

Waitākere District Courthouse – Proposed NoR Conditions

Red text – reflects previous amendments in response to Minute 2 dated 23/01/2026

Blue text – reflects changes proposed to conditions in response to written comments dated 29/01/2026

41XX Waitākere District Courthouse

Designation Number	41XX
Requiring Authority	Minister of Justice
Location	14 Edmonton Road, Henderson
Lapse Date	10 years from the date which it is included in the Auckland Unitary Plan (Operative in Part)

Purpose

Judicial, court, tribunal and related purposes including collection of fines and reparation, administration, support, custodial services and ancillary activities. Works include development and operation of land and buildings for the aforementioned purposes.

General Conditions:

Condition 1: Purpose Statement

'Waitākere District Courthouse - New Courthouse project' for the purposes of these designations shall, in the absence of specific conditions to the contrary, enable:

- a) Site preparation works, including removal or demolition of buildings and earthworks;
- b) Construction of a judicial court and associated facilities and infrastructure (including three waters services, roading and parking);
- c) Accessory buildings and structures;
- d) Site landscaping, including planting of vegetation and fencing;
- e) Signage;
- f) Operation of a judicial court and tribunal spaces, alongside other related land-uses and services including the collection of fines and reparation, administration, support, custodial services and ancillary activities;
- g) Any other activities that are –
 - 1) Associated with the activities described in (a) to (f) above;
 - 2) Within the scope of this designation

Scope of the Designation

All works and activities shall be undertaken in general accordance with the Notice of the Requirement for the Waitākere District Courthouse Project, dated August 2025, except as modified by the conditions that follow.

Noise Conditions:

Condition 2: Construction Noise Limits

All noise arising from construction activity on-site shall not exceed the following limits when measured or assessed at any occupied building on any other site:

26 and 21 Edmonton Road and 1/2A Takapu Street

- Up to 75 dB LAeq during piling.
- At all other times – noise limits shall comply with Table 1 below:

Table 1: Construction Noise Limits that apply at all other times.

Time of Week	Time Period	Long-term duration of Construction work (more than 20 weeks)	
		L _{Aeq}	L _{Amax}
Weekdays	6:30 am – 7:30 am	55	70
	7:30 am – 6:00 pm	70	85
	6:00 pm – 8:00 pm	65	80
	8:00 pm – 6:30 am	40	70
Saturdays	6:30 am – 7:30 am	40	70
	7:30 am – 6:00 pm	70	85
	6:00 pm – 8:00 pm	40	70
	8:00 pm – 6:30 am	40	70
Sundays and public holidays	6:30 am – 7:30 am	40	70
	7:30 am – 6:00 pm	50	80
	6:00 pm – 8:00 pm	40	70
	8:00 pm – 6:30 am	40	70

22 Alderman Drive and 28 Edmonton Road

- Up to 80 dB LAeq during piling.
- At all other times – noise limits shall comply with Table 1 above

All other properties

- Noise limits shall comply with Table 1 above.

Condition 3: Construction Vibration

All vibration arising from construction activity on the site shall not exceed the following:

- Limits set out in German Industrial Standard DIN 4150-3 (1999): Structural vibration – Part 3; and
- Limits in Table 2 below in buildings in any axis when measured in the corner of the storey of interest for multi-storey buildings, or within 500mm of ground level at the foundation of a single storey building.

Table 2: Construction Vibration Limits

Receiver	Period	Peak Particle Velocity Limit millimetres/second
Occupied activity sensitive to noise	Night-time 10pm to 7am	0.3 mm/s
	Daytime 7am to 10pm	2 mm/s
Other occupied buildings	At all times	2 mm/s

- Works generating vibration for three days or less between the hours of 7am to 6pm may exceed the limits in Table 2, but must comply with limit of 5mm/s peak particle velocity in any axis when measured in the corner of the floor of the storey of interest for multi-storey buildings, or within 500mm of ground level at the foundation of a single storey building, where:
 - All occupied buildings within 50m of the extent of the works generating vibration are advised in writing no less than three days prior to the vibration-generating works commencing; and
 - Written advice must include details of the location of works, the duration of the works, a phone number for complaints and the name of the site manager.

