

**I TE KOOTI WHENUA MĀORI O AOTEAROA
I TE ROHE O AOTEA**

*In the Māori Land Court of New Zealand
Aotea District*

AP-20250000003542

WĀHANGA
Under

78A(7), Māori Affairs Amendment Act 1967

MŌ TE TAKE
In the matter of

William Williams also known as Kupe Williams or
Kupe Taare or Kupe Taurerewa or Kupe Hinewai
or Kupe Tuwharetoa or Kupe Tuwhatetua -
Succession

I WAENGA I A
Between

DEPUTY REGISTRAR
Te kaitono
Applicant

ME
And

DEBORAH COOK AND BRUCE JEPSEN
Ngā kaiurupare
Respondents

Nohoanga: 4 September 2025
Hearing (Heard at Palmerston North)

Whakataunga: 16 February 2026
Judgment date

TE WHAKATAUNGA Ā KAIWHAKAWĀ M J DOOGAN
Judgment of Judge M J Doogan

Hei timatanga kōrero*Introduction*

[1] This is an application by the Deputy Registrar to vest additional interests of William Williams in persons entitled. William Williams died on the 19th of March 1972 and distribution of his estate was initially to Brian Treanor as administrator (3 Whanganui Administration MB 345, 8 April 1983) and then in Kupe Treanor solely in accordance with the will (5 Whanganui Registrar MB 155-156, 19 April 1983).

[2] The matter came before me in Palmerston North on the 4th of September 2025. Deborah Cook and Mr Bruce Jepsen appeared to oppose the orders for succession to the further interests. They indicated that they had sought legal advice from Mr Leo Watson and asked for an adjournment so that they could obtain advice and representation.

[3] I adjourned the matter with a direction that Mr Watson file an update with the Court, on or before Friday 19 September 2025. Mr Watson did not meet that deadline but subsequently filed a memo dated 4th of November 2025 confirming that he had instructions to prepare and finalise an application to the Court pursuant to the Family Protection Act 1955. Mr Watson also indicated that his clients considered the issues would benefit from Court directed mediation and they would apply for a direction accordingly.

[4] On the 5th of November 2025, I issued a chambers minute and directions confirming a 3 month adjournment within which time Mr Watson was to file any Family Protection Act claim his clients intended to make. I had also directed the parties to indicate whether they agreed to Court directed mediation on or before 4pm Tuesday 25 November 2025 (517 Aotea MB 1–2).

[5] The Court subsequently received confirmation from Mr Sutherland that Brenda Unuwai-Nohotima-Haruru and Merlene Williams opposed mediation. No response has been received from Mr Watson and Family Protection Act proceedings have not, to my knowledge, been filed. At paragraph 8(4) of my 5 November 2025 directions, I said:

If no further application is made by Mr Watsons clients within 3 months, I will either determine the application on the papers or may set it down for final hearing (517 Aotea MB 2)

[6] There has been no application by Mr Watson for an extension of time, and I do not consider a further hearing is required. I will now determine the application on the papers.

Kōrero whānui

Background

[7] The relevant facts are helpfully set out by the Deputy Registrar and are recorded in the submission prepared for the hearing of 4th of September 2025. The relevant facts, and documents relied upon from the Court record are as follows:

William Williams died on 19 March 1972 at Feilding as recorded in the Affidavit to Lead Grant of Probate sworn by Brian Tepiringa Treanor also known as Brian Treanor on 17 August 1972 and left a will dated 16 February 1971.

Probate (P.No.547/72) was granted by the Supreme Court at Palmerston North on 7 September 1972 appointing Brian Tepiringa Treanor also known as Brian Treanor as administrator of the estate of William Williams also known as Kupe Williams or Kupe Taare or Kupe Taurerewa or Kupe Hinewai or Kupe Tuwharetoa or Kupe Tuwhatettoa.

Most of the deceased's Māori land interests were vested in Brian Tepiringa Treanor as administrator of the estate of Kupe Williams also known as Kupe Taare or Kupe Taurerewa at 3 Whanganui Administration MB 345, dated 8 April 1983, and then vested in Kupe Treanor, solely, in accordance with the will of the deceased at 5 Whanganui Registrar's MB 155-156 dated 19 April 1983.

Kupe Treanor's name was amended in the Court record to Trevor Te Kupenga Treanor at 185 Waikato Maniapoto MB 143-144 dated 13 August 2019.

