

**BEFORE THE KĀPITI COAST DISTRICT COUNCIL
TE URUHI TO KĀPITI ISLAND GATEWAY PROJECT**

Under the Resource Management Act 1991

In the matter of a resource consent application by Kāpiti Coast District Council under section 88 of the Act, to carry out the Te Uruhi to Kāpiti Island Gateway Project

**STATEMENT OF EVIDENCE OF ALISON MARGARET LAW (PROJECT
OVERVIEW) ON BEHALF OF THE APPLICANT**

Dated: 19 September 2022

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TABLE OF CONTENTS

INTRODUCTION	1
EXECUTIVE SUMMARY	2
PROJECT OVERVIEW.....	3
PROJECT BACKGROUND.....	5
STRATEGIC OVERVIEW.....	6
PARTNERSHIP WITH IWI.....	12
CONSULTATION	17
RESPONSE TO SUBMISSIONS	19
RESPONSE TO COUNCIL OFFICER'S SECTION 42A REPORT	22

INTRODUCTION

1. My name is **ALISON MARGARET LAW**.
2. I am the Manager of the Project Management Office at Kāpiti Coast District Council (**Council**), a role I have held since July 2021. Since starting in my role, I have been the lead on Te Uruhi – Kāpiti Gateway Project (**Project**). Prior to my current role I worked as the Parks and Recreation Manager at the Council for six years, and before that I was Aquatics Facilities Manager for three years. I have worked for the Council for, in total, 10 years.
3. I am authorised by the Council, in its role as applicant (**applicant**), to give evidence on its behalf in relation to the Project.

Background and role

4. Although I have been Project lead since July 2021, my involvement in the Project actually began in late 2016, when I led the Maclean Park Management and Development Plan (**Management Plan**) development process in my former role as the Parks and Recreation Manager. The 'Gateway', as the Project was then known, was a main topic throughout the Management Plan development process.
5. Following the adoption of the Management Plan in 2017, I attended a number of stakeholder meetings the purpose of which was to work through location options (including, at that stage, the Kāpiti Boating Club). The outcome of those meetings was the commissioning of an updated feasibility study from Tourism Research Consultants Limited (**TRC**) in 2019, which I discuss further below. I was involved in the TRC feasibility process.
6. I was acting General Manager in May 2020 when a Report to Council sought that Council apply for support for the Project from the Government's Provincial Growth Fund (**PGF**). The Council agreed, and the PGF application was ultimately successful.
7. I am familiar with the proposed site of the Project (**Project Site**¹), having visited it numerous times over the past seven years.
8. In preparing my evidence I have:

¹ The Project Site is the northern end of Maclean Park, Paraparaumu Beach, directly south of Tikotu Stream, as well as the southern end of Maclean Park (partly within the road reserve), where one existing carpark is being extended south and a second existing carpark is being modified to provide more parks; AEE, page 5 (Introduction).

- (a) familiarised myself with all the material in the application documentation, including the Assessment of Effects on the Environment (**AEE**), and the technical reports and other documents that were either appended to, or lodged subsequent to, the application;
- (b) participated in meetings with the witness team, and read the draft briefs of evidence of the seven other witnesses for the applicant; and
- (c) read the submissions and section 42A report as relevant to my evidence.

Purpose and scope of the evidence

9. My evidence addresses:

- (a) an overview of the Project;
- (b) the Project background and funding;
- (c) a strategic overview of the Project, including its key benefits;
- (d) partnership between the applicant and iwi in developing the Project;
- (e) the consultation process;
- (f) my comments on issues raised in submissions; and
- (g) my comments on the section 42A report.

EXECUTIVE SUMMARY

- 10. The Project was gifted the name 'Te Uruhi' by iwi in acknowledgement of the deep connections mana whenua have to the area, including as the former site of Te Uruhi pā. It also reflects the partnership approach that has guided the Project since its inception (over 30 years ago) between the applicant and its mana whenua partners Ātiawa ki Whakarongotai Charitable Trust (**Ātiawa**) and Te Rūnanga o Toa Rangatira (**Ngāti Toa**), and their collaboration with the Department of Conservation (**DOC**), and the Kāpiti Coast community.
- 11. These collaborative efforts have resulted in a high-quality, meaningful project that will bring many benefits to the Kāpiti Coast and its communities, including biosecurity benefits, tourism and economic benefits, social, cultural and educational benefits, and accessibility, connectivity and resilience

benefits. In doing so, Te Uruhi will help achieve the Toitū Kāpiti vision² for a "*vibrant and thriving Kāpiti*".

12. The Project will include a Visitor Discovery Centre (including exhibition space for mana whenua 'story telling', the conservation story, visitor information for the Kāpiti District, and a small food and beverage outlet), storage for related materials and a biosecurity centre for people travelling to Kāpiti Island. It will also incorporate significant Whakairo artworks (to be designed by mana whenua), structures around the new buildings that will integrate into their surroundings and a new pedestrian bridge over the Tikotu Stream.
13. In addition to working with iwi and DOC, input from the public has also been an invaluable part of the design and consenting of the Project (including through the Management Plan). Recognising that some concerns remain outstanding, the applicant has used its best endeavours to ensure that the Project we put forward achieves the objectives sought, while minimising effects on neighbouring properties (including through carefully-crafted consent conditions). Concerns raised in submissions are addressed in this evidence and in the other briefs of evidence filed by the applicant.

