

Did you know that all of the beaches in the Hawke's Bay are being claimed?

The National-led Government changed the law in 2011 to allow tribal groups to claim the coast. They made generous taxpayer funding of up to \$400,000 available for claimants. They said that under the Marine and Coastal Area Act there would only be a few claims for remote parts of the coastline. But instead over 600 claims were lodged covering every single beach many times over.

Dear Kiwis,

To succeed in claiming their new property right - a Customary Marine Title - claimants must show they have used and occupied an area continuously and exclusively since 1840 to the present day, according to tikanga.

If a tribal group succeeds in gaining title, they would have new rights of control over their coastal marine area. These would include the right to impose Wahi Tapu to restrict public access with fines of up to \$5,000 for trespassing. They could charge commercial operators fees and levies for using the area. They would have the right of veto over marine consents. They could force their coastal management plans onto councils. They would have the right to extract and sell non-nationalised minerals and other resources found in the area.

The hearing for the first claim in the High Court is about to get underway. It's for an area of the southern Hawke's Bay coastline from Whangaehu to Poroporo - including Cape Turnagain.

Catherine Clarkson, on behalf of the Poronia Hineana Te Rangi Whanau, is claiming a Customary Marine Title. They will allege in the Court that they have used and occupied the area from Whangaehu to Poroporo - including Cape Turnagain - exclusively and continuously since 1840 to the present day according to tikanga.

But the Clarksons are not the only group claiming this area of the coast. Six other tribal groups have also lodged High Court applications that overlap with the Clarkson claim. They too say they have used and occupied the area from the high tide mark out 22 km to the edge of the Territorial Sea exclusively and continuously since 1840.

The government will tell you the law says the claims will only succeed if iwi have had "exclusive" use and occupation. But the lawyers acting for Maori interests will try to re-define the meaning of "exclusive". They will say it doesn't matter whether others have also used and occupied the area as long as the claimants have used and occupied it too.

The New Zealand Centre for Political Research is a public policy think tank that has been following changes to the laws affecting the coast. We have been working with groups opposing coastal claims in the public interest and we have placed this message to ensure that locals are aware that their coastline is being claimed. We are concerned that without local involvement, opportunistic claimants could gain title to the coast.

We would like to make contact with local residents who have information that could help prove that tribal claimants have not used and occupied the area from Whangaehu to Poroporo including Cape Turnagain "exclusively" and continuously since 1840.

If you have information that could help, then please email us at claims@nzcpr.com, text us on 021 718 478, or write to NZCPR, PO Box 984, Whangarei. Please help spread the word. Full details of the High Court applications and other information can be found on our NZCPR website at www.nzcpr.com/clarksonclaim.

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