
MINUTE 13 OF THE EXPERT PANEL

Joint Witness Conferencing
Sunfield [FTAA-2503-1039]

(5 November 2025)

1. As directed by the Expert Panel (**Panel**) in Minute 12, an issues conference was held on 4th November 2025.
2. This conference was attended by legal Counsel and representatives for the Applicant, Auckland Council family, Ardmore Airport, NZTA, and 897 Alpha Limited. The purpose of this conference was for the panel to further identify and understand the key issues in contention as between the parties, and to confirm the next steps in the process to resolve or narrow those identified issues in contention .
3. The Panel approached this task by identifying key topics and issues in contention with respect to each of those topics. The Panel then sought input from the Parties about whether expert witness conferencing would be of assistance in narrowing or resolving issues that remain in dispute.
4. Having canvassed the parties on their respective views, the Panel directs that expert witness conferencing is convened in relation to the following topics:
 - a. Potable water supply;
 - b. Waste water provision;
 - c. Stormwater management / flooding;

- d. Transportation; and
- e. Highly productive land¹.

5. The conferencing will be undertaken as follows:

- a. Expert conferencing to be undertaken generally in accordance with the Protocol for Expert Witness Conferences attached as Annexure 3 to the Environment Court Practice Note 2024, unless otherwise directed below.
- b. Expert conferencing is to occur during the week commencing **Monday 17th November**, with a day allocated for each of the topics listed below. Counsel are directed to confer and agree the timetable for conferencing within this week.
- c. An expert conference for each topic is to be attended by the relevant expert(s) on each topic only. The conferences will be facilitated by Mr Serjeant. Legal Counsel are not to attend. Planners from each of the parties may attend in a strictly observational capacity only. Any comments to and from the planner must be directed through the facilitator.
- d. A draft agenda will be agreed by all parties and submitted to the EPA by **5pm on Wednesday 12th November**. The agenda will be prepared and agreed between legal Counsel for the parties and will identify the experts that will attend each conference for each party.
- e. The Expert Panel will finalise each agenda, and will add issues where appropriate. Finalised agendas will be confirmed by the Panel by

¹ This conference may proceed without facilitation.

4pm on **Friday 14th November**.

- f. “Will say” statements (where required) will be submitted to the EPA by **11.59pm on Friday 7th November**. “Will say” statements will be required in the following circumstances:
 - i. From expert witnesses attending conferencing in circumstances where they have not provided evidence to the Panel to date. Such statements are to include confirmation that the witness complies with the code of conduct for expert witnesses set out in the Environment Court Practice Note 2024, and a summary of that witness’s relevant qualifications and experience.
 - ii. From expert witnesses who have given evidence previously, but where their evidence or opinion needs to be materially updated following changes made to the application by the applicant.
 - g. “Will say” statements will outline the key opinions on issues that will be discussed, and should be in short form (i.e., bullet points would suffice).
6. Signed joint witness statements are to be filed with the EPA no later than 2 working days after the conference commences, but ideally by the end of the business day on which the conference is held.
 7. For completeness, “will say” statements and joint witness statements will form part of the public record for this matter.
 8. The panel records that the timeframes, dates and obligations set out in this minute were agreed by all parties at the issues conference and there is a clear expectation that these will be met.

Topics discussed at conference

9. In addition to issues that have been identified by the parties, the Panel would be assisted by the experts' addressing the following matters during the course of their conferencing.

Potable Water Supply

10. The Panel would be assisted by the experts addressing network capacity issues from a purely technical perspective. By this, the Panel means that capacity issues should be considered without reference to Watercare's policy position of not servicing rural zone land, and without reference to supplying other live-zoned land². Put another way, is there existing capacity in within Watercare's potable water supply network to service this development.
11. A technical expert from Veolia is directed to attend expert witness conferencing on this topic.

Wastewater

12. The Panel would be assisted by the experts addressing whether there is capacity in the waste water network to accept the flows and loads generated by the application. Like the potable water supply topic above, capacity issues should be considered without reference to Watercare's policy position of not servicing rural zone land, and without reference to supplying other live-zoned land.
13. The Panel would also be assisted by understanding whether the low pressure system proposed is technically feasible notwithstanding Watercare's policy of not accepting land serviced by more than 50 such

² For the avoidance of doubt, the Panel records that these are still live issues.

connections.

