

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

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

**AP-20230000036123
CJ 2023/74**

WĀHANGA <i>Under</i>	Section 45, Te Ture Whenua Māori Act 1993
MŌ TE TAKE <i>In the matter of</i>	Succession to Parekura Kenana Ihaka
I WAENGA I A <i>Between</i>	VIOLET IHAKA AND JUNE ISAACS Ngā kaitono <i>Applicants</i>
ME <i>And</i>	NGĀRANGI CHAPMAN ON BEHALF OF THE PAREKURA KENANA IHAKA WHĀNAU Te kaiurupare <i>Respondent</i>

Nohoanga: <i>Hearing</i>	17 September 2025, 2025 Chief Judge’s MB 1502-1518 (Heard at Zoom)
Whakataunga: <i>Judgment date</i>	10 December 2025

TE WHAKATAUNGA Ā KAIWHAKAWĀ MATUA TUARUA C T COXHEAD
Judgment of Deputy Chief Judge C T Coxhead

Hei tīmatanga kōrero*Introduction*

[1] Violet Ihaka and June Isaacs (the applicants) filed this application on 21 December 2023 pursuant to s 45 of Te Ture Whenua Māori Act 1993. The applicants seek to cancel the order made at 69 Ōpōtiki MB 213-215 on 3 November 1994 relating to the following Māori land interests vested in the Parekura Kenana Ihaka Whānau Trust:

Blocks	Shares
Matapapa No. 2A No. 2C	3.79629
Orete D2	26.875
Te Waiti No. 2C No. 2	1.27604
Whangaparaoa No. 3A No. 2	42.68229

[2] The applicants claim that the order is incorrect due to a mistake, error, or omission on the part of the Court. They claim that they are the correct descendants of Parekura Kenana Ihaka and the trustees currently administering the Parekura Kenana Ihaka Whānau Trust are not the descendants of Parekura Kenana Ihaka. Because of this error, they are disinherited from their whenua.

Kōrero whānui*Background*

[3] The Registrar's Preliminary Report and Recommendation dated 10 July 2025 (the Registrar's report) sets out the background to this application in detail. It is reproduced in full as follows:

APPLICATION UNDER SECTION 45 OF TE TURE WHENUA MĀORI ACT 1993
REPORT AND RECOMMENDATION

Introduction

1. This application, filed on 21 December 2023 by Violet Ihaka and June Isaacs, seeks to cancel the order made at 69 Ōpōtiki MB 213-215 on 3 November 1994 relating to the Māori land interests vested in the Parekura Kenana Ihaka Whānau Trust.
2. The applicants claim, as follows:
 - (a) On 2 July 1974, at 109 Gisborne MB 244, succession to Hoani Ihaka II was ordered vesting his Māori land interests in Parekura Ihaka solely;
 - (b) On 11 January 1977, at 1975 Chief Judge's (CJTA) MB 6, the Chief Judge cancelled the succession order made on 2 July 1974 in favour of Parekura

Ihaka and ordered that the interests of Hoani Ihaka II be vested in Hoani Ihaka II's beneficiaries.

- (c) The applicants claim that the Chief Judge's order of 11 January 1977 was not carried out, and an error was made by the Court at 69 Ōpōtiki MB 213-215 on 3 November 1994 when the Court vested Parekura Ihaka's interests in the Parekura Kenana Ihaka Whānau Trust.
3. The applicants claim that they are adversely affected by the order as they were disinherited:

We are the whāngai children of Parekura Kenana Ihaka. During our research for whānau Māori land records, we noted an injustice done on the part of the court. This court error has led to our whānau being disinherited. The whānau currently administering the Parekura Kenana Ihaka Whānau Trust are not the descendants of Parekura Kenana Ihaka. We are sure of this as we are the correct descendants. This error on the part of the courts led to land interests being removed from the correct lineage. Due to the court errors made 6 generations have been affected over the last 58 years.

Concise history of Order sought to be amended/cancelled

Succession to Hoani Ihaka II

4. Hoani Ihaka II died on 29 May 1965. He was married to Roka (Ruka) Akena who died before him. He had the following Māori land interest:

Blocks
Matapapa 2A2C
Orete D2
Te Waiti 2C2
Whangaparaoa 3A2

5. Succession to Hoani was first heard on 26 June 1974. The Court heard from Kotuku Akena Ihaka Puketapu, Hoani's Ihaka II's daughter. As Kotuku did not know her paternal grandparents, the Court adjourned the proceedings to allow Kotuku to produce whakapapa.¹
6. On 2 July 1974, the matter was heard again. Below is the transcript of the proceedings:²

Hapuku Niha Karaka sworn

I am first cousin to dec'd – our respective mothers were full sisters.

