

BEFORE THE HEARING PANEL APPOINTED BY KAIPARA DISTRICT COUNCIL

Under the Resource Management Act 1991 (RMA)

In the matter of Private Plan Change 85 (Mangawhai East) to the Kaipara District Plan

**STATEMENT OF REBUTTAL EVIDENCE OF ROBERT WILLIAM CATHCART ON
BEHALF OF KAIPARA DISTRICT COUNCIL**

Highly Productive Land

9 February 2026

**SIMPSON
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1. INTRODUCTION

1.1 My full name is Robert William Cathcart.

1.2 I prepared a statement of evidence dated 1 December 2025 on behalf of Kaipara District Council (**Council**), and a supplementary statement of evidence dated 23 January 2026, in relation to the application by Foundry Group Limited and Pro Land Matters Company (**Applicant**) for a private plan change to rezone land in Mangawhai East (**PPC85**). I refer to my qualifications and experience in my original statement of evidence and do not repeat them here.

1.3 Although this matter is not being heard by the Environment Court, I confirm that I have read and am familiar with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023 and I agree to comply with it.

1.4 I am authorised to make this statement on behalf of the Council.

2. SCOPE OF EVIDENCE

2.1 This statement of rebuttal evidence is filed in response to the evidence-in-chief (dated 16 December 2025) and supplementary evidence (dated 2 February 2026) of Mr Hunt, on behalf of the applicant.

3. RESPONSE TO EVIDENCE OF MR HUNT

3.1 I have considered the evidence-in-chief and supplementary evidence of Mr Hunt relating to rural productivity.

3.2 As outlined in Mr Hunt's supplementary evidence Mr Hunt and I are in agreement that:

(a) as a result of the 2025 Amendments to the National Policy Statement for Highly Productive Land (**NPS-HPL**), areas of LUC 3 land within the site that

are proposed to be re-zoned urban are no longer required to satisfy the requirements in clause 3.6(4) of the NPS-HPL to be re-zoned;

- (b) the areas of LUC 3 land proposed to be re-zoned to Rural Lifestyle are still subject to assessment under clauses 3.7 and 3.10 of the NPS-HPL. However, Mr Hunt and I agree that the requirements in clause 3.10 of the NPS-HPL for re-zoning the LUC 3 to Rural Lifestyle are met; and
- (c) overall, the productive potential of the soils on the site is constrained by various factors, meaning that costs associated with its loss from primary production are low.¹

3.3 Accordingly, for the avoidance of doubt, having considered the evidence of Mr Hunt, I confirm to the Hearing Panel that our opinions are aligned in all material respects.

4. CONCLUSION

4.1 Overall, I remain of the view, as set out in my evidence-in-chief and supplementary evidence that, from a soil science perspective, there are no costs associated with the loss of highly productive land or other soil based reasons sufficient to decline either the urban re-zoning of a large part of the site, or the development of a portion of the site for rural life style purposes.

Robert Cathcart

9 February 2026

¹ Supplementary Evidence of Mr Hunt, paragraphs 13-14.