

Nowhere else was this made more clear than when in around 1830, Te Peehi Kupe, the renowned Ngāti Toa warrior chief, and uncle of Te Rauparaha, attempted to remove a famous pounamu called Kaoreore from Kaiapoi pā without gaining the proper authority to do so. In doing so, Te Peehi underestimated the value of pounamu to Ngāi Tahu, which resulted in him being killed. This skirmish was a major precursor to the destruction of many Ngāi Tahu pā, including Kaiapoi itself, some years later.

In essence, these events express the utmost power of pounamu, demonstrating the ultimate exchange – a stone for a life, the life of a rangatira.

2.7 Toitū te Pounamu, Toitū tō Ngāi Tahu Mana – *Ngāi Tahu Ownership of Pounamu*

Seven Ngāi Tahu rangatira signed the Treaty of Waitangi in 1840 marking the beginning of what Ngāi Tahu saw as a partnership between themselves and the Crown. The Ngāi Tahu sense of partnership and their understanding of the Treaty of Waitangi, in particular their guaranteed rangatiratanga, was a major influence in facilitating the ten Crown purchases of Ngāi Tahu land between 1844-64.

It was during the land sale negotiations that Ngāi Tahu made the Crown most aware of their wishes to maintain possession of their most important taonga – pounamu. In particular, Poutini Ngāi Tahu made it clear that the Arahura and other pounamu rivers should be excluded from the sale of the Arahura Block purchase and were guaranteed it would be set aside in reserves.

This guarantee and those in other areas were never honoured and therefore pounamu became a significant feature of the overall Ngāi Tahu claim to the Waitangi Tribunal, known as Te Kerēme or Wai 27.

The Waitangi Tribunal was clear in its findings and recommendations about the history of pounamu ownership and its future management. They found:

“that although Ngai Tahu wished and intended to retain possession and control of all pounamu both throughout the remainder of the Arahura block and in all other blocks sold to the Crown, the Crown failed in breach of the Treaty principle requiring it to protect Ngai Tahu's right to retain this taonga and further failed to respect the tino rangatiratanga of Ngai Tahu over their taonga, contrary to article 2 of the Treaty. . . . The tribunal considers that the unique nature of pounamu and its deep spiritual significance in Maori life and culture is such that every effort should now be made to secure as much as possible to Ngai Tahu ownership and control” (Waitangi Tribunal, 1991, pp.129-130).

The Tribunal in its Wai 27 Report recommended that the Crown transfer ownership and control of pounamu to Ngāi Tahu, subject to the condition that all existing mining or other licences should run their normal course to expiry, to ensure that the holders of such licences were not adversely affected.

Following the publishing of the Wai 27 Report, negotiations began between the Crown and Ngāi Tahu. These negotiations began in 1991 and concluded in 1997 with the signing of the Ngāi Tahu Deed of Settlement. The Waitangi Tribunal recommendation in relation to pounamu was finally given effect by the passing of the Ngai Tahu (Pounamu Vesting) Act 1997.

2.7.1 Ngai Tahu (Pounamu Vesting) Act 1997

The Ngai Tahu (Pounamu Vesting) Act was passed in September 1997 as an acknowledgement of the Crown's wrongful assumption of the ownership of pounamu during the Ngāi Tahu–Crown land sales and included the provision for the vesting of the Crown's interests in all pounamu found within the Ngāi Tahu takiwā in Te Rūnanga o Ngāi Tahu.

The introduction of the Ngai Tahu (Pounamu Vesting) Act sets out in detail the intent of the act (a full version of this act can be viewed in Appendix D):

“An Act to give effect to certain provisions of the Deed of ‘On-Account’ Settlement, signed on 14 June 1996 by the Crown and Te Runanga o Ngai Tahu as representative of Ngai Tahu, by vesting, in Te Runanga o Ngai Tahu, pounamu in the Takiwa of Ngai Tahu Whanui and in those parts of the territorial sea of New Zealand that are adjacent to the Takiwa of Ngai Tahu Whanui”

2.7.2 Kunenga a te Kaupapa Pounamu a Ngāi Tahu - *Development of Ngāi Tahu Pounamu Management*

After the passing of the Pounamu Vesting Act, Te Rūnanga o Ngāi Tahu worked conscientiously to set up and implement a regime for the management of pounamu. This process involved:

- The setting up of an interim management group in January 1998 and the Pounamu Working Party in March 1998.
- The development and implementation of the ‘Pounamu Project’ by the Pounamu Working Party including:
 - An extensive Ngāi Tahu, industry and public consultation process and the resulting “Cultural and Community Values Report” completed in June 1999.
 - Interim pounamu protection and resource management measures including the creation of the Pounamu Protection Officer’s position, Pounamu Regional Coordinators (4 in total) and the Ngāi Tahu Pounamu Management Group.
 - A comprehensive commercial feasibility study, the “Pounamu Evaluation Report” completed in February 2001; and
- The creation of this resource management plan for pounamu by the Ngāi Tahu Pounamu Management Group.

The Ngāi Tahu Pounamu Management Group (NTPMG) was set up in October 2000, and made up of representatives from Kaitiaki Rūnanga including Kāti Waewae Rūnaka, Makaawhio Rūnanga, combined Otago Rūnanga, combined Murihiku Rūnanga, and the Deputy Kaiwhakahaere of Te Rūnanga o Ngāi Tahu.

The management group was serviced by staff of Kaupapa Taiao including the Kaupapa Taiao Manager, Administration Manager and Policy/Research Officer based in Christchurch, and the Pounamu Management Officer based in Hokitika.

The work of the Pounamu Regional Coordinators continued under the NTPMG until December 2001 when this work was devolved to their respective Rūnanga.

In February 2001, work began on producing a plan framework for the pounamu management plan. This skeleton framework was then taken out to Papatipu Rūnanga on a regional hui programme between July and December 2001 to assist in the development of a draft plan. From the resulting feedback and the continued work of staff and the Kaitiaki Rūnanga, the plan was completed in July 2002 and approved by Te Rūnanga o Ngāi Tahu in September 2002.



The mere featured in this section was carved and is owned by Bevan Climo, Kāti Māhaki.

Photographed by Lloyd Park.

Heitiki Pounamu – Taonga Tuku Iho



This heitiki was collected by Dr Edward Shortland on his travels through New Zealand in 1843-1844. While in Te Waipounamu he was accompanied by Tūhawaiki, Huruhuru and other Ngāi Tahu rangatira. This heitiki along with other taonga were later returned to the Museum of New Zealand by the family of Dr Shortland and then presented by the Crown to Ngāi Tahu as a koha to mark the execution of the Ngāi Tahu Deed of Settlement signed at Takahanga Marae, 21 November 1997.

Photograph taken by Lloyd Park.

3 Mahere Tāhuhu Kōrero – *Plan Background*

3.1 Mahere Paetae, Mahere Mātāpono – *Plan Objectives and Principles*

The major objective of this plan is to uphold, enhance and protect the mana and mauri of pounamu as a tino taonga of Ngāi Tahu Whānui through appropriate management, use and protection.

Management is guided by principles developed by the Pounamu Working Party, the Ngāi Tahu Pounamu Management Group, the Kaitiaki Rūnanga and confirmed by Te Rūnanga o Ngāi Tahu. In doing this, the plan acknowledges the kawa, tikanga, rangatiratanga and kaitiakitanga of the Kaitiaki Rūnanga in the future management of pounamu. These principles encapsulate both the rights to manage and the responsibilities undertaken in doing so.

Use is guided by the principle of sustainability – *mō tātou, ā, mō kā uri ā muri ake nei* – *for us and our children after us*. This principle encompasses the ability of the current generation to use pounamu and provide for their livelihood and cultural needs while protecting the resource so that it is available for future generations to utilise.

Use also encompasses the values of rangatiratanga, kaitiakitanga and manaakitanga acknowledging the role of Kaitiaki Rūnanga in guiding collection and use, as well as providing for themselves in balance with the provision of hospitality to whānau and manuhiri.

Protection encapsulates the roles of ahi kā and whanaungatanga in dealing with protection at a local level by Kaitiaki Rūnanga and at a collective tribal level through the Pounamu Management Officer of Te Rūnanga o Ngāi Tahu.

Protection also recognises the importance and values of Te Tiriti o Waitangi through working with appropriate crown agencies to provide the best management outcomes possible.



3.2 Whakaahua Mahere – *Plan Description*

This management plan seeks to uphold the mana and mauri of pounamu and the kaitiaki role of the Papatipu Rūnanga as representatives of Ngāi Tahu hapū and whānau that have traditional ahi kā relationships with pounamu.

The plan seeks to inform Ngāi Tahu Whānui, ngā maata waka, the community, the commercial pounamu industry and resource managers about the ownership and management of pounamu by Te Rūnanga o Ngāi Tahu and the Kaitiaki Rūnanga. In doing this, the plan recognises and takes into account the importance of pounamu to the community and industry that have also come to value it.

This plan has been created to establish a mix of use and protection for the pounamu collectively owned by Te Rūnanga o Ngāi Tahu under the Ngāi Tahu (Pounamu Vesting) Act 1997, that is guided by the principles created by the Pounamu Working Party, the Ngāi Tahu Pounamu Management Group, Kaitiaki Rūnanga and confirmed by Te Rūnanga o Ngāi Tahu.

This plan has the status of an Iwi Management Plan under the Resource Management Act 1991 and as such must be taken into account by statutory resource managers in the preparation and review of all plans under that act. The plan gives guidance for those using pounamu through the policies outlined in this plan as made by Te Rūnanga o Ngāi Tahu as a private mineral owner.

Te Rūnanga o Ngāi Tahu will be working with Kaitiaki Rūnanga to produce local management plans for the specific pounamu resources within each Rūnanga takiwā to lay further foundations for the management of pounamu into the future.

3.2.1 Mea ā waho i te Kaupapa – *What the Plan does not Cover*

This plan sets in place a consistent framework for the management of pounamu and forms a foundation for local management plans that are to be created by the Kaitiaki Rūnanga (these plans are outlined further in Sections 4.3.7 and 5.1).

This plan does not attempt to override the existing environmental or iwi management plans created for other natural resources by Papatipu Rūnanga. This plan will sit alongside these plans to be incorporated when and where relevant.

This plan does not cover pounamu that falls outside the Ngāi Tahu (Pounamu Vesting) Act 1997 and/or owned by other private mineral owners. This may include pounamu owned under Victorian title, or specifically, the pounamu within the Arahura River catchment, which is vested in the Māwhera Incorporation.

This plan does not cover pounamu artifacts, which are protected under the Antiquities Act 1975 and managed according to processes negotiated between Ngāi Tahu, regional museums and local Department of Conservation offices. However to clarify these processes and the responsibilities of those who may discover artifacts, a policy for dealing with this is included in Section 5.5 of this plan.

This plan does not outline the full history, customs and traditions of pounamu. This information is held with those that hold both traditional mātauranga and contemporary knowledge about pounamu. History, traditions and customs reside with the appropriate individuals and whānau within Kaitiaki Rūnanga. Ngāi Tahu Development Corporation is creating resources on some of these matters. Limited information may also be found in books and texts.

3.2.2 Ka pū te ruha, ka hao te rangatahi – *The Old Regime and the New*

Prior to the passing of the Ngāi Tahu (Pounamu Vesting) Act 1997, pounamu was managed by the Crown, via mining licences under the Mining Act 1971 administered by Crown Minerals of the Ministry of Commerce. The only avenues open to obtaining pounamu were through fossicking, customary/cultural collection and mining under a Crown licence. Those wanting to mine large quantities of pounamu from its natural state had to apply to the Ministry of Commerce for a mining licence and recover the pounamu according to set work plans.

The Crown Minerals Act 1991 set up a new regime for the mining including the need to obtain exploration, prospecting and mining permits for Crown-owned minerals. Between 1991 and 1997 no permits for pounamu were issued by Crown Minerals under the Crown Minerals Act.

Permits are no longer obtainable for pounamu. The Pounamu Vesting Act made pounamu a private mineral owned by Te Rūnanga o Ngāi Tahu and no longer a Crown-owned mineral.

Therefore, in recognition of the importance of continued supply of pounamu for both cultural and commercial purposes, this plan makes provision for collection and extraction of pounamu and sets out the ways in which Ngāi Tahu will manage this.

Section 6 of this plan makes provision for fossicking by the public as well as cultural collection of small amounts in specific areas. Kaitiaki Rūnanga have set the policy concerning this fossicking and collection within their respective takiwā.

Section 7 of this plan sets out the policy surrounding extraction. Under this plan there will be no licencing or mining permit system for pounamu. Only Kaitiaki Rūnanga will be able to undertake extraction of pounamu. This recognises the need for sustainable management of the resource and the existence of stockpiles of pounamu extracted by former mining licence holders.

Section 7 also sets out policy in relation to the recovery of pounamu found as mining by-product or accidentally through other activities.

As a general rule all activities that involve the disturbance, removal or recovery of pounamu must have the authority of Te Rūnanga o Ngāi Tahu and/or the appropriate Kaitiaki Rūnanga. Actions in breach of the policies set out in this plan may be subject to prosecution and penalties under the appropriate legislation.

Copies of this plan reside with those agencies and organisations directly involved in pounamu management. Further copies of the plan can be purchased from Te Rūnanga o Ngāi Tahu by contacting the Pounamu Management Officer.

3.3 Whakaahua o te Rawa – *Resource Description*

The resource being managed by this plan is pounamu. Pounamu is known by many names both traditionally and contemporarily, some of which have been mentioned in Section 2. Colloquially, pounamu has come to be known as greenstone, jade or nephrite. The term pounamu is used for all purposes under this plan.

Under this plan pounamu carries the definition given to it under sections 2 and 3 of the Ngāi Tahu (Pounamu Vesting) Act 1997 (see Appendix D). This includes:

- (a) all Bowenite;
- (b) all Nephrite, including semi nephrite; and
- (c) Serpentine deposits in the land described in the schedule to the Act;

occurring in its natural condition in the takiwā of Ngāi Tahu Whānui and those parts of the territorial sea of New Zealand adjacent to the takiwā of Ngāi Tahu Whānui and the seabed and subsoil beneath those parts of the territorial sea.

3.3.1 Te Takiwā o Ngāi Tahu Whānui – *Ngāi Tahu Tribal Area*

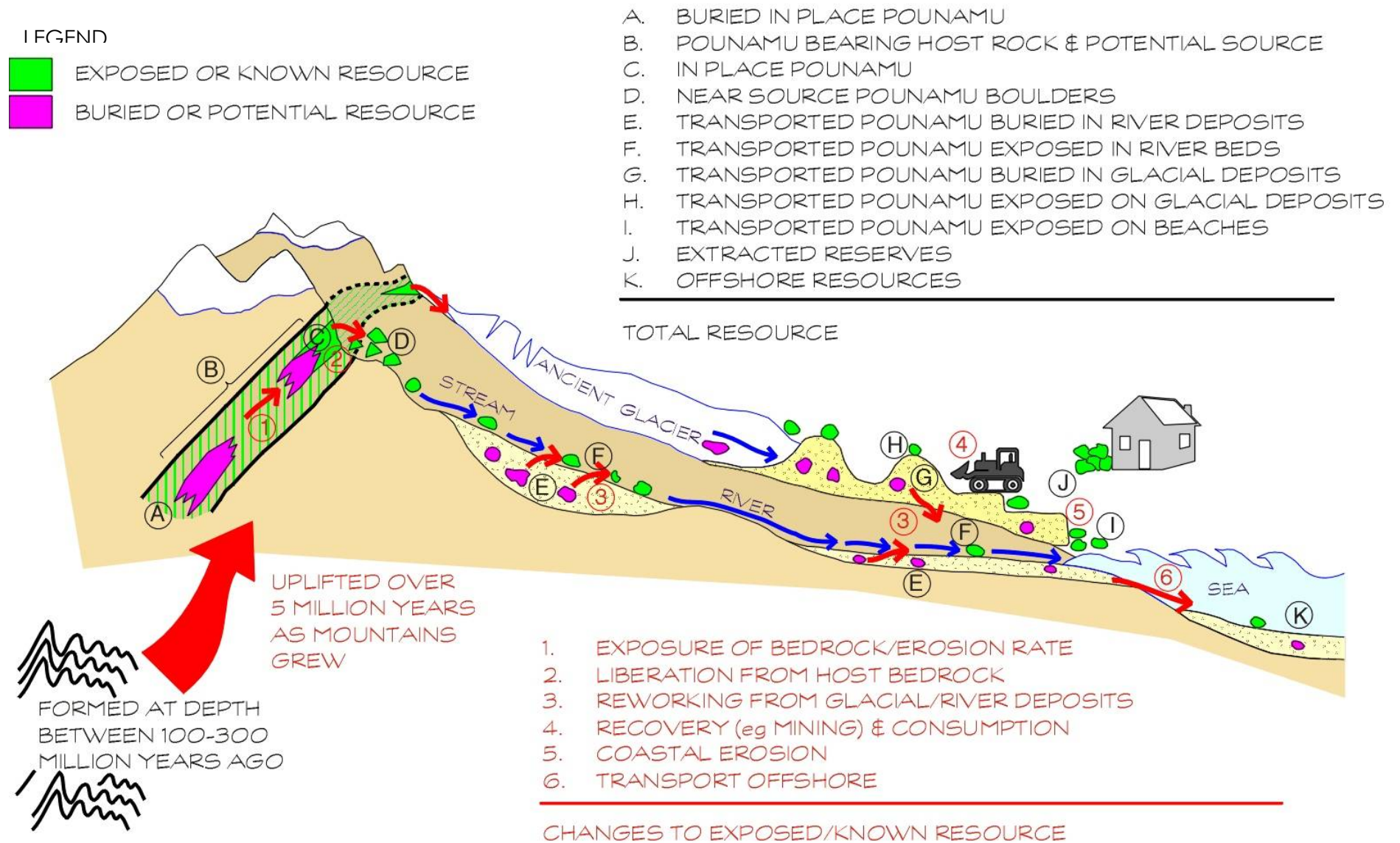
The takiwā or tribal area of Ngāi Tahu Whānui is the area described in Section 5 of the Te Runanga o Ngai Tahu Act 1996. Te Takiwā o Ngāi Tahu Whānui is shown in Map 1 and includes all the lands, islands and coasts of Te Waipounamu south of Te Parinui o Whiti on the east coast and Te Rae o Kahurangi on the west coast.

The takiwā of Ngāi Tahu Whānui is shown in Figure 1 and Maps 1-3.

3.3.2 Tō Pounamu Kāwai – *Geological Description of Pounamu*

According to geologists, the major formation of pounamu occurred between about 300 million and 100 million years ago between the Permian and Cretaceous periods. Pounamu formed and grew within distinctive magnesium-rich rocks when these rocks were buried within the Earth's crust at depths of more than 10 km and at temperatures in excess of 300°C.

Figure 2. Patete Pounamu Ki Uta Ki Tai – *The Pounamu Journey*



As the mountains of the South Island grew and eroded during the past five million years, these mineral deposits were uplifted to the Earth's surface, where the action of rivers and glaciers freed pounamu from its host rock into screes, riverbeds (alluvial) and glacial moraine deposits.

Pounamu has continued to be fed into rivers and onto beaches by ongoing erosion of both "in place" and "transported" deposits. In more accessible areas, any pounamu that has become exposed has been quickly collected. In-situ deposits have also been mined. Unknown quantities have also been carried offshore by rivers and coastal erosion, and in former times by glaciers. The "geological system" of pounamu is shown schematically as a "journey" or *patete pounamu ki uta ki tai* - from the mountains to the sea - in Figure 2.

Although each of the different pounamu regions is geologically distinct, the simplified system shown in Figure 2 can be generally applied to each region.

3.3.3 Wāhi Pounamu – *Pounamu Areas*

There are currently six main pounamu regions or *wāhi pounamu* within the *Ngāi Tahu takiwā*. Please note that ongoing geological activity and research may change where pounamu is known to occur.

The six current *wāhi pounamu*, shown on Maps 1, 2 and 3, include:

- Tai Poutini ki te Raki (Central/North Westland)
- Tai Poutini ki te Toka (South Westland)
- Piopiotahi (Milford)
- Mararoa/Murihiku (Mavora/Southland)
- Whakatipu (Upper Lake Wakatipu)
- Wānaka (Upper Lake Wānaka)

These *wāhi pounamu* sit within the *takiwā* of the nine *Rūnanga Kaitiaki Pounamu*, three Department of Conservation conservancies, three regional and five territorial district/city councils referred to in this plan. The six *wāhi pounamu* are shown on Maps 1-3 and explained in further detail below.

