

A pounamu boulder sitting exposed on Katake (Cascade Plateau).





Appendices

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Section Cover Photo courtesy of Terry Scott (Kāti Māhaki).

Appendix A

Papatipu Rūnaka and Rūnaka Kaitiaki

Eighteen papatipu rūnaka make up Te Rūnanga o Ngāi Tahu.

While the passing of the Ngāi Tahu (Pounamu Vesting) Act in 1997 made pounamu a private mineral resource owned by Te Rūnanga o Ngāi Tahu, kaitiakitaka (guardianship) has been passed over to rūnaka kaitiaki who have a traditional guardianship relationship to particular pounamu areas.

Rūnaka kaitiaki or, in the case of the Otago and Murihiku region, a cluster of rūnaka kaitiaki are responsible for the management, extraction and protection of pounamu in their takiwā.

The rūnaka kaitiaki are:

- Te Rūnanga o Makaawhio;
- Te Rūnanga o Kāti Waewae;
- combined Murihiku Rūnaka: Te Rūnanga o Ōraka Aparima, Te Rūnanga o Awarua, Waihopai Rūnaka and Hokonui Rūnaka; and
- combined Otago Rūnaka: Te Rūnanga o Moeraki, Kāti Huirapa ki Puketeraki and Te Rūnanga o Ōtākou.



Summary of Policies

1. POLICY – COMMITMENT TO SCIENTIFIC ASSESSMENT OF POUNAMU

Te Rūnanga o Makaawhio is committed to initiating and helping sustain a long-term programme of scientific research and enquiry into quantifying the quantity and quality of pounamu resources within its takiwā. Existing first-hand knowledge and experience from people will also be utilised. The knowledge gained from this holistic assessment of pounamu resources will help guide TROM in protecting and utilising pounamu on a scientific basis for the benefit of *“Mō tātou, ā, mō kā uri ā muri ake nei”*.

2. POLICY – PRINCIPLES OF SUSTAINABLE MANAGEMENT

Sustainable management of a pounamu resource which is for the most part finite and limited will, in the short term, require a multi-faceted approach. The key principles in the sustainable management of pounamu for this resource management plan are:

- a) Scientific Research – Develop and carry out a long-term scientific programme of research into the locations, quantity and quality of pounamu resources in wāhi pounamu. This will be carried out in conjunction with qualified and experienced scientists, for example in partnership with GNS Science.
- b) Monitoring – Monitor the in situ resource and the trade in pounamu to ensure compliance with this resource management plan.
- c) Control of Fossicking and customary collection – Ensure Kāti Māhaki members and the general public exercise their fossicking and customary collection rights in a lawful and sustainable manner.
- d) Control of Commercial and Customary Extraction – Allow for the extraction of an appropriate amount that will also allow for the needs of future generations.
- e) Control of Supply - Control supply through management of the Makaawhio-owned pounamu company, fossicking rules, rāhui, sales, stock control, advertising, and assessment of demand for pounamu.
- f) Positive Community Relations - Achieve positive community relations through education, brochures, publicity and presentations etc.
- g) Memorandum of Understandings – Develop Memorandums of Understanding with DOC, local and regional councils, New Zealand Police, TRONT and other rūnaka kaitiaki.
- h) Protection – Develop innovative solutions for the protection of pounamu; for example, create databases on chemical and isotope analysis for mapping of pounamu types and locations, satellite mapping, GPS locator beacons in valuable stone, appropriate applications of nanotechnology.
- i) Legal action – Makaawhio will take whatever legal action it deems necessary for the protection of pounamu in its takiwā.

3. POLICY – EXECUTIVE COMMITTEE OF TE RŪNANGA O MAKAAWHIO

The Executive Committee of Te Rūnanga o Makaawhio has the ultimate authority to decide upon all plans, policies, rules, control, management, use, extraction and protection of pounamu within its takiwā (see sections 1.2, 1.3 and 2.3).

4. POLICY – ROLE OF KŌMITI POUNAMU

Kōmiti Pounamu is a subcommittee of Te Rūnanga o Makaawhio. While Kōmiti Pounamu is mandated to deal with pounamu issues, it must do so in a way that is consistent with this plan and the intentions of the Executive Committee of TROM. It must report regularly to the Executive Committee.

In the first instance, Kōmiti Pounamu will deal with all issues around the implementation, reviews, amendments and ongoing functioning of this resource management plan. The Kōmiti can also authorise the taking of pounamu for customary purposes with the approval of the Executive Committee (see section 6.4). The Kōmiti will actively work with the Makaawhio Taoka Protection Officer.

