

Response ID ANON-URZ4-5FGR-9

Submitted to Fast-track approval applications  
Submitted on 2024-05-03 15:44:16

Submitter details

Is this application for section 2a or 2b?

2A

1 Submitter name

Individual or organisation name:  
Auckland Transport

2 Contact person

Contact person name:  
Amy Thompson

3 What is your job title

Job title:  
Urban Integration Team Lead

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 4, 20 Viaduct Harbour Avenue, Auckland Central, Auckland 1010

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

No

Organisation:  
Auckland Transport

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:

Various locations within the Auckland region

A single stage business case is underway which is undertaking and options assessment and will recommend the nature of each removal.

File upload:

Attachment 1 Location Plan.pdf was uploaded

Upload file here:

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

No

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Who are the registered legal land owner(s)?

Please write your answer here:

Auckland Council (roads), KiwiRail Holdings Limited (rail corridor) and directly impacted property owners.

The project is currently at an optioneering stage. As we progress and refine the project further, an in-depth property review (including records of title) will be compiled and analysed.

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:

AT manages and maintains the legal roads in Auckland which are owned by Auckland Council. NZRC/KiwiRail has a legal interest in the full linear extent of the project corridor. The grade separation (and sometimes closure) of level crossing in most cases is expected to extend beyond the existing rail designation and legal road boundaries and impact adjoining properties.

Any further property required privately owned interests in land will be acquired under the Public Works Act 1981.

## Section 2: Project details

What is the project name?

Please write your answer here:

Auckland Level Crossings Removals

What is the project summary?

Please write your answer here:

The Auckland Level Crossings Removals Project comprises the removal of 42 Level Crossings across the Auckland Region to address growing safety, severance and accessibility issues while enabling higher train frequencies and many of the benefits from recent, current and planned investments in Auckland's transport system, including the City Rail Link project.

What are the project details?

Please write your answer here:

### Context

A level crossing is a section of the railway corridor where motorists, pedestrians, or cyclists (people) could occupy the same space as a train, or in other words, an area where a road or pedestrian accessway crosses the rail corridor at the same grade. In these areas, collisions between trains and other users of the broader transportation network are mitigated by controlling when the train and/or people occupy the space via an automatic gate system.

There are two general categorisations of level crossings on the existing rail network:

- Pedestrian Level Crossings: Places where a pedestrian, micro mobility user or cyclist crosses the railway.
- Road Level Crossings: Places where a road vehicle, or cyclist crosses the railway. In almost all cases a road level crossing also includes a pedestrian level crossing.

### Proposed Project/Programme

The Project is a programme of works rather than a discrete project. Auckland currently has 42 road/pedestrian level crossings which are impacting safety and constraining the growth and attractiveness of the railway network.

Some of the crossings are located on the southern rail corridor and will need to be removed prior to or as part of the project proposed to widen the corridor to increase capacity (e.g. The Third and Fourth Main line Project). Others are located primarily on the North Auckland Line (western corridor) or Onehunga lines.

International best practice has long established that physically separating rail, road, and pedestrian traffic creates optimum network outcomes from a

safety and capacity perspective.

A single stage business case is underway which is working through an options assessment to recommend the nature of each closure.

#### Purpose/Objectives

The removal of level crossings will address growing safety, severance and accessibility issues while enabling higher train frequencies and many of the benefits from recent, current and planned investments in Auckland's transport system.

The Auckland rail network is undergoing major upgrades with the City Rail Link (CRL) due to go live in 2025/26, the introduction of a third main line (Wiri to Quay Park) on parts of the Southern Line, and electrification from Papakura to Pukekohe (P2P). These rail network improvements will significantly increase the Metro Rail capacity and provide greater flexibility for freight train operations. Ultimately, the CRL train plan foresees 24 train movements per hour in each direction on the network and this would lead to the barriers of some level crossings being lowered up to 78% of the time.

