

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 – ADDENDUM - EVIDENCE OF JONATHAN GUY CLEAVE
ON BEHALF OF KAIPARA DISTRICT COUNCIL**

Planning

10 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 Jonathan Guy Cleese.

1.2 I prepared the s42A report dated 1 December 2025 on behalf of Kaipara District Council (**Council**), as well as a statement of supplementary evidence dated 23 January 2026, and a statement of rebuttal evidence dated 9 February 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 section 42A Report 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 The purpose of this statement is to respond to the evidence-in-chief filed on behalf of the Director General of Conservation (**DG**) and the planning evidence of Ms Macleod.

3. RESPONSE TO AMENDMENTS SOUGHT BY MS MACLEOD ON BEHALF OF THE DG

3.1 A short section responding to the changes sought by Ms Macleod in her EiC was inadvertently omitted from my rebuttal statement filed on 9 February 2026 (i.e. yesterday). In summary, I support the following amendments to the PPC85 provisions for the reasons set out in Ms Macleod's EiC:

- (a) I support the covenanted saltmarsh area in the northwestern corner of the site having a Rural Zoning rather than Rural Lifestyle. I agree that the

extent of the Rural Zone should align with the extent of the covenanted area;¹

- (b) I agree with the amendments proposed by Ms Macleod to align the vegetation clearance rule exemption for fencelines² and walking tracks³ with the NES-F;
- (c) I agree with the amendments proposed by Ms Macleod to improve the level of detail and drafting clarity for the rule requiring weed and pest control;⁴
- (d) I agree with the amendments proposed by Ms Macleod to improve the level of detail and drafting clarity for the rule requiring the provision of the Insley Street shared pathway.⁵
- (e) Ms Macleod and I are agreed regarding the need for a ban on residents keeping both cats and dogs, as set out in my primary rebuttal statement. I am however comfortable that a fully discretionary activity status is appropriate (rather than non-complying status as sought by Ms Macleod) as it provides a consenting pathway to consider the keeping of dogs on a case-by-case basis for example guide dogs/ companion dogs.

3.2 For completeness, I support the amendments made by Ms O'Connor in her EiC and supported by Ms Macleod regarding the inclusion of the SNAs within the Structure Plan and planning maps, and the removal of the proposed boat ramp/ harbour access route that was located outside of the plan change area.

Jonathan Cleese

10 February 2026

¹ Ms Macleod EiC, paras 70-79

² Ibid, para 60

³ Ibid, para 63

⁴ Ibid, para 69

⁵ Ibid, para 53