

K. J. Landaus
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COLLINGWOOD

2 September 1997

MP
Parliament Buildings
WELLINGTON

Dear

Re: Ngai Tahu (Pounamu Vesting) Bill

PERSONAL STATEMENT

It is not my intention here to try to desecrate the honourable intent of the Government to resolve the historical grievances of the Ngai Tahu people but to clarify my honest predicament which has been brought about by a seemingly biased course of events leading to the presentation of the Ngai Tahu (Pounamu Vesting) Bill.

I respectfully wish to bring to your attention the drastic effects the proposed transaction has had on my life and livelihood, also to inform you of the true situation and the dilemma I am now faced with.

In the years between 1976 and 1996 I discovered various massive deposits of previously unknown reserves of nephrite jade (Greenstone or Pounamu). This was the result of many years of geological study, evaluation and extreme hard work, much which was undertaken in some of the most inhospitable country in New Zealand. Very few could truly appreciate the arduous task this involved and the physical and financial hardships I had to endure to achieve my goals.

I followed up my discoveries by applying for relevant mining privileges in order to establish legitimate claims to my finds. I applied for a mining licence in 1988 over one area but had to keep the area down to 3 hectares because a corporate interest had an exploration licence over much of the same region although they were not targeting nephrite.

The following year I applied for a prospecting licence over an area extending some 300 kilometres from the Jacksons River in South Westland to beyond Lake Mavora in northern Southland. Once again to properly evaluate the quantity and quality of my discoveries and to lay claim to these new found deposits. I also discovered many other deposits which at the time, I did not file application to because I did not want to make

public the whereabouts of these discoveries until I could be sure how the Government handled the Ngai Tahu claims.

My mining licence application was granted in December 1989 but my prospecting application, although processed was withheld at the stage of ministerial referral. The reasons given were that recommendations were being considered to vest the area of my claims with Ngai Tahu. This was stated in a letter from the Minister of Conservation to our local West Coast MP.

Since 1990 I have endeavoured to have my statutory rights clarified, but no to avail. About the same time, I applied and was granted a Regional Development Grant of \$50,000 to develop prototype machinery to manufacture decorative tiles and related building products from previously unused lower grade stone. This Regional Development Grant was under the jurisdiction of the Ministry of Commerce who ironically today handle all our mining licence applications.

In addition to this grant I made personal borrowings of \$100,000 to set up my unique factory at Haast. The business however eventually relied on further access to greenstone I discovered in the prospecting application and eventually other discovery areas. Economic access, quality of stone and market demand were always important considerations.

Until 1995 I strived to keep my business afloat economically on what stone I had on my current licence area while during these years tried to have the situation clarified on my prospecting licence because I knew I had to have this to convert to a mining licence as quickly as possible to keep my business supplied with a general mix of marketable stone both for the wholesale market and factory manufacturing demand. By 1995 I had no more higher quality stone left on my licence area to economically operate my business. Even though approximately 80 tonnes of nephrite remained, the grade of the stone was only usable for the specialised product which I was exclusively marketing. I needed a saleable high quality jade to obtain a consistent cash flow.

Adverse publicity between 1993 and 1996 concerning the Ngai Tahu claims and Government policy were directly detrimental in the fall in demand for my product especially after I had supplied tiles to the Waiouru Army Museum for the Tears on Greenstone, War Memorial.

Regardless of the controversy surrounding this matter, I am proud to have supplied our country for a such a unique and significant memorial to our war dead. The army required a special greenstone crafted to unusually large tiles and requested that they be supplied in a limited time. I had no other option but to select a particular boulder of stone I had previously discovered.

I presently hold a mining permit application over the area but at the time, because of other miners' skulduggery and the risk of divulging the areas whereabouts to the Crown and Ngai Tahu, who already had laid claim to my previous applications, I went ahead with the project, not only because of the beautiful colour of the stone and all the other characteristics necessary to be able to cut tiles from it within a certain time frame but because I basically had a gutsful of the political nightmare the Government and Ngai Tahu had caused me and the jade industry over a period of 7 years. Also because Sir Tipene O'Regan had made statements to the National Geographic stating, I quote, in part, "Our aims and wishes are basic. We had these islands, we lost them to the Europeans. Now we want them back."

Although the hardest decision of my life, how could I refuse to undertake such a project when the pending recipients of the stone I discovered through many years of hardship make such a statement which is considered extremely offensive to both myself and many other New Zealanders.

The price I have had to pay for honouring our soldiers in their sacrifice has cost me dearly, both in monetary and personal terms. Notwithstanding the loss of my entire business and livelihood through the lack of Government not processing my perfectly legitimate mining privilege claims and all the controversy surrounding the ownership of the stone. I perhaps could have accepted this if Government had made some initiative to negotiate compensation based on my discoveries, loss of livelihood and damages. To date they have not offered to do this but instead Government departments have contrived with Ngai Tahu to specifically legislate to prevent me from seeking compensation.

In all this time I have made my best endeavours to negotiate both directly with Ngai Tahu and the Government but once again to no avail. I have written letters to the Minister of Energy, the Minister of Treaty of Waitangi Negotiations, the Prime Minister and our local MP's but have not had any satisfaction whatsoever in concluding something satisfactory.

It is of great concern to me that my discoveries and preliminary evaluations of these including the subsequent applications delineating them have contributed significantly to our national mineral reserves. These informations have now created considerable more value to an otherwise unknown resource which is now being advantageously capitalised upon by both the Crown and Ngai Tahu. Without any consideration whatsoever for me, the discoverer.

I have dedicated most of my life to geological exploration in wilderness areas. Even to the present day, I have discovered new deposits of Pounamu that other geologists and miners have passed over for many years and consider my case to be totally unique.

My tile making business was a world first and most of my time and effort was put into geological research for Pounamu hoping one day I would reap the rewards for my work and from the massive value of the resource I discovered and legitimately laid claim to.

To date I do not know of any other persons who have been deprived of their livelihood as a direct result of present Government policy on these issues.

I wish to advise that I estimate the extractable proven Serpentine reserves in excess of 7.5 billion tonnes over thirty square kilometres and the Nephrite (Greenstone) and Bowenite reserves, in excess of \$80 million in value, all within the area claimed on Conservation Land.

My Submission previously presented to Parliament should highlight further my concerns regarding the Ngai Tahu (Pounamu Vesting) Bill.

I do hope you may consider all these additional issues when debating the Bill in Parliament.

This same letter has also been posted to other Members of Parliament.

Yours sincerely

Kenn J. Landaus.

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Mike Moore
M.P. for Waimakariri
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