Before the Panel Convener

In the matter of	an application for approvals under section 42 of the Fast-track Approvals Act 2024 (**Act**)
And	
In the matter of	Brookvale Green, **FTAA-2607-1266**, a referred project under section 21 of the Act

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Joint Memorandum of counsel in response to Directions

Dated 12 October 2026

May it please the Panel Convener

1. This memorandum is filed jointly on behalf of the applicant and Hastings District Council (**HDC**), as parties to the written agreement, in response to directions made in Minute 3 of the Panel Convener, dated 5 October 2026. Paragraph 22 of that Minute states:

> I confirm my request to the conference participants to confer in relation to the point raised by DOC, namely:
>
> a. Whether HDC has provided its written agreement for the proposed activity to be undertaken on the Arataki Reserve, pursuant to clause 7(3)(a) Schedule 6; and
>
> b. If not, confirmation from HDC of what further information it requires from the Applicant before it can make a decision to provide such written agreement; and
>
> c. The likely point in the FTAA process at which HDC expects to be able to advise the Expert Panel of its decision whether to provide such written agreement.

2. HDC provided written agreement to Reserves activity[1] being undertaken on the Arataki Local Purpose (Amenity) Reserve for the purposes of Schedule 6, cl 3(1)(m) of the Act. A copy of that letter is **attached** for ease of reference.[2]

3. The agreement was expressed as being conditional in that:

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[1] Being an easement and works permit to authorise the construction, use and maintenance of part of a proposed public road corridor and associated reserve integration works, including earthworks, retaining, batter slopes, vegetation removal, landscape reinstatement, infrastructure works, construction access and temporary construction occupation as required, in relation to the Brookvale Green proposal.

[2] See also Appendix 20, Attachment 3D to the Substantive Application at p19-20.

(a) There must be no cost to HDC in relation to the implementation, maintenance or of any other kind in relation to the Reserves activity or any ancillary activity; and

(b) While HDC had received a draft concession application, HDC intends to comment on the specifics of that application in the context to the full Brookvale Green Proposal. As such, HDC reserved its right to comment on the detail of the Concession application and the Reserves activity as part of the FTAA application, including to seek conditions in relation to the Reserves Activity, which is likely to include issues as to costs issues as described above.

4. HDC now has the final concession application, together with proposed conditions to apply to the Reserves activity. To that extent it does not require further information at this stage, however it will require the Applicant's response to any comment or requested changes before it can make a final decision as to whether to provide written agreement.

5. It is therefore anticipated that HDC will be in a position to advise the Expert Panel of its decision after the receipt of the applicant's response to its comments.

6. It is respectfully suggested that a reasonable timeframe within which HDC could provide confirmation is 10 working days from receipt of the applicant's response (which at this stage is understood to be likely to be 29 January 2027). This would still allow the Panel 45 working days before being required to make its decision.

Dated this 12th day of October 2026



Chris Timbs
Counsel for the applicant



Asher Davidson
Counsel for Hastings District Council

If calling ask for [redacted]

File Ref: PKR-67-03-26-00001

28 July 2026

Fast Track Team
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To whom it may concern

Brookvale Green – Application for Concession under Fast Track Approvals Act 2024

Hastings District Council (**HDC**) understands that approval is being sought by Vermont Street Partners No. 4 Limited for approval under the Fast Track Approvals Act 2024 (**FTAA**) for the Brookvale Green development in Hastings (**Brookvale Green Proposal**). Part of that application involves an application for approval under pursuant to Schedule 6, cl (1)(b) and (b) of the FTAA to authorise an **easement** and works **permit** within part of the Arataki Local Purpose (Amenity) Reserve, comprising Lots 3 and 4 DP 481968 which is administered by HDC (**Concession application**).

HDC is advised that the Concession application is required to enable the construction, use and maintenance of part of a proposed public road corridor and associated reserve integration works, including earthworks, retaining, batter slopes, vegetation removal, landscape reinstatement, infrastructure works, construction access and temporary construction occupation as required (**Reserves activity**).

FTAA, schedule 6, cl 3(1)(m)) requires that the Concession application include the following:

"*in the case of an application for an approval referred to in paragraph (b) of the definition of Reserves Act approval where the reserve is owned or managed by a local authority, confirmation that the local authority has provided written agreement for the activity to be undertaken on the reserve*"

For the purposes of that requirement, this letter is to confirm that HDC **agrees**, on an in-principle basis, to the Reserves activity being undertaken on the Arataki Local Purpose (Amenity) Reserve subject to the following:

- This agreement is limited to the Reserves activity and does not otherwise provide or imply HDC's support for or agreement to the Brookvale Green Proposal;
- Agreement is conditional on there being no cost to HDC in relation to the implementation, maintenance or of any other kind in relation to the Reserves activity or any ancillary activity; and
- While HDC has received a draft concession application, HDC intends to comment on the specifics of that application in the context to the full Brookvale Green Proposal. As such, HDC reserves its right to comment on the detail of the Concession application and the

Reserves activity as part of the FTAA application, including to seek conditions in relation to the Reserves Activity, which is likely to include issues as to costs issues as described above.

In deciding to provide in-principle agreement to the Reserves Activity, HDC confirms it has taken into account the purpose of the FTAA and any relevant matters under the RA to the extent appropriate for this stage, and subject to the provisos set out above.

For completeness, HDC records that in the event the Brookvale Green Proposal and Concession application were approved, HDC's intention would be to change the purpose of the Arataki Local Purpose (Amenity) Reserve to Arataki Local Purpose (Roading) Reserve to better reflect its intended purpose. That change of status would come later and is not part of the FTAA process.

If there any queries arising from this letter, please direct them to [redacted] Public Spaces Planning Manager, in the first instance.

Yours sincerely

[redacted]

[redacted]
Chief Executive Officer
[redacted]@hdc.govt.nz

Copy to:
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