

Response ID ANON-URZ4-5FKE-Z

Submitted to Fast-track approval applications
Submitted on 2024-05-03 18:13:22

Submitter details

Is this application for section 2a or 2b?

2A

1 Submitter name

Individual or organisation name:
Auckland Thoroughbred Racing Incorporated

2 Contact person

Contact person name:
Don Greenaway

3 What is your job title

Job title:
Development Manager - Property

4 What is your contact email address?

Email:
s 9(2)(a)

5 What is your phone number?

Phone number:
s 9(2)(a)

6 What is your postal address?

Postal address:
s 9(2)(a)

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

Yes

Organisation:
Russell McVeagh

Contact person:
Daniel Minhinnick

Phone number:
s 9(2)(a)

Email address:
s 9(2)(a)

Job title:
Partner

Please enter your service address:
s 9(2)(a)

Section 1: Project location

Site address or location

Add the address or describe the location:

s 9(2)(b)(ii)

The project location is shown in the map at Attachment 1. s 9(2)(b)(ii)

File upload:
Attachment 1_Pukekohe Park Location Plan.pdf was uploaded

Upload file here:
s 9(2)(b)(ii)

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

Yes

upload file:
Attachment 3_Record of Titles.pdf was uploaded

Who are the registered legal land owner(s)?

Please write your answer here:

Auckland Thoroughbred Racing Incorporated

Detail the nature of the applicant's legal interest (if any) in the land on which the project will occur

Please write your answer here:

Auckland Thoroughbred Racing Incorporated owns the relevant land

Section 2: Project details

What is the project name?

Please write your answer here:
Pukekohe Park

What is the project summary?

Please write your answer here:

s 9(2)(b)(ii)

What are the project details?

Please write your answer here:

s 9(2)(b)(ii)

s 9(2)(b)(ii)

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

Please write your answer here:

s 9(2)(b)(ii), including all enabling works, are planned to occur in a single stage.

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

Please write your answer here:

Resource consent under the Resource Management Act 1991 and approval/permits under the Wildlife Act 1953.

If you seeking approval under the Resource Management Act, who are the relevant local authorities?

Please write your answer here:

Auckland Council

What applications have you already made for approvals on the same or a similar project?

Please write your answer here:

No applications have been made in relation to Pukekohe Park.

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

No

Please explain your answer here:

N/A.

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

Please write your answer here:

ATR can commence works immediately upon receiving consent. It is anticipated that the timeline from consent being granted s 9(2)(b)(ii)

Section 3: Consultation

Who are the persons affected by the project?

Please write your answer here:

Relevant Local Authorities

- Auckland Council
- Healthy Waters (a section of Auckland Council)
- Watercare
- Auckland Transport

Relevant Iwi Authorities (from Te Puni Kokiri and Auckland Council website)

- Ngāi Tai ki Tāmaki Tribal Trust, representing Ngāi Tai ki Tāmaki (Auckland Council website)
- Ngāti Tamaoho Trust, representing Ngāti Tamaoho (Te Puni Kokiri and Auckland Council website)
- Te Ākitai Waiohū Iwi Authority, representing Te Ākitai Waiohū (Auckland Council website)
- Te Ākitai Waiohū Waka Taua Inc, representing Te Ākitai Waiohū
- Ngāti Maru Runanga Trust, representing Ngāti Maru
- Hauraki Māori Trust Board, representing Ngāi Tai ki Tāmaki, Ngāti Maru and Ngāti Hako
- Ngāti Maru Rūnanga Trust, representing Ngāti Maru (Auckland Council website)
- Te Rūnanga o Ngāti Pū, representing hapu of Ngāti Maru
- Te Ara Rangatu o Te Iwi o Ngāti Te Ata Waiohū, representing Ngāti Te Ata (Auckland Council website)
- Te Whakakitenga o Waikato Incorporated, representing Waikato-Tainui (Auckland Council website)
- Tainui Hapū Environmental Management Committee, representing hapu of Waikato-Tainui
- Waahi Whaanui Trust, representing hapu of Waikato-Tainui

Relevant Treaty settlement entities (from Te Puni Kokiri)

- Ngāti Tamaoho Settlement Trust, representing Ngāti Tamaoho
- Te Ākitai Waiohū Settlement Trust, representing Te Ākitai Waiohū
- Ngāti Maru (Hauraki) Treaty Settlement Negotiators, representing Ngāti Maru
- Hako Tūpuna Trust, representing Ngāti Hako
- Ngai Tai ki Tamaki Trust, representing Ngāi Tai ki Tāmaki
- Ngāti Ata Claims Support Whanau Trust, representing Ngāti Te Ata
- Te Whakakitenga o Waikato Incorporated, representing Waikato-Tainui

No customary marine title groups or applicant groups under the Marine and Coastal (Takutai Moana) Act 2011 will be affected as the project is not located in or near the Marine and Coastal Area.