Conflict points at level crossings pose an increasingly serious safety risk to people, vehicles, and trains. Increasing barrier down times due to post-CRL train frequencies and future higher road and active user volumes would see rapidly growing delays and increased safety risk. These issues will affect private vehicle, freight, active and public transport modes, and may be a cause for concern for the Rail Regulator (within the New Zealand Transport Agency (NZTA)). Greater delays for general traffic and pedestrians at level crossings due to increasing train frequencies may lead to increased risk-taking, where the public attempt to cross the railway when a train is approaching.

Level crossings also have a detrimental effect on operational performance of the rail network, as some crossings prevent the placement of signals in ideal locations, and optimisation of headway between trains, reducing the overall capacity of the current and future rail network.

The proposed level crossing removals (through closure or grade separation) are a key requirement in allowing both the full CRL train plan of up to 24 trains per hour in each direction, and the initial plan of 12 trains per hour on the Western Line, and therefore are critical to the realisation of the CRL's benefits.

In the draft Government Policy Statement on Land Transport 2024/25-2033/34, released in March 2024, it is stated that "Delivering improvements to level crossings, like installing safety barriers on rural roads and separating road from rail in busy metropolitan networks, are a key safety priority for road and rail infrastructure to be funded by NZTA, KiwiRail's RNIP, and local councils".

The Project forms part of the AT's Level Crossing Removal Programme. The Programme's objectives are:

- Improve safety and better health for users of level crossings and surrounding networks;
- Enhance sustainable connectivity, positively addressing the impacts of community severance; and
- Provide a more efficient transport network, that contributes to the prosperity of Auckland.

Interventions at 49 level crossings in the Auckland metro network are required. Thirty-three of these are road crossings while 16 are pedestrian crossings. Seven out of the 49 crossings are being removed before CRL Day One as part of Priority 1 of the Level Crossing Removal Programme, prior to the current Single Stage Business Case (SSBC). These 7 crossings to be closed are Church Street East Road level crossing, and pedestrian only crossings at O'Neill's Road, Corban Estate, Lloyd Avenue, Kingdon Street, Tironui Station Road East and Homai Station.

AT is seeking to list the remaining 42 crossing removals as a Project in Schedule 2A of the Bill.

#### Activities

A level crossing removal is an intervention which removes conflicts between rail and other modes at an existing level crossing location. The options generally available for each crossing, or group of crossings, are:

- Crossing closed to traffic with mitigation measures provided on the surrounding network;
- Full grade separation (including options on the existing alignment and offset);
  - o Road over rail;
  - o Road under rail;
  - o Rail over road; or
  - o Rail under road.
- Active mode grade separation only (crossing closed for vehicles);
  - o Active mode over rail; or
  - o Active mode under rail.

These options have formed the basis of the assessment undertaken as part of a business case investigating the recommended intervention for the 42 crossings. While the recommended intervention at each crossing location is yet to be confirmed, this will be included at the time of fast-track application.

Nevertheless, the works required at each crossing, particularly for grade separation, are significant and require large scale construction of structures, earthworks, drainage, traffic management, utility diversions, road and rail modifications within urban areas.

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

Please write your answer here:

2022 – 2023: Strategic priority confirmed.

First stage business casing (a Programme Business Case (PBC) and development of a 30-year strategic rail programme) was undertaken across the

2021-23 period by KiwiRail and Auckland Transport, which confirmed the need to remove level crossings by 2051 to achieve the capacity, reliability and safety outcomes of the programme.

Due to the number of crossings and costs, it recommended these would need to be removed progressively in line with funding availability over the next 25-30 years.

#### 2023 – 2024 Single Stage Business Case – Current stage

The Auckland Level Crossing Single Stage Business Case (SSBC) is well advanced in the assessment of opportunities to mitigate the effects of level crossings on the Auckland rail network operations as well as addressing safety issues at crossings. The SSBC follows standard business case methodology and will provide the preferred option development for each location (closure or grade separation), a financial case, commercial case and management case.

The SSBC works through the approach to staging and timing, with implementation anticipated to take place over a 30-year period. Priority clusters of removals are currently being determined through assessment against the following criteria:

- Safety;
- Impact on efficiency of transport network;
- Community severance impacts;
- Value for money; and
- Opportunities to integrate with adjacent projects.

