

IN THE SUPREME COURT OF NEW ZEALAND

I TE KŌTI MANA NUI O AOTEAROA

**SC 47/2026
[2026] NZSC 136**

BETWEEN

TE RŪNANGA O NGĀTI MANAWA
Applicant

AND

CNI IWI HOLDINGS LIMITED
First Respondent

TŪHOE ESTABLISHMENT TRUST
Second Respondent

TE MANA O NGĀTI RANGITIHI
Third Respondent

TŪWHARETOA SETTLEMENT TRUST
Fourth Respondent

TE KOMITI NUI O NGĀTI WHAKAUE
Fifth Respondent

TE RŪNANGA O NGĀTI WHARE
Sixth Respondent

RAUKAWA SETTLEMENT TRUST
Seventh Respondent

TE PŪMAUTANGA O TE ARAWA TRUST
Eighth Respondent

WAYNE NGATA
Ninth Respondent

Court: Ellen France, Williams and Kós JJ

Counsel: J B Orpin-Dowell and M R G van Alphen Fyfe for Applicant
C F Finlayson KC and R M A Jones for First Respondent
D J Neutze and T Cooley for Second and Fourth Respondents
No appearance for Third Respondent
J P Kahukiwa for Fifth Respondent
J P Ferguson for Sixth Respondent
M J Hammer, S A McClean and A L Clark-Tahana for Seventh Respondent
B A Davies and M C A O'Brien for Eighth Respondent

No appearance for Ninth Respondent
P F Majurey and N S C Buxeda for Ngāti Tahu-Ngāti Whāoa
Rūnanga Trust as Intervener

Judgment: 24 September 2026

JUDGMENT OF THE COURT

- A** Leave to appeal is granted (*Te Rūnanga o Ngāti Manawa v CNI Iwi Holdings Ltd* [2026] NZCA 92).
 - B** Leave to the second and fourth respondents to cross-appeal is granted.
 - C** The application by the fifth respondent to cross-appeal is dismissed.
 - D** The approved question is whether the Court of Appeal was correct to allow the appeals to the extent identified in its judgment, in particular in making the declarations at [95] and the direction at [123] of its judgment.
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REASONS

[1] The application by Te Komiti Nui o Ngāti Whakaue, the fifth respondent, for leave to cross-appeal is dismissed because, as the parties essentially agree, the issues raised in that application are covered by the appeal.

[2] The Registrar is directed to set the appeal and cross-appeal down for hearing.

[3] The Court will issue directions for the conduct of the appeal and cross-appeal in due course, including in relation to Ngāti Tahu-Ngāti Whāoa Rūnanga Trust's

application to intervene in the substantive hearing. If necessary, a case management teleconference with the parties will be convened.

Solicitors:

Te Aro Law Ltd, Wellington for Applicant

Gibson Sheat Lawyers, Wellington for First Respondent

Brookfields Lawyers, Auckland for Second and Fourth Respondents

Corban Revell Lawyers, Auckland for Fifth Respondent

Kāhui Legal, Wellington for Sixth Respondent

Anderson Lloyd, Dunedin for Seventh Respondent

MinterEllisonRuddWatts, Wellington for Eighth Respondent

Holm Majurey, Auckland for Intervener