

**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
Okahu Inuawai Hapu for Customary
Rights Orders

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

- 1 That Okahu Inuawai Hapu 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 Okahu Inuawai Hapu; from Waihi Creek in the south to Te Ngaere Stream (also known as Inaha Stream) in the north (map attached).

- 3 That Marylinda Brooks and John Hooker are the authorised representative of Okahu Inuawai Hapu for the purpose of making this application on the behalf of Okahu Inuawai Hapu. The Inuawai Part Sub 4 Blk IV Waimate SD (Weriweri or Aotearoa Pa) Trust, a Maori Reservation established pursuant to section 338 of the Te Ture Whenua Maori Act

1993, is the is the legal entity proposed to represent the Okahu Inuawai Hapu, 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 Okahu Inuawai Hapu,
 - 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 Okahu Inuawai Hapu, 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 Okahu Inuawai Hapu, 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 the same area of public foreshore and seabed to which this application relates.

Okahu Inuawai Hapu 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 Ohaku Inuawai Hapu 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
Protection of: - Wahi Tapu - Taonga - Kaitiaki o Kohatu - Tuapuna Taku tai Moana	Waihi Creek and Te Ngaere Stream	Continuous since 1840
Exercise of Kaitiakitanga includes, but is not limited to: - Karakia - Manawhenua/manamoana -Conservation of resources -Sustainable management of resources	From Waihi Creek to Te Ngaere Stream	Continuous since 1840
Use of Tauranga Waka includes but is not limited to: -groyne built and maintained by Okahu Inuawai Hapu -launching and landing of waka and other vessels	From Waihi Creek to Te Ngaere Stream Mouth of Waingongoro River is site of Te Rangatapu tauranga waka on the eastern bank and Te Kawau on the western bank	Continuous since 1840
Resource Extraction includes but is not limited to: -sand -peat -driftwood -stones -gravel -pumice -kokowai -wai tapu -aquaculture -whitebait	From Waihi Creek to Te Ngaere Stream	Since 1840 As required As required As required As required As required As required As required As required Seasonal

Map showing Okahu Inuawai area of customary rights (extending seaward)

