

BEFORE THE SUNFIELD [FTAA-2503-1039] EXPERT PANEL

Under

the Fast-Track Approvals Act 2024 (the *FTAA*)

In the matter of

the deliberations and draft decision of the Expert Panel appointed under section 50 and Schedule 3 of the FTAA for the Sunfield application requiring:

- (a) resource consents for subdivision, land use, a water permit and discharge consents under the Resource Management Act 1991 (*RMA*).

Expert Panel

Philip Maw
(*Chair*)

Lee Beattie
(*Member*)

Vaughn Smith
(*Member*)

**Comments received under
Section 53 of the FTAA:**

4 August 2025

**Details of any hearing under
Section 57 of the FTAA:**

A hearing was held on 10 and 17 December 2025

**Record of Draft Decision of the Expert Consenting Panel
under Section 87 of the
Fast-Track Approvals Act 2024**

Dated 10 February 2026

Decision: Approval is granted subject to conditions

Date of Draft Decision:

10 February 2026

Date of Issue:

10 February 2026

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Appendices

Appendix 1: Resource Consents Granted

Appendix 2: Conditions

Appendix 3: Summary of Section 53 Comments Received

PART A: EXECUTIVE SUMMARY

[1] This is an application for the Sunfield Development (**Sunfield or Proposal or Application**) by Winton Land Limited (**Winton or Applicant**) to enable the development of 225.1 hectares of land, at Old Wairoa Road, Cosgrave Road, and Airfield Road, between Takanini and Papakura, Auckland, for residential, retail, industrial, healthcare and education activities, together with associated infrastructure and restoration and native planting of the core stream and wetland network.¹ The Proposal is for a resource consent for subdivision, land use, water permit and discharge consents under the Resource Management Act 1991 (**RMA**). The Proposal does not involve approvals under other legislation.

[2] The Proposal comprises of the following precincts:

- (a) The Residential precincts;
- (b) The Employment precinct;
- (c) The Town Centre;
- (d) The Aged Care precincts;
- (e) The Local hubs;
- (f) The School precinct;
- (g) The stormwater reserves; and
- (h) The Open Space/Green connection areas.

[3] The Application was included as a listed project in Schedule 2 of the Fast-track Approvals Act 2024 (**FTAA**). On 10 June 2025, an expert panel was appointed to determine the Application (**Panel**).²

[4] The Panel has assessed the Application applying the relevant statutory criteria within the purpose and context of the FTAA.

[5] The Panel received comments from persons invited to make comments on the Application, and a response to those comments was given by Winton.

¹ For completeness, we record that the Application as originally filed comprised an application area of 244.5 ha, which was subsequently reduced to accommodate the Notice of Requirement for Mill Road 2.

² Minute 2 of Associate Panel Convener dated 10 June 2025.

- [6] A number of information requests were made and information provided. Joint witness conferencing was undertaken in relation to a number of topics, and hearings were had on some topics.
- [7] The Panel has carefully reviewed all of the information that it has received, including answers given to questions at the hearing, in evaluating the Application.
- [8] Schedule 5, clause 17 sets out the criteria and other matters for assessment of resource consent applications under the RMA. As no other approvals have been sought, schedules relating to other kinds of approvals are not relevant.
- [9] The Panel finds that, having considered all relevant matters, the Proposal meets the purpose of the FTAA and that, having regard to all the relevant decision-making criteria, the approvals sought should be granted. The Panel therefore grants approvals sought, as set out in **Appendix 1**.
- [10] This Decision is made in accordance with section 87 of the FTAA and covers all the approvals sought under the substantive application.
- [11] The Decision includes the following parts:
 - (a) Executive summary – Part A;
 - (b) An overview of the Sunfield Application - Part B;
 - (c) The legal context for the Panel’s consideration of the approvals sought – Part C;
 - (d) The input received from iwi authorities and the legal context for the Panel’s consideration of that input – Part D;
 - (e) An assessment of the effects of Sunfield– Part E;
 - (f) The regional and national benefits of Sunfield – Part F;
 - (g) Approvals that would otherwise be applied for under the RMA – Part G;
 - (h) Overall approach – Part H;
 - (i) Approach to conditions – Part I; and
 - (j) Final Decision – Part J.
- [12] The Decision also includes the following appendices:

- (a) Appendix 1: Resource Consents Granted;
- (b) Appendix 2: Conditions;
- (c) Appendix 3: Condition Attachments; and
- (d) Appendix 4: Summary of Section 53 Comments.

PART B: OVERVIEW OF THE APPLICATION AND PROCEDURE

Application

Environmental Setting

[13] Winton provided a detailed description of the environmental setting for Sunfield in Section 2.2-2.9 of the Sunfield Planning Report (**Planning Report**)³ including the following key characteristics:

- (a) application site;
- (b) planning information, site and locality description;
- (c) designations, overlays and controls;
- (d) statutory acknowledgement;
- (e) highly productive land;
- (f) transportation environment;
- (g) flooding and hydrology; and
- (h) Awakeri wetlands.

[14] The Applicant also provided a number of specialist reports addressing a range of other characteristics and establishing the appropriate baseline from which the Applicant considers the Proposal ought to be assessed.

[15] We adopt the Applicant's description of the existing environment without repeating it here, unless specified otherwise.

[16] In Part E we set out relevant components of that setting with respect to various effects of Sunfield. By way of an overview, that setting includes the following proposed precincts:

- (a) The Residential precincts;
- (b) The Employment precinct;
- (c) The Town Centre;
- (d) The Health and Aged Care precincts;
- (e) The Local hubs;

³ Tattico Sunfield Fast-track Approvals Act 2024 Substantive Application Planning Report dated 31 March 2025.

- (f) The School precinct;
- (g) The stormwater reserves; and
- (h) The Open Space/Green connection areas.

[17] The location of the above listed Areas is shown in Figure 1 below.

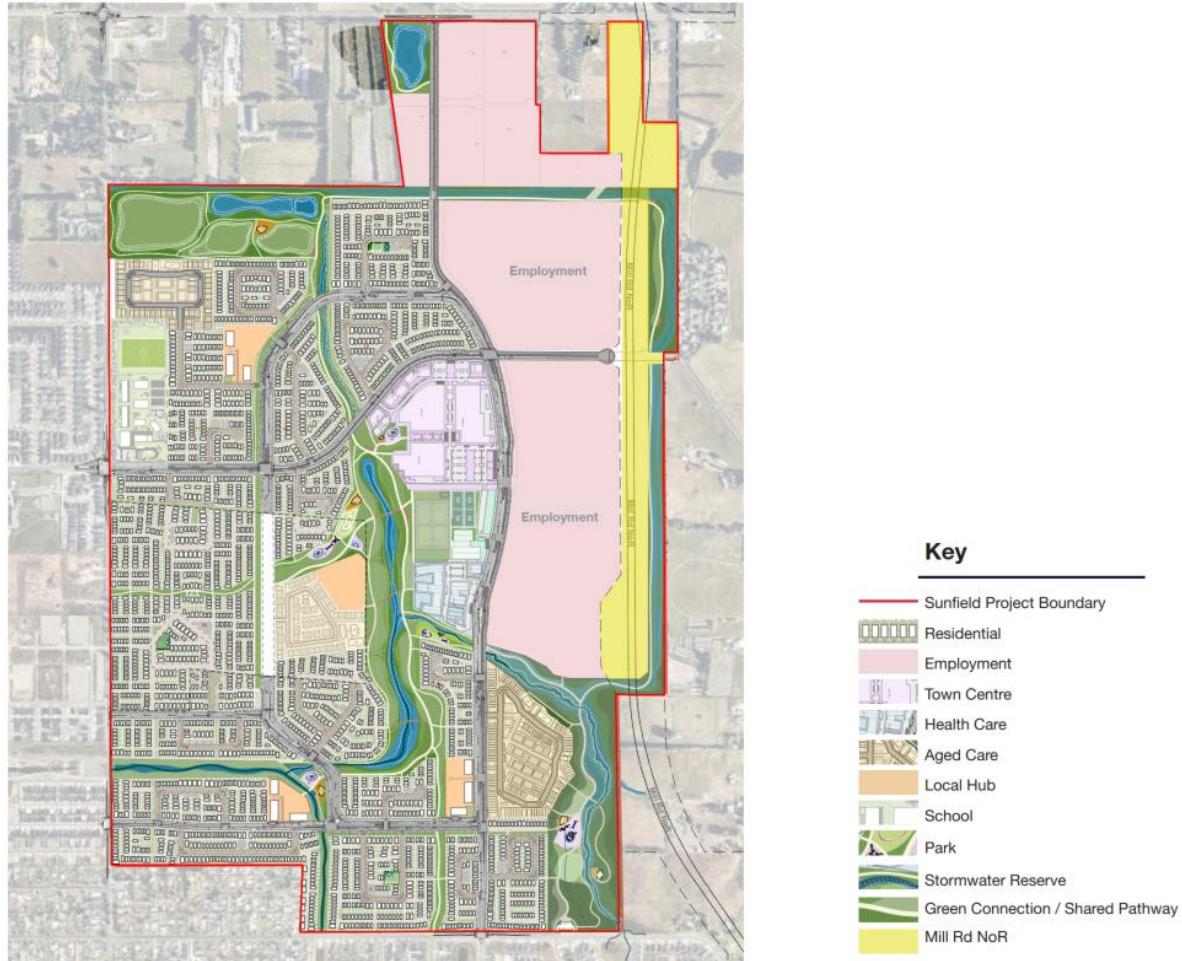


Figure 1 Sunfield Masterplan

Overview of the Application

[18] Winton seeks RMA authorisations to develop a masterplanned community in Ardmore, Auckland, comprising the following key activities:

- (a) a community designed to enable ‘car-less’ living.
- (b) 3,854 healthy homes, consisting of individual homes and 3 retirement villages containing independent living units.
- (c) 47 hectares allocated for employment.
- (d) the inclusion of healthcare and education buildings

- (e) a 7.5 hectare town centre.
- (f) a school.
- (g) a further 4 local hubs located throughout the community.
- (h) permanent jobs for around 9,800 people (with 24,000 FTE job years (rounded)).
- (i) 25.9 hectares of open spaces, green links, recreation parks and reserves and ecological areas.
- (j) an extensive restoration and native planting of the core stream and wetland network.
- (k) the establishment of the Sunfield renewable solar energy network for the community.
- (l) the Sunbus autonomous electric shuttle fleet.

- [19] Given the scale of the Proposal, it is anticipated that the project build will be undertaken in 23 stages over a ten to fifteen-year period.
- [20] At the time the Application was lodged, Stage 1 of the Awakeri Wetlands, located in the Takanini area had been constructed. The Wetland project involves the construction of a comprehensive stormwater conveyance channel, designed to control and redirect stormwater flows within the area. Stages 2 and 3 were delayed due to budgetary constraints. Winton proposes to undertake the construction of Stages 2 and 3 on behalf of Auckland Council (the **Council**) and to seek development contribution offsets for undertaking these works. Additional stormwater augmentation for Sunfield will then comprise a new Stage 4 of the Awakeri Wetlands. The necessary consents for stages 2 and 3 of the Awakeri Wetlands were applied for separately from this Application and were approved by the Council on 3 October 2025.
- [21] The Proposal also requires the realignment and partial stopping of Hamlin Road. This will occur through a separate process under either the Local Government Act or Public Works Act (as these approvals are not provided via the FTAA), subsequent to the granting of this Application.

Resource consents

[22] The Panel has reviewed all the documentation and the further information provided by Winton and other participants and lists the necessary resource consents in **Appendix 1**. The Panel agrees with Winton that the activity statuses of the resource consents required under the Auckland Unitary Plan (Operative in Part) (**AUP**) are:⁴

- (a) Land use and buildings in the future urban zone (**FUZ**) and MRZ – restricted discretionary, discretionary and non-complying;
- (b) Subdivision activities – restricted discretionary, discretionary and non-complying;
- (c) Lakes, rivers, streams and wetlands – discretionary;
- (d) Stormwater discharge / diversion – discretionary;
- (e) High contaminant generating car parks and high use roads – controlled;
- (f) Land Disturbance (Regional) – restricted discretionary;
- (g) Land Disturbance (District) – restricted discretionary;
- (h) Vegetation Management and Biodiversity – restricted discretionary;
- (i) General Rules – discretionary;
- (j) Transportation – restricted discretionary;
- (k) Contaminated Land – restricted discretionary and discretionary;
- (l) Natural Hazards and Flooding – restricted discretionary;
- (m) Temporary Activities – restricted discretionary;
- (n) Groundwater Diversion – restricted discretionary; and
- (o) Ardmore Airport – restricted discretionary, discretionary and non-complying.

[23] Restricted discretionary consents for earthworks, vegetation clearance and construction of wetland utility structures are required under the Resource Management (National Environmental Standards for Freshwater) Regulations 2020.

⁴ Given the comprehensive approach to the development of Sunfield, permitted activities do not form part of the Proposal and are not relied on by Winton.

- [24] Restricted discretionary and discretionary land-use consents are required under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.
- [25] Under the “bundling” principle the overall activity status for the Sunfield resource consents is non-complying.

Procedure

- [26] The following matters of procedure are relevant to this Decision.

Panel Convener Steps

- [27] The Panel was set up under section 50 of the FTA with effect from 10 June 2025. The Panel began work on 9 June 2025. But, for the purposes of section 53 the commencement date for the Panel was set down as 23rd June 2025.

Unsolicited Memorandum from Auckland Council regarding use of section 78

- [28] By Memorandum dated 16 June 2025, Auckland Council wrote to the Panel Convener identifying the Council's initial concerns with the Proposal. The primary purpose of the memorandum was to support the Panel in its consideration of whether any formal requests for further information or reports under section 67 of the FTA were warranted.
- [29] In response, the Panel issued a Minute inviting a response from the Applicant, prior to making a decision as to whether to exercise its discretion under section 67 of the FTA.
- [30] As it transpired, on 17 July 2025, the Applicant made a substantive response to the issues raised in by the Council, and so the Panel did not have to make a formal section 67 request.

Initial Panel briefing and site visit

- [31] The Panel attended an initial briefing session hosted by Winton on 1 July 2025 and a site visit on 2 July 2025.

Other Panel meetings

[32] Much of the Panel’s correspondence, deliberations and decision-making occurred over email following the receipt of comments (including on the draft Decision and approval conditions), as did the Panel’s review of available documentation and answers given at the hearing. The Panel also met on Teams or in person most weeks to discuss the Application.

Suspensions

[33] The processing of the substantive Application was suspended at the Applicant’s request, effective from 8 August 2025.⁵ The process was resumed effective from 18 September 2025 and then resuspended on 19 September 2025, in order to facilitate a request for further information (detailed below).⁶

[34] The Application was suspended again, effective from 19 December 2025 at the request of the Applicant (the Panel was approved to continue work on the Application during this period).⁷ The suspension followed the Panel’s 18 December request for further information, including a request for an updated economic assessment and legal submissions on:⁸

- (a) the implications on the Proposal of changes made to the Act by the Fast-track Approvals Amendment Act 2025;
- (b) the meaning of the word “significant” in section 3 of the Act in the context of the Application; and
- (c) the relevance of three new National Instruments and amendments to seven existing National Instruments.

[35] Processing of the Application resumed Monday 2 February 2026.

[36]

Comments and reports on the Application

[37] The FTAA does not contain a notification process and there is no obligation to hold a hearing. The primary mechanism by which third parties can provide information to a Panel is through the provision of comments (section 53, FTAA).

⁵ Sunfield Panel Minute 6 dated 11 August 2025.

⁶ Sunfield Panel Minute 7 dated 18 September 2025.

⁷ Sunfield Panel Minute 23 dated 19 December 2025.

⁸ Sunfield Panel Minute 22 dated 18 December 2025.

[38] The Panel invited comments on the Application in accordance with section 53 by a Minute dated 7 July 2025. Responses to this invitation were due on 4 August 2025. The Panel received comments from twenty-three parties, summarised in **Appendix 4**.⁹

[39] Also considered were the reports required by sections 18 and clause 10 of Schedule 3 of the FTA. The Panel thanks all parties who commented for their contributions. The matters raised in the comments are primarily discussed in Part E of this Decision under the relevant effects-based headings to which the comments relate.

Winton's response to invited persons comments

[40] In accordance with section 55, Winton responded to the section 53 comments on 17 October 2025. Winton's response proposed significant changes to the Proposal and included, amongst other matters, an updated set of draft conditions for all of the approvals sought.

[41] Following the issue of a Notice of Requirement for the Mill Road – Takaanini section of the Mill Road Project (**Mill Road NoR**), which relates to Stage 2 of Mill Road (**MR2**), Winton proposed changes to the Proposal to integrate the relevant part of the Mill Road NoR into the Sunfield Masterplan. This resulted in a 14% reduction in the area allocated to the Employment Precinct, located in the eastern portion of the Proposal, and a 3% reduction in the overall Sunfield development area.

[42] The effects of the changes so proposed were assessed by the Applicant as resulting in effects that are reduced or of a similar scale, character and intensity, to those of the original proposal. The Panel agrees with the Applicant's assessment in this regard.

[43] The Panel is also satisfied that the changes to the Application made to accommodate the Mill Road NoR are within the scope of the original Application.

[44] The Panel has considered Winton's responses, and, where appropriate, refers to those responses primarily in Parts E, F and I of this Decision.

⁹ For completeness, it is noted that the Panel also accepted two comments received outside the timeframe and provided the Applicant an opportunity to respond to those late comments (Sunfield Panel Minute 14 dated 10 November 2025).

Appointment of technical advisors

[45] The Panel appointed a number of technical advisors to assist it with particular aspects of the Application, as follows:¹⁰

- (a) Traffic Engineer – Brett Harries of Harries Transportation Engineers Limited;
- (b) Urban Designer – Lisa Mein of Mein Urban Design and Planning Limited;
- (c) Economist – Dr William Cheung; and
- (d) Condition Writer and facilitator of expert conferencing – David Serjeant of Merestone Limited.

[46] These appointments were made under clause 10(3) of Schedule 3 of the FTAA.

[47] The Panel records its appreciation for the assistance provided by its technical advisors, each of whom provided advice to the Panel under tight timeframes.

[48] The Panel also appointed Georgina Lyes, solicitor, to assist it with drafting the Decision. The Panel records its appreciation for the assistance provided by Ms Lyes in this regard.

Further information

[49] The Panel, from time to time, also sought further clarifying information, mainly from Winton and the Council. Minutes were issued with these requests. Each request was responded to.

[50] *A draft of this Decision (including proposed conditions) was circulated to relevant parties [insert confirmation or otherwise as to whether comments have, where appropriate, been taken into account].*

Conditions

[51] The Panel's procedure relating to the establishment of conditions is set out in Part N of this Decision and is summarised below.

[52] The Applicant provided a draft set of conditions as part of the substantive Application and continued to update them as the Application was processed.

¹⁰ Sunfield Panel Minute 12 dated 31 October 2025.

[53] A number of persons who provided comments also commented on those draft conditions. We discuss those comments primarily in Part E of this Decision where relevant, and in relation to some particular conditions, in Part I of this Decision.

[54] On 19 December 2025, the Applicant provided a further consolidated updated set of proposed conditions, following the hearing (detailed below) and after having received feedback from the Auckland Council family on the conditions associated with transportation, stormwater, groundwater, geotechnical and parks matters.

[55] *[Placeholder for confirmation that] The Panel considered all comments received on the draft conditions as required under section 70 of the FTAA and amended the conditions where appropriate.*

Conferencing and Hearings

[56] The Panel held an issues conference on 4 November 2025, attended by legal Counsel and representatives for the Applicant, Auckland Council family, Ardmore Airport, New Zealand Transport Agency (NZTA) and 897 Alpha Limited. Having canvassed the parties on their respective views, the Panel directed expert witnessing conferencing, which took place in the week commencing 17 November 2025, in relation to the following topics:¹¹

- (a) Potable water supply;
- (b) Waste water provision;
- (c) Stormwater management / flooding;
- (d) Transportation; and
- (e) Highly productive land.

[57] Joint witness statements were then provided to the Panel for each topic.

[58] The Panel also exercised its discretion under section 57 of the FTAA to hold a hearing on parts of the substantive Application.

¹¹ Sunfield Panel Minute 13 dated 5 November 2025.

[59] The purpose of the FTAA, in section 3, is to facilitate the delivery of infrastructure and development projects with significant regional or national benefits. The procedural principles in section 10 of the FTAA, require the Panel to take all practicable steps to use timely, efficient, consistent, and cost-effective processes that are proportionate to the Panel’s functions, duties and powers. The Panel considered that a hearing was in keeping with this purpose and was the most efficient way to progress the Application.

[60] In the light of this, the Panel convened a hearing in Auckland on 10 and 17 December 2025. The hearing considered the following topics:

- (a) Stormwater and flood hazard management (10 December);
- (b) Public transport (10 December); and
- (c) Economics (17 December).

[61] During the hearing, witnesses were empanelled into groups, corresponding to their respective expertise, to address the Panel’s questions (colloquially referred to as “hot-tubbing”). Cross-examination was not permitted without leave from the Panel.

Comments from the Minister for Māori Crown Relations: Te Arawhiti and Minister of Māori Development

[62] Under section 72 of the FTAA, the Panel invited comment on its draft decision from the Ministers for Māori Crown Relations: Te Arawhiti and Māori Development.

[63] *[Placeholder for summary of comments/ no comments were received].*

Timing of the Panel Decision

[64] In accordance with the Panel’s minute dated 10 February 2026, the Panel is to issue its decision documents on or before 5 March 2026.

PART C: GENERAL LEGAL CONTEXT

What this Part is about

[65] The Applicant seeks all necessary approvals for the establishment of Sunfield. These involve resource consents that would otherwise be applied for under the RMA.

[66] Schedules to the FTAA set out decision-making criteria that apply in relation to the different types of approvals that can be granted. They are reasonably specific and best understood, and therefore are discussed, when we come to deal with the particular approvals sought. We will likewise defer discussion of the FTAA provisions that are particularly relevant in relation to iwi authorities until we discuss their position.

[67] With those exceptions, this Part discusses the general operation of the FTAA.

2025 Amendment to the FTAA

[68] In December 2025, amendments to the FTAA were made by the Fast-track Approvals Amendment Act 2025. The Amendment Act introduced procedural and technical changes aimed at improving efficiency, certainty, and clarity in the fast-track process, including:

- (a) updated consultation and timeframes;
- (b) revised definitions;
- (c) modified the Application process and competing proposals processing;
- (d) established a mechanism for new Government Policy Statements and Ministerial directions in decision-making; and
- (e) adjusts notification and consultation requirements.

[69] The commencement of these changes was staged, with some taking effect on 17 December 2025, and others from 31 March 2026. The Act also contains transitional provisions specifying that some of the changes apply to substantive applications where the approvals sought “have not been decided under section 81” by 17 December 2025. Therefore, although this Application was underway at the time the amendments took effect, certain amendments are relevant to the Panel’s consideration.

[70] The Applicant, in its legal memorandum dated 29 January 2026 (responding to the Panel's request for further information on 18 December 2026), submitted that the changes to section 81 and new section 84A are relevant to this Proposal.¹² The Panel accepts this submission and, as such, has applied the changes/new provision in its consideration of the Application, as set out below.

The scheme of the FTAA

The purpose of the FTAA

[71] Section 3 of the FTAA states:

The purpose of this Act is to facilitate the delivery of infrastructure and development projects with significant regional or national benefits.

[72] The FTAA provides a single process for seeking a range of approvals which would otherwise have to be sought under different statutes and by different processes. This is provided for in section 42, and the approvals which can be granted include all those sought by the Applicant.

General provisions that apply in relation to all fast-track approval applications

[73] Section 81 provides, relevantly:

- (1) A panel must, for each approval sought in a substantive application, decide whether to—
 - ...
 - (aab) must consider a relevant Government policy statement:
 - (a) grant the approval and set any conditions to be imposed on the approval; or
 - (b) decline the approval.
- (2) For the purpose of making the decision, the panel—
 - (a) must consider the substantive application and any advice, report, comment, or other information received by the panel under section 51, 52, 53, 55, 58, 67, 68, 69, 70, 72, or 90;
 - (b) must apply the applicable clauses set out in subsection (3) (see those clauses in relation to the weight to be given to the purpose of this Act when making the decision);
 - ...
- (d) must comply with section 83 in setting conditions;
 - ...
- (ea) may impose conditions under **section 84A**:

¹² Memorandum of Counsel for the Applicant in Response to Minute 22 dated 29 January 2026, at [6.3].

(f) may decline the approval only in accordance with section 85.

[74] Section 81(3) refers to the schedules to the FTAA that provide specific criteria to be taken into account in relation to the different types of applications that may be dealt with under the FTAA. As noted already, they are discussed later when we address the particular RMA approvals that are sought.

[75] Section 81(4) provides:

When taking the purpose of this Act into account under a clause referred to in subsection (3), the panel must consider the extent of the project's regional or national benefits.

[76] Sections 83, 84A and 85 relevantly provide:

83 Conditions must be no more onerous than necessary

When exercising a discretion to set a condition under this Act, the panel must not set a condition that is more onerous than necessary to address the reason for which it is set in accordance with the provision of this Act that confers the discretion.

84A Conditions relating to infrastructure

- (1) The panel may set conditions to ensure that the infrastructure in the project area or other infrastructure the project will rely on is or can be made adequate to support—
 - (a) the project; or
 - (b) the stage of the project to which the Application relates.
- (2) This section applies in addition to, and does not limit, any other powers to set conditions under this Act.
- (3) To avoid doubt, a condition set under this section may impose an obligation on the Applicant only.

85 When panel must or may decline approvals

...

(3) A panel may decline an approval if, in complying with section 81(2), the panel forms the view that—

- (a) there are 1 or more adverse impacts in relation to the approval sought; and
- (b) those adverse impacts are sufficiently significant to be out of proportion to the projects regional or national benefits that the panel has considered under section 81(4), even after taking into account—
 - (i) any conditions that the panel may set in relation to those adverse impacts; and
 - (ii) any conditions or modifications that the Applicant may agree to or propose to avoid, remedy, mitigate, offset, or compensate for those adverse impacts.

(4) To avoid doubt, a panel may not form the view that an adverse impact meets the threshold in subsection (3)(b) solely on the basis that the adverse impact is inconsistent with or contrary to a provision of a specified Act or any other document that a panel must take into account or otherwise consider in complying with section 81(2).

(5) In subsections (3) and (4), adverse impact means any matter considered by the panel in complying with section 81(2) that weighs against granting the approval.

[77] Section 85(4) means that non-compliance with, say, avoidance policies that would usually preclude the granting of an approval, is not itself fatal to an application.¹³ As we will explain shortly, there are provisions in the Schedules that are generally to a similar effect.

Application of section 85(3)

[78] Consistent with the approach adopted by other Panels, we see the exercise provided for by section 85(3) as requiring assessments:

- (a) of the extent of the regional or national benefits of Sunfield;
- (b) of the significance of adverse impacts; and

¹³ For an example of a consent being refused on this basis, see *Environmental Defence Society Incorporated v The New Zealand King Salmon Company Limited & Ors* [2014] NZSC 38; [2014] 1 NZLR 593.

- (c) whether the adverse impacts are “sufficiently significant” to be out of proportion to the regional or national benefits of Sunfield after allowing for, amongst other things, compensation that may be provided.

A general comment on the way the Schedules work

- [79] As we have explained, we will leave for later in this Decision detailed reviews of the decision-making criteria the RMA approvals that are sought. However, a brief comment at this point on the general way in which they operate is appropriate.
- [80] The Schedules specify that the Panel must take into account a list of criteria. These lists always start with the “purpose of this Act” and direct the Panel to give the greatest weight to that purpose. It will be recalled that that purpose is:

.. to facilitate the delivery of infrastructure and development projects with significant regional or national benefits.

- [81] Relevantly, clause 17(1) of Schedule 5, which applies to resource consents, provides:

17 Criteria and other matters for assessment of consent application

- (1) For the purposes of section 81, when considering a consent application, including conditions in accordance with clauses 18 and 19, the panel must take into account, giving the greatest weight to paragraph (a),
 - (a) the purpose of this Act; and
 - (b) the provisions of Parts 2, 3, 6, and 8 to 10 of the Resource Management Act 1991 that direct decision making on an application for a resource consent (but excluding section 104D of that Act); and
 - (c) the relevant provisions of any other legislation that directs decision making under the Resource Management Act 1991.

- [82] Clauses 17(3) and (4) provide:

- (3) Subclause (4) applies to any provision of the Resource Management Act 1991 (including, for example, section 87A(6)) or any other Act referred to in subclause (1)(c) that would require a decision maker to decline an application for a resource consent.
- (4) For the purposes of subclause (1), the panel must take into account that the provision referred to in subclause (3) would normally require an application to be declined, but must not treat the provision as requiring the panel to decline the Application the panel is considering.

[83] These subclauses should be read in conjunction with section 85(4) with which they in part overlap. They mean that directive policies in legislation that would usually require an application to be declined are to be taken into account in the manner outlined in clause 17(4), by recognising that:

- (a) they would usually require the Applications to be declined; but
- (b) do not require the Panel to decline the Application.

PART D: IWI GROUPS AND THE REQUIREMENTS OF THE FTAA

What this Part is about

[84] The FTAA imposes a number of requirements on the procedure we must adopt and the decision we can make. In this Part we review these requirements.

[85] Any particular concerns that iwi groups raised with us are addressed later, in E11.

The relevant provisions of the FTAA

The primarily relevant provisions of the FTAA

[86] Section 7(1)(a) of the FTAA provides:

7 Obligation relating to Treaty settlements and recognised customary rights

- (1) All persons performing and exercising functions, powers, and duties under this Act must act in a manner that is consistent with—
 - (a) the obligations arising under existing Treaty settlements; and
 - (b) customary rights recognised under—
 - (i) the Marine and Coastal Area (Takutai Moana) Act 2011;
 - (ii) the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019.
- (2) To avoid doubt, subsection (1) does not apply to a court or a person exercising a judicial power or performing a judicial function or duty.
- (3) In this section, **existing Treaty settlements** means Treaty settlements that exist at the time the relevant function, power, or duty is performed or exercised (rather than only those that exist at the commencement of this Act).

[87] It is unclear as to whether or not section 7(2) operates to exclude section 7(1) from our consideration. On the one hand, we are clearly exercising a “judicial function” in making this decision, which would indicate that the section 7(1) does not apply.

[88] On the other hand, section 82(3) and 84(1) below quite explicitly direct that the Panel is required to consider and apply section 7 in the context of making a decision or imposing a condition. In the light of that ambiguity, we will include consideration of section 7(1) in the context of sections 82(3) and 84(1).

[89] Section 82 provides:

82 Effect of Treaty settlements and other obligations on decision making

- (1) This section applies if a Treaty settlement, the Marine and Coastal Area (Takutai Moana) Act 2011, or the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 is relevant to an approval.
- (2) If the settlement or Act provides for the consideration of any document, the panel must give the document the same or equivalent effect through the panel's decision making as it would have under any relevant specified Act.
- (3) The panel must also consider whether granting the approval would comply with section 7.
- (4) In this section, **document**—
 - (a) means any document, arrangement, or other matter; and
 - (b) includes any statutory planning document amended as a result of the settlement or Act referred to in subsection (1).

[90] Section 84 provides:

84 Conditions relating to Treaty settlements and recognised customary rights

- (1) For the purposes of section 7, the panel may set conditions to recognise or protect a relevant Treaty settlement ...
- (2) This section applies in addition to, and does not limit, any other powers to set conditions under this Act.

Definitions

[91] “Treaty settlements” is defined in section 4 as meaning:

- (a) a Treaty settlement Act; or
- (b) a Treaty settlement deed.

[92] A “Treaty settlement Act” is:

- (a) an Act listed in Schedule 3 of the Treaty of Waitangi Act 1975; or
- (b) any other Act that provides redress for Treaty of Waitangi claims, including Acts that provide collective redress or participation arrangements for claimant groups whose claims are, or are to be, settled by another Act, including—
 - (i) the Maori Commercial Aquaculture Claims Settlement Act 2004;

- (ii) the Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014;
- (iii) the Nga Wai o Maniapoto (Waipa River) Act 2012;
- (iv) the Ngati Tuwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010;
- (v) the Treaty of Waitangi (Fisheries Claims) Settlement Act 1992 and secondary legislation that gives effect to section 10 of that Act and is made under Part 9 of the Fisheries Act 1996.

[93] A “Treaty settlement deed” means:

- (a) means a deed or other agreement that—
 - (i) has been signed by or on behalf of a Minister of the Crown and representatives of a group of Māori; and
 - (ii) is in settlement of the claims of that group or in express anticipation, or on account, of that settlement; and
- (b) to avoid doubt, includes a deed or other agreement of the kind described in paragraph (a) that relates to the claims of a collective or combination of Māori groups; but
- (c) does not include an agreement in principle or any document that is preliminary to a signed and ratified deed.

Section 18

[94] Section 18(2) of the FTAA – along with section 49 – requires the preparation of a report that addresses a list of specified matters. They include:

- (a) any relevant iwi authorities and relevant Treaty settlement entities;
- (b) any Treaty settlements that relate to land, species of plants or animals, or other resources within the project area;
- (c) the relevant principles and provisions in those Treaty settlements, including those that relate to the composition of a decision-making body for the purposes of the Resource Management Act 1991;
- (d) any recognised negotiation mandates for, or current negotiations for, Treaty settlements that relate to the project area;

...

- (k) any other Māori groups with relevant interests;
- (l) a summary of—
 - (i) comments received by the Minister after inviting comments from Māori groups under section 17(1)(d) and (e); and
 - (ii) any further information received by the Minister from those groups;
- (m) the responsible agency's advice on whether, due to any of the matters identified in this section, it may be more appropriate to deal with the matters that would be authorised by the proposed approvals under another Act or Acts.

[95] The expressions “relevant iwi authorities” and “Māori groups with relevant interests” are not defined.

Clause 5, Schedule 3 of the FTAA

- [96] Schedule 3 of the FTAA deals with, amongst other things, the appointment and processes of panels.
- [97] Clause 5 relevantly provides:

5 Conduct of hearings and other procedural matters in context of Treaty settlements and other arrangements

- (1) This clause applies if any Treaty settlement Act, the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, or any other iwi participation legislation, or any Mana Whakahono a Rohe or joint management agreement, includes procedural arrangements relating to the appointment of a decision-making body for hearings and other procedural matters, such as the following:
 - (a) a requirement for iwi or hapū to participate in the appointment of hearing commissioners to determine resource consent applications or notice of requirement lodged under the Resource Management Act 1991;
 - (b) a requirement that notice be given to any person or specified class of person of any steps in a resource management process;
 - (c) any consultation requirements with iwi or hapū;
 - (d) any other matter of procedure for determining a matter granted under a specified Act that corresponds to an approval under this Act.
- (2) The panel convener or panel must—

- (a) comply with the arrangements in the legislation, arrangement, or agreement referred to in subclause (1) as if they were a relevant decision maker (such as a local authority, department, Crown entity, or board of inquiry) ...

The Ministry for the Environment’s section 18 report

[98] The Ministry for the Environment’s section 18 report, prepared pursuant to section 49, identifies Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014, Ngāi Tai ki Tāmaki Claims Settlement Act 2018, Ngāti Tamaoho Claims Settlement Act 2108, Ngāti Paoa deed of settlement, and Te Ākitai Waiohua deed of settlement as the settlement Acts and deeds relevant to the project area.

[99] The report acknowledges that Auckland has a complex Treaty settlement landscape with many overlapping interests. It notes that there are a number of groups in the post-settlement phase at different stages of the Treaty settlement process, including some groups seeking both individual and collective settlement redress. The report identifies a significant number of relevant Māori groups for the Sunfield project area. All relevant groups listed were invited to comment on the Application under section 53(2) of the FTAA.

Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014

[100] This Act is to give effect to certain provisions of the Tāmaki Makaurau Collective Redress Deed, which provides shared redress to the iwi and hapū constituting Ngā Mana Whenua o Tāmaki Makaurau.

[101] This Act was not raised by any person invited to make comments on the Application, and we do not see its provisions as material to our decision-making.

Ngāi Tai ki Tāmaki Claims Settlement Act 2018

[102] Under this Act, the Proposal area is within Ngāi Tai ki Tāmaki’s “area of interest” but the “statutory areas” referred to in the Act do not encompass the land affected by Sunfield.

[103] This Act was not raised by any person invited to make comments on the Application, and we do not see its provisions as material to our decision-making.

Ngāti Tamaoho Claims Settlement Act 2018

- [104] The Ngāti Tamaoho Claims Settlement Act 2018 provides for a statutory acknowledgement over the Otūwairoa Stream and its tributaries. The southern part of the Sunfield project area incorporates part of this catchment. No other provision of the Deed of Settlement between Ngāti Tamaoho and the Crown applies to the Sunfield project area.
- [105] This Act was not raised by any person invited to make comments on the Application, and we do not see its provisions as material to our decision-making.

Ngāti Paoa Deed of Settlement

- [106] This Deed was not raised by any person invited to make comments on the Application, and we do not see its provisions as material to our decision-making.

Te Ākitai Waiohua deed of settlement

- [107] This Deed was not raised by any person invited to make comments on the Application, and we do not see its provisions as material to our decision-making.

Recognition of and compliance with Treaty settlements

- [108] Winton has engaged extensively with iwi groups. This is addressed in documents 5 and 6 of the substantive Application (the Mana Whenua Engagement Report and Schedule of Mana Whenua Engagement) and in Winton’s response to the section 53 comments (Appendix V to the Applicants section 55 planning report (**Section 55 Planning Report**)). Such consultation has been on-going.
- [109] Minutes 1 and 2 of the Panel Convenor set out the process she followed in relation to the appointment of this Panel. Schedule 3 to Minute 1 sets out the “relevant iwi authorities and relevant Treaty settlement entities”.
- [110] As noted, we invited (under section 53) the “relevant iwi authorities for the project area” as identified in the section 18 report to comment and have offered opportunities for further engagement to those iwi entities who commented.

- [111] The Ngāti Tamaoho Claims Settlement Act 2018, Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014 and Ngāi Tai ki Tāmaki Claims Settlement Act 2018 have not been relied on by anyone and we do not see them as material to our decision-making.
- [112] To return to a point already flagged, the Treaty settlement deeds that have yet to result in Treaty settlement legislation are conditional on such legislation being passed. This means that no contractual obligations exist. On a strict view, this might be thought to mean that there are no “obligations” for the purposes of section 7(1)(a) and nothing that requires compliance for the purpose of section 82(2).
- [113] We do not take that strict view. We see those settlement agreements as creating good faith obligations that extend to not acting in a way that breaches legitimate understandings of the parties as to what will happen between execution of the deeds and the enactment of settlement legislation. Recognition of good faith obligations is consistent with section 84(1) of the FTTA, which refers to recognition and protection of Treaty settlements. Indeed, since Treaty settlements are often (probably customarily) conditional on the enactment of settlement legislation, there would not be much point in the references to them in the FTTA unless a broad view of this kind is taken.
- [114] Such good faith obligations (or the recognition and protection of Treaty settlements) cannot logically extend to require compliance with what, once Treaty settlement legislation is passed, will be obligations predicated on new statutory authorities and a statutory scheme that are not currently in existence.

Conclusions as to sections 7(1)(a) and 82 and clause 5 of Schedule 3 of the FTAA

- [115] As is apparent, there has been substantial consultation with iwi groups by Winton. As well, the Panel Convenor consulted iwi groups on the appointment of this Panel. Further, we have engaged with iwi groups participating in the process.
- [116] For the reasons generally provided in this Part, we conclude that:
 - (a) The process has been conducted in a way that is not inconsistent with obligations under Treaty settlements (for the purposes of section 7(1)(a));

- (b) Granting of the approvals complies with section 7(1) (for the purposes of section 84(3));
- (c) There are no conditions beyond those that we are imposing that would be appropriate for recognition or protection of Treaty settlements (for the purpose of section 84(1));
- (d) The section 18 report concludes that:
 - (i) there are no documents that the Panel must give the same or equivalent effect to under section 82 requirements; and
 - (ii) there are no other procedural requirements that the Panel must comply with under schedule 3, clause 5 of the Act.

PART E: EVALUATION OF EFFECTS

[117] Schedule 5 clause 5(4) requires a consent application to provide an assessment of an activity's effects on the environment covering the information in clauses 6 and 7.

These matters include:

Clause 6

- (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:
- (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.

Clause 7

- (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 having aesthetic, recreational, scientific, historical, spiritual, or cultural value, or other special value, for present or future generations;
- (e) any discharge of contaminants into the environment and options for the treatment and disposal of contaminants;
- (f) the unreasonable emission of noise;
- (g) any risk to the neighbourhood, the wider community, or the environment through natural hazards or hazardous installations.

[118] The Applicant provided an assessment of these matters in Section 7 of the Planning Report and technical assessments submitted with the Application. Participants who commented also raised a range of actual and potential effects.

[119] The Panel has carefully considered all effects assessed in the Application, and those raised by those persons who made comments on the Application. We do not address every potential effect here as it is not practicable or necessary for us to do so. Rather, we have focussed on those effects that we consider most relevant to this Application.

[120] In identifying the categories of effects to address, the Panel was assisted by the Parties' having identified the issues in contention at the issues conference convened by the Panel following the lodging of comments and the Applicant's response to comments.

[121] Where we have not discussed specific comments as to potential effects, we adopt with approval, the Applicant's response to those comments, or otherwise consider that they have been satisfactorily addressed through further information provided through this fast-track process, or through conditions imposed on the consent. If they are not addressed at all, the Panel considers that they were not material to our Decision on the Application.

[122] The following main categories of actual and potential effects on the environment exist:

- (a) Potable water supply;

- (b) Wastewater supply;
- (c) Stormwater and flooding;
- (d) Transportation;
- (e) Urban design and amenity;
- (f) Productive soils;
- (g) Airport noise;
- (h) Ecology;
- (i) Geotechnical and groundwater;
- (j) Notice of Requirement; and
- (k) Cultural effects.

[123] The Panel has addressed these effects thematically throughout our discussion below. The Panel has also had regard to the relevant planning provisions in evaluating the effects of the Project, as noted in Part G (Planning Framework).

E1: POTABLE WATER

[124] Within the Papakura area, Watercare Services Limited (**Watercare**) is responsible for the overall potable water network and trunk mains while Veolia operates the local network.

Applicant's proposal

[125] One of the Application documents is a Three Waters Strategy Report, prepared by Maven Auckland Limited (**Maven**), which includes a discussion on water supply matters.

[126] Responsibility for the operation, maintenance and connections to the public water supply networks in the general area of the site is the responsibility of Veolia and preliminary discussions were held with Veolia regarding connections to the Hunua 1 and Waikato 1 transmission mains via existing, upgraded or new Bulk Supply Points (**BSPs**). It is assumed, in Maven's report that, as a large proportion of Auckland's water supply originates south of the site and the transmission lines are close to the site, an engineering solution can be developed to connect the site to the bulk supply network to satisfy the water supply requirements of the proposed development.

[127] In the Application, two conditions referencing the three-waters infrastructure for the proposed development were proposed – Conditions 117 and 120. Condition 117 requires all the necessary pipes and equipment to enable connections to be established prior to occupation. Condition 120 sets out infrastructure requirements by stage.

Comments received

[128] Comments on the potable water supply issue were received from Watercare as a member of the Auckland Council "family".

[129] Watercare's bulk infrastructure programme (including potable water supply) is planned, funded and sequenced principally in accordance with Auckland Council's Future Development Strategy (**FDS**) for growth in the Auckland Region.

- [130] The area of FUZ land within the Site is currently programmed in the FDS for 2050+. Watercare’s policy position is to exclude rural-zoned land from planning for the provision of infrastructure.
- [131] Although it is open to exploring developer-funded solutions, Watercare is generally not supportive of out-of-sequence development when that development has the potential to impact the infrastructure delivery programme.
- [132] Watercare’s preliminary assessment was that there was currently sufficient capacity within the bulk water supply network to service the FUZ land without precluding development of existing live-zoned land but, due to the policy position described above, no assessment has been made of the feasibility of supplying potable water to the rural-zoned land.
- [133] In addition to the policy-related positions described above, Watercare pointed out limitations for accessing the water supply required for development from the transmission network. Specifically, existing BSPs were at full capacity with no ability to accommodate new connections, and an operational decision has been made to defer all non-essential shutdowns for future connections until a new “Waikato-2 Watermain” is completed in about 2035.

Applicant’s response to comments

- [134] Following the receipt of comments, Watercare and the Applicant engaged in further discussions. The Applicant confirmed that it is open to funding water supply solutions and pointed out that, with a 15-year development delivery programme, the whole of the Sunfield development would not have to be served from the commencement of development.
- [135] From the Applicant’s response, the Panel understood that Watercare’s position regarding the practicality of installing new BSP connections had changed and that there are options that may enable the proposed development to be serviced in a staged manner. The Applicant reported that Watercare undertook to further investigate servicing options and provide a formal response on the viability of the potential solutions discussed.