Condition 4: Construction Noise and Vibration Management Plan

- (1) At least 10 working days prior to the commencement of any construction works, a Construction Noise and Vibration Management Plan (CNVMP) shall be submitted to Council for certification. The objective of the CNVMP is to provide a framework for the development and implementation of measures to avoid, remedy, or mitigate the adverse effects of noise and vibration resulting from construction to be achieve the noise and vibration limits in conditions (2) and (3) above.

No works shall commence until the CNVMP is certified and works shall we carried out in accordance with the requirements of the certified CNVMP and Conditions (2) and (3) at all times.

- (2) The CNVMP should reference Annex E of NZS 6803:1999 Acoustics –Construction Noise. At a minimum, the CNVMP should include:
- (a) Applicable site noise and vibration criteria;
 - (b) Programme of works and hours of operation;
 - (c) Identification of surrounding noise and/or vibration sensitive receivers;
 - (d) Details of the specific management and mitigation measures required to comply with the relevant noise and vibration criteria, including but not limited to acoustic screening;
 - (e) The requirement to provide written communication to occupants of all immediately neighbouring buildings prior to the commencement of activities on site. The written advice shall set out:
 - A brief overview of the construction works;
 - The working hours and expected duration;
 - All mitigation measures to be implemented;
 - The procedure for recording concerns/complaints regarding noise and vibration;
 - The procedure for noise and vibration monitoring where concerns are raised by receivers; and
 - Contact details for site personnel for any concerns regarding noise and vibration.

Note: For clarity, the neighbouring buildings includes 22 Alderman Drive and 11, 15, 22-24 & 26 Edmonton Road, and 1/2A & 2/2A Takapu Street.

Condition 5: Operational Noise

Within two months of the operation of the Waitākere District Courthouse, a statement from a suitably qualified acoustic professional shall be provided that certifies all fixed mechanical plant and equipment associated with the Justice Facility will achieve compliance with the following operational noise standards:

Noise levels when measured within the boundary of residential zoned site (11, 15A, 15B and 26 Edmonton Road) must comply with Table 3 below

Table 3: Operational Noise Limits

Time	Noise Level
Monday to Saturday 7:00 am to 10:00 pm	55 dB L _{Aeq}
Sunday 9:00 am to 6:00 pm	
All other times	45 dB L _{Aeq} 60 dB L _{eq} at 63 Hz 55 dB L _{eq} at 125 Hz 75 dB L _{AFmax}

Noise levels when measured as incident level on the façade of any building in the Business – Metropolitan Zone (applies to 8, 10, 19 and 22-24 Edmonton Road, and 22 Alderman Drive) must comply with Table 4 below.

Table 4: Operational Noise Limits

Time	Noise Level
7:00 am to 11:00 pm	65 dB L _{Aeq}
11:00 pm to 7:00 am	60 dB L _{Aeq} 65 dB L _{eq} at 63 Hz 60 dB L _{eq} at 125 Hz 75 dB L _{AFmax}

Compliance with this condition shall be provided on an on-going basis. In the event, the mechanical plant equipment exceeds these thresholds, a Noise Management Report shall be prepared by a suitably qualified specialist shall be prepared that outlines mitigation measures to address the non-compliance.