Instant dec'd was child of Ihipera Campbell and Kenana Ihaka. I do not know if he had any brothers or sisters. Whakapapa which I produce as "A" is correct.

Court: But see Ōpōtiki 32/12 of 15.1.1948.

Mr. Karaka: Yes – it seems there was Parekura.

Court: Person entitled is Parekura Ihaka (ma) solely ...

¹ 109 Gisborne MB 230-231 (109 GIS 230-231). Hoani Ihaka II's date of birth was recorded as 26 May 1965 at folio 230.

² 109 Gisborne MB 244 (109 Gisborne 244).

7. Thus, an order was made vesting the Māori land interests of Hoani Ihaka II in Parekura Ihaka solely.
8. On 11 January 1977, the Chief Judge, acting upon the application of Kotuku Akena Puketapu, determined that an error was made by the Court in the order of 2 July 1974 and held that the 11 children of Hoani Ihaka II are the persons entitled to succeed to their father's Māori land interests and not Parekura Ihaka. Pursuant to s 452 of the Māori Affairs Act 1953, the Chief Judge issued the following orders:³
 - (i) The orders made at Gisborne on the 2nd day of July 1974 upon succession to Hoani Ihaka II under Sections 135 and 136 of the Māori Affairs Act 1953 as the same are recorded in Gisborne Minute Book 109 Folio 244 are hereby cancelled;
 - (ii) Order Section 135 of the Māori Affairs Act 1953 determining that the persons entitled to the interests of Hoani Ihaka II, deceased in each of the four above-mentioned lands are Nos 1-11 both inclusive equally as shown in Waiapu Minute Book 133 folio 274 of 23 March 1966;
 - (iii) Order Section 136 of the Māori Affairs Act 1953 vesting the interests of the deceased in each of the said four lands in the eleven persons now determined to be entitled equally.

Parekura Kenana Ihaka Whānau Trust

9. On 3 November 1994, the Parekura Kenana Ihaka Whānau Trust was constituted. An order was made vesting the interests of Parekuia Kenana also known as Parekura Ihaka or Sonny Chapman in the appointed trustees. Among the interests vested in the trustees are the following:⁴

Blocks	Shares
Matapapa No. 2A No. 2C	3.79629
Orete D2	26.875
Te Waiti No. 2C No. 2	1.27604
Whangaparaoa No. 3A No. 2	42.68229

10. The minutes of the proceedings of 3 November 1994 records that Parekura Kenana Ihaka was present at the hearing.

Identification of evidence that may be of assistance in remedying the mistake or omission

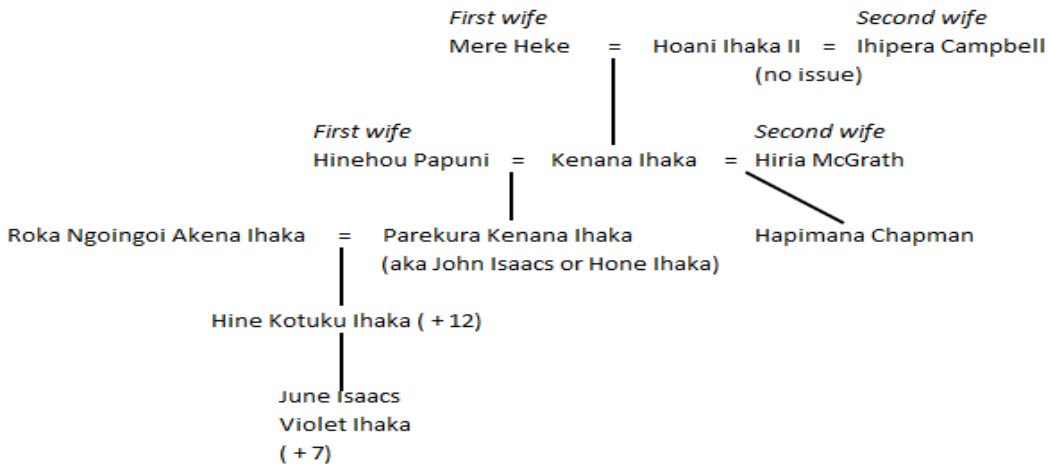
11. The applicants submitted copies of the following court documents in support of their application:
 - (a) 133 Waiapu 274-275 dated 23 March 1966 relating to the succession to Paora Haenga;
 - (b) 109 Gisborne 230-231 dated 26 June 1974 and 109 Gisborne MB 244 dated 2 July 1974 relating to the succession to Hoani Ihaka II;
 - (c) Order made at 1975 Chief Judge (CJTA) MB 6 dated 11 January 1977 cancelling the order made at 109 Gisborne MB 244;

