

**IN THE ENVIRONMENT COURT  
AUCKLAND REGISTRY**

**ENV-2016-AKL-**

**IN THE MATTER** of the Local Government (Auckland Transitional Provisions) Act 2010 ("**LGATPA**") and the Resource Management Act 1991 ("**RMA**")

**AND**

**IN THE MATTER** of an appeal under section 156(1) of the LGATPA against a decision of the Auckland Council on a recommendation of the Auckland Unitary Plan Independent Hearing Panel ("**Hearing Panel**") on the proposed Auckland Unitary Plan ("**Proposed Plan**")

**AND**

**IN THE MATTER** of Proposed Plan Hearing Topic 043/044 – Transport

**BETWEEN** **THE NATIONAL TRADING COMPANY OF NEW ZEALAND LIMITED** (Submitter 2632; Further Submitter FS2963)

**Appellant**

**A N D** **AUCKLAND COUNCIL**

**Respondent**

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**NOTICE OF APPEAL**

**RE: PROPOSED PLAN TOPIC 043/044  
CARPARKING IN CENTRE AND MIXED USE ZONES**

**DATED: 12 September 2016**

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**ELLIS GOULD  
SOLICITORS  
AUCKLAND**

**REF: Douglas Allan**

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TO: The Registrar  
Environment Court  
AUCKLAND

1. **The National Trading Company of New Zealand Limited (“the Appellant”)** appeals against part of a decision of **Auckland Council (“the Council”)** on the proposed Auckland Unitary Plan (“**Proposed Plan**”).
2. The Appellant has the right to appeal the Council’s decision to the Environment Court under section 156(1) of the LGATPA because the Council rejected recommendations of the Hearings Panel in relation to provisions or matters relating to the Proposed Plan:
  - (a) That the Appellant addressed in its submission relating to the transportation and carparking provisions in the Proposed Plan (submitter number 2632; further submitter number FS2963); and
  - (b) That resulted in alternative solutions being included in the Proposed Plan and other provisions being excluded from the Proposed Plan.
3. The Appellant provides further details of the reasons for its Appeal below.
4. The Appellant is not a trade competitor for the purposes of section 308D of the RMA. In any event, the Appellant is directly affected by effects of the subject of the Appeal that:
  - (a) Adversely affect the environment; and
  - (b) Do not relate to trade competition or the effects of trade competition.
5. Notice of the decision that is being appealed, being the decision on Proposed Plan Hearing Topic 043/044 (Transport) (“**the Decision**”), was received by the Appellant on or about 19 August 2016.
6. The Decision was made by the Council.
7. The provisions and parts of the Decision that are being appealed are the rejection by the Council of the Hearing Panel’s recommendations pursuant to Hearing Topic 043/044 summarised by Council as “*amendment of the parking rates for the Metropolitan Centre, Town Centre, Local Centre, Mixed Use and Terrace Housing and Apartment Buildings zones to remove maximum and minimum parking rates for all activities within the zones with the exception of retail and commercial service activities.*”
8. The reasons for this Appeal are:

- (a) The National Trading Company of New Zealand Limited (submitter 2632; further submitter FS2963) lodged submissions dated 26 February 2014 and further submissions dated 22 July 2014 (collectively, "**the Submissions**") which addressed, amongst other things:
- (i) The imposition of realistic and reasonable minimum on-site carparking requirements for all activities in centres that generate short term parking demand other than where there is adequate public parking available in the area (original submission);
  - (ii) The replacement of maximum carparking requirements with minimum carparking requirements for the Mixed Use zone and for centres other than the City Centre and the City Centre Fringe (original submission); and
  - (iii) The imposition of consistent carparking ratios within and outside centres (further submission in support of Kiwi entities).
- (b) The Hearing Panel's recommendations upheld the Submissions and, in the Metropolitan Centre, Town Centre, Local Centre and Mixed Use zone:
- (i) Imposed minimum carparking requirements and removed maximum carparking requirements for retail activities (including supermarkets) and commercial services, subject to certain identified exceptions;
  - (ii) Imposed a maximum carparking requirement for offices, without any minimum carparking requirement, and
  - (iii) Provided that there will be no minimum and no maximum carparking requirements for other activities.
- (c) The Decision rejected the Hearing Panel's recommendations in that regard and, in the Metropolitan Centre, Town Centre, Local Centre and Mixed Use zone, removed the minimum carparking requirements and reinstated maximum carparking requirements for all forms of retail and all other activities.
- (d) The relief subject to the Hearing Panel's recommendations is appropriate for the following reasons:

- (i) Business zoned land is a valuable resource, which can be used to provide for the economic and social well-being of people and communities. The provision of adequate parking is essential to the operation and an integral part of business activities, particularly retail activities, which in turn are essential to provide for the social, economic and cultural well-being of people and communities. Parking for retail and commercial service activities in centres is an efficient use of land, and one that is vital for centres to operate effectively.
- (ii) In practice, businesses do not wish to provide more parking than is necessary to service their activities, as this will add cost to the development and potentially occupy space better applied to additional productive GFA. Accordingly, businesses will, where possible, make use of communally available carparking whether that is a public resource (e.g.: public carparking on roads) or a private resource that is, in practice, publicly accessible (e.g.: carparking areas attached to adjacent shopping centres or large format retail developments).
- (iii) Carparking in centres is, therefore, susceptible to freeloading whereby the customers of one retailer will make use of off-site carparking owned and operated by others. In such circumstances the retailer may choose to take advantage of that supply and externalise their carparking cost. That approach will be efficient for the free-loading retailer but potentially problematic for their neighbours.
- (iv) Retail activities located outside the Auckland City Centre zone are accessed primarily by private motor vehicle. The Decision reflects an aspiration on Council's part for increased patronage of alternative modes of transport (e.g.: public transport, walking and cycling). That mode shift, will not necessarily be accomplished by depressing the supply of carparking in centres and thereby forcing customers onto alternative modes, however:
- Commercial centres in the region currently have differing degrees of access to parking. That will

continue into the future and the ability of incoming retailers to establish without provided carparking increases the potential for different levels of accessibility to arise (e.g.: incoming retailers in one centre may choose to provide the maximum permitted level of parking whilst incoming retailers at another centre may choose to minimise their carparking).

- Customers who cannot find a carpark in a centre will not necessarily choose to alter their mode of travel to that centre. Instead, such customers may choose to continue to travel by car but take their custom elsewhere (e.g.: to other stores or centres that have better access to parking).
- Such changes in patronage would likely increase total travel distances and overall congestion. They could also depress the vitality of under-parked centres whilst increasing it at centres with more parking or at out-of-centre locations. That in turn might change the relative attractiveness of centres to incoming investment and intensification and compromise Council's strategic approach to growth.

(v) The Council's Decision fails to take into account the implications of its proposed approach on retail activities:

- The practical realities of Auckland's layout and climatic conditions make many alternative modes of transport inappropriate (ie: the layout of the city makes walking and cycling to centres difficult in a number of locations).
- Auckland's public transport system is not well enough equipped to address retail demand.
- While focussing on alternative modes of transport (such as public transport) is a useful tool for reducing vehicle usage from commuter activities, this approach does not distinguish between the different commuter travel and

shopper travel behaviours. While commuter travel is generally predictable and can be catered for by public transport, shopper travel behaviour is discretionary and hence more diverse and unpredictable in nature. It is therefore much more difficult for public transport to cater to the needs of shoppers.

- The carparking provisions should differentiate between and address separately the effects on the transport system caused by both long-term (commuter) and short-term (e.g.: retail and commercial service) activities.

(vi) The Decision could result in sites within centres being developed with insufficient parking to service their needs, which will lead to:

- Excess demand for parking on adjacent sites, which will effectively allow those with insufficient parking to "*free ride*" off owners of adjacent sites, who have provided appropriate parking areas;
- Excess demand for parking on neighbouring residential streets, where free parking will be utilised for adjoining commercial activities at the expense of residents in the area and their visitors; and
- Negative impacts on the viability of centres, as a lack of car parking in centres may lead to shoppers driving to other retail locations, sometimes out of the centre, where adequate parking is provided.

(vii) These adverse effects cannot be adequately mitigated:

- Mall or store owners who choose to control access to their carparks risk alienating customers and losing their custom to competing stores that do not need to constrain carpark access.

- Negative impacts on the viability of centres from a lack of car parking cannot be mitigated, as addressing these effects would require a fundamental shift in customer behaviour.
- (e) Unless and until the Proposed Plan provisions for regarding carparking in the Metropolitan Centre, Town Centre, Local Centre and Mixed Use zones are amended in accordance with the relief sought below they will not:
- (i) Promote the sustainable management of resources;
  - (ii) Otherwise be consistent with Part 2 of the RMA;
  - (iii) Be appropriate in terms of section 32 of the RMA; or
  - (iv) Be consistent with the balance of the provisions of the Proposed Plan.
9. The Appellant seeks the following relief:
- (a) That the Decision subject to this Appeal be disallowed.
  - (b) Reinstatement of the Hearing Panel's recommendation pursuant to Hearing Topic 043/044 regarding maximum and minimum carparking requirements in the Metropolitan Centre, Town Centre, Local Centre and Mixed Use zones.
  - (c) Such other orders, relief or other consequential amendments as are considered appropriate or necessary by the Court to address the concerns set out in this Appeal.
  - (d) Costs of and incidental to the Appeal.
10. The Appellant **attaches** the following documents to this Notice of Appeal:
- (a) Copies of the Appellant's original and further submissions relating to carparking in the Metropolitan Centre, Town Centre, Local Centre and Mixed Use zones (**Annexure A**).
  - (b) A copy of the Hearing Panel recommendations version of the relevant Proposed Plan provisions (**Annexure B**)
  - (c) A copy of the relevant parts of the Decision (**Annexure C**).
  - (d) A record that Auckland Council will be served with a copy of this Notice in accordance with the decision of the Environment Court

granting waivers (Refer: [2016] NZ EnvC 153) concerning the service of notices of appeal on the Proposed Plan (**Annexure D**).

**DATED** at Auckland this 12<sup>th</sup> day of September 2016

**The National Trading Company of New Zealand Limited** by its solicitors and duly authorised agents Ellis Gould



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**D A Allan**

**ADDRESS FOR SERVICE:** The offices of Ellis Gould, Solicitors, Level 17 Vero Centre, 48 Shortland Street, PO Box 1509, Auckland, DX CP22003, Auckland, Telephone: (09) 307-2172, Facsimile: (09) 358-5215.



**ANNEXURE A**

**Copies of the Appellant's original and further submissions on carparking in the  
Metropolitan Centre, Town Centre, Local Centre and Mixed Use zones**



## Submission on Proposed Auckland Unitary Plan

Section 123 of the Local Government (Auckland Transitional Provisions) Act 2010 and Clause 6 of Schedule 1 to the Resource Management Act 1991

### The National Trading Company of New Zealand Limited Submission 4 – Parking and Transportation Matters

To: Auckland Council

**Name of Submitter:** The National Trading Company of New Zealand Limited ("NTC"), c/- Support Centre, 60 Roma Road, Mt Roskill, Auckland 1440, New Zealand DX Box CX 15021 or PO Box 27480 Mount Roskill, Auckland 1440, New Zealand (For: Angela Bull).

1. This is a submission on the proposed Auckland Combined Plan ("the Unitary Plan").
2. NTC could not gain an advantage in trade competition through this submission. In any event, NTC is directly affected by effects of the subject matter of the submission that:
  - (a) Adversely affect the environment; and
  - (b) Do not relate to trade competition or the effects of trade competition.
3. The specific aspects and provisions of the Unitary Plan that this submission relates to are the Unitary Plan provisions regarding carparking and transportation matters.
4. NTC's submission is as follows:
  - (a) NTC is a property holding company of Foodstuffs (North Island) Limited ("Foodstuffs"). Foodstuffs is a 100% New Zealand owned co-operative company, which operates the PAK'nSAVE, New World and Four Square retail brands throughout the North Island and the Gilmours wholesale brand in the northern half of the North Island.
  - (b) As a property holding company, NTC participates actively in regional and local planning processes to provide for the sustainable growth and development of its retail and wholesale brands. The draft Unitary Plan is a

key planning document for NTC in providing guidance for future investment and employment opportunities.