The highest priority locations identified to date include the cluster at Takaanini, for which AT has submitted two Notices of Requirement under the Resource Management Act 1991. The timing for the remainder of sites is anticipated to be staged over a 30-year term due to funding constraints. For the avoidance of doubt, these crossings are included in this application. Whilst the Notices of Requirement have been submitted, further design and Regional Consents will be necessary.

Notices of Requirement and/or resource consents will be submitted for either one site or a group of sites once their priority and funding is determined. It is likely that applications for several crossings will be lodged within the next 5 years.

The SSBC is expected to be completed in 2024.

#### 2024 – FY25 Funding for priority business case / design / engagement

Funding to commence investigations, further design and community engagement would enable progress on the southern corridor crossings (which need to be removed to ahead of 4 tracking). KiwiRail is seeking a small funding allocation in the 2024 Rail Network Investment Programme for its engineering design and modelling to support Auckland Transport's level crossing programme in Auckland. Auckland Transport is likewise seeking some funding via its Regional Land Transport Plan for initial planning of Group 2 crossings. Further progress would be subject to another funding solution being found.

The anticipated start date of next stage investigations is 2024, and it is hoped that engagement and consenting would follow on directly, thereby avoiding delays to the 3rd and 4th main line corridor expansion project.

FY26 - The SSBC for the level crossings programme will help inform the remaining staging priorities for the programme.

Expected commencement: 1 – 3 years.

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

Please write your answer here:

Resource Management Act 1991, Public Works Act 1981, and Local Government Act 1974

Resource consents expected to be required under the Resource Management Act 1991 (RMA) include:

- land use consents;
- water permits; and
- discharge permits.

There will be significant changes to the road/rail intersection of level crossings with rail corridors that, when a grade separation is required, will require changes to the road designation boundary.

The programme of level crossings may require works in/over sensitive environments such as freshwater (streams/wetlands) or protected vegetated areas as well as potentially extending into areas identified as containing highly productive soils. As a result, the activity status and level of information required to support the Assessment of Environmental Effects will be higher.

The works are likely to be highly disruptive during the construction phase in built up environments, notably for noise and vibration, traffic management, and landscape visual change (particularly where level crossings may be removed and new bridges/underpasses etc are installed).

Additional consents may be required under:

- Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011;
- National Policy Statement for Indigenous Biodiversity 2023;
- Wildlife Act 1953;

- Heritage New Zealand Pouhere Taonga Act 2014; and
- Reserves Act 1977.

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:

AT submitted two Notices of Requirement with Auckland Council in October 2023 for level crossing removals at Walters Road, Spartan Road, Manuia Road, Manuroa Road and Taka Street in Takaanini. The proposed interventions at these sites are:

- Walters Road level crossing closure and new multi-modal bridge;
- A new multi-modal bridge over the railway at Manuia Road;
- New multi-modal bridges to replace existing level crossings at Taka Street; and
- New active mode bridges to replace existing level crossings at Spartan Road and Manuroa Road.

The Council hearing for these Notices of Requirement is scheduled for May 2024.

AT does not intend to lodge any fast-track applications should the Project be included in Schedule 2 prior to receiving a decision on the already submitted Notices of Requirement. These crossings will ultimately return to AT, and will require Regional Consents, for which AT is seeking to use the fast-track process.

The six-level crossings identified as Group 5 (Papakura to Pukekohe in Attachment One) (P2P Crossings) covered under this Project also form part of AT's Papakura to Pukekohe Route Protection - Four-tracking and Active Mode Corridor Project (P2P and AMC Project) which is subject to a separate fast-track application to be included in Schedule 2A of the Bill.

AT does not intend to consent the P2P Crossings under both this Project and the P2P and AMC Project should they both be listed in Schedule 2. There is, however, value in including the P2P Crossings in both applications for listing in Schedule 2, as this will allow for the P2P Crossings to be included in the P2P and AMC Project should KiwiRail's Fourth Main project receive accelerated funding.

