

Memorandum on Completeness and Scope

File	FTAA-2607-1266
Application	Brookvale Green
To	[REDACTED]
From	[REDACTED]
Date	24 August 2026
Subject	Assessment whether the application complies with section 46(2) of the Fast-track Approvals Act 2024

Purpose

1. The purpose of this memo is to assist you in making your decision on whether the Brookvale Green application, lodged by Vermont Street Partners No.4 Limited (the Applicant), received by the Fast-track Team on 3/08/2026 complies with the requirements of section 46(2) of the Fast-track Approvals Act 2024 (**the Act**).

Decision-maker

2. You have delegated authority to make the decision under section 46 of the Act under the instrument of delegation dated 31 March 2026.

Conflict of interest

3. I confirm that I do not have any conflict of interest in this matter that would prevent me making this assessment.

The application

4. For projects listed in Schedule 2 of the Act and referred projects, authorised persons may lodge a substantive application for approvals available under the Act.

5. The Application was referred by the Minister for inclusion in the Fast-track consenting process under section 28 of the Act. The Minister accepted the referral application on 16 December 2025 and notified the EPA of the decision on the referral application on 16 December 2025.
6. As set out in more detail below, the EPA must decide whether the application is complete and either:
 - Notify the Panel Convener they can set up an expert consenting panel to make a decision on the application (if complete and within scope); or
 - return it to the person who lodged it (if incomplete and/or not within scope).

Project and Scope

7. The project accepted into the Fast-track consenting process by the Minister for Infrastructure on 16 December 2025 is described verbatim as follows:

The project is described as being to subdivide and develop land to establish a residential community on approximately 24 hectares of land off Brookvale Road, located on the eastern edge of Havelock North's urban residential boundary. The project will include works within the Brookvale Road reserve.

The project will include:

- a) *subdivision to create approximately 189-215 allotments and construction of approximately 189-215 residential units*
 - b) *landscaping and ecological enhancement, including approximately 4.3 hectares of native planting and pest control, and integration with existing and proposed walking and cycling trails*
 - c) *associated infrastructure, including for three waters services and transport (including external site works).*
8. The actual activity for which the applicant, Vermont Street Partners No.4 Limited, is seeking approvals under this substantive application is described verbatim as follows in the application documents:

Brookvale Green (the "Project") is a masterplanned residential neighbourhood proposed on approximately 24ha of land at 174 and 176 Brookvale Road, Havelock North ("Site"). The Project will provide 203 residential lots together with associated transport, three waters, and stormwater infrastructure, and ecological restoration and landscaping. (Volume A – Planning Report, Page 9).
 9. The project includes:
 - **Housing and integrated Residential Development:** Creation of 203 residential lots and construction of 203 dwellings capable of accommodating a range of typologies, household sizes and living arrangements.
 - **Subdivision Layout and Design:** A neighbourhood structure centred around an interconnected road network and green infrastructure corridors.

- **Arataki Reserve Land Approvals:** A Reserves Act approval is sought to authorise an easement over approximately 275m² of the Arataki Local Purpose (Amenity) Reserve land. The easement is required to enable part of Road 3 and associated infrastructure to extend into the Reserve land, and to provide for ongoing access, use and maintenance associated with that public road connection.
 - **Construction Site Works:** Bulk earthworks (approximately 95,000m³) required to establish building platforms, landforms, roading and stormwater infrastructure.
 - **Infrastructure:** Provision of all necessary services, including:
 - **Transport:** internal roading network, Brookvale Road frontage upgrades, and two site access points to Brookvale Road.
 - **Three waters:** Reticulated wastewater (including a new pump station) and a potable water supply strategy involving the transfer of existing groundwater allocation to the municipal network.
 - **Stormwater Management:** A new stormwater management system, incorporating a treatment wetland, a dry detention basin, and raingardens.
 - **Stream and wetland restoration:** A comprehensive program involving the realignment and enhancement of Watercourse 1, retention and enhancement of Watercourse 2, and wetland reinstatement resulting in a net wetland gain of approximately 6,002m².
 - **Ecological and Interface Management:**
 - **Indigenous Fauna Management:** Implementation of a Fauna Management Plan and a Wildlife Act 1953 approval for the salvage and relocation of indigenous lizards.
 - **Landscaping Strategy:** Approximately 4.07ha of indigenous riparian and terrestrial buffer planting to achieve a net gain in ecological values and visual amenity.
 - **Rural Interface and Fencing:** Management of the rural-urban boundary through 10m building setbacks, buffer planting, and a site-wide fencing plan to address reverse sensitivity
10. The application relates solely to the referred project because it maintains the same overall purpose, scale, and character as the Brookvale Green project accepted for referral.
 11. Specifically, the application confirms a yield of 203 dwellings, which sits directly within the range of 189–215 units specified in the referral decision. The project remains centred on the same ~24-hectare site off Brookvale Road, and the proposed activities, including subdivision, three-waters and transport infrastructure, and approximately 4.07ha of ecological enhancement, are consistent with the high-level description accepted by the Minister.
 12. The inclusion of approvals under the Reserves Act 1977 for works within the Arataki Local Purpose (Amenity) Reserve (Lots 3 and 4 DP 481968) is considered within scope because these works are technical refinements required to facilitate road and pedestrian integration. While a direct pedestrian connection through the reserve was initially contemplated, detailed engineering design revealed that the topography and steep grades made this impractical. Consequently, the pedestrian route was integrated alongside the Road 3 corridor, necessitating the use of

approximately 275m² of reserve land for a permanent easement and a wider area for physical integration works.

13. This land was included in the legal descriptions of the original referral application, and the potential need for local authority approvals regarding its utilisation was expressly contemplated at that stage. These refinements do not expand the project footprint or change the nature of the proposed 203-unit residential community; rather, they represent the technical finalisation of the access arrangements necessary to integrate the project with the existing Havelock North urban boundary.

Fast-track consenting application process

Legislative context

14. The EPA must decide, in consultation with relevant administering agencies and consent authorities, whether the substantive application complies with section 46(2) of the Act. A substantive application complies with section 46(2) of the Act, if the application:
 - complies with sections 42, 43 and 44;
 - relates solely to a listed project or a referred project;
 - the EPA considers that, on the face of the application, the project does not appear to involve an ineligible activity; and
 - any fee, charge, or levy payable under the Fast-track Approvals (Cost Recovery) Regulations 2025 (the Regulations) in respect of the application is paid.
15. The EPA may request further information from the applicant under section 46(2A) for the purposes of determining whether the application is complete and within scope.

Section 42 Requirements

16. Section 42 of the Act states that an authorised person may lodge a substantive application for the project, 1 substantive applications for each stage of a project if the Minister has determined that the project may proceed in stages (either under s 21(1)(a) or s 37A). Section 42(4) lists the approvals that may be sought under the Act.
17. This application has been lodged by Vermont Street Partners No.4 Limited. This person is an authorised person under the Act because they are the person identified as the authorised person in the referral notice of decision.
18. The approvals being sought are:
 - an approval described in section 42(4)(a), (c) or (d) (resource consent, certificate of compliance or designation);
 - A resource consent, change to or cancellation of a resource consent: **checklist A**;
 - including subdivision or reclamation: **checklist A1**;
 - an approval described in section 42(4)(e) (concession), **checklist D1**;

- an approval described in section 42(4)(h) (wildlife approval), **checklist E**;
19. All of the above listed approvals are of the type set out in section 42(4) of the Act
 20. For each of the approvals sought, the applicant is not eligible to apply for any corresponding approval under a specified Act.

Section 43 Requirements

21. Section 43 of the Act sets out the requirements for a substantive application. The substantive application was lodged in the form and manner approved by the EPA. Assessment of section 43 requirements is included at Appendix 1.

Section 44 Requirements

22. Section 44 of the Act requires that the information provided by the applicant under section 43 must be specified in sufficient detail to satisfy the purpose for which it is required. Assessment of section 44 sufficiency is included at Appendix 1.
23. In assessing the sufficiency of information provided by the applicant, we rely on the information provided to us through consultation with each relevant administering agency and consent authority, as summarised in Appendix 2.
24. As set out in more detail in Appendix 2, the agencies consulted have advised that the information required by section 44 is provided in **sufficient** detail to satisfy the purpose for which it is required.