- (c) The part of Part 1 Chapter B Section 1.2 that addresses "*Transport and land use*", Part 1 Chapter B Section 3.3 Transport, Part 1 Chapter C Section 1.2 Transport and Part 3 Chapter H Section 1.2 Transport fail to recognise to an adequate and appropriate extent that:
- (i) Private motor vehicles provide and will continue to provide a level of service, amenity and flexibility that is desirable for drivers and passengers and which is particularly efficient for certain categories of trip.
  - (ii) The degree to which public transport services are efficient and effective is a function of many factors.
  - (iii) Some forms of trip (most obviously daily commutes during peak traffic hours to and from offices located in transport nodes and, to a lesser extent, daily educational trips) are particularly well suited to public transport and the Council should encourage such activities to locate in transport nodes and facilitate the provision of public transport services.
  - (iv) Other trips are far less likely to be made by public transport and will continue to require carparking facilities, regardless of the extent to which public transport services are improved in the immediate future and the Council should provide for these activities on the basis that private motor vehicles will continue to be used.
- (d) Accordingly, the Unitary Plan needs to take a realistic and strategic approach to transportation planning and the provision of carparking in the region.
- (e) NTC considers that the Unitary Plan provisions fail to recognise, with regard to supermarket usage, that:
- (i) Supermarkets have unique operating characteristics in that they provide a service for large numbers of customers who make regular

visits during which they purchase significant quantities of goods which they need to transport to their homes or places of business or assembly.

- (ii) While other forms of retail are well suited to take advantage of public transport, the vast majority of supermarket customers necessarily travel by car and in most cases make single purpose trips to the supermarket.
  - (iii) Supermarkets operate at very high customer and transaction levels which means that they generate particularly high levels of traffic and parking demand.
- (f) If the Unitary Plan is to constrain the location of supermarkets then it needs to recognise and provide for the transportation and parking consequences of doing so. It is preferable, however, for the Unitary Plan to recognise the unique characteristics of supermarkets and make appropriate provision for them in the context of the urban intensification that is proposed.
- (g) The Unitary Plan provisions require modification in order to address appropriately and impose suitable controls with respect to vehicle and cycle parking, servicing and access for supermarkets.
- (h) The Unitary Plan should:
- (i) Recognise the amenity and efficiency benefits of private motor vehicles as well public transport.
  - (ii) Acknowledge the inadequacies of Auckland's current public transport services and facilities and the need to provide appropriate and adequate public transport services before forcing drivers and passengers out of their cars.
  - (iii) Provide for supermarkets to be addressed as a separate category in terms of their location and carparking requirements.

- (iv) Ensure that sufficient carparking can be provided by supermarkets regardless of their location in order to accommodate customer demand.
  
- (i) Part 3 Chapter H Section 1.2 Transport of the Unitary Plan addresses parking, loading and access and imposes maximum parking requirements on many activities with no requirement for minimum parking in most centres. That approach is flawed:
  - (i) Many activities including in particular supermarkets operate in a way that is most efficiently served by motor vehicles and it is essential that they be able to provide sufficient parking for customers.
  - (ii) The removal of a minimum carparking requirement is likely to lead to customers of businesses that lack sufficient parking making use of parking areas provided by other business (eg: supermarkets). That will inconvenience the supermarket and its customers and amounts in effect to a subsidy from businesses that are reliant on large carparks to nearby businesses that have not provided parking. That is inequitable and contrary to the sustainable management of resources.
  - (iii) Accordingly it is considered that the maximum parking ratios should be deleted other than in the City Centre and City Centre Fringe areas.
  
- (j) Part 3 Chapter H Section 1.2 Transport Sub section 3.2 "*Number of parking and loading spaces*" in the Unitary Plan fails to recognise that omitting a minimum carpark ratio requirement for retail and other activities with short term patronage (ie: activities that generate short term parking demand as opposed to all-day commuter parking) will likely encourage patrons of those activities to use carparking facilities owned and operated by other organisations such as NTC. Thus the Unitary Plan should impose realistic and reasonable minimum on-site carparking requirements for all activities in centres that generate short term parking demand other than where there is adequate public parking available in the area.
  
- (k) Part 3 Chapter H Section 1.2 Transport of the Unitary Plan fails to take account of the special characteristics and requirements of supermarkets. If

the maximum parking requirements are not deleted generally then it is appropriate for the Unitary Plan to:

- (i) Include a separate category governing the parking requirements for supermarkets; and
  - (ii) Remove any maximum carparking requirements for supermarkets that apply in any location.
- (l) Part 3 Chapter H Section 1.2 Transport Sub section 5 "*Assessment – Development Control Infringements*" of the Unitary Plan contains the assessment criteria for applications seeking to provide more than the maximum permitted number of car parking spaces. If NTC's primary relief regarding supermarket carparking requirements is declined then NTC considers that these criteria need to be amended in terms of their application to supermarkets in order to:
- (i) Recognise the particular characteristics of supermarkets identified above.
  - (ii) Remove criterion (a) regarding whether the use of additional land for parking will compromise the efficient use of land and planned intensification. Supermarkets are an extremely efficient means of distributing goods to residents but they necessarily require extensive areas for parking.
  - (iii) Remove criterion (b) which imposes an impractical and unrealistic test regarding the unique nature of the site or operation. Supermarkets as a group have distinctive characteristics but it is unreasonable to assess the uniqueness of a proposal or site when determining the appropriateness of carparking provision.
  - (iv) Remove criterion (e) regarding lack of access to the Rapid and Frequent Service Networks. Supermarket customers typically use private vehicles regardless of the proximity of public transport services because public transport is not a realistic method of transporting the large quantities of goods that they buy on trips to the supermarket.

(m) Unless and until the Unitary Plan provisions are amended in accordance with the relief sought below they will not:

- (i) Promote the sustainable management of resources;
- (ii) Otherwise be consistent with Part 2 of the Resource Management Act 1991 ("**RMA**"); or
- (iii) Be appropriate in terms of section 32 of the RMA.

5. NTC seeks from Auckland Council that the Unitary Plan be amended in order to resolve the issues raised in this submission. In that regard, NTC seeks the specific and general forms of relief set out below and **attaches** indicative forms of relief which show how some of NTC's concerns might be addressed:

- (a) Amend the part of Part 1 Chapter B Section 1.2 that addresses "*Transport and land use*", Part 1 Chapter B Section 3.3 Transport, Part 1 Chapter C Section 1.2 Transport and Part 3 Chapter H Section 1.2 Transport to address the matters noted above.
- (b) Amend Part 3 Chapter H Section 1.2 Transport of the Unitary Plan to:
  - (i) Impose realistic and reasonable minimum on-site carparking requirements for all activities in centres that generate short term parking demand other than where there is adequate public parking available in the area.
  - (ii) Replace maximum carparking requirements with minimum carparking requirements for the Mixed Use zone and for centres other than the City Centre and the City Centre Fringe as specified in Tables 3 and 4 in **Annexure 3**.
  - (iii) Include a separate category governing the cycle parking requirements for supermarkets; and



- (iv) In any event remove any maximum carparking requirements for supermarkets that apply in any location (including by way of a separate carparking category for supermarkets if need be).
- (c) Amend the assessment criteria for applications seeking to provide more than the maximum permitted number of car parking spaces in Part 3 Chapter H Section 1.2 Transport Sub section 5 "*Assessment – Development Control Infringements*" of the Unitary Plan by:
  - (i) Deleting criteria (a), (b) and (e).
  - (ii) Adding a criterion that recognises the particular trading and transport characteristics of supermarkets and which acknowledges that supermarkets need to provide sufficient carparking to meet demand if they are to function as an efficient means of distributing goods to the public.
- (d) **Annexures 1, 2 and 3** are, respectively:
  - (i) An annotated version of Part 1 Chapter B Section 3.3 – Transport;
  - (ii) An annotated version of Part 1 Chapter C Section 1.2 Transport; and
  - (iii) An annotated version of the initial part of Part 3 Chapter H Section 1.2 Transport.

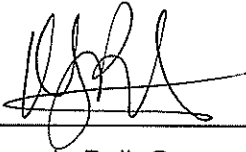
The annexures identify indicative and illustrative examples of relief that would address appropriately certain of the matters raised in this submission. Other forms of wording and relief may also be appropriate and within the scope of the matters raised in this submission. NTC therefore provides the annexures by way of example but not to the exclusion of other appropriate and effective methods of upholding this submission.

- (e) Such other relief or other consequential amendments as are considered appropriate or necessary to address the concerns set out in this submission.
6. NTC wishes to be heard in support of this submission.
  7. If others make a similar submission NTC will consider presenting a joint case with them at the hearing.

Dated this 26<sup>th</sup> day of February 2014

**The National Trading Company of New Zealand Limited**

by its duly authorised agent:



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Angela Bull, General Manager Property Development

c/- Support Centre, 60 Roma Road, Mt Roskill, Auckland 1440, New Zealand  
DX Box CX 15021 or PO Box 27480 Mount Roskill, Auckland 1440, New Zealand (For:  
Angela Bull).

**ADDRESS FOR SERVICE:** The offices of Ellis Gould, Solicitors, Level 17, Vero Centre, 48  
Shortland Street, PO Box 1509, Auckland 1140, DX CP22003, Auckland, Telephone: (09)  
307-2172, Facsimile: (09) 358-5215. Attention: Douglas Allan / Joanna van den Bergen.

## ANNEXURE 1

- b. public transport facilities
- c. park-and-ride exceeding 200 parking spaces

### 3. Development controls

#### 3.1 ~~Traffic-Generation~~Development Thresholds

1. In all zones, other than those listed in (c) below, resource consent as a restricted discretionary activity is required where:
  - a. total development on a site exceeds the following thresholds:

Table 1:

Activity		Threshold
Residential	Dwellings	30 dwellings
	Retirement villages	30 units / apartments
	Visitor Accommodation	30 units
Education facilities		100 students
Office		1250m <sup>2</sup> GFA
Retail		500m <sup>2</sup> GFA
Industrial activities	Warehousing and storage	5000m <sup>2</sup> GFA
	Other industrial activities	2500m <sup>2</sup> GFA

'Total development' includes new development and existing development.

- ii. a proposed subdivision involves land which has capacity under the Unitary Plan to accommodate more than 30 additional dwellings.
- iii. this rule does not apply in the City Centre, Metropolitan Centre, Town Centre or Terrace Housing and Apartment Buildings zones.

#### 3.2 Number of parking and loading spaces

Parking and loading spaces and associated manoeuvring and access must be provided for all activities in accordance with the minimum rates specified unless otherwise stated in the Unitary Plan. In some locations, maximum parking rates apply. For some activities, such as offices, both maximum and minimum rates apply in some locations.

1. Parking
  - a. the number of parking spaces required or permitted accessory to any activity are set out in Tables 2-4. These controls apply unless the Unitary Plan specifies otherwise. The number of parking spaces must:
    - i. not exceed the maximum rates specified in Tables 2-4 in the locations where these apply
    - ii. meet the minimum rates specified in Tables 3 and 4 in the locations where these apply
    - iii. meet the minimum rates and not exceed the maximum rates specified in Table 4 in locations where both apply.

- b. Table 3 sets out the parking rates which apply in the following zones and locations:
- i. City Centre Fringe overlay (as identified on the planning maps by the Infrastructure overlay - Parking)
  - ii. Metropolitan Centre zone
  - iii. Town Centre zone - excluding the following town centres where Table 4 applies: Helensville, Kumeu-Huapai, Pukekohe, Warkworth and Wellsford.
  - iv. Local Centre zone - excluding the following local centres where Table 4 applies: Karaka, Kaukapakapa, Leigh, Matakana, Riverhead, Snells Beach, Te Hana, Waimauku and Waiuku.
  - v. Mixed Use zone
  - vi. Terrace Housing and Apartment Buildings zone.
- c. where Table 4 applies and a site supports more than one activity, the parking requirement of each activity must be separately determined.

Table 2: Parking rates for City Centre zone

Activity/site		City Centre zone maximum rate
Sites subject to a Vehicle Access Restriction - general (as identified on the planning maps)	All activities where vehicle access to the parking would be within a Vehicle Access Restriction - general	No parking permitted
Dwellings	Dwellings <75m <sup>2</sup> GFA	0.7 per dwelling
	Dwellings ≥75 and < 90m <sup>2</sup> GFA	1.4 per dwelling
	Dwellings ≥90m <sup>2</sup> GFA	1.7 per dwelling
	Visitor spaces	0.2 per dwelling
All other activities		1:200 m <sup>2</sup> GFA

Table 3: Parking rates for sites within the City Centre Fringe overlay and the Metropolitan, Town, Local Centres, Mixed Use and Terrace Housing and Apartment Buildings zones

**Commented [NTC2]:** Minimum rates to apply in these areas except for sites subject to the Key Retail Frontage overlay.

**Commented [NTC3]:** It is unrealistic for no parking to be permitted on sites subject to a Key Retail Frontage overlay (except possibly on small sites).