Urban Design Conditions:

Condition 6: Urban Design Guideline Framework

At Outline Plan of Works stage, a design statement prepared by a suitably qualified person shall be submitted to Council that demonstrates how the design of the Justice Facility has addressed the Urban Design Guidelines Framework (UDGF) outlined in the Urban Design Assessment prepared by Architectus (dated ~~June~~ December 2025), including:

- (a) How the site layout and building design meets the UDGF principles for safe, easy circulation and access;
- (b) How the building design meets the UDGF principles for building massing/form and building facades;

- (c) How the design meets the UDFG principles for Crime Prevention Through Environmental Design (CPTED);
- (d) How the design meets the UDFG principles for wayfinding and navigation;
- (e) How the design meets the UDFG principles for building entrances;
- (f) How the design meets the UDFG principles for landscape and open space.

Condition 7: Building Envelope

The design of the Waitākere District Court - New Courthouse project, including the building form, scale, height and layout, and general arrangement of landscaping and access should be in general accordance with the bulk and location study [titled 'Notice of Requirement Drawings'](#) prepared by Architectus, dated ~~June~~ [January 2026, or the bulk and location study titled 'Notice of Requirement Drawings – Alternative Scheme', dated January 2026](#). Where not in accordance, the Justice Facility should not exceed the following:

- A maximum building height of 72.5m;
- The upper floors of a building above 32.5m in height, must be setback at least 6m from the site frontage;
- A building must not exceed the 16.5m + 45° height in relation to boundary recession plane for a length of 10m at the 22 Alderman Drive site boundary when measured from the road.

Advice Note: Condition 6 above shall be required to be implemented in conjunction with Condition 7.

Condition 8: Lighting

Prior to the installation of any external lighting, lighting plans prepared by a qualified Lighting Engineer shall be submitted to the Council that demonstrate compliance with the requirements of AS/NZS1158.3.1 **and the following standards:**

- **Lighting limits must be measured and assessed in accordance with Standard AS 4282-1997 Control of the Obtrusive Effects of Outdoor Lighting, except for building façade lighting where the limits may be determined by calculation or measured in accordance with the CIE 150:2003 Guide on the limitation of effects of obtrusive light from outdoor lighting installations – International Commission on Illumination ISBN 3 901 906 19 3.**
- **Any lighting calculation must be based on a maintenance factor of 1.0 (i.e. no depreciation).**

The lighting plans must detail the location, type and intensity of lighting external to the building, taking into account the operational requirements of the Justice Facility.

Earthworks and Construction Conditions:

Condition 9: Erosion and Sediment Control

All earthworks undertaken on the site shall adopt best practice erosion and sediment control measures in accordance with the Auckland Council GD 05 Erosion and Sediment Control Guidelines document. The measures shall include the erection of silt fence, stabilised entranceways, cut off drains and the connection of downpipes to the stormwater system as necessary. These [erosion](#) sediment control measures should be erected [prior to](#), and maintained on site for the duration of the works.

Condition 10: Construction Traffic Management Plan

At least 10 working days prior to the commencement of any building construction works, a Construction Traffic Management Plan ('CTMP') shall be submitted to Council (or the relevant delegated authority) for certification. The objective of the CTMP is to provide a framework for managing adverse traffic effects which may result from construction, **and to ensure that existing legal access to surrounding properties is not obstructed**. To achieve this, the CTMP must be:

a). Prepared in accordance New Zealand Transport Authority's Code of Practice for Temporary Traffic Management and must address the surrounding environment, including routing for heavy construction vehicles and equipment, access for emergency vehicles, pedestrian and bicycle traffic, and public transport.

(b) Included in any associated Corridor Access Request to the Road Controlling Authority.

No construction activity must commence until a CTMP has been certified by the Council (or the relevant delegated authority) and all construction traffic must be managed at all times in accordance with the certified CTMP.

