

PĀNUI TAKUTAI MOANA

November 2021 - Information for applicants

E ngā whānau, ngā hapū me ngā iwi o te motu, tēnā koutou katoa. Ko te tūmanako ia, e ora tonu ana koutou. Pānui Takutai Moana provides you with the latest updates and developments that will help you with your application under te Takutai Moana Act 2011.

Update on engagement

Following the launch of the Crown's Takutai Moana engagement strategy in June this year, we are in the process of reaching out to takutai moana applicants to discuss their applications and what support Te Arawhiti can provide. This mahi is to help us get a better picture of the coastlines and which applicants may be ready to progress.

If you would like to discuss your application please contact us at takutaimoana@tearawhiti.govt.nz.

High Court Judgments

Two High Court judgments under te Takutai Moana Act have recently been released.

Re Clarkson

The Clarkson application is a whānau application for customary marine title (CMT) over fifteen kilometres of coastline on, from Whangaehu to Cape Turnagain. Justice Mallon dismissed the Clarkson application for customary marine title on the basis that there was insufficient evidence that the group met the test for customary marine title.

Four other applicant groups, Ngāti Kere, Ngāti Kahungunu, Rangitāne and Te Hika o Pāpāuma participated as interested parties in the case.

Ngā Pōtiki Stage 1

The Ngā Pōtiki Stage 1 hearing concerned five applications for customary marine title in Te Tāhuna o Rangataua (Rangataua Bay) in Tauranga Moana. Justice Powell found the test for CMT had been met in the area for Ngā Pōtiki, Ngāti Hē, Ngāti Pūkenga and Ngāi Te Rangī (representing Ngāi Tukairangi and Ngāti Tapū hapū) based on shared exclusivity. These groups advanced a joint application during the hearing.

Ngāti Ranginui also appeared in the hearing representing two hapū; Ngāti Ruahine and Ngāi Te Ahi. Justice Powell dismissed the Ngāti Ranginui application for CMT, as he said there was insufficient evidence to support it. However, he invited Ngāti Ranginui to apply for protected customary rights in the area if they wish.

Resource Management Reform

Takutai moana applicants are invited to attend hui the Ministry for the Environment are hosting on the resource management reforms this November and December.

The reforms are relevant to takutai moana applicants because the resource management system sets the framework for how activities like constructing ports and establishing new marine farms can take place. Takutai moana applicants and rights-holders have rights which link to the current resource management system that the reforms need to uphold.

All hui are online and current links to register provided to us by the Ministry for the Environment are available [here](#). You can also contact rm.reform@mfe.govt.nz if you have questions about the hui.

We acknowledge the short notice for these hui and know it is a busy time of year with other mahi you have on, as well as the COVID-19 response. We understand you may not be able to engage with the Ministry for the Environment on this kaupapa at this time. We encourage you to participate if you can, however there will be another opportunity to engage specifically on upholding takutai moana rights in the new year. You can also participate in the select committee inquiry when the new legislation is introduced to Parliament next year.

HOW TO CONTACT US

For any queries about this pānui please contact us at takutaimoana@tearawhiti.govt.nz.