Activity/Site	Applies in the following zones: Metropolitan Centre, Town and Local Centre (other than those centres listed as excluded in clause 3.2.1b), Mixed Use, Terrace Housing and Apartment Buildings zone. Applies in the City Centre Fringe overlay Maximum-Minimum rate
Residential	<p>Retirement villages 1 per unit / apartment plus 1.2 visitor space per unit / apartment plus 1.3 per bed for rest home beds within a retirement village</p> <p>Supported residential care 0.3 per bed</p> <p>Visitor accommodation 1 per unit. Or, where accommodation is not provided in the form of units, 0.3 per bedroom</p> <p>Boarding houses 0.5 per bedroom</p>
Offices	<p>1 per 60 m<sup>2</sup> GFA within the City Centre Fringe overlay 1 per 30 m<sup>2</sup> GFA elsewhere</p>
Retail	<p>Food and beverage (excluding taverns) 1 per 10m<sup>2</sup> GFA and outdoor seating area</p> <p>All other retail (including taverns) 1 per 20m<sup>2</sup> GFA</p>
Care centres	<p>0.10 per child or other person (other than employees) plus 0.5 per FTE (full time equivalent) employee</p>
Education facilities	<p>Primary and secondary 0.5 per FTE employee plus 1 visitor space per classroom</p> <p>Tertiary 0.5 per FTE employee plus 0.25 per EFT (equivalent full time) student the facility is designed to accommodate</p>
Medical facilities	<p>Hospital 1 per 40 m<sup>2</sup> GFA</p> <p>Healthcare services 1 per 20 m<sup>2</sup> GFA</p>
All other activities	<p>1 per 20 m<sup>2</sup> GFA</p>

Table 4: Parking rates - all other areas

Activity			All other areas (minimum rate unless otherwise specified)
Sites subject to a Key Retail Frontage overlay (applies only to identified sites in Helensville, Kumeu/Huapai, Pukekohe, Warkworth and Wellsford Town Centres)	All activities where vehicle access to the parking would be within a Key Retail Frontage overlay		No parking required <del>or permitted</del>
Residential	Mixed Housing Suburban zone	Dwellings - studio or 1 and 2 bedroom	1 per dwelling
		Dwellings - three or more bedrooms	2 per dwelling
	Mixed Housing Urban zone	Dwellings - studio or 1 bedroom	A minimum and maximum of 1 per dwelling

Commented [NTC4]: It is unrealistic for no parking to be permitted (except possibly on small sites).

Activity		All other areas (minimum rate unless otherwise specified)
All other areas	Dwellings - two or more bedrooms	A minimum of 1 per dwelling A maximum of 2 per dwelling
Home occupations	Dwellings - studio or 1 bedroom	1 per dwelling
Retirement village	Dwellings - two or more bedrooms	2 per dwelling
Supported residential care Visitor accommodation		1 per dwelling except no additional space is required where both of the following apply: - all employees live on the site of the home occupation - goods and services are not sold from the site (except electronically or by mail/courier)
Supported residential care Visitor accommodation		0.7 per unit / apartment plus 0.2 visitor space per unit / apartment plus 0.3 per bed for rest home beds within a retirement village
Visitor accommodation		0.3 per bed
Boarding houses		1 per unit Or, where accommodation is not provided in the form of units, 0.3 per bedroom
Offices		0.5 per bedroom (except that parking is not required for boarding houses which accommodate school students within the School zone)
Offices		A minimum of one per 45 m <sup>2</sup> GFA A maximum of one per 30 m <sup>2</sup> GFA



Activity		All other areas (minimum rate unless otherwise specified)
Commercial services, excluding the following: veterinary clinics, storage and lockup facilities		1 per 25m <sup>2</sup> GFA
Retail	Motor vehicle sales	1 per 10 vehicle display spaces, plus 1 per additional 50m <sup>2</sup> GFA
	Taverns	1 per 20m <sup>2</sup> GFA
	Trade suppliers	1 per 50m <sup>2</sup> GFA plus 1 per 100m <sup>2</sup> of outdoor storage or display areas
	All other retail (including food and beverage)	1 per 25m <sup>2</sup> GFA
Industrial activities and storage and lock-up Facilities	Repair and maintenance services	4 per repair / lubrication bay, plus 1 per additional 50m <sup>2</sup> GFA
	All other industrial activities and storage and lock-up facilities	1 per 50m <sup>2</sup> GFA, or 0.7 per FTE employee (where the number of employees is known), whichever is the lesser.
Entertainment facilities, clubrooms and community facilities		0.2 per person the facility is designed to accommodate
Care centres		0.10 per child or other person, other than employees plus 0.5 per FTE employee
Educational facilities	Primary and secondary	0.5 per FTE employee plus 1 visitor space per classroom

Activity		All other areas (minimum rate unless otherwise specified)
	Tertiary	Massey University at Albany Campus: 0.32 per EFT student
		Other tertiary education facilities: 0.5 per FTE employee plus 0.25 per EFT student if the facility is designed to accommodate
Medical facilities	Hospitals	1 per 40m <sup>2</sup> GFA
	Healthcare services	1 per 20m <sup>2</sup> GFA
	Veterinary clinics	1 per 20m <sup>2</sup> GFA
Land used for organised sport and recreation		12.5 spaces per hectare
Water transport	Land adjacent to a public boat launching ramp	No minimum rate for accessory parking associated with boat launching
	Marinas	0.35 per berth provided
	Minor ports at Gabador Place, Tamaki and Onehunga	0.5 per employee intended to be working in or at the facility at any one time
All other activities, except for activities within rural zones		1 per 50m <sup>2</sup> GFA
All other activities where located in rural zones		No minimum rate

2. Cycle parking (for bicycles)

- a. the activities specified in Table 5 must provide the minimum number of cycle parking spaces specified.

Table 5: Required cycle parking rates

Activity		Visitor (short-stay)	Secure (long-stay)
Residential	Developments of 20 or more dwellings	1 per 20 dwellings within a single building	1 per dwelling without a dedicated garage
	Visitor accommodation	1 per 20 rooms/beds	1 per 10 rooms / beds
Offices		1 per 1000m <sup>2</sup> GFA of office	1 per 300m <sup>2</sup> of office



**Further Submission in respect of Primary Submissions on the Proposed Auckland Unitary Plan**

**Section 123, Local Government (Auckland Transitional Provisions) Act 2010 and Clause 8 of Schedule 1, Resource Management Act 1991**

**To: Auckland Council  
PO Box 92-300  
Auckland**

**22 JUL 2014**

**By email: [unitaryplan@aucklandcouncil.govt.nz]**

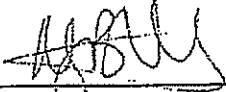
**Name of Further Submitter: The National Trading Company of New Zealand Limited ("NTC"), of the address for service as set out below.**

1. NTC makes the following further submissions on the relief sought in the primary submissions on the Proposed Auckland Combined Plan ("the Unitary Plan") listed in the attached Schedule ("the Primary Submissions"). The Schedule identifies what parts of the Primary Submissions are supported or opposed.
2. NTC has an interest in the Unitary Plan greater than the public generally, in that:
  - (a) It has property interests and undertakes activities within the area subject to the Unitary Plan which are affected by the provisions of the Unitary Plan.
  - (b) It has lodged submissions on the Unitary Plan with regard to which the Council has allocated submitter number 2632 ("NTC's Submissions").
  - (c) Its property interests and activities in Auckland are directly affected by relief sought in some of the Primary Submissions;
  - (d) NTC's Submissions address strategic planning matters that are directly affected by relief sought in some of the Primary Submissions.
3. The reasons for this further submission are:
  - (a) The reasons set out in NTC's Submissions.
  - (b) In the case of Primary Submissions that are opposed:
    - (i) The Primary Submissions do not promote the sustainable management of natural and physical resources and are otherwise inconsistent with the purpose and principles of the Resource Management Act 1991 ("RMA");

- (ii) The relief sought in the Primary Submissions is not the most appropriate in terms of section 32 of the RMA; and
  - (iii) Rejecting the relief sought in the Primary Submissions opposed would more fully serve the statutory purpose than would implementing that relief.
- (c) In the case of Primary Submissions that are supported:
- (i) The Primary Submissions promote the sustainable management of natural and physical resources and are consistent with the purpose and principles of the RMA and with section 32 of the RMA;
  - (ii) The reasons set out in the Primary Submissions to the extent that they are consistent with NTC's Submissions; and
  - (iii) Allowing the relief sought in the Primary Submissions supported would more fully serve the statutory purpose than would disallowing that relief.
- (d) Such additional reasons (if any) in respect of each of the Primary Submissions supported or opposed as are set out in the attached Schedule.
4. The specific relief in respect of each Primary Submission that is supported or opposed is set out in the attached Schedule.
  5. NTC could not gain an advantage in trade competition through these further submissions.
  6. NTC wishes to be heard in support of these further submissions.
  7. If other parties make similar submissions, NTC would consider presenting a joint case with them at any hearing.

DATED the 22<sup>nd</sup> day of July 2014

The National Trading Company of New Zealand Limited  
by its duly authorised agent

  
Angela Bull, General Manager Property Development  
c/- Support Centre, 60 Roma Road, Mt Roskill, Auckland 1440, New Zealand, DX CX 15021 or PO Box 27480, Mt Roskill, Auckland 1440, New Zealand (For: Angela Bull)

ADDRESS FOR SERVICE: The offices of Ellis Gould, Solicitors, Level 17, Vero Centre, 48 Shortland Street, PO Box 1509, Auckland 1140, DX CP22003, Auckland, Telephone: (09) 307-2172, Facsimile: (09) 358-5215. Attention: Douglas Allan (dallan@ellisgould.co.nz).

FS#2963

The National Trading Company of New Zealand Limited – Further Submissions regarding the Proposed Auckland Unitary Plan

Primary submitter	Address for service of Primary Submitter	Primary Submission number	Support/ oppose Primary Submission	PAUP Provision	Relief sought in Primary Submission	Additional and specific reasons for further submission	Relief sought (allow or disallow Primary Submission)
Kiwi Income Property Trust and Kiwi Property Holdings Limited	c/ Ellis Gould PO Box 1509, Auckland	5253/1 to 20; 22 to 51	Conditional support	Various as specified in primary submissions.	Kiwi Submission 1 – Growth Strategy, Centres Hierarchy and Development in Corridors		Allow to the extent that the relief is consistent and compatible with that sought in NTC's Submissions.
Kiwi Income Property Trust and Kiwi Property Holdings Limited	c/ Ellis Gould PO Box 1509, Auckland	5253/21	Conditional support	Proposed Identified Growth Corridor rules	Insert a suite of rules for the Identified Growth Corridor including a series of assessment criteria including "the potential for the activity in isolation or in conjunction with other activities to compromise the proposed hierarchy of centres" ("the Criterion").	The proposed suite of controls limits the RDA category for retail activities in the Corridor to one large supermarket or one trade supplier per site. That restriction avoids any concern about the development compromising the hierarchy of centres and renders the Criterion unnecessary.	Support subject to deletion of the Criterion.
Kiwi Income Property Trust and Kiwi Property Holdings Limited	c/ Ellis Gould PO Box 1509, Auckland	5253/52 to 55	Oppose to the extent the relief is not consistent with that sought in NTC's Submission	Objectives and Policies re Mixed Use, General Business zones.	Replacement of reference to viability with references to amenity and function.		Disallow to the extent that relief is not consistent with that sought in NTC's Submissions.
Kiwi Income Property Trust and Kiwi Property Holdings Limited	c/ Ellis Gould PO Box 1509, Auckland	5253/79 and 80	Conditional support	Zoning	Kiwi Submission 5 – Stoddard Road zoning		Allow to the extent that the relief is consistent and compatible with that sought in NTC's Submissions.
Kiwi Income Property Trust and Kiwi Property Holdings Limited	c/ Ellis Gould PO Box 1509, Auckland	5253/81 to 85	Conditional support	Various as specified in primary submissions.	Kiwi Submission 6 – Structure and Status of Unitary Plan		Allow to the extent that the relief is consistent and compatible with that sought in NTC's Submissions.
Kiwi Income Property Trust and Kiwi Property Holdings Limited	c/ Ellis Gould PO Box 1509, Auckland	5253/86 to 106	Conditional support	Various as specified in primary submissions.	Kiwi Submission 7 – General Provisions		Allow to the extent that the relief is consistent and compatible with that sought in NTC's Submissions.