Tai Poutini ki te Raki Wāhi Pounamu

The Tai Poutini ki te Raki or Central/Northern Westland pounamu area centres on Hokitika extending northwards to Punakaiki, southwards to the Poerua River and inland to the main divide.

The area north of the Hokitika River (shown in green on Map 1) sits entirely within the takiwā of Te Rūnaka o Kāti Waewae. The area south of the Hokitika River (shown in green and blue stripes on Map 1) sits within the shared takiwā of Te Rūnaka o Kāti Waewae and Te Rūnanga o Makaawhio.

The Tai Poutini ki te Raki wāhi pounamu sits within the boundary of the West Coast DOC Conservancy, the West Coast Regional Council, and across the boundaries of the Buller, Grey and Westland district councils.

Tai Poutini ki te Toka Wāhi Pounamu

The Tai Poutini ki te Toka or South Westland pounamu area centres on Tahutahi/Cascade Point extending northwards past the Awarua/Haast River to Paringa, southwards to the Whakatipu Kā Tuka/Hollyford River and inland to the main divide.

This wāhi pounamu sits solely within the takiwā of Te Rūnanga o Makaawhio.

The Tai Poutini ki te Toka wāhi pounamu sits across the boundaries of the West Coast, Otago and Southland DOC conservancies, the West Coast and Southland regional councils, and the Westland and Southland district councils.

Piopiotahi Wāhi Pounamu

The Piopiotahi or Milford pounamu area centres on Piopiotahi (Milford Sound), including its catchment and the bays to the south.

The area north of Piopiotahi (shown as blue on Map 1) sits within the takiwā of Te Rūnanga o Makaawhio. The combined Rūnanga of Murihiku and Otago have a shared interest in the area south of Piopiotahi (shown as red and yellow stripes on Map 1).

The Piopiotahi wāhi pounamu sits within the boundaries of the Southland DOC Conservancy, including the Fiordland National Park, Environment Southland and the Southland District Council.

Mararoa/Murihiku Wāhi Pounamu

The Mararoa/Murihiku or Mavora/Southland pounamu area centres on Manawapōpōre (North Mavora Lake) and Hikuraki (South Mavora Lake) and includes the wider Livingstone Mountains area from Windon Burn to Mossburn.

This area sits within the takiwā of the combined Murihiku Rūnanga (shown in red on Map 1).

The Mararoa/Murihiku pounamu area sits within the boundaries of the Southland DOC Conservancy, Environment Southland and the Southland District Council.

Whakatipu Wāhi Pounamu

The Whakatipu or upper Lake Wakatipu pounamu area includes the entire upper Lake Wakatipu catchment area, including the Te Koroka-Dart/Slipstream special protected area, the Dart, Routeburn and Greenstone river valleys.

The combined Rūnanga of Otago and Murihiku have a shared interest in this area (shown in red and yellow stripes on Map 1).

The Whakatipu wāhi pounamu sits within the boundary of the Otago DOC Conservancy, including the Mt Aspiring National Park, the Otago Regional Council and the Queenstown Lakes District Council.

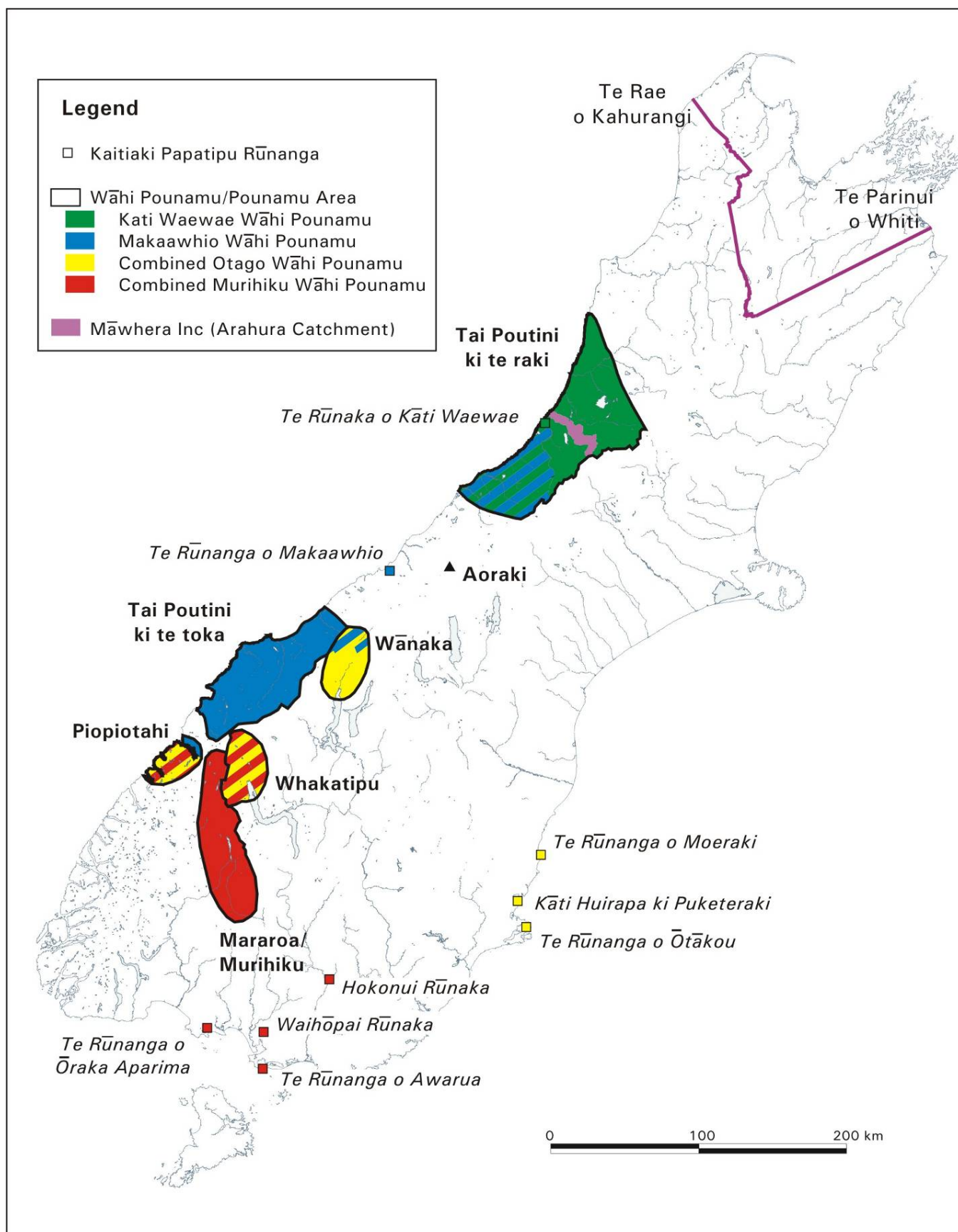
Wānaka Wāhi Pounamu

The Wānaka pounamu area includes the upper Lake Wānaka catchment area including the Makarora River valley and the upper end of the Haast River.

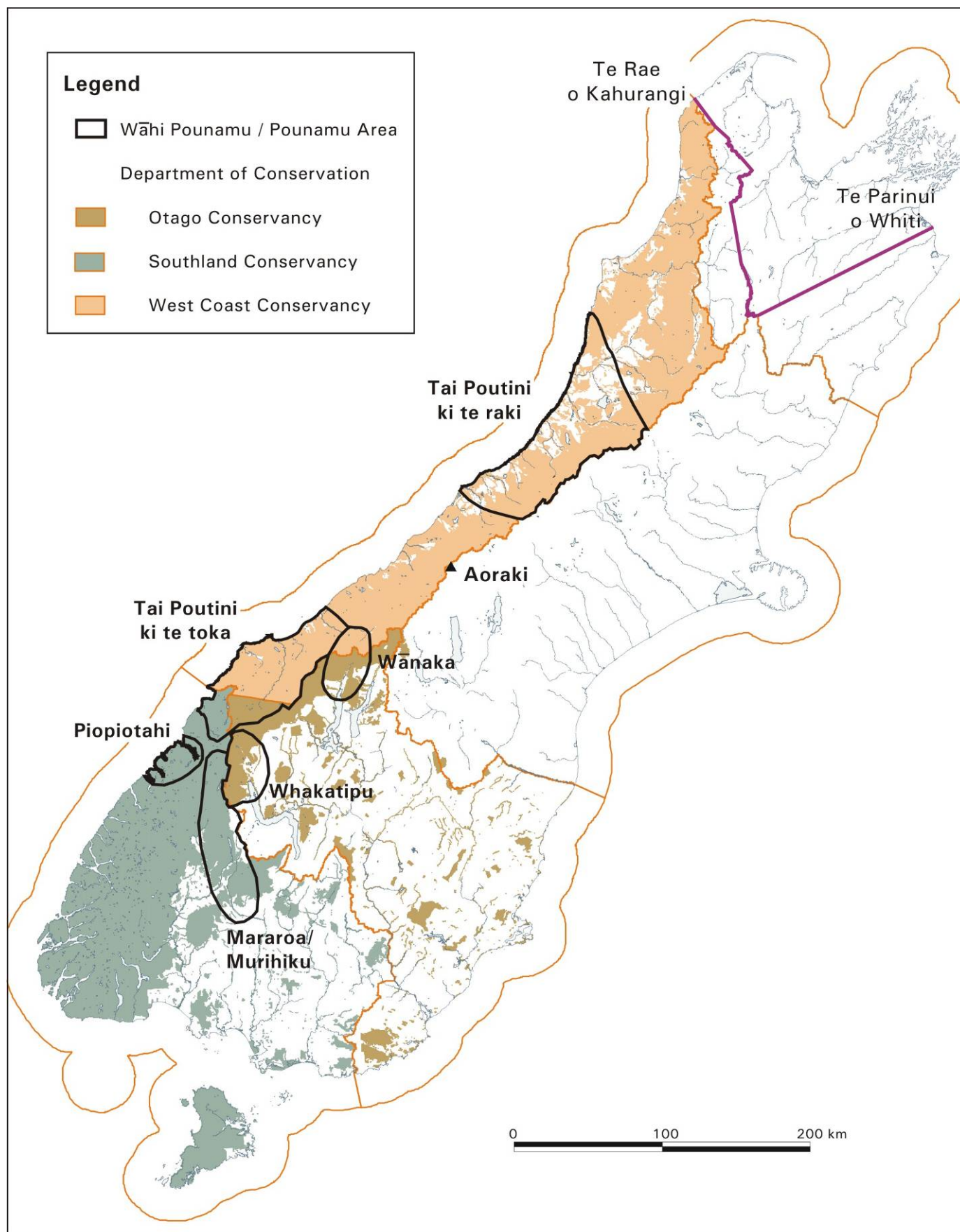
Te Rūnanga o Makaawhio and the combined Otago Rūnanga have a shared interest in this area (shown in blue and yellow stripes on Map 1).

The Wānaka wāhi pounamu sits within the boundaries of the West Coast and Otago DOC conservancies, the West Coast and Otago regional councils, and the Westland and Queenstown Lakes district councils.

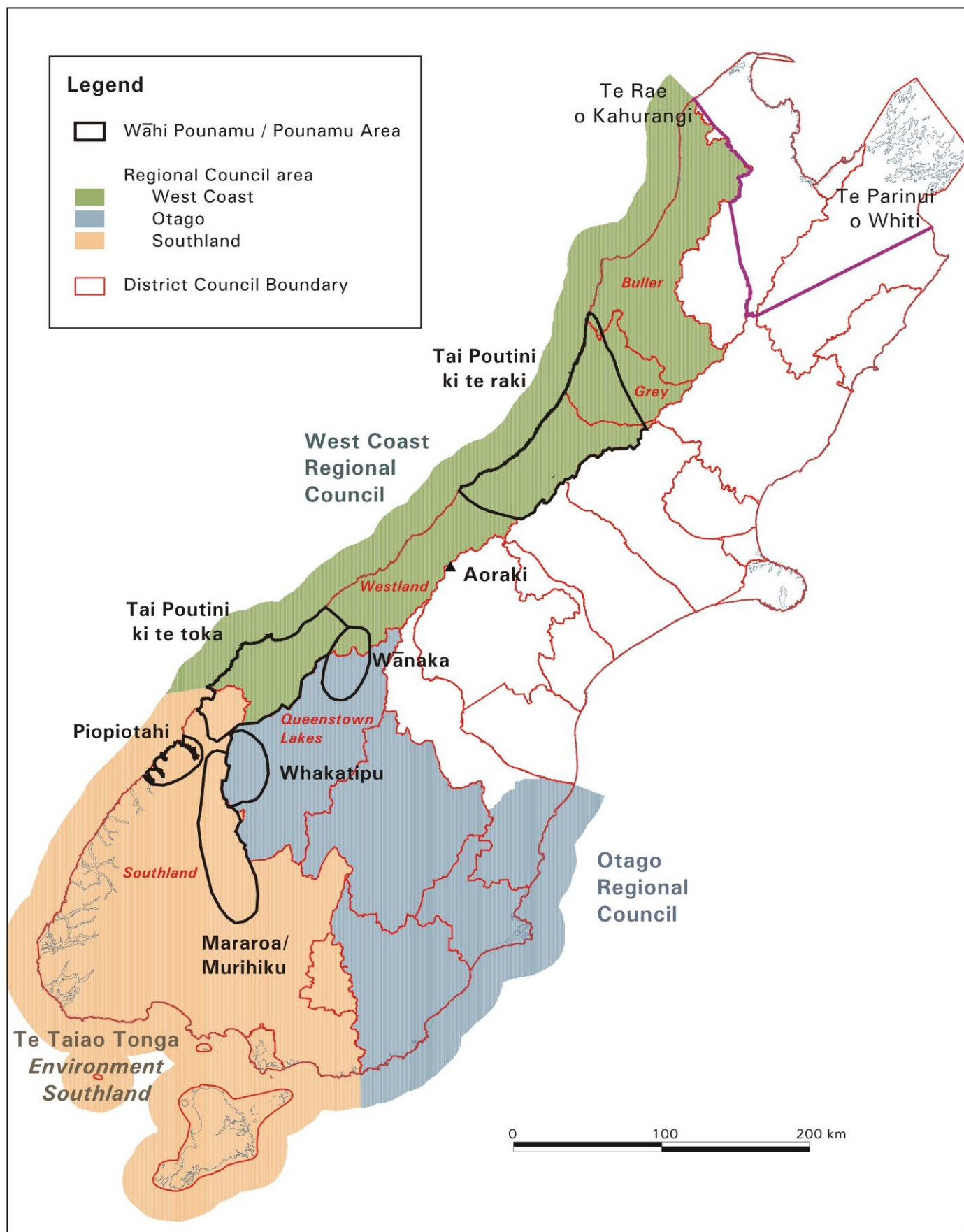
Map 1. Ngā Wāhi Pounamu and Ngā Kaitiaki Rūnanga



Map 2. Ngā Wāhi Pounamu, DOC Conservancies and the Lands Administered by DOC



Map 3. Ngā Wāhi Pounamu and Local Government Authorities



4 Tūnga, Kawenga me te Pānga – Roles, Responsibilities and Relationships

This section outlines the roles and responsibilities of Te Rūnanga o Ngāi Tahu and Kaitiaki Rūnanga in pounamu management. It also outlines the relationships with, and roles under relevant legislation and planning documents of, agencies external to Ngāi Tahu involved in pounamu management.

4.1 Ō Ngāi Tahu Whareama – Ngāi Tahu Roles and Responsibilities

Te Rūnanga o Ngāi Tahu will work closely with Kaitiaki Rūnanga to manage pounamu. The framework for how this relationship is structured is set out in Figure 3. The roles and responsibilities of Te Rūnanga o Ngāi Tahu and Kaitiaki Rūnanga are set out in more detail in Sections 4.2 and 4.3 below.

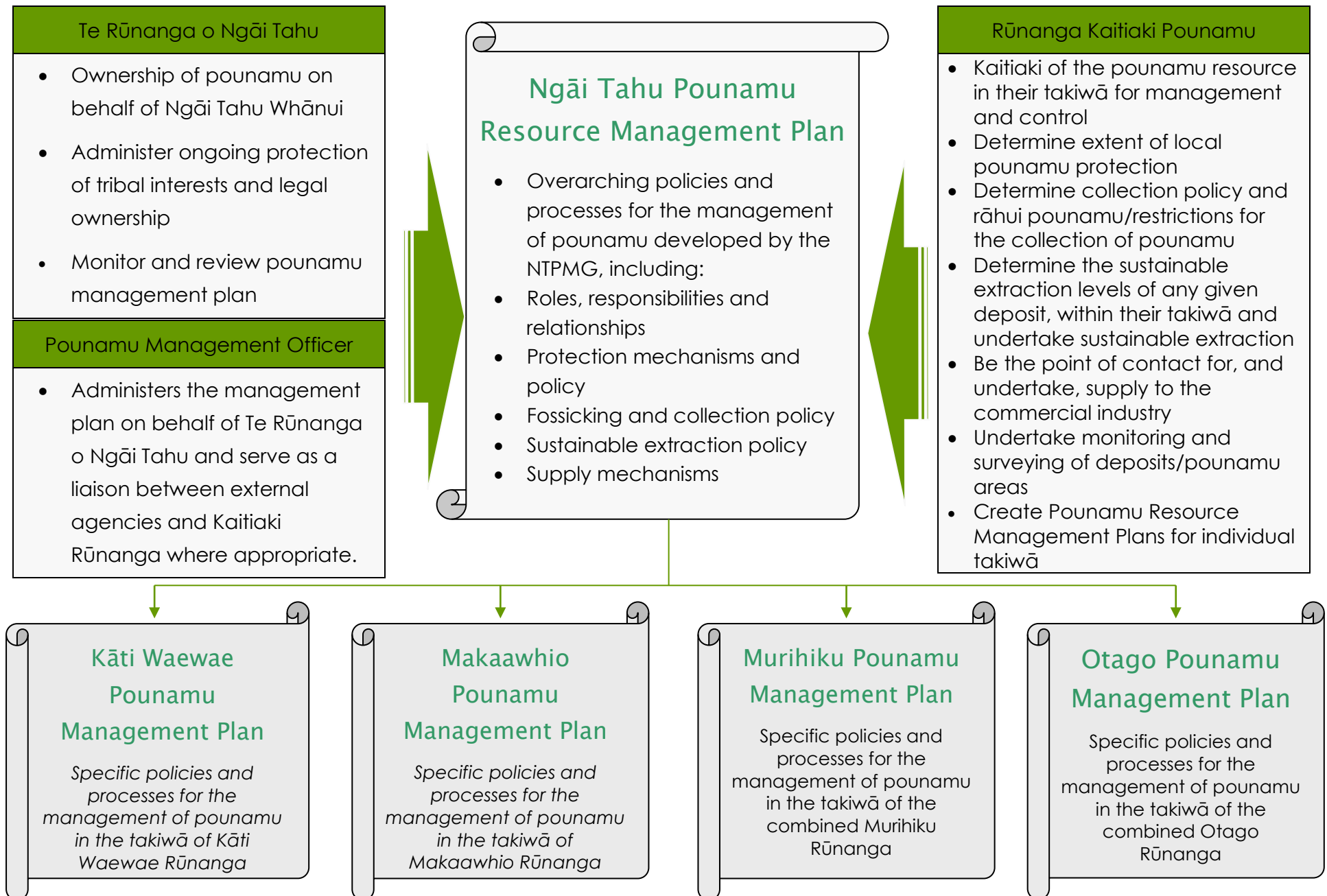
4.1.1 Kaiwhakarite Tiaki Pounamu – *Pounamu Management Officer*

The Pounamu Management Officer is employed by Te Rūnanga o Ngāi Tahu to administer the Pounamu Resource Management Plan. Specifically, the Pounamu Management Officer administers the management roles set out in Section 4.2 below on behalf of Te Rūnanga o Ngāi Tahu and liases between Te Rūnanga o Ngāi Tahu, external agencies and Kaitiaki Rūnanga where appropriate.

The Pounamu Management Officer should be contacted (see Appendix B for contact details) in the first instance on all matters relating to pounamu under this plan, unless otherwise stated.



