

SUBMISSION ON PLAN CHANGE 78: INTENSIFICATION TO THE AUCKLAND UNITARY PLAN – OPERATIVE IN PART

Clause 6 of Schedule 1 of the Resource Management Act 1991

To: Auckland Council
unitaryplan@aucklandcouncil.govt.nz

AVONDALE JOCKEY CLUB INCORPORATED at the address for service set out below (“**AJC**” or “**Club**”) makes the following submission in relation to Plan Change 78: Intensification (“**the Plan Change**”).

1. AJC could not gain an advantage in trade competition through this submission.
2. The submission relates to following aspects of the Plan Change with respect to the Avondale Racecourse, located at 22 Elm Street, Avondale and legally described as [insert] (“**Racecourse**”), and adjoining land owned by AJC and others as identified and illustrated in the location plan attached at **Attachment 1** to this submission:
 - (a) The proposed zoning of the Racecourse land;
 - (b) The maximum height standards, and in particular the appropriate maximum height to be specified through application of a Height Variation Control; and
 - (c) The extent and location of walkable catchments identified around the Avondale Town Centre and New Lynn Metropolitan Centre.
3. AJC opposes the Plan Change insofar as it proposes to retain the existing special purpose zoning and Avondale Racecourse Precinct provisions that apply to the Avondale Racecourse.
4. AJC also opposes in part the retention of Business – Mixed Use, Residential Terrace Housing and Apartment Building zoning and Avondale 1 Precinct provisions that apply to parts of the existing and former racecourse land held by AJC, and seeks that a consistent zoning is applied across all of AJC’s landholdings.
5. The reasons for the submission are as follows:
 - (a) Unless the relief sought below in this submission is granted, the Plan Change will:

- (i) Not give effect to the NPS – Urban Development 2020 (“**NPS-UD**”);
- (ii) Not comply with the Council’s obligations under the Resource Management Act 1991 (“**RMA**”) as amended by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (“**Enabling Act**”);
- (iii) Not promote the sustainable management of natural and physical resources;
- (iv) Not amount to and promote the efficient use and development of resources;
- (v) Be inconsistent with the purpose and principles in Part 2 of the Resource Management Act 1991 (“**RMA**”);
- (vi) Render AJC’s land incapable of reasonable use for the purposes of s85 of the RMA; and
- (vii) Not be appropriate in terms of section 32 of RMA.

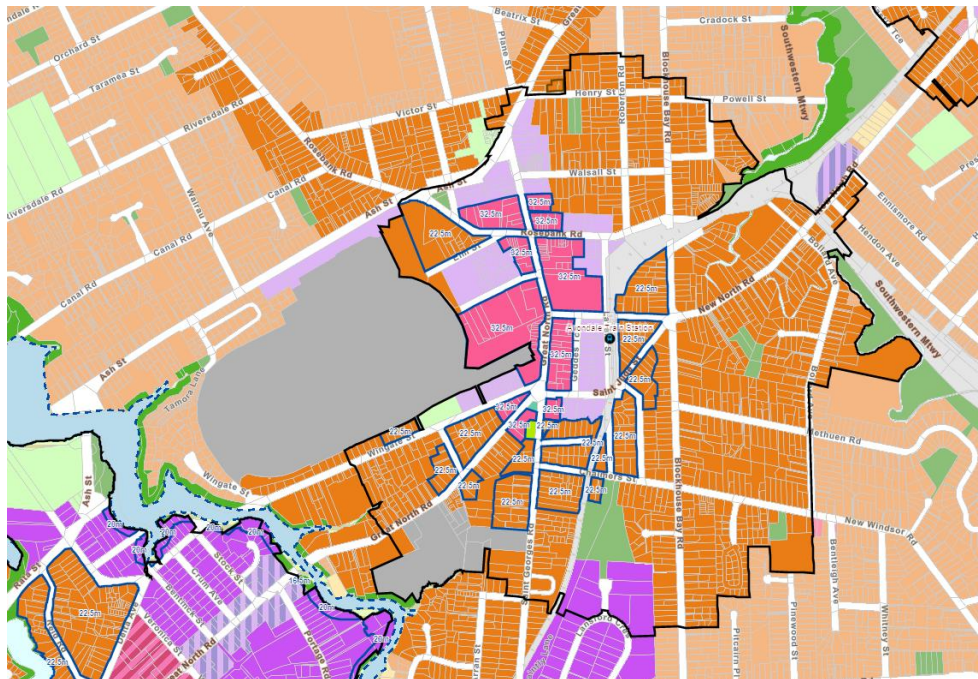
In particular, but without derogating from the generality of the above:

