



Factsheet

JULY 2012

City Rail Link Information for Landowners

Auckland Transport (AT) is planning to lodge a notice of requirement to protect land required for the City Rail Link (CRL). The CRL will extend the passenger rail system underground through Britomart to connect to the western line at Eden Terrace.

The route is predominantly underground requiring the future purchase of an envelope of land below properties. It will also require some surface property near the western line and for station access points.

Auckland Transport is contacting property owners affected by the CRL and will continue to consult with them as the notice of requirement (NoR) progresses.



What is a notice of requirement?

A NoR is how AT gives notice to Auckland Council that it wants to designate land for a transport project. Until it has been included in a district plan, a designation is referred to as a NoR. The NoR for a new designation will be lodged with Auckland Council and be heard by independent commissioners. If it is confirmed, the designation is included in the district plan.

The submission process for a notified NoR

The NoR will be publicly notified. Anyone can lodge a submission in support or opposition within a period of 30 working days.

NoR hearings

If any submitters state that they wish to be heard, the council will hold a hearing to consider the NoR. Submitters can speak to submissions at the hearing, or bring along someone to represent them or present evidence on their behalf.

Council recommendation and AT decision

After the hearing, the commissioners will recommend to AT whether they think the NoR should be confirmed (ie, the site should be designated for the proposed purpose); should be confirmed with modifications and/or conditions; or should be withdrawn.

In making a recommendation, it will take into account the NoR; council planner's recommendations; the relevant national, regional planning documents; and information presented at the hearing.

AT then has 30 working days to decide whether to accept the recommendation. Most designations have conditions attached to them, which limit what can be carried out under the designation and are intended to mitigate any adverse environmental effects.

Once Auckland Council has received AT's decision, it will provide a copy to all submitters as well as landowners and occupiers whose land is directly affected by the decision. This can be appealed to the environment court.

What is a designation?

The Resource Management Act allows for areas of land to be set aside for network utilities or public works. These areas are identified in the district plan. Designating the land required for the CRL would allow AT's project to proceed without needing to get a land-use consent from the council. Once the designation is put in place, AT may do anything allowed by the designation, and the usual provisions of the district plan do not apply to the designated site. AT will still need to get any resource consents required from the council.

AT is seeking a designation for 20 years. This means if the project hasn't happened in that time frame, the designation will lapse.



How does a designation affect landowners?

A designation places restrictions on what anyone other than AT can do with the land. If you wish to do anything on designated land that may prevent or hinder the designated work, written consent must be obtained from AT.

You can appeal to the Environment Court. The normal provisions of the district plan still apply to your proposed activity, and you may need to obtain resource consents. In this case, AT will be an affected party.

Purchasing/acquisition of land

AT has no immediate plans to purchase land. It will begin negotiations after the designation has been confirmed, likely to be 2014. It will consider special/hardship cases.

Anyone who owns designated land can ask the Environment Court to direct AT to acquire the land if they have tried and are unable to sell it. Under the Public Works Act 1981, Auckland Council can compulsorily acquire land that is designated for AT purposes.