Figure 3. Ngāi Tahu Roles and Responsibilities and Pounamu Management Plan Framework



4.2 Te Rūnanga o Ngāi Tahu

Te Rūnanga o Ngāi Tahu undertakes a number of roles in relation to the overall protection of the tribal interests in, and legal ownership of, pounamu as well as statutory responsibilities for tribally significant sites within wāhi pounamu. These roles recognise the ownership of pounamu by Te Rūnanga o Ngāi Tahu on behalf of all of Ngāi Tahu Whānui and are set out in the subsections below.

4.2.1 Maru Tūmou Whakahaere – Administer Ongoing Protection of Tribal Interests and Legal Ownership

- Work with Crown Minerals in relation to mineral permits which affect pounamu.
- Work with the New Zealand Customs Service and administer issues arising from the Export Prohibition Order for pounamu.
- Work with the New Zealand Police and administer issues arising from the theft of Ngāi Tahu pounamu, where evidence is available and prosecutions can be made.
- Deal with any legal disputes and legislative changes affecting the Pounamu Vesting Act and the ownership of pounamu.
- Facilitate and, in the first instance, deal with external research proposals that involve the use of, or affect, pounamu and including those involving the use of cultural knowledge to ensure Te Rūnanga o Ngāi Tahu and Kaitiaki Rūnanga values and concerns are recognised and, where appropriate, provided for.
- Assist in dealing with any pounamu artifacts that are found, ensuring the correct procedure takes place with Papatipu Rūnanga and the appropriate agencies according to the Antiquities Act 1975.
- Administer mineral access arrangements with miners in conjunction with Kaitiaki Rūnanga.
- Deal with, or as appropriate, pass on to Kaitiaki Rūnanga, requests for pounamu.
- Be mindful of and, as far as possible, protect the interests of, non-kaitiaki Papatipu Rūnanga and Ngāi Tahu Whānui.
- Administer the Ngāi Tahu Pounamu Trademark (see Section 5.10 for further information).

4.2.2 Mataara Kaupapa Pounamu – *Monitor Pounamu Management*

- Work with Kaitiaki Rūnanga to ensure the Pounamu Resource Management Plan is being implemented consistently.
- Supply copies of the plan to appropriate agencies and keep a record of those who receive or purchase the plan.
- Undertake reviews and update the plan with any amendments and provide notice of amendments to relevant organisations.
- Administer a database of pounamu extracted and traded by takiwā.

4.2.3 Ngāi Tahu Claims Settlement Act 1998

Te Rūnanga o Ngāi Tahu also has responsibilities in the management and protection of various sites of significance within the Ngāi Tahu takiwā under the Ngāi Tahu Claims Settlement Act 1998. Some of these sites occur within wāhi pounamu including:

Te Tai o Poutini/The West Coast

- Punakaiki Nohoanga.
- Kōtuku Whakaoho/Lake Brunner Statutory Acknowledgement and Nohoanga.
- Taramakau River Statutory Acknowledgement and Nohoanga.
- Lake Kaniere Statutory Acknowledgement and Nohoanga.
- Pouerua/Salt Water Lagoon Statutory Acknowledgement.
- Makaawhio/Jacobs River Statutory Acknowledgement.
- Ōkuru River Nohoanga.
- Cascade River/Plateau Nohoanga.

Otago and Murihiku/Southland

- Tūtoko Tōpuni and Statutory Acknowledgement.
- Te Mimi o Tū Te Rakiwhānoa/Fiordland Coastal Marine Statutory Acknowledgement.
- Manawapōpōre/North Mavora Lake Statutory Acknowledgement.
- Hikuraki/South Mavora Lake Statutory Acknowledgement.

- Ōreti River Statutory Acknowledgement and Nohoanga.
- Whakatipu-wai-Māori/Lake Wakatipu Statutory Acknowledgement and Nohoanga.
- Ben Lomond/Greenstone Station.
- Te Koroka/Dart/Slipstream Tōpuni.
- Pikirakitahi/Mt. Earnslaw Tōpuni and Statutory Acknowledgement.
- Tititea/Mt. Aspiring Tōpuni and Statutory Acknowledgement.
- Wānaka/Lake Wanaka Statutory Acknowledgement and Nohoanga.

The Pounamu Management Officer will work closely with the appropriate Te Rūnanga o Ngāi Tahu units, such as Ngā Rawa Taiao - *the Natural Resources Unit* on matters relating to these sites.

4.3 Rūnanga Kaitiaki Pounamu – *Kaitiaki Rūnanga*

Papatipu Rūnanga of Te Rūnanga o Ngāi Tahu are individually recognised by Te Rūnanga o Ngāi Tahu as being the kaitiaki for the deposits of pounamu that occur naturally within their respective takiwā as defined by the Te Runanga o Ngai Tahu Act 1996. These Papatipu Rūnanga are known as Kaitiaki Rūnanga.

Where two or more Papatipu Rūnanga have an overlapping takiwā interest in pounamu, their kaitiakitanga of the pounamu therein is shared by the respective Rūnanga.

There are nine Kaitiaki Rūnanga that are separated into four regional groups, shown in Map 1, being:

- Te Rūnaka o Kāti Waewae
- Te Rūnanga o Makaawhio
- Combined Murihiku Rūnanga:
 - Te Rūnanga o Ōraka Aparima
 - Te Rūnanga o Awarua
 - Waihōpai Rūnaka
 - Hokonui Rūnaka
- Combined Otago Rūnanga:
 - Te Rūnanga o Moeraki
 - Kāti Huirapa ki Puketeraki
 - Te Rūnanga o Ōtākou

As the kaitiaki of pounamu, the respective Kaitiaki Rūnanga will undertake the roles set out in the subsections below.

4.3.1 Kaitiakitanga – Management and control

- Manage pounamu according to individual Kaitiaki Rūnanga kawa and tikanga, as set out in their respective pounamu plans and within the bounds as agreed to collectively under the Te Rūnanga o Ngāi Tahu Pounamu Resource Management Plan.

4.3.2 Whakaruruhau – Protection

- Determine the extent of local protection mechanisms.
- Determine the sustainable level they wish to set within their individual takiwā.
- Work with the Pounamu Management Officer to implement the processes concerning mining by-product/accidental discoveries.
- Work with appropriate local authorities on Resource Management Act planning and resource consent issues relating to all aspects of pounamu.
- Work with the Department of Conservation on department planning, access and concessions issues relating to all aspects of pounamu.

4.3.3 Ngā Kohikohinga Iti Kahurangi – Collection

- Determine, implement, and where appropriate publicise, restrictions to, or rāhui over, the collection of pounamu within their respective takiwā.
- Determine policy, processes and protocols for customary and cultural collection to take place and/or the authorising of all collecting of pounamu.

4.3.4 Tako Pounamu – Extraction

- Determine the sustainable extraction levels of any given deposit, within their respective takiwā.
- Undertake sustainable extraction of pounamu.

4.3.5 Whakaratonga – Supply

- Be the point of contact for, and undertake, supply to the commercial industry.

4.3.6 Rangahau me te Mataara – *Research and Monitoring*

- Undertake monitoring and surveying of deposits/wāhi pounamu areas.
- Work with the Pounamu Management Officer in determining external research proposals.

4.3.7 Mahere Kaupapa Pounamu a te Rūnanga Kaitiaki – *Kaitiaki Rūnanga Pounamu Management Plans*

Kaitiaki Rūnanga will develop pounamu resource management plans for the four regional takiwā. These plans will outline the policies and processes specific to each Kaitiaki Rūnanga takiwā including:

- The extent of local protection management;
- Fossicking, collection and rāhui/restriction policy;
- Research and monitoring of deposits;
- Sustainable extraction policy; and
- Supply mechanisms.

The creation of these plans is further outlined in Section 5.1. The Kaitiaki Rūnanga plans are scheduled to be completed in 2005.

4.3.8 Mahere Taiao Tūmou a Ngā Papatipu Rūnanga – *Existing Papatipu Rūnanga Environmental Plans*

Papatipu Rūnanga may also have in place existing environmental management plans and policies, such as the “Kai Tahu ki Otago Natural Resource Management Plan” and “Te Whakatau Kaupapa ki Murihiku”.

This Pounamu Management Plan will sit alongside and complement these existing plans. Further to this, Kaitiaki Rūnanga will decide how they incorporate or otherwise this plan, and their individual regional pounamu resource management plans into existing environmental plans and policies.

4.4 Pānga Tumu Whakahaere ā waho – *External Management Relationships*

There are a number of agencies, external to Ngāi Tahu that have a role in pounamu management. The specific roles of these agencies are discussed in detail in Section 5. The subsections below list the agencies involved, an overview of the roles they play and the legislation and policy documents under which they work with Ngāi Tahu in pounamu management.

4.4.1 Te Papa Atawhai - Department of Conservation

The Department of Conservation (DOC) plays an important role in the management of pounamu, being one of the major land managers where wāhi pounamu are located. Through its administration of public conservation land, and its roles under various conservation legislation, DOC provides protection of these areas through its planning documents and internal processes. This role is reflected in informing Ngāi Tahu of applications for concessions, permits, licences and access arrangements for mining and other developments and activities on the land administered by DOC and placing conditions on these where they affect pounamu. See Section 5.5 for further information.

The DOC conservancies involved are:

- West Coast/*Tai Poutini* Conservancy.
- Southland Conservancy.
- Otago Conservancy.

The legislation and policy documents involved include:

- Conservation Act 1987.
- National Parks Act 1980.
- Reserves Act 1977.
- West Coast, Otago, and Southland conservation management strategies.
- Mt Aspiring National Park Management Plan 1994.
- Fiordland National Park Management Plan 2001.

4.4.2 Kāwanatanga-ā-rohe – Local Government Authorities

Local government authorities have an important role in pounamu management as the planning and consent authorities for activities under the Resource Management Act 1991. This role includes informing Ngāi Tahu of resource consent applications for activities that potentially affect pounamu and placing conditions on these consents where appropriate. See Section 5.8 for further information.

The local government authorities involved include:

Te Tai o Poutini – West Coast

- West Coast Regional Council.
- Buller District Council.
- Grey District Council.
- Westland District Council.

Murihiku – Southland

- Te Taiao Tonga – Environment Southland.
- Southland District Council.

Arai te Uru – Otago

- Otago Regional Council.
- Queenstown Lakes District Council.

The legislation and policy documents involved include:

- Resource Management Act 1991.
- New Zealand National Coastal Policy Statement.
- West Coast Regional Council Policy Statement and Regional Plans.
- Otago Regional Council Policy Statement and Regional Plans.
- Environment Southland Policy Statement and Regional Plans.
- Buller District Plan.
- Greymouth District Plan.
- Westland District Plan.
- Southland District Plan.
- Queenstown Lakes District Plan.

4.4.3 Toitū Te Whenua – Land Information New Zealand

Land Information New Zealand (LINZ) is responsible for providing New Zealand's authoritative land and seabed information. It authorises and keeps a register of changes in rights to freehold land. This includes creating new titles, recording changes of ownership or mortgages and providing copies of these records.

LINZ is also responsible for un-alienated Crown land such as pastoral leases. LINZ oversees the management and disposal of Crown land through the Land Act 1948 and the Public Works Act 1981, including access to this land for all purposes.

LINZ has undertaken to enter into a protocol with Ngāi Tahu that supports the ownership of pounamu and reflects this in any access arrangements or leases made with other parties.

4.4.4 Manatū Ōhanga – Crown Minerals

Crown Minerals of the Ministry of Economic Development manages the Crown's oil, gas, mineral and coal resources, known as the Crown Mineral Estate. Although pounamu is no longer a Crown-owned mineral, Crown Minerals play a role in pounamu management through informing Ngāi Tahu of applications for mineral permits under their Treaty of Waitangi partnership. See Section 5.2 for further information on Crown Minerals.

4.4.5 Ngā Pirihimana o Aotearoa – New Zealand Police

The New Zealand Police enforce the law of New Zealand and play a role in pounamu management through assisting Te Rūnanga and Kaitiaki Rūnanga in prosecutions for theft of pounamu under the Crimes Act 1961. See Section 5.9 for further information on the theft of pounamu and prosecutions.

4.4.6 Te Mana Ārai o Aotearoa – *New Zealand Customs Service*

The New Zealand Customs Service is the government agency with the responsibility of protecting the community from potential risks arising from international trade and travel, while facilitating the legitimate movement of people and goods across the border.

Customs play a role in pounamu management through the administration of the Customs Export Prohibition Order 2002 for pounamu and its amendments. The export order is set up under Part V, section 56 of the Customs and Excise Act 1996 and prohibits the export of pounamu within certain limits. New Zealand Customs works directly with the Pounamu Management Officer on applications to export pounamu in special circumstances and forfeitures pertaining to the order where pounamu is seized at the border. See Section 5.6 for further information on the export prohibition order for pounamu.

4.4.7 Te Ahumahi Pounamu, Hahau Matā – *The Pounamu Industry and other Mineral Users*

Ngāi Tahu recognises the importance of the mineral industry in New Zealand, and in particular the commercial pounamu industry on Te Tai o Poutini - the West Coast. Those organisations and individuals involved in the industry may play a role in pounamu management through familiarising themselves with this plan and ensuring their practices uphold the mana and mauri of pounamu.

Consultation has been undertaken with the West Coast Commercial Gold Miners Association over this plan and its policy surrounding pounamu by-product. In particular, the New Zealand Minerals Industry Association, has undertaken to instigate a Voluntary Industry Code of Practice for Recoverable Pounamu. This code will outline the action to be taken, including notification to Ngāi Tahu, in the event of pounamu discovery. Measures of this nature are welcomed to assist in pounamu management. See Section 5.3 for further information on by-product and accidental discovery.

4.4.8 Ngā Maata Waka me te Pori – *Iwi Māori and the Community*

Ngāi Tahu also recognises that other iwi and the community have a strong appreciation of pounamu as a cultural taonga of New Zealand. Other iwi, especially those who undertook traditional trade in pounamu and that have relationships with Ngāi Tahu through this, have a well-recognised respect for pounamu as a tino taonga.

The management of pounamu by Ngāi Tahu, therefore, attempts to reflect these things so as to gain the support from ngā maata waka and the community for the management mechanisms that Ngāi Tahu seeks to put in place.

Under this plan, iwi and the public have the opportunity to fossick and undertake cultural collection for pounamu using the processes outlined in Section 6.

Fossicking is an activity that brings pleasure to those who undertake it, however with this privilege also comes the responsibility to uphold the mana and mauri of pounamu (see Section 6.1 for the policy on fossicking).

Likewise, cultural collection involves specific practices and processes to ensure mana and mauri are upheld, combined with the added involvement of values such as kaitiakitanga, manaakitanga and whanaungatanga that are expressed in doing so (see Section 6.2 for the policy on cultural collection).

Ngā maata waka and the community play their part in pounamu management by becoming familiar with and upholding the policies and processes in this plan, in turn upholding the mana and mauri of pounamu.



Kōhatu Pounamu, Tai Poutini ki te Toka



This picture shows a pounamu boulder left on a mountain side by glacial action in South Westland. This boulder is estimated to weigh approximately 65 tonnes and was found during research hīkoi undertaken by Te Rūnanga o Makaawhio.

Photograph courtesy of Te Rūnanga o Makaawhio



5 Whakaruruhau – *Protection*

Pounamu protection encompasses those activities undertaken, and instruments used, to manage the activities of external groups and individuals that may affect pounamu. This takes place at both a local level by Kaitiaki Rūnanga and a tribal collective level by the Pounamu Management Officer on behalf of Te Rūnanga o Ngāi Tahu. This includes the specific protection instruments outlined in the subsections below.

A major aspect of protection is the monitoring, enforcement and compliance of individuals and groups, to the policies set out in this management plan and others defined by Kaitiaki Rūnanga in the future as well as all relevant legislation.

The protection instruments outlined in this section contain the objective of protection, a background to the protection issue, the policies being put in place, an explanation of the policy or policies where applicable, and the processes and methods to be followed to achieve the objective.

Protection instruments will involve a cost to the external party carrying out activities that affect pounamu, where their activity requires measures to avoid, remedy or mitigate any effects. This cost would cover the administration and staff time involved in protection management.



5.1 Local Protection Management and Kaitiaki Rūnanga Plans

Paetae – Objective

To create pounamu management plans and protection mechanisms at a local level for each of the four Kaitiaki Rūnanga takiwā to complement and support the tribal pounamu management plan.

Tāhuhu kōrero – Background

Kaitiaki Rūnanga have specific histories, identities, traditions, customs, kawa, tikanga, environmental issues and internal processes that facilitate the need for different approaches to managing pounamu within their respective takiwā. This has a direct impact on the extent of local protection mechanisms, collection, extraction and rāhui policies and ongoing monitoring, research and recording of deposits.

While specific policies of the Kaitiaki Rūnanga have been stated in this plan where appropriate, some issues require ongoing development, as outlined in Section 4.3.7. The issues outlined above will be contained in regional Kaitiaki Rūnanga pounamu management plans being created under the plan framework outlined in Figure 3. When completed, it is likely that these plans will have the status of Iwi Management Plans under the Resource Management Act 1991.

Kaupapa 1 – Local Protection Management Policy

Pounamu resource management plans for specific issues within the takiwā of Kaitiaki Rūnanga will be created to complement the Te Rūnanga o Ngāi Tahu Pounamu Resource Management Plan.

Kauneke me te Tikanga – Process and Methods

Kaitiaki Rūnanga will work with the Pounamu Management Officer and other staff of Te Rūnanga o Ngāi Tahu as required to undertake this task.

Kaitiaki Rūnanga plans will be completed by 1 July 2005.

5.2 Mineral Access Arrangements to Disturb Pounamu

Paetae – Objective

To allow Crown Mineral Permit holders to give effect to permits for minerals other than pounamu (where they may affect pounamu) through a mineral access arrangement and to protect and manage pounamu that may be disturbed as a by-product of mining activities.

Tāhuhu kōrero – Background

Historically throughout Te Waipounamu, and in particular Te Tai o Poutini, the alluvial placers or gold fields have a strong association with pounamu as both have similar distribution patterns. Pounamu can therefore be uncovered in areas in which mining for other minerals takes place.

The Crown Minerals Act 1991 (CMA) requires every holder of a permit issued under the CMA to obtain an access agreement with every owner and/or occupier that may be affected by the permit. Owner, as defined in Section 2 of the CMA, includes private mineral owners, except on Crown land.

Te Rūnanga o Ngāi Tahu is a private mineral owner of pounamu to which access arrangements apply. Mineral access arrangements are necessary to protect the property rights of private mineral owners where their minerals may be affected by mining of Crown-owned minerals under a permit.

Access arrangements vary for private and Crown land.

Section 54 of the CMA relates to access arrangements on all land other than Crown land. Under Section 54 all permit holders wishing to mine will be required to enter into an access arrangement with Te Rūnanga o Ngāi Tahu where their mining affects pounamu.

Section 61 of the CMA requires all permit holders mining on Crown land to enter into an access arrangement with the appropriate Minister of the Crown.

These access arrangements may be subject to conditions set by the appropriate Minister of the Crown to recognise the interests of Te Rūnanga o Ngāi Tahu.

The maximum penalty under the CMA for failing to comply with conditions of an access arrangement is a fine not exceeding \$10,000. The court may, instead of, or in addition to, imposing a fine, cancel or revoke the right of access or impose additional conditions on the right where it considers it is appropriate to do so in the circumstances.

Kaupapa 2 – Mineral Access Arrangement Policy (Private Land)

All Crown mineral permit holders who prospect, mine or explore on private land where pounamu is known to occur (wāhi pounamu) require a mineral access arrangement with Te Rūnanga o Ngāi Tahu.

Kaupapa 3 – Mineral Access Arrangement Policy (Crown Land)

All Crown mineral permit holders who prospect, mine or explore on Crown land where pounamu is known to occur (wāhi pounamu) may be subject to conditions set by the appropriate Minister of the Crown to recognise the ownership of pounamu by Te Rūnanga o Ngāi Tahu.

Kauneke me te Tikanga – *Process and Methods*

- i. Crown Minerals will notify Te Rūnanga o Ngāi Tahu, through the Pounamu Management Officer, of applicants applying for mineral permits under the Crown Minerals Act 1991.
- ii. Applicants for Crown Mineral permits within wāhi pounamu should notify Te Rūnanga o Ngāi Tahu as part of their application process by contacting the Pounamu Management Officer.
- iii. The Pounamu Management Officer will work directly with the applicant to facilitate the undertaking of a mineral access arrangement where appropriate, in consultation with the appropriate Kaitiaki Rūnanga.

