
1. Introduction

Kiwi is one of the leading property investment companies in New Zealand and they own and manage multiple large-scale retail and office developments in Auckland. Kiwi also has a large greenfield land holding at Drury East within the Future Urban Zone. The southern Auckland Future Urban area, will be one of Auckland’s key growth areas over the next 20-30 years, accommodating up to 50,000 new houses and 13,000 new jobs, resulting in a population increase of 120,000. This growth will require supporting infrastructure and services, including high quality centres that will serve as a focal point for the community.

Kiwi are generally supportive of the proposed NPS-UD and acknowledge the need to provide clear national guidance on urban growth. Kiwi request the following amendments are made to the NPS-UD as summarised below:

- Amendments to the proposed policy for greenfield development to ensure it applies to out of sequence release of greenfield land, narrows the consideration of infrastructure solutions to the land subject to the plan change and recognises that infrastructure can be staged to coordinate with development;
- Amend policies for intensification to broaden the focus from residential growth to all urban activities including retail, commercial and industrial use;
- Delete prescriptive intensification policies; and
- Delete all proposed policy directions in relation to the provision of car parking.

These are expanded on below.

2. General

Kiwi are of the view that a National Policy Statement is the most appropriate mechanism for providing national guidance on urban growth and development in major urban centres. A national
policy statement provides councils with a clear framework for managing urban growth and development, while enabling flexibility for Councils to work out how this should best occur within the context of their particular region/district. In this regard, Kiwi are supportive of the more descriptive approach of the proposed NPS-UD which will provide necessary variation for the differing local contexts across the country.

Kiwi support the intention of the proposed NPS-UD to intensify in locations close to urban amenities such as centres, public transport, walking and cycling facilities and offering choice for diverse groups. The current drafting of the policies is focused however, on residential growth. Residential growth is only one element of urban growth as cities also need to provide space for centres, commercial and industrial use. The intensification policies should be amended to focus on urban activities. This is discussed further in Section 4 of this submission below.

Kiwi are also generally of the view that the NPS-UD should be consolidated and refined in order to deliver a concise and useable piece of national direction. In particular some of the outcomes being sought through the proposed NPS-UD would be better addressed through the upcoming RMA and systems reform. For instance, Kiwi support the proposal for Council’s to undertake responsive planning and respond promptly about changing demands for housing and business land however, there is no ability to adapt RMA plans quickly under Schedule 1 of the RMA.

Kiwi do not support a more standardised regulatory approach to managing urban development e.g. a national environmental standard. A more prescriptive approach of setting standardised rules and controls for urban development is inappropriate given the diversity of urban environments across different centres; a one-size fits all approach to urban development regulation in Kiwi’s view would not be suitable.

3. Providing for out of sequence greenfield development

3.1 Support

Kiwi supports the inclusion of policy direction that will direct local authorities with major urban centres in their jurisdiction to consider plan change requests for urban development in locations that are out of sequence, or outside areas identified for urban development where particular conditions are met.

Kiwi recommend amendments to the wording of the draft policy for out of sequence greenfield development that is included within the NPS-UD discussion document.

3.2 Reasons

In Kiwi’s experience the implementation of staging plans which programme the release of greenfield land for urbanisation and inform infrastructure funding can be inflexible, despite the
high level and non-statutory nature of these plans. In particular Kiwi, along with other developers, are seeking the early release of greenfield land at Drury East within Auckland. While significant infrastructure upgrades are required to service urbanisation of the wider southern Auckland Future Urban zone, there are appropriate infrastructure solutions to service the early release of the Drury East developers land. The current staging proposed by the Council however, is focused on the funding of delivery of infrastructure to serve the wider southern Auckland Future Urban zone.

The proposed NPS-UD policy direction for out of sequence greenfield land release is helpful for speeding up the delivery of housing and urban development within Drury East. It will enable alternative staging of discreet areas where there are infrastructure solutions and innovative funding mechanisms that can be used to support development which is supported by Kiwi. Furthermore, it enables responsive planning where there are large scale developers who control large land holdings and who are seeking to increase the housing supply through delivering quality housing at pace.

The proposed amendments sought by Kiwi are intended to clarify that this policy relates to plan changes proposing out of sequence release of greenfield land. The amendments narrow the consideration of infrastructure solutions and funding to the land subject to the plan change, rather than infrastructure delivery within the wider greenfield area. Furthermore, the amendments are intended to recognise that infrastructure can be delivered in a staged manner to coordinate with development.