No land will be acquired under the Public Works Act 1981.

Detail all consultation undertaken with the persons referred to above. Include a statement explaining how engagement has informed the project.

Please write your answer here:

The Applicant is yet to commence consultation, but expects to as the detailed design of the Project advances.

The Applicant has established relationships with Ngāti Te Ata Waiohū and Ngāti Tamaoho who have performed karakia on site, including most recently for the opening of the 2023/2024 racing season.

Upload file here:

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Describe any processes already undertaken under the Public Works Act 1981 in relation to the land or any part of the land on which the project will occur:

Please write your answer here:

N/A.

Section 4: Iwi authorities and Treaty settlements

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

Please write your answer here:

There are several Treaty settlements which apply to the location of the project. None of these have any direct bearing on the Project.

Relevant iwi Treaty Settlement legislation / deed of settlement

- a. Ngāti Tamaoho- Deed of Settlement dated 30 April 2017
- b. Ngāti Hako- Claim not settled
- c. Ngāti Te Ata (Waiohū)- Claim not settled
- d. Ngāti Maru (Hauraki)- Deed of Settlement initialled on 8 September 2017
- e. Te Ākitai Waiohū- Deed of Settlement dated 12 November 2021
- f. Ngāi Tai ki Tāmaki- Deed of Settlement dated 7 November 2015
- g. Waikato-Tainui- Deed of Settlement dated 22 May 1995

Ngāti Tamaoho Deed of Settlement

The Ngāti Tamaoho Deed of Settlement records the historical account, acknowledgements and apology given by the Crown to Ngāti Tamaoho. The Deed settles the historical claims of Ngāti Tamaoho, including cultural and financial redress and an obligation to consult over certain areas. This includes the vesting of sites with cultural significance. The Deed also provides for areas of statutory acknowledgement, which consent authorities must have regard to under the RMA. The Ngāti Tamaoho Claims Settlement Act 2018 gives effect to certain provisions of the Deed. No areas covered by a statutory acknowledgement or any other form of cultural or financial redress in this settlement would be directly affected by the project.

Ngāti Maru (Hauraki) Deed of Settlement

The Ngāti Maru Deed of Settlement comprises an agreed historical account, Crown acknowledgements and a Crown apology. It also includes cultural and financial redress. As part of cultural redress, a total of 40 areas will be vested in fee simple in Ngāti Maru. The Deed also recognises areas of statutory acknowledgement over the Mercury Islands, Ngāhue Reserve, and the Whangapoua Conservation Area, which consent authorities must have regard to under the RMA. No areas covered by a statutory acknowledgement or any other form of cultural or financial redress in this settlement would be directly affected by the project.

Te Ākitai Waiohū Deed of Settlement

Te Ākitai Waiohū's Deed of Settlement includes an agreed historical account, Crown acknowledgements and a Crown apology. The Deed also provides for cultural and financial redress. Cultural redress includes the vesting of seven cultural redress sites to Te Ākitai Waiohū. The Deed provides for statutory acknowledgement over 26 areas and a coastal statutory acknowledgement, which consent authorities must have regard to under the RMA. No areas covered by a statutory acknowledgement or any other form of cultural or financial redress in this settlement would be directly affected by the project.

Ngāi Tai ki Tāmaki Deed of Settlement

The Ngāi Tai ki Tāmaki Deed of Settlement 2018 provides a summary of historical account, acknowledgements, and a Crown apology. The Deed also includes cultural and financial redress. Cultural redress includes the vesting of 16 Crown-owned sites to Ngāi Tai ki Tāmaki. The Deed also provides for 16 areas of statutory acknowledgement, which consent authorities must have regard to under the RMA. The Ngāi Tai ki Tāmaki Claims Settlement Act 2018

gives effect to certain provisions of the Deed. No areas covered by a statutory acknowledgement or any other form of cultural or financial redress in this settlement would be directly affected by the project.