PROJECT OVERVIEW

Buildings

14. The Project involves the construction of two new relocatable buildings (measuring 215m² in floor space), connected by decking and a roof / verandah, in the northern end of Maclean Park, Paraparaumu Beach, directly south of Tikotu Stream.
15. The buildings will provide a Visitor Discovery Centre for the general public as well as for people visiting Kāpiti Island, including exhibition space for mana whenua 'story telling', the conservation story, visitor information for the Kāpiti District and a small food and beverage outlet, storage for related materials and a biosecurity centre for people travelling to Kāpiti Island.
16. The finished floor level of the buildings will be above the Q100 flood level for the site.

² [Our vision and direction - Kāpiti Coast District Council \(Kāpiti coast.govt.nz\)](https://www.kapiti.coast.govt.nz/our-vision-and-direction)

17. In addition to the main gateway building, it is proposed to install a number of significant Whakairo artworks and structures around the new building, integrated into their surroundings with suitable coastal landscaping.
18. A new pedestrian bridge over the Tikotu Stream will be constructed, which is permitted under the Kāpiti Coast District Plan (and was consented by Greater Wellington Regional Council (**GWRC**) under the Operative Regional Freshwater Plan in 2020).

Carparking

19. The Project also involves construction works:
 - (a) at two existing car parks, namely:
 - (i) one existing car park south of Ocean Road (referred to as 'Area 1' in the Traffic Impact Assessment (**TIA**) appended to the AEE³) will be remarked to provide 15 additional spaces; and
 - (ii) another existing car park will have some parking spaces removed to make room for the Discovery Centre, and will also be reconfigured and upgraded (including to accommodate accessible parks); and
 - (b) to create a new car parking area, which will extend an existing area of parking (referred to as 'Area 2' in the TIA⁴ at the southern end of Maclean Park.

GWRC application

20. In 2020 the applicant sought regional consents from GWRC. The Project's consenting requirements are addressed more fully in the AEE, the section 42A report, and the planning evidence of **Emma McLean**, but in short the regional consents sought were land use consents (and associated discharge permits) for stream works associated with the Project and structures within the bed and banks of the Tikotu Stream and within the coastal marine area.

³ TIA, p 17.

⁴ TIA, p 18.

21. The GWRC application was processed on a non-notified basis, and the applicant was advised that the consents had been granted on 3 December 2020.

PROJECT BACKGROUND

Background

22. Te Uruhi is a project 30 years in the making, driven by the collaborative efforts of the applicant, its mana whenua partners Ātiawa and Ngāti Toa, DOC and the Honourable Eugenie Sage, and the Kāpiti Coast community.
23. The concept of a visitor centre for Kāpiti Island was first raised in the early 1990s. In 1992, the applicant commissioned TRC to carry out an initial feasibility study looking at a possible visitor centre for Kāpiti Island.⁵ The idea was to promote Kāpiti Island as a viable tourist attraction that would bring people to the area and drive economic benefit. The study investigated multiple sites, but ultimately recommended the Kāpiti Boating Club.
24. In 2013 the idea was picked up again, when the applicant and DOC jointly commissioned TRC to carry out another feasibility study looking at the potential for a visitor centre in the Kāpiti Coast District. That study recommended the development of a facility (including an interactive visitor centre) at Paraparaumu Beach.
25. TRC was engaged again by the applicant in 2019 to update the 2013 feasibility study, in collaboration with stakeholders (a process I was involved in, as discussed above). By this stage, the idea of a gateway project had already been included in both the Management Plan and Toitū Kāpiti Long term plan 2018-2038 (**LTP**) (both discussed further below), and had been raised as a potential PGF project through discussions with various community representatives
26. The 2020 Report prepared by TRC following their feasibility study (**2020 Report**) assessed the viability of a 'gateway' centre to the Kāpiti Coast, looking at the role, function and appropriate location of a visitor facility for Kāpiti, as well as community acceptance of such a development.⁶ It also included an assessment of the proposed site – on the south side of Tikotu Stream – as a suitable location, following on from work done in the

⁵ Kāpiti Coast Gateway Feasibility Report (March 2020) at clause 2.3: [kapiti-coast-gateway-feasibility-report-final-report-030320.pdf \(kapiticoast.govt.nz\)](#)

⁶ Kāpiti Coast Gateway Feasibility Report (March 2020) at clause 1.1: [Kāpiti -coast-gateway-feasibility-report-final-report-030320.pdf \(Kāpiti coast.govt.nz\)](#)

development of the Management Plan. One of the key outcomes of the 2020 Report was the selection of that proposed site for the Project's location.

27. In 2021 Councillors agreed to continue with the Project, following the completion of the draft business case and receipt of testimonies from business leaders, mana whenua and the community.

Funding

28. The Council was confirmed as being eligible for the PGF in September 2018. A decision was made by the Council to make an application to the PGF in May 2020 for \$2.23m (50% of the estimated Project cost of \$4.46m).
29. In April 2020, the Government launched the COVID Response and Recovery Fund seeking infrastructure projects for potential investment to reduce the economic impact of the COVID-19 pandemic. The Ministry of Business, Innovation and Employment (**MBIE**) advised that the funding for Te Uruhi would be made available from this fund rather than the PGF.
30. On 5 August 2020 the Honourable Shane Jones (then-Minister for Infrastructure) announced that the Project would receive \$2.4 million in funding from the Government's COVID Response and Recovery Fund, stating:

Not only will it be a drawcard for visitors to the area, it brings together in one place the story of the coast, including the importance it has in the history of local Māori.⁷

31. The Project's funding recognises the regional and district importance of the Project and the many benefits it will provide (including economic and tourism benefits, as discussed in the evidence of **Mark Ward**).