5. POLICY – MAKAAWHIO TAOKA PROTECTION OFFICER

The Makaawhio Taoka Protection Officer will have the day-to-day responsibility of implementing this plan. They will report regularly to the Kōmiti Pounamu and will follow its guidance. When necessary they will also report to the Executive Committee. They will monitor and audit the operations of any Makaawhio pounamu company to ensure that it complies with its operating mandate from TROM and this resource management plan. They will also spearhead the general protection of pounamu in the natural environment through working with other relevant organisations, monitoring and ensuring compliance with this plan. They will consult with TRONT and in particular the Ngāi Tahu Taoka Development and Pounamu Protection Officer to ensure that there is an effective prioritisation of the work to be carried out.

Other key areas in which the Makaawhio Taoka Protection Officer will be expected to work are:

- a) promoting the protection of pounamu within the Makaawhio takiwā (see section 7.11);
- b) being proactive in maintaining a positive profile in local communities;
- c) maintaining and strengthening an ongoing relationship with DOC;
- d) maintaining and strengthening ongoing relationships with New Zealand Police, helicopter operators, New Zealand Customs and concession holders, in consultation with TRONT;
- e) helping to develop a Memorandum of Understanding with TRONT, DOC, local government, other rūnaka kaitiaki and New Zealand Police to protect pounamu from theft and conversion;
- f) being involved with organising routine flyovers of pounamu areas to check on activity in wāhi pounamu;
- g) being involved in regular inspections of roadways and tracks in pounamu areas within the takiwā;
- h) supporting Kāti Māhaki whānau to be actively involved in protection measures;
- i) working with key people in the local community to stop the illegal extraction of South Westland pounamu; and
- j) helping to develop innovative solutions for the protection of pounamu.

6. POLICY - RĀHUI

From time to time Makaawhio may put in place a rāhui on certain areas and/or practices preventing or limiting fossicking, customary collection and/or commercial and/or extraction of pounamu.

7. POLICY – POUNAMU HERITAGE PROTECTION AREAS

Te Rūnanga o Makaawhio, in consultation with Kāti Māhaki members, Ngāi Tahu, pounamu experts and scientists, will identify occurrences of pounamu within its takiwā to be assessed for potential preservation. This assessment will look at pounamu areas that might have national or international geological and cultural importance; for example, areas and types of pounamu that are of interest are:

- in situ sites geologically important to the understanding of the formation of nephrite;
- historically important areas to Kāti Māhaki; or
- exceptionally beautiful or large examples of pounamu.

8. POLICY – PROMOTION OF POUNAMU SKILLS

Te Rūnanga o Makaawhio will ensure that resources are found for the holding of wānaka pounamu where Kāti Māhaki members, in the first instance, can learn about the history, geology, identification, carving and artistic expression in the use of pounamu. This will be done in a way that teaches respect for the sustainability of the resource and the passing on and development of traditional and contemporary skills in working with pounamu.

9. POLICY – KAITIAKITAKA RIGHTS TO POUNAMU

All rights to control, manage and extract pounamu within the Makaawhio takiwā rests exclusively in Te Rūnanga o Makaawhio (see sections 1.2, 1.3 and 1.4).

10. POLICY – KĀTI MĀHAKI AREAS FOR COLLECTING POUNAMU

Direct descendants of Kāti Māhaki and their immediate whānau can collect pounamu within the Makaawhio takiwā in these locations (see section 1.4):

- a) On beaches below the mean high water spring tide mark to the sea water's edge; and
- b) In and along rivers, estuaries and lagoons (but not within 10 metres of whitebait stands in the season); and
- c) Within the public conservation land as per the Tribal Access Arrangement outlined in Appendix N; and
- d) To all other land, providing access with the landowner has been arranged prior to collecting pounamu.

The conditions for direct descendants of Kāti Māhaki and their immediate whānau in customary collection are:

- a) Customary collection 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.
- b) The immediate whānau of Kāti Māhaki can only collect pounamu in the areas specified in policy 11 when they are physically accompanied by their partner or parent who is a direct descendant of Kāti Māhaki (see section 5.2.1).
- c) The pounamu must not be cut, hacked or in any other way broken off or removed from larger pounamu stones in situ in the environment.
- d) The use of diamond saws and other mechanical means of extracting and cutting pounamu is strictly prohibited, for example hand tools, motorised tools, winches and cranes attached to vehicles/boats etc.
- e) The use of helicopters in customary collection for pounamu is strictly prohibited.
- f) Customary collection must not disturb the environment in more than a minor way to ensure that conservation values are protected at all times.
- g) Any policies and rules associated with rāhui or Pounamu Heritage Protection Areas as designated by Makaawhio must be complied with (see sections 4.4 and 4.5). It is the individual's responsibility to inform themselves of rāhui or Pounamu Heritage Protection Areas.
- h) A member of Kāti Māhaki can apply to TROM in writing for permission for a temporary variation or waiver of the above rules.

