

IN THE HIGH COURT OF NEW ZEALAND

CIV-2017-485-283

WELLINGTON REGISTRY

I TE KŌTI MATUA O AOTEAROA

WHANGANUI Ā TARA ROHE

IN THE MATTER OF

the Marine and Coastal Area (Takutai Moana)
Act 2011 (the Act)

AND

an application by Ngātiwai Trust Board for an
order recognising customary marine title and
protected customary rights

AFFIDAVIT OF MARINO MOANA JANE ARMSTRONG IN REPLY

Dated this ~~15~~ day of July 2024

OCEANLAW NEW ZEALAND

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Nelson 7040

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I, MARINO MOANA JANE ARMSTRONG, of Mimiwhangata, Pou Whirinaki (Administrator), solemnly and sincerely affirm:

1. I am Pou Whirinaki (Administrator) for the Pou Tai Ao (Environment) and Pou Rangatiratanga (Leadership) teams within the Ngātiwai Trust Board (NTB). I have held this position since July 2022.
2. I confirm I am authorised by the NTB to make this affidavit.
3. I understand that Dr Terence Green, a witness for the Attorney-General, has given evidence that touches on the role of the Department of Conservation (DoC) in the management of Taranga and the Marotere Islands (known as the Hen and Chickens Islands), and that co-operation between the Department and the NTB is referred to in that evidence. The purpose of this affidavit is to put before the Court documents that are relevant to that cooperation.
4. On June 4 2024 I attended a meeting with our Treaty Claims Manager (Tania McPherson) and Resource Management Unit (RMU) Manager (Clive Stone) about gathering information for the Board's MACA application to the High Court. Specifically, we needed to locate evidence recording the work our RMU team had undertaken on the Hen and Chicken Islands.
5. Following that hui, I emailed Carole Tilman (Senior Community Ranger in the Northland Conservancy of the Department of Conservation ("DOC")) on 5th June 2024 requesting information. I initially requested the Taranga ecological and archaeological survey report, then emailed again on 12th June 2024 requesting any other documents they had in their system about work carried out on the other Hen and Chicken islands.
6. On 18th June 2024, I received an email from Ms Tilman. A copy of that email is annexed to this affidavit and marked "MA-1".
7. Attached to that email were a number of documents relevant to activities NTB has been involved with in relation to Taranga and the Hen and Chickens Islands. An indexed bundle of those documents is annexed to this affidavit and marked "MA-2".
8. We also reviewed files held by NTB and located a Memorandum of Agreement between the Minister of Conservation and the NTB dated

MAA

25 May 2010, subtitled 'Mautaha and Araara Islands Operational Management Agreement'. A copy of that Agreement is annexed to this affidavit and marked "MA-3".

9. I understand that Dr Green refers to the appointment of the NTB to "control and manage" those islands at paragraph 30 of his report.



Marino Moana Jane Armstrong

AFFIRMED at Whangārei this ^{5th} day of July 2024
before me:



(Deputy) Registrar
Justice of the Peace
A Solicitor of the High Court of New Zealand

Margaret Jill Christie, JP
#22018
WHANGAREI
Justice of the Peace for New Zealand