

In the High Court of New Zealand

Whanganui Registry

No: CIV 2017-485-183

Under Section 100 of the Marine and Coastal Area (Takutai Moana) Act 2011.

In the matter of

application for recognition order of customary marine title and protected customary rights

Between

Te Kaahui o Rauru Trust
Plaintiff/Applicant

And

Ministry of Justice
Defendant/Respondent

Taranaki Regional Council
Defendant/Respondent

Horizons Regional Council
Defendant/Respondent

Whanganui District Council
Defendant/Respondent

South Taranaki District Council
Defendant/Respondent

Solicitor General on behalf of the
Attorney General
Defendant/Respondent

Case Manager
Michaela
Next Event: / /
29 MAR 2017
THE HIGH COURT
WELLINGTON

Origination Application-
Recognition Order of Customary Marine
Title and Protected Customary Rights.

MINISTRY OF JUSTICE
28 MAR 2017
9.50
WANGANUI
\$540.00

To the Registrar of the High Court at Whanganui

and

To Ministry of Justice

Taranaki Regional Council

Horizons Regional Council

Whanganui District Council

South Taranaki District Council

Solicitor General on behalf of the Attorney General

This document notifies you that—

1 The applicant, Te Kaahui o Rauru Trust, will on 27 March 2017 apply to the court under the Marine and Coastal Area (Takutai Moana) Act 2011 for a recognition order of:

1.1 Customary Marine Title between Te Awanui-a-Taikehu (Patea River) in the north, through to the Whanganui River, in the south, out to 12 nautical miles; and

1.2 The Protected Customary Right for the practice of Mahinga Kai between Te Awanui-a-Taikehu (Patea River) in the north, through to the Whanganui River, in the south, out to 12 nautical miles.

2 The grounds on which each order is sought are as follows:

2.1 The Iwi of Ngaa Rauru Kiiitahi has held the marine and coastal area between Te Awanui o Taikehu (Patea River) and the mouth of the Whanganui River in accordance with tikanga and have exclusively used and occupied this area prior to 1840 through to present day without substantial interruption.

2.2 Te Kaahui o Rauru Trust is the Post-Settlement Governance Entity and Mandated Iwi Organisation for Ngaa Rauru Kiiitahi.

2.3 The Kaiwhakahere (General Manager), Anne-Marie Broughton, is the operational leader for Te Kaahui o Rauru Trust and manages the strategic decisions of the Trust.

2.4 Anne-Marie Broughton is further supported by an operations team and 24 Trustees (Te Paepae) who assist in accounting for the performance and the management of risk to Ngaa Rauru Kiitahi assets.

2.5 In terms of inclusion and representation-Te Kaahui o Rauru Trust is governed by a Charter and adult members have the right, amongst other matters, to vote in elections and to receive reports and information from the Trust. The 24 Trustees of Te Kaahui o Rauru Trust have the responsibility to act on behalf of all members of Ngaa Rauru Kiitahi in managing the settlement redress.

2.6 It has been identified by the Trustees of Te Kaahui o Rauru Trust that it is a priority for the Trust to submit an application, on behalf of Ngaa Rauru Kiitahi, pertaining to its interests under the Marine and Coastal Area (Takutai Moana) Act 2011.

2.7 The application area in which Te Kaahui o Rauru Trust is applying for Customary Marine Title lies between Te Awanui-a-Taikehu (Patea River) in the north, through to the Whanganui River, in the south, out to 12 nautical miles.

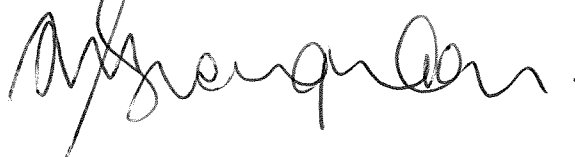
2.8 Te Kaahui o Rauru Trust is further applying for an order to have the Protected Customary Right of Mahinga Kai recognised. Mahinga Kai is the practice of gathering food for the sustenance of Ngaa Rauru Iwi and has been exercised along the entire coastal area, from Te Awanui o Taikehu (Patea River) to the mouth of the Whanganui River, prior to 1840 and in accordance with Ngaa Raurutanga or Ngaa Rauru tikanga.

2.9 Anne-Marie Broughton has provided an affidavit in support of this application and has been appointed by Te Kaahui o Rauru Trust as the formal representative for the Trust for the purposes of this application.

3 The application is made in reliance on section 98 of the Marine and Coastal Area (Takutai Moana) Act 2011.

Date: 28.03.2017

Signature:



Anne-Marie Broughton-General Manager
Te Kaahui o Rauru Trust, 14 Fookes Street, Waverley 4510
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