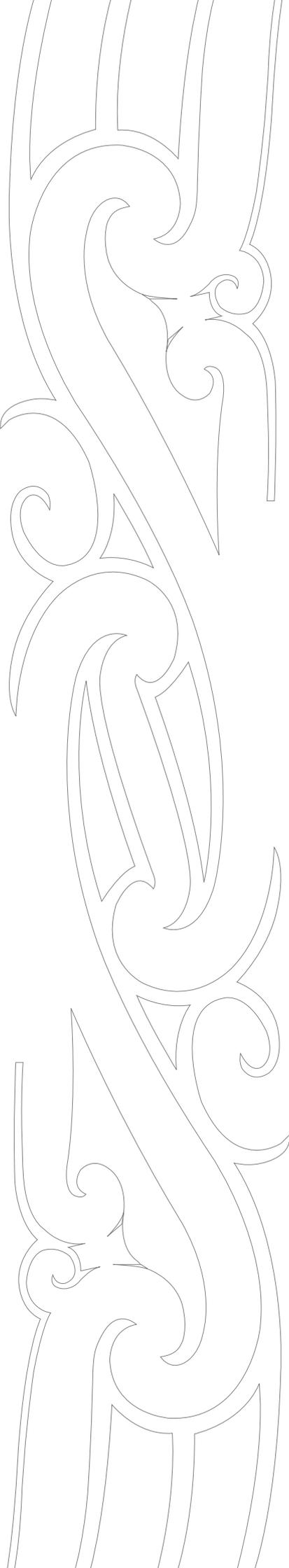




This mau kaki (neck pendant) is made of takiwai from Piopiotahi (Milford Sound) and was found near Ōkahu (Jacksons) River in South Westland. Again, it has the whitish-yellow coat indicating its antiquity. It was crafted before the 1500s.

Photo courtesy of Museum of New Zealand Te Papa Tongarewa (ME004905).



Section 3

Roles &

Responsibilities

IN THIS SECTION

- Introduction
- Te Rūnanga o Makaawhio
- Te Runanga o Ngāi Tahu
- Te Rūnanga o Ngāi Tahu Staff
- External Management Relationships
- Te Papa Atawhai – Department of Conservation
- Local Government Authorities
- Toitū Te Whenua – Land Information New Zealand
- Crown Minerals
- Ngā Pirihimana o Aotearoa – New Zealand Police
- Te Mana Ārai o Aotearoa – New Zealand Customs
- Mineral Mining Industry

Section cover photo courtesy of Museum of New Zealand Te Papa Tongarewa (ME004905).

3. Roles, Responsibilities and Relationships

3.1 INTRODUCTION

Te Rūnanga o Makaawhio has the primary role and responsibility to sustainably manage and protect pounamu according to the kawa, tikaka and traditions of Kāti Māhaki within its takiwā as set out in this plan including any changes or amendments made from time to time.

Other agencies and organisations also have an interest in wāhi pounamu or the taoka itself. This section lays out those respective roles.

3.2 TE RŪNANGA O MAKAAWHIO

Te Rūnanga o Makaawhio has the key role in protecting and managing the utilisation of pounamu in its takiwā, including:

- (a) determining the policy, rules and activities around the sustainable level of public fossicking, customary and commercial extraction of pounamu within its takiwā;
- (b) where necessary working in partnership with other rūnaka kaitiaki as specified in Appendix A to determine the collectively agreed policies, rules and appropriate activities around any use of pounamu from shared areas;
- (c) working with Te Rūnanga o Ngāi Tahu to help uphold and protect the mana and mauri of pounamu;
- (d) working with local government authorities on Resource Management Act 1991 and National Coastal Policy Statement planning and resource consent issues relating to all aspects of pounamu in the Makaawhio takiwā;
- (e) working with central government and its agencies, for example the Department of Conservation on planning, access and concessions issues relating to pounamu;
- (f) protecting pounamu from theft and conversion; and
- (g) working positively with private landowners who have pounamu on their land.

3.3 TE RŪNANGA O NGĀI TAHU

As the legal owner of pounamu, Te Rūnanga o Ngāi Tahu will be informed and consulted with on the policies and priorities for Te Rūnanga o Makaawhio which relate to this plan and its implementation.

TRONT has an obligation to support Makaawhio in the implementation of this plan.

3.4 TE RŪNANGA O NGĀI TAHU STAFF

Te Rūnanga o Makaawhio and its staff will work with TRONT staff on pounamu issues in a proactive and collaborative partnership to ensure the interests of both parties are respected.