Ineligibility

25. The EPA needs to decide whether it considers that, on the face of the application, the project does not appear to involve an ineligible activity, as defined in section 5 of the Act. As the EPA has to consider this on the face of the application, the EPA is only able to consider information contained in the application materials.
26. The list of ineligible projects includes activities:
 - on land returned under a Treaty settlement, on identified Māori Land, on Māori customary land, on land set apart as Māori reservation, or in a customary marine title or protected customary rights area without written permission from the rights holder;
 - on Māori customary land, or land set apart as Māori reservation under Part 17 of Te Ture Whenua Māori Act 1993;
 - in a customary marine or protected customary rights area without written agreement from the rights holder/group;
 - within an aquaculture settlement area without the required authorisation;
 - activities that would be prevented under section 165J, 165M, 165Q, 165ZC, or 165ZDB of the RMA (which deal with occupation of space in the common marine and coastal area); or

- that require permissions on national reserves (or reserves vest in another person) held under the Reserves Act 1977; or
 - on land listed under clauses 1 to 11 or 14 of Schedule 4 of the Crown Minerals Act 1991 (and clauses 12 and 13 for mining activities).
 - That are prohibited under the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012, or section 15B or 15C the Resource Management Act 1991.
 - That relate to decommissioning under the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012
 - That are undertaken for the purposes of an offshore renewable energy project.
27. I consider that, on the face of the application, the project does not appear to involve an ineligible activity.

Notification by applicant

28. Pre-lodgement requirements for a listed project require the applicant to notify in writing the persons and groups referred to in section 29(1) (aa). The persons and groups notified have 20 working days to respond from the date of the notice. The applicant must not lodge their substantive application until each 20-working day period has elapsed.
29. I have checked and reviewed the dates of notification sent to the persons or groups in section 29(1) (aa) and confirmed that the application has lodged their application only after each 20-working day period has elapsed.

Fees and levies

30. The EPA has received all fees, charges and levies payable by the applicant under the Regulations for the substantive application as follows:
- Application fee in the sum of \$250,000 plus GST; and
 - Levy in the sum of \$140,000 plus GST.

Consultation

31. I have consulted with and considered consultation responses from the following relevant administering agencies and relevant consent authorities:
- Hastings District Council for:
 - an approval described in section 42(4)(a) (resource consent)
 - an approval described in section 42 (4)(e) (reserves act covenant)
 - Hawkes Bay Regional Council for:
 - an approval described in section 42(4)(a) (resource consent)
 - The Department of Conservation for:
 - an approval described in section 42(4)(h) (Wildlife Act wildlife approval)

32. A summary of the consultation is included as Appendix 2.

Request for further information

33. To inform the assessment of completeness and scope under Section 46(2) of the Act, further information was requested from the applicant on 18 August 2026 under Section 46(2A). The request distinguished between mandatory Section 46 completeness gaps (required to satisfy the statutory baseline under Sections 42, 43, and 44) and additional technical matters (where further details were invited to assist the Expert Panel and address local authority or agency feedback).
34. I requested further information from the applicant in relation to:
- Referral basis and staging
 - Reclamation of wetlands and stream bed
 - Assessment against NPS-FM and NES-F
 - Standard Freshwater Fisheries Activity requirements
 - Source water protection
 - Hastings District Council technical comments (including geotechnical slope stability, access integration and stormwater swales.
 - Department of Conservation technical comments (Herpetofauna reporting and FMP administration).
35. The applicant responded with further information on 19 August 2026 within the 20- working timeframe afforded by section 46(2B). A full copy of the request and response can be found in Appendix 3.

Assessment of compliance for each section of each application form

36. I have assessed the application materials against the relevant checklists in the prescribed application form. Each assessment is contained within the appropriate approval checklist. These are included in Appendix 1 for ease of reference.
37. My view is that the application does comply with section 46 and the EPA may now notify the applicant of its decision.
38. The EPA must now decide whether the substantive application has a competing application under section 47A(1) (under delegation from the Minister for Infrastructure under section 47C) within 10 working days from the date of the completeness decision.
39. Once the EPA has made the decision under section 47A(1), the EPA must notify the panel convener that an expert consenting panel can be set up to commence consideration and decision of the application.

Appendix 1: Assessment of section 44 sufficiency

My assessment of the application materials is set out in the relevant checklists below:

CHECKLIST A – Resource consent, change to or cancellation of a resource consent

Clause, Schedule 5	Information required for an approval described in section 42(4)(a) (resource consent) and/or section 42(4)(b) (change or cancellation of resource consent), Clauses 5-8 of Schedule 5	Application Reference	EPA
5(1)(a)	A description of the proposed activity	Volume A - Brookvale Green Planning Report, Section 5.0, page 43-74	Yes, addressed. Pages 43 – 74, Section 5 of the AEE.
5(1)(b)	A description and map of the site at which the activity is to occur, including whether the site is within or adjacent to— (i) a statutory area (as defined in the relevant Treaty settlement Act); or (ii) ngā rohe moana o ngā hapū o Ngāti Porou (as defined in section 11 of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019); or (iii) a protected customary rights area under the Marine and Coastal Area (Takutai Moana) Act 2011	Volume A - Brookvale Green Planning Report, Section 4.0 page 28-42, Section 7.10 - 7.12, page 85-86	Yes, addressed. Site map and location Page 28, Section 4.1 of the AEE. <i>(ii) & (iii) This does not apply because the Project is for a residential development on land and does not involve any activities within the coastal marine area (Page 85, Section 7.11 AEE).</i>
5(1)(c)	Confirmation that the consent application complies with section 46(2)(a), (b), and (d); being:	Volume A - Brookvale Green	Yes, addressed.

	• section 42; and • sections 43 and 44; and • relates solely to a listed project or a referred project; and • any fee, charge, or levy payable under regulations in respect of the application is paid.	Planning Report, Section 3.3-3.5, page 20-26	The authorised person (Vermont Street Partners No.4 Limited) has lodged the substantive application. Information is in sufficient detail to satisfy the purpose for which it is required, does not involve any ineligible activities, and relates solely to a referred project. The application fee and levy have been paid in full.
5(1)(d) and 5(6)	The full name and address of— (i) each owner of the site and of land adjacent to the site; and (ii) each occupier of the site and of land adjacent to the site whom the applicant is able to identify after reasonable inquiry; If the applicant is not able to supply the name and address of the owner and each occupier of the site and of land adjacent to the site because the land is Māori land in multiple ownership, the applicant must include a statement to that effect (clause 5(6)).	Appendix 21 - Owners and Occupiers of the Site and Adjacent Land	Yes, addressed. Appendix 21.

5(1)(e)	A description of any other activities that are part of the proposal to which the consent application relates	Volume A - Brookvale Green Planning Report, Section 7.6 page 84	Yes, addressed. Page 84, Section 7.3 and 7.4 confirm reserves act approval and wildlife approval are sought.
5(1)(f)	A description of any other resource consents, notices of requirement for designations, or alterations to designations required for the project to which the consent application relates	Volume A - Brookvale Green Planning Report, Section 7.7, page 85	Yes, addressed. Page 84, Section 7.7 states: <i>“Other than the resource consents identified in Section 8.2, no additional approvals under the RMA are required for the Project.”</i> For completeness, the potable water supply strategy for the development relies on a separate statutory process to transfer approximately 60,000m³ per annum of existing groundwater allocation (historically held under interim permits AUTH-131631-01 and AUTH-131633-01) to Hastings District Council’s (HDC) municipal water supply consent. While relevant to overall project viability, both HDC and the Hawke’s Bay Regional Council have confirmed that this transfer is being progressed outside of the Fast-track Approvals Act process.

5(1)(g)	An assessment of the activity against sections 5, 6 and 7 of the Resource Management Act 1991	Volume A - Brookvale Green Planning Report, Section 7.8 page 85 and Section 11.4.1 page 145	Yes, addressed. Section 5: Addressed Section 6 and 7: The application does not provide an expansive assessment against section 6 and 7 of the RMA, addressing efficient use, subdivision, protection of freshwater, kaitiakitanga, amenity values, public access, climate change & hazards and the Treaty of Waitangi. While not exhaustive, I consider that the application provides sufficient assessment against relevant sections.
5(1)(h) (and also clauses 5(2) and 5(3))	An assessment of the activity against any relevant provisions in any of the following documents: • a national environmental standard: • other regulations made under the Resource Management Act 1991: • a national policy statement: • a New Zealand coastal policy statement: • a regional policy statement or proposed regional policy statement: • a plan or proposed plan:	Volume A - Brookvale Green Planning Report, Section 7.9 page 85 and Section 9.0 page 122 - 140	Yes, addressed. Pages 122-140, Section 7.9 of the AEE. The applicant provided an updated Volume A Planning Report and an updated Appendix 2 Application Form as part of their further information response. The updated Planning Report includes a formal resource consent application for stream bed reclamation under Regulation 57 of the NES-F and includes an assessment of the

	• a planning document recognised by a relevant iwi authority and lodged with a local authority. This assessment must include an assessment of the activity against the requirements set out in clause 5(3) of Schedule 5 being: • any relevant objectives, policies or rules in the documents listed; and • any requirement, condition, or permission in any rules in any of those documents; and • any other requirements in any of those documents.		reclamation activities against the objectives and policies of the NES-F and the NPS-FM.
5(1)(i)	Information about any Treaty settlements that apply in the area covered by the consent application, including— (i) identification of the relevant provisions in those Treaty settlements; and (ii) a summary of any redress provided by those settlements that affects natural and physical resources relevant to the project or project area	Volume A - Brookvale Green Planning Report, Section 9.5, page 137	Yes, addressed. Volume A - Brookvale Green Planning Report, Section 9.5, page 137.
5(1)(j)	A list of any relevant customary marine title groups, protected customary rights groups, ngā hapū o Ngāti Porou (where an application is within, adjacent to or directly affecting ngā rohe moana o ngā hapū o Ngāti Porou), or applicants under the Marine and Coastal Area (Takutai Moana) Act 2011;	Volume A - Brookvale Green Planning Report, Section 7.11 page 85	Yes, addressed. <i>This does not apply because the Project is for a residential development on land and does not involve any activities within the coastal marine area (Page 85, Section</i>

