

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 Auckland Council

Dated: 8 July 2026

Reference: Paula Brosnahan [REDACTED]
Nicola de Wit [REDACTED]

JOINT MEMORANDUM OF COUNSEL ON BEHALF OF NEW ZEALAND TRANSPORT AGENCY WAKA KOTAHI AND AUCKLAND COUNCIL

- 1 This memorandum is filed on behalf of the New Zealand Transport Agency Waka Kotahi (NZTA) and Auckland Council (*Council*) in relation to the North West Rapid Transit Project (*NWRT* or *Project*).
- 2 This memorandum follows from the NZTA and Council joint memorandum dated 26 June 2026. It records the outcome of the facilitated discussions between NZTA and Council following a third such meeting on Tuesday 30 June 2026.

Outcome of facilitated discussions

- 3 The table in **Attachment 1** records the outcome of the discussions between NZTA and Council. This table includes brief explanations of some matters, but does not include detailed reasons for all positions (agreements / disagreements). The Panel may be assisted by expanded detail in due course, and the parties welcome an indication from the Panel as to whether that would be helpful.
- 4 Council confirms that all matters raised in its comments on the Application dated 2 June 2026 (including all matters raised in the Memorandum of Planning Matters and appended Technical Specialist Memos) have been discussed through the facilitated discussions.
- 5 The table in Attachment 1 records which matters are now agreed, and which remain unresolved. To the extent that a condition is recorded as agreed, both the condition and the subject matter addressed by that specific condition are agreed, and the record in Attachment 1 supersedes Council's comments of 2 June 2026 in respect of that matter. The Council's comments (including technical specialist memos) remain relevant in relation to conditions/matters that are not agreed.
- 6 Council notes that, in some instances, a matter is recorded as "agreed" notwithstanding that the view of a Council technical specialist on a particular matter, as recorded in a Technical Specialist Memo, has not changed. In those instances, Council's position has been reached having regard to that view, rather than any change to it. NZTA does not comment on this matter.

Next steps

- 7 The Council will file tracked designation and resource consent conditions representing its updated position today.
- 8 NZTA requests the Panel resume processing of the substantive application (in accordance with s65 FTAA) by 11.59pm, Wednesday 8 July 2026.

- 9 NZTA will then:
- 9.1 respond to Council's updated position on Thursday 9 July;
 - 9.2 respond to any comments lodged by the additional Westgate invitees within 5 working days of the deadline for those comments (ie 24 July); and
 - 9.3 file legal submissions addressing legal issues that have arisen since lodgement, together with updated designation and resource consent conditions NZTA proposes.

Dated 8 July 2026



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



Matt Allan / Rowan Ashton
Counsel for Auckland Council

**ATTACHMENT 1 - RECORD OF NZTA AND COUNCIL FACILITATED
DISCUSSIONS**