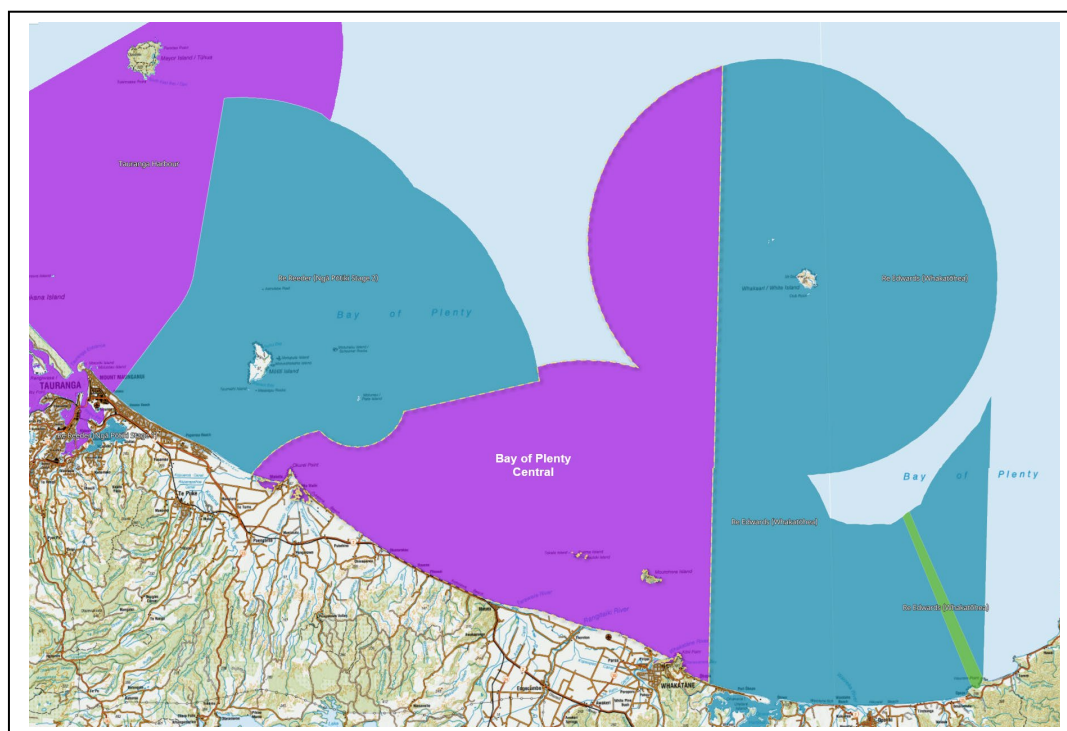


MACA Te Whakatōhea Hearing Overview

1. Hearing Area

The application of the late Claude Augustin Edwards of behalf of Te Whakatōhea (CIV-2011-485-817) was a priority application under [section 125](#) of the Act. A hearing for the application area hearing was allocated by Collins J in November 2018.¹

In the map below², the hearing area is the teal section on the right. The map shows three further hearing areas that have since been allocated in the Bay of Plenty / Te Moana-a-Toi.



2. Prior Hearings

The initial hearings were conducted in two stages. Stage One determined which applicants were recognised as holding Customary Marine Title (CMT) in the hearing area. Stage Two addressed protection orders for wahi tapu sought by the CMT holders.

The Stage One hearing was heard by Churchman J in Rotorua for eight weeks from 17 August 2020 and the Stage One Judgment was issued on 7 May 2021.³ The Court then

¹ [Minute of Collins J dated 21 November 2018 \[Re CIV-2017-485-000817 Edwards and others on behalf of Te Whakatōhea\]](#)

² Map sourced from [Kōrero Takutai](#)

³ [Re Edwards \(Te Whakatōhea No. 2\) \[2021\] NZHC 1025 \[7 May 2021\]](#)

sat in Wellington for two weeks from 14 February 2022 for the Stage Two hearing. Churchman J's Stage Two judgment was issued on 13 October 2022.⁴

Appeals and Remittals

In October 2023, the Court of Appeal remitted two matters back to the High Court for rehearing.⁵ The Ririwhenua/Ngāti Tai remittal was heard on 29 April 2024⁶ and the Ngāti Patumoana remittal was heard on 1 May 2024.⁷

The appeals then proceeded to the Supreme Court. The Court gave judgment in two parts: An initial judgment addressing general matters in December 2024,⁸ and a second judgment dealing with issue-specific matters in August 2025.⁹ The second judgment remitted five specific matters back to the High Court for rehearing.

