**BEFORE THE KAIPARA DISTRICT COUNCIL'S HEARING PANEL**

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| **IN THE MATTER OF** | the Resource Management Act 1991 (**the Act**) |
| AND | |
| **IN THE MATTER** | An application for Private Plan Change 85 (**PC85**) -**MANGAWHAI EAST** by Foundry Group Limited (formerly Cabra Mangawhai Limited) and Pro Land Matters Company to rezone approximately 94-hectares of land at Black Swamp and Raymond Bull Roads, Mangawhai |

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**HEARING SUMMARY OF PHILLIP BRUCE FAIRGRAY ON BEHALF OF THE APPLICANTS**

**(Civil Engineering)**

**17 February 2026**

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Jeremy Brabant

Barrister

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**Summary**

1. Mr Cantrell, in his rebuttal evidence, para 4.5 concludes that 'in my opinion, the ability to deliver an additional effluent disposal option in Mangawhai that is required to service more than 6,500 connections is highly speculative and cannot be relied on.

2. Mr Clease, in his rebuttal evidence concludes that wastewater servicing is the only remaining substantive issue, with all other matters resolved or narrowed.

3. It is agreed by all parties that specific solutions have been identified for the Mangawhai Wastewater Treatment Plant (MWWTP) and the disposal of effluent for up to 6,500 connections.

4. Based on 2,900 existing connections, that leaves 3,600 connections still available. I understand that Mr Thompson's evidence regarding feasible and reasonably expected to be realised development capacity results in a conclusion that sufficient capacity exists to service PC85 within a 6500 DUE cap.

5. In addition, Kaipara District Council will collect $185,961,600 (3600 x $51,656) in development contributions for wastewater infrastructure upgrades in Mangawhai.

**Mr Cantrell's Position**

6. In paragraph 3.20, Mr Cantrell states that it would be technically challenging to expand the wastewater treatment plant beyond 6,500 connections. He states:

*"In response to this, the existing Mangawhai WWTP is located on a parcel which has a total area of 32.5 hectares. However, much of this area is not suitable for future expansion of the plant due to the topography, location of adjacent properties and other ground conditions which would prove to be very challenging. The current upgrade plans include layouts/footprints for new processes and other required facilities to service up to approximately 6,500 connections. This layout uses up most of the readily available space for future plant expansions. The space required for treatment beyond 6,500 connections will likely require significant and expensive ground works which will be technically challenging."*

7. According to a report prepared for KDC, Mangawhai Community Wastewater System, Master Plan Strategy by WSP dated 21 January 2022 (available on KDC website), it states on pages 6:

''*By planning now for a 5000, 7000 and 10000 connection upgrade, infrastructure and plant layout can be developed to protect footprint and enable sequential upgrade of plant"*

It goes on further to say:

*"A previous options study (Mangawhai WWTP Options, WSP, 2019) identified a Membrane Bioreactor is a suitable solution, with the ability to get more treatment capacity in the existing reactors and able to produce a very high quality disinfected effluent. This approach means that more reactors are not needed in the near future, and expansion up to 10,000 connections can be built within the existing site designation."*

8. The report also included a concept drawing of the potential layout of the plant allowing for up to 10,000 connections:


*Figure 5 : Tank Concept Layout of CWWTP Upgrades to 10,000 connections*

9. In paragraph 4.4, Mr Cantrell states that disposal for more than 6,500 connections will have significant technical and non-technical hurdles such that they are potentially not feasible. He states"

*"However, increasing the capacity of the MCWWS beyond 6,500 connections requires identification of a further effluent disposal option. In this case this is likely to be either a long-sea outfall, or additional discharge to land. Based on my technical experience and knowledge of Mangawhai, I consider that both of these options are likely to face significant technical and non-technical hurdles such that they are potentially not feasible."*

10. The WSP report on page 7 discusses disposal options. To summarise,

- Land disposal on another farm west of Mangawhai
- Local harbour discharge
- Sea outfall

- Re-use as irrigation or commercial applications such as the concrete factory
- Re-use via a purple pipe system ('third pipe')

11. The WSP report does not say that any of the above options are not feasible. It states that:

*"All disposal routes will require community engagement, options assessment and environmental assessment and resource consenting, so are expected to take 6-8 years before can be operational."*

12. I agree that further investigation, assessment, community engagement and consenting will be required for all of the disposal solutions. The WSP report states:

*"Clarks Beach and Snells Beach WWTP discharges are in a similar situation and have been consented for harbour discharge, with Membrane Bioreactor achieving low nutrient levels and making the discharge almost bacteria free"*

13. According to a Water NZ Annual Conference 2016 technical paper, Wastewater Outfalls – International Perspectives Relative to New Zealand by Jim Bradley, it states that in New Zealand there are approximately 20 offshore outfalls.

14. I agree with Mr Cantrell that there are 'technical and non-technical hurdles' regarding the disposal of over 6,500 connections but I do not agree that they are potentially not feasible.

15. The above disposal solutions are not uncommon and have been implemented in many other cases throughout New Zealand and I don't see that Mangawhai is any different.

**Conclusion**

16. It is agreed by all parties that specific solutions have been identified for the Mangawhai Wastewater Treatment Plant (MWWTP) and the disposal of effluent for up to 6,500 connections.

Mr Thompson's evidence regarding feasible and reasonably expected to be realised development capacity results in a conclusion that sufficient capacity exists to service PC85 within a 6500 DUE cap.

17. KDC will receive approximately $185,000,000 in development contributions for Mangawhai wastewater upgrades from 3,600 connections currently available within the 6500 cap.

18. Plant upgrades and disposal options have been identified and could be implemented within the above timeframe.

19. On the evidence provided, in my opinion, wastewater servicing does not provide a basis to decline PPC85.

**Phillip Bruce Fairgray**

17 February 2026