- (b) AJC has a long and proud history within New Zealand’s racing industry. The Club was established in 1889, and the first race was held at Avondale on 26 April 1890.
- (c) The majority of the Racecourse is zoned Special Purpose – Major Recreation Facility zone, and is subject to the Avondale Racecourse Precinct which provides for Horse racing activities as a primary activity, and a very limited range of accessory and compatible activities which would not detract from the ability to facilitate the primary, racing activities. Residential activities are not provided for.
- (d) Parts of the “former” Racecourse (but comprised within the same certificate of title) are zoned Business – Mixed Use zone and Residential – Terrace Housing and Apartment Building zone, and are subject of the Avondale 1 Precinct. Other, former Racecourse landholdings at Elm Street and Wingate Street are also zoned Residential – Terrace Housing and Apartment Building zone, with the land at Elm Street also still subject of the Avondale 1 Precinct. The Plan Change proposed one minor change to the Avondale 1 Precinct, to insert an additional sentence in the introductory text I305.4 Activity table.

- (e) AJC's previous engagement in statutory planning processes has focussed on ensuring that thoroughbred racing activities can continue to be facilitated at the Avondale Racecourse. It has also engaged in private plan change and subdivision consent processes to dispose of redundant land parcels not required for racing purposes, in order that it may release funds for reinvestment in racing activities and assets at the Avondale Racecourse.
- (f) However, notwithstanding the club's best efforts to secure a sustainable future for thoroughbred racing at Avondale moving forward, it has become clear that New Zealand Thoroughbred Racing ("NZTR") (the national body for thoroughbred racing) does not see a future for racing at Avondale. The recent NZTR Venue Plan process concluded that racing should cease at the Racecourse no later than the 2024/25 racing season, and that the Club should hold any future races at Ellerslie Racecourse operated by (now) Auckland Thoroughbred Racing ("ATR"). Contemporaneously, the government enacted the Racing Industry Act 2020, which provides statutory mechanisms for NZTR to require cessation of racing and closure of individual venues, subject to processes provided for in that act.
- (g) In the circumstances, and in line with broader central and local government policy directives, it is appropriate that the Unitary Plan provide for and enable the appropriate redevelopment and use of the Racecourse Land in the event that racing activities cease.
- (h) The Racecourse centrally located adjacent to the Avondale Town Centre and a short drive from the New Lynn Metropolitan Centre. It is surrounded by land zoned for residential purposes including mainly THAB zone and the Mixed Housing Urban Zone which is proposed to incorporate the Medium Density Residential Standards as required by the Enabling Act.
- (i) Land at and surrounding the Racecourse comprises an attractive proposition for intensive redevelopment for residential purposes due to the mature and convenient transport links that it currently enjoys, and that will be enhanced in the near future. These include:
 - (i) The extension of State Highway 20 through to the Northwestern Motorway via the Waterview tunnels;
 - (ii) Rail connections via the Avondale Station, which is a short walk to and from the Racecourse. Frequency of services on the western line are expected to double, and travel times to halve (from 40 to 20 minutes)

once the City Rail Link is completed, given additional capacity created by removing constraints on movements in and out of Britomart Station;

- (iii) High frequency bus services are available to Central Auckland and to Westgate Metropolitan Centre further west along Great North Road through the nearby Avondale Town Centre. Local services to Lynfield, Rosebank and New Lynn are also easily accessible on Ash Street. New Lynn serves as a public transport hub where a passenger can change to various other local services, or major routes eastwards or westwards.
- (j) While the “map viewer” supporting the Plan Change identifies the Racecourse (other than the already THAB-zoned portions) to be outside of the identified “walkable catchment” around the Avondale Town Centre, it is clear that if the subdivision pattern of the Racecourse land reflected the surrounding residential areas then a large portion of the Racecourse would be considered to fall within that walkable catchment.



