

Response ID ANON-URZ4-5F9F-F

Submitted to Fast-track approval applications
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Submitter details

Is this application for section 2a or 2b?

2A

1 Submitter name

Individual or organisation name:
City Rail Link Limited

2 Contact person

Contact person name:
Emma Kurtovich

3 What is your job title

Job title:
General Counsel and Company Secretary

4 What is your contact email address?

Email:
s 9(2)(a)

5 What is your phone number?

Phone number:
s 9(2)(a)

6 What is your postal address?

Postal address:

Level 2, 25 Teed Street
Newmarket
Auckland 1023

7 Is your address for service different from your postal address?

No

Organisation:

Contact person:

Phone number:

Email address:

Job title:

Please enter your service address:

Section 1: Project location

Site address or location

Add the address or describe the location:

The geographic location of the City Rail Link project extends from Waitematā Station (Britomart) to Maungawhau Station in Mount Eden.

The horizontal alignment of the route is exiting to the west of the Waitematā Station (Britomart), under Lower Queen Street and the Commercial Bay development. The alignment proceeds in a cut and cover construction method under Albert Street to a new station at Te Waihorotiu, between Victoria

and Wellesley Streets. The below ground alignment from Mayoral Drive to Pitt Street is formed in bored tunnels to a new mined tunnel station at Karanga-a-Hape. The bored tunnels continue to a location under the Newton ridge where the east and west facing track junctions are formed in mined cavern construction that link to cut and cover construction to join the east facing connection to the Western Line at Normanby Road and the west facing connection at Porters Avenue.

The vertical track alignment joins the existing tracks at Waitematā Station (Britomart) in the north to the existing tracks on the North Auckland Western Line at Mt Eden to the south, rising approximately 70m in 3.5 km distance. The vertical alignment in Albert Street rises from the west of Waitematā Station (Britomart) to arrive at Victoria Street approximately 2m above the Orakei main sewer, 14m below Albert Street, to provide a level platform at Te Waihorotiu Station. The bored tunnels continue to climb to the south of Te Waihorotiu at an approximately 3.5% gradient to arrive at a level platform for Karanga-a-Hape Station. The alignment continues to climb at approximately 3.5% passing beneath the Central Motorway junction to a point 42m below the Newton ridge where the mined east and west facing connection caverns are created to provide grade separation. The tunnels proceed to the south to the cut and cover connections to the Western Line to the east and west of Maungawhau Station.

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CRL Map.pdf was uploaded

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Do you have a current copy of the relevant Record(s) of Title?

Yes

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Who are the registered legal land owner(s)?

Please write your answer here:

The registered legal land owners are predominately City Rail Link Limited and Auckland Council. However, there are properties that have been acquired for the project where the existing landowner is still the registered owner because the City Rail Link portion has not yet been legalised into a separate title.

Detail the nature of the applicant's legal interest (if any) in the land on which the project will occur

Please write your answer here:

City Rail Link Limited's interests in land fall into the following categories:

- Registered Owner of land titles.
- Beneficial owner of land acquired by Auckland Council, pursuant to a Section 224 Public Works Act Agreement that has not yet been legalised or transferred from Auckland Council to CRL Ltd but will be in accordance with the contractual arrangement.
- Lessee (4 sites) for temporary occupation during construction.
- Licences to occupy various sites for temporary construction requirements.
- Contractual Project Delivery Agreement – provides agreement from Auckland Council for access to the Road Corridor and agreement to stop the road.

Section 2: Project details

What is the project name?

Please write your answer here:

City Rail Link

What is the project summary?

Please write your answer here:

The City Rail Link project consists of twin 3.45-kilometre-long tunnels - built up to 42 metres below the Auckland city centre – that connect Waitematā Station (Britomart) with a re-developed Maungawhau Station in Mt Eden on the Western Line.

What are the project details?

Please write your answer here:

The City Rail Link project is a significant infrastructure project to enhance the capacity and performance of Auckland rail services and improve transport outcomes in Auckland. Once completed, the City Rail Link project will double the existing capacity of the Auckland passenger rail network.

