

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 CAREY HENRY DOUGLAS SENIOR ON
BEHALF OF KAIPARA DISTRICT COUNCIL**

Stormwater

9 February 2026

**SIMPSON
GRIERSON**

Warren Bangma
T: +64-9-358 2222
warren.bangma@simpsongrierson.com
Private Bag 92518 Auckland

1. INTRODUCTION

1.1 My full name is Carey Henry Douglas Senior.

1.2 I prepared a statement of evidence dated 1 December 2025 and a statement of supplementary evidence dated 23 January 2026 on behalf of Kaipara District Council (**Council**) in relation to the application by Foundry Group Limited and Pro Land Matters Company Limited (**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 of behalf of the Council.

2. SCOPE OF EVIDENCE

2.1 The purpose of this statement is to respond to matters arising from:

- (a) The evidence-in-chief and supplementary evidence of Mr Evan Peters on behalf of the Applicant; and
- (b) The expert evidence of Derek Westwood on behalf of the owners of Lots 1-7, Windsor Way, Mangawhai.

3. RESPONSE TO THE EVIDENCE OF MR PETERS

3.1 Mr Peters has prepared a statement of evidence-in-chief dated 16 December 2025 and a statement of supplementary evidence dated 30 January 2026.

3.2 Having reviewed Mr Peters' evidence-in-chief, I understand that we are in agreement in relation to both the assessment of the stormwater effects likely to

be generated by PPC85, and that the PPC85 provisions and proposed Stormwater Management Plan are appropriate, and will ensure the impacts of the proposed rezoning on stormwater runoff and quality are appropriately addressed.¹

- 3.3** In relation to my supplementary statement dated 23 January and Mr Peters' supplementary evidence dated 30 January 2026 addressing the National Policy Statement for Natural Hazards 2025 (**NPS-NH**), our conclusions on the risk assessment for flooding required under the Risk Matrix in Appendix 1 of the NPS-NH are consistent.²

4. RESPONSE TO THE EVIDENCE OF MR WESTOOD

- 4.1** Mr Derek Westwood has prepared a statement of consolidated expert evidence dated 30 January 2026, on behalf of the owners of Lots 1-7, Windsor Way in Mangawhai.

- 4.2** In relation to stormwater/flooding Mr Westwood states:

"Council's supplementary planning evidence dated 23 January 2026, while responding to updated national policy direction, does not provide site-specific stormwater assessment for Windsor Way and does not resolve downstream hydraulic effects. Deferring resolution of these risks to later consenting stages is inconsistent with risk-based planning principles for known hazard areas".³

- 4.3** I understand Mr Westwood considers that:

"...PPC85 [should] be amended to require site-specific stormwater and groundwater assessment, demonstrated down discharge capacity, and enforceable infrastructure provisions prior to enabling intensification affecting Windsor Way."⁴

- 4.4** Mr Westwood's arguments regarding the necessity for site-specific hydraulic modelling at the plan change stage negate the purpose of a Stormwater

¹ Evidence-in-chief of Mr Peters, paragraphs 21-22.

² Supplementary evidence of Mr Peters, paragraph 17.

³ Evidence of Mr Westwood, page 3.

⁴ Evidence of Mr Westwood, page 3.

Management Plan (**SMP**) within a structure plan process. As outlined in my evidence, the SMP provides a guiding framework that sets over-arching stormwater performance standards rather than detailed design. Requiring detailed lot-level hydraulic modelling and swale sizing at this stage, as requested by Mr. Westwood, is premature. The SMP establishes enforceable criteria that must be met at the time of subdivision, where detailed design and modelling in support of a development proposal are standard requirements to demonstrate mitigation of potential downstream stormwater impacts.

4.5 Mr Westwood's concern that the proposal will displace flood storage or increase downstream flood risk is unsupported by the catchment context. The PPC85 area discharges to a tidal receiving environment (Mangawhai Harbour), meaning peak flow attenuation for large events (10% and 1% AEP) is generally not required to prevent downstream flooding, as there are no downstream properties to consider. In the event that the higher parts of the plan change area are developed first, the assessment of flood risk undertaken as part of the subdivision consenting processes will need to demonstrate that the stormwater conveyance routes to the coast are maintained and sufficient as required by the SMP. I am confident that engineering design solutions are available to ensure future development runoff is appropriately managed to avoid any adverse downstream impacts.

4.6 Regarding the concerns about high groundwater levels and soakage capacity at Windsor Way, the SMP addresses the management of peat soils and groundwater recharge. The SMP does not require soakage as the sole method of disposal where soil conditions are unsuitable. Peat recharge is an industry accepted groundwater management method to maintain the hydrological regime of the peat soils. The proposed stormwater management for a site will be determined at the subdivision stage based on a detailed topographical survey and site-specific geotechnical investigation. The SMP provides flexibility but will also ensure that development does not proceed unless stormwater and groundwater impacts can be mitigated through engineering design.

4.7 I do not concur with Mr Westwood's statement that "*deferring technical resolution to the consenting stage is inconsistent with the NPS-NH*". The SMP and

Development Area provisions identify the hazards (coastal inundation and overland flow) and establish overlays and performance criteria to manage them. This aligns with the risk-based approach of the NPS-NH by ensuring that flood risk areas are identified and that future subdivision cannot occur without demonstrating that these risks are avoided or mitigated.

5. CONCLUSION

5.1 Overall, having considered the evidence of Mr Peters and Mr Westwood, I continue to hold the views set out in my evidence-in-chief and supplementary evidence. Overall, in my opinion, there is no stormwater or flooding related reason to decline PPC85.

Carey Senior

9 February 2026