There will be a fee for the undertaking of a mineral access arrangement to be incurred by the miner. The fee covers administration costs and staff time of the Pounamu Management Officer.

For further details of mineral access arrangements for pounamu please see Section 7.2 of this plan.

5.3 By-Product and Accidental Discovery

Paetae – Objective

To put in place measures for the protection and recovery of any pounamu that may be discovered as a by-product of mining and other activities.

Tāhuhu kōrero – Background

Because pounamu is distributed throughout the landscape by geological and hydrological processes it has the potential to be accidentally discovered as a by-product of other legal activities such as mining, excavations, building developments and even tramping. Therefore to protect the values of pounamu Te Rūnanga o Ngāi Tahu is making provision for such circumstances.

For mining activities under the Crown Minerals Act a process for recovery is part of mineral access arrangements between individual miners and Te Rūnanga o Ngāi Tahu (see Section 5.2). For activities under the Resource Management Act the process may be part of conditions placed on consents (see Section 5.8). For activities on the land administered by the Department of Conservation the process may be a condition of concessions, permits and land access arrangements (see Section 5.5). For all other circumstances, the policy set out below should be followed where a discovery is made.

Kaupapa 4 – By-product/Accidental Discovery Policy

Any pounamu accidentally discovered should be reported to the Pounamu Management Officer of Te Rūnanga o Ngāi Tahu as soon as is practicable.

Whakamāhukihuki – Explanation

This policy does not include pounamu artifacts discovered which are covered by a separate policy outlined in Section 5.4 of this plan.

This policy does not include pounamu discovered and collected under the fossicking and collection policies in Section 6 of this plan.

Kauneke me te Tikanga – *Process and Methods*

- i. Upon accidentally discovering any pounamu the finder should contact the Pounamu Management Officer of Te Rūnanga o Ngāi Tahu who will in turn contact the appropriate Kaitiaki Rūnanga.
- ii. In the event that the finder considers the pounamu is at immediate risk of loss such as erosion, animal damage to the site or theft, the pounamu should be carefully covered over and/or relocated to the nearest safe ground. The find should then be notified immediately to the Pounamu Management Officer.

Contact details for the Pounamu Management Officer are listed in Appendix B.

5.4 Discovery of Pounamu Artifacts

Paetae – Objective

To ensure that all persons who find an artifact made of pounamu are aware of how to deal with the find appropriately and are familiar with their legal responsibilities.

Tāhuhu kōrero – Background

For centuries, Māori crafted items from pounamu and passed these down within families. Despite being treasured, in traditional life these items were sometimes lost by the owners in course of their journeys. On other occasions when a lighter carrying load was desired the taonga were purposefully placed in the ground or another hiding place. In some instances the taonga were buried with their deceased owners.

On occasion erosion, land movement and developments unearth these taonga that have in the past been collected by museums and held under the Antiquities Act 1975. Most commonly these taonga include:

- Implements such as toki (adzes) and small chisels;
- Pendants, from whakakaitaringa (simple drop ear-rings) to the well known heitiki; and,
- The mere pounamu, a hand weapon with a broad flat blade.

Ngāi Tahu asserts that any such taonga found in its tribal area are the property of the tribe as they form part of the cultural heritage of the tribe inherited from the tūpuna. The right of Ngāi Tahu to determine the future of taonga found in its takiwā is respected in principle by the Ministry of Culture & Heritage which works with Ngāi Tahu to ensure the appropriate care of taonga found.

Nonetheless, the Antiquities Act 1975 states that any artifact 'found' anywhere in New Zealand, or within the territorial waters of New Zealand, is the property of the Crown. This means that ownership of any artifact found after 1975 is automatically with the Government.

Ownership is **not** with:

- The tribe;
- The person who found the artifact; or,
- The landowner of where the artifact is found.

Where a taonga has been unearthed it is deemed a wāhi taonga. The presence of the taonga automatically makes the place, including the taonga it contains, an archaeological site. It is **illegal** to in anyway interfere with an archaeological site without the permission of the New Zealand Historic Places Trust. This includes removing any taonga from it. Such an action may result in prosecution under the Antiquities Act 1975.

Kaupapa 5 – Artifact Policy (DOC Land)

Any artifact made of pounamu discovered or found within the Ngāi Tahu takiwā on lands administered by the Department of Conservation (DOC) should be left untouched and notified immediately to the local DOC Office who will in turn notify Ngāi Tahu.

If the artifact happens to be collected it should be handed directly to the local DOC Office along with all information about the find.

Kaupapa 6 – Artifact Policy (other land)

Any artifact made of pounamu discovered or found within the Ngāi Tahu takiwā on all other land should be left untouched and notified immediately to the local regional museum who will in turn notify Ngāi Tahu.

If the artifact happens to be collected it should be handed directly to the appropriate regional museum along with all information about the find.

Whakamāhukihuki – Explanation

It is important to protect any taonga and the site in which it is found to:

- Respect the associated Māori cultural values;
- Ensure the heritage integrity of the site; and,

- Maximise any learning for future generations from the cultural heritage and heritage values.

Investigations may reveal the place to be a larger archaeological site or perhaps a burial site. It is therefore important to leave the taonga in place and undisturbed **unless** it is at immediate threat from loss by:

- Immediate erosion;
- Land movement;
- Animal damage to sites; or,
- Theft.

In practice, Ngāi Tahu does accept and appreciate finders of taonga taking direct action to protect the taonga where there is a very clear and immediate risk of loss of the taonga and, where the action taken is the very minimum required to prevent the immediate loss of the taonga.

It is always important to accurately record on a map, in writing and preferably with diagrams and photographs of the exact location and position of any taonga found. If the taonga is left undisturbed, this information will help appropriate relocation of the taonga in the future. If the taonga is for some reason removed from the site, then the documentation forms an important part of the record to be associated with the taonga.

Kauneke me te Tikanga – *Process and Methods*

- i. Any pieces of pounamu found that show any signs of working by human are to be left in-situ and not disturbed, unless at threat of immediate loss. In all cases careful notes, and preferably a diagram and photograph of the find should be made straightaway.
- ii. If the find takes place on DOC administered land it should be notified immediately to the local DOC Office which in turn will immediately notify the relevant Papatipu Rūnanga. The Rūnanga and DOC will then put in place actions appropriate to the site.
- iii. If there is any evidence visible to suggest that the taonga is part of a burial, then the taonga and complete burial should be left undisturbed except for any loose items or remains at risk of immediate loss. These

should be placed on the nearest firm ground and lightly covered over for attention by appropriate iwi and DOC staff.

- iv. In the event the finder considers the taonga pounamu is at immediate risk of loss, it should be carefully relocated to the nearest safe ground and covered over for further attention by iwi and DOC staff. The find should be notified immediately to the local DOC Office.
- v. If the taonga is found on any other land it should be notified immediately to one of the following local regional museums:
 - Southland Museum & Art Gallery, Invercargill
 - Otago Museum, Dunedin
 - Canterbury Museum, Christchurch
 - Te Papa, Wellington
- vi. If the taonga is collected for some reason, such as the finder not being able to locate a safe place to relocate it near the find site, the taonga along with all relevant information should be handed immediately to one of the museums.
 - a. Each of these museums is authorised to carry out registrations under the Antiquities Act for the Ministry of Culture & Heritage, and each will ensure the find is brought to Ngāi Tahu attention as appropriate. Museum contact details are listed in Appendix B.
 - b. If it is more convenient, the taonga can be handed to the local DOC office who will be able to arrange for it to be forwarded to the appropriate museum for registration and attention by Ngāi Tahu.

5.5 Department of Conservation (DOC) Planning, Concessions & other Activities within Lands Administered by DOC

Paetae – Objective

To put in place processes and a set of standard clauses and conditions used by the Department of Conservation (DOC) in their planning documents relating to pounamu areas and in the processing of permits, concessions and access arrangements that may have an impact on pounamu.

Tāhuhu kōrero – *Background*

Pounamu cannot be knowingly disturbed or removed from the lands administered by DOC other than through collection and extraction as outlined in Sections 6 and 7 of this plan.

Information, and where appropriate, conditions are therefore encouraged to protect pounamu from all activities that have the potential to disturb, unearth or result in the removal of pounamu from the land administered by DOC. This involves:

- mining activities;
- building developments and earthworks, including work undertaken by, or on behalf of, DOC; and
- other commercial and recreational activities such as tourist operations.

Clear guidance and process helps all parties undertake their legal activities while ensuring the protection of pounamu.

5.5.1 Department of Conservation Planning

Tāhuhu kōrero – *Background*

Currently all DOC conservation management strategies and national park management plans contain very limited information in relation to pounamu, especially in regard to the legal ownership of pounamu. This is because most were created before the Ngai Tahu (Pounamu Vesting) Act 1997 and Ngāi Tahu Claims Settlement Act 1998.

Kaupapa 7 – DOC Pounamu Planning Policy

All Department of Conservation plans that affect a wāhi pounamu should be amended appropriately to contain the following:

- A standard clause about the Ngai Tahu (Pounamu Vesting) Act and the Pounamu Resource Management Plan;
- A reference to the geological existence of pounamu where appropriate;
- Historical references where they do not currently exist;
- References to the Ngai Tahu (Pounamu Vesting) Act and the Pounamu Resource Management Plan in all appropriate sections such as those relating to mining, customary/cultural use, research and commercial activity/concessions; and
- General references indicating the existence of pounamu, the Ngai Tahu (Pounamu Vesting) Act and the Pounamu Resource Management Plan in special area sections such as the Greenstone/Caples Valley area in the Otago Conservation Management Strategy.

Whakamāhukihuki – *Explanation*

Below is a standard clause about the Ngai Tahu (Pounamu Vesting) Act and the Pounamu Resource Management Plan for use in DOC plans:

Ngai Tahu (Pounamu Vesting) Act 1997 and Pounamu Management

The overall Ngāi Tahu Claims Settlement includes the Ngai Tahu (Pounamu Vesting) Act 1997. The Pounamu Vesting Act returned all pounamu that was the property of the Crown (otherwise known as greenstone, including all nephrite, semi-nephrite, bowenite and specific serpentine resources) in its natural condition within the Takiwā (tribal area) of Ngāi Tahu Whānui to

Te Rūnanga o Ngāi Tahu. The pounamu within the Arahura River catchment is vested in the Māwhera Incorporation.

Pounamu is managed in accordance with the Ngāi Tahu Pounamu Resource Management Plan administered by the Pounamu Management Officer of Te Rūnanga o Ngāi Tahu. No member of the public can knowingly disturb, remove or recover pounamu from the lands administered by the Department of Conservation, other than through collection and extraction as outlined in Sections 6 and 7 of the Pounamu Management Plan.

Where any pounamu is discovered, the occurrence should be notified to the Pounamu Management Officer of Te Rūnanga o Ngāi Tahu. The Pounamu Management Officer should also be contacted, in the first instance, about all other inquiries and matters relating to pounamu.

Kauneke me te Tikanga – *Process and methods*

The Pounamu Management Officer and the appropriate Kaitiaki Rūnanga will work with the appropriate conservancies to ensure that their planning documents include the above information.

This should be done as soon as possible, and/or at the first review of the appropriate DOC plans, after the release date of this plan.

5.5.2 Mining Activities within Lands Administered by DOC

Tāhuhu kōrero – Background

Because of the nature of pounamu and its relationship to gold and other minerals, pounamu may be unearthed during mining operations. Therefore, processes are necessary to make miners aware of the ownership and management of pounamu by Ngāi Tahu.

Kaupapa 8 – DOC Pounamu Mining Activity Policy

All mining undertaken within lands administered by the Department of Conservation with the potential to affect pounamu shall carry the Mining Access (Pounamu) standard condition.

Whakamāhukihuki – Explanation

Below is the Mining Access (Pounamu) standard condition.

Mining Access (Pounamu) Standard Condition

The permit holder acknowledges that pounamu (including all nephrite, semi-nephrite, bowenite and specific serpentine resources) is under the ownership of Te Rūnanga o Ngāi Tahu pursuant to the Ngai Tahu (Pounamu Vesting) Act 1997.

No pounamu may be removed or recovered by the permit holder or its employees unless written authorisation is first entered into with Te Rūnanga o Ngāi Tahu. Where any pounamu is discovered by the permit holder on or under the land during the course of operations the permit holder will immediately notify the Pounamu Management Officer of Te Rūnanga o Ngāi Tahu.

Kauneke me te Tikanga – Process and Methods

The Pounamu Management Officer will work with the appropriate DOC conservancies to ensure that all mining activities permitted within lands administered by DOC that may affect pounamu carry the Mining Access (Pounamu) standard condition and that a written authorisation with Te Rūnanga o Ngāi Tahu has been obtained by the permit holder before work proceeds.

5.5.3 Developments and other Activities within Lands Administered by DOC

Tāhuhu kōrero – Background

Many other activities that take place within lands administered by DOC, including work undertaken by or on behalf of DOC, have the potential to result in pounamu being discovered, disturbed or removed. Development activities, such as building and earthworks have the potential to unearth pounamu when the land is prepared for these activities. Further, tourist operators, especially guide and tour businesses, may go through areas where pounamu is present.

Therefore it is necessary to ensure DOC staff, and permit and concession holders are aware of the ownership of pounamu and their responsibilities if they find or disturb any pounamu.

In the case of research activities please refer to Section 5.7 of this plan.

Kaupapa 9 – DOC Permit/Concession Activity Policy

All permit and concession activities undertaken within lands administered by the Department of Conservation with the potential to affect pounamu shall carry the standard Permit/Concession (Pounamu) condition.

Kaupapa 10 – DOC Pounamu Activities (non-permit/concession) Policy

The Department of Conservation will inform those undertaking non-permit and concession activities within lands administered by the Department of Conservation with the potential to affect pounamu of the appropriate actions to take in relation to pounamu.

Whakamāhukihuki – Explanation

Below is the Permit/Concession (Pounamu) standard condition.

Permit/Concession (Pounamu) Standard Condition

The permit/concession holder acknowledges that pounamu is under the ownership of Te Rūnanga o Ngāi Tahu pursuant to the Ngai Tahu (Pounamu Vesting) Act 1997. No pounamu may be removed or recovered by the permit/concession holder or their employees/clients.

Where any pounamu is found by the permit holder, the permit holder will immediately notify the Pounamu Management Officer of Te Rūnanga o Ngāi Tahu.

Kauneke me te Tikanga – *Process and Methods*

The Pounamu Management Officer will work with the appropriate DOC conservancies to ensure that all activities undertaken or permitted within the lands administered by DOC that may affect pounamu are adequately informed of the appropriate actions to take in relation to pounamu, or carry the Permit/Concession (Pounamu) standard condition.

5.5.4 Pounamu Interpretation within Lands Administered by DOC

Tāhuhu kōrero – *Background*

Site and visitor interpretation such as panels and talks relating to pounamu or pounamu areas must be undertaken with and/or by those with the appropriate expertise and knowledge to do so. This also relates to the work done by DOC.

Kaupapa 11 – DOC Concessionaire Pounamu Interpretation Policy

All interpretation undertaken by concessionaires relating to pounamu or wāhi pounamu within lands administered by the Department of Conservation shall carry the Ngāi Tahu Pounamu interpretation standard condition.

Kaupapa 12 – DOC Pounamu Interpretation (non-concession) Policy

The Department of Conservation will inform those undertaking non-concession interpretation activities relating to pounamu or wāhi pounamu within lands administered by the Department of Conservation of the appropriate actions to take in relation to pounamu interpretation.

Whakamāhukihuki – *Explanation*

Below is the Ngāi Tahu Pounamu interpretation standard condition.

Ngāi Tahu Pounamu Interpretation Standard Condition

The Concessionaire shall ensure that any interpretation provided to its clients on Ngāi Tahu historical, spiritual or cultural association with pounamu or any pounamu area is entirely consistent with the Ngāi Tahu Pounamu Resource Management Plan or any Department produced interpretative material. The Concessionaire shall notify the relevant Papatipu Rūnanga if they are using the above information, as a matter of courtesy.

Where the Concessionaire wishes to provide clients with information not contained in these sources, which relates to Ngāi Tahu historical, spiritual or cultural association with pounamu or any pounamu area, then the Concessionaire shall consult with the local Papatipu Rūnanga before using

any other information to ensure such information is both appropriate and accurate.

The Department of Conservation will provide the Concessionaire with the contact details of the relevant Papatipu Rūnanga, in relation to this clause.

Kauneke me te Tikanga – *Process and Methods*

The Pounamu Management Officer and the appropriate Kaitiaki Rūnanga will work with the appropriate conservancies to ensure that all interpretations relating to pounamu meet the Ngāi Tahu Pounamu interpretation standard condition.

5.6 Export Prohibition Order for Pounamu

Paetae – Objective

- To protect the uniqueness and valued status of pounamu from being undermined through unlimited exportation; and
- To manage pounamu that is seized under the Export Prohibition Order and give effect to pounamu exports applied for in special circumstances or where an export meets the conditions of the order.

Tāhuhu kōrero – *Background*

Pounamu is a mineral unique to New Zealand because of the way it has been created, identified, discovered, named, used and traded. Although nephrite exists in other parts of the world, none have the same whakapapa, history or names as pounamu. Further, pounamu has a unique geological history, is of a finite nature, and has high economic, spiritual and cultural values. While working and trading pounamu is an important part of the values associated with pounamu, so too is the protection of spiritual and cultural values.

Therefore, to protect the uniqueness and valued status of pounamu to not just Ngāi Tahu but to iwi Māori and all New Zealanders, Te Rūnanga o Ngāi Tahu supports the existence of a Customs Export Prohibition Order over pounamu to limit exportation and allow pounamu to be used, enjoyed and have value added to it in New Zealand before going overseas.

The Customs Export Prohibition Order 2002 and its amendments are created under the Customs and Excise Act 1996 and are administered by the New Zealand Customs Service. The order prohibits the exportation of any raw pounamu over five kilograms in total weight. Crafted articles, such as jewellery are exempt and can be taken overseas. The order, which has been in place since 1947, is reviewed every three years. A full copy of the current order is in Appendix E.

New Zealand Customs may seize any pounamu that is attempted to be exported without pre-approval and/or where the pounamu falls outside the conditions of the order. Exemptions from the order may be made in special circumstances by applying in writing to the New Zealand Customs Service at

least three months prior to departure. Maximum penalties relating to the order include imprisonment for a term not exceeding six months or to a fine not exceeding \$10,000, or in the case of a body corporate a fine not exceeding \$50,000.

Kaupapa 13 – Export Prohibition Policy

All exportation of pounamu from New Zealand is consistent with the Customs Export Prohibition Order 2002 and its amendments.

Kauneke me te Tikanga – *Process and Methods*

The Minister of Customs has the final decision on the export of pounamu and for the approval of any application.

- i. All persons wanting to export pounamu outside the conditions of the order should apply to NZ Customs with details of exportation three months prior to departure. Details required include the:
 - Applicant's name and contact details;
 - Proposed date of export;
 - Size and weight of pounamu;
 - Origin of the pounamu; and
 - Photographs of the pounamu.
- ii. NZ Customs will notify Te Rūnanga o Ngāi Tahu with details of the application. Te Rūnanga will consider the application on its merits in consultation with the appropriate Kaitiaki Rūnanga.
- iii. Te Rūnanga o Ngāi Tahu will provide NZ Customs with advice on the application.
- iv. The Minister of Customs will then make the final decision and action the application accordingly.

If you are in doubt about whether a piece of pounamu to be exported meets the conditions of the order you should contact NZ Customs (see Appendix B).

5.7 External Research

Paetae – Objective

To uphold, enhance and protect the mana and mauri of pounamu by providing policy and guidance for those undertaking research on pounamu, and/or within subject areas and locations that may affect pounamu.

Tāhuhu kōrero – *Background*

Universities, Crown Research Institutes, private researchers, consultants and individuals undertake research on and about pounamu as well as within subject areas and locations that affect pounamu.

Often this occurs without recognition of the traditional association with, and/or the ownership of pounamu by Ngāi Tahu. This can have an impact on both intellectual and private property rights as well as harming the mana of pounamu.

Kaupapa 14 – External Research Policy

All research on pounamu, and/or within subject areas and locations that may affect pounamu, is undertaken with the prior approval of Te Rūnanga o Ngāi Tahu and the appropriate Kaitiaki Rūnanga.