Joint Witness Statement

[136] An expert conference on this topic was convened on 18 November 2025. The participants were instructed that the questions posed should be considered without reference to Watercare’s policy position of not servicing rural-zoned land, and without reference to supplying other live-zoned land”. This instruction was acknowledged and generally complied with, but reference continued to be made by Watercare to timing established by the FDS which has, as its basis, those policy matters.

[137] Nevertheless, the Joint Witness Statement¹⁴ was valuable to the Panel by providing a summary of the issues and the positions of Watercare and the Applicant as they had developed during the consideration of the Application.

[138] From the Joint Witness Statement, the Panel understands that, with upgrades to the Takanini 2 water main and the Airfield Road BSP, both the FUZ and rural zoned parts of the site can be fully serviced. However, this may mean there is a capacity shortfall for servicing of live-zoned and other FUZ land in the Takanini area.

[139] Watercare’s Takanini 2 water main upgrade is planned and funded with an anticipated completion date of December 2031 and this timeline could be accelerated. The BSP upgrade would be developer funded. An alternative source of water supply is the Waikato 1 water main, but an additional BSP cannot be installed until after the Waikato 2 Water main project’s completion in 2035.

[140] Sunfield would fund and construct the full local network to serve the proposed development, and also any upgrades required to the surrounding local networks. The Panel also observes that if, due to capacity being taken up by Sunfield, Watercare is required to increase the capacity of water mains to supply other zoned areas in the future, Development Contributions (Infrastructure Growth Charges) payable by Sunfield would be available assist with the funding of those works.

¹⁴ Joint Witness Statement Water Supply dated 18 November 2025.

[141] A final matter of interest to the Panel was advice from the Applicant that the Clevedon aquifer could possibly (subject to consenting) provide an interim option for a water supply prior to the completion of required upgrades to the Watercare network.

Statutory instruments

[142] The statutory instruments of particular relevance to this topic are:

- (a) National Policy Statement on Urban Development;
- (b) National Policy Statement for Infrastructure; and
- (c) AUP.

Panel findings

[143] The Panel was not assisted by Watercare's unwillingness to assess whether there is sufficient capacity in the bulk water supply network to service the whole of the proposed development due to its policy position of not servicing rural zoned land. As this is a policy decision, the Panel considered that this policy (and timeframes for the supply of infrastructure to service growth) could be amended in the future to facilitate the proposed Sunfield development if the underlying reasons for the policy position could be appropriately addressed (for example by Sunfield funding the necessary upgrades required to ensure that future developments could still be served). Denying a water supply for the Sunfield Proposal would effectively reserve capacity for future development elsewhere which may or may not take place within the 15 years of the Sunfield development.

[144] We were presented with sufficient evidence to give us confidence that there is likely to be sufficient capacity in the bulk supply network to service the full site and that there are feasible options available for making the necessary connections to the water mains when required, particularly with the staged nature of the proposed development. In addition, as an interim solution, the Clevedon aquifer is a possible source of potable water.

- [145] We acknowledge the concerns of Watercare but, in the end, we agree with the submission of Counsel for the Applicant that a claimed lack of capacity for the potable water supply “constitutes a developer’s risk” – it is not an effect on the environment or a consenting issue. We have addressed this issue elsewhere in this Decision, including in particular, in Part I which deals with conditions.
- [146] Notwithstanding our findings in this regard, we acknowledge that it is up to Watercare and the Applicant to come to an agreement on the provision of the water supply for the proposed development, including timing and funding. It may be cost-prohibitive for Sunfield to obtain such agreement, but as acknowledged by the Applicant, that is the “developer’s risk” to bear.

E2: WASTEWATER

[147] Within the Papakura area, Watercare is responsible for the overall wastewater network and trunk mains while Veolia operates the local network.

Applicant's proposal

[148] One of the Application documents is a Three Waters Strategy Report, prepared by Maven, which includes a discussion on wastewater disposal. The wastewater strategy for the site, outlined in that report, is to “restrict the wastewater discharge to an acceptable level to avoid any capacity issues with downstream wastewater infrastructure”. The “acceptable level” is the volume and rate of discharge anticipated from the FUZ land.

[149] It is proposed to connect the site to the existing Takaanini Branch Sewer (located on Walters Road on the eastern boundary of Bruce Pullman Park) via a new rising main to be constructed by the Applicant. A Low-pressure Sewer (**LPS**) wastewater system is proposed which will enable the discharge from the entire development to be limited to the discharge anticipated from the FUZ proportion of the site. This will avoid downstream capacity effects as it has been confirmed, by Watercare and Veolia, that the external network has capacity to service the peak wet weather flow from the FUZ land (assuming a gravity system).

[150] For other LPS systems authorised by Watercare, a private pump ownership model has been adopted. Under this model, an individual property owner (or representative) purchases and installs a grinder pump and associated equipment (pre-approved by Auckland Council) which is then vested in the Council. A residents' society is set up to monitor and maintain the LPS system, and a “smart” controller allows the pumps to activate at different times, enabling the morning and evening peak flows to be decreased. Stormwater infiltration is eliminated due to the network being a sealed system, further reducing wastewater flows. The Applicant anticipates that a similar system would be implemented for the Sunfield development.

[151] In the Application, two conditions referencing the three-waters infrastructure for the proposed development were proposed – Conditions 117 and 120. Condition 117 requires all the necessary pipes and equipment to enable connections to be established prior to occupation. Condition 120 sets out infrastructure requirements by stage.

Comments Received

[152] Comments on wastewater matters were received from Ruby Pearce, Rosanne Wills and Watercare. Ms Pearce asked for assurance that the wastewater (and stormwater) systems would be “up to standard and even over spec’d” in order to cope with flooding. Ms Wills queried whether Watercare had confirmed there is adequate capacity for the development in the public networks.

[153] Watercare raised three main concerns:

- (a) out of sequence development and the lack of funding for required upgrades;
- (b) the proposed LPS is not supported by Watercare’s Code of Practice (**COP**); and
- (c) The existing resource consent for the Mangere Wastewater Treatment Plant (**Mangere WWTP**) provides a constraint on its ability to service out-of-sequence and unanticipated growth.

[154] Watercare plans for future development of urban growth areas identified by Auckland Council, in alignment with the sequencing and timing of the Council’s long-term planning documents. As a matter of policy, Watercare does not service rural-zoned land and does not support connections to FUZ land where providing those connections would jeopardise its ability to provide connections for development of the existing live zone land.

[155] Watercare’s COP stipulates that wastewater servicing should predominantly rely on a gravity network unless specific conditions apply, including a limit of 50 dwellings. Watercare considered that the LPS option would introduce significant operational risk. They consider that the Applicant has not provided sufficient justification for this option.

[156] It was noted in Watercare’s comments that servicing the FUZ land (utilising a gravity sewerage system) would require an extension of the Takaanini branch sewer, and upgrades to the existing sewer line and to the Southern interceptor. This work is not planned or funded in Watercare’s 10-year plan and would be dependent on the planned South-West Interceptor Duplication which is scheduled for delivery in the late 2030’s.

[157] The existing discharge consent for the Mangere WWTP (which expires in 2032) includes as a condition an average daily flow limit which constrains the Plant’s ability to service out of sequence and unanticipated growth. When reconsenting the discharge, Watercare will need to provide for future growth in line with the Council’s growth forecast. Unanticipated wastewater flows (such as those from Sunfield) may require upgrades to the Mangere WWTP to be brought forward.

[158] Watercare may refuse a request for wastewater (and water supply) connections for the Proposal because connections for the FUZ land will not be available until the late 2030’s at the earliest, and Watercare’s policy is not to service rural-zoned land. Watercare considers, therefore, that the Applicant must demonstrate permanent private solutions for those services.

Applicant’s Response to Comments

[159] In the response to Watercare’s comments prepared by Maven (dated 16 October 2025) it is reported that, during subsequent meetings and communications, Watercare has confirmed that there is capacity in the Takaanini Branch Sewer to accommodate wastewater flows from the FUZ component of the site. By using an LPS system, sewage could be stored and then pumped from the proposed Sunfield development into the existing network during off-peak periods. This reduces the peak flow so that the entire development can be serviced with the peak flow that would apply just to the FUZ land with a gravity system.

[160] Maven’s analysis shows that the Takaanini Branch Sewer can accommodate LPS flows from the proposed development without upgrades being required. A connection from the branch sewer to the site will be required and the Applicant has committed to funding and undertaking that work.

[161] Mavin notes that an LPS system is particularly well suited to the site due to its flat topography, high groundwater levels and low-strength peat soils. Compared with the gravity alternative, an LPS system will significantly reduce the required excavation depth, groundwater infiltration risk and construction impacts.

[162] In relation to the constraints imposed by the resource consent for the Mangere WWTP, Maven contends that:

- (a) there is currently capacity to accommodate the flows from the proposed development;
- (b) the 15-year timeframe and staged nature of the development will ensure discharge volumes will increase over time, not abruptly;
- (c) the proposed LPS system enables the discharge peak volume and timing to be controlled; and
- (d) the Infrastructure Growth Charges payable by the Applicant will fund increased capacity when required.

[163] In their response to Watercare's comments, Maven has discussed the potential for a hybrid LPS/Gravity wastewater system to be utilised. This approach mitigates the risks from deep excavations by limiting the gravity network to areas with sufficient gradient and using the LPS system elsewhere. The gravity network can be constructed of welded polyethylene pipe to limit stormwater infiltration.

Statutory instruments

[164] The statutory instruments of relevance to this topic are:

- (a) National Policy Statement on Urban Design;
- (b) National Policy Statement for Infrastructure; and
- (c) AUP.

Panel Findings

[165] The Panel is satisfied that the existing network has capacity to accept wastewater flows from development of the FUZ land utilising conventional gravity network and that, utilising an LPS system over the whole development area, the discharge from the site will be equivalent to (or lower than) that peak flow.

- [166] An extension to the Takaanini Branch Sewer will be required to serve the site but the Applicant has agreed to fund and carry out the required works.
- [167] We are satisfied that the Mangere WWTP has capacity to accept the flows from the staged development over the proposed 15-year period and that this capacity can be built into the Application to reconsent the discharge from the plant. Further, we agree with the Applicant that a proportion of the funding required for upgrades to the plant over time will be available from the Infrastructure Growth Charges payable by the Applicant.
- [168] We accept the evidence of the experts on behalf of the Applicant that an LPS system is to be preferred for the Sunfield site due to the flat topography, high groundwater levels and low-strength peat soils. The Applicant has also put forward an alternative, hybrid LPS/Gravity system as an option. We note that, in opposing the LPS option and promoting a gravity sewer solution, Watercare relies on its own COP, which sets a limit on the number of dwellings to be served by an LPS.
- [169] The Panel was presented with evidence of other larger-scale LPS networks both within New Zealand (including within Watercare's jurisdiction) and overseas. Although some operational issues were identified with one of those schemes, the Panel accepts the evidence that the methodology is viable and technically sound, and that there are techniques to deal with any problems that may arise.
- [170] Watercare's COP may cause it to refuse connection to the public network, and Watercare may refuse to accept vesting of part or all of the internal wastewater system, but these are risks the Applicant takes and, in our opinion, the required approvals do not represent effects the Panel should concern itself further with. As addressed elsewhere in our Decision, the Applicant acknowledges this risk and has agreed to be bound by conditions to this effect.

E3: STORMWATER (FLOOD HAZARD)

- [171] The site sits within two stormwater catchments with 188ha of the site draining to the Papakura Stream (the **Eastern Catchment**) and 56.5ha draining to the Pahurehure Stream (the **Western Catchment**).
- [172] The existing infrastructure for the Western Catchment comprises Stage 1 of the Awakeri Wetlands, a box culvert under Battalion Drive, McLennan Wetland, and the Artillery Drive Tunnel. The Awakeri Wetlands forms part of a greater scheme to provide stormwater servicing for the Takaanini south-east area and effectively remove the floodplain from surrounding land. The construction of the Awakeri wetlands has been staged, with Stage 1 being recently commissioned by Healthy Waters. Stages 2 and 3 (on land owned by Auckland Council) have been consented and the Applicant has agreed to undertake their construction.
- [173] Stormwater runoff from the existing Eastern Catchment discharges northwards via farm drains and a tributary of the Papakura Stream, before reaching the Papakura Stream and ultimately the Pahurehure Inlet.
- [174] There is currently an extensive flood plain and a network of overland flowpaths over the site and the surrounding area. At present (prior to the works proposed with the Sunfield development), in a 100-year ARI storm event, flood levels of between 200mm and 800mm are predicted for the site.

Applicant's proposal

- [175] One of the Application documents is a Three Waters Strategy Report (prepared by Maven) which includes a discussion on stormwater management and flooding.
- [176] The proposed stormwater strategy is to use a combination of flood management devices and conveyance options to mitigate flooding effects in the various sub-catchments within the site. The diversion of approximately 55ha of catchment from the Papakura Stream catchment to the Pahurehure Inlet catchment is proposed.
- [177] The Sunfield Proposal will discharge stormwater from an additional catchment area of 54.9ha into the Western Catchment and Stormwater Pond 4 (effectively a fourth stage of the Awakeri Wetlands) has been designed by the Applicant to reduce peak flows from Sunfield to baseline levels for a 100-year, 24-hour storm. Pond 4 also provides stormwater quality treatment for the additional catchment.

- [178] Stormwater Ponds 1 and 2 have been designed to attenuate peak flows from a 100-year storm event to pre-development levels or lower. These ponds also provide stormwater quality treatment for the stormwater flows that discharge to them. A proposed channel adjacent to the eastern boundary of the site (the Eastern Diversion Channel) diverts a significant portion of the upstream catchment around the site perimeter and discharges into Pond 1. The original proposal has been amended to accommodate the Mill Road NoR.
- [179] A sophisticated pond system utilising weirs will operate in the eastern part of the site, to maintain stormwater discharge from within the site to pre-development volumes and rates of flow. The stormwater flows to be discharged to existing farm drains will continue to be conveyed to a tributary of the Papakura Stream.
- [180] Hydrological mitigation is achieved by retention and detention devices and stormwater quality treatment is provided through stormwater conveyance and wetlands.
- [181] Groundwater soakage and recharge pits will be utilised to ensure existing groundwater levels are maintained. The retention provided by these pits will also provide hydrological mitigation.
- [182] Peer reviews for various aspects of the stormwater management proposal have been carried out by McKenzie and Co, Tonkin + Taylor, and CKL. These reports confirm the Applicant's view that flooding issues can be adequately mitigated.
- [183] The Applicant has proposed two conditions referencing the three-waters infrastructure for the proposed development - Conditions 117 and 120. Condition 117 requires all the necessary pipes and equipment to enable connections to be established prior to occupation. Condition 120 sets out infrastructure requirements by stage.

Comments Received

- [184] Comments on stormwater and flooding risks were received from a number of parties. Several commented on the history of flooding on the site with Ruby Pearce and Peter and Natalie McKenzie having experienced flooding, and John Cheng and MC Investments (NZ) Limited recording that flooding had not been an issue on their properties.

[185] Ruby Pearce, Te Akitai Waiohua Settlement Trust and Te Akitai Waiohua Waka Taua Incorporated (**TAWST** and **TAWWTI**) and Waikato-Tainui, sought assurances that the proposed stormwater solution would cope with frequent storm events, as well as extreme events, and the potential consequences of culvert blockage or the mitigation measures not performing as intended.

[186] Andrew and Sandra Beard, Aaron Paap and Xian Zhang expressed more general concerns about the proposed mitigation, while John Cheng raised the issue of potential flooding beyond the site. Auckland Transport (**AT**) was concerned about impacts of flooding on road safety and asset damage.

[187] NZTA observes that the Application, as lodged, conflicts with the Mill NoR which will prevent the construction of Sunfield's proposed eastern diversion channel. Information is sought on a revised channel design and NZTA notes that collaborative discussions are ongoing in that regard.

[188] The comments from 897 Alpha Limited are mainly concerned with a perceived inadequate assessment of stormwater effects. In particular the risk of failure or blockage in a significant storm event.

[189] Auckland Council/Healthy Waters have concerns with the feasibility of the proposed stormwater infrastructure proposed to serve the site and mitigate adverse effects on the downstream receiving environment. These concerns include:

- (a) The diversion and discharge of stormwater from the proposed development cannot be authorised under Auckland Council's Network Discharge Consent;
- (b) Flood risk mitigation for both catchments is reliant on three large stormwater attenuation basins. These lack redundancy and are not resilient to blockage or operational failure;
- (c) The reliance on utilising an informal network of farm drains and roadside table drains poses a serious risk to public safety and network reliability. The farm drains are on private property and are known to be under capacity;
- (d) The risk of ground settlement from earthworks and groundwater drawdown have not been assessed;

- (e) The effects of an increased catchment draining to the McLennan Dam have not been evaluated;
- (f) Local overland flowpaths have not been considered;
- (g) The proposed use of existing downstream infrastructure as tertiary treatment devices is not supported by the Application assessments; and
- (h) Due to the notification of the Mill Road NoR, a fundamental reconsideration of Sunfield's stormwater management approach is required.

Applicant's response to comments

[190] The Applicant responded to the concerns of private submitters by directing them to information already available and the contents of a memorandum addressing matters raised by Auckland Council/Heathy Waters.

[191] In the memorandum dated 10 October 2025, a comprehensive and detailed response was provided to the comments of Auckland Council/Healthy Waters. In relation to the matters itemised above, the Applicant responded as follows:

- (a) An application for a new Network Discharge Consent has been included in the Sunfield FTAA Application;
- (b) A detailed explanation of the design, operation and appropriateness of the proposed stormwater attenuation basins was provided;
- (c) The proposed stormwater management strategy includes attenuation ponds with the aim of reducing post-development peak flows to below pre-development level levels for the SMAF, 2-year, 10-year and 100-year rainfall events, ensuring that the Sunfield development does not exacerbate existing flood conditions. The Applicant acknowledges that a catchment-wide solution constructed in conjunction with the MR2 project, intercepting and diverting upstream flows to the Papakura Stream, would improve the overall stormwater management system performance and reduce the flood risk on downstream properties;
- (d) The risk of ground settlement from earthworks and groundwater drawdown has been addressed as a separate topic in this Decision;

- (e) Pond 4 has been specifically engineered to attenuate flows from the additional 54.9ha catchment and modelling confirms peak flow levels within the Awakeri Wetlands will remain unchanged or will be reduced;
- (f) The detailed assessment of localised overland flowpaths and lot-specific flood risk will be undertaken during detailed design;
- (g) Pond 4 will provide water quality treatment for the additional 54.9ha such that water discharged from this area into the McLennan Upper Wetland does not require further treatment; and
- (h) Subsequent to the notification of Mill Road NoR, the Applicant has prepared a revised concept design, including for stormwater management associated with the proposed new road. Direct discussions with NZTA on this matter have been ongoing and the Applicant has provided the Panel with a letter dated 19 December 2025 confirming that proposed Condition 85B (which relates to the “coordination of the Sunfield channel works and Mill Road corridor earthworks”) has been agreed between those parties.

Expert Conference

[192] An expert conference on Stormwater/Flooding and Groundwater/Geotechnical matters was convened on 21 November 2025. At the conclusion of the conference, as recorded in the Joint Witness Statement,¹⁵ the following issues remained in contention:

- (a) The practicality of constructing weir structures in Pond 1 (confirmed as four, 100 metre concrete weirs) which need to have a very low tolerance to vertical movement;
- (b) Dual use of the proposed pond for stormwater management and recreation;
- (c) The upgrade of McLennan dam to meet required safety standards;
- (d) The flood risk to roads;

¹⁵ Joint Witness Statement Stormwater / Flooding and Groundwater / Geotechnical dated 21 November 2025.

- (e) The timing of consideration of local overland flowpaths;
- (f) Integration of the Sunfield and Mill Road NoR stormwater management proposals;
- (g) The extent of land associated with stormwater management to be vested in Auckland Council; and
- (h) The reliance on utilising an informal network of farm drains and roadside table drains to convey flows to the Papakura Stream.

Hearing

- [193] The above matters were addressed during the hearing convened on 10 December 2025.
- [194] Utilising the “hot tub” hearing format, the witnesses were questioned on the matters remaining in contention following the expert conference. The Panel acknowledges the professionalism of the witnesses appearing before us. Their constructive approach to responding to our questions was of particular assistance to us and has allowed us to make the findings in relation to those matters set out below.

Statutory Instruments

- [195] The key statutory instruments relating to this topic are:

- (a) National Policy Statement on Urban Development;
- (b) National Policy Statement for Infrastructure;
- (c) National Policy Statement for National Hazards; and
- (d) AUP.

Panel Findings

- [196] Having reviewed the comments, the Applicant’s responses to those comments and the Joint Witness Statement, and having considered the evidence and answers to the Panel’s questions at the hearing, the Panel makes the following findings in relation to stormwater and flooding matters.

[197] In the light of the conditions of consent to be imposed, the Panel finds that that the stormwater management proposal for the Sunfield development is appropriate and feasible and will satisfactorily mitigate the flooding risk on the site and on downstream properties. In particular, with reference to the matters in contention listed in **paragraph 192** above:

- (a) The evidence of the Applicant's expert witnesses that the weir structure can be constructed to the necessary tolerances is accepted;
- (b) The evidence presented on the dual use of Pond 4 for stormwater management and recreation satisfies us that this is practicable;
- (c) McLennan dam should be upgraded by the Applicant to meet required safety standards and this matter will be addressed by a condition of consent;
- (d) The Panel accepts the evidence of the Applicant's expert witnesses that the flood risk to roads will be satisfactorily managed;
- (e) The consideration and identification of local overland flowpaths can take place at EPA stage;
- (f) Integration of the Sunfield and Mill Road NoR stormwater management proposals is capable of resolution through consultation associated with the NoR process; and
- (g) Vesting of land associated with stormwater management is a matter to be resolved by the Applicant and Auckland Council.

[198] The utilisation of existing, unmodified farm drains for the conveyance of stormwater from the Eastern Catchment to the Papakura Stream potentially gives rise to an unacceptable risk in regard to flooding of downstream properties. The Panel acknowledges that the stormwater management proposal is required (by conditions 27B) to ensure that equivalent (or lesser) flows are required to be conveyed by those drains, and that the drains are on private property, thus limiting the ability of the Applicant to upgrade or maintain those drains. Nevertheless, the efficiency of the conveyance system is reliant on those property owners maintaining the drains to ensure they are able to accommodate the expected stormwater flows on an ongoing basis. If the drains are not maintained satisfactorily, downstream flooding may occur and not just on the properties where inadequate maintenance has been carried out. Rightly or wrongly, the responsibility for such flooding would be, at least partially, attributed to the Sunfield development.

[199] Despite this matter being raised in comments on the Proposal, the Applicant has not proposed any conditions or modifications to avoid, remedy, mitigate, offset or compensate for this adverse impact.

[200] The Panel is unable to impose a condition on the downstream landowners requiring them to maintain those drains. Such a condition would be unlawful as imposing an obligation on a third party.

[201] The Panel considers that the Applicant must accept responsibility for the maintenance of those drains if the drains are to be relied upon to convey stormwater from the Eastern Catchment.

[202] In order to address this issue, the Panel has decided to impose a condition on the Applicant requiring it to maintain those drains in accordance with a Drainage Management Plan, if access is not denied by the owner or occupier of the relevant land. Condition 27B is included for this purpose.

[203] It is clear to the Panel that, in the longer term, there may be an opportunity for a conveyance channel to be constructed in conjunction with the MR2 project (if the NoR is approved). The condition requiring the Applicant to maintain those drains applies unless or until an alternative option becomes available.

Conditions

[204] In addition to the conditions offered by the Applicant, the Panel imposes the following condition:

Drainage Management Plan

The purpose of the Drainage Maintenance Plan (DMP) is to ensure that the existing farm drains that are relied upon to convey stormwater from the site continue to have the capacity to convey pre-development volumes and flowrates.

The DMP shall include details of:

- The measures to be taken by the consent holder to ensure the drains remain free from the build up of weeds or sediment, or other debris, and the disposal of material removed from the drains.
- The frequency of the works to be carried out.
- Measures to minimise disruption to landowners and damage to the land.
- Consultation with affected landowners and identification of any landowners denying access for the maintenance works.

The DMP shall be prepared and submitted to the Council for certification prior to the commencement of any stormwater management works on the site.

If an individual landowner or occupier denies access for the maintenance works detailed in the DMP, the DMP shall not apply to that particular property.

This condition shall apply unless or until an alternative drainage conveyance channel becomes available.

E4: TRANSPORTATION

[205] Transport-related features of the proposed Sunfield development are described in the Integrated Transport Assessment (**ITA**) accompanying the Application by Mr Leo Hills of Commute dated 10 Feb 2025. These features include:

- (a) Restrictions on the parking supply to encourage a ‘car-less’ community;
- (b) A loop road as the primary road and a network of local and collector roads within the site;
- (c) The Sunbus electric bus fleet that operates continuously, travelling internally around the loop road as well as linking the site to Takanini rail station, town centre and Papakura station and town centre;
- (d) A pedestrian/cycle network within the site, linking to the Papakura and Takanini town centres;
- (e) Seven links to the wider road network including a realigned Hamlin Road;
- (f) Links from the Sunfield road loop to Cosgrave Road and Old Wairoa Road;
- (g) New east-west roads connecting to Airfield Road; and
- (h) Upgrades as required to external intersections to mitigate transport effects of the Proposal.

[206] On 13 June 2025 (after notification of the Fast-track Application), NZTA issued a notice to Auckland Council of its requirement for a designation for the northern-most section of the MR2 project – the “Takanini Section” (the Mill Road NoR). The NoR encompasses a sliver of land along the eastern boundary of the Sunfield site. On 7 July 2025, the Panel invited NZTA to comment on the Application. Discussions between the Applicant and NZTA, on how the Sunfield development may be modified to respond to the NoR, have been ongoing. The Mill Road NoR is the subject of a separate section of the assessment of effects in this Decision.

[207] The Applicant does not own all of the land subject to the Application and the preferred outcome for the proposed loop road includes a section through properties under different ownership. This is likely to prevent the provision of the full loop road initially and turning facilities will be provided at each end.

Comments Received

[208] Ruby Pearce, TAWST, TAWWTI and Rosanne Wills questioned the practicality of the car-free concept and raised issues such as parking supply and the distance to train stations. Ms Wills is also concerned about the current approach to the design of residential subdivisions in Auckland, with roads having insufficient width for two-way vehicle movements when there is parking on both sides of a road.

[209] Comments relating to changes to existing roads were made by Andrew and Sandra Beard and Ardmore Airport.

[210] The Minister of Education commented on the need to have conditions relating to construction traffic. John Cheng was also concerned about this issue.

[211] 897 Alpha Limited expressed concern that the ITA assumes very low levels of additional traffic associated with Sunfield. These traffic levels are reliant on a constrained parking supply, which will have to be controlled with strict conditions. The constraint will also have a negative effect on the amenity of the surrounding area as a result of Sunfield residents and visitors parking off site.

[212] Auckland Council is also concerned about the low levels of additional traffic assumed as they consider this will underestimate the effects on the capacity of intersections. Further, the Council recommends that a detailed assessment is undertaken to identify the stage of development when an intersection upgrade is needed. They also seek strict parking controls within the site to ensure that the level of traffic remains as assumed and monitoring of transport choices to ensure that the “highly ambitious” modal share assumption is achieved.

[213] In response to the request for comments, AT submitted a very comprehensive review of the Proposal, supported by three reports on specific aspects prepared by Beca (impacts on the surrounding road network and trip generation and distribution) and Martyn Peak (traffic engineering).

[214] The main issues and areas of concern identified in these reports include:

- (a) The underlying assumptions, specifically the trip generation rate of 1,112vph relied upon, are considered aspirational and unlikely to eventuate. It is therefore likely that the Proposal will result in significant impacts on the safe and efficient operation of the wider transport network;
- (b) A large, privately funded public transport service is required to ensure the feasibility of the Proposal and how this would integrate into the existing network, given the staging proposed;
- (c) Concerns about the active travel options and how these would integrate with the existing cycling network and provision of cycling facilities at the train stations;
- (d) Adjustments to the internal road and intersection design may be required for safety or operational reasons; and
- (e) The transport assessment has not been updated to take into account the Mill Road NoR.

[215] NZTA has significant concerns regarding the effects of the Proposal on the local and strategic transport networks, including the future Mill Road corridor, should the assumed transport outcomes not be achieved. They seek enforceable staging and monitoring measures to manage such adverse effects and request an opportunity to comment on the rearrangement of the proposed internal road network required to respond to the NoR.

Applicant's response to comments

[216] In response to concerns about the traffic generation rate assumed for the Sunfield development, the Applicant has proposed an additional condition that requires, after approximately one third of the dwellings are occupied, monitoring of trip generation and a further ITA to determine if additional mitigation is required.

[217] Regarding the public transport services required to serve Sunfield, the Applicant's response refers to the Application ITA and Applicant's response to the Council's request that the Panel make a section 67 request.

- [218] In doing so, it was the Applicant's view that public transport options had been considered in the ITA, and they were open to consider further active travel options.
- [219] The Applicant has now developed a detailed design for each of the Sunfield neighbourhoods to address the internal road and intersection design, which also supports a range of active travel options.
- [220] The Sunfield concept and relevant reports have been amended to integrate the Mill Road (Takaanini Section) proposal. In relation to the transport effects assessment, additional modelling (assuming an increased traffic generation rate of 3,000vph) has been completed by Auckland Forecasting Centre on behalf of NZTA utilising a SATURN traffic model. The results of this modelling are detailed in a memorandum prepared by the Applicant's transport expert.

Review by independent expert

- [221] Brett Harries of Harries Transportation Engineers Limited was engaged to carry out a peer review of the transportation-related aspects of the Sunfield to assist the Panel.
- [222] Mr Harries' comments on the matters on which the Panel sought his opinion are summarised as follows:
 - (a) The ITA has been appropriately scoped and prepared although, the management, control and implications of any potential off-site spillover parking into adjacent neighbourhoods could have been addressed in more depth;
 - (b) The nature of the modelling undertaken was adequate but was enhanced when the NZTA Saturn model was used to include the proposed Mill Road (Takaanini Section) road in the assessment. The initial modelling tested an "ambitiously low" trip generation of 1,112vph but a rate of 3,000vph was subsequently adopted. Mr Harries considers that the use of 3,000vph for the modelling is more credible than the original assumption and will carry less inherent risk of having been under-estimated;

- (c) Although Mr Harries states that “an appropriate level of confidence can be had regarding the use and outcomes” of the Saturn model, he considers that more testing of the implications of the high volume of public transport trips between the site and the Takaanini and Papakura rail stations, and testing relating to the incomplete loop road, would have been of assistance;
- (d) Mr Harries is comfortable that, with the proposed upgrading of intersections that require upgrading, the road network in general will retain an appropriate level of service following completion of Sunfield together with the Mill Road project. He notes, however, that the modelling does not include the effects of Sunbus movements along Alfriston Road and Clevedon Road, or on Cosgrave Road, and that no modelling has been carried out at interim stages of development;
- (e) Mr Harries has recommended the inclusion of conditions specifying active mode measures to improve safety for pedestrians and cyclists;
- (f) He considers the internal road network provides high levels of permeability that are appropriate to the character of the neighbourhoods and the intended constrained use of cars.
Permeability for active modes is provided at levels suitable for a high-density residential neighbourhood. Mr Harries lists recommendations provided by Martin Peake and Neil Stone (on behalf of AT) for improvements to the internal road network, with which he agrees;
- (g) To address adverse amenity effects on the surrounding residential area, it is Mr Harries recommendation that a condition should be imposed requiring the monitoring of off-site parking at progressive stages of development, and that practical measures to address the impacts should be implemented. He has provided a draft condition for the Panel’s consideration;

- (h) Mr Harries considers that, while the site is not currently serviced with existing public transport options, with the Sunbus being fully operational, the Sunfield site will achieve a reasonable, but not overly high level of regional public transport accessibility. In saying this he did highlight the high level of frequency that would be required between Sunfield and the existing train Takaanini and Papakura stations (increasing as the staging is rolled out);
- (i) In Mr Harries' opinion, draft condition 130 (which sets out requirements for a travel demand management plan) is not appropriate. He recommends that a revised condition be imposed on a resource consent that spells out: the transport sustainability targets being sought; how they will be achieved; how will they be measured; who will assess/review them against the targets; and what actions will be taken (by whom) if the targets are not achieved.
- (j) Mr Harries considers that the conditions setting out requirements for a construction traffic management plan are appropriate and provides the Panel with some suggested amendments.

Expert conference

- [223] An expert conference on transportation matters was convened on 19 November 2025. At the conclusion of the conference several matters had been agreed by the parties, including topics to be the subject of conditions, and no major areas of disagreement had been identified. The Panel notes, however, that some matters were already the subject of ongoing discussions and further information was to be provided by the Applicant's expert on other transportation matters.

Hearing

Public Transport and activate travel options

- [224] As part of the hearing process, we explored a number public transport and active travel matters, including:
 - (a) The type of management proposed for the Sunbus and how this would be undertaken;
 - (b) The frequency and timing of the Sunbus as the stages were completed;

- (c) Was there sufficient capacity within existing roading network for the Sunbus at peak times; and
- (d) The potential location of bus stops (and holding spaces) at the two train stations.

[225] Mr Hills confirmed to us, as set out in the ITA, that the Sunbus would be privately run and managed, on contract to Winton (and any further residents association) and fares would be charged for its use. He also confirmed that that the Sunbus would most likely be replaced by traditional two-story buses running at the frequencies appropriate for the current staging of the development from the two train stations. He suggested this could be at 5-minute intervals at peak times. Ideally integrating the bus trips with the rail movements along the southern corridor. This should remove the need for ‘dedicated waiting and holding spaces’ for the Sunbus at the two train stations; acknowledging AT had confirmed there was insufficient space available in the existing bus stop locations at Papakura station.

[226] We also explored with AT whether it was actually possible for the Sunbus bus stops to be suitably positioned adjacent to both train stations. Noting Mr Hills had helpfully suggested some suitable locations. AT confirmed that it would be possible to establish bus stops in these locations subject to the Local Board’s approval, following a consultation process with the adjacent property owners. The Applicant advised us they were in discussions with the Local Board over this issue. As a result, we were left with the impression that there is sufficient space and the ability to accommodate the Sun bus at these rail stations.

[227] We explored the issue of staging (in the event that the order of staging differed from that proposed in the Application) and explored whether this would have an impact on the suggested trigger levels for introduction, increased frequency and proposed Sunbus routes. We were advised by Mr Hills that this could be addressed through conditions of the consent, including the use of a Public Transport Operation and Implementation Plan, to ensure any changing in staging and sequencing of land use activities would not undermine the intent of the Sunbus, nor reduce the public transport options. A point we agree with.

[228] Finally, we explored the active travel options from the site and how these would be integrated into the existing cycle network, including whether the appropriate provision of cycle facilities could be provided at both train stations; a point raised by AT. Mr Hills confirmed it was not the Applicant's intention to provide any facilities for cyclists at either of two train stations as this would be a role for AT. A point we agree with.

[229] Turning to integration within the existing cycle network, Mr Hills explained how this would take place, was supported by the Applicant's Extended Active Mode Network plan dated 19 Dec 2025.

[230] Mr Hills also provided us with a further memorandum dated 19 Dec 2025, further exploring these issues and how they would be addressed through the proposed conditions of consent, including the provision of the Public Transport Operations and Implementation Plan. His overall conclusion for the public transport issues was expressed in this way:

The Sunbus service will provide a fast, frequent, reliable, high quality transport link designed to reduce reliance on cars, integrate with rail and support low carbon community. With a well-planned fleet, consistent timetable and scalable operations, it will service as a backbone of the sun fields transport network.

Statutory Instruments

[231] It is our view that the relevant statutory considerations in terms of design for this Application include:

- (a) National Policy Statement on Urban Development;
- (b) National Policy Statement for Infrastructure; and
- (c) AUP.

Panel Findings

[232] The Panel is satisfied that the revised modelling carried out with an increased trip generation rate is appropriate and that potential impacts on the efficient operation of the surrounding road network will be mitigated by conditions of consent. Appropriate conditions of consent will also enable spillover parking in the adjacent residential area to be monitored and managed. In addition, we consider that the conditions relating to a Travel Demand Management Plan and a Construction Traffic Management Plan (in accordance with Mr Harries' recommendations) are appropriate.

[233] In terms of the public transport issues, we agree with Mr Hill's view and find that the Proposal, reinforced by the proposed conditions of consent would enable the project to adequately integrate into the existing public transport network, including the high frequency rail network. In saying this, we also acknowledge that the underlying design principles seek to reduce the need for travel. In reaching this view, we acknowledge there will be an initial period where the public transport options beyond the site are limited until a critical scale development (occupation of 445 dwellings) is achieved to enable the Sunbus operation to begin. During this period the Applicant is proposing to provide temporary car parking spaces for the residents. This is not unexpected nor inappropriate given the scale of development proposed and the level of development enables the Sunbus to begin operations.

[234] In terms of the active travel options, we support the Proposal and find that the Applicant has taken an appropriate approach to integrate this into the existing cycle and walking network. We also note the significant internal active travel network proposed as part of the Application. This is set out in Applicant's Extended Active Mode Network plan, provided to us on 19 Dec 2025, showing the connection within and beyond the site. Consequently, we find the Proposal provides an acceptable level of active travel options as intended by the design principles for the Sunfield development.

E5: URBAN DESIGN

[235] The Application was supported by an Urban Design Statement prepared by Mr Nick Barratt-Boyes¹⁶ (Managing Director, Studio Pacific Architecture) dated 11 Feb 2025, who as we understand it, also led the design team that developed the master plan and associated individual precinct plans. As we will explore below, each precinct plan had its own bespoke set of design controls (akin to a zoning approach) with its own specific associated bulk and location requirements.

[236] Mr Barratt-Boyes' assessment was undertaken in accordance with the New Zealand Urban Design Protocol's¹⁷ 'Seven 'C's' framework. In the Introduction of his assessment, Mr Barratt-Boyes suggested that:¹⁸

Sunfield is fundamentally a different model of housing in Aotearoa, New Zealand. It challenges the status quo by eliminating the private vehicle as the dominant form of transport. The car-less walkable neighbourhoods become the key driver for the spatial planning. The reduction in private vehicles is a departure from the norm in terms of greenfields medium density housing in Aotearoa New Zealand.

[237] Mr Barratt-Boyes' then explored how this had influenced the design thinking and design hierarchy for the overall development of the vision ('car-less' living), its design principles, key moves, precinct development plans and their associated development controls, which were, in our view, in accordance with standard and appropriate urban design practice. The design principles were:

- (1) Work local;
- (2) Kaitiakitanga;
- (3) Live local;
- (4) Low impact and sustainable;
- (5) Biodiversity;
- (6) Diverse lifestyles choices; and
- (7) Just transition.

¹⁶ An Architect with experience in Urban Design.

¹⁷ New Zealand Urban Design Protocol, Ministry for the Environment, 2005.

¹⁸ Urban Design Assessment dated 11 February 2025, at [4.0.1].

[238] This was supported by a detailed site analysis considering the strengths and opportunities for the site and how this analysis informed the overall site design. The analysis explored how the Proposal would integrate with the existing urban areas to the west and south, and addressed the impacts from the adjacent Ardmore Airport and surrounding rural and rural-lifestyle properties to the east. This analysis led to the decision to concentrate the residential areas to the south, west and north, supported by a central ‘ring road’ servicing the residential areas, light industrial areas and town centre to the east (within noise restrictions surrounding Ardmore Airport). The positioning of the new town centre would be at the intersection of the two main crossroads, running through the centre of the site (north to south and east to west). The positioning would also enable light industrial areas and the town centre to be serviced from the future Mill Road extension.

[239] The assessment then explored the thinking for individual precinct plans, and their positioning on site, including the design philosophy and approach used within each of the individual precinct plans. This included basing each of the individual residential areas around a supporting local hub to provide for the needs of future residents. The built form and environmental outcomes sought were given effect to by a range of design, performance and development control standards, expressed in the proposed conditions of consent. There would also be a number of different roading typologies that favoured active and public transport movements over private travel options (such as Sunbus), limiting the car parking ratio to 1 per 10 household units. We found this analysis very helpful for understanding the likely outcomes of this design approach.

[240] The analysis also highlighted the different residential options and typologies proposed, ranging from standalone single housing, multi-level rest home and aged care facilities and the provision of open space, civic, retail and employment options. The Proposal sought to create an integrated ‘new town’ with a range of residential, commercial, employment and open space options, seeking to reduce travel demand.

[241] A detailed analysis was undertaken of the visual and landscape effects of the Proposal, including the Proposal’s integration within the wider landscape, especially as the environment urbanised. This assessment also highlighted and considered the detailed open space strategy that was proposed, providing both active and passive recreational options for future residents. Given that landscape effects were not in contention between the parties, we do not propose to explore this issue further, save to acknowledge we have considered these issues as part of the overall assessment of the Proposal and its integration into the wider landscape. In saying this, we have considered the open space strategy below.

[242] The final point is the Applicant’s desire, expressed both within the design approach and the urban design assessment, to achieve a “car-free” development (or ‘car-less’ form of development) supported by a range of active and public transport options, in essence creating a place where people could work, live and play without needing to leave the site. Thereby, giving effect to the Applicant’s vision of creating a new form of greenfield development not based around private travel options.

[243] In our view, the ‘car-less’ aspect of the development is to be encouraged and supported. However, as we considered above, questions were raised as to the effectiveness of integration and connection with existing public transport options, including rail and high frequency bus options.

Comments Received

Auckland Council

[244] While we received a range of more general urban design comments from some of the parties, as would be expected, it was the Council that provided us comments more directly related to this topic. As a result, and while not to underplay any other parties’ comments, we will concentrate on Council’s comments.

[245] The Council’s comments were provided by Mr Robert Mainwaring, an Architect, not a qualified Urban Designer. In part, Mr Mainwaring’s limited urban design expertise led to us requesting our own urban design assessment to ensure we had a sufficient understanding of the Proposal from an urban design perspective.

[246] It was Mr Mainwaring’s view that while Sunfield’s concept should be supported, it was optimistic in principle and the site conditions did not naturally support the development as proposed.¹⁹ In reaching this view, he raised concerns surrounding the existing floodplain and the level of site works required. He also raised concerns with the adequacy of the public transport connections within and beyond the site, including the practicality and functionality of the Sunbus service and its ability to provide a meaningful form of public transport linking to the existing high frequency rail network. Whilst we acknowledge Mr Mainwaring’s concerns, as we have explained above, we found that the Proposal would provide an adequate level of connection to the high frequency rail network.²⁰

[247] Mr Mainwaring also questioned, while supporting the ‘car-less’ concept, the approach taken to private vehicle management as the stages are implemented, highlighting concerns about its practicalities and untested nature. If unsuccessful, the Proposal could lead to Sunfield residents parking their cars in the adjacent roadway network causing parking stress. This was also a significant concern raised by AT.

[248] Mr Mainwaring also raised concerns about the level of density proposed and suggested it was on the lower side given the scale of the development. However, as Ms Mein suggested, the density is akin to what is seen as places like Hobsonville, which is a similar distance from Auckland’s Central Business District. Mr Mainwaring also raised concerns about the functionality and level of open space provided for the future residents.

[249] Finally, Mr Mainwaring questioned the structure and functionality of the streets within the residential neighbourhoods and hubs. He felt there was insufficient detail to see if these would work in practice. Related to this issue was the high level of reliance on private, jointly owned, accessways and whether the relevant requirements for Crime Prevention through Environmental Design were met. Mr Mainwaring was also concerned that reliance on private accessways may prevent access to these areas by the fire service.

¹⁹ Auckland Council Specialist Memorandum – Annexure 18: Urban Design by Robert Mainwaring dated 4 August 2025.

²⁰ See also, Mr Leo Hill’s response to our questions during the hearing on 10 Dec 2025.

[250] We were left with the overarching impression that Mr Mainwaring, while supportive of the Proposal in principle, was concerned about a number of practical issues over how the Proposal would be delivered, especially around the use of public transport, active travel, levels of open space and the design and the layout of the residential areas/hubs proposed. We also observed that much of his analysis assessed issues outside of his areas of expertise (for example, engineering). These issues are considered elsewhere in this chapter. In fairness to Mr Mainwaring, he did not have the benefit of all the further engineering information that we received, and we do recognise that matters that he raised were dealt with by the Applicant in response to comments made.

Ms Lisa Mein

[251] As noted above, we sought technical assistance under clause 10(3) of Schedule 3 of the FTAA on the topic of urban design from Ms Lisa Mein, a qualified and registered urban designer. This assistance was sought to ensure we could gain a sufficient, detailed understanding of the urban design implications of the Proposal. In our view, this was appropriate given the scale and nature of the Proposal. We sought Ms Mein's advice on:

- (a) The appropriateness of the Urban Design approach used;
- (b) Relevance of precedents used for the design thinking;
- (c) Design approach and density for this location;
- (d) Design approach for the residential precincts and aged care;
- (e) Design approach for the town centre;
- (f) Design approach for the employment areas;
- (g) Open space strategy;
- (h) Staging; and
- (i) Conditions.