14. Watercare has indicated that for expert conferencing to be efficient they need more information from the applicant in terms of the details of flows. The Panel records that the Applicant will direct Watercare to where this information can be found within material already on the record, or will otherwise provide this information to Watercare ahead of the conferencing on this topic. The information will also be provided to all other parties who have a witness participating in conferencing on this topic. It is directed that this information be provided before “will say” statements are due to be filed.
15. A technical expert from Veolia is directed to attend expert witness conferencing on this topic.

Stormwater/flood hazard

16. The Auckland Council family has indicated that it requires further information from the applicant in relation to this topic. The Panel records that the Applicant will direct Auckland Council to where this information can be found within material already on the record, or will otherwise provide this information to the Council ahead of the conferencing on this topic. The information will also be provided to all other parties who have a witness participating in conferencing on this topic. It is directed that this information be provided before “will say” statements are due to be filed.
17. For the avoidance of doubt, experts from the following parties are to attend conferencing on this topic:

- a. Applicant;
- b. Auckland Council, including Auckland Transport;

c. Alpha 897 Limited; and

d. NZTA.

18. In addition to the issues previously identified by the parties, the Panel would be assisted by the following issues being addressed during conferencing (noting that there may be some crossover with previously identified issues):

- a. The Mill Road Stage 2 NoR and integration with stormwater management;
- b. Conveyancing capacity to the north;
- c. Size and efficacy of proposed basins (note integration with parks discussion and whether basins are suitable for this dual use);
- d. Groundwater drawdown and the effects of this on the ability to develop the land. This issue may have particular relevance in the eastern area of the site.

Transport

19. In addition to the issues previously identified by the parties, the Panel would be assisted by the following issues being addressed during conferencing:

- a. Confirmation of the regulatory approvals already obtained to run the Sun buses on public roads, and details of any other regulatory approvals (if any) that will be required; and
- b. Whether upgrades will be required to the public transport nodes and how will these be facilitated.

20. For the avoidance of doubt, experts from the following parties are to attend conferencing on this topic:

- a. Applicant;
- b. Auckland Council, including Auckland Transport;
- c. Alpha 897 Limited; and
- d. NZTA.

Highly Productive Soils

21. Non-facilitated expert conferencing is directed to occur on the topic of highly productive soils. A joint witness statement on this topic is to be filed with the EPA by **4pm, 21 November 2025**.

Further Information to be provided

22. The panel requests that the information requested below be provided to them pursuant to section 67 of the FTAA by **21 November 2025**:

Urban Design

23. The Panel is interested to understand the precedents (local/international) that have informed the design thinking for the limited/car free proposal of this scale and how these examples are analogous to the current situation, especially in terms of their proximity to public transport opportunities. In essence, the panel is seeking to expressly achieved (locally/internationally) and how this informed the design thinking for the current proposal.

24. The Panel is also interested to better understand how the proposed stormwater retention areas will be used as open space, and how they would form part of the overall open space strategy for the development and if there are other comparable examples of such use in Auckland. In essence, the Panel is interested to gain an understanding of the nature and scale of the open space and its functionality for the development of this size.

Planning

25. Plan Change 120 was notified by the Auckland Council on 3 November 2025. The Panel is interested to know whether that plan change is a relevant consideration with respect to this application. The further information requested is a planning assessment as to the relevance of Plan Change 120 to this application. For the avoidance of doubt, the Panel is not requesting an assessment of the weight (if any) to be give to Plan Change 120, that being a legal issue.

26. The Panel records that other parties will be given an opportunity to comment on the relevance (or otherwise) of Plan Change 120 following the receipt of the Applicant's response.

Other topics that do not yet require expert witnessing conferencing

Ecology

27. Auckland Council has requested further information in relation to ecology. The Applicant has indicated that it will provide further information in that regard. Accordingly, the Applicant is directed to provide that information to Auckland Council, and to the Panel.

Airport Issues

28. The Panel directs the Applicant to engage directly with Ardmore airport

and NZTA on the following matters and report back to the Panel by way of a joint statement by **14th November**.

- a. How access will be maintained and issues managed for the airport through the Mill Road Stage 2 NoR and as a result of the NOR location and concept design.
- b. It is noted that there is a live resource consent currently being process in relation to the upgrades to Hamlin Road and details of this matter will need to be included in any agreed solution.

Funding of Infrastructure

29. The Applicant and Auckland Council are directed to file a joint statement with the EPA by **5pm on 28th November** providing an update on arrangements for the funding of infrastructure for the development.

Potential Hearing Date

30. If a hearing is required on any topics, the Panel tentatively indicates that time is available on the **26th of November 2025**. Further directions will issue in due course if a hearing is required.



Philip Maw
Expert Panel Chair