Kauneke me te Tikanga – *Process and methods*

- i. Those wishing to undertake research shall contact the Pounamu Management Officer with an outline of their proposal as early as possible within the initial planning stages of any proposal.
- ii. The Pounamu Management Officer will review the proposal and make contact as appropriate with the Kaitiaki Rūnanga affected. If the proposal is supported, this may lead to a hui between the researchers and Kaitiaki Rūnanga to discuss the proposal, the cost of which will be borne by the researcher.

5.8 Local Government Authority Planning and Resource Consents Affecting Pounamu

Paetae – Objective

To ensure that the ownership of pounamu by Ngāi Tahu is recognised appropriately in plans and policy statements by regional and district councils and by appropriate conditions on resource consents.

Tāhuhu kōrero – Background

Activities that involve extraction, excavation and earthworks such as mining and building developments within areas where pounamu is known to occur have the potential to disturb and unearth pounamu.

These activities are administered by regional and district councils under the Resource Management Act through plans and resource consents, or by the Building Act through building consents. It is important that plans, policy statements and resource consents recognise that such activities may disturb pounamu and make provision for this so as to protect the rights of Te Rūnanga o Ngāi Tahu as the owner of pounamu. In particular, provision should be made within plans and policy statements or resource consent activities to meet the requirements of Part II of the Resource Management Act 1991, in particular sections 5, 6(e), 7(a) and 8.

Mining activities on private land will be covered by a mineral access arrangement with Te Rūnanga o Ngāi Tahu as a private mineral owner under the Crown Minerals Act 1991 and through conditions set by the appropriate Minister on Crown land.

To manage the accidental discovery and disturbance of pounamu by resource consent activities Kaitiaki Rūnanga and the appropriate councils should liaise to identify what conditions could be attached to resource consents. Conditions could, for example, require the consent applicant to contact the appropriate Kaitiaki Rūnanga as soon as practicable if any pounamu is discovered during the exercise of the consent.

Kaitiaki Rūnanga may wish to seek agreement with a consent holder to use a standard pounamu accidental discovery protocol as attached in Appendix F.

Kaupapa 15 – Local Government Authority Planning Policy

All district and regional plans and policy statements should contain appropriate provisions in relation to the accidental discovery of pounamu.

Kauneke me te Tikanga – Process and Methods

Relevant regional and district councils will liaise with Ngāi Tahu to identify appropriate provisions and processes in relation to pounamu.

This should be done as soon as possible, and/or at the first review of any policy statements and plans, after the release date of this plan.

Variations and/or plan changes may be sought where current policy statement and plan provisions are found to be problematic or inadequate in relation to the protection of pounamu.

Kaupapa 16 – Local Government Authority Consent Policy

Resource consent applicants whose activities have the potential to affect pounamu may be subject to conditions set by the relevant Local Government Authority to recognise the ownership of pounamu by Te Rūnanga o Ngāi Tahu.

Kauneke me te Tikanga – Process and Methods

Relevant regional and district councils will liaise with Kaitiaki Rūnanga to identify what conditions could be attached to resource consents to manage any adverse environmental effects of accidental discovery of pounamu by certain activities.

Where Kaitiaki Rūnanga consider an application or activity may disturb pounamu, the relevant council will be advised of this and appropriate resource consent conditions may be sought, such as those outlined above.

5.9 Pounamu Theft and Prosecutions

Paetae – Objective

To uphold the private property rights of Te Rūnanga o Ngāi Tahu over pounamu by investigating and prosecuting for theft of pounamu.

Tāhuhu kōrero – *Background*

The theft of pounamu is against the law and desecrates the mana and mauri of pounamu. Pounamu theft can involve the removal of pounamu from its natural state falling outside the policy set by this plan.

Te Rūnanga o Ngāi Tahu maintains an excellent relationship with the police and will work with them on cases where evidence shows theft has taken place. At a local level Kaitiaki Rūnanga, in particular those on Te Tai o Poutini, have established relationships with their local area police. There have been a number of prosecutions in the past.

The maximum penalty for theft under the Crimes Act, including pounamu theft, is imprisonment for a term not exceeding seven years.

Kaupapa 17 – Theft and Prosecution Policy

Prosecutions will be pursued where evidence of criminal activity relating to the theft of pounamu under the Crimes Act is obtained.

Kauneke me te Tikanga – *Process and Methods*

- i. The Pounamu Management Officer will work with the police where criminal activity is suspected and gather evidence sufficient to support an investigation and/or prosecution by the police.
- ii. The Pounamu Management Officer will notify the Police requesting assistance in any investigations and offer assistance in handling investigations and prosecutions to the appropriate departments.

5.10 Trademarking of Ngāi Tahu Pounamu

Paetae – Objective

To distinguish and protect pounamu from foreign imported jades that may be traded as pounamu.

Tāhuhu kōrero – Background

For many years pounamu has been traded under a variety of names such as New Zealand Jade, Greenstone and Nephrite. Most has been traded as being 'genuine' or being sourced from and/or made in New Zealand. It is widely known that many foreign imported jades sourced from places such as British Columbia, Russia and Australia are also traded extensively on the New Zealand market and can be confused as being pounamu.

To sell pounamu under a name such as jade or greenstone can be misleading. This becomes an issue because some varieties of pounamu are not green at all, and further most foreign jades do in fact fit the description of being jade and 'green stones'. Another issue is that Ngāi Tahu recognises the rights of other indigenous people who may have customary rights to particular foreign jades that are not necessarily being acknowledged.

However, Ngāi Tahu also recognises the importance of the commercial pounamu industry in New Zealand and is committed to supplying the market with an authentic product. To this end, Te Rūnanga o Ngāi Tahu has created and registered a trademark for pounamu to identify, distinguish and protect authentic Ngāi Tahu pounamu.

Authentic Ngāi Tahu pounamu refers to pounamu that is sourced within the Ngāi Tahu takiwā through appropriate measures as outlined in this Pounamu Resource Management Plan. The trademark will be implemented progressively over the next 12-18 months.

The mark will be of benefit to pounamu carvers, artists, customary users, retailers and consumers of pounamu by creating a clear identification system for pounamu that in turn can increase the profile, demand, recognition and opportunities to earn income from pounamu.

Individuals, groups and businesses may apply to use the mark under three different categories (or a combination of the three) providing they can verify the origin of their pounamu. This is done through an application system and is assessed against set criteria. Successful applicants will be licensed for one year and must reapply for renewal of their licence annually. There is a charge for the licence.

There are three different types of marks:

- Ngāi Tahu Pounamu Manufacturers Mark in the form of stickers and/or swing tags used by carvers and manufacturers of pounamu to attach to their works.
- Ngāi Tahu Pounamu Stockists Mark in the form of an 'Official Stockist' sticker used by retailers who sell the works of licensed manufacturers.
- Ngāi Tahu Pounamu Wholesale Certificate in the form of a Certificate of Authenticity attached to raw pounamu by licensed wholesalers.
-

While the Ngāi Tahu Pounamu Trademark is part of the overall management plan and protection of pounamu it is subject to its own conditions set out in individual contracts between registered users and Te Rūnanga o Ngāi Tahu.

A representation of the Ngāi Tahu Pounamu trademark is shown below:



Kaupapa 18 – Ngāi Tahu Pounamu Trademark Policy

To distinguish pounamu from foreign jades, those trading pounamu sourced from within the Ngāi Tahu takiwā should obtain the Ngāi Tahu Pounamu Trademark.

Whakamāhukihuki – *Explanation*

The Ngāi Tahu Pounamu Trademark is not compulsory but it does have obvious benefits for those wishing to guarantee that their product is authentic. All pounamu supplied by the Kaitiaki Rūnanga will use the trademark.

Individual licences will be granted to successful applicants to govern their use of the trademark. Once licensed the user may use the mark in the forms outlined in their licence agreement. All licensed users must abide by the rules set out in their individual licensing agreements and will be subject to spot checks and a review upon annual reapplication.

The fee paid for the mark includes the raw cost of printing identifiers associated with the mark such as certificates and stickers plus administration costs.

The mark can be used in conjunction with other trademarks such as the Māori Made Mark.

Kauneke me te Tikanga – *Process and methods*

Those interested should contact the Pounamu Management Officer who can send out an application form and the accompanying information.



Koko Takiwai, Te Tauraka o Hūpōkeka



This picture shows a thin three-millimetre slab of Takiwai/Tangiwai found at Te Tauraka o Hūpōkeka/Anita Bay. This slab illustrates the special transparent qualities of Takiwai, its typically olive-green colour and why it was so highly prized for whakakaitaringa/ear pendants.

Photograph courtesy of Ōraka-Aparima Rūnaka



6 Ngā Kohikohinga Iti Kahurangi – *Collection of Pounamu*

Paetae – Objective

To maintain and facilitate the fossicking and collection of small amounts of pounamu while protecting the mana and mauri of pounamu.

Tāhuhu kōrero – Background

The collection of small amounts of pounamu is an important cultural activity for both Ngāi Tahu and non-Ngāi Tahu alike. The management of this activity is a central part of the overall management of pounamu because being a privately owned mineral, the permission of Ngāi Tahu is needed before collection can take place on any land.

For Ngāi Tahu, in particular the ahi kā of Kaitiaki Rūnanga, the customary collection of pounamu is an important part of their cultural identity and economic well-being. For others, including ngā maata waka and tauiwi, especially those of the West Coast, the activity of fossicking has also become an important part of their identity and well-being. There would be few in the South Island who have not walked along a stony beach, head-down searching for shells and gemstones.

In recognition of the importance of the collection of pounamu, Kaitiaki Rūnanga have decided on a mixture of measures to facilitate collection and use, while protecting pounamu for the next generation.

In the areas where the collection of pounamu is allowed, the measures put in place are based on existing laws and the policy of the Department of Conservation and local government authorities governing the collection of other stones and minerals. Restrictions or rāhui may also be set by the Kaitiaki Rūnanga to protect pounamu and limit collection in particular areas.

The specific policy for fossicking by the public, and customary and cultural collection within each Kaitiaki Rūnanga takiwā is set out below.



6.1 Timotimo Pounamu – Fossicking for Pounamu by the Public

The fossicking for pounamu by the public is allowed in certain areas where current law and policy permits the collection of other stones and minerals and where the Kaitiaki Rūnanga have not placed a restriction to protect pounamu from overuse.

The current law and policy pertaining to the collection of stone, gravel and other mineral resources by the public is governed by the Resource Management Act 1991, through the regional plans of the West Coast, Southland and Otago regional councils, and the Conservation Act 1987, Reserves Act 1977, and National Park Act 1980 for Department of Conservation administered land.

The relevant current law and policy in relation to fossicking of minerals, which also applies to fossicking for pounamu by the public under this plan is outlined below.

6.1.1 Coastal Marine Area

In the coastal marine area, disturbance associated with the removal of minerals and stone is governed by the regional coastal plan of the particular regional council.

These plans can permit the extraction of small amounts of shingle and sand from the Coastal Marine Area. In the West Coast region, the taking of shingle and sand in small amounts is permitted without a resource consent provided it is done according to the conditions of the rule in the Regional Coastal Plan.

6.1.2 Lands Administered by the Department of Conservation

On lands administered by DOC the fossicking of minerals is prohibited without a permit. The Conservation Act 1987 states:

Section 39 – Other offences in respect of conservation areas

(1) Every person commits an offence against this Act who knowingly, and without the authority of the Minister or the Director-General, -

(h) takes or removes any gravel, sand, stone, clay, limestone, or other such natural resource otherwise than in accordance with a concession or some enactment other than this Act.

The Reserves Act 1977 states:

94 – Offences on reserves

(1) Every person commits an offence against this Act who, without being authorised (the proof of which shall be on the person charged) by the Minister or the Commissioner or the administering body, as the case may require, —

- (f) Removes or wilfully damages any, or any part of, any wood, tree, shrub, fern, plant, stone, mineral, gravel, kauri gum, furniture, utensil, tool, antiquity, relic, or thing of any kind, on any reserve;

Further, the National Parks Act 1980 states

Section 60 – Offences in parks

Every person commits an offence against this Act who, without being authorised by the Minister (the proof of which shall be on the person charged) or by any bylaw made under this Act;

- (d) removes or wilfully damages any, or any part of, any plant, stone, mineral, gravel, kauri gum, antiquity, or relic in any park;

Therefore there will be **no** fossicking for pounamu by the public within lands administered by the Department of Conservation.

6.1.3 Other Crown Land and Private Land

On all other land, pounamu cannot be collected without the prior authority of Te Rūnanga o Ngāi Tahu and the appropriate Kaitiaki Rūnanga. This also requires the authority of the landowner/occupier to access the land.

Authority for the fossicking and collection of pounamu on other Crown and private land will follow the policy outlined in Section 6.2 and, as a general rule, must be negotiated on a case-by-case basis with the appropriate Kaitiaki Rūnanga. This should be done by contacting the Pounamu Management Officer in the first instance.

6.1.4 Restrictions and Specific Conditions on Public Fossicking for Pounamu

Further to the current law and policy governing the public fossicking for minerals are the restrictions and specific conditions set in place by Kaitiaki Rūnanga to protect pounamu from over use. These are set out below.

Condition A – Te Tai o Poutini Rūnanga Takiwā (West Coast)

Within the areas shown in blue and green on Map 1 the fossicking for pounamu by the public is permitted on beaches below mean high water spring but not in or along rivers, estuaries, lagoons, or within ten metres of a whitebait stand.

Fossicking is not allowed within land administered by the Department of Conservation or on other Crown or private land.

Condition B – Combined Otago & Murihiku Rūnanga Takiwā (Otago & Southland)

Within the areas shown in red and yellow on Map 1 the fossicking for pounamu by the public is not permitted.

Kaupapa 19 – Public Fossicking Policy

Fossicking for pounamu by the public is only allowed on beaches along Te Tai o Poutini – the West Coast, as specified in Condition A.

Fossicking for pounamu by the public, where allowed, is limited to what an individual can carry on their person either by hand or bag/backpack, and is limited to one such take in any 24-hour period.

Whakamāhukihuki – *Explanation*

The key here is “can carry”. That means that an individual can lift and take unaided to whatever mode of transport is being used be that walking out, car, boat etc. The pounamu must be able to be physically lifted by one person alone.

6.2 Ao Tuku Iho, Ao Toi – Customary and Cultural Collection

Tāhuhu kōrero – *Background*

Customary and cultural collection encompasses the collection of pounamu up to what an individual can carry undertaken either directly by, or under the korowai of, the Kaitiaki Rūnanga in areas outside those open to public fossicking, including rivers and within the lands administered by the Department of Conservation.

Although fossicking for minerals by the general public is prohibited on Department of Conservation administered land, in recognition of the historical association and customary rights of Ngāi Tahu relating to pounamu, Kaitiaki Rūnanga have the ability to undertake collection in these areas and to facilitate others to do so.

Cultural collection on other Crown and private land will require landowner and Kaitiaki Rūnanga permission.

Due to the need to uphold the mana and mauri of pounamu and the sustainability of the resource, Kaitiaki Rūnanga have set protocols for those who wish to undertake such collection. Often Kaitiaki Rūnanga will wish to act as kaitiaki and assist manuhiri wishing to collect under their korowai.

Therefore, collection is categorised under Kaitiaki Rūnanga members, other Ngāi Tahu Whānui, ngā maata waka and tauiwi.

The specific rules and policy relating to customary and cultural collection are set out below by Kaitiaki Rūnanga takiwā (see Kaupapa 20, 21, 22 & 23).

6.2.1 Kaitiaki Rūnanga Members

All members of Kaitiaki Rūnanga can undertake customary collection on beaches as provided by general fossicking rules. They are also permitted to do so in and along rivers and within the lands administered by the Department of Conservation as provided by arrangements made with conservators and within the specific conditions set by Kaitiaki Rūnanga (full policy set out below). The arrangement with the Department of Conservation allows customary and cultural collection without a permit if it does not

adversely affect environmental, conservation or historic values and does not involve the use of machinery or cutting equipment.

Customary collection is limited to what an individual Kaitiaki Rūnanga member can carry on their person. Where a river is concerned collection is allowed provided it does not disturb the bed of a river in more than a minor way.

On all other land, individual Kaitiaki Rūnanga members must get landowner permission to access the land for collection.

6.2.2 Ngāi Tahu Whānui (Non-Kaitiaki Rūnanga)

Other Ngāi Tahu Whānui who are not members of Kaitiaki Rūnanga may undertake cultural collection. However to ensure that the appropriate acknowledgements are taken care of, members of Ngāi Tahu Whānui wishing to collect must contact the Kaitiaki Rūnanga prior to undertaking any collection. This will allow the Kaitiaki Rūnanga to show appropriate manaaki, as highlighted above, by taking the Ngāi Tahu Whānui member out under their korowai.

Where large groups are concerned, the Kaitiaki Rūnanga may also need to notify the Department of Conservation to ensure that if the person/group is stopped by Department of Conservation staff, the department will know that the Kaitiaki Rūnanga have given their permission for the collection.

6.2.3 Ngā Maata Waka and Taiwi

For other iwi and the public, cultural collection may be facilitated by the Kaitiaki Rūnanga and be dealt with on a case-by-case basis. Those interested should contact the appropriate Kaitiaki Rūnanga. Again, the Kaitiaki Rūnanga may accompany manuhiri in undertaking such collection to demonstrate appropriate manaaki.

Contact details of the Kaitiaki Rūnanga are listed in Appendix B

Kaupapa 20 – Customary and Cultural Collection Policy for Te Rūnaka o Kāti Waewae Takiwā

Within the area shown in green on Map 1 customary and cultural collection is permitted with the following conditions:

a. Kaitiaki Rūnanga members:

Unrestricted access to collect pounamu within DOC administered land and to all other land providing access with the landowner has been arranged.

b. Ngāi Tahu Whānui (non-Kaitiaki Rūnanga):

Required to contact and notify Te Rūnaka o Kāti Waewae before collecting commences.

c. Ngā Maata Waka and Tauwi:

Required to contact and get authorisation from Te Rūnaka o Kāti Waewae.

Kaupapa 21 – Customary and Cultural Collection Policy for Te Rūnanga o Makaawhio Takiwā

Within the area shown in blue on Map 1 customary and cultural collection is permitted with the following conditions:

a. Kaitiaki Rūnanga members:

Unrestricted access to collect pounamu within DOC administered land and to all other land providing access with the landowner has been arranged.

b. Ngāi Tahu Whānui (non-Kaitiaki Rūnanga):

Required to contact and notify Te Rūnanga o Makaawhio before collecting commences.

c. Ngā Maata Waka and Tauwi:

Required to contact and get authorisation from Te Rūnanga o Makaawhio.

**Kaupapa 22 – Customary and Cultural Collection Policy for
Ngā Rūnanga o Murihiku Takiwā**

Within the areas shown in red on Map 1 customary and cultural collection is permitted with the following conditions:

- a. (i) Kaitiaki Rūnanga members; and
- (ii) Ngāi Tahu Whānui (non-Kaitiaki Rūnanga):

All collection must be authorised in consultation with Ngā Rūnanga o Murihiku by contacting any Murihiku Rūnanga Office. Kaitiaki Rūnanga may wish to accompany these members.

- b. Ngā Maata Waka and Tauwi:

There may be times when consideration can be afforded to the above. All applications will be considered on their own merit and any authorisation approved as above by contacting any Murihiku Rūnanga Office. It is expected that Kaitiaki Rūnanga will always accompany any such visit.

**Kaupapa 23 – Customary and Cultural Collection Policy for
Ngā Rūnanga o Otago Takiwā**

Within the areas shown in yellow on Map 1 customary and cultural collection is only permitted for:

- a. (i) Kaitiaki Rūnanga members; and
- (ii) Ngāi Tahu Whānui (non-Kaitiaki Rūnanga):

All collection must be authorised in consultation with Ngā Rūnanga o Otago via contacting any Otago Rūnanga Office.

- b. Ngā Maata Waka and Tauwi:

No cultural collection.

Te Koroka/Mt Cosmos and the Upper Slipstream area are under DOC special protection status and cannot be entered without a permit. These areas are placed under rāhui with no removal of pounamu except for special cultural purposes with the agreement of the Kaitiaki Rūnanga of Otago.

6.3 Rāhui Pounamu – Restrictions on Collection

Paetae – Objective

To protect special areas and types of pounamu by restricting access and/or limiting collection activity.

Tāhuhu kōrero – Background

Rāhui Pounamu are an important way to protect special areas of pounamu. It is also an important part of the overall approach to sustainability of the resource by ensuring some areas remain untouched for future generations to enjoy.

