20 October 2026

Environmental Protection Agency
Fast-Track Approvals
Stephanie Bougen

Delivered via email: substantive@fasttrack.govt.nz

Attention: Stephanie Bougen, Application Lead, Fast Track Consents

Dear Ms Hill,

Re: Section 53(2) Comments – Alternative to the Brynderwyn Hills (FTAA-2603-1178)

Introduction and Purpose

1. This letter is provided under Section 53 of the Fast-track Approvals Act 2024 (FTAA) and sets out Whangārei District Council's (Council) formal comments on the substantive application made for *"The Alternative to the Brynderwyn Hills"* by the New Zealand Transport Agency Waka Kotahi (NZTA) – reference FTAA-2603-1178.

Council Role and Statutory Interest

2. Whangārei District Council has several distinct interests in the Project arising from its statutory functions under the Resource Management Act 1991 and its responsibilities as an infrastructure provider. From a planning perspective, Council's primary interest is as the consent authority for those approvals that would otherwise be required under the RMA, including the:

    a. Designation sought through the Fast-track process (in lieu of a Notice of Requirement under section 168 of the RMA) and the associated Outline Plan of Works waiver request for Establishment Works; and

    b. The resource consent sought under Regulation 11 of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES-CS).

3. Council also has a direct interest as an asset owner and infrastructure provider. In particular, Council is an affected and interested party in respect of the proposed designation due to its role as the Road Controlling Authority for the local road network intersected or affected by the proposed route. Council also has an interest in the regional resource consent applications where those approvals may affect Council-owned infrastructure assets, including the Ahuroa Water Treatment Plant and associated water supply network.

4. In addition, Council has an interest in the suite of non-RMA approvals and regional approvals associated with the Project, including Wildlife Act authorisations, archaeological authorities and resource consents administered by Northland Regional Council. Council's interest in these matters primarily relates to ensuring that environmental effects relevant to its section 31 RMA functions are appropriately managed and that any mitigation proposed to address district-level effects is robust, enforceable and adequately integrated with the designation framework, particularly where management of those effects is proposed to occur through alternative approval mechanisms rather than designation conditions.

5. For administration purposes, Council has allocated application reference FT2600001 for the resource consent and Notice of Requirement and Outline Plan of Works Waiver.

6. Council acknowledges the requirements to the FTAA to give consideration to any Mana Whakahono ā Rohe Agreement (**MWRA**) or joint management agreement that is relevant to the approval. WDC has one MWRA of relevance to this proposal, being that agreed with Patuharakeke Iwi Trust Board in 2020, which is overdue for review. We are not aware of any joint management agreements that WDC holds of relevance to this proposal.

Summary of Council Position

7. Council acknowledges the strategic importance of the broader Northland Corridor project, particularly the Brynderwyn section (Stage 2A), and agrees the project will deliver significant benefits to local and regional communities in terms of regional connectivity and resilience.

8. While there is strong political support for this project, which has been outlined in a separate letter sent directly to NZTA outside of the regulatory process, Council's regulatory role requires it to independently assess the adequacy of the environmental effects management framework and proposed conditions. Since Council's initial review, the Applicant has provided substantial additional information and undertaken extensive engagement with Council planners and specialists during the suspension period. Council acknowledges that this process has resulted in significant refinement of both the technical assessments and proposed conditions, with many matters raised in earlier reviews now addressed or substantially addressed.

Key Issues and Areas of Feedback

9. Throughout the suspension period, Council continued to work collaboratively with the Applicant and its technical advisers to review further information, discuss technical matters, and refine proposed conditions. The attached appendices set out Council's current technical position in relation to the following matters:

    a. Planning (**Appendix B1**)

    b. Transportation (**Appendix B2**)

    c. Potable Water (Ahuroa Water Treatment Plant) (**Appendix B3**)

    d. Stormwater and flooding (**Appendix B4**)

    e. Noise and vibration (construction and operation) (**Appendix B5**).

Conditions and Recommendations

10. Council acknowledges that the proposed condition framework has evolved considerably since the application was lodged and now addresses many of the concerns identified through Council's initial technical reviews. Council generally accepts the structure and approach of the revised conditions.

11. Notwithstanding the progress made, Council recommends targeted refinements to further strengthen the protection of critical Council infrastructure, namely the Ahuroa Water Treatment Plant and associated trunk water supply network.

12. A marked up set of recommended amended conditions are attached within **Appendix B1**. These include refinements agreed throughout the suspension period and additional targeted refinements relating to the Ahuroa Water Treatment Plant and associated trunk water supply network. Council confirms its willingness to partake in expert conferencing, technical workshops, or ongoing engagement with the Panel to assist with the technical drafting of conditions, if helpful.

Conclusion

13. Council reiterates strategic importance of the project and its anticipated contribution to improving regional resilience, network reliability, safety and connectivity across Northland.
14. Council acknowledges the significant progress made during the suspension period through ongoing engagement between the Applicant, Council officers and technical advisers. The additional information provided and the revised condition package have substantially reduced the scope of outstanding issues. Council remains committed to constructive engagement and willingness to work collaboratively with the Applicant, Panel, and other parties to efficiently progress the approvals.
15. Overall, Council conditionally supports the project, subject to the recommended condition refinements set out herein.

Yours sincerely



Dominic Kula

Acting Chief Executive

Whangārei District Council

Appendices

Appendix A: Council Letter of Support to NZTA

Appendix B: Technical memorandums

- Appendix B1: Planning and Conditions
- Appendix B2: Transport
- Appendix B3: Potable Water (Ahuroa Water Treatment Plant)
- Appendix B4: Stormwater and Flooding
- Appendix B5: Acoustics and Vibration.