			7.11 of Volume A – Brookvale Green Planning Report).
5(1)(k)	Any conditions that the applicant proposes for the resource consent.	Appendix 28 - Conditions Suite	Yes, addressed. Appendix 28 – Conditions Suite.
5(1)(l)	if a notice under section 30(3)(b) or (5) has been received, — (i) a copy of that notice showing that it was received within the time frame specified in section 30(6)(b); and (ii) if a notice has been received under section 30(5), any more up-to-date information that the applicant is aware of about the existing resource consent referred to in the notice.	Appendix 24 - Section 30 Notice	Yes, addressed. The Section 30 notice was issued within 3 months of the substantive application being lodged, being the 7 th of July 2026.
5(4)(a)	An assessment of the activity’s effects on the environment that includes the information required by clause 6.	Volume A - Brookvale Green Planning Report, Section 8.0 page 88-121	See below
5(4)(b)	An assessment of the activity’s effects on the environment that covers the matters specified in clause 7.	Volume A - Brookvale Green Planning Report, Section 8.0 page 88-121	See below

6	(1) The assessment of an activity's effects on the environment must include the following information: (a) an assessment of the actual or potential effects on the environment: (b) if the activity includes the use of hazardous installations, an assessment of any risks to the environment that are likely to arise from such use: (c) if the activity includes the discharge of any contaminant, a description of— (i) the nature of the discharge and the sensitivity of the receiving environment to adverse effects; and (ii) any possible alternative methods of discharge, including discharge into any other receiving environment: (d) a description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce the actual or potential effect of the activity: (e) identification of persons who may be affected by the activity and any response to the views of any persons consulted, including the views of iwi or hapū that have been consulted in relation to the proposal:	Volume A - Brookvale Green Planning Report, Section 8.0 page 88-121, Section 7.13 page 86, Appendix 20 Consultation Report, Appendix 28 Conditions Suite, and appended application material	Yes, addressed. a) Page 88-121, Section 8 of the AEE b) n/a c) Section 5.6 (pages 63–65) and Section 8.12 (pages 115–117). d) Page 86, Section 7.13 of the AEE, Appendix 28 Conditions Suite. e) Appendix 20 – Consultation Report f) Section 6.0 (page 75) and Section 6.4 (page 79). The report identifies the specific groups consulted (including representatives of Ruahāpia, Matahiwi, Waipatu, and Kohupātiki marae). It notes that while some engaged (Waipatu Marae and Tamatea Pōkai Whenua), for the substantive application, further engagement was sought but <i>"no further formal feedback has been received to date."</i> g) Page 86, Section 7.13 of the AEE, Appendix 28 Conditions Suite.
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	(f) if iwi or hapū elect not to respond when consulted on the proposal, any reasons that they have specified for that decision: (g) if the scale and significance of the activity's effects are such that monitoring is required, a description of how the effects will be monitored and by whom, if the activity is approved: (h) an assessment of any effects of the activity on the exercise of a protected customary right.		h) Page 86, Section 7.12 <i>"There are no protected customary rights that relate to the site and as such an assessment under Clause 6(1)(h) of Schedule 5 is not required."</i>
7	The assessment of an activity's effects on the environment must cover the following matters: (a) any effect on the people in the neighbourhood and, if relevant, the wider community, including any social, economic, or cultural effects: (b) any physical effect on the locality, including landscape and visual effects: (c) any effect on ecosystems, including effects on plants or animals and physical disturbance of habitats in the vicinity: (d) any effect on natural and physical resources that have aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations:	Volume A - Brookvale Green Planning Report, Section 8.0 page 88-121 and appended application material	Yes, addressed. a) Sections 8.1, 8.5, 8.10 and 8.17 b) Section 8.4 c) Section 8.9 d) Section 8.4, 8.10 and 8.11 e) Section 5.6 f) Section 8.8 g) Section 8.13 and 8.14

	(e) any discharge of contaminants into the environment and options for the treatment and disposal of contaminants: (f) any unreasonable emission of noise: (g) any risk to the neighbourhood, the wider community, or the environment through natural hazards or hazardous installations.		
5(5)(a)	If a permitted activity is part of the proposal to which the consent application relates, a description that demonstrates that the activity complies with the requirements, conditions, and permissions for the permitted activity (so that a resource consent is not required for that activity under section 87A(1) of the Resource Management Act 1991)	Volume A - Brookvale Green Planning Report, Section 7.2.7 page 80	Yes, addressed. Page 83, Section 7.2.7, Volume A – Brookvale Green Planning Report.
5(5)(b)	If the activity is to occur in an area that is within the scope of a planning document prepared by a customary marine title group under section 85 of the Marine and Coastal Area (Takutai Moana) Act 2011 or the environmental covenant prepared by ngā hapū o Ngāti Porou under section 19 of the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, an assessment of the activity against any resource management matters set out in that document	Volume A - Brookvale Green Planning Report, Section 7.11 page 85	N/A
5(5)(c)	If the activity is to occur in an area that is taiāpure-local fishery, a mātaihai reserve, or an area that is subject to bylaws made under Part 9 of the Fisheries Act 1996, an assessment of the effects of the activity on the use or management of the area.	Volume A - Brookvale Green Planning Report,	N/A

		Section 7.11 page 85	
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CHECKLIST A1 – Subdivision or reclamation resource consent

Clause, Schedule 5	Information required for an application for a subdivision consent or a reclamation consent (in addition to the information required in Checklist A)	Application Reference	EPA
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If this application is for a subdivision consent, please adequately define the matters set out in clause 8(1) below. If no subdivision consent is sought, please enter n/a.

8(1)(a)	The position of all new boundaries	Appendix 4a Scheme Plans	Yes, addressed. Appendix 4a Scheme Plans
8(1)(b)	The areas of all new allotments, unless the subdivision involves a cross lease or company lease or unit plan	Appendix 4a Scheme Plans	Yes, addressed. Appendix 4a Scheme Plans
8(1)(c)	The locations and areas of new reserves to be created, including any esplanade reserves and esplanade strips	Appendix 4a Scheme Plans	Yes, addressed. Appendix 4a Scheme Plans

8(1)(d)	The locations and areas of existing esplanade reserves, esplanade strips, and access strips	n/a	N/A
8(1)(e)	The locations and areas of any part of the bed of a river or lake to be vested in a territorial authority under section 237A of the Resource Management Act 1991	Appendix 4a Scheme Plans	Yes, addressed. Appendix 4a Scheme Plans
8(1)(f)	The locations and areas of any land within the coastal marine area that is to become part of the common marine and coastal area under section 237A of the Resource Management Act 1991	n/a	N/A
8(1)(g)	The locations and areas of land to be set aside as new roads	Appendix 4a Scheme Plans	Yes, addressed. Appendix 4a Scheme Plans

If this application is for a reclamation consent, please include the information to show the area to be reclaimed set out in clause 8(2) below. If no reclamation consent is sought, please enter n/a.

8(2)(a)	The location of the area to be reclaimed	n/a	N/A
8(2)(b)	If practicable, the position of all new boundaries	n/a	N/A
8(2)(c)	Any part of the reclaimed area to be set aside as an esplanade reserve or esplanade strip	n/a	N/A

CHECKLIST D1 – Concession

Clause, Schedule 6	Information required for an approval described in section 42(4)(e) (concession), clause 3 of Schedule 6	Application Reference (Name of document, section and page)	EPA
3(1)(a)	A description of the proposed activity	Volume B - Reserve Approval Planning Report, Section 4.0, page 12	Yes, addressed. <i>Brookvale Green is a comprehensively master planned residential neighbourhood proposed on approximately 24 ha of land at 174 and 176 Brookvale Road, Havelock North. The Project will provide approximately 203 residential lots together with associated transport, three waters and stormwater infrastructure, ecological restoration, and landscaping. A full description of the proposal is provided within the Volume A Planning Report. (Page 12, Section 4, Volume B – Reserve Act Approval Planning Report).</i>