³ 1975 Chief Judge MB 6 (1975 CJTA 6).

⁴ 69 Ōpōtiki MB 213-215 (29 OPO 213-215).

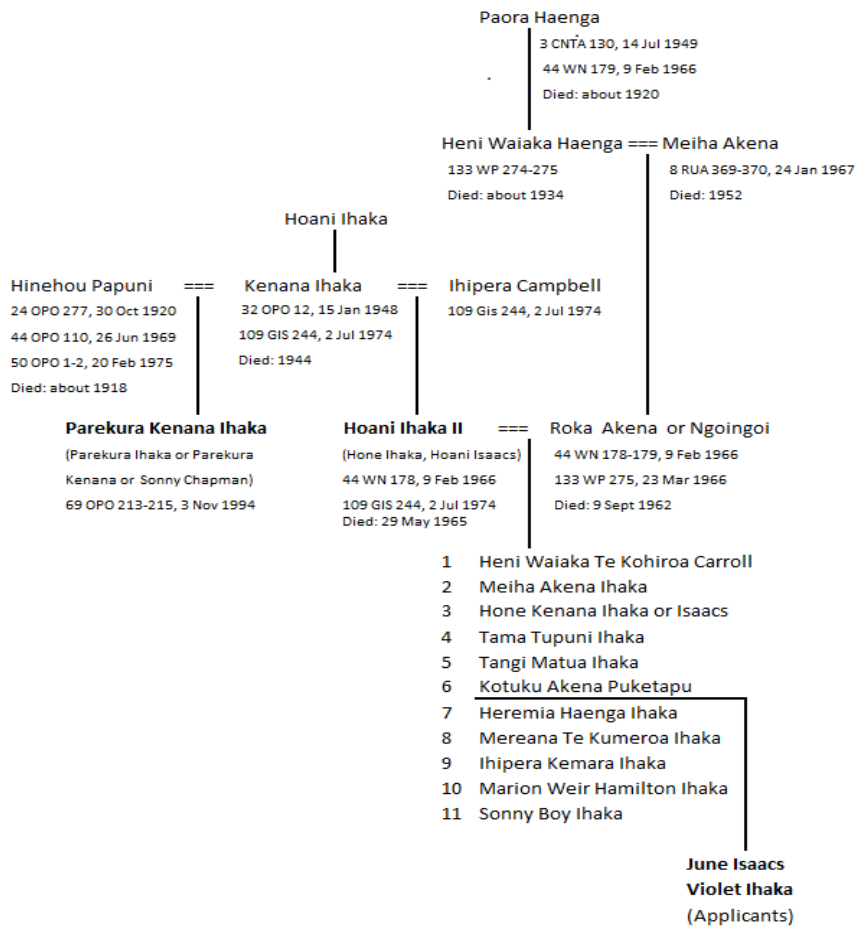
- (d) 69 Ōpōtiki MB 214-215 dated 3 November 1994 relating to the constitution of the Parekura Kenana Ihaka Whānau Trust; and
- (e) Pages 5, 6 and 62 of list of historic owners for Te Waiti No 2C2 block, recording Parekura Ihaka’s interests as 1.27604 shares, as amended by 1975 Chief Judge MB 6.

