

**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 JASON GLENN EVANS ON BEHALF OF  
THE APPLICANTS  
(Urban Design)  
09 February 2026**

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## **INTRODUCTION**

1. My full name is Jason Glenn Evans.
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.
3. This rebuttal evidence responds to matters raised in expert and lay evidence on behalf of submitters. Specifically:
  - I. Neighbourhood Character and Density
  - II. Proposed Coastal Walkway

## **QUALIFICATIONS AND EXPERIENCE**

4. I confirm I have the qualifications and experience set out at paragraphs 1-3 of my statement of evidence dated 16 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:
  - I. Proposed Neighbourhood Character and Density.
  - II. Proposed Coastal Walkway.
  - III. Proposed Mixed Use Zone for the Brewery land.

## PROPOSED NEIGHBOURHOOD CHARACTER AND DENSITY

7. In their lay evidence Mr and Mrs Collinge raise concerns about the potential for high-density housing and smaller section sizes within the PPC85 area, including references to 350 m<sup>2</sup> lots and townhouses. They argue this is incompatible with the rural character of the existing environment and suggest that growth should be directed to other identified areas within Mangawhai.
8. I acknowledge the Collinges' long-term connection to the area and their concern for its future character. However, I do not agree that the residential typologies enabled under PPC85 are inappropriate or out of step with the area's planned urban evolution.
9. The PPC85 structure plan deliberately applies a graduated residential zoning approach, calibrated to landform, landscape sensitivity, accessibility, and transition to rural or natural edges. This includes:
  - I. Large Lot and Rural Residential on peripheral and more sensitive margins;
  - II. Low Density Residential as the predominant pattern;
  - III. Medium Density Residential in selected areas close to the Neighbourhood Centre and key open space corridors, where higher walkability and amenity justify increased intensity.
10. The 350 m<sup>2</sup> figure referenced in the submission represents a minimum lot size within the Medium Density zone, that requires resource consent and comprehensive design. It is not a default outcome. Any development at this intensity would be subject to careful design controls ensuring amenity, privacy, and contextual fit.
11. The assertion that such forms are out of step with the "rural nature" of the area does not recognise the fundamental purpose of the plan change which is to enable a transition from peri-urban/rural fringe (characterised by lifestyle blocks and fragmented subdivision patterns) to a comprehensively planned urban neighbourhood. The urban design response explicitly acknowledges this shift by employing:
  - I. Sensitive edge treatments;

- II. Landscape buffers;
  - III. Graduated density; and
  - IV. A permeable and connected street and open space network.
12. In this light, I consider that the Collinge submission reflects a concern to retain existing character, whereas the purpose of PPC85 is to shape future character. One that is connected, walkable, and diverse, yet grounded in appropriate responses to its physical and ecological context.
13. In conclusion, the density and typology mix provided for under PPC85:
- I. Reflects sound urban design logic;
  - II. Supports a legible and integrated urban structure;
  - III. Can deliver high-quality built form and environmental outcomes, even in sensitive edge conditions, through the application of appropriate design guidance and zoning tools.

#### **PROPOSED COASTAL WALKWAY**

14. Several submitters, including the Department of Conservation (DoC), Mr and Mrs Collinge and Riverside Holiday Park Ltd, raise concerns about the proposed coastal walkway shown in the PPC85 Structure Plan. The matters raised include potential ecological disturbance, flooding effects, and inappropriate interface with adjacent uses.
15. In particular, submitters have raised concern that a walkway along the estuarine edge adjacent to existing areas of mangrove, saltmarsh, and wetland habitat could result in habitat loss, disturbance to birdlife and potential disruption to natural drainage and flood management patterns.
16. I acknowledge the sensitivity of this edge condition and the valid ecological concerns raised. However, it is important to distinguish between:
- I. The strategic intent of the walkway as a public realm connector; and

- II. The specific alignment, design, and material resolution, which are matters for later consenting stages and subject to detailed ecological and engineering input.
- 17. From an urban design perspective, edge walkways can serve multiple benefits when properly conceived:
  - I. They create public access to natural amenities in a manner consistent with NZCPS objectives;
  - II. Provide passive surveillance and activate open space;
  - III. Reinforce a coherent structure of walkable connections;
  - IV. Define spatial transitions between developed and natural areas.
- 18. Importantly, the Structure Plan does not fix the walkway as a hard-edged, continuous boardwalk. It is indicative in nature, enabling refinement through future detailed design in response to ecological, cultural, and geotechnical inputs. The design guide and associated planning provisions will guide this process, including consideration of:
  - I. Setbacks from sensitive features;
  - II. Use of permeable surfaces and low-impact materials;
  - III. Elevation, boardwalk design, or realignment where needed to preserve habitat and hydrology;
  - IV. Vegetation buffers and fencing to discourage off-path movement.
- 19. With regard to the interface between medium-density residential zone and the coastal edge, I reiterate that urban form can positively engage with open space edges, provided landscape integration, building orientation, and access controls are appropriately managed. This is not an inherent conflict, but rather a matter of execution that is managed by the development provisions proposed.
- 20. The proposal also includes ecological buffers and enhancement planting along inlet margins, which can serve dual purposes, both environmental protection and visual/spatial transition between built and natural character. These tools, when