Condition 11: Construction Management Plan

At least 10 working days prior to the commencement of construction works, a Construction Management Plan ('CMP') shall be submitted to Council for certification. The objective of the CMP is to avoid, remedy or mitigate the adverse effects associated with the construction works of the Waitākere District Courthouse/the Project. The CMP must be implemented for the entire construction period, and shall include the following details:

- Details of the works, intended construction timetable (including staging), and hours of work.
- Contact details of the person in charge of construction works or other person responsible for implementing this Plan.
- Measures to store and manage hazardous and /or dangerous materials.
- Location of site infrastructure including site offices, site amenities, contractors' yards site access, equipment and material unloading and storage zones, carparking and security.
- Process for notifying neighbours of work and significant milestones, including but not limited to concrete pours, large deliveries, crane install and dismantle, structure erection.
- Means of providing for the health and safety of the general public.
- Methods to control dust, debris on roads and silt laden runoff during construction.
- Erosion and sediment control measures necessary to achieve compliance with condition 9.
- Measures to maintain the site in a tidy condition in terms of the storage and disposal of rubbish, unloading and storage of building materials and similar construction activities.
- Details of ingress and egress routes to and from the site for vehicles and construction machinery during the construction period.
- Details of any proposed temporary protection measures that will be installed to ensure there is no damage to public roads, footpaths, berms, kerbs, drains, reserves, or other public assets.
- Complaints handling procedure.

Servicing and Infrastructure Conditions:

Condition 12: General Accordance

Adequate provision shall be made for the disposal of wastewater and stormwater, the supply of water, power and telecommunications in general accordance with the Infrastructure Report and Civils Plans prepared by Holmes Ltd, dated 2025. Engineering plans shall be submitted to Council with the Outline Plan of Works for certification. Where not in general accordance with the Infrastructure Report and Civils Plans prepared by Holmes Ltd, dated 2025, a new Civil Infrastructure Assessment with supporting engineering plans prepared by a suitably qualified Chartered Professional Engineer shall be submitted to Council for certification.

Condition 13: Stormwater Mitigation

Details of any stormwater mitigation required to accommodate a future building on the site shall be shown on the engineering plans submitted to Council with the Outline Plan of Works for certification **along with a final Stormwater Management Plan by a suitably qualified engineer**. If stormwater tanks are provided, these shall be located in general accordance with the indicative tank locations shown on the Landscape Plan prepared by Architectus, titled 'Waitākere District Court - New Courthouse - Concept Design Landscape Plan', **and details contained within the Holmes Memorandum: Waitākere Justice Facility – Stormwater Management Plan Memorandum (dated 12 December 2025)**.

Condition 14: Stormwater Pipe and Clearance

A). Location and design of permanent stormwater infrastructure (existing pipe or replacement pipe) including access for maintenance shall be submitted to Council with the Outline Plan of Works for certification.

B). Foundations for a future building must maintain a minimum horizontal setback of 5m from the edge of the ~~existing 1500 diameter~~ stormwater pipe that traverses the centre of the site, **unless subject to an alternative suitable clearance distance, specified by a suitably qualified engineer and approved by the Council**. A pile setout plan with supporting details outlining the size of the proposed piles around the existing stormwater main shall be submitted to Council with the Outline Plan of Works for certification.

New Condition X: Network Utilities

Auckland Council as the network utility operator of the reticulated stormwater network shall not require written approval under section 176(1)(b) of the RMA for works for routine operation, maintenance, repair and/or replacement of existing stormwater infrastructure in the same location within the designation.

New Condition X: Flood Modelling

A). Prior to the commencement of earthworks, an updated HEC-RAS-2D model or equivalent modelling platform, by a suitably qualified engineer, shall be provided at Outline Plan of Works stage to demonstrate that the final earthworks and associated flood hazard effects are appropriately managed, in general accordance with the Infrastructure Report and Civils Plans prepared by Holmes Ltd, dated 2025~~6~~, as well as the Flood Risk Assessment Report prepared by ACH Consulting, dated 2026, and result in no greater extent, depth, or velocity of the hazards in the surrounding environment than modelled in the NoR approved documents.

