

**REFERRAL APPLICATION
AUCKLAND THOROUGHBRED RACING INCORPORATED
AND FLETCHER RESIDENTIAL LIMITED
THE HILL, ELLERSLIE**



**APPLICATION BY AUCKLAND THOROUGHBRED RACING
INCORPORATED AND FLETCHER RESIDENTIAL LIMITED
FOR REFERRAL TO EXPERT CONSENTING PANEL UNDER THE
COVID-19 RECOVERY (FAST-TRACK CONSENTING) ACT 2020**

5 November 2021

1. EXECUTIVE SUMMARY

- 1.1 This is an application for referral to an Expert Consenting Panel under the COVID-19 Recovery (Fast Track Consenting) Act 2020 ("**FTCA**") for resource consents to subdivide and enable the construction of a masterplanned residential development on approximately 6.4 hectares of land known as The Hill at Ellerslie Racecourse ("**Project**").
- 1.2 Auckland Thoroughbred Racing Incorporated ("**ATR**") is the landowner of Ellerslie Racecourse and has identified Fletcher Residential Limited (trading as Fletcher Living) ("**FRL**") as its preferred development partner to develop The Hill to deliver a high-quality residential development.
- 1.3 The *Review of the New Zealand Racing Industry* ("**Messara Report**") identified a number of matters for reform in the racing industry. Following the Messara Report and legislative changes to revitalise the racing industry, the former Auckland Racing Club and Counties Racing Club have recently merged to form ATR. This enabled the consolidation of assets between the two clubs and has provided the opportunity to look more strategically at ATR's operations.
- 1.4 Following the commission of a strategic land analysis of ATR's landholdings, The Hill was identified as the most significant surplus land opportunity. The Hill was historically used for steeplechase races. However, these are no longer held, which means that The Hill is no longer an integral part of racing events and requires continuous maintenance, which does not make economic sense. Further, given the intensity of Auckland's housing shortage, development of The Hill also presents a valuable opportunity to provide approximately 370 dwellings in a central location.
- 1.5 ATR has a successful record of divesting non-core surplus assets in order to secure ongoing the financial viability of the Ellerslie Racecourse. This has included the initial subdivision and development of Derby Downs Place, the Ascot Hospital, the Novotel Hotel, and the Usana commercial building and Ascot Office Park adjacent to the southern motorway. Since then, further district plan changes and the Auckland Unitary Plan process have resulted in the rezoning of areas of land on the periphery of the racecourse for both residential and commercial redevelopment purposes.
- 1.6 The Project will also underpin the sustainability of New Zealand's thoroughbred industry. The Project will enable increased stakes to be paid to trainers and breeders. These increased stakes to participants will flow throughout the New Zealand wide associated industries including down to trainers, breeders, and other parts of the thoroughbred industry. In this way the Project will significantly contribute to a broad range of businesses over the short, medium and long term.
- 1.7 FRL is working with ATR on the Project. FRL is a wholly owned subsidiary of NZX listed Fletcher Building Limited with a highly experienced and capable team that is very familiar with developing high quality residential communities, including award winning communities¹ in Auckland and Christchurch. FRL has been involved in development since the early 1900s – with a wooden villa that still stands in Dunedin, today.
- 1.8 FRL has built up a significant pipeline of developments centred in Auckland and Christchurch and has a proven track record and experience in delivering large-scale residential developments – current examples of developments of a similar scale and complexity that FRL

¹ FRL recently won awards on two projects in the Urban Land Development Category of Property Council of NZ National Awards 2020.

is successfully delivering in Auckland are Three Kings, Waiata Shores, and Kōwhai Ridge: Massey:

- (a) **Three Kings:** FRL is redeveloping an existing quarry to create a world-class community that Aucklanders are proud of, want to invest in and, most importantly, live in and play in. It will provide new active and passive recreation spaces, and over 1,000 new homes across a range of housing typologies. The first stage of this development has been completed and includes 200 terraced townhouses, apartments and studios on a 1.2ha site above the quarry escarpment and adjacent to Mt Eden Road. Further apartments and terrace developments are current under construction while civil earthworks continue in other areas of the site.
- (b) **Waiata Shores:** This development is providing a balanced mix of over 700 homes that will suit the needs of a wide range of lifestyles. Typologies currently completed include standalone, duplex and terraced houses, and "Retirement Lite" living. A number of homes have already been delivered and further construction of homes and other amenities (café, childcare facility and a local retail centre with a supermarket and shops) are under construction. Waiata Shores Stage 1 was awarded a merit award in the Urban Land Development category at the PCNZ Awards in November 2020.
- (c) **Kōwhai Ridge:** This project is a joint venture between Fletcher Living and Ngāti Whātua Ōrākei Whai Rawa. The development is on 9.2ha of vacant Government-owned land and consists of 197 terrace, duplex and detached homes designed around three landscaped drainage reserves. These reserves feature native planting and are a valued recreational asset. Consideration at the masterplan phase ensured residents could easily connect to the surrounding native bush and walkway. Kōwhai Ridge was awarded the winner of Best in Category for the Urban Land Development Award at the PCNZ Awards in November 2020.

- 1.9 These three large-scale residential developments are centred around building modern communities, not just homes – and a similar approach is to be taken for this Project.
- 1.10 FRL is currently successfully constructing approximately 1,000 homes and apartments per year, mostly as part of medium to large master planned developments. This Project presents a unique opportunity for FRL to provide another fully masterplanned development in central Auckland.
- 1.11 This application will require land use and subdivision resource consents in order to facilitate the residential development of The Hill. The fast tracking of this application will enable high quality residential development to be established in a desirable residential location that is in proximity to existing public transport bus services and two existing train stations. Overall, the proposal will positively contribute to a well-functioning urban environment that supports the Government's decarbonisation goals by reducing private vehicle dependence and enhancing access to public transport options including the nearby rail network.
- 1.12 The Project will increase the housing options available in an inner-city suburb of Auckland. It includes a development of approximately 370 residential dwellings comprising a mix of detached, duplex and terrace houses, market apartments, and an apartment building for the active retired. Building heights range from 1 to 7 storeys.
- 1.13 Iwi authorities and a treaty settlement entity have been identified that may be interested in the Project in accordance with the FTCA. To date, Ngai Tai ki Tamaki have expressed an interest in engagement and an initial hui has been held with them. The applicants have requested that

Ngai Tai ki Tamaki prepare a cultural values assessment for the Project for any consent application under the FTCA. No other requests for ongoing engagement have been provided from other contacted iwi groups.

- 1.14 Other consultation has occurred with Auckland Council and the Minister for Racing. Further consultation with parties will occur prior to the lodgement of any resource consent application.
- 1.15 Overall, the Project meets the purpose of the FTCA as described further in this application but notably for the following reasons:
- (a) It provides economic benefits for people and industries affected by COVID-19, including the construction sector. It will provide an investment of s 9(2)(b)(ii) to develop and result in public benefit by generating a total of 1,112 direct full time equivalent jobs (for a year) over the construction of the Project.
 - (b) It substantially increases housing supply in an inner-city "greenfield" location of Auckland by providing approximately 370 dwellings. This will assist the social wellbeing of current and future generations.
 - (c) It will progress faster, and therefore provide its benefits faster, by using the processes under the FTCA than would otherwise be the case. Delayed consenting under the standard RMA process will impact the cost of the Project and therefore how it may proceed.
 - (d) There are many other public benefits of the Project including that it contributes to well-functioning urban environments by providing a mixture of typologies of dwellings, landscaping and providing pedestrian connections.
 - (e) There is no potential for the Project to have significant adverse environmental effects and as outlined in section 8 below, any adverse effects will be avoided, remedied or mitigated including through conditions.

2. APPLICATION DETAILS

2.1 Applicant details

Person or entity making the request: Auckland Thoroughbred Racing Incorporated and Fletcher Residential Limited (trading as Fletcher Living)

Contact person: Don Greenaway / Aidan Donnelly

Job title: Development Manager – Property /
General Manager, Development

Phone: s 9(2)(a)

Email: s 9(2)(a)

Postal address: 100 Ascot Avenue, Remuera 1051 /
810 Great South Road Penrose 1061

Address for service (if different from above)

Organisation: Russell McVeagh
 Contact person: Daniel Minhinnick / Alice Gilbert
 Job title: Partner / Solicitor
 Phone: s 9(2)(a)
 Email: s 9(2)(a)
 Postal address: Vero Centre, 48 Shortland Street, Auckland 1140

3. PROJECT LOCATION**3.1 The application:**

- ☒ does not relate to the coastal marine area
☐ relates partly to the coastal marine area
☐ relates wholly to the coastal marine area.

Site location

- 3.2 Figure 1 below is a site plan that identifies the general location and the approximately 6.3 hectare portion of land that is the subject of this application ("**Site**"). The Site is located at 100 Ascot Ave, Ellerslie. This address includes the full Ellerslie Racecourse, however, the development proposed within this application involves the eastern end of the racecourse which is referred to as The Hill or Site in this application.



Figure 1: Location plan (sourced from Brewer Davidson)

Legal description

3.3 Lot 8 DP 515118 (Record of Title: 800302)

A copy of the above Record of Title can be provided on request.

Registered owners

3.4 Auckland Thoroughbred Racing Incorporated owns the relevant land.

4. PROJECT DETAILS

Project summary

Project name

4.1 The Hill, Ellerslie.

Project details

4.2 The purpose of the Project is to provide a masterplanned residential development on The Hill to help support the growth expected to occur in Auckland over the long-term. The Project will also enable ATR to provide for the long-term financial viability of the Ellerslie Racecourse.

4.3 The Project has been carefully masterplanned. An indicative concept plan for the development is provided in **Attachment 1** and in Figure 2 below.



Figure 2: Indicative Concept Plan (sourced from Brewer Davidson)

- 4.4 The Project includes a development of approximately 370 dwellings, comprising a mix of detached, duplex and terraced houses, market apartments, and an apartment building for the active retired. Building heights range from 1-7 storeys.
- 4.5 The Project provides a variety of residential typologies including apartments, terrace houses and detached dwellings. The variety of dwelling options will result in different dwelling sizes and section sizes across the Site. This in turn will result in providing housing options for a wider range of the community.
- 4.6 In addition to housing development, the Project is also proposed to include:
- (a) the construction of open space areas;
 - (b) pedestrian and cycle connections (including connections to public transport, providing cycle parks and providing a footpath adjoining the Ellerslie Racecourse – the latter of which is expected to be controlled on race days);
 - (c) vehicle connections to the adjacent road network;
 - (d) a number of cycle and car parks (approximately 505 carparks), mostly in garages or enclosed basement parking areas; and
 - (e) significant areas of landscaping (including the retention of selected Pohutukawa trees along Ladies Mile, where safe and appropriate).
- 4.7 Figure 3 below illustrates a 3D image of the indicative concept plan for the Project from the south-west overlooking Ellerslie Racecourse. This image and other 3D images prepared by Brewer Davidson are available in **Attachment 2** to this application.



