
MINUTE 26 OF THE EXPERT PANEL

Comments received on the draft conditions
Sunfield [FTAA-2503-1039]

(20 February 2026)

Comments on draft conditions

- [1] On 10 February 2026, the Panel issued Minute 25 which invited comments on the Panel's draft conditions under section 70, and draft decision under section 72 of the Fast-track Approvals Act 2024 (the Act).
- [2] Comments on the draft conditions under s 70 closed at 5pm on 17 February 2026. The comments are available to view on the fast-track website, here: <https://www.fasttrack.govt.nz/projects/sunfield/draft-decision-and-conditions>
- [3] Comments from the relevant Ministers on the draft decision are due on 24 February 2026, as is any response from the Applicant to the comments on the draft conditions.

Late comment received

- [4] On 17 February 2026, a comment on the draft conditions was received from counsel for 897 Alpha Limited, after comments had closed at 5pm.
- [5] At the request of the Panel, counsel for 897 Alpha Limited filed a memorandum explaining why the comment was filed late on 18 February 2026.
- [6] Under section 81(6) of the Act, the Panel may, at its discretion, accept certain information filed out of time, provided that the Panel has not made its final decision under s 81.

- [7] The Panel accepts the reasons given for the late filing of the comments, and has decided to exercise its discretion to accept the late comment for consideration.
- [8] A copy of the late comment, and the memorandum of counsel, can be viewed here: <https://www.fasttrack.govt.nz/projects/sunfield/draft-decision-and-conditions>
- [9] For completeness, the Applicant may respond to the late comments if it so chooses. Such response being due on 24 February 2026.

Directions to Applicant regarding conditions

- [10] The Panel has read the various comments on draft conditions. No final decisions have been made as the Panel is yet to receive the response from the Applicant. However, having read the comments filed to date, the Panel observes that Auckland Council's comments regarding the overall structure of the conditions have some merit.
- [11] The Panel would be assisted by the Applicant structuring the conditions as recommended by the Council. Accordingly, the Panel directs the Applicant to file a version of the conditions structured as recommended by the Council, when it files its comments on the draft conditions.
- [12] The Panel apprehends that the numbering of the conditions will change. In order to further assist the Panel, the Applicant is directed to file a table together with the restructured conditions showing the new numbering of conditions. For example, if draft condition 100 is moved and becomes condition 50, then that should be recorded in a table.
- [13] The Panel also observes that the Council remains fully committed to working collaboratively with the Applicant to resolve the matters raised in its comments on the draft conditions. The Panel records that (subject to what the Applicant might have to say in its response to the comments on draft conditions) it sees merit in many of the comments made by Auckland Council in relation to the draft conditions.

[14] The Panel encourages, in the strongest possible terms, the Applicant to constructively engage with Auckland Council as it finalises the draft conditions. The Panel would be assisted by understanding how (and if not, why not) the issues raised by the Council have been dealt with. Again, a table outlining the response to each issue raised would be of assistance to the Panel. The Applicant is directed to file such a table as part of its response to comments on conditions.

Request for legal submissions

[15] The Panel has read the following documents, filed by the Applicant as part of its response to comments:

- a. Letter from Mr Hills of Commute Transportation Consultants, dated 16 February 2026;
- b. Letter from Mike Bayley dated 16 February 2026;
- c. Letter from Mr Meehan dated 16 February 2026; and
- d. Applicant Memorandum from Mr Smallburn dated 17 February 2026.

[16] These documents express concerns (amongst other things) with the proposed car parking ratios in draft conditions 112A and 112B relating to the employment precinct.

[17] Those ratios were recommended in the original Integrated Traffic Assessment dated February 2025, that formed part of the application. The draft conditions filed with the application included a condition (condition 3) recording that

“the development must proceed in general accordance with the information and plans submitted with the application and formally approved by the Environmental Protection Authority (EPA)...”

[18] The Panel is interested to understand whether the change now sought to increase the number of parking spaces for offices and industrial activities in the employment precinct is within the scope of the original application. Accordingly,

the Applicant is directed to file legal submissions on this issue within **2 working days**.

[19] Should any other Party wish to file legal submissions on this issue, they must do so within **2 workings days** of the Applicant filings its submissions.



Philip Maw
Expert Panel Chair