11. POLICY – KĀTI MĀHAKI MEMBERS' IMMEDIATE WHĀNAU

The immediate whānau of Kāti Māhaki members who are not members of Kāti Māhaki by descent are, for the purposes of this plan, defined as the partner of the member, whether by marriage, civil union or de facto, and all their collective children, whether by descent, adoption or whāngai.

This policy and section 5.2 no longer apply to the non-Kāti Māhaki person once the couple have separated or divorced or the Kāti Māhaki partner of the non-member dies.

12. POLICY – CUSTOMARY RIGHTS NON-TRANSFERABLE

Under no circumstance or in any way can a member of Kāti Māhaki or any of their immediate whānau transfer their customary rights to another person.

13. POLICY - PUBLIC BEACH FOSSICKING

The fossicking for pounamu by the general public is allowed on West Coast beaches below the mean high water spring tide mark to the sea water's edge. The beach area in the Makaawhio takiwā this covers is from the south bank of the Hokitika River to Okare/Hollyford River. This is in line with the Ngāi Tahu Pounamu Resource Management Plan 2002.

Fossicking for pounamu by the general public is not allowed in or along rivers, estuaries, lagoons or any other part of the Makaawhio takiwā (refer to Map 1).

The following rules must be strictly observed when fossicking for pounamu under this policy:

- a) Fossicking on beaches 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.
- b) The pounamu must not be cut, hacked or in any other way broken off or removed from larger pounamu stones in situ in the environment.
- c) The use of diamond saws and other mechanical means of extracting and cutting pounamu on beaches is strictly prohibited, for example hand tools, motorised tools, winches and cranes attached to vehicles/boats etc.
- d) The use of helicopters in fossicking for pounamu is strictly prohibited.
- e) Any policies and rules associated with rāhui or Pounamu Heritage Protection Areas as designated by Te Rūnanga o Makaawhio must be complied with (see sections 4.4 and 4.5). It is the individual's responsibility to inform themselves of rāhui or Pounamu Heritage Protection Areas.

14. POLICY – FOSSICKING BY NGĀI TAHU WHĀNUI

Ngāi Tahu Whānui are welcome to exercise the right to fossick as outlined in section 5.3 on the beaches of the West Coast. However, if a Ngāi Tahu Whānui member wants to collect pounamu in any other area of the takiwā of Te Rūnanga o Makaawhio (see section 1.2) then they will need to get written permission from Makaawhio. TROM reserves the right to accompany any Ngāi Tahu Whānui granted a permit to collect pounamu under this policy.

15. POLICY – FOSSICKING BY NGĀ MATĀ WAKA

Ngā Matā Waka (non-Ngāi Tahu Māori) are welcome to exercise the right to fossick on the beaches of Te Tai o Poutini (the West Coast) as outlined in the Ngāi Tahu Pounamu Resource Management Plan 2002. However, there is no collection right granted for Ngā Matā Waka outside of the West Coast beaches.

16. POLICY – SHINGLE AND SAND EXTRACTION IN WĀHI POUNAMU

Shingle and sand should not be removed from any wāhi pounamu which Makaawhio has an interest in (see sections 1.2 and 1.4) without prior permission being given by Te Rūnanga o Makaawhio. A commercial charge may apply depending on the likely amount of pounamu that could be caught up in any extraction of shingle and sand.

17. POLICY – OVERALL EXTRACTION QUANTITY

Makaawhio will set the amount of pounamu that will be made available to extract for commercial and customary purposes and the areas it may be taken from. The amount made available will be based on the need to protect the resource for future generations (see section 4).

18. POLICY – POUNAMU RIGHTS STAY WITH MAKAAWHIO

Te Rūnanga o Makaawhio asserts its kaitiakitaka rights to manage, control, protect and use all pounamu that is extracted, stored, processed, distributed and sold on its behalf by any company owned by the Rūnanga or its charitable company Kāti Māhaki Ki Makaawhio Ltd.

19. POLICY – ENVIRONMENTAL SUSTAINABILITY

In carrying out any extraction of pounamu, the company will ensure environmental sustainability by implementing the following strategies:

- a) Only extracting the quantity of pounamu it is mandated to do so by Te Rūnanga o Makaawhio.
- b) Only removing pounamu from areas from which it is specifically mandated to do so by Makaawhio.
- c) Protecting the environment by avoiding, remedying and mitigating any environmental effects from the extraction of pounamu.
- d) Protecting conservation values specific to the Department of Conservation policies and plans.
- e) Complying with all relevant environmental protection laws, for example the Resource Management Act, the

Conservation Act and local government plans.