Figure 3: 3D Indicative Concept Plan from south-west (sourced from Brewer Davidson)

- 4.8 The Site is currently within the certificate of title for the Ellerslie Racecourse, but the Project proposes to subdivide The Hill from the wider racecourse. There are subsequent subdivisions proposed as part of the Project to provide freehold and unit titles for the various residential typologies on The Hill. Further detail on the exact subdivision boundaries and, any land that

would remain as part of the racecourse (ie any accesses through The Hill), would be provided through the resource consent process.

- 4.9 To establish the residential development, it will be necessary to, among other things:
- (a) undertake bulk earthworks to accommodate the infrastructure to be constructed;
 - (b) undertake limited vegetation clearance and works to fill-in the existing artificial racetrack irrigation pond;
 - (c) provide network utility connections to relevant Auckland Council infrastructure; and
 - (d) provide temporary activities (such as temporary operations offices) for the construction phases.
- 4.10 Due to the scale of the Project, it will be necessary to construct it in stages. Access to the Site for construction purposes will be managed throughout the stages and management measures will be expected to be put in place to facilitate this.
- 4.11 Should consent be granted the applicants want to start works straight away. Based on approximate timings at this stage, if a consent application were lodged in May 2022 a decision may be expected by September 2022. Works relating to the Project could then commence immediately with the full Project works undertaken in several stages (as detailed further in this application below). Certain permitted preparatory and enabling works are also commencing to enable the Project works to commence immediately.
- 4.12 FRL has significant experience in projects of this nature and has financing in place to fund the Project to completion. In this respect, FRL is ready and able to proceed immediately with the design and delivery programme. FRL's balance sheet strength and track record of successfully delivering projects at scale should provide comfort on the delivery front. FRL is comfortable committing resource early with a view to optimising the overall delivery programme. There is no requirement for a certain level of presales to be obtained prior to works commencing. ATR is committed to ensuring that its future activities at Ellerslie Racecourse are financially viable. This Project represents a perfect opportunity to address Auckland's population growth while supporting the continued viability of a key community, and national racecourse.

Staging

- 4.13 ATR and FRL are fully committed to delivering this Project. ATR and FRL expect that works relating to the Project can begin immediately should consent be granted. Assuming consent is granted in September 2022, works could then commence immediately, with the full Project works undertaken in several stages (over 4 to 6 years from commencement).
- 4.14 The Project's key milestones and expected staging details are provided below:
- (a) Fast Track Consent Approval – September 2022
 - (b) Parent Title – Issued May 2023
 - (c) Earthworks – Commence October 2023 (or earlier if consent timeframes allow)
 - (d) Civil Construction – Commence April 2024
 - (e) Stage 1a Residential Construction – Commence October 2024

- (f) Stage 1b Residential Construction (terraces/apartments) – Commence October 2024
- (g) Stage 2a Residential Construction – Commence February 2026
- (h) Stage 2b Residential Construction – Commence October 2024
- (i) Stage 3a Residential Construction – Commence April 2026
- (j) Stage 3b Residential Construction – Commence November 2026

Consent / approvals required

4.15 **Relevant local authorities:** the relevant local authority is Auckland Council.

Resource consent(s) / Designation required:

- ☒ Land-use consent
- ☒ Subdivision consent
- ☐ Coastal permit
- ☒ Water permit
- ☒ Discharge permit
- ☐ Designation
- ☐ Alteration to designation

Designations

4.16 Not required.

Consents

4.17 Regional and district consents will likely be required, as follows:

RELEVANT PLAN / STANDARD	RELEVANT RULE / REGULATION	REASON FOR CONSENT	ACTIVITY STATUS	LOCATION OF PROPOSED ACTIVITY
Auckland Unitary Plan (Operative in Part)	C1.7	Activity not otherwise provided for which includes Dwellings within the Major Recreation Facility Zone and Ellerslie Racecourse Precinct	Discretionary	The Hill
Auckland Unitary Plan (Operative in Part)	E38.4.5(A45)	Subdivision not otherwise provided for in Table E38.4.1. Relates to the vacant site subdivision of the Parent site as well as vacant lot subdivisions for dwellings	Discretionary	The Hill

RELEVANT PLAN / STANDARD	RELEVANT RULE / REGULATION	REASON FOR CONSENT	ACTIVITY STATUS	LOCATION OF PROPOSED ACTIVITY
Auckland Unitary Plan (Operative in Part)	E38.4.1(A4)	Unit Title and strata title subdivision. Relates to any unit title or strata subdivision required for the residential units within multi-level buildings	Controlled	The Hill
Auckland Unitary Plan (Operative in Part)	E38.4.1(A11)	Subdivision within land subject to any of the following natural hazards: 1% AEP	Restricted Discretionary	Areas of The Hill within the 1% AEP
Auckland Unitary Plan (Operative in Part)	E7.4.1(A28)	The diversion of groundwater caused by any excavation that does not meet the permitted activity standards	Restricted Discretionary	Areas of The Hill where basement construction is proposed
Auckland Unitary Plan (Operative in Part)	E8.4.1 (A11)	Discharge of Stormwater to land from a new stormwater network	Discretionary	The Hill
Auckland Unitary Plan (Operative in Part)	E36.4.1(A41) Overland Flow Path Diversion	Diverting the entry or exit point of any overland flow path	Restricted Discretionary	The Hill
Auckland Unitary Plan (Operative in Part)	E36.4.1(A42) Buildings or Structures within an Overland Flow Path	Any buildings or structures within any overland flow path	Restricted Discretionary	The Hill
Auckland Unitary Plan (Operative in Part)	E36.4.1(A37) Flood prone areas – 1% AEP	All structures and buildings within the 1% AEP floodplain	Restricted Discretionary	The Hill
Auckland Unitary Plan (Operative in Part)	E12.4.1(A6) Earthworks – District	Earthworks greater than 2,500m ²	Restricted discretionary	The Hill
Auckland Unitary Plan (Operative in Part)	E12.4.1(A10) Earthworks – District	Earthworks greater than 2,500m ³	Restricted discretionary	The Hill
Auckland Unitary Plan (Operative in Part)	E11.4.1(A5) Earthworks - Regional	Earthworks greater than 50,000m ²	Restricted discretionary	The Hill

RELEVANT PLAN / STANDARD	RELEVANT RULE / REGULATION	REASON FOR CONSENT	ACTIVITY STATUS	LOCATION OF PROPOSED ACTIVITY
Auckland Unitary Plan (Operative in Part)	E27.4.1 Activity table (A3) Any activity or subdivision which exceeds the trip generation standards set out in Standard E27.6.1 is a restricted discretionary activity	The proposal exceeds the 100-dwelling threshold for residential development.	Restricted discretionary	The Hill
Auckland Unitary Plan (Operative in Part)	E27.6 Development standards 1. Trip generation Where a proposal exceeds 100 dwellings, resource consent for a restricted discretionary activity is required.	The proposal includes approximately 370 residential apartments and exceeds the 100-dwelling threshold. Accordingly, resource consent is sought under E27.4.1(A3) above.	Restricted discretionary	The Hill
Auckland Unitary Plan (Operative in Part)	E25.6.27.1 Construction noise standards	The proposal is likely to exceed construction noise standards of the AUP	Restricted Discretionary	The Hill
Auckland Unitary Plan (Operative in Part)	E30.4.1 (A6) Discharges to land from land subject to contamination	Part of the Site contains contaminated material which will require management during and post construction	Controlled	The Hill
National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (NESCS)	Regulation 10(1)	Elevated levels of HAIL materials and will need to be remediated prior to earthworks commencing	Restricted discretionary	The Hill

- 4.18 With regard to stormwater discharge from the Site, should discharge be proposed to the existing 18m deep public stormwater pipe (discharging to Waitarua Reserve) within the site, a Stormwater Management Plan ("SMP") will be required in accordance with the region-wide

Network Discharge Consent ("**NDC**") (ie in accordance with schedule 2 and 4 of the NDC). Healthy Waters must approve and adopt the SMP under its NDC. Alternatively, if it was not proposed to discharge stormwater into the public network via the NDC, the discharge to land consent identified above would be required.

- 4.19 The Project does not include any activity that is a prohibited activity under the RMA, its regulations, a plan or proposed plan.

Relevant zoning, overlays and other features

- 4.20 The Site is zoned Special Purpose – Major Recreation Facility and is within the Ellerslie Racecourse Precinct. It should be acknowledged that while the racecourse presents as a public open space area, it is a privately controlled recreation facility owned and managed by ATR. While ATR allows members of the public to frequently make use of the racecourse precinct, it should be noted that the racecourse open space areas are not part of Auckland Council's publicly accessible open space network.
- 4.21 The wider Ellerslie Racecourse has different zoning (Business – Mixed Use, Residential – Mixed Housing Suburban Zone, Residential – Mixed Housing Urban Zone and Residential – Terrace Housing and Apartment Building Zone) and is within other precincts. The zoning of the wider Ellerslie Racecourse can be observed in Figure 4 below.

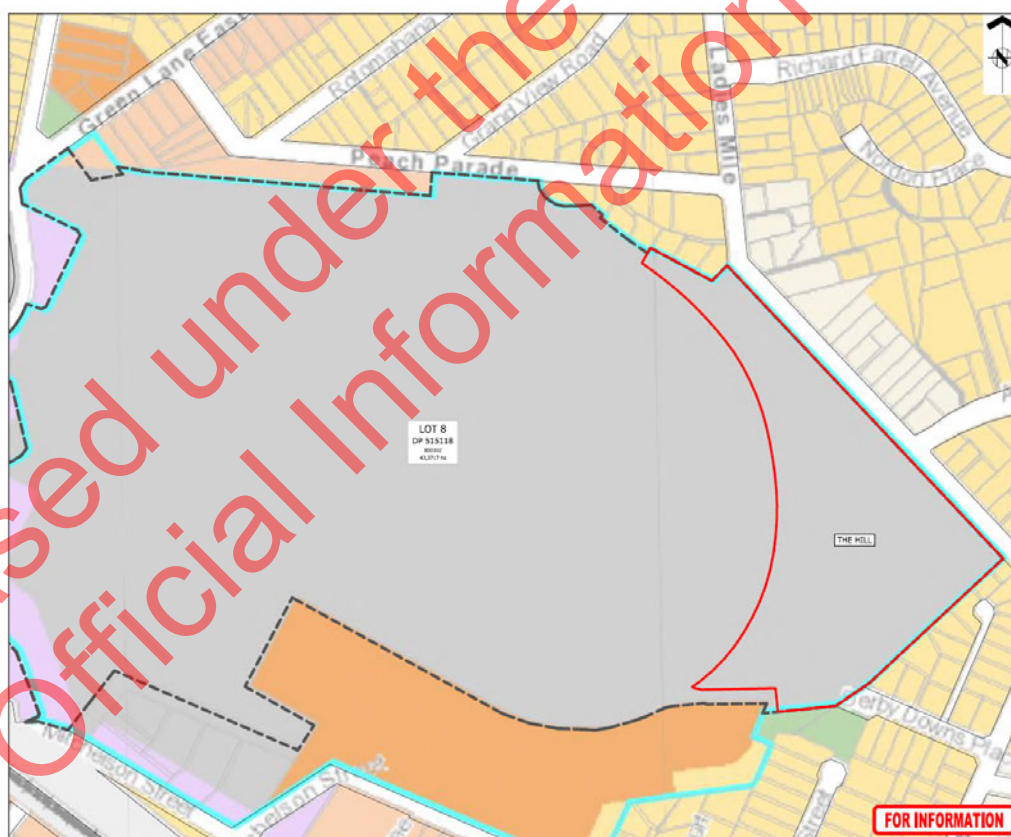


Figure 4: Zoning of the Site and the surrounding environment (sourced from Auckland Unitary Plan Maps)

- 4.22 The purpose of the Major Recreation Facility Zone is to manage facilities within the Auckland region capable of hosting large-scale sports, leisure, entertainment, art, recreation, or event and cultural activities. As described earlier, ATR has identified that The Hill is no longer an integral part of the Ellerslie Racecourse and is therefore proposing the surplus land be used for residential purposes in line with the surrounding land use.

