

IN THE HIGH COURT OF NEW ZEALAND
WELLINGTON REGISTRY

CIV-2017-485-365

In the matter of the Marine and Coastal Area
(Takutai Moana) Act 2011.

In the matter of an application by Te Hawe Harvey Ruru, Susan
Glenice Paine, Cindy Lou Batt, John
Pere Katene, Ngawaina Joy
Shorrock, Ronald Keith Riwaka,
Venessa Patricia Charmon Turama
Ede, William Tahuaroa Reeves, as
trustee of Te Ātiawa o Te Waka-a-
Māui Trust, Beach Road, Waikawa
Marina, Waikawa, Picton 7220.

Applicants

For an order that recognises Te Ātiawa's customary
marine title.

Originating application by Te Ātiawa o Te Waka-a-Māui Trust
for an order recognising customary marine title

3 April 2017

Case Manager
Next Event: / /
- 3 APR 2017
THE HIGH COURT WELLINGTON

Solicitor

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To the Registrar of the High Court at Wellington,

To the West Coast Regional Council,

To the Buller District Council,

To the Tasman District Council,

To the Nelson City Council,

To the Marlborough District Council, and

To the Solicitor-General on behalf of the Attorney-General.

This document notifies you that –

Introduction

1. The applicants, Te Hawe Harvey Ruru, Susan Glenice Paine, Cindy Lou Batt, John Pere Katene, Ngawaina Joy Shorrocks, Ronald Keith Riwaka, Venessa Patricia Charmon Turama Ede, William Tahuaroa Reeves, as trustees of Te Ātiawa o Te Waka-a-Māui Trust, will on 3 April 2017 apply under s 100 of the Marine and Coastal Area (Takutai Moana) Act 2011 for an order recognising Te Ātiawa's customary marine titles.

Applicant group including contact details

2. The applicants are the trustees of Te Ātiawa o Te Waka-a-Māui Trust, the Post-Settlement Governance Entity of Te Ātiawa o Te Waka-a-Māui people (the "**Applicant Group**") who whakapapa to Te Tau Ihu (the top of the South Island). The Applicant Group whakapapa into four marae in Te Tau Ihu known as Waikawa (Picton) Te Āwhina (Moteuka), Whakatū (Nelson) and Onetahua (Takaka).
3. The applicants' office is located at Beach Road, Waikawa Marina, Waikawa, Picton 7220. They can be contacted by post at PO Box 340, Picton, 7250. They can be contacted by phone at 03 573 5170. The chair and general manager can be contacted by email respectively at chair@teatiawatrust.co.nz and gm@teatiawatrust.co.nz.

Subject common marine and coastal area

4. The application relates to five common marine and coastal areas, as follows (collectively the “**Specified Area**”):
 - 4.1. the area covering the coastline from Westport in the west, around Farewell Spit, and along to Separation Point and extending from that coastline out to 12 nautical miles, as denoted on the plan attached as **Appendix A** to this application;
 - 4.2. the area covering the coastline from Separation Point southwards to Mapua and extending from that coastline out to 12 nautical miles, as denoted on the plan attached as **Appendix B** to this application;
 - 4.3. the area covering the coastline from Mapua northwards and around Te Hoiere/Pelorus Sound to Port Gore, as well as the coastline around Rangitoto/D’Urville Island, and extending from that coastline out to 12 nautical miles, as denoted on the plan attached as **Appendix C** to this application;
 - 4.4. the area covering all Totaranui/Queen Charlotte Sound and Port Gore extending from Cape Lambert on the northern side of Port Gore north to 12 nautical miles, and from the headland north of Fighting Bay out to the midway point between the north and south islands, including those parts of Te Moana o Raukawakawa (Cook Strait) that lie between the points described above, as denoted on the plan attached as **Appendix D** to this application; and
 - 4.5. the area covering the coastline from the point north of Fighting Bay along Te Koko-o-Kupe (Cloudy Bay) south to the Clarence River and extending from that coastline out to 12 nautical miles, as denoted on the plan attached as **Appendix E** to this application.