## Submission on Proposed Auckland Unitary Plan

Section 123 of the Local Government (Auckland Transitional Provisions) Act 2010 and  
Clause 6 of Schedule 1 to the Resource Management Act 1991

Kiwi Income Property Trust and Kiwi Property Holdings Limited  
Submission 1 – Growth Strategy, Centres Hierarchy and Development in Corridors

To: Auckland Council

Name of Submitter: Kiwi Income Property Trust and Kiwi Property Holdings Limited  
(collectively "Kiwi"), c/- Level 14, DLA Phillips Fox Tower, National Bank Centre, 205 Queen  
Street, PO Box 2071, Auckland 1140.

1. This is a submission on the proposed Auckland Combined Plan ("the Unitary Plan").
2. Kiwi could not gain an advantage in trade competition through this submission. In any event, Kiwi is directly affected by effects of the subject matter of the submission that:
  - (a) Adversely affect the environment; and
  - (b) Do not relate to trade competition or the effects of trade competition.
3. The specific aspects and provisions of the Unitary Plan that this submission relates to are:
  - (a) Part 1 Chapter A – Introduction.
  - (b) Part 1 Chapter B – Regional Policy Statement.
  - (c) The provisions that relate to the functionality of centres and the role of enclosed malls.
  - (d) Part 1 Chapter B Section 3.3 – Transport.
  - (e) Part 2 Chapter C Sections 1.1 and 1.2 – Infrastructure and Transport.
  - (f) Part 3 Chapter H Section 1.2 Transport Sub-section 3.2 "Number of Parking and loading spaces".
  - (g) Part 3 Chapter I Section 3 Business Zones (Rules).



- (h) The Identified Growth Corridor Overlay.
- (i) The definition of "*large format retail*".

4. Kiwi's submission is as follows:

- (a) Provided the Unitary Plan provisions regarding Council's strategy for addressing future growth, the centres hierarchy and development in corridors are amended as sought below, those provisions will:
  - (i) Promote the sustainable management of resources;
  - (ii) Otherwise be consistent with Part 2 of the Resource Management Act 1991 ("**RMA**"); and
  - (iii) Be appropriate in terms of section 32 of the RMA.

*Kiwi's Presence in Auckland*

- (b) Kiwi Income Property Trust is New Zealand's largest publicly listed property trust with property assets currently valued at approximately \$2 billion. Kiwi Property Holdings Limited is the legal entity that owns most of the Trust's assets.
- (c) Kiwi's assets in Auckland include:
  - (i) The Vero Centre and ASB North Wharf office buildings in the Auckland CBD;
  - (ii) The Sylvia Park Centre, Mt Wellington, which forms the core of the Sylvia Park Metropolitan Centre; and
  - (iii) The Lynnmall Shopping Centre, New Lynn, which forms a key part of the New Lynn Metropolitan Centre.
- (d) Kiwi has promoted forms of development in Auckland's CBD and metropolitan centres that reflect and support the Auckland Regional Growth Strategy and the Auckland Regional Policy Statement.

*Part 1 Chapter A – Introduction*

- (e) Kiwi generally supports the scope and content of Part 1 Chapter A - Introduction. In particular, Kiwi supports:
  - (i) The Council's decision to promote intensification both within the current urban areas of Auckland and within the areas that are to be urbanised with reference to the Rural Urban Boundary (eg: as addressed in Part 1 Chapter A Section 3.4 - Quality Compact Auckland).
  - (ii) The acknowledgement in Part 1 Chapter A Section 3.4 - Quality Compact Auckland of the interrelationship between transport and land use and in particular the focusing of development in areas with good access to public transport.

*Part 1 Chapter B – Regional Policy Statement*

- (f) Kiwi generally supports the scope and content of Part 1 Chapter B.
- (g) Kiwi considers that the Issue in Part 1 Chapter B Section 1.1 – Enabling Quality Urban Growth warrants amendment by introducing an express reference to the centres hierarchy that has been adopted in the Unitary Plan, given the fundamental importance of that hierarchy to the form and nature of development enabled and encouraged by the Unitary Plan.
- (h) The Issue and Explanation for Part 1 Chapter B Section 1.2 – Enabling Economic Well-being appropriately address the national importance of Auckland's commercial function but do not adequately address the relationship between Auckland's commercial functions and its attractiveness to incoming residents. Kiwi considers that these provisions should be augmented to record that Auckland's economic strength is one of the factors that make the region attractive to incoming residents; that Auckland's economic strength is therefore a source of the region's growth and is not simply a symptom of that growth; that the locations chosen for new commercial and industrial activity within the region will influence the demand for housing in close proximity to those areas; and that Council therefore needs to plan for residential and commercial growth in an integrated and comprehensive manner.

- (i) The section on Urban Form in Part 1 Chapter B Section 1.2 – Enabling Economic Well-being appropriately records the benefits of a compact urban form.
- (j) The section on Transport and Land Use in Part 1 Chapter B Section 1.2 – Enabling Economic Well-being appropriately records the need to integrate land use and transportation and the adverse effects of "*decades of underinvestment in public and active mode transportation networks*". Kiwi suggests that these provisions be augmented by stating explicitly that the policy of intensification needs to be complemented by increased investment in public transport infrastructure and services.
- (k) Part 1 Chapter B Section 2.2 – A Quality Built Environment contains provisions that address urban design issues. Kiwi considers that, while improved urban design is desirable, the Unitary Plan needs to also take into account the functionality and economic viability of development when assessing proposals.
- (l) Kiwi supports the thrust of Part 1 Chapter B Section 3.1 – Commercial and Industrial Growth but considers that the provisions warrant drafting changes and refinements. Provided the provisions are amended as sought below, they will provide sufficient flexibility for the provision of additional retail activities in light of the intensification anticipated in the Unitary Plan while recognising that growth should be focused in and around centres and, in appropriate circumstances, along key intensification corridors.

*Issues regarding Functionality in Centres and the Role of Enclosed Malls*

- (m) The Unitary Plan provisions give inadequate consideration to the functional and practical issues that relate to development in centres. For example:
  - (i) Whilst attractive and effective urban design solutions are desirable, commercial buildings also need to be serviced efficiently and accessed easily by members of the public who in many cases rely on private motor vehicles. Those practicalities need to be provided for and enabled.
  - (ii) Whilst residential activity is desirable in centres, it can be located elsewhere. In contrast, it is important to ensure that sufficient

development opportunities are allocated to the commercial office and retail activities that are particularly desirable in centres and which may not be able to establish elsewhere.

- (iii) The Unitary Plan policy provisions make inadequate mention of the role played by enclosed, comprehensively designed and managed shopping malls in the City's centres. Malls are a popular retail typology and are a prominent feature of most of the Region's Metropolitan Centres (with Papakura being an obvious exception) and many of the Town Centres. Kiwi owns malls at two of the Metropolitan Centres (Sylvia Park and New Lynn) as well as other malls throughout the country (Centre Place in Hamilton, The Plaza in Palmerston North, North City in Porirua, and Northlands in Christchurch).
- (n) In Kiwi's experience, malls provide an attractive shopping experience for the following reasons:
- (i) Safety: malls are highly pedestrianised environments that typically have a strong security presence. Visitors do not have to worry about young children running out onto the street in front of vehicles.
  - (ii) Climate control: malls are typically cool in the summer and warm in the winter. Covered malls provide protection from the rain and wind.
  - (iii) Layout and Choice: malls contain a wide selection of shops laid out in a logical and accessible manner.
  - (iv) Interior Design: malls have a high standard of shop fit-out, mall frontage, underfoot materials and consistent and stringently controlled lighting which collectively provide a uniformly high quality shopping environment.
  - (v) Cleanliness and Maintenance: malls are well cleaned and maintained
  - (vi) Opening Hours: shops have predictable, consistent and convenient opening hours.
  - (vii) Parking: is abundant, easy to find and conveniently located relative to the retail offerings

- (viii) Amenity: people are generally attracted to places where the intensity of activity is stimulating and the large numbers of people make them feel an integral part of the wider community.
  - (ix) Entertainment: free entertainment and special events are frequently staged in a weather-proof, internalised version of traditional, pedestrianised streets and squares.
  - (x) Accessibility: malls are generally at grade and level throughout. This makes them easily accessible and user-friendly for the mobility-impaired and for people with prams and pushchairs
- (o) Whilst a preference is often expressed by planners or urban designers for “*main-street*” shopping environments, in Kiwi’s experience a significant proportion of New Zealanders express a preference, via their conduct, for the retail experience offered by an enclosed mall. If there is to be a criticism of malls, it is not so much to do with their typology, but rather with the manner in which they have historically been poorly integrated into their physical contexts.
- (p) It is important that the Unitary Plan recognises the significant role that malls play in contributing to the vitality and viability of the Region’s Metropolitan Centres, enables such developments to be constructed and operated appropriately and concentrates on ensuring that the interface between malls and surrounding activities are appropriate.

*Part 2 Chapter C Sections 1.1 and 1.2 – Infrastructure and Transport*

- (q) Part 2 Chapter C Sections 1.1 and 1.2 address the objectives and policies concerning infrastructure including the transport networks. The provisions require amendment to reflect appropriately the issues discussed in more detail below regarding:
- (i) Motor vehicle use;
  - (ii) Car parking; and
  - (iii) Investment in public transport.

*Part 1 Chapter B Section 3.3 - Transport*

- (r) Part 1 Chapter B Section 3.3 - Transport appropriately recognises the role of a range of transport modes. Kiwi considers that the provisions should explicitly recognise:
- (i) That the policy of intensification needs to be complemented and enabled by increased investment in public transport infrastructure and services.
  - (ii) That, while the provision of public transport is important, private motor vehicles will continue to be a major means of transport for the foreseeable future.
- (s) Policy 13 in the section headed "*Managing travel demand and travel choices*" reads to, "*support land use developments and patterns which reduce the rate of growth in demand for private vehicle trips, especially during peak periods*". In that regard:
- (i) There are some activities that necessarily generate travel by private motor vehicle and will continue to do so because that is the most efficient way to serve the community (eg: main order shopping trips to supermarkets, which typically involve the carriage of large quantities of goods to individual properties). The Unitary Plan provisions should not ignore such activities or discourage them.
  - (ii) It is the location of activities such as offices that is critical when considering their contribution to car-based trips. Offices are particularly suitable for public transport use as they typically involve regular trips during peak hours by large numbers of commuters who are carrying relatively little material from dispersed locations to focal points that can be intensified around transport nodes through the use of towers. Tertiary education shares many of those characteristics.
  - (iii) Accordingly, Kiwi suggests that policy 13 should be amended to read, "*Support the location at public transport nodes and along corridors that are well served by public transport of those activities that are particularly compatible with and suitable for high patronage of public transport services, and discourage their location elsewhere.*"

- (t) Policy 14(b) in the section headed "*Managing travel demand and travel choices*" proposes to "*improve the attractiveness and efficiency of more sustainable transport options*" by "*limiting car parking supply in locations served by the rapid and frequent service network*". In that regard:
- (i) Constraining the supply of carparks in areas served by public transport (most obviously the centres) does not render public transport modes more attractive. Instead, for those prospective occupants who consider access to adequate carparking to be important for their viability, it renders the centres less attractive locations in comparison with other sites that are not subject to such constraints.
  - (ii) Public transport will become more attractive to prospective patrons as a result of improvements in the quality, frequency, speed, spread and comfort of service, while increasing congestion on the roads will help to divert drivers to public transport.
  - (iii) It is important to attract activities to centres that can be served well by public transport and if, in the short to medium term, that involves enabling the provision of adequate carparking then the Unitary Plan should allow that to occur.
  - (iv) It is important to avoid any unintended adverse consequences arising as a result of regulatory constraints that reduce the attractiveness of centres to prospective tenants or landowners.
  - (v) Accordingly, Kiwi suggests that Policy 14(b) be deleted. Failing that, it is essential that the Unitary Plan either:
    - Imposes strong constraints on the establishment outside centres of activities that are particularly compatible with and suitable for high patronage of public transport services (eg: offices; tertiary education activities) to discourage their location outside the centres that are well served by public transport; or
    - Imposes similar constraints on car parking supply on land outside centres as are imposed within the centres.

