

To: Alex Mickleson – Application Lead, Environmental Protection Authority

From: Alisa Neal – Barker & Associates Limited

Date: 18 February 2026

Re: FTAA-2508-1096 Response to Minute 4 Expert Conferencing (Waitākere District Court – New Courthouse Project)

This memorandum provides a preliminary response to the matters to be discussed during expert conferencing outlined in Appendix 1 of Minute 4 received from the Waitākere District Court – New Courthouse Project Expert Panel on 17 February 2026.

Response to Appendix 1 Matters:

The responses are addressed in **Table 1** below.

Table 1: Response to Appendix 1 Matters

Item	Request	Response
Urban Design		
1	How can the urban design conditions be drafted to give greater certainty that the building will be designed and constructed to address/mitigate the effects of stormwater and extreme rainfall events?	To be discussed at expert conferencing.
2	If the Urban Design Guidelines Framework (UDGF) condition addresses the above and all other aspects raised by Auckland Council, including reference to the underlying Auckland Unitary Plan provisions, do we still require the bulk and location condition 7? If no, please provide an agreed wording for condition 6.	To be discussed at expert conferencing.
Flooding		
1	Given the updated flood modelling, including 10yr, 50yr and permeable grate 100yr rainfall event, does the Applicant and Auckland Council consider that there are upstream effects that are to be addressed due to the potential/proposed development of the NoR site?	
(a)	With reference to ACH Flood Assessment Report addendum filed on 13 February 2026, Section 3.7 & 3.8: <ul style="list-style-type: none"> (i) There is an increase in flood footprint in both assessments, however no assessment as to what 	The updated ACH Flood Assessment confirms that the “Alternative Scheme” results in a conservative increase in upstream flood level (top water level) of approximately 160 mm relative to pre-development conditions. This increase here should be considered in the context of the existing hazard:

	<p>that means for Takapu Street or the surrounding environment.</p> <ul style="list-style-type: none"> • (ii) Regarding the Top Water Level (TWL) the Top Water Level (TWL) increase from pre-development: <ul style="list-style-type: none"> ○ The as-lodged scheme = 10-20mm with 140mm relative to pre-development. ○ The alternative scheme = 10-120mm with 160mm relative to pre-development. 	<ul style="list-style-type: none"> • Properties at 1/2A, 2/2A, and 3–3E Takapu Street experience significant inundation in the pre-development scenario and are classified Hazard Vulnerability H3 (unsafe for vehicles and people). 3-3E are classified as Hazard Vulnerability H3. The remainder of the properties fall within H1 and H2. The proposed development will not increase the Hazard Vulnerability for any property. Properties 1/2A and 2/2A Takapu Street are classified as damage state DS3 under existing conditions under which approximately 50% of the building is expected to be damaged. The only property experiencing an increase in Damage State, from DS1 to DS2 is 2 Takapu Street. I have included a snip below from the report. • The assessment concludes the proposal does not change the Hazard Vulnerability category for these properties. While depths increase, the Damage State classification changes for one property only (2 Takapu Street). • It is also understood that several of the most affected properties (including 1/2A and 2/2A Takapu Street) sit within an Auckland Council buyout scheme due to existing flood liabilities, which reduces the sensitivity of the receiving environment to these marginal changes. • We note that these measures are not included in our assessment to date and therefore consider the assessment that’s been undertaken as conservative in nature.
(b)	<p>What conditions could apply to the NoR to address potential effects in the outline plan of works for flood events?</p>	<p>We believe the existing conditions already address these key matters given:</p> <ul style="list-style-type: none"> • Earthworks optimisation - Require the final earthworks design to incorporate smoother transitions between channels and additional retaining walls to allow for greater cross section flow area around and under the building. The ACH assessment indicates this has the potential to reduce post-development water surface elevations by up to 50 mm. • There is already a requirement that the final building design to maintain the cross-sectional area and opening geometry modelled in the “Alternative Solution”, including: <ul style="list-style-type: none"> ○ Under-croft channels: 5m rectangular and 8m trapezoidal, and ○ Opening widths: 20m

