



29 June 2021

Matthew Hooton

By email: fyi-request-15615-a02cd2b6@requests.fyi.org.nz

City Rail Link (CRL) – Official Information Act Request

We refer to our correspondence of 9 June 2021 in relation to your LGOIMA request to Auckland Council and the Minister of Finance with respect to the “costs of securing subsurface rights for the City Rail Link”.

Partial Transfer

City Rail Link Limited was formed on 1 July 2017 to deliver the Project which previously sat with Auckland Transport. Accordingly, we have transferred parts of this request to Auckland Transport insofar as they relate to information held for the period prior to 1 July 2017. We note that this partial Transfer only relates to Items 1 and 2 below:

1.	The total cost already paid or agreed to be paid by CRL for subsurface rights, up until 11.59pm on 28 May 2021.
2.	The total costs paid by CRL for consultants and other external providers in relation to 1 above.
3.	CRL's total cost estimate of further subsurface rights, beyond those covered by 1 above, to allow the completion of the project.
4.	CRL's total cost estimate for consultants and other external providers in relation to 3 above.

Notwithstanding this transfer, we confirm that we will liaise directly with Auckland Transport to provide you with a combined response to your Official Information Act/LGOIMA request where possible.

Decision

The OIA requires that we advise you of our decision on your request no later than 20 working days after the day we received your request. Please see our decision with respect to each Item below.

Item 1: *The total cost already paid or agreed to be paid by CRL for subsurface rights, up until 11.59pm on 28 May 2021.*

Response: We agree to release information in relation to Item 1. However, we do not hold it in the format requested and it will take us some time to collate this information.

We are in the process of gathering, reviewing and verifying the information which we will send to you within 10 working days.

This information will include the total paid, or agreed to be paid, for subsurface rights including payments in accordance with Sections 62 and 72C of the Public Works Act.

Please note the information provided in response to this Item will also include landowners' consultants' costs which have been reimbursed under Sections 66 and 76 of the Public Works Act.

Item 2: *The total costs paid by CRL for consultants and other external providers in relation to 1 above*

Response: We agree to release information in relation to Item 2. However, the information does not exist as requested and will need to be extracted from a number of sources of financial records. For context, CRL engages suppliers across multiple areas of the project, and it will take some time to identify and separate out the work carried out specific to the acquisition of subsurface rights back to 2013 so originated with Auckland Transport.

We are in the process of gathering all of the information and at this preliminary stage, advise that there are substantial financial records to review, verify and collate, to respond to your query given the number of properties, technical reports to inform negotiations and length of time that this request relates to. Additionally, we will also need to undertake a verification process with Auckland Transport to ensure that there has been no double counting of financial records and that the information we provide is complete.

Due to the substantial administrative burden in responding to this request in the way asked, we have decided to charge for making the requested information available.

We estimate that the maximum charge will be \$2,242 taking account of public interest and calculated as follows:

	Quantity	Price	Total
Labour: - Search and retrieval - Research (reading and reviewing to identify the information) - Collation - Peer review to ensure that these tasks have been carried out correctly including verification process with Auckland Transport	60 hours	\$38/half hour, with the first hour free	\$2,242

Any unused component of the maximum charge will be refunded to you. Before we proceed further with your request, please confirm your agreement to the charge and we can send you an invoice. We will send you the information within 20 working days of receipt of the payment.

We are happy to talk to you about the consultants engaged for the subsurface acquisition programme to see if the purpose for which you seek the information can be responded to in a different manner to either reduce or entirely mitigate the need for a charge.

Items 3 and 4: CRL's total cost estimate of further subsurface rights, beyond those covered by 1 above, to allow the completion of the project

CRL's total cost estimate for consultants and other external providers in relation to 3 above

Response: We do not hold an estimate to respond to Items 3 and 4 in full.

There two categories of subsurface rights where compensation has not yet been fully determined. These groups are as follows:

1. The first where land has been acquired or defined but compensation is still outstanding. This includes properties which have been acquired by Advance Compensation agreements or proclamation, as well as subsurface rights which are outstanding.
2. The second involves land required that is still subject to evaluations of the final tunnel position. We have not sought estimates of the professional fees to estimate the compensation yet - that figure could be estimated after we receive and review the results of the volumetric definition.

We can provide you with the estimate for the first group within 10 working days.

You have the right to seek an investigation and review by the Ombudsman of the above decisions. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

If you wish to discuss any of the above with us, please contact us at info@cityrailink.govt.nz.

Yours sincerely,



Rick Galli
Head of Property