

IN THE WAITANGI TRIBUNAL

Wai 3325
Wai 120

IN THE MATTER OF the Treaty of Waitangi Act 1975

AND

IN THE MATTER OF the Climate Change Inquiry

BY Te Raumoia Balneavis Kawiti
(*dec*), Rhonda Aorangi Kawiti,
and Michelle Jessop on behalf of
the Kawiti Marae Committee, the
Kawiti Whānau, and their
descendants of Ngāti Rahiri, Ngāti
Rangi, Ngāitewake and Ngāpuhi
iwi (Wai 120)

BRIEF OF EVIDENCE OF RHONDA AORANGI KAWITI**14 May 2025**

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Waitangi Tribunal

14 May 25Ministry of Justice
WELLINGTON

I, **RHONDA AORANGI KAWITI**, Administrator, of Whangārei, state

A: Introduction (Kupu Whakataki)

1. I am providing this Brief of Evidence (“BoE”) in support of the Climate Change Priority Inquiry. I do so on behalf of the Kawiti Marae Committee and the Kawiti whānau of Waiomio, and our descendants affiliated to Ngāti Hine, Ngāti Manu, Te Kapotai, Ngāti Rāhiri, Ngāti Rangi, Ngāti Te Wake, and Ngāpuhi iwi, in this inquiry.

B: Whakapapa and Connection to the Environment

2. My connection to the land and natural environment is fundamentally spiritual and genealogical. *Ko Te Tai Ao Tūroa tō tātou Matamua, Tuakana, i hanga ai e te Atua i te tuatahi, ki mua i a tātou te tangata.* The times, tides and seasons of the long-standing world were created before us by Io Matua Kore, our Divine Creator.
3. The traditional saying that encapsulates the Maori understanding of natural world and interconnectedness of all living things. *Ko te Rangi e tū iho nei, ko Ranginui; ko te Papa e hora nei, ko Papatūānuku e takoto nei; ko te wai e rerere nei e rerere atu, ko Tangaroa; ko Tāwhirimātea te hau e pupuhi ai ki runga i te mata o te Whenua; ko mātou ngā uri o ngā tini Tūpuna e ora nei ki runga i te whenua, ki roto i te wai o te awa me te moana, wai māori, wai tote, roimata me te ua katoa!* : The sky above us is *Ranginui* (Sky Father); the earth that lies beneath is *Papatūānuku* (Earth Mother); the waters that ebb and flow are *Tangaroa* (god of the sea); the winds that blow across the land are *Tāwhirimātea*; and we are the descendants of the many ancestors living on the land and in the waters of the rivers and the sea – fresh water, salt water, tears and rain alike.
4. We uphold principles such as “*Kāinga tahi, kāinga rua*”, which means when one home fails to provide warmth, food, water, safety or love, we have another home that can sustain us. This ensures that if one place is lacking essential resources, another place can compensate, depending on the season and circumstances.
5. Our world is balanced between states of tapu and noa. The seas, rivers, mists and rains wash away the tapu of birth, life and death, returning us to a state of noa. Our mauri and spiritual

connection to our tūpuna and to the natural vibrations of the world are severely disrupted by modern forms of pollution and desecration.

6. This prioritisation of capitalist values with the impacts of pollution, desecration and loss of natural resources undermines the intergenerational transmission of whakapapa and culture which are environmentally sourced. Traditional Māori practices such as rongoā, mirimiri, waiata, haka, mōteatea, oriori, karakia and karanga each serve to trace and maintain our life journeys, relationships, and connections across generations and cultures. These practices are the remedies that nurture life itself, keeping our cultural knowledge and relationships alive despite external pressures.