3. Current hearing

After retiring earlier in the year, Churchman J has been appointed with an Acting Warrant commencing on 21 September 2026 to determine the remittals.

Harvey J has provisionally set down for hearing over 3 weeks commencing 1 February 2027.¹⁰

⁴ [RE EDWARDS \(WHAKATŌHEA STAGE TWO\) NO 2 \[2022\] NZHC 2644 \[13 October 2022\]](#)

⁵ [WHAKATŌHEA KOTAHITANGA WAKA \(EDWARDS\) & ORS v TE KĀHUI AND WHAKATŌHEA MĀORI TRUST BOARD & ORS \[2023\] NZCA 504 \[18 October 2023\]](#)

⁶ [JONES on behalf of RIRIWHENUA HAPU v ATTORNEY-GENERAL \[2024\] NZHC 1373 \[29 May 2024\]](#)

⁷ [NGĀTI PATUMOANA and ORS \(CIV-2017-485-292\) \[2024\] NZHC 1435 \[31 May 2024\]](#)

⁸ [WHAKATŌHEA KOTAHITANGA WAKA \(EDWARDS\) v NGĀTI IRA O WAIOWEKA, NGĀTI PATUMOANA, NGĀTI RUATĀKENGĀ AND NGĀI TAMAHĀUA \(TE KĀHUI TAKUTAI MOANA O NGĀ WHĀNAU ME NGĀ HAPŪ O TE WHAKATŌHEA\) \[2024\] NZSC 164 \[2 December 2024\]](#)

⁹ [WHAKATŌHEA KOTAHITANGA WAKA \(EDWARDS\) v NGĀTI IRA O WAIOWEKA, NGĀTI PATUMOANA, NGĀTI RUATĀKENGĀ AND NGĀI TAMAHĀUA \(TE KĀHUI TAKUTAI MOANA O NGĀ WHĀNAU ME NGĀ HAPŪ O TE WHAKATŌHEA\) \[2025\] NZSC 104 \[15 August 2025\]](#)

¹⁰ [Minute of Harvey J dated 7 September 2026 - Minute following Tauranga Rotorua CMC re Whakatohea Dates](#)

4. Participants

The Stage One participants are listed below. Participants for the 2027 rehearing are not yet finalised.

Case Number	Party
CIV-2011-485-817	Te Whakatōhea
CIV-2017-485-196	Ngāti Awa
CIV-2017-485-201	Te Ūpokorehe
CIV-2017-485-238	Te Whānau a Harawaka
CIV-2017-485-253	Ngāti Patumoana
CIV-2017-485-262	Ngāi Tamahaua Hapū
CIV-2017-485-264	Pākōwhai Hapū
CIV-2017-485-269	Ngāti Muriwai Hapū
CIV-2017-485-270	Ngāi Tai
CIV-2017-485-272	Ririwhenua Hapū
CIV-2017-485-278	Te Whānau-a-Apanui Hapū
CIV-2017-485-292	Whakatōhea Hapū
CIV-2017-485-292	Ngāti Ruatakenga
CIV-2017-485-299	Ngāti Ira o Waiōweka
CIV-2017-485-318	Te Whānau-ā-Apanui
CIV-2017-485-355	Te Uri o Whakatōhea Rangatira Mokomoko
CIV-2017-485-375	Hiwarau C, Turangapikitoi Waiōtahe and Ōhiwa of Whakatōhea
CIV-2017-485-377	Te Hapū Titoko o Ngāi Tama
Interested Parties	Kuraterere Marae
	Manu Paora Whānau
	Crown Regional Holdings Limited
	Opotiki District Council
	Bay of Plenty Regional Council
	Whakatane District Council
	Seafood Industry Representatives
	Attorney-General
	Landowners Coalition

5. Hearing Timetable

A timetable to hearing will be determined and noted here in due course.