Waikato Tainui Deed of Settlement

The Waikato-Tainui Raupatu Deed of Settlement includes a formal Crown apology and acknowledgements. The Deed also includes redress from the Crown. This included the transfer of Settlement Land across the Waikato Tainui Raupatu Claim Area and financial redress for costs and acquisition of land. The Waikato Raupatu Claims Settlement Act 1995 gives effect to provisions of the Deed. No areas covered by a statutory acknowledgement or any other form of cultural or financial redress in this settlement would be directly affected by the project. Waikato-Tainui and the Crown signed a Terms of Negotiation on 14 December 2020. This marks the start of negotiations with the Crown for the settlement of the remaining historical Treaty of Waitangi claims on behalf of Waikato-Tainui. These negotiations are still ongoing.

Are there any Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 principles or provisions that are relevant to the project?

No

If yes, what are they?:

Are there any identified parcels of Māori land within the project area, marae, and identified wāhi tapu?

No

If yes, what are they?:

Is the project proposed on any land returned under a Treaty settlement or any identified Māori land described in the ineligibility criteria?

No

Has the applicant has secured the relevant landowners’ consent?

Yes

Is the project proposed in any customary marine title area, protected customary rights area, or aquaculture settlement area declared under s 12 of the Māori Commercial Aquaculture Claims Settlement Act 2004 or identified within an individual iwi settlement?

No

If yes, what are they?:

Has there been an assessment of any effects of the activity on the exercise of a protected customary right?

No

If yes, please explain:

Upload your assessment if necessary:

No file uploaded

Section 5: Adverse effects

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

Please describe:

s 9(2)(b)(ii) It is not considered to result in any long-term adverse effects on the environment as set out below.

Earthworks and construction

s 9(2)(b)(ii)

s 9(2)(b)(ii)

Overall, earthworks will be appropriately designed and adverse effects on the environment will be managed by conditions of consent to ensure that any adverse effects will not have any lasting effects or be significant.

Construction noise

To mitigate and minimise construction noise effects that could be experienced by the closest receivers, a Construction Noise Management Plan (CNMP)

will be prepared and implemented throughout the duration of the construction period for the project. This management framework for construction noise effects is considered to represent the best practicable option for enabling construction of the project while avoiding and protecting people from the unreasonable emission of noise.

Geotechnical

A number of background geotechnical investigations exist for the site which consider the geotechnical constraints of the project area. These assessments confirm that soil within the project area consists primarily of competent weathered volcanic ash extending to depths, and as such there are only limited geotechnical constraints on development (i.e. the site is suitable for a wide range of activities and buildings). In terms of known constraints, the site contains localised areas of non-engineered fill which are not suitable for reuse and will be removed from the site and replaced with suitable fill. Based on the background geotechnical investigations to date, there are no known major land instability or geotechnical constraints at the site. s 9(2)(b)(ii)

Contamination

The site contains activities which are on the Ministry for the Environment's (MfE's) Hazardous Activities and Industries List (HAIL) including storage tanks for fuel, pesticide use/storage and motor vehicle workshops (among others) associated with the motor speedway and horse jockey training facilities and stables activities on the site. As such the site is likely to contain contaminated soils which can adversely affect human health and the environment and be a 'piece of land' under the National Environmental Standard for Managing and Assessing Contaminants in Soil to Protect Human Health 2011 (NESCS). A Detailed Site Investigation (DSI) will be commissioned including the preparation of a Site Management Plan (SMP) and Remediation Action Plan (RAP) as required. This will ensure that any adverse effects on human health and the environment will be avoided, remedied or mitigated during the bulk earthworks phase of the project.

Notable trees

The site is identified in the Auckland Unitary Plan (AUP) as containing a number of Notable Trees. In parallel to the detailed design of the proposed bulk earthworks and servicing, an arboricultural assessment will be undertaken which will confirm the locations of these trees and provide recommendations. These recommendations will set out the methodology for undertaking works near these trees, whilst protecting these trees from damage or works which may affect their health. The recommendations will form part of the resource consent application, and it is anticipated that a suite of conditions of consent will be included to ensure adherence to those recommendations. This will ensure that any adverse effects on notable trees and the amenity provided by these will be protected.

