

IN THE HIGH COURT OF NEW ZEALAND
WHANGAREI REGISTRY
I TE KŌTI MATUA O AOTEAROA
WHĀNGAREI TERENGA PARĀOA ROHE

CIV-2017-485-237 A

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

A N D

IN THE MATTER of an application by The Proprietors of Parengarenga A
Incorporation, on behalf of the shareholders of
Parengarenga A Incorporation and associated iwi, for
customary marine title

**FIRST AMENDED NOTICE OF ORIGINATING APPLICATION FOR ORDERS RECOGNISING
CUSTOMARY MARINE TITLE**

Dated 18 December 2017

Director
Aidan Warren
aidan.warren@mccawlewis.co.nz

Solicitor
Leone Farquhar
leone.farquhar@mccawlewis.co.nz


McCaw Lewis
GOOD PEOPLE. GREAT LAWYERS.

ONE ON LONDON, 1 LONDON STREET, PO Box 9348
HAMILTON 3240, NEW ZEALAND
DX GP 20020, TEL +64 - 7 - 838 2079
WWW.MCCAWLEWIS.CO.NZ

To the Registrar, High Court, Whangarei

And to Northland Regional Council; Far North District Council;

And to the Solicitor-General on behalf of the Attorney-General

This application is made by The Proprietors of Parengarenga A Incorporation (“the Incorporation”), a Māori Incorporation, on behalf of the shareholders of Parengarenga A Incorporation and associated iwi (“the applicant”).

This document notifies you that:

1. As soon as the applicant may be heard, the applicant will apply for orders recognising that the Incorporation has customary marine title in the common marine and coastal area (“takutai moana”) depicted in the map attached as **Schedule A** (and as particularised below).

Application area

2. The application area is the common marine and coastal area abutting lands owned by the Incorporation, and that is bounded on the landward side by the line of mean high-water springs, and on the seaward side by the outer limits of the territorial sea:
 - (a) Along Te One Roa a Tōhē (90 Mile Beach), from Te Arai, north, following the mean high-water springs to Waitaki, and then from Te Karaka, north, following the mean high-water springs to Te Kara; and
 - (b) On the East Coast at Wairahi, following the mean high-water springs north to Pingaoroa at the southern boundary of Parengarenga 5B1 block.
3. The application area also includes the common marine and coastal area within the Parengarenga Harbour that is bounded on the landward side by the line of mean high water-springs, and on the seaward side by the outer limits of the territorial sea:
 - (a) From Whatatereoho then, in a general easterly direction following the mean high-water springs to Te Pua, then in a general southerly direction to Tangoake, then in a general northerly direction to Otamatea near the southern boundary of Parengarenga 5B1.

4. The application area is set out in the map attached as **Schedule A** to this application.

Grounds on which the Order is sought

5. The grounds on which customary marine title is sought are:
 - (a) The shareholders of Parengarenga A Incorporation, and associated iwi, hold the takutai moana in the application area in accordance with tikanga; and
 - (b) The shareholders of Parengarenga A Incorporation, and associated iwi, have exclusively used and occupied the takutai moana in the application area from at least 1840 to the present day without substantial interruption; and
 - (c) Customary marine title has not been extinguished as a matter of law.

Protection of Wāhi Tapu

6. The Incorporation also seeks to include the recognition and protection of wāhi tapu in the customary marine title recognition order.

Holder of the Order

7. The holder of the customary marine title recognition order will be Parengarenga A Incorporation, for and on behalf of the shareholders of the Incorporation, and associated iwi.

Contact Details for the Incorporation

8. The contact details for the Incorporation are:

Contact person: Chad Paraone
Chairperson, Committee of Management

Physical Address: 6636 Far North Road
Te Kao

Postal Address: PDC Te Kao
RD4
Kaitaia 0484

Phone: +64 (9) 409 7831

Email: gm@parengarenga.co.nz

9. This application is made in reliance on sections 51(1), 58, 78 and 98-113 of the Marine and Coastal Area (Takutai Moana) Act 2011, Rule 19.2(NA) of the High Court Rules 2016 and the Affidavits of Winiata Paraone and Ngainanga Eriha Kapa sworn 29 March 2017 and 4 April 2017 respectively.
10. The Incorporation reserves its right to amend this application if required.

Date: 18 December 2017



A H C Warren/L M S Farquhar

Solicitors for the Applicant

This application is filed by **Aidan Warren**, solicitor for the applicant, (solicitor acting is **Leone Farquhar**). The address for service of the applicant is at the offices of McCaw Lewis Limited, Solicitors, Level 1, One on London, 1 London Street, (PO Box 9348, DX GP20020), Hamilton 3240.

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

1. Posted to the solicitor at PO Box 9348; or
2. Left for the solicitor at a document exchange for direction to DX GP20020; or
3. Transmitted to the solicitor by facsimile to (07) 839 4652; or
4. Transmitted to the solicitor by email at aidan.warren@mccawlewis.co.nz and leone.farquhar@mccawlewis.co.nz

Schedule A - Parengarenga A Incorporation Application Area

