
He Anga Whakamua

He Anga Whakamua is a team which works as part of the Maniapoto Maori Trust Board.

He Anga Whakamua work to advance and facilitate the aspirations and goals of Ngati Maniapoto whanui.

Projects include the Waitangi Claims process, and the advancement of Maniapoto interests in their coastlines (Takutai Moana).



Maniapoto Maori Trust Board

www.maniapoto.iwi.nz

office@maniapoto.co.nz



Tel. +64 07 878 6234



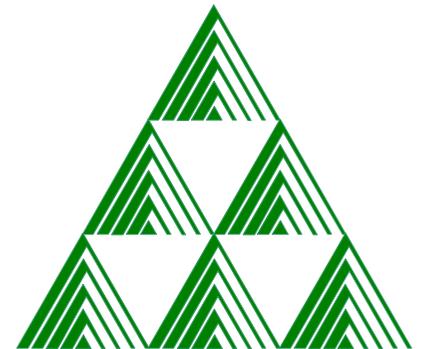
Fax +64 07 878 6409



MMTB, P O Box 36, Te Kuiti, NZ

Takutai Moana - Marine Coastal Area Information

Maniapoto Maori Trust Board



*Â muri, kia mau ki tēnā, kia mau ki
kawau mārō, Whanake Ake! Whanake
Ake!*

Takutai Moana

Stemming from the Foreshore and Seabed Act 2004 (repealed), the Marine and Coastal Area (Takutai Moana) Act 2011 was enacted amidst concerns that the Foreshore and Seabed Act had curtailed any interest Maori had in the Foreshore and Seabed. In 2003 the Court system allowed for the possibility of interests and rights being discussed, the Government however was swift in enacting the Foreshore and Seabed Act, which vested most of the Foreshore and Seabed into the Crown, with some parts of the coastline being held privately. This took any possibility of Maori interest in New Zealand's common marine and coastal area off the table.

In 2011 the Marine and Coastal Area (Takutai Moana) Act was enacted in Parliament, which provides for the possibility of Maori interests being heard and considered in common marine and coastal area's via an application process. The interests that can be held are:

- ◆ Customary Marine Title
- ◆ Protected customary rights

Customary Title (CMT)

This title cannot overlap but must be exclusive and means the title holder can (amongst other things)

- ◆ Own the non-nationalised minerals
- ◆ can veto / approve resource consents
- ◆ can veto / approve concessions

If customary marine title is determined, customary marine title holders will have certain management rights that build on existing functions in natural resource legislation. CMT will give the holder the ability, with some exceptions, to prevent activities which require resource consents or permits

Protected Customary Rights (PCR)

This recognition can overlap with others and it recognise a customary activity undertaken in a particular place. A protected customary right (PCR) may be granted for a customary activity such as collecting hāngi stones or launching waka etc

A customary rights determination will confer some rights to customary marine title holders that will strengthen their role under the Resource Management Act 1991 and the Conservation Act 1987.

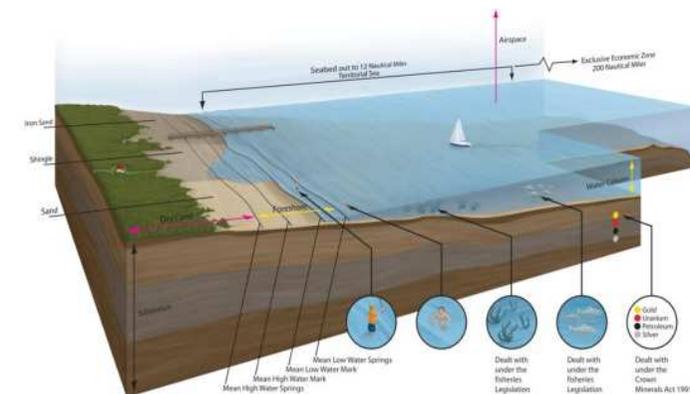
Criteria

Before customary marine title can be recognised applicants will need to meet a legal test that is set out in section 58 of the Act and requires that a group:

- ◆ holds a defined area in accordance with tikanga (Māori custom), and
- ◆ has exclusively used and occupied the area from 1840 until the present day without substantial interruption, or
- ◆ Received it, at any time after 1840, through a customary transfer.

Common Marine and Coastal Area

The common marine and coastal area is the 'wet' part of the beach that is covered by the ebb and flow of the tide, from the line of mean high water springs to the outer limits of the territorial sea (12 nautical miles from shore), or a defined area within this zone.



Common Space

Common space is an area of the coastline which can not be owned by anyone. Common space may be as a result of a failed application or a space where the criteria fails.