STRATEGIC OVERVIEW

32. As a local authority, the applicant has a responsibility under the Local Government Act 2002 (**LGA**) to give effect to the purpose of local government, which is:⁸

(...) to promote the social, economic, environmental and cultural well-being of communities in the present and for the future.

⁷ [Kapiti Gateway project going ahead | Beehive.govt.nz](https://www.beehive.govt.nz/projects/kapiti-gateway)

⁸ LGA, section 10(1)(b).

33. It is also required to have "*at all times (...) a long-term plan*".⁹
34. The applicant's 2021-2041 LTP highlights the Project as one of the applicant's "key projects" as it will "*protect the island from biosecurity threats, enhance the Tikotu Stream and improve beach access*."¹⁰
35. The 2021-2041 LTP also contains the following community outcomes:¹¹
- Mana Whenua and Council have a mutually mana-enhancing partnership*
- and
- Our local economy is prosperous with ample opportunities for people to work and learn in Kāpiti*
36. The applicant's Toitū Kāpiti vision is for:¹²
- (...) a vibrant and thriving Kāpiti, while also incorporating our aspiration for strong, safe communities and our deep connection to the natural environment.*
37. To help realise that vision, the applicant has set particular focus areas to work towards, including one of the "*major projects and initiatives for 2021-24*" for its economic development activity - Te Uruhi.¹³
38. Promoting and protecting Kāpiti Island plays an important part in achieving the Toitū Kāpiti vision, given the island's key role as "*the main focus when it comes to the natural assets that Kāpiti has to offer*."¹⁴ In particular, Kāpiti Island:¹⁵
- articulates many of the values and attributes that make the region unique and allows visitors to gain an insight into the diverse and fragile ecological environments along the coast. It also provides an additional layer of uniqueness as it is a predator free paradise that can only be accessed by approved tour operators who provide bio-security measures before accessing the island itself.*
39. The Project's benefits are both numerous and a key part of delivering the applicant's vision, in alignment with its focus areas.
40. In particular, the Project will create an iconic experience for visitors who will be able to experience and learn about Te Uruhi's history and cultural values,

⁹ LGA, section 93(1) and 93(6).

¹⁰ Long Term Plan 2021-41, p 49: [long-term-plan-2021-41-part-one.pdf \(kapiticoast.govt.nz\)](#)

¹¹ Long Term Plan 2021-41, pp 32 and 34: [long-term-plan-2021-41-part-one.pdf \(kapiticoast.govt.nz\)](#)

¹² [Our vision and direction - Kāpiti Coast District Council \(Kāpiti coast.govt.nz\)](#)

¹³ Long Term Plan 2021-41, p 235: [long-term-plan-2021-41-part-one.pdf \(kapiticoast.govt.nz\)](#)

¹⁴ Destination Management Plan, July 2021, p 25: [Kāpiti -destination-management-plan.pdf \(Kāpiti coast.govt.nz\)](#)

¹⁵ Destination Management Plan, July 2021, p 23: [Kāpiti -destination-management-plan.pdf \(Kāpiti coast.govt.nz\)](#)

the nature reserve and New Zealand's native (and in some cases endangered) flora and fauna species on Kāpiti Island. At the same time, it will help foster a greater sense of identity for the local community and mana whenua by providing a fully accessible space for social activities, including recreation, arts, culture and education. In doing so, the Project will have significant economic, tourism, biosecurity, social, cultural and educational benefits.

41. The Project has also been designed specifically with climate change and sea-level rise in mind. In particular, it is designed to be relocatable, and as such it will be a long-lasting, durable investment.
42. The Project, together with the benefits it will deliver, fits within the applicant's vision for a "*vibrant and thriving Kāpiti*" with "*a deep connection to the natural environment.*" It also aligns with the applicant's key strategies and plans, including:

Destination Management Plan, July 2021

- (a) The Project "*will help to sell the stories within the district, provide a location for visitors to head to in order to discover what there is to do within the district and [to] provide relevant and up to date information with regards to travelling through the district and maximising the opportunity for visitors to stay longer and spend more while they are there*".¹⁶
- (b) The Project plays an integral role in helping deliver Strategic Priority 3 ("*Grow quality experiences to encourage new and existing markets to visit and spend*"), with two "key actions" focussing specifically on Te Uruhi: "*Use Te Uruhi as an example of best practice through the improved visitor experience offered to visitors to Kāpiti Island.*" and "*Work to ensure Te Uruhi captures and articulates the district's stories and provides inspiring visitor information.*"¹⁷

Economic Development Strategy and Implementation Plan 2020-2023

- (c) The Project will help to strengthen partnerships and leadership, including by "*Support[ing] unique economic opportunities in our communities*" and "*Develop[ing] a district-wide Destination Plan to*

¹⁶ Destination Management Plan, July 2021, p 20: [Kāpiti -destination-management-plan.pdf \(Kāpiti coast.govt.nz\)](#)

¹⁷ Destination Management Plan, July 2021, p 40-41: [Kāpiti -destination-management-plan.pdf \(Kāpiti coast.govt.nz\)](#)

*support the growth of the visitor economy, including (...) supporting infrastructure such as the Kāpiti Gateway."*¹⁸

Māori Economic Development and Wellbeing in Kāpiti 2013

(d) Strategic drivers for Māori economic development in the Kāpiti Coast district include *"Our culture, uniqueness, resilience, our stories including (...) Kāpiti Island – links to Te Rauparaha – our stories are the stories that international visitors wish to understand and learn about who we are on a regional, national and international stage."*¹⁹

43. Overall, the Project's benefits, its connections (both to Kāpiti Island and to the wider Wellington region), and its fit with the applicant's vision, plans and strategies, all make it a priority and compelling project for the applicant to deliver.

