

MEMORANDUM – RESPONSE TO INVITATION TO COMMENT ON DRAFT CONDITIONS - [WAITĀKERE DISTRICT COURT – NEW COURTHOUSE] [FTAA-2508-1096]

To: Heather Ash, Waitākere District Court – New Courthouse Project Expert Panel Chair; and the Panel

From: Joe Wilson, Principal Project Lead – Premium Unit, Planning & Resource Consents, Auckland Council

Date: 12 March 2026

Dear Heather,

Thank you for the invitation to comment on the draft conditions under S70 of the FTAA and the shared draft decision.

The draft decision has been read given its relevance to the draft conditions and I would respectfully like to acknowledge and warmly thank the Panel for the positive comments regarding Auckland Council comments through the assessment of this substantive application. I also thank the Panel for the clearly detailed consideration of matters and Council comments relevant to this Notice of Requirement substantive application. I would also concur with the draft decisions reference to the positive engagement and approach undertaken by the applicant with Council both pre and post lodgement of the substantive application.

Appendix 1 to this response is provided which provide comments and in limited instances suggested changes to the draft conditions to assist the Panel. In providing these comments I am conscious that comments on the draft decision have not been invited from Auckland Council in your letter of the 05.03.26. However, to assist with understanding of the comments on the condition set and for the overall benefit of the Panel I did consider it helpful to draw attention/confirm the following on some very limited matters:

- Paragraph 41 and 311 - *On 27 February 2026, the Applicant and the Council provided a largely agreed set of conditions to the Panel.*

From Council perspective the 27 February 2026 condition set was focused and related to specific discussion on urban design and flooding conditions only. There are some residual differences between Council and the applicant on other conditions.

It is acknowledged that on many matters the draft decision for instance in respect to noise, lighting, tree planting and opening hours clearly show the clear view taken on these matters which informs the issued draft conditions.

To assist the Panel in our comments I have reviewed what I consider to be the key residual areas of difference only and highlighted this in the comments on the conditions. I have highlighted that if these differences have been considered by the Panel these comments become void, but do note that there has been considerable levels of updated information so it was felt that this signposting on key matters would be helpful to this stage.

- Para 97 - *The alternative scheme was developed through discussions with Auckland Council's Healthy Waters to improve the management of the overland flowpath across the site.*

The alternative scheme was introduced on the 23.01.26. Our understanding based on the B&A cover letter (Response to Minute 2) dated 23.01.26 was that this was to support the response to item 1 question within the Panel Minute 2 (19.12.25) regarding alignment of

the flood modelling with the indicative bulk and location studies. Whilst previous Healthy Waters feedback will have been considered in providing this alternative scheme, felt this clarification may be helpful.