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2 November 2026

Jennifer Caldwell
Panel Convener

Dear Jennifer

RE: MINUTE 1 OF THE PANEL CONVENER – BRYMER FARMS LIMITED [FTAA-2608-1284]

[1] This memorandum addresses the matters set out in Minute 1 of the Panel Convener for the Brymer Farms Limited [**Brymer**] application under the Fast-track Approvals Act 2024 [**FTAA**].

Approvals

[2] Brymer is seeking consent for a residential development on rural zoned land within the Waikato District Council [**WDC**] territorial boundary under the provisions of the Operative District Plan (Waikato Section) [**ODP**] and the Waikato District Plan – Operative in Part [**OIP**].

[3] Brymer seeks the following approvals under the ODP:

a. Subdivision within the Rural Zone.

[4] Approvals are sought under the ODP for subdivision within the Rural Zone as there are outstanding appeals on the rural subdivision provisions in the OIP. All other relevant consent triggers in relation to land use matters are not subject to appeal, and the OIP is considered operative regarding those land use matters.

[5] Brymer seeks the following approvals under the OIP:

a. Subdivision within the Rural Zone to create residential lots and allotments for water and wastewater to vest in Council;
b. Construction of a public road network to vest in Council;
c. Infrastructure to service the development including eight artificial stormwater wetlands, water reservoir, and off-road pedestrian and cycle facilities within an open space network;
d. Large-scale earthworks and indigenous vegetation clearance;
e. Traffic generation;
f. Earthworks and subdivision of land subject to natural hazards; and
g. Buildings and activities associated with residential use, mixed use, commercial and community facilities.

[6] Approval is also sought under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health [**NES – CS**] for the disturbance and remediation of contaminated soil.

[7] The proposal and subject site crosses the territorial boundary with Hamilton City Council [**HCC**] and will also require approvals under the Operative Hamilton City District Plan, in addition to approvals from Waikato Regional Council [**WRC**] under the Waikato Regional Plan and the National Environmental Standards for Freshwater.

Complexity

[8] In terms of planning issues, the proposal is considered to be of moderate complexity given the land is zoned for rural use and the proposal is for intensive urban development of the land prior to any formal structure planning process occurring, and it is not earmarked in any strategic document for future urban growth.

[9] The proposal also raises complexities due to the intra boundary issues between WDC and HCC. Future residents of the development will be located within the boundaries of WDC but will rely on servicing provided by HCC.

[10] Council notes that the proposed Development Agreement is likely to be complex, given the number of parties involved and the matters that will need to be addressed. Accordingly, Council would expect a condition precedent requiring the Development Agreement to address the design intent, funding obligations, delivery and linkage to staging, ownership and vesting of the required infrastructure, together with any associated network upgrades, approvals and security arrangements. Council expectation is that this will be finalised and executed prior to the commencement of any physical works on site. This will ensure that the roles, responsibilities and obligations of all parties are clearly established and agreed before implementation begins.

Issues

[11] WDC engaged with the applicant prior to lodgement of the substantive application alongside other relevant authorities (HCC, WRC, IAWAI and NZTA). The discussions have covered growth planning, land use, infrastructure, open space, connectivity, staging, funding and financing considerations, and the broader strategic context of the development proposal.

[12] WDC acknowledge that the applicant has taken on board and responded to some of the feedback provided by Council officers as the proposal has evolved, including matters related to water and wastewater servicing issues.

[13] The applicant has continued to engage with WDC following the post-lodgement of the application and this includes technical discussions, progressing of private developer agreements and discussion on draft conditions.

[14] The principal issues to discuss at the Convenor meeting include:

a. Stormwater – further information and analysis is required to assess the stormwater effects in terms of onsite servicing and infrastructure, flooding effects on site and the downstream effects and the drainage scheme performance.

b. Water and wastewater servicing – the provision of this infrastructure required to service the development and the need for appropriate private development agreements in place to ensure their delivery.

c. Geotechnical matters – complex geotechnical challenges with a high-water table and the challenges with vested infrastructure sitting on peat soils in the high-water table. In addition, following site-wide earthworks, the ability to prepare individual building platforms and foundations may be challenging with further mitigation measures required.

d. Draft conditions and funding mechanisms – ensuring that any financial agreements, if not reached prior to a consent being issued, are appropriately referenced in the consent conditions and relate to an identified trigger for requirement.

e. Transport – ensuring the safety and efficiency of the surrounding road network and that transport upgrades occur at appropriate stages of the development.

Mātauranga and tikanga

[15] This is a matter for iwi authorities and treaty settlement entities.

Panel Membership

[16] Given the cross-boundary nature of the proposal and the range of issues, WDC consider that a panel consisting of up to three (3) experts, including an independent chair would be appropriate, however we defer to the Waikato River Authority in terms of numbers of the Panel. WDC also recommend that an expert with a background in three waters is also included on the panel given the issues to be considered.

Procedural Matters

[17] WDC remain willing to engage with the panel and the applicant to advance progressing of the application efficiently.

[18] WDC recommends that a timeframe of approximately 70 working days would be appropriate under s79 of the FTAA taking into account the complexity of the application and the outstanding issues to be resolved.

Other matters

[19] WDC is not aware of any other matters that the EPA should be aware of to determine timeframes or panel composition.

Yours faithfully



Donna Tracey
Cross Boundary Growth Manager &
Acting Planning and Growth Manager