[252] We do not propose to go through these issues line by line as Ms Mein’s report is available for reading. However, we do propose to expressly address a number of key issues we consider relevant to our consideration of this topic. It was clear to us that Ms Mein, like Mr Mainwaring, was supportive of the Application’s design approach in principle including the vision of a ‘car-less’ development. However, she also raised concerns about the Proposal’s location being so far away from high frequency public transport options and the site’s suitability for this type of development, given the engineering issues involved.

[253] To support her opinion, Ms Mein explored the general concept that walking catchments surrounding rapid (high frequency) transport options are usually within the 10 to 15 minute walk range (or 800m to 1.2 kms) which was not achieved here. The closest train station is Papakura, at 2.7km. She also questioned the effectiveness of the Sunbus and other public transport options to link the site to these rapid transit stations. To support this view, she raised concerns over the relevance of the precedents chosen to support the design philosophy, exploring a number of precedents she considered were more appropriate and analogous to the current development (being ‘car-less’), all of which were located closer to rapid and high frequency public transport options than that proposed.

[254] Ms Mein also raised concerns regarding the design of the town centre. It was her view that while the design controls provided for a built form of humanistic scale, framed around a range of outdoor spaces, the overall layout appeared to favour private vehicle trips (similarly to the Botany Town centre), which appeared at odds to the overall desire for a ‘car-less’ development. She was supportive of the light industrial areas and considered that their position made logical sense given their relationship with the adjacent Ardmore airport.

[255] Turning to the residential elements she, like Mr Mainwaring, questioned the structure and functionality of the streets within the residential neighbourhoods, including proposed buildings' relationships with the streets and the reliance on private jointly owned accessways. She was of the view that the design response would deliver what could be considered to be medium density (similarly to Hobsonville), with around 40 dwellings per hectare. Ms Mein was of the opinion that the aged care elements related well to the street network and local hubs, supporting connectivity and integration with the wider residential precincts.

[256] Finally, Ms Mein supported the staging strategy which enables stages one to six (within the FUZ area) to be developed first. She, like, Mr Barrett-Boyes and Mr Mainwaring, also supported the need for physical and social infrastructure (including the Sunbus loop and open space network) to be completed in the early stages.

[257] It was Ms Mein's advice that, subject to some minor amendments regarding the interface with the external boundaries, that the proposed conditions were acceptable in urban design terms.²¹

[258] Mis Mein concluded:²²

I support the intent of a car-less development and the overarching principles of the Sunfield development. However, I am concerned that although the masterplan is based on many of the principles of low-carbon neighbourhoods and 15-minute cities, its rural location with relatively poor connections to rapid transit coupled with the geotechnical constraints of the site make it difficult to achieve the car-less aspiration on the subject site.

²¹ Urban Design Peer of Ms Lisa Mein dated 11 November 2025, at [2.9].

²² Urban Design Peer of Ms Lisa Mein dated 11 November 2025, at [3].

Applicant's response to comments

[259] We received a response from Mr Barratt-Boyes for the Applicant, which included a range of comparable and analogous precedents which had helped form the design thinking for the site. We questioned the relevance of these precedents and generally considered that they were not at the scale as currently proposed. The precedents were also much closer to high frequency public transport options. Given the position we have reached above, we do not need to explore these issues any further save to record that we have considered them.

Statutory Instruments

[260] It is our view that the relevant statutory considerations for the Application, in terms of urban design, include:

- (a) National Policy Statement on Urban Development; and
- (b) National Policy Statement for Infrastructure; and
- (c) AUP.

Panel Findings

[261] There was no disagreement between the Applicant, Council and our technical advisor that a 'car-less' development could be supported in principle. There was also no disagreement that the Proposal would provide for a range of land use activities enabling the establishment of an integrated community with different residential typologies, aged care facilities, civic, retail, employment and open space options. In essence, enabling a place where future residents could access everything needed to live, work and play without having to leave the area.

[262] The Panel agrees with this view and fundamentally supports the concept of what is being proposed. We consider that the underlying principles and design philosophy expressed throughout the Application are in accordance with both the policy direction and intent of the NPSUD and RPS which seek to achieve (in urban design terms), the creation of high quality, well designed, well-functioning urban spaces and environments enabling people to work, live and play and reduce travel demand.

[263] In saying this, we agree with Ms Mein and Mr Mainwaring that there are a number of issues that need to be explored and considered from an urban design point of view, including:

- (a) The Proposal and its relationship to public transport options;
- (b) The design and layout of the residential areas and town centre;
- (c) The density proposed;
- (d) Interface and integration with the surrounding environment;
- (e) The impact of car parking on the surrounding roading network; and
- (f) The provision of open space.

[264] In making our findings on this topic we would also like to acknowledge the concerns raised around stormwater, other engineering issues and the provision of infrastructure that were covered in the above assessments. These features form part of the environment and are needed to achieve high quality, well designed and well-functioning urban spaces. However, as we have now found, these issues can be addressed through the appropriate use of conditions of consent.

[265] We now address the issues listed above in turn.

(a) The Proposal and its relationship to public transport options

[266] As considered above, the issue of proximity to rapid transit and high frequency public transport options was a critique levelled against the Proposal by both Ms Mein and Mr Mainwaring; a point we understand. We recognise that both the NPSUD and RPS seek to encourage higher density developments in closer proximity to rapid and high frequency public transport options, supporting the concepts of walkability and reduced travel demand. However, there are two key aspects we would like to explore which have helped frame our findings on this issue.

[267] First, the NPSUD does not require on site car parking for residential development. The Applicant could have applied for a completely ‘car free development’, in contrast to the proposed ratio of approximately 1 to 10, supported by connections within the development and to high frequency public transport options.

[268] Secondly, we agree with Mr Barratt-Boyes' point, and design vision for the site, that Sunfield is inherently designed to reduce the need for private vehicle travel. While we acknowledge we can only provide opportunities to reduce travel demand, we support the design approach taken by the Applicant. While we can understand concerns about the potential adverse amenity that could be created by parking stress in the adjacent roading network, in our view, to prevent a development of this nature to proceed on these grounds would be inconsistent with the approach taken in the NPSUD.

[269] Supporting this view, as we have considered in the public transportation section above, the Proposal provides an adequate level of access to high frequency (increasing as the development unfolds) connections to the existing rapid transit network (rail stations at Takaanini and Papakura). This has given us confidence that the Proposal could be appropriately integrated into the existing public transport system.

(b) The design and layout of the residential areas and town centre

[270] Next, we consider the layout and design of the town centre. While we understand Ms Mein's concerns about enabling a layout that could potentially favour private vehicle trips, we agree with Mr Barratt-Boyes' opinion that the design is appropriate to its location. This is supported by its location at the centre of the two main roads running through the site, adjacent to the light industrial areas and Mill Road NoR, and position on the internal Sunbus loop.

[271] Ms Mein was supportive of the bulk and massing approach and how the building forms would relate to the new 'high street' in conjunction with the open spaces provided. Consequently, we find that the design and layout of the proposed town centre is appropriate to its location and forms an integral part of the overall development, consistent with the design vision and principles.

[272] With regards to the layout and access to the residential areas, we acknowledge the concerns raised, but are satisfied with Proposal due to the proposed conditions requiring the certification of the final design by the Council for each precinct area/plan. While we acknowledge the proposed conditions enable changes to be made to location, size and massing of buildings, we believe this approach is appropriate to address the individual site characteristics as the development unfolds and have been appropriately covered in the proposed conditions.

[273] In terms of the over reliance on the use of private jointly owned access ways, we consider that these will provide a suitable level of access, and the proposed conditions of consent will ensure that the relationship with these private roads will be at a suitable and acceptable level. In saying this, we support the design approach which also seeks to limit private vehicle options and favour active travel options, including linking the residential areas with their local community hubs and the Sunbus. We are not persuaded that the issue of private access, such as proposed, is of such importance as to amount to an adverse impact of the Proposal warranting a proportionality assessment. Moreover, we noted that this issue was not a serious concern raised by AT. As a result, we prefer the evidence of Mr Barratt-Boyes in this regard.

(c) Proposed density

[274] The issue of density was raised by both Ms Mein and Mr Mainwaring. In particular, they questioned whether the Proposal was reaching its full density potential, especially given its design approach to create a walkable and ‘car less’ development. We agree with these views in principle, and that greater density could have been explored and could have assisted in achieving overall design outcomes including a ‘car-less’ development. However, we agree with Ms Mein comments that the Proposal would achieve densities akin to those currently present in places like Hobsonville, being around the 40 dwellings per hectare mark. This is well above the average densities across the Auckland urban area, acknowledging these are increasing as the city intensifies.

[275] We agree with Ms Mein's view, that the Proposal would represent a form of medium density in the Auckland context, and our in our view achieves the appropriate level of density for this location. We also find that the densities proposed will enable the opportunities for active travel options, supported the internal public transport options (i.e., the Sunbus) to achieve the design intention for the Proposal. Consequently, we find that the Proposal is appropriate in density terms for the outcomes sought.

[276] We also observe that the density proposed is a function of the ground conditions. Whilst it might have been desirable for there to be some provision for much higher density residential development around the Town Centre, the ground works required to prepare the ground would have been extensive.

(d) Interface and integration with the surrounding environment

[277] While this was not really an issue of contention between the urban design experts, we still consider it appropriate to address, because it was raised by some persons who made comments on the Application. We found that the Proposal could successfully integrate into the existing residential areas to the south, west and north. In our view, the current Proposal (residential areas interfacing with the existing residential environment) represents a form of development akin to what would be expected by the AUP's Residential Mixed Housing Suburban, or potentially Urban, Zones. This form of development would, in our view, be in keeping with the existing character of the surrounding environment. For completeness, our analysis covered the physical interface between the common boundaries of the site's adjoining properties, and we have found that the level of effects are acceptable.

(e) Impact of car parking on the surrounding roading network

[278] Turning to the potential adverse amenity effects that could be created by Sunfield residents parking in the local roading network, should the development not meet the actual on-site parking demand. As we have considered above, we believe that the Proposal's approach to car parking is a direct consequence of the NPSUD not requiring car parking provision for residential development. We do accept that the approach may create some adverse amenity impacts for residents in the existing roadway network should this occur. However, the Applicant has proposed car parking conditions to address this issue as the site develops. We support this approach and find the conditions as proposed will address this issue if it arises in the future.

(f) Provision of Open Space

[279] The need to provide usable and effective open space was a concern raised by the Council and our own urban design expert and was explored during the hearing process. We understood the Council to be concerned about the level of open space provided and whether the Council would be willing to adopt this large an area of space as part of a reserve contribution, which in their view was predominantly required for stormwater retention purposes and not recreational purposes.

[280] Given where we landed with the Application, we do not propose to spend too much time considering this matter, save to acknowledge that we agree with the Council's initial concerns. Whilst we accept that the level of open space would provide for a range of outdoor activities, such as walking and cycling, the space is predominantly required for stormwater detention purposes to address the potential flooding impacts. As a result, we do not consider it would be appropriate for the Council to be required to take this space as part of any reserve contribution for recreational purposes.

[281] In saying that, and we tested this idea with Dr Roja Tataroji (Council's Senior Parks Officer) during the hearing for the flooding and stormwater matters. It became clear that the level of open space that was proposed (and not counted for stormwater purposes) was acceptable to the Council and met the recreational needs of the future residents. Dr Tataroji confirmed this and that the Council could not accept areas predominately used for stormwater purposes as open space.

[282] As part of this discussion, the Applicant confirmed that areas not ‘taken by the Council for recreational needs’ could be managed through resident associations, or similar, to ensure their on-going maintenance. The Applicant also provided us a memorandum dated 17 Dec 2025, from Studio Pacific (Sunfield Formal Recreation Space Provision), highlighting the location of the new ‘suburban park’ in the centre of the development. The memorandum detailed that the suburban park provided for a range of active recreational activities, within 750 m walking distance of the residential areas. The memorandum also showed the location of the neighbourhood parks and open space, with 350m of residential areas. All of which would also support the ‘open space’ areas used for stormwater retention purposes. This satisfied us that the ongoing recreational and outdoor space needs for the future residents would be met by the level of open space proposed to be adopted by the Council. We also accept that the areas predominantly for stormwater management could and would form part of the outdoor space for the future residents.

[283] For these reasons, while we acknowledge and understand the concerns expressed, we find the level of open space the Council would be willing to accept can meet the recreational needs of the future residents and that its location and positioning on site is appropriate for this level of development.

Conditions

[284] We have reviewed the conditions of consent as now proposed, and we find these are appropriate in urban design terms to achieve the outcomes sought.

Panel Findings

[285] In reaching our overall conclusions about urban design, we are supportive of the overall concept, its vision and the design approach used. Subject to the conditions of consent, we find that, the Proposal achieves appropriate urban design outcomes for the site. The Panel is satisfied that any potential urban design effects are appropriately avoided, mitigated or remedied.

E6: LOSS OF HIGHLY PRODUCTIVE SOILS

- [286] An evaluation of whether the site contains highly productive land (**HPL**) is required.
- [287] HPL is a non-renewable resource and once lost to housing and urban development, it cannot be replaced.
- [288] There is a tension between protecting HPL from inappropriate subdivision, use, and development, and enabling housing and urban growth.
- [289] The Application was accompanied by an assessment regarding the potential loss of HPL. That assessment concluded that:
 - (a) The HPL on the Sunfield site is Land Use Capability (**LUC**) class 2 and 3 land but the site does not contain any LUC class 1 land; and
 - (b) The poorly drained soils (LUC units 3w2 and 2w2) on the site, although considered HPL, are not suitable for intensive horticulture crops requiring deep, well drained soils.
- [290] By way of further context for these conclusions, the assessment noted that although the land on the Sunfield site was classed as HPL, the majority of the soils (excepting the areas of LUC 2s4) on the site have heavy clay soil textures (LUC 2e5 and 3e4) and/or wetness limitations (LUC 3w2 and 2w2) that restrict the range of primary production land uses that would be viable. For those areas, cultivation during wetter periods is not considered to be sustainable and the soils are not suitable for deeper rooting horticultural crops requiring deep, friable, well drained soils (i.e. the range of sustainable land uses is restricted).
- [291] The assessment also went on to record that the HPL areas that are moderately well to well drained (LUC 2s4) do have soils suited to vegetable production and deep rooting horticulture. However, individually they are limited in area and use of these areas for such primary production enterprises is not considered to be practical. The assessment also indicated that there were wetness limitations that further restricted the viability of productive uses.

[292] Overall, the Applicant considered that the Application land is generally not land of high production value given the heavy clay soil textures and wetness limitations. For those reasons, the Applicant considers that urbanisation is an appropriate land use recognising the surrounding residential areas and airport, and low agricultural productivity and economic viability, with the effects associated with a loss of productive land being mitigated by an alternative, more appropriate land-use.

[293] Given the importance of retaining HPL, it is now the subject of a National Policy Statement; the National Policy Statement for Highly Productive Land (**NPSHPL**). The NPSHPL was amended on and from 15 January 2026, and its amended provisions apply to our assessment of this Application.

[294] We examine the implications of that document in Part G of our Decision. For the reasons given in that Part, we find that the MRZ part of the site is HPL, and thus effected by the NPSHPL.

Comments Received

[295] The Auckland Council Family comments addressed the potential loss of HPL through the Planning Memorandum, and the specialist reports of Ms Underwood, Dr Guinto and Dr Meade.

[296] Ms Underwood did not support the basis for urbanisation of the Application site on account of it not being suitable for land-based primary production. Rather, she observed that the land was currently being used for land-based primary production, and that such uses were suitable for continuation.

[297] Ms Underwood stated in her assessment that land of the same LUC class and similar soils in the local area were being used for a wide range of productive uses, including vegetable production, growing kiwifruit, growing strawberries, nursery plant production, grazing and indoor plant production. In her opinion, this indicated there are options for more intensive land-based primary production uses of the Sunfield site than the current use (being mainly grazing).

[298] Ms Underwood also referred to the on-site assessment undertaken by the Applicant and drew attention to extent of the limitations referred to by the Applicant as being ‘slight’ for the LUC 2 land, and ‘moderate’ for the LUC 3 land.

[299] Overall, Ms Underwood was of the opinion that land-based primary production could continue on the site.

[300] Dr Guinto assessed the LUC mapping prepared by the Applicant for the 188ha rural zoned part of the site. He was of the opinion that the site-specific mapping adequately characterised the soil and LUC units in the surveyed areas, identifying predominantly LUC Class 2 and 3 land with wetness limitations.

[301] Dr Guinto then analysed the significance of the wetness limitations, and concluded that those limitations could be managed through proper drainage and soil management practices.

[302] Overall, Dr Guinto was of the opinion that the soils on the site were best suited to remain in agricultural use, under proper water table management.

[303] Dr Meade for the Council also considered the costs associated with the potential loss of HPL. Dr Meade was of the opinion that there is clear evidence of current economically viable productive activity occurring on the site, or on comparable soils at other sites in its close vicinity.

Applicant's response to comments

[304] Dr Hill, Soil Consultant from Land systems responded to the comments from Auckland Council. He was of the opinion that:

- (a) The soils on the site are not as versatile and productive as stated in Dr Guito's assessment, and that they have significant limitations for cropping; and
- (b) That the soils are not as versatile and productive as Ms Underwood's assessment would suggest.

Expert Witness Conference

[305] At the direction of the Panel, the relevant experts participated in expert witness conferencing on this topic. A Joint Witness Statement dated 17 November 2025 was subsequently produced.

[306] The majority of the Joint Witness Statement considers matters relating to the NPSHPL. Those matters are addressed in Part G of this Decision.

[307] Beyond matters relating to the NPSHPL, it is apparent from that Joint Witness Statement that the witnesses did not deviate from their earlier opinions. As such, this Joint Witness Statement did not narrow the issues in contention as between the parties and was of limited assistance to the Panel on this topic.

Statutory Instruments

[308] The primary statutory documents of relevance are the NPSHPL and the AUP.

Panel Findings

[309] For the most part, the Panel prefers the evidence of the Auckland Council witnesses on this topic, for the reasons that they give in their evidence.

[310] The Panel makes the following findings in relation to the potential loss of HPL:

- (a) The rural-zoned part of the site comprises HPL.
- (b) That land is currently being used for land-based primary production.
- (c) The current land-based primary production use is an economically viable use given that those uses are currently being undertaken on the land;
- (d) The soils on the site are not particularly versatile in that the range of land-based primary production is narrower than what might occur on land that comprises LUC 1 soils. However, this does not mean that the soils are not capable of supporting land-based primary production.
- (e) Development and use of the rural-zoned part of the site for urban growth will result in the permanent and (practically) irreversible loss of HPL, resulting in an actual reduction in the area of HPL in New Zealand that is capable of supporting land-based primary production.

[311] The irreversible loss of HPL is, therefore, an adverse impact of this Proposal in relation to the RMA approvals sought by the Applicant.

Conditions

[312] The Panel has turned its mind to whether there are any conditions that it may set in relation to the adverse impacts associated with the loss of HPL. However, the change from rural to urban use at the scale proposed is such that there are no conditions that would be capable of avoiding, remedying, or mitigating this impact. As such, the Panel will need to weigh this impact against the project's regional or national benefits. The Panel undertakes this exercise at Part H of this Decision.

E7: ARDMORE AIRPORT REVERSE SENSITIVITY

- [313] Ardmore Airport is located to the east of Sunfield, and was established in 1943 at the request of the US Airforce as an operational base during World War Two. Upon the opening of Auckland International Airport, Ardmore Airport grew as a general aviation hub providing alternative facilities for general aviation
- [314] Today, Ardmore Airport has over 10,000 aircraft movements per month and is open 24 hours per day. The Airport hosts over 90 tenants on the airfield from a range of industries and users including:
 - (a) Five fixed wing flight schools, two helicopter schools and six charter operators; and
 - (b) Maintenance bases for rotary and fixed wing, agricultural aviation suppliers, private hangars, and the NZ Warbirds head office and homebase to about 40 warbird aircraft.
- [315] Given the proximity of Ardmore Airport, consultation has occurred between the Applicant and Ardmore Airport to ensure that the design response of Sunfield, and the level of protection afforded to Ardmore Airport, is appropriate.
- [316] The site is also designated (**Designation 200**) under the AUP with the purpose being:
 - to provide for the efficient operation and growth of Ardmore Airport by enabling airport activities and flights while defining airport approach and land-use controls.
- [317] The designation has a number of conditions and restrictions regarding:
 - (a) Heights of buildings within aircraft approach areas.
 - (b) Noise boundaries and limits for managing aircraft noise, including noise monitoring.
 - (c) Flight hours and the number of movements, including airshows.
- [318] There is also an Aircraft Noise Overlay in Chapter D24 of the AUP.
- [319] In support of the Application, the Applicant filed an Aviation Safety Report entitled 'Proposed Sunfield Development, Ardmore Airport Safeguarding' prepared by Lambert & Rehbein Pty Ltd. This Report was in turn peer reviewed by Avlaw Aviation Consulting, and Leading Edge Aviation Planning Professionals. The peer review was also lodged with the Application.

- [320] A Lighting and Glare Analysis was also provided by Ibex Lighting regarding the safeguarding of Ardmore Airport, which is accompanied by a letter from Lightforce Solar regarding solar panels being located at the interface of Ardmore Airport.
- [321] The Civil Aviation Authority establishes and maintains the rules that all pilots, engineers, aircraft operators, airlines and aerodromes must follow. The Civil Aviation Authority publishes a series of Advisory Circulars which provide guidance on acceptable means of compliance with various aspects of the Civil Aviation Rules.
- [322] The New Zealand Airports Association, of which Ardmore Airport Limited is a member, is a national industry voice for airports who rely on the Australian National Airports Safeguarding Framework in the absence of a New Zealand equivalent for guidance on the preparation of airport master planning.
- [323] The following matters are identified within the report as key considerations:
 - (a) Protecting operational airspace and preventing obstacles (both permanent and temporary) through the use of height limits, and restricting land-uses and building locations.
 - (b) Restricting the location and size of buildings to minimise windshear and turbulence.
 - (c) Controlling land-use activities to minimise wildlife hazards, e.g. ecological areas within flightpaths, which attract birds.
 - (d) Public safety zones within flight paths and extending from runways by restricting land-uses (e.g. no people generating activities).
 - (e) Lighting and glare being restricted within flightpaths and adjacent to runways which may distract pilots.
- [324] The Applicant has given careful consideration to the design response of Sunfield and the interface with Ardmore Airport to avoid reverse sensitivity issues. Whilst there is an overlap, the Applicant helpfully categorised potential reverse sensitivity issues into three themes being, noise, land-use activities and building scale (including location and detailing).
- [325] In terms of managing reverse sensitivity effects resulting from aircraft noise, the Applicant proposed the following mitigation:

- (a) ensuring an appropriate indoor environment;
- (b) location of particular land-use activity types inside and outside noisy areas;
- (c) providing appropriate outdoor spaces/activities within quieter parts of the development, and having activities which generate people located outside of the noisy areas; and
- (d) use of no complaint covenants.

[326] This mitigation was set out in a detailed suite of conditions filed together with the Application.

[327] In relation to managing land use activities, the overall design of Sunfield has been undertaken to restrict land use activities within the flight path and adjacent to the runway to ensure that there are no people or wildlife generating activities in those sensitive areas.

[328] In relation to wildlife, the Applicant proposes to include an adaptive wildlife monitoring plan as a condition of consent.

[329] With respect to people generating activities, the overall design of Sunfield has taken into account the Protection Areas set out in Designation 200. In this regard, design of Sunfield seeks to ensure that at grade activities occur within these areas, being primarily 'yard' activities associated with industrial activities within the Employment Precinct, with limited people generating activities.

[330] Building scale and design has also been carefully undertaken to ensure compliance with the height restriction requirements for both sealed and grass runways, in accordance with Designation 200. The Aviation Safety Report outlines that buildings at a maximum elevation of 52 metres Above Mean Sea Level (i.e. at a height of 20 metres) would comply with this requirement, notwithstanding the 'Protection Area' requirement. In recognition of this, the Applicant proposes to have buildings comply with this requirement, which is outlined within the Aviation Safety Report. As outlined within the Employment Precinct Design Controls, the proposed buildings in the precinct are to have a maximum height of 20m.

[331] The Applicant has also addressed windshear and turbulence, the potential for air discharges to create turbulence, and effects arising from lighting and glare. These matters are either dealt with in conditions, or considered during the detailed design stage.

Comments Received

[332] Auckland Council addressed potential effects on Ardmore Airport in the comments it made on the Application.

[333] In relation to potential air discharge effects, the Council identified some minor information gaps with regard to the proposed consent condition wording and whether future industrial activities would be able to comply with AUP policies. However, the Council concluded that there were no significant contamination impacts requiring a proportionality assessment from the Panel.

[334] The Council also made comments on potential noise effects, and suggested (through its expert Mr Gordon), a modification to one of the proposed conditions and an additional condition.

[335] Subject to those suggestions in relation to conditions, the Council concluded that there were no significant noise impacts that require the Panel to undertake a proportionality assessment.

[336] Lighting and glare were considered by the Council's lighting consultant, Mr De Vincentis. Mr De Vincentis concluded that subject to the proposed consent conditions, with some minor changes and one additional certification condition, the lighting and glare effects can be appropriately mitigated to expected/permitted development levels and that there will not be adverse glare effects to air navigation.

[337] Planners for the Council concluded that there were no significant lighting and glare impacts requiring a proportionality assessment.

[338] Ardmore Airport was invited to make comments on the Application and did so accordingly. The comments comprised a letter from Ardmore Airport's CEO, Dave Marcellus, and a planning assessment from Ms Morgan, a consultant planner and Director of Barker & Associates. The Planning Assessment had an Acoustics Report, prepared by Ms Smith, appended to it.

[339] Collectively, the comments lodged by Ardmore Airport identify a range of issues with the Proposal. However, as recorded by Ms Morgan, Ardmore Airport is not opposed to development and seeks to work constructively with the Applicant to ensure an appropriate range of mitigation measures.

[340] In relation to mitigation measures, Ardmore Airport recommended changes to a number of the conditions.

[341] One of the issues identified by Ardmore Airport, was the appropriateness of the proposed land use configuration. In particular, the location of new houses and aged care facilities between the 55 dB L_{dn} and 60 dB L_{dn} noise contours.

[342] With respect to new houses within that noise contour, the key concern appeared to be that the proposed noise mitigation (being mechanical ventilation requirements for new dwellings) would only work whilst residents were inside and had their doors and windows closed, but would not work if doors and windows were open.

[343] Issues were also raised with respect to transport and access. These issues are dealt with in the transport section of this Decision, Part E4.

[344] Comments were also made by Mr McGhie and Ms McLeod on behalf of MC Investments Limited, the owner of one of the properties comprising the Application site. In relation to airport noise, they observed:

We have read a lot of negative comments in the media and online re the proximity of the proposed Sunfield development to Ardmore Airport. We have lived here for 17 years and enjoy watching the Planes and Helicopters. It's always a treat to see and hear the Harvard's. A lot of people who live in the area actually like seeing and hearing Aircraft especially on Warbird days. There is a very simple answer to those that may be concerned with Aircraft noise – don't buy in the area. There are plenty of other areas in Auckland to buy a home.

[345] This comment underscores the different perspectives that persons who comprise the community often have on contentious issues associated with change. The Panel has been mindful of these different perspectives when considering the comments made on this Application.

Applicant's response to comments

- [346] The Applicant responded to the issues raised in comments. The Applicant drew the Panel's attention to the changes made to the Proposal to accommodate the alignment of the proposed corridor for MR2. Recognising that the NoR process still needs to run its course, the effect of accommodating an alignment for MR2 along the eastern boundary of the site is that there is now a greater separation distance (83m was applied for, 153m as a result of the change) buffering the land uses on the Sunfield site, and Ardmore Airport. This, the Applicant said, would further reduce potential reverse sensitivity effects.
- [347] In relation to the specific issues raised by persons who made comments, the Applicant further revised the conditions.
- [348] In relation to noise effects, the Applicant made further changes to the conditions aligning with the feedback from Auckland Council. This includes adding condition 141A to state that no dwellings or healthcare facilities with overnight stays are to be located within the 60dB and 65dB contours, and the removal of condition 142(c) to alleviate potential inconsistencies in the specified ventilation requirements.
- [349] The Applicant also responded to concerns raised by Ardmore Airport regarding safety risks to the public, pilots and in turn aircraft, particularly the risk of an aircraft having failure or sudden lack of engine performance, with Ardmore Airport stating that this is more likely to happen during take-off, with training and simulation of this scenario happening over Sunfield.
- [350] The Applicant sought further assurance from Ms Wouts, a Principal Consultant from L+R Airport Consulting, and filed a further memorandum from Ms Wouts as part of its response to comments.
- [351] In relation to the safety issues raised by Ardmore Airport, Ms Wouts remained of the opinion that the Sunfield masterplanned community has been planned according to, and adheres to, NZ and Australian airport safeguarding guidance and can co-exist successfully with Ardmore Airport.
- [352] Some further revisions to the conditions were also made in relation to issues raised by Ardmore Airport. The revisions relate to planting and landscape matters, including within the Ardmore Airport height restriction area.

Joint Statement

- [353] A Joint Statement dated 11 November 2025 was also filed on this topic. That Statement considered (briefly) noise and reverse sensitivity issues and airport safety issues.
- [354] In relation to noise and reverse sensitivity issues, Ardmore Airport recorded that it had sought further technical advice from Ms Smith, in response to Mr Styles' response to comments. Ardmore Airport subsequently sought, and was granted, leave to file that further technical advice. In the interests of natural justice, Mr Styles was afforded an opportunity to respond to Ms Smith's further advice, and did so accordingly.
- [355] What emerged from the Joint Statement was that the Applicant and Ardmore Airport were continuing to work on the drafting of conditions, including in particular, the no-complaints covenant conditions.
- [356] Airport safety was also addressed in the Joint Statement. Again, the Applicant and Ardmore Airport indicated that they would continue to revise the conditions dealing with landscaping. The Panel commends both of those parties for continuing to work together to resolve differences as between them.
- [357] Some further revisions to the conditions were also made in relation to issues raised by Ardmore Airport. The revisions relate to planting and landscape matters, including within the Ardmore Airport height restriction area.

Statutory Instruments

- [358] The key statutory instrument relevant to these issues is the AUP.

Panel Findings

- [359] The Panel finds that the overall design of the Sunfield masterplanned community has been done a way that appropriately avoids, mitigates, and remedies reverse sensitivity effects on Ardmore Airport. They also appropriately address the other issues raised by Ardmore Airport.

[360] For the most part, the experts engaged by the parties with an interest in this topic were in agreement, and the Panel was well assisted by that evidence. However, there were some relatively minor technical differences of opinion between those experts. Insofar as there were technical differences in opinion, the Panel prefers the evidence of Mr Styles for the Applicant, for the reasons that he has given in evidence.

[361] Overall, the Panel finds that the issues raised on this topic are addressed through conditions..

E8: ECOLOGY

[362] While the Council did raise some concerns over the potential and actual adverse ecological effects that could be generated by the Proposal, these issues were addressed by the end of application process to the point that we are now satisfied these matters have now been addressed through the appropriate use of the conditions offered by the Applicant. As agreement has largely been reached on this topic, it is not necessary for us to address this topic at length. However it is appropriate for us to record our consideration of the relevant ecological matters.

[363] The Application was supported by an Ecological Assessment (Document 34 of the Application) prepared by Ms Laura Drummond (Senior Ecologist, Bioresearches) which covers all aspects of the ecological issues relevant to the site, including terrestrial and freshwater ecological matters. Her assessment was undertaken in light of the relevant statutory provisions that applied to the site.

[364] As we have considered above, the site is predominantly used for pastoral activities, and her analysis considered ecological issues by dividing the site into the three catchment areas, which reflect the relevant water and ecological features in each of these catchments:

- (a) Sunfield North: predominantly modified permanent streams or artificial drainage channels;
- (b) Sunfield South: Several tributaries of the Papakura Stream, discharging into the Manukau Harbour, and one natural wetland; and
- (c) Cosgrave Road: freshwater values are limited to artificial watercourses created to facilitate farm drainage.

[365] In terms of contributions to increasing ecological value, the Application details that the existing natural streams (primarily **Watercourse 2**, shown in Figure 37 of the Planning Report) and the natural wetland in the south-eastern portion of the site (Sunfield South) will be protected and enhanced. Over time, conveyance channels and streams and proposed plantings are intended to create an environment with high ecological value (to be known as the **Wai Mauri Stream Park**). This approach sought to enhance the existing ecological values while enabling the development to proceed.

[366] Ms Drummond considered the relevant terrestrial and freshwater issues in turn by catchment area. In doing so she considered the species present, distribution and their location to determine their ecological value and then the potential effects based on the methodology taken from the Ecological Impact Assessment guidelines for use in New Zealand (2018). She acknowledged the limitation to her study. We found her report very helpful for understanding the ecological impacts the Proposal could have on the existing environment, including within these three catchments, and how the Applicant sought to address these matters and the level of enhancement proposed.

[367] It was her concluding opinion:²³

That the terrestrial ecological value of the site is largely limited to the planted exotic vegetation and shelterbelts, and some small, isolated patches of planted native vegetation. The majority of the site is largely comprised of low-ecological value managed pasture.

The freshwater values of the site are limited to artificial watercourses created to facilitate farm drainage. No natural watercourses are apparent in aerial images, and the presence of highly-modified permanent/intermittent streams has been excluded. No natural inland wetlands area present, and aquatic fauna that may inhabit the artificial watercourses would be restricted to robust species such as shortfin eel.

[368] We find that her assessment accorded well with our observation of the site, especially when it came to the planting which appeared to be mainly exotic. The freshwater issues, which were predominantly concentrated within the stormwater drains and artificial watercourses, appeared to have been created through the previous and on-going pastoral farming activities. While not seeking to underplay the ecological issues, the site appeared highly modified to us.

²³ Section 6.4 of Ms Laura Dummond's Sunfield Baseline Ecological Assessment

[369] We accepted that while the site may appear modified (as Ms Drummond acknowledges), there is still the potential and likelihood that a range of fish species are present in these existing and modified water courses, and the impact of that needed to be appropriately addressed. This was especially relevant with respect to the Proposed diversion of the modified or existing watercourses. This was why, as we understand it, the Applicant was proposing a range of on-site enhancement methods, seeking to improve and enhance, (where appropriate), the quality of the watercourses throughout the development (and the quality of Wai Mauri Stream Park).

[370] Finally, we note the proposed conditions of consent also included the provision of a Ecological Management Plan (**EMP**), which requires a lizard survey and bat survey to be carried before development is undertaken to ensure the impacts upon these species is minimised. As we consider below the Council sought to strengthen the EMP provisions to ensure that the appropriate management response are undertaken for these species, including for lizard management.

Comments Received

[371] As with the urban design section, while we received a number of comments from the invited parties that raise a range of ecological issues in a general way, it was the Council's response that provided us with a more focused assessment of the relevant ecological values on the site. While not seeking to underplay the value of these other comments (which we have considered) we propose to concentrate on the areas of contention as between the Council and the Applicant.

[372] We received a report from Mr Jason Smith, a consultant ecologist to the Council, containing a peer-review of Ms Drummond's ecological assessment. Mr Smith raised some concerns about the methodological approach taken by Ms Drummond, including how this approach may not appropriately describe all the adverse effects associated with a development of this scale. He also raised questions surrounding some aspects of the proposed EMP and whether or not it would achieve its outcomes in practice. However, in saying this, Mr Smith was of the view that the terrestrial ecology issues could be addressed by further work and amendments to the proposed conditions of consent. He helpfully provided some suggested potential changes to these conditions.

- [373] In relation to freshwater ecology, Mr Smith raised more major concerns and suggested the Application had not considered all the relevant adverse freshwater ecology impacts.
- [374] Mr Smith's assessment included the impacts of the proposed realignment, and the length of the realignment of the on-site drainage network, on the existing aquatic fish populations and whether this had been considered in sufficient detail.
- [375] He suggested that all the relevant reasons for consent had not been included in the Application under the AUP and NESF. Consequently, he suggested further work be undertaken by the Applicant to address these concerns.
- [376] As a result, Mr Smith was unable to support the Application from a freshwater ecology point of view, as in his view, the Applicant had not quantified, or qualified the freshwater ecology matters to a degree where those adverse impacts could be considered appropriately and quantified.

Applicant's response to comments

- [377] We received the Applicant's response to Mr Smith's concern via a memorandum from Ms Ms Drummond, dated 25 September. In doing so, she addressed the following issues:
 - (a) The methodological approach to used;
 - (i) The works and modification of the streams on site;
 - (ii) The level of site work and their ecological impacts;
 - (iii) Riparian planting;
 - (iv) Earthworks;
 - (v) Vegetation removal; and
 - (vi) The provision of appropriate fish passages.
- [378] Through this process Ms Drummond sought to explain and address Mr Smith's concerns, including the impacts on freshwater ecology from stream diversions, and how this had been mitigated. She also highlighted the level ecological enhancement that would be created through the development. In doing so, she sought to provide us with a level of certainty that these issues could be appropriately addressed through the conditions now proposed. She concluded that:

The project will result in the diversion of permanent stream throughout the site, and an increase in overall stream extent, avoiding permanent stream loss. Post-diversion, ecological enhancement of the diverted stream channels should ensure stream function is retained and provide an overall uplift in freshwater ecological value. Sediment and erosion control measures, and fauna management plans for both freshwater and terrestrial species should ensure potential adverse effects during the construction phase are minimised, and result in an overall Low level of effect.

- [379] We were then advised via Mr Smith's second memorandum dated 3 Dec 2025, that many of his initial concerns had been resolved, save a residual concern regarding the calculation of Stream Ecological Values, and how this would be applied (including length) to the riparian margin sought for ecological enhancement purposes. He also highlighted that the AUP would expect 20m riparian planting areas (enhancement) in both the FUZ and Rural Zones. He concluded that without this level of information he could not confirm there would not be a net loss of ecological values.
- [380] Ms Drummond provided us with her final memorandum dated 9 Dec 2025 seeking to address the final issue raised by Mr Smith.
- [381] As we understand this, the Council is now comfortable with the level of information that has been provided and is satisfied that ecological issues are addressed through the conditions of the Proposal.

Statutory Instruments

- [382] The primary statutory documents of relevance to our evaluation of the ecological impacts are considered to be:
 - (a) National Policy Statement for Freshwater Management;
 - (b) National Environmental Standards for Freshwater;
 - (c) National Policy Statement for Indigenous Biodiversity;
 - (d) National Policy Statement on Urban Development; and
 - (e) AUP.

Panel Findings

[383] While there were some initial concerns raised by the Council, especially around the issues of freshwater ecology and the impact on the aquatic environment, it is now our understanding that agreement has been reached between the Council and the Applicant over how these issues can be appropriately addressed through conditions. We accept this position, having turned our minds to all the relevant information and consider that the conditions of consent that are now proposed will ensure that the ecological effects and impacts upon flora and fauna on site are low, and acceptable in ecological terms, for a development of this scale.

E9: GEOTECHTECHNICAL/ GROUNDWATER

[384] The ground conditions over much of the Sunfield site consist of up to 30m of highly compressible soft organic peat deposits and a groundwater level generally within 1.0-2.0m of the ground surface. This makes development susceptible to instability and differential settlement from excavation, earthworks to reshape the land, the placing of fill to create building platforms or roads and loads imposed by buildings.

Comments Received

[385] Comments on geotechnical and groundwater matters were received from Andrew and Sandra Beard, and from Auckland Council.

[386] Andrew and Sandra Beard were concerned about “the impact on the water table and the effect on drainage to our property” at 14 Village Way, Ardmore.

[387] Two memoranda relevant to this topic were received from Auckland Council: a Groundwater Specialist Memorandum prepared by Andy Samaratunga and a Geotechnical assessment review prepared by John Newsome (as part of the Council’s Development Engineering Memorandum). In addition, Heathy Waters raised the issue of effects associated with Groundwater in its assessment.

[388] Mr Samaratunga considered that insufficient information was provided with the Application to demonstrate that the activity complies with the AUP provisions relating to groundwater diversion. In addition, there was a lack of assessment of groundwater drawdown effects (beyond the excavations for the Awakeri Wetlands) and no recommendations for monitoring were provided. Mr Samaratunga also noted discrepancies between the cut/fill plans used during the preparation of LDE Limited’s Geotechnical Report, and later plans prepared by Maven Associates (both prepared on behalf of the Applicant).

[389] Mr Newsome acknowledged challenges with urban development on peat soils. These are related to subsidence and instability giving rise to differential settlement. As noted in Part E5, these challenges also impact on the suitability of the site for higher density development.

[390] Mr Newsome stated, however, that these issues can be overcome with appropriate investigations, and engineering design solutions (including stormwater recharge). Mr Newsome is generally satisfied that the Application report covered all matters of importance and that adequate geotechnical expertise has been demonstrated for this Application. However, Mr Newsome noted the issues with the cut and fill plans raised by Mr Samaratunga, and the concerns raised by Healthy Waters in its comments.

[391] In his Healthy Waters and Flood Resilience Memorandum, Andrew Chin expressed his concern that the Application reports were ambiguous as to how groundwater will be managed in relation to the proposed stormwater management ponds and conveyance channels. Mr Chin considered that the geotechnical engineering implications of ground conditions on the site have been “poorly presented” and the effects of groundwater drawdown (in addition to effects of bulk earthworks, change in landform and the importation and placement of fill materials) have not been addressed or considered.

Applicant’s response to comments

[392] In response to these comments, the Applicant provided an Addendum Geotechnical Assessment Report prepared by LDE Limited, and a peer review by Earthtech Consulting Ltd which commented on the need to monitor groundwater drawdown effects.

[393] LDE Limited assessed groundwater drawdown effects to be low and summarised the results of further analysis. They concluded that groundwater drawdown should be “dismissed as a geotechnical issue” because excavations are located well away from site boundaries, and because of the preloading proposed.

[394] Earthtech concluded that, based on the groundwater drawdown resulting ground settlement predicted by LDE Limited, and the existing surrounding built environment, that the monitoring of third-party structures, services and groundwater levels is not warranted. However, Earthtec consider it is prudent to include conditions making provision for monitoring effects of dewatering in case the surrounding built environment changes prior to the commencement of dewatering.

Expert Conference

[395] The effects of groundwater drawdown were included as an item for discussion in the expert conference on stormwater and flooding matters. Most of the discussion recorded in the Joint Witness Statement related to settlement as a result of groundwater drawdown and the stability of excavations for stormwater channels. The Applicant's witnesses confirmed their view that groundwater drawdown in the vicinity of Old Wairoa Road would be negligible, and that settlement is not expected to affect the ability to develop the site as the available mitigation measures have been utilised on other development sites with similar soil characteristic. No opposing view was recorded in relation to these matters.

[396] The experts agreed that, prior to engineering approval, further analysis of groundwater drawdown and associated settlement should be undertaken to determine the mitigation measures required in relation to excavation to the proposed stormwater channels.

[397] There were some issues addressed in the expert conference that were not resolved to the satisfaction of the Panel in the Joint Witness Statement. Accordingly, it was decided to include the effects of groundwater drawdown as a topic in the stormwater hearing agenda.

Hearing

[398] Groundwater and geotechnical issues were addressed at the beginning of the hearing on the morning of 10 December 2025. Attending the hearing on these issues were Grant Murray for Auckland Council, and Shane Lander, Kyle Meffan and Michelle Willis for Sunfield. As described elsewhere, a "hot tub" format was utilised for the hearing.

[399] There had been disagreement at the expert conference regarding the characterisation of the soils in the vicinity of Old Wairoa Road. Although a consensus of that characterisation was not reached at the hearing, it was established that this is not material to the assessment carried out for the Application.

[400] Examples of other developments carried out on similar soils were identified as requested by Mr Murray. It transpired that his concern was not whether such development had been successfully implemented, but with the practice followed on those projects (and proposed for the Sunfield project) with reconstituted peat soil used as a fill material. Conditions have been proposed by Auckland Council (Mr Murray) to address that issue.

[401] Mr Murray stated he was generally comfortable with conditions 53 to 57 but that he was concerned about the 15-day timeframe in proposed resource consent conditions to review and approve monitoring information on groundwater drawdown and earthworks settlement effects. Mr Murray recommended a 40-working day timeframe because of the technical complexity of the information. The Panel considers that a 40-working day (8-week) review period is unreasonably long and has decided that 20-working days will be adequate for this task.

Statutory Instruments

[402] It is our view that the relevant statutory considerations for the Application, in terms of geotechnical issues and groundwater, include:

- (a) National Policy Statement for Natural Hazards; and
- (b) AUP.

Panel Findings

[403] The Panel has reviewed all the information provided to it, including that from the expert conferencing and the hearing, and is satisfied that the Applicant has appropriately considered groundwater drawdown and geotechnical effects associated with construction. The Panel considers the potential effects associated with the peat soils and groundwater drawdown can be mitigated by imposing appropriate conditions of consent. It is noted that Auckland Council has proposed new and amended conditions of consent in this regard, and that the Applicant has responded with its comments. We resolve the differences in relation to these conditions in Part I of this Decision.