20. POLICY – SUPPLY OF CUSTOMARY POUNAMU

The pounamu company owned by Te Rūnanga o Makaawhio or its charitable company Kāti Māhaki Ki Makaawhio Ltd will provide at no cost pounamu to Makaawhio when requested to do so. TROM will also supply pounamu for customary purposes to Te Rūnanga o Ngāi Tahu.

21. POLICY – MAKAAWHIO TRADEMARK

Te Rūnanga o Makaawhio will develop its own trademark to distinguish pounamu sourced from its takiwā and will work with Te Rūnanga o Ngāi Tahu and other rūnaka kaitiaki to ensure consistency in the use of trademark/s on pounamu.

22. POLICY – CERTIFICATION FOR TRADEMARK IMPLEMENTATION

The Makaawhio pounamu company will use the Makaawhio Pounamu trademark. All commercial carvers and retailers of pounamu who want to buy pounamu from the company will have to register and agree to have their pounamu stocks certified as being from legitimate sources. This trademark certification system will help to track all the pounamu the company sells and the people it sells it to.

23. POLICY – MINING ACCESS ARRANGEMENTS ON PRIVATE LAND

All Crown mineral permit holders who prospect, mine or explore on private land where pounamu is known to occur within the Makaawhio takiwā will also require a mineral access arrangement with TROM (see section 2.3).

24. POLICY – MINING ACCESS ARRANGEMENTS ON CROWN LAND

Crown Minerals and TRONT need to consult with Te Rūnanga o Makaawhio about all Crown mineral permit holders who prospect, mine or explore on Crown land where pounamu is known to occur within the Makaawhio takiwā. Crown Minerals needs to recognise the rights of TROM as kaitiaki over pounamu as outlined in this resource management plan and consult with it on any activities that might impinge on these rights (see Appendix G).

25. POLICY – MINING BY-PRODUCT AND ACCIDENTAL DISCOVERY

Any pounamu that may be discovered as a by-product or accident of mining and other activities within the Makaawhio takiwā, regardless of size, should not be removed without Makaawhio authorisation. Anyone who finds pounamu as a by-product of mining or by accident should contact the Makaawhio office, which will then pass on any relevant information, if necessary, to TRONT and/or other relevant rūnaka kaitiaki. It may also contact the landowner, DOC or the New Zealand Historic Places Trust if necessary.

26. POLICY – GENERAL ACCIDENTAL DISCOVERY

Upon accidentally discovering any pounamu within the Makaawhio takiwā the finder should contact Te Rūnanga o Makaawhio as soon as possible (see Appendix E). TROM will inform Te Rūnanga o Ngāi Tahu and/or other relevant rūnaka kaitiaki if necessary.

27. POLICY - ARTEFACTS FOUND ON PUBLIC CONSERVATION LAND

Any artefact made of pounamu discovered or found within the takiwā of Makaawhio on lands administered by DOC should be left untouched and the local Department of Conservation and New Zealand Historic Places Trust offices should be notified immediately (see Appendix F for local offices). DOC and NZHPT will then need to notify Makaawhio and the Ministry for Culture and Heritage.

28. POLICY - ARTEFACTS ON ALL OTHER LAND

Any artefact made of pounamu discovered or found within the Makaawhio takiwā on all other land (for example, private property or other Crown land not administered by DOC) should be left untouched and notified immediately to the local regional museum and NZHPT. NZHPT and/or the local regional museum will in turn need to notify Te Rūnanga o Makaawhio and the Ministry for Culture and Heritage.

29. POLICY - DEPARTMENT OF CONSERVATION PLANS

Makaawhio will work with DOC to ensure all its kaitiaki rights in pounamu are appropriately recognised in the relevant DOC strategies, plans and policies as outlined in this plan and the Ngāi Tahu plan. The main policy areas in which TROM

requires its rights as kaitiaki to be recognised in DOC plans are:

- a) the formal recognition of the role of Makaawhio as a rūnaka kaitiaki which has the rights to control, extract, manage, use and protect pounamu within its takiwā as outlined in this plan;
- b) through the recognition of the right to access pounamu on public conservation land in its takiwā as part of the Tribal Access Agreement (see Appendix N);
- c) the need for references to the geological existence of pounamu in Department of Conservation plans where appropriate;
- d) the need for historical references to be included where they do not currently exist in consultation with Makaawhio; and
- e) references to the Ngāi Tahu (Pounamu Vesting) Act 1997 and Te Rūnanga o Makaawhio as kaitiaki and its Pounamu Resource Management Plan in all appropriate sections such as those relating to mining, customary/cultural use, research, commercial activity/concessions and in special area sections.

