

Attachment 3

Attachment 3 – HDC Letters

If calling ask for [REDACTED]

File Ref: WTR-12-11-26-2

To whom it may concern

Purpose

The purpose of this letter is to outline Hastings District's water supply context to support discussions on how large-scale development can be serviced for water. It summarises the regional water allocation setting with reference to the Napier Hastings Future Development Strategy as acknowledging the constraints on water and encourages the early consideration of options for water supply when development is proposed.

Context

The Napier Hastings Future Development Strategy 2025-2054 acknowledges that the availability of drinking water is constrained within the Heretaunga Plains Groundwater Quantity Area (at p 82):

Drinking water in Napier and Hastings is largely sourced from the Heretaunga Plains Groundwater Quantity Area, parts of which are identified as Hastings and Napier Source Protection Zones. This area is fully allocated, and the water management regime proposed by the Hawke's Bay Regional Council under changes to the Regional Plan is currently subject to appeal.

According to the Regional Water Assessment, the region could experience freshwater demand shortfall of nearly 25 million cubic metres, increasing to 33 million cubic metres by 2060.

Addressing this projected shortfall will require much more efficient use of existing water sources, demand management, new ways of securing water supplies, and consideration of the needs of all water users, including for municipal supplies, mana whenua, industry and primary production, such as horticulture, viticulture and agriculture.

HDC holds groundwater consent which allows 18 million m³ per year to be abstracted from the Heretaunga Plains Aquifer to supply the Hastings urban area (currently approximately 65,026 residents).

Given the fully allocated nature of the Aquifer, and the current regional planning settings, the ability to secure additional water allocation is limited.

Implications

HDC has a number of demand management strategies in place and planned that will progressively reduce demand pressure on water supply. However, these measures will take time to deliver, and significant constraints on the availability of water within the district remains.

HDC does not currently have a policy in terms of water supply to developments based on whether they are within or outside the FDS, or within a particular area within the FDS. However, developers should be aware that HDC is operating with a constrained resource and will be carefully considering all development proposals, and their water needs, whether within the FDS identified growth area or outside it, within that constrained context.

Developers are encouraged to proactively identify options to minimise increased demand for water and to discuss these with HDC at the earliest possible stage. Such options should include transferring any privately held water allocation for the subject site to HDC.

Yours sincerely

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If calling ask for [REDACTED]

File Ref: ENV-23-26-0063

2 July 2026

[REDACTED]
Barker and Associates
PO Box 1986, Shortland Street
Auckland

Brookvale Green Development - Water Supply Approach and Water Efficiency Measures

Hastings District Council's (HDC) Three Waters has been working collaboratively with Vermont Street Partners No.4 Limited, its advisor Barker and Associates, and Hawke's Bay Regional Council (HBRC) regarding the proposed potable water supply arrangements for the Brookvale Green development.

This letter is provided by HDC's Three Waters in support of the proposed transfer of existing groundwater allocation to municipal water supply. Three Waters is committed to continuing to work collaboratively with the applicant and HBRC to progress the allocation transfer as the preferred potable water servicing approach for the Brookvale Green development.

While the outcome of the allocation transfer remains subject to HBRC's regulatory decision-making process, Three Waters considers the proposed allocation transfer to be a sustainable long-term approach that supports the efficient management of water resources and the ongoing supply of potable water through the municipal network.

This letter relates specifically to the proposed transfer of groundwater allocation to municipal water supply. Other aspects of the proposal, including any remaining Three Waters servicing matters and any planning, regulatory and statutory considerations, will continue to be worked through by the relevant parties as the project progresses.

Water efficiency and good engineering design measures

Recognising the importance of sustainable water use and the increasing pressure on water resources across the Heretaunga Plains, HDC expects the development to demonstrate best-practice water efficiency through subdivision design, network construction, and ongoing operation. Council supports the incorporation of a suite of water demand management and good engineering design measures, including:

- Design and construction of the water reticulation network in accordance with HDC's Engineering Code of Practice, approved engineering standards, and all relevant Council requirements.
- Application of good water network design practice, including appropriate pipe sizing, network looping, and minimisation of dead-end mains where practicable to maintain water quality, improve resilience, and reduce operational flushing requirements.
- Consideration of a development bulk water meter to support monitoring of overall water consumption and inform future water demand management.
- Incorporation of pressure management measures such as Pressure Reducing Valves (PRVs), to optimise network performance and promote efficient water use.