12. On 5 June 2025 the applicants submitted a whakapapa, summarised as follows:



Court Research

13. From the evidence presented in previous succession applications, below is the whakapapa of Hoani Ihaka II and Parekura Ihaka:



14. Hoani Ihaka II and Parekura Ihaka held the same number of shares in the following blocks, as follows:
- The block known as Orete was partitioned on 6 March 1916. On 31 July 1962, Hoani Ihaka and Parekura Ihaka were named as two of the four original owners of Orete D2 with 26.875 shares each, out of the total shares of 217.750;⁵
 - On 31 March 1954, and as part of the partition of Te Waiti No 2C, Hoani Ihaka II and Parekura Ihaka were named as owners of Te Waiti No 2C No. 2 with 1.27604 shares each, out of the total share 609.44487 shares;⁶
 - In a consolidated order dated 5 March 1963 relating to Whangaparaoa No. 3A Sec. 2 Block, Hoani Ihaka II and Parekura Ihaka were listed as owners of the block with 42.68229 shares each, out of the total 2,520 shares;⁷ and
 - The consolidated order dated 6 October 1966 relating to Matapapa No. 2A No 2C, Hoani Ihaka II and Parekura Ihaka were recorded as among the 77 persons entitled to the block with 3.79630 and 3.79629 shares, respectively, out of the total 158.4 shares.⁸
15. Historical records confirm that the order of the Chief Judge dated 11 January 1977 was entered into the court ownership records. Hoani's 11 children received the following shares:

Hoani Ihaka II 1975 CJ 76	Matapapa 2A2C	Orete D2	Te Waiti C2C	Whangaparaoa 3A2
	3.7963	26.8750	1.27604	42.68229
Successors	Received	Received	Received	Received
1 Heni Waiaka Te Kohiroa Carroll	0.34512	2.4440	0.11601	3.88021
2 Meiha Akena Ihaka	0.34512	2.4440	0.11601	3.88021
3 Hone Kenana Ihaka	0.34512	2.4430	0.11601	3.88021
4 Tama Tupuni Ihaka	0.34512	2.4430	0.11601	3.88021
5 Tangi Matua Ihaka	0.34512	2.4430	0.11600	3.88021
6 Kotuku Akena Puketapu	0.34512	2.4430	0.11600	3.88021
7 Heremia Haenga Ihaka	0.34512	2.4430	0.11600	3.88021
8 Mereana Te Kumeroa Ihaka	0.34512	2.4430	0.11600	3.88021
9 Marion Weir Hamilton Ihaka	0.34512	2.4430	0.11600	3.88021
10 Ihipera Kemara Ihaka	0.34511	2.4430	0.11600	3.88020
11 Sonny Boy Ihaka	0.34511	2.4430	0.11600	3.88020
TOTAL	3.79630	26.8750	1.27604	42.68229

Details of subsequent Orders affecting lands to which this application relates

16. Except for the interests succeeded to by Tama Tupuni Ihaka, Tangi Matua Ihaka, Mereana Te Kumeroa Ihaka, Marion Weir Hamilton Ihaka, and Sonny Boy Ihaka, the above land interests have been further succeeded to.
- Hone Kenana Ihaka or Isaacs died on 6 February 1990 without any issue. Succession orders were made on 3 November 1992 vesting Hone Kenana

⁵ 37 Ōpōtiki MB 208 (37 OPO 208).

⁶ 33 Ōpōtiki MB 6 (33 OPO 6).

⁷ 38 Ōpōtiki MB 35-36 (38 OPO 35-36).

⁸ 41 Ōpōtiki MB 77 (41 OPO 77).

Ihaka's interests in his 10 siblings with substitution of issue for Meiha Akena Ihaka.⁹

- (b) Heni Waiaka Te Kohiroa Carroll or Isaac died on 1 January 2000 and was succeeded to on 22 November 2001.¹⁰ Her interest in Matapapa 2A2C was vested in her son, Manihera Isaacs. Her interests in Whangaparaoa 3A2, Orete D2 and Te Waiti C2C remain in her name.
- (c) Meiha Akena Ihaka died on 2 December 1984.¹¹ On 11 July 2002, his interests in the blocks were vested in his four children.¹² On 27 March 2003, the Meiha Akena Ihaka Whānau Trust was created, and orders were made vesting the interests of his successors in the trustees of the trust.¹³
- (d) Ihipera Kemara Ihaka died on 6 August 2008. On 25 May 2009, an order was made vesting her interests in accordance with her will, dated 21 March 1994.¹⁴
- (e) Heremia Haenga Ihaka died on 18 November 2009. On 1 June 2010, an order was made vesting his interests in Loretta Isaacs solely, based on a family arrangement.¹⁵
- (f) Kotuku Akena Ihaka Puketapu died on 31 July 2015. On 19 February 2019, an order was made vesting Kotuku's interests in her nine children, including the applicants, Violet Ihaka and June Isaacs.¹⁶

Details of payments made as a result of the Orders

- 17. On 1 January 1977, an order was made for the payment of funds held by the Māori Trustee in Beneficiary Card 23542/U (Waiariki) to the Department of Māori Affairs (Gisborne), Kotuku Akena Puketapu, and the balance to be paid equally to the beneficiaries of Hoani Ihaka II.