Cultural values

As noted earlier in this application, the site is within an area of interest to six different iwi. While wider consultation with relevant iwi groups has not yet commenced, the applicant has established relationships with Ngāti Te Ata Waiohū and Ngāti Tamaoho, both of which have been invited and agreed to provide a karakia to open the 2023/2024 racing season. Should this application for a scheduled project be accepted, the applicant will immediately commence engagement and consultation with relevant iwi groups regarding the project will be undertaken to ensure that potential adverse effects on cultural values are avoided.

Archaeology

There are no recorded archaeological features at the site, such that there is not anticipated to be adverse effects on the environment in terms of archaeological values. Notwithstanding, in the event that any unrecorded subsurface remains are uncovered, the accidental discovery protocol will immediately come into effect and will need to be applied under the Heritage New Zealand Pouhere Taonga (HNZPT) Act 2014. This includes ceasing works and securing the area, informing relevant authorities and parties and enabling inspection of the site before works can recommence. This is considered to sufficiently avoid or mitigate adverse effects on archaeological values.

Ecology

Taking into account the existing use of the site and site features, the site is primarily in pasture or developed for racecourse purposes and therefore does not contain any vegetated areas of high ecological value or biodiversity. Notwithstanding, an ecological assessment of the project area will be undertaken as part of the resource consent process to identify if the site contains any areas of habitat for birds, lizards and bats (and other fauna) to ensure that appropriate management plans and measures are in place to protect biodiversity from the proposed development. Any permits under the Wildlife Act 1953, if required, will accordingly be applied for.

In terms of freshwater ecological values, there is an existing stormwater channel on the site that is identified as a "stream" on Auckland Council Geomaps. It is proposed to divert and enhance this stormwater channel, including adjoining enhancement planting, which will assist with the intention to achieve a "no net loss" outcome. Details of the stream diversion and enhancement planting will be undertaken at the resource consent stage with the project civil engineer and ecologist to ensure that the project does not result in adverse effects in terms of freshwater ecology or biodiversity.

As such the project is considered to adequately avoid or minimise potential adverse ecological effects on the environment.

Infrastructure and servicing

s 9(2)(b)(ii)

. Based on the above, the project is not considered to generate any adverse effects on the environment in terms of infrastructure and servicing.

Flooding

The project area contains a stormwater channel (identified on Auckland Council Geomaps as a “stream”) and associated overland flow paths and floodplains, and therefore has the potential to generate adverse stormwater and flooding effects on the environment. The stormwater channel will be diverted as part of the project and flood modelling has been undertaken to inform the flood assessment within the infrastructure servicing memo (Attachment 4). This memo confirms the project will not exacerbate flooding effects outside of the site boundaries (including any upstream or downstream effects). s 9(2)(b)(ii)

. On this basis, the project is not considered to generate any adverse effects on the environment in terms of flooding that cannot be avoided, remedied or mitigated.

Transport and access

s 9(2)(b)(ii)

The proposed road will be designed during the resource consent process to ensure it will meet Auckland Transport’s “Transport Design Manual (TDM)” and provides for safe traffic movements. The project will not generate any additional traffic (with the exception of construction traffic which is to be managed by a CTMP as discussed earlier), such that based on the proposed road meeting Auckland Transport’s TDM, there are not considered to be any adverse transport effects on the environment.

s 9(2)(b)(ii)

Character, visual amenity and landscape effects

s 9(2)(b)(ii)

Upload file:
Attachment 4_Infrastructure Serviceability Memo.pdf was uploaded

Section 6: National policy statements and national environmental standards

What is the general assessment of the project in relation to any relevant national policy statement (including the New Zealand Coastal Policy Statement) and national environmental standard?

Please write your answer here:

The relevant national policy statements and national environmental standards include the National Policy Statement on Urban Development (NPSUD), National Policy Statement on Freshwater Management (NPSFM), National Environmental Standards for Freshwater (NESF) and the National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS). Overall, it is considered that the project will accord with the relevant national policy statements and national environmental standards.

National Policy Statement on Urban Development

s 9(2)(b)(ii)

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s 9(2)(b)(ii)

s 9(2)(b)(ii)

s 9(2)(b)(ii)

s 9(2)(b)(ii)

Overall, it is considered that the project will directly contribute to the successful delivery of the outcomes sought through the NPSUD.

National Policy Statement on Freshwater Management

The NPSFM seeks to manage natural and physical resources to prioritise firstly, the health and well-being of water bodies and freshwater ecosystems, secondly, the health and needs of people, and thirdly the ability to provide for the social, economic, and cultural well-being of people and communities.

