

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

REBUTTAL STATEMENT OF EVIDENCE OF ANDY POMFRET ON BEHALF OF THE

APPLICANTS

(Geotechnical Engineering)

09 February 2026

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INTRODUCTION

QUALIFICATIONS AND EXPERIENCE

1. My full name is Andrew David Pomfret.
2. I have previously prepared a statement of evidence dated 18 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.
3. This rebuttal evidence responds to matters raised in expert evidence on behalf of submitters.

QUALIFICATIONS AND EXPERIENCE

4. I confirm I have the qualifications and experience set out at paragraphs 1-2 of my statement of evidence dated 16 December 2025 (**statement of evidence**).

EXPERT WITNESS CODE OF CONDUCT

5. Although this is not a hearing before the Environment Court, I record that I have read and agree to and abide by the Environment Court's Code of Conduct for Expert Witnesses as specified in the Environment Court's Practice Note 2023. This evidence is within my area of expertise, except where I state that I rely upon the evidence of other expert witnesses as presented to this hearing. I have not omitted to consider any material facts known to me that might alter or detract from the opinions expressed.

SCOPE OF EVIDENCE

6. This statement of rebuttal evidence has been prepared to respond to matters arising out of the s42A Report and the geotechnical review by Callum Sands. Specifically the s42A Report:
 - a. At [70] states "The geographic areas shown in these reports, along with the part of the northern area that would benefit from further testing ('the western area') is shown in Figure 10."

- b. At [84] states: "Mr Sands concludes that there is insufficient information available to be able to confirm that the southern area is not exposed to unacceptable geotechnical risks and is therefore suitable for urbanisation."
 - c. At [85] – [87] identifies three options, the first being "...for the applicant to provide additional geotechnical information prior to the hearing to enable the rezoning of the southern area to occur with confidence that slope stability and liquefaction risks are able to be appropriately managed."
7. In my primary statement of evidence at paragraph [17] I referred to further assessment and indicated that it would be undertaken prior to the hearing. That work has now been completed.

FURTHER INFORMATION

- 8. Initia were recently engaged by Pro Land Matter Company to conduct further geotechnical investigations to assess the geotechnical hazard issues and / or risk for the land they own, or had under contract, in the "southern area" of the proposed plan change i.e. that portion of the land to the south of Black Swamp Rd. Originally Initia¹ was asked to review and provide comments on the work carried out by Wiley Geotechnical for the land to the south of Black Swamp Rd. I have reviewed the extent of the investigations carried out and I have used this data along with the more recent deeper investigations for the assessment of the geotechnical hazards. The Pro Land Matters Company land is as shown on the plan below with all the investigation locations.

¹ A team including myself and engineers under my supervision.

