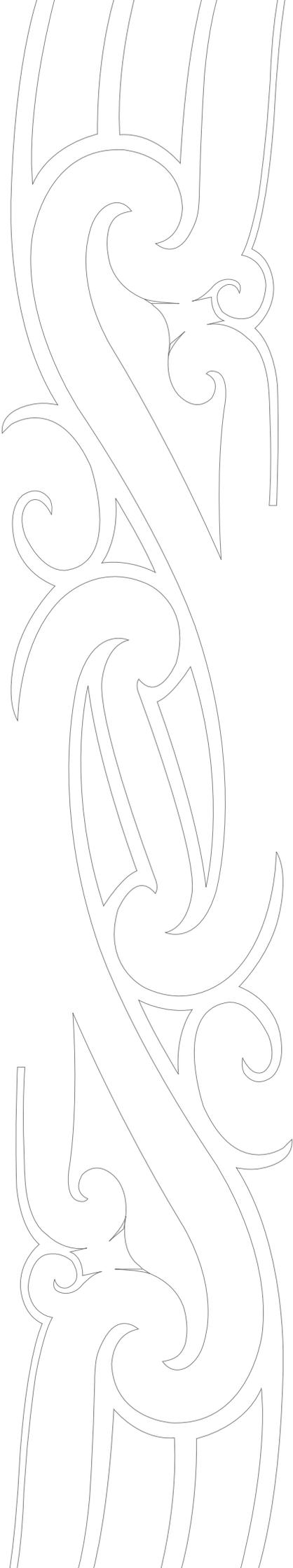




**Kāti Mahaki whānau removing the remains of a boulder that was illegally extracted from Katake (Cascade Plateau). The recovered stone was named 'Ngā Roimata o Totoweka'. Pieces of the stone were given to the NZ Army Museum and all 18 rūnaka. Small pieces feature in the wharenui at Maitahi (Bruce Bay).**



## Section 6

# Extraction of Pounamu

### IN THIS SECTION

- Pounamu Extraction
- The Te Rūnanga o Makaawhio Pounamu Company
- Environmental Policy Goals of Makaawhio Pounamu Company
- Pounamu for Te Rūnanga o Makaawhio Customary Purposes
- Makaawhio Pounamu Trademark
- Trademark Certification
- Access to Pounamu on Public Conservation Lands

Section cover photo courtesy of Jeff Mahuika (Kāti Māhaki).

# 6. Extraction of Pounamu

## 6.1 POUNAMU EXTRACTION

### Objective

To outline the policy framework through which Te Rūnanga o Makaawhio will exercise its kaitiakitaka in the control of the extraction of pounamu within its takiwā, for both commercial and customary purposes.

### Background

Makaawhio will establish its own business organisation to utilise pounamu in a manner that is sustainable (see section 4). TROM also recognises the importance of having a supply of pounamu accessible for customary purposes such as koha and the gifting of mauri stones.

The commercial and customary extraction of pounamu differs from the fossicking for pounamu outlined in section 5 in that extraction is about the taking of pounamu in quantities that are larger than a single person can physically carry.

### 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).

### Process

The Executive Committee of TROM will base its decisions on its scientific knowledge of pounamu resources in South Westland, gained from its research programme and consultation with the Kōmiti Pounamu, before reaching its decision in line with the principles of sustainable management outlined in section 4.

## 6.2 THE TE RŪNANGA O MAKAAWHIO POUNAMU COMPANY

### Objective

To outline how the extraction of pounamu will be carried out in an environmentally sustainable way and how a trademark system will be implemented by the Makaawhio-owned pounamu company in consultation and agreement with TRONT.

### Explanation

The legal structure for a Makaawhio pounamu company that is focused on extracting, processing, carving, selling and tourist activities around pounamu has yet to be decided.

What is important to note is that TROM intends to extract pounamu for commercial and customary purposes and it is committed to doing this in an environmentally sustainable manner that avoids, remedies or mitigates any adverse effects to the environment and protects conservation values.

At all times, the ownership and management rights to any pounamu extracted from its takiwā will stay with Makaawhio and not the company tasked with extracting, storing, processing and/or selling it.