Rāhui may be made for a variety of reasons such as wāhi tapu, cultural and heritage protection, and resource sustainability. They may be temporary or permanent and are made at the discretion of Kaitiaki Rūnanga, in-conjunction with the relevant statutory land manager or private landowner as appropriate.

Kaupapa 24 – Rāhui Policy

From time to time rāhui or restrictions may be put on certain areas and practices preventing or limiting fossicking or collection.

Kauneke me te Tikanga – Process and Method

- i. The designation of these rāhui pounamu or restrictions will be undertaken by the Kaitiaki Rūnanga who will publicise them as appropriate.

Where a rāhui is placed it is the responsibility of those interested in collecting pounamu to make themselves aware of this.

If you are in doubt as to whether an area or activity is under rāhui, it is important to contact the appropriate Kaitiaki Rūnanga.

Rangahau Pounamu ki Murihiku



This picture shows members of Murihiku Rūnanga undertaking research at the mouth of the Awa Takiwai stream in Te Tauraka o Hūpōkeka/Anita Bay, Murihiku. This pounamu research involved the recording of kōhatu and deposits on digital camera, video recorders, GPS data collectors and data sheets and is an important way for Kaitiaki Rūnanga to become familiar with their resources.

Photograph courtesy of Ōraka-Aparima Rūnaka

7 Tako Pounamu – Extraction of Pounamu

Paetae – Objective

To facilitate the sustainable extraction and use of pounamu by Kaitiaki Rūnanga for supply to the commercial industry, for cultural use and to the Ngāi Tahu Tribal Pātaka Pounamu.

Tāhuhu kōrero – Background

In the past, extraction of pounamu was undertaken by Crown mining licence holders who mined pounamu according to work plans. As highlighted in Section 3 this system no longer operates.

Under this plan, the extraction of pounamu is defined as the taking of pounamu from its natural state by Kaitiaki Rūnanga for cultural or commercial purposes or for supply to the Ngāi Tahu Tribal Pātaka Pounamu. Please refer to Section 8.1.2 for more information on the Ngāi Tahu Tribal Pātaka Pounamu.

The extraction of pounamu differs from the collection of pounamu outlined in the previous section. Extraction generally relates to the taking of pounamu in quantities larger than an individual can carry. It can also only be undertaken by one of the Kaitiaki Rūnanga and not individuals.

Further to the above definition there is one further circumstance by which pounamu may be extracted under this plan. This relates to pounamu that is discovered as a by-product of other mining and activities. This has been covered in Section 5.4 and is outlined further in Section 7.2 below.

It is also important to recognise that not all Kaitiaki Rūnanga wish to extract pounamu at this point in time, and because of the nature of the resource, not all pounamu deposits and areas are suitable for extraction. Before extraction is even considered, the sustainability of the particular deposit must be understood.

This has been an issue that Te Rūnanga o Ngāi Tahu and the Kaitiaki Rūnanga have undertaken in facilitating extraction.



7.1 Mō tātou, ā, mō kā uri ā muri ake nei – *Pounamu Sustainability*

Tāhuhu kōrero – Background

Sustainability, mō tātou, ā, kā uri ā muri ake nei – *for us and our children after us*, underpins the management of pounamu, and in particular extraction. Sustainability is vital because pounamu is a taonga that has both high cultural and commercial value as well as being a finite resource.

The sustainable use of finite mineral resources is dependent on many factors including available information, geological nature, demand, quality and quantity, and access, to name just a few. Further, the high cultural and spiritual significance of pounamu as a taonga makes sustainability even more critical.

The conventional method of managing the extraction of finite minerals is through geological surveys and resource assessments to find out how much resource is present and then making decisions on extraction over time, based on the costs and benefits of doing so.

Traditional Ngāi Tahu methods of managing pounamu focus on understanding the geological and hydrological nature of pounamu. That is, the availability of pounamu relates directly to glacial and river action, especially after heavy rains and floods. These methods require in-depth knowledge of source deposits, and regular hīkoi to, in-situ deposits up and down rivers and beaches. These methods are still practised and are effective today.

Te Rūnanga o Ngāi Tahu in conjunction with its Kaitiaki Rūnanga have undertaken and will continue to undertake research and monitoring of pounamu deposits and areas to be able to make the best decisions on pounamu extraction. This will be achieved by undertaking comprehensive resource assessments and geological surveys that may involve the assistance of the Institute of Geological and Nuclear Sciences. This will allow the Kaitiaki Rūnanga to understand their pounamu resources and set annual sustainable tonnage limits for any given deposit in their takiwā.

7.1.1 Geological and Nuclear Sciences Research and Resource Assessment

The research to be undertaken with the Institute of Geological and Nuclear Sciences (GNS) follows a clear and simple methodology to understand the pounamu resource and its sustainability. The methodology involves research to understand existing and potential reserves that are split into 11 categories (shown as A-K in Figure 2) making up the total pounamu resource in each region along with six processes (shown as 1-6 in Figure 2) that affect the natural rate of change to reserves and where the reserves occur.

The actual research involves both desktop and fieldwork in each region based on the A-K/1-6 methodology. The majority of the desktop work focuses on assessing the resource from existing geological information to map and quantify the resource. The fieldwork looks at verifying desktop assessment information as well as understanding natural processes, such as glacial action, that can affect pounamu resources over time and influence future management decisions. Fieldwork will involve the Kaitiaki Rūnanga.

Undertaking this assessment will provide Kaitiaki Rūnanga with an appreciation of the resource present in each region, the relative sensitivity of the resource in relation to geological and human-induced changes, and the role the region plays within the total stock.

7.2 Kaupapa Tako Pounamu – *Extraction Policy by Area*

Tāhuhu kōrero – Background

The extraction policies for each Kaitiaki Rūnanga takiwā are set out below. Where appropriate, Kaitiaki Rūnanga will work with the relevant DOC conservancies and Regional Councils to ensure extraction is undertaken in a sustainable manner and with the required approvals.

Kaupapa 25 – Extraction Policy for Te Rūnaka o Kāti Waewae Takiwā

Within the areas shown in green on Map 1 there will be no commercial extraction of pounamu undertaken until further research is carried out and annual sustainable tonnages are set.

Whakamāhukihuki – Explanation

Kāti Waewae wish to undertake research in collaboration with GNS before any commercial extraction takes place within their takiwā.

Kāti Waewae do intend to recover and/or extract pounamu for cultural use where adequate information is available.

Kaupapa 26 – Extraction Policy for Te Rūnanga o Makaawhio Takiwā

Within the areas shown in blue on Map 1 the extraction of pounamu will be undertaken at a level, up to, but not over 10 tonnes per annum.

Whakamāhukihuki – Explanation

From research undertaken, Makaawhio Rūnanga have photographic and GPS database information of many large pounamu boulders weighing in excess of 400 tonnes and an in-situ reef of pounamu in excess of 1000 tonnes. These are just some of many deposits within their takiwā that can allow extraction of up to 10 tonnes for well over 200 years.

Kaupapa 27 – Extraction Policy for Ngā Rūnanga o Murihiku Takiwā

Within the areas shown in red on Map 1 there will be no commercial extraction of pounamu undertaken until further research is carried out and annual sustainable tonnages are set.

An extraction of tangiwai/takiwai pebbles will be made for supply to the Ngāi Tahu Tribal Pātaka Pounamu.

Whakamāhukihuki – Explanation

These Rūnanga wish to undertake research in collaboration with GNS to better understand the pounamu resources within their takiwā. They have indicated a preference to concentrate on the extraction of serpentine.

They are also planning an extraction of tangiwai/takiwai pebbles for supply to the Ngāi Tahu Tribal Pātaka Pounamu.

Kaupapa 28 – Extraction Policy for Ngā Rūnanga o Otago Takiwā

Within the areas shown in yellow on Map 1 there will be no commercial extraction of pounamu undertaken until further research is carried out and annual sustainable tonnages are set.

Whakamāhukihuki – Explanation

These Rūnanga wish to undertake research in collaboration with GNS to better understand the pounamu resources within their takiwā. They have indicated a preference to concentrate on the extraction of serpentine.

7.3 Tako Āmio: kitenga tūpono – Indirect Extraction: by-product/accidental discovery

Tāhuhu kōrero – Background

Indirect extraction refers to pounamu that maybe discovered, disturbed, unearthed or recovered by parties other than Kaitiaki Rūnanga as a by-product of their legal activities, above and beyond the collection activities allowed for and outlined in Section 6 of this plan. Indirect extraction may include those mining for other minerals, especially gold, with a Crown Minerals mining permit, those undertaking developments under resource consents and other permits, and Department of Conservation permits and concessions. This may also include those who accidentally discover pounamu while tramping or walking. However, by-product and accidental discovery only applies to pounamu and sites that are unknown to the Kaitiaki Rūnanga and that which is discovered through activities outside the collection policies outlined in Section 6 of this plan.

Kaupapa 29 – Indirect Extraction Policy

All pounamu discovered, other than through authorised collection, regardless of size is the property of Te Rūnanga o Ngāi Tahu and cannot be removed without consultation with Te Rūnanga o Ngāi Tahu and authorisation from the appropriate Kaitiaki Rūnanga.

Whakamāhukihuki – Explanation

A koha for the pounamu discovered may be made. This will be decided on a case-by-case basis and agreed to by Te Rūnanga o Ngāi Tahu, through the Pounamu Management Officer in conjunction with the respective Kaitiaki Rūnanga.

This policy does not apply to pounamu that is collected in accordance with the policies outlined in Section 6 of this plan.

Mineral Access Arrangements

As previously outlined in Section 5.3, because of the ownership of pounamu by Te Rūnanga o Ngāi Tahu, miners who mine for other minerals where this may affect pounamu on land other than Crown land require a mineral access arrangement with Te Rūnanga o Ngāi Tahu. Mineral access arrangements will be entered into before miners can mine and will ensure an adequate process is in place to manage any pounamu discovered as a by-product.

On Crown land, access arrangements between the miner and the appropriate Minister may be subject to conditions set by the appropriate Minister of the Crown to recognise the interests of Te Rūnanga o Ngāi Tahu. Both the Department of Conservation and Land Information New Zealand require the miner to obtain the written authorisation of Te Rūnanga o Ngāi Tahu where pounamu may be affected.

The New Zealand Minerals Industry Association (NZMIA) has undertaken to instigate a 'Voluntary Industry Code of Practice for recoverable pounamu'. This code may further strengthen the relationship between Ngāi Tahu and the industry, and the management of by-product.

Other Activities and the Accidental Discovery Protocol

Other activities where pounamu is likely to be found may require resource consents or DOC permits or concessions. Therefore Local Authorities and DOC may place conditions as appropriate, regarding pounamu, to notify the consent and/or concession holders of their obligations and the process if they discover pounamu as a by-product of their activities. These obligations and processes are included in the pounamu accidental discovery protocol outlined in Section 5.4 and included in Appendix F.

All other circumstances where pounamu is discovered must follow the policy outlined in Section 5.4.

Kōhatu Pounamu ki Whakatipu



This picture shows a large pounamu boulder found lying in the Owaiio River during research and hīkoi by ngā Rūnanga o Otago in the Whakatipu area.

Photograph taken by Sandie den Dulk.

8 Whakaratonga Pounamu – *Supply of Pounamu*

Paetae – *Objective*

To facilitate the supply of pounamu from Kaitiaki Rūnanga to the commercial industry, for cultural use and to the Ngāi Tahu Tribal Pātaka Pounamu.

Tāhuhu kōrero – *Background*

Through the collection policies outlined in Section 6 of this plan a supply of pounamu is available through public fossicking, and customary and cultural collection.

For larger quantities of pounamu, Te Rūnanga o Ngāi Tahu is committed to supplying pounamu to the commercial pounamu industry. This recognises the importance of the pounamu industry to New Zealand and in particular Te Tai o Poutini.

Te Rūnanga o Ngāi Tahu and Kaitiaki Rūnanga also recognise the importance of having a supply of pounamu accessible for cultural purposes such as koha and the gifting of mauri stones. This is particularly important in the relationship with other iwi as well as the community.

In undertaking to supply pounamu, Te Rūnanga o Ngāi Tahu acknowledges that a large amount of pounamu extracted under former Crown licences is available to the commercial industry.

Kaitiaki Rūnanga will undertake all supply of pounamu on behalf of Te Rūnanga o Ngāi Tahu to the commercial industry and will also make pounamu available to the Ngāi Tahu Tribal Pātaka Pounamu.

Kaupapa 30 – *Supply Policy*

The supply of pounamu to the commercial industry, for cultural use and to the Tribal Pātaka Pounamu will be undertaken in a sustainable way by the Kaitiaki Rūnanga.



Whakamāhukihuki – *Explanation*

Kaitiaki Rūnanga are in the process of setting up pounamu storehouses through which supply will be facilitated.

Kauneke me te Tikanga – *Process and Methods*

- i. Requests for pounamu will be filled by Kaitiaki Rūnanga where there is a sufficient supply available.
- ii. All individual requests should be directed to the Pounamu Management Officer who will contact the appropriate Kaitiaki Rūnanga.

8.1.1 Whakaratonga ki Te Ahumahi Pounamu – *Commercial Supply*

All commercial supply is to be undertaken by Kaitiaki Rūnanga and facilitated through their individual storehouses.

8.1.2 Tribal Pātaka Pounamu

The Ngāi Tahu Tribal Pātaka Pounamu is a pounamu storehouse supplied by koha from the Kaitiaki Rūnanga to service the tribal cultural needs of Te Rūnanga o Ngāi Tahu. This pātaka will supply pounamu for koha to other iwi, agencies, and dignitaries as appropriate.

8.1.3 Ngāi Tahu Pounamu Trademark

As outlined in Section 5.10 a trademark has been created by Te Rūnanga o Ngāi Tahu to distinguish pounamu from foreign jades at the wholesale, manufacture, and retail levels. All pounamu supplied by the Kaitiaki Rūnanga will carry the trademark.

9 Mahere Mataara – *Plan Monitoring and Review*

9.1 Mataara – *Monitoring*

This plan will be monitored to assess the effectiveness, adoption and implementation of the policies outlined herein.

Monitoring will be carried out by the Pounamu Management Officer in conjunction with Kaitiaki Rūnanga and the appropriate agencies involved in pounamu management.

Where monitoring establishes the need to make changes to the plan, this will be done by following the review processes outlined below.

9.2 Kauneke Arotake – *Review process*

9.2.1 Non-material changes

From time to time it may be necessary to make non-material changes to the plan such as spelling, grammar and clarification amendments.

Such changes may be notified and/or brought to the attention of the Pounamu Management Officer who will work with the appropriate Te Rūnanga o Ngāi Tahu staff to assess the proposed change and make the appropriate amendments.

If the proposed amendment will not materially affect the objectives or policies expressed in the plan the Pounamu Management Officer will make the change on the master plan and issue an amendment to all those with a copy of the plan.



9.2.2 Initiated review

Te Rūnanga o Ngāi Tahu or Kaitiaki Rūnanga may at any time request a review and/or amendment, in whole or in part, of the management plan.

Requests for a full review and/or change of part or parts of the plan due to unworkability or a change of conditions, should be made to the Pounamu Management Officer in writing. Requests will not be considered within the first 12 months following the release of this plan or within 12 months after any subsequent review.

Upon receiving the request the Pounamu Management Officer will work with the appropriate Te Rūnanga o Ngāi Tahu staff to assess the proposed review and/or amendment and facilitate the creation of a decision paper to Te Rūnanga o Ngāi Tahu.

Upon the issuing of a decision from Te Rūnanga o Ngāi Tahu, the Pounamu Management Officer will make the appropriate change to the master plan and issue an amendment to all those with a registered copy of the plan.

9.2.3 Formal review

A full review of the Te Rūnanga o Ngāi Tahu Pounamu Resource Management Plan will be initiated by 1 July 2005, and then within every five years after this date.

Review dates can be extended by Te Rūnanga o Ngāi Tahu in consultation with Kaitiaki Rūnanga. Te Rūnanga o Ngāi Tahu, in consultation with Kaitiaki Rūnanga will ascertain the need for a formal review in January of the year before the formal review is due. This will be undertaken by the Pounamu Management Officer who will notify Kaitiaki Rūnanga in writing and call for submissions on amendments to the plan. If it is decided the review is required, the Pounamu Management Officer will work with other staff to undertake the review.

The formal review will involve the creation of an information document outlining proposed amendments that will be sent to all Papatipu Rūnanga in March asking for submissions. From these submissions the Pounamu Management Officer will create a decision paper containing the final amendments to be submitted to Te Rūnanga o Ngāi Tahu.

Upon the issuing of a decision from Te Rūnanga o Ngāi Tahu, the Pounamu Management Officer will make the appropriate change to the master plan and issue an amendment to all those with a registered copy of the plan.



Kōhatu Pounamu, Tai Poutini ki te Toka



This picture shows a large pounamu boulder estimated to weigh approximately 100 tonnes located during research hīkoi carried out by Te Rūnanga o Makaawhio to assess and quantify the pounamu resource within their takiwā.

Photograph courtesy of Te Rūnanga o Makaawhio

Āpitihanga – *Appendices*

Appendix A - Summary of Policies in this Plan

Appendix B - Pounamu Management Contacts

Appendix C – Glossary of Terms Used

Appendix D - Ngai Tahu (Pounamu Vesting) Act 1997

Appendix E - Export Prohibition Order 2002

Appendix F - Standard Pounamu Accidental
Discovery Protocol



Appendix A – Summary of Policies in this Plan

Kaupapa 1 – Local Protection Management Policy (Pg 58)

Pounamu Resource Management Plans for specific issues within the takiwā of Kaitiaki Rūnanga will be created to complement the Te Rūnanga o Ngāi Tahu Pounamu Resource Management Plan.

Kaupapa 2 – Mineral Access Arrangement Policy (Private Land) (Pg 60)

All Crown mineral permit holders who prospect, mine or explore on private land where pounamu is known to occur (wāhi pounamu) require a mineral access arrangement with Te Rūnanga o Ngāi Tahu.

Kaupapa 3 – Mineral Access Arrangement Policy (Crown Land) (Pg 60)

All Crown mineral permit holders who prospect, mine or explore on Crown land where pounamu is known to occur (wāhi pounamu) may be subject to conditions set by the appropriate Minister of the Crown to recognise the ownership of pounamu by Te Rūnanga o Ngāi Tahu.

Kaupapa 4 – By-product/Accidental Discovery Policy (Pg 62)

Any pounamu accidentally discovered should be reported to the Pounamu Management Officer of Te Rūnanga o Ngāi Tahu as soon as is practicable.

Kaupapa 5 – Artifact Policy (DOC Land) (Pg 65)

Any artifact made of pounamu discovered or found within the Ngāi Tahu takiwā on lands administered by the Department of Conservation (DOC) should be left untouched and notified immediately to the local DOC Office who will in turn notify Ngāi Tahu.

If the artifact happens to be collected it should be handed directly to the local DOC Office along with all information about the find.

Kaupapa 6 – Artifact Policy (other land) (Pg 65)

Any artifact made of pounamu discovered or found within the Ngāi Tahu takiwā on all other land should be left untouched and notified immediately to the local regional museum who will in turn notify Ngāi Tahu.

If the artifact happens to be collected it should be handed directly to the appropriate regional museum along with all information about the find.

Kaupapa 7 – DOC Pounamu Planning Policy (Pg 69)

All Department of Conservation plans that affect a wāhi pounamu should be amended appropriately to contain the following:

- A standard clause about the Ngai Tahu (Pounamu Vesting) Act and the Pounamu Resource Management Plan;
- A reference to the geological existence of pounamu where appropriate;
- Historical references where they do not currently exist;
- References to the Ngai Tahu (Pounamu Vesting) Act and the Pounamu Resource Management Plan in all appropriate sections such as those relating to mining, customary/cultural use, research and commercial activity/concessions; and
- General references indicating the existence of pounamu, the Ngai Tahu (Pounamu Vesting) Act and the Pounamu Resource Management Plan in special area sections such as the Greenstone/Caples Valley area in the Otago Conservation Management Strategy.

Kaupapa 8 – DOC Pounamu Mining Activity Policy (Pg 71)

All mining undertaken within lands administered by the Department of Conservation with the potential to affect pounamu shall carry the Mining Access (Pounamu) standard condition.

Kaupapa 9 – DOC Pounamu Activities Policy (Pg 72)

All activities undertaken within lands administered by the Department of Conservation with the potential to affect pounamu shall be subject to and/or carry the standard Permit/Concession (Pounamu) condition.