*Part 3 Chapter H Section 1.2 Transport Sub-section 3.2 "Number of parking and loading spaces"*

- (u) Part 3 Chapter H Section 1.2 Transport Sub-section 3.2 "*Number of parking and loading spaces*" of the Unitary Plan sets out carparking rates for various parts of the city. In general maximum parking rates are imposed in the centres, the Mixed Use Zone and the THAB Zone (ie: Tables 2 and 3) while minimum parking rates are imposed elsewhere (ie: Table 4). Kiwi considers that:
- (i) It is essential that the provisions not have unanticipated adverse effects such as incentivising the location outside centres of activities that are most suitable for high patronage of public transport services.
  - (ii) Thus the use of maximum parking ratios in centres and other selected locations and minimum ratios elsewhere is only acceptable if:
    - Activities that are well suited to public transport (eg: offices; tertiary education activities) are only enabled in centres; or
    - Such activities are subject to consistent parking maxima regardless of where they are located.
  - (iii) Thus, to the extent that activities that are well suited to public transport (eg: offices; tertiary education activities) are enabled outside centres the carparking ratios for those activities in Table 4 should be the same as those in Table 3.

*Part 3 Chapter I Section 3 Business Zones (Rules)*

- (v) Kiwi supports the Council's extensive use of Restricted Discretionary Activity status as it focuses the research and analysis required of applicants on a discrete and relevant range of matters. Kiwi emphasises, however, that Council must treat planning status and public notification as separate issues. There will be circumstances where an activity raises only a limited range of issues and hence can be addressed as a Restricted Discretionary Activity but where it is appropriate to leave the decision as to notification to be made in terms of the statutory provisions.



- (w) The Business Zone Activity Table in Part 3 Chapter I Section 3 Sub-section 1 requires modification if Council's intention to maximise development in centres and to thereby promote an efficient and compact city is to be realised. Kiwi's concerns relate primarily to the mix of activities enabled in the Mixed Use and General Business Zones. Kiwi is concerned that the current mix of activities does not implement the objectives and policies and will compromise the centres hierarchy that the Council is promoting. In particular:
- (i) The Permitted Activity status of all entertainment facilities and food and beverage in the Mixed Use and General Business Zones may allow the dispersal of these activities, which are essential to the amenity, vitality and hence viability of centres. The adverse effects in that regard are most likely to be experienced in Local and Neighbourhood Centre for which convenience food and beverage activities are particularly important. It is suggested that Council make entertainment facilities and food and beverage a Permitted Activity up to an aggregate of 100 m<sup>2</sup> per site in the Mixed Use and General Business Zones, and a Discretionary Activity beyond that level. That would enable effects on centres to be taken into account.
  - (ii) Retail of up to 450 m<sup>2</sup> per site is a Permitted Activity in the Mixed Use Zone. While it is appropriate for retail to be provided to serve the needs of residents, workers and visitors in this area, the scale of retail enabled by this provision goes well beyond that level and may lead to the creation of de facto but unplanned shopping centres which would be contrary to the Council's policies. It is suggested that Council make retail in the Mixed Use Zone a Permitted Activity up to an aggregate of 100 m<sup>2</sup> per site (rather than the 450 m<sup>2</sup> threshold currently used) and a Discretionary Activity beyond that level.
  - (iii) Retail up to 450 m<sup>2</sup> per site is a Discretionary Activity in the General Business Zone but a Restricted Discretionary Activity beyond that threshold. Kiwi understands that the relaxed provisions for larger retail is to reflect the fact that some large stores may be unable to establish appropriately in nearby centres. The provisions would have the effect of requiring the establishment of a shopping centre of greater than 450 m<sup>2</sup> to face a lower statutory hurdle than a single shop of under 450 m<sup>2</sup>. In addition, Kiwi considers that the 450 m<sup>2</sup> threshold for this category

is very low. Kiwi therefore suggests that Council's intention may be better implemented by providing for "*Retail greater than 450 m<sup>2</sup> per site*" as a full Discretionary Activity in the General Retail Zone.

- (iv) The provisions distinguish between supermarkets and other forms of large format retail. Kiwi accepts that supermarkets have unique characteristics and will likely need to establish both in and between centres if they are to cater for the intensification anticipated by the Unitary Plan. The Activity Table allocates Non-complying Activity status to large supermarkets in the General Business Zone but Discretionary Activity status in the Mixed Use Zone. The General Business Zone appears from the policy provisions to be the more appropriate of those zones for large format retail. Accordingly, Kiwi considers that the planning status of large supermarkets in the General Business Zone that zone should be altered to Restricted Discretionary Activity.
- (v) It is appreciated that some large shops will struggle to locate within the intensifying centres. It is important, however, to minimise the risk of informal centres establishing on an ad hoc basis and compromising the centres hierarchy in the Unitary Plan. Kiwi therefore suggests that a new category be added to the activity table, being "*One retail shop greater than 1000 m<sup>2</sup> GFA per site*". That category would be Permitted Activity in the Metropolitan Centre and Town Centre Zones; a Restricted Discretionary Activity in the Local Centre, Mixed Use and General Business Zone; a Discretionary Activity in the Business Park Zone; and a Non-complying Activity in the Neighbourhood Centre Zone. Applications for such stores outside the Metropolitan Centre and Town Centre Zones should be assessed in terms of potential distributional effects on the amenity and vitality of centres.

#### *Part 4 - Definitions*

- (x) The definition of "*Large format retail*" in Part 4 of the Unitary Plan reads "*any individual shop tenancy with a floor area greater than 450 m<sup>2</sup>, where the tenancy is created by freehold, leasehold ...*". Kiwi considers the size

threshold is too low and that it would be appropriate to impose a higher minimum shop size of 1000 m<sup>2</sup>.

5. Kiwi seeks the following relief from Auckland Council:
- (a) That the Unitary Plan be amended in order to resolve the issues raised in this submission. In that regard, Kiwi seeks the specific and general forms of relief set out below and **attaches** indicative forms of relief which show how Kiwi's concerns might be addressed.
  - (b) Amend the Issue in Part 1 Chapter B Section 1.1 – Enabling Quality Urban Growth by adding a sixth bullet point reading, "*supports a hierarchy of centres and maintains and enhances their vitality and amenity*".
  - (c) Amend the Issue and Explanation in Part 1 Chapter B Section 1.2 – Enabling Economic Well-being to address appropriately the national importance of Auckland's commercial function and to record that:
    - (i) Auckland's economic strength is one of the factors that make the region attractive to incoming residents;
    - (ii) Auckland's economic strength is a source of the region's growth and is not simply a symptom of that growth;
    - (iii) The locations chosen for new commercial and industrial activity within the region will influence the demand for housing in close proximity to those areas; and
    - (iv) Council therefore needs to plan for residential and commercial growth in an integrated and comprehensive manner.
  - (d) Amend Part 1 Chapter B Section 1.2 Enabling Economic Wellbeing – Transport and Land Use to emphasise that the policy of intensification needs to be complemented by increased investment in public transport infrastructure and services, including by:
    - (i) Amending the Issue to read, "*Auckland plays a crucial role in New Zealand's economy ... the management of, and investment in, existing and future infrastructure ...*";

- (ii) Amending the fourth bullet point in the explanation for the Issue so it reads, "*traffic congestion which adds to costs and delays business and underinvestment in public transport and active modes of transport*".
- (e) Amend Part 1 Chapter B Section 2.2 – A Quality Built Environment by adding references to the need for the built environment to take account of a full range of relevant issues including traffic safety and convenience; the functionality and operational requirements of the relevant form of development; and the need for an economic return for developers, including by adding new Policies reading:
- (i) "*Take account of the implications for amenity, safety and convenience of existing and future traffic conditions in the vicinity of the development*".
- (ii) "*Recognise that different forms of retail development require different design responses to balance functional and operational requirements with built form outcomes*".
- (iii) "*Recognise that urban design expectations need to be balanced with economic realities*".
- (f) Amend Part 1 Chapter B Section 3.1 – Commercial and Industrial Growth in the manner shown in **Annexure 1** or similar regarding the form and location of new commercial development and the relationship between such development and the centres hierarchy.
- (g) Amend Part 1 Chapter B Section 3.3 – Transport:
- (i) To recognise the role of a range of transport modes and to record that:
- The policy of intensification needs to be complemented and enabled by increased investment in public transport infrastructure and services; and
  - While the provision of public transport is important, private motor vehicles will continue to be a major means of transport for the foreseeable future.

- (ii) By amending Part 1 Chapter B Section 3.3 - Transport Policy 13 to read, "~~Support land use development and patterns that reduce the rate of growth in demand for private vehicle trips, especially during peak periods~~ the location at public transport nodes and along corridors that are well served by public transport of those activities that are particularly compatible with and suitable for high patronage of public transport services, and discourage their location elsewhere."
- (iii) By deleting Part 1 Chapter B Section 3.3 - Transport Policy 14(b).
- (h) Amend Part 2 Chapter C Sections 1.1 and 1.2 – Infrastructure and Transport in the manner shown in **Annexure 2** or similar.
- (i) Amend Part 2 Chapter D Section 3 Regional and District Objectives and Policies - Business Zones in the manner shown in **Annexure 3** or similar to:
  - (i) Give adequate consideration to the functional and practical issues that relate to development in centres;
  - (ii) Strike an appropriate balance between planning and urban design goals and the operational realities that apply to commercial development in centres; and
  - (iii) Recognise appropriately the role played by enclosed, comprehensively designed shopping malls in the City's centres and the benefits such facilities provide, whilst acknowledging the need to integrate such activities with the activities around them and the centres of which they form a part.
- (j) Amend Part 3 Chapter H Section 1.2 Transport Sub-section 3.2 "*Number of parking and loading spaces*" to the effect that carparking ratios, requirements and discretions for offices and tertiary education facilities are the same in Tables 3 and 4.
- (k) Amend Part 3 Chapter I Section 3 Rules - Business Zones Activity Table as follows:
  - (i) Provide for entertainment facilities and food and beverage as a Permitted Activity up to an aggregate of 100 m<sup>2</sup> per site in the Mixed

Use and General Business Zones, and a Discretionary Activity beyond that level.

- (ii) Provide for retail in the Mixed Use Zone as a Permitted Activity up to an aggregate of 100 m<sup>2</sup> per site (rather than the 450 m<sup>2</sup> threshold currently used) and a Discretionary Activity beyond that level.
  - (iii) Provide for "*Retail greater than 450 m<sup>2</sup> per site*" as a full Discretionary Activity in the General Business Zone.
  - (iv) Provide for supermarkets as a Restricted Discretionary Activity in the General Business Zone.
  - (v) Introduce a new category to Activity Table being, "*One retail shop greater than 1000 m<sup>2</sup> GFA per site*". That category would be:
    - A Permitted Activity in the Metropolitan Centre and Town Centre Zones;
    - A Restricted Discretionary Activity in the Local Centre, Mixed Use and General Business Zone;
    - A Discretionary Activity in the Business Park Zone; and
    - A Non-complying Activity in the Neighbourhood Centre Zone.
- (l) Provide that applications for resource consent for "*One retail shop greater than 1000 m<sup>2</sup> GFA per site*". (ie: applications for proposals outside Metropolitan and Town Centre Zones) should be assessed in terms of potential distributional effects on the amenity and vitality of centres.
- (m) Retain the "*Identified Growth Corridor Overlay*" ("**the Overlay**") provided the provisions are amended as follows:
- (i) Amending the objectives in Part 2 Chapter E Section 4.5 to envisage the development of limited types of standalone large format retail shops in the Overlay so as to meet demand from intensification.

(ii) Inserting a new Part 3 Chapter J Section 4.6 - Identified Growth Corridor Overlay which will specify rules for the Overlay and which will:

- Provide for one supermarket greater than 4,000 m<sup>2</sup> or one trade supplier per site in the Overlay as a Restricted Discretionary Activity.
- Reserve discretion with regard to such activities to: any consequential effects (including effects that arise from the accumulation of activities) on the vitality and amenity of existing and proposed centres; the potential for the activity in isolation or in conjunction with other activities to compromise the proposed hierarchy of centres; the nature of the activities in the immediate vicinity of the proposed location and the compatibility of the proposed shop with those activities; and traffic effects, impacts on transportation efficiency and impacts on the promotion of effective public transport through the region.
- Incorporating assessment criteria with respect to each of those matters.