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- Use of industry best practice pipe materials, fittings, and construction methodologies to reduce future leakage risk and whole-of-life maintenance requirements.
- Commissioning, pressure testing, disinfection, and water quality testing of the reticulation network prior to vesting, in accordance with Council requirements.
- Drought-tolerant and low water demand landscaping, smart irrigation controls for communal areas where required, and rainwater harvesting for appropriate non-potable uses where practical.

Subject to the provision of the necessary approvals from HBRC and satisfactory water efficient design, HDC's Three Waters considers that in principle this approach will confirm suitable water supply for the proposed Brookvale Green development.

Yours sincerely

A large black rectangular redaction box covering the signature of the Strategic Asset Manager.A small black rectangular redaction box covering the name of the Strategic Asset Manager.

Strategic Asset Manager - Three Waters

A black rectangular redaction box covering the contact information of the Strategic Asset Manager.

29 May 2026

Hastings District Council

Attn: [REDACTED] Public Spaces Planning Manager

Via email: [REDACTED]

Tēnā koe [REDACTED]

Brookvale Green Fast-track Application – Request for Landowner Approval on Arataki Reserve and Water Asset access corridor land

We write on behalf of Vermont Street Partners No. 4 Limited (**the Applicant**) in relation to the proposed Brookvale Green residential development at 174–176 Brookvale Road, Havelock North.

As Council is aware, the Applicant is currently preparing a substantive application under the Fast-track Approvals Act 2024 (**FTAA**) for the comprehensive residential development of the Brookvale Green site. The project was referred into the fast-track process by the Minister in 2025 and the substantive application is currently programmed for lodgement with the Environmental Protection Authority in June 2026.

In summary, due to width constraints associated with the existing Arataki Reserve and Council water asset boundaries at the Brookvale Road interface, the Applicant is seeking Council support in principle to utilise part of the Arataki Reserve land and the existing Council access corridor to facilitate a compliant public road connection for the Brookvale Green development. The proposal also includes associated earthworks and reserve enhancement works, while maintaining all affected land in Council ownership.

The purpose of this letter is to provide an overview of the proposed use of adjoining Council owned land associated with the north-western access interface of the development area. Specifically, the proposal involves using a portion of the Arataki Reserve land and the entirety of the existing Council water asset access corridor to form a new public road to service the proposed development. The Applicant is seeking Council landowner approval and agreement in principle to continue progressing this arrangement through the fast-track process, noting that all affected land would remain in Council ownership.

Project Background

Brookvale Green is a proposed comprehensively planned residential development providing 203 residential dwellings together with associated roads, public infrastructure, stormwater management systems, stream restoration works, and pedestrian connections across approximately 24ha (**Figure 1** and **Attachment 1**). The development has been the subject of ongoing engagement with Council officers, Hawke's Bay Regional Council, technical specialists and adjoining landowners over an extended period. The Applicant intends to lodge the application with the Environmental Protection Authority in June 2026, once engagement with the various stakeholders is concluded.



Figure 1: Proposed Masterplan

Land Subject to this Request

Through stakeholder engagement, Council officers raised matters regarding the proposed north-western road access arrangement as it impacts on the existing Council-owned reserve and water asset land adjacent to Brookvale Road (**Figure 2** and record of titles **Attachment 1**). The land subject to this letter comprises:

- The adjoining HDC-owned reserve land legally described as Lots 3 and 4 DP 481968 (**‘Arataki Reserve land’**) and currently held under the Reserves Act 1977 as Local Purpose (Amenity) Reserve, administered by the Public Spaces manager. By way of background, the Arataki Reserve land was originally established as a ‘buffer strip’ between the Arataki Extension CDL landholdings and the Plains Production zone (now the Brookvale Green site);
- The HDC-owned water asset on **Lot 1 Deposited Plan 28543** (170 Brookvale Road) which houses the water asset infrastructure, building and parking / manoeuvring areas (**‘water asset land’**) administered by the 3 Waters manager; and
- The adjoining HDC-owned water asset infrastructure access corridor on Lot 1 529421 Deposited Plan 28543 (**‘access corridor’**), administered by the 3 Waters Manager.



Figure 2: Council Land Subject Request

These areas are identified further on the accompanying concept drawings prepared by Maven.

