

**BEFORE HEARINGS COMMISISONER APPOINTED  
BY THE FAR NORTH DISTRICT COUNCIL**

**IN THE MATTER**  
Act 1991 [RMA]

of the Resource Management

**AND**

**IN THE MATTER**

of Land Use Consent 2240463-  
RMALUC

**APPLICANT**

Arawai Limited

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**STATEMENT OF EVIDENCE OF PETER HOWARD PHILLIPS**

09 October 2025

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## INTRODUCTION

### Qualifications and experience

1. My full name is Peter Howard Phillips. I am the Managing Director of Arawai Limited which manages the Sir Hek Busby Kupe Waka Centre. I am also the Managing Director of Dialogue Consultants Ltd, a planning consultancy specialising in social and economic research, consultation, and strategic planning. I hold a BSc in Geography (First Class Honours) and a Doctor of Philosophy in Science Research from the University of Southampton. I am a full member of the New Zealand Planning Institute and hold a “Making Good Decisions” certification as a Hearing Commissioner.
2. My role as managing director of Arawai Ltd is to help realise the vision of Sir Hekenukumai Ngā Iwi Puhipi Busby KMNZ, MBE, NZCM, PhD h.c. Pwo Master Navigator, (Sir Hek) of the completion of a centre which maintains, promotes and enhances the continued development of all aspects of Kaupapa Waka for the benefit of all in Aotearoa~New Zealand.
3. My role at Dialogue includes designing and managing community consultations for a range of projects. These have included the Albany to Puhoi and Puhoi to Warkworth motorways, the 186km 400kV transmission line for Whakamaru to Auckland, a village commercial development at Beachlands, a quarry at Brookby, the Puketi and Pahiatua wind farms, sewage and water treatment plants including the Mangere treatment plant; water fluoridation in Petone, and a retirement village in Petone.
4. On occasions this has involved working directly with mana whenua groups such as Hōkai Nuku, - the organisation representing iwi and hapū on the Ara Tūhono – Pūhoi to Warkworth motorway extension on SH1 for NZTA.

### Involvement with this Application

5. I am the author of the two plans entitled *Kupe Waka Centre Development Plan* and *Kupe Waka Centre Business Plan* which underpin this application. I used the *Development Plan* to prepare the successful funding application to the Provincial Growth Fund and I have been responsible for the implementation of the *Development Plan* with the \$4.6 million of PGF funding.

## Purpose and scope of evidence

6. In my evidence I will focus on the process we adopted for, and the outcomes of, our engagement with the Tāhuna Roa group of the Ngāti Tara hapū. This provides the context for our eventual decision to commission Tina Latimer to prepare her assessment.
7. As background it is worth noting that the interactions with Tāhuna Roa and represent a tiny portion of our engagement with members of the hapū. Sir Hek and his whānau including current trustees of the Hekenukumai Ngā Iwi Trust who own the Okokori B block as the beneficiaries of Sir Hek's will, are themselves of Ngāti Tara descent. We have hapū members working at the Centre and have had school visits with many Ngāti Tara children attending and a senior hapū member performing the ceremonies. In practice, there is considerable support among members of Ngāti Tara for the Waka Centre.

## THE CONSULTATION

8. Consultation between the Waka Centre and Ngāti Tara can be traced back to the 2012 application 2130047-RMALUC for the Whare Wānanga and an application to establish the Te Awapoko Waka Wānanga Reserve. The resource consent application was supported by the Parapara Marae Committee as a surrogate for the over 800 owners of the adjoining Awapoko Reserve (Okokori A) block.
9. Further, as Judge Ambler noted in 2012 in his decision on the application to establish Reserve: *"Mr Busby gave uncontradicted evidence that Ngati Tara has not objected to the whare wananga he has held on the land for almost 30 years. Tellingly, Judge Ambler commented that This fact further suggests that the real concern of the objectors is not the whare wananga but ownership and control of the land."*<sup>1</sup> This has manifested in an assertion that *"Hek stole the land"*, a grievance that bedevils the project to this day. However, disputes over land ownership were not a factor in the decision to grant Reserve status<sup>2</sup> nor under the RMA.

