

PUBLIC NOTICE OF APPLICATION UNDER SECTION 103 OF MARINE AND COASTAL (TAKUTAI MOANA) ACT 2011 CIV-2017-485-277

An application by Arapeta Hamilton on behalf of Ngāti Manu and its hapū Te Uri Karaka and Te Uri o Raewera gives notice that it has applied for orders recognising Customary Marine Title and Protected Customary Rights.

The Protected Customary Rights application relates to the common marine and coastal area relating to:

- a) from Taupiri Bay to Motukokako to Tikitiki-o-tu-te-Mahurangi to Ngā Toka Mangu Black rocks to Tapeka, Kororareka, Matauwhi, Orongo to Te Wahapu from Waitangi to Pahiia Te Haumi right up to Matairiri at Taumārere.

The Customary Marine Title application relates to the common marine and coastal area that is:

- a) from Toretore Island then down in a south-westerly direction to Te Haumi Point, then to Opua and along the line from Okiafo across to Rangatahi pa, continuing up the Taumārere River to Matairiri.

The orders sought are protected customary rights and customary marine title within the rohe moana o Ngāti Manu and its hapū Te Uri Karaka arising from:

- a) permanent occupation of the land and use of the adjoining foreshore before 1840 without substantial interruption;
- b) hapū fishing (including hand-line, net, long-line and spear);
- c) diving (including free and bottle);
- d) the taking of shellfish;
- e) the taking of hapūka, kahawai, ararara (trevally), tamure (snapper), hapū (kingfish), hautere (jack mackerel), gurnard (kumukumu), shark (mangō), flounder (pātiki), bait fish (including inanga), stingray (whai), eels (tuna), lamprey (piharau) and other fish found in the takutai moana and river estuaries;
- f) the taking of seabirds;
- g) the taking of shellfish including oysters, snails (pūpū), kina, paua and koura (crayfish);
- h) the taking of aquatic plants (including karengo and native spinach);
- i) the planting and cultivating plant species in CMCA wet margins (including flax, tī kouka, pingao, wiwi, kowharatanga, Ngaio, manuka, pohutukawa, koromiko); extracting non-nationalised minerals for non-commercial purposes (including red ochre, clays, ironsand and rocks);
- j) collecting traditional materials that enhance, preserve and protect the applicant and applicant group cultural practices, including collecting mud, plants, perished mammals, seabirds, rocks, shells, and other materials from its wetlands, estuarine margins and the sea;
- k) allowing others to undertake activities; and
- l) all ways of life and cultural practices associated with the above takings and uses including cultural practices founded in spiritual beliefs including the saying of karakia fawhito, imposition of rāhui, imposition of wāhi tapu, exercise of kaitiakitanga and mana, transfer of knowledge of hapū marine culture, trade, communication, seasonal kaimoana exchange, access to gardens on land, tangihana, manaakitanga and naming of places in the sea and foreshore to specify fishing areas, reefs and people who had authority over them.

The holder of the orders is intended to be Ngāti Manu and its hapū Te Uri Karaka and Te Uri o Raewera.

Any notice of appearance in support of, or in opposition to, this application must be filed with the Registrar of the High Court at Wellington (DX SX11199) by 20 May 2017 and include the reference CIV-2017-485-277.

A copy of the application may be obtained from the High Court at Wellington on phone 04 914 3600 or email WellingtonHC@justice.govt.nz.



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