E10: NOTICE OF REQUIREMENT

[404] As detailed above, NZTA issued a notice to Auckland Council of its requirement for a designation for the northern-most section of MR2 project on Friday 13 June 2025. As the designation has immediate effect, parts of the concept lodged with the Sunfield resource consent Application cannot be implemented without the express approval of NZTA. As part of the Applicant's response to comments, a revised concept has been issued (together with relevant amended effects assessments) which incorporates the NoR within the eastern edge of the proposed development.

[405] The amended Proposal is described in detail in Part 3 of the Applicant's Section 55 Planning Report (in response to comments received). In summary:

- (a) MR2 runs in a north-south direction along the eastern boundary of the site;
- (b) The Employment Precinct has been removed from the NoR area, resulting in a reduction in the size of this area of 7.8ha;
- (c) The roading within the Employment Precinct and the super-lot layout in this area have changed;
- (d) The stormwater channel and associated open space network remains largely unchanged and follows the alignment of the original Proposal. Initially, an 11.6ha area of open space and planting is provided along the eastern boundary to enable the MR2 project to be constructed;
- (e) The amended Proposal retains the same area and a similar volume of earthworks;
- (f) The staging plan has been reconfigured; and
- (g) Other changes (not related to the MR2 project) include amendments to the waste collection proposal and the addition of three neighbourhood open space areas.

Comments Received

[406] Rosanne Wills comments that establishing Sunfield ahead of the Mill Road project represents poor infrastructure planning and will be a significant detriment to existing residents.

[407] Andrew and Sandra Beard, Jessica Swales and the Rimu Family Trust express concerns about the proposed location of the MR2 project. This project is the subject of a separate Notice of Requirement process and is not a matter the Panel is able to address.

[408] MC Investments (NZ) Limited considers it makes sense to improve housing supply and employment opportunities in South Auckland with the investment in the Mill Road project confirmed.

[409] Ardmore Airport requests that the Sunfield development incorporates a new roundabout at the intersection of the MR2 corridor and the existing alignment of Hamlin Road.

[410] Auckland Council is concerned about conflict between the proposed Sunfield stormwater system and proposed MR2 (clash with diversion swale). In addition, the Council considers that the Proposal does not consider or integrate with the proposed road and will affect the design of the internal roading network and traffic modelling.

[411] AT was concerned that the transport assessment accompanying the Application had not been updated to take into account the MR2 NoR.

[412] At the time comments on the Sunfield Proposal were invited, the Mill Road NoR had been notified and there had been initial discussions with the Applicant on how the Sunfield Proposal may be modified to take account of the Mill Road NoR.

[413] NZTA comments are based on a technical note provided by Beca. Many of its comments relate to whether the Proposal's car-free concept and the required mode shift to public transport can be achieved. The comments include requests for further information in this regard, but the Panel does not consider the achievability of the vision for the Sunfield concept is a resource consent matter.

[414] Associated with that issue, however, NZTA has significant concerns regarding effects on both the local and the strategic transport network if the mode-shift resulting from the Proposal does not eventuate. It is considered that an assessment of effects should be undertaken if the assumed transport mode outcomes are not achieved. That, says NZTA, would be a potential adverse effect of the Proposal that the Panel should consider.

Applicant's response to comments

- [415] In response to the comments received, the Applicant notes that the Proposal, including the relevant assessments, have been amended to take account of the Mill Road NoR. It is noted that discussions are ongoing between the Applicant and NZTA regarding the integration of the two projects, in particular in relation to stormwater management and earthworks.
- [416] The Panel has been provided with a letter, dated 19 December 2025, confirming that proposed consent condition 85B, relating to the “coordination of the Sunfield channel works and Mill Road corridor earthworks”, has been agreed between the Applicant and NZTA.
- [417] In relation to comments seeking specific amendments to the design of the proposed road, or the accommodation of requests for specific features, the Applicant notes that such matters will be considered through the NoR process.

Statutory Instruments

- [418] No Specific statutory instruments were brought to our attention.

Panel Findings

- [419] The Panel is satisfied that the integration of the Proposal with the MR2 project is being progressed and that resolution on any outstanding matters will be achieved through the NoR process and application of sections 178 and 176 of the RMA.
- [420] Regarding NZTA's concern about effects on the transport network, if the assumed transport mode outcomes are not achieved, the Panel finds that the additional trigger points required by amended conditions of consent appropriately respond to this concern.

E11: CULTURAL ISSUES

Engagement with iwi, hapū

[421] As noted, we invited (under section 53) the “relevant iwi, hapū entities for the project area” as identified in the Ministry for the Environment’s section 18 report to comment, in accordance with the principles of partnership and active protection under Te Tiriti o Waitangi.

[422] Comments were received from:

- (a) Ngāi Tai ki Tāmaki;
- (b) Te Ākitai Waiohua; and
- (c) Te Whakakitenga o Waikato Incorporated (on behalf of Waikato-Tanui).

[423] The Mana Whenua Engagement Report, provided with the Application, also attached three Cultural Values Assessments and one Cultural Impact Assessment.

[424] The Panel extended further opportunities for engagement. This invitation was accepted by Te Ākitai Waiohua by way of a letter to the Panel following the issues conference.²⁴

[425] Iwi responses to section 53 invitations are summarised in Appendix 4 of this Decision.

Cultural impacts

Ngāi Tai ki Tāmaki

[426] The Panel acknowledges that Ngāi Tai ki Tāmaki expressed concerns with the adequacy of consultation undertaken by the Applicant. Ngāi Tai ki Tāmaki was of the view that the Proposal could not be supported due its proximity to floodplains. Concerns were also raised about a perceived lack of reassurance, to Ngāi Tai ki Tāmaki’s whanaunga iwi, that someone representing te ao Māori was alongside the planning process.

Te Ākitai Waiohua

²⁴ The Panel records that Te Ākitai Waiohua were not able to attend the issues conference.

[427] TAWST provided comment on behalf of the people of Te Ākitai Waiohua. TAWST's comment details that Takaanini is of fundamental importance to the people of Te Ākitai Waiohua because it represents the significant sections of land held and transacted in the region by the paramount Te Ākitai Waiohua chief Ihaka Takaanini. The area is culturally significant due to the of the relationships and associations of the people of Te Ākitai Waiohua and their culture and traditions with their ancestral land and waters.

[428] TAWST's comment notes that TAWST are not against development but wish to be certain that the development restores and enhances te taiao to restore the mauri of the wai and whenua and result in enhancement.

[429] TAWST was of the view that there has been no meaningful engagement with Te Ākitai Waiohua regarding the fast-track Application, acknowledging that engagement that has occurred on the various applications and proposals associated with the Sunfield Development prior to the fast-track Application. General dissatisfaction with the FTAA process was also expressed.

[430] TAWST noted concern with the scale of the fast-track Application and the level of detail the Panel and commenters were expected to review. It was also noted that the development of areas affected by natural hazards does not align with sound resource management practice or te ao Māori.

[431] In relation to ecology, TAWST opposed the reclamation of the streams within the Proposal site, noting that the protection of freshwater and mauri of freshwater is a key priority for kaitiaki and that wai is inseparable from whakapapa and identity for Te Ākitai Waiohua. It was also noted that genuine partnership in water governance and planning is sought to give effect to Te Ākitai Waiohua customary dominion (ownership) of freshwater within their rohe.

[432] TAWST recognised the proposed Wai Mauri Stream Park is as an opportunity to restore and enhance te taiao and to protect the wai mauri, and sought ongoing engagement on the integration of cultural narratives into this landscape.

[433] It was requested that the Applicant fully develops Wai Mauri Stream Park, including the establishment of planting through at least 5-year monitoring, prior to vesting to Auckland and commence the project immediately in terms of iwi engagement.

[434] TAWST sought to engage with the Applicant on an individual basis, rather than participating in the Mana Whenua Consultative Group, noting each iwi has its own whakapapa and pūrakau, which may not be fully reflected in a collective arrangement.

[435] TAWST also provided detailed comments on the draft conditions.

Te Whakakitenga o Waikato Incorporated

[436] Te Whakakitenga o Waikato Incorporated stated the importance of acknowledging that several marae, hapū and iwi affiliated to Te Whakakitenga o Waikato have direct and enduring whakapapa and geographic connections to the Proposal area encompassed by the Proposal.

[437] Te Whakakitenga o Waikato Incorporated noted that the consultative process began when Sunfield was being progressed under an Urban Development Act application, and consider that once the Proposal shifted to the FTAA process, opportunities for engagement ought to have been renewed at the Applicant's expense.

[438] The inclusion of cultural monitoring and mana whenua involvement in draft conditions was noted as positive in principle, but concerns regarding the sufficiency of time and capacity to meaningfully review conditions were also raised.

[439] The comment then calls for clearer flood modelling, engineering design, mana whenua input, and delivery timelines for the Awakeri infrastructure, warning that without this rigour the stormwater system may fail, risking environmental and cultural values.

[440] In relation to the loss of HPL, Te Whakakitenga o Waikato Incorporated, noting responsibilities as kaitiaki, advocated for a precautionary approach and for the maximum retention of productive land where feasible, especially in areas where Māori interests in land use and food systems remain active and enduring.

Te Ākitai Waiohua letter dated 17 November 2025

[441] As noted above, TAWST also provided a written narrative of cultural issues remaining in contention on 17 November 2025. The letter details a number of questions regarding the impact of the Proposal on cultural values:

10.1 Has the Applicant undertaken adequate consultation with Te Ākitai Waiohua 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 Waiohua 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?

Applicant's position

- [442] The Applicant considers that the Proposal does not result in any adverse impacts on cultural values, and states that that the key mitigation measures regarding cultural effects are that the design layout and response address the key environmental components of iwi interest, particularly stormwater, streams, wetlands, landscaping and ecology (additionally, the Wai Mauri Stream Park was designed in collaboration with iwi).
- [443] The Applicant also details a number of conditions proposed to mitigate cultural effects and requirements to provide ongoing mana whenua involvement with design and implementation.²⁵
- [444] The Applicant also provided a detailed response to each of the above comments, outlining the comprehensive, longstanding and wide-reaching consultation and engagement undertaken by the Applicant in connection with the Sunfield Development.²⁶

Panel findings

- [445] The Panel considers that the conditions of the Proposal appropriately address the cultural effects identified by those who made comments on the Application. The conditions outlined offer Māori opportunities for ongoing participation in the implementation of the design of Sunfield.

²⁵ See Tattico Sunfield Fast-track Approvals Act 2024 Substantive Application Planning Report dated 31 March 2025, at [7.25(7.9)]. For example, conditions 35, 36, 118 and 119.

²⁶ Applicant's Response, Appendix V, Iwi Response Memorandum.

- [446] Without detracting from the general statement above, we note in particular that the Applicant has mitigated potential cultural impacts on the water bodies within the development site and that the enhancement of natural water bodies proposed, secured through conditions of consent, satisfactorily addresses these cultural concerns.
- [447] Some of the concerns detailed by Ngāi Tai ki Tāmaki, Te Ākitai Waiohua and TAWST relate to discomfort with the requirements and processes of the FTAA, particularly the speed at which the process has moved at, which the Panel notes is outside of the control of the Panel and the Applicant.
- [448] While the Panel acknowledges those parties' frustrations with the FTAA process, the Panel is satisfied that the extensive consultation and engagement undertaken by the Applicant meets the requirements of the Act.
- [449] In so far as there are any residual adverse cultural effects that are not mitigated by the conditions of consent, the Panel finds that those effects do not amount to an adverse impact such that a proportionality assessment needs to be undertaken against the benefits of the Proposal. And, insofar as cultural effects raised relate to other categories of effect, for example, flood hazard management, those issues have been dealt with elsewhere in Part E of the Decision.

PART F: REGIONAL AND NATIONAL BENEFITS

F1: REGIONAL AND NATIONAL ECONOMIC BENEFITS

- [450] Section 3 of the FTAA states that the purpose of the Act is to facilitate the delivery of infrastructure and development projects with *significant regional or national benefits*.
- [451] As recorded above in Part C, section 81(4) of the FTAA specifically requires the Panel to consider the extent of the project's regional or national benefits.²⁷
- [452] The assessment of adverse impacts in relation to an approval sought is particularly relevant in the context of a decision to decline an approval. An approval can only be declined if the adverse impacts are out of proportion to regional or national benefits.²⁸
- [453] Because the Panel has found that the Proposal will cause adverse impacts, then a proportionality assessment is required as between those impacts and the claimed regional or national benefits of the project.
- [454] The phrase “significant regional or national benefits” is not further defined in the FTAA. Some guidance as to its meaning can be taken from section 22 of the FTAA, which relates to the criteria for assessing a referral application, provides the following:

- (2) For the purposes of subsection (1)(a), the Minister may consider—
 - (a) whether the project—
 - (i) has been identified as a priority project in a central government local government, or sector plan or strategy (for example, in a general policy statement or spatial strategy), or a central government infrastructure priority list:

²⁷ If the application was a referral application – the Panel must treat the stage of the project to which the application relates as constituting the project; but may consider the regional or national benefits of the whole project, having regard to the likelihood that any later stages of the project will be completed (section 81(5) FTAA).

²⁸ Section 85(3) FTAA

- (ii) will deliver new regionally or nationally significant infrastructure or enable the continued functioning of existing regionally or nationally significant infrastructure;
- (iii) will increase the supply of housing, address housing needs, or contribute to a well-functioning urban environment (within the meaning of policy 1 of the National Policy Statement on Urban Development 2020);
- (iv) will deliver significant economic benefits;
- (v) will support primary industries, including aquaculture;
- (vi) will support development of natural resources, including minerals and petroleum: will support climate change mitigation, including the reduction or removal of greenhouse gas emissions;
- (vii) will support climate change adaptation, reduce risks arising from natural hazards, or support recovery from events caused by natural hazards;
- (viii) will address significant environmental issues;
- (ix) is consistent with local or regional planning documents, including spatial strategies;

[455] Section 22 may be considered to provide useful guidance as to the meaning of the phrase. However, in a previous decision under the FTAA, an expert consenting panel has stated:²⁹

for a panel deciding whether a particular project is a project with significant regional or national benefits, s 22(2) can only provide a flavour of, or guide to, what is required. The question of whether a project is indeed one with significant regional or national benefits remains an intensely factual determination turning on the particular circumstances of the Application.

²⁹ Record of Decision of the Expert Consenting Panel for Maitahi Village dated 18 September 2025 at [515]

[456] Counsel for the Applicant submitted that the mere listing of a project in Schedule 2 of the FTAAs confirms that a project so listed has significant regional or national benefits, and that this was clarified in the Fast-track Approvals Amendment Act 2025 whereby the Schedule 2 of the FTAAs was renamed to “Listed projects with significant regional or national benefits” (the underlined text represents the additional words introduced by the Amendment Act).

[457] Counsel went on to submit that it is the *extent* of the project’s benefits that are to be considered:

- (a) When taking the purpose of the Act into account under clause 17; and
- (b) In the event that there are adverse impacts that cannot be resolved through conditions.

[458] Counsel’s submission was that the extent of those benefits are, at least, significant.

[459] Counsel further submitted that, in relation to the meaning of “significant” in this context:

- (a) The Panel can be guided by the section 22 criteria (as noted above); and
- (b) The project needs to be “noteworthy” by not “transformative”.

[460] Counsel for the Council submitted that the following key principles can be drawn from previous FTAAs panel decisions as to the meaning of “significant”:

- (a) Significance is assessed in light of the particular circumstances and context of the Application and the region within which it is made;³⁰
- (b) There are multiple dimensions of benefit: economic, housing, cultural, social and environmental outcomes may all contribute to regional or national significance;³¹

³⁰ This principle is reflected in decisions such as *Waihi North, Delmore* (draft), *Rangitoopuni*, and in *Maitahi Village* where that Panel said at [515] that significance is “*an intensely factual determination turning on the particular circumstances of the Application*”.

³¹ In *Rangitoopuni*, the Panel accepted that cultural, social and environmental benefits for Te Kawerau ā Maki were sufficient to meet the regional significance threshold. In *Bledisloe North Wharf and Ferguson North Berth Extension*, the Panel relied on economic contributions and alignment with planning documents, but also noted broader social implications if vehicle imports are moved away from Auckland.

- (c) Claimed benefits must be substantiated; aspirational or qualitative claims alone are insufficient, particularly where infrastructure constraints remain unresolved;³²
- (d) Consistency with government strategies and planning instruments can strengthen the case for significance;³³ and
- (e) Regional or national significance does not require “game-changing” effects; rather it reflects the scale of benefits relative to the region or sector.³⁴

[461] In response to the Applicant’s submission that inclusion of a project in Schedule 2 is proof itself that a listed project has significant benefits, Counsel for the Council submitted that a careful examination of the statutory provisions resulted in a different conclusion. In short, Counsel for the Council submitted that reference to the word “extent” within section 81(4) of the FTAA necessarily requires consideration of both the magnitude of the claimed benefit, and the threshold of significance itself.

[462] The Panel has some doubts as to whether the mere inclusion of a project in Schedule 2 to the FTAA deems the benefits of a listed project to be significant.

[463] The Panel prefers the approach adopted by the Panel hearing the Waihi North Project:

[842] “Significant” is a word of indeterminate meaning. It can, for instance, be used in the sense of “game-changing”. But it can also have meanings along the lines of “worthy of note”.

³² This principle is reflected in *Maitahi Village* where the Panel emphasised that it must undertake its own analysis of regional or national benefits. In the draft *Delmore* decision, the Panel declined approval because the evidence indicated that the Applicant had overstated the benefits (largely economic) and the Applicant had failed to resolve infrastructure constraints

³³ In *Maitahi Village*, the project aligned closely with the Nelson Tasman Future Development Strategy and the Panel said at [821] that it “*is also satisfied that the Project will result in an increase in housing supply. As to the extent of this benefit, the Panel assesses that its value to the region will be significant or material, particularly given the housing needs described in the Nelson-Tasman Future Development Strategy 2022.*” The Panel for the *Drury Metropolitan Centre* also considered identification as a priority project in government planning documents and consistency with local regional planning instruments as factors supporting significance

³⁴ *Waihi North* at [843].

[843] In the context of “deliver significant economic benefits” and “development of natural resources including mining”, it is not particularly likely that any one mining project will produce game-changing effects, certainly across the country as a whole. The same can be said of any one project to “increase the supply of housing”. Indeed, in a large city, even a substantial housing project is unlikely to make a material change to the supply of housing. All of this supports the view that “significance” is not to be determined by reference to whether implementation of the project will appreciably change national or regional gross domestic product or the annual tax revenue of the Government. Rather it is an indication of scale.

- [464] The Panel considers that the Proposal is a large project of scale, and it is worthy of note. It is, therefore, significant. Given this finding, the Panel does not need to decide whether the mere inclusion of a project in Schedule 2 deems a project to have significant benefits.
- [465] The key question for the Panel, is to assess the magnitude of those significant benefits, and weigh them against the adverse impacts that we have found to exist.

Substantive Application

- [466] The Applicant filed an economic assessment as part of its substantive Application. That assessment was prepared by Messrs Heath and Osborne of Property Economics.
- [467] The Applicant submits that the project will result in regional and national benefits consisting primarily of:
 - (a) Increased residential capacity and greater range of housing typologies;
 - (b) More affordable housing;
 - (c) Increased choice of location;
 - (d) Decreased marginal infrastructure costs;
 - (e) Increased economic activity / local employment;
 - (f) High value residential area;
 - (g) Diverse buyer pool;
 - (h) Greater level of growth; and
 - (i) Increased amenities

[468] The Applicant's economic assessment also included an economic impact analysis (**EIA**). The EIA seeks to estimate the total additional gross economic injection (added Gross Domestic Product (**GDP**)) into the Auckland economy that would be brought about by Sunfield.

[469] The total economic activity includes construction costs, which the Applicant valued for the overall development. The EIA was based on national input-output tables produced by Stats NZ (based on 106 sectors), which were then assessed at a regional level based on Auckland economic activity, composition, and productivities.

[470] The assumptions underpinning the analysis were also set out in the assessment. Two were of particular interest to the Panel:

- (a) That the economic activity generated is based on Sunfield's gross activity and does not consider it to be redirecting growth opportunities from elsewhere in the catchments; and
- (b) a 6% discount rate had been applied.

[471] Those assumptions were challenged by persons who made comments, and are considered further below.

[472] The Applicant estimated the Proposal's total contribution to the economy, through to 2044 at \$3.2b, with around 24,700 total full time equivalent jobs created. The breakdown for this estimate was helpfully set out in Table 13 of the Property Economics Assessment, as follows:

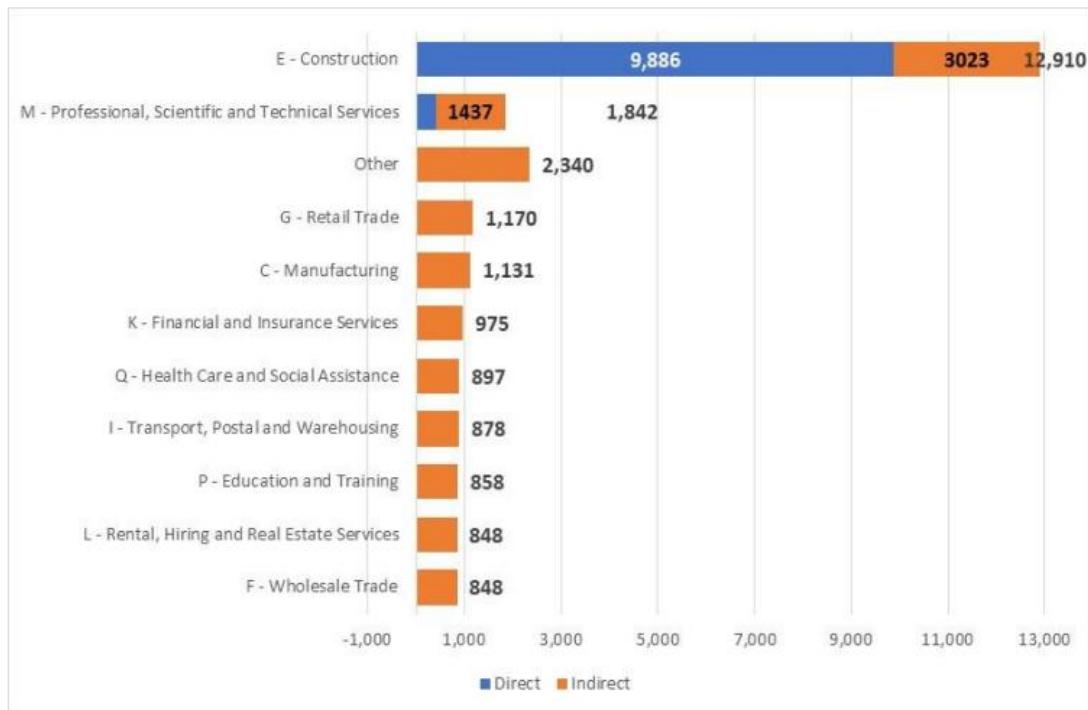
TABLE 13: TOTAL GROSS AUCKLAND REGION ECONOMIC INJECTION

	2024	2025 - 2029	2030 - 2034	2035 - 2039	2040 - 2044	Total
Direct Expenditure (\$m)						
Land / Consenting / Rezoning	\$130					\$130.0
Earthworks / Civil Works/Infrastructure		\$340.0				\$340.0
Civil Consultants		\$22.0				\$22.0
Demolition		\$0.2				\$0.2
Other		\$68.0				\$68.0
Levies	\$5.4	\$52.2	\$70.2	\$52.2		\$180.0
Infrastructure		\$35.0				\$35.0
Total Development Costs (excl. Land, etc)	\$470.6	\$52.2	\$70.2	\$52.2		\$645.2
Construction	\$265.3	\$1,212.8	\$1,478.1	\$833.8		\$3,790.0
Total Construction and Development Costs (excl. Land, etc)	\$735.9	\$1,265.0	\$1,548.3	\$886.0		\$4,435.2
Increased Local Spend*	\$1.3	\$17.4	\$77.3	\$151.3		\$247.3
Total Direct Expenditure (excl. Land, etc)	\$737.2	\$1,282.4	\$1,625.6	\$1,037.3		\$4,682.5
Level 2 Multiplier Impacts						
Total Auckland Output (48 sector mutipliers)	\$739.2	\$1,020.2	\$961.7	\$469.1		\$3,190.2
Total Auckland Output NPV (48 sector multipliers)**						
Employment (FTE Years)						
Development Employment	2,994	349	367	216		3,926
Construction Employment	1,727	6,885	6,545	2,976		18,133
Other Employment	453	892	749	544		2,638
Total Employment (FTE years)	5,174	8,126	7,661	3,736		24,697

[473] The Applicant also noted that in terms of the nominal expenditure from Sunfield, it is expected that over the life of the development there would be in the order of a \$4.68b capital expenditure into the Sunfield development.

[474] In terms of direct and indirect employment, the Applicant estimated that there would be direct employment of 10,290 full time equivalent years (approximately) and indirect and induced employment of 14,406 full time equivalent years. This was broken down as follows:

FIGURE 22: AUCKLAND EMPLOYMENT GENERATION BY SECTOR (DIRECT AND INDIRECT)



Source: Property Economics

[475] In addition to this, Property Economics estimated that 10,940 jobs would be created on the Sunfield site. This was set out in Table 14, as follows:

TABLE 14: SUNFIELD ESTIMATED ONGOING EMPLOYMENT ACCOMMODATED BY LAND USE

Activity	FTEs
1 School	150
3 Retirement Villages	200
Town Centre Retail / Commercial	1,500
Convenience Centre Retail / Commercial	450
Medical Centre	200
Employment Hub	8,300
6-8 Childcare Centres	140
Total Accommodated Employment (FTEs)	10,940

[476] In terms of economic costs, Property Economics identified the following:

- Loss of rural productive land; and
- Cost of infrastructure.

[477] Neither of those costs was quantified in the economic assessment that accompanied the substantive Application.

[478] Overall, it was Mr Osborne and Mr Heath's opinion, balancing all the economic considerations, that the Proposal would generate significantly more economic benefits for the local and regional economy and communities than economic costs.

Comments

[479] Auckland Council disputed the Applicant's assertions that that project would have significant regional and national benefits. In summary, it was the Council's position that the project's benefits are overstated, and the potential risks and costs are understated.

[480] In support of its position, the Council filed evidence from Dr Meade. Dr Meade helpfully summarised his opinion, in the following terms:

- (a) Any assessment of whether the Development gives rise to significant regional or national benefits necessarily requires a cost-benefit analysis (**CBA**), not an EIA as provided;
- (b) Even if an EIA is accepted as a legitimate approach for assessing the Development's benefits, the particular approach adopted has inherent limitations that mean it systematically overstates the relevant benefits, which could be remedied by using an alternative EIA methodology which does not share those limitations;
- (c) Irrespective of whether a CBA or EIA is used to assess the Development's benefits, those benefits ought to be net of any relevant displacement effects or costs, meaning that regional benefits can only arise if net inter-regional benefits can also be demonstrated, including consideration of spillover effects (positive or negative) with other regions;
- (d) In any case, any meaningful assessment of the Development's benefits must be relative to an appropriately-defined counterfactual (i.e., what happens absent the Development being fast-tracked), which the EIA has not done;

- (e) It is unclear whether the EIA has appropriately adjusted for the timing of the Development's purported benefits, though no attempt has been made to adjust purported employment benefits for their timing (and claiming employment benefits from the Development's construction phase is especially problematic, since it suggests inefficient developments – with high levels of construction employment – are somehow more beneficial than efficient ones that require lower employment);
- (f) The EIA has not adequately addressed uncertainties and risks relating to the realisation of the Proposal's benefits;
- (g) Certain costs/adverse effects have not been adequately addressed in the EIA, including costs relating to the loss of HPL, additional infrastructure costs, transport and parking congestion costs, socio-economic costs to nearby residents, opportunity costs relating to the Proposal being relatively low-rise, and other additional costs due to developing on peaty soils;
- (h) Certain benefits of the Proposal have been overstated, including overcounted employment benefits (including due to overstated industrial development area), overcounted housing supply impacts, failure to distinguish benefits to local parties from benefits to overseas ones, failure to demonstrate how the Proposal improves housing affordability (when in fact it could worsen it for certain parties), and the presumption that providing space for healthcare facilities will by itself improve local accessibility to healthcare (when changes to primary healthcare funding formulas would also be required to do so).

[481] Dr Meade concluded by saying:

- (a) The EIA has used a methodology that inherently overstates the Proposal's benefits;
- (b) Any assessment of the Proposal's benefits requires a full CBA, including suitable sensitivity analysis and scenario modelling to test the importance to claimed benefits of key uncertainties, which have not been provided;

- (c) The EIA fails to properly define the Proposal's counterfactual, nor does it properly assess all relevant costs/adverse effects, and it overstates certain of the claimed benefits; and
- (d) Hence, the Application's assessed benefits have not been reliably established, and certainly not to the level of demonstrating significant regional or national benefits.

Applicant's response to comments

- [482] Mr Heath and Mr Osborne for the Applicant, responded to the Comments from Auckland Council.
- [483] In response to the criticism about the lack of a full CBA, they noted that there was no express requirement in the FTAA to carry out a CBA for a Proposal. Rather, they said that the proportionality test required under the FTAA is essentially a planning judgment that will ultimately be determined by the Panel. This, they said, was because the proportionately test requires value judgments as to the relative importance (or value) of adverse impacts, and that ascribing a value to such effects was inherently subjective.
- [484] Other reasons given for not providing a CBA included:
 - (a) That the FTAA process allows for consideration of other costs (primarily non-economic effects) to be weighed and considered by the Panel. The Panel understands this to mean that such costs are to be viewed as adverse impacts, and then weighed against the benefits;
 - (b) That a CBA is expensive, complicated, and requires assumptions regarding the monetisation of non-financial matters (such as ecological or amenity effects);
 - (c) When considering the regional economic benefit, or social benefit, the FTAA does not explicitly identify economic efficiency;
 - (d) The purpose of a CBA differs to the evaluation required under the FTAA; and

(e) The undertaking of a CBA would in effect create a hurdle more prohibitive than an assessment currently experienced under the RMA process. Such an approach would be contrary to the scheme of the FTA.

[485] With respect to the limitations of input-output modelling, the Applicant asserted that extent of some of the limitations identified by Dr Meade were potentially exaggerated.

[486] As to the lack of a counterfactual, the Applicant referred to the loss of rural production on the site as an economic cost to be considered (consistent with a site-based approach for a counterfactual). Reference was also made to the commentary on the efficient nature and location of the site in the wider urban network in comparison to alternatives (an activity-based approach).

[487] And, in terms of a process-based approach, the Applicant referred to the use of the FTA process.

[488] The next topic considered was the specific exclusions and inclusions in the economic implant assessment. The key focus here was the treatment of employment as an indicator of the significance of the Project's economic benefit. Experts for the Applicant remained of the opinion that the inclusion of employment generated is a vital consideration in the economic significance of the project. Reference was also made to the current unemployment rate in Auckland (reported as being 6.1%).

[489] With respect to whether Sunfield reaches the threshold of (at least) regional significance, Messrs Heath and Osborne were critical of the benchmarks referred to by Dr Meade. In short, they were of the opinion that those benchmarks were inappropriate in this context, noting that no application for housing in Auckland would be considered to generate significant benefits if those benchmarks were used.

[490] The final topic considered in the economic response to comments, was the effect of the reduction in employment area as a result of the realignment of the NOR for Mill Road. Property Economics recorded its understanding that there would be a loss of 7.8ha of land, or 15% of the land area as a result of that realignment.

- [491] The effect of that change is an overall reduction of 1,200 full time employees being accommodated by Sunfield. The adjusted number of employees was stated as being 9,800.
- [492] In terms of the reduction in land available in the employment hub, the loss to economic benefits solely as a result of a 14% reduction of land was estimated at a net present value of \$70m with a loss in job years of approximately 500. As a proportional loss for the Propsoal as a whole, this compares with a total GDP impact of \$3.1b and 24,000 full time equivalent job years (rounded).

Technical Advisor

- [493] It is readily apparent from the economic material traversed above, that the Applicant and the Council take different views in terms of the potential economic benefits associated with the Proposal.
- [494] In order to assist its understanding of this topic, the Panel engaged Dr William Cheung as a technical advisor. Dr Cheung was invited to review the economic material provided by the Council and the Applicant, and to provide advice to the Panel.
- [495] Dr Cheung provided his advice to the Panel by way of memorandum dated 13 November 2025. His overall conclusion was that Sunfield may deliver value, but that value has not yet been demonstrated. He was of the opinion that there was insufficient clear evidence of net benefit, grounded in comparative analysis and tested under risk, to enable the Panel to determine whether the benefits are significant in a regional or national sense, proportionate to the Proposal's adverse impacts.
- [496] Dr Cheung was critical of the Applicant's experts' reliance on an EIA that emphasises gross outputs, jobs, spending, and construction activity, without answering the more fundamental question of what net benefit the project will bring, and at what cost, compared to credible alternatives. He was of the opinion that a well-executed CBA would be the more appropriate tool.
- [497] Put simply, Dr Cheung was critical of the Applicant's failure to properly account for the costs of the Proposal, relative to the asserted benefits. In this sense, the economic disbenefits had not been properly accounted for.

Hearing

[498] Given the divergence of opinions, the Panel held a hearing on this topic. During the hearing, the Panel asked questions of the Mr Heath, Mr Osborne and Dr Meade.

[499] The Panel explored the following topics with the witnesses, who had been empanelled:

- (a) The limitations of EIA vs CBA;
- (b) The limitations of input-output modelling;
- (c) Disbenefits;
- (d) Counterfactuals;
- (e) Displacement of employment;
- (f) Displacement of housing supply;
- (g) Discount rate; and
- (h) Timing of infrastructure supply.

[500] Despite the answers given by the experts on these topics at the hearing, the Panel was still not satisfied that it had sufficient cogent evidence in relation to the purported regional and national benefits of the project. To deal with this information gap, the Panel invited the Applicant to update the economic assessment by addressing the following issues:

- (a) the extent to which the Proposal will result in an increase in housing supply, noting in particular that the existing assessment does not consider whether the Proposal will displace housing supply that might otherwise occur on live zoned “greenfield” land or FUZ land in the South Auckland area. In providing this assessment the relevant catchment for comparison should be identified and the reasons why that catchment is identified should be given;
- (b) the extent to which employment created by the Proposal will be displaced from other employment. This will necessarily require an assessment of supply-side labour market constraints in the relevant sectors over the course of the development. The key assumptions and a sensitivity assessment should be included;

- (c) a description of, and quantification of (if possible), any other known supply-side constraints;
- (d) an assessment of the cost of infrastructure upgrades required as a result of this Proposal;
- (e) an assessment (likely a range) of the implications of core three-waters infrastructure not being available in accordance with the staging set out in the Application;
- (f) an updated assessment reflecting an 8% discount rate, including a sensitivity analysis of the discount rate applied; and
- (g) quantification of costs and other disbenefits, where those are able to be quantified.

[501] In making this further request the Panel was not requesting a full CBA. Rather, it was seeking to better understand the purported regional and national benefits associated with the Proposal, rather than just the gross economic impacts as had been assessed.

[502] The Applicant responded on 2 February 2026, by way of memorandum from Mr Osborne and Mr Heath, of Property Economics.

[503] On the question of the extent to which the Proposal will result in an increase in housing supply, Messrs Osborne and Heath opined (in one of their scenarios), that there would be an increase in housing supply of approximately 1,040 additional dwellings, and a reduction in house prices of around 1.4%. This, they said, would result in an estimated transfer of approximately \$885 million from landowners and developers to home buyers, reflecting a social benefit.

[504] However, their response did not substantively answer (at least in a way that the Panel could understand) whether there would be a displacement of housing supply from other live zoned greenfield land in the South Auckland area. On Property Economics' own numbers, it appears that (even in a high growth scenario) there is sufficient housing supply available from existing live-zoned land. In numbers, Property Economics recorded the long-term expected realised capacity to be approximately 106,600, as against a development capacity requirement of 90,000 (under the most favourable high growth projection, plus an additional 15%). Put simply, the “math is not mathing”.

[505] Overall, Property Economics said that the provision of 4,000 additional homes at the masterplanned Sunfield development provides greater certainty of housing provision to meet demand, thereby resulting in a greater proportion of the proposed homes being “net” to the catchment market as a whole.

[506] In terms of the potential displacement of employment from other employment offerings, Property Economics referred to the general state of the labour market and construction industry, including in the Ministry of Business, Innovation & Environment Building and Construction Sector Annual Report 2025. The gist was that there is currently a level of underutilisation in the construction sector, and because of that, the unit price of labour would not increase. Rather, the Sunfield project would employ the underutilised labour available.

[507] On this topic, the further assessment records that assessing the level of impacts for the Proposal on the labour market requires a range of assumptions that would make the results highly sensitive. With that in mind, the Panel was not overly assisted by this part of the further assessment.

[508] The Panel also sought quantification (if possible) of other known supply-side constraints. Again, it transpired that this was a difficult task which would require an assessment of macroeconomic variables, and the adoption of ranges (or margins of error) that would negate any useful output. For those reasons, further quantification was outside the reach of the Applicant.

[509] Our next question was about the cost of infrastructure upgrades required as a result of the Proposal. The Panel was seeking to understand whether the costs of upgrading core-three-waters infrastructure to account for displaced capacity (i.e., capacity set aside for other live or future zoned demand) had been accounted for. The answers given simply referred to the already assessed costs of \$340m for civil construction and infrastructure, and the \$35m for the upgrade of the Awakeri Weland Stage 2 and 3. This response rather missed the point of the question, and so the Panel was not assisted by the response.

[510] During the hearing, there was discussion about the appropriateness of the discount rates used in the EIA. The Panel asked to see an updated assessment using an 8% discount rate, that being the rate now recommended by Treasury. The Panel also sought to have a 2% sensitivity applied to that rate.

[511] In response, Property Economics produced the following table:

Discount Rate	2026	2030	2035	2040	2045	Total
Total Auckland Impact NPV (\$m)	6%	\$5.9	\$175.7	\$192.2	\$148.5	\$15.3
	8%	\$5.7	\$154.5	\$151.7	\$105.2	\$9.4
	2%	\$6.1	\$225.7	\$304.0	\$289.2	\$35.1

[512] The middle line is of assistance to the Panel. It shows the 8% discount rate. However, the Panel was not assisted by the final row which used a 2% discount rate. That is not what the Panel had in mind when making its request. What it intended was that there would be an 8% discount rate, and then a 10% discount rate, and a 6% discount rate (those being plus or minus 2%).

[513] That criticism aside, the Panel acknowledges that has the 6% figures available (as per the original assessment and the table above), and surmises that a 10% discount rate might have reduced that total to something in the order of circa 2%. We place no weight on this summation, as we are not economists. We take this matter not further.

[514] Our final question was about the quantification of other disbenefits, where those disbenefits could be quantified. Here the Applicant simply referred us to costs already noted in the economic assessment, being the loss of HPL, and infrastructure costs. Again, this missed the point of the Panel's question. It was seeking a quantification of the disbenefits or the same category as claimed benefits. We were not assisted any further by this response.

Council Response

[515] Dr Meade remained highly critical of the Property Economics response to the Panel's questions. It was his opinion that the assessment contained significant technical flaws, including in relation to the way that price elasticity had been described as the slope of the demand curve.

[516] Dr Meade observed that it was impossible to conclude from Property Economics' response whether it assumes that Sunfield sells all of its capacity, some of its capacity, or none of its capacity. The underlying reasons for this criticism was that there was no information to demonstrate whether Sunfield is infra-marginal (which we understand to mean that all houses within Sunfield would be sold), marginal (some of the houses would be sold), or supra-marginal (none of the houses would be sold). Without that detail, Dr Meade opined that it was not possible to establish the claimed benefits from the development.

[517] Those criticisms are, in the Panel's view, highly technical. Whilst Property Economics may not have expressly said which of those categories it used for its assessment, the Panel understood its assessment to involve the sale of all 4,000 houses. It would be somewhat unusual for an Applicant to be basing the economic foundation for its case on the basis that it would only sell some, or possibly not any, of the houses in its development. Such an approach would not reflect the real-world approach of developers in this context.

[518] Dr Meade was also critical of the use of the 2% social discount rate. We agree with that criticism, and have addressed that elsewhere in this chapter.

[519] On the question of housing displacement, Dr Meade pointed out the excess housing capacity that emerges from Property Economics assessment. We agree with that criticism, for the reasons given earlier in this chapter.

[520] Displacement of employment from one site to another was also a topic of interest to the Panel. Dr Meade was again critical of Property Economics' response to our questions in this regard. He was of the opinion that the capacity within the system (i.e., the current rate of unemployment in the construction sector) would be taken up by the long-term growth in the construction sector which was estimated to be circa 20,000 jobs. To put these numbers into context, Dr Meade observed that the 20,000 figure was 10 times the estimated current number of unemployed and underutilised constructions workers. We understand Dr Meade's criticism, but recognise that the 20,000 figure is for long-term growth. Assuming agreement can be reached in relation to servicing, the Sunfield project is essentially ready to go, and so it is likely to have a benefit in the short to medium term in the context of employment.

[521] Dr Meade's concluding remarks were that it seemed implausible that for a 20-year development project, that Sunfield represents significant regional or national benefits.

[522] Before turning to our evaluation, we record that we were assisted by Dr Meade's evidence. It gave us a sound basis to properly examine the economic information that we had before us.

Evaluation

[523] For the purposes of our evaluation, we consider first the economic benefits and then consider the other benefits that the Applicant submits arise from the Proposal.

[524] Then we weigh those benefits against the adverse impacts that arise as result of the Proposal.

[525] Our task in this regard would have been made easier if the Applicant had prepared a full cost benefit analysis, in accordance with the Treasury guidelines. However, the FTAA does not require an Applicant to undertake such an assessment. Perhaps that is because accounting for adverse impacts might result in a double counting of such impacts when a Panel comes to weigh impacts against significant regional and national benefits.

[526] Rather, what is required is an EIA that accounts for the disbenefits that arise. An example of a disbenefit in the context of this project is the displacement of employment from one site to another, or the displacement of housing from other live-zoned greenfield developments in the Auckland region. Where possible, those types of disbenefits should be quantified and expressed as costs which offset the claimed benefits.

[527] Here, we have some of that information, but ultimately, we will need to take a qualitative approach based on all of the evidence that we have received, including answers given to our questions during the hearing.

[528] Our starting point is to take the gross economic injection into the Auckland economy. It is appropriate to apply an 8% discount rate. That results in a total Auckland Impact Net Present Value of \$2.6b.

[529] However, that is not the end of the matter. The modelling used by the Applicant to estimate this impact relied on input-output modelling. We find that input-output modelling tends to overstate gross economic effects by assuming unlimited, fixed-cost inputs and not properly accounting for displacement and substitution effects.

[530] We also observe that the economic analysis does not take into account the prospect of there being a delay in securing agreement with Watercare in relation to core three-waters servicing for the project. The full benefits of the project can only be realised if such infrastructure is available.

[531] Ultimately on the question of economic benefits, the Panel is left in a position where it has only low to moderate confidence that there will be a significant *economic* benefit associated with the Proposal of the magnitude asserted by the Applicant. That benefit is likely to be well less than \$2.6b, taking into account the disbenefits that will arise (including the proper classification of Proposal costs as costs, not economic benefits). But the Panel does find that there will be a significant economic benefit associated with the injection of spending into the Auckland economy a result of this Proposal.

[532] The Panel also finds that the Proposal will result in an increase in employment opportunities, both during construction and within Sunfield itself once developed. It is difficult to identify precisely how many jobs will be created, rather than displaced, from existing employment opportunities. The actual numbers are likely to be less than the total claimed by the Applicant, but they are, notwithstanding a moderate reduction on account of displacement, still significant. Contributing to our finding of significance in this regard, is the overall scale of the Sunfield Proposal.

[533] Given the difficulties with quantifying the economic benefits, it is not surprising that the Applicant has not advanced its case solely on the basis of significant economic benefits.

[534] With reference to the Schedule 22 of the FTAA, the Applicant asserts that Sunfield will also have the following significant benefits:

- (a) The Proposal will increase the supply of housing, address housing needs, or contribute to a well-functioning urban environment;
- (b) The Proposal will support climate change mitigation, including the reduction or removal of greenhouse gas emissions;
- (c) The Proposal will support adaptation, resilience, and recovery from natural hazards; and
- (d) The Proposal will address significant environmental issues (in reference to the sustainable and environmentally friendly 15-minute sustainable neighbourhood proposed; being a first in New Zealand).

[535] The Panel accepts that the Proposal will have these benefits, albeit to differing degrees.