		To ensure the conveyance path is not further restricted.
(2)	The ACH Assessment has found that the building and landform will be subject to minor consequence during 100yr rainfall event effects. However, the specific velocity associated with the landform and building footprint has not been identified. What is the remaining risk of minor consequences if conditions are included that direct the design of the landform and building?	
(a)	Is it appropriate to apply conditions to minimise the residual risk, or would a design requirement be more appropriate?	Flood velocities through the under-croft are significant due to the channelised flow path, exceeding 2 m/s in some areas (up 3m/s under the building and 4.4 m/s along the northwestern boundary, directly north of the piles), as shown in Figures 1 and 2 below. There is potentially residual risk due to structural scour and debris loading on the piles. In our view, the buildings safety is dependent on pile performance during high-velocity events, and a condition could be included to have this matter addressed during detailed design stage (see suggested condition wording below).
(b)	If conditions are appropriate, what conditions can be placed to ensure the residual risk is minimised to the building and landform?	We support the inclusion of a condition requiring structural certification, consistent with the Council Development Engineer’s recommendation: Structural certification <i>Provide a statement from a suitably qualified structural engineer confirming the pile design can withstand the peak flood depth and velocity for the required design life, explicitly accounting for drag forces and debris loading.</i>
(3)	With respect to the hazard risk to occupants, there is a reliance/reference to safe egress. The ACH assessment reports circa 500mm flood depth in the egress route to Edmonton Road via the eastern vehicle ramp. However, the Flood Emergency Management Plan (FEMP) also references that parties within the court should stay in place.	
(a)	What mechanism is there for stay in place to be enforced?	The “stay in place” approach is implemented through the Flood Emergency Management Plan (FEMP), which is a required condition of the designation. The updated FEMP (Rev 3.1) already includes: <ul style="list-style-type: none"> • Trigger threshold: Implementation initiated at Severe Weather Warning (Orange). • Operational delivery: The Flood Response Team is responsible for implementing the response, including lockdown of egress routes and communications to occupants. • Physical reinforcement: Mechanical flood barriers and signage discourage entry into the high-hazard under-croft area.
(b)	Is a NoR condition appropriate for the FEMP to include a stay in place and not recommended egress?	The FEMP condition in place is appropriate and also explicitly requires that the plan: <ul style="list-style-type: none"> • Prioritises a Shelter in Place strategy during the peak of a 1% AEP event, and

		<ul style="list-style-type: none"> Identifies specific triggers (for example, road overtopping at approximately 10.5 hours) where evacuation is no longer recommended. <p>It should be noted that whilst a shelter in place strategy is proposed that safe egress can still be made from the courthouse prior to the peak of the flood event and/or after the storm.</p> <p>Inundation of the vehicle crossing starts 13 hrs and 35 mins after storm commencement. It reaches the 500 mm threshold approximately 13 hrs and 55 minutes after storm commencement and is fully accessible again 14 hours and 50 minutes after storm commencement. Refer to Attachment 1 for further details.</p>
(4)	<p>With respect to the site layout, as per the Architects as-lodged and alternative layouts, there are areas where car parking and infrastructure is at ground level.</p> <p>(a) Noting that assessments to date have focussed on the safety of affected persons, what assessment has been undertaken for the safety of this car parking and infrastructure during the likelihood of flooding?</p>	<p>The design treats the ground level car park as a “sacrificial” flood conveyance area (the void).</p> <ul style="list-style-type: none"> Critical Infrastructure: Critical services (including switchboards, communications and detention tanks) are not located at ground level within the flood conveyance area. Finished Floor Levels are set at a minimum 8.58 m RL, providing greater than 300 mm freeboard, which separates critical infrastructure from flood hazard. Vehicles: Vehicles parked at ground level during a 1% AEP event are acknowledged to be at risk. However, the FEMP provides an estimated 10 to 12-hour warning window before site access becomes constrained, with Edmonton Road overtopping modelled at approximately 10 hours 25 minutes. Risk Management: Vehicle risk is managed through the FEMP early warning framework and signage rather than physical exclusion. This is considered acceptable given the car park functions as an overland flow path during major events only.