A joint governance group between KiwiRail and AT has been established to oversee the progress of the removal of level crossings, including any duplications to the consenting process.

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

Yes

Please explain your answer here:

KiwiRail Holdings Limited.

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

Please write your answer here:

For the first tranche of crossings at Takaanini, the indicative timing (subject to funding availability, consenting and property acquisition timeframes) is:

- Design refinement and consenting through to mid 2025;
- Detailed Design, procurement and property acquisition through 2025 and 2026; and
- Construction could commence in 2027 and take a number of years.

For the remainder of crossings, it is anticipated that further design and consenting will be progressed in stages, depending on priority, from 2025 and delivered over 30 years.

### Section 3: Consultation

Who are the persons affected by the project?

Please write your answer here:

Affected parties are likely to include but not be limited to:

- Central Government
- Ministry of Transport
- NZTA Waka Kotahi
- KiwiRail

- Auckland Council (including Community Facilities, Heritage, Regulatory, Healthy Waters)
- Mana whenua
- Treaty settlement entities
- Local Boards and Elected Members
- Network Utility providers (e.g. Vector, First Gas, GasNet; Powerco; Counties Power; Transpower, Chorus)
- Directly affected property owners and occupiers
- Local and wider communities/public
- Emergency Services
- Other Council Controlled Organisations (e.g. Eke Panuku)
- Kāinga Ora
- Heritage New Zealand Pouhere Taonga (HNZPT)
- Auckland One Rail (the contracted rail operator)

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:

Recent planning for this project has been undertaken as part of a PBC and subsequent 30-year strategic programme by KiwiRail jointly with Auckland Transport. Auckland Council and NZTA have been partners and engaged throughout this process. In addition, consultation has been undertaken through Auckland Transport's regional hui and with 17 Auckland Local Boards, with 16 providing written support and 1 opposed. A high-level summary of written feedback received was strongly in favour of the level crossing removal programme.

Engagement and consultation on the SSBC has involved representatives from Auckland Transport, Auckland Council, KiwiRail, Auckland One Rail (the rail operator), New Zealand Transport Agency.

In terms of the PBC engagement specific feedback is as follows:

Waitākere Ranges local board support acceleration of grade separation program and note the safety threats and fatalities that have occurred out West at railway crossings. They request that consideration of the closing of the train crossings includes consideration of the impact on the local community and explore alternative options are undertaken to ensure that they do not lose connectivity or endure an increased risk.

Franklin board supports level crossing removals by closures or grade separation to enable increased train frequencies and minimise risk to pedestrians and cyclists. In relation to closure and grade separation, the board defers to the views of the Papakura Local Board, noting that communities in Papakura will be directly impacted, while communities in Franklin may benefit from the shorter train journeys that closure and grade separation will enable.

Māngere-Ōtāhuhu noted the importance of coordination to ensure that transportation planning and infrastructure development align with the area's growth and development, effectively connecting residents to key destinations.

Manurewa board supports separating "at grade" rail crossings, particularly in the Takanini area. The Great South Road through the Manurewa, Takanini and Papakura areas currently experience significant congestion due to vehicles waiting at rail crossings, and this will be exacerbated when the City Rail Link becomes operational. For this reason, we believe that grade separation of some or all of these crossings needs to be achieved around the time of, or soon after the City Rail Link becomes operational.

Papakura local board support separating the "at grade" rail crossings, particularly in the Takaanini area.

Noting that:

- the Manurewa / Takanini / Papakura areas currently experience significant congestion which will be exacerbated when the City Rail Link becomes operational.

- the sequencing and timing of the Takanini grade separation projects to coincide with the City Rail Link becoming operational is critical.

- the recommended sequencing of the Takanini grade separation projects: Manuia Road crossing should be the first crossing built, Taka Street second, Walters Road third and the closing of Spartan and Manuroa Roads should be the last part of the work.

