

Before the Panel Convener

---

*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*

Memorandum of counsel on behalf of the New Zealand Transport Agency Waka Kotahi

---

Dated: 12 May 2026

---

Reference: Paula Brosnahan (paula.brosnahan@chapmantripp.com)\_  
Nicola de Wit (nicola.dewit@chapmantripp.com)

chapmantripp.com  
T +64 9 357 9000  
F +64 4 472 7111

PO Box 2206  
Auckland 1140  
New Zealand

Auckland  
Wellington  
Christchurch



**MEMORANDUM OF COUNSEL ON BEHALF OF NEW ZEALAND  
TRANSPORT AGENCY WAKA KOTAHI**

- 1 This memorandum is filed on behalf of the New Zealand Transport Agency Waka Kotahi (NZTA) in relation to its notices of requirement (NORs) and applications for resource consents and archaeological authorities (together, *Application*) for the North West Rapid Transit Project (NWRT or *Project*).
- 2 This memorandum provides an update to the Panel in relation to NZTA's proposed designation conditions 10-12, which are titled 'Supermarket Access – 1136 Great North Road, Point Chevalier'.
- 3 As a result of engagement with the National Trading Company of NZ Limited (the owner of 1136 Great North Road, Point Chevalier), NZTA wishes to replace proposed designation conditions 10-12 as set out in Appendix A.
- 4 NZTA is not lodging a full set of updated proposed designation conditions at this time. NZTA intends to lodge a full set of updated conditions with its response to comments, including the updated designation conditions 10-12.
- 5 A copy of this memorandum of counsel has been provided to the National Trading Company of NZ Limited.

**Dated 12 May 2026**



---

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

## APPENDIX A

### REPLACEMENT DESIGNATION CONDITIONS 10-12

#### **Supermarket Access – 1136 Great North Road, Point Chevalier**

- 10 For the purposes of Condition 11 and Condition 12:
- (a) Supermarket means the supermarket located at 1136 Great North Road, Point Chevalier, being Lot 1-2 Deposited Plan 390127 and Lot 4 Deposited Plan 14537 and Lot 3 Deposited Plan 99933.
  - (b) Supermarket loading zone means the area shown on Schedule B.
  - (c) Delivery Vehicle(s) means a 23m HPMV B-train and a 19.5m HPMV semi-trailer
  - (d) Manoeuvrability means compliance with RTS-18 New Zealand on-road tracking curves for heavy motor vehicles with a 12.5m radius of turn
  - (e) NTC means the National Trading Company of NZ Limited, being the owner of the Supermarket site, or its successor in title and Modern Merchants Limited, being the leaseholder of the Supermarket site.
- 11 The Requiring Authority shall design the Project so that:
- (a) there is a permanent vehicle access point for Delivery Vehicles from Parr Road North to the Supermarket loading zone that complies with the Auckland Transport –Transport Design Manual (TDM) standard engineering details for a commercial vehicle crossing as at the time of designation.
  - (b) manoeuvrability for Delivery Vehicles is achieved from the permanent vehicle access point on Parr Road North to the Supermarket loading zone enabling Delivery Vehicle access in and out of the access point in a forwards direction.
- 12
- (a) The Requiring Authority shall consult with NTC when preparing the relevant CTMP required by Condition 16.
  - (b) During Project construction, the Requiring Authority shall maintain vehicle access and manoeuvrability for Delivery Vehicles from Parr Road North to the Supermarket loading zone between 3am-10pm, 7 days a week.

- (c) In the event the Requiring Authority considers it is not practicable to comply with (b) above, the Requiring Authority shall:
- (i) Before the relevant construction works, advise NTC in writing:
    - (A) why it considers it is not practicable to comply with (b) above and
    - (B) set out proposed alternative arrangements for Delivery Vehicles to service the Supermarket;
  - (ii) Allow 10 working days for NTC to give feedback on (c)(i) above;
  - (iii) Consider any written feedback from NTC and address any concerns raised by NTC to the extent practicable;
  - (iv) Within 5 working days of receiving any feedback from NTC and at least 15 working days before the relevant construction works, advise NTC:
    - (A) why it has determined that it is not practicable to comply with (b) above, having considered any additional information provided by NTC;
    - (B) what feedback it has or has not accepted and why; and
    - (C) confirm the alternative access arrangements for Delivery Vehicles;
  - (v) In all cases:
    - (A) Minimise the duration of disruption to Delivery Vehicles; and
    - (B) maintain vehicle access and manoeuvrability for Delivery Vehicles from Parr Road North to the Supermarket loading zone for a minimum of 14 hours per day, 7 days a week.
- (d) Condition 12(b) and (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.