Tourism and economic benefits

44. Te Uruhi will play an integral role in boosting the economy of the district (and wider region) and supporting the development and delivery of an integrated COVID-19 recovery plan. As noted above, this is recognised in both the Economic Development Strategy and Implementation Plan 2020-2023 and the Destination Management Plan.

45. These benefits are addressed in the evidence of **Mr Ward**.

Biosecurity and ecological benefits

46. The Project involves the construction of a purpose-built biosecurity 'gateway' for visitors to Kāpiti Island which will be located close to the beach. From a biosecurity perspective this will be a significant improvement from the current arrangement, whereby visitors complete their health and safety checks and biosecurity compliance at the Kāpiti Island Nature Tours office on Marine Parade before making their way across the road to the boat, which is located either in the Kāpiti Boating Club car park or on the beach).

47. In this way, the Project will secure and improve the integrity of the biosecurity process to reduce the risk of a biosecurity breach on Kāpiti Island (which would impact conservation status, visitation and credibility with DOC) while at

¹⁸ Economic Development Strategy and Implementation Plan 2020-2023, p 8: [eds-implementation-plan-2020-2023.pdf \(Kāpiti coast.govt.nz\)](#)

¹⁹ Māori Economic Development and Wellbeing in Kāpiti 2013, Appendix 3: [strategy-maori-economic-development-wellbeing-Kāpiti .pdf \(Kāpiti coast.govt.nz\)](#)

the same time educating people before they reach the island about the importance of the biosecurity process.

48. The importance of the Project from a conservation and biosecurity perspective is addressed in the evidence of **Angus Hulme-Moir**.
49. I note that in addition to the Project's biosecurity benefits, DOC has also been keenly interested in the Project's broader ecological benefits. These are not addressed in significant detail as part of this application (ecology was covered in depth in the GWRC consent application), however in broad terms, the Project involves the start of the ecological restoration of 55 metres of coastal stretch of the Tikotu Stream, including new retaining walls and planting of native species. In this way, it begins to enhance the ecology of the Tikotu Stream mouth and the biodiversity of the area.

Social and cultural benefits

50. The applicant has worked with its mana whenua partners Ātiawa and Ngāti Toa on the development of the Project to ensure it delivers a quality product that reflects the strong significance of the Project Site to both iwi and incorporates their tikanga in a respectful, meaningful and culturally appropriate way. The applicant is very grateful, as am I personally, for the time, energy, and skills brought by iwi to this process, and for providing ongoing guidance in developing the Project.
51. The Project's cultural benefits are addressed in more detail below, and in the evidence of **Naomi Solomon** (on behalf of Ngāti Toa) and **John Barrett** (on behalf of Ātiawa).
52. The Project will provide a central hub for both locals and visitors to Kāpiti to come together and enjoy, socialise and learn about the area's history, wildlife and cultural values, including local tikanga. The Project's social benefits are incorporated in its design in a number of ways, including:
 - (a) through its proposed **location**: the proposed buildings and car parking spaces have been designed to ensure beach access is maintained for leisure and recreational craft users (and to provide greater accessibility, discussed below);
 - (b) by providing community **space**: the community will have the ability to use the decking area for community activities and there will also be space for hosting local community events;

- (c) by supporting local **business**: there will be information on things to do and places to eat, drink and stay, in Kāpiti. It will also encourage people to spend longer in the area and therefore use the shops and cafes nearby. The Kāpiti Boating Club, Coastguard and Underwater Club buildings will also remain and preserve their investment in their club facilities, allowing the Boating Club to focus on their own strategic Plan; and
- (d) by encouraging marine **recreation** activities: the Discovery Centre will provide information on these activities.

Educational benefits

- 53. Educational benefits are a key component of the Project, woven into all aspects of the Project through its conservation, ecological and cultural objectives.
- 54. The geographical backdrop of Te Uruhi – the Kāpiti Coast – has a rich cultural history, including as an iwi battle site, a whaling station and a well-known landing point linking Kāpiti Island with the mainland. Te Uruhi will give mana whenua a platform to share their stories and educate visitors (both visitors to the island and visitors to the Kāpiti Coast district more generally) about the history of the area and the tikanga and cultural values of their iwi and hapū. As explained in the evidence of **Ms Solomon** and **Mr Barrett**, currently there is very little (to no) visibility of mana whenua in the Kāpiti Coast district, so having this platform would have a significant positive cultural and educational benefit.
- 55. It will also increase the visibility of Kāpiti Island as a significant conservation asset for New Zealand, and bring greater awareness to both the fragile terrestrial and marine ecosystems in the area, and how these should be managed and protected, and the importance of biosecurity.

Resilience and climate adaptation

- 56. The Project has been designed to respond to its changing environment and the effects of climate change, and it provides a basis for future resilience for its services and assets.
- 57. In particular, the location and design of the buildings and bridge have been specifically chosen for their ability to respond to storm surge/flood hazard and earthquake issues, including:

- (a) the finished floor levels in the buildings will be above the flood hazards;
- (b) the bridge will be constructed to have a finished floor level above the spring tide;
- (c) the buildings will be constructed so that they are able to be relocated from the site and reconstructed elsewhere; and
- (d) the buildings will be designed in accordance with geotechnical findings.

