

BEFORE THE FAST-TRACK EXPERT CONSENTING PANEL

UNDER THE

Fast-Track Approvals Act 2024

AND

IN THE MATTER OF

An application under section 42 for approval to
Sunfield, a project listed in Schedule 2 to the Act

BY

Winton Land Limited

Appellant

**MEMORANDUM OF COUNSEL FOR THE APPLICANT
IN RESPONSE TO MINUTE 12**

3 NOVEMBER 2025

Counsel instructed:

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MAY IT PLEASE THE PANEL:**1. INTRODUCTION**

- 1.1 This memorandum is filed in response to the direction issued in Minute 12.

2. ENGAGEMENT

- 2.1 The Applicant engaged with the following commenters when preparing the list of key issues in contention:
- (a) Auckland Council, including Healthy Waters
 - (b) Auckland Transport
 - (c) Watercare Services Limited
 - (d) NZTA Waka Kotahi
 - (e) Ardmore Airport Ltd
- 2.2 The Applicant's cultural advisor provided confirmation that there were no remaining issues in contention from mana whenua.
- 2.3 Due to the extent of overlap with the issues raised by those consulted, the Applicant did not separately engage in the time available with the following commenters when preparing the list of key issues in contention:
- (a) Government Ministers:
 - (i) Minister for the Environment
 - (ii) Minister of Education
 - (iii) Minister for Seniors
 - (b) Other direct neighbours:
 - (i) 897 Alpha Ltd
 - (ii) Andrew and Sandra Beard
 - (iii) John Cheng
 - (iv) Peter and Natalie Mackenzie
 - (v) MC Investments (NZ) Ltd

- (vi) Aaron Paap
- (vii) Ruby Pearce
- (viii) Rimu Family Trust
- (ix) Jessica Swales
- (x) “Residents of Village Way”
- (xi) Rosanna Wills
- (xii) Xian Zhang

3. ISSUES IN CONTENTION VS FURTHER INFORMATION REQUESTS

- 3.1 As explained in the memorandum of 29 October 2025, the process followed by the Applicant has resulted in the preparation of a table identifying the key issues in contention (as directed), and a table recording other issues that remain in contention (labelled “minor”). For each issue, regardless of its significance, the Applicant’s team has endeavoured to identify:
- (a) whether it is technical, evaluative or legal in nature; and
 - (b) the framing of a question that appropriately encapsulates the issue and could form the basis of the question for expert witness conferencing (or to be addressed in legal submissions).
- 3.2 The Applicant did not include the “issues” included in Auckland Council’s table that were, in essence, either:
- (a) reiteration of information requests or comments responded to in the Applicant’s comprehensive feedback (not yet fully reviewed by Council);
 - (b) further or new information requests;
 - (c) statements as to its position in opposition; or
 - (d) the ultimate questions for the Panel as decision-maker.
- 3.3 The Applicant considers that all comments raised in the original feedback that remain outstanding have been captured in its table.

4. NEXT STEPS

- 4.1 The Applicant is in the Panel's hands as to how it wishes to proceed in the time available for it to reach its decision using the process as set out in the Act.

DATED 3 November 2025

A handwritten signature in blue ink, appearing to be 'B S Carruthers', is written over a horizontal line.

B S Carruthers KC / W Goldsmith

Counsel for Winton Land Ltd