3(1)(b)	A description, maps, and GPS co-ordinates identifying the places where the proposed activity will be carried out (including the classification of those places, the ownership and management arrangements, and, if applicable, the name, of the places)	Volume B - Reserve Approval Planning Report, Section 3.0, page 8	Yes, addressed. Page 8-9, Section 3.1, Volume B – Reserve Act Approval Planning Report.
3(1)(c)	Information about whether the project could reasonably be undertaken in another location, or in another conservation area or another part of the conservation area, where the potential adverse effects would be significantly less	Volume B - Reserve Approval Planning Report, Section 4.1.3, page 12	Yes, addressed. Page 15, Section 4.1.3 Volume B – Reserve Act Approval Planning Report.
3(1)(d)	In the case of an application for: • a concession that would otherwise be applied for under the Conservation Act 1987, section 14AA of the Wildlife Act 1953, or section 49 of the National Parks Act 1980; or • a concession as defined in section 2(1) of the Reserves Act 1977 that would otherwise be applied for under section 59A of that Act; information about the extent to which the project is consistent with: (ii) the relevant conservation management strategy and conservation management plan; (ii) any conservation management strategies or conservation management plans that have been co-	n/a	N/A

	authored, authored, or approved by a Treaty settlement entity.		
3(1)(e)	In the case of an application for a lease, licence, permit, or easement in respect of a reserve other than a Crown-administered reserve, information about the extent to which the project is consistent with any management plan approved under section 41 of the Reserves Act 1977	Volume B - Reserve Approval Planning Report, Section 5.1, page 17	Yes, addressed. <i>In accordance with Clause 3(1)(e) of Schedule 6, the Reserve is not specifically identified in, or subject to site-specific provisions within, the Hastings District Wide Reserve Management Plan. Notwithstanding that, the proposal is not inconsistent with the broader management outcomes anticipated for local purpose reserves. (Page 17, Section 5.1, Volume B - Reserve Act Approval Planning Report)</i>
3(1)(f)	Information about the extent to which the project is in keeping with the purposes for which the land is held, status, ownership and administration	Volume B - Reserve Approval Planning Report, Section 5.2, page 17	Yes, addressed. Page 17, Section 5.2, Volume B - Reserve Act Approval Planning Report.
3(1)(g)(i)	A description of the potential effects (positive and negative) of the proposed activity	Volume B - Reserve Approval Planning	Yes, addressed.

		Report, Section 5.4, page 18-19	Page 18-19, Section 5.4, Volume B - Reserve Act Approval Planning Report.
3(1)(g)(ii)	A description of any actions that the applicant proposes to take to avoid remedy, mitigate, offset or compensate for any adverse effects of the proposed activity	Volume B - Reserve Approval Planning Report, Section 5.4, page 18-19	Yes, addressed. Page 18-19, Section 5.4, Volume B - Reserve Act Approval Planning Report
3(1)(g)(iii)	A description of details of the type of concession for which the applicant is applying	Volume B - Reserve Approval Planning Report, Section 4.2, page 15	Yes, addressed. Page 15, Section 4.2, Volume B - Reserve Act Approval Planning Report.
3(1)(h)	A statement of the proposed duration of the concession and the reasons for the proposed duration	Volume B - Reserve Approval Planning Report, Section 4.3, page 16	Yes, addressed. Page 16, Section 4.3, Volume B - Reserve Act Approval Planning Report.

3(1)(i)	Relevant information relating to the applicant, including any information relevant to their ability to carry out the proposed activity (including whether the applicant or any company director, trustee, partner, or anyone else involved with the application has been convicted of any offence or has any current criminal charges pending before a court)	Volume B - Reserve Approval Planning Report, Section 4.4, page 16	Yes, addressed. Page 16, Section 4.4, Volume B – Reserves Act Planning Report. <i>VSP confirms that the Applicant, and any company director, trustee, partner or other person involved with the application, has not been convicted of any offence and does not have any current criminal charges pending before a court.</i>
3(1)(j)	If applying for a lease, a licence granting an interest in land, or an easement, (ii) reasons for the request; and (ii) sufficient information to satisfy the panel that, in terms of clause 7 (criteria for assessment of application for concession), it is appropriate under section 81(decisions on approvals sought in substantive application) to grant the lease, licence, or easement (as the case may be)	Volume B - Reserve Approval Planning Report, Section 5.3, page 18	Yes, addressed. Page 18, Section 5.3, Volume B – Reserves Act Planning Report.
3(1)(k)	Full details of any consultation undertaken with relevant iwi and with reserve owners and managers	Appendix 20 - Consultation Report (Attachment 3 and Attachment 4)	Yes, addressed. Appendix 20 - Consultation Report.

3(1)(l)	Information about financial and legal liabilities and obligations associated with the land	Volume B - Reserve Approval Planning Report, Section 3.4, page 11	Yes, addressed. <i>HDC owns and administers the Reserve land. In accordance with Clause 3(1)(l), the Applicant is not aware of any existing financial or legal interests, liabilities and obligations that would be incompatible with the proposed request (Page 11, Section 3.4, Volume B Reserve Approval Planning Report).</i>
3(1)(m)	In the case of an application for a lease, licence, permit, or easement in respect of a reserve other than a Crown-administered reserve, 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	Volume B - Reserve Approval Planning Report, Section 6.1, page 21	Yes, addressed. Page 21-22, Section 6.1, Volume B Reserve Approval Planning Report.
3(1)(n)	Confirmation that the applicant has written agreement from the holder of a right of first refusal or right of offer or return to waive that right for the purposes of any lease proposed in the application if—	n/a	N/A

	(ii) the proposed lease would be for a term (including any renewals) that will or is likely to be more than 50 years; and (ii) the granting of the lease would trigger the right of first refusal or right of offer or return.		
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CHECKLIST E – Wildlife approval

Appendix 2: Consultation Summary

The following agencies were consulted with to inform the assessment of the application for completeness. Each agency was requested to confirm whether the application documentation provided by the EPA regarding the proposal as provided by the applicant meets the requirements of sections 42 and 43 of the Act and is provided in sufficient detail to satisfy the purpose of the Act in accordance with section 44 of the Act.

1. **Consultation with Hastings District Council** as the relevant consent authority for the following approvals under the Resource Management Act 1991:
 - Resource consent (section 42(4)(a) of the Act)
 - Concession (section 42 (4) (e) of the Act)

Response from Hastings District Council

Re: Feedback on Brookvale Green Project – Fast-Track Approvals Act 2024 (File Ref: FTAA-2607-1266)

Thank you for your letter dated 4th August 2026 requesting feedback from Hastings District Council on whether the above application meets the completeness requirements under Sections 42, 43, and 44 of the Fast-Track Approvals Act 2024 (FTAA).

Following our review of the application and supporting documents, we are satisfied that, in the opinion of the District Council, the application meets the requirements of Sections 42 and 43 of the FTAA. We also consider that the level of detail provided is sufficient to satisfy Section 44. We therefore confirm that the application is considered complete for the purposes of the FTAA.

The applicant has lodged a separate application with the Regional Council for the allocation and transfer of groundwater take. This application has not been submitted under the Fast-track Approvals Act. While its outcome does not preclude lodgement of the substantive application, a refusal may necessitate a reassessment of feasible alternatives. Hastings District Council notes the existing constraints on water allocation across the District and the implications these may have for the proposal.

We can also confirm that the letter previously issued to the Applicant under Section 30 of the FTAA by the Hawkes Bay Regional Council appears to remain accurate.

Additional Comments

We have included, for consideration by the panel, further comments (appendix 1 attached) covering areas of concern held by the Hastings District Council. While the matter does not

change our overall view that the application is complete, we consider it important to bring this matter to your attention so as to be clear from the outset.

- Geotechnical Report – Council has concerns regarding slope stability given the extent of the proposed earthworks, cut heights, retaining and the implications for assets proposed to be vested in Council. We will be seeking an independent peer review of the geotechnical assessment to confirm that these effects have been adequately considered.
- Secondary access – Council notes that, during pre-application discussions, engagement with landowners to the west of the site was identified as important to explore opportunities for a secondary access connection to improve the resilience of the subdivision. While the applicant has undertaken consultation, the information provided suggests engagement has been relatively recent, and it remains unclear whether the proposed secondary access arrangement will provide a resilient long-term outcome.
- Stormwater solutions – Council does not support the use of swales within private property vegetation buffer areas to convey overland flow paths, as this may create a flood risk and presents uncertainty regarding long-term maintenance and protection.

2. **Consultation with Hawkes Bay Regional Council** as the relevant consent authority for the following approvals under the Resource Management Act 1991:

- Resource consent (section 42(4)(a) of the Act)

Response from Hawkes Bay Regional Council

Thank you for your letter dated 4 August 2026, titled Consultation regarding a substantive application under the Fast-track Approvals Act 2024 regarding the Brookvale Green substantive application lodged by Vermont Street Partners No. 4 Limited.

Status: The applicant is lodging a substantive application under the Fast-track Approvals Act 2024 ('FTAA' or 'the Act'). The EPA is currently deciding whether the substantive application is complete and within scope under section 46 of the Act.