Connectivity and accessibility benefits

- 58. Te Uruhi will promote inclusion and social cohesion through greater accessibility for locals and visitors, and improved connections to the coast and Paraparaumu Beach.
- 59. The buildings, bridge and surrounding decking have been designed to provide easy access to mobility scooters, pushchairs and wheelchairs, and to provide shade and sheltered seating areas with views of Kāpiti Island and the coast. This means that less able-bodied people will no longer need to drive onto the beach to enjoy the views and amenity that the Kāpiti Coast provides.
- 60. For those who will be accessing the beach, we will also be improving accessibility from the Discovery Centre to the beach. The new bridge will be wider and more accessible, and together with new footpaths will link existing connections through Maclean Park and Paraparaumu Beach, improving pedestrian access and safety. Beach wheelchairs will be available for use and on the northern side of the bridge, a landing area and boardwalk will be constructed, guiding visitors from the pedestrian waiting area to the boat launching location.
- 61. The southern carpark extension will also improve accessibility between Maclean Park, Paraparaumu Beach, the retail area and Te Uruhi, supporting public connections and ensuring vehicles are able to move efficiently and safely.

PARTNERSHIP WITH IWI

- 62. The Council is very grateful to be developing Te Uruhi in partnership with mana whenua.
- 63. 'Te Uruhi' is the Māori name for Maclean Park, an area of strong cultural and historical significance for both Ātiawa and Ngāti Toa (discussed in more

detail in the evidence of **Ms Solomon** and **Mr Barrett**. I would also like to acknowledge the connection of Ngāti Raukawa²⁰ to Kāpiti Island, who will also be represented in the Discovery Centre and Whakairo elements. The Project was gifted the name 'Te Uruhi' by iwi in acknowledgement of the deep connections mana whenua have to the area, and to reflect the partnership approach the applicant, together with Ngāti Toa and Ātiawa, has taken to the Project. Te Uruhi also recognises the history of the site on which the buildings will locate; as discussed in the evidence of **Ms Solomon** and **Mr Barrett** it is a former pā site.

64. Though Te Uruhi has evolved as a Project since its inception, the importance of maintaining a robust, meaningful process of engagement, participation and partnership with mana whenua has remained a consistent focus. This has been particularly evident through the development of the Management Plan and in the governance group, both of which have been integral to driving the Project forward.

Maclean Park Reserve Management Plan

65. The Council, in partnership with Ātiawa and Ngāti Toa, developed the Management Plan and formally adopted it in December 2017.
66. The vision statement of the Management Plan is for the park to "*be a destination for all; a place to meet, play, relax and connect with Kāpiti Island, our heritage and environment.*"²¹ The Management Plan was prepared to "*provide guidance for the future use, management and development of Maclean Park Beach reserve*" in a way that "*provides for the kaupapa (values/principles), hua (policies and objectives) and tikanga (measures) as a outcome of the community engagement process.*"²² Those kaupapa, hua and tikanga are set out in detail in clause 8.0 of the Management Plan, and addressed in the mana whenua and cultural values assessments prepared for the Project (discussed below and in the evidence of **Ms Solomon** and **Mr Barrett**).
67. The Council and its mana whenua partners led the development of the Management Plan, which included three rounds of community engagement

²⁰ The mandated authority for Ngāti Raukawa is Ngā Hapū o Ōtaki.

²¹ Maclean Park Te Uruhi Reserve Management Plan 2017, clause 7.0: [maclean-park-management-plan-2017.pdf \(Kāpiti coast.govt.nz\)](#)

²² Maclean Park Te Uruhi Reserve Management Plan 2017, clause 1.2: [maclean-park-management-plan-2017.pdf \(Kāpiti coast.govt.nz\)](#)

(including two public submission processes), a review of historical documents, stakeholder mapping and analysis and engagement plans.

68. One of the key points arising from public submissions was the desire to see "a gateway/Kāpiti Island visitor centre on the south side of Tikotu Stream."²³ This was expanded on in the Management Plan itself at clause 7.6:

The facilities for visitors departing to Kāpiti Island are currently basic but have the potential to be improved to provide improvements to visitor attraction, a formal biosecurity facility, safer access, and to better reflect the significant relationship between the park and the island for local iwi.

The development plan provides a basis for this discussion and is enabling of suitable visitor facilities to be developed with other partners as appropriate in the future. A project area has been defined to limit the potential effects of such a facility of the day to day recreational enjoyment of other areas of the reserve.

