

To: Alex Mickleson – Application Lead, Environmental Protection Authority

From: Alisa Neal – Barker & Associates Limited

Date: 23 January 2026

Re: FTAA-2508-1096 Response to Minute 2 Panel Chair (Waitākere District Court – New Courthouse Project)

This memorandum addresses the matters set out in the request for information items (1) to (7) and Appendix 1 received from the Waitākere District Court – New Courthouse Project Expert Panel on 19 December 2025. As part of progressing the design to improve the post-development flood conditions, the Requiring Authority has continued to investigate alternative configuration options to achieve compliance with the proposed NoR conditions. The alternative indicative plan set has been provided to demonstrate one such compliant design solution for the site and to illustrate the advancement of the design response.

To support this response, the following attachments are provided:

- Attachment 1 – As-Lodged Indicative Plan Set
- Attachment 2 – Alternative Indicative Plan Set
- Attachment 3 – Flood Risk Assessment
- Attachment 4 – TBIG Summary Memorandum
- Attachment 5 – Flood Emergency Management Plan
- Attachment 6 – Updated Proposed NoR Conditions
- Attachment 7 - Economic Memorandum
- Attachment 8 – Updated Response to Council Queries

Response to Appendix 1 Matters:

The flooding matters are addressed in **Table 1** below and the economic matters are addressed in **Table 2**.

Flooding Matters:

Request by the Panel –

Accurate flood modelling for the subject site depends on the building’s design response, and conversely, the design response must effectively address and manage flooding and surface water conveyance. Currently, the flood modelling does not seem to incorporate the building design response, and the design response does not reflect the flood modelling. A thorough review of both the surface water conveyance and the building design is required.

The Flood Emergency Management Plan (FEMP) is based on the results of the flood modelling and the building’s design response. Once the specific questions outlined below have been addressed, the FEMP should be revised by a suitably qualified professional to reflect the updated information.

Table 1: Response to Flooding Matters

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Item	Request	Response
1	Can the flood modelling be revised to include the bulk design response and location details from the Urban Design Assessment (Appendix 7) of the Notice of Requirement application?	To support the response to item 1, we have provided an assessment of the 'as lodged indicative plan set' (included as Attachment 1) as well as an 'alternative indicative plan set' which is enabled by the NoR conditions (included as Attachment 2). An updated Flood Risk Assessment is provided as Attachment 3 which summarises the updated flood modelling that has been undertaken to align with the specific building design responses. Refer to section 2.0 of the updated assessment which summarises the two specific design iterations described above. Further detail is the provided in the TBIG response memorandum included as Attachment 4 .
2	Confirmation as to when as to when the site starts to experience flooding, or surface water from the wider catchment.	Refer to the TBIG response memorandum included as Attachment 4 which summarises the timelines when the site will experience flooding and surface water. This detail is also captured in the updated Flood Emergency Management Plan which captures this information is included as Attachment 5 .
3	Confirmation as to how and what mechanisms are to be incorporated into the design to manage surface water flows during flood events to mitigate effects on areas outside the site.	Refer to the TBIG response memorandum included as Attachment 4 and the updated Flood Emergency Management Plan included as Attachment 5 .
4	The design response needs to indicate the conveyance of surface flooding into and across the site both from Edmonton Road and Alderman Drive.	Refer to the TBIG response memorandum included as Attachment 4 and the updated Flood Emergency Management Plan included as Attachment 5 .
5	How does the flood barrier on Edmonton Road work?	Refer to the TBIG response memorandum included as Attachment 4 and the updated Flood Emergency Management Plan included as Attachment 5 . In addition, proposed NoR Condition 17 requires the flood barrier design to allow for the structure to be free swinging during a flood event (refer to Attachment 6).
6	The FEMP is reliant on the answers to questions 1-5 above and needs to speak to all 5 matters and be updated once those matters are addressed.	Refer to the TBIG Memo included as Attachment 4 which outlines where these matters have been addressed in the response documentation. The Flood Emergency Management Plan has been updated to reflect the confirmed flood modelling and design recommendations. Refer to Attachment 5 for further details.

Table 2: Response to Economic Matters

Item	Request	Response
7	To what extent do time delays in hearings due to insufficient capacity influence 'regionally significant' infrastructure?	Refer to the Economics Memorandum included as Attachment 7 .
8	The economics assessment appears to confine economic activity to development and construction employment. Is that the only regionally significant benefit. For example, why has the economic assessment not addressed the importance of this project as a keystone project within the Auckland Urban Development Office (formerly Eke Panuku) Unlock Henderson or the opportunity to redevelop the site vacated by the current District Court in the context of Henderson?	Refer to the Economics Memorandum included as Attachment 7 .
9	Could Property Economics please comment on these matters in terms of regional benefits?	Refer to the Economics Memorandum included as Attachment 7 .

Planning Matters:

The proposed NoR conditions have been updated to address the further modelling and assessment provided in the Flood Risk Assessment (included as **Attachment 3**) and responses in Table 1 and 2 above. A copy of the updated NoR condition set is included as **Attachment 6**, with the key changes summarised below:

- Condition 15 Minimum Floor Level (Flood): Further to the additional modelling undertaken by ACH Consulting to assess the effects of the as-lodged and alternative indicative plan sets, a revised FFL of 8.58m RL is recommended in section 7.0 of the Flood Risk Assessment to represent a worst-case scenario of both design schemes provided. This change has been captured in **Attachment 6**.
- New Condition Flood Modelling Condition: The proposed wording of the flood modelling condition has been updated to reflect the correct date for the revised Flood Risk Assessment (now 2026), and include a clear purpose statement and trigger for a future design scenario where further technical assessment by a suitably qualified flood hazard specialist is required.

Further, in response to items (6) and (7) of Minute 2, we confirm that engagement with Auckland Council is on-going. A formal response to the Council queries was provided on 19th December 2025 which closed out a number of these matters. Since this submission, Auckland Council raised further queries relating to stormwater/flooding and arborist inputs which have been summarised in the updated response tracker included as **Attachment 8**.