Northland REGIONAL COUNCIL
Te Kaunihera ā rohe o Te Taitokerau

20 October 2026

FTAA-2603-1178 – ALTERNATIVE TO BRYNDERWYN HILLS FAST TRACK APPLICATION – INVITATION TO COMMENT

Northland Regional Council (hereafter referred to as the "council") had previously provided comments to the Expert Panel, dated 28 August 2026, on the Alternative to Brynderwyn Hills application, as originally invited by Minute 3 from the Expert Panel.

These comments were restricted to the proposed conditions of consent for the Regional consents.

Since those comments were provided, the council has continued to discuss the proposed conditions with the applicant to resolve its issues with the proposed conditions of consent. As a result of these ongoing discussions, some of the issues have been resolved.

This letter is to provide an update on council's position on the proposed conditions and is submitted as invited by Minute 12 of the Expert Panel.

The council will continue to discuss the proposed conditions of consent with the applicant, unless otherwise advised by the Expert Panel.

Comments on proposed draft conditions

Council's comments on the proposed conditions have been made on the "Appendix E – Resource Consent conditions – 13 July 2026" version provided by the applicant and are recorded as track change "comments". Please note that a copy of this track change document has been included in the email submitting council's updated comments on this application to the Expert Panel.

The council's main reason for these comments is to ensure that the final conditions address all relevant effects of the activities and that they are enforceable.

A summary of the comments is provided below:

- Request to change the word 'shall' to 'must where appropriate as 'must' is more directive and enforceable. **The applicant has agreed to this change**;
- Request to include a condition requiring a pre-start meeting to be arranged between the council and the Applicant's contractor prior to each stage of works. This is a standard approach and allows Council compliance staff to be familiar with what is being proposed and to allow discussion on any changes that may be required. **This issue remains unresolved**;
- The management plan conditions RC05 to RC09 are considered to be not fit for purpose. The timeframes for certification of each plan should be clear and allow for the Consent Holder to amend plans, if required, before they are actually required to be used. There is also no process for resubmitting a plan if it is not certified and the trigger

for providing a change to a plan to council for recertification is too high. The inclusion of "deemed" certification of management plans is strongly opposed, particularly in this case where the proposed environmental effects of an activity are essentially controlled by a management plan. **The applicant has agreed to remove "deemed" certification but has not altered its position regarding other issues which remain unresolved**;

- Request to remove or change RC9A so this does not reference documents prepared for a different type of permit (e.g. for the designation permits). **The applicant has agreed to changes that will resolve this issue**;
- Request to include conditions limiting adverse effects associated with the works (e.g. by including a condition limiting dust effects beyond the boundary of the designation and water quality effects beyond the zone of reasonable mixing downstream of the area of works). **This issue remains unresolved**;
- Request to include a condition requiring that erosion and sediment controls are installed prior to the commencement of works for each stage. **This issue remains unresolved**;
- Request for changes to the conditions that require an alternative supply of water to be provided to persons who have lost supply due to the proposed works (RC 28-31);

  (a) This should include surface water users impacted by the works (if applicable);

  (b) Removal of the word 'consented' with regards to existing water supply wells, as many groundwater bores were constructed prior to resource consent being required for bore construction;

  (c) The report required to be prepared by RC31 should include a survey of all water users within the area of influence and details of the expected temporary or permanent interruption of any existing water take. Due to limitations in the information that the council holds on permitted water takes this will require the Applicant to speak to individual property owners/occupiers to confirm where/how water is being taken;

  (d) Alternative supply should be required to be implemented prior to any interruption of supply.

  The above issues remain unresolved;

- Request to add river catchment on northern side of the Brynderwyns into condition RC44 as it currently only includes the Wairau catchment. **The applicant has agreed to this change**;
- Request to include condition that requires that the works do not result in the flooding effects specified in RC55(a) and (b), rather than just a requirement to provide a report demonstrating that the specified effects will not occur. **This issue remains unresolved**;
- Request to change RC55(b) so that this refers to all buildings and not just be limited to habitable buildings only. **This issue remains unresolved.**

Yours faithfully



Consents Manager
Northland Regional Council