- if the delivery of the grade separation projects does not coincide with the City Rail Link project becoming operational the efficiencies and network optimisation will not be realised, pedestrian and driver safety will be compromised, and the wider roading networks will be significantly impacted.

- note with concern the distance pedestrians will have to travel when using overbridges and fear pedestrians will take the quickest route across rail lines rather than utilising the pedestrian bridge.

- support underpasses for grade separation for vehicles and pedestrians as there would be less distance to travel, particularly for pedestrians.

Maungakiekie-Tāmaki support in principle level crossing removal to increase safety and frequency of trains, noting:

- Overarching principle should not be removal of level crossings if it severely impact the needs of road users

- future engagement with the community is required, so that affected residents understand the impact proposed changes may have on the roading network and are able to provide feedback for consideration.

As part of the SSBC this feedback has highlighted the importance of systems thinking that considers safety, community and connectivity. The team

currently working on the SSBC has had these considerations in mind and also sought to be conscious of future area plans and strategies.

For the SSBC, consultation with affected persons has not yet been formally undertaken for each of the specific level crossing removal sites given the long lead time expected and the fact that confirmation of funding is still required. The project team has, however, been closely engaged with Kiwirail, Auckland Council, Eke Panuku, Mana Whenua, Key utility providers such as Vector and Watercare, Emergency Services and Local Boards throughout the optioneering and the staging assessment phases at a programme level.

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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:

The PWA process has not been implemented for this Project beyond the Takaanini crossings, given the preferred intervention at each site is yet to be determined, coupled with the 30-year programme and outstanding funding decisions.

#### Section 4: Iwi authorities and Treaty settlements

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

Please write your answer here:

The Project will cover 42 level crossing sites across the Auckland metropolitan rail network and is expected to be located within several statutory acknowledgment areas. The following list of relevant treaty settlements is not exhaustive and will be subject to further investigation for each individual site:

- Te Uri o Hau Claims Settlement Act 2002;
- Ngāti Whātua Ōrākei Claims Settlement Act 2012;
- Ngāti Manuhiri Claims Settlement Act 2012;
- Ngāti Whātua o Kaipara Claims Settlement Act 2013;
- Te Kawerau ā Maki Claims Settlement Act 2015;
- Ngāi Tai ki Tāmaki Claims Settlement Act 2018; and
- Ngāti Tamaoho Claims Settlement Act 2018.

As a public entity, AT is committed to partnering with Māori to meet its statutory obligations under Te Tiriti o Waitangi.

In this regard, AT has taken the following obligations into account:

- Establishing, maintaining, and improving opportunities for Māori to contribute to AT's decision-making processes;
- Recognising and providing for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga; and
- Taking into account the principles of Te Tiriti o Waitangi.

It is worth highlighting that AT will continue to engage meaningfully and regularly with Mana Whenua. To facilitate this process, AT's Māori Policy and Engagement team will continue to organise AT resourced engagement forums with Mana Whenua on matters related to operations, projects, programmes, strategies, and plans. Furthermore, AT will also engage with Mana Whenua governance at the Tāmaki Makaurau Mana Whenua forum and with individual iwi.

AT recognises the importance of understanding the needs of Māori across Tāmaki Makaurau and is committed to establishing and improving opportunities for Mataawaka Māori to contribute to the decision-making processes. To this end, AT will develop a Mataawaka engagement plan and seek working relationships with Mataawaka organisations, marae, wānanga, kura, whānau, and individuals.

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?

No

If yes, what are they?:

Based on the current level of investigation conducted across the 42 proposed sites, it has been determined that there is no Māori land, marae or wāhi tapu identified within the Project areas.

However, we acknowledge that information regarding sites of significance may not always be publicly available. Therefore, ongoing consultation with the relevant Mana Whenua representatives will be essential throughout the development of the Project to mitigate any potential adverse effects on sites of

significance.

It is worth noting that some of the level crossing sites are situated near coastal or stream margins, which are considered to have a high risk of encountering archaeological sites and sites of significance to Māori. As a result, further investigation is required to determine the magnitude of these effects and provide adequate mitigation measures at these locations.