69. The Management Plan identified "opportunities for project enrichment",²⁴ which included "Project Area A: The Gateway".²⁵ Not only is the Project identified as a high priority for visitor attraction and economic development, but it was also identified by iwi as "the project of priority for Maclean Park."²⁶

Governance Boards

70. The first Governance Board was established in around March 2020 to facilitate the initial ('Stage One') project design and development process and select a lead architect for the Project. That group was chaired by an independent Chair and its members were Russell Spratt (Ātiawa), Chris Gerretzen (Ātiawa), Naomi Solomon (Ngāti Toa), Pania Solomon (Ngāti Toa), James Jefferson (representing the applicant), and a DOC representative. That group also met with independent architects who assisted us in selecting the preferred preliminary design.
71. In May 2021 a second Governance Board was established, superseding the first one. This second group was intended to oversee 'Stage Two' of the Project (design and build). This group, which is still in existence today, meets on a six-weekly basis. The members of the second Governance

²³ Maclean Park Te Uruhi Reserve Management Plan 2017, clause 5.1: [maclean-park-management-plan-2017.pdf \(Kāpiti coast.govt.nz\)](#)

²⁴ Maclean Park Te Uruhi Reserve Management Plan 2017, Appendix 2, section C (Maclean Park Vision): [maclean-park-management-plan-2017.pdf \(Kāpiti coast.govt.nz\)](#)

²⁵ Maclean Park Te Uruhi Reserve Management Plan 2017, Appendix 2, p41 (Maclean Park Vision): [maclean-park-management-plan-2017.pdf \(Kāpiti coast.govt.nz\)](#)

²⁶ Maclean Park Te Uruhi Reserve Management Plan 2017, Appendix 2, p41 (Maclean Park Vision): [maclean-park-management-plan-2017.pdf \(Kāpiti coast.govt.nz\)](#)

Board are Ms (Naomi) Solomon, Mr Spratt, and three representatives of the applicant.

72. In addition to having representatives on both Governance Boards, Ātiawa and Ngāti Toa were also consulted individually as part of the resource consent process, and both iwi provided mana whenua / cultural values assessments.²⁷

Mana Whenua / Cultural Values Assessments

73. As part of the application process, a mana whenua assessment (**MWA**) was provided by Ātiawa in July 2020, and a cultural values assessment (**CVA**) was provided by Ngāti Toa in September 2020.

74. Both the MWA and CVA spoke of some of the Project's key benefits, including:

- (a) its purpose "*to improve access to Kāpiti Island, create a physical presence for the tourist operations for Kāpiti Island, and improve biosecurity management*"²⁸ and "*enhance the [Tikotu] stream through naturalising the southern side and through planting*",²⁹ and
- (b) its cultural benefits including supporting and enhancing the mauri of the area through the enablement of "*more robust biosecurity measures*",³⁰ proposed planting to support native habitat for indigenous birdlife,³¹ and "*provid[ing] an opportunity to support the reconnection of mana whenua to these sites.*"³²

75. The CVA stated that although "*The actual and potential adverse effects to cultural values as a result of the development to the specific site, and the Tikotu Stream Gateway will generally be able to be mitigated*", the Project will still have an effect on Ngāti Toa's "*values in relation to Te Uruhi, Kāpiti Island, Raukawa Moana and the Kāpiti Coast more generally*", and therefore made recommendations aimed at re-strengthening Ngāti Toa's connection.³³

²⁷ Included as Appendix 4 to the AEE.

²⁸ Ātiawa ki Whakarongotai Charitable Trust Kāpiti Gateway Project: Mana Whenua Assessment (30.07.2020) at [6].

²⁹ Te Rūnanga o Toa Rangatira Cultural Values Assessment Kāpiti Gateway (September 2020) at p8.

³⁰ Ātiawa ki Whakarongotai Charitable Trust Kāpiti Gateway Project: Mana Whenua Assessment (30.07.2020) at [45].

³¹ Ātiawa ki Whakarongotai Charitable Trust Kāpiti Gateway Project: Mana Whenua Assessment (30.07.2020) at [46].

³² Te Rūnanga o Toa Rangatira Cultural Values Assessment Kāpiti Gateway (September 2020) at p8.

³³ Te Rūnanga o Toa Rangatira Cultural Values Assessment Kāpiti Gateway (September 2020) at p10.

76. These recommendations related to signage, historical interpretation and Māori design features, providing for appropriate tikanga to be observed in the Project's development, Ngāti Toa's partnership role in the Project (including its social and economic interests), further investigation of potential impacts on Kāpiti Island, and conditioning an Accidental Discovery Protocol and the presence of an iwi monitor during the works.³⁴ These are summarised in the evidence of **Ms Solomon**.
77. The MWA also acknowledged that "*Ātiawa rangatahi were heavily involved in the development of the idea around a 'gateway' facility*".³⁵ It made a number of recommendations in respect of the Project's design and conditions which it considered would "*avoid, remedy or mitigate effects to values of significance to Ātiawa*" and sought further information in order to finalise its position on the Project.³⁶

On 24 September 2020, the applicant's planning consultants (Cuttriss) wrote a letter to Te Rangimarie Williams of Ātiawa commenting on the matters raised, and recommendations made, in the MWA. The majority of the recommendations in the MWA were accepted, including mana whenua's involvement in the design of the Discovery Centre and the Project's Whakairo elements, and where further response or explanation was required this was provided.

On-going partnership

78. Since the provision of the MWA and CVA, the applicant has continued to work with representatives of Ātiawa and Ngāti Toa on incorporating their recommendations into the design and conditions of the Project, including regular Governance Board meetings and e-mail updates. A total of six meetings have been held with the second (Stage Two) Governance Board, with ongoing email updates and online discussions during the course of the Project.
79. There has been significant engagement with a number of iwi representatives for the design of the Discovery Centre storytelling framework. This consisted of multiple online hui with council officers, Art of Fact (Discovery Centre design consultant) and iwi representatives.

³⁴ Te Rūnanga o Toa Rangatira Cultural Values Assessment Kāpiti Gateway (September 2020) at pp10-11.

³⁵ Ātiawa ki Whakarongotai Charitable Trust Kāpiti Gateway Project: Mana Whenua Assessment (30.07.2020) at [13].