(iii) Identifying definitively via a variation if necessary (and subject to the hearings panel's leave) the corridors to which the Overlay will be applied. In that regard the Overlay should only be applied to corridors or parts of corridors that:

- Are on major arterial routes that are or are intended in the future to be well served by public transport;
- Pass through business or industrial zoned land as opposed to residential or open space areas; and
- Are in close proximity to residential areas that can be served efficiently and appropriately by commercial development that might be enabled in the Overlay.

- (n) That the definition of "*Large format retail*" in Part 4 of the Unitary Plan be amended to read "*any individual shop tenancy with a floor area greater than 1,000 m<sup>2</sup> ~~450-m<sup>2</sup>~~, where the tenancy is created by freehold, leasehold ...*".
  - (o) The **Annexures** to this submission identify indicative examples of relief that would address appropriately certain of the matters raised in this submission. Other forms of wording and relief may also be appropriate and within the scope of the matters raised in this submission. Kiwi therefore provides the **Annexures** by way of example but not to the exclusion of other appropriate and effective methods of upholding this submission.
  - (p) That, subject to any amendments required to uphold this submission, the provisions addressed in the **Annexures** and the following provisions be retained in the Unitary Plan:
    - (i) Part 1 Chapter A Section 3.4 – Quality Compact Auckland.
    - (ii) The sections on Urban Form and Transport and Land Use in Part 1 Chapter B Section 1.2 – Enabling Economic Well-being.
  - (q) Consequential amendments.
  - (r) Such other relief as is considered appropriate or necessary to address the concerns set out in this submission.
6. Kiwi wishes to be heard in support of this submission.
7. If others make a similar submission Kiwi will consider presenting a joint case with them at the hearing.

Dated this 27 day of February 2014

**Kiwi Income Property Trust and Kiwi Property Holdings Limited**  
by their duly authorised agent:





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Mark Luker – General Manager, Development

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**Annexure 2: Part 2 Chapter C Sections 1.1 and 1.2-  
Infrastructure and Transport**

**Kiwi Income Property Trust and Kiwi Property Holdings Limited**

**Submission 1**

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## 1 Infrastructure

### 1.1 Infrastructure

#### Background

Infrastructure is critical to the social and economic well-being of people and communities. This section provides a framework for the development, operation, repair, maintenance and upgrading of infrastructure.

The development, operation, repair maintenance and upgrading of infrastructure can have a range of adverse effects on the environment, visual amenity of an area, and public health and safety. Equally, some infrastructure produces adverse effects beyond the boundary of the site. The sensitivity of adjacent activities, particularly residential, to these effects can lead to complaints and ultimately constraints on the operation of infrastructure. Managing these reverse sensitivity effects is critical.

Detailed infrastructure provisions (zones and precincts), such as the Auckland Airport precinct and the Strategic Transport Corridor zone are also provided throughout the plan and should be referred to where applicable.

#### Objectives

1. The benefits of infrastructure are recognised.
2. The adverse effects of infrastructure are managed.
3. Safe, efficient and secure development, operation and upgrading of infrastructure is enabled, to service the needs of existing and planned use and development
4. The resilience of Auckland's infrastructure is improved.
5. Auckland's significant infrastructure is protected from reverse sensitivity effects and incompatible subdivision, use and development.

#### Policies

##### Benefits of infrastructure

1. Recognise the positive social, economic, environmental and cultural effects that infrastructure provide, including:
  - a. enabling enhancement of the quality of life/standard of living for people and communities
  - b. protecting public health and safety
  - c. enabling the functioning of businesses
  - d. enabling economic growth
  - e. protecting the environment
  - f. enabling the transportation of freight, goods, people
  - g. enabling interaction and communication

##### Reverse sensitivity

2. Prevent reverse sensitivity effects from inappropriate subdivision, use and development which may compromise the operation and capacity of existing or approved significant infrastructure.

##### Provision of infrastructure

**3. Council will take a lead role in providing and ensuring the coordinated provision of infrastructure to accommodate growth.**

3. Provide for a range of infrastructure to operate throughout Auckland by recognising:
  - a. operational and technical requirements
  - b. location, route and design constraints
  - c. the complexity of infrastructure services and that infrastructure is generally managed as a connected network

- d. the benefits of infrastructure to the wider community, Auckland and/or New Zealand
  - e. the need to respond quickly to service disruptions.
4. Require the development, upgrading, operation, repair and maintenance of infrastructure to avoid or mitigate adverse effects on the:
- a. health, well-being and safety of people as a result of nuisance from noise, vibration, dust and odour emissions and light spill
  - b. safe and efficient operation of other networks
- c. visual amenity values of the streetscape and/or adjoining properties
- d. natural and physical environment from temporary and ongoing discharges
  - e. intrinsic values of any scheduled sites or overlay areas.
5. Assess the adverse effects of development of new infrastructure, considering:
- a. the degree to which the environment has already been modified
  - b. the duration timing and frequency of the adverse effects
  - c. the impact on the network and levels of service if the new work is not undertaken
  - d. the need for the infrastructure in the context of the wider network
  - e. the benefits to the wider community and/or Auckland provided by the infrastructure.
6. Encourage new linear infrastructure to be located in roads and other identified corridors where practical.

#### **Undergrounding of infrastructure in urban areas**

7. Require new or major upgrades to electricity and telecommunications lines to be located underground in urban areas unless there are significant economic reasons.
8. Enable the coordinated undergrounding of existing electricity and telecommunications lines in the road and other identified corridors, particularly where the opportunity exists when network improvements are undertaken.

#### **New technologies**

9. Provide flexibility for infrastructure operators to use new technological advances that:
- a. improve access to, and efficient use of, services
  - b. allow for the re-use of redundant services and/or structures where appropriate
  - c. result in environmental benefits and enhancements
  - d. support a competitive economy.

#### **Road network**

10. Provide for the construction, use, operation, maintenance and development of the road network in a manner which:
- a. contributes to the operation of the single integrated multi-modal transport system
  - b. provides for the transport movement and accessibility functions of the road
  - c. provides for the placemaking functions of the road
  - d. provides for a range of transport infrastructure, streetscape amenities, and network utility services within the road.
11. Provide access to the road network which is safe and efficient and minimises conflict between the placemaking, movement and access functions of roads.
12. Undertake or require works to be undertaken in an existing or planned road, in a manner which will achieve positive movement, access and placemaking outcomes taking into account:
- a. the functions, priorities and operational characteristics of the road
  - b. the characteristics of the location
  - c. the place/context design typology which is appropriate to the design of a road in the particular location.
  - d. any historic heritage or special character context

- e. the selection, location and installation of streetscape amenities, such as seating, cycle parking, plaques and memorials, public art, litter bins, public toilets and drinking fountains, to:
  - i. enhance the street environment
  - ii. avoid visual clutter
  - iii. avoid impeding or causing a hazard for people including those with mobility or visual impairments, aged people or children
- f. design principles for streets and the street design process.

## 1.2 Transport

### Background

To support the operation and development of an integrated transport network, this section provides for public transport facilities and walking and cycling facilities which may be located outside the road network (which is covered in 1.1 Infrastructure) and are not otherwise provided for in the Unitary Plan.

Parking is an essential component of Auckland's transport system as it can have major implications for the convenience, economic viability, design and layout of an area. It is important that parking is managed and provided in a manner that supports urban amenity and efficient use of land. It can also be managed to have a significant influence on reducing car use, particularly for commuter travel. This in turn reduces the growth in traffic, particularly during peak periods, and achieves a more sustainable transport system.

The approach to parking provided with an activity or development is outlined below:

- there is no requirement for activities or development to provide parking in the City Centre In the following zones and locations maximum and minimum levels of parking apply:
  - the City, Metropolitan, Town and Local Centres (with the exception of identified non-urban town and local centres) zones
  - the City Centre Fringe overlay
  - the Terrace Housing and Apartment Buildings zone and the Mixed Use zone
  - ~~instead, a~~ The maximum limit has been set on the amount of parking that can be provided on a site. This approach, which supports intensification and public transport and recognises that for most of these areas, access to the Rapid and Frequent Service Network will provide an alternative means of travel to private vehicles. Minimum levels are set to recognise that most activities will generate some parking demand and that some of this demand should be met on site so that parking requirements are not externalised (to adjacent streets and surrounding sites).
  - in all other areas, a minimum level of parking is required to accompany any activity or development. A maximum limit is set on the amount of parking that can be provided for offices.

Standalone parking facilities which are not accessory to activities or development on the same site are provided for and will be individually assessed.

To support cycling and other active transport modes, such as walking and cycling, some activities and developments are required to provide cycle parking as well as end-of-trip facilities. Off-road pedestrian and cycling facilities are also provided for to complement facilities located in the road network.

The Unitary Plan's approach to parking will be supported by the development and implementation of comprehensive parking management plans for centres, with particular priority given to the metropolitan centres. Comprehensive parking management plans assist with the integrated management of both off-street and on-street parking in centres, and will provide guidance for assessing applications which affect the supply of parking.

This section also addresses loading, the design of parking and loading, access from activities and developments to the road, and access around road/rail level crossings.

In addition to the Auckland-wide Transport rules, Auckland Transport's Code of Practice (ATCOP) provides further guidance around parking, loading and access, and it sets out Auckland Transport's

engineering standards for the construction of vehicle crossings. NZTA manages access to state highways under the Land Transport Management Act 2003.

Activities or subdivision which generate higher amounts of traffic, and which seek to locate outside of the most intensive centres and residential zones, are required to demonstrate how the proposal would integrate with the transport network. This includes addressing the transport impacts of the proposal on the effective, efficient and safe operation of the local transport network.

### Objectives

1. Land use and all modes of transport are integrated in a manner that enables the adverse effects of traffic generation on the transport network to be managed.
2. An integrated public transport, walking and cycling network is provided for.
3. The number, location and type (short-term or long-term, public or private) of parking and loading spaces, including cycle parking and associated end-of-trip facilities, support:
  - a. intensification in the following locations:
    - i. the City, Metropolitan, Town and Local Centres zones
    - ii. the City Centre Fringe overlay (as identified on the planning maps)
    - iii. the Terrace Housing and Apartment Buildings zone
    - iv. the Mixed Use zone.
  - b. the effective, efficient and safe operation of the transport network
  - c. the use of more sustainable transport options including public transport, cycling and walking
  - d. the economic activity of businesses
  - e. the efficient use of land.
4. Parking and loading is designed, located and accessed safely and efficiently for pedestrians and vehicles within and outside the site and in a manner which contributes to quality design of the built environment.
5. Development provides access between the road and activities by:
  - a. facilitating the effective, efficient and safe operation of the transport network
  - b. prioritising pedestrian safety and amenity along public footpaths
  - c. achieving a balance between the placemaking, movement and access functions of the road.
6. Safety is not compromised by access, buildings and structures adjacent to road/rail level crossings.

### Policies

#### Traffic Generation

1. Require high traffic generating activities or subdivisions which:
  - a. are proposed outside of the following zones:
    - i. the City, Metropolitan, Town Centres zones
    - ii. the Terrace Housing and Apartment Buildings zone; and
  - b. do not already require an Integrated Transport Assessment under [clause 2.7.9](#) of the General provisions.
  - c. to recognise that, in some cases, congestion is an inevitable consequence of growth but where appropriate to mitigate and manage adverse effects on and integrate with the transport network by measures such as travel planning, providing alternatives to private vehicle trips, staging development, or undertaking improvements to the local transport network

#### Parking

2. Limit-Manage the supply of on-site parking in the following locations to support the planned growth and intensification provided for in the Unitary Plan, recognise the existing and future accessibility of these locations to the Rapid and Frequent Service Network, and support walking and cycling:
  - a. the City, Metropolitan, Town and Local Centres zones
  - b. the City Centre Fringe overlay (as identified on the planning maps)
  - c. the Terrace Housing and Apartment Buildings zone
  - d. the Mixed Use zone.

3. Require activities and development located outside the areas covered by policy 2 above to provide a minimum level of on-site parking in recognition of the more limited alternatives to private vehicle travel unless it can be demonstrated that a lesser amount of on-site parking is needed for a particular site or proposal.

4. Limit the supply of on-site parking for office development in all locations to:

- a. minimise the growth private vehicle trips by commuters travelling during peak periods
- b. support the approach taken to providing for larger scale office developments in the Metropolitan Centre, Town Centre, Mixed Use, General Business and Business Park zones.

5. Provide for flexible approaches to parking, including shared, consolidated and off-site parking, which use land and parking spaces more efficiently, and reduce incremental and individual parking provision.

