

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

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

AP-20250000008110

WĀHANGA Section 133, Te Ture Whenua Māori Act 1993
Under

MŌ TE TAKE Rangitatau 1D5A1 Reserve
In the matter of

NĀ MAIA KATHLEEN MAKERE WIHARE
By Te Kaitono
 Applicant

Nohoanga: 1 September 2025
Hearing (Heard at Whanganui)

Whakataunga: 17 November 2025
Judgment date

TE WHAKATAUNGA A KAIWHAKAWĀ A H C WARREN
Judgment of Judge A H C Warren

“Mā mua ka kite a muri, mā muri ka ora a mua”

Hei tīmatanga

Introduction

[1] Trustees of the Rangitatau 1D5A1 Reserve (Takirau Marae) have applied to the court for directions pursuant to s 133 of the Trusts Act 2019 to address trustee rotation issues arising from their charter. The rotation issues have arisen due to internal issues, making it difficult to determine who exactly must retire under the rotation provisions of the Takirau Marae charter. In the circumstances, I am prepared to make directions to provide the necessary clarity so that the trustees do not make any further procedural errors, given the period of dysfunction.

Ngā take

The issues

[2] The issue I need to determine is what directions are required to address the trustee rotation process in order to give Takirau Marae certainty, moving forward.

Ngā kupu whakahau

Directions

[3] In advance of the hearing held 1 September 2025, the court received a proposal from the trustees to address the rotation issue (rotation proposal).

[4] The rotation proposal was developed after the trustees held a wānanga with kaumātua and uri of Ngāti Pourua at Takirau Marae on 23 and 24 August 2025. It therefore has some support of the wider Takirau Marae whanua. The proposal was as follows:

The following trustees will be in office from 2025 – 2028:

- *Harry Wirihana*
- *Maia Wihare*
- *Bradley Wirihana-Tawake*

The following trustees will be in office from 2025 – 2027:

- *Sonya Wirihana*
- *Stacey Wikaira*
- *One vacancy available*

In the 2025 – 2026 period, there are three (3) trustee seats available for election.

Given the above, there will be four (4) trustee seats available at the 2025 annual general meeting (AGM).

[5] It is proposed that the above approach will help the Takirau Marae move smoothly back to their three (3) year rotation process. It will also give the new trustees elected in 2024 a better opportunity to gain experience and to address the challenges faced in recent times, as retiring and past trustees have left.

[6] There was no opposition to the proposal at the hearing, and on my assessment – given the process adopted by the incumbent trustees by engaging with kaumātua and uri, and given the nature of the proposal – which is to tidy up the trustee rotation process, there is no serious prejudice to beneficiaries by the court issuing directions in these circumstances.

[7] Further, there is no impact on the principles of the Act by making such direction. For those reasons, I am prepared per s 133 of the Trusts Act 2019 to direct the adoption of the transitional trustee rotation process as outlined above.

[8] This order made per s 133 is to be made with immediate effect per rule 7.5(2)(b) of the Māori Land Court Rules 2011.

Mauri ora

I whakapuaki i te 3:00 pm i Heretaunga, e tekau ma whitu o ngā ra o Whiringa-a-rangi i te tau 2025.

Pronounced at 3:00 pm in Hastings on the 14th day of November 2025.

A H C Warren
KAIWHAKAWĀ
JUDGE