
IN THE HIGH COURT OF NEW ZEALAND
WELLINGTON REGISTRY

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

AND

IN THE MATTER OF an application by WHAREHOKA CRAIG
WANO, General Manager of Te Kāhui o
Taranaki Iwi, for orders recognising the
customary marine title and protected
customary rights of Taranaki Iwi

ORIGINATING APPLICATION

30 March 2017

SOLICITORS:

ARTHUR NOBLE LTD
Barristers & Solicitors
156 Palmer Rd
RD 1 Brightwater
NELSON 7091

Contact:

Bronwyn Arthur
bronwynarthur@gmail.com
Ph 021 237-0942

Case Manager <i>Michaela</i>
Next Event: / /
30 MAR 2017
THE HIGH COURT WELLINGTON

To the Registrar of the High Court at Wellington

and

To: the New Plymouth District Council;
the South Taranaki District Council;
the Taranaki Regional Council; and
the Solicitor-General on behalf of the Attorney-General.

This document notifies you that—

1. The applicant, Wharehoka Craig Wano, will on apply
to the court for orders under section 100 of the Marine and Coastal Area
(Takutai Moana) Act 2011 recognising:
 - 1.1 the customary marine title of Taranaki Iwi shared with Te Atiawa in
the area comprising all the common marine and coastal area seaward
of Paritutu to Herekawe, as specified in the **attached** map where the
Taranaki Iwi and Te Atiawa areas overlap and are marked “Iwi
Shared”;
 - 1.2 the customary marine title of Taranaki Iwi in the area comprising all
the common marine and coastal area seaward of Herekawe to
Taungatara, as specified in the **attached** map and marked as the
“Taranaki Iwi Exclusive” area;
 - 1.3 the customary marine title of Taranaki Iwi shared with Ngaruahine
and/or hapu of Ngaruahine in the area comprising all the common
marine and coastal area seaward of Taungatara to Rawa o Turi, as
specified in the **attached** map where the Taranaki and Ngaruahine
areas overlap and are marked “Iwi Shared”; and
 - 1.4 the protected customary rights of Taranaki Iwi in all three areas
above.
2. The grounds on which the applicant seeks the order recognising customary
marine title in the area seaward of Paritutu to Herekawe are as follows:

- 2.1 Taranaki Iwi and Te Atiawa hold the specified area in accordance with tikanga.
- 2.2 Taranaki Iwi and Te Atiawa have, in relation to the specified area, together exclusively used and occupied the area from 1840 to the present day without substantial interruption.
3. The grounds on which the applicant seeks the order recognising customary marine title in the area seaward of Herekawe to Taungatara are as follows:
 - 3.1 Taranaki Iwi holds the specified area in accordance with tikanga.
 - 3.2 Taranaki Iwi has, in relation to the specified area, exclusively used and occupied the area from 1840 to the present day without substantial interruption.
4. The grounds on which the applicant seeks the order recognising customary marine title in the area seaward of Taungatara to Rawa o Turi are as follows:
 - 4.1 Taranaki Iwi and Ngaruahine and/or hapu of Ngaruahine hold the specified area in accordance with tikanga.
 - 4.2 Taranaki Iwi and Ngaruahine and/or hapu of Ngaruahine have, in relation to the specified area, together exclusively used and occupied the area from 1840 to the present day without substantial interruption.
5. The applicant will seek, under section 78 of the Marine and Coastal Area (Takutai Moana) Act 2011, to include recognition of wāhi tapu, or wāhi tapu areas, in any customary marine title order.
6. The grounds on which the applicant seeks the order recognising protected customary rights are as follows:
 - 6.1 Taranaki Iwi has exercised the rights since 1840.
 - 6.2 Taranaki Iwi continues to exercise the rights in a particular part of the common marine and coastal area in accordance with Taranaki Iwi tikanga.
 - 6.3 The rights have not been extinguished as a matter of law.

7. The protected customary rights are:
 - 7.1 the exercise of kaitiakitanga;
 - 7.2 rāhui;
 - 7.3 the use of tauranga waka (landing, launching, anchoring and mooring vessels);
 - 7.4 the use of tauranga ika (anchoring and mooring vessels for fishing purposes);
 - 7.5 whare waka/boat sheds;
 - 7.6 the extraction and use of: sand, peat, shingle, aggregate, rocks, stone, driftwood, ochre, saltwater, pingao and harakeke;
 - 7.7 māra mataitai/non-commercial aquaculture; and
 - 7.8 using the specified area, including the natural and physical resources within it, for ceremonies associated with burial, baptism and rongoā.
8. The applicant is Wharehoka Craig Wano, General Manager of Te Kāhui o Taranaki Iwi. The applicant group is Taranaki Iwi. For the purposes of this application, Taranaki Iwi has the meaning set out in the Taranaki Iwi Claims Settlement Act 2016 at section 13(1).
9. The particular areas of the common marine and coastal area to which this application relates are the areas specified in the **attached** map, which comprise all of the common marine and coastal area to seaward of:
 - 9.1 Paritutu to Herekawe;
 - 9.2 Herekawe to Taungatara; and
 - 9.3 Taungatara to Rawa o Turi.
10. The name of the person to be the holder of the order as the representative of Taranaki Iwi is Te Kāhui o Taranaki.
11. The contact details for Te Kāhui o Taranaki are:

PO Box 929
Taranaki Mail Centre
NEW PLYMOUTH 4340
Ph (06) 751-4285
Email: admin@taranaki.iwi.nz

12. This application is made in reliance on Parts 3 and 4 of the Marine and Coastal Area (Takutai Moana) Act 2011.

30 March 2017



Bronwyn Arthur
Solicitor for the applicant

This document is filed by BRONWYN HELEN ARTHUR, solicitor of the applicant, of the firm Arthur Noble Ltd, whose postal address and address for service of the applicant is:

156 Palmer Rd
RD 1
Brightwater
NELSON 7091

Documents for service on the applicant may be left at that address for service or may be –

- (a) posted to the solicitor at 31/35 Jessie St, Te Aro Wellington; or
- (b) emailed to the solicitor at bronwynarthur@gmail.com.

Taranaki Map

Source: Office of Treaty Settlement Maps



Legend

- Taranaki
- Ngaruahine
- Te Aitawa
- Taranaki Iwi Exclusive
- Iwi Shared

