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**IN THE HIGH COURTS OF NEW ZEALAND
AUCKLAND REGISTRY**

CIV-2017-404-525

IN THE MATTER OF

**the Marine and Coastal
Area (Takutai Moana) Act
2011 (the Act)**

AND IN THE MATTER OF

**an application by WILLIAM
KIRTUS MORAN of PAIHIA
for an order recognising
Customary Marine Title and
Protected Customary
Rights**

Applicant

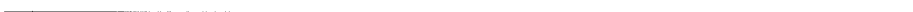
AND

**The Attorney General in
right of the Crown**



**WILLIAM KIRTUS MORAN
APPLICATION
FOR RECOGNITION ORDERS PURSUANT TO THE MARINE AND
COASTAL AREA (TAKUTAI MOANA) ACT 2011**

DATED 28th MARCH 2017



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Solicitors
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FW106/17

**HIGH COURT
30 MAR 2017
1510
AUCKLAND**

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To: The Registrar of the High Court at Auckland;

and to: The Solicitor General on behalf of the Attorney-General.

This document notifies you that:

1. WILLIAM KIRTUS MORAN will apply to the High Court for an order pursuant to s98 of the Marine and Coastal Area (Takutai Moana) Act 2011 ("the Act") to recognise the customary marine title and protected customary rights of NGATI MANU & NGATI RANGI.

Protected Customary Rights

2. NGATI MANU & NGATI RANGI ancestors utilised the common marine and coastal area for fishing, kaimoana gathering, transport, rongoa collecting, communicating hapu matauranga, bird snaring, firewood, stones, aquatic plants, fishing tuna;

The Applicant Group:

3. NGATI MANU & NGATI RANGI whakapapa to POMARE and link to the application area (WAIKARE INLET) WILLIAM KIRTUS MORAN was appointed to make this application for and on behalf of Whanau Moran in February 2017.

Area to which the application relates:

4. The area to which this application relates is the common marine and coastal area (as defined in s9 of the Act) that is bounded:
 - a. on the landward side by the line of mean high-water springs of Kapowai Point;
 - b. on the seaward side by the outer limits of the territorial sea;
 - c. thus then from Kapowai Point (35°19'12.4"S 174°08'33.2"E) (south west point) following the foreshore going east past Manukau Creek, thence to the Puakainga Creek, past Te Ngako Creek thence to the Waikare Marae (south east point) Heading north past Man o War Creek, Kanaerene Creek, Ngangeroa creek, the point at end of Te Wahapu Road Extention (35°18'23.1"S 174°08'32.6"E) (north west point) including the islands Motu Mareti, Motu Pa (Marriot), Motuokape, to the outer limits of the territorial sea (eastward and westward); and
5. The area includes the common marine and coastal area surrounding the following islands: Motu Mareti, Motu Pa (Marriot), Motuokape

Grounds on which the protected customary rights order is sought:

- 6 The grounds on which this order is sought are that :
 - a. NGATI MANU & NGATI RANGI being coastal hapu have relied heavily on Fishing, Harvesting Kaimoana, Harvesting plants, shrubs & tree material, Use of marine & coastal for transport; and
 - b. NGATI MANU & NGATI RANGI are fisherpeople and harvesters of kaimoana and depend on these activities for food for whanau, hapu, kaumatua and for visitors; and
 - c. NGATI MANU & NGATI RANGI also undertakes the following activities in the common marine and coastal area: Exercising Manamotuhake & Rangatiratanga, Exercising Kaitiakitanga.
 - d. NGATI MANU & NGATI RANGI has undertaken these activities since prior to 1840 and continues to undertake these activities in the application area, albeit in some instances using modern equipment, and in accordance with tikanga.
7. NGATI MANU & NGATI RANGI will deliver more information once funding for research and legal representation is secured.

Grounds on which the customary marine title application is made:

- 8 The grounds on which this order is sought are that :
 - a. NGATI MANU & NGATI RANGI has held the application area in accordance with tikanga since before 1840
 - b. NGATI MANU & NGATI RANGI has exclusively used and occupied the application area prior to 1840 to the present day without substantial interruption.
9. NGATI MANU & NGATI RANGI will deliver more information once funding for research and legal representation is secured.

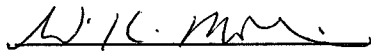
Contact Details:

10. WILLIAM KIRTUS MORAN for NGATI MANU & NGATI RANGI is:

c/- Charl Hirschfeld
10 Kaihu Street
Northcote
Auckland 0627

11. This application relies on s51(1), s58, s98-113 of the Act and the affidavit of WILLIAM KIRTUS MORAN, kaumātua.

Dated at Auckland on the 28th day of March 2017



WILLIAM KIRTUS MORAN