

Fast-track Approvals Act 2024

MINUTE 3 OF THE EXPERT PANEL

Request for information

Waitākere District Court – New Courthouse Project [FTAA-2508-1096]

5 February 2026

[1] This Minute addresses expert conferencing, a request to the Applicant for further information, and the appointment of a special advisor.

Expert conferencing

[2] As outlined in Minute 1, comments on the application invited under section 53 of the Fast-track Approvals Act 2024 (**the Act**) closed on 22 January 2026. The Applicant's response to those comments was received on 29 January 2026, and can be viewed on the fast-track website, here: <https://www.fasttrack.govt.nz/projects/waitakere-district-court-new-courthouse-project/comments-from-invited-parties>

[3] The Panel is now considering the application, comments received, and the applicant's response to those comments. The Panel considers that there are certain matters relating to flooding and urban design that would warrant expert conferencing.

[4] Expert conferencing will take place online via Microsoft Teams, and pending the availability of invited parties, will be held on 19 February 2026.

[5] Relevant experts representing both the Applicant and Auckland Council will be asked to attend. More information, including the specific matters to be discussed, will follow in an additional Minute.

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[6] Under section 67 of the Act, the Panel may request further information from certain parties at any time before the final decision on the application is made.

[7] The Panel requests that the Applicant provide the information outlined in **Appendix 1** of this Minute. Specifically, information relating to the National Policy Statement for Natural Hazards 2025, which came into effect on 15 January 2026.

[8] In order to allow time for both the Panel and Auckland Council to consider the applicant's response before expert conferencing is held, the response from the applicant is due by **13 February 2026**.

Appointment of special advisor

[9] Under clause 10(2) of Schedule 3 of the Act, the Panel may appoint a special adviser to assist the Panel with a substantive application in relation to any matters the Panel may determine.

[10] The Panel has appointed Sonia Vitasovich to assist with typing matters.



Heather Ash

Waitākere District Court – New Courthouse Project Expert Panel Chair

Appendix 1 – Information requested from the Applicant regarding flooding matters

[1] The Panel notes that the National Policy Statement for Natural Hazards 2025 (NPS Natural Hazards) came into force on 15 January 2026. The Panel therefore requests that the Applicant confirms how the objectives and policies of the NPS Natural Hazards have been applied to the Notice of Requirement (NoR) site. Noting that the NPS Natural Hazards applies to a range of hazards, please confirm which hazards are applicable for the site.

[2] With respect to Policy 1 of the NPS Natural Hazards, has the flood hazard risk within, upstream, and downstream of the NoR site been assessed in a manner that is consistent with, or is more conservative than, an assessment using the risk matrix in the NPS Natural Hazards?

[3] With respect to Policy 6, it is the Panel’s understanding that the flood hazard risk within and downstream of the NoR site has been assessed using rainfall data in line with Auckland Unitary Plan PC120 assessment criteria. Please advise whether the assessment against the criteria of PC120 is consistent with the requirements of Policy 6.

[4] With respect to flood hazard risk, the assessment against PC120 covers a 100-year Average Recurrence Interval (ARI) event, including the effects of climate change. Please also provide assessments of 2, 10 and 50 year ARI events, as this would assist the Panel in reviewing likelihood and proportionate risk.

[5] The Panel considers that the building and civil design response, and the Flood Emergency Management Plan are critical to the residual risk assessment. With respect to building and civil design, flood effects need to be considered in the event that the flood gate fails to operate. Effects in this circumstance should be included as part of the likelihood and consequence risk assessment, as per the implementation of the NPS Natural Hazards.