The project is considered to be in keeping with the NPSFM for the following reasons:

- As noted earlier in this application, the applicant has established relationships with relevant iwi groups. The applicant is committed to meaningful consultation and active involvement with tangata whenua with regards to stormwater management and redirection of the existing stormwater channel, and as such the project will be in accordance with policy 2.
- In accordance with policy 3, stormwater runoff within the project site will be comprehensively managed to ensure that the effects of the use and development of the land do not adversely affect downstream catchments and freshwater bodies;
- The project will involve the redirection and enhancement of an existing stormwater channel, which is identified on Auckland Council Geomaps as a "stream". In accordance with policy 7, a 'no net loss' outcome will be achieved, and that the detailed design of works will have regard to the effects management hierarchy.
- In accordance with policy 8, there are no significant outstanding waterbodies as identified under the Auckland Unitary Plan within the site.
- The proposed Project is considered to provide for the social, economic, and cultural well-being of people and communities as it will deliver new employment opportunities while being consistent with the NPSFM for the reasons outlined above and as such accords with policy 15.

Overall, it is considered that the project will contribute to the outcomes sought under the NPSFM.

National Environmental Standard on Freshwater

The NESF sets out requirements for carrying out certain activities that pose risks to freshwater and freshwater ecosystems. Of potential relevance to the project are clauses which manage works affecting rivers and streams, as the existing stormwater channel on the site is identified on Auckland Council Geomaps as a "stream". Any relevant resource consents under the NESF will be applied for as part of the consenting process and the extent of any works proposed to existing streams will be designed with regard to the relevant framework under the NPSFM, including application of the effects management hierarchy. As such, the proposal is considered to be consistent with the intention of the NESF.

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health

The purpose of the NESCS is to ensure that land affected by contaminants in soil is appropriately identified and assessed before it is developed (and remediated if necessary). A DSI will be prepared to confirm if there are elevated levels of metal contaminants within the project area. Appropriate methods to remediate the site will be identified as part of the DSI, and it is considered that the project will be consistent with the intent of the NESCS to ensure that effects on human health area appropriately managed. As such, the proposal is considered to be consistent with the intention of the NESCS.

Attachment 5 is appended here- as this could not be appended to sections which reference this attachment.

File upload:

Attachment 5_Pukekohe Park Fast-track Economic Assessment Memo.pdf was uploaded

Section 7: Eligibility

Will access to the fast-track process enable the project to be processed in a more timely and cost-efficient way than under normal processes?

Yes

Please explain your answer here:

Yes.

The fast-track process offers a number of advantages in terms of time over the standard RMA process. Public and limited notification is precluded under the Fast-track Approvals Bill. The panel is only permitted to invite comments from specified persons and a short timeframe is provided for comment. In this case, it is ATR's view that few parties are affected by the project in a more than minor way, based on the anticipated effects outlined and how they will be managed. The process under the Fast Track Approvals Bill for providing comment at the Expert Panel Stage is appropriate and adequate to address concerns of the project.

The effects of the Project can be appropriately managed through the design of the area, and standard, good practice conditions of consent. There is a real risk of public notification, or at least limited notification being triggered because of the unique zoning of the site as a major recreation facility. Notification of the Project would result in significant delays and increases the likelihood of an Environment Court appeal. Adjacent landowners and other stakeholders will have opportunity to provide comment on the project and consent conditions through the Fast Track Approvals Bill process, which is more sufficient for addressing any concerns while providing considerable time savings.

The two-stage RMA process would create a much longer consenting timeframe for the Project and the risk of delay from a subsequent Environment Court Appeal would likely be avoided under the Fast Track Approvals Bill. The Fast Track Approvals Bill will provide a greater certainty of the timing of consent than a standard RMA process that progresses to an Environment Court appeal. s 9(2)(b)(ii)

ATR has experience in seeking consent under the COVID-19 Recovery (Fast-track Consenting) Act 2020. s 9(2)(b)(ii)

divestment has supported the sustainability of the thoroughbred racing industry within Auckland and nationally by providing increased stakes to pay trainers and breeders. ATR's experience with fast-tracking is that it is the most efficient way to divest surplus racing land, support the revitalisation of the racing sector s 9(2)(b)(ii)

The Fast Track Approvals Bill also provides significant advantages in streamlining the approval processes by bundling the processing of RMA consents and permissions needed under other frameworks. This includes processing RMA consents together with wildlife permits, both of which are anticipated to be required for this project. Processing the consents and permits together prevents the approvals process for the Project from becoming disjointed.

