



Public Notice of an application under section 103 of the Marine and Coastal Area  
(Takutai Moana) Act 2011 CIV-2017-485-309

An application by Ngāti Mutunga o Wharekauri Iwi Trust on behalf of the Ngāti Mutunga o Wharekauri, being an Iwi, gives notice that it has applied to the High Court for an order recognising Customary Marine Title and Protected Customary Rights in the common marine and coastal area described as:

**Application Area 1**

Ngāti Mutunga o Wharekauri seeks recognition of Customary Marine Title and Protected Customary Rights in and around the takutai moana of Wharekauri and Rangiauria. Application Area 1 extends in a 12-nautical mile circumference from mean high-water springs from the outer islands, islets, reefs and rocks of Wharekauri and Rangiauria. The outer islands and reefs of Wharekauri and Rangiauria are named as, but are not exclusive to, Rangitatahi/The Sisters, Motuhara/The Forty Fours, Motuhope/the Star Keys, Ahuru/Eastern Reef, Tarakoikoia/the Pyramid, Rangituka/Round Rock, Sail Rock, Sentry Reef, the Western Reef, and the North West Reef.

This application excludes the bed of Te Whaanga lagoon, which sits outside the ambit of the Marine and Coastal Area Act 2011. This application also excludes the designated port areas of Waitangi, Port Hutt, Kaiangaroa, and Owenga on Wharekauri; and the designated port area of Onoua/Flower Pot on Rangiauria, which sit outside exclusive and occupation by Ngāti Mutunga o Wharekauri.

**Application Area 2**

Ngāti Mutunga o Wharekauri seeks recognition of Customary Marine Title and Protected Customary Rights in and around the takutai moana of the Auckland Islands. Application Area 2 extends springs in a 12-nautical mile circumference from mean high-water from the outer islands, islets, reefs and rocks of the Auckland Islands. The outer islands and reefs of the Auckland Islands include, but are not exclusive to Bristow Rock, Enderby Island, Ewing Island, Yule Island, Frenchs Island, Green Island, Dundas Island, Blanche Rock, Shag Rock, Adams Island, Amherst Rocks, Lantern Rocks, Adams Rocks, Detached Rock, Beehive Rocks, Disappointment Island, Pinnacle Rocks, Invercauld Rock, Column Rocks, The Five Sisters Rocks, Compadre Rock, Beacon Rock, and Rose Island.

Ngāti Mutunga o Wharekauri connection to the Auckland Islands is through our undisturbed occupation of this whenua from 1842 to 1866 during which time we held mana whenua and mana moana over the Auckland Islands including all its outlying islands as set out above. Ngāti Mutunga o Wharekauri held exclusive use and occupation of the

takutai moana during this period and was never challenged. Ngāti Mutunga o Wharekauri's interests in the Auckland Island takutai moana continues today.

### **Application Area 3**

Ngāti Mutunga o Wharekauri's seeks recognition of Customary Marine Title and Protected Customary Rights in and around the takutai moana of a stretch of Taranaki coastline extending from the Mokau River to Te Rau o te Huia, which is bounded by the Waiau River. Application Area 3 extends from mean high-water springs to 12-nautical miles in a north-westerly direction from the outer islands, islets, reefs and rocks of this stretch of coastline.

Ngāti Mutunga o Wharekauri is an umbrella term that encompasses all Chatham Island Māori and their descendants who arrived on the *Rodney* in 1835. Application Area 3 is also on behalf Ngāti Mutunga, Ngāti Tama, Ngāti Keekerewai, Ngāti Haumia and Atiawa as ahi kaa and hau kāinga ki Taranaki in so far as they represent and maintain Ngāti Mutunga o Wharekauri interests in Taranaki.

Orders for Protected Customary Rights are sought for all kaitiakitanga practices that express Ngāti Mutunga o Wharekauritanga in the takutai moana. These include fishing (including line fishing, surf casting and netting), hunting, gathering kaimoana, gathering edible and aquatic plants, accessing marine areas with which Ngāti Mutunga o Wharekauri has a cultural connection, the landing vessels, and making sea passage to fishing places, collecting materials (including stranded mammals, sand and other natural substances) that preserve Ngāti Mutunga o Wharekauri's kaitiakitanga practices including collecting from the shoreline, wetlands, estuarine marines and the sea and other customary rights in accordance with customary Ngāti Mutunga o Wharekauri knowledge and tikanga.

It is proposed that the orders should be made in the name of Paula Page as the Chair of Ngāti Mutunga o Wharekauri Iwi.

Any notice of appearance in support of, or in opposition to, this application must be filed with the Registrar of the High Court at Wellington (DX SX11199) by not less than 20 working days after the first public notice of this application that being 22 April 2107 and include the reference CIV-2017-485-309.

A copy of the application may be obtained from the High Court at Wellington on phone 04 914 3600 or email [WellingtonHC@justice.govt.nz](mailto:WellingtonHC@justice.govt.nz).