Reference to areas of difficulty

- 18. There are no areas of difficulty in this matter.

Consideration of whether matter needs to go to full hearing

- 19. The applicants claim that the Māori land interests that were vested in the Parekura Kenana Ihaka Whānau Trust should have been vested in them as the correct descendants of Parekura Kenana Ihaka. The whakapapa submitted by the applicants state that their grandfather Hoani Ihaka II was also known as Parekura Kenana Ihaka, John Isaacs, or Hone Ihaka.
- 20. Hoani (Hone) Ihaka II was not known as Parekura Kenana Ihaka, however, one of his sons named Hone Ihaka was also known as Hone Kenana Ihaka or John Isaacs. Hone Ihaka died in 1990. Parekura Kenana Ihaka, on the other hand was also known as Parekuia Kenana, Parekura Ihaka or Sonny Chapman.

⁹ 35 Ruatōria MB 66-68 (35 RUA 66-68).

¹⁰ 8 Auckland (Succession) MB 368 (8 AT(S) 368).

¹¹ 11 Tairāwhiti Registrar MB 199 (11 RGTA 199).

¹² 24 Tairāwhiti Registrar MB 259-260 (24 RGTA 259-260).

¹³ 126 Aotea MB 62 (126 AOT 62).

¹⁴ 18 Auckland Succession MB 252-253 (18 AT(S) 252-253).

¹⁵ 6 Tairāwhiti MB 49-51 (6 TRW 49-51).

¹⁶ 53 Te Waipounamu MB 276-279 (53 TWP 276-679).

21. The whakapapa compiled from court records, confirms that Hoani Ihaka II and Parekura Kenana Ihaka were not one and the same person, but two distinct persons. They are half-brothers, sons to Kenana Ihaka from two different unions.
22. The whakapapa submitted by the applicants varies extensively from the whakapapa compiled from court minutes. The Court's approach with an application of this nature is:
 - (a) to weigh the evidence provided by the applicant against the evidence provided at the original hearing;
 - (b) a challenge to original evidence must be balanced against the presumption that everything has been done lawfully unless there is evidence to the contrary; and
 - (c) that the evidence given at the time the order was made, by persons more closely related to the subject matter in both time and knowledge, is deemed to have been correct.
23. From the narration of facts above, the Court did not make any error in the order of 3 November 1994 at 69 Ōpōtiki MB 213-215:
 - (a) Hoani Ihaka II's interests in the blocks erroneously vested in Parekura Ihaka were revested in his 11 children; and
 - (b) The interests vested in the Parekura Kenana Ihaka Whānau Trust belonged to Parekura Kenana Ihaka in his own right.
24. The matter can be dealt with on paper, however, this matter will be set for hearing to give the parties an opportunity to be heard.

Recommendation of course of action to be taken

25. If the Chief Judge is of a mind to exercise her jurisdiction, then it would be my recommendation that:
 - (a) A copy of this report be sent to all affected parties, with known contact details to give them an opportunity to comment or respond to the report in writing **by 7 August 2025;**
 - (b) This matter be set down for hearing at the Māori Land Court via zoom at the Chief Judge's sitting in September 2025, to give parties an opportunity to be heard; and
 - (c) If there are no objections to the report, it is recommended that this application be dismissed.

Ko te hātepe ture o te tono nei

Procedural History

[4] On 10 July 2025, a copy of the Registrar's report was sent to all parties known to the Court, giving them an opportunity to respond.

[5] On 7 August 2025, Ngārangi Chapman, on behalf of the Parekura Kenana Ihaka Whānau Trust and the descendants of Parekura Kenana Ihaka, filed her comments to the Registrar's report. She supports the report's recommendation that the application be

dismissed. She notes that the whakapapa presented in the report reflects the kōrero, knowledge and records that their whānau have long upheld.