Grounds

5. The grounds on which the order is sought are as follows:
 - 5.1. the Applicant Group holds the Specified Area in accordance with tikanga;
 - 5.2. the Applicant Group has in relation to the Specified Area exclusively used and occupied it from 1840 to the present day without substantial interruption; and
 - 5.3. such further grounds as are set out in the following affidavits of filed in support of this application by:
 - 5.3.1. Bentham Atirau Ohia,
 - 5.3.2. Alan Tahuaroa Riwaka,
 - 5.3.3. Andrew Kaponga Clifford Erueti, and
 - 5.3.4. Jane Lu-Cretia Du Feu.
 - 5.3.5. Sharon Gemmell

Holder of the order including contact address

6. The order, if granted, is to be held by Te Atiawa Asset Holding Company Limited, Registration number 3566852. Te Atiawa Asset Holding Company Limited is wholly owned by Te Atiawa O Te Waka-A-Maui Limited, which in turn is wholly owned by Susan Glenice Paine on behalf of Te Atiawa O Te Waka-A-Maui Trust. Te Atiawa Asset Holding Company Limited hold the applicant groups fisheries assets.
7. The registered office and address for service of Te Atiawa Asset Holding Company Limited is at Beach Road, Waikawa Marina, Picton, 7220. Its contact details are the same as those for the applicants.

Authority

8. The application is made in reliance on Part 4 Subpart 3 and Part 4 Subpart 2 of the Marine and Coastal Area (Takutai Moana) Act 2011.

3 April 2017



Donna Hall

Solicitor for the trustees of Te Ātiawa o Te Waka-a-Māui Trust

This application is filed by Donna Marie Tai Tokerau Hall, solicitor for the abovenamed applicant. The address for service of the respondents is at 19 Myrtle Street, Lower Hutt.

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

- (a) posted to the solicitor at PO Box 30511, Lower Hutt 5040; or
- (b) faxed to 04 560 3681; or
- (c) emailed to info@mokoia.co.nz.

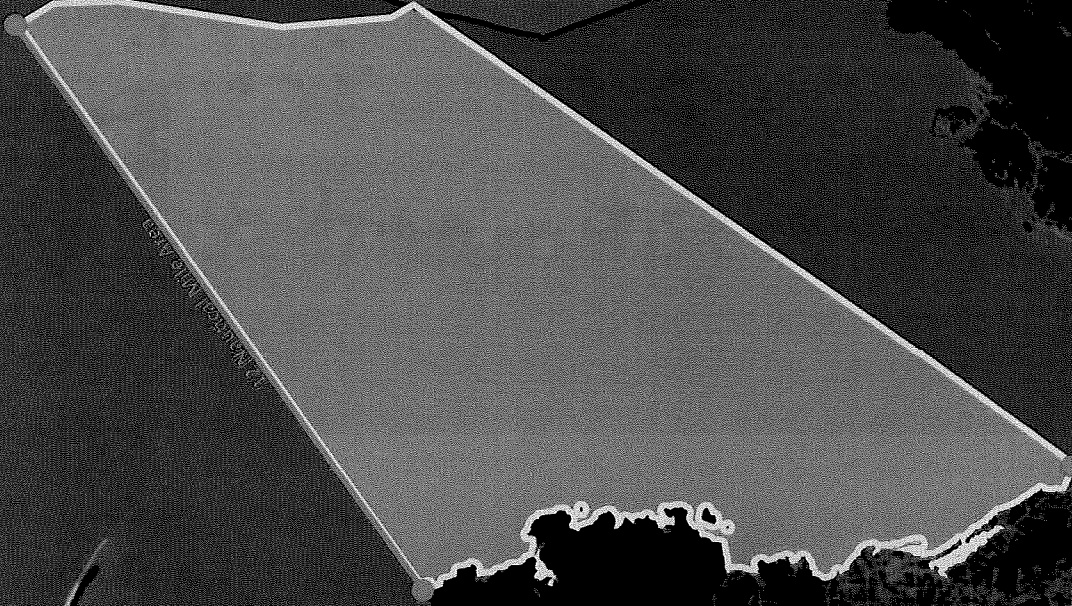
and in each case with a copy sent to felix.geiringer@terracechambers.co.nz.

APPENDIX A



Mohua	
Customary	
Marine Title	
Application	
Area	
Date	10/07/2017
Time	10:30:00
Scale	1:1000
Author	MAI
Project	
Client	
Contract	
Sheet	

APPENDIX B



Mapua Customary Marine Title Application Area	
Scale	1:50,000
Date	2020/02/27
Drawn By	
Checked By	
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Page	
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