

**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

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

**Highly Productive Land**

**9 February 2026**

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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 so 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.<sup>1</sup>

**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

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<sup>1</sup> Supplementary Evidence of Mr Hunt, paragraphs 13-14.