[6] On 8 August 2025, the applicants filed their response. They object to the Registrar's report. They submit that the findings in paragraph 25 are based on incorrect whakapapa and misattributed succession. Specifically, the Registrar's report failed to acknowledge Parekura Ihaka as the first mokopuna of Hoani Ihaka born to his only biological son Kenana Ihaka.

[7] On 15 September 2025, the applicants submitted documents consisting of photographs and copies of the birth, and marriage certificates of Kotuku Akena, and the death certificate of Tangi Matua Isaacs or Ihaka. These certificates record that Kotuku and Tangi's parents were Hone Ihaka and Roka Ihaka.

Te Nohanga a Te Kooti

The Hearing

[8] The application under s 45 was heard before me in Wellington (via Zoom) on 17 September 2025. June Isaacs was unable to attend due to medical reasons. After hearing from parties, I reserved my decision.

Te Ture

The Law

[9] The Chief Judge's jurisdiction to amend or cancel an order of the Māori Land Court is set out in s 44(1) of the Act:

44 Chief Judge may correct mistakes and omissions

(1) On any application made under section 45 of this Act, the Chief Judge may, if satisfied that an order made by the court or a Registrar (including an order made by a Registrar before the commencement of this Act), or a certificate of confirmation issued by a Registrar under section 160, was erroneous in fact or in law because of any mistake or omission on the part of the court or the Registrar or in the presentation of the facts of the case to the court or the Registrar, cancel or amend the order or certificate of confirmation or make such other order or issue such certificate of confirmation as, in the opinion of the Chief Judge, is necessary in the interests of justice to remedy the mistake or omission.

[10] In *Ashwell – Rawinia or Lavinia Ashwell (nee Russell)* the principles to be applied in determining applications made pursuant to s 45 were listed as follows:¹⁷

- When considering section 45 applications, the Chief Judge needs to review the evidence given at the original hearing and weigh it against the evidence provided by the Applicant (and any evidence in opposition);
- Section 45 applications are not to be treated as a rehearing of the original applications;
- The principle of *Omnia Praesumuntur Rite Esse Acta* (everything is presumed to have been done lawfully unless there is evidence to the contrary) applies to section 45 applications. Therefore, in the absence of a patent defect in the order, there is a presumption that the order made was correct;
- Evidence given at the time the order was made, by persons more closely related to the subject matter in both time and knowledge, is deemed to have been correct;
- The burden of proof is on the applicant to rebut the two presumptions above; and
- As a matter of public interest, it is necessary for the Chief Judge to uphold the principles of certainty and finality of decisions. These principles are reflected in section 77 of the Act, which states that the Court orders cannot be declared invalid, quashed or annulled more than 10 years after the date of the order. Parties affected by orders made under the Act must be able to rely on them. For this reason, the Chief Judge's special powers are used only in exceptional circumstances.

[11] Section 44 explicitly refers to situations where the Court has made an incorrect decision due to a flaw in the evidence presented, or in the interpretation of the law, and it is necessary in the interests of justice to correct its record. For this reason, s 45 applications must be accompanied by proof of the flaw identified, either through the production of

¹⁷ *Ashwell – Rawinia or Lavinia Ashwell (nee Russell)* [2009] Chief Judge's MB 209 (2009 CJ 209) at [15].

evidence not available or not known of at the time the order was made or through submissions on the law.

[12] As stated in *Tau v Nga Whānau o Morven and Glenavy – Waihao 903 Section IX Block*, the Chief Judge must exercise their jurisdiction by applying the civil standard of proof on the balance of probabilities, having regard to that standard's inherent flexibility that takes into account the nature and gravity of the matter at issue.¹⁸ This means that the applicant must establish on the balance of probabilities that there was a mistake or omission.

[13] The Court of Appeal has confirmed that the power under s 44(1) falls into two parts:¹⁹

The first is an evaluative decision as to whether the order made was “erroneous in fact or in law because of any mistake or omission on the part of the court or the Registrar or in the presentation of the facts of the case to the court or the Registrar.” The second is a power, which is likely in most cases to involve discretion, to “cancel or amend the order ... or make such other order as, in the opinion of the Chief Judge, is necessary in the interests of justice to remedy the mistake or omission.” We note that in making that decision, and exercising that power, the preamble to the Act and ss 2 and 17 are of particular significance.

