OFFICIAL

IN THE WAITANGI TRIBUNAL

WAI 3325
WAI 3490

IN THE MATTER OF	the Treaty of Waitangi Act 1975
AND	
IN THE MATTER OF	the Climate Change Priority Inquiry (WAI 3325)
AND	
IN THE MATTER OF	The Claim by Rita Beckmannflay for herself and on behalf of Ngati Torehina ki Mataure O Hau concerning climate change (WAI 3490)

SYNOPSIS OF CLOSING SUBMISSIONS ON BEHALF OF

RITA BECKMANNFLAY

Dated 5 October 2026

RECEIVED
Waitangi Tribunal
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WELLINGTON

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MAY IT PLEASE THE TRIBUNAL

Introduction

1. This synopsis accompanies the closing submissions filed on behalf of Rita Beckmannflay, for herself and on behalf of Ngāti Torehina ki Mataure Ō Hau (Wai 3490).1 They address TSOI 2.1.6 and 3.3, and should be read with the generic closing submissions.

Ngāti Torehina ki Mataure Ō Hau and Matauri Bay

2. Ms Beckmannflay gives evidence as Puhi Ariki for the Te Taotahi Ariki Whānau, whose rohe is in and around Matauri Bay. Her evidence is that climate change is already visible there. Coastal erosion is accelerating and threatens wāhi tapu, urupā near the coast are particularly vulnerable, the marae is at risk from extreme weather, and warming seas threaten kina, pāua and mussels.

Assessing risk

3. The Crown's assessment of climate risk to hapori Māori counted the number of marae in at-risk areas. It did not assess wāhi tapu or urupā, and it was conducted at a scale that cannot answer the question for a particular place. Ms Rawiri accepted that the absence of that data limits Te Puni Kōkiri's advice to government, and that she would expect those impacts to be assessed in consultation with Māori. No such work is under way anywhere in government, and Te Puni Kōkiri identified no engagement with the hapū at Matauri Bay.

4. The Crown's own evidence is that mātauranga Māori at hapū and iwi level is critical to adaptation. The Crown has not sought it at Matauri Bay. It cannot actively protect taonga it has not identified.

[1] Closing Submissions on behalf of Rita Beckmannflay (Wai 3490) Wai 3325, 5 October 2026.

Resourcing

5. The funds the Crown points to are either one-off or no longer exist. They have been consolidated into a fund directed at the productivity of Māori assets. The only investments Te Puni Kōkiri identified at Matauri Bay were in housing and land productivity, and neither concerns climate change. Ms Rawiri accepted that hapū must navigate government policy and apply for competitive funding that may not meet their needs.

6. Where a climate response has been organised at Matauri Bay, it has been organised by the hapū, through restoration planting, hapū-led adaptation work and Holding Space Aotearoa. Ms Rawiri accepted that Māori participation in Crown decisions is advisory, not determinative. Under TSOI 2.1.6, partnership and tino rangatiratanga require a role in the decision and funding directed at the taonga at risk.

Local government

7. Adaptation at Matauri Bay will be carried out through local government. Local authorities have no specific statutory adaptation function, and there is no guidance on how Māori values are to be weighed. Ms Rawiri agreed that the Crown's devolution of adaptation to local government, without adequate support, funding or Treaty-based accountability, has created a fragmented and uneven landscape.

8. Matauri falls within Stage 2 of the Far North District Council's adaptation programme, scheduled for 2027 to 2030 and limited by what the Council can achieve with current resources. Whether the taonga at Matauri Bay are protected turns on which stage of one council's programme the rohe falls within. For Matauri Bay, the answer to TSOI 3.3 is no.

Prejudice

9. Those effects are occurring now, and the loss of an urupā to the sea cannot be undone. The hapū are left to carry that risk without Crown information, resourcing or protection. That prejudice is continuing.

Findings sought

10. The Claimant adopts the findings sought in the generic closing submissions on local government, and seeks further findings that:

    a. the Crown has not assessed the impact of climate hazards on wāhi tapu, urupā and marae, and no work to do so is under way within government;

    b. the Crown has not sought from Ngāti Torehina ki Mataure Ō Hau the local knowledge its own evidence identifies as necessary to understand what is at risk at Matauri Bay;

    c. the resourcing the Crown has directed to Matauri Bay is not directed at the protection of the taonga identified in Ms Beckmannflay's evidence; and

    d. the Crown has accordingly breached the principles of the Treaty of Waitangi, and the Claimant and Ngāti Torehina ki Mataure Ō Hau have suffered and continue to suffer prejudice.

Recommendations sought

11. The Claimant seeks recommendations that the Crown:

    a. undertake, with Māori, an assessment of the exposure of marae, urupā and wāhi tapu to climate hazards, and resource that work;

    b. provide funding to support adaptation initiatives by iwi, hapū and Māori for Māori land and Māori cultural infrastructure, and take a specific approach to whenua Māori and Māori cultural assets, as recommended by the Independent Reference Group on Climate Adaptation;

    c. resource Ngāti Torehina ki Mataure Ō Hau to identify and assess the risk to the urupā, wāhi tapu and marae at Matauri Bay, without awaiting Stage 2 of the Far North District Council's programme; and

    d. ensure that adaptation funding is accessible to hapū and Māori communities without requiring them to surrender leadership of their own initiatives.

Conclusion

12. The Crown does not know what climate change will do to the urupā, wāhi tapu and marae at Matauri Bay, and it has not asked the people who hold that knowledge. Te Tiriti requires the Crown to identify what is at risk, with the hapū, and to resource its protection.

Dated at Tāmaki Makaurau this 5th day of October 2026

Dr Grant Hewison
Counsel for the Claimant

Jasper Sontier

TO: The Registrar, Waitangi Tribunal, Wellington;
All Counsel - WAI 3325 The Climate Change Priority Inquiry