- 4.23 The Ellerslie Racecourse Precinct provisions enable a range of primary activities including horse racing, functions, conferences, concerts and recreation activities. A range of compatible and accessory activities are also enabled including a variety of small scale commercial and community activities.
- 4.24 The objectives and policies enable the above activities and seek to ensure the safe and efficient operation of primary activities on the racecourse site and to protect the primary activities from reverse sensitivity effects. The proposed residential development of The Hill will ensure the ongoing viability of the primary activities and will not utilise land that will be required for racing or function, concerts and recreation activities in the future.
- 4.25 In terms of relevant overlays or notations, the following apply to the Site and the broader racecourse:
- (a) Overlay: High Use Aquifer Management Area: This overlay provides for the management of water availability to meet user needs while maintaining base flows for surface streams. Overlay: Quality-Sensitive Aquifer Management Area: This overlay provides for the management of shallow and unconfined aquifers that may be susceptible to pollution from surface sources such as discharges of contaminants (stormwater or sewage).
 - (b) Controls: Macroinvertebrate Community Index – Urban: This control is used as an indicator of water quality and overall stream health. It does not introduce any particular standards to be complied with.
 - (c) Designations: Airspace Restrict Designations – ID 1102: This designation provides an obstacle limitation, runway protection and ground light restriction.
 - (d) Overlay Natural Heritage: Regionally Significant Volcanic Viewshafts And Height Sensitive Areas Overlay (O1 One Tree Hill, O2 One Tree Hill and W26 Mount Wellington). These three overlays do not apply to the Site and is not impacted by the Project.
 - (e) Overlay Natural Heritage: Notable Group of Trees Overlay – 340. This does not apply to the Site and is not impacted by the Project.

Resource consent applications already made, or notices of requirement already lodged, on the same or a similar project

- 4.26 No resource consent applications or notices of requirement have been made for this or a similar project.

Consents / designations by other parties

- 4.27 There are no other types of resource consents or designations required to authorise the project.

Other legal authorisations

- 4.28 An Archaeological Assessment has been prepared by Clough and Associates. The report concludes that an authorisation from Heritage New Zealand Pouhere Taonga may be required given the earthworks proposed. Out of an abundance of caution, the applicant's archaeological consultant, Clough and Associates has been briefed to apply for any potentially required authorisation.

Construction readiness

- 4.29 FRL has the financial capacity and is well capitalised to deliver the Project. In this respect, FRL is ready and able to proceed immediately with the design and delivery programme. FRL's balance sheet strength and track record of successfully delivering projects at scale should provide comfort on the delivery front. FRL is comfortable committing resource early with a view to optimising the overall delivery programme. There is no requirement for a certain level of presales to be obtained prior to works commencing.
- 4.30 FRL will ensure that once the parent title has been issued that earthworks for the Site can proceed at the earliest. FRL will also complete the necessary design and approvals for civils construction in parallel so the programme runs sequentially. FRL's well established contractor relationships and inhouse construction delivery teams allow us to start works at the earliest opportunity. FRL's funding model does not require specific bank funding for the Project, which allows works to proceed without pre-sales. The overall Project is anticipated to be completed in 2027 / 2028.
- 4.31 As FRL designs and delivers its own homes, there is also surety that what is consented through this process will be delivered, at pace and to the quality required for such a development.
- 4.32 ATR and FRL are fully committed to delivering the Project. ATR requires the development to progress so that it can ensure funding for required capital projects and the long-term viability of racecourse activities at Ellerslie Racecourse. FRL is in a financially secure position and is a long established and well-regarded development company that has a strong track record for delivering projects of this nature and scale.
- 4.33 ATR and FRL expect that works relating to the Project can begin promptly after the forecasted date of obtaining consent via the FTCA process. The Project would then be developed in a staged manner over 4 to 6 years from commencement. The key milestones for delivering the Project are set out below:
- (a) Fast Track Consent Approval – September 2022
 - (b) Parent Title – Issued May 2023
 - (c) Earthworks – Commence October 2023 (or earlier if consent timeframes allow)
 - (d) Civil construction – Commence April 2024
 - (e) Stage 1a Residential Construction – Commence October 2024
 - (f) Stage 1b Residential Construction (terraces/apartments) – Commence October 2024
 - (g) Stage 2a Residential Construction – Commence February 2026
 - (h) Stage 2b Residential Construction – Commence October 2024
 - (i) Stage 3a Residential Construction – Commence April 2026
 - (j) Stage 3b Residential Construction – Commence November 2026

5. CONSULTATION

Government ministries and departments

- 5.1 ATR have engaged with the Minister for Racing regarding the long-term strategy for racecourses in New Zealand (as a result of the Messara Report) and have also recently briefed the Minister for Racing on this fast-track application.

Local authorities

- 5.2 ATR and FRL have had two pre-application meetings with Auckland Council officers in relation to the Project. ATR also met with Healthy Waters (a section of the Auckland Council) to investigate stormwater disposal options for the proposed development.

Other persons / parties

- 5.3 It is not considered that there are any parties affected by the Project. However, the following properties are near, or in close proximity, to the Site and the owners (or occupiers) are therefore expected to be consulted with prior to the lodgement of any resource consent application:

- (a) 6, 8, 12 Peach Parade;
- (b) 49, 51, 53, 119, 120, 122 Ladies Mile;
- (c) 1-15B Hunterville Court;
- (d) 1-15 Derby Downs Place;
- (e) Auckland Council, as owner of Derby Downs Domain; and
- (f) Leasehold owner of the Ellerslie 1 Precinct.

6. IWI AUTHORITIES AND TREATY SETTLEMENTS

Iwi authorities

- 6.1 The table below describes the consultation undertaken with 16 iwi authorities whose area of interest may include the area where the Project will occur. All initial briefing emails were sent to the Auckland Council identified contact.

IWI AUTHORITY	CONSULTATION UNDERTAKEN
Ngai Tai ki Tamaki Tribal Trust	Initial email sent on 14 May 2021 describing the Project and invitation to be involved in engagement going forward. Positive response received and briefing paper sent to Ngai Tai ki Tamaki. On site hui and presentation of overall racecourse development and introduction to the Project took place on 6 August 2021. A site visit and detailed explanation of the project took place on 26 October 2021 where a detailed site visit was undertaken followed by a hui to discuss the key elements of the Site and the Project. This included the high-quality outlook for the Site, measures to manage

IWI AUTHORITY	CONSULTATION UNDERTAKEN
	<p>stormwater quality and water re-use options for the development. Overall, the meeting was positive and ATR and FRL believe that high quality environmental outcomes can be achieved, while also acknowledging and reflecting mana whenua values.</p> <p>The applicants have requested that Ngai Tai ki Tamaki prepare a cultural values assessment for the Project</p>
Ngāti Whātua Ōrākei	<p>Briefing email sent on 14 May 2021 and follow up sent on 9 August 2021. The email sought confirmation whether Iwi has a vested interest in the Project and whether they would like to be involved in the Project going forward.</p> <p>Ngāti Whātua Ōrākei responded in mid-June 2021 and also on 12 August 2021 requesting further information, which was subsequently provided on the Project and proposed outcomes. No further engagement has occurred to date.</p>
Ngāti Maru Rūnanga Trust	<p>Briefing email sent on 9 August 2021. The email sought confirmation whether Ngāti Maru Runanga has a vested interest in the Project and whether they would like to be involved in the Project going forward.</p> <p>Invitation made to contact the author for any queries. No response received to date.</p>
Ngāti Paoa Iwi Trust	<p>Briefing email sent on 14 May 2021 and follow up sent on 9 August 2021. The email sought confirmation whether Ngāti Paoa Iwi Trust has a vested interest in the Project and whether they would like to be involved in the Project going forward.</p> <p>Invitation made to contact the author for any queries. No response received to date.</p>
Ngāti Paoa Trust Board	<p>Briefing email sent on 9 August 2021. The email sought confirmation whether Ngāti Paoa Trust Board has a vested interest in the Project and whether they would like to be involved in the Project going forward.</p> <p>Invitation made to contact the author for any queries. No response received to date.</p>
Ngāti Tamaoho Trust	<p>Briefing email sent on 9 August 2021. The email sought confirmation whether Ngāti Tamaoho has a vested interest in the Project and whether they would like to be involved in the Project going forward.</p> <p>Invitation made to contact the author for any queries. No response received to date.</p>
Ngāti Tamaterā Settlement Trust	<p>Briefing email sent on 9 August 2021. The email sought confirmation whether Ngāti Tamaterā has a vested interest in the Project and whether they would like to be involved in the Project going forward.</p> <p>Invitation made to contact the author for any queries. No response received to date.</p>

IWI AUTHORITY	CONSULTATION UNDERTAKEN
Ngāti Te Ata Te Ara Rangatu o Te Iwi o Ngāti Te Ata Waiohū	Briefing email sent on 9 August 2021. The email sought confirmation whether Te Ara Rangatu o Te Iwi o Ngāti Te Ata Waiohū has a vested interest in the Project and whether they would like to be involved in the Project going forward. Invitation made to contact the author for any queries. Response provided on 12 August 2021 requesting a copy of the resource consent application. Response provided on 17 August 2021 that the application will be forwarded once it is prepared and should the referral application be successful. No further response received to date.
Ngāti Whanaunga Incorporated	Briefing email sent on 9 August 2021. The email sought confirmation whether Ngāti Whanaunga has a vested interest in the Project and whether they would like to be involved in the Project going forward. Invitation made to contact the author for any queries. No response received to date.
Ngā Maunga Whakahī o Kaipara Development Trust	Briefing email sent on 9 August 2021. The email sought confirmation whether Ngā Maunga Whakahī o Kaipara has a vested interest in the Project and whether they would like to be involved in the Project going forward. Invitation made to contact the author for any queries. Response provided on 14 August 2021 requesting further details of the project. Further details were provided on 21 August 2021. No further response received to date.
Te Ahiwaru – Waiohū Makaurau Marae Māori Trust	Briefing email sent on 9 August 2021. The email sought confirmation whether Te Ahiwaru – Waiohū has a vested interest in the Project and whether they would like to be involved in the Project going forward. Invitation made to contact the author for any queries. No further response received to date.
Te Ākitai Waiohū Iwi Authority	Briefing email sent on 9 August 2021. The email sought confirmation whether Te Ākitai Waiohū has a vested interest in the Project and whether they would like to be involved in the Project going forward. Invitation made to contact the author for any queries. No response received to date.
Te Kawerau ā Maki Te Kawerau Iwi Settlement Trust	Briefing email sent on 9 August 2021. The email sought confirmation whether Te Kawerau has a vested interest in the Project and whether they would like to be involved in the Project going forward. Invitation made to contact the author for any queries. No response received to date.
Te Patukirikiri Incorporated	Briefing email sent on 9 August 2021. The email sought confirmation whether Te Patukirikiri has a vested interest in the

IWI AUTHORITY	CONSULTATION UNDERTAKEN
	Project and whether they would like to be involved in the Project going forward. Invitation made to contact the author for any queries. No response received to date.
Te Rūnanga o Ngāti Whātua	Briefing email sent on 9 August 2021. The email sought confirmation whether Ngāti Whātua has a vested interest in the Project and whether they would like to be involved in the Project going forward. Invitation made to contact the author for any queries. No response received to date.
Waikato – Tainui Te Whakakitenga o Waikato Incorporated	Briefing email sent on 9 August 2021. The email sought confirmation whether Te Whakakitenga o Waikato has a vested interest in the Project and whether they would like to be involved in the Project going forward. Invitation made to contact the author for any queries. No response received to date.