C: Impacts of Climate Change on Ngāpuhi Culture and Sites

7. Climate Change is damaging our Rohe and threatening our cultural sites and way of life. One major impact is on access to our ancestral lands and resources. Our sacred pathways to papawhenua, kāinga, wāhi tapu, māra kai, fishing grounds and food harvesting areas are increasingly cut off due to intense weather events.
8. These environmental changes directly affect our ability to access and gather kai from traditional sources in the forests, rivers and ocean. In short, Climate Change is restricting our access and availability of food from fishing, gardening and foraging that our people rely upon.
9. Our whānau are increasingly isolated during floods. Whānau are unable to return home or leave home, as roads become rivers, blocked by high water, fallen trees, and severe road damage. Being cut off from each other and from essential services in such times is becoming more common.
10. The Māori lunar calendar and seasonal indicators/maramataka Māori are shifting due to climate change. Knowledge that has been passed down through generations such as, observations of seasons, tides, plant and animal cycles, show noticeable changes. What our tūpuna could predict in terms of planting, fishing, and harvesting by the moon and stars is becoming less reliable as the climate behaves unpredictably. Even the internal waters of

wāhine are affected; many have observed shifts in menstrual cycles and reproductive patterns, which we attribute to changes in environment and climate.

11. Our culture is based on tikanga Māori. Central to this is Manaakitanga, which is a pillar of our mana. Manaakitanga revolves around providing kai of the best quality and in abundance, not only to feed one's own whānau, hapū and iwi, but also to generously host any manuhiri who visit our homes, our rohe, and our marae.
12. Our Mātauranga tells us that understanding local environmental and human conditions is the key to survival. Proverbs guide us in these values, for example, "Tāu rourou, tāku rourou" expresses the principle that everyone has something of value to contribute, and each contribution is honoured. Likewise, "*Aroha atu, aroha mai*" to the reciprocity inherent in our relationships and the equal respect with which they must be maintained.
13. Climate Change threatens all of these deep tikanga values. The spiritual, physical, mental and whānau strengths – our collective mana – are being undermined by the changing climate. When the environment is out of balance, our cultural duties of care and the well-being of our people become immensely difficult to maintain.
14. These impacts are not abstract. We are experiencing them directly in our community. For example, at Waiomio in Northland, our Kawiti whānau homestead and Kawiti Marae are increasingly hit by extreme flood events. During heavy rains, our only road access (Caves Road, which includes a bridge over the Waiomio Stream) is often completely submerged. When the floods come, electricity is cut off, and water and food supplies are disrupted, leaving those on the property isolated.
15. Our whānau's businesses and livelihoods are also affected. We operate Kawiti Caves Tourism at Waiomio, as well as farming activities through the Kawiti Whānau Trust. Both have been seriously impacted by the changing climate. Flood events now recur seasonally with increasing frequency and intensity, leading to financial losses for our tourism venture. When floods strike, visitors cannot access the caves, and we often must close our operations. This has caused a loss of reputation as a safe and reliable destination, a reduction in visitor numbers, and therefore significant loss of income.

- 16.** The infrastructure on our land is under strain. Our gravel driveways and internal roads have suffered damage, leading to higher maintenance costs. We have been forced to invest in reinforcing our roads and planning for new structural measures to withstand future storms. To mitigate flood impacts, we are undertaking environmental restoration, replanting cleared waterways and swampy areas with native wetland plants (like taro, flax/harakeke, and native sedges).
- 17.** Our access to wāhi tapu (sacred sites) and local marae is hampered. In our area, two of our oldest wāhi tapu (such as the burial cave Otarawa) and two out of four local marae (Kawiti Marae and Mohinui Marae) are regularly impacted by extreme weather. Flooded roads and landslips prevent people from reaching these important sites. We have incurred costs for towing vehicles stuck in floods. These are very real, ongoing effects of Climate Change on our everyday lives and finances.
- 18.** Frequent isolation during flood events has social and health impacts on our whānau. When our community is cut off from health services, emergency assistance, and even communication with wider whānau, it creates anxiety and stress among our people. In turn, that places a greater demand on health services when they eventually reach our community, creating a compounding effect on wellbeing and resources.
- 19.** Floods create breeding grounds for unwanted algae. Removing invasive exotic plant species (like the willows) is necessary, but it then requires replanting with natives plants. Our soil when water-logged and then trampled by livestock (a process known as pugging), is also being severely degraded. This not only harms the productivity of the land but adds yet more costs as we try to rehabilitate the soil. All these on-the-ground effects show how Climate Change is directly impacting our environment, economy, and cultural heritage, requiring us to continuously adapt and invest resources to protect what we have.

