BEFORE THE KAIPARA DISTRICT COUNCIL'S HEARING PANEL

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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REBUTTAL STATEMENT OF EVIDENCE OF CRAIG DAVIS ON BEHALF OF THE APPLICANTS

(Coastal Hazards)

09 February 2026

Jeremy Brabant

Barrister

Level 7, 50 Albert Street, Auckland Central

PO Box 1502, Shortland St, Auckland 1140

M: 021 494 506

E: jeremy@brabant.co.nz

INTRODUCTION

1. My full name is Craig Jonathan Davis.

2. I have previously prepared a statement of evidence dated 16 December 2025 on behalf of Foundry Group Limited (formerly Cabra Mangawhai Limited) and Pro Land Matters Company regarding an application for Private Plan Change 85 (**PC85**) under the Operative Kaipara District Plan 2013. I also prepared a Supplementary statement of evidence to address the changes in National Direction dated 30 January 2026.

3. This rebuttal evidence responds to matters raised in expert evidence on behalf of submitters. Specifically:

    a. Mark Ross for Riverside Holiday Park; and

    b. Brett Hood for Black Swamp Ltd.

QUALIFICATIONS AND EXPERIENCE

4. I confirm I have the qualifications and experience set out at paragraphs 1-5 of my statement of evidence dated 18 December 2025 (**statement of evidence**).

EXPERT WITNESS CODE OF CONDUCT

5. I repeat the confirmation provided in my statement of evidence that I have read and agree to comply with the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023. This evidence has been prepared in accordance with that Code. I confirm that the issues addressed in this rebuttal evidence are within my area of expertise, and I have not omitted to consider material facts that might alter or detract from the opinions that I express.

SCOPE OF EVIDENCE

6. My rebuttal evidence will cover:

    a. The provision of the Coastal Walkway; and

    b. Coastal Hazard effects of the Consented fill area within the Coastal Inundation overlay.

RIVERSIDE HOLIDAY PARK

7. Mr Ross sets out in paragraph 7a) and b) his view that the Coastal Walkway will be difficult and costly to construct and maintain because it is within the Coastal Inundation area and traverses relatively steep land adjacent to the "deep inlet channel".

8. I note Mr Ross's expertise is in Planning matters. In this instance there appears to be a misunderstanding of the nature of engineering risk processes within the inundation zone.

9. The inundation zone is defined allowing for 1%AEP water levels and 100 years of sea level rise and it is proposed to have the coastal walkway within that area.

10. The construction of the walkway will not be affected by the future inundation potential. In the unlikely case of flooding during the relatively short construction period, this would be a risk faced by any coastal construction including walkways.

11. There is a significant difference in time frames between considerations of maintenance and inundation effects. There is likely to be some structures on a walkway that have a design life of 50 years, for instance small bridges or lookouts, but most of the walkway will require significant maintenance or rebuilding within a 25-30 year timeframe. Maintenance of the walkway is unlikely to be affected by the inundation issues until a large part of the predicted sea level rise has occurred, which is likely to be in 70-100 years. The walkway elevation would be designed to address the shorter-term inundation, as is reasonable given the likely design life.

12. In addition, the inundation provisions are aimed at sensitive / vulnerable activities such as residential and similar built development. Significant damage results from inundation of such development. Conversely, inundation of a walkway is not a failure criterion. In many walkways inundation is designed for, to minimise frequency rather than to avoid the effect. Effects on, say, a timber boardwalk or metal path are negligible.

13. Construction of a coastal pathway is often undertaken adjacent to areas of poor foundation and adjacent to deep watercourse channels. These features are readily

provided for by typical construction techniques, for example timber piled foundation or rock riprap protection.

14. Since our initial site visit much of the coastline south of the Holiday Park has been armoured by large rock armour which is likely to have made provision of the walkway in the area easier. Photos of this structure are appended (**Attachment 1**).

15. In paragraph 7.4 Mr Ross notes that because there has not been any provision of a walkway or access to date, this indicates the lack of need and demand. I agree that historically as a Rural area there is likely to have been lesser demand for access. However, the Plan Change seeks to increase residential density of the land in this area and associated with this is an increase in demand for public amenities and access to and along the foreshore. From experience with coastal access a well-constructed coastal circuit is highly used and valued by adjacent communities. Given the existing esplanade and the legal right that exists for people to pass over this land a formed walkway will be a valuable amenity. That would align with New Zealand Coastal Policy Statement provisions, such as Objective 4 (maintain and enhance the public open space qualities and recreation opportunities of the coastal environment), Policy 18 and Policy 19, which are addressed by Ms O'Connor.

BLACK SWAMP LTD

16. I understand that a Consent has been issued for earthworks and related filling of an area within the proposed Coastal Inundation Overlay.

17. The existing Consent provides for filling of the Consented area to RL3.2 (to NZVD16).

18. The 100 year inundation level per our report is RL3.7.

19. To increase the ground level of the Consented area to be at the maximum inundation level would require filling to raise the ground level a further 500mm, from the consented fill level and a total of approximately 20,000 cubic metres of fill to achieve this outcome.

20. The scale and nature of this additional engineering work is consistent with the filling already consented for the site, and typical for a development of this scale. In our assessment of fill works for the Plan Change I have largely disregarded inundation areas where ground level is within 500mm of the ground level required to be achieved

to avoid the coastal or flood inundation level. This is because the level and nature of work to achieve this outcome is considered relatively standard in the course of land development.

21. I therefore consider the Consented area can be further engineered to avoid inundation risks set out in our report. I understand that such filling may require further Resource Consent but this matter is addressed by the expert Planning evidence.

22. I note that the evidence of Mr Hood on behalf of Black Swamp Limited at paragraph [4.5] suggests that the filling authorised is to RL 3.5. I understand that this may be a typographical error, and my evidence above proceeds on the basis that the consented level is RL 3.2. However if it is correct that the consented level is RL 3.5, then that consent fully addresses the inundation levels.

CONCLUSION

23. I have read the submission on behalf of the Riverside Holiday Park with regard to asserted issues providing the proposed public coastal access. There is no particular issue from an engineering or coastal processes basis with provision of this access. There is no particular financial burden associated with the provision of this access over and above a typical coastal walkway/access.

24. When the residential development enabled by the plan change occurs, I anticipate the walkway will be a valuable well used public amenity providing access to and along the Coastal Marine Area. In any event the land is already available for legal public access.

25. I have looked at the submission by Black Swamp Ltd and considered the Consented development with respect to the coastal inundation hazard. The hazard can be readily managed by normal engineering practices. Additional earthworks over that in the existing Consent (assuming it currently authorises filling to RL 3.2) will be required to increase ground level above the maximum inundation level but there are not anticipated to be any issues with achieving this outcome so that coastal and flood inundation levels can be avoided.

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Craig Davis

04 February 2026

ATTACHMENT 1 - EXISTING SEAWALL – IMAGES