The project consists of a 3.45km twin tunnel that connects Waitematā Station (Britomart) with a re-developed Maungawhau Station in Mt Eden on the Western Line. Two new underground stations will be built to open up central city access; Karanga-a-Hape with entrances at Mercury Lane and Beresford Square and Te Waihorotiu at Victoria and Wellesley Streets, near the Aotea centre in midtown.

The City Rail Link project also includes wider network improvements including additional platforms and turnback facilities at Ōtāhuhu, upgrades to the

Strand Station in Parnell, rail works at Newmarket and additional line and platform works at Henderson.

Describe the staging of the project, including the nature and timing of the staging

Please write your answer here:

The City Rail Link project is separated into seven different contracts relating to different stages/items of works. The main works contract is the C3/5/7 project alliance agreement with the Link Alliance. This is the contract that drives overall completion of the City Rail Link project. The seven contracts are set out below:

a. DSC Contract: A contract for the construction of CRL tunnels below the Commercial Bay retail and tower development site. This contract was completed in April 2019.

b. C1 Contract: A contract for the creation of a temporary Britomart Station passenger facility, construction of underground tunnels from Britomart Station to the Commercial Bay site, reinstatement of the historic Chief Post Office and streetscape enhancements. This contract was completed in October 2021.

c. C2 Contract: A contract for the trenching and tunnelling from the (then) Downtown Shopping Centre to the Wyndham and Albert Street intersection. This contract was completed in October 2020.

d. C3/5/7 Contract: A contract for the bored tunnels from Te Waihorotiu Station to Maungawhau Station, building two new underground stations at Te Waihorotiu (Albert Street) and Karanga-a-Hape (Karangahape Road), western line works, rail systems integration, testing and commissioning. This contract has a contractual practical completion date of November 2025.

e. C6 Contract: A contract for the stormwater line replacement in Mount Eden. This contract was completed in August 2019.

f. C8 Contract: A contract for wider network improvements including additional turn-back facilities and platforms at the Strand, Ōtāhuhu and Newmarket. There are multiple completion dates for this work from 2019 onwards.

g. C9 Contract: A contract for additional connections, platform widening and track modifications at the eastern end of Waitemata Station. There are multiple completion dates for these contracts ranging from April 2021 through to June 2024 (TBC).

What are the details of the regime under which approval is being sought?

Please write your answer here:

The Resource Management Act 1991.

While the City Rail Link project already has all relevant consents and designations in place (construction of the City Rail Link project commenced in late 2015 and City Rail Link Ltd is scheduled to achieve Practical Completion by November 2025), there will be considerable benefit if the City Rail Link project is eligible for the fast-track process to complete any necessary variations to its resource consents and/or alterations to its designation conditions.

Changes to resource consent conditions may be required to enable completion of construction because of further changes to construction methodology.

Alterations to designations will be required to enable completion of construction, and the adjustment of designation boundaries prior to transfer of completed City Rail Link infrastructure to ultimate asset owners.

The Fast Track process therefore has the potential to substantially reduce the cost and time this process would otherwise take.

For completeness, the Heritage New Zealand Pouhere Taonga Act 2014 and the Public Works Act 1981 regimes also apply to the project: Archaeological Authorities, under the Heritage New Zealand Pouhere Taonga Act 2014, were granted for the CRL Waitematā Station to Wyndham Street works in 2016 and for the Te Waihorotiu Station to NAL works in 2017; and property acquisitions were undertaken in accordance with the Public Works Act. City Rail Link Limited does not anticipate that further approvals will be required under these regimes.

If you seeking approval under the Resource Management Act, who are the relevant local authorities?

Please write your answer here:

Auckland Council

What applications have you already made for approvals on the same or a similar project?

Please write your answer here:

Resource Consents

Two main resource consent packages were originally obtained:

a. Waitematā Station (Britomart) to Wyndham Street (construction related consents); and

b. Te Waihorotiu Station to North Auckland Railway Line ("NAL") at Maungawhau Station (Mt Eden) (construction and ongoing operation and maintenance

of CRL between Waitematā and Maungawhau Stations).

Resource consents address earthworks, groundwater diversion and discharge, disturbance of contaminated land, discharges to air and water, and stormwater management.

Additional construction related consents subsequently obtained for activities such as network utility relocations.