Council Officer Feedback

At the meeting on 26 May 2026, Council officer feedback focused on the proposed secondary road access to Brookvale Road. The current design already incorporates use of the existing Council access corridor land for a road to be vested to Council, consistent with earlier discussions with Council asset managers. However, at the northern extent, the road alignment is constrained by the legal boundaries of the Arataki Reserve land and adjoining water asset title, resulting in insufficient width to achieve compliance with the Hastings District Council Engineering Code of Practice 2020 (ECOP). Council officers advised that ECOP compliance is required for the road to vest.

This prompted broader discussions regarding the long-term design and function of the interface between the proposed development, the Arataki Reserve land, the water asset access corridor and the adjoining CDL development to the west. Council officers identified the following matters for further resolution:

- **Comprehensive development:** Achieving a more coordinated and comprehensive development outcome across this interface area;
- **Transport:** Ensuring the development's secondary road access to Brookvale Road functions appropriately as a resilient two-way public road connection compliant with ECOP;

- **Geotechnical:** Further technical investigation into the geotechnical and batter stability considerations along the Reserve land edge;
- **Reserve Landscaping:** Confirming the extent of earthworks, retaining and planting proposed within the Arataki Reserve land; and
- **Water Asset:** Maintaining appropriate legal and physical access to existing Council water asset.

Through these discussions, Council officers indicated support in principle that a portion of the Arataki Reserve land could be utilised to accommodate the road width necessary to achieve ECoP compliance. It was also agreed in principle that the existing water asset access corridor could form part of the future road arrangement, subject to continued legal access being maintained to the retained water asset land.

What is Proposed



Figure 3: Area of Arataki Reserve Land for Public Road

The Applicant has prepared a revised design to respond to these matters. In simple terms, the proposal involves using a small portion of the Arataki Reserve land parcel (approximately 277m²) to facilitate a widened road arrangement near the water asset title (refer to **Figure 3** and **Attachment 3**). The proposed

road will extend south and occupy the full extent of the access corridor title. Ultimately, the proposed road widening area and access corridor are intended to vest as road reserve through subdivision, while the balance of the Arataki Reserve land would remain in Council ownership and continue to function as reserve land through the proposed subdivision. The proposed integrated solution includes:

- Extension of the proposed road reserve (Road 3) into a small portion of the Arataki Reserve land (277m²) and utilisation of the full extent of the Council access corridor (3,935m²) for road;
- Retaining wall and associated earthworks up to 2.9m height reducing to 0.3m over a length of 110m (subject to final design) within the Arataki Reserve land to facilitate the road. This will include safety fencing atop and subject to final design coordinated with Council;
- Associated earthworks and batter tie-ins over for the full extent of the Arataki Reserve land (3,624m²);
- Coordinated landscape planting within the Arataki Reserve land, including existing gum tree and vegetation removal, enhancement and reinstatement planting over the entirety of the Arataki Reserve land (3,624m²). Final landscaping design to be coordinated with Council; and
- Security fencing and new vehicle access for the existing water asset site (Lot 1 DP 529421).

The revised road arrangement has been developed to enable the proposed public road to achieve compliance with the Council ECoP (**Attachment 3**), subject to further detailed engineering design. Preliminary geotechnical advice from Hawke's Bay Geotech indicates the proposed design solution will achieve an acceptable stability outcome with further investigation to be completed next week to confirm final design recommendations.

The revised arrangement has been developed as a coordinated solution to Council officers' feedback to provide a more practical long-term outcome for this boundary interface. Importantly, all affected land will remain in Council ownership and continue to serve its broader public function, while achieving a coordinated outcome across transport, infrastructure, and public open space matters.

Public Land Vesting Framework

Brookvale Green includes a significant network of public land areas proposed to vest in Council. At present, the proposed vesting framework includes:

- Road Reserves (total area 5.7491ha);
- Four Local Purpose (Drainage) Reserves (stormwater devices and two stream channels) (total area 6.2ha);
- One Local Purpose (Utility) Reserve (wastewater pump station) (543m²); and
- One Accessway (405m²).

A proposed scheme plan showing the proposed public vesting framework accompanies this letter (**Attachment 3**) with final details and title arrangements to be confirmed with Council officers. In total, it is proposed to vest approximate 12ha of land to Council as part of the proposal development. Overall, future public land provision comprises approximately 50% of total site area.