6. Provide for non-accessory parking and off-site parking where:

a. the proposal and the type of parking proposed e.g. visitor or commuter, short-term or long-term, private or public, will reinforce the efficient use of land or planned growth and intensification provided for in the Unitary Plan for the site or locality

b. there is an undersupply or projected undersupply of parking to service the area having regard to:

- i. the availability of alternative transport modes, particularly access to the existing and planned Rapid and Frequent Service Network
- ii. the type of parking proposed

iii. existing parking survey information

iv. the type of activities in the surrounding area.

c. any off-site parking is generally in close walking distance of the donor site(s) unless it is shown that a greater separation distance is reasonable and practicable.

7. Avoid the development of long-term parking (non-accessory) in the City Centre zone and the City Centre Fringe overlay to:

a. recognise and support the high level of accessibility these areas have to the Rapid and Frequent Service Network

b. minimise the growth in private vehicle trips by commuters during peak periods.

8. Control the development of long-term parking (non-accessory) in the Metropolitan, Town and Local Centre zones and in the Mixed Use zone so that the needs of business are balanced with the need to ensure that the parking does not undermine:

a. the efficient use of land or growth and intensification provided for in the Unitary Plan for the site or locality

b. the use of public transport in these zones.

9. Encourage facilities for parking (non-accessory) to provide for alternatives to the private car and single occupant cars, or promote use of smaller or more energy efficient cars. This may include:

a. parking spaces allocated to car share or car pool vehicles

b. parking spaces allocated to small cars or hybrid vehicles

c. spaces allocated to scooter or motorcycle parking

d. free, secure and covered parking for cycles

e. end-of-trip facilities such as secure lockers, showers and changing facilities

f. charging points for electric vehicles.

10. Provide for park-and-ride and public transport facilities which are located and designed to support the public transport system by:

a. locating in proximity to public transport stations, stops and terminals

b. growing public transport patronage to assist in relieving congested corridors by encouraging commuters to shift to public transport

c. making public transport easier and more convenient to use, thereby attracting new users

d. improving the operational efficiency of the public transport system, particularly the Rapid and Frequent Service Network

e. extending the catchment for public transport into areas of demand where it is not cost-effective to provide traditional services or feeders

- f. reinforcing existing and future investments on the Rapid and Frequent Service Network
  - g. providing free, secure and covered parking for cycles.
11. Support increased cycling and walking by:
- a. requiring cycle parking to be included in larger residential developments and in developments including offices, retail, industrial activities, education facilities, medical facilities and entertainment or community facilities
  - b. requiring end-of-trip facilities, such as lockers, showers and changing facilities, to be included in developments with high employee and student numbers
  - c. providing for off-road cycle and pedestrian facilities to complement facilities located within the road network.

#### **Loading**

12. Require sites and activities to have access to loading facilities to support their operations and minimise disruption on the adjacent transport network.
13. Provide for alternative loading arrangements, including on-street loading or shared loading areas, particularly in locations where it is desirable to limit access points for reasons of safety, amenity and road operation.

#### **Design of parking and loading**

14. Require parking areas to be designed and located to:
- a. avoid adverse visual effects on the amenity of the streetscape
  - b. provide safe access and exit for vehicles, pedestrians and cyclists
  - c. reduce potential conflicts between vehicles, pedestrians and cyclists.
15. Require loading areas to be designed and located to:
- a. avoid adverse visual effects on the amenity of the streetscape
  - b. provide for the separation of service and other vehicles where practicable
  - c. reduce conflicts between service vehicles, pedestrians and cyclists.
16. Require parking and loading areas to be designed so that reverse manoeuvring of vehicles onto or off the road does not occur in situations which will compromise:
- a. the effective, efficient and safe operation of arterial roads
  - b. pedestrian safety and amenity, particularly within the Centre and Mixed Use zones
  - c. safe and functional access where driveways are longer, or serve rear sites or more than four parking spaces.
17. Require the location, design and external appearance of park-and-ride, non-accessory and off-site parking facilities, public transport facilities, and off-road pedestrian and cycling facilities to:
- a. complement adjacent uses and developments with any buildings or structures to be of similar or compatible scale to those existing or provided for in the surrounding area
  - b. meet the design outcomes identified in this Unitary Plan for the site and/or location generally
  - c. provide screening, such as exterior panelling, for any parking building
  - d. be accessible, safe and secure for users with safe and attractive pedestrian connections within the facility and to adjacent public footpaths.
  - e. provide an attractive interface between any buildings, structures or at-grade parking areas and adjacent streets. Depending on location and scale, this may include:
    - i. maintaining an active frontage through sleeving and/or an interesting appearance through use of architectural treatments so that the facility contributes positively to the pedestrian amenity and to any retail, commercial or residential uses along the road it fronts
    - ii. planting and other landscaping
  - f. provide for any buildings to be adapted for other uses if no longer required for parking. In particular, the floor to ceiling height of a parking building at street level should be capable of conversion to other activities provided for in the zone.
18. Require park-and-ride, non-accessory and off-site parking facilities, and public transport facilities, and their access points to be of scale and design, and to be managed, operated and developed so as



to avoid adverse effects on the effective, efficient and safe operation of the transport network including:

- a. the safety of pedestrians and cyclists
- b. amenity for pedestrians
- c. avoiding queuing onto the road and conflict at access points to the facility
- d. avoiding generating high volumes of traffic onto local roads or areas with high pedestrian amenity
- e. the operation of public transport services and related infrastructure.

#### **Access**

19. Require vehicle crossings and associated access to be designed and located to provide for safe and efficient movement to and from sites and minimise potential conflicts between vehicles, pedestrians, and cyclists on the adjacent road network.

20. Avoid or restrict vehicle access to and from sites adjacent to motorway interchanges, and on arterial roads, including state highways, so that the:

- a. location, number, and design of vehicle crossings and associated access provides for the efficient movement of people and goods on the state highway and road network
- b. any adverse effect on the effective, efficient and safe operation of the motorway interchange arising from vehicle access adjacent to a motorway interchange is avoided, remedied or mitigated.

21. Avoid vehicle access to and from sites subject to a Vehicle Access Restriction - general within the City Centre zone to:

- a. give high priority to pedestrian movement, safety and amenity along the main pedestrian streets in the City Centre zone
- b. provide for continuity of building frontage and associated activities at street level.

22. Avoid vehicle access to and from sites subject to the Key Retail Frontage overlay in the Metropolitan Centre, Town Centre and Mixed Use zones to:

- a. give high priority to pedestrian movement, safety and amenity
- b. provide for continuity of building frontage and associated activities at street level.

23. Restrict vehicle access to and from sites subject to the Commercial Frontage overlay in Metropolitan Centre, Town Centre and Mixed Use zones to:

- a. support pedestrian safety and amenity
- b. provide for continuity of building frontage and associated activities at street level.

#### **Access to level crossings**

24. Limit the location of buildings and structures within the sightline areas of road/rail level crossings not controlled by barrier arms and/or alarms.

25. Control vehicle access to sites adjacent to all road/rail level crossings to improve safety for vehicles on the road.

### **1.3 Use of designations within the road corridor**

#### **Background**

Road corridors are used for transportation, network infrastructure, and by the public.

Within corridors, designations are used to protect and provide for existing and future infrastructure. For example, designations are used for different phases of a project—planning (route protection), construction, and operation and protection of existing infrastructure.

Designations also impose restrictions on others who may have legal rights, such as land owners, to undertake works within the designated area in order to protect the required land or infrastructure.

The use of designations should reflect the range of legal rights to use and access the road corridor that must be considered. There are additional mechanisms for managing and coordinating access to the road corridor such as the National Code of Practice for Utility Operators' Access to Transport Corridors (the CAR process).

Designations in the road corridor should be used sparingly, for specific purposes and tailored to

address specific phases. Any notice of requirement, including conditions, should be drafted to minimise the impact of the designation on others entitled to access the road corridor.

### **Objective**

1. Designations in the road corridor are used only where necessary, to protect existing and future infrastructure and provide for infrastructure development, while minimising restrictions on transport functions, utility services and other users of the corridor.

### **Policies**

1. Encourage requiring authorities to designate within the road corridor only when there is no other effective alternative to:

- a. protecting the route or locating infrastructure to enable construction and operation where it is likely that future development and uses may impose restrictions and/or result in reverse sensitivity concerns
- b. protecting existing infrastructure that would present a serious public health and safety risk or result in significant loss of service and incur significant unplanned costs if damaged or interfered with

c. provide for complex projects or works where they cross multiple areas/zones/roads.

2. Encourage requiring authorities seeking designations in accordance with the policy above to:

a. explore other mechanisms enabling route or asset protection, such as the Utilities Access Act 2010 and the CAR process

b. where practical, minimise restrictions on other users, especially those involved in ongoing operation, maintenance, upgrading and improvement of the road corridor, and network utility infrastructure located in the road corridor; by:

- i. specifying in the notice of requirement how any legal rights of access to the corridor, including those of the corridor manager and network utility operators, will be managed during/after construction
- ii. reducing the spatial extent of the designation—breadth, depth and height—to the minimum requirement for the relevant phase of development and considering uplifting the designation where practical.

3. Specify the information requiring authorities must provide when designating any part of a road corridor, including the spatial extent of the proposed designation—breadth, depth and height—for the different phases of development including planning, construction and operation of the finished work.

**ANNEXURE B**

**A copy of the Hearing Panel recommendations version of the relevant  
Proposed Plan provisions**

## E27. Transport

### E27.1. Background

To support and manage the effects on the operation and development of an integrated transport network, this section:

- addresses the management of the location, number and design of parking, loading and access;
- provides for public transport facilities and walking and cycling facilities which may be located outside the road network (which is covered in Section E26 Infrastructure); and
- identifies the need to manage the effects of high trip generating activities.

The term 'transport system' encompasses both the physical infrastructure of the transport network and the wider environment or factors which can influence the operation of transport e.g. transport users and their behaviours. For the purpose of these transport provisions, the term 'transport network' is used in the context of managing effects or impacts on the operation of the 'transport network' as a physical resource. The transport network comprises the physical infrastructure or conduit along which transport modes move or travel along and this is made up of a series of links (where a sequence of continuous links form a route) and nodes which in totality form a network. The transport network also comprises a series of sub-networks or types which generally relate to a particular mode of travel or type of movement e.g. public transport network, freight network and walking and cycling networks. In regard to public transport networks, the network can also include the supporting services which utilise the physical network.

The current predominance of private vehicle travel and the accompanying requirements for parking is recognised in terms of both the positive and adverse effects associated with accommodating these parking requirements.

Parking is an essential component of Auckland's transport network and the management of parking can have major implications for the convenience, economic viability, design and layout of an area and the function of the transport network. It is important that parking is managed and provided in a manner that supports urban amenity, efficient use of land and the functional requirements of activities. The requirements for parking can reflect the trip characteristics of a range of activities at different locations that occur at different times. It can also be managed to have a significant influence on reducing car use, particularly for commuter travel. This in turn reduces the growth in traffic, particularly during peak periods, and when supported by the provision of other transport modes achieves a more sustainable transport network. The management of parking supply includes a region-wide approach to regulating the amount of parking to support different activities (accessory parking). This regulation generally occurs by requiring parking (minimums) or limiting parking (maximums) or a combination of these approaches. Any controls on parking should reflect the needs of land use and the wider transport system.

The overall purpose of limiting parking through maximums is to manage potential parking oversupply and in turn reduce traffic congestion and provide opportunities to improve

- (d) there are requirements to assess transport, traffic or trip-generation effects for the activity in the applicable zone rules or precinct rules for any controlled or restricted discretionary land use activities.

### E27.6.2. Number of parking and loading spaces

- (1) The number of parking spaces:
- (a) must not exceed the maximum rates specified;
  - (b) must meet the minimum rates specified; or
  - (c) must meet the minimum rates and not exceed the maximum rates specified

which apply to the zone or location specified in Table E27.6.2.1, Table E27.6.2.2, Table E27.6.2.3 and Table E27.6.2.4.

- (2) Where a minimum rate applies and a site supports more than one activity, the parking requirement of each activity must be separately determined then combined to determine the overall minimum site rate. Provided that where the parking demands of the two activities allow for the sharing of parking resources, the total parking requirement for the site shall be based on the higher of the parking requirements of the two activities.
- (3) For the purposes of meeting the requirements of the vehicle parking rules, a parking space includes those provided for in a garage or car port or any paved area provided for the sole purpose of parking a motor vehicle.