30. POLICY - WILDERNESS AREAS

Te Rūnanga o Makaawhio will continue to oppose any new proposals for Wilderness Areas that occur within its wāhi pounamu or any other change in the status of conservation land or other Crown land in its takiwā that could limit its rights to access and benefit from its pounamu resources. TROM will work with DOC to address ways in which Makaawhio may still be able to access and remove pounamu from existing Wilderness Areas.

31. POLICY – PERMIT AND CONCESSION ACTIVITIES

TROM will work with DOC to ensure that all permit and concession activities undertaken within public conservation land with the potential to affect pounamu shall carry the amended Makaawhio Permit/Concession (Pounamu) Standard Condition (see Appendix H).

32. POLICY – DOC POUNAMU ACTIVITIES (NON-PERMIT/CONCESSION)

TROM will work with DOC to ensure that DOC staff and others undertaking non-permit and concession activities with the potential to affect pounamu on the public conservation land in South Westland are aware of the appropriate actions to take in relation to pounamu.

33. POLICY - DOC AND CONCESSIONAIRE POUNAMU INTERPRETATION

Makaawhio will work with DOC to ensure the consistent application and monitoring of the Makaawhio Pounamu Interpretation Standard Condition (see Appendix I).

34. POLICY – EXPORT PROHIBITION

All exportation of pounamu from New Zealand needs to be consistent with the Customs Export Prohibition Order 2008 and its amendments. Te Rūnanga o Makaawhio does not support the export, without its prior approval, of raw natural pounamu sourced from its takiwā.

35. POLICY - EXTERNAL RESEARCH

All research on pounamu within the Makaawhio takiwā can only be undertaken with the prior approval of Te Rūnanga o Makaawhio.

36. POLICY - LOCAL GOVERNMENT PLANNING

The relevant regional and district councils must take into account this pounamu resource management plan as a recognised iwi management plan under the RMA sections 61, 66 and 74 (see section 2.3 of this plan). All district and regional plans and policy statements will need to contain appropriate provisions in relation to the potential impact from land use activities and developments on pounamu.

37. POLICY – LOCAL GOVERNMENT AUTHORITY CONSENT POLICY

There is a well-established process for the referral of consent applications to TROM from local government authorities. Local government authorities need to continue to assist Makaawhio to protect its interests in pounamu, by informing TROM on a regular basis of the RMA consent applications that have the potential to affect its pounamu resource.

38. POLICY – LEGAL OPTIONS AGAINST STOLEN POUNAMU

Any taking of naturally occurring pounamu in the Te Rūnanga o Makaawhio takiwā that has not been authorised through a policy contained within this plan or directly by TROM is illegal (see sections 4, 5 and 6). Makaawhio will work with the New Zealand Police and Te Rūnanga o Ngāi Tahu to take appropriate legal action when there is evidence of criminal activity or the conversion of private property. Options include supporting a prosecution for theft under the Crimes Act and/or suing offenders for conversion through the civil court process.

39. POLICY – INFORMATION TO PROTECT POUNAMU

Te Rūnanga o Makaawhio will encourage people to come forward with information that can lead to the successful prosecution of people engaged in the illegal extraction, receiving and/or trading of pounamu.

40. POLICY - DISPUTE RESOLUTION (NGĀI TAHU)

Any dispute arising from this plan between Makaawhio and Ngāi Tahu shall in the first instance be discussed between appointed representatives of the two parties.

If agreement cannot be reached, mediation will need to take place through a mediator appointed by agreement between TROM and TRONT.

If an agreed position is not reached, then the Executive Committee of Te Rūnanga o Makaawhio will take any action it deems reasonable to positively resolve the disagreement.

41. POLICY - DISPUTE RESOLUTION (RŪNAKA KAITIAKI)

Any dispute arising from this Makaawhio Pounamu Resource Management Plan, between Te Rūnanga o Makaawhio and any one of the rūnaka kaitiaki (see Appendix A), shall in the first instance be discussed between appointed representatives of the two parties.

If agreement cannot be reached in this way, then mediation will need to take place through a mediator appointed by agreement between TROM and the rūnaka kaitiaki concerned.

If an agreed position is not reached, then the Executive Committee of Te Rūnanga o Makaawhio will take any action it deems reasonable to positively resolve the disagreement.

Appendix C

Membership of Te Rūnanga o Makaawhio

The criteria for membership of Te Rūnanga o Makaawhio as stated in section 5 of the Incorporated Society Constitution of Te Rūnanga o Makaawhio is for those people who can prove:

“direct descent from the Ngāti Māhaki tipuna – Te Koeti Turanga, Kinihe Te Kaoho, Kere Tutoko, Rawiri Mokohururu, Parata Tiraahiahi, Pori, Hunia, Te Kuini, Rora and Te Kou as listed by James Mackay in 1860 as the original owners of the Maitahi and Makaawhio reserves, and including descendants of the tipuna Tūtoko and Hinepare.”