Figure 4: Proposed Vesting Plan

Support Sought from Council

At this stage, we are continuing to work with Council officers to understand the reserve-related statutory processes and subdivision implementation requirements under the Fast-track Approvals framework. While the final legal and statutory mechanism remains subject to further engagement, the Applicant seeks Council's support, as landowner and administering body, for the integrated access and reserve interface approach outlined in this letter so the substantive fast-track application can proceed on an informed and coordinated basis. Accordingly, this includes:

- Use of a small portion of Council administered Arataki Reserve land for proposed road and associated works including retaining wall, earthworks, batter and landscaping;
- Earthworks, vegetation removal, replanting, landscaping and associated reserve enhancement works across the entirety of the Arataki Reserve land to integrate the reserve interface with the proposed development and adjoining consented CDL development area;
- Use of the Council owned access corridor for a proposed new road;

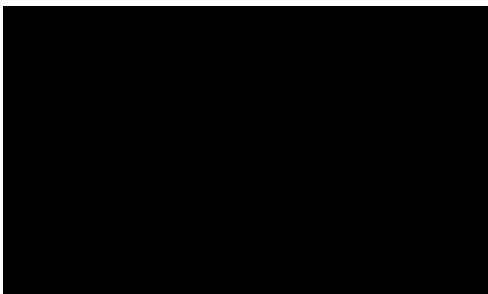
- Ongoing coordination with Council officers regarding the legal and statutory implementation pathway for these works as part of the Brookvale Green fast-track application; and
- Retention of all affected land in Council ownership, with final title arrangements to be agreed with Council officers.

Conclusion

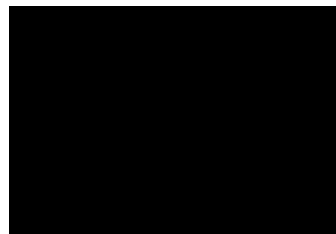
The Applicant considers the proposal achieves a positive and pragmatic outcome that responds directly to Council officer feedback. We appreciate the constructive and collaborative engagement undertaken with Council officers on this matter. We would be happy to discuss any aspect of the proposal further or provide any additional information required.

Yours sincerely | Nā māua noa, nā

Barker & Associates Limited



Partner



Senior Associate



Attachments:

Attachment 1: Records of Title

Attachment 2: Masterplan

Attachment 3: Engineering Drawings



MEMORANDUM

To: Vermont Street Partners No.4 Limited
From: [REDACTED]
Date: 9 July 2026
Subject: BROOKVALE GREEN FAST-TRACK APPLICATION – RESERVE ACT ISSUE

1. INTRODUCTION

- 1.1 Vermont Street Partners No.4 Limited ("the Applicant" or "VSP") is in the process of seeking approval under the Fast-track Approvals Act 2024 ("FTAA") to subdivide and develop land at 174 and 176 Brookvale Road.
- 1.2 As part of that it seeks to develop and use part of adjacent reserve land¹ identified as Lots 3 and 4 DP481968² to form a road (in part) to access its development via Brookvale Road.
- 1.3 The reserve is owned and administered by Hastings District Council ("HDC").
- 1.4 We understand that:
- (a) The use of the reserve land was considered as part of the referral application, with the integration works to be looked at in greater detail as part of the substantive application, which is now occurring.
 - (b) This work includes:
 - (i) Construction of part of the proposed public road corridor (Road 3 in part) along with an associated footpath connection, including associated batter tie-ins, retaining wall, landform modification and development servicing within the road corridor:
 - (ii) Reinstatement works, including earthworks and recontouring across the full Reserve land extent to integrate the Reserve land with the road corridor; and
 - (iii) The removal of all existing vegetation, including predominantly mature exotic gum trees and scrub undergrowth, and their replacement with indigenous planting and landscape reinstatement across the full reserve land area (excluding the road corridor area).
 - (c) VSP will be solely responsible for financing and completing this work, and will be responsible for ongoing monitoring and maintenance of the works

¹ Classified as Local Purpose (Amenity) Reserve.
² RT 677142.