Figure 1: Flood Velocity Map for indicative 'as-lodged scheme'

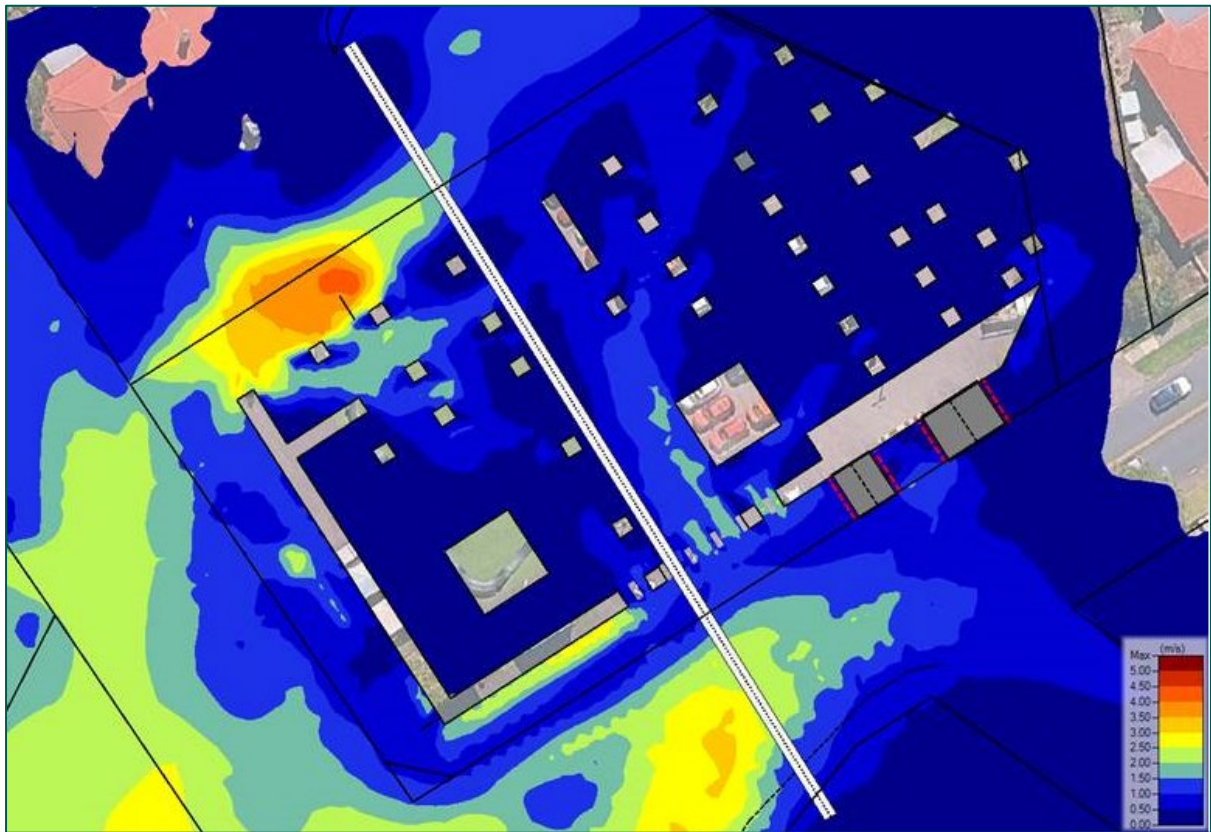


Figure 2: Flood Velocity Map for indicative 'alternative scheme'