- (k) Further, when the respective walkable catchments surrounding the Avondale Town Centre and New Lynn Metropolitan Centre are considered together with the operative THAB zoning of land to the south of the Racecourse on Wingate Street and Great North Road, it becomes clear that a more coherent approach would involve the extension of the walkable catchment to all land south of Ash Street including the Racecourse, and rezoning of all of that land also to THAB. A similar

approach already appears to have been taken by creating contiguous walking catchments around the Glen Eden and New Lynn centres.

- (l) The Racecourse is a significant and well-located area of land comprising approximately 35 hectares of generally flat land, which is generally free of physical constraints on development. The Racecourse would be able to absorb significant, intensive development which could be designed to have limited if any adverse impacts on the residential amenity of surrounding areas and which could provide a significant contribution to well designed and efficient urban form through the development of a range of housing typologies and providing an opportunity for advanced connectivity within and through the Racecourse for a variety of transport modes. Given these various characteristics of the Racecourse site, the Club considers that height of development should be treated consistently with the Business-Town Centre zone land within the Avondale Town Centre, including that land adjoining the Racecourse south of Racecourse Parade.

6. AJC seeks that the Plan Change be amended as follows:

- (a) Amend the identified “walking catchment” illustrated on the planning maps to consolidate the Avondale Town Centre and New Lynn Metropolitan Centre walkable catchments a new northern boundary along Ash Street, and a new southern boundary along Wolverton and Blockhouse Bay roads, as illustrated in **Attachment 2** to this submission; 835.1
835.2
- (b) Rezone all of the land located within the amended walkable catchment outline in (a) above that is currently zoned Residential-Mixed Housing Urban, to THAB zone; 835.3
- (c) Apply to the Racecourse site a special height control of 32.5m, consistent with adjoining land located to the south of Racecourse Parade; 835.4
- (d) Irrespective of whether the relief sought in any or all of (a) – (c) above is considered appropriate, rezone the entirety of the Racecourse site from its existing SPZ and/or MUZ to THAB zone and delete the Avondale Racecourse and Avondale 1 Precincts, or otherwise amend those Precincts to remove any constraints on developing the land and establishing activities otherwise enabled by the THAB zone; 835.5
835.6
- (e) Any other relief or other consequential amendments as are considered appropriate or necessary to address the concerns set out in this submission.

7. AJC wishes to be heard in support of its submission. If other parties make a similar submission, AJC would consider presenting a joint case with them at the hearing.

DATED this 28th day of September 2022

AVONDALE JOCKEY CLUB INCORPORATED
by its solicitors and duly authorised agents, Ellis
Gould



Daniel Sadlier

ADDRESS FOR SERVICE: The offices of Ellis Gould, Solicitors, Level 31, Vero Centre, 48 Shortland Street, PO Box 1509. Auckland 1140, DX CP22003, Auckland. Telephone: (09) 307-2172, Facsimile: (09) 358-5215. **Attention:** Daniel James Sadlier, dsadlier@ellisgould.co.nz.



DISCLAIMER:
This map/plan is illustrative only and all information should be independently verified on site before taking any action.
Copyright Auckland Council. Land Parcel Boundary information from LINZ (Crown Copyright Reserved). Whilst due care has been taken, Auckland Council gives no warranty as to the accuracy and/or completeness of any information on this map/plan and accepts no liability for any error, omission or use of the information. Height datum: Auckland 1946.