Project Description: ...to subdivide and develop land to establish a residential community on approximately 24 hectares of land off Brookvale Road, located on the eastern edge of Havelock North's urban residential boundary. The project will include works within the Brookvale Road reserve. The project will include:

- a) Subdivision to create approximately 189-215 allotments and construction of approximately 189 215 residential units
- b) Landscaping and ecological enhancement, including approximately 4.3 hectares of native planting and pest control, and integration with existing and proposed walking and cycling trails
- c) Associated infrastructure, including for three waters services and transport (including external site works).

Date input Sought from EPA: 4 August 2026

Due date: 11 August 2026

Please find below the response from Hawke's Bay Regional Council (HBRC) to the specific questions raised in your letter.

Specific questions from the EPA relating to this application in accordance with sections 30 and 46 of the Act:

Section 30:

Confirm the following information in accordance with section 30 of the Act:

- the written notice under section 30(3)(b)/30(5), dated 7 July 2026, prepared by Hawkes Bay Regional Council remains accurate and final at the time of receiving this letter.

Response to s30: I can confirm that the information contained in the written notice pursuant to s30(3)(b) of the Act (dated 7 July 2026) remains accurate and final at the time of receiving your letter (4 August 2026).

Section 46:

To inform the EPA's completeness assessment of the application, could you please let us know, in your view, whether the attached documentation regarding the RMA approval, as provided by the applicant, meets the requirements of sections 42 and 43 of the Act and has been provided in sufficient detail to satisfy the purpose for which it is required, in accordance with section 44 of the Act.

In your response, please include:

- whether any relevant matters listed in clauses 5 to 9 of Schedule 5 (information required in resource consent application) have not been addressed or have not been provided in sufficient detail.

Response to s46:

Section 43(1)(b)(ii) of the Act sets out requirements for applications referred under s21(1)(a) (being staged projects). Section 3.1 of Volume A Application Report states the Minister's decision on the Brookvale Green Referral application was made under s21(1)(a). However, the referral decision (Appendix 22 to this substantive application) states the Minister was satisfied the project meets the FTAA criteria in s22 (s21(1)(c)). It is therefore assumed the applicant has made an error and that s43(1)(b)(ii) is not applicable in this instance as the application does not appear to be progressing in staged substantive applications (instead, the development would occur in separate construction phases which is not subject to s43(1)(b)(ii), if approved).

Section 43(1)(e)(i) of the Act requires substantive applications to comply with any information requirements specified by the Minister under section 27(3)(b)(ii), in this instance the Minister required the applicant to provide an assessment of the potential impacts to source water as part of the substantive application. The application identifies source water protection as a key issue and acknowledges the potential for adverse effects on the municipal drinking water supply and other groundwater users (i.e. possible contamination) arising from associated activities. It recognises the potential hydraulic connectivity between surface water/activities and the underlying aquifer and proposes a suite of conditions to manage this risk.

While the information provided is of sufficient detail to be considered complete for s43 and s44 purposes, this will continue to be a key matter requiring consideration through the process. The applicant has sought HBRC's groundwater expert review of the application and we anticipate discussions will continue at the end of the month once the review is complete.

Section 43(1)(e)(ii) and 43(3) of the Act requires applications information set out in clauses 5 – 9 of Schedule 5. Your letter also requested that we identify whether any relevant matters listed clauses 5 – 9 of Schedule 5 have not been provided or have not been provided in sufficient detail. We comment as follows:

- In relation to clause 5(3) (relating to relevant rules) and clause 8(2) (relating to reclamations) of Schedule 5, the application states a reclamation of wetlands [earthworks/drainage] is necessary and states that reclamation of a stream bed is also required. The application does not appear to apply for resource consent pursuant to National Environmental Standards for Freshwater (NES-F) 2020 Regulation 57, but a

resource consent for reclamation under Hawke's Bay Regional Council's Regional Resource Management Plan (RRMP) is stated as being required. It is understood that resource consent pursuant to Regulation 57 of the NES-F is also required. With regard to Schedule 5 clause 8(2), it is considered that the portion of stream bed that is to be removed from the existing alignment and then filled (the 'impacted reach' as shown in Figure 13 of Volume A Application Report) is the area subject to reclamation. These matters should be clarified by the applicant including an updated assessment against the relevant National Environmental Standards for Freshwater and National Policy Statement for Freshwater Management relating to the stream reclamation.

- In relation to clause 9 (relating to standard freshwater fisheries activity) of Schedule 5, the application contains stream diversions, culvert upgrades, fish passage provisions and native freshwater fish management measures. These works may constitute a standard freshwater fisheries activity and the associated freshwater fisheries provisions given their broad nature may be engaged. The applicant has not clearly sought a standard freshwater fisheries activity approval as they have not completed Checklist A2. Whether the proposal includes a standard freshwater fisheries activity (and whether the information required by clause 9 of Schedule 5 is provided) should also be clarified by the applicant.

The applicant has been constructive and forthcoming while undertaking their pre-application engagement with HBRC for their substantive application, the continued efforts in this engagement to address key issues is appreciated.

We trust that this information assists you in determining the completeness of the application regarding the Brookvale Green application, from Vermont Street Partners No. 4 Limited, under section 46(1) of the Act.

Please advise if you need any further clarification on any matters raised in this letter.

3. Consultation with the Department of Conservation as the administering agency for the following Acts:

- A wildlife approval as defined in clause 1 of schedule 7 of the Act (section 42(4)(h) of the Act)

Response from the Department of Conservation

Department of Conservation advice for EPA compliance assessment

Overview

Project name	Brookvale Green
Project applicant	Vermont Street Partners NO.4 Limited
EPA unique ref. no	FTAA-2607-1266
EPA Request Number	CRM:0139018940
Conservation approvals sought	Concession Wildlife Approval
EPA request summary	To inform the EPA's completeness assessment of the application, please provide the Department of Conservation's (DOC) views on whether the documentation provided by the EPA regarding the above approval/s, as provided by the applicant, meet the requirements of sections 42 and 43 of the Fast-track Approvals Act 2024 (the Act) and has been provided in sufficient detail to satisfy the purpose for which it is required, in accordance with section 44 of the Act.
Date due to EPA	11 August 2026

On the 4/08/2026 the Department of Conservation (DOC) received a request from the EPA seeking its views whether the application meets the requirements of sections 42 and 43 of the Fast-track Approvals Act 2024 (the Act) and whether the information is in sufficient detail to satisfy section 44 of the Act.

The purpose of this document is to provide advice to assist the EPA in making its decision whether the application lodged by Vermont Street Partners NO. 4 Limited on 4 August 2026 complies with the requirements of section 46(2) of the Act.

The advice covers compliance with the following:

- Information requirements for relevant approvals
- Consultation/notification requirements

The advice also includes further initial observations of relevance to further processing of the application.

DOC understands that this document will be passed on to the applicant, the Panel Convener and the Panel.

Compliance with information requirements

Approvals are sought:

- To authorise the salvage, handling, relocation and incidental killing of indigenous lizards if required during vegetation clearance, earthworks and associated construction activities (a Wildlife Act approval under Section 42(4)(h) of the Act). The approval is sought on a precautionary basis.
- For works within the Arataki Reserve land for development integration and the construction of part of a public road and ongoing use through an easement to allow the works (a Reserves Act approval under section 42(4)(h) of the Act).

Our detailed assessment of the information requirements for the relevant approvals is provided in the attached tables. **In summary, DOC's advice is that the application meets the requirements of sections 42, 43, and 44 of the Act.**

Consultation

The applicant undertook consultation with DOC prior to lodging their substantive application. A summary of this consultation is provided below:

- The applicant first contacted DOC regarding its substantive application on the 8th of May 2026 and provided a draft Ecological Assessment, draft Fauna Management Plan (FMP) and draft Project Masterplan excerpt (2.4 – 'Brookvale Green Lot layout and Density' was provided);
- A meeting occurred with DOC on the 19th of May 2026, and the applicant subsequently provided draft conditions relating to the FMP on the 21st of May 2026.
- DOC provided a formal pre-lodgement consultation summary on the 8th of June 2026. The applicant included this summary within its application documents in Appendix 20, Attachment 5, as such we do not detail the contents of this summary further here.

Further observations

In addition to the compliance requirements, DOC makes the following observations:

Clarification

- Table 5.1 in Section 5.3 of Appendix 29 – Fauna Management Plan (FMP) (and also Table 2 within Volume C) identifies the protected species potentially present and likelihood of occurrence; however, it only partially addresses the requirement to outline impacts on threatened, data deficient, and at-risk wildlife species. Effects on protected wildlife are, however, addressed in Volume C – Wildlife Approval Planning Report (Volume C), Section 5.2. DOC recommends the inclusion of a column summarising potential impacts

within Table 5.1, Section 5.3 of the FMP (and Table 2 within Volume C) to improve clarity.

- In addressing adverse effects and those measures that will be used to avoid and minimise adverse effects, Volume C, Section 5.3 addresses avoidance and mitigation of effects together. DOC recommends that avoidance and mitigation measures should be addressed separately. The application should clearly set out how adverse effects will be avoided in the first instance and, where they cannot be avoided, what mitigation measures are proposed.