B). Prior to any construction works, an updated HEC-RAS-2D model or equivalent modelling platform, by a suitably qualified engineer, shall be provided at Outline Plan of Works stage to demonstrate that the final building slab and pile design (including but not limited to impediments in the hazard, arrangement and impervious area), and associated flood hazard effects are appropriately managed, in general accordance with the Infrastructure Report and Civils Plans prepared by Holmes Ltd, dated 2025~~6~~, as well as the Flood Risk Assessment Report prepared by ACH Consulting, dated 2026, and result in no greater extent, depth, or velocity of the hazards in the surrounding environment than modelled in the NoR approved documents.

C). Where an increase in impediment and associated flood hazard is proposed based on the modelling, including in extent, depth or velocity of the hazard in the environment, a flood hazard assessment including updated modelling shall be provided by a suitably qualified engineer, and certified by Council prior to the commencement of works.

The purpose of the modelling is to confirm that the final detailed design remains consistent with the flood risk outcomes assessed as part of the Notice of Requirement.

Where no material increase in flood hazard is identified, no further flood risk assessment shall be required.

Note:

1). The reference to 'earthworks' in (A) does not apply to minor works, including ground investigations and works that do not alter the existing ground level.

2). For clarity, the reference to 'modelled in the NoR approved documents' referenced in (A) and (B) above applies to both the 'as lodged' and 'alternative' indicative schemes provided in the NoR documentation.

Condition 15: Minimum Floor Level (Flood)

A future building platform must achieve a minimum finished floor level of ~~8.32~~ **8.58**mRL (measured using 2016 NZD Datum) on the subject site, unless a lower floor level is approved by the Council that has been subject to specific engineering design by a suitably qualified engineer. Engineering plans shall be submitted to Council with the Outline Plan of Works for certification.

Condition 16: Flood Emergency Management Plan

Prior to the operation of the activity, a finalised Flood Emergency Management Plan ('FEMP') detailing measures outlined in the Draft Flood Evacuation Management Plan shall be provided to Council for certification. The FEMP shall include details of the following:

- Staff roles and responsibilities;
- Flood response protocols including activation and monitoring;
- Flood hazard signage and alert;
- Evacuation protocols;
- Communication plan;
- Process for annual inspections, certification, reviews and updates;
- Post-flood event recovery protocols.

The FEMP must be implemented for the duration of the activity. The FEMP is a live document that must be reviewed yearly to evaluate the effectiveness of the FEMP.

Condition 17: Building, **Flood Barrier** and fencing design in flood hazard areas

Prior to the construction of any buildings or fences within areas identified as subject to flood hazards, the following design requirements must be incorporated and demonstrated in the Outline Plan of Works:

- Buildings must be designed to maintain structural integrity during flood events;
- Materials used in construction below the 1% AEP flood level must be water-resistant and capable of withstanding prolonged exposure to moisture without degradation;
- Fences and walls within flood hazard areas must be designed to allow the free passage of floodwaters;
- **The Flood Barrier design shall allow for the structure to be free swinging during a flood event.**

Geotechnical Condition:

Condition 18: General Condition

The building foundations shall be subject to specific engineering design by a suitably qualified Chartered Professional Engineer having regard to the geotechnical hazards identified in the Geotechnical Report prepared by Wentz-Pacific Limited, dated 2025. The building foundation design shall be detailed and certified at time of building consent.

Transport Conditions:

Condition 19: Public Parking

If public parking is proposed to be provided on site, this shall be supported by further assessment which is undertaken by a suitably qualified traffic engineer and submitted to Council with the Outline Plan of Works. The assessment shall determine the traffic effects associated with the provision of on-site public parking as

being acceptable.

Condition 20: Provision for Cycle Parking

At least 20 cycle parking spaces shall be provided for visitors and 20 cycle parking spaces for staff. This may include visitor cycle parking within the road reserve directly adjacent to the site if there is sufficient space and subject to the approval of the Road Controlling Authority. This detail shall be confirmed at time of [Outline Plan of Works](#) ~~Building Consent~~.