Treaty settlement entities

- 6.2 There is one relevant treaty settlement entity in relation to the area in which the Project will occur.

TREATY SETTLEMENT ENTITY	CONSULTATION UNDERTAKEN
Ngāti Whātua Ōrākei	See above consultation undertaken.

Treaty settlements

- 6.3 The Project sits within the Ngāti Whātua Ōrākei settlement area, which spans across Auckland. The Crown signed a Deed of Settlement for all outstanding historical Treaty claims on 5 November 2011.² This settlement was in relation to the historical claims of Ngāti Whātua Ōrākei resulting from acts or omissions by the Crown prior to 21 September 1992. As a result of the settlement, the Ngāti Whātua Ōrākei Claims Settlement Act 2012 was formed.
- 6.4 Subpart 2 of the Ngāti Whātua Ōrākei Claims Settlement Act 2012 outlines the statutory acknowledgement that is included in the settlement. Under section 31 of the Act, Auckland Council must have regard to the statutory acknowledgement relating to the statutory area of the settlement when deciding whether a person is an affected person under section 95E of the RMA. Section 32 of the Act states that the Environment Court must also have regard to the statutory acknowledgment area when deciding whether the trustee is a person who has an interest in a proceeding under section 274 of the RMA.
- 6.5 Consultation has occurred with Ngāti Whātua Ōrākei which is described in detail above.

² Deed of Settlement of Historical Claims between Ngāti Whātua Ōrākei and the Crown (5 November 2011).

7. MARINE AND COASTAL (TAKUTAI MOANA) ACT 2011

- 7.1 The Project is not within a customary marine title or protected customary rights area.

8. ADVERSE EFFECTS

- 8.1 The following assessment is a summary of the anticipated and known adverse effects of the Project.

- 8.2 The Site provides an outstanding opportunity to establish a high-quality residential development. It is located at the eastern end of the Ellerslie Racecourse site and gradually slopes up from its racetrack frontage. The sloping nature of the Site enables a stepped development form outcome that will provide high quality views over the racecourse and towards the maunga (Maungakiekie, Ohinerau and Maungawhau) in the nearby vicinity.

- 8.3 The Project will give rise to temporary adverse effects associated with demolition and construction activities, including noise and vibration, earthworks and contamination remediation. These are all common occurrences within the Auckland region and are able to be appropriately managed through standard industry best-practice measures. Detailed assessments of these matters have been prepared and are available upon request, however no further commentary is provided on those matters here as the adverse effects are well known and manageable via standard conditions of consent.

- 8.4 The longer term effects relate to the provision of approximately 370 residential dwellings, the design and function of the development and its relationship to the locality. These effects are largely positive and relate to the provision of safe, healthy and efficient housing in a location that supports active and public transport modes.

- 8.5 Our assessment of adverse effects relies upon specialist inputs from:

- (a) Brewer Davidson (master planning and urban design);
- (b) Boffa Miskell (landscape and visual);
- (c) Traffic Planning Consultants (transportation);
- (d) Clough & Associates (archaeology);
- (e) Market Economics (economics);
- (f) Freshwater Solutions (ecology);
- (g) Crang Civil (infrastructure);
- (h) PDP Partners Consultants (contamination);
- (i) Initia Geotechnical Specialists (geotechnical); and
- (j) Arbor Connect (arboricultural).

- 8.6 A copy of the Brewer Davidson, Boffa Miskell (including graphic supplements) and Market Economics reports are provided with this application as **Attachment 3**, **Attachment 4** and **Attachment 5**. The other assessments described above are all available upon request.

- 8.7 The following serves as a summary overview of the anticipated and known adverse effects of the Project on the environment.

Economic effects

- 8.8 The significant economic effects associated with consenting the Project under the FTCA are summarised above and detailed fully in the Economic Impact Assessment ("EIA") by Market Economics (**Attachment 5**). Market Economics have described and quantified the economic impacts of consenting this Project under the FTCA as follows:

- (a) FRL are expecting a sum of s 9(2)(b)(ii) is required to carry out the development over 7 years (from 2021). Under a FTCA scenario, the cumulative direct value added from the present to completion of the Project is projected to be around \$65.6 million.
- (b) The development will stimulate a total of \$257.2 million of direct plus indirect and induced value (GDP) (ie the additional flow on impacts activity across New Zealand's economy that is stimulated by the development).
- (c) A FTCA pathway for this Project is expected to generate approximately \$36.9 million more value added (GDP) than a non-FTCA pathway.
- (d) The Project is expected to sustain approximately 166 full time equivalent ("FTE") jobs in the construction sector when construction of stage 1a and 1b begin begins and this is expected to peak at 420 FTE jobs in 2025. In total, the Project could directly sustain a cumulative total of around 1,112 FTE (for a year) until completion in 2027 (if approved by FTCA consent). These direct jobs are assumed to be sustained in the Auckland region.
- (e) The FTCA scenario is projected to sustain the equivalent of 3,335 FTE workers over the life of the Project, once the indirect and induced effects are added. While all the direct impacts are assumed to occur in the Auckland region, the indirect impact of the proposed development will have effects reaching the rest of the North Island and the rest of New Zealand.
- (f) While recent levels of construction activity are likely to be maintained over the next 6 to 12 months, the outlook beyond that is highly uncertain and there is a real risk that construction activity will slow, jeopardising local jobs. It is unclear what the impact of COVID-19 is on the pipeline of work for firms specialising in large-scale construction. The Project will assist in sustaining this sector (and many others) within the Auckland region who are suffering from a downturn in economic activity and the uncertainty of the economic climate
- (g) The scale of the Project represents a significant contribution to the supply of housing in the Ellerslie area and will also add to the diversity of housing typologies in this area. The Project will help ensure that the Auckland isthmus has a range of residential options available for prospective household purchasers/occupants.

Character and amenity effects

- 8.9 The character of the locality comprises a variety of elements. This includes the racecourse facility, its structures and grandstands, large open spaces, the golf activities in the infield and carparking. The Site is a vacant part of the Ellerslie Racecourse that is currently landscaped with a variety of mature trees, shrubs and lower-level planting. The irrigation pond that waters the track is located adjacent the underground tunnel that provides access to the infield. The

landform slopes upwards from the racetrack edge to Ladies Mile. The AUP Ellerslie Racecourse Precinct provisions which apply to the Site enable buildings up to 25m as a permitted activity as long as they are located outside the 20m interface control area which applies along the external boundary perimeter of The Hill Site and comply with 2.5m + 45 degree height in relation to boundary control that applies along adjoining residential zone boundaries. Compliance with the interface control will also achieve compliance with the height in relation to boundary standard. The provisions would permit a 25m high grandstand or function centre potentially arcing the full perimeter of the racecourse track.

- 8.10 To the south-west of the Site the land is vacant (apart from two large storage sheds and mature landscaping) but is zoned Terrace House and Apartment Building. This land is subject to the Ellerslie 1 Precinct provisions. The planning provisions envisage residential development between 4 to 8 storeys as a restricted discretionary activity and also identify private road and pedestrian connections through this land to Morrin Street and Mitchelson Street.
- 8.11 Derby Downs Domain is a quality local reserve located at the end of Derby Downs Place and Lonsdale Street. The northern boundary of the reserve interfaces with the Site. Importantly, apart from the interface with Derby Downs Domain, the Site is securely fenced off, with no opportunity for public access currently. A significant benefit from the Project is the opening up of public access into the Site, including new pedestrian and cycleways, which will integrate the Site with the neighbouring streets.
- 8.12 Residential character of the locality around the Site is generally defined by the existing dwellings on Derby Downs Place, Hunterville Court, Ladies Mile and Peach Parade. These mainly comprise 1-2 storey detached or attached dwellings. Most of the dwellings are town houses. A number of sites have been developed with two dwellings. Several sites are occupied by blocks of flats including 110 (4 flats) and 118 (4 flats) Ladies Mile. Both these sites comprise single storey brick and tile or timber flat developments.
- 8.13 In terms of the wider locality, a 3-storey apartment building has recently been constructed at 20 Pukerangi Crescent in Ellerslie. While on the opposite side of the racecourse, multi-storey commercial buildings form the built edge to the western corner of the racecourse. These buildings range in height from three storeys up to seven storeys.
- 8.14 Overall, the character of the area comprises a mixture of elements, however the character of residential development adjoining The Hill is predominantly 1 – 2 storey detached residential dwellings. The sites immediately adjoining the Hill also have their outlook and private outdoor living areas facing towards the racecourse and enjoy the amenity provided by the racecourse in that regard.
- 8.15 In recognition of the existing character and amenity of the adjoining and nearby sites, the Project includes lower scale residential dwellings where the Site immediately adjoins a residential property. This includes 12 1 – 2 storey detached houses and four 2 storey duplex houses. All of these dwellings are setback from the Site boundary by a distance of 4 – 5 metres, except for detached dwelling 'X' which is proposed to be 2.5m from the nearest adjoining residential boundary. The proposed dwelling sizes on the sites adjoining neighbouring residential properties are smaller than their neighbouring counterparts and are of a complementary scale to the existing environment.
- 8.16 Further within the Site, the Project is proposed to comprise a mixture of 1 – 2 storey detached houses and 2 – 3 storey duplex and terrace houses.
- 8.17 The Ladies Mile frontage of the Site comprises 1 – 2 storey split level detached dwellings along the western half and a precinct of three larger scale apartment buildings along the eastern

half. The apartment buildings are staggered along this part of the Site frontage and also setback from the street frontage in order to retain selected high quality Pohutukawa trees. As a result, the existing landscaped character of this frontage will be retained to a large extent. The frontage will also be improved through removal of the existing untidy approx. 2m corrugated iron fence (which obscures some native trees and does not provide any view of the racecourse) and the establishment of a footpath and associated streetscape improvements (low level planting, grass berm).

