Fast-track

Te Kāwanatanga o Aotearoa
New Zealand Government

Decision under section 46 of the Fast-track Approvals Act 2024

March 2025

DECISION ON COMPLETENESS AND SCOPE for the Sunfield Masterplanned Community under section 46 of the Fast-track Approvals Act 2024

1. This document records the EPA's decision on whether the substantive application submitted by Winton Land Ltd on 14 February 2025 complies with section 46 of the Fast-track Approvals Act 2024 (the Act).
2. In consultation with all relevant administering agencies and relevant consent authorities and in consideration of the completeness and scope requirements of section 46 of the Act, I have determined that the substantive application for Sunfield Masterplanned Community **does not comply** with all the requirements of section 46(2) of the Act.
3. The reasons for the EPA's decision that the application does not comply are as follows:
   a. The following information is incomplete:
      i. **Information to satisfy the requirements of clause 5(1)(d) of Schedule 5**
      The application does not identify or include the full names and addresses of each owner and occupier of land adjacent to the site.
      ii. **Information to satisfy the requirements of clause 2(1)(d) of Schedule 8**
      Heritage New Zealand Pouhere Taonga (HNZPT) confirmed as part of its consultation response that the applicant has not consulted with HNZPT as the administrating agency for the archaeological authority the applicant is seeking in this application. Confirmation that this consultation occurred is required by clause 2(1)(d) of Schedule 8, which requires the applicant to comply with section 42(2)(a), which in turn requires compliance with section 43. Section 43(2) requires that listed projects, such as Sunfield, contain the information required by section 13(4) (subject to the modifications set out in section 43(2)). This includes, at subsection 13(4)(k), a summary of the consultation undertaken for the purposes of [section 29] and how the consultation has informed the project. Section 29(1)(a) requires consultation with the persons and groups referred to in section 11, which at subsection (e) requires the application to consult with HNZTP as the relevant administering agency.
      iii. **Information to satisfy the requirements of clause 5(5)(a) of Schedule 5**
      The application mentions that permitted activities are included in the proposal. However, it does not include a description in sufficient detail to demonstrate or describe how these activities meet the necessary requirements, conditions, and permissions for the permitted activity, as required by clause 5(5)(a) of Schedule 5 of the Act.

b. The following information is not provided in sufficient detail to satisfy the purpose for which it is required:

iv. Information to satisfy the requirements of clause 5(4)(a) of Schedule 5

The application does not include a sufficient description of 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 to satisfy the requirements of clause 6(1)(d). Measures are missing from section 7 of the planning report provided and the proposed conditions to not address these requirements in sufficient detail. Although several of these plans are proposed to be provided later for certification, there is insufficient detail at this stage of what mitigation measures will be undertaken to help prevent or reduce the actual or potential effect of the activity. Examples are set out in the table below:

Mitigation measure (6.4.4 planning report)	**Deficiency**
Geotechnical ground strengthening, liquefaction and settlement monitoring to ensure land stability	The Geotechnical Assessment **(document(s) 23, section 8.4.1 (p. 30**) states that careful mitigation measures are required to be implemented for ground settlement risk, rather than a description of measures to be undertaken
Contaminated land remediation action plans and soil management plans	Contaminated land remediation action plans and soil management plans have not been provided. A Soil Assessment (**document 27)** is provided but does not cover mitigation.
Earthworks and sediment control plans	Earthworks and sediment control plans have not been provided
Construction noise and vibration management plans	Construction noise and vibration management plans have not been provided. The Assessment of Noise Effects **(document 28)** is provided but does not cover mitigation
Measures to mitigate potential ecological effects	The Baseline Ecological Assessment provided **(document 32)** does not specifically describe mitigation measures to be undertaken to help prevent or reduce the actual or potential effect of the activity.
Traffic and transport mitigation measures, including construction traffic.	There are no documents provided for construction traffic management or mitigation.
Construction management plans	Construction management plans have not been provided

v. **Information to satisfy the requirements of clause 5(4)(b) of Schedule 5**
The application does not include a sufficient assessment of any effect the activity on the people in the neighbourhood and, if relevant, the wider community, including any social, economic, or cultural effects to satisfy the requirements of clause 7(a) of Schedule 5 of the Act. The EPA agrees with Auckland Council's consultation response that the application does not sufficiently cover effects on adjoining persons within the assessment of effects. Given the scale of the proposal, the overall area of the site, and the different types of activities beside these adjacent properties, it is considered that more detailed assessment is required. As an example, Auckland Council notes how the suburban residential activities on the opposite side of Cosgrave Road experience the effects would be different to how effects are received to the north by the rural properties but this is not addressed.

vi. **Information to satisfy the requirements of clause 2(1)(f) of Schedule 8**
HNZPT advised during consultation under section 46(1) that the application for total demolition lacks sufficient detail for the purposes of a description of the activity for which the authority is sought under clause 2(1)(f), Schedule 8 of the Act. The application only includes preliminary and draft archaeological assessments, which lack sufficiently detailed activity or plan descriptions.

vii. **Information to satisfy the requirements of clause 2(1)(g) of Schedule 8**
HNZPT advised during consultation under section 46(1) that the application lacks sufficient detail for the purposes of a description of how the proposed activity will modify or destroy each archaeological site under clause 2(1)(g), Schedule 8 of the Act. We consider that the draft Building Archaeological Assessment suggests further surveying and assessment is required before development, but the applicant has not described how or provided any further comment or plan for this purpose.

viii. **Information to satisfy the requirements of section 13(4)(x) of the Act**
The application states there have been two instances of subsidiary companies of Winton Land Ltd having been subject to compliance or enforcement actions, however only one prosecution is summarised in the application.

Conflict of interest

4. The EPA Board has delegated the decision-making power in section 46 to me under an instrument of delegation dated 5 February 2025. I confirm that I do not have any conflict of interest in respect of this application that would prevent me making this decision.

Signed

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Elliott Dennett
Acting Manager under delegated authority

Dated: 6/03/2025