D: Kaitiakitanga – Our Role as Guardians under Climate Change

20. As mana whenua, we see ourselves as the tino rangatira o ngā taonga tuku iho – the ultimate stewards of all treasures handed down to us – and we take seriously our duty to tiaki (protect) these taonga. Ko mātou ngā tino rangatira o ngā taonga tuku iho, ka tiakina e mātou: we are the guardians of our trusted heritage, and we protect it.
21. We exercise our Kaitiakitanga (guardianship) roles in many ways. One crucial aspect of our kaitiakitanga is planning for succession: we strive to ensure that our intergenerational knowledge, tools, and expertise in environmental stewardship are passed down seamlessly from one generation to the next. Ideally, this transfer of Mātauranga and responsibilities happens naturally as part of the lives of our people on the land. Each generation learns from the last, observing and practising the tikanga of caring for all our taonga, whether it be through karakia, respecting the mauri of the land, sea and sky, or sustaining the wellbeing of our whānau and community as part of the environment.
22. Supporting the next generation of Kaitiaki requires proper resources and safety. This succession process can only succeed if we have places and opportunities that are safe and well-equipped for teaching and learning these skills. We need our people to be supported with training, and our marae and communities to be resourced, so that this precious knowledge can be transferred without hindrance.
23. In today's context, climate change is adding new challenges to our role as Kaitiaki, but it also makes the transfer of traditional knowledge more critical than ever. We must prepare our rangatahi to inherit not only the knowledge of our ancestors, but also the new realities of a changing climate, so they can continue to protect our taiao and our people.

E: Economic Impacts and the Government's Policy Response

24. Climate Change has had significant economic consequences for our people, compounded by a government policy response that is insufficient, inadequate and inappropriate. The Crown's policies are fundamentally racist and prejudicial against Māori, imposing restrictions on funding, limiting access to expertise, resources, and legal pathways that

support culturally appropriate knowledge, development, and tribal relationships. These constraints prevent Māori from exercising tikanga and investing in climate resilience.

25. Additionally, the Crowns Climate Change policy is structured to benefit financial interests, prioritising iwi corporates, government organisations, businesses, and tax-related incentives for industry, while hapu and whānau at the grassroots level receive little to no direct support.

F: Health Impacts of Climate Change on Hapū

26. Climate Change has severe implications for the health and well-being of our hapū, affecting us financially, spiritually, mentally and physically. The attitudes of animosity and systemic attacks by colonising capitalist entities have eroded our resilience, placing immense stress on our whānau.
27. Further, environmental degradation permitted in disregard of tikanga Maori have introduced industrial poisons that threaten our whenua and our connection to it. The loosening of regulations around gene technology has led to the corruption of our food and water sources, with invasive exotic species outcoming endemic flora and fauna, destroying the natural balance of our ecosystems.
28. The forced social reconstruction of our culture, shifting from a shared indigenous asset base to market-driven competition, commercialisation and individual ownership under European capitalist imperialism, has devastated our natural environment. Once rich in whenua, puna, awa and moana, our Māori world is now at the brink of social, biological, and economical collapse due to these external pressures and exploitation policies.

G: Other Impacts of Climate Change or Particular Issues of Concern

29. Climate Change has led to devastating consequences for our environment, particularly over the past fifty years. The near extinction and extinction of native species is one of the most alarming impacts. Our iconic Kiwi is now starving due to increasingly drier and harder soil structure and consistency. Native frogs are disappearing as swamps dry out or are drained

for agriculture, housing, and infrastructure development. Native reptiles such as kawai, tuatara, and geckos are at risk as their habitats are destroyed.

30. Endangered native trees and plants, including ancient ferns and native cucurbits growing around our cave environments, are struggling to survive as climate conditions become drier. The loss of native fungi such as taringa hokeke, which thrives on rotting logs in the ngahere, further signals ecological imbalance.
31. Native fish populations, including both long-fin and short-fin tuna, are dwindling. Native mammals, such as dolphins, are also being affected. Additionally, the drying out of our caves due to Climate Change has slowed the formation of limestone stalactites, stalagmites, and columns, impacting the delicate ecosystem that includes the glow worm population. These environmental losses are irreparable and reflect the broader destruction of our whenua, waters, and tāonga caused by Climate Change.