Kōrerorero

Discussion

[14] The issues for determination are:

- (a) Was an error made in fact or in law or in the presentation of the evidence to the Court which led to an error in the order complained of?
- (b) If so, is it necessary in the interests of justice to remedy the error by amending or cancelling the order?

Was an error made?

[15] This s 45 application, is made on two bases being:

¹⁸ *Tau v Nga Whanau O Morven & Glenavy – Waihao 903 Section IX Block* [2010] Māori Appellate Court MB 167 (2010 APPEAL 167).

¹⁹ *Inia v Julian* [2020] NZCA 423 at [10].

- (a) On 2 July 1974 a succession to Hoani Ihaka II was ordered, and the lands were vested in Parekura Ihaka solely. This has been corrected on 11 January 1977 by the Chief Judge who cancelled those succession orders in favour of Parekura Ihaka and ordered the interest of Hoani Ihaka II be vested in Hoani Ihaka II's beneficiaries. The applicants claim this was not done.
- (b) Parekura Kenana Ihaka and the applicants' tipuna Hoani Ihaka are the same person.

Were the Chief Judge orders dated 11 January 1977 entered into the Court Ownership Records?

[16] The answer is yes. Clearly, the Court record shows that Hoani Ihaka II and Parekura Ihaka held the same number of shares in a number of blocks. These are noted in the Deputy Registrar's report at paragraph 14(a), (b), (c) and (d).

[17] Further, Court records show and confirm that Hoani Ihaka II's interest in the blocks that were erroneously vested in Parekura Ihaka were revested in Hoani Ihaka II's children. This was following the Chief Judge's orders on 11 January 1977 where the Chief Judge determined that an error was made by the Court in the order of 2 July 1974 and held that the 11 children of Hoani Ihaka II are the persons entitled to succeed to their father's Māori land interests and the lands should not have gone to Parekura Ihaka solely.

[18] The best evidence that the orders of the Chief Judge dated 11 January 1977 have been effected is that the 11 children of Hoani Ihaka II received the shares of their father and those interests have further been succeeded to by their children.

[19] It is clear to me that no error has been made in the Court record and the 2 July 1974 orders, according to the record, had been corrected.

Are Parekura Kenana Ihaka and Hoani Ihaka II, the same person?

[20] The simple answer to this is no. According to the Court record the answer clearly is no. The applicant has provided whakapapa which varies significantly from the whakapapa compiled in the Court minutes over a number of years.

[21] The applicant, Violet Ihaka stated at hearing that she was:²⁰

... just coming into state that Parekura is actually Hone Ihaka and John Isaacs'. His name has obviously been mixed up with his grandfather's name. John Isaac's is my grandfather and Marion's dad. That was the name that was used and always called him. He was known as Parekura Kenana Ihaka, was his birth name given by his mother Hinehou.

[22] The Court record clearly shows that Hoani Ihaka II was not known as Parekura Kenana Ihaka. However, one of his son's named Hone Ihaka was also known as Hone Kenana Ihaka or John Isaac. This may be where the applicants are confused.

[23] The whakapapa compiled from Court records, and consistently produced over a number of years, confirms that Hoani Ihaka II and Parekura Kenana Ihaka were not one in the same person but two distinct persons. They are half-brothers. Sons of Kenana Ihaka from two different unions.

[24] If the applicant's whakapapa is taken as correct then the respondents, the children of Parekura Kenana Ihaka, would also be the children of Hoani Ihaka II or not exist at all. Both options are not logical.

[25] Therefore, relying on the consistent evidence in the Court record, including the evidence provided on 1 January 1977 to correct previous succession orders, the Court did not make any error in the order of 3 November 1994 at 69 Ōpōtiki MB 213-214.

[26] Further, the interests vested in the Parekura Kenana Ihaka Whānau Trust belonged to Parekura Kenana Ihaka in his own right.

Kupu whakataunga

Decision

[27] Having regard to the findings above, there being no error this application is dismissed.

²⁰ 2025 Chief Judge's Minute Book 1505.

[28] The Case Manager is directed to distribute a copy of this judgment to all parties.

I whakapuaki i te 1:00 pm i Rotorua, i tekau o ngā ra o Tihema i te tau 2025.

Pronounced at 1:00 pm in Rotorua on Wednesday this 10th day of December 2025.

C T Coxhead

DEPUTY CHIEF JUDGE