3.5 EXTERNAL MANAGEMENT RELATIONSHIPS

There are a number of agencies external to TROM that have a role in pounamu management. The subsections below list the agencies involved, with an overview of the roles they play and a reference to some of the relevant legislation and policy documents that refer to this role.

3.5.1 TE PAPA ATAWHAI - DEPARTMENT OF CONSERVATION

The Department of Conservation (DOC) plays an important role in the management of pounamu. DOC is the largest land administrator in the areas where our wāhi pounamu are located. Through their management of public conservation land, and their role under various pieces of law, DOC provides for the protection of these areas through their planning documents and internal processes (see sections 7.5, 7.6.1 and 7.6.2).

The relevant DOC conservancies have an obligation to inform Makaawhio of applications for concessions, permits, licences and access arrangements for mining and other developments and activities on the land administered by DOC where they may affect pounamu.

DOC is also obliged to inform and consult with TROM in relation to any plans or policy statements, including any proposed changes, that they are working on or propose to work on that may affect or relate to the pounamu interests of Te Rūnanga o Makaawhio.

The West Coast Tai Poutini Conservancy already has an agreement with Te Rūnanga o Makaawhio on arrangements for consultation over concessions for activities on DOC land. However, this will need to be updated to ensure it is consistent with this plan. TROM will work with other conservancies to develop similar agreements that relate to pounamu.

The DOC conservancies involved are:

- West Coast Tai Poutini Conservancy;
- Southland Conservancy; and
- Otago Conservancy.

Refer to Map 6 on page seven of this section.

The legislation and policy documents of the Department of Conservation include, but are not limited to, the Conservation Act 1987, National Parks Act 1980, Resource Management Act 1991, Foreshore and Seabed Act 2004 and the Reserves Act 1977.

3.5.2 LOCAL GOVERNMENT AUTHORITIES

Local government authorities have an important role in pounamu management as the planning and consent authority for activities under the Resource Management Act 1991 and the New Zealand National Coastal Policy Statement (see section 2.3). This role includes informing Te Rūnanga o Makaawhio of resource consent applications for activities that potentially affect pounamu and placing conditions on these consents where appropriate.

The local government authority territorial areas in which wāhi pounamu in the Makaawhio takiwā could be affected include the:

- West Coast Regional Council;
- Environment Southland Regional Council;
- Otago Regional Council;
- Westland District Council;
- Southland District Council; and
- Queenstown Lakes District Council.

Refer to Map 7 on page eight of this section.

3.5.3 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 unalienated 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 entered into a protocol with Te Rūnanga o Ngāi Tahu that supports its legal ownership of pounamu. This is reflected in any access arrangements or leases made with other parties. Makaawhio will work with the TRONT staff in relation to LINZ issues.

3.5.4 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 plays a role in pounamu management through informing TRONT and, when necessary, Te Rūnanga o Makaawhio of applications for mineral permits that may affect our interests.

TRONT will consult with Makaawhio on Crown Minerals issues that may affect our interests in pounamu.

3.5.5 NGĀ PIRIHIMANA O AOTEAROA - NEW ZEALAND POLICE

The New Zealand Police enforce the law of New Zealand and play a role in pounamu management by bringing prosecutions under the Crimes Act 1961 for the theft of pounamu (see sections 7.10 and 7.11).

3.5.6 TE MANA ĀRAI O AOTEAROA - NEW ZEALAND CUSTOMS

The New Zealand Customs Service (NZ Customs) 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 plays a role in pounamu management through the administration of the Customs Export Prohibition Order. 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 Te Rūnanga o Ngāi Tahu and the Māwhera Incorporation on applications to export pounamu in special circumstances and forfeitures pertaining to the order where pounamu is seized at the border.

TRONT shall get approval from Makaawhio for any applications to export South Westland pounamu. Te Rūnanga o Ngāi Tahu should also consult with TROM when the Customs Export Prohibition Order is up for review and other pounamu-related issues arise.

3.5.7 MINERAL MINING INDUSTRY

Operators of the mineral mining industry that are operating in South Westland wāhi pounamu (see section 1.4 (A)) need to familiarise themselves with this plan and the Ngāi Tahu Pounamu Resource Management Plan 2002 to ensure that their practices are consistent with these plans. Makaawhio will endeavour to work with the mining industry on issues that affect pounamu in its area as well as working with TRONT in relation to industry issues.

Map 6



Map 7