AT understands the importance of preserving cultural heritage and is committed to working closely with the relevant stakeholders to ensure that the Project is carried out in a responsible and respectful manner.

The emerging designs are subject to further investigation, but to date have avoided Māori land and generally sought to avoid the coastal marine area.

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?

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:

No file uploaded

## Section 5: Adverse effects

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

Please describe:

As each project aims to remove level crossings from the Auckland Metropolitan Network, different scales of design intervention will likely lead to varying degrees of adverse effects on the environment and people. These sites are diverse, ranging from rural to urban areas, which means each one will have different impact levels. The magnitude of potential adverse effects will depend on the individual site, and further investigation is necessary at a detailed design stage to determine the specific impact level. It is crucial to consider all possible adverse effects of each site and implement the appropriate measures to mitigate any negative consequences. Nevertheless, it is anticipated that the adverse effects of the level crossing removals may include the following:

- Traffic and transport impacts (during construction and operation)
- Landscape and visual effects
- Noise and vibration
- Air pollution (during construction)
- Arboricultural effects
- Ecological effects
- Land contamination effects
- Land disturbance effects
- Stormwater including flood hazards and overland flow paths
- Social impacts
- Archaeological and Built Heritage

An assessment of adverse effects will be prepared as required when the necessary applications are prepared.

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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:

Detailed assessment has not yet been undertaken for each of the sites given the expected long lead time and that confirmation of funding is still required. Nevertheless, all the National Policy Statements (NPS) and National Environmental Standards (NES) applicable at the time of application will be considered, for example:

- National Policy Statement on Urban Development (NPS UD) 2020

The NPS UD seeks to ensure urban environments are well-functioning and enable all people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety. The Project will enable a well-functioning urban environment by giving effect to Auckland's Future Development Strategy to provide transport mode choices, and provide accessibility for all people, support reductions in greenhouse gas emissions, as well as resilience to climate change. The level crossings interventions will support the overall integration of the transport network needed to enable sequenced development of urban areas in this part of the region.

- National Policy Statement for Freshwater Management (NPS FM) 2020

The NPS FM objective and policies seek to ensure that natural and physical resources are managed in a way that prioritises, first, the health and well-being of water bodies and freshwater ecosystems followed by the health needs of people and then the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future. In particular, the NPS FM seeks to protect natural wetlands, rivers, outstanding waterbodies and habitats of indigenous freshwater species. Each of the level crossing interventions will seek to meet the requirements of the NPS FM.

- National Policy Statement for indigenous biodiversity (NPSIB) 2023

While no detailed assessment or identification has been undertaken in relation to Significant Natural Areas (SNA) and Taonga, in the event where there may be impact on indigenous biodiversity, the Project will ensure appropriate controls are in place to manage potential impact on native ecosystems. The Project will also work collaboratively and in partnership with Mana Whenua recognising their role as Kaitiaki.

- National Policy Statement for Highly Productive Land (NPS HPL)

The NPS HPL seeks to provide direction to improve the way highly productive land is managed through appropriate zoning and management of subdivision and land use. Each of the level crossing interventions will seek to meet the intentions of the NPS HPL where it applies.

- National Environment Standards for Freshwater 2020 (NES FW)

The NES FW sets out the requirements for carrying out certain activities that pose risks to freshwater and freshwater ecosystems. Anyone carrying out these activities will need to comply with the standards. Each of the level crossings interventions will aim to safeguard the freshwater system, including any inland wetland.

- National Environment Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (NES CS)

The NES CS is a nationally consistent set of planning controls and soil contaminant values. It ensures that land affected by contaminants in soil is appropriately identified and assessed before it is developed - and if necessary, the land is remediated, or the contaminants contained to make the land safe for human use. Each of the level crossing sites 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.

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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:

The interventions required at each of the level crossing sites, other than the closures, will be substantial. Given the potential effects and scale of public interest in the Project, use of the fast-track decision-making process set out in the Bill will substantially reduce the time and cost required to consent and deliver this regionally and nationally significant Project.