Kaupapa 10 – DOC Pounamu Activities (non-permit/concession) Policy (Pg 72)

The Department of Conservation will inform those undertaking non-permit and concession activities within lands administered by the Department of Conservation with the potential to affect pounamu of the appropriate actions to take in relation to pounamu.

Kaupapa 11 – DOC Pounamu Interpretation Policy and Process (Pg 74)

All interpretations relating to pounamu or wāhi pounamu within lands administered by the Department of Conservation shall be subject to and/or carry the Ngāi Tahu interpretation standard condition.

Kaupapa 12 – DOC Pounamu Interpretation (non-concession) Policy (Pg 74)

The Department of Conservation will inform those undertaking non-concession interpretation activities relating to pounamu or wāhi pounamu within lands administered by the Department of Conservation of the appropriate actions to take in relation to pounamu interpretation.

Kaupapa 13 – Export Prohibition Policy (Pg 77)

All exportation of pounamu from New Zealand is consistent with the Customs Export Prohibition Order 1996 and its amendments.

Kaupapa 14 – External Research Policy (Pg 78)

All research on pounamu, and/or within subject areas and locations that may affect pounamu, is undertaken with the prior approval of Te Rūnanga o Ngāi Tahu and the appropriate Kaitiaki Rūnanga.

Kaupapa 15 – Local Government Authority Planning Policy (Pg 80)

All district and regional plans and policy statements should contain appropriate provisions in relation to the accidental discovery of pounamu.

Kaupapa 16 – Local Government Authority Consent Policy (Pg 80)

Resource consent applicants whose activities have the potential to affect pounamu may be subject to conditions set by the relevant Local Government Authority to recognise the ownership of pounamu by Te Rūnanga o Ngāi Tahu.

Kaupapa 17 – Theft and Prosecution Policy (Pg 81)

Prosecutions will be pursued where evidence of criminal activity relating to the theft of pounamu under the Crimes Act is obtained.

Kaupapa 18 – Ngāi Tahu Pounamu Trademark Policy (Pg 84)

To distinguish pounamu from foreign jades, those trading pounamu sourced from within the Ngāi Tahu takiwā should obtain the Ngāi Tahu Pounamu Trademark.

Kaupapa 19 – Public Fossicking Policy (Pg 89)

Fossicking of pounamu by the public is only allowed on beaches along Te Tai o Poutini – the West Coast, as specified in Condition A.

Fossicking of pounamu by the public, where allowed, is limited to what an individual can carry on their person either by hand or bag/backpack, and is limited to one such take in any 24-hour period.

**Kaupapa 20 – Customary and Cultural Collection Policy for
Te Rūnaka o Kāti Waewae Takiwā (Pg 92)**

Within the area shown in green on Map 1 customary and cultural collection is permitted with the following conditions:

a. Kaitiaki Rūnanga members:

Unrestricted access to collect pounamu within DOC administered land and in all other land providing access with the landowner has been arranged.

b. Ngāi Tahu Whānui (non-Kaitiaki Rūnanga):

Required to contact and notify Te Rūnaka o Kāti Waewae before collecting commences.

c. Ngā Maata Waka and Tauwi:

Required to contact and get authorisation from Te Rūnaka o Kāti Waewae.

**Kaupapa 21 – Customary and Cultural Collection Policy for
Te Rūnanga o Makaawhio Takiwā (Pg 92)**

Within the area shown in blue on Map 1 customary and cultural collection is permitted with the following conditions:

a. Kaitiaki Rūnanga members:

Unrestricted access to collect pounamu within DOC administered land and in all other land providing access with the landowner has been arranged.

b. Ngāi Tahu Whānui (non-Kaitiaki Rūnanga):

Required to contact and notify Te Rūnanga o Makaawhio before collecting commences.

c. Ngā Maata Waka and Tauwi:

Required to contact and get authorisation from Te Rūnanga o Makaawhio.

**Kaupapa 22 – Customary and Cultural Collection Policy for
Ngā Rūnanga o Murihiku Takiwā (Pg 93)**

Within the areas shown in red on Map 1 customary and cultural collection is permitted with the following conditions:

- a. (i) Kaitiaki Rūnanga members; and
- (ii) Ngāi Tahu Whānui (non-Kaitiaki Rūnanga):

All collection must be authorised in consultation with Ngā Rūnanga o Murihiku via contacting any Murihiku Rūnanga Office. Kaitiaki Rūnanga may wish to accompany these members.

- b. Ngā Maata Waka and Tauwi:

There may be times when consideration can be afforded to the above. All applications will be considered on their own merit and any authorisation approved as above by contacting any Murihiku Rūnanga Office. It is expected that Kaitiaki Rūnanga will always accompany any such visit.

**Kaupapa 23 – Customary and Cultural Collection Policy for
Ngā Rūnanga o Otago Takiwā (Pg 93)**

Within the areas shown in yellow on Map 1 customary and cultural collection is only permitted for:

- a. (i) Kaitiaki Rūnanga members; and
- (ii) Ngāi Tahu Whānui (non-Kaitiaki Rūnanga):

All collection must be authorised in consultation with Ngā Rūnanga o Otago via contacting any Otago Rūnanga Office.

- b. Ngā Maata Waka and Tauwi:

No cultural collection.

Kaupapa 24 – *Rāhui* Policy (Pg 94)

From time to time rāhui or restrictions may be put on certain areas and practices preventing or limiting fossicking or collection.

Kaupapa 25 – Extraction Policy for Te Rūnaka o Kāti Waewae Takiwā (Pg 99)

Within the areas shown in green on Map 1 there will be no commercial extraction of pounamu undertaken until further research is carried out and annual sustainable tonnages are set.

Kaupapa 26 – Extraction Policy for Te Rūnanga o Makaawhio Takiwā (Pg 99)

Within the areas shown in blue on Map 1 the extraction of pounamu will be undertaken at a level, up to, but not over 10 tonnes per annum.

Kaupapa 27 – Extraction Policy for Ngā Rūnanga o Murihiku Takiwā (Pg 100)

Within the areas shown in red on Map 1 there will be no commercial extraction of pounamu undertaken until further research is carried out and annual sustainable tonnages are set.

An extraction of tangiwai/takiwai pebbles will be made for supply to the Ngāi Tahu Tribal Pātaka Pounamu.

Kaupapa 28 – Extraction Policy for Ngā Rūnanga o Otago Takiwā (Pg 100)

Within the areas shown in yellow on Map 1 there will be no commercial extraction of pounamu undertaken until further research is carried out and annual sustainable tonnages are set.

Kaupapa 29 – Indirect Extraction Policy (Pg 101)

All pounamu discovered, other than through authorised collection, regardless of size is the property of Te Rūnanga o Ngāi Tahu and cannot be removed without consultation with Te Rūnanga o Ngāi Tahu and authorisation from the appropriate Kaitiaki Rūnanga.

Kaupapa 30 – Supply Policy (Pg 105)

The supply of pounamu to the commercial industry, for cultural use and to the Tribal Pātaka Pounamu will be undertaken in a sustainable way by the Kaitiaki Rūnanga.

Appendix B – Pounamu Management Contacts

Te Rūnanga o Ngāi Tahu

Level 7, Te Waipounamu House
158 Hereford Street
PO Box 13-046
Ōtautahi/Christchurch

Phone: (03) 366 4344

Fax: (03) 365 4424

Web: www.ngaitahu.iwi.nz

Pounamu Management Officer

Kaiwhakarite Tiaki Pounamu
Te Rūnanga o Ngāi Tahu
PO Box 90
Hokitika

Phone: (03) 755 8282

Fax: (03) 755 8282

Email: pounamu@ngaitahu.iwi.nz

Rūnanga Kaitiaki Pounamu

Te Rūnaka o Kāti Waewae

First Floor
49 Tancred Street
PO Box 37
Hokitika

Phone: (03) 755 8088

Fax: (03) 755 8088

Email: admin@ngatiwaewae.org.nz

Te Rūnanga o Makaawhio

1st floor, ASB Building
99 Revell Street
PO Box 225
Hokitika

Phone: (03) 755 7885
Fax: (03) 755 6885
Email: makawhio1@xtra.co.nz

Combined Murihiku Rūnanga:

Te Rūnanga o Ōraka Aparima

115 Palmerston Street
Riverton

Phone: (03) 234 8192
Fax: (03) 234 8192
Email: orakaaparima@xtra.co.nz

Te Rūnanga o Awarua

Corner Henderson & Bradshaw Street
PO Box 19
Bluff

Phone: (03) 212 8652
Fax: (03) 212 8653
Email: awarua@xtra.co.nz

Waihōpai Rūnaka

408 Tramway Road
PO Box 7017
Southcity
Invercargill

Phone: (03) 216 9916
Fax: (03) 216 9917
Email: carol@waihopai.org.nz

Hokonui Rūnaka

26 Mersey St
PO Box 114
Gore

Phone: (03) 208 7954
Fax: (03) 208 7964
Email: hokonui@xtra.co.nz

•

Combined Otago Rūnanga:

Te Rūnanga o Moeraki

Old School Building
Cnr Tenby & Haverford Street
Moeraki

Phone: (03) 439 4816
Fax: (03) 439 4400
Email: moeraki.runanga@xtra.co.nz

Kāti Huirapa ki Puketeraki

McLauchlan Road
Puketeraki
C/ Post Office
Karitane 9064

Phone: (03) 465 7300
Fax: (03) 465 7318
Email: puketeraki@xtra.co.nz

Te Rūnanga o Ōtākou

RD 2 Otakou
Dunedin

Phone: (03) 478 0352
Fax: (03) 478 0354
Email: otakou@xtra.co.nz

Te Papa Atawhai – Department of Conservation

For conservation emergencies only:

Phone: 0800 DOCHOTline (0800 36 24 68)

For general information:

Web: www.doc.govt.nz

West Coast Conservancy

West Coast/*Tai Poutini* Conservancy Office

Sewell St

Private Bag 701

HOKITIKA

Phone: (03) 755 8301

Fax: (03) 755 8425

Buller Area Office

Russell St

PO Box 357

WESTPORT

Phone: (03) 788 8008

Fax: (03) 788 8009

Greymouth Area Office

23 High Street

PO Box 370

GREYMOUTH

Phone: (03) 768 0427

Fax: (03) 768 7417

Hokitika Area Office

Sewell St

Private Bag 701

HOKITIKA

Phone: (03) 755 8301

Fax: (03) 755 8425

South Westland Area Office

Main Rd

PO Box 9
FOX GLACIER
Phone: (03) 751 0807
Fax: (03) 751 0858

Southland Conservancy

Southland Conservancy Office

Murihiku Area Office and Southern Islands Area
Office,
State Insurance Building, 7th Floor, Don St
PO Box 743
INVERCARGILL
Phone: (03) 214 4589
Fax: (03) 214 4486

Te Anau Area Office

Lakefront Drive
PO Box 29
TE ANAU
Phone: (03) 249 7921
Fax: (03) 249 7613

Otago Conservancy

Otago Conservancy Office

PO Box 5244
77 Stuart Street
DUNEDIN
Phone: (03) 477 0677
Fax: (03) 477 8626

Wakatipu Area Office

PO Box 811
37 Shotover Street
QUEENSTOWN
Phone: (03) 442 7933
Fax: (03) 442 7932

Wanaka Area Office

PO Box 93
Ardmore Street
WANAKA
Phone: (03) 443 7660
Fax: (03) 443 8777

Kāwanatanga-ā-rohe – Local Government Authorities

Te Tai o Poutini – *West Coast*

West Coast Regional Council

153 Tainui Street
PO Box 66
GREYMOUTH
Phone: (03) 768 0466
Freephone: 0508 800 118
Fax: (03) 768 1033
Email: info@wcrc.govt.nz
Web: www.wcrc.govt.nz

Buller District Council

PO Box 21
WESTPORT
Phone: (03) 789 7239
Fax: (03) 789 7233
Email: info@bdc.govt.nz

Grey District Council

105 Tainui Street
PO Box 382
GREYMOUTH
Phone: (03) 768 1700
Fax: (03) 768 1703
Email: info@greydc.govt.nz
Web: www.greydc.govt.nz

Westland District Council

Private Bag 704
HOKITIKA
Phone: (03) 755 8321

Fax: (03) 755 8026

Email: council@westlanddc.govt.nz

Web: www.westlanddc.govt.nz

Murihiku – Southland

Te Taiao Tonga - Environment Southland

Corner of North Road and Price Street

Private Bag 90116

INVERCARGILL

Phone: (03) 215 6197 Emergency: (03) 215 6194

Freephone: 0800 SOUTHLAND (0800 76 88 45)

Fax: (03) 215 8081

Email: service@envirosouth.govt.nz

Web: www.envirosouth.govt.nz

Southland District Council

15 Forth Street

PO Box 903

INVERCARGILL

Phone: (03) 218 7259

Fax: (03) 218 9460

Email: sdcc@southlanddc.govt.nz

Web: www.southlanddc.govt.nz

Arai te Uru – Otago

Otago Regional Council

70 Stafford Street

Private Bag 1954

DUNEDIN

Phone: (03) 474 0827

Freephone: 0508 474 082

Fax: (03) 479 0015

Email: info@orc.govt.nz

Web: www.orc.govt.nz

Queenstown Lakes District Council

Civic Centre, 10 Gorge Rd
Private Bag 50072
Queenstown
Phone: (03) 442 7333
Fax: (03) 442 7334
Email: services@qldc.govt.nz
Web: www.qldc.govt.nz

Manatū Ōhanga – Crown Minerals

Level 6, 33 Bowen St,
PO Box 1473
Wellington
Phone: (04) 472 0030
Fax: (04) 499 0968
Email: crown.minerals@med.govt.nz
Web: www.med.govt.nz/crown_minerals

Te Mana Ārai o Aotearoa – New Zealand Customs Service

General enquiries:
Freephone: 0800 428 786
E mail: feedback@customs.govt.nz
Web: www.customs.govt.nz

Head Office
The Customhouse
17-21 Whitmore Street
Box 2218
Wellington
Phone: (04) 473 6099
Fax: (04) 473 7370

Ngā Pirihimana o Aotearoa – New Zealand Police

For an emergency **dial 111** and you will be put through to the Police Communication centre.

For a concern about a non-urgent crime or traffic matter your first call should be to police in your local area.

Tasman Region

Greymouth

45-47 Guinness Street
PO Box 368
GREYMOUTH
Phone: (03) 768 1600
Fax: (03) 768 1609

Hokitika

50 Sewell Street
PO Box 17
HOKITIKA
Phone: (03) 755 8088
Fax: (03) 756 8311

Haast

2 Pauareka Road
PO Box 13
HAAST
Phone: (03) 750 0850
Fax: (03) 750 0050

Southern Region

Queenstown

11 Camp Street
PO Box 45
QUEENSTOWN
Phone: (03) 441 1600
Fax: (03) 441 1601

Te Anau

198 Milford Road
PO Box 41
TE ANAU
Phone: (03) 249 7600
Fax: (03) 249 8233
Phone: Mobile (025) 351 565

Wanaka

28 Helwick Street
PO Box 18
WANAKA
Phone: (03) 443 7272
Fax: (03) 443 8956

Toitū Te Whenua – Land Information New Zealand

Head Office

Lambton House
160 Lambton Quay
P O Box 5501
WELLINGTON
Phone: (04) 460 0110
Fax: (04) 472 2244
Email: info@linz.govt.nz
Web: www.linz.govt.nz

Christchurch Processing Centre

Torrens House
195 Hereford Street
Private Bag 4721
CHRISTCHURCH
Phone: (03) 379 9793
Fax: (03) 366 6422
Email: christchurch@linz.govt.nz

Dunedin Processing Centre

John Wickliffe House
Princes Street
Private Bag 1929
DUNEDIN
Phone: (03) 477 0650
Fax: (03) 477 3547
Email: dunedin@linz.govt.nz

Institute of Geological and Nuclear Sciences

Dunedin Research Centre

764 Cumberland Street
Private Bag 1930
DUNEDIN
Phone: (03) 477 4050
Fax: (03) 477 5232

Regional Museums

Southland Museum & Art Gallery

Queens Park
PO Box 1012
Invercargill
Phone: (03) 218 9753
Freephone: 0800 687 386
Fax: (03) 218 3872
Email: office@southlandmuseum.co.nz

Otago Museum

419 Great King Street, Dunedin
PO Box 6202
Dunedin
Phone: (03) 474 7474
Fax: (03) 477 5993
Email: mail@otagomuseum.govt.nz
Web: www.otagomuseum.govt.nz

Canterbury Museum

Rolleston Avenue

Christchurch

Phone: (03) 366 5000

Fax: (03) 366 5622

Email: info@cantmus.govt.nz

Te Papa Tongarewa

PO Box 467

WELLINGTON

Phone: (04) 381 7000

Fax: (04) 381 7070

E-mail: mail@tepapa.govt.nz

Web: www.tepapa.govt.nz

Appendix C – Glossary of Terms Used

TERM	MEANING
Ahi kā	Occupation rights or the term given to those holding those rights over, and living on, the land.
Atua	Deity, god, revered being.
Bowenite	A mineral, type of pounamu known as Tangiwai/Takiwai.
Crown	Her Majesty the Queen in right of New Zealand or her representatives.
Crown agencies	Agent of the Crown as defined in Section 2 (1) of the Public Finance Act 1989.
Crown land	All land held in allodium by, or the fee simple title to which is vested in, the Crown whether by virtue of Crown prerogative, operation of law, any enactment, or any deed or instrument.
Crown-owned Mineral/ Crown Mineral	Minerals owned and administered by the Crown under the Crown Minerals Act 1991.
Crown Mineral Licence/ Mining Licence	A licence granted under the repealed Mining Act 1971 to mine a Crown-owned mineral.
Crown Mineral Permit/ Mineral Permit	A permit granted under the Crown Minerals Act 1991 to prospect, explore and/or mine a Crown Mineral.
CMA	Crown Minerals Act 1991
DOC	Department of Conservation
Fossick/Fossicking	Rummage, search.
Hapū	Sub-tribe, clan.
Heitiki	A figure shaped pendant worn around the neck.
Hīkoi	Walk, journey.
Inanga/Inaka	A variety of pounamu, pearly white or grey-green in colour; Whitebait <i>Galaxias attenuatus</i> .
Iwi	Tribe, collective of hapū based upon common ancestry.
Iwi Management Plan	A planning document recognised by an iwi authority that must be taken into account by statutory authorities under sections 61, 66 and 74 of the Resource Management Act 1991.
Kāhui	Assemblage, cluster, herd, flock.
Kahurangi/Kahuraki	Prized, precious; A variety of pounamu, light green in colour.
Kai	Food, sustenance.
Kaitiaki/Kaitiakitanga	Guardian/Guardianship.

