

Response ID ANON-URZ4-5F1P-H

Submitted to Fast-track approval applications
Submitted on 2024-05-03 15:29:14

Submitter details

Is this application for section 2a or 2b?

2B

1 Submitter name

Individual or organisation name:
Auckland Transport

2 Contact person

Contact person name:
Patrick Buckley

3 What is your job title

Job title:
Team Leader Consent Planning

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:

Auckland Transport
General Private Bag 92250
Auckland 1142

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:

Botany Town Centre to Auckland International Airport via Te Irirangi Drive; Great South Road; Ronwood Avenue; Osterley Way; Manukau Station Road; Lambie Drive; Puhinui Road, State Highway 20B ending at Orrs Road.

File upload:

Airport to Botany Bus Rapid Transit Corridor Location Map.jpg was uploaded

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

No

upload file:

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Who are the registered legal land owner(s)?

Please write your answer here:

Various, the Project traverses a large amount of properties along the corridor.

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:

The majority of the land required for the Project is within existing road corridors, widening onto private property is required and is included in the A2B NoR's footprint. A Public Works Act property acquisition process will be undertaken to enable construction which includes temporary occupation agreements for temporary construction areas.

Section 2: Project details

What is the project name?

Please write your answer here:

Airport to Botany Bus Rapid Transit

What is the project summary?

Please write your answer here:

Construction and operation of approximately 15 km Bus Rapid Transit facility and walking and cycling facilities, connecting the Auckland International Airport Precinct to Botany Town Centre through Manukau Central

What are the project details?

Please write your answer here:

Project Purpose

The overall Airport to Botany (A2B) Bus Rapid Transit (BRT) Project will provide an 18 km, dedicated, high capacity, reliable, and frequent BRT corridor and walking and cycling facilities. The Project will improve connections between the major centres of Botany, Manukau, Auckland Airport and their employment areas to existing and intensifying residential areas in southern and eastern Auckland.

AT and the New Zealand Transport Agency Waka Kotahi (NZTA) are seeking to deliver 15 km portion of the overall Project which extends from south of Botany Town Centre to Orrs Road.

The remainder of the overall Project, being 3 kms of BRT corridor and walking and cycling facilities between Orrs Road and the Airport Terminal, including a bridge across Pūkaki Creek, will be delivered separately by Auckland Airport.

The business case for the Project was completed in 2021 . AT and NZTA initiated the route protection phase through lodging four Notices of Requirement (NoRs) and one alteration to an existing NZTA designation in December 2022. The NoRs are to protect the route of the Project and are based on a concept-level design only. They were heard before Independent Commissioners between 18 August and 5 September 2023, with a recommendation to confirm the NoRs issued by the Commissioners in December 2023. The AT and NZTA decisions were lodged with Auckland Council on 21 February 2024. 15-year lapse dates have been applied to the AT NoRs. 13 appeals have been lodged in the Environment Court.

Regional consents have not yet been obtained for the Project. AT proposes to utilise the Fast-track Approvals Process to obtain Regional Resource consents to enable delivery. AT does not propose to use this process to bypass the Environment Court appeal process that is already underway.

Project Objectives

Enable the provision of public transport and active mode corridors in a manner that:

a) Is safe for all transport users;

- b) Connects Orrs Road (Auckland Airport boundary), with Manukau City Centre and Botany Town Centre;
- c) Includes efficient, resilient and reliable dedicated public transport and active mode infrastructure;
- d) Contributes to mode shift by improving travel choice and access to key destinations along the corridors; and
- e) Connects to existing and planned public transport stations.

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

Please write your answer here:

The Project may need to be delivered in sections due to its length (15 km) and the associated complexities of constructing within the urban environment. However, delivery staging is still to be defined as this would form part of the preliminary and detailed design phases of the Project.

No preference of delivery staging is included in the conditions of the NoRs, however the NoRs have been designed to allow for any four of the NoRs or combination of NoR sections to be prioritised for delivery if required.

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

Please write your answer here:

Resource Management Act 1991 - Regional resource consents
Wildlife Act 1953
Reserves Act 1977
Heritage New Zealand Pouhere Taonga Act 2014

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:

NoRs have been developed for the Project, splitting the corridor into four sections. Details of the NoRs are included on the Auckland Council Website:

<https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/our-plans-strategies/unitary-plan/auckland-unitary-plan-modifications/supporting-growth>

As noted above, Regional consents have not yet been obtained for the Project. AT proposes to utilise the Fast-track Approvals Process to obtain Regional Resource consents to enable delivery. AT does not propose to use this process to bypass the Environment Court appeal process that is already underway.