[536] It places the greatest weight on increase in the supply of housing, which in turn will address housing needs, and will contribute to a well-functioning urban environment in conjunction with the provision of retail/employment/open space elements. In coming to this conclusion, the Panel was assisted by the further analysis undertaken by Property Economics which suggested (using one of the methodologies adopted) that Sunfield would result in an increase in housing supply of approximately 1,040 additional dwellings, and a reduction in house prices of around 1.4%.

[537] The Panel also considers that the estimated reduction of house prices of 1.4% (if that were to occur) would result in an estimated transfer of approximately \$885 million from landowners and developers to home buyers, reflecting a significant social benefit, especially in the South Auckland sub-region. We do not have a high degree of confidence in the accuracy of the 1.4% estimate, which reduces our confidence in the value of the social benefit asserted (being \$885m). Given our lack of confidence in this regard, we find that there may be some social benefit, but it is unlikely to be at the scale estimated by Property Economics.

[538] Finally, we also consider it appropriate to record that the numbers expressed in the economic assessments, on which we have relied, give the appearance of a level of precision. However, that is simply a consequence of the calculations used to generate them. The Panel has viewed the numbers as indicative estimates, and we have adjusted them qualitatively to take into account the concerns as to their accuracy expressed in our Decision.

Overall finding on regional and national benefits

[539] In summary, the Panel finds that Sunfield will result in the following regional and national benefits:

- (a) An economic benefit of somewhere between \$0 and \$2.6b, but likely less than \$2.6b. Included within this category is an increase in employment opportunities, both during and after construction;
- (b) An increase in the supply of housing, in the order of approximately 1,000 additional dwellings;
- (c) A marginal reduction in house prices resulting in a social benefit associated with the transfer of value from landowners and developers to home buyers;
- (d) Providing climate change mitigation, including the reduction or removal of greenhouse gas emissions.
- (e) Supporting adaptation, resilience, and recovery from natural hazards (in reference to the engineering solution proposed to mitigate flooding risks); and

- (f) Addressing other environmental issues (in reference to the sustainable and environmentally friendly 15 minute sustainable neighbourhood proposed; being a first in a greenfield location in New Zealand).

[540] The Panel find that these benefits are, collectively, regionally and nationally significant. This finding is underpinned by the scale of this Proposal, which puts it clearly into the category of being “worthy of note”.

PART G: APPROVALS RELATING TO THE RESOURCE MANAGEMENT ACT

G1: DECISION-MAKING CRITERIA FOR CONSENTS UNDER THE RMA

[541] In considering whether to grant resource consents, the Panel must apply clauses 17 – 22 of Schedule 5 to the FTA.

[542] Clause 17 is of particular relevance to this Application, and states (relevantly):

17 Criteria and other matters for assessment of consent application

- (1) For the purposes of section 81, when considering a consent application, including conditions in accordance with clauses 18 and 19, the Panel must take into account, giving the greatest weight to paragraph (a),
 - (a) the purpose of this Act; and
 - (b) the provisions of Parts 2, 3, 6, and 8 to 10 of the Resource Management Act 1991 that direct decision making on an application for a resource consent (but excluding section 104D of that Act); and
 - (c) the relevant provisions of any other legislation that directs decision making under the Resource Management Act 1991.
- (2) For the purpose of applying any provisions in subclause (1),—
 - (a) a reference in the Resource Management Act 1991 to Part 2 of that Act must be read as a reference to sections 5, 6, and 7 of that Act; and

...

[sub-clauses (2)(b)-(c), and (3) – (7) omitted]

[543] Section 104D of the RMA provides decision-making criteria for non-complying activities. Relevantly for Sunfield, the effect of clause 17(1)(b) is that those criteria do not apply.

[544] The phrase “take into account” requires us to consider the matters so identified and give them genuine consideration; rather than mere lip service, such as by listing them and setting them aside.³⁵ This can be best effected (and demonstrated) by considering them first in ways that are uninfluenced by the FTAA’s purpose and secondly, only then carrying out the weighing exercise required by clause 17(1). Where a weighing exercise is required, we do so in Part H of this Decision.

[545] Clauses 17(3) and (4) provide:

- (1) Subclause (4) applies to any provision of the Resource Management Act 1991 (including, for example, section 87A(6)) or any other Act referred to in subclause (1)(c) that would require a decision maker to decline an application for a resource consent.
- (2) For the purposes of subclause (1), the Panel must take into account that the provision referred to in subclause (3) would normally require an application to be declined, but must not treat the provision as requiring the Panel to decline the Application the Panel is considering.

[546] These subclauses should be read in conjunction with section 85(4). They mean that directive avoidance policies in planning instruments are to be taken into account in the manner outlined in clause 17(4), by:

- (a) recognising that they would usually require applications for consent to be declined on the basis of the “bottom line” approach taken in *Environmental Defence Society Incorporated v The New Zealand King Salmon Company Limited & Ors (King Salmon)*;³⁶ but
- (b) do not require the Panel to decline an application.

³⁵ *Royal Forest and Bird Protection Society of New Zealand Inc v New Zealand Transport Agency* [2024] NZSC 26.

³⁶ *Environmental Defence Society Incorporated v The New Zealand King Salmon Company Limited & Ors* [2014] NZSC 38; [2014] 1 NZLR 593.

G2: RMA STATUTORY INSTRUMENTS

[547] The Application listed what the Applicant considered to be the relevant statutory instruments and provided an assessment of each of those instruments.

[548] The Applicant continued to update the statutory assessment:

- (a) As a result of the change to the Proposal to accommodate the alignment of the NOR for Mill Road;
- (b) In response to comments from persons invited to comment on the Application;
- (c) In response to Proposed Plan Change 120 (**PC120**); and
- (d) In response to the updated national policy framework that took effect on 15 January 2026.

[549] We have carefully reviewed the assessments provided by the Applicant. While we generally concur with them, we provide our own assessments, as follows.

2025 Changes to National Direction

[550] On 18 December 2025, the Government introduced three new national instruments and amended seven existing national instruments, all in force from 15 January 2025.

[551] The Applicant, in its response to the Panel's 18 December 2025 request for further information, submitted that all of the changes are potentially relevant to the Panel's Decision. This submission was on the basis that the application of clause 17 of Schedule 5 requires the Panel to take into account Part 6 of the RMA, which imports section 104 of the RMA. This consideration includes section 104(1)(b)(i), which requires regard to be had to any relevant provisions of national policy statements and that it is well settled law that the "up-to-date circumstances prevailing at the time of the decision" are to be considered under the RMA.³⁷

[552] The Panel generally agrees with the Applicant's submission and, in addition, considers that the provisions of the Legislation Act 2019 and purpose of the FTAA also support a finding that the changes to national direction are relevant to this Decision.

³⁷ Citing *Far East Investments Ltd v Auckland City Council* [2002] NZRMA 433, at [19] – [28].

[553] While section 11 and 12 of the Legislation Act 2019 (in Part 2) provide that legislation applies to circumstances as they arise and legislation does not have retrospective effect, section 9 disappplies Part 2 in circumstances where the context of the legislation requires a different interpretation.

[554] The Panel consider that the context of the FTAA supports the finding that the changes to national direction apply to Sunfield, despite the Application being live at the time the changes were made. The purpose of the FTAA is to facilitate the delivery of infrastructure and development projects with significant regional or national benefits; it seeks to expedite the provision of eligible development projects. Similarly, the changes to national direction are also aimed at creating a more enabling planning environment for development. As such, the Panel considers that the context requires the changes to national direction to be applied to the Application. Therefore, the below assessments apply relevant provisions of national direction as at 15 January 2026.

Government Policy Statements

[555] The Panel considers that no Government Policy Statements issued under section 10A of the Act are relevant to this Application.

National policy statements

[556] The relevant National Policy Statements that we must take into account to under clause 17 of the FTAA were addressed in section 8 of the Applications Planning Report and the Applicant's response to the Panel's 18 December 2025 request for further information. The instruments include:

- (a) National Policy Statement for Freshwater Management 2020 (Amended December 2025) (**NPSFM**);
- (b) National Policy Statement on Urban Development 2020 (**NPSUD**);
- (c) National Policy Statement for Highly Productive Land 2022 (Amended December 2025) (**NPSHPL**);
- (d) National Policy Statement for Indigenous Biodiversity 2023 (**NPSIB**);
- (e) National Policy Statement for Natural Hazards 2025 (**NPSNH**);
- (f) National Policy Statement for Infrastructure 2025 (**NPSI**); and

(g) National Policy Statement for Renewable Electricity Generation Amendment 2025 (**NPSREG**).

National Policy Statement for Freshwater Management 2020 (Amended December 2025) 2024

[557] The NPSFM sets out a framework under which local authorities are to manage freshwater (including groundwater). The NPSFM seeks to ensure that natural and physical resources are managed in a way that prioritises:³⁸

- (a) First, the health and well-being of water bodies and freshwater ecosystems;
- (b) Second, the health needs of people (such as drinking water); and
- (c) Third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.

[558] These objectives reflect the hierarchy of obligations in Te Mana o te Wai.³⁹

[559] The Applicant provided an Ecology Baseline Report (Document 34 of the Application) which assessed the current freshwater ecological values within the Sunfield area. The Panel notes that there are a number of watercourses within the development land with overall low existing ecological value, generally of a degraded state:

- (a) Sunfield North: predominantly modified permanent streams or artificial drainage channels;
- (b) Sunfield South: Several tributaries of the Papakura Stream, discharging into the Manukau Harbour, and one natural wetland; and
- (c) Cosgrave Road: freshwater values are limited to artificial watercourses created to facilitate farm drainage.

³⁸ NPSFM clause 2.1.

³⁹ NPSFM clause 1.3.

[560] In terms of contributions to increasing ecological value, the Application details that the existing natural streams (primarily Watercourse 2, shown in Figure 37 of the Planning Report) and the natural wetland in the south-eastern portion of the site (Sunfield South) will be protected and enhanced. Over time, conveyance channels and streams and proposed planting are intended to create an environment with high ecological value (to be known as the ‘Wai Mauri Stream Park’).

[561] The Application states that the Proposal will enable the efficient development of a well-functioning environment while protecting and enhancing the existing freshwater network within the catchment, in line with the anticipated outcomes of the NPSFM.

[562] The Panel did not receive any substantive comments⁴⁰ raising concerns relating to the Applications consistency with the NPSFM.

Panel finding

[563] We are satisfied with the Applicant’s assessment of the Proposal against the NPSFM and find that the Application is not inconsistent with the NPSFM.

National Policy Statement on Urban Development 2020

[564] The NPSUD directs local authorities to enable well-functioning urban environments. Its primary purpose is to ensure that planning frameworks provide sufficient development capacity to meet housing and business demand, both now and in the future. It seeks to improve housing supply, support economic productivity, and promote sustainable, inclusive urban development through responsive and evidence-based planning.⁴¹

[565] Policy 6 of the NPSUD applies to ‘planning decisions that affect urban environments’, requiring that councils have regard to among other things:

- that the planned urban built form in those RMA planning documents may involve significant changes to an area, and those changes:

⁴⁰ For completeness, the Panel records that the effects management hierarchy within the NPSFM was referred to by Mr Smith in the Ecology and Streamworks assessment provided with the Auckland Council comments, no comments were made about the objective and polices within that National Policy Statement.

⁴¹ NPSUD, clause 2.1.

- (i) may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types; and
- (ii) are not, of themselves, an adverse effect;

(b) ... the benefits of urban development that are consistent with well-functioning urban environments (as described in Policy 1);

(c) any relevant contribution that will be made to meeting the requirements of this National Policy Statement to provide or realise development capacity; ...

[566] As the Application is for resource consent, it is considered a ‘planning decision’ for the purposes of the NPSUD.⁴²

Applicant’s position

[567] The Applicant has stated that the proposed development will give effect to the NPSUD.⁴³ The Planning Report assesses the Proposal against the objectives and policies that Applicant considered relevant. The Applicant’s assessment is as follows:

- (a) Objective 1: The Proposal provides a well-functioning and accessible urban environment with natural hazard risks mitigated.
- (b) Objective 2: The Proposal will increase housing capacity and affordability by supporting competitive land and development markets.
- (c) Objective 3: The Applicant notes that this objective is targeted at plan changes, but that Sunfield will meet the direction to have urban environments located near employment opportunities/centre zones, is in a high-demand housing area and will be well serviced by public transport.
- (d) Objective 4: The Proposal will have high amenity levels due to Open Space Network and fact that it is a comprehensive development.

⁴² NPSUD, 1.4 interpretation, definition of ‘planning decision’.

⁴³ Tattico Sunfield Fast-track Approvals Act 2024 Substantive Application Planning Report dated 31 March 2025, at section 8.1.

- (e) Objective 5: The Applicant cites the mana whenua / Māori engagement and support received.
- (f) Objective 6: The Applicant notes that the integration of infrastructure is integral to the Proposal, the bulk of which will be funded by the Applicant – noting the integration of Mill Road extension.
- (g) Objective 8: The Proposal supports the reduction of greenhouse gases through its promotion of active transport/low emission modes and prioritisation of clean energy.
- (h) Policy 1: The Proposal provides a variety of homes with access to urban services and supports the reduction of emissions and has provisioning for climate change resilience (such as flooding mitigations).
- (i) Policy 2: The Proposal will support regional development capacity.
- (j) Policy 3: The Proposal is a greenfield development and can meet the constraints of the policy, noting that this policy is targeted at plan changes.
- (k) Policy 6: The Proposal will transition land from rural to urban, changing existing amenity value. The changes will contribute substantially to urban development capacity and is expected to provide a high level of amenity within an urban context, consistent with Policy 6.
- (l) Policy 8: The Applicant states this policy is important to note because it provides that out of sequence / unanticipated development may be justified if it significantly increases development capacity and contributes to well-functioning urban environments.
- (m) Policy 9: The Applicant considers this Policy is met, referring to mana whenua engagement.
- (n) Policy 11: This policy prevents local authorities from setting minimum carparking rate requirements. The Applicant notes there will be restricted internal carparking at the development.

Auckland Council's position

[568] The Panel notes that the Council's position in its comments on the Application is that the Proposal fails to create a well-functioning urban environment due to:⁴⁴

- (a) Exposure of future residents to moderate aircraft noise in their homes and while using parks within the development, with mitigation inside largely reliant on windows remaining closed;
- (b) Uncertain and untested public transport system (Sunbus);
- (c) Infrastructure sequencing incompatibility and no certainty that the Applicant will fund all required infrastructure; and
- (d) Insufficient flood risk mitigation for rural-to-urban land use change

[569] Each of these matters are addressed further below.

Panel finding

[570] The Panel considers that the underlying principle and design philosophy expressed through the Application is in accordance with the direction and intent of the NPSUD and will contribute to well-functioning urban environments in the Region.

[571] The Panel is satisfied that the potential effects of aircraft noise on future residents has been appropriately mitigated by the design controls set out in the Application, and secured in the conditions.

[572] The future public transport system has also been analysed in Part E of this Decision, and for the reasons given in that chapter, the Panel is satisfied that the proposed public transport system is appropriate, and consistent with the policies in the NPSUD.

⁴⁴

Memorandum of Strategic and Planning Matters for Auckland Council dated 4 August 2025, at 38.

[573] Concerns regarding infrastructure and out of sequence development have also been considered elsewhere in this Decision. In short, the Applicant's agreement to be bound by conditions that require agreement to be reached with Watercare in relation to three-waters infrastructure has allowed our initial concerns around servicing have fallen away. The Panel apprehends that the (valid) issues that Watercare and the Council have raised about sequencing and the effect on other live zoned, or future zoned, developments, will have to be addressed by Sunfield as part of the commercial negotiation with Watercare to secure servicing. As noted elsewhere in the report, there may be significant financial costs associated with securing access to such infrastructure, but that is a developers risk that Sunfield has accepted.

[574] Policy 8 of the NPSUD warrants explicit consideration because it has been relied on by the Applicant as providing a policy basis supporting out-of-sequence development. The Panel accepts that this development will provide additional development capacity, and that it will contribute to a well-functioning urban environment. However, Policy 8 is about plan changes not applications for resource consent, and so reliance on that Policy in the context of this Application is somewhat misplaced.

[575] Issues associated with flood risk mitigation have also been assessed elsewhere in this Decision. Subject to the imposition of conditions, including the condition requiring the Applicant to clear drains to the north (if access is agreed to by a landowner or occupier), the Panel is satisfied that such potential effects have been appropriately mitigated.

[576] Overall, the Panel prefers the Applicant's assessment of the Proposal as against the NPSUD and we are satisfied that the NPSUD does not present a barrier to granting consents for the Application.

National Policy Statement for Highly Productive Land 2022 (amended December 2025)

[577] The starting point for our analysis of this instrument is whether the Application site contains any HPL.

[578] The NPSHPL was amended in December 2025, and this amended version is the version that applies to this Application.

[579] The effect of the amendments made to the NPSHPL in the context of this Application, is that land comprising LUC 3 class land is now excluded from the interim definition of HPL. That is because of the operation of clause 3.5(7)(b)(iii), which excludes from the interim definition of HPL land that is subject to a resource consent application for subdivision, use or development on LUC 3 land (other than rural lifestyle), where that application is lodged at or after the commencement date.

[580] The definition of LUC1, 2, or 3 land was also amended. It now states:

LUC 1, 2, or 3 land means land identified as Land Use Capability Class 1, 2, or 3, as mapped by the New Zealand Land Resource Inventory, **or by any more detailed mapping in place** at the commencement date that uses the Land Use Capability classification

[581] There is no dispute between the Applicant and the Council, that all of the MRZ part of the site is identified as class LUC 2 land by the New Zealand Land Resource Inventory. However, there is a dispute as to whether Dr Singleton's site-specific mapping constitutes "detailed mapping in place at the commencement date" for the purposes of the definition. This is an important question because the Applicant says that approximately 70 ha of the site comprises LUC 3 classed land, and that that land is no longer effected by the NPSHPL on account of it no longer being classified as HPL.

[582] The question for the Panel to determine is whether the site-specific LUC mapping undertaken for Sunfield, a private landowner, prior to the commencement date - in this case the assessment prepared by Dr Singleton in December 2020 - can properly be treated as "more detailed mapping in place at the commencement date" for the purposes of the amended definition.

[583] If Dr Singleton's mapping meets that definition, then we can exclude the land he identifies as LUC 3 from our assessment against the NPSHPL. However, if that mapping does not accord with the definition, then we must proceed on the basis that all of MRZ land is LUC 2, as per the New Zealand inventory at commencement date.

[584] The Commencement date for this purpose is 17 October 2022.

[585] We did not receive legal submissions from the Applicant in relation to this question. Rather, the Applicant approached the relevance of the amendments to the NPSHPL by filing an updated planning assessment that simply asserted that the effect of the change to the NPSHPL was that LUC 3 classed land identified by Dr Singleton was not to be excluded from the definition of HPL. A further technical assessment was provided by Mr Hunt, who likewise, asserted that the effect of the change to the NPSHPL was that the land identified as LUC 3 by Dr Singleton was not to be excluded from the definition of HPL

[586] In contrast, we received detailed legal submissions from Counsel for the Council on this question.⁴⁵ Those submissions were to the effect that the phrase “more detailed mapping” is mapping of a kind capable of being accepted and used by a local authority in carrying out its statutory mapping function. Read in that context, Counsel submitted that it was questionable whether the reference to “mapping in place at the commencement date” in the definition can naturally read as capturing ad hoc, privately commissioned, site-specific reports prepared for individual landowners.

[587] In support of that submission, Counsel referred us to the Ministry for the Environment’s Guide to Implementation of the NPSHPL. It was submitted that that Guide is instructive as to the intended scope of the phrase “more detailed mapping”. The Guide explains that LUC 1, 2 or 3 land may be identified by “more detailed mapping” where “a region or district has more detailed LUC mapping than the original New Zealand Land Resource Inventory”, and that such mapping may be used “by the relevant local authority to identify HPL under the transitional definition of HPL and for subsequent mapping of HPL”. The Guide then draws an express distinction, stating that while “[m]ore detailed mapping could be tools such as S-Map, … it is not intended to include site-specific soil assessments prepared by landowners”.⁴⁶

⁴⁵ Memorandum of Counsel for the Auckland Council Family in response to Minutes 22 and 24, dated 4 February 2026, at [8.4] – [8.12].

⁴⁶ National Policy Statement for Highly Productive Land: Guide to implementation, page 15.

[588] While the Guide does not have statutory force and such guidance is typically given limited weight by the Courts, its explanation accords with the structure of the NPSHPL, which assigns responsibility for identifying and mapping HPL to local authorities through Schedule 1 planning processes. It is also in accordance with the Environment Court’s reasoning in *Blue Grass Ltd v Dunedin City Council*, which emphasised that identification of HPL is to occur through the Schedule 1 planning process rather than through “an ad-hoc process undertaken by private landowners as suggested by the appellants”.⁴⁷ While the Court in Blue Grass was not directly addressing the status of site-specific mapping prepared by private landowners prior to the commencement date, its reasoning was directed to the proper process for identifying HPL, and is equally applicable to the interpretation issue that arises here.

[589] We agree with those submissions, and find that Dr Singleton’s report does not constitute “more detailed mapping in place at the commencement date” for the purposes of the definition of LUC 1, 2, or 3 land.

[590] That leaves us with the classification of the land as recorded in the New Zealand Land Resource Inventory. That is, the MRZ portion of the site, comprising approximately 188 ha, is LUC 2 class land, and therefore falls within the definition of HPL for the purposes of the NPSHPL.

[591] We proceed on that basis as we evaluation the project against the provisions of the NPSHPL.

[592] The NPSHPL has one objective, which is:

Highly productive land is protected for use in land-based primary production, both now and for future generations.

[593] The objective is supported by nine policies, and the methods for achieving the objective and the policies are set out in Part 3.

[594] The key policies are:

(a) Policy 1: HPL is recognised as a resource with finite characteristics and long-term values for land-based primary production.

⁴⁷ *Blue Grass Ltd v Dunedin City Council* [2024] NZEnvC 83, at [51](b).

- (b) Policy 4: The use of HPL for land-based primary production is prioritised and supported.
- (c) Policy 5: The urban rezoning of HPL is avoided, except as provided in this National Policy Statement.
- (d) Policy 7: The subdivision of HPL is avoided, except as provided in this National Policy Statement.

[595] The theme that emerges from these policies is that HPL is a finite resource, and that its use for land-based primary production should be sustained into the future. In order to secure that outcome, urban development and subdivision are to be avoided, except as provided for in the NPSHPL. The phrase “except as provided for in this National Policy Statement” gives the reader of that document an indication that there might be some exceptions to the avoidance policy position. Those exceptions are to be found in clause 3.10 of Part 3.

[596] The economic assessment that accompanied the Application incorrectly applied the provisions of the NPSHPL in that it referred to clause 3.6 of Part 3. That clause relates to urban rezoning, not subdivision by way of resource consent. Clause 3.6 is not relevant to this Application.

[597] Clause 3.10 is important and is set out in full below:

3.10 Exemption for highly productive land subject to permanent or long-term constraints

- (1) Territorial authorities may only allow highly productive land to be subdivided, used, or developed for activities not otherwise enabled under clauses 3.7, 3.8, or 3.9 if satisfied that:
 - (a) there are permanent or long-term constraints on the land that mean the use of the highly productive land for land-based primary production is not able to be economically viable for at least 30 years; and
 - (b) the subdivision, use, or development:
 - (c) avoids any significant loss (either individually or cumulatively) of productive capacity of highly productive land in the district; and

- (i) avoids the fragmentation of large and geographically cohesive areas of highly productive land; and
- (ii) avoids if possible, or otherwise mitigates, any potential reverse sensitivity effects on surrounding land-based primary production from the subdivision, use, or development; and
- (iii) the environmental, social, cultural and economic benefits of the subdivision, use, or development outweigh the long-term environmental, social, cultural and economic costs associated with the loss of highly productive land for land-based primary production, taking into account both tangible and intangible values.

(2) In order to satisfy a territorial authority as required by subclause (1)(a), an Applicant must demonstrate that the permanent or long-term constraints on economic viability cannot be addressed through any reasonably practicable options that would retain the productive capacity of the highly productive land, by evaluating options such as (without limitation):

- (a) alternate forms of land-based primary production;
- (b) (improved land-management strategies;
- (c) alternative production strategies;
- (d) water efficiency or storage methods;
- (e) reallocation or transfer of water and nutrient allocations;
- (f) boundary adjustments (including amalgamations);
- (g) lease arrangements.

(3) Any evaluation under subclause (2) of reasonably practicable options:

- (a) must not take into account the potential economic benefit of using the highly productive land for purposes other than land-based primary production; and

- (b) must consider the impact that the loss of the highly productive land would have on the landholding in which the highly productive land occurs; and
- (c) must consider the future productive potential of land-based primary production on the highly productive land, not limited by its past or present uses.

(4) The size of a landholding in which the highly productive land occurs is not of itself a determinant of a permanent or long-term constraint.

(5) In this clause:

landholding has the meaning in the Resource Management (National Environmental Standards for Freshwater) Regulations 2020

long-term constraint means a constraint that is likely to last for at least 30 years.

[598] Clause 3.10 was addressed (in part) in the Planning Report that accompanied the Application. That assessment considered that Sunfield satisfied the requirements of Clause 3.10 for the following reasons:

- (a) The soil base of the land is peat and this presents a permanent long term constraint on the use of the land for productive purposes. This is supported by the current use of the land which is largely fallow with intermittent horse grazing. These activities do not result in an economically viable productive use of the land
- (b) There are areas of poorly drained soil subject to high water tables, non-point source animal discharges, fertiliser leaching and occasional runoff. There may be an improvement in water quality from housing, stormwater management and riparian works.
- (c) Based on the NPSHPL classification included in section 2.6 of this report, there is limited opportunity for amalgamation of the NPSHPL highly productive land on the site with other surrounding highly productive land, particularly given the urban areas to the west and south, and Ardmore Airport with associated urban development to the east.

- (d) The poorly drained soils (LUC 3w2 and 2w2), although considered highly productive land, are not LUC class 1 land (with deep and well drained soils) and are of lesser productive value and not suitable for intensive horticulture crops requiring deep, well drained soils.
- (e) Given the location of the site (adjoining existing and future urban development and other surrounding areas of non-highly productive land) the loss of the site from production would not result in significant further fragmentation of surrounding highly productive land nor would it result in significant loss of productive capacity of highly productive land in the Auckland Region or the district.
- (f) The Sunfield site is located adjacent existing urbanised land and to the west of the Ardmore Airport. Therefore, urbanisation of the land will not result in reverse sensitivity effects on surrounding landbased primary production as there are limited large scale active farming operations in the vicinity. Further, the scale and intensity of development proposed will ensure that the proposed urban activities will not dominate or compromise activities on nearby rural land.
- (g) Whilst the above considerations do not take into account the potential economic benefits of using the land for urban land-use (as per clause 3.10(3)(a)), it is however considered that the environmental, social, cultural and economic benefits of the subdivision, use, or development outweigh the long-term environmental, social, cultural and economic costs associated with the loss of highly productive land for land-based primary production. This is supported through the economic assessment provided with this Application which sets out the significant benefits that will result from this Application, including the provision of much needed 4,000 dwellings in close proximity to rail stations.
- (h) As stated above in this assessment and in the Landsystems report, alternative forms of productive use have been considered but are not considered to be viable on this land. Therefore, in accordance with clauses 3.10(2) to (4), it is considered that there aren't any reasonably practicable options that would retain the productive capacity of the land.

- (i) It is considered that the regional benefits of the Proposal, as outlined in section 6.1.4 of this report, outweigh the loss of this particular 'highly productive land' for the reasons outlined above, and that the loss of this land for rural pastoral purposes with stock traversing the site is a proportionate response given the benefits derived from Sunfield.

[599] The planning assessment concluded by saying:

In summary, it is considered that the land subject to this Proposal when reviewed in detail is generally land not of high value, with urbanisation being an appropriate use, and the Proposal is therefore not contrary to the NPSHPL. The proposed urbanisation and subdivision of the land can be progressed as Clause 3.10 of the NPS: HPL is satisfied.

[600] In comments made on the Application, Auckland Council submitted that the exception pathway in clause 3.10 was not met in this case. Ms Underwood (for the Council) is of the opinion that:

- (a) The land use limitations on the site do not appear to be severe;
- (b) The site is a large land area with limited land titles (so is not fragmented);
- (c) The site is being used for land-based primary production; and
- (d) Limitations on the land are slight to moderate and are being managed with appropriate and existing technologies and practices.

[601] In response to the Council's comments, the Applicant produced a further NPSHPL assessment, undertaken by Mr Alexander. Mr Alexander was of the opinion that because of the constraints identified in his assessment, the use of the site for subdivision and urban activities met the exemption tests in clause 3.10. The key constraints identified by Mr Alexander were:

- (a) Non-reversible land fragmentation of the Development Site and surrounding land uses;
- (b) Soil conditions;
- (c) Lack of expansion or alternative forms of land-based primary production options; and
- (d) Reliance on contractors and lease agreements.

[602] Clause 3.10 of the NPSHPL is highly prescriptive. In order to focus the various witnesses engaged on this topic on the tests in clause 3.10, those witnesses were directed to participate in expert witness conferencing. A Joint Witness Statement Highly Productive Land dated 17 November 2025 subsequently issued.

[603] The experts agreed on the following matters:

- (a) That the rural-zoned part of the site comprising 188 hectares meets the definition of High Productive Land;
- (b) That the only pathway for consent under the NPSHPL is for the Application to be found to meet the clause 3.10 exemption;
- (c) That land-based primary production was already occurring on the site;
- (d) That pastoral production is suitable for the site.
- (e) The nature of the soil (wetness and clay in places) affects the range of land uses that could be utilised on the site. Pastoral is a suitable land use of the majority of the area, with arable suitable on a smaller portion where it is dryer and a slightly different soil type.
- (f) the characteristics of the soil on site have limitations that reduce the range of land uses that can occur and the versatility of the soils
- (g) that pastoral farming can be undertaken around the gas pipeline

[604] Beyond those matters, the experts were not in agreement.

[605] The key issue where the experts' views diverged centred around whether there were long-term constraints that mean use of the HPL on the site for land-based primary production was not able to be economically viable for at least 30 years. That issue is important because of the conjunctive nature of the tests in clause 3.10 of the NPSHPL. Put another way, if clause 3.10(a)(a) is not met, then the exemption pathway is not available.

[606] There are two parts to this inquiry:

- (a) Whether land-based primary production is economically viable; and
- (b) If so, are there any long-term constraints that prevent the economic viability of land-based production.

[607] The experts for the respective parties disagreed on the definition of economic viability in the context of clause 3.10.

[608] The experts for the Applicant were of the opinion that “economic viability” in this context is understood to relate to a commercially viable land based primary production (**LBPP**) undertaking. The also referred to the cases of *Johnston v Dunedin City Council* and *Hopkins v Waikato District Council*⁴⁸ in support of their opinion that economic viability requires the land to make a commercial profit/surplus.

[609] The key argument advanced by the experts for the Applicant centred around the increase in land values. They were of the opinion that the increase in land value that has occurred on the site makes the ability to use the land productively in an economically viable manner, not possible (particularly given its constraints).

[610] Underpinning the Applicant’s experts’ assessment is that the land was given its current rateable value in order to determine whether there was an economically viable land-based production use available. Unsurprisingly, when current land values were used, economic viability was not demonstrated (i.e., there was a deficit rather than a surplus).

[611] The experts for the Council were of the opinion that economically viable land-based primary production is understood to be land-based primary production that is:

- (a) Able to be sustained by parties including but not limited to commercial business – e.g. since the NPSHPL definition of LBPP does not impose a requirement that it is commercial (unlike planning instruments like the National Environmental Standard for Commercial Forestry), LBPP being conducted by lifestyle/hobby farms is relevant LBPP, so the economics of lifestyle/hobby farming is also relevant (much economically viable economic activity, occurs outside of commercial businesses);

- (b) Not limited to a marginal hypothetical commercial farming business (i.e. a business assumed to purchase the HPL at current prices, and raise mortgage finance to do so) – “inframarginal” owners of the HPL must also be considered (e.g. current owners, who purchased the HPL in the past, and may have no mortgage financing to service, and therefore have a much lower cost structure than that assumed in AgFirst’s analysis);
- (c) Includes all sources of value accruing to the HPL owner undertaking the LBPP, including capital gains for example (e.g. which are an inherent source of value for commercial forestry operations - which are LBPP under the NPSHPL definition - since by definition the returns from harvest involve a growing capital stock (of timber)) after 20+ years of initial losses, including land capital gains;
- (d) Importantly, *prima facie* includes current LBPP activities, since they would not be occurring if they were not economically viable – even if these are small scale hobby farmers, the fact that they can sustain LBPP even at small scale indicates their existing activities are economically viable, which means the clause 3.10 exemption is not available.
- (e) Allows for the clauses 3.10 exemption to be available due to long-term constraints that any scale of LBPP economically unviable – e.g. PFAS contamination.

[612] The Council experts emphasised their opinion that the assessment of economic viability under clause 3.10 does not require an assessment of a current market transaction between a willing buyer and willing seller as would be the case for a land valuation exercise. It allows for economic viability to be assessed from the vantage point of an existing landowner who does not need to purchase the land at current market value, which is consistent with the reality on the ground (i.e. there are existing landowners already undertaking LBPP on the HPL).

[613] The question of whether land should be ascribed its current land value for the purpose of determining whether an economically viable land-based primary production use is available, has not been determined by the Court.

[614] The experts for the Applicant referred to the case of *Hopkins v Waikato District Council*⁴⁹ in support of the opinions they expressed. That case (together with the case of *Johnston v Dunedin City Council*, which was also referred to) are not determinative.

[615] The following paragraph from *Hopkins* highlights the issue that the Council witnesses raised in relation to current land values:

[79] Mr Walker noted that if recognition of a property's current land value was included when assessing economic viability under the NPSHPL, then most highly productive land near urban boundaries could be assessed as being not economically viable.

[616] The Court in *Hopkins* did need to go on to make a finding in relation to whether current land values should be used as the basis for the economic assessment.

[617] On this issue, the Panel finds that the current land values should not be used as the basis for the economic viability assessment. To do so runs the risk identified by Mr Walker in *Hopkins* and has the potential to undermine entirely the objective of the NPSHPL. That is, the cumulative loss of highly productive land surrounding existing urban developments would continue to occur.

[618] That is not to say that land values are not a relevant consideration when undertaking the economic viability assessment. However, a more suitable approach may have been to ascribe a value to each of the parcels of land comprising the development site reflective of the purchase price paid for that land when it was acquired by the current landowner. Alternatively, a range of values could have been used as part of a sensitivity analysis. Table 8 in Mr Alexander's assessment dated September 2025 would have been of more assistance to the Panel had it included a range of land values rather than relying exclusively on the current land value to demonstrate a lack of economic viability.

[619] The Panel has carefully considered each of the constraints that exist on the land, including in particular, the wetness of soils. Despite those limitations, all experts agreed:

(a) That land-based primary production was already occurring on the site;

⁴⁹ *Hopkins v Waikato District Council* [2025] NZEnvC 34.

- (b) That pastoral production is suitable for the site.
- (c) that pastoral farming can be undertaken around the gas pipeline.

[620] Whilst the constraints reduced the range of land-based primary production that could occur on the site, pastoral production (a sub-set of LBPP) was considered by all experts to be suitable for the site.

Panel finding

[621] As to whether that limited range of land-based primary production was capable of supporting an economically viable use, the Panel prefers the evidence of the Council witnesses, primarily for the following reasons:

- (a) There is already land-based primary production occurring on the site. That indicates that land-based primary production is currently economically viable on the site.
- (b) The Applicant has not demonstrated that the existing land-based primary production is not economically viable (at all, or for at least 30 years). In this regard, the Applicant's approach of using a current land value is an unsound basis upon which to determine economic viability.
- (c) The constraints that have been identified already exist, and have not constrained the use of the site such that there is currently no land-based primary production occurring. Whilst the range of uses is somewhat limited by those constraints, they do not exclude entirely any land-based primary production occurring on the site.

[622] Having found that there are no permanent or long term constraints on the land that mean the use of the highly productive land for land-based primary production is not able to be economically viable for at least 30 years, the exemption pathway under clause 3.10 of the NPSHPL is not available.

[623] As a result, the Application is inconsistent with (to the point of being contrary to) the NPSHPL.

[624] That is not the end of the matter, though. The Panel may not form the view that an adverse impact meets the threshold in section 85(3)(b) solely on the basis that the adverse impact is inconsistent with or contrary to a provision of a specified Act or any other document that a Panel must take into account or otherwise consider in complying with section 81(2). Rather, on this topic, the Panel must consider whether the inconsistency with the NPSHPL gives rise to any substantive adverse effects.

The Panel has undertaken this assessment in Part E of this Decision.

National Policy Statement for Indigenous Biodiversity 2023 (Amended December 2025)

[625] The NPSIB provides a nationally consistent framework for the protection, maintenance, and enhancement of indigenous biodiversity across New Zealand.

[626] The objective of the NPSIB is:⁵⁰

- (a) to maintain indigenous biodiversity across Aotearoa New Zealand so that there is at least no overall loss in indigenous biodiversity after the commencement date; and
- (b) to achieve this:
 - (i) through recognising the mana of tangata whenua as kaitiaki of indigenous biodiversity; and
 - (ii) by recognising people and communities, including landowners, as stewards of indigenous biodiversity; and
 - (iii) by protecting and restoring indigenous biodiversity as necessary to achieve the overall maintenance of indigenous biodiversity; and
 - (iv) while providing for the social, economic, and cultural wellbeing of people and communities now and in the future.

- [627] The NPSIB requires local authorities to identify and manage significant natural areas, apply the effects management hierarchy (avoid, remedy, mitigate, and offset), and recognise the role of tangata whenua as kaitiaki. It promotes integrated, evidence-based decision-making that balances biodiversity protection with land use and development needs. The Auckland Council has not yet finalised its response to give effect to the NPSIB, so the Applicant refers to the current approach in the AUP of identifying Significant Ecological Areas (**SEAs**).
- [628] The Applicant notes that there are no SEAs at the Proposal Site and that the site has generally low ecological values in the existing natural watercourses which will be protected and enhanced as a result of the development.
- [629] The Auckland Council did not provide comment on the NPSIB.

Panel finding

- [630] We are satisfied with the Applicant's assessment of the NPSIB, particularly given that there are no existing areas of significant ecological value. We are satisfied that the Proposal will protect and enhance any existing ecological value.
- [631] The Panel is satisfied that the Application is not inconsistent with the NPSIB.

National Policy Statement for Natural Hazards 2025

- [632] The NPSNH introduces national direction for the management of natural hazard risk. It applies to flooding, landslips, coastal erosion, coastal inundation, active faults, liquefaction and tsunami.
- [633] The Objective of the NPSNH, as outlined in clause 2.1, states “Natural hazard risk to people and property associated with subdivision use and development is managed using a risk-based proportionate approach.”
- [634] The Policies of the NPSNH require:⁵¹
 - (a) a risk assessment for new developments, using the risk matrix in Appendix 1 to the NPSNH;

⁵¹ NPSNH, at clause 2.2.

- (b) that development response be proportionate to the level of risk (including avoidance of risk in circumstances where the natural hazard risk is very high or development will create or increase significant hazard risk elsewhere); and
- (c) that decisions are based on the best available information and consider the potential impacts of climate change.

[635] Section 3 of the NPSNH outlines the implementation matters to be undertaken to give effect to the objectives and policies of the NPSNH, particularly the development of a specific risk-based assessment and approach decision-makers⁵² must take in assessing natural hazard risk.

Applicant's position

[636] The Applicant assessed Sunfield against the risk matrix and policies of the NPSNH and concluded that the Proposal meets the requirements of the NPSNH.⁵³

[637] The Applicant separated the Proposal into six zones corresponding to land-use and flood management strategy and concluded that the flood risk for each zone, in accordance with the matrix, is low.

[638] The Applicant concluded that, as the risks associated with flooding from the proposed Sunfield development can be appropriately managed, with the proposed mitigation measures being proportionate to the potential effects, the Proposal meets the policies of the NPSNH.

[639] In relation to risk categorisation of landslides, the Applicant assessed the risk level in accordance with the NPSNH matrix as being 'Low' notwithstanding the Auckland Council's landslide susceptibility mapping including 'Moderate' susceptibility areas and one 'High' and one 'Very High' susceptibility area.

[640] The Applicant concluded that the Proposal meets the policies of the NPSNH regarding landslips, as the Proposal's approach is proportionate to the natural hazard, and there will be no impacts on neighbouring sites or property.

⁵² For the purposes of the NPSNH, decision-maker means any person exercising functions or powers under the RMA.

⁵³ See Applicant's response to 18 December request for further information at Attachment A and Appendix A.

Council's position

[641] The Council considered the overall flood level risk of the Development to be 'High' on the basis of the Council's stormwater specialist Andrew Chin's review of the Applicant's NPSNH matrix risk assessment.⁵⁴ Mr Chin concluded that:

- (a) The likelihood of flooding on and downstream of the Sunfield site is 'Very Likely', not 'Rare' as asserted in the Applicant.
- (b) The consequence of high-hazard flooding is at least 'Moderate', in accordance with Auckland Council's Framework for Assessing Flood Risk at the Property Level (7 August 2025); and
- (c) The resulting risk classification under NPSNH is "High", not "Low".

[642] The Council was content that landslip risks can be appropriately managed on-site by following geotechnical recommendations and adherence to appropriate consent conditions.

Panel findings

[643] The Applicant has provided an assessment of the Proposal's natural hazard risks in accordance with the standardised assessment methodology prescribed in the NPSNH (the risk matrix).

[644] The Panel notes the differences in risk assessment between the Applicant and Council's experts and prefers the evidence of the Applicant.

[645] Based on the information provided by the Applicant, the Panel is satisfied that natural hazard risks are proportionately managed by the Proposal and that the avoidance policies of the NPSNH are not engaged as the Proposal does not involve 'Very High' risk hazards (pursuant to the NPSNH risk matrix) or present an increased flood risk for neighbouring sites (Policies 3 and 4).

[646] We are also satisfied that the hazard risk assessment has been based on the best available information (Policy 5), and that the impacts of climate change to at least 100 years into the future have been considered in the modelling (in accordance with Policy 6)

⁵⁴

Memorandum of Karl Anderson to the Sunfield Expert Panel dated 4 February 2026.

[647] For completeness, noting this issue was not in contention, the Panel is also satisfied that landslip risks are appropriately managed for the purposes of the NPSNH.

National Policy Statement for Infrastructure 2025

[648] The NPSI aims to ensure infrastructure is provided for in a way that recognises its national, regional, and local benefits, supports the social, economic, and cultural wellbeing, health, and safety of communities, enables sustainable development and change in urban and rural environments, promotes resilient and well-functioning infrastructure that is compatible with other activities and facilitates timely and efficient delivery of infrastructure while managing adverse effects.

[649] The NPSI requires decision-makers⁵⁵ to recognise the functional and operational needs of infrastructure and to give appropriate weight to national, regional and local benefits of infrastructure when preparing plans and determining resource consent applications. It applies to existing infrastructure and the development of new infrastructure, with the exception of renewable electricity generation (**REG**) activities and the electricity transmission network.

Applicant's position

[650] The Applicant considered the Proposal to be consistent with the objectives and policies of the NPSI and provided the following conclusions regarding the relevant policies of the NPSI:

- (a) Policy 1: the Proposal includes infrastructure upgrades with significant regional benefits, enabling a well-functioning urban environment.
- (b) Policy 2: the existing environmental context and the location of existing infrastructure has been factored into the location of the proposed infrastructure there is a functional need for the proposed linear infrastructure to connect to existing infrastructure.
- (c) Policy 3: the Applicant considers that the Sunfield area is a logical location for urban growth, despite the FDS's assessment and notes that infrastructure prerequisites for this area are being progressed and that the Applicant intends to fully fund all required infrastructure upgrades.

⁵⁵ Again, for the purposes of the NPSI, decision-maker means any person exercising functions or powers under the RMA.

- (d) Policy 4: the Proposal includes technology that will reduce wastewater flows and will make more effective use of existing infrastructure through extensions, upgrades and new connections.
- (e) Policy 6: feedback from Mana Whenua has been incorporated into the Proposal, particularly Wai Mauri Stream Park, with iwi being very supportive of Sunfield, recognising the sustainable principles and practices underpinning the development, and the proposed conditions include requirements for on-going mana whenua consultation.⁵⁶
- (f) Policy 7-9: it is considered that any adverse effects will be appropriately managed and mitigated.
- (g) Policies 10 and 11: these relate to decisions on planning instruments (which this is not) and are not relevant to this Application.

Council's position

- [651] The Council's position is that the Proposal is not consistent with the NPSI. Mr Anderson considered that the NPSI is intended to facilitate infrastructure developed for a benefit wider than that of a single development.
- [652] In reference to the Applicant's proposed use of an LPS, the Council stated that it is not considered innovative or fit for purpose and may cause a number of potential environmental effects.
- [653] The Council noted a 'difference in opinion' with respect to the infrastructure required as part of the Sunfield development. In the light of this, the Council considers that it should not be concluded that the Applicant will fund all of the required infrastructure and that the Applicant's assessment of the NPSI policies should be given little weight.
- [654] The Council again reiterated concerns regarding the possibility that proposed outcomes (e.g. transport outcomes) may not be achieved.⁵⁷
- [655] For completeness, the Council planner was also of the opinion that Policies 10 and 11 were not engaged by this Application.