combined with structure planning and detailed consenting, can ensure a context-sensitive, high-amenity outcome.

21. In summary, I consider the inclusion of a coastal walkway within PPC85 to be:
  - I. Strategically appropriate from a public realm and walkability perspective;
  - II. Capable of sensitive implementation through later detailed design;
  - III. An opportunity to deliver ecological awareness, amenity, and spatial structure when guided by strong design and planning provisions.

#### **PROPOSED MIXED USE ZONING FOR THE BREWERY LAND**

26. I have reviewed the evidence of Mr Hood on behalf of Black Swamp Ltd and the rebuttal of Ms O'Connor regarding the zoning of the brewery site. I support Ms O'Connor's conclusion that the proposed Mixed Use zoning would result in an undesirable "spot zoning" outcome in urban design terms.
27. The concept of "spot zoning" refers not merely to the scale or standalone nature of a zoning parcel, but to its lack of structural integration with the surrounding urban pattern. In this case, the proposed Mixed Use Zone:
  - I. Is detached from the Neighbourhood Centre and other commercial anchors;
  - II. Lacks spatial connection to movement corridors or key public realm nodes;
  - III. Sits within an area otherwise structured as Low Density Residential.
28. The proposed Mixed Use Zone therefore risks undermining the coherent structure and legibility of PPC85 by introducing a local anomaly that is not supported by wider zoning logic. It offers no clear urban structuring benefit and does not support a walkable, mixed-use spine or nodal hierarchy. In contrast, the existing brewery can continue to operate under its existing consent and be managed through discretionary consent provisions in the LDRZ, if expanded.
29. In urban design terms, recognising a lone commercial activity through zoning should only occur where:
  - I. The activity plays a structural role in the urban form (e.g. a local centre);

- II. There is a critical mass or clustering of mixed uses; or
  - III. It is positioned to serve a wider catchment or street-based frontage network.
30. None of these conditions apply to the brewery site. While valued locally, it is not embedded in a walkable, mixed-use node. Nor does it form part of a strategic spatial sequence that would justify a standalone zone.
31. I further note that applying a Mixed Use Zone could inadvertently enable activities (e.g. comprehensively designed residential developments, visitor accommodation) that would sit uncomfortably in the future residential setting envisioned for this part of PPC85. This is not a matter of over-regulating an existing use, but rather of preserving the coherence of the urban framework as it evolves.
32. In my opinion, the brewery's continued operation and potential expansion can be appropriately accommodated under the LDRZ provisions, subject to design assessment and effects management, without introducing a zoning anomaly that dilutes the structural logic of the plan.

## **CONCLUSION**

22. In summary, I remain of the view that PPC85 reflects a sound and contextually responsive urban design approach. The neighbourhood structure, zoning gradation, and integrated open space framework have been carefully calibrated to the site's opportunities and constraints.
23. The concerns raised in submitter evidence, while understandable, do not in my opinion undermine the core urban design integrity of the plan change. Rather, they highlight the importance of:
- I. Robust edge management;
  - II. Ongoing design refinement;
  - III. And implementation of the Design Guide and associated provisions during subsequent consenting stages.
24. The PPC85 Structure Plan and supporting Development Area provisions provide the tools necessary to manage interface conditions, including ecological, deliver walkable

neighbourhoods, and ensure development that contributes positively to Mangawhai's evolving settlement pattern.

25. In relation to the proposed Mixed Use zoning at the brewery site, I consider that the relief sought would introduce a zoning anomaly without adequate spatial or structural justification. It would weaken the coherence of the urban form and is better addressed through existing consent mechanisms.
26. I remain of the opinion that PPC85 is well-aligned with best practice urban design principles, and capable of achieving a high-quality residential neighbourhood that complements and extends Mangawhai in a coherent, legible and sustainable manner.

A handwritten signature in black ink, appearing to read 'J Evans', with a stylized flourish underneath.

**Jason Evans**

09 February 2026