Complex Freshwater Fisheries Activity Approval

- The applicant has indicated that a Complex Freshwater Fisheries Activity approval is not required as the proposed works do not trigger this approval (Appendix 20 – Consultation Report, page 28), as such, the applicant has not applied for this approval within its application. It is noted that an applicant may choose to apply for as many or few eligible approvals through the Fast-track process as deemed appropriate. It is understood that the applicant is proposing to reclaim the channel of Waterway 1 and divert it into a new realignment channel at two locations. DOC notes that this may fall under the definition of a ‘complex fisheries activity’ through (b) ‘a permanent dam or diversion structure’, as the new channel is essentially diverting the water from its original course. Should it be determined that this approval is required, the applicant may apply for this approval through the business-as-usual pathway under the Freshwater Fisheries Regulations 1983.

Corrections

- Within the Checklist attached in Appendix 2 – Checklist E – Wildlife Approval, the applicant records that the application reference to address Schedule 7, clause 2(1)(i) is Volume C, Section 4.3. This is incorrect, the correct reference should be Volume C, Section 4.1.
- Within the Checklist attached in Appendix 2 – Checklist E – Wildlife Approval, the applicant records that the application reference to address Schedule 7, clause 2(1)(j) is Volume C, Section 5.2. While this section provides some of the information, Appendix 8 – Ecological Assessment, Section 5.1.6 addresses potential fauna effects.
- The application references provided in the Checklist attached in Appendix 2 – Checklist E – Wildlife Approval and Table 1: FTAA Schedule 7 Wildlife Approval Information Requirements included within Volume C, section 2.2 do not align in all instances and should be corrected. For example, while the Checklist states that Schedule 7, Clause 2(1)(b) is addressed at Volume C, Section 4.1, Table 1 in Volume C states that it is addressed at Volume C, Section 4.3. There are other inconsistencies between the

Checklist and Table 1 references, including the application references for Volume C that they provide in relation to Schedule 7, Clauses 2(1)(i), 2(1)(j) and 2(1)(k).

- Within Volume C, Section 6.1 Table 3 and also within the Consultation Summary provided in Appendix 20 with regard to DOC feedback, it is recorded that: "DOC advised that the FMP required by the Wildlife Act conditions, and any updates to that plan, should be certified by the Council, as DOC will administer the Wildlife Act approval Conditions." This is incorrect. In the Pre-lodgement consultation summary document provided to the applicant on the 8th of June 2026 and included within Appendix 20, Attachment 5 (at page 23), DOC's view is recorded as follows: *"In DOC's view, the Fauna Management Plan required by the WA conditions together with any updates to the same should be certified by DOC, as DOC will be responsible for the administration of the conditions of this Plan."*

Applications for concessions

Section 43(1)(e)(ii) requires that a substantive application must comply with the applicable requirements listed in subsection (3). The applicable requirements for a concession are identified in s 43(3)(e), being clause 3 of Schedule 6. This analysis is included below.

DOC is responsible for administration of the Reserves Act 1977, and as such is the administering agency for Reserves Act matters under the Fast-track Approvals Act. In relation to this application, the land in question is vested in and administered by the Hastings District Council (HDC). Accordingly, DOC has not assessed the application against the requirements of section 44 as HDC is best placed to provide this advice (i.e. whether or not the information has been specified in sufficient detail to satisfy the purpose for which it is required).

Relevant section	Is the information present? Y/N	Application document reference (include section/page reference)	Is the information provided in sufficient detail? Y/N	Comments [If the information is not considered sufficient add a short statement why] Delete the guidance in this column and if appropriate add comment
Clause 3(1) Schedule 6 - For the purposes of section 43(3)(e), an application for a concession must include the following information:				
(a) a description of the proposed activity:	Y	Volume B: Reserves Act Approval (Volume B), Section 4	Not assessed – see above.	
(b) a description, maps, and GPS co-ordinates identifying the places where the proposed activity will be carried out (including the classification of those places, the ownership and management arrangements, and, if applicable, the name, of the places):	Y	Volume B, Section 3	Not assessed – see above.	

Relevant section	Is the information present? Y/N	Application document reference (include section/page reference)	Is the information provided in sufficient detail? Y/N	Comments <i>[If the information is not considered sufficient add a short statement why] Delete the guidance in this column and if appropriate add comment</i>
(c) information about whether the project could reasonably be undertaken in another location, or in another conservation area or another part of the conservation area, where the potential adverse effects would be significantly less:	Y	Volume B, Section 4.1.3.	Not assessed – see above.	
(d) in the case of an application for an approval within paragraph (a) of the definition of concession or paragraph (a) of the definition of Reserves Act approval, information about the extent to which the project is consistent with—				
(i) the relevant conservation management strategy and conservation management plan:	Y	Volume B, Section 5.1.	Not assessed – see above.	
(ii) any conservation management strategies or conservation management plans that have been co-authored, authored, or approved by a Treaty settlement entity:	N/A	N/A	N/A	N/A
(e) in the case of an application for an approval within paragraph (b) of the definition of Reserves Act approval, information about the extent to which the project is consistent with any management plan approved under section 41 of the Reserves Act 1977:	Y	Volume B, Section 5.1	Not assessed – see above.	
(f) information about the extent to which the project is in keeping with the purposes for which the land is held, status, ownership and administration:	Y	Volume B, Section 5.2	Not assessed – see above.	

Relevant section	Is the information present? Y/N	Application document reference (include section/page reference)	Is the information provided in sufficient detail? Y/N	Comments <i>[If the information is not considered sufficient add a short statement why] Delete the guidance in this column and if appropriate add comment</i>
(g) a description of—				
(i) the potential effects (positive and negative) of the proposed activity:	Y	Volume B, Section 5.4	Not assessed – see above.	
(ii) any actions that the applicant proposes to take to avoid, remedy, mitigate, offset, or compensate for any adverse effects of the proposed activity:	Y	Volume B, Section 5.4	Not assessed – see above.	
(iii) details of the type of concession for which the applicant is applying:	Y	Volume B, Section 4.2	Not assessed – see above.	Section 4.2 of Volume B describes the purpose of the concession, but does not identify the part of the Reserves Act that requires the concession.
(h) a statement of—				
(i) the proposed duration of the concession; and	Y	Volume B, Section 4.3	Not assessed – see above.	
(ii) the reasons for the proposed duration:	Y	Volume B, Section 4.3	Not assessed – see above.	
(i) relevant information relating to the applicant, including any information relevant to their ability to carry out the proposed activity (including whether the applicant or any company director, trustee, partner, or anyone else involved with the application has been	Y	Volume B, Section 4.4	Not assessed – see above.	

Relevant section	Is the information present? Y/N	Application document reference (include section/page reference)	Is the information provided in sufficient detail? Y/N	Comments <i>[If the information is not considered sufficient add a short statement why] Delete the guidance in this column and if appropriate add comment</i>
convicted of any offence or has any current criminal charges pending before a court):				
(j) if the applicant applies for a lease, a licence granting an interest in land, or an easement,—				
(i) reasons for the request; and	Y	Volume B, Section 5.3	Not assessed – see above.	
(ii) sufficient information to satisfy the panel that, in terms of clause 7, it is appropriate under section 81 to grant the lease, licence, or easement (as the case may be):	Y	Volume B, Section 5.3	Not assessed – see above.	
(k) full details of any consultation undertaken with relevant iwi and with reserve owners and managers:	Y	Appendix 20, Attachments 3 and 4	Not assessed – see above.	
(l) information about financial and legal liabilities and obligations associated with the land:	Y	Volume B, Section 3.4	Not assessed – see above.	
(m) 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:	Y	Volume B, Section 6.1	Not assessed – see above.	
Relevant section	Is the information present? Y/N	Application document reference (include section/page reference)	Is the information provided in sufficient detail? Y/N	Comments <i>[If the information is not considered sufficient add a short statement why] Delete the guidance in this column and if appropriate add comment</i>
(n) confirmation that the applicant has written agreement from the holder of a right of first refusal or right of offer or return to waive that right for the purposes of any lease proposed in the application if—	N/A	N/A		
(i) the proposed lease would be for a term (including any renewals) that will, or is likely to, be more than 50 years; and			Not assessed – see above.	
(ii) the granting of the lease would trigger the right of first refusal or right of offer or return.				

Applications for wildlife approvals

Clause 2 of Schedule 7 outlines the information required in an application for a wildlife approval.