⁵⁶ Proposed conditions 88 and 89.

⁵⁷ Memorandum of Karl Anderson for the Auckland Council dated 4 February 2026.

Panel findings

- [656] The Panel is satisfied that the Proposal is consistent with the provisions of the NPSI. The NPSI seeks to be more enabling of infrastructure development, including in circumstances where a project will support housing development. Additionally, the NPSI contemplates that infrastructure development may still be appropriate in circumstances where that infrastructure may not have been spatially identified in advance (Policy 3).
- [657] A number of the Council's concerns relate to potential adverse effects, these have been substantively addressed in Part E of this Decision, including in relation to the proposed low-pressure wastewater system. In addition, the Panel has addressed the Council's concerns regarding the achievement of proposed outcomes elsewhere in the Decision.

National Policy Statement for Renewable Electricity Generation 2011 (Amended December 2025)

- [658] The NPSREG applies to all decisions made under the RMA affecting the operation, maintenance, renewal, upgrade and repowering of existing REG assets and activities, and decisions on development of new REG assets and activities. It does not apply activities managed under the National Policy Statement for Electricity Transmission 2008, infrastructure managed under the NPSI or the allocation or prioritisation of freshwater.

Applicant's position

- [659] The Applicant did not provide an assessment of the Proposal against the NPSREG as part of the original Application but did assess it in their assessment following the December 2025 national direction changes.
- [660] The Applicant notes that the changes to the NPSREG seek to increase the supply of renewable energy in New Zealand and, of particular relevance to this Application, result in a more enabling consenting environment for community-scale REG.⁵⁸ The changes clarify that small and community-scale REG has the same level of enablement as grid-scale REG.

⁵⁸ Community-scale renewable electricity generation means renewable electricity generation with the primary purpose of supplying electricity to a community.

[661] The Applicant considers that the Proposal's use of on-site solar power and energy storage solutions throughout the community amounts to community-scale REG. Therefore, the Proposal is more strongly aligned with the NPSREG, following the 2025 changes.

Other parties comments

[662] No other substantive comments were received in relation to the NPSREG.

Panel findings

[663] The Panel is satisfied that the Proposal is consistent with the NPSREG in light of the Proposal's provision for the use of renewable energy.

National Environmental Standards

[664] The relevant National Environmental Standards that we must take into account under clause 17 of the FTA were addressed in section 8 of the Applications Planning Report and include:

- (a) Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (NESF); and
- (b) National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (NESCS).

National Environmental Standards for Freshwater 2020 (Amended December 2025)

[665] The NESF sets national standards for activities affecting freshwater to protect and improve water quality. It regulates activities including vegetation clearance and land disturbance affecting rivers and wetlands in ways that supplement district and regional rules (see Regulation 6).

[666] Initially, the Application also included an application for vegetation clearance and earthworks within 10m of the natural inland wetland, pursuant to regulation 49 of the NESF. In the Applicant's section 55 report, it was clarified that this clearance could be undertaken in accordance with regulations 38 and 55 and as a permitted activity.

[667] The Application does include the construction of a wetland utility structure involving vegetation clearance and land disturbance within 10m of the wetland, which is a restricted discretionary activity under regulation 42.

[668] The Panel has considered the Applicant's assessment, in section 7.17 which suggests the conditions of consent proposed will mitigate any effects and is satisfied that the Proposal is not at odds with the intent and purpose of the NESF, particularly considering that the Proposal will maintain and enhance existing natural watercourses.

National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011

[669] The Application is supported by a contamination report (Application Document 32). The Applicant notes that the Proposal land includes a 'piece of land' on which a Hazardous Activity and Industry List activity is likely to have taken place on. Preliminary Site Investigations and Detailed Site Investigation also revealed that other properties on the site trigger or were likely to trigger regulations of the NESCS.

[670] The Applicant considered that overall, the potential effects associated with undertaking the proposed remediation works on human health are able to be appropriately managed by way of conditions of consent in the short-term, and will contribute positively in the long-term once the site is fully remediated.

[671] The Council in its response to invitation to comments agreed that the development site can be made safe for the intended land use, and any potential health and environmental effects from the proposed remediation and other earthworks can be appropriately mitigated to an acceptable level.

[672] On the basis of the Applicant's assessment and Council's comments, the Panel concludes that the proposed development will not generate adverse contaminated land effects or be at odds with the intent and purpose of the NESCS.

G3: REGIONAL AND DISTRICT PLANNING FRAMEWORK

- [673] An assessment of the relevant statutory plans has been included within the Application as is required by Schedule 5, clause 5(1)(h).
- [674] The Panel has reviewed and considered the assessment provided by the Applicant and the comments provided by persons invited to comment. We outline the key matters in the following sections (as well as adding further considerations and assessment).

Auckland Unitary Plan

- [675] AUP is the Auckland Council's single, comprehensive plan managing the use of resources and development across the region.
- [676] The Applicant framed the Proposal as being generally consistent with the AUP planning framework, with any inconsistencies and resulting effects being appropriately managed through the design of the development and conditions.⁵⁹
- [677] The Auckland Council considered the Proposal to contravene strategic growth directions and statutory planning provisions, highlighting that the Proposal seeks to develop land that has been repeatedly assessed and rejected for urban development due to known constraints.
- [678] The Council expressed concerns that the Proposal will result in infrastructure deficiencies as the Council has no plans to reprioritise funding to support infrastructure for Mixed Rural Zone (**MRZ**) land, meaning the development would proceed with inadequate servicing.⁶⁰
- [679] The Applicant responded, noting it considers that any lack of capacity or infrastructure short fall constitutes a developer's risk in proceeding with the Proposal and is neither an effect on the environment nor a consenting issue.⁶¹

⁵⁹ Tattico Sunfield Fast-track Approvals Act 2024 Substantive Application Planning Report dated 31 March 2025, at section 10.

⁶⁰ Memorandum of Strategic and Planning Matters for Auckland Council dated 4 August 2025, at Section B.

⁶¹ Memorandum of Counsel for the Applicant with Response to Comments Dated 15 October 2025, at

Auckland Unitary Plan: Regional Policy Statement

[680] Chapter B of the AUP: Regional Policy Statement (**RPS**) sets out resource management issues for the Auckland region and associated objectives, policies and methods relating to those issues. The RPS identifies the following nine issues of regional significance for resource management in Auckland:

- (a) Issue 1 – Urban growth and form
- (b) Issue 2 – Infrastructure, transport and energy
- (c) Issue 3 – Built heritage and character
- (d) Issue 4 – Natural heritage (landscapes, natural features, volcanic viewshafts and trees)
- (e) Issue 5 – Issues of significance to Mana Whenua
- (f) Issue 6 – Natural resources
- (g) Issue 7 – The coastal environment
- (h) Issue 8 – The rural environment
- (i) Issue 9 – Environmental risk

Applicant's position

[681] The Applicant undertook a comprehensive assessment of relevant provisions of the RPS chapter in section 9.3 of the Planning Report. The assessment spanned some 9 pages, identifying Issue 1, Urban growth and form, as the most relevant issue while also providing analysis of each of the other 8 issues.

[682] The Applicant's considered that Sunfield is in general accordance with the high-level policy matters set out in the RPS.

Auckland Council's position

[683] In the Auckland Council's response to requests for comments, the Council considered that the Proposal is contrary to, and highly inconsistent with a number of chapters of the RPS. The Council's primary concerns were as follows:⁶²

- (a) Relating to Urban growth and form:

⁶²

Memorandum of Strategic and Planning Matters for Auckland Council dated 4 August 2025.

- (i) That greenfield expansion in the area of the MRZ will not deliver a 'compact urban form' as the Proposal does not adequately consider the contribution that the rural environment brings to achieving a quality compact urban form (Objective B2.2.1(1)).
- (ii) Objective B2.2.1(2) and Policy B2.2.2(4) focus growth in existing urban area and direct avoidance of urbanisation outside those areas. The proposed urbanisation within the area currently zoned MRZ and outside the Rural Urban Boundary (**RUB**) is not anticipated by the AUP.
- (iii) The Application does not accord with provisions relating to achieving quality compact urban form (Objective B2.2.1(1), Policies B2.2.2(2)(j) and B2.2.2(2)(n)).
- (iv) Policy B2.4.2(6) ensures development is adequately serviced. Watercare advised there is no current or planned servicing to the Proposal site.

(b) Relating to Infrastructure, Transport and Energy (Objective B3.2.1(5), Policy B3.2.2(4), Objective B3.1.1 (1) and Policy B3.3.2(5)):

- (i) The implications if the Applicant's assumed changes in travel patterns do not eventuate, and the effects this will have on the greater transport network.
- (ii) The viability of proposed public bus services and the proposed restriction of car-parking spaces.
- (iii) The impact of unanticipated growth diverting capacity away from planned growth that must still be serviced. While noting the Applicant stated financing and funding of the necessary infrastructure would be addressed by themselves, the Council considered the level of certainty required by Policy B3.3.2(5)(a) was not met.

(c) Relating to Rural Environment (Objectives B9.2.1(1) and (4), Policy B9.2.2(1), Objectives B9.3.1(2), Policy B9.3.2(2), Objective 9.4.1(3) and its associated policies):

- (i) That none of the policies contemplate urban subdivision or development of rural land.
- (ii) The proposed urbanisation of the existing MRZ land would have a significant adverse effect on the rural area that cannot be mitigated.
- (iii) The urbanisation may increase pressure on surrounding HPL for further urbanisation.

(d) Relating to Environmental Risk, the Council considered that the resilience of communities to natural hazards and avoidance of creating new risks to people, property and infrastructure is not assured by the Proposal (Objectives B10.2.1(1), (2), (3) and (5)).

Panel Finding

- [684] The Panel finds that the Application is consistent with some parts of the RPS, but not others.
- [685] The RPS clearly seeks to protect rural environments from urban expansion by discouraging development in such zones. The Proposal's use of MRZ land for the development is therefore not in accordance with the RPS growth objectives and policies.
- [686] However, the objectives in the RPS also seek to achieve well-functioning urban environments. The Panel finds that the Project is in general accordance with the policy direction in that regard.
- [687] For reasons set out in other part of this Decision, the Panel agrees with the Applicant's assessment that the lack of certainty regarding the provision of three-waters infrastructure is a developer's risk; it is not an effect on the environment nor a consenting issue.⁶³

⁶³ Memorandum of Counsel for the Applicant with response to Comments dated 15 October 2025, at 5.7.

[688] The Panel is cognisant that Policy B3.3.2(5)(a) requires a level of certainty in relation to servicing, the underlying rationale for that policy position is protected by the Applicant needing to secure agreement (in the future) from Watercare to provide that servicing. Presumably if the issues underpinning Watercare's policy position of not servicing land beyond the RUB are not addressed (for example, the diversion of infrastructure capacity from other live zoned/future zoned land) then Watercare will simply not agree to provide Sunfield with the necessary infrastructure it needs to develop the land. For these reasons, whilst the Application is not consistent with Policy B3.3.2(5)(a), the mischief that it is aimed at addressing remains within Watercare's control.

[689] Overall, the Panel finds that the Application is consistent with some parts of the RPS, but not with others. Insofar as the Application is inconsistent with provisions of the RPS, the Panel has weighed that inconsistency against the purpose of the FTAA in Part H of this Decision.

Auckland Unitary Plan: Regional and District Plan

Applicant's Position

[690] Section 9.4 of the Applicant's Planning Report assesses the Proposal against the objectives and policies of the Regional and District Plan Chapters of the AUP. The Applicant considered the Proposal generally consistent with the relevant objectives and policies relating to effects on the environment – largely due to mitigations achieved through design, engineering and conditions.

[691] The Applicant assessed the Proposal as being clearly inconsistent with objectives and policies relating to the FUZ and MRZ (including subdivision). The Applicant assessed the Proposal's compliance with the relevant chapters as follows:

(a) FUZ Chapter:

- (i) The Applicant considers that the Proposal is not consistent with the specific objectives and policies of the FUZ because it will result in urbanisation of rural land prior to a plan change process.
- (ii) However, the Applicant considered that the scale and design of the Proposal, including its infrastructure provisions, counters the inconsistency.

(b) Rural Zone Chapter:

- (i) The Applicant considered that the Proposal it is not consistent with the specific objectives and policies of the Rural Zone due to the urbanisation of rural land.
- (ii) The Applicant considered that the inconsistency will be countered to a degree by the circumstances of the land and other features of the Proposal (including the management of reverse sensitivity effects and the fact that the land is not of high production value).

(c) Subdivision (Rural) Chapter:

- (i) The Applicant considers that the land-use change from rural to urban is generally inconsistent with the zone objectives and policies which require subdivision not to impede rural activities and associated character and amenity values.
- (ii) The Applicant considers that a number of the 'secondary' objectives and policies of this chapter are largely met due to the maintenance of particular features of the land, the character of the land and features of the Proposal.

(d) Water Quality and Integrated Management and Water Quantity, Allocation and Use:

- (i) Overall, the Applicant considered that the Proposal will meet the objectives and policies regarding water quality and integrated management and Water Quantity, Allocation and Use.

(e) Land Disturbance — Regional and District:

(i) The Applicant consider the Proposal is consistent with land disturbance objectives and policies.

(f) Transport:

(i) The Applicant considered the Proposal to be generally consistent with the objectives and policies relating to transport given the Proposal includes enabling an integrated transport network, will manage traffic generation effects, provides a safe and efficient internal movement network with appropriate external connections and includes conditions that will ensure impacts are monitored and mitigated.

(g) Contaminated Land:

(i) The Applicant's does not directly state whether it considers the Proposal to be consistent with contaminated land objectives and policies. However, the Applicant considers that many requirements of the policies are met, that potential effects associated with remediation activities will be appropriately managed in the short-term and will contribute positively by remediating the land.

(h) Natural Hazards and Flooding:

(i) The Applicant considered that the Proposal will meet the objectives and policies for natural hazards on the basis that the Applicant considers the risk of adverse effects is avoided.

(i) Aircraft Noise Overlay:

(i) The Applicant considered the Proposal to be consistent with the objectives and policies relating to the Aircraft Noise Overlay as they considered that the suite of conditions proposed included adequate and enduring mitigation requirements.

Auckland Council's Position

[692] The Council considered the Proposal to be contrary to, and highly inconsistent with, the Chapters H18 Future Urban Zone and H19 Rural zones.

[693] In relation to the Rural Zone, with the site being predominantly zoned MRZ, the Council considered that:

- (a) The Proposal is not supported by the objectives and policies that apply to all rural zones, as they do not anticipate urban subdivision and land use.
- (b) The Proposal is contrary to the MRZ objectives and policies, in particular:
 - (i) Objectives 1 and 3 and Policy 1, as it does not retain rural character, amenity, production or lifestyle activities.
 - (ii) Objective 2, as there is no continuation of rural production and associated non-residential activities.
- (c) In terms of Policy 2, while the design of the Proposal creates a buffer zone to residential areas (minimising reverse sensitivity effects), this coupled with the fact the land is not of high production value does not counter the incompatibility of the Proposal with intended MRZ outcomes

[694] In relation to the land zoned FUZ, and the FUZ objectives and policies the Council considered that:

- (a) The Proposal is specifically contrary to Objectives (1) (2) and (4) with urban development occurring before the land is rezoned for urban purposes.
- (b) As the Proposal does not include a comprehensive structure plan, it is unclear whether it will compromise future development of adjoining FUZ land (relating to Objective 3 and Policy 4).
- (c) The Proposal is clearly contrary to Policies (1), (2), (3) and (5) as it is not retaining rural activities.
- (d) The Proposal is contrary to Policy 6, on the basis that the Proposal may cause of a number of the effects that trigger the 'avoid' direction for subdivision contained in Policy 6.

Panel Finding

- [695] The Applicant and the Council agree that the Proposal is at least inconsistent (if not contrary) with the objectives and policies relating to the FUZ and MRZ. The Proposal involves the subdivision and development of rural areas, prior to a plan change process, in circumstances where the land has not been identified for greenfield expansion. This will cause a loss of land suitable for rural activities and reduce rural amenity.
- [696] The potential adverse impacts that arise from this inconsistency have been addressed in Part E of this Decision. For example, issues around three-waters infrastructure and Transport (amongst others) have been carefully examined by the Panel.
- [697] Overall, the Panel finds that the Application is consistent with some parts of the AUP, but not with others. Insofar as the Application is inconsistent with provisions of the AUP, the Panel has weighed that inconsistency against the purpose of the FTAA in Part H of this Decision.

Proposed Plan Change 120

- [698] The Auckland Council notified PC120 to the AUP on 3 November 2025, during the Panel's consideration of the Application. Some aspects of PC120 have immediate legal effect. It has been identified that the Natural Hazard provisions of PC120 related to flooding and landslides are relevant to the consideration of this Application.

Panel request for information

- [699] In Minute 13, the Panel issued a request for further information to the Applicant seeking comment on the applicable parts of PC120.

Applicant position

- [700] The Applicant's response identified that the proposed PC120 did not change the area of the Site subject to a flood hazard notation but introduced new hazard classifications, resulting in a relatively even amount of low, medium, and high hazards and some instances of very high hazards. The Applicant identified that the triggers for consent under the changes to Chapter E36 are non-complying activities and that these rules have immediate legal effect under section 86B(3)(f) of the RMA.

- [701] The Applicant notes that the Application was lodged for a non-complying activity and under section 88A of the RMA, and that remains the case and that the PC120 provisions are relevant to the Panel's assessment under section 104(1)(b).
- [702] The response also detailed the Applicant's position that the effects of the Proposal associated with flooding can be appropriately mitigated to within acceptable parameters, with the proposed stormwater solutions managing the environmental risk and risk to property and human safety.

Auckland Council's position

- [703] The Council disagreed with the Applicant's conclusion that the Proposal is considered to meet the proposed objectives of Chapter E36, as amended by PC120, due to the Proposal presenting a high risk of increased flooding and uncontrolled stormwater discharge. The Council considered that if acceptable and feasible solutions to these risks were included in the Proposal, it would meet the flood risk proposed objectives and policies.
- [704] Lastly, the Council noted that the Applicant did not comment on landslide hazard risks, despite the subject site including medium shallow landslide susceptibility, triggering the need for a landslide hazard risk assessment (E36.9 special information requirements), which would ultimately determine the activity status under E36.4.1B.

Panel Finding

- [705] As noted by the Applicant, and agreed by the Council, the proposed changes in PC120 do not change the zoning of the Site or the activity status but do introduce new hazard classifications with immediate legal effect.
- [706] We consider an appropriate level of assessment has been provided, supported by conditions to ensure that the Application is consistent with the purpose of the objectives and policies of PC120, including the proposed objectives of Chapter E36.

Auckland Plan and Future Development Strategy 2023-2053

- [707] The Auckland Plan is the Council's spatial plan, containing the FDS for the region which is a requirement of the NPSUD. The FDS is largely based on a quality compact approach to accommodating growth.
- [708] Under Schedule 5, clause 17 of the FTAA, the Panel may choose to have regard to the current FDS as a "relevant other matter" under section 104(1)(c) of the RMA.

Applicant's position

[709] Section 9.2 of the Applicant's Planning Report assesses the Proposal against the FDS and concludes that the Applicant considers the Proposal to be consistent with it.

[710] The Applicant considers that the Proposal is consistent with the FDS Principles for growth which are aligned to the 'Sunfield Design Principles':

- (a) Principle 1: Reduce greenhouse gas emissions
- (b) Principle 2: Adapt to the impacts of climate change
- (c) Principle 3: Make efficient and equitable infrastructure investments
- (d) Principle 4: Protect and restore the natural environment
- (e) Principle 5: Enable sufficient capacity for residential and business growth in the right place and at the right time.

[711] In relation to the FDS's spatial response, the Applicant considers that the deferral of the identification of the site for growth was largely a financial decision (referencing infrastructure and funding deficiencies), not a planning one, and the land ought to return to an earlier planning development timeline.

[712] The Applicant referred to 'exceptions' to the prevention of rural development as justification for the development of the Sunfield being contemplated in the FDS.

[713] In relation to the Ardmore Airport, the Applicant provided a comparison of the character of activities around the other three major regional airports:

- (a) The assessment identifies that there are existing growth areas adjacent to Auckland International Airport, with Mangere identified as a key growth area despite it being within the noise overlay contours.
- (b) Whenuapai Airport is surrounded to the west by rural land identified as suitable for urban development and targeted for light industrial activity.
- (c) North Shore airport is also surrounded by rural activity and the Council has completed a Structure Plan for Silverdale West to establish industrial land on three sides of the airport.

[714] The Applicant considers that these examples and the recent industrial zoning of land to the west of the Ardmore Airport demonstrate that industrial activity near to an airport is appropriate land use.

Auckland Council's position

[715] The Auckland Council, in its response to the invitation to comment on the Application, considered the Proposal to be strongly inconsistent with the FDS. The Council considered that as majority of the Application site is rural land, and the FDS anticipates minimal growth in rural areas in order to protect rural character and productivity. Therefore, large scale development rural land conflicts with the strategic direction of the FDS.

[716] While development of FUZ land is anticipated in principle, the FDS clearly identifies that the Takaanini (Cosgrove Road) FUZ portion of the site is not expected to be development-ready until 2050+, due to substantial infrastructure requirements. The Council considered that Application relies on a development timeline from the Future Urban Land Supply Strategy that was superseded by the FDS, noting the the FDS is not subject to change until the next formal review.

The Council considers that as the infrastructure funding arrangements are uncertain, and there is no infrastructure Funding Agreement in place. As a result, the Council considers that the necessary infrastructure prerequisites for the FUZ and MRZ portions of the site are not met.

Panel Finding

[717] The Panel prefers the Council's assessment and considers that the Proposal is generally inconsistent with the FDS. The Applicant's framing of the Proposal as being consistent is dependent on an interpretation that the Proposal land *should* be identified in the FDS as being suitable for development and that there are mechanisms for reassigning the land as such.

[718] The Panel consider that FDS must be read as it stands, it cannot be prospectively interpreted or interpreted on the basis of what it ought to or ought not to have contained. As is recognised by both the Applicant and the Council, the FDS clearly aims to limit urban expansion in rural areas. The majority of the site is zoned MRZ, a rural zone. Therefore, the FDS directs against its urban development. Additionally, while the FDS contemplates some intensification of the FUZ, the Proposal does not align with the Council's intended timing.

[719] Insofar as the Application is inconsistent with provisions of the FDS, the Panel has weighed that inconsistency against the purpose of the FTAA in Part H of this Decision.

Planning documents recognised by a relevant iwi authority and lodged with the Council

[720] An application for a resource consent must include an assessment of the activity against any relevant provisions of a planning document recognised by a relevant iwi authority and lodged with a local authority.⁶⁴

[721] The Applicant's Planning Report did not list any planning documents recognised by relevant iwi authorities as being relevant to the Proposal.

[722] Nor did any person invited to make comments draw our attention to any such documents.

[723] As such, we find that there are no planning documents recognised by a relevant iwi authority and lodged with the Council that are material to our Decision.

G4: PART 2 OF THE RMA

[724] Clause 5 (1)(g) of Schedule 5 of the Act requires an assessment of the Proposal against sections 5, 6 and 7 of the RMA. Winton addressed Part 2 of the RMA in Section 6.3.7 of the Planning Report.

[725] The purpose of the RMA set out in section 5 is to promote the sustainable management of natural and physical resources. In the light of the preceding Parts of this Decision, we are satisfied that Sunfield will generally promote the sustainable management of natural and physical resources.

⁶⁴ Schedule 5, clause 5(1)(h) and clause 5(2)(g).

- [726] The Panel is satisfied that most potential adverse effects of the Proposal are adequately addressed through the imposition of conditions. We consider these conditions will adequately avoid, remedy or mitigate the potential adverse effects.
- [727] The Panel is mindful that it has found the Project to be contrary to the NPSHPL, a document that itself gives effect to Part 2 of the RMA.
- [728] The Panel also acknowledges that some aspects of the Proposal are not consistent with parts of the Planning framework. For example, no infrastructure agreement has been made and this conflicts with the requirement for certainty around the provision of infrastructure. Despite this, the Panel finds that these inconsistencies will not necessarily eventuate in adverse effects because the development will not be able to proceed in circumstances where they are not resolved to the (at least) Watercare's satisfaction.
- [729] Other than in relation to the loss of HPL, we are satisfied that the Proposal is consistent with section 5 of the RMA.
- [730] Sections 6(e), 7(a) and (aa) of the RMA are all relevant to Sunfield. They require the recognition of the relationship Māori have with their ancestral lands, water, sites, wahi tapu and other taonga, as well as having regard to kaitiakitanga. We discussed those matters in section E12 of this Decision.
- [731] Existing wetlands and rivers at the site and their margins will be protected and enhanced by the Proposal, protecting them from inappropriate subdivision use and development. As noted above, any existing ecological value is to be maintained and enhanced under the Proposal (section 6(b)). The Sunfield activities will not restrict public access to any of the existing watercourses, and in fact, will increase access and amenity through the establishment of the open space network (section 6(d)).
- [732] As has been detailed in Part E of this Decision, the Panel is satisfied that significant risks from natural hazards have been adequately identified and addressed by the conditions of the Proposal (section 6(h)).

- [733] The Panel considers that, although the Proposal will result in a change in amenity value, with much of the land transitioning from rural to urban uses, the development will generate amenity value in the resulting new urban spaces, which will include an open space network allowing for the maintenance and enhancement of existing ecological value, consistent with sections 7 (c) and (d).
- [734] As referred to elsewhere in this Decision, the Panel is satisfied that the Application will contribute to well-functioning urban environments and follows design principles for good urban form, as such, the Panel consider the Application will maintain and enhance the quality of the environment (section 7 (f)).
- [735] The Proposal includes provisioning for sustainable practices including reduced private vehicle use, the use of solar panels and an electric bus service, which collectively will support climate change and greenhouse gas reduction (section 7(i)).
- [736] As summarised above, as a result of the conclusions reached on the potential effects of Sunfield and in the context of the relevant planning provisions and the imposition of appropriate consent conditions, the Panel finds that Sunfield is consistent with Part 2 of the RMA other than in relation to the loss of HPL. The Panel weighs that matter against the purpose of the FTAA in Part H of its Decision.

G5: DECISIONS AS TO RESOURCE CONSENTS

- [737] In the light of our assessment of the potential adverse effects of the Application that we set out on Part E and our preceding assessment of the relevant Statutory instruments that guide our decision-making, we are satisfied that subject to the imposition of clear and certain conditions of consent, the resource consents sought from the Auckland Council can be granted.
- [738] We discuss conditions of consent in Part I of this Decision.

PART H: OVERALL APPROACH

[739] As noted in Part C, the Panel may decline an approval if, in complying with section 81(2), the Panel forms the view that:

- (a) there are 1 or more adverse impacts in relation to the approval sought; and
- (b) those adverse impacts are sufficiently significant to be out of proportion to the project's regional or national benefits that the panel has considered under section 81(4), even after taking into account—
 - (i) any conditions that the panel may set in relation to those adverse impacts; and
 - (ii) any conditions or modifications that the Applicant may agree to or propose to avoid, remedy, mitigate, offset, or compensate for those adverse impacts.⁶⁵

(4) To avoid doubt, a panel may not form the view that an adverse impact meets the threshold in subsection (3)(b) solely on the basis that the adverse impact is inconsistent with or contrary to a provision of a specified Act or any other document that a panel must take into account or otherwise consider in complying with section 81(2).

[740] This test is different from the test developed over the years under the RMA which culminated in the decision of *King Salmon*.⁶⁶ The *King Salmon* case was clear – the approach historically taken by the Courts and local authorities of adopting an overall broad judgement approach to environmental decision making under the RMA was incorrect.

[741] In contrast the FTAA clearly envisages an overall judgment or weighing approach to decision making. The Panel must weigh the adverse impacts against the regional or national benefits of the project when coming to its final Decision.

General comments

[742] The various categories of potential adverse effects raised by those who made comments on the Application are typical of those associated with large-scale greenfield development of the type proposed by the Applicant. These include transportation (i.e., traffic effects), urban form and character, parks and recreation, noise, reverse sensitivity, ecological effects, and loss of amenity.

⁶⁵ Section 82 FTAA

⁶⁶ [2014] NZSC 38.

- [743] The Council focused predominantly on effects associated with servicing (or lack thereof) in relation to core three-waters infrastructure (potable water, waste-water, and stormwater). The Council also expressed concern about the loss of highly productive soils on the site.
- [744] The effects raised by those persons who were invited to make comments on the Application were, for the most part, addressed comprehensively by the Applicant. They were addressed in the form of further technical assessments, technical peer reviews, and in the updated and modified suite of proposed conditions in relation to the resource consents sought.

The principal issues in contention

- [745] By Minute 9, the Panel directed the Applicant to confer with parties and file a list of key issues in contention.
- [746] The Panel observes that its directions were not entirely followed by the Applicant, and that the Applicant chose not to engage with some of the parties when preparing the list of issues in contention, ostensibly on account of there being insufficient time available for it to do so.⁶⁷ The Panel is well aware of the tight timeframes that exist under the FTAA, but notes that those timeframes appear to be for the exclusive benefit of Applicants.
- [747] Agreement on the list of issues in contention was not reached between the parties, and so a key issues conference was held. The purpose of the key issues conference was to ensure that all parties had an opportunity to identify key issues that they considered remained in contention, and to discuss the pathway forward for narrowing or resolving key issues in contention.
- [748] By the time the key issues conference concluded, the following principal issues in contention remained:
 - (a) Water supply:

⁶⁷ For example, the Applicant did not liaise with direct neighbours.

- (i) Is an assessment of the water supply capacity for the entire Sunfield development required, including the land zoned Mixed Rural?
 - (ii) If so, does the water supply network (including the upgrades proposed in Watercare's Asset Management Plan 2021-2041) have the capacity to service the proposed development?
 - (iii) If capacity exists, is there a technical connection point?
- (b) Wastewater:
 - (i) Is an assessment of the wastewater capacity for the entire Sunfield development required, including the land zoned Mixed Rural?
 - (ii) If so, do the technical assessments demonstrate that the wastewater network (including the upgrades proposed in Watercare's Asset Management Plan 2021-2041) does not have the capacity to service the proposed development?
 - (iii) Do the receiving Wastewater Treatment Plants (including the upgrades proposed in Watercare's Asset Management Plan 2021-2041) have the capacity to service the proposed development?
 - (iv) Is the proposed LPS system an appropriate solution?
- (c) Stormwater and flooding:

- (i) Is the proposed stormwater management strategy for the Sunfield development feasible and resilient whereby the adverse effects can be appropriately managed?
- (ii) Are the three stormwater attenuation basins designed appropriately?
- (iii) Are the existing flooding effects appropriately addressed for Airfield Road and Hamlin Road?
- (iv) Are the effects on McLennan Dam appropriately mitigated to ensure that the operation and structural integrity of the dam is appropriately maintained?
- (v) Have the local overland flow paths, including through the proposed conditions of consent, been appropriately considered and are the effects acceptable?
- (vi) Is the extent of land to be vested for stormwater purposes acceptable for public ownership?

(d) Transportation:

- (i) Is the traffic modelling (undertaken by the Auckland Forecasting Centre at the request of AT and NZTA and adopted by the Applicant), with associated conditions, appropriate and acceptable?
- (ii) Are the resulting intersection / transport upgrades appropriate and acceptable?
- (iii) Does the Proposal, including associated conditions, appropriately control the parking of private vehicles?
- (iv) Is the operation of a privately funded public transport service, with associated conditions, appropriate and acceptable?
- (v) Have the designs of the roads and laneways been appropriately demonstrated and can these be finalised through conditions of consent?
- (vi) Is the proposed Travel Demand Management Plan (TDMP) for the Employment Precinct and Town Centre, and proposed condition, appropriate?
- (vii) Do the proposed conditions (20 and 21) appropriately address potential impacts on the existing road network?

(e) Ecology:

- (i) Are the freshwater ecological effects, including through the use of the proposed conditions, associated with stream diversion and culverting acceptable?

(f) Productive soils:

- (i) Does the Proposal meet the NPSHPL clause 3.10 exemption criteria?

(g) Urban form and function:

- (i) Are the size, distribution, configuration and timing of delivery of the open space areas sufficient?

(h) Groundwater:

- (i) Has sufficient assessment been provided to confirm the level of adverse effects on structures and services along Old Wairoa Road (the section between the roads and junctions of Pākaraka Drive and Nola Dawn Avenue)?
- (i) Infrastructure provision and funding:
 - (i) Is there enough certainty of the infrastructure being funded by the Applicant and/or can the detail be finalised through an IFA?
- (j) Noise:
 - (i) Are the acoustic effects (associated with close proximity to Ardmore Airport) appropriately mitigated and acceptable?
- (k) Public safety – Ardmore Airport:
 - (i) Is the land-use configuration, combined with the proposed conditions, appropriate to mitigate any potential adverse effects?
- (l) Cultural effects:
 - (i) Have cultural effects been appropriately avoided, remedied, or mitigated?
- (m) Economics:
 - (i) Is the Applicant's EIA an acceptable methodology for considering the extent of the economic benefits?

[749] There were also a number of legal questions raised by the parties, including as to the validity of conditions regarding the provision of core three-waters infrastructure, the extent to which the planned sequencing of development is relevant to the Panel's consideration of this Application, the relevance of the FDS, and the appropriateness (from the perspective of certainty of delivering the intended outcomes) of the relevant transport conditions.

Our main findings on these issues

[750] We set out here an overall summary of our main findings on the key issues in contention, grouped in accordance with the topics outlined above.

Potable water

- [751] For the reasons set out in Part E of this Decision, we have found that there is capacity available within the water supply network to service the site. Utilising that capacity now may result in capacity not being available for other, planned developments in the future. However, that is a funding issue that will need to be resolved through commercial negotiations as between the Applicant and Watercare.
- [752] We also find that there are technical connections points available.

Wastewater

- [753] We find that there is wastewater capacity available for the entire Sunfield development, provided that a low pressure system is used. We find that such a system is technically feasible for the site given its geographical constraints.
- [754] We also find that there is sufficient capacity within the wastewater treatment plants to service the proposed development. Utilising that capacity now may result in capacity not being available for other, planned developments in the future. However, that is a funding issue that will need to be resolved through commercial negotiations as between the Applicant and Watercare.

Stormwater and flooding

- [755] We find that the proposed stormwater management strategy, subject to the conditions of consent, is feasible for the site. We consider that with careful engineering control, the three attenuation basins are appropriate for the site.
- [756] The existing flooding effects that occur on Airfield Road and Hamlin Road have been satisfactorily accommodated in the engineering solutions proposed for the site.
- [757] Potential effects on McLennan Dam have been mitigated by requiring the Applicant to contribute to the upgrade of that dam.
- [758] Flow paths through existing farm drains are a high-risk part of the stormwater solution. We find that an additional condition requiring the preparation of a drainage management plan whereby the Applicant is required to maintain those drains (if access is not denied by the owner of occupier) is required. We impose that condition.
- [759] The land proposed for vesting is also generally appropriate. This finding does not require the Council to have such land vested, but we find that with appropriate detailed design, the land to be vested should be capable of being vested.

Transportation

- [760] The updated traffic modelling is appropriate for the site, and the conditions of consent (as modified by the Panel) and is acceptable.
- [761] The resulting intersection and transport upgrades are appropriate.
- [762] We find that the conditions will adequately manage the control of parking of private vehicles, and that the privately funded public transport service (Sunbus) is appropriate for this development.
- [763] The Travel Demand Management Plan for the Employment Precinct and Town Centre is appropriate.
- [764] Overall, potential effects on the roading network are acceptable.

Ecology

- [765] We find that freshwater ecological effects are acceptable, and that the waterway enhancements proposed by the Applicant will enhance freshwater values.

Productive Soils

- [766] We found that there would be a loss of highly productive soils on the site, but that their loss was not sufficiently significant to be out of proportion to the significant regional and national benefits of the project.

Urban form and character

- [767] We found that the proposed urban design would result in a well-functioning urban environment, and that size, distribution, and configuration of the open space was appropriate.

Groundwater

- [768] We were satisfied that there had been an appropriate level of assessment to confirm the level of effects on structures and services along Old Wairoa Road, and that conditions of consent would allow for the appropriate monitoring of any such effects as the consent is implemented.

Infrastructure provision and funding

[769] We are satisfied that infrastructure funding can be appropriately dealt with through an infrastructure funding agreement.

Noise

[770] The acoustic effects associated with development close to Ardmore Airport have been appropriately taken into account in the overall design of Sunfield. We are satisfied that such effects have been adequately mitigated through design controls and the overall site layout.

Public safety – Ardmore Airport

[771] We assessed the public safety issues arising from development close to Ardmore Airport. We are satisfied that such effects have been adequately mitigated through design controls and the overall site layout.

Cultural effects

[772] We considered the potential cultural effects raised and are satisfied that they have been appropriately mitigated through the design of Sunfield, including through the enhancement of waterways on the site.

Economics

[773] The methodology used by the Applicant to estimate the economic benefits of the Proposal likely overstated the economic benefits that will arise from the project. However, we found that there would be a range of benefits (including economic) that were regionally and nationally significant.

[774] Legal questions that arose have been considered in other parts of the Decision.

Overall findings

[775] For the reasons given in Part E of this Decision, other than in relation to the loss of HPL, we conclude that the conditions imposed mean that the potential adverse environmental effects of Sunfield are able to be avoided, remedied or mitigated to the extent that they will be no more than minor.

[776] However, we did find that the loss of HPL would amount to an adverse impact that was unable to be mitigated through the imposition of conditions.

[777] As such, our next task is to weigh the extent of the regional and national benefits with the adverse impacts that we have found exist in relation to the loss of HPL.

[778] We ask ourselves whether the loss of HPL is sufficiently significant to be out of proportion to the project's regional or national benefits. We do so in circumstances where there are no conditions that we can set to avoid the loss of the highly productive soils that exist on part of the site.

[779] HPL has an inherent value. Once it is lost to development of the kind proposed here, it is effectively lost for that purpose forever.

[780] The Applicant has attempted to place a monetary value on the loss of HPL. It calculated a loss of around \$1.5m. Though, we view that figure with some caution, for reasons we expressed earlier in our Decision (for example, the use of current market land values).

[781] It is difficult to place a monetary figure on the loss of HPLs. Rather, we prefer to take a qualitative approach to this exercise.

[782] Our approach is informed by the following matters:

- (a) The land in question comprises LUC 2, rather than LUC1 land. It is not what is considered to be prime land (in contrast, perhaps, with lands used for vegetable growing in Pukekohe);
- (b) With the removal of LUC 3 land from the protection of the NPSHPL, the remaining LUC 2 classed land on the site is more limited, fragmented, and isolated; and
- (c) No large or geographically cohesive areas of LUC 2 land now exist on the site.

[783] We now weigh those factors against the significant regional and national benefits. In doing so, we place the most weight on the purpose of the FTAA. We remind ourselves that that purpose is to facilitate the delivery of infrastructure and development projects with significant regional or national benefits.

[784] We find that the adverse impacts of the loss of HPLs are not sufficiently significant to be out of proportion to the project's regional and national benefits, such that consent should be declined. Granting consent is consistent with the purpose of the FTAA as it will facilitate the delivery of a development project with significant regional and national benefits.

[785] We make this finding cognisant of Parts 2, 3, 6, and 8 – 10 of the RMA (where relevant). Whilst we found that the loss of HPLs would (in isolation) be contrary to Part 2 of the RMA, when we weigh the overall benefits of the project with reference to the purpose of the FTAA, we are satisfied that consent should be granted.

[786] Given this, along with the conclusions we have reached in relation to cultural and social impact effects, the “significance” of the “adverse impacts” for the purposes of section 85(3) is limited.

[787] In light of our conclusions in relation to the regional and national benefits of implementation of Sunfield, the significance of the adverse impacts is not “out of proportion” to the benefits, in the sense envisaged by section 85(3).

Decision

[788] We grant the approvals sought and impose the conditions set out in Appendix 1.

PART I: APPROACH TO CONDITIONS

FTAA and General Requirements

[789] Section 81 of the FTAA provides that the Panel must set out any conditions to be imposed on the approvals.

[790] Section 83 of the FTAA must be complied with and provides:

83 Conditions must be no more onerous than necessary

When exercising a discretion to set a condition under this Act, the panel must not set a condition that is more onerous than necessary to address the reason for which it is set in accordance with the provision of this Act that confers the discretion.

[791] The Panel has turned its mind to this requirement when assessing the appropriateness of the conditions to be imposed. Our reasons given in relation to conditions in contention reflect this requirement.

[792] Section 84A, introduced by section 41 the Fast-track Approvals Amendment Act 2025, is also relevant to the imposition of conditions relating to infrastructure. It provides:

84A Conditions relating to infrastructure

- (1) The panel may set conditions to ensure that the infrastructure in the project area or other infrastructure the project will rely on is or can be made adequate to support—
 - (a) the project; or
 - (b) the stage of the project to which the Application relates.
- (2) This section applies in addition to, and does not limit, any other powers to set conditions under this Act.
- (3) To avoid doubt, a condition set under this section may impose an obligation on the Applicant only.

[793] The transitional provisions in the amending legislation confirm that section 84A applies to extant applications, and as such, it applies to the Panel's consideration of this Application.

FTAA requirements for conditions

Resource consent

[794] For a resource consent the following clause of Schedule 5 applies:

18 Conditions on resource consent

When setting conditions on a consent, the provisions of Parts 6, 9, and 10 of the Resource Management Act 1991 that are relevant to setting conditions on a resource consent apply to the panel, subject to all necessary modifications, including the following:

- (a) a reference to a consent authority must be read as a reference to a panel; and
- (b) a reference to services or works must be read as a reference to any activities that are the subject of the consent application.

[795] Generally speaking, a resource consent condition must:⁶⁸

- (a) be for a resource management purpose, not an ulterior one;
- (b) fairly and reasonably relate to the development authorised by the resource consent or designation; and
- (c) not be so unreasonable that a reasonable planning authority, duly appreciating its statutory duties could not have approved it.

[796] The underlying purpose of the conditions of a resource consent is to manage environmental effects by setting outcomes, requirements or limits to that activity, and how they are to be achieved.⁶⁹

[797] Conditions must also be certain and enforceable.⁷⁰

[798] A condition must also not delegate the making of any consenting or other arbitrary decision to any person but may authorise a person to certify that a condition of consent has been met or complied with or otherwise settle a detail of that condition.⁷¹ Such authorisation is subject to the following:

⁶⁸ *Newbury District Council v Secretary of State for the Environment* [1980] 1 All ER 731 (HL), at 739.

⁶⁹ *Summerset Village (Lower Hutt) Ltd v Hutt City Council* [2020] MZEnvC 31 at [156].

⁷⁰ *Bitumix Ltd v Mt Wellington Borough Council* [1979] 2 NZLR 57.

⁷¹ *Turner v Allison* (1970) 4 NZTPA 104.

- (a) The basis for any exercise of a power of certification must be clearly set out with the parameters for certification expressly stated in the relevant conditions.
- (b) This power of certification does not authorise the making of any waiver or sufferance or departure from a policy statement or plan except as expressly authorised under the Act (section 84 of the RMA).
- (c) This power of certification does not authorise any change or cancellation of a condition except as expressly authorised under the Act (section 127 of the RMA).

[799] Section 220 specifies the conditions that may be imposed on a subdivision consent.

Project conditions

- [800] The Applicant provided a comprehensive set of conditions when the Application was lodged.
- [801] Those conditions have been refined in response to comments, evidence and questions from the Panel.
- [802] For the most part, the conditions are agreed as between the Applicant and the Council.
- [803] Agreement has not been reached, however, in relation to a number of conditions. The competing arguments in relation to those conditions are addressed further below.
- [804] The Panel also received comments on the draft conditions:
 - (a) *[placeholder for comments on draft conditions].*
- [805] The Panel has considered the views and generally accepted the suggested wording and reasoning of one or other party as relevant, subject to some drafting refinements.
- [806] *[placeholder for specific findings following comments made on draft conditions, if appropriate].*

Consent notices pursuant to section 221 of the RMA

- [807] Consent notices are necessary to require the following conditions to be complied with on an ongoing basis:

(a) [insert with reference to final condition numbers].

[808] The consent notices are targeted and appropriate to ensure that there is ongoing compliance with these requirements beyond the completion of the relevant stage of subdivision and that all future owners of each residential lot are fully informed as to their obligations with respect to these matters.

Applicant's Proposed Conditions

[809] The draft conditions are attached as Appendix 2. This consolidated set of conditions includes the changes made by the Panel, for the reasons set out in this Decision.

Panel's Assessment of disputed conditions

[810] Before addressing the disputed conditions, it is helpful to set out the Panel's findings in relation to the validity of the proposed conditions requiring the provision of three-waters infrastructure.