³⁶ Ātiawa ki Whakarongotai Charitable Trust Kāpiti Gateway Project: Mana Whenua Assessment (30.07.2020) at [49].

80. The applicant will continue to collaborate closely with mana whenua through the final design stage of Te Uruhi, in particular the story telling content of the Discovery Centre and associated Whakairo elements, and through to the construction and operational stages of the Project.
81. The applicant is proposing consent conditions that will formalise the Governance Board process and structure, ensuring meaningful ongoing partnership and collaborative decision-making.

CONSULTATION

General process

82. Initial consultation on Te Uruhi (then known as the 'Gateway' project) was carried out through the Management Plan process, which included a period of public consultation (discussed below).
83. We then held multiple stakeholder meetings (with the Boating Club, underwater club and Coastguard) to see if we could work through an option of locating the gateway in / near the Boating Club building. The outcome of those meetings was a decision, in 2019, to commission TRC to update its feasibility study. As discussed above, TRC undertook its feasibility study in collaboration with stakeholders, and the 2020 Report recommended the south side of Tikotu Stream as the site for the Project.
84. In early 2020 Athfield Architects was selected for the Project, and an initial design was produced. A community advisory group was then set up to review the design, and included representatives from:
 - (a) tour operators;
 - (b) DOC;
 - (c) Ātiawa and Ngāti Toa;
 - (d) local recreational clubs and marine services;
 - (e) business and commerce organisations (Paraparaumu Beach Business Association, Kāpiti Chamber of Commerce and Kāpiti Economic Development Association (**KEDA**));
 - (f) Victoria University of Wellington; and
 - (g) the economic development organisation Wellington NZ.

Maclean Park Management Plan consultation process

85. The Management Plan was drafted by the Council in partnership with Ātiawa and Ngāti Toa, in conjunction with park users, the wider community and key stakeholders through three stages of public consultation.
86. **Stage One** commenced in November 2016,³⁷ and was led by the Paraparaumu-Raumati Community Board. Stage One was focussed on finding out what the community wanted to see at Maclean Park, and involved hui with rangatahi, public events (including market days and other events), flyers and surveys. Stage One had a positive turn-out, with 1,000 participants at an event held at Maclean Park; 269 online and paper surveys and 149 short interviews.
87. At **Stage Two**, we sought public submissions on three draft concepts for the development plan, and received 190 responses.
88. At **Stage Three**, we sought public submissions on the final draft Management and Development Plan. The concept that went out for consultation indicated the area for the gateway to be just the northern side of the stream to the northern boundary. 105 submissions were received during Stage Three, and one of the key topics raised in submissions was the desire to see a gateway/Kāpiti Island visitor centre built on the south side of Tikotu Stream (discussed above).³⁸ Accordingly, following the consultation we changed the area to include the south side of the stream.

TRC 2019 consultation process

89. TRC met with a number of identified stakeholders in preparing the 2020 Report. This included DOC, the (then³⁹) two tour operators holding concessions to take visitors to the island (Kāpiti Island Nature Tours and Kāpiti Eco Tours), the Council, WellingtonNZ, Ngāti Toa and Te Ātiawa, three community groups that currently occupy the Boating Club building, KEDA, Kāpiti Chamber of Commerce, Paraparaumu Beach Business Association, Guardians of the Kāpiti Marine Reserve and a Victoria University Senior Lecturer.

³⁷ Maclean Park Te Uruhi Reserve Management Plan 2017, clause 2.2: [maclean-park-management-plan-2017.pdf \(Kāpiti coast.govt.nz\)](#)

³⁸ Maclean Park Te Uruhi Reserve Management Plan 2017, clause 5.1: [maclean-park-management-plan-2017.pdf \(Kāpiti coast.govt.nz\)](#)

³⁹ Currently it is only Kāpiti Island Nature Tours that runs tours to the island.

90. At the conclusion of the stakeholder and community engagement, and as a result of TRC's research, a list of requirements for the Project were identified in relation to site/location, the facility itself (and the need for it to serve a broader purpose than just biosecurity), biosecurity functions and alignment with the Management Plan. The preferred location for the Project was the site adjacent to the south side of the Tikotu Stream. This was heard strongly throughout all of the consultation we did with key stakeholders. TRC presented their initial findings to stakeholders prior to finalising the 2020 Report.

Design consultation process

91. After the architect was selected for the Project, a community advisory group was established to review the design.
92. The applicant has continued to work alongside DOC and the tour operators to understand best practice, to ensure the biosecurity facility will meet the requirements, and with regard to the Discovery Centre design and content..
93. We also engaged with a local historian and a representative of the Marine Reserve with regard to the Discovery Centre design and content.

RESPONSE TO SUBMISSIONS

94. 14 properties in Paraparaumu were notified as affected persons: 3, 5, 55, 56, 57 and 58 Marine Parade, 1, 2, 4 and 6 Manly Street, 2 and 3 Golf Road, and 386 and 388 Kāpiti Road.
95. The Council received seven submissions.
96. As an initial comment, I would like to recognise the thoughtful submissions that have been received for the Project, and express the applicant's gratitude to those submitters who have taken the time to submit. Input from the public has been an invaluable part of the Project's process, and the applicant has used its best endeavours to ensure that the Project we put forward achieves the objectives sought, while minimising effects on neighbouring properties. Nevertheless, I acknowledge the concerns raised by affected parties in their submissions, which are responded to below and in the other briefs of evidence filed on behalf of the applicant.