Relevant section	Is the information present? Y/N	Application document reference (include section/page reference)	Is the information provided in sufficient detail? Y/N	Comments (If the information is not considered sufficient add a short statement why) Delete this guidance and if appropriate add comment
Schedule 7 clause 2(1) - For the purposes of section 43(3)(h), an application for a wildlife approval must include the following information:				
(a) specify the purpose of the proposed activity:	Y	Volume C: Wildlife Approval (Volume C), Section 4.0	Y	
(b) identify the actions the applicant wishes to carry out involving protected wildlife and where they will be carried out (whether on or off public conservation land):	Y	Volume C, Section 4.1	Y	
(c) include an assessment of the activity and its impacts against the purpose of the Wildlife Act 1953:	Y	Volume C, Section 5.1	Y	
(d) list protected wildlife species known or predicted to be in the area and, where possible, the numbers of wildlife present and numbers likely to be impacted:	Y	Volume C, Section 3.4	Y	
(e) outline impacts on threatened, data deficient, and at-risk wildlife species (as defined in the New Zealand Threat Classification System):	Y	Appendix 29, Fauna Management Plan (FMP),	Y	

Relevant section	Is the information present? Y/N	Application document reference (include section/page reference)	Is the information provided in sufficient detail? Y/N	Comments (If the information is not considered sufficient add a short statement why) Delete this guidance and if appropriate add comment
		Table 5.1 in Section 5.3, and Volume C, Section 5.2		
(f) state how the methods proposed to be used to conduct the actions specified under paragraph (b) will ensure that best practice standards are met:	Y	Appendix 29, FMP, Section 5.6	Y	
(g) describe the methods to be used to safely, efficiently, and humanely catch, hold, or kill the animals and identify relevant animal ethics processes:	Y	Appendix 29, FMP, Section 5.6	Y	
(h) state the location or locations in which the activity will be carried out, including a map (and GPS co-ordinates if available):	Y	Volume C, Section 3.1	Y	
(i) state whether authorisation is sought to temporarily hold or relocate wildlife:	Y	Volume C, Section 4.1	Y	
(j) list all actual and potential wildlife effects (adverse or positive) of the proposed activity, including effects on the target species, other indigenous species, and the ecosystems at the site:	Y	Volume C Section 5.2 and Appendix 8 – Ecological Assessment, Section 5.1.6	Y	

Relevant section	Is the information present? Y/N	Application document reference (include section/page reference)	Is the information provided in sufficient detail? Y/N	Comments (If the information is not considered sufficient add a short statement why) Delete this guidance and if appropriate add comment
(k) where adverse effects are identified, state what methods will be used to avoid and minimise those effects, and any offsetting or compensation proposed to address unmitigated adverse effects (including steps taken before the project begins, such as surveying, salvaging, and relocating protected wildlife):	Y	Volume C, Section 5.0, (specifically 5.3)	Y	
(l) state whether the applicant or any company director, trustee, partner, or anyone else involved with the application has been convicted of any offence under the Wildlife Act 1953:	Y	Volume C, Section 4.4	Y	
(m) state whether the applicant or any company director, trustee, partner, or anyone else involved with the application has any current criminal charges under the Wildlife Act 1953 pending before a court:	Y	Volume C, Section 4.4	Y	
(n) provide proof and details of all consultation, including with hapū or iwi, on the application specific to wildlife impacts:	Y	Appendix 20 (Consultation Report – Attachment 5 addresses consultation with DOC).	Y	

Relevant section	Is the information present? Y/N	Application document reference (include section/page reference)	Is the information provided in sufficient detail? Y/N	Comments (If the information is not considered sufficient add a short statement why) Delete this guidance and if appropriate add comment
(o) provide any additional written expert views, advice, or opinions the applicant has obtained concerning their proposal.	Y	Appendix 20, Consultation Report, Appendix 8 – Ecological Assessment.	Y	

Appendix 3: Further information requests and responses

I sent one further information request to the applicant during under section 46(2B) of the Act. The request and response are set out below.

Request for Further Information 1:

- Date sent: 18 August 2026
- Topic: Referral Basis, Wetland Reclamation, and Local Authority/DOC Technical Comments.
- Date of response: 19 August 2026

Response from Applicant

Re: Brookvale Green — Response to request for further information under section 46(2A) of the Fast-track Approvals Act 2024

Thank you for your letter of 18 August 2026 requesting further information in relation to the Brookvale Green substantive application. This letter responds to each of the six matters raised, on behalf of the applicant, Vermont Street Partners No.4 Limited.

We note at the outset that the request is made to inform the Environmental Protection Authority's ('EPA') assessment of completeness and scope under section 46(2). As set out in your letter, Hastings District Council ('HDC') has confirmed that it is satisfied the application meets the requirements of sections 42, 43 and 44 and considers the application complete, and the EPA's letter records Hawkes Bay Regional Council's ('HBRC') view that the source water information provided is of sufficient detail to be considered complete for sections 43 and 44 purposes. Against that background, several of the matters raised are clerical corrections, or comments the EPA has invited under section 46(1), rather than deficiencies in the information required for a complete application. We have nonetheless addressed each matter substantively below so the EPA has what it needs to conclude its assessment.

Ref.	EPA Comment	Response
1. Referral Basis and Staging		
1a	<i>Section 43(1)(b)(ii) of the Act sets out requirements for applications referred under s21(1)(a) (being staged projects). Section 3.1 of Volume A Application Report states the Minister's decision on the Brookvale Green Referral application was made under s21(1)(a). However, the referral decision (Appendix 22 to this substantive application) states the Minister was satisfied the project meets the FTAA criteria in s22 (s21(1)(c)). It is therefore assumed the applicant has made an error and that s43(1)(b)(ii) is not applicable in this instance as the application does not appear to be progressing in staged substantive applications (instead, the development would occur in separate construction phases which is not subject to s43(1)(b)(ii), if approved).</i>	We confirm that the reference in Volume A to the Project having been "accepted under section 21(1)(a)" of the FTAA is a typographical error. The Project was referred under section 21(1)(c), on the basis that it met the criteria in section 22, consistent with the referral decision at Appendix 22. The Project is not a staged project for the purposes of section 43(1)(b)(ii). Delivery is proposed in separate construction phases and does not involve staged substantive applications. The requirements of section 43(1)(b)(ii) therefore do not apply. The reference has been corrected to section 21(1)(c) of the FTAA. Refer to section 3.1 in the attached updated Volume A Planning Report.

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	<i>As Hawkes Bay Regional Council has noted, the referral decision appears to have been made under s 21(1)(c). Please confirm whether the reference to s 21(1)(a) is in error.</i>	
2. Reclamation of Wetlands and Stream Bed		
2a	<i>Hawkes Bay Regional Council has identified that proposed works, including stream diversions, culvert upgrades, and fish passage provisions, may constitute a standard freshwater fisheries activity. Please clarify whether this approval is sought, and if so, please provide the information required by Clause 9 of Schedule 5.</i>	No standard freshwater fisheries approval is required as part of the substantive application as the works do not trigger the standard freshwater fisheries activities definition of the FTAA. The proposed works involve the formation of a replacement realigned channel and associated culvert works. Fish passage will be maintained through the realigned channel and proposed culverts, and potential effects on freshwater fauna are addressed through the regional resource consents (Volume A Planning Report), Ecological Assessment Report (Appendix 8), Fauna Management Plan (Appendix 29) and proposed conditions (Appendix 28). On that basis, the works do not trigger a separate standard freshwater fisheries approval and the information requirements in clause 9 of Schedule 5 do not apply.
3. Assessment against NPS-FM and NES-F		
3a	<i>Hawkes Bay Regional Council notes that while stream bed reclamation is identified as necessary, the application does not appear to apply for resource consent under Regulation 57 of the NES-F. Please provide an updated assessment against the NES-F and NPS-FM regarding this reclamation.</i>	The Applicant accepts this point. The attached Volume A Planning Report has been updated to provide the required assessment in accordance with NES-F Regulation 57. Consent has now been sought for stream bed reclamation in the Planning Report. It is noted that no changes are required to the Ecological Assessment Report (Appendix 8) as this expert assessment has already provided an NES-F Regulation 57 assessment. Please also see attached updated Application Form which addresses the reclamation requirements of NES-F Reg 57.
4. Source Water Protection		
4	<i>Section 43(1)(e)(i) of the Act requires substantive applications to comply with any information requirements specified by the Minister under section 27(3)(b)(ii), in this instance the Minister required the applicant to provide an assessment of the potential impacts to source water as part of the substantive application. The application</i>	<i>The Applicant considers that sufficient information has been provided to address source water protection for the purposes of the EPA's completeness assessment. We note that the EPA's letter records HBRC's view that the information provided is sufficient for sections 43 and 44 purposes, while identifying source</i>