Validity of conditions requiring the provision of infrastructure

[811] As set out in Part E of this Decision, there remains a difference in position as between the Applicant and the Council in relation to the availability of potable water supply and capacity within the wastewater network to service the development.

[812] The Applicant's position on the question of capacity is set out at paragraph 5.7 of a Memorandum of Counsel of the Applicant with Response to Comments dated 15 October 2025:

As correctly noted by Brookfields, a resource consent decision cannot, through conditions or otherwise, compel Watercare to provide new connections, commit funding for infrastructure, or accept the vesting of assets. A claimed lack of capacity therefore constitutes a developer's risk with proceeding; it is **not** an effect on the environment **nor** a consenting issue.

(footnote omitted)

[813] In that same memorandum, counsel for the Applicant noted in that conditions 117, 120, 162, 167 – 169, 175 and 205 (numbered as they then were) have been proposed to address this issue.

[814] It was clear from the comments made by the Council, that the Council took a different view in relation to the validity of those conditions.

[815] In order to advance this matter, the Panel sought submissions from the parties as to the validity of conditions of resource consent requiring that buildings are provided with stormwater, wastewater and water supply connections to the reticulated networks prior to occupation. The Panel sought submissions on the following specific legal questions:

- (a) Do such conditions require the approval of a third party (i.e., Watercare)?
- (b) Are such conditions sufficiently certain noting that fulfilment of them is not within the Applicant's control?
- (c) Are those conditions structured as conditions precedent such that the resource consent does not commence until they are fulfilled?
- (d) Are the conditions offered on an *Augier* basis?
- (e) Are the conditions otherwise lawfully valid, and can the Panel impose them on this Application?

[816] In response, Counsel for the Applicant submitted that a grant of consent under either the RMA or the FTAA cannot compel Watercare to approve the Engineering Plan Approvals necessary to provide the new connections to access the reticulated services. The Applicant understands that:

- (a) Watercare's current position is that it will not allow Sunfield to connect to its system;
- (b) If that remains Watercare's position following a grant of consent, the Applicant will not be able to implement the consent until such time as Watercare's position changes.

[817] The Applicant went on to submit that it considers it a "developer's risk". It is not a reason why the resource consent cannot be obtained; rather it may affect the implementation of any such consent if an agreement with the asset owner cannot be reached. For these reasons, the Applicant submits that there is nothing unusual about the approach taken in the proposed conditions, nor any issue as to the validity of the approach.

[818] In response to the specific legal questions, Counsel for the Applicant submitted:

(a) Watercare’s decision to issue the necessary Engineering Plan Approvals is a procedural decision as asset-owner. It is not being granted “the power to make substantive decisions on consenting issues that should properly be made by the consent authority.” It is the Panel making the substantive decision as to whether or not the resource consent should be granted and, if so, on what conditions. Watercare has the ability to prevent or hinder the implementation of any consent granted, but no ability to amend the consent.

(b) The conditions are sufficiently certain as to what is required in order to comply. The Applicant agrees to the imposition of the conditions.⁷² That is all that is required in order to be valid.

(c) The conditions are not currently drafted as conditions precedent in the sense that “the resource consent does not **commence** until they are fulfilled.” Section 97(1) of the FTAA specifies:

(1) ...an approval granted under this Act commences—

(a) on the date on which the panel’s decision document for the approval is issued under section 88; or

(b) on any later date specified by the panel in the decision document.

(d) If the Panel has any concerns as to the validity of the proposed conditions, the Applicant is willing to offer them on an *Augier* basis.

(e) The proposed conditions can be imposed on any consent granted, either as valid conditions or as *Augier* conditions.

[819] For completeness, the Applicant also indicated a willingness to restructure the conditions such that they operate as conditions precedent, which would have the effect of deferring the commencement date.

⁷² RMA, s 108AA(1)(a).

[820] In response, Counsel for the Council filed extensive legal submissions by way of Memorandum of Counsel dated 11 December 2025. Those submissions extended well beyond the specific legal questions asked by the Panel in Minute 17 and read as a restatement of the Council's position in relation to infrastructure servicing. The Council submitted (in summary):

- (a) It is trite that the provision / adequacy of infrastructure and any infrastructure deficiencies are consenting matters;
- (b) The Environment Court's decision in *Pinehaven Orchards Ltd v South Wairarapa District Council* rejected arguments similar to those advanced here by the Applicant;
- (c) That the Panel must be satisfied that the proposed development can be serviced, and not leave this to chance;
- (d) That Watercare's policy position of not servicing land beyond the RUB is directly relevant to the Proposal, and that policy presents a significant obstacle preventing Sunfield from being serviced; and
- (e) If the Panel was minded to grant consent despite these concerns, then robust and clearly worded conditions precedent would be essential to prevent any development and / or subdivision from proceeding unless and until public water and wastewater servicing and capacity is confirmed by Watercare / Veolia.

[821] In response to the specific legal questions, the Council submitted:

- (a) Approval from the third-party infrastructure asset owners (Veolia, relying on Watercare's bulk infrastructure) would be required to secure connections to the reticulated networks. Conditions relying on third party approvals are usually unlawful. However, such conditions could potentially be drafted as conditions precedent in order to address such concerns.
- (b) That conditions 117, 120, 162, and 167 – 168 (numbered as they then were) are not sufficiently certain and are inappropriate as a response to the servicing uncertainty. Rather, conditions precedent would be essential.

- (c) A condition precedent could not frustrate the grant of consent and render the consent futile.
- (d) That the conditions were not currently structured as conditions precedent.
- (e) That the conditions, even if structured as conditions precedent and offered on an *Augier* basis, could not overcome the following fundamental problems:
 - (i) Watercare's policy position; and
 - (ii) Genuine infrastructure capacity contains.

[822] The Panel has carefully considered the submissions made regarding the validity of conditions relating to the provision of three-waters infrastructure. As noted in Minute 17, it is unlikely that the Sunfield development could proceed without the provision of potable water and capacity within the wastewater network to service it.

[823] Counsel for the Council has placed significant weight on the Environment Court's decision in *Pinehaven v WDC*. That case was decided in 2006 under the RMA, as it then was. That case is a product of legislative and planning regime that was in place at the time it was decided, and can be distinguished from the present situation for the following reasons:

- (a) The RMA has subsequently been amended by the addition of section 108AA.
- (b) This Application is to be decided under the FTAA, which now includes section 84A.

[824] Section 108AA is important in the context of the validity of conditions. That section enables a decision-maker to impose conditions that might otherwise be unlawful, provided the Applicant agrees. Here, Sunfield has agreed to the imposition of conditions regarding the provision of three-waters infrastructure that might otherwise be unlawful. Absent the Applicant agreeing to the imposition of such conditions, the Panel finds that they would be unlawful on account of them frustrating the grant of consent. The development cannot (practically) proceed without three-waters infrastructure in place, and conditions requiring such servicing in circumstances where agreement has not yet been reached with Watercare, may very well frustrate the consent. However, as the Applicant has agreed to the imposition of such conditions, the Applicant cannot in the future, plead that such conditions are unlawful on account of them frustrating the consent. The Applicant is bound by those conditions in that regard.

[825] Section 84A is also important. That section contemplates the imposition of conditions that ensure that the infrastructure in the project area that the project will rely on is or can be made adequate to support the project. The policy intent of this new section is set out in the Departmental Report on the Fast Track Amendment Bill 2025, in the following terms:

The policy intent of this proposal is for conditions to be placed to facilitate the provision of subsequent infrastructure, **by allowing the Applicant and the relevant local authority or infrastructure provider to negotiate an agreement later (after approvals are granted)**. It was not to disrupt existing case law and provide a power to the Panel to impose a legal obligation or costs on a third-party. The questions raised by submitters show that the current drafting is ambiguous and could be clarified.

...

Officials suggest clarifying that conditions can only be placed on the approval holder (not third-party infrastructure providers), reflecting general case law on the topic of conditions setting.

(Our emphasis)

[826] The infrastructure conditions that the Applicant agrees to be bound to are precisely the type of condition that section 84A contemplates. The policy intent that underpins section 84A recognises that an Applicant may need to negotiate an agreement with infrastructure providers after an approval is granted. That is what is happening here. Agreement with Watercare has not yet been reached.

[827] The Applicant is fully cognisant of the risk that Watercare may not agree (in the future) to provide the infrastructure required to service Sunfield. The Applicant fully acknowledges that this is a developer's risk, and it is clearly a risk that it is prepared to take.

[828] We return now to the two fundamental problems that the Council has identified in relation to three-waters servicing, the first of which is Watercare's policy position of not servicing land beyond the RUB.

[829] The Panel cannot, through conditions of a resource consent, compel Watercare to provide new connections, commit funding for infrastructure, or accept the vesting of assets.

[830] Nor can the Panel compel Watercare to change its policy of not servicing land outside of the RUB.

[831] There are very good reasons why Watercare maintain a policy of not servicing land beyond the RUB, and the Panel has been mindful of those reasons when reaching its decision on the question of the validity of conditions. However, Watercare will remain in control of ensuring that its reasons have been appropriately addressed prior to providing three-waters infrastructure to Sunfield.

[832] Ultimately, if servicing is to be provided, then Watercare's policy position would either:

- (a) need to be adjusted to allow it to service land outside of the RUB; or
- (b) the Council would need to request Watercare to provide servicing.

[833] In relation to the first option, the Panel apprehends that Sunfield and Watercare will need to enter into commercial negotiations to overcome all of Watercare's objections to providing three-waters infrastructure. That may come at a significant cost to Sunfield, but Sunfield has acknowledged that that is a risk it is prepared to take.

[834] In relation to the second option, we observe that servicing could be provided without the policy being changed, if the Council made a request to Watercare to provide the servicing. Such a request is essentially a political decision, and could be made at any time.

[835] For completeness, we have carefully examined the policy position, and the legal submissions given by the Applicant and the Council on this issue. On the question of the interpretation of Watercare's policy, we prefer the Applicant's submissions, and find that infrastructure can be made available, either confines of the existing policy (if the Council so requests), or perhaps in the future if the policy position were to change.

[836] The Council's second fundamental concern regarding the conditions for infrastructure was that there was insufficient capacity within the network to accommodate the Sunfield development. For the reasons set out in Part E of this Decision, the Panel finds that there is capacity available within each of the potable water supply and wastewater networks. The Panel also observes that all of the capacity does not need to be immediately available because the project will take place in stages over approximately 10 - 15 years. Therefore, the Council's second fundamental problem is overcome.

[837] On the question of validity of the three-waters infrastructure conditions, the Panel prefers the submissions of Counsel for the Applicant. For the reasons given in those submissions, and for the reasons given above, the Panel finds that the conditions put forward by the Applicant in relation to three-waters infrastructure, being conditions that the Applicant agrees to, are legally valid.

Conditions specified by Minister

[838] The Panel notes that under section 78 of the FTA the appropriate Minister may specify conditions that a Panel may be required to impose. No such conditions were specified.

General legality of conditions

[839] The Panel was also cognisant of the fact that resource consent conditions must meet the requirements of section 108AA of the RMA.

[840] The Panel was also mindful that the underlying purpose of the conditions of a resource consent is to manage environmental effects by setting outcomes, requirements or limits to that activity, and how they are to be achieved.

[841] A condition must also not delegate the making of any consenting or other arbitrary decision to any person but may authorise a person to certify that a condition of consent has been met or complied with or otherwise settle a detail of that condition.⁷³ Such authorisation is subject to the following:

- (a) the basis for any exercise of a power of certification must be clearly set out with the parameters for certification expressly stated in the relevant conditions;
- (b) a power of certification does not authorise the making of any waiver or sufferance or departure from a policy statement or plan except as expressly authorised under the Act (section 84 of the RMA); and
- (c) a power of certification does not authorise any change or cancellation of a condition except as expressly authorised under the Act (section 127 of the RMA).

Validity of conditions referring to Management Plans

[842] The resource consent refers to a suite of management plans to support its implementation. We have reviewed the adequacy of their objectives, the matters for which they require certification by the Council, and their general content. We agree that it is efficient to set out the common requirements of management plans in Conditions 7 to 13. Subsequently, it is not necessary to repeat within any individual management plan this material, including the requirement for a Suitably Qualified and Experienced Person to be involved (Condition 7), the fact that related works must not commence until written certification has been received (Condition 10) and that works must be carried out in accordance with the management plan (Condition 11), as currently occurs in some conditions

⁷³ *Turner v Allison* (1970) 4 NZTPA 104

[843] The conditions that refer to management plans are required to specify the objectives of the plans to which they refer. In relation to the adequacy of objectives/purpose statements, these are generally adequate (and we note that the Erosion and Sediment Control Plan (**ESCP**), Chemical Treatment Management Plan (**CtMP**) and AMA all cross-refer to GD05 for their objective) except that:

- (a) Groundwater and Settlement Monitoring and Contingency Plan (**GSMCP**) - the objective of the GSMCP is not adequately stated. It is not sufficient to require that its objective is to comply with conditions.
- (b) Waste Management Plan (**WMP**) - The details of the WMP appear to be relatively straightforward. However, the reference in the accompanying advice note to the requirements of the Auckland Council Solid Waste Bylaw 2019 as referred to in the Auckland Design Manual (**ADM**) raises confusion. We consider the purpose of the WMP, and its certification requirements, need to be clearly stated. If the ADM is to be referred to, then the link must be directly to relevant certification requirements.
- (c) Fish Passage Monitoring and Maintenance Plan (**FPMMP**) – The content of Condition 95E should be recast so as to state an objective for the FPMMP.
- (d) Construction Management Plan (**CMP**) – The CMP is framed as a general management plan to address any matters not otherwise covered by the Construction Noise and Vibration Management Plan, ESCP or Construction Traffic Management Plan. We consider that the following matters should be included in the CMP:

- (i) details of the proposed construction yards including temporary screening when adjacent to residential areas;
- (ii) details of the proposed construction lighting;
- (iii) measures to mitigate flood hazard effects such as siting stockpiles out of floodplains, minimising obstruction to flood flows, actions to respond to warnings of heavy rain;
- (iv) measures to address the storage of fuels, lubricants, hazardous and/or dangerous materials, along with contingency procedures to address emergency spill response(s) and clean up;
- (v) location and procedures for the refuelling and maintenance of plant and equipment to avoid discharges of fuels or lubricants to watercourses;
- (vi) the use of wheel-wash facilities at construction yard exit points and the timely removal of any material deposited or spilled on public roads;
- (vii) procedures for incident management;
- (viii) methods for providing for the general health and safety of the general public;
- (ix) procedures for responding to complaints about construction works.

(e) Lizard Management Plan (**LMP**) - The first two paragraphs are repetitive.

(f) Native Fish Management Plan (**NFMP**) - Condition 92A refers to a Native Fish Capture and Relocation Plan. Is this different to the NFMP, or is the reference in error?

[844] The Panel draws these issues with the content of the conditions requiring management plans to the attention of the Applicant, and encourages the Applicant to address them when making comments on the draft conditions of consent.

[845] The requirement for pre-commencement meetings is currently set out for both the Land Use Consent and the Regional Earthworks Consent conditions commencing at Condition 33 and Condition 147 respectively. We note that the content of these conditions is largely identical, the purpose of the pre-commencement meeting is the same, and that both require the production of a CMP. We also note that both consents are section 9 RMA consents, albeit deriving from discrete parts of the AUP. Apart from the duration of the consent, which for the REC is to be limited to 25 years, is there any real difference in the conditions and could the duplication be avoided? The Applicant is encouraged to address this duplication when making comments on the draft conditions of consent.

Conditions recommended by Mr Harries

[846] As noted elsewhere in our Decision, Mr Harries was engaged as to provide technical advice to the Panel on matters pertaining to traffic engineering. In his advice to us, addresses proposed conditions and makes recommendations for amendments to transport conditions in Section 15 of his report. I have reviewed the outcomes for these and note the following:

- (a) Suggestions to include new Conditions 112A and 113A specifying parking maximums for activities in the employment precinct have not progressed care of any party;
- (b) The proposal for overflow parking monitoring has been picked up by the Council and Applicant and is the subject of agreement on parameters;
- (c) Mr Harries suggests that if parking exceeded the stated parking maximums, then an ITA should be prepared. This does not appear to have been taken up;
- (d) Mr Harries suggested amendments to Condition 123 on the timing for transport upgrades relating to pedestrian and cycling links and public transport. It would appear from the current Condition 123 that each of these suggestions has resulted in further consideration from the Applicant and more specific upgrades and timings proposed;

- (e) Mr Harries suggests that the existing proposed ITA condition (Condition 123A) should have (an) additional stages for monitoring. This condition has been the subject of amendments by the Applicant and is not yet agreed by Council; and
- (f) In relation to the Travel (Demand Management) Plan, Mr Harries considered that it “lacked any teeth”. Principal amongst his concerns were:
 - (i) requiring (not promoting) 75% of vehicle movement from warehouse distribution operations to be during off-peak hours;
 - (ii) Ensuring each travel plan described targets necessary to meet its objectives, how targets are to be measured and who takes responsibility for meeting targets; and
 - (iii) Ongoing reporting to Council of outcomes.

We observe that the Applicant has extended the specific requirement for Travel Plans to the residential neighbourhoods but has not addressed the above matters.

[847] Some of these recommendations are considered below when we deal with conditions in contention as between the Applicant and the Council. Insofar as they are not addressed further below, we encourage the Applicant to address them when making comments on our draft conditions of consent.

Other administrative matters

[848] Following attention to substantive matters, including the above, the conditions also require a general tidy up in relation to such matters as definitions/abbreviations, the Table of Contents, and the complete list of plans required for the pre-commencement meeting(s). Again, the Applicant is encouraged to address these general administrative matters when making comments on the draft conditions of consent.

Conditions in contention

[849] There are a number of conditions that remain in contention as between the Council and the Applicant. Set out below is a table of those conditions. We have given an indication of the Panel's current thinking in relation to some of these conditions in the right-hand column. There are some conditions where further comment would assist the Panel's final consideration of conditions. We encourage the parties to make comments on the conditions, as set out in the table.

Transportation				
Ref.	Condition	Council Family Proposal	Applicant Response/Explanation	Panel Findings
1.	1A	Staging and Implementation – The first stages should be within 250m of Cosgrave Road to ensure access to public transport.	This condition has not been accepted by the Applicant. The condition addresses the initial stages of development prior to the Sunbus becoming operational. The condition is to be considered alongside Condition 111A, which addresses the provision, and subsequent removal, of car parking during these stages. While accepting the provision of such car parking, AT is of the view that the initial stages (up to 445 dwellings) should be no more than 250m from Cosgrave Road. Added to the 550m through links such as the Awakeri Wetland pathway, this comprises, at a maximum, an 800m walk to the Grove Road AT bus service (to be established 2026). AT's condition ensures early support for low car ownership through proximity to public transport, albeit still with the temporary car parking, but at the expense of staging location flexibility the Applicant wants to retain.	The Panel is of the view that, while restricting the location of the initial stages of development as the Council proposes may make the use of public transport more attractive, the impact this would have on staging flexibility for the Applicant would be disproportionate and more onerous than necessary. The staging of development will be important to enable site preparation to be carried out in an efficient manner and to enable development to be staged in a way that is commercially advantageous.
2.	2	Re-alignment of Hamlin Road – Rewording and terminology	Accepted by the Applicant.	

		changes to the condition.		
3.	20	Construction Traffic Management Plan – Reference to be made to the New Zealand Guide to Temporary Traffic Management (NZGTTM).	Accepted by the Applicant.	
4.	65	Contingency Actions for Groundwater Effects – inclusion of ‘infrastructure within the road reserve.’	Accepted by the Applicant.	
5.	100	Public Lighting – Agreed road widths.	Accepted by the Applicant and road widths aligned with condition 126.	
6.	107	Roading – References to relevant standards.	Accepted by the Applicant.	
7.	110-112	Parking – Auckland Transport has recommended an amalgamation of this condition into one over-arching parking condition, with restrictions for the Employment Precinct.	<p>AT proposes amendments to a number of aspects of these conditions, some of which the Applicant accepts:</p> <ol style="list-style-type: none"> 1. To bring Condition 111A forward before Conditions 110 and 111 as Condition 111A is for temporary parking, to be removed, not for the permanent parking for residents and visitors. 2. A minor AT amendment introducing, for clarity, a maximum of 1 parking space per lot, is accepted by the Applicant. 3. AT’s expressed concern at the legal status of future owners of land from leasing out their land for car-parking purposes has been responded to by the 	<p>The Panel agrees that Condition 111A should be brought before Conditions 110 and 111 for the reasons put forward by AT.</p>

			<p>Applicant through proposed new Condition 110A which introduces covenanting against this activity for other than permitted car parking.</p> <p>4. Such a covenant may not cover informal parking by residents in the employment precinct. AT wants this conditioned and suggests it could be supported by consent notices on employment lot titles. The Applicant states that a resource consent would be required for non-accessory car parking.</p> <p>5. Noting that the Applicant's initial assessment of 0.2 (i.e. 20% of dwelling numbers) as a maximum number of residential car spaces, AT suggest that this ratio is recorded as an overall maximum for the total development. This proposal is not accepted by the Applicant.</p>	<p>The Panel considers the use of land in the employment precinct for informal parking would be difficult to enforce and has the potential to undermine the aim of low car ownership.</p> <p>The Panel prefers the view of AT that leasing land in the Employment precinct for other than permitted parking should be addressed as drafted in AT's proposed condition (f) and the suggestion that consent notices be placed on employment lot titles.</p> <p>The applicant is invited to comment further on this matter</p>
8.	111A	Temporary Car-Parking - Auckland Transport have recommended alternative parking rates (0.5 spaces per dwelling) and timeframes for the removal of the temporary car-parking spaces.	<p>AT proposes temporary car parking is at a ratio of 0.5 per dwelling, supporting the low car ownership culture.</p> <p>The Applicant wants the ratio to remain at 0.7-1.0.</p> <p>The Applicant has amended the proposed condition to incorporate a 6 month transition period, in line with Auckland Council's recommendation.</p> <p>AT also wants more stringent performance conditions on temporary car park removal.</p>	<p>The Panel considers that the Applicant's proposed temporary car parking ratio is a relatively low rate and is appropriate, particularly during the initial stages of development.</p> <p>The applicant is invited to comment on the performance conditions for temporary car park removal proposed by AT.</p>

9.	112A	<p>Parking Survey</p> <p>Auckland Transport have recommended changes which:</p> <ul style="list-style-type: none"> • Increase the number of triggers for when the survey is undertaken. • Increase the extent of the survey over three days, as opposed to one day. • Includes surveys of the adjacent rural area, and within the Sunfield development. <p>Amends the threshold of when intervention is needed (10% as opposed to the 25% proposed)</p>	<ul style="list-style-type: none"> • The Applicant has adopted some recommendations of Auckland transport and disagrees with others, noting the condition is generally worded as originally proposed by the Applicant. It is noted that: • AT wants the catchment area for the survey to be extended to include all adjoining land except the Aerodrome; The Applicant seeks this being limited to the existing developed area . • After the baseline surveys, AT want repeat surveys at each 445 dwelling increment to the 3560th dwelling (8 increments), and thereafter every 2 years. The Applicant is proposing surveys at 1350 and 2700 dwellings. • The parties disagree as to the 'intervention' threshold, with the Applicant proposing a 25% higher than baseline threshold and AT proposes a 10% threshold. • AT has particularised the elements of the ITA and recommendations that follow a repeat survey that demonstrates the trigger is met. The Applicant has not commented on these details. <p>The Applicant has not</p>	<p>The Panel prefers the condition recommended by Brett Harries and invites comments on that condition from AT and the applicant.</p> <p>Regarding the extent of the survey , the Panel notes that this condition is intended to address adverse spillover parking effects and considers the surveys should be restricted to the residential areas to the south and southwest of the site, not the adjacent rural areas.</p>
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			commented on AT's recommendations and measures to address overspill parking or significant illegal or unsafe parking within the development.	
10.	114	Sunbus – Auckland Transport would like to have visibility of a draft Public Transport Operations and Implementation Plan (PTOIP) template.	<p>The Applicant has provided a draft PTOIP (Attachment D to the applicant's memo: Proposed Conditions – Post Hearing, dated 19 December 2025) and has also proposed amendments to this condition requiring updates to the PTOIP to be submitted every two years.</p> <ul style="list-style-type: none"> Condition 193 has also been updated by the applicant, in order to provide clarity as to who the consent holder is, and responsibility for the operation of the Sunbus public transport system, with Sunfield Developments Limited being the owner of the majority of the land and a subsidiary of Winton Land Limited. 	<p>The Panel invites AT to review draft PTOIP and liaise with the Applicant with a view to reaching agreement on this condition</p> <p>The Panel invites AT to review the applicant's amendments to Condition 193.</p>
11.	120	Infrastructure staging – Auckland Transport request the condition is updated to reflect Road 2 and Road 4 are being consolidated into one intersection.	<p>The applicant does not propose to change this condition.</p> <p>It appears that there is a misunderstanding, as Roads 2 and 4 are not proposed to be consolidated into one intersection. Road 2 (Intersection E) is proposed as a signalised intersection, and Road 4 (Intersection D) is proposed as a priority</p>	<p>The Panel invites the Applicant and AT to resolve any confusion regarding these intersections and agree the wording of this condition.</p>

			<p>intersection. As part of the traffic modelling, sensitivity testing was undertaken to put all the traffic through Intersection E, which showed that the network could accommodate the traffic. Intersection D and E are proposed to be retained, with this deemed to be the best outcome for managing traffic movements.</p> <p>Conditions 120 and 123 are to be read in conjunction with one another and both requirements are to be met. This is intentional, given the staging can occur in different sequencing.</p>	
13.	123	Intersection Upgrades – Auckland Transport have queried the required upgrades for intersections D, E and F.	<p>As per Ref: 11 above, Intersections D and E are proposed to remain as two intersections. Intersection F is proposed to be upgraded to a signalised intersection and is considered to be required to mitigate traffic effects associated with the Sunfield development.</p> <p>AT notes that the table of intersection upgrades in this condition do not fully reflect the outcomes of the transport JWS and other discussions between the applicant and AT.</p>	The Panel invites the Applicant and AT to resolve any confusion about upgrades for Intersections D, E and F and to agree changes to the table of intersection upgrades to reflect the outcomes of the JWS and other discussions between the parties.
12.	123A	Trip Generation Monitoring – Auckland Transport have recommended changes which, in particular, increase the number of triggers and frequency for when monitoring is undertaken.	<p>The Applicant proposes to retain condition 123A as originally worded, noting that the modelling at 3,000vph shows that the network, with proposed upgrades, can cater for the Sunfield development.</p> <p>While some of the detail wording is the same (e.g. some elements of the purpose of the ITA, intersections to be measured and public transport performance) there are significant differences in</p>	The Applicant is invited to provide a comprehensive response to the detailed condition recommended by AT.

			measures to address the implications of the development exceeding 1100vph in its entirety. AT has a strong focus on meeting this target and specifying what is to happen if not met, including reduction of trips by households and cessation of further development.	
14.	125	Vehicle Crossing – Additional requirements for the vehicle crossings are proposed to ensure cyclist safety.	Amendments to the conditions proposed by Auckland Transport are accepted regarding appropriate splays. Speed humps within the site are not offered as part of the conditions as the applicant considers this excessive, recognising these are predominantly single dwelling residential sites, where vehicles would be moving in a forward direction with a relatively short driveway i.e. minimal speed/momentum.	The Panel agrees with the Applicant that speed humps are not necessary on vehicle crossings because vehicles will be moving at a relatively low speed.
15.	127	Proximity to Local Hub – Auckland Transport recommend changes to the wording for clarity.	The proposed conditions have not been updated, as there are four Local Hubs which serve the 15 residential neighbourhoods and 3 aged care facilities. Specifying the ‘nearest local hub’ and not a local hub within the same stage of development (not all stages will have a local hub) will ensure appropriate access to the services within a Local Hub and that the Local Hubs are constructed at the most appropriate time. The nearest Local Hub is also considered relatively easy to determine given measurements and metrics i.e. it is not as subjective.	The Panel invites the Applicant and AT to discuss this matter in order to reach an agreed position.
16.	128	Bicycle parking – Ensuring the bicycle parking is designed to the	Accepted by the Applicant.	

		required standards.		
17.	130	Travel Demand Plan – Auckland Transport request incorporation of the Residential Precinct.	Accepted by the Applicant.	
18.	New	Dwelling Occupation Monitoring.	The Applicant notes that this is included in existing condition 1B.	The Panel invites AT to comment on this matter.
19.	New	Vehicle Crossing conditions to AT standards.	The Applicant notes that existing conditions 210 and 211 address vehicle crossing requirements.	The Panel invites AT to comment on this matter.
20.	New	Bus-stop upgrades at Papakura and Takanini Rail Stations	The intent of the proposed condition from Auckland Transport is understood, however, the Applicant proposes to amend condition 114 requiring written confirmation from Auckland Transport as part of the Draft PTOIP that the Papakura and Takanini rail station termination points are satisfactory. This allows the detail of any upgrades and potential cost discussions to occur separately.	The Panel invites AT to comment on this matter.
21.	New	Pavement Impact Assessment and Reinstatement	This recommended condition from Auckland Transport has been accepted by the applicant (proposed condition 21A) with some minor modifications, primarily the additional words ' <i>associated with the Sunfield development</i> ' and the addition of this being applicable to roads within 3km of the site. Minor changes to condition 166 are also proposed, cross referencing the new condition (21A).	The Panel invites AT to comment on this matter.

22.	New	Road Use Safety – Flooding Depths and Velocities	This recommended condition from Auckland Transport has been accepted, and amended slightly for clarity (condition 165A).	The Panel invites AT to comment on the amendments.
23.	New	Internal Pedestrian Connectivity	This condition has not been put forward by the applicant, as it considers that the proposed Sunfield development provides appropriate pedestrian connectivity throughout the site, as outlined within the respective Masterplan documents, Precinct Plans, Engineering Plans and Active Mode Plans.	The Panel considers that the information provided by the Applicant demonstrates an appropriate level of pedestrian activity throughout the site and for this reason considers a new condition is not required.
24.	New	Additional Consent Notices for Residential Lots not providing car-parking	This recommended condition from Auckland Transport has not been accepted, however a proposed condition (110A) has been put forward requiring a private land covenant to ensure future land-owners are aware of their obligations.	The Panel invites AT to comment on the proposed alternative condition.
25A.	New	Advice notes	New advice notes have been recommended by AT.	The Panel invites the applicant to comment on the advice notes recommended by AT.

Stormwater

Ref.	Condition	Council Family Proposal	Applicant Response/Explanation	Panel Findings
25.	27B	McLennan Dam – Condition recommended to ensure the dam is appropriately upgraded.	The Applicant agrees with the intent of the condition but the proposed wording from the applicant is slightly different to reflect a survey being undertaken to understand the structural state of the dam and equitable upgrades to be undertaken by the Applicant.	The Panel invites the Council Family to review and comment on the condition as amended by the Applicant.
26.	27C	Discharges to Private Farm Drains and Roadside Table Drains.	This condition has been put forward by Council, however, the Applicant has amended this condition to remove the reference to private farm drains and the road, and the likelihood of creating damage or nuisance.	The Panel has drafted a condition to address the maintenance of farm drains. The Applicant and the Council Family are invited to comment.

			The Applicant considers it can only control the stormwater flow and not the environmental conditions of the neighbouring private properties e.g. blockages within the farm/road drains or the condition of the road.	
27.	27D	Hazard Warning Signage – Request for condition requiring signage on Hamlin Road and Ardmore Road in a flooding event.	This condition has not been put forward by the Applicant, as the environmental condition of the road is outside of their control. The applicant notes that the stormwater flow from the proposal is being reduced across Hamlin Road and Ardmore Road and the requirement regarding potential hazards is considered to be a current obligation for Auckland Transport as the roading authority, if deemed necessary.	The Panel does not consider the Applicant should be responsible for Hazard Warning Signage for flooding events that are not caused by the proposed development.
28.	118A	Vesting of Stormwater Assets and Reserves – Request of whether assets are to be vested or not and seeking Auckland Council confirmation.	The applicant understands the intent of this condition, and agrees that flexibility should be required as to whether the assets are vested or not. However, the Applicant has proposed different changes to conditions 160 onwards. It is also noted that if the assets are vested, this should occur at the applicable stage, not at the final stage.	The Panel invites the Council Family to review and comment on the condition as amended by the Applicant.
29.	45	Stormwater channels and culverts being in accordance with respective design guidelines and codes of practice	Accepted by the Applicant.	
30.	162	Engineering plans being to address culverts and stormwater on roads, in accordance with the required standards.	These recommended changes from Auckland Council have been accepted in part by the Applicant, with (vii) being more succinctly worded, and (iv) not being put forward as the opening sentence of the condition outlines that the	The Panel invites the Council Family to review and comment on the condition as amended by the Applicant.

			required standards need to be complied with.	
31.	162A	Engineering Plan Approval requirement to demonstrate overland flow paths to roads outside of the development.	This has not been put forward by the applicant as it is covered under other conditions, primarily 27 and 27B, with the matter being able to be addressed through the EPA process without the need for specifics.	The Panel invites the Council Family to comment on the applicant's response.

Geotechnical

Ref.	Condition	Council Family Proposal	Applicant Response/Explanation	Panel Findings
32.	1A	Staging Condition – Requesting that each stage has no detrimental ground settlement impacts.	This has not been put forward by the Applicant. Condition 1A is the general staging condition. Conditions 38 onwards address Geotech obligations.	The Panel agrees with Applicant that this would be double coverage.
33.	18	Construction Management Plan – A request to submit this 40 working days prior to the planned commencement of works.	The Applicant has retained the proposed 15 working days, as 3 weeks is considered an appropriate timeframe for the certification of a Construction Management Plan.	The Panel considers that a 40 working day review period is excessive and that 15 days is more appropriate.
34.	19	Construction Management Plan to include managing impacts on groundwater drawdown and earthworks.	The Applicant has not put forward these proposed changes, with the groundwater monitoring conditions being located at 41-71, and Earthworks conditions being located throughout the suite of conditions. The Construction Management Plan is targeting disruption effects associated with construction activities.	The Panel agrees with Applicant that this is double coverage.
35.	20	Construction Traffic Management Plan – A request	The Applicant has retained the proposed 15 working days, as 3 weeks is considered an appropriate	The Panel considers that a 40 working day review period is excessive and that 15 days is more appropriate.

		to submit this 40 working days prior to the planned commencement of works.	timeframe for the certification of a Construction Traffic Management Plan.	
36.	40	Geotechnical Completion Report to confirm earthworks are consistent with the relevant specifications.	This has not been put forward by the Applicant, as NZS4431 and NZGS 0510 are not applicable to peat soils.	The Panel invites the Council Family to comment on the Applicant's position.
37.	45A	Groundwater Monitoring for neighbouring buildings and structures, including buildings within the development site yet to be constructed.	The proposed recommendations from Auckland Council have largely been accepted, with some minor modifications. It is considered that 40 working days to review and approve the information is excessive.	The Panel considers that a 40 working day review period is excessive but that, due to the highly technical content of the information, 20 working days would be appropriate.
38.	46	Groundwater and Settlement Monitoring and Contingency Plan (GSMCP) – Updates to (a) regarding monitoring locations.	Accepted by the Applicant.	
39.	52	Alarm Level Action – minor recommendation.	Accepted by the Applicant.	
40.	60	Ground Surface Monitoring – Recommendations for additional monitoring adjacent culverts in roads.	Applicant has accepted Auckland Council's recommendation in part, with the addition of a timeframe 'under construction', so monitoring is not required for an unlimited timeframe.	The Panel invites the Council Family to review and comment on the condition as amended by the Applicant.
41.	74A	Earthworks and Sediment Control Plan – inclusion of an assessment of the structural integrity of any organic materials being used.	The recommendation from Auckland Council has been accepted, noting it has been moved to condition 23(h) as part of the Earthworks and Sediment Control Plan requirements.	The Panel invites the Council Family to comment on the Applicant's response to their recommendation.

42.	179	Geotechnical Completion Report to confirm earthworks are consistent with the relevant specifications.	This has not been put forward by the Applicant, as NZS4431 and NZGS 0510 are not applicable to peat soils.	The Panel invites the Council Family to comment on the Applicant's position.
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Parks

Ref.	Condition	Council Family Proposal	Applicant Response/Explanation	Panel Findings
43.	157	Survey Plan – Minor recommendations from Auckland Council for clarity.	Accepted by the Applicant.	
44.	160	Drainage Rerves to Vest – Proposed recommendations should land be vested or not.	The Applicant states that the intent of this condition is understood, and it is agreed that flexibility should be required as to whether the assets are vested or not. However, the Applicant has proposed different changes to conditions 160 onwards.	The Panel invites the Council Family to comment on the Applicant's response to their recommendation.
45.	160A	Parks to Vest – Proposed recommendations for clarity on the reserves.	The applicant has not incorporated this condition as the only proposed reserve to be vested is located at Lot 2006, which has been incorporated into proposed condition 160A. Lot 2006 is located outside of the 1 in 100 year flood plain event (including climate change) and is flat land.	The Panel invites the Council Family to comment on the Applicant's response to their recommendation.
46.	160B	Creation of a right of way easement over reserves for maintenance purposes and to enable access for Council staff and contractors.	The Applicant does not consider this condition is necessary as, if the land is vested, access for Council staff/contractors will be achieved. If the land is not to be vested, then access for Council staff/contractors is not required.	The Panel invites the Council Family to comment on the Applicant's response to their recommendation.
47.	160C	Requirements for an Incorporated Society.	This recommendation has not been incorporated by the Applicant in the proposed conditions. It is noted that proposed condition 193 addresses the requirement of the Incorporated Society.	The Panel invites the Council Family to comment on the Applicant's response to their recommendation.

48.	160D	Requirements for an Incorporated Society and a consent notice.	The Applicant has not incorporated this recommendation in the proposed conditions. It is noted that proposed condition 193 addresses the requirement of the Incorporated Society, and the newly proposed condition 193A addresses the consent notice requirement.	The Panel invites the Council Family to comment on the Applicant's response to their recommendation.
49.	164(l)	Reserves to be designed for machine accessible maintenance.	Accepted by the applicant (referenced as condition 164(ja)).	
50.	181A	Surveyor/Engineer completion certification for the purpose of obtaining a 224c certificate.	This has not been accepted by the Applicant, noting this is currently a condition (199) requirement for all 224c requirements.	The Panel invites the Council Family to comment on the Applicant's response to their recommendation.
51.	188, 189 and 190	A ten-year maintenance period is proposed by Auckland Council, as opposed to five years.	This has not been accepted by the Applicant as a five-year maintenance period is deemed appropriate for such assets, with the geotechnical profile and dual purpose of the reserves being similar to many other successful examples within Auckland.	The Panel considers that a 5-year maintenance period is acceptable and consistent with that applied with similar assets elsewhere.

Additional condition imposed by Panel

[850] For the reasons set out in Part E of this Decision, the Panel finds it appropriate to impose an additional condition requiring the consent holder to prepare a Drainage Maintenance Plan to ensure that the existing farm drains that are relied upon to convey stormwater from the site continue to have the capacity to convey pre-development volumes and flowrates. This additional condition includes, as condition 27BA, and is set out below for ease of reference:

Drainage Management Plan

The purpose of the Drainage Maintenance Plan (DMP) is to ensure that the existing farm drains that are relied upon to convey stormwater from the site continue to have the capacity to convey pre-development volumes and flowrates.

The DMP shall include details of:

- (a) The measures to be taken by the consent holder to ensure the drains remain free from the build up of weeds or sediment, or other debris, and the disposal of material removed from the drains.
 - (a) The frequency of the works to be carried out.
 - (b) Measures to minimise disruption to landowners and damage to the land.
 - (c) Consultation with affected landowners and identification of any landowners denying access for the maintenance works.

The DMP shall be prepared and submitted to the Council for certification prior to the commencement of any stormwater management works on the site.

If an individual landowner or occupier denies access for the maintenance works detailed in the DMP, the DMP shall not apply to that particular property.

This condition shall apply unless or until an alternative drainage conveyance channel becomes available.

- [851] In imposing this condition, the Panel is cognisant that it cannot compel third party landowners or occupier to provide access for the purpose. If such access is not provided, then the consent holder is not required to undertake the maintenance on the property on which access has been denied.

Panel's Draft Conditions

- [852] As required by section 70 of the FTA, on 10 February 2026 we directed the EPA to provide our draft conditions to:
 - (a) the parties listed in section 70(1);
 - (b) the Minister for Māori Crown Relations: Te Arawhiti and the Minister for Māori Development, as required by section 72(1); and
 - (c) the Minister of Conservation for the Concessions and the Ministers of Conservation and Minister for Resources as required by section 77.
- [853] Those draft conditions were accompanied by the Panel's draft Decision document.
- [854] To the extent the final set contains minor errors, the Panel notes it has powers under section 89 of the FTA to make minor corrections.

Comments on the Panel's Draft Conditions

Note to readers – this is a placeholder section pending the receipt of comments on draft conditions

[855] TBC

Applicants Response to Comments on the Panel's Draft Conditions

Note to readers – this is a placeholder section pending the receipt of Winton's response to comments on draft conditions

[856] TBC

Panel's Response to Comments on the Draft Conditions

Note to readers – this is a placeholder section pending the Panel's assessment of the comments and Winton's response

[857] TBC

PART J: FINAL DECISION

[858] The Panel has considered the Application and supporting information as well as the comments received on it and on the draft conditions, as well as the further information provided as a result of comments received from other participants and the subsequent refinement of the Application. We have also considered the evidence filed for the hearing, and the answers given to questions at the hearing. We thank all those who commented for their contributions.

[859] Overall, the Panel is satisfied that the matters set out in section 81 of the FTAA have been addressed appropriately and that purposes of the FTAA are achieved by this Decision. In reaching this view, the Panel has had regard to the actual and potential effects on the environment of allowing the activity as set out in other parts of this Decision. The Panel has also had regard to the relevant planning documents.

[860] The Panel determines to grant the approvals sought subject to the conditions attached as Appendix 2 to this Decision.

[861] As required by section 99 of the FTAA the persons listed in that section are entitled to appeal and must commence any appeals within the 20-working day period from the day this Decision is published under section 88(3).

Philip Maw
(Chair)

Dr Lee Beattie
(Member)

Vaughan Smith
(Member)

Appendix 1: Resource Consents Granted

Future Urban Zone

Activity	Relevant Rules
Auckland Unitary Plan	
New buildings, building additions and accessory buildings	H18.4.1 (A2) Same status that applies to land use activities
Dwellings that do not comply with Standard H18.6.8	H18.4.1 (A28) Non complying
Restaurants and cafes not otherwise provided for	H18.4.1(A38) Discretionary
Care centres for more than 10 people	H18.4.1(A47) Restricted Discretionary
Community Facilities	H18.4.1 (A48) Discretionary
Healthcare Facilities	H18.4.1 (A48) Discretionary
Education Facilities	H18.4.1 (A48) Discretionary
Organised Sport and Recreation	H18.4.1 (A54) Restricted Discretionary
Retirement Village	H18.4.1 (C1.7) Discretionary
Retail Activities	H18.4.1 (C1.7) Discretionary
Commercial Services	H18.4.1 (C1.7) Discretionary
Yards (20m Front - arterial, 10m - front, 12m — side or rear, 20m — riparian) The development will infringe these controls	H18.6.3 Restricted discretionary activity
Dwellings- No more than 1per site The development will infringe this control	H18.6.8 Restricted discretionary activity

Rural – Mixed Rural

Activity	Relevant Rules
Auckland Unitary Plan	
Disposal of non-residential waste that does not comply with H19.10.1(1) and (2)	H19.8.1 (A12) Discretionary
Rural commercial services	H19.8.1 (A16) Restricted Discretionary
Rural industries	H19.8.1 (A21) Restricted Discretionary
Dwellings	H19.8.1(A26) Refer to H19.8.2 (A78)
Restaurants and cafes	H19.8.1 (A36) Discretionary
Care Centres for more than 10 people	H19.8.1 (A45) Restricted Discretionary
Storage and lock up facilities	H19.8.1 (A40) Discretionary
Community Facilities	H19.8.1 (A46) Discretionary
Healthcare Facilities	H19.8.1 (A47) Discretionary
Education Facilities	H19.8.1 (A48) Discretionary
Organised Sport and Recreation	H19.8.1 (A52) Restricted Discretionary

Dwellings not otherwise provided for	H19.8.1 (A78) Non complying
Industrial Activities (not provided for)	H19.8.1 (C1.7) Discretionary
Retail Activities (not provided for)	H19.8.1 (C1.7) Discretionary
Commercial Services (not provided for)	H19.8.1 (C1.7) Discretionary
Retirement Village (not provided for)	H19.8.1 (C1.7) Discretionary
Office Activities (not provided for)	H19.8.1 (C1.7) Discretionary
Entertainment Facilities (not provided for)	H19.8.1 (C1.7) Discretionary
Yards (20m Front - arterial, 10m - front, 12m — side or rear, 20m — riparian) The development will infringe these controls	H19.10.3 Restricted discretionary activity
Dwellings- No more than 1 per site The development will infringe this control	H19.10.10 Restricted discretionary activity

Subdivision

Activity	Relevant Rules
Auckland Unitary Plan	
Subdivision for an esplanade reserve	E39.4.1(A5) The proposal requires resource consent for a restricted discretionary activity
Subdivision for an esplanade reserve	E39.4.1(A6) The proposal requires resource consent for a discretionary activity.
Subdivision for open space, reserve or road realignment	E39.4.1(A11) The proposal requires resource consent for a discretionary activity
Subdivision not complying with E39.6.5.1 (Minimum average site size and minimum site size)	E39.4.1(A13) The proposal requires resource consent for a Non-complying activity.
Subdivision for open space, reserve or road realignment	E39.4.3(A28) The proposal requires resource consent for a Discretionary activity.
Any other subdivision not complying with E39.4.1 or E39.4.3	E39.4.1(A29) The proposal requires resource consent for a Non-complying activity.

