

In the High Court of New Zealand
Whangārei Registry

CIV 2017-485-352

IN THE MATTER OF

the Marine and Coastal Area
(Takutai Moana) Act 2011

AND IN THE MATTER OF

an application by Bella Thompson on
behalf of the Rewha and Reweti Whanau
seeking recognition orders under that Act

APPLICATION FOR RECOGNITION ORDERS

Dated Monday the 3rd of April 2017

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

MINISTRY OF JUSTICE
- 3 APR 2017
WHANGAHEI

To: The Registrar of the High Court at Whangarei
And to: Northland Regional Council
And to: Whangārei District Council
And to: the Solicitor-General on behalf of the Attorney-General

THIS DOCUMENT NOTIFIES YOU THAT:

This document notifies you that:

1. Bella Thompson will apply to the High Court for an order pursuant to s98 of the Marine and Coastal Area (Takutai Moana) Act 2011 ("the Act") to recognise the customary marine title and protected customary rights of the Rewha and Reweti whanau.

Protected Customary Rights

2. The ancestors, descendants and current members of the Rewha and Reweti ancestors have utilised, and continue to utilise, the common marine and coastal area for;
 - a) non-commercial fishing (utilising nets, hinaki and hand-lines to catch Tamure kanae, kahawai, tarakihi, porae, takake (piper), patiki, shark, maomao, pakirikiri, herrings, mullet, paddlecrabs, crayfish, parore, marate, john dori, kingfish, kotakota, trevalley, eels and other fish);
 - b) non-commercial seeding and harvesting of mutton bird and shellfish; including pipi, cockles, oysters, mussels, scallops, karahu, tuatua, tuangi, pupu, limpids and seaweed, karengo, kelp and others;
 - c) kaitiakitanga and spiritual practices (such as rahui) tapu (following missing or drownings) and any other tikanga o nga tupuna Rewha me Reweti;
 - d) planting and cultivating mahinga kai/Marakai examples of these were kumera, taro, riwai, kamukamu, puha, watercress, ruruhau, corn and many other vegetables that are grown on our islands and mainland;
 - e) plant species in CMCA wet margins (such as flax, tī kouka, kuta pingao), rongoa plants and trees both in the wet land environment and on the adjoining ancestral lands;
 - f) gathering edible and aquatic plants;

- g) extracting non-nationalised minerals for non-commercial purposes;
- h) collecting hāngi stones for non-commercial purposes;
- i) collecting driftwood and other natural resources for non-commercial purposes;
- j) temporary camp-sites for ceremonial activities in the coastal marine areas along the coast (Takutai Moana) that Rewha and Reweti Whanau lived and had pa and or papakainga; and
- k) reserve lands along this coastal area for landing and fishing as well as for water and safe shelter.

The Applicant Group:

3. The Applicant Group are the descendants of Rewha and Reweti, brought by one of the members of that group: Bella Thompson. Bella Thompson, like all the Applicant Group has whakapapa to their tupuna Rewha and Reweti and maintain links to the application area.
4. My tupuna Reweti was from Whangaruru, he was a signatory to Te Tiriti, his son Hare Reweti was baptised in Paihia on the 6th of February 1859.
5. Hare Reweti lived in Whangaruru with his father Reweti.
6. Hare Reweti was my great great grandfather.
7. As a descendant of Reweti, our whanau have ancestral lands and hold Islands in trust for all their descendants along this coastal area.
8. We have several urupa along this coastal area from Ouporua in Te Rawhiti at Ipiri in the north to Tuparehuia in the south.
9. My sisters whenua is buried at Taupiri Bay.
10. Another of our urupa is Whangaroa Ngaiotonga Urupa located above a tidal estuary of Whangaruru harbour.
11. At Tuparehuia and our ancient burial ground Te Paihere and Oteaka Urupa are all located above the high water (on the edge of the beach).
12. I and other descendants continue to live in Tuparehuia at Whangaruru today.
13. On the whakapapa to Rewha my Grandmother was Ria Rewha.
14. Rias Father Matutaera tutu Rewha was a seaman and boat-builder. We still live on our ancestral land

15. Bella Thompson was appointed to make this application for and on behalf of the Rewha and Reweti Whanau on 31/ 03/2017.

Area to which the application relates

16. The area to which this application relates is the marine and coastal area (as defined in s9 of the Act) that includes the marine and coastal area surrounding the following islands starting in the north Te Okinga, Poroporo, Paparoa, Urupukapuka, moturoa, motu wheteke, motukokako, Red Head, whale rock, Toroa, Waiwiri, motu tara, Otutea, Motutara, Moturahurahu, southern islands are Motukowhai, Moana Rua Island, Whitikau Motukauri Island Motuti and Island reefs (Danger rock).

Grounds on which protected customary rights order is sought:

17. The grounds on which this order is sought are that :
- a. The Rewha and Reweti Whanau being a coastal group have since before 1840 relied heavily on tamure, mullet, flounder, garfish, kahawai, kingfish, cod, pakirikiri, pipi cockles, mussels, scallop, karahu pupu and many other shell fish including seaweed like karengo and kelp.
 - b. wetland food stocks have been, since before 1840, foraged by whānau in the estuaries and coastal margins; and
 - c. our fishermen sought the deep water fish; Hapuka, Bluenose Tuna and other deep sea species that were not available around the inner shoreline; and
 - d. Rewha and Reweti Whanau also undertakes the following activities in the common marine and coastal area: rongoā collecting, bird snaring, transport, transfer of knowledge of hapū marine culture, trade, communication seasonal kaimoana exchange, access to gardens on land, bird snaring, tangihana, social interaction, manaakitanga and ope mara (labour movement), and other activities as necessary for the well being of our whanau
 - e. Rewha and Reweti whanau has undertaken these activities listed above since [about and at 1840] and continues to undertake these activities in the application area, albeit in some instances using modern equipment, and in accordance with tikanga.
18. The Rewha and Reweti whanau will provide more information

once funding for research and legal representation is secured.

Grounds on which the customary marine title application is made:

19. The grounds on which this order is sought are that:
 - a. The Rewha and Reweti whanau has held the application area in accordance with tikanga since at least 1840.
 - b. The Rewha and Reweti whanau has exclusively used and occupied the application area from at least 1840 to the present day without substantial interruption.
20. The Rewha and Reweti whanau will provide more information once funding for research and legal representation is secured.

Contact Details:

21. The Representative for Rewha and Reweti Whanau is:

Bella Thompson
724 Whangaruru North Road
RD 4 HIKURANG 0184
Northland

22. This application relies on s51(1), s58, s98-113 of the Act and the affidavit of Bella Thompson, kaumātua.

Dated at Whangarei this 3rd day of April 2017



Bella Thompson

Exhibit "A"



THIS IS THE EXHIBIT MARKED "A" REFERRED TO
IN THE AFFIDAVIT OF BELLA THOMPSON
AND SWORN AT WHANGAREI
THIS 3rd DAY OF APRIL 2017 BEFORE ME