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<sup>1</sup> Judge DJ Ambler (2012), 50 TTK 9) 50 Taitokerau MB 9 A20070011627. p17

<sup>2</sup> Judge DJ Ambler (2012), op.cit, para 8

10. The next phase of consultation began prior to the preparation and then lodgement of the application 2300463-RMALUC. I have documented this in the attachment to my evidence. An inkling of the difficulties we were to face came quite quickly apparent.
11. The opportunity for Arawai to present the proposal to the Marae was sought through an approach to the Marae Committee and it was arranged that Arawai would visit the marae on 29 May 2021 as confirmed in an email from the secretary Ms Carol Hudson/
12. Separately the hapū was invited along with other members of the community including local councillors to visit the Waka Centre on an open day which was held at the Waka Centre on 15 May 2021. Unfortunately not a single person from the hapū chose to attend.
13. Two days prior to the scheduled meeting at the marae I was advised that the invitation has been withdrawn. This came as something of a surprise. I have undertaken a wide range of consultations here in Aotearoa~New Zealand, in Australia and in the Pacific Islands, including some very contentious issues. My experience is that people typically want their views to be heard and sometimes express this forcefully. I once held a meeting with around 400 people in the Tirau Hall after they had burned effigies strung up on a 8 metre high model of a transmission tower of the chair of Transpower, Ralph Craven, and the then Prime Minister, Helen Clark.
14. What I can say, without fear of contradiction, is that in over 30 years of consultation projects I have never faced a situation where people with whom I wanted to consult delayed and deferred let alone disinvited me to a meeting after arrangements have been made. .
15. The record of the consultation shows the genuine attempts to engage on the cultural effects assessment (CEA) and the modest pace at which progress has been made with scheduling meeting taking quite a long time.
16. In November 2023 Arawai in the face of its contractual obligations to Kānoa for the PGF funds, the mounting costs of the delay (now estimated at \$450,000) and the inability to agree with Tāhuna Roa on a process for the CEA was left with no choice but to seek a qualified consultant with local connections to undertake the work. The terms of reference for the work was very closely based on that used by Ms Latimer for her

assessment of effects of the Carl Maria Quarry Works at Oruru (which is just 15km from the Waka Centre) .

## OBSERVATIONS

17. In my opinion, Arawai has made a genuine attempt to consult on the consents for the Waka Centre and sought to acknowledge some of the relational issues which it has faced by :
  - a. formally acknowledging Ngāti Tara as mana whenua of southern Doubtless Bay and committing to working with the hapū to build a strong and collaborative relationship as we seek to protect and enhance the local environment, and promote economic and social development in the local community and across Te Taitokerau through the development and operation of the Waka Centre.
  - b. recognising the importance of good communications Arawai has offered to establish an advisory committee to the Board to provide information and seek on-going inputs into the operation of the Waka Centre.
  - c. Opening the possibility of the hapū working with Arawai on environmental restoration currently being funded by Northland Regional Council under its Climate Resilient Communities Programme.
18. We now seek the acceptance of the CEA prepared by Ms Latimer as meeting the evidentiary requirements upon which to make a decision and granting of the consent. I do not consider that a delay for the hapū to prepare another CEA is appropriate given the delays that have occurred to date. In my opinion we have passed the reasonable threshold of the duration of consultation and that S453 (iv) of *Land Air Water Land Air Water Association v Waikato Regional Council A11 0/01, Environment Court, 2001* applies in this case: “*While those consulted cannot be forced to state their views they cannot complain, if having had both time and opportunity, they for any reason fail to avail themselves of the opportunity.*”
19. I am of the opinion that we have met requirements that adequate information of a proposal is to be given in a timely manner so that those consulted know what is proposed; that those consulted have been given a

reasonable opportunity to state their views; and that consultation was not treated perfunctorily or as a mere formality.

Dr Peter Phillips

09 October 2025