In addition to the amendments discussed above in relation to the sequencing of the release of greenfield land, amendments are also proposed to sub-clause ‘c’ in recognition that greenfield areas are likely to be affected by some degree of natural hazards and development needs to avoid or mitigate these effects. The language has also been amended to align with Part 2 of the RMA which refers to “significant natural hazards.”

Further, we recommend that the criteria stated in (a)-(e) more directly align with the matters set out in Part 2 of the RMA with appropriate linkages to other policies in the NPS-UD. In our view, this will ensure that the policy gives effect to the sustainable management purpose of the RMA.

**Relief Requested** –

When considering a plan change that enables urban development that is not otherwise enabled in the plan or in sequence with planned land release, local authorities must provide for urban development when all of the following apply:

a) Development enabled by the plan change would contribute to a quality urban environment, including access to transport choice.
Providing for Intensification

4.1 Support in part

Kiwi supports the proposed policy direction outlined within Section 5 Providing for Intensification\(^1\) of the NPS-UD discussion document, to enable intensification in areas which are accessible to employment opportunities, urban amenities and public transport, which can be serviced by planned or existing infrastructure and where there is demand for housing. Kiwi supports the NPS taking a descriptive approach to the extent to which Councils have to provide for intensification in areas with these attributes, to recognise the local context for development.

Kiwi are of the view that the reference to “high-density residential activities” should be replaced with a broader term such as “higher-density urban activities” so that intensification policies focus on all land uses that require space to cater for growth.

4.2 Reasons

Intensification should occur in areas which are accessible to employment opportunities and urban amenities, serviced by public transport and planned or existing infrastructure and where there is demand for housing, to enable the benefits of these areas offer to be maximised. At a national level however, this direction needs to be on a descriptive rather than a prescriptive basis, to enable Councils the flexibility to determine the extent of intensification which is appropriate for a particular locality. Within Auckland, where the degree of growth is far greater than other cities, the extent of intensification around public transport and urban amenities may need to be far greater than what is provided for elsewhere. Additionally, Councils need to consider wider contextual matters which should influence the extent of intensification. For instance, greater areas of intensification may need to be enabled around major centres or pieces of planned public transport infrastructure to maximise the amount of people who can access these facilities.

\(^1\) NPS-UD discussion document pages 35-38
Conversely, where land is subject to constraints that limit its development potential, such as a steep topography, this should not be signalled for intensification.

The use of the term “higher-density residential activities” limits the scope of the intensification policies to residential growth. Kiwi considers that intensification policies within the NPS-UD need to recognise the need to provide for retail, commercial and industrial growth as well as residential growth. Therefore, the term “higher-density residential activities” needs to be broadened to capture intensification of all urban activities.

**Relief Requested –**

P6C Option 1: descriptive approach
District plans must zone for higher-density residential urban activities within a suitable catchment area (ie, accessible by active transport modes) around frequent public transport stops network and centres.

Higher-density residential urban activities consist of residential, retail, commercial and industrial uses within are those with a concentrated bulk of buildings that are of a greater scale and intensity of development than the existing built environment, such as terrace housing and apartments.

P6C Option 1: prescriptive approach
District plans must:
1. Zone for high-density residential activities within an 800m walkable catchment of centres and frequent public transport stops, except where evidence demonstrates intensification should not be enabled; and
2. Zone all residential and mixed use areas within 1.5km of city centres for high-density development.

High density is where there is a minimum overall density of 60 residential units per hectare.

P6D: Territorial authorities must include the following policy in their district plans:
When considering an application for a higher density residential urban activities than what is currently provided under this plan, the consent authority must have particular regard to whether:
1. The site is an area is required under the NPS-UD to enable intensification
2. The development will provide more choice of housing.

4. Development Capacity

5.1 Support

Kiwi supports the proposal outlined within Section 5 Enabling Opportunities for Development² of the NPS-UD discussion document, to consider the likelihood that development capacity will be

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² NPS-UD discussion document pages 30-33
taken up when determining feasible development capacity. Kiwi also support the additional
direction that requires consideration of not only total capacity but also enabling capacity within a
diversity of locations, enabling a diverse range of housing types and price ranges.

5.2 Reasons

In Kiwi’s view proposed Policy P4A positively moves away from theoretical capacity thinking and provides more practical policy direction about realistic levels of capacity that can be realised. There can be many factors that prevent the uptake of development capacity and therefore, it is appropriate that in determining residential development capacity consideration is given to what the market will deliver. This will ensure that infrastructure funding is prioritised in areas that will be developed to provide for urban growth. An example that illustrates this well is within the Drury East context. The likely take up of development within the wider Southern Auckland area is unlikely to occur as per the planned release within the Future Urban Land Supply Strategy. This is due to circumstances such as fragmented land holdings or land that cannot be developed for urban use due to topographical constraint.