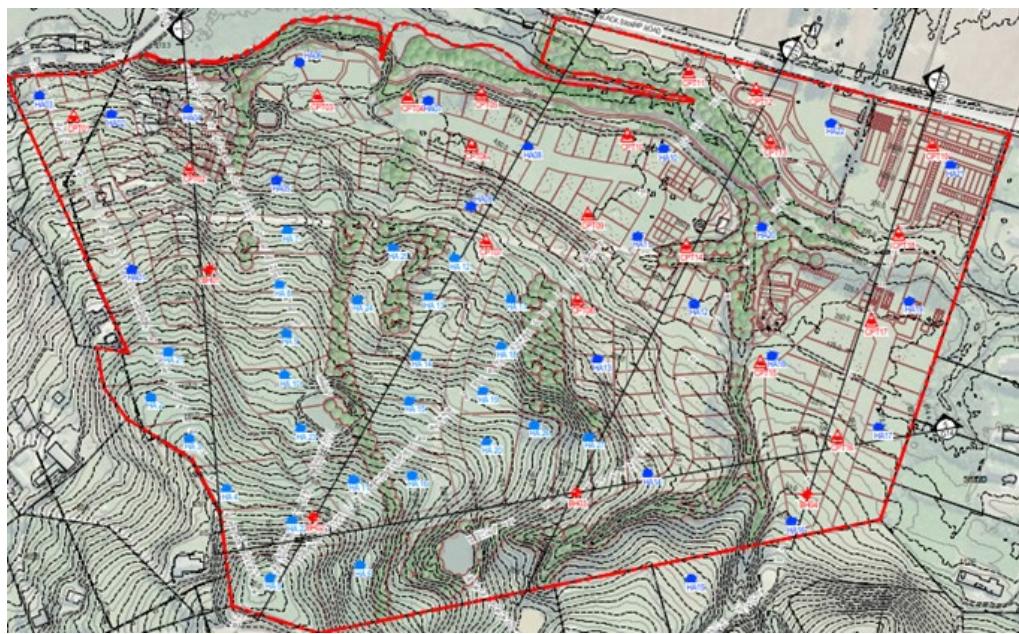


Figure 2: Topographical map showing boundary (red notation) of the Site's Southern Area originally assessed by Wiley Consultants (blue locations) and more recently Initia (red locations).

Southern Area

9. Initia are in the process of finalising their geotechnical assessment for the southern area of the proposed plan change.
 - *Geotechnical Assessment Report (P-003092 Rev A) for a proposed plan change at 18A Black Swamp Rd, Mangawhai dated February 2026*
10. That report builds upon my earlier assessment in which I reviewed other existing reports detailed in my primary evidence. In that evidence I noted that whilst the existing handauger investigation has not highlighted any major geotechnical hazards, I recommended the Applicant undertakes deeper investigations to assess the liquefaction risk within the alluvium. I also recommended an assessment of the stability of the Pakiri Formation soils.
11. In January 2026, Initia carried 4 No. rotary cored boreholes to a maximum depth of 13.7m, these were typically located on the elevated ground to check for instability in the southern area of this zone. In addition, 19 No. static cone penetration tests (CPTs) to a maximum depth of 10.9m were positioned on the low lying land adjacent to the estuary

and Black Swamp Rd. This was primarily undertaken to assess the liquefaction risk and to check of the presence of soft alluvial soils.

12. The additional investigations have highlighted two geotechnical hazards that can be addressed during detailed design, these are as follows:
 - a. Surficial shallow landslip movement on the elevated soft soils in the low-lying areas.
 - b. Liquefaction induced lateral spread adjacent to the estuary.
13. The extent of the shallow soil movement on elevated slopes to the south is limited to approximately 1.5m depth. Given that significant earthworks will be required to develop the land, this material can either be excavated and re-worked as engineering fill or engineered shear keys with associated drainage will mitigate this shallow hazard.
14. For the generally flat low-lying area to the north and east, soft organic clay and silt is present and is prone to settlement when loaded from future buildings and infrastructure. The presence is likely to be localised, but soft nature of this material means it is not a suitable building platform material or suitable for infrastructure such as roads/footpaths. It is recommended that the soft organic clay and silt layer, if near surface, is undercut and replaced with compacted engineered fill. This ground improvement will also mitigate any potential liquefaction risks to the project. Alternatively, preloading (surcharging) may be implemented to accelerate the consolidation settlement process.
15. The low-lying area sitting below RL 4.0m and the very gently sloping area on the southeastern part of the site has the potential risk of lateral spreading, given the liquefaction potential and proximity to the estuary banks. The thickness and continuity of the potential liquefiable layers indicate that lateral displacement could be extensive in these areas. Detailed site investigation and assessment is recommended at development stage to refine the analysis. However, the lateral spreading risk is manageable through approaches such as applying building setback zones to the estuary banks, ground improvement such as stone columns, or SED foundation, depending on the assessment results.
16. Some additional work including testing for the presence of acid sulphate soils, which will be important for any concrete infrastructure associated with the development, will need

to be carried out for the low-lying area of the southern site, but that is not required for the purposes of rezoning (but rather prior to consent stage).

17. Taking account of this latest investigation, in my opinion, any geotechnical risk arising from potential liquefaction, soft soils and landslip/mass movement risk within the Site's Southern Area can be managed through further detailed assessment and mitigated through appropriate standard engineering design solutions such that the urbanisation of the Southern Area is suitable and appropriate.

CONCLUSION

18. I consider that the recent deeper investigation within the Pakiri Formation have not indicated any large-scale deep instability within these slopes. I consider that these sites can be safely developed using a combination of earthworks and geotechnically engineered solutions to provide suitable foundations and appropriate levels of stability for the urban forms of development that the plan change proposes.
19. Consequently, I do not consider there is any geotechnical hazard risk that would mean the land should not be zoned as proposed.

Andy Pomfret

09 February 2026