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

No

Please explain your answer here:

N/A

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

Please write your answer here:

High Level Programme

The following steps are required to enable Project delivery:

- 1) Resolve all Environment Court appeals to ensure designations for the Project are included in the Auckland Unitary Plan (process underway and outside of this application).
- 2) Confirmation of pre-implementation and implementation funding.
On confirmation of pre-implementation and implementation funding:
- 3) Complete procurement for detailed design and construction phase (approximately between 12 and 18 months from confirmation of funding).
- 4) Detailed design phase (approximately 24 months) including:
 - a) Design development to obtain resource consent;
 - b) Development of the outline plan of works and associated management plans;
 - c) Obtaining required regional resource consents; and
- 5) Initiate property acquisition process (approximately between 24 and 36 months from confirmation of funding).
- 6) Application for Regional Resource consents (via Fast Track Process – six months).
- 7) Construction Phase commencement (construction timeframe still to be confirmed).

Section 3: Consultation

Who are the persons affected by the project?

Please write your answer here:

- Mana Whenua - Te Ākitai Waiohū, Ngāi Tai ki Tāmaki, Ngāti Tamaoho, Ngaati Whanaunga, Ngāti Te Ata Waiohū, Ngāti Maru, Ngāti Tamaterā, Te Ahiwaru Waiohū and Ngāti Paoa Trust Board
- Auckland Council (including Eke Panuku)
- Programme Partners - Te Ākitai Waiohū, NZTA and Auckland Airport.
- Kainga Ora
- Landowners impacted by the NoR (details of NoR application included in section 2).

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

The Project has undertaken substantial consultation with its Programme Partners, Mana Whenua, key stakeholders and the general public as a part of the business case phase (from 2018 to 2021) and the recent Notice of Requirement phase (from 2022 to 2024). These interactions are summarised in the following sections.

Programme Partners

A2B forms part of the Southwest Gateway Programme, which was initiated in 2018 to provide an overarching framework for progressing transport and access improvements that overlapped three road controlling authority (RCA) areas: AT, NZTA and Auckland Airport. The programme area also covers the Puhinui Precinct, which is of high cultural value to Mana Whenua, in particular Te Ākitai Waiohū.

To reflect the significance of the area to Te Ākitai Waiohū, the Southwest Gateway Programme is based on a strong strategic partnership between four Programme Partners: Te Ākitai Waiohū, AT, NZTA and Auckland Airport.

Mana Whenua

Mana Whenua - Te Ākitai Waiohū, Ngāi Tai ki Tāmaki, Ngāti Tamaoho, Ngaati Whanaunga, Ngāti Te Ata Waiohū, Ngāti Maru, Ngāti Tamaterā, Te Ahiwaru Waiohū and Ngāti Paoa Trust Board - have been involved throughout the development of the A2B business case, including being part of the process and providing input to the:

- The identification of the problem statements, benefits, and investment objectives; and
- The option development and assessment process.

Engagement involved monthly hui through the AT Southern Mana Whenua (kaitiaki) forum, site visits and project workshops over the course of the business case development process.

Following the commencement of the NoR phase of the Project, all Mana Whenua iwi representatives who were previously involved in the Project (through the business case) were invited to engage in the NoR phase. The Project team's engagement with Mana Whenua was through the Southern Te Tupu Ngātahi monthly hui, which was attended by representatives of the iwi identified above, and when required, through Project specific hui.

Auckland Council (Regulatory Authority)

AT has engaged with Auckland Council for the NoR phase, in the pre-lodgement phase for the NoR and throughout the post lodgement phase. As the NoR's purpose was for route protection, resource consenting matters were not discussed.

General Consultation

The engagement process with key stakeholders and the wider public is summarised below:

Key Stakeholders

- Auckland Council Local Boards and Elected Officials – regular updates were provided throughout the business case and NoR phase with Local Board updates for specific interface matters (e.g. impacts on Auckland Council parks).
- Eke Panuku / Kainga Ora (KO) – engagement regarding interface with areas of interest, within the NoR phase more specific discussions took place regarding Eke Panuku's Manukau Central development programme and the property impact on KO housing stock.
- Kiwirail – updates during the Project lifecycle discussing the interface at Puhinui Station and bridging the main trunk line.