Mr Williams has additional interests in Māori land as listed in the table of interests, which have been discovered since the time when the court determined the succession and vested the interests in the person determined entitled. The will says:

3. I GIVE AND DEVISE to my great-grandson LIONEL WILLIAMS and to KUPE TREANOR the son of my nephew BRIAN TREANOR my farm of approximately fifty-five acres at Kakariki, free and clear of all deductions for duties and expenses whatsoever as tenants in common in equal shares.

4. I GIVE AND DEVISE all interests in Maori Land to which I shall be entitled at the date of my death to the said KUPE TREANOR absolutely.

It should be noted that the deceased farmed land at 643-644 Pryces Line, Halcombe, during his lifetime. This land is near the locality of Kakariki. The area farmed was comprised of land held in two titles. The two titles combined amount to approximately 53 acres, 3 roods and 9 perches and are located near Kakariki. The total area of the two blocks is just short of the 55 acres mentioned in Clause 3 of the will of the deceased. Some background details for the two blocks are set out as follows.

Reu Reu No. 1 Subdivision 4B (644 Pryces Line)

Record of Title WN298/41 was issued for the Māori freehold land known as ‘Reu Reu No. 1 Subdivisions Nos. 3, 4, 6, 12, 13A, 27 and 33’ block on 20 January 1923 in favour of Tawhi Paranihi and 25 others in unequal shares. One of the owners was a Te Matau Paranihi (II). That title records a notation at the 3rd paragraph on page 3 of the historic title that reads “Order of Court 5237 produced 8 January 1923 at 10 a.m. apportioning Reu Reu No. 1 Subdivision 4B to Te Matau Paranihi. Cancelled as to Reu Reu 1 Subdivision 4B. See Volume 298 Folio 42.” In effect this has partitioned Reu Reu 1 Sub 4B out from the parent title and vested that block in Te Matau Paranihi (II), solely. This was based upon a Partition order of the Court found at 68 Whanganui MB 190 dated 27 March 1916. There is a handwritten notation on the face of the partition order stating “Sold”.

Record of Title WN298/42 was issued for the Māori freehold land known as ‘Reu Reu No. 1 Subdivision 4B’ block on 8 January 1923 in favour to Te Matau Paranihi, solely. That title records a notation at the 3rd paragraph on page 2 of the historic title that reads “Transfer 150425 produced 8th January 1923 at 10a.m. Te Matau Paranihi to William Williams of Kakariki Farmer. An Aboriginal Native of New Zealand” The instrument called Transfer 150425 confirms that William Williams purchased the land from Te Matau Paranihi for £500.

Instrument 904550 was recorded against Record of Title WN298/42 on 4 February 1972 at 11:15 o’clock. This instrument was a Declaration of Change of Status of Land pursuant to Part 1 of the Māori Affairs Amendment Act 1967 which is dated 1 February 1972. The effect of this instrument was to change the status of Reu Reu No. 1 Subdivision 4B from Māori freehold land to general land. This was an operation of law

and was not done at the request of any owner. The status of Reu Reu No. 1 Subdivision 4B became general land from 1 February 1972.

Transmission 251497.1 was recorded against Record of Title WN298/42 on 17 May 1978 at 9:54am and transmitted the ownership of Reu Reu No. 1 Subdivision 4B (now general land) to Brian Tepiringa Treanor as administrator of the estate of William Williams also known as other names.

Transfer 251497.2 was recorded against Record of Title WN298/42 on 17 May 1978 at 9:54am and transferred the ownership of Reu Reu No. 1 Subdivision 4B (as general land) to Lionel Williams of Christchurch and Kupe Treanor of Hamilton as tenants in common in equal shares. The effect of this is that Lionel Williams and Kupe Treanor own the land equally and absolutely. This is reflected on the current title for this land which records the owners as being Lionel Williams as to a ½ share and Kupe Treanor as to a ½ share.

As this land was declared to be general land, there was no need for the transfer of ownership to occur through the Māori Land Court to carry out the terms of the will of the deceased.

Reu Reu 1 Sub 4C No. 1B (643 Pryces Line)

Record of Title WN304/126 was issued for the Māori freehold land known as ‘Reu Reu 1 Section 4C No. 1 and Reu Reu 1 Section 6 C’ block on 24 July 1923 in favour of Keeni Paranihi, solely. The title records a notation at the 4th paragraph on page 2 of the historic title that reads “Transfer 156649 produced 26 November 1923 at 10:33am Keeni Paranihi to William Williams of Reu Reu 1 Block Sub 4C No. 1. Vol 307 folio 100.’ In effect this has partitioned Reu Reu 1 Sub 4C No. 1 out from the parent title and vested that block in William Williams, solely. The instrument called Transfer 156649 confirms that William Williams purchased the land from Keeni Paranihi for £985.