[Note: The cycle parking must be provided prior to the operation to the Justice Facility.](#)

Condition 21: Accessible Parking Spaces

The Justice Facility shall have access to an adequate number of accessible parking spaces, in a location that enables an accessible route to the main public entrance to the building. This can include existing or proposed accessible spaces [outside of the Designation boundary](#) (subject to the approval of the Road Controlling Authority [or respective site owner](#)) and shall be determined at time of Building Consent.

Condition 22: Vehicle Manoeuvring

All vehicles must enter and exit the site in a forward direction, unless further assessment is undertaken by a suitably qualified traffic engineer (submitted with the Outline Plan of Works and certified by Council) that confirms reverse manoeuvring is appropriate on the site.

Condition 23: Principal Operational Access

The principal operational vehicle access to the site must be from Edmonton Road, unless further assessment is undertaken by a suitably qualified traffic engineer and certified by Council, that confirms primary operational vehicle access via ~~Edmonton Road~~ [Alderman Drive](#) is appropriate.

Condition 24: Vehicle Access on Edmonton Road

- (a) No more than two vehicle crossings to the site shall be provided on Edmonton Road, unless further assessment is undertaken by a suitably qualified traffic engineer and certified by Council that confirms this is appropriate. This detail shall be submitted to Council with the Outline Plan of Works.
- (b) No vehicle crossing shall be located to the southwest of the Edmonton Road/Takapu Street intersection or on Alderman Drive ([other than the existing vehicle crossing serving the Right of Way](#)), unless further assessment is undertaken by a suitably qualified traffic engineer and certified by Council that confirms the construction of a vehicle crossing in this location is appropriate. This detail shall be submitted to Council with the Outline Plan of Works.

[Condition X: Damage to assets](#)

[If any assets in the road corridor, including footpaths, berms, and kerbs, are damaged by heavy vehicles entering or leaving the construction site, the requiring authority must rectify such damage and restore the assets to its original condition \(at its own costs\) as soon as reasonably practicable or within a timeframe agreed with the road controlling authority.](#)

Condition 25: Queuing Space

Queuing space of at least one vehicle length shall be provided at any vehicle crossing that provides entry to the site (with the vehicle length being determined according to the largest vehicle that is expected to enter the site at that location). This detail shall be submitted to Council with the Outline Plan of Works.

Condition 26: Vehicle Crossing Width

No vehicle crossing shall be more than 7m wide measured at the site boundary, unless further assessment is undertaken by a suitably qualified traffic engineer that confirms a wider vehicle crossing is appropriate for the site. This detail shall be submitted to Council with the Outline Plan of Works.

Condition 27: Vehicle Crossing on Edmonton Road

Unless further assessment is undertaken by a suitably qualified traffic engineer that confirms the following is not required, any vehicle crossing onto Edmonton Road shall provide either:

- (a) A pedestrian visibility splay of 2.5m width and 5.0m depth; or
- (b) An audio-visual method (such as a system that emits an audible tone and/or illuminates a lantern when a vehicle is approaching the vehicle crossing) to alert pedestrians to vehicles about to exit the site.

Condition X: Tree Removal

The two notable Kauri trees shall only be removed following the approval of an Outline Plan of Works, and in accordance with best arboricultural practices.

Advice notes:

1. *The requiring authority is to obtain all other necessary regional resource consents, and any other approvals, that may be required to undertake any proposed works provided for by the designation.*
2. *The submission of an outline plan of works (OPW) to Auckland Council is a requirement of s176A of the Resource Management Act 1991 unless the requiring authority requests an OPW waiver, and Auckland Council agrees to the waiver.*
3. *The Requiring Authority must obtain Engineering Plan Approval prior to commencing construction of any part of the water supply or wastewater network to vest in the respective utility provider.*
4. *Plans approved under the Notice of Requirement or Outline Plan of Works do not constitute an Engineering Plan Approval and should not be used for the purposes of constructing public reticulation works in the absence of that approval.*