General Public

- Southwest Gateway Programme 2018 and 2019 – two rounds of engagement were conducted requesting feedback on the short-listed corridor alignment options and the preferred alignment.
- For the NoRs, engagement with landowners and the community was undertaken in four stages:
 - o Stage 1 June – July 2022: An information flyer was distributed to approximately 4,000 properties adjacent to the Project area.
 - o Stage 2 July 2022: Approximately 500 letters were sent to all potentially affected landowners.
 - o Stage 3 August – September 2022: Approximately 670 letters (see Appendix C) were sent out to the identified directly affected landowners between

August and September 2022.

o Stage 4 September – November 2022: In total, 81 landowners, both residential and commercial, requested a meeting with the Project team, either online or in person.

- The Project team held in-person sessions between September to November 2022 for landowners to meet regarding the Project.
- Throughout the landowner engagement period, regular contact was made with landowners to respond to queries made via the Te Tupu Ngātahi email, phone number, post, or online enquiry form.

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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:

N/A

Section 4: Iwi authorities and Treaty settlements

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

Please write your answer here:

N/A

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?:

Te Ākitai Waiohua are Mana whenua in the Southwest Gateway Programme area. Te Ākitai Waiohua also own the Māori Reservation land within Pūkaki and Waiohauri Creeks.

Te Ākitai Waiohua has a strong association with the Puhinui area as part of a broader cultural landscape that incorporates physical and historical sites or features of significance. Te Ākitai Waiohua also has a longstanding interest in the area's development, including the development of the Puhinui Structure Plan and the Puhinui Precinct in the Auckland Unitary Plan and as a signatory party to the significant Eastern Access Agreement (1991), which specifies that the form of the Pūkaki Creek Bridge would remain as a two-lane bridge in perpetuity. Those matters are being worked through in a respectful manner and in the spirit of partnership and collaboration between the four programme partners.

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 secured the relevant landowners' consent?

No

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:

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:

Construction of the Project will primarily result in widening existing road corridors to accommodate the cross section and associated supporting infrastructure (e.g. retaining walls / bridges / stormwater infrastructure). This will create a range of effects on surrounding residents, businesses and community / civic facilities. The conditions of the NoRs will be implemented to sufficiently manage the majority of effects borne by the Project.

The anticipated adverse effects that will not be authorised by the NoRs necessitates regional consents. These are summarised below:

- Stream works (freshwater ecology) – Widening and bridging structures over multiple streams / waterways will likely trigger consenting requirements.
- Groundwater – Piling for bridge foundations could impact groundwater necessitating a consent.
- Contaminated land – Traversing rural and industrial areas, it is likely that the disturbance of contaminated land will be above permitted standards.
- Earthworks – Due to the likely scale of construction programme an earthworks consent will be required.
- Stormwater discharge (quantity and quality / treatment) – The additional impervious surface proposed by the Project requires stormwater infrastructure to manage discharge.

The aforementioned list is informed by the NoR work programme, noting a comprehensive assessment has not been undertaken and the required regional consents for the Project cannot be confirmed until detailed design is completed.

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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 Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (NESCS)

Land disturbance is proposed on likely contaminated land, the NESCS is relevant to the assessment of the Project. The NESCS has a particular focus on human health. There are other provisions in regional planning documents that are relevant, which also consider matters, such as environmental health. The corridor will be screened to check the potential to encounter potentially contaminated soils, preliminary site investigation, detail site investigation and any required remediation or mitigation measures will be considered, as appropriate.

National Policy Standards and National Environmental Standards for Freshwater 2020

The National Policy Statement for Freshwater Management 2020 and the National Environmental Standards for Freshwater 2020 are relevant to the Project. Works are proposed within the vicinity of numerous identified wetlands (as defined in the Resource Management Act 1991) along the alignment (particularly along State Highway 20B). Interface with these wetlands will be assessed during the detailed design phase and sufficient design mitigation will be implemented to satisfy the NES requirements.

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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:

Using the Fast Track process will provide timing certainty for the Project's regional consent application and remove processing risk associated with the normal consent process. Notably the unreasonable length of time the normal consent approval process takes to process complex consents, resulting in uncertainty and delay to the construction programme.

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

Please write your answer here:

Including the Project on the Schedule 2B list would provide AT with greater certainty on the consenting pathway for the Project while also ensuring there is sufficient time to prepare the assessment of environmental effects and technical reports required to determine the regional consents required for the construction and operation of the Project.

Placing the Project on the Schedule 2B list would not cause any significant delays to the overall process, as it would allow the Government to work with projects more advanced in detailed design to get those projects into the construction phase quickly.

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

Central government plan or strategy

Please explain your answer here:

The strategic need for a rapid transit facility between Auckland Airport, Manukau and Botany has been identified in Auckland's strategic planning documents for some time, namely the 2012 and current 2018 Auckland Plan, and the various Auckland Transport Alignment Project (ATAP) documents produced between 2016 and 2021.