8.18 The six-storey apartment buildings (with basement and podium parking) proposed along the Ladies Mile frontage have been typically set back by a minimum of 10 metres from the road frontage and will be behind the existing mature Pohutukawa trees. In addition to these trees further planting of trees will occur along the Ladies Mile in this planting corridor Building B and C1 are also angled in their alignment with Ladies Mile. While these buildings will result in a change to the character of the residential environment, they are considered acceptable for the following reasons:

- (a) The buildings are setback from the road boundary frontage by typically 10m (the corners of Buildings B and C1 are slightly closer than this at the closest point).
- (b) The buildings are well separated from residential dwellings on the opposite side of Ladies Mile.
- (c) Mature existing Pohutukawa trees will provide a transition between the road and buildings which will mitigate their built form character. This vegetation corridor will be further enhanced as new plantings mature in amongst the Pohutukawa.
- (d) The design of buildings will also assist in reducing their apparent visual bulk.
- (e) The angled position of buildings B and C will enable quality amenity outcomes through landscaping to be established in the areas between the buildings and the road boundary.
- (f) The staggered layout of the buildings will open up views into and through the Site which are not currently available and will therefore result in some positive character and amenity outcomes.

8.19 For the above reasons, the transition in built form scale between the existing environment and proposed development as part of the Project is considered acceptable from a character and amenity perspective.

8.20 Building A is an apartment building with seven living storeys atop a part basement parking floor and is located on the lower part of the Site in the southern corner. The building is well separated from the nearest residential dwellings that align the southern boundary of Derby Downs Domain. While this proposed building will affect outlook towards and potentially over the racecourse, the existing dwellings will still retain a level of amenity by the outlook provided by the Derby Downs Domain.

8.21 In terms of the character and amenity of the development itself, the proposed dwellings and apartment buildings are well spaced out and provide sufficient outdoor space and separation. The proposed joint owned access lots also enable further separation between buildings and good quality access. Given the sloping topography of the Site (from east down to west) the majority of the dwellings / units will have a high-quality outlook towards the racecourse and have a westerly aspect. The pedestrian/cycle connection around the edge of the racetrack will enable connections between Peach Parade, Ladies Mile, Derby Downs Place and to the

Ellerslie 1 Precinct (which is to be developed in the future by ATR). This connection will provide the potential for the future occupants of the development to connect to the Greenlane and Ellerslie Train Stations. Vehicle access from Ladies Mile is provided by way of the upper loop road which provides a convenient in / out arrangement without compromising the Ladies Mile / Abbots Way intersection.

- 8.22 An Urban Design Assessment has been prepared by Brewer Davidson Architects which has assessed the immediate and wider surrounds of the proposed development Site (see **Attachment 3**). This assessment has also considered the potential and actual effects of the proposed development on the existing neighbourhood from an urban design perspective. The assessment concludes that The Hill development will provide attractive housing options and will optimise outlook opportunities for future residents. The Brewer Davidson Urban Design Assessment specifically considers the effects of the apartment buildings on Ladies Mile within the context of the residential dwellings on the opposite side of Ladies Mile. The assessment concludes that the majority of these dwellings generally look away to their north rear yards and away from the busy Ladies Mile. It is considered that the scale and location of the apartment buildings in the proposed location is acceptable due to the existing separation distance provided by Ladies Mile, the setback of the buildings, retention of mature trees and the angled offset of the buildings.
- 8.23 While the overall resulting character and amenity effects will be different to the existing environment and what the AUP permits (25m high grandstand type structures located 20m from the Site's external boundary) the staged establishment of a new character for this large development Site sits comfortably within the existing and planned context of the broader environment. Overall, the effects are considered to be acceptable for this locality and will not result in significant adverse character and amenity effects.

Landscape and visual impact effects

- 8.24 The key landscape elements in and around the Site are the Ladies Mile ridgeline, the sloping nature of The Hill Site, the flat expanse of the racecourse and infield and the three nearby maunga (Maungakiekie, Ohinerau and Maungawhau).
- 8.25 Boffa Miskell have prepared a landscape and visual impacts assessment of the proposed development which analyses the existing landscape environment within which the proposal sits, and the landscape and visual impacts of the proposal within the local and wider environment (see **Attachment 4**). The permitted and 'anticipated development' provided for through the AUP is an important element to that assessment.
- 8.26 Boffa Miskell have undertaken a detailed analysis of the potential landscape and visual impact assessments of the Project on the surrounding environment. In support of their assessment photo simulations have been prepared from viewpoints around the application Site.
- 8.27 Significantly, the proposed development does not infringe the volcanic cone viewshaft controls that apply over the wider racecourse site or the 25m permitted precinct building height standard. The assessment considers the effect of the development on the visual catchment and viewing audience of the proposed development. Having assessed the landscape and visual effects of the proposed development from several viewpoints including Ladies Mile, Abbots Way and Umere Crescent and their surrounds, the assessment concludes as follows:

In terms of potential adverse visual effects these are considered to be very low, or negligible. The development will have a presence in the landscape but will not be overly dominant or incongruous to neighbours. Overall, whilst a very low level of visual effects will be generated in respect of some viewers overall the proposal

is considered to enhance the visual character and amenity of the locality and contribute positively to the anticipated residential intensification of this part of urban Auckland.

- 8.28 The proposed apartment buildings facing Ladies Mile are considered to be of a scale that can be accommodated within the streetscape capacity of this road and will signal the progressive residential intensification of this part of Auckland. With regard to Derby Downs Place, the proposed transitional scale of built form (1-3 level dwellings leading to the Retirement Lite building) and future landscaping will ensure an appropriate landscape and visual outcome from this direction.

- 8.29 As a result, it is considered that any adverse landscape and visual effects are minor.

Dominance, shading and privacy effects

- 8.30 The proposed development immediately adjoins dwellings on Hunterville Court/Derby Downs Place and Ladies Mile / Peach Parade. It is also in proximity to dwellings on Lonsdale Street and Ladies Mile.

- 8.31 The Project includes predominantly 1 – 2 storey detached dwellings around the external perimeter of the Site combined with seven 2 storey terraced houses. These dwellings are setback by between 4 – 5 m from the boundary and do not have their primary living areas or outdoor living spaces facing the existing residential dwellings. The variety of 1, 2 and 3 storey dwellings will ensure the dwelling elevation heights are varied and modulated. Further a variety of design materials will be utilised thereby further modulating the dwelling facades and avoiding longer, unrelieved monotonous building frontages which could otherwise result in unmitigated adverse dominance effects.

- 8.32 The setback of the proposed dwellings along the external perimeter of The Hill Site and their lower heights (1 – 3 storeys) will ensure any adverse shading effects will be adequately mitigated. The buildings will comply with a 2.5m + 45 degree recession plane which is the standard that is applied to general residential development in the Single House and Mixed Housing Suburban Zone.

- 8.33 With regard to the taller apartment building developments, these have been assessed in the above character and amenity section and for the same reasons it is considered the adverse shading and dominance effects have been appropriately mitigated. Further, the Urban Design Assessment states that the dwellings on the opposite side of Ladies Mile have their outlook and private open space generally facing north over their rear yards. Therefore, their outlook is away from the busy Ladies Mile carriageway and as a result privacy and dominance effects are reduced.

- 8.34 Taking into account the built form outcomes of the Project, any potential dominance effects on adjoining properties or public spaces are considered to be minor. Key mitigating factors include the size of the Site and the location of the tall building elements and physical separation to adjoining private and public land.

- 8.35 Overall, the Project is not considered to result in significant adverse dominance privacy or shading effects.

Traffic and Transport Effects

- 8.36 The traffic and transportation effects have been carefully considered by Traffic Planning Consultants. In addition, the core transport options were the subject of peer review by

Commute through the due diligence process to identify a preferred delivery partner, which reinforced the acceptability of the options identified by Traffic Planning Consultants.

- 8.37 The traffic and transport environment around the Site comprises the key arterial network of Ladies Mile, Abbots Way, Peach Parade and Morrin Street. Importantly, the Site is also well serviced by public transport including the Ellerslie Train Station (1,000 m), the Greenlane Train Station (1,200 – 1,400 m) and the 751 and 782 bus services that run along Ladies Mile. The traffic assessment indicates that public transport users are prepared to walk 15 minutes to high quality public transport facilities which equates to 1,200 to 1,400 m depending on walking ability and constraints. These distances are further for cyclists and scooter users. Accordingly, the Site is well serviced by public transport options.
- 8.38 The road network is close to capacity for private vehicles in the morning and afternoon peak periods. The traffic assessment undertaken concludes that from a traffic perspective it is appropriate to split the Site into the northern portion and the southern portion in order to manage private vehicle effects on the network. The northern portion can accommodate approximately 100 additional vehicles movements per hour with the proposed loop road. The southern portion can accommodate an additional 150 additional vehicles movements per hour with the proposed signalisation of the Derby Downs Place / Ladies Mile intersection (in addition to existing traffic for the racecourse and infield activities). It is also important to ensure rat-running within the Site is prevented, and the Project fulfils this function.
- 8.39 The proposed development is within these parameters and it is therefore considered that the resulting traffic environment for private vehicle movements is acceptable.
- 8.40 More importantly, the internal movement network within the Site strongly supports pedestrian, cycle and scooter movements within the proposed public roads, joint owned access lots and the racetrack perimeter pedestrian / cycle connection. A direct connection to the Ellerslie Train Station is available through Derby Downs Domain, along Lonsdale Street and Robert Street. Alternatively access to the Greenlane Train Station is available through the racecourse infield and along Greenlane. Ladies Mile is also serviced with two existing bus services. Focusing on public transport solutions is also complementary to central government's decarbonisation goals.
- 8.41 The proposed development has been considered by Traffic Planning Consultants and they conclude:
- Based on the concept design, and the fundamentals of the proposed development in terms of dwelling numbers, proposed parking, servicing and access provisions, we consider the proposed development acceptable and can support the current design moving forward to resource consent and detailed design stage.
- 8.42 Overall, it is considered that any adverse traffic and transport effects will minor and will result in some positive effects through the encouraged use of public transport.

Infrastructure effects

- 8.43 The proposed development is required to be serviced with water supply, wastewater and stormwater, in addition to electricity and telecommunications, and gas to stand-alone homes

were possible. Water supply, electricity and telecommunications can be provided without difficulty.

- 8.44 With regard to wastewater, three existing wastewater connections are accessible from the Site. The most likely option is to connect to the 450mm diameter line that runs through the centre of the racecourse site in a north-south direction. This pipe has sufficient capacity although invert levels will require confirmation through the design process that will be undertaken as part of any future resource consent application.
- 8.45 In terms of stormwater, there are a number of relevant matters to consider including the existing hydrology of the area, water quality, overland flow paths, storm events and the existing irrigation / attenuation provided by the pond. In order to provide a stormwater solution for the development it is also proposed to review water quality and quality treatment options through a toolbox approach which may include on site storage, treatment and discharge. Stormwater discharge options include connection to the large 18m deep public stormwater pipe that passes under The Hill and discharges to the Waatarua Reserve wetland.
- 8.46 The existing pond primarily irrigates the racetrack but also receives stormwater from Derby Downs Place. This will need to be diverted once the pond is relocated in the infield. It is likely this stormwater will be directed to the large 18m deep public stormwater pipe or alternatively some may be discharged via existing stormwater flow path down Lonsdale Street subject to confirmation.
- 8.47 The Project has been reviewed by Crang Civil and they confirm The Hill can be readily serviced with the required infrastructure with only local upgrades to existing infrastructure required, if at all.
- 8.48 Initial discussions have been undertaken with Healthy Waters (who are a part of Auckland Council). They have confirmed that should the development connect to the public network, that a Stormwater Management Plan in accordance with the NDC would be required (ie in accordance with schedule 2 and 4 of the NDC). Alternatively, if it was not proposed to discharge stormwater into the public network via the NDC, consent would be required to discharge the stormwater to land.
- 8.49 Overall, solutions exist to resolve all the infrastructure requirements of the development without resulting in adverse effects that are other than minor.