Designations

Six new designations (surface, strata, sub-strata) were established for City Rail Link between Waitematā and Maungawhau Stations, and there was an alteration of the existing 'Britomart Transport Centre' designation to enable construction of CRL works at Waitematā Station. KiwiRail's existing NAL designation is utilised to connect City Rail Link into the Western railway line at Maungawhau Station.

Various alterations to designation were subsequently required to accommodate evolving changes to the design and construction methodology.

Is approval required for the project by someone other than the applicant?

No

Please explain your answer here:

City Rail Link Limited is responsible for the delivery of the City Rail Link project. The Link Alliance has previously sought resource consents for certain construction activities but these are ultimately the responsibility of City Rail Link Limited.

If the approval(s) are granted, when do you anticipate construction activities will begin, and be completed?

Please write your answer here:

Construction of the early works on the City Rail Link project started in December 2015. The contractual practical completion date for the main works (contract C3/5/7) is 26 November 2025, and the City Rail Link project is expected to be fully operational in 2026.

Section 3: Consultation

Who are the persons affected by the project?

Please write your answer here:

Given the scale of the City Rail Link project, and with construction being undertaken in an intensively developed environment in the centre of New Zealand's largest city, delivery of the project is affecting a broad range of people.

Affected persons include residents, businesses, hotels, education facilities, community services/facilities, mana whenua, transport operators, network utility operators, emergency services, Government and statutory agencies, and people who travel through the project area.

In addition to environmental effects, people have been affected by the extensive land acquisition programme required to enable construction.

Detail all consultation undertaken with the persons referred to above. Include a statement explaining how engagement has informed the project.

Please write your answer here:

Consultation with people affected by the City Rail Link project commenced over a decade ago.

Consultation has variously included stakeholder meetings; meetings for affected landowners (including individual landowner meetings); letters and e-mails; phone calls; presentations and briefings; public open days; displays; media releases; a project website; factsheets and information pamphlets; and seminars on project effects.

Notices of Requirement for establishing or altering designations and resource consent applications (apart from applications for more minor 'one off' consents) have generally been subject to full public notification.

A CRL Mana Whenua Forum was established in 2012 and comprises eight mana whenua groups who expressed an interest in being involved in the CRL Project. The forum undertakes kaitiakitanga responsibilities associated with the project and is involved in all aspects of design and construction.

Consultation with the owners of land needing to be acquired has been undertaken in accordance with the Public Works Act 1981.

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Describe any processes already undertaken under the Public Works Act 1981 in relation to the land or any part of the land on which the project will occur:

Please write your answer here:

Property Acquisitions were undertaken in accordance with the Public Works Act (PWA) and in general accordance with the LINZ Standards and Guidelines. Compulsory acquisition processes were used where necessary. A total of 68 full surface properties were acquired by Section 17 PWA agreements. There have been 92 subsurface acquisitions, 17 of which were acquired by proclamation and the balance by Section 17 PWA agreements. Compensation is yet to be resolved for 21 of these subsurface properties.

Section 4: Iwi authorities and Treaty settlements

What treaty settlements apply to the geographical location of the project?

Please write your answer here:

Part of the Maungawhau Station is built on land that is subject to a Right of First Refusal as per the registered certificate on record of title 708896 under Section 148 of the Nga Mana Whenua o Tamaki Makaurau Collective Redress Act 2014.

Are there any Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 principles or provisions that are relevant to the project?

No

If yes, what are they?:

Are there any identified parcels of Māori land within the project area, marae, and identified wāhi tapu?

Yes

If yes, what are they?:

Acquisitions were undertaken in general accordance with the LINZ Standards and Guidelines. LINZ Accredited Suppliers were appointed to give effect to the PWA requirements which include confirming the ownership of land, identifying any registered interests and reference to the Te Ture Whenua Māori Act 1993.

Part of the Maungawhau Station is built on land that is subject to a Right of First Refusal as per the registered certificate on record of title 708896 under Section 148 of the Nga Mana Whenua o Tamaki Makaurau Collective Redress Act 2014.

Is the project proposed on any land returned under a Treaty settlement or any identified Māori land described in the ineligibility criteria?

No

Has the applicant has secured the relevant landowners' consent?

Yes

Is the project proposed in any customary marine title area, protected customary rights area, or aquaculture settlement area declared under s 12 of the Māori Commercial Aquaculture Claims Settlement Act 2004 or identified within an individual iwi settlement?