H: Consultation and Engagement by the Crown

32. The Crown has provided limited opportunities for consultation and engagement in the development of its climate response policies. This inquiry offers a platform for discussing and presenting historic and current narratives regarding te Tiriti and He Whakaputanga, ensuring that Māori perspectives are heard.

I: Future Engagement for the Crown on Climate Change Policies

33. Proper and equitable engagement from the Crown on future Climate Change policies must occur at multiple levels to ensure Māori voices are heard and incorporated. Engagement must take place directly with hapū, whānau, marae, and community groups to capture localised knowledge and lived experiences.
34. Collaboration with educational institutions is necessary to support commissioned research programmes that integrate Mātauranga Māori and scientific expertise. Additionally, engagement at the global community level would allow Māori perspectives and indigenous climate solutions to be recognised and aligned with international best practices.

35. Without direct and meaningful involvement at these levels, Crown policies will continue to fail Māori, perpetuating systemic exclusion and environmental harm.

J: Local Government Responses

36. Local government has taken various steps to address Climate Change. Funding has been directed towards Climate Change initiatives through local and regional bodies, including the Kaipara Remediation Group and the Ngunguru Sandspit Protection Society, which focus on pest control and land preservation in collaboration with tangata whenua. However, Te Papa Atawhai's policies and engagement remain disconnected from local hapū needs due to their centralised government focus.
37. Similarly, Te Uru Rākau and the New Zealand Forest Service have engaged in native forest restoration efforts, but there is a need for improved training and resource allocation to better support hapū and whānau-led sustainability initiatives. While local government efforts reflect a degree of responsiveness to Māori concerns, the overall approach remains fragmented and often lacks meaningful integration of Mātauranga Māori, self-determination, and climate resilience for tangata whenua.

K: Community-led solutions

38. The Ngāti Hine Environmental Strategy has been a key framework for reducing emissions through minimising petroleum, fire, and gas burning, while promoting extensive recycling of organic food, paper, timber, glass, and plastic products. Replanting native trees and plants has encouraged the propagation of other native species, such as tuna and kawai, restoring biodiversity in our waterways. The Kawiti Whānau Forest development in Waiomio, Waiomio Downs, and Ruapekapeka rohe has furthered ecological restoration efforts.
39. Solar energy projects have been implemented across Kawiti Marae, Ngāti Kopaki, Ngāti Te Ara ki Orauta, Te Waiariki, Ngāti Korora ki Ngunguru, Horahora, Pataua, Tai Haruru, Whareora, Whangārei Terenga Paraoa Marae, and their surrounding communities.

Additionally, the Kawiti Whānau Marae, Waiomio Limestone Caves Tourism business, and Kawiti farm have collaborated with hapū, marae, and local whānau to pioneer environmentally sustainable solutions, including the removal and treatment of willow trees from the Waiomio Awa and broader Ngāti Hine tributaries and catchment areas.

L: The Role of Tikanga and Mātauranga

40. Tikanga Māori drives our environmental strategies, policies, and processes. Monitoring and managing natural resources through the harvesting of traditional kai and timber for carving, building, and weaving products ensures that we remain in harmony with the natural world. Restoring and maintaining the balance of Mana Wāhine and Mana Tane is the foundation of our environmental management system's success within kaitiakitanga models of Te Ao Māori.
41. Te Reo Māori is an environmental language based on the aural sounds and rhythms of nature. It serves as a tool to remediate environmental damage and mitigate Climate Change effects. Used regularly in everyday practices, it acts as rongoā for both people and the environment.
42. Waiata, haka, patere, oriori, karanga, and taonga puoro are vibrational forms of communication that provide rongoā Māori for healing the destructive vibrations caused by industry, traffic, construction, and machinery.
43. Rongoā Māori is integral to healing both the natural and built environment as well as tangata. Historically, rongoā were known as kai, as they were ingested and used daily by kaitiaki, aligning with the maramataka cycle of life. Plants aid oxygenation, carbon sequestration, filtration, and ecosystem balance, ensuring environmental stability.
44. Creation by te Atua is the foundation of tikanga Māori, with whakapapa explaining the place of species and whānau in the tree of life. Evolution is not a replacement theory for creation. We originate from divine whakapapa, traceable by tohunga whakairo and mātauranga.