Recreational Effects

- 8.50 The Project will be adjacent to the racetrack and infield as well as Derby Downs Domain. The Project has been designed to result in a positive interface with these recreational elements. The ongoing viability of the racecourse is secured through the proposed new track surface as well as the perimeter pathway, which will provide a secure edge between the racetrack and the future residential development.
- 8.51 In addition, access to the infield will continue to be provided through a re-aligned tunnel along the southern edge of The Hill Site. This tunnel will provide access to the infield carparks, the golf activities and for pedestrians.
- 8.52 With regard to Derby Downs Domain, the proposed road along the southern boundary of The Hill development will ensure access to the reserve is improved and additional public surveillance is provided for park users. It will also mean that the amenity of the reserve will be maintained as any new residential buildings will be sufficiently separated from the existing reserve.

Cultural effects

- 8.53 As detailed earlier in this application, all Iwi identified by Council have been consulted. Detailed engagement is progressing with Ngai Tai ki Tamaki. While other Iwi have requested information on the development (which has been provided) no further engagement has been requested. However, the applicant remains open and willing to engage with any Iwi that seeks further engagement, but it will continue to work with Ngai Tai ki Tamaki.
- 8.54 At this stage the engagement has been positive, and it is anticipated that this will continue as the Project is progressed. The applicants have made a request to Ngai Tai ki Tamaki for a cultural values assessment to be prepared for the Project and the Site as part of any application for consent under the FTCA.

Arboricultural

- 8.55 There are 11 large Pohutukawa trees along the upper Ladies Mile frontage of The Hill Site (Trees 5-15 in the Arboricultural Survey which can be provided on request). All these trees are within the Site and, while they are not protected by the AUP, the applicant considers they represent a strong positive landscape element along this frontage. Further, they provide a positive foreground for the proposed 6 storey apartment buildings behind. The survey states that, other than trees 10 and 14, the trees are good quality specimens and should be retained. Four of the trees are considered significant including 6, 8, 9 and 13, with tree 13 being considered particularly significant. No other trees are considered significant enough to retain.
- 8.56 It is therefore proposed to retain at least 6, but potentially all 9, of the good quality Pohutukawa trees and to set the buildings back from the road frontage of the Site in order to ensure the ongoing viability of the trees. It is therefore considered that the Project will result in positive arboricultural effects.

Ecological effects

- 8.57 The Site has been assessed from an ecological perspective by Freshwater Solutions Limited. They have undertaken detailed field assessments of the Site including the irrigation pond. The assessment confirms there are no ecological habitats that would require specific consideration or protection as part of the Project. It is confirmed that the irrigation pond is not a natural wetland for the purposes of the NPS-FM or NES-F. There are no watercourses on the Site.
- 8.58 Freshwater Solutions Limited has identified there are a number of eels within the irrigation pond at present and they should be relocated prior to the decommissioning of the pond. We consider this can be addressed in due course through suitable conditions of consent.

Conclusion

- 8.59 Overall, we consider that there are no significant adverse effects associated with the Project. The majority of adverse effects are able to be mitigated to an appropriate level by relatively standard conditions of consent, while the development design and function contributes positively to the locality, taking advantage of the opportunity afforded by the specifics of the Site and location. There will be significant positive effects associated with the economic benefit of the development to Auckland, in particular, and New Zealand more broadly.

9. NATIONAL POLICY STATEMENTS AND NATIONAL ENVIRONMENTAL STANDARDS

9.1 The National Policy Statements and Environmental Standards that are relevant to this Project are the:

- (a) National Policy Statement on Urban Development ("**NPS-UD**");
- (b) National Policy Statement for Freshwater Management ("**NPS-FM**");
- (c) National Environmental Standards for Freshwater ("**NES-F**"); and
- (d) National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health ("**NES-C**").

9.2 It is noted that the Project is inland from the coast and has not impact on the coastal environment that would be relevant under the New Zealand Coastal Policy Statement.

NPS-UD

9.3 The NPS-UD came into effect on 20 August 2020. It sets out objectives and policies that apply to all decision-makers when making planning decisions that affect an urban environment. Auckland Council is a Tier 1 local authority under the NPS-UD.

9.4 Overall, it is considered that the Project will directly contribute to the successful delivery of the outcomes sought through the NPS-UD. The Site, while "greenfield" is served by infrastructure, and well-located proximate to employment, education, transport, open space and other recreation facilities – it is in a highly developed urban environment. The Project will enable a built form that provides a high-quality residential environment for an intensive residential population and is considered to be precisely the type of development the NPS-UD is seeking to enable.

9.5 Importantly, the Project will also open up additional opportunities for public access and amenity in the future.

9.6 The NPSUD sets out objectives and policies that apply to all decision-makers when making planning decisions that affect an urban environment. The assessment below considers the performance of the Project against the objectives and policies of the NPS-UD under general themes.

Purpose of the RMA – objective 1, objective 4, policy 10

- (a) The Project contributes to a well-functioning urban environment. The intention behind the design is to develop the Site as three elements, defined by existing topography, being the upper plateau, the mid-slopes and the lower base.
- (b) It is proposed to establish a mixture of apartments and detached houses on the upper plateau, terrace houses on the slopes and a combination of detached dwellings, terrace houses and an apartment building on the lower base.
- (c) The 'three' development areas (ie the upper plateau, the mid-slopes and the lower base) are interconnected by an internal road and lane network, pedestrian, cycle and scooter connections, large areas of open space and significant on site hard and soft landscaping. The Site is also connected to the existing surrounding road network and proximate public transport services.

- (d) The Project also forms an amphitheatre of urban development around the eastern end of the racecourse site. While taller buildings are proposed within the development and 1 – 3 storey dwellings are proposed beside adjoining residential properties, the building setbacks and separation distance, combined with internal layout and external design elements will result in acceptable landscape, visual and character/amenity impacts. At the same time, the Project will provide significant support for employment, transport and amenity options within easy access of the Site.
- (e) Importantly, part of the opportunity presented by this Site is that it is largely able to rely on existing infrastructure, with only local roading and infrastructure upgrades required to support the Project.

Housing affordability – objective 2, policy 1, policy 11

- (f) The Project supports housing affordability through the provision of intensive residential housing, largely geared towards families, young couples and single occupants in a wide range of dwelling unit sizes. This will provide for a wide range of dwelling prices in an area of Auckland where the traditional existing housing stock features larger detached houses on single sites.
- (g) It will allow more people to live in an area that is well served by existing public transport.
- (h) As noted above, the ability to largely rely on existing infrastructure also mitigates the cost of housing to an extent.

Regional Policy Statement – objective 3, policy 3, policy 4, policy 7

- (i) The Site is within walking distance of the Ellerslie town centre and the Ellerslie Train Station, and well-connected to major arterial roads, which opens up access to key employment areas such as the city centre and Greenlane, Remuera and Newmarket. The Site is also within walking distance of the Greenlane Train Station and the Upland Road shops.
- (j) As the Site is within a walkable catchment of at least one and potentially two train stations it is considered that building heights of at least 6 storeys are appropriate in accordance with Policy 3(c) of the NPSUD. This supports the scale of development proposed as part of this application. The scale of the development and the resulting number of dwellings is also reflective of the demand for housing in this location.
- (k) The design achieves an excellent balance between residential density and residential amenity and is an appropriate design response in an urban environment that includes a high level of existing infrastructure and community amenity and is opposite the large expanse of the racecourse and the infield.

Treaty of Waitangi – Objective 5, Policy 9

- (l) Mana whenua have been contacted and invited to participate in the process as outlined above. To date, Ngai Tai ki Tamaki have expressed an interest in engagement and an initial hui has been held with them. As outlined section 6 above, a further briefing paper has been provided to Ngai Tai ki Tamaki and a site visit has been undertaken. Ngai Tai ki Tamaki have been requested to provide a Cultural Values Assessment for the Project and the Site.

- (m) While a lot of the discussions and outcomes of that ongoing engagement process sit outside the regulatory framework within which this application is being considered, a number of specific outcomes for ongoing Mana Whenua involvement and decision-making could be incorporated into the conditions of consent.

Local Authority Decisions – Objective 6, Policy 6, Policy 8

- (n) While recognising that the Site is essentially a greenfield development, locality is largely able to rely on existing transport and servicing infrastructure, with only local upgrades necessitated. This means that the Site is development ready and does not necessitate the significant upfront public and private expenditure on infrastructure provision that is commonly associated with greenfield development.
- (o) The Project will add significantly to development capacity and contribute to well-functioning urban environments. The Project will result in approximately 370 residential dwellings in a variety of typologies and sizes and will therefore cater for a wide variety of the population.

New Zealand's urban environments – Objective 8, Policy 1

- (p) The location of the Project supports a reduction in greenhouse gas emissions through the opportunity for a transport mode shift in favour of active and public transport options. This is derived from a combination of the destinations (open space, community facilities, recreation) that are near to the site, and access to employment and education areas via walking, cycling or public transport.
- (q) As noted above, the Project offers a variety of residential living opportunities (including the elderly) with differing typologies and dwelling unit sizes. The residential population will be supported by commercial activities in the vicinity (not provided for as part of this application), but at a level that is likely to support the nearby town centre or other shopping areas. The influx of residents in the area will likely have positive impacts (over time) on the vitality and success of the Ellerslie town centre.
- (r) As mentioned above the Project will contribute to a well-functioning urban environment, in that it will provide a variety of homes that meet the needs of different households.
- (s) FRL will assess the development against Homestar V6.

NPS-FM & NES-F

9.7 The NPS-FM provides local authorities with an updated direction on how to manage freshwater in a way that gives effect to Te Mana o te Wai, including new requirements for improving (and avoiding degradation of) the quality of streams. The NES-F regulates certain activities that pose risks to freshwater and freshwater ecosystems.

9.8 As noted above, the Site has been assessed from an ecological perspective by Freshwater Solutions Limited. They have undertaken detailed field assessments of the Site including the irrigation pond. The assessment confirms there are no ecological habitats that would require specific consideration or protection as part of the Project. It is confirmed that the irrigation pond is not a natural wetland for the purposes of the NPS-FM or NES-F. There are no watercourses on the Site.

9.9 The Project has been assessed with reference to the relevant objectives and policies of the NPS-FM, and is considered to be consistent with the outcomes that are sought in respect of freshwater management. For instance, the Project appropriately manages any potential contaminants from the Site to ensure that they do not impact freshwater systems.