A member of Kati Māhaki does not have to be a registered member of Te Rūnanga o Makaawhio in order to exercise their customary rights as outlined in section 5.3 of this plan. However, they do need to be able to prove that they are a descendant of one of the tipuna listed above.

For further details on the constitution go online to:

www.societies.govt.nz/scanned-images/92/BC10039773692.pdf

To find out more information or register as a member of Te Rūnanga o Makaawhio, contact the Te Rūnanga o Makaawhio office (see Appendix E for contact details) or go online to www.makaawhio.maori.nz

Appendix D

Pounamu Accidental Discovery Protocol

Between

Te Rūnanga o Makaawhio

and

[]

Date:

1. POLICY:

Te Rūnanga o Makaawhio, as manager of pounamu in South Westland, 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 Te Rūnanga o Makaawhio 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 taoka or treasure. Mining activities are covered by individual access arrangements that miners have to enter into with Te Rūnanga o Makaawhio.

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) Makaawhio Responsibilities:

- a) To inform each council of the existence of pounamu sites within their territory in general terms.
- b) In relation to specific resource consent applications, inform the council and applicant as to whether there are any concerns regarding pounamu.
- c) To inform the applicant in accordance with tikaka Māori, if there are any matters of protocol which tākata whenua wish to undertake in relation to the commencement of work, significant events or commissioning of the completed works.
- d) To provide a list of contact persons and phone, fax and mobile numbers to the applicant.
- e) To update the contact lists and numbers as required.
- f) To adopt a policy of guaranteeing response to notification of a “site find” within a 24-hour time frame. This will consist of:
 - contacting appropriate people and organisations depending on the nature of the “find”;
 - arranging a time for inspecting the site; and
 - coordination of the appropriate action to remove, or otherwise, any pounamu.
- g) Rūnanga contact persons and contact numbers:

NAME	ADDRESS	TELEPHONE	FACSIMILE

(b) 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, worked or unworked.

- a) To notify a properly designated Rūnanga "contact" person of the site find; and
- b) To provide a work plan of the actual operational area to Te Rūnanga o Makaawhio.

Signed: For: Te Rūnanga o Makaawhio

For: applicant

Appendix E

Pounamu Management Contact Details

TE RŪNANGA O MAKAAWHIO

1st Floor, ASB Bank Building

99 Revell Street

PO Box 225

Hokitika 7842

Tel: +64 3 755 7885

Fax: +64 3 755 6884

Email: makawhio1@xtra.co.nz

Website: www.makaawhio.maori.nz

TE RŪNANGA O NGĀI TAHU (INCLUDING TOITŪ TE WHENUA)

Te Rūnanga o Ngāi Tahu

Te Waipounamu House

158 Hereford Street

PO Box 13 046

Christchurch 8141

Tel: +64 3 366 4344

Fax: +64 3 365 4424

Email: info@ngaitahu.iwi.nz

Website: www.ngaitahu.iwi.nz

Appendix F

Contact Details for Regional Museums, Department of Conservation Offices and New Zealand Historic Places Trust Office

REGIONAL MUSEUMS

- Southland Museum and Art Gallery, Invercargill
- Otago Museum, Dunedin
- Canterbury Museum, Christchurch
- Museum of New Zealand Te Papa Tongarewa, Wellington

REGIONAL DEPARTMENT OF CONSERVATION OFFICES

- West Coast Tai Poutini Conservancy Office, Sewell St, Hokitika
- Franz Josef-Waiiau Area Office, Main Rd, Franz Josef
- South Westland-Weheka Area Office, Main Rd, Fox Glacier
- Haast Visitors Centre, Haast Junction, Haast
- Makarora Visitors Centre, Haast Pass Highway
- Wānaka Area Office, Wānaka
- Southland Conservancy Office, Invercargill

NEW ZEALAND HISTORIC PLACES TRUST (SOUTHERN REGIONAL OFFICE)

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Appendix G

Makaawhio 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 and the control and management of Te Rūnanga o Makaawhio in its takiwā (see section 1.2).

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 Makaawhio. 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 Makaawhio. Te Rūnanga o Ngāi Tahu will be notified where necessary.

Appendix H

Makaawhio Permit/Concession (Pounamu) Standard Condition

The permit/concession holder acknowledges that pounamu is under the ownership of Te Rūnanga o Ngāi Tahu and the control and management of Te Rūnanga o Makaawhio in its takiwā (see section 1.2). No pounamu may be removed or recovered by the permit/concession holder or their employees or clients.

