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HEKENUKUMAI HECTOR BUSBY
 APPLICATION
 FOR RECOGNITION ORDERS PURSUANT TO THE MARINE AND
 COASTAL AREA (TAKUTAI MOANA) ACT 2011
 DATED 29th MARCH 2017

IN THE MATTER OF
 the Marine and Coastal
 Area (Takutai Moana) Act
 2011 (the Act)

AND IN THE MATTER OF
 an application by HECTOR
 BUSBY of TAIPA for an
 order recognising
 Customary Marine Title and
 Protected Customary
 Rights

Applicant
 The Attorney General in
 right of the Crown

AND

IN THE HIGH COURTS OF NEW ZEALAND
 AUCKLAND REGISTRY
 CIV-2017-404-559

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. **HEKENUKUMAI (HECTOR) BUSBY** 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 KAHU & TE RARAWA, TE URIOHINA**.

Protected Customary Rights

2. **NGATI KAHU & TE RARAWA, TE URIOHINA** 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, spiritual and physical well-being;

The Applicant Group:

3. **NGATI KAHU & TE RARAWA, TE URIOHINA** whakapapa to PUHIPI and link to the application area (Karikari Peninsula/Doubtless Bay East Coast & Hokiangā to Ahipara Boundary as recorded in the map in Exhibit "A"). **HECTOR BUSBY** is a Rangatira able to make this application for and on behalf of **NGATI KAHU & TE RARAWA, TE URIOHINA**.

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. Te Karawa and Ngati Kahu Boundaries¹. The eastern coast encompasses from the Northern most point which is Houhora which stretches toward the Southernmost boundary to the entrance of the Whangaroa Harbour.
 - b. The West coast encompasses from the Northern most point which is Hukatere Puke located at the halfway point of Ninety Mile Beach stretching south to the entrance of the Hokianganga Harbour.
5. The area to which this application relates is the common marine and coastal area of Ngati Kahu and Te Karawa tribes (as defined in s9 of the Act) that is identified in the attached maps

¹ Hekeukunama Busby koro: Maungataniwha; There are 3 rivers that come down from Maungataniwha that are all boundary rivers. There is one that comes down and heads down through Mangamuka right out to the West Coast, The Hokianganga Harbour. On the south side of that river is Ngapuhi. That's the southern boundary with Te Karawa.

Another river Whangaroa, comes down the east side of Maungataniwha. It is the beginning of Ngati Hapu eastern boundary between Ngapuhi. The other river which heads north the Awanui River, is the boundary between Ngati Hapu and Te Karawa and it comes right down through Victoria valley and Kaitata. On the northern side of the Whangaroa river is the Ngati Hapu eastern boundary. At Hukatere, Te Karawa stay on the southern side and Te Apourti stay on the northern side. It was the last fight between the two tribes to settle the boundaries. The southern boundary is the Hokianganga Harbour. The significance of the three rivers is that these rivers served as borders between Ngati Kahu, Te Karawa and Ngapuhi from Maungataniwha all the way to the coastal borders.

Grounds on which the protected customary rights order is sought:

6 The grounds on which this order is sought are that :

- a. **NGATI KAHU & TE RARAWA, TE URIOHINA** being a coastal group has relied heavily on use of marine & coastal for transport, Fishing, Harvesting plants, shrubs & tree material, and Harvesting Kaimoana; and

- b. **NGATI KAHU & TE RARAWA, TE URIOHINA** fisher-people sought the deep water fish [MARLIN, HAPUKA, TUNA] that were not available around the inner shoreline; and

- c. **NGATI KAHU & TE RARAWA, TE URIOHINA** also undertakes the following activities in the common marine and coastal area: Exercising Mana Motuhake & Rangatiratanga and Exercising Kaitiakitanga.

- d. **NGATI KAHU & TE RARAWA, TE URIOHINA** 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 KAHU & TE RARAWA, TE URIOHINA** 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 KAHU & TE RARAWA, TE URIOHINA** has held the application area in accordance with tikanga since before 1840
- b. **NGATI KAHU & TE RARAWA, TE URIOHINA** has exclusively used and occupied the application area prior to 1840 to the present day without substantial interruption.

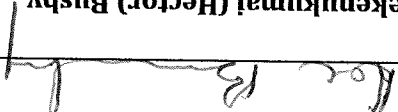
9. **NGATI KAHU & TE RARAWA, TE URIOHINA** will deliver more information once funding for research and legal representation is secured.

Contact Details:
10. HECTOR BUSBY for NGATI KAHU & TE RARAWA, TE URIOHINA is:

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11. This application relies on s51(1), s58, s98-113 of the Act and the affidavit of Hekenukumai (Hector) Busby, Kaumātua.

Dated at Auckland on the 29th day of March 2017


Hekenukumai (Hector) Busby