

In the High Court of New Zealand

Hamilton Registry

No: CIV 2017- 419-81

Under the Marine and Coastal
(Takutai Moana) Act 2011

In the matter of

Application for Customary Marine
Title and Protected Customary
Rights

Between

Terewai Awhitu, Kawhia, kaitiaki, on
behalf of Ngāti Te Wehi
Applicant

And

Crown Law Office
Otorohanga District Council
Waikato Regional Council
Respondent

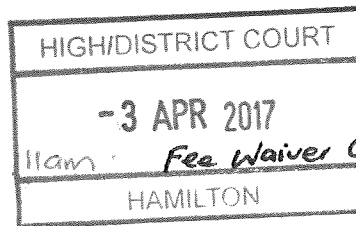
Originating Application

Next event date:

Judicial officer:

Filed by:

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REF 31822.

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To the Registrar of the High Court at Hamilton

And

To Crown Law Office, Ministry of Justice
Otorohanga District Council
Waikato Regional Council

This document notifies you that –

1. The applicant, Terewai Awhitu, will on _____ apply to the court for orders:
 - a. Recognising Ngāti Te Wehi's Customary Marine Title in Aotea harbour; and
 - b. Recognising Ngāti Te Wehi's Protected Customary Rights in Aotea harbour.

2. The grounds on which each order is sought are as follows:
 - a. That Ngāti Te Wehi has maintained its customary use of the entirety of the coastline, foreshore and marine area within its iwi rohe since 1840. Ngāti Te Wehi has title to a large portion of the land abutting the coastline, through Māori Freehold Land and general title.
 - b. That Ngāti Te Wehi continue to customarily fish, harvest kaimoana, and utilise the foreshore and marine for mahinga kai ceremonial purposes around the Kawhia Aotea Taipure;
 - c. That Ngāti Te Wehi claims that they should be entitled to have the title to the sandbanks within Aotea Moana within the rohe of Ngāti Te Wehi.

3. The application is made in reliance on sections 95, 98 and 100 of the Marine and Coastal (Takutai Moana) Act 2011.

I certify that this application complies with the rules.

01 April 2017



David Martin Stone
Counsel for the applicant

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