Where any pounamu is found by the permit holder, the permit holder will need to immediately notify Te Rūnanga o Makaawhio. Te Rūnanga o Ngāi Tahu will be notified where necessary.

Appendix I

Makaawhio Pounamu Interpretation Standard Condition

The Concessionaire shall ensure that any interpretation provided to its clients on Kāi Tahu and Kāti Māhaki historical, spiritual or cultural association with pounamu or our wāhi pounamu is entirely consistent with the Makaawhio Pounamu Resource Management Plan and the Ngāi Tahu Pounamu Resource Management Plan. The Concessionaire shall notify Te Rūnanga o Makaawhio if they intend using any information sourced from the Makaawhio Plan.

Where the Concessionaire wishes to provide clients with information, not contained in these sources, which relates to Kāi Tahu and/or Kāti Māhaki historical, spiritual and cultural association with pounamu, then the concessionaire shall consult with Te Rūnanga o Makaawhio before using any other information, to ensure such information is both appropriate and accurate. Te Rūnanga o Ngāi Tahu will be kept informed where appropriate.

The Department of Conservation will provide the Concessionaire with the contact details of Te Rūnanga o Makaawhio and Te Rūnanga o Ngāi Tahu.

Appendix J

Export Approval Process

All persons wanting to export pounamu outside the conditions of the order should apply to New Zealand Customs, which has the final decision on the 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.

New Zealand Customs will notify Te Rūnanga o Ngāi Tahu with details of the application. TRONT will consider the application, in partnership with Te Rūnanga o Makaawhio, if the pounamu is deemed to be from within the Makaawhio takiwā.

Te Rūnanga o Ngāi Tahu will then provide New Zealand Customs with advice on the application. The Minister of Customs will make the final decision and action the application accordingly.

Scientific Factors in Pounamu Sustainability

New Zealand's landscape is young and vigorously evolving, and has been strongly influenced by the effects of global climatic fluctuations, local weather patterns, and tectonic activity. The South Island straddles an active collision zone between two of the earth's major crustal plates and is cut by the Alpine Fault. This collision uplifts the Southern Alps at between 1mm and 10 mm/year, and the height and shape of our mountains reflect the interplay between rock uplift and removal by erosion and gravitational collapse. Erosion rates can vary across the South Island with it being the highest on the West Coast side of the Southern Alps, for example up to 32,000t/km/yr. This high rainfall produces a regional yield of 62 million tonnes a year as sediment suspended in rivers. Despite a well-developed forest cover, rates of erosion in the western Southern Alps exceed those determined for most other parts of the world by an order of magnitude. Importantly, a portion of the rock material uplifted and eroded each year will be pounamu.

EROSION VARIABILITY

Erosion varies considerably in both time (for example, higher erosion after major earthquakes every 200-300 years, or major storms every 10 - 100 years) and space (for example, some areas are more prone to active landslides). The supply of pounamu that arises from short-term events such as storms and floods varies from catchment to catchment. The following comments were made to the Ngāi Tahu Pounamu Working Party about the New Zealand pounamu resource:

"River beds, beaches etc will always produce pounamu after the gravels are resorted by floods and wave action; they are in effect a renewable resource, but the incidence must, of course, eventually diminish. Also, one must remember that in many cases our pounamu is one crop and when picked it is gone forever."

(Beck, Pounamu Overview, Pounamu Project, Ngāi Tahu Development Corporation, January 1999).

Such a view is focused on the short-term turning and sorting of "transported" pounamu in river and beach gravel. It does consider that both pounamu in situ and transported deposits, like other rocks, are continually being exhumed from beneath the earth's surface – albeit at rates that can be very slow when compared with the lifespan of a human. What is unclear is just what sort of quantities are involved in these long-term and short-term fluctuations.

ASSESSING THE RESOURCE

The location, quantity, grade, geological characteristics and continuity of a mineral resource are known, estimated, or interpreted from specific geological evidence or knowledge. Mineral resource assessments normally aim to define the total volume/tonnage present, which is generally assumed to be finite on a mining timescale, applying drilling and geostatistical modelling. Specific codes have been developed that provide minimum standards, recommendations and guidelines for public reporting of mineral resources and mineral exploration.

Unfortunately, the standard reporting guidelines are not directly applicable where "economic extraction" is typically low-impact collection of surficial or near-surficial "resource", and this has short-term variability due to erosion and transport processes as is applicable to a lot of the South Westland pounamu resource. Drilling is the standard method for obtaining subsurface information for quantifying most other minerals, but no drilling information exists on subsurface pounamu. However, as Simon Cox of the Institute of Geological and Nuclear Sciences (GNS) has pointed out, while the principles of the Australasian Code for Reporting of Exploration Results, Mineral Resources and Ore Reserves may be followed, pounamu resource assessment will not be able to meet all of the organisation's requirements and recommendations³.