45. Our rohe of Tai Tokerau and our people of Ngāpuhi Nui Tonu are prepared through intergenerational knowledge, skills, and expertise in the roles of kaitiakitanga. Full and proper local, regional, and national preparation, requires true and equitable collaboration between Kawanatanga and governmental organisations, including central, regional, and local government, through the honouring of self-governance by tangata whenua Māori.

M: Vulnerability of Our Rohe to Climate Change

46. Our communities reside and operate in the rural and marine environment, at the interface between the atua of the Taiao and Aotūroa. As guardians of the environment, we possess the technological knowledge to care for these realms appropriately. However, we are vulnerable to Climate Change due to our open proximity to the elements of sea, sky, and mountainous lands.
47. Lack of resourcing due to legislated land, water, people, and knowledge loss, increases our vulnerability. Isolation from each other by location, hapū and iwi competition, and the economic and physical pressures of Eurocentric industry in the form of monocultural plantation agriculture, forestry, honey, avian, equestrian, and aquaculture businesses, further increase the vulnerability of our indigenous nature, performance, and position.
48. The Crown does not properly account for this vulnerability in its policies, but instead continues to prioritise Eurocentric values of capitalism and financial profit above all else in its decision-making, with blatant disregard for our natural environment and natural kaitiaki Tangata Whenua Māori.

N: Economic Impacts and Crown Policy Response

49. In our experience, the Crown's Climate Change response policies are insufficient, inadequate and inappropriate. The Crown's responses have been racist – often ignoring our tikanga or matauranga. We have limited access to information, expertise and/or funding. Barriers include:

- a.** Crown funding for climate initiatives do not reach iwi, hapū and whānau at the grassroots. There is little to no dedicated funding to support Māori-led adaptation or mitigation projects. This lack of investment means we struggle to finance development of our lands or implement local climate solutions.
- b.** Crown agencies offer funds and resources to mainstream or large entities, but rarely to small hapū-based initiatives. Our Mātauranga Māori solutions are dismissed.
- c.** Crown resources for water management, sustainable technology and emergency preparedness bypass our communities. We have no means to protect our marae, wāhi tapu, and food sources.
- d.** Crown regulations do not take into account our cultural values. Māori perspectives are often ignored and hapū excluded from decision-making.

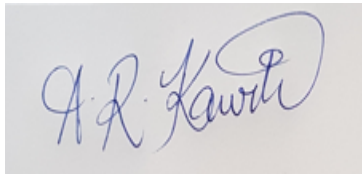
50. Current Climate Change policies are largely geared toward the financial interests of the powerful, rather than empowering hapū on the ground. Crown solutions are loaded in favour of iwi corporates, government agencies, and industries, generating tax credits or monetary benefits for those entities and for the Crown. Meanwhile, smaller hapū and whānau communities like ours see little direct support from the Crown.

51. A Māori-led climate response follows tikanga Māori. Our approach prioritises nurturing the natural world and our communities, restoring balance and maintaining the interconnected whakapapa of all living things. Our responses are about protecting Papatūānuku, sustaining our whānaungatanga, and ensuring the well-being of future generations.

O: Conclusion

52. The Crown's current Climate Change policies violate the principles of partnership and active protection embodied in te Tiriti. By excluding Māori from full participation in the solutions, the Crown puts at risk not only our environment and economy, but also our Tiriti rights and the legacy we must pass on to future generations. This is a denial of our rangatiratanga and a threat to the well-being of Aotearoa as a whole.

Dated 14 May 2025

A handwritten signature in blue ink, reading "R. A. Kawiti", is displayed within a light gray rectangular box. The signature is written in a cursive style.

Rhonda Aorangi Kawiti