Kiwi also support the widening of the concept of feasible capacity to ensure consideration is given to increasing capacity within diverse locations and providing a range of housing types and price points. This policy direction better enables Councils to provide for affordable housing and housing that meets the community’s different needs.

Relief Requested –

Retain: P4A: Local authorities must ensure at all time their plans enable at least enough development capacity that is feasible and likely to be taken up to meet the demand for dwellings (in terms of location, typology and price) and business land (in terms of location, floor area and extent of land) over the short, medium and long term.

5. Removing minimum car parking requirements

6.1 Oppose

Kiwi opposes all proposed options that limit the ability for local authorities in major urban centres to regulate the number of car parks required for a development, or any proposal to introduce car parking maximums.

Kiwi also note that it is unclear from the wording of the car parking policy direction proposal outlined within Option 1 in Section 5 Removing minimum car parking requirements\(^3\) of the NPS-UD discussion document, whether MfE are looking to introduce car parking maximums.

\(^3\) NPS-UD discussion document page 40
requirements in major urban centres. Kiwi oppose any introduction of car parking maximums and are concerned this will exacerbate the effects associated with the deletion of car park minimums discussed below.

6.2 Reasons

Kiwi develop, own and operate large scale centres including Sylvia Park which is a Metropolitan Centre serviced by all transport modes including the rail network. In Kiwi’s experience the majority of trips to retail are currently, and will continue to be, made by private vehicles, despite the promotion of public and active modes of transport to retail centres. The typical shopping trip is not necessarily compatible with public transport timetables and often involves multiple destinations. Furthermore, shopping trips will typically involve the purchase of multiple items and bulky goods which are more conveniently transported by car. As a result, an adequate supply of car parking is essential for retail activities. Trips made to retail land use activities generally occur outside of peak times and therefore do not contribute to peak hour congestion.

Kiwi are concerned that the deletion of car parking minimums is being pursued on the basis that car parking minimums lead to an overly supply of car parking. Kiwi disagree that car parking minimums lead to an oversupply because the cost of providing parking is a natural restraint on the supply of parking associated with developments.

In Kiwi’s view the removal of car parking minimums will have three key impacts which are discussed below.

Overspill into Residential Areas

In Kiwi’s view if options to delete minimum car parking requirements are pursued this will result in car parking overspill effects on surrounding streets. If there is no requirement for car parking on-site for individual developments in centres and in other areas identified for intensification, pressure will come on the surrounding neighbourhood from staff, customers and other visitors utilising car parking spaces on the streets in what are predominantly residential areas. Where retail developments do provide car parking for their customers in areas experiencing a lack of on street car parking these car parking areas will be used illegitimately at the retailers expense.

Illegitimate use of Parking Areas

Minimum car parking requirements are set at a rate that reflects the anticipated demand generated by the activity. This provides a degree of fairness with all activities treated equitably. Kiwi are concerned that the deletion of car parking minimums will lead to car parking only being provided by retailers who require car parking to support their viability, such as larger retail formats which must provide sufficient parking spaces for their customers in order to ensure the viability of a store or the overall viability of a shopping centre. Within Auckland’s traditional shopping centres, the larger format retailers often provide a pool of parking that is utilised by visitors to the
centre in general. This can be acceptable when there is other parking available, such as in Council owned or privately operated parking areas or buildings that are shared, in turn, by all of the centre’s visitors. However, when new development occurs with no recognition of the parking demand it generates, private parking areas will increasingly be utilised by visitors to other activities or facilities.

Negative impact on the Viability of Centres and Activities

The under supply of car parking in retail centres will affect the viability of the centre as customers patronise other centres, or other locations, where a greater supply of car parking is available. This will result in these centres becoming less capable of meeting Council’s expectations for intensification.

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<th>Relief Requested –</th>
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<tr>
<td>Delete: Removing minimum car parking requirements.</td>
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<td>Option 1: removing the ability for local authorities to regulate the requisite number of car parks.</td>
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<td>Option 2: removing the ability for local authorities to set minimum car park requirements.</td>
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<td>Option 3: removing the ability for local authorities to set minimum car park requirements in areas providing for more intensive developments.</td>
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6. Conclusion

Kiwi thank the Ministry for the Environment for the opportunity to submit on the proposed NPS-UD. Kiwi generally support the proposed National Policy Statement subject to addressing the concerns outlined in this submission and amending the policy statement accordingly.

Yours Faithfully

Barker & Associates Ltd

(Person authorised to sign on behalf of submitter)
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