No

If yes, what are they?:

Has there been an assessment of any effects of the activity on the exercise of a protected customary right?

No

If yes, please explain:

The City Rail Link project is not in a protected customary rights area.

Upload your assessment if necessary:

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Section 5: Adverse effects

What are the anticipated and known adverse effects of the project on the environment?

Please describe:

Adverse effects of the City Rail Link Project on the environment primarily relate to construction. Actual and potential construction related effects include land disturbance (erosion and sediment runoff); diversion/drawdown of groundwater; ground settlement; disturbance of contaminated soil; effects on groundwater and surface water quality; obstruction of overland flow paths and flood hazard areas; discharge of contaminants to air; noise and vibration; damage or destruction of archaeological and built heritage features; effects on mana whenua values; loss of trees and vegetation; transport, access and

parking disruption; and social impact and business disruption.

Adverse environmental effects associated with operation of the City Rail Link primarily relate to rail vibration and noise; and discharge of contaminants to air and water. Otherwise, operation of the City Rail Link will have significant positive effects on the environment.

The avoidance, remedy, or mitigation of adverse effects (construction and operation) is largely addressed in the resource consents and designations for the CRL Project.

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Section 6: National policy statements and national environmental standards

What is the general assessment of the project in relation to any relevant national policy statement (including the New Zealand Coastal Policy Statement) and national environmental standard?

Please write your answer here:

National Policy Statements ("NPS")

The City Rail Link project is consistent with, and gives positive effect to, objectives and policies in the NPS on Urban Development 2020 – particularly in relation to the provision of public transport as part of a well-functioning urban environment.

Construction and operation of the City Rail Link gives effect to objectives and policies in the NPS for Freshwater Management 2020. The effects of discharging contaminants to water bodies and freshwater ecosystems, resulting from both construction activities and operation of the City Rail Link, are being adequately avoided, remedied, or mitigated and this is addressed in the resource consents granted for the City Rail Link project.

National Environmental Standards ("NES")

To enable construction of the City Rail Link, resource consent has been granted for soil disturbance activities prescribed in the Resource Management (NES for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.

Resource consent has been granted for the discharge of contaminants to air resulting from construction and operation of the City Rail Link. The consented discharges do not contravene the Resource Management (NES for Air Quality) Regulations 2004 (as amended in 2011) – including in relation to discharges of particulate matter (PM10).

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Section 7: Eligibility

Will access to the fast-track process enable the project to be processed in a more timely and cost-efficient way than under normal processes?

Yes

Please explain your answer here:

While City Rail Link Limited already holds designations to construct, operate and maintain City Rail Link, a series of alterations to designation are required to enable completion of this nationally significant project. In addition, the transfer of completed City Rail Link assets to their ultimate owners (primarily Auckland Council, Auckland Transport and KiwiRail) for ongoing operation, may require further alterations to existing designations.

While these alterations would not introduce significant new environmental effects, the applications could be technically complex and may give rise to unnecessary delay and expense – the latter as a result of a lengthy alteration process including notification, the need for a public hearing, and then any subsequent appeals.

In City Rail Link Limited's experience, alterations to existing designations often attract significant time, cost, and energy. For example, in 2017, an alteration to the City Rail Link designations at the connection of the new tunnels with Mt Eden Station was the subject of a direct referral application to the Environment Court. The application was opposed by s 274 parties who joined the proceeding, including neighbouring landowners who filed expert evidence relating to the removal of a level crossing at Porters Avenue. The application required four days' hearing time in the Environment Court.

The direct referral process, while faster than a two-stage process, still took over six months from lodgement of the application for direct referral to a decision (and considerably longer, once time prior to lodgement of the direct referral application, including consultation, lodgement of the original application, notification, and submissions, are taken into account). The direct referral process is also not inexpensive.

What is the impact referring this project will have on the efficient operation of the fast-track process?

Please write your answer here:

City Rail Link Limited already has all relevant resource consent and designations in place. Accordingly, City Rail Link Limited will only be seeking to use the fast-track process for variations to existing resource consents or alterations to designations. On the basis that these are essentially "tidy-ups" to allow the

completion of construction and the adjustment of designation boundaries etc, City Rail Link Limited does not consider that the inclusion of the City Rail Link project in Schedule 2 Part A will have any impact on the efficient operation of the fast-track process.

