



17 November 2025

Expert Panel for Sunfield
Environmental Protection Agency
Private Bag 63002, Wellington 6140
Email: [REDACTED]

Tēnā koe,

Sunfield Fast-track Application – Cultural issues in contention

1. Te Ākitai Waiohū Settlement Trust (**TAWST**) wishes to provide a narrative description of cultural issue(s) that remain in contention in relation to this application in response to Minute 14 of the Expert Panel.
2. TAWST was invited to make comments on the substantive application and did so on 1 August 2025 outlining reasons for strongly opposing the application.
3. Minute 9 of the Expert Panel (20 October 2025) - directed the Applicant to confer with the parties and file a list of key issues in contention by 4pm, Wednesday 29 October 2025. The Applicant filed a memorandum on 29 October 2025 of key issues in contention, and a subsequent memorandum by 12.30pm on 3 November 2025 in response to the Panel's directions.
4. Minute 12 of the Expert Panel (31 October 2025) - directed the Applicant to file a further memorandum of counsel recording the parties who were engaged with and those who were not engaged with when preparing the list of issues in contention. Any person who made comments who considered the issues raised were not included in the list of issues in contention was able to file a memorandum recording those issues by 3pm on Monday 3 November 2025. TAWST was not aware of this opportunity until late Monday afternoon, when the website was checked, and sought to attend the issues conference on 4 November. Unfortunately, the email address in Minute 6 was incorrect and this opportunity was missed.
5. TAWST had expected the Applicant to make contact after comments were submitted in July 2025. Based on the directions in Minute 9, it was further expected that contact would be made regarding the list of key issues in contention. However, the Applicant has not communicated with TAWST since before the comments were submitted.
6. The Applicant's response to Te Ākitai Waiohū comments, prepared by Mr Peter Fa'afiu, provides a description of engagement. Te Ākitai Waiohū prepared the Sunfield CVA on the understanding that the Sunfield proposal was for a plan change under the Urban Development Act, and further opportunity to provide recommendations was anticipated.
7. The substantive email of 15 November 2023 that Mr Fa'afiu refers to was actually dated 14 November 2024, some 3 months before the substantive application was lodged with the EPA. The Mana Whenua Engagement Report dated 4 April 2024, reflects that engagement

was on the basis of a plan change and was not a fast-track process. Mentioning a project will utilise the new Fast-track Approval Act for Sunfield, is not the same as consultation on what consents would be sought and how adverse cultural effects would be avoided, remedied or mitigated.

8. The Applicant's memorandum dated 3 November 2025 indicates that their cultural advisor confirmed that there were no remaining issues in contention for mana whenua. This is not the case, and there has been no opportunity to resolve issues due to lack of engagement.
9. TAWST remains in strong opposition to the proposal and all the issues outlined in TAWST comments remain in contention. The cultural values of kaitiakitanga and manaakitanga are relevant to the consideration of technical issues, because these have effects on the health and wellbeing of people.
10. TAWST disagrees with the Applicant that there are no adverse impacts. There are evaluative issues in contention related to the impact of the proposal on cultural values.
 - 10.1 Has the applicant undertaken adequate consultation with Te Ākitai Waiohū in relation to the fast-track application?
 - 10.2 What is the extent of the proposal's adverse impacts on cultural values in relation to the proposal to redirect water from one catchment to another and the reclamation of waterways?
 - 10.3 To what extent do conditions ensure ongoing and meaningful consultation with iwi to adequately mitigate adverse impacts on cultural values over the 15-year duration of the consent?
 - 10.4 How does enabling large-scale development within a flood plain enable Te Ākitai Waiohū to exercise its obligation as kaitiaki to ensure people are not put in harm's way of flooding, including the risk of downstream flooding if infrastructure fails?
11. TAWST supports the Auckland Council Issues Table (28 October 2025) specifically 13.1 and 13.2:
 - What is the extent of the proposal's adverse impacts?
 - To what extent do the Panel's findings in relation to any of the matters at 13.1 above justify refusal in terms of the test in s85 FTAA?
12. TAWST appreciates the opportunity provided by the Expert Panel to clarify its position.

Ngā mihi

Karen Wilson
Chair

Te Ākitai Waiohū