The Project is identified in the current Draft Government Policy Statement on Land Transport Funding as a priority project. This is the most recent policy release on central government's view on land transport investment priorities.

Will the project deliver regionally or nationally significant infrastructure?

National significant infrastructure

Please explain your answer here:

The Project is regionally and nationally significant as the BRT facility and its associated road corridor and active mode improvements will enable improved connectivity and accessibility within and between three major centers, including New Zealand's main airport:

- Auckland Airport and its surrounding area is a nationally significant economic driver and a regionally significant employment zone, providing 29,000 jobs (or around 3.6% of total jobs in Auckland) in 2019, with just over 12,000 of these located within the Airport precinct itself. It is also New Zealand's main gateway to international trade and commerce and New Zealand's third largest port behind Ports of Auckland and Tauranga. The ability for employees, visitors and freight to travel efficiently to/from the area is an important consideration for economic productivity.

- Manukau Metropolitan Centre and its immediate surrounding areas represent the employment, commercial and social hub for South Auckland. It has two tertiary education centres, attracting 10,000 students. The Auckland Plan identifies it as an anchor for growth in South Auckland and as second only to Auckland City Centre in overall scale and intensity.

- Botany Town Centre is the regional centre for East Auckland. The area has experienced significant population growth in the last few decades and is similar in size to Dunedin, with 130,000 people currently living there. It is projected to grow to a population of 160,000 by 2048.

Will the project:

contribute to a well-functioning urban environment

Please explain your answer here:

A2B will complete a large (18 km) missing link in the region's planned rapid transit network, connecting Auckland International Airport with two adjacent Metropolitan Centres - Manukau and Botany, and the future Eastern Busway (Botany Town centre Station). It will significantly increase the role of public transport and active modes in providing access to jobs, education, cultural and social opportunities for South and East Aucklanders, aligning with the strategic objectives of the Auckland Plan. Increasing public transport uptake will also contribute towards improving regional and interregional freight movements in the area by freeing up road capacity.

The value of A2B is also more than just a transport investment. The integration with land-use planning will provide multiple benefits, helping uplift socio-economically deprived parts of South Auckland for living, working, education and better quality of life, while also aligning with Council and Government planned investments in new housing in Manukau/Wiri and other parts of South Auckland.

Will the project deliver significant economic benefits?

Yes

Please explain your answer here:

Providing improved opportunity to take rapid public transport will contribute towards more reliable and timely trips for people. Increasing public transport uptake will also contribute towards improving regional and interregional freight movements and general traffic movements in the area by freeing up road capacity. Combined, this will result in higher economic productivity for South and East Auckland.

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:

The purpose of the Project is to enable mode shift from cars to public transport. It is estimated this will result in an annual reduction of 5,390 tonnes of CO2 emissions by 2048. The preferred A2B mode is electric vehicles that will be capable of operating emission-free in the long term, further reducing air pollutants.

The Project also creates many other opportunities to improve the existing environment, such as improving stormwater treatment and water quality (most of the Project's corridor currently has untreated stormwater), significant provision of new trees and enhancing urban amenity.

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

Yes

Please explain your answer here:

The purpose of the Project is to enable mode shift from cars to public transport. It is estimated this will result in an annual reduction of 5,390 tonnes of CO2 emissions by 2048. The preferred A2B mode is electric vehicles that will be capable of operating emission-free in the long term, further reducing air pollutants.

The Project also creates many other opportunities to improve the existing environment, such as improving stormwater treatment and water quality (most of the Project's corridor currently has untreated stormwater), significant provision of new trees and enhancing urban amenity.

Will the project address significant environmental issues?

Yes

Please explain your answer here:

The project will not result in significant environmental issues, all environmental issues will be sufficiently assessed and managed by the project.

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

Yes

Please explain your answer here:

The Project is highly aligned with national, regional and local planning documents and spatial strategies. It has long been signaled as a priority project in these documents, including the most recent relevant document, the draft Government Policy Statement on Land Transport (2024).

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?

No

If yes, please explain:

The proposed infrastructure will be designed in a manner to manage flood risk resulting from the additional impervious surface along the corridor. The NoRs have specific flooding conditions that have been drafted in collaboration with Auckland Council's Healthy Waters department and are considered current best practice. The associated stormwater design will accommodate these design considerations.

No other natural hazard issues have been identified with the Project at this stage.

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:

AT is an experienced operator, responsible for the delivery of large-scale regionally and nationally significant infrastructure projects. AT is not aware of any enforcement proceedings or orders under the Resource Management Act 1991 by Auckland Council against AT.

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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:

Patrick Buckley

Important notes