Record of Title WN307/100 was issued for the Māori freehold land known as ‘Reu Reu 1 Section 4 C No. 1’ block on 26 November 1923 in favour of William Williams, solely.

Instrument 7903125.1 was recorded on Record of Title WN307/100 on 11 August 2008 at 9:00am and records a partition of Reu Reu 1 Sub 4C No. 1 and a resulting block being Reureu 1 Section 4C No. 1B block and issued Record of Title 439247.

Instrument 7903130.1 was recorded on Record of Title WN307/100 on 11 August 2008 at 9:00am and records a partition of Reu Reu 1 Sub 4C No. 1 and a resulting block being Reureu 1 Section 4C No. 1A block (also known as 631 Pryces Line) and issued Record of Title 439244.

These two instruments effect partition orders granted at 103 Whanganui MB 29 dated 13 June 1944 whereby Reu Reu 1 Sec 4C No. 1 was partitioned into two parts, being Reu Reu 1 Section 4C No. 1A and Reu Reu 1 Section 4C No. 1B. Reu Reu 1 Sec 4C No. 1A block (631 Pryces Line) was vested in Paddy Williams also known as Pari Wiremu for the purpose of a housing site and contained an area of 2 roods or 0.2023 hectares and Reu Reu 1 Section 4C No. 1B block was vested in William Williams also known as Kupe Williams and contained an area of 20 acres, 3 roods and 35 perches or 8.4857 hectares. There is a note in the margin of the minute pointing out that legally at that point the parent block was still Reu Reu 1 Sections 6C & 4C No. 1 and that as a result of the partition of Reu Reu 1 Section 4C No. 1, there should be a partition for Reu Reu 1 Section 6C which was also done at this minute book reference. It appears that these three partitions were not registered with LINZ until 2008. At this point (13 June 1944) the Māori Land Court record and LINZ record start to diverge.

Transmission 251497.1 and Transfer 251497.2 (detailed above in the last three paragraphs in the summary for 644 Pryces Line) were recorded on Record of Title WN307/100 on 17 May 1978 at 9:54am which purports to transfer the interest of William Williams in Reu Reu 1 Sec 4C No. 1 block (which no longer existed, but LINZ's record did not reflect this) to Lionel Williams and Kupe Treanor, equally, via Brian Tepiringa Treanor as administrator of the estate of William Williams also known as other names. These transfers and transmissions should never have been registered against Record of Title WN307/100 for two reasons, firstly because that block had been partitioned some 38 years previously and secondly, because any change in ownership of Māori freehold land (which this land was/is) can only be effected by order of the Māori Land Court. No such order has yet been granted.

In 2008, the Court was undergoing the Māori Freehold Land Registration Project to confirm the status of Māori Freehold land parcels and obtain correct title for those

where discrepancies occurred. As part of this project, an application was filed by a Deputy Registrar to confirm what the status of the Reu Reu 1 Section 4C No. 1B block was and who the legal owners should be. As a result of this application, the Court granted orders determining that the status of the land was Māori freehold land and that the legal owner of the block was William Williams also known as Kupe Williams. These orders were granted at 208 Aotea MB 103-104 dated 30 June 2008. These orders were transmitted to LINZ and it seems that it was at that point that LINZ's records realigned with the Māori Land Court record. The partitions of Reu Reu 1 Section 4C No. 1A, Reu Reu 1 Section 4C No. 1B and Reu Reu 1 Section 6C were registered and the relevant titles created their status as Māori freehold land was confirmed and the correct ownership was recorded against the titles.

It appears on the face of it that these land blocks could also have been subject to Part 1 of the Māori Affairs Amendment Act 1967 and were liable to status change by a declaration by the Registrar, however no such declaration has been found or registered against the title and therefore the lands remain as Māori freehold land.

At the date of execution of the will of the deceased, both parcels held the status of Māori freehold land. However, at the time the deceased died, 644 Pryces Line was General land and 643 Pryces Line remained Māori freehold land.