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	<i>identifies source water protection as a key issue and acknowledges the potential for adverse effects on the municipal drinking water supply and other groundwater users (i.e. possible contamination) arising from associated activities. It recognises the potential hydraulic connectivity between surface water/activities and the underlying aquifer and proposes a suite of conditions to manage this risk.</i> <i>While the information provided is of sufficient detail to be considered complete for s43 and s44 purposes, this will continue to be a key matter requiring consideration through the process. The applicant has sought HBRC's groundwater expert review of the application, and we anticipate discussions will continue at the end of the month once the review is complete.</i> <i>Please provide any further information you wish to have considered for the purposes of the EPA's assessment under s 46(1) in response to this comment from HBRC.</i>	water protection as a matter for ongoing consideration through the substantive process. The substantive application includes expert reporting (Hydrogeological Assessment, Appendix 19 and Source Water Protection Plan, Appendix 31) assessing potential effects on source water and proposes conditions (Appendix 28) to manage identified risks. These conditions have been reviewed by HBRC and changes have been adopted by the Applicant in the conditions set provided as part of the application for consideration by the Panel. The Applicant has undertaken substantial engagement with both HBRC and HDC on this matter, including joint meetings to discuss the technical assessment and proposed management measures, and has provided HBRC and HDC with the opportunity to undertake further expert review and provide additional feedback. These feedback points have been accepted and the expert reporting has been updated to reflect the feedback provided. Accordingly, no further information is considered necessary for the purposes of the EPA's completeness assessment under s 46(1). The Applicant is happy to have further discussions with both Councils on source water protection through the substantive assessment process, including through any further expert review of the final reporting.
5. Hastings District Council		
5a	<i>Geotechnical Assessment: "Council has concerns regarding slope stability given the extent of the proposed earthworks, cut heights, retaining and the implications for assets proposed to be vested in Council. We will be seeking an independent peer review of the geotechnical assessment..."</i>	Noted. The Applicant is satisfied that the Geotechnical Assessment Report submitted with the application has been prepared by suitably qualified geotechnical professionals (Hawkes Bay Geotech Ltd) and that the findings are reliable. The Hastings District Council is welcome to conduct a peer review of the report to satisfy any concerns. This should not preclude the substantive application from being accepted into the substantive process.
5b	<i>Secondary Access: "Council notes that... it remains unclear whether the proposed secondary access arrangement will provide a resilient long-term outcome," particularly noting</i>	Noted. The secondary access arrangement was developed through extensive pre-application engagement with HDC and was refined in

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	<i>that landowner engagement appears to have been relatively recent.</i>	response to HDC feedback to provide an appropriate and resilient access outcome. The arrangement has been designed to meet HDC Engineering Code of Practice requirements and is supported by the necessary Council landowner approval for use of the adjoining reserve land. HDC also obtained its own legal advice in relation to the reserve access, and the Chief Executive, Nigel Bickle, subsequently provided HDC's written agreement in principle to works in the Reserve (including the road access), included in Appendix 20. The access arrangement is addressed in the Substantive Transport Assessment (Appendix 14) and the associated Reserves Act approval is assessed in Volume B. The Applicant is therefore satisfied that sufficient information has been provided for the Panel and HDC to assess this matter.
5c	<i>Stormwater Solutions: "Council does not support the use of swales within private property vegetation buffer areas to convey overland flow paths, as this may create a flood risk and presents uncertainty regarding long-term maintenance and protection".</i>	Noted. The Applicant considers that sufficient information has been provided within the substantive application to address the proposed stormwater management approach. The feature within the private lots is an overland flow path (conveying stormwater runoff across the surface during rainfall events), not a permanently flowing watercourse within private lots requiring active channel management. Its location on private land is standard subdivision practice and is consented routinely. This matter can be considered further through the invitation for comment process.
5d	<i>Project Viability (Water Take): HDC identifies that the project relies on a separate groundwater transfer application being processed outside the Fast-track Act. They note that "a refusal may necessitate a reassessment of feasible alternatives" given existing constraints on water allocation across the district.</i>	Noted. The Applicant considers that sufficient information has been provided with the substantive application for the Panel to assess the proposal. The application identifies a viable pathway for securing water supply through the transfer of an existing water permit to HDC's public reticulation, with the transfer being progressed separately with HBRC. HDC's Three Waters team confirmed by letter dated 2 July 2026 (Appendix 20) that this is an acceptable potable water servicing approach, subject to the necessary HBRC approvals and water-efficient design. The Applicant therefore

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		does not consider water supply to be a constraint on project viability. Appropriate consenting and conditioning mechanisms are also available to ensure that an acceptable servicing solution is in place. Accordingly, no further information is considered necessary for completeness purposes.
5e	<i>Please provide any further information you wish to have considered for the purposes of the EPA's assessment under s 46(1) in response to these comments from HDC.</i>	See above.
6. Department of Conservation		
6a	<i>Impacts on threatened, data deficient, and at-risk wildlife species: "Table 5.1 in Section 5.3 of Appendix 29 – Fauna Management Plan (FMP) (and also Table 2 within Volume C) identifies the protected species potentially present and likelihood of occurrence; however, it only partially addresses the requirement to outline impacts on threatened, data deficient, and at-risk wildlife species. Effects on protected wildlife are, however, addressed in Volume C – Wildlife Approval Planning Report (Volume C), Section 5.2. DOC recommends the inclusion of a column summarising potential impacts within Table 5.1, Section 5.3 of the FMP (and Table 2 within Volume C) to improve clarity.</i>	Noted. The potential impacts are already assessed in the application. The Ecological Assessment (Appendix 8) prepared by Wild Ecology, the Fauna Management Plan (Appendix 29) prepared by Stantec, and the Planning Report (Volume C) each traverse the potential impacts of the works. DOC's recommendation is therefore a presentational one rather than a gap in the assessment. Accordingly, no further information is considered necessary for completeness purposes.
6b	<i>Avoidance and mitigation measures: In addressing adverse effects and those measures that will be used to avoid and minimise adverse effects, Volume C, Section 5.3 addresses avoidance and mitigation of effects together. DOC recommends that avoidance and mitigation measures should be addressed separately. The application should clearly set out how adverse effects will be avoided in the first instance and, where they cannot be avoided, what mitigation measures are proposed.</i>	Noted. The Applicant considers that Ecological Assessment (Appendix 8) prepared by Wild Ecology, the Fauna Management Plan (Appendix 29) prepared by Stantec, and the Planning Report (Volume C) adequately identifies and assesses the measures proposed to avoid and mitigate effects on protected wildlife, and that sufficient information is provided for the Panel to understand and assess those measures. The Applicant does not consider that separating the assessment into discrete avoidance and mitigation sections is necessary for completeness purposes. DOC's comment relates to the presentation of that assessment rather than an absence of information.
6c	<i>Complex Freshwater Fisheries Approval: The applicant has indicated that a Complex Freshwater Fisheries Activity approval is not</i>	Noted. The Applicant does not consider that the watercourse works constitute a complex freshwater fisheries activity. The works do not

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	<i>required as the proposed works do not trigger this approval (Appendix 20 – Consultation Report, page 28), as such, the applicant has not applied for this approval within its application. It is noted that an applicant may choose to apply for as many or few eligible approvals through the Fast-track process as deemed appropriate. It is understood that the applicant is proposing to reclaim the channel of Waterway 1 and divert it into a new realignment channel at two locations. DOC notes that this may fall under the definition of a 'complex fisheries activity' through (b) 'a permanent dam or diversion structure', as the new channel is essentially diverting the water from its original course. Should it be determined that this approval is required, the applicant may apply for this approval through the business-as-usual pathway under the Freshwater Fisheries Regulations 1983.</i>	trigger the 'Complex freshwater fisheries' definition of the FTAA. Accordingly, a Complex Freshwater Fisheries Activity approval is not required or sought as part of the substantive application.
6d	<i>Fauna Management Plan Administration: Within Volume C, Section 6.1 Table 3 and also within the Consultation Summary provided in Appendix 20 with regard to DOC feedback, it is recorded that: "DOC advised that the FMP required by the Wildlife Act conditions, and any updates to that plan, should be certified by the Council, as DOC will administer the Wildlife Act approval Conditions." This is incorrect. In the Pre-lodgement consultation summary document provided to the applicant on the 8th of June 2026 and included within Appendix 20, Attachment 5 (at page 23), DOC's view is recorded as follows: "In DOC's view, the Fauna Management Plan required by the WA conditions together with any updates to the same should be certified by DOC, as DOC will be responsible for the administration of the conditions of this Plan."</i>	Noted and accepted. The summary of DOC's feedback in Volume C and Appendix 20 incorrectly records DOC's position regarding certification of the FMP required under the Wildlife Act approval. DOC's pre-lodgement feedback confirms that the FMP required by the Wildlife Act approval conditions, including any updates, should be certified by DOC. The Applicant accepts this correction. No amendments to the proposed Wildlife Act approval conditions in Appendix 28 are required as a result of this correction.
6e	<i>Please provide any further information you wish to have considered for the purposes of the EPA's assessment under s 46(1) in response to these comments from DOC.</i>	See above.

In summary, to address the addition of the NES-F Regulation 57 stream reclamation assessment requirements, we enclose an updated:

- Volume A Planning Report; and

- Appendix 2 Application Form (which also needs to be updated on the Fast-track Portal digital application form page).

No other updated or additional information is required to address the matters raised in the further information request. We consider that all the necessary information is already provided for in the comprehensive substantive application material.

We trust this response addresses the matters raised and allows the EPA to conclude its completeness assessment. Please do not hesitate to contact me if any point would benefit from further discussion.