### 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.

## 6.3 ENVIRONMENTAL POLICY GOALS OF MAKAAWHIO POUNAMU COMPANY

### Objective

To specify the policies and rules that TROM will require its pounamu company to follow in ensuring the protection and environmental sustainability of pounamu extraction.

#### 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.

## 6.4 POUNAMU FOR TE RŪNANGA O MAKAAWHIO CUSTOMARY PURPOSES

### Objective

To specify the obligations of any pounamu company owned by TROM or its charitable company Kāti Māhaki Ki Makaawhio Ltd to supply pounamu for customary purposes to Makaawhio.

#### 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.

### Explanation

Te Rūnanga o Makaawhio can decide when, how much and for what purposes it may want to use any of the pounamu extracted for customary purposes. As stated earlier in policy 17, the legal rights to pounamu extracted and held by the Makaawhio pounamu company will remain with TROM at all times. TROM will consult with its pounamu company on what impact this may have on its operations. Te Rūnanga o Ngāi Tahu can apply to TROM for pounamu that it wants for customary purposes.

Makaawhio can authorise the taking of pounamu for customary purposes from within its takiwā whenever it deems it necessary, subject to obtaining permission for access from the landowner or DOC (see section 4.2).

## 6.5 MAKAAWHIO POUNAMU TRADEMARK

### Objective

To distinguish and protect pounamu from foreign, imported jades that may be traded as pounamu and to help stop the flow of illegal pounamu into the market place. This will also help differentiate South Westland pounamu from other pounamu sources within Te Waipounamu.

#### 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.

### Process

The Makaawhio pounamu company will utilise this trademark in implementing a certification system for approved carvers and retailers who purchase pounamu from it (see section 6.6). This certification system will be used to verify the authentic Makaawhio pounamu for customers and to allow for the tracking of pounamu.

TROM will work to try and ensure the wider Ngāi Tahu Whānui interests in pounamu are protected with its own trademark and will collaborate in the promotion and protection of pounamu through the use of trademark/s. Makaawhio will consult with Te Rūnanga o Ngāi Tahu and other rūnaka kaitiaki to ensure there is a consistent and rational approach to the use of trademark/s that adds value to all Ngāi Tahu-sourced pounamu. The tribal policy on trademarking can be found in section 5.10 of the Ngāi Tahu Pounamu Resource Management Plan 2002.

It is the intention of Makaawhio to develop a database of information on identifying mineral characteristics of the pounamu in its takiwā (see section 4). This could involve both chemical analysis and isotope analysis profiles of pounamu in order to keep accurate records of pounamu movement from the natural environment into the commercial economy.

## 6.6 TRADEMARK CERTIFICATION

### Objective

To allow for the tracking of Makaawhio pounamu into the market, which will make it easier to identify illegal South Westland pounamu for sale and to create a premium pounamu brand to maximise potential financial returns to Te Rūnanga o Makaawhio.

#### 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.

### Process

This policy will be achieved by the Makaawhio pounamu company implementing the following strategies:

- (a) Maintain a fully transparent and accountable operation which will be able to account for all the pounamu it extracts, stores, processes, sells and distributes.

- (b) Create a stone identification system that can track who has bought every piece of stone, for example through chemical and isotope analysis of pounamu.
- (c) Register and approve all carvers and retailers that purchase pounamu to ensure they are of good character. Pounamu will not be able to be purchased from the company for commercial purposes without registration.
- (d) Require all carvers and retailers who purchase pounamu to keep records of what they do with the trademark pounamu.
- (e) Arrange for an independent third party, where necessary, to check the records of those who sell Makaawhio trademark pounamu.

## 6.7 ACCESS TO POUNAMU ON PUBLIC CONSERVATION LANDS

### **Objective**

To ensure continued access to pounamu on Department of Conservation land.

### **Explanation**

Ngāi Tahu and the Department of Conservation are currently in negotiations over a Tribal Access Arrangement which will also apply to wāhi pounamu within the Makaawhio takiwā. A copy of the Tribal Access Arrangement will be included as Appendix N.

The intention of this Agreement is to allow for the removal of pounamu by Ngāi Tahu Whānui, subject to certain conditions to protect conservation values.