

under: the Fast-track Approvals Act 2024

in the matter of: applications for resource consents and archaeological authorities and notices of requirement by the New Zealand Transport Agency Waka Kotahi to develop a rapid transit link and associated infrastructure and connections between Brigham Creek and Auckland City centre, alongside State Highway 16, known as 'North West Rapid Transit'

applicant: **New Zealand Transport Agency Waka Kotahi**
Requiring Authority and Applicant

Joint memorandum of counsel on behalf of the New Zealand Transport Agency Waka Kotahi and General Distributors Limited

Dated: 29 July 2026

Reference: Paula Brosnahan (paula.brosnahan@chapmantripp.com)_
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**JOINT MEMORANDUM OF COUNSEL ON BEHALF OF NEW
ZEALAND TRANSPORT AGENCY WAKA KOTAHI AND GENERAL
DISTRIBUTORS LIMITED**

- 1 This memorandum is filed on behalf of the New Zealand Transport Agency Waka Kotahi (NZTA) and General Distributors Limited, a subsidiary of Woolworths New Zealand Limited (*Woolworths*) in relation to the North West Rapid Transit Project (*NWRT* or *Project*). It provides an update to the Panel in relation to NZTA's proposed designation conditions 13-15 (Supermarket Access – Woolworths Westgate Shopping Centre).
- 2 NZTA and Woolworths have agreed amendments to designation conditions 13-15 as set out in **Appendix A**.
- 3 Woolworths confirms that the (amended) designation conditions 13-15 resolve its comments on the application dated 26 May 2026 in relation to the Westgate Woolworths.
- 4 NZTA will include amended designation conditions 13-15 in its full set of updated designation conditions lodged with its legal submissions on 29 July 2026.

Dated 29 July 2026



Paula Brosnahan / Nicola de Wit
Counsel for New Zealand Transport Agency Waka Kotahi



Kristen Gunnell
Counsel for General Distributors Limited

APPENDIX A

REPLACEMENT DESIGNATION CONDITIONS 13-15

Supermarket Access – Woolworths Westgate Shopping Centre

13 Supermarket Access – Woolworths Westgate Shopping Centre

For the purposes of Conditions 13A-15:

- (a) "Supermarket" means the supermarket located at Lot 31 Deposited Plan 425328.
- (b) "Supermarket loading docks" means the loading docks as shown on Schedule [X] and any modification to those docks that changes how Delivery Vehicle(s) access those docks (compared to the docks as at [date of designation being confirmed]) that is approved in writing by the Requiring Authority.
- (c) "Delivery Vehicle(s)" means a Class 5 vehicle, ie a 23m long truck and trailer.
- (d) "Manoeuvrability" or "Manoeuvrability requirements" means compliance with RTS-18 New Zealand on-road tracking curves for heavy motor vehicles with a 12.5m radius of turn.
- (e) "Existing Turning Area" means the area shown on Schedule [X] provided the Supermarket Operator is lawfully entitled to use that area for manoeuvring of delivery vehicles at the time of commencement of detailed design and has provided written evidence of that lawful entitlement to the Requiring Authority. Conditions 14-15 do not apply if the Supermarket Operator does not provide such evidence within 20 working days of being requested to do so by the Requiring Authority.
- (f) "Supermarket Operator" means General Distributors Limited or any related company as defined in section 2(3) of the Companies Act 1993, or any other company that operates the Supermarket at the relevant time.
- (g) "Project Works" means that part of the Project within the Existing Turning Area

13A Conditions 14–15 apply if the Supermarket is operating at the commencement of detailed design of the Project Works, unless

operation of the Supermarket is planned to cease prior to commencement of construction of the Project Works.

- 14 (a) The Requiring Authority shall design and construct the Project Works so that:
- (i) Permanent works do not prevent Supermarket Delivery Vehicles from using the Existing Turning Area or accessing the Supermarket loading docks in accordance with the Manoeuvrability requirements; or
 - (ii) If Condition 14(a)(i) cannot be achieved then, subject to Condition 14(b):
 - (A) Supermarket Delivery Vehicles can enter and exit at the Maki Street Entrance shown on Schedule [X] in a forward direction; and
 - (B) Supermarket Delivery Vehicles can access and exit from the Supermarket loading docks;in accordance with the Manoeuvrability requirements.
- (b) If Condition 14(a)(i) cannot be achieved then the Requiring Authority shall consult with the Supermarket Operator during the detailed design process as to how condition 14(a)(ii) will be achieved. As a minimum, the Requiring Authority shall:
- (i) Advise the Supermarket Operator in writing of the proposed design of the Project Works (**Draft Design**);
 - (ii) Meet with the Supermarket Operator to discuss the Draft Design, if requested by the Supermarket Operator;
 - (iii) Allow 45 working days for the Supermarket Operator to give feedback on the Draft Design (from the date the Supermarket Operator is advised of the Draft Design);
 - (iv) Consider any feedback on the Draft Design, update the Draft Design to address that feedback to the extent practicable, and advise the Supermarket Operator in writing of the updated proposed design of the Project Works (**Updated Design**);

- (v) Meet with the Supermarket Operator to discuss the Updated Design, if requested by the Supermarket Operator;
 - (vi) Within 45 working days of receiving any feedback from the Supermarket Operator (pursuant to (iii) above), advise the Supermarket Operator of:
 - (A) What feedback it has or has not accepted and why; and
 - (B) The confirmed design.
- 15 (a) The Requiring Authority shall consult with the Supermarket Operator when preparing the relevant CTMP required by Condition 16 in relation to access and traffic management activities that directly interface with Supermarket operations. The CTMP shall include details of any construction works that could adversely affect access or egress to the Supermarket loading docks.
- (b) The Requiring Authority shall:
 - (i) provide a draft of the relevant CTMP (**Draft CTMP**) to the Supermarket Operator;
 - (ii) allow 20 working days for the Supermarket Operator to provide feedback on the Draft CTMP;
 - (iii) meet with the Supermarket Operator to discuss the Draft CTMP, if requested by the Supermarket Operator;
 - (iv) within 20 working days of receiving any feedback from the Supermarket Operator (pursuant to (iii) above), advise the Supermarket Operator of:
 - (A) What feedback it has or has not accepted and why; and
 - (B) The confirmed CTMP.
 - (c) During Project construction, the Requiring Authority shall:
 - (i) As far as practicable, maintain vehicle access and Manoeuvrability for Delivery Vehicles from Maki Street to the Supermarket loading docks between 5am and 5pm, 7 days a week. Delivery Vehicle access at the Maki Street Entrance shown on Schedule [X] shall be in a forward direction.

- (ii) Where it is not practicable to comply with (i) above, minimise the duration of disruption to Delivery Vehicles by ensuring:
 - (A) any closure of access (including Manoeuvrability) to one Supermarket loading dock shall not exceed two weeks without the prior written agreement of the Supermarket Operator;
 - (B) any closure of access (including Manoeuvrability) to both Supermarket loading docks shall not exceed 12 consecutive hours without the prior written agreement of the Supermarket Operator; and
 - (C) providing the Supermarket Operator with at least 15 working days' notice in writing of the above.
- (d) Condition 15(c) shall not apply in the case of an unforeseen emergency, however the Requiring Authority shall minimise as far as practicable the duration of disruption to Delivery Vehicles in that event and shall notify the Supermarket Operator as soon as practicable of any emergency affecting access.

Schedule [X]



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