

Environmental Protection Agency
Fast-Track Approvals
Panel Convenor

4 June 2026

Delivered via email: [REDACTED]

Attention: Helen Atkins, Panel Convenor

Dear Helen,

Re: Response to Minute 2 of the Panel Convenor – Alternative to the Brynderwyn Hills substantive application (FTAA-2603-1178)

This letter is provided in response to Minute 2, dated 21 May 2026 in relation to the substantive application made for “*The Alternative to the Brynderwyn Hills*” by the New Zealand Transport Agency Waka Kotahi (NZTA) under the Fast Track Approvals Act 2024 (FTAA) – reference FTAA-2603-1178.

Whangārei District Council (WDC) provides the following responses to the matters identified for the Convenor’s Conference, including Schedules 1 and 2.

Approvals

The Substantive Application includes applications for the following approvals under the Resource Management Act 1991 (RMA) for which Council is the relevant consent authority for the purposes of Sections 42(4)(a) and 24(4)(d) of the FTAA:

- Resource consent for a Discretionary Activity (Regulation 11) under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES-CS).
- A designation for which a Notice of Requirement would otherwise be lodged under Section 168 of the RMA, including an Outline Plan of Works waiver request for Establishment Works.

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

Complexity

Having regard to the matters set out in Schedule 2, Council considers the application to be highly complex for the following reasons:

- Legal complexity: The application involves multiple approvals under three statutory regimes, with mitigation distributed across condition sets and overlapping reliance on other legislative frameworks (including the Local Government Act and Water Services Act) and third-party agencies. This necessitates coordinated interpretation to determine how these mechanisms collectively address effects.
- Evidentiary complexity: The application is supported by a substantial volume of technical material, including extensive appendices and multidisciplinary assessments. Mitigation is addressed across various condition sets, statutory frameworks, and responsible authorities, requiring detailed analysis to understand how these mechanisms integrate to manage effects.

- **Factual complexity:** The scale and nature of the proposal give rise to complex and interrelated issues, necessitating the engagement of multiple specialist disciplines and careful synthesis of technical evidence.

In response to this complexity, Council has engaged the following specialists to assist in its review.:

- **Transport:** Nick Marshall, Transportation Strategy & Planning Lead (WDC)
- **Potable Water Supply:** Andrew Venmore, Water Services Manager (WDC)
- **Stormwater and Flooding:** Dale Paice, Technical Director – Civil Engineering (Beca)
- **Noise and Vibration:** Peter Runcie, Practice Manager (NZ) - Acoustics & Vibration (SLR)
- **Planning:** Katie Martin, Principal Planner (WDC), Blair Masefield, Technical Director - Planner and Stacey Sharp, Associate – Planner (Beca).

As such what follows is initial informal officer feedback only, with formal comments and points of agreement/disagreement being signed off under delegation to the Mayor and Chair of Strategy Planning and Development. This process will occur over the next couple of months.

Issues

Engagement

Since September 2025, and prior to lodgement of the substantive application, Council has engaged with NZTA regarding the proposal. While the Applicant's lodgement programme limited the circulation of complete application materials, this pre-lodgement engagement assisted Council to understand the scope of the RMA approvals and the proposed consenting strategy.

The Summary of Engagement (Part D, Volume A) indicates that NZTA undertook extensive engagement prior to lodgement and has continued to engage with interested parties thereafter.

To date, the principal issues identified through pre- and post-lodgement engagement relate primarily to potential effects on Council assets, including local roads (both construction and operational impacts) and the Ahuroa Water Treatment Plant. Council is undertaking specialist reviews of the Operational Stormwater and Flooding Assessment and the Noise and Vibration Assessment and will continue to engage with the Applicant to address findings and refine proposed mitigation and conditions.

Issues

At this stage of the process, Council at an officer level have identified the following for discussion at the convenor conference. This is initial officer feedback only, and formal comments and points of agreement/disagreement will need to be signed off by the Mayor and Chair of Strategy Planning and Development. This process will occur over the next two months.

- **Effects at issue:** Council generally agrees with the principal environmental effects identified in the application. However, further review is underway to determine whether additional information is required to fully understand potential effects on the public drinking water supply serving Ruakākā, Marsden Point, and Waipū via the Ahuroa Water Treatment Plant and trunk line.
- **Issues not in contention:** Council has not engaged specialists to review certain technical assessments, acknowledging that other parties and/or agencies are better placed to address these matters, including:
 - Project benefits
 - Archaeology and Cultural Impact Assessments
 - Landscape, visual, and natural character

- Contaminated land
- Terrestrial, avifauna, and freshwater ecology.

Notwithstanding this, Council's planners may recommend refinements to conditions in these areas, particularly where refinement would increase alignment with relevant RMA policy directives.

- **Issues to resolve:** Council is progressing specialist review to narrow issues in the following areas:
 - Transportation
 - Noise and vibration (construction and operation)
 - Construction water and groundwater (in relation to the Ahuroa Water Treatment Plant and public drinking water supply)
 - Stormwater and flooding
 - Planning and conditions – Council generally accepts the general structure of the conditions but considers that further refinement is required across a number of topic areas to provide an effective implementation of mitigation and an efficient and robust monitoring framework.

Panel Membership

Council responded to the request for panel member nominations on 25 May 2026, identifying two nominees with expertise relevant to the approvals sought under the FTAA, including established RMA decision-making experience and an understanding of Te Ao Māori and Māori development principles in resource management.

Council considers that the Panel would benefit from members with experience in major infrastructure projects (particularly those authorised by designation), alongside expertise in natural resources and regional consenting, and a strong understanding of Te Ao Māori and cultural values.

Procedural Requirements

Pre- and post-lodgement engagement with the Applicant has assisted in identifying key areas of focus and narrowing issues outside the formal FTAA process.

Council confirms its willingness to engage directly with the Panel and Applicant through technical briefings, expert conferencing, and other processes to support efficient determination of the application. Expert conferencing may be particularly beneficial in refining conditions across the multiple approvals sought.

Council generally agrees with the indicative timeframes in Schedule 1 of Minute 2. A timeframe of at least 60 working days is considered appropriate to enable technical review, targeted conferencing, and resolution of outstanding issues, while remaining consistent with the FTAA's principles of efficiency and timeliness. That said, given the volume of material and the number of private properties both within and adjoining the designation, Council would support any extension beyond 60 working days where necessary to allow adequate consideration of feedback from affected residents and ratepayers.

Yours sincerely



Dominic Kula
Deputy Chief Executive

Whangārei District Council