A reduction in consenting time will directly enable the delivery of level crossing removals across Auckland which would have the following benefits:

- Increased capacity and efficiency of the rail network including public transport (and the unlocking of the benefits of CRL);
- Increased safety;
- Reduced emissions;
- Support denser urban form; and
- Improve network resilience.

The fast-track process will also reduce operating contract costs due to a condensed consenting and delivery period.

Without use of the fast-track process, consenting is anticipated to take approximately 12 months depending on the site, and given the potential public interest, is at high risk of appeal which would further extend this timeframe and increase costs. These costs will ultimately be borne by ratepayers and taxpayers.

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

Please write your answer here:

The Project is not considered to impact on the efficient operation of the fast-track process. The Project will be well developed and engagement and consultation with key stakeholders will have commenced, and will be ongoing, prior to the application being lodged. The adverse effects will be appropriately managed.

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

Central government plan or strategy

Please explain your answer here:

Ministry of Transport

- New Zealand Rail Plan (2021)

Outlines investment priorities in accordance with Auckland Transport Alignment Project, to ensure full benefits of CRL day one, which includes progressive improvement and removal of road/rail level crossings.

- AT Alignment Project (ATAP) (2021 – 2031)

The level crossings removals align with ATAP. CRL Day One – Level Crossing Removal is listed in the committed programme with a budget of \$220m.

- Government Policy Statement on Land Transport (2021 – 2031)

Delivering improvements to level crossings, such as installing safety barriers on rural roads and separating road from rail in busy metropolitan networks, is a key safety priority for road and rail infrastructure to be funded by NZTA, KiwiRail's Rail Network Investment Programme, and local councils.

AT

- Statement of Intent (2023 – 2026)

CRL Day One – Level Crossing Removal is listed in the 2023/24 Capital Programme in the SOI, with a \$12m budget.

- Regional Land Transport Plan (RLTP) (2021 – 2031)

The level crossings removals align with RLTP funding priorities. CRL Day One – Level Crossing Removal and Level Crossings Removal – Group 2 are listed as part of AT's Capital Programme within the RLTP, based on the 2021 ATAP, under the assumption that they will be delivered by the National Land Transport Fund (NLTF).

- Regional Public Transport Plan (2023 – 2031)

Level crossing removals are identified to have an indicated delivery year of 2031 and as a medium-term action to address safety.

- Vision Zero for Tāmaki Makaurau

Aims to eliminate transport deaths and serious injuries in Tāmaki Makaurau by 2050. In 2014-2018, seven people on foot were killed crossing a level crossing. Removing level crossings will help achieve vision zero objectives by removing the conflict between people and trains.

Auckland Council

- Auckland Plan 2050

Transport and access chapter, Focus Area 6: Move to a safe transport network free of death and serious injury, discusses recommended actions, increase investment into dedicated safety projects targeted to the highest risk locations (including intersections, high risk routes and road/rail level crossings), in accordance with Region Land Transport Plan.

Will the project deliver regionally or nationally significant infrastructure?

National significant infrastructure

Please explain your answer here:

The level crossing removals will deliver regionally significant infrastructure. It will enable the efficient operation of City Rail Link (CRL). CRL is a \$5.493 billion project, and the largest transport infrastructure project New Zealand has ever built. The level crossing removals are required to support the increased rail frequency resulting from CRL, increased freight services and long-distance passenger services.

The level crossing removals will also deliver nationally significant infrastructure as it will allow general rail efficiency across the country including freight. While considering the best intervention at each of the crossing points, the preferred design accounts for the third and fourth rail main. This has the advantage of delivering on the economic benefits and significantly contribute to the growth, diversity and resilience of regional economies.

Will the project:

contribute to a well-functioning urban environment

Please explain your answer here:

The Project will contribute to a well-functioning urban environment, because:

- A planned proactive approach to growth and investment will ensure land use is integrated with the transport network to enhance liveability, sustainability, and improve transport choices for customers.