9.10 No consents are required under the NES-F. Overall, the Project is considered to be consistent with the NES-F.

NES-C

9.11 A detailed site investigation ("**DSI**") has been prepared by PDP Partners Consultants and is available on request. The DSI identifies a discrete area of uncontrolled fill and potential HAIL activity elements.

9.12 A restricted discretionary consent is required under Regulation 10 of the NES-C as the proposed change of use and soil disturbance do not meet the requirements of a permitted activity under Regulation 8 of the NES-C, and as the DSI for the Site has shown that the soil contamination does exceed the applicable standard for residential land use. The DSI includes a Remediation Action Plan and Contaminated Site Management Plan which will be implemented during construction and will ensure that the Site is remediated appropriately.

9.13 The proposal will appropriately remediate the Site in a manner that protects human health, and to an extent sufficient to support the safe use of the Site for high density residential land use.

10. PURPOSE OF THE ACT

Project's economic benefits and costs for people or industries affected by COVID-19

10.1 As discussed in further detail below, the Project represents a significant investment in the local area through both the construction of the Project and its operation. It also will underpin the sustainability of New Zealand's thoroughbred industry. The effects of ATR's increased distributions to participants will flow throughout the New Zealand wide associated industries of breeding, owning, training, jockeys, etc. In this way the Project will significantly contribute to a broad range of businesses over the short, medium and long term.

Economic benefits during construction

10.2 Construction has significantly influenced growth in New Zealand. As of January 2021, 278,300 people are employed in residential, heavy and civil construction, and constructions services in New Zealand – making up 10% of the national workforce.³

10.3 The Ministry of Business, Innovation and Employment ("**MBIE**") has released a factsheet around the impacts of COVID-19 and the future outlook of construction in New Zealand. This highlights that the construction industry has suffered, and is expected to continue to suffer, from the effects of COVID-19 with:⁴

- (a) a number of projects being delayed from lockdown periods;

³ Construction factsheet: January 2021, COVID-19 economic update, MBIE.

⁴ Construction factsheet: January 2021, COVID-19 economic update, MBIE; Construction factsheet: October 2020, COVID-19 economic update, MBIE; A Better Way Forward – Building the Road to Recovery Together – Construction Sector COVID-19 Recovery Study, Deloitte, January 2021, at page 23.

- (b) skill shortages and supply chain delays (which may impact the ability for the industry to meet demand via flow on effects, including limited global availability of shipping containers, an increase in shipping costs and delays relating to clearance of containers);
 - (c) employment dropping in the construction sector and border closures restricting migrant labour to alleviate skill shortages; and
 - (d) a significant number of construction businesses (86%) needing support in the form of wage subsidy or other support payments – being the highest number of jobs supported for any sector.
- 10.4 The construction industry is also anticipated to have been impacted by the recent five weeks of alert level 4 that Auckland has undergone (and ongoing level 3 restrictions).
- 10.5 However, MBIE highlight that there has been continuous high demand for residential buildings, which has enabled the construction sector to bounce back from the effects of the 2020 COVID-19 lockdowns.⁵ While projects have been delayed due to COVID-19 lockdown periods, the current demand for residential infrastructure has not subsided. However, residential consent numbers are forecast to drop in 2022 as a result of COVID-19.⁶
- 10.6 This projected drop in residential consenting is not conducive with the current need in Auckland for employment and housing. Auckland Council has acknowledged that the Auckland housing supply has not kept pace with increases in population or met demand for investment.⁷ Allowing for the construction of this development on a fast-tracked basis will provide the economic and social benefit employment, investment into local construction firms, with the ultimate outcome of increased housing stock.
- 10.7 The Project represents an investment of approximately \$9(2)(b)(ii) million. It is expected to see direct economic value added from the present to completion of the Project of \$65.6 million and is also expected to stimulate a total of \$257.2 million of direct plus indirect value added (GDP) – including by providing jobs and significant flow-on economic benefits to the local community through its construction.
- 10.8 The Project will also see 1,112 FTE employees over the various stages of construction if consent is obtained under the FTCA. For example, construction of Stage 1a and Stage 1b is expected to provide 166 FTE jobs. This number of FTE jobs is expected to increase the following year as further stages are undertaken and is anticipated to peak at 420 FTE in 2025. Further, once indirect and induced effects are provided for it is anticipated that 3,335 FTE jobs would be provided over the life of the Project.
- 10.9 The direct impacts of the Project are assumed to occur in the Auckland region, however, the indirect impact of the Project is expected to reach the rest of the North Island and across wider New Zealand.
- 10.10 Other indirect benefits include the services and supplies purchased to construct the Project. These include building supplies and legal, administrative and accounting services. There will also be expected to be benefits to other professional services such as real estate and conveyancing services as the housing developed as part of the Project is released to the market.

⁵ Construction factsheet: January 2021, COVID-19 economic update, MBIE.

⁶ Construction factsheet: January 2021, COVID-19 economic update, MBIE.

⁷ Auckland Council *Auckland Plan 2050 print document: Outcome – Homes and Places – June 2018*.

- 10.11 The development of The Hill will also allow ATR to capitalise on this surplus asset that can be realised to provide the funds necessary to enhance the Ellerslie Racecourse venue, race stakes and financial returns to the wider industry. Approval of a fast-track consent would bring forward the realisation of this asset (The Hill) and return funds to the ATR, which could be used to improve its performance and financial stability earlier as well as the viability of all associated activities including horse training and breeding industry.

Economic benefits during operation

- 10.12 The Auckland Council 10-year Budget 2021-2031 has identified a number of different investments that Auckland needs in the future. The additional housing stock from the Project will provide assistance to fund Auckland Council activities through rates and other charges that may be levied on the housing in the future.
- 10.13 It is expected that there will be opportunity to increase local expenditure as residents spend their money on goods and services in Ellerslie, Remuera and surrounding areas. There is potential for new businesses to be set up to address any demand that may be created by increasing housing in the area.
- 10.14 In addition to the above, it is also expected that there will be a number of flow-on economic benefits of the Project, these include:
- (a) financial support provided to ATR, allowing for maintenance and upgrade of the Ellerslie Racecourse and subsequent public events held on the racecourse grounds. It will also enable additional revenue to be passed down to trainers, breeders, and other parts of the thoroughbred industry. This is also expected to boost the overall retention and creation of jobs in the racing industry;
 - (b) increased housing stock in a central Auckland location and proximity of persons to Auckland CBD for work and play; and
 - (c) healthier homes for people to live in potentially reducing costs on public healthcare services.

Project's effects on the social and cultural wellbeing of current and future generations

- 10.15 The population of Auckland is expected to grow significantly over the long term. The Orakei Tamaki area is projected to accommodate around 72,000 households in 2023, rising to around 93,000 in 2043. The Auckland Plan 2050 identifies existing Auckland urban areas such as the application Site as suitable for growth and intensification. The application responds to the direction set in the Auckland Plan through the provision of additional housing in an area of identified need. The Project will offer a significant increase in housing supply which will meet the social needs and contribute to the wellbeing of current and future generations of people living in the Ellerslie area (and Auckland, generally).
- 10.16 In more recent years, the wider Ellerslie / Remuera / Greenlane area has been experiencing area-wide redevelopment to provide new residential development consisting of a variety of housing typologies including apartment developments, terrace houses, townhouses / duplexes etc. The nearby suburb of Stonefields, which FRL developed in conjunction with a partner, has been fully developed over the past 15 years, with development throughout that suburb becoming increasingly intensive as development has progressed. The Project will result in similar outcomes as development progresses.

- 10.17 Therefore, this Project will help meet the social needs of Ellerslie and the Greenlane area by providing housing quickly, which in turn will support the viability of these areas. In addition, the general public will be able to access the development and pedestrians / cyclists will be able to travel around the perimeter of the racetrack from Peach Parade to the southern edge of Site. From here, future pedestrian connections are required through the adjoining Ellerslie 1 Precinct (when it is developed). The overall outcome will support health and well-being outcomes for the community and consequently improve social outcomes further.
- 10.18 The Project includes an apartment building for the active retired under a Fletcher ownership model known as "Vivid Living" (sometimes referred to as "Retirement Lite"). This will enable different types of living arrangements for a wider breadth of Auckland's population.
- 10.19 The new occupants of the development will also enjoy improved social outcomes from the high-quality outlook over the open expanses of the racecourse and the infield. Occupants will also be able to enjoy horse-racing activities as well as the quality open space environment within the development itself.
- 10.20 With regard to cultural well-being Mana Whenua have been engaged with as described in detail in section 6 of this report. Ongoing engagement will continue with Mana Whenua in order to ensure positive cultural well-being outcomes will be explored and achieved, where possible.

Whether the project would be likely to progress faster by using the processes provided by the Act than would otherwise be the case

- 10.21 There are a number of timing advantages of the FTCA process over the standard RMA process. Notably, public and limited notification is precluded under the FTCA. The Panel is also only permitted to invite comments from specified persons and a short timeframe is provided for comment. The process under the FTCA for providing comment at both the referral and Expert Consenting Panel stage is appropriate and adequate to address the effects of the Project.
- 10.22 Following the traditional two-stage RMA process would significantly draw out the consenting timeframe for the Project. In particular, the FTCA process avoids the risk of an Environment Court appeal.
- 10.23 It is anticipated that the substantive resource consent application would be ready for lodgement in May 2022. If the matter were referred to an expert consenting panel, it is anticipated that an outcome would be obtained by September 2022 through that process.
- 10.24 By comparison, the likely process under the RMA would be considerably more drawn out. Given the nature of the Project, there is a reasonable expectation that the Council would consider that public or limited notification would be appropriate. That in itself would extend the process and likely result in a decision not being obtained from the Council until at least early 2023.
- 10.25 Any notified application would then have a significant risk of appeal. The recent experience of ATR, FRL and their advisors is that large-scale developments that go through the Environment Court process (whether by a merits appeal or direct referral) can take at least two years to obtain consent. This could result in an outcome not realistically being obtained until late 2024 at the earliest.
- 10.26 The FTCA process will provide greater certainty of the timing of consent than a standard RMA process should it progress to an Environment Court appeal. This will enable the benefits of

the Project to be realised far faster than would otherwise be the case – potentially a saving of more than two years. This is considered to be especially important given the current housing crisis that New Zealand, and in particular Auckland, is facing.

- 10.27 Works are able to begin promptly after consent is obtained. Assuming consent is obtained in September 2022 works could begin immediately. The Project would then be developed in a staged manner over 4 to 6 years from commencement.
- 10.28 Delayed consenting under the standard RMA process will impact the cost of the Project and therefore how it may proceed. If the Project cannot proceed at pace the ability to source contractors and construction supplies could be significantly impacted and / or delayed. If the Project proceeds through usual RMA processes it will:
- (a) miss multiple summer earthworks periods, and may miss more, depending on how appeals progress, including corresponding seasons for any required planting;
 - (b) more than likely be subject to increased material and contractor costs which may require the design and feasibility of the Project to be revisited. As detailed in the economic benefits during construction above, there are supply chain issues currently affecting the construction industry. These pressures are expected to continue to build over time in the current environment. Annual building costs have increased by 4.5% since the start of the year;⁸ and
 - (c) delay necessary housing stock being added to the Auckland market.