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

Please write your answer here:

As Auckland Thoroughbred Racing will be in a position to lodge a substantive application this year, it can immediately benefit from being a 2A listed project. If this project is not listed, referral will be sought to utilise the Fast Track Approvals Bill given the clear and substantial benefits this fast-track process will provide to its delivery. On that basis, by listing this project under 2A substantially streamlines processing of this application for both the Ministry for the Environment staff, and the joint Ministers, allowing an Expert Panel to begin processing the application as soon as it is appointed.

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

Sector plan or strategy

Please explain your answer here:

Yes.

The racing industry has been the subject of a detailed report to develop a strategy to ensure the ongoing viability of the industry. The result of that review was a report by John Messara, titled Review of the New Zealand Racing Industry, which was released in 2018 ("Messara Report"). As acknowledged by the Racing Minister Rt Hon Winston Peters at the time of the release of the report "Mr Messara's review delivers a blunt appraisal. He concludes the New Zealand's racing industry is in a state of serious malaise, and requires urgent reform. The review also warns thoroughbred horse racing is at a tipping point of irreparable damage."

The racing industry has been the subject of careful consideration in the wake of the Messara Report. The former Auckland Racing Club and Counties Racing Club have 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 to support the wider industry.

s 9(2)(b)(ii)

The economic benefits generated from the Project will flow back into the racing industry, both through increased stakes, horse training and stabling at Pukekohe Racecourse . This 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. The wider thoroughbred industry employs approximately 10,000 people.

The Project therefore reflects the next stage in ATR delivering part of the wider strategy for the racing industry.

Will the project deliver regionally or nationally significant infrastructure?

Not Answered

Please explain your answer here:

No.

Will the project:

s 9(2)(b)(ii)

Please explain your answer here:

Yes.

s 9(2)(b)(ii)

Will the project deliver significant economic benefits?

Yes

Please explain your answer here:

Yes.

s 9(2)(b)(ii)

As set out in the economic memo (Attachment 5), the project will support long-term significant economic benefits. Once the land is developed, there is expected to be a direct contribution to GDP of \$97.5 million supporting 695 FTE jobs. There are also several indirect contributions from increased local expenditure as residents spend their money on goods and services in surrounding areas. This is expected to be an indirect contribution to GDP of \$110 million, supporting 785 FTE jobs.

In addition to the above, there will be a number of flow on economic benefits of the project and later stages of development at Pukekohe Park. Key of these will be financial support provided to ATR, allowing for maintenance and upgrade of the Pukekohe 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.

The Project will enable the development of housing to meet residential demand in a timely manner which will assist in enabling home ownership. Under a Fast-Track scenario, the proposed superlot subdivision will allow the longer-term redevelopment of part of Pukekohe Park for residential use to come to market earlier, helping to alleviate a housing shortfall in the short term and helping ensure demand is met at as low a price as possible.

Will the project support primary industries, including aquaculture?

No

Please explain your answer here:

Will the project support development of natural resources, including minerals and petroleum?

No

Please explain your answer here:

Will the project support climate change mitigation, including the reduction or removal of greenhouse gas emissions?

Yes

Please explain your answer here:

Yes.

s 9(2)(b)(ii)

The Project helps give effect to the strategy of a 'quality, compact urban form' as defined in the Auckland Plan 2050 and the development will enable 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 decarbonisation goals.

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

Yes

Please explain your answer here:

Yes.

As set out in the infrastructure servicing memo (Attachment 4), it has been confirmed that the project will not be affected by natural flooding effects due to climate change. The stormwater system will be sized and designed to cater for peak flows including for climate change temperature increase of 3.8°C in accordance with the latest MfE and Auckland Council Guidelines including the recently released Stormwater Code of Practice V4.

s 9(2)(b)(ii)

Therefore, the project will support adaptation, resilience and recovery from natural hazards and infrastructure will be developed to be resilient to significant storm events, and to cater for climate change uplift to 3.8°C.

Will the project address significant environmental issues?

Yes

Please explain your answer here:

Yes.

s 9(2)(b)(ii) The proximity to the Pukekohe Town Centre and Pukekohe train station will allow more people to live in an area that is well served by existing public transport and other services. The proximity will allow people to favour active and public transport options as opposed to traditional reliance on private vehicles as a primary means of transportation. This will help to significantly reduce greenhouse gas emissions that would otherwise occur.