Lakes, rivers, streams and wetlands

Activity	Relevant Rules
Auckland Unitary Plan	
Diversion of a stream to a new course and associated disturbance.	E3.4.1 (A19) The proposal requires resource consent for a discretionary activity.

Watercourse 1, 3 and 4, and the upper stretch of 2 will be diverted as part of the proposal.	
Culverts more than 30m in length when measured parallel to the direction of water flow. Road 1, Culvert 2 has a length of 35.83m and involves the modification of Watercourse 2	E3.4.1 (A33) The proposal requires resource consent for a discretionary activity.

Stormwater discharge / diversion

Activity	Relevant Rules
Auckland Unitary Plan	
Discharge of Stormwater to land from a new stormwater network The Project includes discharge of stormwater, network	E38.4.1(A11) The Proposal requires resource consent for discretionary activity.

Stormwater quality – High contaminant generating carparks and high use roads

Activity	Relevant Rules
Auckland Unitary Plan	
Development of a new or redevelopment of an existing high contaminant generating car park greater than 5,000m ² is a controlled activity. The proposal involves 21,000m ² of high contaminant generating carparks in three separate car parks, and accordingly is a controlled activity.	9.4.1(A6) It is proposed to comply with the controlled activity standards contained in E9.6.2.1.

Land Disturbance (Regional)

Activity	Relevant Rules
Auckland Unitary Plan	
Earthworks greater than 50,000m ² The proposed earthwork is across an area of 244 hectares.	Ell.4.1 (A5) Restricted discretionary activity.

Land Disturbance (District)

Activity	Relevant Rules
Auckland Unitary Plan	

Earthworks greater than 2,500m ² are to be assessed as a restricted discretionary activity Earthworks across an area of 244 hectares are proposed restricted discretionary activity.	E12.4.1 (A6) a restricted discretionary activity
Earthworks greater than 2,500m ³ are to be considered a restricted discretionary activity Earthworks involving 3,400,000m ³ are proposed.	E12.4.1 (A10) resource consent for a restricted discretionary activity is required.

General Rules

Activity	Relevant Rules
Auckland Unitary Plan	
Activity not otherwise provided for which includes any activity not otherwise provided for as part of the proposal.	Rule C1.7 Aspects of the proposal will require resource consent for a discretionary activity

Vegetation Management and Biodiversity

Activity	Relevant Rules
Auckland Unitary Plan	
Vegetation removal within 20m of a wetland.	E15.4.1 (A18) The proposal requires resource consent for a restricted discretionary activity.

Transportation

Activity	Relevant Rules
Auckland Unitary Plan	
Any activity or subdivision which exceeds the trip generation standards set out in Standard E27.6.1 is a restricted discretionary activity The proposal is for: <ul style="list-style-type: none">• a residential development of greater than 100 dwellings.• education facilities for primary school (167 students).• office space greater than 5,000m²• retail greater than 1,667m².• warehousing and storage greater than 20,000m².• other industrial activities 10,000m².	E27.4.1 (A3) A resource consent for a restricted discretionary activity is required.

<p>Trip generation Where a proposal exceeds 100 dwellings, resource consent for a restricted discretionary activity is required</p>	E27.6 Restricted discretionary activity resource consent required.

Contaminated Land

Activity	Relevant Rules
Auckland Unitary Plan	
<p>Discharges to land from land subject to contamination</p> <p>.4 Discharges of contaminant into air, or into water, or onto or into land from land not used for rural production activities</p> <p>(1) For in-situ soil and fill material, the concentrations of contaminants (relevant to the site's history) in soil or fill material, or the 95% upper confidence limit of the mean, determined in accordance with the Ministry for the Environment Contaminated Land Management Guidelines No. 5 - Site Investigations and Analysis of Soils (Revised 2011), must not exceed:</p> <p>(a) the criteria specified in Table E30.6.1.4 Permitted Activity Soil Acceptance Criteria; or</p> <p>(b) for contaminants not in Table E30.6.4.1:</p> <p>(a) The natural background levels for that soil or fill material or the relevant background levels specified in Table E30.6.1.4.2 Background ranges of trace elements in Auckland soils sources from Table 3 of TP153: 2001 Background Concentrations of Inorganic Elements in Soils from the Auckland Region.</p> <p>(2) Any discharge from land containing elevated levels of contaminants must</p>	<p>E30.4.1 (A6) The contamination assessment (refer Document 32) concludes that the proposed works will require a restricted discretionary and discretionary activity resource consent under the Auckland Unitary Plan</p> <p>E30.6.1 A restricted discretionary activity resource consent is considered to be required under this standard.</p>

<p>not contain separate phase liquid contaminants including separate phase hydrocarbons.</p> <p>Focus Environmental have prepared a PSI, DSIs, SMP and RAP</p>	
<p>National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (NESCS)</p>	
<p>The proposed works include land that is ‘a piece of land’ that is acknowledged to have had an activity or industry described in the Hazardous Activity and Industry List (HAIL) which is likely to have been undertaken on the land.</p> <p>The results of the DSIs conclude that elevated concentrations of contaminants, and therefore the regulations of the NESCS will be triggered by future residential development of the properties at 508 Old Wairoa Road, 80 Hamlin Road and 279 Airfield Road.</p>	<p>Regulation 10 - restricted discretionary</p>

Natural Hazards and Flooding

Activity	Relevant Rules
<p>Auckland Unitary Plan</p>	
Overland Flow Path Diversion - Diverting the entry or exit point of any overland flow path	E36.4.1(A41) A resource consent is required for a restricted discretionary activity.
Buildings or Structures within an Overland Flow Path Any buildings or structures within any overland flow path	E36.4.1(A42) A resource consent is required for a restricted discretionary activity.
Flood prone areas — 1% AEP All structures and buildings within the 1% AEP floodplain	E36.4.1(A37) A resource consent is required for a restricted discretionary activity.
All other buildings and structures on land subject to instability	E36.4.1(A51) A resource consent is required for a restricted discretionary activity

Temporary Activities

Activity	Relevant Rules
<p>Auckland Unitary Plan</p>	

<p>(Specific temporary activities that are not provided as a permitted activity in rules (A12) to (A23) are a restricted discretionary activity.</p> <p>The proposed construction duration will exceed the 24- month limit for a permitted activity as provided for under Rule (A20).</p>	<p>E40 (A24) A resource consent is required for a restricted discretionary activity</p>
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Groundwater Diversion

Activity	Relevant Rules
Auckland Unitary Plan	
Diversion of groundwater caused by any excavation, (including trench) or tunnel that does not meet the permitted activity standards or not otherwise listed.	E7.4.1 (A28) Restricted discretionary activity
<p>Dewatering or groundwater level control associated with a groundwater diversion permitted under Standard E7.6.1.10, all of the following must be met:</p> <ul style="list-style-type: none"> (1) The water take must not be geothermal water; (2) The water take must not be for a period of more than 10 days where it occurs in peat soils, or 30 days in other types of soil or rock; and (3) The water take must only occur during construction. 	<p>E7.6.1.6</p> <ul style="list-style-type: none"> (1) Complies: There is no evidence of geothermal activity at the site (2) Infringes. The groundwater take will be permanent. (3) Infringes. The groundwater take will be permanent.
<p>Diversion of groundwater caused by any excavation, (including trench) or tunnel</p> <ul style="list-style-type: none"> (2) Any excavation that extends below natural groundwater level, must not exceed: (a) 1ha in total area; and (b) 6m depth below the natural ground level. (3) The natural groundwater level must not be reduced by more than 2m on the boundary of any adjoining site. (4) Any structure, excluding sheet piling that remains in place for no more than 30 days, that physically impedes the flow of groundwater through the site must not: (a) impede the flow of groundwater over a length of more than 20m; and (b) extend more than 2m below the natural groundwater level. 	<p>E7.6.1.10.</p> <ul style="list-style-type: none"> (2) Infringes. Excavations in the eastern corner of the site are shown to be more than 1ha and will extend more than 6m below the natural ground level. (3) Complies. The maximum expected potential drawdown resulting from the proposed excavations is approximately 1.1m. (4) Complies. No structure physically impedes the flow of groundwater is proposed. (5) Complies. The proposed excavations are generally centralised in the site (i.e. excavations extending below natural groundwater level are positioned well away from site boundaries). The point of maximum expected

<p>(5) The distance to any existing building or structure (excluding timber fences and small structures on the boundary) on an adjoining site from the edge of any:</p> <p>(a) trench or open excavation that extends below natural groundwater level must be at least equal to the depth of the excavation;</p>	<p>potential drawdown (MH13) is located more than 25m from the nearest boundary, and the point of maximum proposed cut anywhere on site is located approximately 200m for the nearest site boundary.</p>
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Ardmore Airport

Activity	Relevant Rules
Auckland Unitary Plan	
A new single dwelling in 65dB LDN	D24.4.2 (A13) Discretionary activity
New activities sensitive to aircraft noise 60dB to 65 dB	D24.4.2 (A14) Discretionary activity
New activities sensitive to aircraft noise 60dB to 65 dB that do not comply with standard D24.6.2(1) and D24.6.2(5)	D24.4.2 (A15) Non-complying activity
New activities sensitive to aircraft noise 55dB to 60 dB	D24.4.2 (A20) Restricted Discretionary activity
New activities sensitive to aircraft noise 55dB to 60 dB that do not comply with standard D24.6.2(1) and D24.6.2(5)	D24.4.2 (A21) Non-complying activity
Subdivision within 65dB area with permanent legal mechanisms to avoid the establishment of additional activities sensitive to noise	D24.4.2 (A26) Discretionary activity
Subdivision within 65dB area without permanent legal mechanisms to avoid the establishment of additional activities sensitive to noise	D24.4.2 (A27) Non-complying activity
Subdivision between 60-65dB and 55-60dB	D24.4.2 (A26) Restricted Discretionary activity

Wetlands

Activity	Relevant Rules
National Environmental Standards for Freshwater 2020 (NESF)	
Earthwork activities and vegetation clearance for the restoration of the natural inland wetland are generally not intended to	Regulations 38 and 55 – Permitted activity

<p>occur within 10m of the natural inland wetland, however, it is anticipated that a small amount of earthworks and vegetation clearance may occur within this 10m threshold. This is a permitted activity pursuant to regulation 38 and 55 of the NESF.</p>	
<p>The construction of a wetland utility structure (footpaths, boardwalks and bridges) is proposed to occur within the natural inland wetland within Wai Mauri Stream Park. Regulation 42 of the NESF states that the construction of a wetland utility structure is a restricted discretionary activity when vegetation clearance or earthworks/land disturbance is required within 10m of a natural inland wetland.</p>	<p>Regulation 42 – Restricted Discretionary</p>

APPENDIX 3: Summary of comments received on substantive application

Note: This document is a summary only to provide an overview of comments received in relation to the Sunfield Masterplanned Community. Please refer to the submitted documents from invited parties for the full text. The panel has read and considered all comments received in full.

No.	Party/ Agency	Summary of Comments/ Key Issues Raised	Relief Sought
Comments received on application			
1.	Auckland Council	<p>Overall Auckland Council does not support the proposal and listed the following key concerns:</p> <p><i>Strategic Planning and Policy Alignment</i> – The Council notes that the proposal is inconsistent with multiple levels of the planning policy hierarchy including the Future Development Strategy, Auckland Unitary Plan, and relevant National Policy Statements.</p> <p><i>Stormwater and flood management</i>: – The level of development proposed poses unacceptable risks to flood management, water quality and public safety. There is a high risk of significant adverse impacts and worsening existing flood hazards in the downstream Papakura Stream catchment and Pahurehure Inlet catchment. There are significant gaps and unresolved issues in the proposal.</p> <p><i>Lack of Integration with other services</i> – The proposal does not integrate with Council's planned and funded infrastructure projects for transport, wastewater, water and storm water.</p> <p><i>Ecological and Environmental Effects</i> – The Council has identified information gaps which mean adverse effects on freshwater and terrestrial ecology, including stream diversions and loss of ecological values have not been adequately assessed.</p>	<p><i>Decline the Application</i> – The Council recommends that the application be declined on the basis that the adverse impacts are sufficiently significant to be out of proportion to the project's claimed regional or national benefits, even after considering potential mitigation or compensation.</p> <p>Should the application proceed, the Council seeks the following relief:</p> <p><i>Address Information Gaps</i> - the Council requests that significant information gaps be addressed, particularly in relation to infrastructure, stormwater, transport, ecological effects, and integration with the Mill Road corridor.</p> <p><i>Require Comprehensive Conditions</i> - robust and comprehensive conditions to ensure that infrastructure,</p>

		<p><i>Loss of Highly Productive Land</i> – The Council is concerned about the permanent loss of a large area of highly productive land (LUC 2 soils) because of the proposal.</p> <p><i>Urban Form and Amenity</i> – The Council notes that development proposes low density urban form with no provision for terraced housing or 3+ storey apartment combined with the transport issues. These factors, combined with airport noise do not contribute to a well-functioning urban environment.</p> <p><i>Provision of Recreation</i> – The Council considers that the proposed open space network is inadequate, with most parks located within flood-prone drainage reserves. This limits their recreational value and suitability for vesting as public reserves, and does not meet the needs of the future community.</p>	<p>environmental, and amenity issues are fully addressed.</p> <p><i>Protect Highly Productive Land</i> – urbanisation of highly productive land be avoided unless it is clearly demonstrated that there are no viable alternatives and that the land is not suitable for ongoing primary production.</p> <p><i>Ensure Integrated Planning</i> – any development in this area is fully integrated with Council’s strategic planning, infrastructure funding, and sequencing priorities.</p>
2.	897 Alpha	<p>897 Alpha is generally supportive of the urbanisation of the Sunfield Site.</p> <p><i>Position on Urban Development</i> - 897 Alpha considers the wider Papakura/Takanini area, including the Sunfield Site and the 897 Alpha property, suitable for urban development and is generally supportive of urbanisation in this area.</p> <p><i>Need for Planning Processes</i> - Urbanisation should only proceed after a comprehensive structure planning and plan change process. Rezoning to Future Urban Zone (FUZ) and relocating the Rural Urban Boundary (RUB) would allow for proper consideration of environmental constraints, such as stormwater and traffic, and ensure infrastructure is delivered appropriately.</p> <p><i>Resource Management and Urbanisation</i> - The resource management system coordinates urbanisation through a sequence of structure planning, plan changes, and resource consents. This framework for the Takanini/Papakura area is not yet established.</p>	<p>897 Alpha is generally supportive of the urbanisation of the Sunfield Site and considers that the wider Takanini / Papakura area out to Hamlin Road should be zoned FUZ and brought within the RUB.</p> <p><i>Plan change process required</i> - unless an equivalent of a structure planning and plan change process can be achieved through the Fast-track process and via conditions on the Application, then the Application will result in significant adverse effects on the environment and foreclose on, or limit, future urban development opportunities in the wider area and</p>

		<p><i>Concerns with the Application</i> - The current application seeks large-scale urban development in the Mixed Residential Zone (MRZ) outside the RUB, before wider strategic and integration issues are resolved. Significant infrastructure upgrades are needed but remain unplanned and unfunded.</p> <p><i>Preferred Approach</i> - 897 Alpha believes the best outcomes would be achieved by relocating the RUB to the North-South Leg of Hamlin Road and rezoning land within this boundary to FUZ, enabling comprehensive planning and infrastructure provision.</p>	<p>there will be a failure to realise the regional economic benefits of urbanisation that are central to the purpose of the FTAA.</p> <p><i>Decline application</i> - If the Panel considers that it cannot impose conditions on the Application that would adequately address 897 Alpha's concerns raised in these comments, then the appropriate course of action would be to decline the Application and for the wider area to be subject to structure planning and plan change(s) to bring down either FUZ or live urban zonings in the usual way.</p>
3.	Aaron Papp	<p>The submitter believes the fast-track application demonstrates thorough assessment of the development's impacts. However, there are concerns regarding the:</p> <p><i>Inadequacy of the site management plan</i>, - specifically the ground and rainwater management measures, which are insufficient for a flood-prone area. Without proper monitoring and management, there is an increased risk of flood damage to neighbouring properties and residents.</p> <p><i>No plans to manage noise</i> for both the airport and surrounding residents. These are key examples of missing details in the plan, which may not be exhaustive.</p> <p><i>Site management plan does not meet the recommendations and requirements of the fast-track application</i> and, if implemented as is, would undermine effective environmental management during development.</p>	<p>The submitter suggests should be revised to address the deficiencies in site management, ground and rainwater management, and noise mitigation.</p>
4.	Andrew and Sandra Beard	<p>The Submitters oppose the proposed development for the following reasons:</p>	

		<ul style="list-style-type: none"> • The disestablishment of Hamlin Road will sever their direct access to Takanini and the north, isolating our street and properties between Sunfield's to the west and Ardmore Airport to the east. • The development will negatively affect the water table and drainage on their property at the eastern end of the site. • The proposed flood and drainage area directly behind their property will create a water catchment, encouraging insects and vermin. • The fast-tracking of this development has led NZTA to incorporate it into the Mill Road project, resulting in the new road being constructed approximately 60 metres from the rear of their property. 	
5.	Ardmore Airport	<p>Ardmore Airport identified the following concerns with the proposal in its submission:</p> <p><i>Reverse Sensitivity Concerns</i> - Reverse sensitivity is a key issue for Ardmore Airport in relation to the proposed Sunfield development. Airports have previously faced reduced operations due to pressure from new communities or special interest groups.</p> <p>Future residents may find airport noise and activity objectionable, likely resulting in lobbying for restrictions or closure. Such development near airports can impose constraints that threaten the airport's current and future operations and growth.</p> <p><i>Airport Economic Activity</i> - Ardmore Airport, operating since the 1940s, is experiencing significant growth, with aircraft numbers expected to double in the next 5 to 10 years. The airport supports essential services such as rescue, police, ambulance, and coastguard helicopters. Over 108 aviation businesses rely on the airport remaining open and unrestricted. Any new restrictions would seriously threaten these businesses, their employees, and the wider New Zealand aviation sector.</p>	<p>Relief Sought:</p> <p><i>Land Use Configuration</i> - Relocate Health Care land use out of the 60 dB inner control boundary to the north of the development.</p> <p>Move some proposed employment land, currently outside the Aircraft Noise Overlay, into the inner noise contours.</p> <p><i>Noise Mitigation</i> - Require all new noise-sensitive activities within the Aircraft Noise Overlay to be designed, constructed, and maintained with sound attenuation and related ventilation.</p> <p>Recognise that these measures do not address all adverse effects, particularly</p>

	<p><i>Infrastructure and Transport</i> - The Sunfield proposal includes closing and realigning Hamlin Road, which is a primary access route to Ardmore Airport. Any closure of Hamlin Road is unacceptable, as the airport requires full, unrestricted 24-hour access for emergency and business purposes.</p> <p>Ardmore Airport has significant growth plans, with transport being a key factor. There are also concerns about how the new Notice of Requirement for Mill Road will integrate with existing access and growth plans. A commitment to a working group is needed to resolve these access and wider infrastructure issues.</p> <p><i>Safety and Operational Concerns – Public, Aircraft and Pilot Consequences</i> - The main runway at Ardmore Airport has defined minimum approach angles, which set allowable obstruction heights to ensure safe clearance from ground obstacles. The Sunfield application does not appear to consider the risk of aircraft engine failure or loss of performance, leaving minimal buffer between proposed building heights and required flight paths. This increases risks to pilots, the public, and residents, especially due to a lack of safe landing areas.</p> <p>Aircraft can experience turbulence, varying performance, or engine failure, requiring pilots to respond quickly and have options for emergency landings or sufficient height to regain control. These risks are highest during initial take-off, when training for simulated engine failures often occurs—potentially over the Sunfield development. This not only poses a safety risk but also increases the likelihood of reverse sensitivity, as residents and businesses under low-flying aircraft may raise safety concerns and lobby for changes or restrictions to airport operation</p> <p><i>Noise Sensitivity Concerns</i> - Ardmore Airport generally supports the extent and location of the proposed Employment Precinct adjoining the airport's southwestern boundary. This precinct is within the Aircraft Noise Overlay (65 dB inner noise boundary) and will be subject to significant noise from airport operations.</p> <p>However, Ardmore Airport does not support the proposed location of the Health Care land use within the 60 dB inner control boundary, as hospital and healthcare</p>	<p>in outdoor areas and with open doors or windows.</p> <p><i>Transport and Access</i> - Maintain full, unrestricted 24-hour access to Ardmore Airport via Hamlin Road and Airfield Road at all times.</p> <p>Construct the realigned section of Hamlin Road before closing the existing section, ensuring continuous access.</p> <p>Integrate the Sunfield development with the proposed Mill Road Stage 2 alignment, including:</p> <ul style="list-style-type: none"> A new roundabout at the intersection of Mill Road Stage 2 and the existing alignment of Hamlin Road. Incorporation of the Mill Road Stage 2/Airfield Road two-lane roundabout into the Sunfield transport network. Ensure the design of the Mill Road/Airfield Road intersection considers Ardmore Airport's traffic and maintains access during all construction stages, managed via a Construction Traffic Management Plan. <p><i>Staging and Clarity</i> - Provide greater clarity on the timing and staging of the Hamlin Road realignment, including</p>
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	<p>facilities with overnight stays are sensitive to noise. The airport's preference is to relocate the Health Care land use to the north of the development and to bring some of the proposed employment land, currently outside the Aircraft Noise Overlay, into the inner two contours. While Ardmore Airport acknowledges the proposed condition requiring all new noise-sensitive activities within the overlay to be designed, constructed, and maintained with sound attenuation and related ventilation, this will not address all adverse noise effects, particularly in outdoor living spaces and when doors and windows are open.</p> <p>Ardmore Airport notes that the Sunfield development proposes residential and aged care uses within the 55 dB (outer noise boundary) of the Aircraft Noise Overlay, both of which are sensitive to noise. While this is not the preferred land use in the outer noise boundary, Ardmore Airport acknowledges that such activities are classified as Restricted Discretionary in this greenfield development. Sunfield has proposed a range of conditions and measures to manage the adverse effects of the airport's ongoing and established operations.</p> <p><i>Coordination of Ardmore Airport Stages 2 and 3 and Mill Road Stage 2</i> - The traffic modelling in the Sunfield Transportation Assessment does not account for traffic from Stages 2 and 3 of the Ardmore Airport industrial development. Stage 2 is consented but not yet operating, and Stage 3 is currently being processed by Auckland Council. Stage 4 should also be considered, as aviation-related industrial activities are permitted in the Ardmore Precinct.</p> <p>A comprehensive and integrated transport network is needed for the area, including the traffic effects of the recently lodged Mill Road Stage 2 Notice of Requirement by NZTA. Ardmore Airport considers it essential to develop and agree on a transport network that integrates planned development at Ardmore Airport, Sunfield, and the Mill Road Stage 2 project.</p> <p><i>Mill Road Stage 2</i> - It is important that the Sunfield development integrates with the proposed alignment of Mill Road Stage 2, recently lodged with Auckland Council. Ardmore Airport seeks the inclusion of a new roundabout at the intersection of the new Mill Road Stage 2 corridor and the existing alignment of</p>	<p>when it will be constructed and operational.</p> <p><i>Integrated Transport Network</i> - Develop and agree on a comprehensive, integrated transport network for the wider area, including Ardmore Airport, Sunfield, and Mill Road Stage 2, that accounts for all planned developments and traffic effects.</p>
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		<p>Hamlin Road within the Sunfield development. Ardmore does not support a road network where Hamlin Road is terminated on either side of Mill Road Stage 2.</p> <p>Ardmore Airport also supports the proposed two-lane roundabout at the Mill Road Stage 2/Airfield Road intersection and requests that Sunfield incorporates this intersection into its transport network.</p> <p><i>Essential Access Requirements</i> - Access to and from Ardmore Airport for staff, users, and visitors must be always maintained along Hamlin Road and Airfield Road to ensure business continuity and emergency services access.</p> <p><i>Road Realignment</i> - The proposed realignment of Hamlin Road to provide an east-west link through Sunfield is generally supported. However, the staging and timing of the realignment need clarification, and any temporary effects on the transport network must be addressed. While the upgrade to the Walter Road/Cosgrave Road/Hamlin Road intersection is required after the first 50 dwellings, the timing for the Hamlin Road realignment is unclear. Ardmore Airport seeks greater clarity on when the realigned Hamlin Road will be constructed and operational.</p> <p>Upgrades to the Mill Road/Airfield Road intersection are proposed as part of the Sunfield development. The intersection design must consider Ardmore Airport's traffic generation and ensure access via Airfield Road is maintained throughout all construction stages. It is recommended this be managed through a Construction Traffic Management Plan.</p>	
6.	Auckland Transport	<p>Overall Auckland Transport (AT) is not supportive of the application. Several key concerns are raised:</p> <p><i>Trip Generation Rate</i>- AT suggests the underlying assumptions, specifically the trip generation rate relied on in the Commute transport assessment are aspirational, as such suggests that underestimating the infrastructure required, specifically intersection upgrades. Beca has identified eight specific intersections that will require upgrades, including two not assessed by the applicant, these upgrades will require additional land acquisition.</p>	<p>AT recommends the application be declined.</p> <p>If the Application is not declined, AT request robust conditions regarding transport, infrastructure and storm water.</p>

		<p><i>Operation of the large privately funded public transport services</i> - Concerns with the operation of this service and the ability of existing service networks to cater to demand of the proposal before a frequent service is in place</p> <p><i>Major gaps in storm water and flooding assessment</i> - Major gaps in the stormwater and flooding assessment provided by the applicant. AT's concern is road safety and asset damage, flooding effects both within the site and on adjacent neighbourhoods.</p> <p><i>Engineering design issues</i> - Detailed engineering design issues that must be addressed as part of the Fast Track application to avoid significant future delays and potential required amendments to the application.</p> <p><i>NZTA Mill Road – Stage 2</i> - The transport assessment has not been updated since the applicant acknowledged the proposed alignment of NZTA's Mill Road Stage 2. It is important that development does not proceed ahead of the upgrade/construction of the required transport network, which includes Mill Road Stage 2. Without Mill Road Stage 2, the development relies on the existing transport network results in significant network congestion that has not been identified as requiring mitigation by the applicant</p>	
7.	Jessica Swales	<p>The submitter does not oppose the development in principle as it may bring positive amenities to the area but expresses that they had hopes to hold onto the semi-rural feel.</p> <p>Expressed concern re the NZTA Mill Road proposal which poses a significant impact on the property and surrounding area and wishes to understand if the Sunfield development can influence or support an alternative route that reduces the impact on current landowners. Comments also raised that the car-lite idea will force car owners to park on streets like theirs.</p> <p>Also expressed concerns re construction impacts.</p>	<p>Access for local residents to the development area so they can access and benefit from the new infrastructure and services.</p> <p>Green buffer to maintain current views of residence and reduce visual impact</p>
8.	John Cheng	The submitter is generally supportive of the initiative as it will bring long term benefits to the local area incl. increased housing supply, infrastructure improvements, employment creation and urban growth.	Request to be kept informed of timelines including those regarding:

		<p>Expressed concerns re potential implications from future staging, design integration.</p> <p>Sought reassurance that the stormwater and drainage from the development will be managed to avoid downstream flooding and adverse impacts.</p>	<ul style="list-style-type: none"> - Rezoning - Scope and duration of earthworks - Expected noise and visual impacts - Traffic disruptions and changes in access to property - Mitigation and rectification measures being proposed <p>Further engagement requested.</p>
9.	MC Investments	<p>The submitter is supportive of the vision for the Sunfield proposal and identify it as a great asset for the area and:</p> <ul style="list-style-type: none"> - Have a positive relationship with Winton and Simon Ash - Are supportive of the improved infrastructure for the area - Are supportive of the potential for improved employment opportunities in South Auckland <p>MC Investments identified the following concerns:</p> <ul style="list-style-type: none"> - Development timing and construction impact – particularly being surrounded by a construction zone for up to a decade - Uncertainty regarding their property's stormwater once the open drain is removed - Traffic Disruption during construction - Floodplain issues 	<p>Clarity requested regarding concerns:</p> <ul style="list-style-type: none"> - Traffic disruption - Construction - Staging of the development

10.	Ministry of Education	<p>The Ministry of Education (MoE) note that proposed site for a new school is not appropriate as it is approximately 350m from an existing state school. The MoE are open to discussing alternatives with the applicant.</p>	<p>Amendment to condition 21 requested to include non-working/ non-movement hours around educational facilities during pickup and drop off hours.</p>
11.	Ministry for Seniors	<p>The Ministry for Seniors is supportive of projects that increase the supply of housing particularly for older new Zealanders and those that improve the provision of aged care residential facilities.</p> <p>Identified the village design to be well appointed and accessible to local amenities and transport to those further afield.</p>	
12.	NZTA	<p>The Sunfield development site overlaps with land designated for the Mill Road – Takaanini section, a key component of Auckland’s strategic transport network and a Road of National Significance. Both the Sunfield development and the Mill Road Project are listed under the Fast-track Approvals Act 2024. However, the current Sunfield application does not address the presence of the Mill Road designation, leading to conflicts between the two projects, particularly regarding transport and stormwater management. Ongoing discussions between Winton and NZTA aim to resolve these issues, but no amended application has yet been submitted to reflect any agreed solutions.</p> <p>NZTA has made the following comments on the current application:</p> <p><i>Transport</i> - NZTA has significant concerns regarding the effects of the Application on both the local and strategic southern Auckland transport network including SH1 and the future Mill Road corridor. The proposal relies on future residents being highly reliant on public transport. Effective mechanisms should be put in place to ensure this.</p> <p><i>Stormwater</i> - Application as it is conflicts with the Mill Road NOR and prevents construction of the Sunfield’s proposed eastern diversion channel.</p>	<p>Relief Sought</p> <ul style="list-style-type: none"> - NZTA requests the opportunity to comment on the amended proposals once they are lodged with the Panel. - Enforceable staging and monitoring systems to manage potential adverse effects. - Each stage of development to be based on a new Integrated Transport Assessment (ITA). - NZTA requests the opportunity to provide comment on any updated information provided by Winton to the Panel. - For stormwater, NZTA requires further information

			including flood levels on the western boundary of the NoR, detailed design information for the diversion channel, and modelling results to demonstrate no increase in flood levels after construction.
13.	Ngāi Tai ki Tāmaki	<p>Ngāi Tai ki Tāmaki expresses their continued inability to support the Sunfield development under the Fast Track process. The following concerns are identified:</p> <ul style="list-style-type: none"> - Despite the mention of the Mana Whenua Engagement report, it was not available. - The Fast-track process circumvents due process and necessary diligence. - The high risk associated with high-density development on peat-heavy, flood-prone land. - Lack of evidence of consultation with iwi or representation of te Ao Māori in the planning process. 	No explicit relief sought, but the submitter's position is that they cannot support the proposal as it stands.
14.	Peter and Natalie Mckenzie	<p>The submitters oppose the application and identify the following concerns:</p> <ul style="list-style-type: none"> - Severe impacts on home, land, and personal safety for residents and livestock during development and construction phases. - Opposition to the plan to build an industrial complex on the southern boundary, as it would completely change the rural outlook. - The property is a designated flood plain and has experienced multiple floods, with concerns about inadequate drainage solutions and potential road damage due to heavy traffic. - The need for effective stormwater and flooding solutions before any land reformation or changes to the land surface. 	<p>Relief Sought</p> <ul style="list-style-type: none"> - Suggestion that the industrial complex be built on Airfield Road frontage for better access. - Request for noise restrictions on construction activities.

		<ul style="list-style-type: none"> - The need to control dust from earthworks, particularly peat dust, which poses a serious health hazard and could contaminate rainwater supplies for both livestock and residents. - Request for noise from machinery to be restricted to normal work hours, excluding weekends, public holidays, and hours of darkness. - Concern that constant vibration from construction activities could cause damage the brickwork on their house. 	
15.	Rimu Family Trust	No general position.	<p>Seeks further comment on how much of the land is proposed to be acquired for the new road?</p> <p>Requests:</p> <ul style="list-style-type: none"> - Gate allowing vehicle access to be installed on one side of the new road along with street number and fencing - Property be connected to and benefit from the new road and Sunfield's reticulated water supply and drainage system
16.	Roseanne Wills	<p>This neighbour's submission expresses the following concerns:</p> <ul style="list-style-type: none"> - The project's location and overall planning. - Traffic issues in neighbouring streets due to narrow roads and increased vehicle movements. - Poor planning of road widths in new subdivisions, making navigation and emergency vehicle access difficult. 	

		<ul style="list-style-type: none"> - The Mill Road corridor remains incomplete, and proceeding with the development without it constitutes poor infrastructure planning and is detrimental to existing residents. - The ‘car-less’ living concept is questioned due to the distance from the Papakura Train/Bus station and the reality of multiple vehicle ownership in Auckland. - Doubts about the development being a truly ‘self-contained suburb’, citing lack of facilities such as a hospital, cemetery, churches, and tertiary education. - Uncertainty regarding wastewater and water capacity, specifically whether Watercare has confirmed adequate capacity. - General disagreement with continued greenfield expansion, preferring investment in brownfield developments and densification of areas already well served by transport and retail/commercial connections. 	
17.	Ruby Pearce	<p>Notes that the development seems advanced in its planning and expresses the following:</p> <ul style="list-style-type: none"> - Doubts about the viability of the car-free concept, citing cultural preferences for car ownership and lack of existing supporting infrastructure. - Risk that tenants in affordable housing will have multiple cars per dwelling, leading to parking overflow, blocked roads, and illegal parking. - Insufficient off-street parking proposed for each dwelling; belief that every dwelling must have at least one off-street car park. - Concerns that the development is prioritising profit by reducing parking provision. - The rural location and lack of current public transport infrastructure make the car-free concept impractical. 	<ul style="list-style-type: none"> - Every single dwelling must have at least one off-street car park. - Build initial stages with parking and public transport before implementing a car-free concept. - Evening and night-time restrictions on construction work. - Ensure sewerage and stormwater infrastructure is up to standard or over-specified for flood resilience.

		<ul style="list-style-type: none"> - Impact of construction and heavy vehicles on adjacent properties, local roads, and the environment, including noise, dust, debris, and increased traffic. - Potential negative effects on children playing in the park and walking to and from school due to increased activity and traffic. - History of significant flooding in the area; concerns about whether the infrastructure, including sewerage and stormwater, will be sufficient for the site's conditions (former swamp, soft peat earth, buried kauri trees). - Need for sewerage and stormwater systems to be up to standard or over-specified to cope with flooding. 	
18.	Te Ākitai Waiohua & Te Ākitai Waiohua Settlement Trust	<p>Te Ākitai Waiohua expresses significant concerns about the proposed Sunfield development, opposes certain aspects such as stream reclamation, and seeks greater recognition and partnership in water governance and project design.</p> <p>Acknowledges the following benefits:</p> <ul style="list-style-type: none"> - Acknowledgement of the technical success of the Awakeri Wetlands in managing flooding effects within the project. - Recognition of the opportunity presented by the proposed Wai Mauri Stream Park to restore and enhance the environment and protect water health. - Support for aspirations to reduce car dependency, though with reservations about practicality. <p>The submitter raised the following concerns:</p> <ul style="list-style-type: none"> - The application of the Cosgrave Plan Change CVA recommendations to the wider Sunfield development is considered inappropriate due to different planning frameworks and zoning. - The scale and fast-tracking of the application, combined with insufficient detail and limited time for review, are problematic. 	<p>Relief Sought</p> <ul style="list-style-type: none"> - Genuine partnership in water governance and planning to give effect to customary ownership of freshwater. - Ongoing engagement in the integration of cultural narratives into the landscape, particularly regarding Takaanini. - Full development of Wai Mauri Stream Park, including at least five years of monitoring and immediate commencement of iwi engagement in design, prior to residential occupation.

		<ul style="list-style-type: none"> - The proposed development is outside the Rural Urban Boundary, on flood-prone rural land, and not anticipated by current zoning. - Approving all resource consents now for a 15-year development is risky, as it may not reflect future planning changes, best practice, or market demand. - There is insufficient evidence to guarantee that stormwater and flooding outcomes will be achieved, with concerns about the consequences of system failure. - The aspiration for reduced car dependency is not realistic for all, given limited public transport and employment suitability; limited parking may disadvantage residents. - Reliance on resource consents does not guarantee long-term outcomes, and future consents could undermine the car-less concept. - Strong opposition to stream reclamation, with emphasis on the fundamental importance of freshwater to identity and wellbeing, and the need to protect, restore, and maintain water health. - Te Ākitai Waiohua has not committed to the Mana Whenua Consultative Group, preferring individual engagement to ensure recognition of their unique association with the land. - Concern that collective arrangements may not fully reflect the whakapapa and narratives of each iwi. 	
19.	Te Whakakitenga o Waikato Incorporated on behalf of Waikato-Tainui	<p>Te Whakakitenga o Waikato Incorporated (Waikato-Tainui) welcomes the opportunity to respond to the Sunfield fast-track application and supports the provision of housing but remains cautious about unresolved flood risk matters and is committed to ensuring development upholds the highest environmental, cultural, and statutory standards. Waikato-Tainui supports the positions of our affiliated marae and hapū with interests in the site, while retaining the right to comment on iwi-level matters where appropriate.</p>	<p>Relief Requested</p> <ul style="list-style-type: none"> - Enable iwi and hapu to revisit their input under the Fast-Track process, at the applicant's expense.

		<p>Waikato-Tainui acknowledges the importance of land development and the pressing need to provide quality housing to support regional growth and notes that the inclusion of cultural monitoring and mana whenua involvement in the draft conditions is positive in principle.</p> <p>Waikato-Tainui express the following concerns with the proposal:</p> <ul style="list-style-type: none"> - All 19 iwi authorities were contacted in 2021, six indicated interest, but all were only advised of the Fast-track process in April 2024. This process change warrants a renewed opportunity for meaningful engagement and input. Feedback given under the original proposal may not fully capture iwi views in the context of the Fast-track process. - A limited engagement or response from Council, especially regarding flood-prone areas and infrastructure. - Concerned that the classification of Highly Productive Land under the NPS-HPL may be too easily set aside. - Lack of clarity on flood risk management, long-term monitoring, and the wider hydrological context. <p>Waikato-Tainui will continue to monitor the inputs provided by our affiliated marae and hapu and may provide further feedback if interests are not fully reflected.</p>	<ul style="list-style-type: none"> - Ensure that cultural values are embedded in outcomes, not just acknowledged through process. - Provide clarity on Auckland Council's position regarding flood risk and infrastructure delivery. - Strengthen certainty around the implementation and long-term performance of stormwater infrastructure. - Reassess the treatment of productive land in line with the intent of the NPS-HPL.
20.	Watercare	<p>Watercare Services Limited (Watercare) opposes the Sunfield Project's fast-track application. Specifically, the lack of planned or funded water and wastewater infrastructure to service the proposed development, which is largely out-of-sequence with Auckland Council's long-term planning strategies.</p> <p>Concerns with the Proposal:</p> <p><i>Infrastructure Readiness</i> - the Sunfield site is not currently serviced by public water or wastewater networks. The necessary bulk infrastructure (including watermains and sewer extensions) is not planned or funded before 2034.</p>	<p>Relief Requested</p> <ul style="list-style-type: none"> - Amendments to the proposed consent conditions to require private, rather than public, water and wastewater servicing for the development. - Deletion or modification of references to public network

		<p><i>Planning Alignment</i> - the development is out-of-sequence with the Auckland Plan 2050 and the Future Development Strategy, which do not anticipate development of this area until at least 2050.</p> <p><i>Capacity and Funding</i> - existing Bulk Supply Points are at full capacity, and upgrades (such as the Waikato-2 Watermain) are not scheduled for completion until 2034 or later. Funding alone cannot guarantee earlier delivery due to statutory and practical constraints.</p> <p><i>Technical Feasibility</i> - the applicant's proposed low-pressure sewer system is considered unsuitable for a development of this scale and is not compliant with Watercare's Code of Practice.</p> <p><i>Operational Risks</i> - Out-of-sequence development could strain existing infrastructure, reduce service levels (e.g., water pressure, increased risk of wastewater overflows), and delay or reprioritise upgrades needed elsewhere.</p> <p><i>Wastewater Treatment</i> - The Mangere Wastewater Treatment Plant's capacity is limited by its current resource consent, and additional unplanned flows could require premature upgrades.</p>	<p>connections in the draft conditions.</p> <ul style="list-style-type: none"> - Consequential changes to ensure the development is serviced privately and not by Watercare's public infrastructure. - Watercare requests that any amendments to the application be subject to further review.
21.	Xian Zhang	Neighbouring property that undertakes market gardening, no comment on whether the proposal is supported.	<p>Requested further information requested regarding:</p> <ul style="list-style-type: none"> - Impacts of the development on current flooding/ stormwater in the area. - Possibility of Sunfield to include the property as part of the development

Late comments accepted by the panel

22.	Jana Benson	<p>Opposes the application due to impacts it will have on home, Village Way (residential street) and ability to live safely and peacefully during both the construction and operational phases of the development:</p> <p>Reasons for Opposition of the Proposal:</p> <p><i>Industrial Zoning and Isolation of the Residential Street</i> - the masterplan for employment places industrial building along the boundary with the commenter's residential street, surrounding the street with industrial development. This is different to the village look and feel promoted when Sunfield was first discussed and severs the street's connection to the new community.</p> <p><i>Loss of Rural Character and Sun Aspect</i> - large scale development and high density building along the boundary will permanently remove rural views and significantly reduce natural light and sun aspect into homes representing a loss of amenity and lifestyle.</p> <p><i>Flood Plains, Stormwater & Topography</i> - expresses concerns about poor drainage and flooding getting worse and earthwork or raising of land diverting stormwater onto properties.</p> <p><i>Construction Impacts (Short-term but severe)</i> - notes that homes are older house on piles sitting on peat soil with heavy machinery, ground compaction and vibration risking causing damage to foundations and property structure.</p> <p><i>Operational Impacts (Long-term)</i> - Industrial buildings and employment activities will permanently impact lifestyle and amenity.</p> <p><i>Cumulative Effects – NZTA Arterial Route</i> - Concerns about being sandwiched between a highway and warehouses and no consideration of resident's quality of life</p> <p><i>Property Depreciation and Potential Acquisition</i> - Concerned that the combined impact of the Sunfield development, Ardmore Airport and NZTA arterial route will depreciate the value of properties.</p>	<p>Relief requested:</p> <p>Decline the application in its current form due to the unacceptable adverse effects on residents.</p> <p>Potential mitigations suggested in the situation of an approval:</p> <ul style="list-style-type: none"> - Relocate or rezone the industrial land adjacent to Village Way to residential/ mixed use or provide for a substantial green buffer - Require stormwater/ flood mitigation to protect adjoining properties before land movement or construction can begin. - Require geotechnical assessment and construction management plans to protect existing homes on peat soils from vibration, subsidence and damage. - Impose strict construction conditions including limited work hours, dust, noise and vibration plans, early and ongoing communication with affected residents. - Undertake genuine consultation with Village Way residents to integrate street into the community
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		<p><i>Lack of Consultation & Limited Notification</i> - Concerns that residents on the street were not consulted with as immediate neighbours and not given appropriate time to read, understand and respond to an application of this scale.</p> <p><i>Overflow Parking and Traffic Management</i> - Deeply concerned that due to the proposed limit of car ownership and parking within the Sunfield community residential streets nearby will become informal overflow parking areas.</p>	<ul style="list-style-type: none"> - Consider and mitigate the permanent loss of rural outlook - Consider gated entry for Village Way to prevent overflow parking - Investigate whether acquisition of Village Way properties as a fair and reasonable outcomes given the impact on the street
23.	Si Hao Li & Hong Ling & LK Trustee	No comment on the proposal	<p>Relief requested:</p> <ul style="list-style-type: none"> - Further information requested regarding how much of the land is proposed to be acquired for the new road. - A gate for vehicle access to be installed on one side of the new road along with street number and fencing - The submitter's property be connected and benefit from the new road and reticulated water supply and draining system.