For example, as part of a Wakatipu pounamu resource assessment the pounamu resource was defined as surficial nephrite and semi-nephrite that can be visually detected and collected by ancestral hand methods or contemporary

³ JORC 2004. Australasian Code for Reporting of Exploration Results, Mineral Resources and Ore Reserves - The JORC Code 2004 Edition. Prepared by the Joint Ore Reserves Committee of the Australasian Institute of Mining and Metallurgy, Australian Institute of Geoscientists and Minerals Council of Australia (JORC). 20 p.

low-impact equipment⁴. It was seen as distinct from a potential pounamu resource that is covered or buried by vegetation, soil or rock, and may become a pounamu resource with time as a result of exposure by erosion or extraction involving earthmoving or mining equipment.

The terms “measured”, “indicated”, “inferred” and “speculative” were also applied in this study to qualify the confidence of pounamu resource (and potential pounamu resource) uncertainties. Importantly, the approach recognised that both “in situ” and “transported” pounamu resources available on the surface of the earth will, and do, change with time. Sustainable limits can theoretically be according to the natural rates of erosion, and these will be different from one region to another, particularly as the rainfall is much greater on the West Coast compared with the Wakatipu region on the East Coast side of the Southern Alps.

Sourced from a paper written by Dr Simon Cox of GNS Science.

⁴ Cox S. C., Popham T. B. 2006. Wakatipu Pounamu Resource Assessment, GNS Science Consultancy Report 2006/180 (Confidential report to Te Rūnanga o Ngāi Tahu, October 2006).

Appendix L

Template for the Notification of Rāhui Areas

Rāhui Site Name	Site Description	Landowner/ Administrator	Site Location	Legal Land Parcel

Appendix M

Pounamu on Public Conservation Land

On lands administered by the Department of Conservation, the fossicking of minerals by the general public is prohibited.

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.

As such, there will be no fossicking for pounamu by the general public within public conservation land.

Appendix N

Tribal Access Arrangement

To be provided by DOC and TRONT.

Appendix O

Glossary of Te Reo Māori Terms

MAORI TERM	ENGLISH TERM
Hapū	Subtribe
Kaitiaki	Guardian. Kaitiaki is used in a modern context to refer to a steward, caretaker or manager. In a traditional context it has a stronger spiritual dimension.
Kaitiakitaka (kaitiakitanga)	The exercise of guardianship in the practical and/or spiritual sense.
Manawhenua	Territorial authority.
Mauri	Lifeforce. From a Māori perspective, everything in the natural world has 'mauri' including pounamu.
Ngāi Tahu Whānui	This term refers to the wider tribal group and all Ngāi Tahu people.
Papatipu rūnaka	Traditional marae-centred communities or regional assemblies. Te Rūnanga o Ngāi Tahu is made up of 18 papatipu rūnaka.
Pūrākau	Story, tradition, legend.
Rūnaka (rūnanga)	A traditional Māori council or assembly.
Rūnaka kaitiaki	The use of this term in this plan refers to those rūnaka of Kāi Tahu who have a traditional guardianship relationship with pounamu in their area (see Appendix A).
Takata (tangata) whenua	This term refers to the indigenous people of a country or region. It literally means "people of the land". In the context of this plan, it refers to the tribe and/or hapū which holds authority in a particular part of New Zealand.
Takiwā	A district or region of traditional authority.
Tikaka (tikanga)	Māori customs, traditions and/or protocols, which vary from tribe to tribe and from region to region.
Tīpuna	Ancestors. Tīpuna without a macron on the "i" means ancestor.
Taoka (taonga)	A treasure, a precious resource.
Te Waipounamu	A Māori name for the South Island. It translates literally as the "Greenstone water" or the place where pounamu can be found in the water.
Wāhi pounamu	An area or region in which pounamu occurs naturally.

NOTE ON THE USE OF THE KĀI TAHU DIALECT

Throughout this plan some Māori words with the letter "ng" have been replaced with a "k" and vice versa. The use of a "k" in the word "rūnaka" as opposed to "rūnanga" is a dialectical marker of Kāi Tahu language – te reo o Kāi Tahu. Rūnaka and rūnanga mean exactly the same thing and the use of the "k" instead of "ng" does not change the meaning of the word.

In general, this plan has adopted the "k" except for when Māori words are part of a legal name or used in a legal context such as Te Rūnanga o Makaawhio, Ngāi Tahu Whānui and Te Rūnanga o Ngāi Tahu.