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

Yes

Please explain your answer here:

Yes.

The Auckland Unitary Plan (AUP) and Auckland Future Development Strategy (FDS) 2023-2053 form the package of documents which set the strategic approach for providing for urban growth within the Auckland Region. Overall, the project is considered to be consistent with both of these documents as set out below.

Auckland Future Development Strategy 2023-2053

The FDS incorporates a strategic framework which identifies spatial outcomes and principles for growth within the Auckland region. The FDS identifies four main spatial environments, being existing urban areas, future urban areas, rural areas, and business areas, and also identifies spatial priorities where the greatest benefits of investment can be achieved.

The FDS is underpinned by five key principles in order to achieve a well-functioning urban environment with a quality compact urban form:

- Principle 1: Reduce greenhouse gas emission.
- Principle 2: Adapt to the impacts of climate change.
- Principle 3: Make efficient and equitable infrastructure investments.
- Principle 4: Protect and restore the natural environment.
- Principle 5: Enable sufficient capacity for residential and business growth in the right place at the right time.

Overall, the project is consistent with these principles **s 9(2)(b)(ii)**. The project site is also approximately 1.5 kilometres from the Pukekohe train station and park and ride facilities, which is connected to the Papakura train station and Auckland CBD by bus and train. **s 9(2)(b)(ii)**

In addition, the FDS identifies Pukekohe as one of five nodes within the its multi-nodal approach to growth, being the rural node in the south. Major investments have already been made to the area such as rail electrification and upgrades to State Highway 1, both northbound towards Auckland and southbound towards Hamilton. The FDS also anticipates significant growth in Pukekohe over the next 30 years and recognises that further upgrades to infrastructure will be needed. Development within the existing urban area will therefore contribute to the efficient use of existing and future infrastructure investment.

Regional Policy Statement (contained within the AUP)

The Regional Policy Statement (RPS) is contained within Chapter B of the AUP. The objectives and policies of the RPS that are considered to be relevant to the proposal include those within B2 Urban growth and form, B3 Infrastructure, transport and energy, B6 Mana whenua, B7 Natural resources and B10 Environmental risk.

The project is considered to be in keeping with B2 Urban growth and form of the RPS for the following reasons:

s 9(2)(b)(ii)

s 9(2)(b)(ii)

s 9(2)(b)(ii)

The project is considered to be in keeping with B3 Infrastructure, transport and energy of the RPS for the following reasons:

- The project will not interfere with the ability of utility operators to develop, operate, maintain or upgrade infrastructure. Any additional demand on infrastructure or upgrades required as a result of the project will be delivered by the applicant. Accordingly, objective B3.2.1(1) and policy B3.2.2(1) are considered to be met.
- The project recognises the value of investment in infrastructure and accordingly upgrades as necessary to infrastructure will be provided to support the project, in accordance with policies B3.2.2(2) and B3.2.2(5).

The project is considered to be in keeping with B6 Mana Whenua of the RPS, and in particular objectives B6.2.1(1), B6.2.1(2) and policy B6.2.2(1) as, should this application for a scheduled project be accepted, the applicant will immediately commence engagement and consultation with relevant iwi groups

regarding the project will be undertaken. This process, together with the applicant's established relationship with relevant iwi groups, will ensure that Mana Whenua are given the opportunity to actively participate in the sustainable management of natural and physical resources, and building and maintaining partnerships and relationships with iwi authorities.

- The project is considered to be in keeping with B7 Natural resources of the RPS for the following reasons:
- The proposal provides for the enhancement of the existing stormwater channel (noting this is identified as a stream by Auckland Council Geomaps), and therefore it will contribute to the enhancement of degraded freshwater systems as sought under objective B7.2.1(1).
 - The site does not contain any vegetation of significant ecological value and therefore the policies under B7.2.2 do not apply.

- The project is considered to be in keeping with B10 Environmental risk for the following reasons:
- There are no flooding constraints to development that cannot be avoided, remedied or mitigated, thereby giving effect to objectives B10.2.1(2) and B10.2.1(3).
 - The flood modelling undertaken to date and stormwater management approach has also factored in the effects of climate change on natural hazards, including future climate change temperature rises, and therefore this is consistent with objective B10.2.1(4).
 - The conveyance and function of overland flow paths are maintained by diverting these around the various allotments as part of the earthworks design and thereby achieving objective B10.2.1(6).