until they are completed and the planting and landscaping is established;
and

- (d) Once complete all work will be handed over to HDC at no cost.
 - (e) The HDC supports the work proposed and the use of the reserve land for road access.³ Specifically, following engagement between VSP and HDC, it has requested that the Road 3 access be widened into the reserve land and that broader reserve integration works be undertaken to achieve an improved roading, access, landscape and reserve interface outcome reflecting the changing rural-urban buffer function of the reserve.
 - (f) The HDC officers have recommended that the reserve status be changed from Local Purpose (Amenity) Reserve to Local Purpose (Road) Reserve, on the basis that:
 - (i) This is the most appropriate long-term outcome for the reserve land; and
 - (ii) The reserve's original purpose (to provide a buffer between residential and rural land, including for reverse sensitivity reasons, and a delineated boundary) would become redundant should the surrounding land be developed for residential use.
 - (g) HDC considers it premature to seek a formal Council decision on a reserve purpose change at this stage, that it is taking legal advice, and the officers have not formed a position on the timing or process for any future Council consideration.
- 1.5 To undertake the proposed works within the Reserve, VSP has sought legal advice on the appropriate statutory approvals required under the Reserves Act 1977 ("RA77").
- 1.6 Accordingly, it has requested we advise on the relevant statutory mechanisms and the recommended process it should follow to enable this to occur, given its development approval is being progressed under the FTAA.
- 1.7 Overall, and in light of the HDC position above, we recommend that VSP seek approval under the FTAA for a concession, being both a permit (to undertake works in the reserve) and a right of way easement (to enable the use of the road⁴ to the extent it is located in the reserve⁵).⁶
- 1.8 We address this further below.
2. RELEVANT APPROVALS – RELATIONSHIP BETWEEN FTAA AND RA77
- 2.1 The RA77, among other things, relates to public reserves and makes provision for their acquisition, control, management, maintenance, preservation, development and use.

3 By reference to the HDC memorandum dated 29 June 2026 and the email correspondence between [REDACTED] at 9.31pm on 7 July 2026. We understand all advice from the Council has been provided on a preliminary and non-binding basis.

4 We understand this will include a footpath and associated conveyance of services, including three waters.

5 Approximately 275m².

6 Both falling within the definition of "concession" per clause 1(b), Schedule 6 of the FTAA, by reference to the definition of "Reserves Act approval" at (b).

- 2.2 Works in a reserve such as those requested by HDC and proposed by VSP here, normally require authorisation by HDC.⁷ It has a broad power to grant authorisations to enable such works,⁸ this includes the power to grant rights of way and other easements.⁹
- 2.3 However, the FTAA empowers the Panel to grant these approvals instead of HDC and confirms that any such approval displaces the need to utilise the RA77 process to obtain the approval. Specifically, it:
- (a) Confirms the FTAA process applies instead of the process for obtaining an approval under the RA77;¹⁰ and
 - (b) States a substantive application may seek an approval for a Reserves Act approval.¹¹
- 2.4 Consequently, VSP is entitled to apply for a Reserve Act approval, (here, a permit and a right of way easement), to undertake works in the reserve and to enable the use of the constructed road, as part of its substantive application. More specifically:
- (a) A permit is required to authorise the physical works to be undertaken in the reserve, including earthworks, recontouring, vegetation removal, planting, servicing and road construction; and
 - (b) A right of way easement is required because a small part of the formed road (Road 3) and associated access to the development via that road will sit within the reserve and will require legal regularisation.
- 2.5 For the avoidance of doubt, we see no basis for seeking a lease or a licence over the reserve land. This is because we understand that VSP does not seek any form of property interest or occupation right over the land, beyond that which can be conferred via a right of way easement.
3. APPROVAL PROCESS
- 3.1 The approval process, and the relevant considerations for the Panel, are set out in Part 1, Schedule 6 of the FTAA.
- 3.2 We do not traverse these matters for the purpose of this memorandum as the process is prescribed in detail in Schedule 6 but highlight that:
- (a) Clause 3 sets out the relevant information requirements. Here, this will include a requirement that the local authority has provided written agreement for the activity to be undertaken on the reserve.¹²
 - (b) Clause 7 sets out the criteria that the Panel must consider when assessing the concession application (including any conditions).

7 Section 94, RA77. Noting the Council is the administering body; see s 40, RA77.

8 Section 61, RA77.

9 Section 48, RA77. Note the broad power at section 48(1)(f) in respect of the granting of right of way easements, including for access, water supply, drainage, or for any other purpose connected with any such land not forming part of the reserve.

10 Section 40(1)(a), FTAA.

11 Refer section 42(4)(e) and clause 1, Schedule 6, FTAA. This includes a lease, licence, permit or easement in respect of a reserve other than a Crown administered reserve per (b).

