

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

SUPPLEMENTARY STATEMENT OF EVIDENCE OF ROBERT WILLIAM CATHCART

Highly Productive Land

23 January 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**) 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** Since I prepared my statement of evidence, the Government has amended the National Policy Statement for Highly Productive Land 2022 (**NPS-HPL**) through the National Policy Statement for Highly Productive Land Amendment 2025. I understand that those amendments came into effect on 15 January 2026 and apply to PPC85.
- 2.2** The purpose of this supplementary statement of evidence is to provide an update to my evidence-in-chief addressing the impact of the amendments on the parts of my evidence relating to:
 - (a) The proposed rezoning of parts of the site that are LUC 3 to urban zonings; and
 - (b) The proposed rezoning of parts of the site that are LUC 3 to rural lifestyle.

3. SCOPE OF THE DECEMBER 2025 AMENDMENT TO THE NPS-HPL

- 3.1** The 2025 Amendments to the National Policy Statement for Highly Productive Land retains the original definition of 'highly productive land', and the requirement (amongst other matters) for it to be land recorded as Land Use Capability Classes 1, 2 and 3 on the nzlri-luc digital database.
- 3.2** However, in relation to the proposed re-zoning of highly productive land to urban zonings under clause 3.6 of the NPS-HPL, LUC 3 land is now exempt from meeting the requirements in clauses 3.6(1), 3.6(2), 3.6(3) and 3.6(4) of the NPS-HPL with a new clause 3.6(6) providing:

"Clauses 3.6(1), 3.6(2), 3.6(3) and 3.6(4) do not apply to urban rezoning of LUC 3 land."

- 3.3** In relation to the rezoning of LUC 3 land to rural life style, this is provided for under clauses 3.7 and 3.10 of the NPS-HPL. I understand these provisions are not changed by the 2025 amendments to the NPS-HPL.

4. THE IMPACT OF THE CHANGES TO THE NPS-HPL ON MY EVIDENCE

The proposed re-zoning of LUC 3 land to urban zonings

- 4.1** In relation to the proposed re-zoning of LUC 3 land to urban zonings under PPC85, in my evidence-in-chief I assessed the costs associated with the loss of this land for primary production under clause 3.6(4)(c) of the NPS-HPL. I concluded that due to constraints I identified on the productive use of the site's soil resource for farming, the costs associated with its urbanisation would be low in terms of the lost productive potential.¹
- 4.2** My opinion in relation to these matters is unchanged.

¹ Paragraph 6.7 of my evidence-in-chief.

4.3 However, I understand that due to the 2025 amendments to the NPS-HPL clause 3.6(4)(c) of the NPS-HPL no longer applies.

The Proposed re-zoning of LUC 3 land to rural-life style

4.4 In relation to the proposed re-zoning of LUC 3 land to rural life style under PPC85, in my evidence-in-chief I assessed this against the requirements in clause 3.10 of the NPS-HPL. I concluded that the requirements in clause 3.10 of the NPS-HPL for re-zoning the LUC 3 land to rural life style zone were met.²

4.5 My opinions in relation to these matters remain unchanged.

4.6 I understand there have been no changes to the requirements in clause 3.10 of the NPS-HPL relating to the re-zoning of LUC 3 land to rural lifestyle.

5. CONCLUSION

5.1 Overall, having considered the effects of the 2025 amendments to the NPS-HPL, I remain of the view set out in my evidence-in-chief³ 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

23 January 2026

² Paragraph 6.10 of my evidence-in-chief.

³ Paragraph 6.11 of my evidence.