Has the project been identified as a priority project in a:

Central government plan or strategy

Please explain your answer here:

City Rail Link has been identified as a priority project by both central and local government.

The City Rail Link is outlined as a priority project in the Auckland Transport Alignment Project – a joint action plan between central and local government organisations that agrees the priority investment required to address challenges relating to the exponential growth being experienced in New Zealand's largest city.

Will the project deliver regionally or nationally significant infrastructure?

Regional significant infrastructure

Please explain your answer here:

City Rail Link is delivering both regionally and nationally significant infrastructure.

City Rail Link is New Zealand's largest transport infrastructure project to date, designed to address significant challenges in New Zealand's largest city.

Auckland is the economic hub of New Zealand. Auckland's population accounts for more than a third of the country's entire population and it is projected to reach 2 million people in the early 2030s. City Rail Link is a priority project to address congestion in the city that imposes a huge productivity cost of billions of dollars on New Zealand.

Auckland's success is important not just for Aucklanders, but for our country's long-term growth and productivity.

The project aims to improve the efficiency and resilience of Auckland's transport network. With better rail infrastructure, the city can handle increased demand and disruptions more effectively.

The City Rail Link will also double the number of people living within 30 minutes of Auckland's city centre - the country's largest employment hub and contribute significant job growth opportunities. The CRL project is, on average, currently employing approximately 2000 people.

Will the project:

increase the supply of housing, address housing needs, contribute to a well-functioning urban environment

Please explain your answer here:

City Rail Link is about more than just improving public transport. It is a transformative project that will lead the way in integrated transport and urban development.

City Rail Link will provide enhanced access to Special Housing Areas – established areas throughout Auckland where fast-track development of housing, including affordable housing, can take place. The better connections provided by the City Rail Link will make affordable housing in outer areas more viable by providing effective transport options. City Rail Link will also directly secure opportunities to increase the Auckland housing supply.

City Rail Link will enable transit-orientated development – both commercial and residential – to take place close to or above the stations with a significant development potential of about 200,000sqm in terms of gross floor area. The associated substantial streetscape and landscaping programmes will help make the central city a more attractive destination and create more vibrant places to live, work and play in Auckland.

Will the project deliver significant economic benefits?

Yes

Please explain your answer here:

Based on the City Rail Link economic assessment update prepared by PwC in October 2022, when the City Rail Link is in place and operating at its full capacity, it is predicted to generate **s 9(2)(b)(ii)** in economic benefits for New Zealand (over a 60-year period) comprised of the following:

s 9(2)(b)(ii)

[REDACTED]

Will the project support primary industries, including aquaculture?

No

Please explain your answer here:

Will the project support development of natural resources, including minerals and petroleum?

No

Please explain your answer here:

Will the project support climate change mitigation, including the reduction or removal of greenhouse gas emissions?

Yes

Please explain your answer here:

Reducing our carbon footprint and avoiding waste are key elements of City Rail Link Limited's aims for sustainability excellence. Already recognised with three Leading Infrastructure Sustainability ratings, the City Rail Link project is committed to reducing its carbon footprint both during construction and across its 100-year life span.

At the end of 2023, the City Rail Link project was on track to achieve carbon energy savings of just over 38,000 tonnes CO₂e compared to business-as-usual. This is a projected 23% saving and around 82% of this is expected to be achieved during the 100-year operational phase. The main source of savings during operation will be from efficient ventilation, lighting, and mechanical systems. Construction savings have been achieved mainly from changes to piling, plant optimisation, grid switching and more efficient spoil haulage.

Building City Rail Link comes with a significant up-front carbon cost from the embodied carbon of materials used, with concrete and steel making up the bulk of these emissions. The project is on track to save an estimated 9% of embodied carbon against a business-as-usual base case. Measures to replace cement with lower carbon fly-ash, removing a mined walkway, reducing the amount of mined tunnels, and changing from piles to diaphragm walls have all contributed savings.

Will the project support adaptation, resilience, and recovery from natural hazards?

Yes

Please explain your answer here:

The City Rail Link project will support resilience.