Whether the Project may result in a 'public benefit'

Employment / job creation

- 10.29 The Project will result in 1,112 full time equivalent ("FTE") employees over the various stages of construction. For example, construction of Stage 1a and Stage 1b is expected to provide 166 FTE jobs. This number of FTE jobs is expected to increase the following year as further stages are undertaken and is anticipated to peak at 420 FTE in 2025. Further, once indirect and induced effects are provided for it is anticipated that 3,335 FTE jobs would be provided over the life of the Project.

Increasing housing supply

- 10.30 The Project will result in approximately 370 residential dwellings and / or retirement village units being constructed. It is proposed that a variety of dwelling types will be constructed including detached dwellings, terrace houses, apartments and retirement units. These varying typologies will result in dwellings of different sizes and therefore varying levels of affordability. It is envisaged that the resulting dwellings will be attractive and economically feasible for a wide range of the population including young, old and families.
- 10.31 The Project will provide housing capacity to meet residential demand in a timely manner which will assist in enabling home ownership. Higher density residential apartments translate to lower priced units (all else being equal) and subsequently lower housing costs, due to the lower amount of land on a per dwelling basis. The Project therefore provides greater opportunities for more affordable housing (in a relative sense) compared with no development proceeding.

⁸

CoreLogic, *Cordell Housing Price Index*, June 2021.

- 10.32 Under the fast-track scenario, the dwellings are likely to come to market earlier, helping alleviate a housing shortfall in the short term and helping ensure demand is met at as low a price as possible.

Contributing to well-functioning urban environments

- 10.33 The Project contributes to a well-functioning urban environment, albeit a greenfield site within an existing suburban environment. In this regard, while the Site has no development on it, it is surrounded by urban development and includes all the key infrastructure required to facilitate urban development, with some local upgrading. The intention behind the design philosophy is that the proposed residential population is housed in a variety of typologies spread throughout the Site, whilst ensuring a high level of connectivity and high quality outdoor open spaces and linkages to the public transport network. Connections to the water supply, wastewater and stormwater network are available in order to meet the demands of future occupants.
- 10.34 Further, the Project is supported by the range of employment, transport and amenity options within easy access of the Site. Important new pedestrian and cycleway connections will be delivered to integrate the Site with the neighbouring areas. As a result, the proposed development will positively contribute to a well-functioning urban environment.

Providing infrastructure to improve economic, employment, and environmental outcomes, and increase productivity

- 10.35 This criterion is of limited application to this proposal. The Project can be serviced by existing infrastructure networks with only localised upgrades are required.

Improving environmental outcomes for coastal or freshwater quality, air quality, or indigenous biodiversity

- 10.36 The Project will have no adverse environmental impact on the coastal environment. In terms of freshwater quality, while the pond will be relocated, it is proposed to manage stormwater quantity and quality in order to improve stormwater discharge outcomes in the locality. The development will also result in high quality landscaped outcomes throughout the Site including significant planting on the open spaces areas. The landscaping will improve indigenous biodiversity and will result in a variety of ecosystems eventually establishing on Site.

Minimising waste

- 10.37 The Project will include a comprehensive waste management system whereby waste will be separated into general waste, recycling and food waste. The applicants intend to develop a Waste Management Plan for the development, which will also include a minimisation plan. The plan will calculate the waste envisaged from the development based on activity types and numbers of bedrooms per unit. Options for water reuse within the development are available, including stormwater reuse within the buildings for toilets and within the laundry.

- 10.38 FRL is well progressed on their regenerative construction and waste reduction journey:

- (a) FRL completed a waste reduction trial on two homes in Te Uru, Hobsonville Point, Auckland which achieved a 60% waste diversion rate.
- (b) FRL has changed to Green Gorilla as its Auckland-based waste management provider who achieve 70% waste diversion from landfill rate.

- (c) FRL introduced plasterboard separation bags at all of their developments. After 1 year this has resulted in 100% recovery of 153 tonnes of gypsum.
- (d) FRL has introduced smaller skip bins to make contractors more aware of how much construction waste is being thrown out and is running an education and awareness initiative on their projects.
- (e) FRL is investigating circular economy principles associated with the life cycle of MDF used in our kitchen and bathrooms through XLabs Circular Economy Lab, organised by Auckland Unlimited.
- (f) FRL completed a first cut material audit so we can actively engage with our supply chain to reduce or eliminate unnecessary packaging to site.
- (g) FRL has recently provided construction waste data and plans to support a Massey University, BRANZ and Auckland Council collaborative project to establish a waste calculation tool for industry use.
- (h) FRL is working with its offsite manufacturing business (Clevercore) to deliver some of its housing typologies. The offsite manufacturing process speeds up construction, and is far more sustainable than traditional on-site construction. Clevercore's design and production manufacturing process delivers measurable, significant savings in material waste and therefore environmental impact. There are several ways this occurs:
 - (i) Firstly, the design process aims to maximise the use of the major material components with efficient design.
 - (ii) The residual wood waste is used as a substitute for coal in the kiln firing process in the production of cement. In addition to this the H1.2 timber treatment used in LVL timber framing is treated with AZOTEC. This timber treatment has been developed in NZ and does not contain a wet solvent treatment. This offers equal durability performance to traditional treatments with the addition of health benefits for constructors and ultimately the homeowner.
 - (iii) The factory Computer Numerical Control (ie CNC) machining process virtually eliminates mistakes and rejects.
 - (iv) All materials for manufacturing are stored and used in the factory so this eliminates the risk of weather damage.
 - (v) What waste is produced is contained and isolated from the external environment (ie it can't blow or wash away).

Contributing to NZ's efforts to mitigate climate change and transition more quickly to a low emissions economy (in terms of reducing NZ's net emissions of greenhouse gases)

10.39 As vehicle emissions are one on New Zealand's largest source of carbon emissions, it is considered important to promote a compact urban form and modes of transport other than private vehicles.

10.40 The Project involves an intensification of an established urban area. While a greenfield site, the Project promotes a compact urban form, which has accepted climate change benefits.

- 10.41 Further, promoting active modes of transport has two-fold benefit of reducing emissions and also reducing congestion on city streets. This in turn frees up road space for public transport, cyclists and pedestrians. In support of this and as noted above in this application, the Site has excellent access to public transport and the development itself will provide high quality pedestrian and cyclist access through and within the Site in order to further support non-private vehicle modes of transport.
- 10.42 In addition, the new buildings will be efficient to heat given FRL's construction methodologies and energy efficient materials. Thermal comfort will be optimised during design through software analysis / modelling to minimise the effects of high solar gains and high heat losses. For example, the design response will provide a good balance of high-performance glazing systems with insulated spandrels.
- 10.43 FRL incorporate the sustainable fixtures into every home so people spend water and energy, and less money heating and cooling. These include:
- (a) Insulation levels that are higher than Building Code, carefully considered for thermal and acoustic requirements.
 - (b) Double glazed windows.
 - (c) Energy efficient heat pumps that comply with the Healthy Homes Act.
 - (d) Kitchens and bathrooms with extractor fans.
 - (e) Insulated hot water cylinders.
 - (f) Taps which achieve WELS 4-star rating.
 - (g) Dual flushing toilets with a maximum volume of 4.5 litres.
 - (h) Energy and water efficient appliances.
 - (i) LED lighting selections throughout.

Promoting the protection of historic heritage

- 10.44 There are no items of historic heritage identified on the Site. This is confirmed in the assessment undertaken by Clough and Associates.

Strengthening environmental, economic, and social resilience, in terms of managing the risks from natural hazards and the effects of climate change

- 10.45 The key natural hazard that the Project may be subject to is land instability. As a result, a geotechnical report has been commissioned. This report confirms that subject to standard construction design and methodologies that the proposed development will be acceptable from a geotechnical perspective. Further detailed analysis will be undertaken as part of any building consent process in the future.
- 10.46 The Site is not subject to flood, coastal inundation, tsunami or storm surge hazard risk.

Other public benefits

- 10.47 The public benefits of the application have been fully canvassed above in this application and it is considered that the development will result in a wide range of public benefits.

- 10.48 With regard to the racing industry, the Messara Report has confirmed that racing clubs across New Zealand need to rationalise assets in order to maintain ongoing prosperity. While ATR has been rationalising assets for some time, it is understood that rationalisation of the industry will yield long-term benefits for the wider industry.
- 10.49 The wider thoroughbred industry employs approximately 10,000 people.⁹ The development of The Hill will enable a significant increase in the value of stakes being able to be paid to trainers and breeders. Greater stakes will result in additional revenue that will be able to be passed down to trainers, breeders, and other parts of the industry. This is expected to boost the overall retention and creation of jobs in the racing industry.
- 10.50 Additionally, the Project will enable the development of the infield which will include the construction of another larger irrigation pond to water the track. This will avoid the need to utilise water from the reticulated network for this purpose thereby reducing demand on the Auckland region's scarce water supplies. Further, it is proposed to collect roof water from the buildings within the Site and divert this to the pond. In addition, surface water from the new infield carpark will be treated and pumped to the irrigation pond. This approach to water re-use will also result in public benefits.

Whether there is potential for the project to have significant adverse environmental effects, including greenhouse gas emissions

- 10.51 The Project will not generate significant adverse environmental effects. This is addressed in detail in section 8 of this application and will be addressed in detail in any application for consent, should the Minister accept the Project for referral.
- 10.52 With regard to greenhouse gas emissions, the Project will not result significant greenhouse emissions as it involves medium to high density residential development constructed to achieve green star ratings for energy efficiency. Further, the development is in close proximity to two train stations. All these factors will contribute to reducing greenhouse gas emissions.

11. CLIMATE CHANGE AND NATURAL HAZARDS

- 11.1 The key natural hazard that the Project may be subject to is land instability. As a result, a geotechnical report has been commissioned. This report confirms that subject to standard construction design and methodologies that the proposed development will be acceptable from a geotechnical perspective.
- 11.2 With regard to climate change, the Project helps give effect to the strategy of a 'quality, compact urban form' as defined in the Auckland Plan 2050 and the development maximises efficient use of land and is within walking distance of the train stations, employment and shopping destinations and education, and recreation facilities. Given these elements, it is considered the proposed development will result in lower carbon emissions than a standard development would and therefore would have a positive effect on carbon emissions and support the governments decarbonization goals.

⁹ *Review of the New Zealand Racing Industry*, John Messara AM (31 July 2018), at p 6, available at: [https://www.dia.govt.nz/vwluResources/Racing-Report-August-2018/\\$file/Review-of-the-NZ-Racing-Industry-Report.pdf](https://www.dia.govt.nz/vwluResources/Racing-Report-August-2018/$file/Review-of-the-NZ-Racing-Industry-Report.pdf).

12. TRACK RECORD

- 12.1 Both ATR and FRL are not aware of any compliance or enforcement actions taken against them by a local authority or the EPA in the last five years.
- 12.2 ATR is aware of two historic non-compliances relating to the former Counties Racing Club and Auckland Racing Club:
- (a) Correspondence regarding unreasonable noise generation issued to Auckland Racing Club in 2006. This issue was resolved.
 - (b) Abatement notice issued to Pukekohe Park Limited in 2012 for discharging smoke and odour from a motor vehicle drifting event. This issue was resolved.

Released under the provision of
the Official Information Act 1982