Kaitiaki Rūnanga	See Rūnanga Kaitiaki Pounamu.
Kaiwero	Person undertaking the customary challenge involved in Pōwhiri.
Kaiwhakahaere	Chairperson, organiser.
Karakia	Prayer, incantation, invocation.
Kaupapa	Strategy, theme, policy, topic.
Kaupapa Taiao	Environmental Unit of Te Rūnanga o Ngāi Tahu.
Kawa	Protocol, procedure.
Kawakawa	A variety of pounamu, dark to rich green or green with black spots and speckles; Native shrub, <i>Macropiper excelsum</i> .
Kōhatu	Stone, rock.
Kōkopu	A variety of pounamu, dark brown and olive green in colour; Native Trout, <i>Galaxias sp.</i>
Korowai	Cloak.
Kōrero	To speak, discuss, tell a story, recall an event; a story.
LINZ	Land Information New Zealand.
Mahere	Plan.
Mahinga kai	Customary food gathering area, species and/or practice; Cultivation.
Mana	Integrity, status, prestige, power.
Manaaki/Manaakitanga	Hospitality/the provision of hospitality.
Mana whenua	Integrity, status, prestige, power relating to, and over, the whenua (land).
Manuhiri	Visitors, guests.
Mātauranga	Knowledge.
Mauri	Life principle, special character.
Māwhera Incorporation	The Proprietors of Māwhera constituted as a Māori incorporation pursuant to and subject to Part 4 of the Maori Affairs Amendment Act 1967.
Mere pounamu	A short flat weapon made of pounamu for hand to hand fighting.
Mihi	Acknowledge, acknowledgement.
Nephrite/Semi-Nephrite	A mineral, type of pounamu.
Ngāi Tahu Development Corporation	The arm of Te Rūnanga o Ngāi Tahu charged with developing the social benefits for the tribe.
Ngāi Tahu Pounamu Management Group	The mandated group of Te Rūnanga o Ngāi Tahu charged with developing the Pounamu Resource

	Management Plan.
Ngāi Tahu Whānui	The extended tribe of Ngāi Tahu incorporating individuals of Waitaha, Kāti Mamoe, Ngāi Tahu and Rapuwai descent.
Ngā Maata Waka	A collective term referring to all Māori tribes.
Ngā Rawa Taiao	The Natural Resources Unit of Te Rūnanga o Ngāi Tahu.
Ngā Taonga Tuku Iho	Treasures handed down (from ngā tūpuna, the ancestors).
Pakiwaitara	Story, myth, legend.
Papatipu Rūnanga	Marae-based councils.
Pounamu	The collective name for New Zealand nephrite, semi-nephrite, bowenite and serpentine; New Zealand jade or greenstone; Precious, valuable. See the definition outlined in Section 3.3.
Pounamu Working Party	The mandated committee of Te Rūnanga o Ngāi Tahu charged with undertaking consultation and reporting on the values of pounamu between 1998 and 2001.
Pūrākau	Tradition, story; often relating to creation and/or discovery.
Rāhui	Restriction, prohibition, ban.
Rangatira	Chief, leader.
Rangatiratanga	Sovereignty, authority, leadership.
Rūnanga Kaitiaki Pounamu	The Papatipu Rūnanga of Te Rūnanga o Ngāi Tahu recognised as the kaitiaki of the pounamu deposits within their takiwā. See list outlined in Section 4.3.1.
Serpentine	A mineral, type of pounamu.
Takiwā	Tribal district, area.
Tangata/Tāngata	Person/People.
Tangiwai/Takiwai	A variety of pounamu, transparent olive green to bluish green in colour; Bowenite.
Taonga	Treasure, article of value.
Tauīwi	Non-Māori.
Te Ika ā Maui	The fish of Maui, the North Island.
Te Kerēme/Wai 27	The Ngāi Tahu Treaty of Waitangi Claim.
Te Parinui o Whiti	White Bluffs, northern boundary of the Ngāi Tahu tribal area on the east coast of the South Island.
Te Rae o Kahurangi	Kahurangi Point, northern boundary of the Ngāi Tahu tribal area on the west coast of the South Island.

Te Rūnanga o Ngāi Tahu	The Ngāi Tahu Tribal Council and Iwi Authority
Te Tiriti o Waitangi	The Treaty of Waitangi; the agreement between the Crown and Māori which gives legitimacy to the constitutional arrangements by which New Zealand is governed.
Te Waipounamu	The Place of Pounamu, the Greenstone Isle, the South Island.
Tiakina	Look after, protect.
Tikanga	Meaning, custom, obligations and conditions.
Tino (taonga)	Very high value given to something (most valuable treasure).
Tino Rangatiratanga	Self-determination.
Tipua	Revered being often associated with creation and discovery traditions.
Toki pounamu	Adze or specialised blade made of pounamu.
Tupuna/Tūpuna	Ancestor, grandparent; Ancestors, grandparents.
Uri	Descendants, offspring.
Wāhi pounamu	Pounamu Area, place where pounamu is found/located.
Wāhi taonga/tapu	Special sites of tribal significance.
Waiata	Song, sing.
Wairua	Spirit, spiritual essence.
Waitangi Tribunal	A permanent commission of inquiry established by the Treaty of Waitangi Act 1975 to make recommendations on claims brought by Māori relating to the practical application of the Treaty and to determine whether certain matters are inconsistent with the principles of the Treaty.
Whakakaitaringa	Ear pendant, traditionally made of pounamu.
Whakapapa	Genealogy, tribal ancestry.
Whakataukī	Proverb, saying.
Whakatuwheratia	To open, introduce.
Whānau	Family, immediate and extended.
Whanaungatanga	Relationship, kinship.
Whenua	Soil, land, country.

Appendix D–Ngai Tahu (Pounamu Vesting) Act 1997

Examined and certified:

No. 81



Clerk of the House of Representatives

In the name and on behalf of Her Majesty Queen Elizabeth
the Second I hereby assent to this Act this 11th day
of December 1997


Governor-General.

NGAI TAHU (POUNAMU VESTING)

ANALYSIS

Title Preamble 1. Short Title and commencement 2. Interpretation 3. Ownership by Ngai Tahu of certain minerals 4. Existing privileges for pounamu	5. Applications for mining privileges and permits for pounamu SCHEDULE Description of Land in Which Serpentine Included
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An Act to give effect to certain provisions of the Deed of 'On Account' Settlement, signed on 14 June 1996 by the Crown and Te Runanga o Ngai Tahu as representative of Ngai Tahu, by vesting, in Te Runanga o Ngai Tahu, pounamu in the Takiwa of Ngai Tahu Whanui and in those parts of the territorial sea of New Zealand that are adjacent to the Takiwa of Ngai Tahu Whanui

WHEREAS—

- A. Ngai Tahu has made claims against the Crown under the Treaty of Waitangi Act 1975, and those claims have been the subject of 2 reports of the Waitangi Tribunal, the 1991 Ngai Tahu Report and the 1995 Ancillary Claims Report:
- B. Since 1991 there have been a number of attempts by Ngai Tahu and the Crown to reach a negotiated settlement of Ngai Tahu's claims and to remove the sense of grievance felt by Ngai Tahu:
- C. The Crown and Ngai Tahu, wishing to recommence negotiations towards a comprehensive settlement of all claims made by or on behalf of Ngai Tahu or hapu, whanau or individuals within the Ngai Tahu Whanui against the Crown pursuant to the Treaty of Waitangi Act 1975, have agreed to negotiate in good faith to achieve a settlement of all Ngai Tahu's historical claims under the Treaty of Waitangi and Ngai Tahu has agreed to an

indefinite adjournment of certain litigation relating to the claims to allow those negotiations to take place:

- D. As a sign of good faith and as a demonstration of the Crown's goodwill, and in recognition of the long process of negotiation that has already taken place between the parties, the Crown has agreed to renew and modify an offer it made to Ngai Tahu in 1994 to provide certain redress to Ngai Tahu on an 'on account' basis, and Ngai Tahu has accepted that modified offer:
- E. Accordingly, on 14 June 1996, the Crown and Te Runanga o Ngai Tahu as representative of Ngai Tahu signed a Deed of 'On Account' Settlement, in which the Crown agreed that it would present for the consideration of Parliament legislation to provide for—
 - (a) The vesting in Te Runanga o Ngai Tahu of the Crown's rights to pounamu in the Takiwa of Ngai Tahu and the adjacent territorial sea; and
 - (b) The continuation of all current mining privileges relating to that pounamu until they expire; and
 - (c) The payment by the Crown to Te Runanga o Ngai Tahu of any royalties received by the Crown in respect of any such mining privileges; and
 - (d) A regime for access to land in which the pounamu is situated in the same manner as is provided for in the Crown Minerals Act 1991 for persons holding a permit in respect of a mineral under that Act:
- F. To give effect to a recommendation of the Waitangi Tribunal, Te Runanga o Ngai Tahu intends to execute a deed vesting in the Mawhera Incorporation all pounamu within the catchment area of the Arahura river:

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

1. Short Title and commencement—(1) This Act may be cited as the Ngai Tahu (Pounamu Vesting) Act 1997.

(2) This Act comes into force on the date that is 28 days after the date on which this Act receives the Royal assent.

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

“Existing privilege” has the meaning given to that term by section 106 of the Crown Minerals Act 1991:

“Minister” means the Minister of Energy:

“Pounamu” means—

- (a) Bowenite:

(b) Nephrite, including semi-nephrite:

(c) Serpentine occurring in its natural condition in the land described in the Schedule:

“Takiwa of Ngai Tahu Whanui” has the meaning given to that term by section 5 of Te Runanga o Ngai Tahu Act 1996:

“Te Runanga o Ngai Tahu” means the body corporate known as Te Runanga o Ngai Tahu established by section 6 of Te Runanga o Ngai Tahu Act 1996.

3. Ownership by Ngai Tahu of certain minerals—

Notwithstanding any other enactment, all pounamu occurring in its natural condition in—

(a) The Takiwa of Ngai Tahu Whanui; and

(b) Those parts of the territorial sea of New Zealand (as defined by section 3 of the Territorial Sea, Contiguous Zone, and Exclusive Economic Zone Act 1977) that are adjacent to the Takiwa of Ngai Tahu Whanui and the seabed and subsoil beneath those parts of the territorial sea—

that, immediately before the commencement of this Act, is the property of the Crown, ceases, on the commencement of this Act, to be the property of the Crown and vests in and becomes the property of Te Runanga o Ngai Tahu.

4. Existing privileges for pounamu—(1) Nothing in section 3 affects an existing privilege or the rights or obligations of any holder of an existing privilege and Part II of the Crown Minerals Act 1991 continues to apply in relation to that privilege as if this Act had not been passed.

(2) Notwithstanding anything in the Crown Minerals Act 1991, all royalties paid to the Crown after the commencement of this Act by the holder of any existing privilege in respect of pounamu must be paid by the Crown to Te Runanga o Ngai Tahu.

5. Applications for mining privileges and permits for pounamu—Notwithstanding anything in the Crown Minerals Act 1991, the Minister of Energy must not grant any—

(a) Permit pursuant to an application made under section 23 of that Act before the commencement of this Act; or

(b) Mining privilege pursuant to an application to which section 112 of that Act applies—

in respect of any pounamu to which section 3 applies.

Section 2

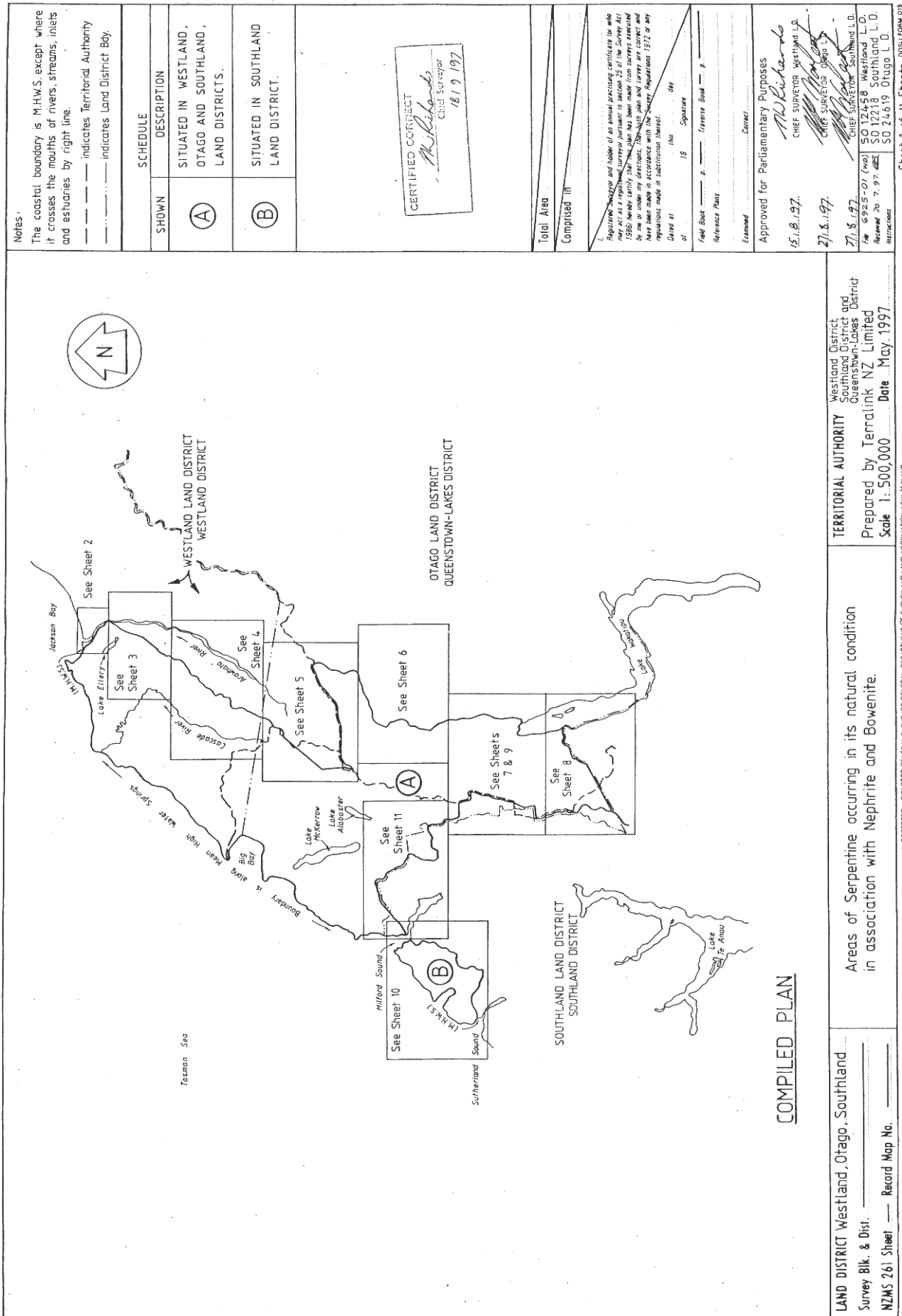
SCHEDULE**DESCRIPTION OF LAND IN WHICH SERPENTINE INCLUDED**

The areas marked "A" and "B" respectively on Survey Office Plan 12458 lodged in the office of the Chief Surveyor of the Westland Land District which plan is also lodged in the office of the Chief Surveyor of the Otago Land District as Survey Office Plan 24619 and in the office of the Chief Surveyor of the Southland Land District as Survey Office Plan 12218.

The area marked "C" on Survey Office Plan 12457 lodged in the office of the Chief Surveyor of the Westland Land District.

WELLINGTON, NEW ZEALAND: Published under the authority of the
New Zealand Government—1997

50529 —97/NS



Notes: All bearings shown have been protracted to the nearest degree and are in terms of True North. The Coastal boundary is M.H.W.S. except where it crosses the mouths of rivers, streams, inlets and estuaries by right line.		CERTIFIED CORRECT <i>M. Richards</i> Chief Surveyor 18.9.97								
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 30%;">SHOWN</th> <th style="width: 70%;">DESCRIPTION</th> </tr> <tr> <td style="text-align: center;">C</td> <td>SITUATED IN WESTLAND LAND DISTRICT.</td> </tr> </table>	SHOWN	DESCRIPTION	C	SITUATED IN WESTLAND LAND DISTRICT.	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Total Area</td> <td style="width: 70%;">Comprised in</td> </tr> <tr> <td> </td> <td> </td> </tr> </table>		Total Area	Comprised in		
SHOWN	DESCRIPTION									
C	SITUATED IN WESTLAND LAND DISTRICT.									
Total Area	Comprised in									
Registered Surveyors and holders of an annual practicing certificate in who may act as a registered surveyor pursuant to section 25 of the Survey Act 1986 hereby certify that this plan has been made from surveys conducted by me or under my direction. The said plan and survey are correct and I have not made any alterations or additions to the said plan or survey in any way inconsistent with the Survey Regulations 1972 or any regulations made in substitution therefor. Dated at _____ this _____ day _____ 19____ Field Book _____ Reference Plans _____ Examined _____ Correct _____ Approved for Parliamentary Purposes _____ 14.1.8.197 <i>M. Richards</i> Chief Surveyor Deposited this _____ day of _____ 19____										
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">The 6925-01 (NO) Instructions</td> <td style="width: 70%;">District Land Registrar</td> </tr> <tr> <td>Received 30.7.97. <i>GR</i></td> <td>SO 12457</td> </tr> </table>			The 6925-01 (NO) Instructions	District Land Registrar	Received 30.7.97. <i>GR</i>	SO 12457				
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Received 30.7.97. <i>GR</i>	SO 12457									

Appendix E – Export Prohibition Order 2002

Customs Export Prohibition Order 2002



Governor-General

Order in Council

At Wellington this *9th* day of *September* 2002

Present:

HER EXCELLENCY THE GOVERNOR GENERAL in Council

Pursuant to section 56 of the Customs and Excise Act 1996, Her Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, and being of the opinion that the prohibitions effected by this order are necessary in the public interest, makes the following order.

Contents

1	Title	
2	Commencement	Schedule 1
3	Expiry	Prohibited waste exports
4	Prohibited agriculture exports	Schedule 2
5	Prohibited pounamu exports	Prohibited weapons and dual-use
6	Prohibited fisheries exports	weapon-related exports
7	Prohibited waste exports	
8	Prohibited weapons and dual-use weapon-related exports	

Order

- Title**
This order is the Customs Export Prohibition Order 2002.

2 Commencement

This order comes into force on 1 October 2002.

3 Expiry

This order expires on the close of 30 September 2005.

5 Prohibited pounamu exports

- (1) The exportation of pounamu in its natural state, and partly or wholly processed pounamu, is prohibited, except with the consent of, and subject to such conditions (if any) not inconsistent with this prohibition as may be imposed by, the Minister of Customs.
- (2) The Minister may give his or her consent as provided in subclause (1) only on written advice—
 - (a) from Te Rūnanga o Ngāi Tahu; or
 - (b) if the pounamu is extracted from the catchment of the Arahura river, from the Māwhera Incorporation.
- (3) This prohibition does not apply to—
 - (a) articles made from pounamu (for example, jewellery, pendants, or sculptures, containing pounamu);
 - (b) consignments that are being exported by a single exporter and in which the total weight of pounamu does not exceed 5 kilograms.
- (4) In this prohibition,—

Māwhera Incorporation has the meaning given to that term by section 8 of the Ngāi Tahu Claims Settlement Act 1998

pounamu has the meaning given to that term by section 2 of the Ngai Tahu (Pounamu Vesting) Act 1997

Te Rūnanga o Ngāi Tahu means Te Rūnanga o Ngāi Tahu as established by section 6 of Te Runanga o Ngai Tahu Act 1996.

Appendix F – Standard Pounamu Accidental Discovery Protocol

POUNAMU ACCIDENTAL DISCOVERY PROTOCOL

Between

[xyz] Rūnanga

&

[XYZ Applicant]

Date:

1. **POLICY:**

Te Rūnanga o Ngāi, Tahu as owner of pounamu, has a policy to recognise and deal appropriately with sites likely to contain pounamu by requiring roading and earth moving specialists, developers and builders to contact the appropriate Kaitiaki Rūnanga and advise them immediately of any pounamu unearthed as a result of a particular project or operation permitted under the Crown Minerals, Resource Management or Building Act processes. This is to protect this taonga. Mining activities are covered by individual access arrangements that miners have to enter into with Te Rūnanga o Ngāi Tahu as the private mineral owner of pounamu.

2. **PURPOSE:**

- a) To manage and protect the integrity of 'known' and 'unknown' pounamu sites.
- b) To maximise the opportunity to retrieve pounamu from disturbed sites.

2. PROCESS:

(a) (xyz) Rūnanga Responsibilities:

- i) To inform each council of the existence of pounamu sites within their territory in general terms.
- ii) In relation to specific resource consent applications, inform the council and applicant as to whether there are any concerns regarding pounamu.
- iii) To inform the applicant in accordance with tikanga Maori, if there are any matters of protocol which tāngata whenua wish to undertake in relation to the commencement of work, significant events or commissioning of the completed works.
- iv) To provide a list of contact persons and phone, fax and mobile numbers to the applicant
- v) To update the contact lists and numbers as required;
- vi) To adopt a policy of guaranteeing response to notification of a 'site find' within a 24 hour time frame;

(a) this will consist of contacting appropriate people and organisations depending on the nature of the 'find'.

(b) arranging a time for inspecting the site;

(c) co-ordination of the appropriate action to remove or otherwise of any pounamu

vi) Rūnanga Contact Persons and Contact Numbers:

Name	Address	Telephone	Facsimile

(b) [XYZ] Applicant's Responsibilities:

To implement internal management protocols to ensure staff involved in earthmoving operations are aware of the requirement to monitor operations, in a way that allows the identification of pounamu;

Implement a reporting procedure in the instance of a "find" of any pounamu

- (i) To notify a Rūnanga 'contact' person of the 'site find';
- (ii) To provide a work plan of the actual operational area to [xyz Rūnanga].

Signed:

For: [xyz] Rūnanga

For: [XYZ applicant]

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