

**Application for Customary Rights Order
Foreshore and Seabed Act 2004, Section 48**

**In the Maori Land Court
of New Zealand,
Office of the Chief Registrar**

In the matter of an application by
Ngati Manuhiakai for Customary Rights
Orders

Application is hereby made for an order under section 50 of the Foreshore and Seabed Act 2004:

- 1 That Ngati Manuhiakai has the customary right to:
 - exercise kaitiakitanga over the foreshore and seabed,
 - use the foreshore and seabed for tauranga waka,
 - extract resources from the foreshore and seabed and,
 - exercise any additional customary rights to be further particularised in due course (particulars of customary activities are attached).
- 2 That the exercise of the customary practises specified above relate to the foreshore and seabed within the tribal takiwa of Ngati Manuhiakai; from Waingongoro River in the south to the Wahamoko Stream in the north west (map attached).
- 3 That Maria Robinson is the authorised representative of Ngati Manuhiakai for the purpose of making this application on behalf of Ngati Manuhiakai. The Inaha Reserve Trust, a Maori Reservation established pursuant to section 338 of the Te Ture Whenua Maori Act 1993, is the legal entity proposed to represent Ngati Manuhiakai, in terms of Schedule 1, clause 2(e).

Upon the grounds:

- 1 That the exercise of kaitiakitanga, the use of tauranga waka and the extraction of resources practised by Ngati Manuhiakai:
 - 1.1 Are and have been integral to tikanga Maori since 1840.
 - 1.2 Have been carried out:
 - a. In accordance with the tikanga Maori of Ngati Manuhiakai; and
 - b. In a substantially uninterrupted manner; and
 - c. In/on the specified area of foreshore/seabed.
 - 1.3 Continue to be carried out:
 - a. In accordance with the tikanga Maori of Ngati Manuhiakai, and;
 - b. In/on the specified area of the foreshore/seabed.
 - 1.4 Are not prohibited by any enactment or rule of law.
- 2 That the rights to exercise kaitiakitanga, to use tauranga waka and to extract resources have not been extinguished as a matter of law.

The application lodged on behalf of Kanihi-Umutahi me etahi Hapu (A20050020243) with the Maori Land Court affects part of the same area of public foreshore to which this application relates. *

Ngati Manuhiakai has not lodged an application with the High Court that affects the same area of particular foreshore and seabed to which this application relates. *

The contact address for Ngati Manuhiakai for the purposes of this application is set out in the address for service.

The preferred location for hearing is New Plymouth.

Dated this 10th day of November 2006



Deborah Anne Edmunds

This Application is filed by Deborah Anne Edmunds, Solicitor for the Applicant. The address for service of the Applicant is at the offices of Kensington Swan, Solicitors, 89 The Terrace, Wellington.

Documents for service on the Applicant may be left at that address for service or may be –

- a. posted to the solicitor at that address, or
- b. left for the solicitor at a Document Exchange for direction to DX SP26517.
- c. transmitted to the solicitor by facsimile to (04) 472 2291.

Schedule One

Customary right, practice or usage	Extent of right, activity, practice or usage	Frequency of activity, usage or practice
Exercise of Kaitiakitanga includes, but is not limited to: <ul style="list-style-type: none"> - Karakia - Manawhenua/ manamoana - Conservation of resources -Sustainable management of resources 	From Waingongoro River in the south to the Wahamoko Stream in the north west	Continuous since 1840
Use of Tauranga Waka includes but is not limited to: <ul style="list-style-type: none"> -launching and landing of waka and other vessels 	Specific sites throughout the area from Waingongoro River in the south to the Wahamoko Stream in the north west	Continuous since 1840, as required
Resource Extraction includes but is not limited to: <ul style="list-style-type: none"> - sand - peat - driftwood - whitebait - aquaculture - stones - gravel - pumice - kokowai - wai tapu 	From Waingongoro River in the south to the Wahamoko Stream in the north west	Since 1840 As required As required As required Seasonal As required As required As required As required As required As required

Map showing Ngati Manuhiakai area of customary rights (extending seaward)