In 2018, City Rail Link Limited commissioned the Principal Technical Advisor (a consortium of companies led by Aurecon) to prepare a natural hazards study ("Natural Hazards Study"). This study included a review of several hazards and included an overview of the issue, vulnerability of the City Rail Link project, existing controls, risks and provided recommendations. This study covered the following natural hazards:

- a) Climate change;
- b) Flooding;
- c) Seismic activity;
- d) Tsunami; and
- e) Volcanic activity.

The recommendations resulting from that Natural Hazards Study were added to the project Minimum Requirements that form part of the Project Alliance Agreement for C3/5/7.

Accordingly, City Rail Link has been designed and built to withstand climate change and natural hazards. By way of example, the permanent works (with the exception of the existing Waitematā Station) are designed to prevent a 1:2500-year overland flood event entering the stations at Maungawhau, Karanga-a-Hape, and Te Waihorotiu.

Will the project address significant environmental issues?

Yes

Please explain your answer here:

City Rail Link will support emissions reduction by increasing the ability and desirability of public transport within the Auckland region. When CRL is in place, up to 24,000 passengers will be able to travel into the city per hour in the peak. This number will increase to 54,000 passengers when the network can operate with 9-car trains.

Is the project consistent with local or regional planning documents, including spatial strategies?

Yes

Please explain your answer here:

The City Rail Link Project is consistent with, and gives positive effect to, a number of provisions in:

- The Auckland Plan 2050 – including key outcomes relating to improved transport and access;
- The Auckland Regional Policy Statement – including in relation to urban growth and transport, which are identified as significant resource management issues for the Auckland region. Relevant objectives and policies include the provision of effective and efficient transport that enables growth;
- Auckland-wide infrastructure and transport provisions in the Auckland Unitary Plan (Operative in Part) – with relevant objectives and policies again recognising the importance of public transport infrastructure; and
- The Auckland Regional Land Transport Plan 2021-2031 - which identifies the CRL as being a 'transformational' component of Auckland's Rapid Transit Network.

Anything else?

Please write your answer here:

Does the project includes an activity which would make it ineligible?

No

If yes, please explain:

Section 8: Climate change and natural hazards

Will the project be affected by climate change and natural hazards?

Yes

If yes, please explain:

Refer to the earlier answer with respect to the Natural Hazards Study that has been undertaken, the results of which were incorporated within the City Rail Link project's Minimum Requirements that form part of the Project Alliance Agreement for C3/5/7.

A Climate Change Residual Risk and Adaptation Report completed in 2023 identifies four areas of residual risk, mitigation, and adaptation pathways relating to:

- a) Waitematā Station inundation due to sea-level rise;
- b) Flooding of the tunnels from Mt Eden;
- c) High temperatures in stations for passengers and staff; and
- d) Tunnel temperature build-up affecting train HVAC.

Section 9: Track record

Please add a summary of all compliance and/or enforcement actions taken against the applicant by any entity with enforcement powers under the Acts referred to in the Bill, and the outcome of those actions.

Please write your answer here:

No compliance or enforcement actions have been taken against City Rail Link Ltd by Auckland Council (the local authority) or the Environmental Protection Authority.

For completeness, in 2023 Barclay Management (2013) Limited filed proceedings in the Environment Court against City Rail Link Ltd alleging non-compliance with City Rail Link Ltd's designation conditions relating to the closure of the Albert Street slip lane for construction purposes. The Environment Court upheld that complaint and confirmed that CRL Ltd's current designation conditions do not allow closure of the slip lane. As a result, City Rail Link Limited and the Link Alliance are undertaking a comprehensive review of the construction methodology for the remaining utilities, bluestone wall reconstruction and public realm (streetscape) reinstatement works in the Albert Street slip lane. To the extent that this reassessment confirms that closure of the slip lane is necessary, this will require an amendment to City Rail Link Ltd's designation conditions.

The availability of the fast-track approvals process would therefore be of particular relevance to City Rail Link Ltd, by assisting it to complete the remaining City Rail Link works in a timely and cost-effective manner.

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Declaration

Do you acknowledge your submission will be published on environment.govt.nz if required

Yes

By typing your name in the field below you are electronically signing this application form and certifying the information given in this application is true and correct.

Please write your name here:

Emma Kurtovich

Important notes