Attachment 1 - Location Plan

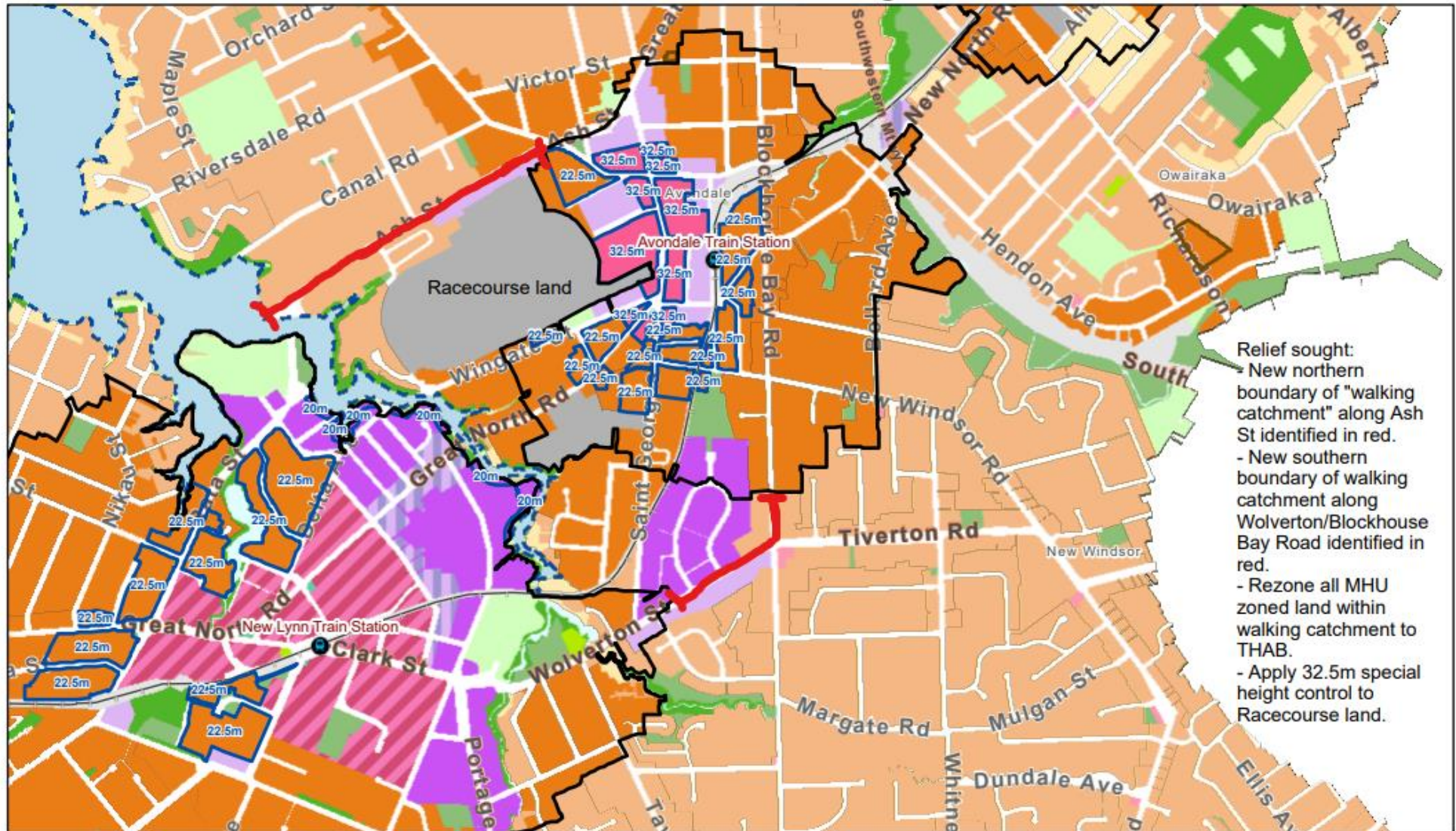


Scale @ A4
= 1:8,000

Date Printed:
28/09/2022



Attachment 2 - relief sought



Relief sought:

- New northern boundary of "walking catchment" along Ash St identified in red.
- New southern boundary of walking catchment along Wolverton/Blockhouse Bay Road identified in red.
- Rezone all MHU zoned land within walking catchment to THAB.
- Apply 32.5m special height control to Racecourse land.

9/28/2022, 1:54:38 PM

- RTN Stops
- Walkable Catchment
- Policy 3d - Rezoning around Centre zones
- Height Variation Control