Te whakatakotoranga o ērā e āhei ana ki te whiwhi

Table of successors

	Te ingoa Name	Te ira Male/Female/ Gender Diverse	Kua mate? Deceased?	Te ōwehenga Proportion
1	Lionel Williams also known as Lyonal Williams	M	No	1/2
2	Kupe Treanor also known as Trevor Te Kupenga Treanor	M	22 April 2023	1/2

Te whakatakotoranga o ngā pānga*Table of interests*

William Williams owned the following interests in Māori land blocks and incorporations:

Te poraka Block name	Te tohutoro LINZ LINZ title reference	Te kaiwhiwhi onāiane Current owner	Ngā hea The shares
Reureu I Section 4C No. 1B	439247	William Williams	3355

Ngā kōrero taunaki*Supporting or other information*

- The following documents have been retrieved from the Court record and the records of Archives New Zealand and Land Information New Zealand:
- Probate (P.No.547/72) dated 7 September 1972
- Affidavit to Lead Grant of Probate sworn by Brian Tepiringa Treanor also known as Brian Treanor on 17 August 1972
- Copy of the will dated 16 February 1971
- Minutes and orders from 3 Whanganui Administration MB 345 dated 8 April 1983
- Minutes and orders from 5 Whanganui Registrar's MB 155-156 dated 19 April 1983
- 185 Waikato Maniapoto MB 143-144 dated 13 August 2019
- Historic Record of Title WN298/41
- Historic and Current Records of Title WN298/42
- Transfer 150425
- Instrument 904550

- Declaration of Change of Status of Land pursuant to Part 1 of the Māori Affairs Amendment Act 1967 which is dated 1 February 1972
- Transmission 251497.1
- Transmission 251497.2
- Historic Record of Title WN304/126
- Transfer 156649
- Historic Record of Title WN307/100
- Instrument 7903125.1
- Historic and Current Records of Title 439247
- Instrument 7903130.1
- Historic and Current Records of Title 439248
- Minutes and orders from 103 Whanganui MB 29 dated 13 June 1944
- Minutes and orders from 208 Aotea MB 103-104 dated 30 June 2008

Kōrerorero

Discussion

[8] At the hearing on the 4th of September 2025, Mr Jim Sutherland representing Merlene Williams and Brenda Unuwai-Nohotima-Haruru said:

I am entirely in agreement with what Merlene has said and our argument is that the Will was made, the property was transferred to both Lionel Williams and Trevor Treanor in 1978, as per the terms of the Will. And it remained that way until such time as the registration and proclamation was done subsequently.

But our argument is that there is a testamentary promise here by virtue of the terms of the Will. Nearly 50 years has elapsed. We think that that is far too long a time to make any change to this because of historical matters. We do not believe that the question of the validity of the Will should be challenged, because of the time that has elapsed and any information that could lead to any contrary intention would be very, very difficult to establish anyway.

Our argument is too that land was transferred. It was fee simple at the time it was transferred. If the two transferees had sold the land and in the period following that transfer, then it would have been disbursed anyway. So, we believe, and we totally agree with the details set out in the deputy registrar's minute and we don't believe there's any – well yes we totally acknowledge what's contained in that minute and we are looking to have this land transferred to Mr Williams and Mr Treanor's estate, as tenants in common in equal shares as per the original intention, as per the Will.

[9] Mr Sutherlands submissions were supported by Merlene Williams and Brenda Unuwai-Nohotima-Haruru.

[10] While I was prepared to allow time for Ms Cook and Mr Jepsen to obtain legal advice and take steps, I did note at the hearing on the 4th of September that Mr Sutherland had made valid points about the difficulty of challenging an estate distributed in accordance with a will after so much time had elapsed.

[11] I see no evidence on the record of error and having provided an opportunity to Ms Cook and Mr Jepsen to take steps, I am now satisfied that I can conclude the matter by making orders in accordance with the Deputy Registrars application.

Ngā Ota

Orders

[12] Pursuant to section 78A(7) of the Māori Affairs Amendment Act 1967 vesting the additional Māori land interests of the deceased as set out in the schedule in Lionel Williams also known as Lyonal Williams and Kupe Treanor also known as Trevor Te Kupenga Treanor, equally

I whakapuaki i te wā 2:00pm i Te Whanganui-a-Tara, i te 16th o ngā rā o Huitanguru i te tau 2026

Pronounced at 2:00pm in Wellington, on this 16th day of February 2026.

M J Doogan

JUDGE