Consultation and notification

97. Five submissions (Mr and Mrs Burgess, Dr Davey, Mr Guy, Mr Barnett, Ms Knight, and Ms Holden / Mr Wilson) raised concerns with the consultation and notification process, in particular, concerns:
- (a) that affected local residents were not consulted adequately, or early enough; and⁴⁰
 - (b) that the Project should have been notified to a larger group of affected persons and/or publicly.⁴¹
98. In terms of consultation, as addressed above in my evidence (and in more detail in the Management Plan) the idea of a gateway/Kāpiti Island visitor centre built on the south side of Tikotu Stream arose during the development of the Management Plan. This involved a comprehensive (three-round) public consultation process commencing in 2016, which I discuss above. This was an invaluable process which enabled us to hear from a wide range of members of the public, local businesses and iwi, and incorporate the views we received in the design of the Project.
99. As part of the management plan process, members of the community were able to speak to their submissions at a Council meeting prior to adopting the management plan.
100. In response to community feedback during the final round of consultation, the northern area of Maclean Park that had been identified in the management plan for a Gateway was increased to include the southern side of the Tikotu Stream.
101. The Gateway was also consulted on during the LTP process.
102. The TRC process involved consultation with a wide range of key stakeholders, discussed above.
103. In terms of notification, this is addressed in depth in section 3.1 of the AEE, and in the notification report.⁴² This is a planning / legal matter so it is not for me (as a representative of the applicant) to comment on, and nor have I had any involvement in notification recommendations or decisions. However, I understand there is a regimented process under the RMA that must be

⁴⁰ Davey submission at p1, Barnett submission at p1, Knight submission at p1, Holden/Wilson submission at p1.

⁴¹ Burgess submission at [3]; Guy submission at p1, Barnett submission at p5.

⁴² Kāpiti Coast District Council Section 95 Notification Report (18.05.2022).

undertaken when determining whether a resource consent application is to be publicly notified, notified to a limited group of affected persons, or processed as 'non-notified', involving independent planner review, and this process was followed.

Consultation with mana whenua

104. Four submissions (Mr and Mrs Burgess, Mr Barnett, Ms Knight and Ms Holden / Mr Wilson) commented on consultation with mana whenua, including that:
- (a) the MWA does not refer to the proposed new carpark, nor earthworks or construction of the carpark, and as such mana whenua have not been consulted on this aspect;⁴³
 - (b) the MWA and CVA are dated July and September 2020, and it seems that iwi have been ignored or not informed of the amended resource consent;⁴⁴ and
 - (c) the applicant has failed to properly consult with tangata whenua.⁴⁵
105. Consultation and engagement, and the applicant's partnership approach to the Project, are addressed above.
106. As discussed in the evidence of **Ms Solomon** (and **Mr Barrett**), the proposed southern carpark was raised with the Governance Board at the 3 November 2021 meeting. No concerns were raised from any participants. Mana whenua have consistently remained involved in the Project as it has evolved, in their role as partners on the Project and members of the Governance Board.

Carpark use

107. Mr and Mrs Burgess' submission raises two concerns relating to the use of carparking spaces on Marine Parade.
108. The first issue relates to references in the AEE to "likely" visitor numbers (with reference to average likely sailings to the island) compared with references to "maximum" numbers used to justify the new carpark. This submission point is responded to in the evidence of **Megan Taylor**, who clarifies the basis for the Project's proposed parking analysis. **Ms Taylor**

⁴³ Burgess submission at [8(a)]

⁴⁴ Barnett submission at pp9-10; Knight submission at pp9-10.

⁴⁵ Holden/Wilson submission at p1.

goes on to state that based on that analysis, two car parks will be gained in the area as a result of the Project.

109. The second issue raised is about unrestricted use of carparks (in particular campervans parking overnight and overcrowding of vehicles in the carparks), and the negative visual effects on neighbours arising from un-restricted campervan parking. Again, this is addressed in the evidence of **Ms Taylor** but I would also like to make some additional remarks. Currently the Freedom Camping Act 2011 allows freedom camping throughout New Zealand in any local authority area. At present, this area is not a restricted area in terms of freedom camping, nor is it restricted to time-permitted parking. However, we do monitor this area to gather information that will inform a future review of the Council's Freedom Camping Policy.

RESPONSE TO COUNCIL OFFICER'S SECTION 42A REPORT

110. Paragraph 104 of the section 42A report refers to a concern raised in one of the submissions about the proposed retail use aspect of the application, and invites comment from the applicant. It goes on, at paragraph 108, to state:

in my view, a retail activity will meet a need of the community. However, the type of retail activity needs to be limited to those which are ancillary to recreational activities, which is the sale of products associated with visits to Kāpiti Island, and food and drinks for people both visiting the island and using the park and its surrounds. This can be achieved via a condition of consent.

111. I understand that the outcome sought by the report author is already legally required under the Reserves Act 1977, which allows recreation reserve land to be the subject of a lease or licence to a commercial operator only where "*necessary to enable the public to obtain the benefit and enjoyment of the reserve or for the convenience of persons using the reserve*".
112. As such, imposing a condition would not serve any additional purpose.
113. In any event, however, the applicant's intention is for minimal retail. It is intended that the Project will include a small coffee / cabinet food kiosk, a ticket counter for Kāpiti Island tours, and potentially some provision for purchase of gifts / district showcase items.

Alison Margaret Law

19 September 2022