- It will mitigate congestion by allowing for an efficient rail network and it will improve transport options and choice, access to critical social and economic opportunities and economic performance locally and nationally.

- Transport investment will support intensification and integrate with anticipated growth and will help to shape quality urban form.

Will the project deliver significant economic benefits?

Yes

Please explain your answer here:

Auckland is New Zealand's economic powerhouse, contributing to almost 40% of the nation's gross domestic product. In south Auckland alone (between Papakura and Pukekohe) significant growth is being experienced in all sectors. This is evident from Auckland Council's finalised Future Development Strategy, live zoning of future urban land, and the construction activities that are currently being undertaken by prominent developers such as Kiwi Properties (which owns Sylvia Park in Auckland), Oyster Capital (key developer for Whenuapai in Auckland) and Fulton Hogan. With the projected population and economic growth for the next 20 years in this area, it is crucial that infrastructure is planned for, and in place to, support this growth and to enhance productivity as anticipated by Government by allowing for rail (including the CRL) to operate at its full capacity and efficiency.

The Project will enable substantially reduced travel times for inter-regional and local travel in Auckland for road users, including freight, that are currently required to stop while waiting at the level crossing for trains to pass. This time will only increase with barrier times estimated to increase up to 45 minutes per peak hour at some locations such as Spartan Road, Takaanini.

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 Project will reduce reliance on car-based travel, through an enhanced, reliable public transport system, which will help to reduce carbon emissions. Where appropriate, active modes bridges will be proposed over rail to maintain community connections and further support mode shift.

As rail traffic increases, extended wait times for vehicle users would be experienced with the extended closure of level crossing barriers – removing this bottleneck will improve vehicle journey times and reduce idling vehicles.

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

Yes

Please explain your answer here:

The Project will be designed to consider adaptation, flood resilience and natural hazard risks. For example, where roads will be constructed over rail.

Will the project address significant environmental issues?

Yes

Please explain your answer here:

The Project will contribute to national commitments to reduce greenhouse emissions from land transport by improving the efficiency of Auckland's rail network. Grade separation will also make the existing roading network more resilient to the effects of climate change.

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

Yes

Please explain your answer here:

The removal of level crossings on Auckland's metropolitan rail network is crucial to support the increased rail frequency resulting from the CRL project. The Project is therefore consistent with, and included in, several local and regional plans, including the Auckland Transport Statement of Intent (2023-2026), the Regional Land Transport Plan (2021-2031), and the Regional Public Transport Plan (2023-2031). The Auckland Plan 2050 also lists the

Project as part of its long-term vision.

In addition, the Takanini Level Crossings, which are of strategic importance for the movement of freight and people, have been expedited to a Notice of Requirement with Auckland Council. The submission period for these crossings closed in December 2023, with hearings set for May 2024. The Supporting Growth Alliance identified these crossings within the Southern Indicative Strategic Transport Network, developed through the Supporting Growth Indicative Programme Business Case. These crossings will ultimately return to AT, and will require Regional Consents, for which AT is seeking to use the Fast Track process.

Anything else?

Please write your answer here:

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

No

If yes, please explain:

The criteria for ineligible projects states that written approval must be obtained from the specific landowners or holders of rights for certain activities. At this stage, the Project has not sought written approval from any parties as no such land has been identified and preferred interventions have not been decided.

## Section 8: Climate change and natural hazards

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

Yes

If yes, please explain:

Addressing climate change and natural hazards requires adaptive designs, robust materials, and proactive maintenance to ensure these facilities/structures withstand future challenges. Climate change and natural hazards pose challenges to the Project. These include:

- Increased costs in relation to consenting, design and the need to implement adaptation measures (e.g. elevated foundations, bridges, material selections), and increase frequency of maintenance.
- Construction challenges, and delayed delivery of equipment due to extreme weather events and limitation on accredited materials that can withstand extreme weather conditions.
- More stringent requirements in relation to consenting and other statutory permits.

## 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, including Auckland Level Crossings Removals.

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:

Amy Thompson

Important notes