Auckland Unitary Plan Objectives and Policies
The objectives and policies in the following AUP chapters that are considered to be relevant to the proposal are:

- D1 High-use Aquifer Management Areas Overlay
- D2 Quality-sensitive Aquifer Management Areas Overlay
- D13 Notable Trees Overlay
- E1 Water Quality and Integrated Management
- E3 Lakes, rivers, streams and wetlands
- E8 Stormwater Diversion and Discharge
- E11 Land Disturbance Regional
- E12 Land Disturbance District
- E25 Noise and Vibration
- E27 Transport
- E30 Contaminated Land
- E36 Natural Hazards and Flooding
- E38 Subdivision - Urban
- E40 Temporary Activities
- H26 Special Purpose Major Recreation Facility Zone
- I434 Pukekohe Park Precinct

The assessment for the above chapters (with the exception of E38, H26 and I434 which are discussed below) has primarily been addressed at the effects assessment and assessment against national policy in earlier sections of this report. We are of the opinion that the project is generally consistent with the above provisions and overall policy framework of the AUP. As such an assessment against those provisions is not repeated here.

The remaining key provisions are considered to be those contained within E38 Subdivision, H26 Special Purpose Major Recreation Facility Zone and I434 Pukekohe Park Precinct.

s 9(2)(b)(ii)

- The project is considered to be consistent with the policy framework of H26 Special Purpose Major Recreation Facility Zone for the following reasons:
- The purpose of the zone is to appropriately manage facilities within Auckland that are capable of hosting large scale events. While the project is not for a primary or ancillary major recreation activity, it will ensure the existing facility is protected and enabled to provide for the social and economic well-being of people and communities. As noted earlier, the funds generated through the development of this surplus land will be injected back into the racing industry to fund new and upgraded facilities, thereby supporting trainers, jockeys and other support activities. The funds will enable ATR to continue to accommodate planned racing or trial events, with 16 events (and potentially more) planned for the 2024-2025 season. Further, as the project area has already been identified as surplus to ATR's needs (taking into account future masterplanning and expansion at the site), there will continue to be sufficient space to continue ATR's operations. As such the project is considered to be consistent with objective H26.2(1) and policy H26.3(1).

s 9(2)(b)(ii)

- The project is considered to be complementary to the objectives and policies of I434 Pukekohe Park Precinct for the following reasons:
- The project will not detract from and overall protects the primary major activities on the site (motorsports – now ceased at Pukekohe with zoning overlay to be removed) and horse racing through the provision of additional funding for the racing industry in accordance with objective I434.2(1) and policy I434.3(4).

s 9(2)(b)(ii) that can be designed so ensure that it is compatible with the primary racing activities on the site (see assessment above with regards to reverse sensitivity in the Special Purpose Major Recreation Facility Zone) and therefore is in accordance with objective I434.2(2) and policies I434.3(5) and I434.3(6).

Anything else?

Please write your answer here:

No.

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

No

If yes, please explain:

Section 8: Climate change and natural hazards

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

No

If yes, please explain:

No.

The project will not be affected by climate change or natural hazards. As set out in the infrastructure servicing memo (Attachment 4), and mentioned in item 36 above, it has been confirmed that the project will not be affected by flooding effects due to climate change or any other natural hazards. The stormwater system will be sized and designed to cater for peak flows including for climate change temperature increase of 3.8°C. Accordingly, the project will not be affected by climate change or natural hazards.

Section 9: Track record

Please add a summary of all compliance and/or enforcement actions taken against the applicant by any entity with enforcement powers under the Acts referred to in the Bill, and the outcome of those actions.

Please write your answer here:

ATR is not aware of any compliance or enforcement actions taken against it by relevant entities in the last five years.

ATR is aware of two historic non-compliances relating to the former Counties Racing Club and Auckland Racing Club:

1. Correspondence regarding unreasonable noise generation issues to Auckland Racing Club in 2006. The issue was resolved.
2. Abatement notice issued in Pukekohe Park Limited in 2012 for discharging smoke and odour from a motor vehicle drifting event. The issue was resolved.

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Declaration

Do you acknowledge your submission will be published on environment.govt.nz if required

Yes

By typing your name in the field below you are electronically signing this application form and certifying the information given in this application is true and correct.

Please write your name here:

Samuel Mason

Important notes