

**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  
Kanihi-Umutahi me etahi Hapu for  
Customary Rights Orders

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

- 1 That Kanihi-Umutahi me etahi 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 Kanihi-Umutahi me etahi Hapu; from Waihi Creek in the south to Te Ngaere Stream (also known as Inaha Stream) in the north.
  
- 3 That Daisy Noble is the authorised representative of Kanihi-Umutahi hapu for the purpose of making this application on the behalf of Kanihi-Umutahi me etahi Hapu until such time as a legal entity is constituted.

**Upon the grounds:**

- 1 That the exercise of kaitiakitanga, the use of tauranga waka and the extraction of resources practised by Kanihi-Umutahi me etahi 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 Kanihi-Umutahi 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:
    - i. In accordance with the tikanga Maori of Kanihi-Umutahi me etahi Hapu, and;
    - b. In/on the specified area of the foreshore/seabed.
- 2 Are not prohibited by any enactment or rule of law.
- 3 That the rights to exercise kaitiakitanga, to use tauranga waka and to extract resources have not been extinguished as a matter of law.

There has been no application lodged with the Maori land Court that affects the same area of public foreshore to which this application relates.

There has been no application lodged with the High Court that affects the same area of particular foreshore and seabed to which this application relates.

The preferred location for hearing is New Plymouth.

Dated this 30th day of November 2005.



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.





# Ngā Iwi o Taranaki

## Ngā Ruāhine



