

# Memorandum

To: Kelsey Carter – Consent Co-ordinator  
Cc: Pragati Vasisht – Principal Consents Specialist  
From: Aimee Barwick – Planning Integration Manager  
Date: 16 December 2013  
Subject: Elliott Tower Proposal and CRL

## Purpose

The purpose of this memo is to outline the proposed changes to the conditions for the Elliott Tower consent. The reason for the proposed changes is to address and highlight the implications of the timing and sequencing of construction activities of the Elliott Tower and the City Rail Link (CRL) project.

It is noted that the proposed development provides a great opportunity for the city centre and the CRL project. The concerns outlined in this memo are specific to ensuring that the construction of CRL is not prevented or hindered in anyway.

## Background

Since the original Elliot Tower consent was approved by Auckland Council (AC), Auckland Transport (AT) has lodged a Notice of Requirement (NoR) for the construction, operation and maintenance of the CRL. The Hearing for the CRL has now closed and a favourable recommendation from the Independent Commissioners is expected early in 2014.

CRL project team members met with the architects of the Elliot Tower proposal in 2012 and 2013 with regard to the proposed development and to foster a working relationship with the developer.

No submission was received from the property owner of the Elliott Tower site on the CRL NoR.

## The Elliot Tower proposal

The Elliot Tower proposal is currently being processed by AC as a potential s127 variation to consent. Dean Ingoe in my team prepared an earlier memo on this, and was concerned that the updated application was more than a variation and potentially a new application. I have since met with Karen Long at AC and discussed the proposal. It was agreed that it is Councils role to determine the processing of an application with regard to the statutory tests and the effects of the proposal. I have no further comment to make on this matter.

The key matters of concern with regard to CRL and Elliott Tower were discussed and I outlined that there is potential for significant effects on the city in relation to the timing and sequencing of the two projects and the wider complexity of the CRL construction programme.

## Key Issues

The key issues for the CRL project include the following;

1. the traffic management and the construction methodology of the two projects being constructed at the same time and AT's ability to manage the transport network. It is unclear how the effects from construction traffic movement can be managed at the same time and whether any additional conditions should be placed on the variation given that CRL NoR is now in place. The traffic assessment and proposed conditions of the CRL are complex and hinge on the construction methodology proposed which determined NoR 1 being constructed as cut and cover in Albert Street. This effectively limits Albert Street to single lanes for property access and requires the closing of the key east/west connections in sequence, including the Customs, Victoria and Wellesley intersections.
2. The other implication is the design and proposed construction methodology of the porte-cochere and how that will integrate with the CRL project and the construction of Aotea Station and any enabling works.
3. There are also implications in regards to the use of the service lane during construction of the projects and the need for CRL to be able close the lane off in two halves during the



## Memorandum

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construction of Aotea Station. It is also understood the developer of Elliott Tower intends to steepen the gradient of the service lane at the time of construction for the tower this will require agreement with AT to develop a mutually beneficial solution to retain Albert Street.

4. A further implication will be lateral earth support provisions and groundwater effects especially if the projects are constructed concurrently.

### **Recommendation of matters to be covered by the consent conditions**

#### S176(1)(b) approval

I have outlined that AT expect to receive a favourable recommendation to confirm the CRL designation in early 2014. Once the designation is confirmed the developer of Elliott Tower will be required to obtain approval from AT to give effect to the consent.

It is recommended that AC include on the consent the following wording for the advice note;

1. Approval will need to be obtained from Auckland Transport under s176(1)(b) in respect of any works that may prevent or hinder the works to which the designation of the City Rail Link relates.
2. Any necessary approvals to be obtained from Auckland Transport as Road Controlling Authority for proposed works within a road.

#### Proposed changes to conditions

It is understood that the existing conditions require approval by the Council including the Transport Operations Manager of (the legacy) Council of the excavation and construction management plan and construction traffic management plan. These particular conditions should be amended to state approval of plans to the satisfaction of Auckland Council and Auckland Transport.

All other conditions previously referring to a transport team of the legacy Auckland City Council should also be amended to Auckland Transport.