12 Clause 3(1)(m), Schedule 6, FTAA.

- (i) The clause 7(1)(a) considerations are mandatory, noting the Panel must give greatest weight to the purpose of the FTAA.
 - (ii) The clause 7(1)(b)(ii) considerations are discretionary, here, being consideration of any relevant reserve management plan.
 - (iii) While under clause 7(3)(b) the Panel must decline the application if HDC does not provide written agreement for activity to be undertaken on the reserve, although that agreement cannot be unreasonably withheld.¹³
- (c) Clause 8 empowers the Panel to impose relevant conditions.
- (d) If granted:
 - (i) HDC must give effect to the concession within 30 working days of the decision.¹⁴
 - (ii) The concession is treated as granted under the RA77.¹⁵
 - (iii) The concession conditions are enforceable.¹⁶
- 3.3 Given the direct relevance HDC's approval takes in both preparing the application material, and the Panel's determination of the application, we recommend its previous support for the proposal is reconfirmed with it as a priority.
- 4. CHANGE IN PURPOSE OR REVOCATION OF RESERVE STATUS?
- 4.1 We refer to the HDC officer's indicative support for a change in reserve status to Local Purpose (Road) Road reserve. Here, we consider that a change in reserve status would assist and enable the construction and use of the road as proposed,¹⁷ or alternatively, that the revocation of the land's reserve status could facilitate this.
- 4.2 However, we highlight that:
 - (a) Any change in status, or revocation of reserve status, must occur in accordance with the process set out in the RA77;¹⁸ and
 - (b) These powers have not been carried through into the FTAA.
- 4.3 While we consider the change in purpose of the reserve, or alternatively, the revocation of the lands reserve status, has significant merit¹⁹ and would assist VSP to complete and undertake its development, VSP cannot include such a request in its substantive application,²⁰ nor is the Panel empowered to consider or determine such a request under the FTAA.

13 Refer clause 7(4)(a) and (b). By taking into account the purpose of the FTAA and any relevant matters under the RA77.

14 Clause 11, Schedule 6, FTAA.

15 Clause 17, Schedule 6, FTAA.

16 Clause 19, Schedule 6, FTAA.

17 Noting section 111 of the RA77 enables road reserve to be dedicated as road via resolution of the Council.

18 Refer sections 24, 24A and 25 of the RA77.

19 Including for the reasons provided by the Council officers.

20 Given the confines of section 42 of the FTAA.

- 4.4 Practically, this means that the only way VSP can enable the reserve works as part of its substantive application is to seek a concession from the Panel in accordance with Part 1, Schedule 6 of the FTAA.
5. RECOMMENDATION – CONCESSION APPLICATION
- 5.1 We recommend that VSP:
- (a) Prepare a concession application for a Reserves Act approval in accordance with Part 1, Schedule 6 of the FTAA, and that the concession be sought for both:
 - (i) A permit – to carry out the necessary physical works in the reserve.
 - (ii) A right of way easement – to enable the future use of the road in the reserve to access the development.
 - (b) Draft concession conditions be prepared to address:
 - (i) The approved concession area(s) and the relevant plans;
 - (ii) The activities authorised within the Reserve land;
 - (iii) Any relevant construction and access requirements; and
 - (iv) The future monitoring and maintenance of the works, including financial contributions to the same, until such a time as all works are handed over to HDC.
- 5.2 There is no ability to seek a change to the purpose of the reserve or revoke the reserve status as part of the substantive application.
- 5.3 We are happy to provide further details and/or clarification in respect of any aspect of this memorandum if required.

If calling ask for [REDACTED]

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

28 July 2026

Fast Track Team
C/ - Environmental Protection Authority
Private Bag 63002
Wellington 6140
contact@fasttrack.govt.nz

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

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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 (Roding) 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](mailto:[REDACTED]@hdc.govt.nz)

Copy to:

[REDACTED], Berry Simons Environmental Law - [REDACTED] [@berrysimons.co.nz](mailto:[REDACTED]@berrysimons.co.nz)

[REDACTED] Barkers and Associates - [REDACTED] [@barker.co.nz](mailto:[REDACTED]@barker.co.nz)

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[REDACTED] Public Spaces Planning Manager - [REDACTED] [@hdc.govt.nz](mailto:[REDACTED]@hdc.govt.nz)

[REDACTED] Team Leader Environmental Planning - [REDACTED] [@hdc.govt.nz](mailto:[REDACTED]@hdc.govt.nz)

[REDACTED] Transportation and Policy Planning Manager - [REDACTED] [@hdc.govt.nz](mailto:[REDACTED]@hdc.govt.nz)