

BEFORE THE KAIPARA DISTRICT COUNCIL'S HEARING PANEL

IN THE MATTER OF the Resource Management Act 1991 (**the Act**)

AND

IN THE MATTER An application for Private Plan Change 85 (**PC85**) -
MANGAWHAI EAST by Foundry Group Limited
(formerly Cabra Mangawhai Limited) and Pro Land
Matters Company to rezone approximately 94-
hectares of land at Black Swamp and Raymond Bull
Roads, Mangawhai

**SUPPLEMENTARY STATEMENT OF EVIDENCE OF JEREMY BRYCE HUNT ON
BEHALF OF THE APPLICANTS**

Rural Productivity

2 February 2026

Jeremy Brabant

Barrister

Level 7, 50 Albert Street, Auckland Central

PO Box 1502, Shortland St, Auckland 1140

M: 021 494 506

E: jeremy@brabant.co.nz

INTRODUCTION

1. My full name is Jeremy Bryce Hunt.
2. I have previously prepared a statement of evidence dated 15 December 2025 on behalf of Foundry Group Limited (formerly Cabra Mangawhai Limited) and Pro Land Matters Company regarding an application for Private Plan Change 85 (**PC85**) under the Operative Kaipara District Plan 2013.
3. This supplementary evidence relates to the recent changes to the National Policy Statement for Highly Productive Land (**NPS-HPL**) that came into effect on 15 January 2026.
4. I will also address the supplementary evidence provided by Mr Cathcart (Highly Productive Land) and Mr Cleese (Planning) on behalf of the Kaipara District Council dated 23 January 2026.

QUALIFICATIONS AND EXPERIENCE

5. I confirm I have the qualifications and experience set out at paragraphs 5 - 9 of my statement of evidence dated 15 December 2025 (**statement of evidence**).

EXPERT WITNESS CODE OF CONDUCT

6. I repeat the confirmation provided in my statement of evidence that I have read and agree to comply with the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023. This evidence has been prepared in accordance with that Code. I confirm that the issues addressed in this supplementary evidence are within my area of expertise, and I have not omitted to consider material facts that might alter or detract from the opinions that I express.

SCOPE OF EVIDENCE

7. My supplementary evidence will cover:
 - a. The implications of the 2025 amendments to the NPS-HPL which came into effect on 15 January 2026.
 - b. The additional supplementary evidence of Mr Cathcart (Highly Productive Land).

- c. The additional supplementary evidence of Mr Clease (Planning) in relation to the NPS-HPL.

AMMENDMENTS TO THE NPS-HPL

8. The NPS-HPL Amendment 2025 introduces several changes. Of particular relevance to the PC85 Site is the addition of Clause 3.6(6), which states:

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

9. As the more detailed mapping of the Subject Site undertaken by Mr Hanmore was not in place at the commencement date (17 October 2022), the areas defined as Highly Productive Land (**HPL**) will use the New Zealand Land Resource Inventory (**NZLRI**) regional scale mapping. This mapping identifies the Subject Site as LUC 3 and LUC 4, as outlined in my statement of evidence and the AgFirst Report.
10. Therefore, any areas subject to Urban Rezoning, other than for Rural Lifestyle, are no longer required to be assessed against the NPS-HPL.
11. The land proposed to be zoned Rural Lifestyle is not exempt from the amended policy updates and the NPS-HPL will still apply to determining the appropriateness of the proposed change in zoning of part of the Plan change area to Rural Lifestyle.
12. My professional opinion regarding the areas subject to the Rural Lifestyle Rezoning have not changed, with the areas being largely unproductive, significantly constrained and not economically viable for at least 30 years from an agricultural perspective. Therefore, I concluded the requirements in clause 3.10 of the NPS-HPL for re-zoning the LUC 3 land to Rural Lifestyle Zone were met.

MR CATHCART - HIGHLY PRODUCTIVE LAND SUPPLEMENTARY EVIDENCE

13. Mr Cathcart has provided supplementary evidence to address the recent changes to the NPS-HPL policy framework. I agree with Mr Cathcart, whereby the areas proposed for Urban Rezoning are now exempt from NPS-HPL, given the transitional definition of HPL and the LUC status of the PC85 Site being Class 3 and 4 land.

14. The areas proposed for Rural Lifestyle, assessed under clauses 3.7 and 3.10 are still subject to assessment. Mr Cathcart agrees that the areas proposed for Rural Lifestyle Rezoning satisfy the provisions of the NPS-HPL to enable the rezoning to occur.

MR CLEASE - PLANNING SUPPLEMENTARY EVIDENCE

15. Mr Cleave has provided supplementary evidence to address the recent changes to the various national policies, including the NPS-HPL.
16. He has relied on Mr Cathcart, an agricultural and soil expert. He surmises that the recent NPS-HPL amendment has a material impact on the PC85 application, whereby Clause 3.6 is no longer of relevance to assessing the suitability of the land proposed for Urban Rezoning. . This was considered a significant policy hurdle, which no longer needs to be considered by the Panel.
17. Mr Cleave has commented on the Rural Lifestyle Rezoning, assessed under 3.7 and 3.10 of the NPS-HPL, whereby his opinion remains unchanged from the S42A Report. The recommendations from the S42A Report state that the area proposed for Rural Lifestyle Rezoning satisfies the relevant provisions.
18. Another point raised by Mr Cleave in his supplementary evidence is the applicability of the Northland Regional Policy Statement (**NRPS**). While these provisions need to be assessed on their own merit, Mr Cleave considers the analysis is similar to that of Clause 3.6(4) of the NPS-HPL, with a thorough assessment undertaken of the net public benefits of the proposal outweighing the loss of soil resource.

“Ensures that plan changes and subdivision to / in a primary production zone, do not materially reduce the potential for soil-based primary production on land with highly versatile soils,³ or if they do, the net public benefit exceeds the reduced potential for soil-based primary production activities.”

19. He concludes that the productive potential of the soils on the Site are constrained, with the public benefits of the additional housing and businesses outweighing the loss of productive potential, therefore considers the NRPS test has been met. I agree regarding the constraints - as identified in my primary evidence and repeated above, I am of the opinion that the productive potential of the soils on the site are constrained (Mr Cathcart and I are aligned in that respect).

CONCLUSION

20. The changes to the NPS-HPL framework create a clearer pathway for the Applicant, with the Urban Rezoning no longer needing to be tested against the NPS-HPL due to the land being classed as LUC 3 and LUC 4.
21. The policy changes do not impact the areas proposed for Rural Lifestyle Zoning and still need to satisfy the NPS-HPL, via Clause 3.7 and 3.10. The Council reporting team and the Applicant's experts agree that this test has been satisfied.
22. The NRPS has a similar function to the NPS-HPL and also needs to be considered. These tests have previously been completed during the 3.6(4) NPS-HPL assessment, provided in the assessments and evidence in chief, demonstrating a greater public benefit arising from the rezoning due to the lack of productive potential and soil constraints.
23. There are no outstanding issues relating to soil resources or productive capacity that need to be satisfied. I agree with the conclusions from both Mr Cathcart and Mr Cleave supplementary evidence statements.



Jeremy Hunt

2 February 2026