**Table E27.6.2.1 Maximum parking rates for the Business – City Centre Zone**

Activity/site		Business – City Centre Zone maximum rate
(T11)	Dwellings	1.5 per dwelling
(T12)	All other activities	Inner core as shown on the Parking Variation Control planning maps
(T13)		Outer core as shown on the Parking Variation Control planning maps

**Table E27.6.2.2 Maximum parking rates for the Centre Fringe Office Control area adjoining the Business – City Centre Zone**

Activity		Centre Fringe Office Control as shown on the planning maps adjoining the Business – City Centre Zone Maximum rate
(T14)	Offices	1 per 60 m <sup>2</sup> GFA
(T15)	All other activities	No minimum or maximum

- (4) Table E27.6.2.3 sets out the parking rates which apply in the following zones and locations:

- (a) Business – Metropolitan Centre Zone;
- (b) Business – Town Centre Zone – excluding the following town centres where Table E27.6.2.4 applies: Helensville, Kumeu-Huapai, Pukekohe, Warkworth and Wellsford;
- (c) Business – Local Centre Zone – excluding the following local centres where Table E27.6.2.4 applies: Karaka, Kaukapakapa, Leigh, Matakana, Riverhead, Snells Beach, Te Hana, Waimauku and Waiuku;
- (d) Business – Mixed Use Zone (excluding where the Business – Mixed Use Zone is adjacent to the town centres or local centres identified in Standards E27.6.2(4)(d) and E27.6.2(4)(e) above); and
- (e) Residential – Terrace Housing and Apartment Buildings Zone.

Table E27.6.2.3 Parking rates - area 1

Activity		Applies to zones and locations specified in Standard E27.6.2(4)	
		Minimum rate	Maximum rate
(T16)	Offices	No minimum	1 per 30 m <sup>2</sup> GFA
(T17)	Retail	Food and beverage (excluding taverns)	A minimum of 1 per 30m <sup>2</sup> GFA and outdoor seating area
(T18)		Supermarkets	A minimum of 1 per 30m <sup>2</sup> GFA
(T19)		All other retail (including taverns)	A minimum of 1 per 30m <sup>2</sup> GFA
(T20)	Commercial services	A minimum of 1 per 30m <sup>2</sup> GFA	No maximum
(T21)	All other activities	No minimum	No maximum

- (5) The minimum parking requirements in Table E27.6.2.3 do not apply in any of the following circumstances:
- (a) where the activity is located within the D17 Historic Heritage Overlay or
  - (b) where the activity is located within the D18 Special Character Areas Overlay – Residential and Business; or
  - (c) where the activity involves a change in use from;
    - (i) one retail activity to another; or
    - (ii) one commercial service to another; or
    - (iii) one retail activity to a commercial service or vice versa; or
  - (d) where the activity does not involve either:
    - (i) the construction of a new building not exceeding 100 m<sup>2</sup>; or

(ii) an addition not exceeding 100m<sup>2</sup> GFA to an existing building.

(6) Table E27.6.2.4 sets out the parking rates which apply to the Business – Neighbourhood Centre Zone and all other zones and areas not specified in Table E27.6.2.1, Table E27.6.2.2 and Table E27.6.2.3.

**Table E27.6.2.4 Parking rates - area 2**

Activity				Applies to zones and locations specified in Standard E27.6.2(6)	
				Minimum rate	Maximum rate
(T22)	Residential	Residential – Mixed Housing Urban Zone	Dwellings - studio	No minimum	No maximum
(T23)			Dwellings - 1 bedroom	No minimum	No maximum
(T24)			Dwellings - two or more bedrooms	1 per dwelling	No maximum
(T25)				No minimum	No maximum
(T26)		Residential – Mixed Housing Suburban Zone	Dwellings - studio	0.5 per dwelling (rounded down to nearest whole number)	No maximum
(T27)			Dwellings - 1 bedroom	0.5 per dwelling (rounded down to nearest whole number)	No maximum
(T28)			Dwellings - two or more bedrooms	1 per dwelling	No maximum
(T29)		Sites within the D18 Special Character Areas Overlay – Residential and Business	Site area 500m <sup>2</sup> or less	No minimum	No maximum
(T30)			Site area greater than 500m <sup>2</sup>	As per the underlying zoning	
(T31)		All other areas	Dwellings	1 per dwelling	No maximum
(T32)		Conversion of dwelling into two dwellings (Sites within the D18 Special Character Areas Overlay – Residential and Business)		No minimum	No maximum
(T33)		Home occupations		1 per dwelling except no additional space is required where both of the	No maximum

E27 Transport

Activity		Applies to zones and locations specified in Standard E27.6.2(6)		
		Minimum rate	Maximum rate	
			following apply: (a) all employees live on the site of the home occupation; and (b) goods and services are not sold from the site (except electronically or by mail/courier)	
(T34)		Retirement village	0.7 per unit plus 0.2 visitor space per unit plus 0.3 per bed for rest home beds within a retirement village	No maximum
(T35)		Supported residential care	0.3 per bed	No maximum
(T36)		Visitor accommodation	1 per unit Or, where accommodation is not provided in the form of units, 0.3 per bedroom	No maximum
(T37)		Boarding houses	0.5 per bedroom (except that parking is not required for boarding houses which accommodate school students within the H29 Special Purpose – School Zone)	No maximum
(T38)	Offices		A minimum of 1 per 45m <sup>2</sup> GFA	Maximum of 1 per 30m <sup>2</sup> GFA
(T39)	Commercial services, excluding the following: veterinary clinics, storage and lockup facilities		1 per 25m <sup>2</sup> GFA	No maximum
(T40)	Retail	Motor vehicle sales	1 per 10 vehicle display spaces, plus 1 per additional 50m <sup>2</sup> GFA	No maximum
(T41)		Trade suppliers	1 per 50m <sup>2</sup> GFA plus 1 per 100m <sup>2</sup> of	No maximum



Activity		Applies to zones and locations specified in Standard E27.6.2(6)	
		Minimum rate	Maximum rate
			outdoor storage or display areas
(T42)		Large Format Retail (excluding supermarkets and department stores)	1 per 45m <sup>2</sup> GFA No maximum
(T43)		All other retail (including food and beverage)	1 per 25m <sup>2</sup> GFA No maximum
(T44)	Industrial activities and storage and lock-up facilities	Repair and maintenance services	4 per repair / lubrication bay, plus 1 per additional 50m <sup>2</sup> GFA No maximum
(T45)		Warehousing, storage and lock up facilities	1 per 100m <sup>2</sup> GFA, or 0.7 per FTE employee (where the number of employees is known), whichever results in requiring a lower amount of on-site parking No maximum
(T46)		All other industrial activities	1 per 50m <sup>2</sup> GFA, or 0.7 per FTE employee (where the number of employees is known), whichever results in requiring a lower amount of on-site parking No maximum
(T47)	Entertainment facilities and community facilities provided that, for places of worship, the 'facility' shall be the primary place of assembly (ancillary spaces such as prayer rooms, meeting rooms and lobby spaces not separately use shall be disregarded)		0.2 per person the facility is designed to accommodate No maximum
(T48)	Emergency services		1 per employee on site plus 1 per emergency service appliance based at the facility No maximum
(T49)	Care centres		0.10 per child or other person, other than employees plus 0.5 per FTE employee No maximum

## E27 Transport

Activity			Applies to zones and locations specified in Standard E27.6.2(6)	
			Minimum rate	Maximum rate
(T50)	Educational facilities	Primary and secondary	0.5 per FTE employee plus 1 visitor space per classroom	No maximum
(T51)		Tertiary	Massey University at Albany Campus: 0.32 per EFT student Other tertiary education facilities: 0.5 per FTE employee plus 0.25 per EFT student the facility is designed to accommodate	No maximum
(T52)	Medical facilities	Hospitals not shown on the Parking Variation Control planning maps	1 per 50m <sup>2</sup> GFA	No maximum
(T53)		Grafton Hospital 2 Park Road, Grafton	No minimum	1 per 50m <sup>2</sup> GFA
(T54)		Greenlane Clinical Centre 210 Green Lane West, Epsom	1 per 55m <sup>2</sup> GFA	No maximum
(T55)		Mt Albert 50 Carrington Road, Mt Albert	1 per 60m <sup>2</sup> GFA	No maximum
(T56)		Mercy Hospital 98 Mountain Road, Epsom	1 per 40m <sup>2</sup> GFA	No maximum
(T57)		Healthcare facilities	1 per 20m <sup>2</sup> GFA	No maximum
(T58)		Veterinary clinics	1 per 20m <sup>2</sup> GFA	No maximum
(T59)	Land used for organised sport and recreation		12.5 spaces per hectare	No maximum
(T60)	Clubrooms		0.2 per person the facility is designed to accommodate	No maximum
(T61)	Water transport	Land adjacent to a public boat launching ramp	No minimum rate for accessory parking associated with boat launching	No maximum
(T62)		Marinas	0.35 per berth provided	No maximum

E27 Transport

Activity		Applies to zones and locations specified in Standard E27.6.2(6)	
		Minimum rate	Maximum rate
(T63)	Minor ports at Gabador Place, Tamaki and Onehunga	0.5 per employee intended to be working in or at the facility at any one time	No maximum
(T64)	All other activities, except for activities within rural zones	1 per 50m <sup>2</sup> GFA	No maximum
(T65)	All other activities where located in rural zones	No minimum	No maximum

(7) Bicycle parking:

- (a) the activities specified in Table E27.6.2.5 must provide the minimum number of bicycle parking spaces specified; and
- (b) the following bicycle parking requirements apply to new buildings and developments.

Table E27.6.2.5 Required bicycle parking rates

Activity			Visitor (short-stay) Minimum rate	Secure (long-stay) Minimum rate
(T66)	Residential	Developments of 20 or more dwellings	1 per 20 dwellings	1 per dwelling without a dedicated garage
(T67)		Visitor accommodation and boarding houses	1 space plus 1 space per 20 rooms/beds	1 per 10 FTE employees
(T68)		Retirement village and residential care	1 space plus 1 space per 30 units / apartments	1 per 10 FTE employees
(T69)	Offices		Up to 200m <sup>2</sup>	Nil required
(T70)			Greater than 200m <sup>2</sup> up to 10,000m <sup>2</sup>	1 space plus 1 space per 1,000m <sup>2</sup> above 1,000m <sup>2</sup>
(T71)			Greater than	10 spaces plus

**ANNEXURE C**

**Copy of the relevant parts of the Decision**





**Decisions of the Auckland Council on  
recommendations by the Auckland Unitary  
Plan Independent Hearings Panel on  
submissions and further submissions to the  
Proposed Auckland Unitary Plan**

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**Decisions Report**

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**19 August 2016**

**33. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 043/044 (Transport), July 2016”**

**Panel recommendations accepted:**

33.1 The Council has accepted all the recommendations of the Panel contained in the Panel reports for Hearing Topic 043/044 (Transport), as they relate to the content of the PAUP, and also the associated recommendations as they appear in the plan and the maps, except as listed below at paragraph 33.2.

**Panel recommendations rejected:**

33.2 The Council has rejected the Panel recommendations in relation to Hearing Topic 043/044 (Transport), as listed below, with accompanying reasons, alternative solutions and section 32AA evaluation (where necessary):

- (a) **Amendment of the parking rates for the Metropolitan Centre, Town Centre, Local Centre, Mixed Use and Terrace Housing and Apartment Buildings zones to remove maximum and minimum parking rates for all activities within these zones with the exception of retail and commercial service activities.**

<b>Reasons</b>	
(i) Not including minimum parking rates for retail and commercial service activities would result in a more efficient use of land, better urban design outcomes and greater support for the public transport network.	
(ii) Including maximum parking rates would result in better management of oversupply of parking and associated adverse effects on the transport network (e.g. congestion).	
(iii) Including maximum parking rates would result in better urban design and amenity outcomes.	
<b>Alternative solution</b>	See Attachment A
<b>Section 32AA evaluation</b>	See Attachment B

- (b) **Parking rates for residential and non-residential activities in the City Centre zone of 1:125m<sup>2</sup> for non-residential activities within a proposed 'Outer core' parking area while applying a rate of 1:200m<sup>2</sup> within a proposed 'Inner core' parking area. A maximum rate of 1.5 car parks per dwelling (regardless of dwelling size) is proposed for residential activities.**

<b>Reasons</b>	
(i) The Panel's recommendations will provide more accessory parking and residential parking in the City Centre zone, which is an already congested road network with high levels of public transport accessibility.	
(ii) The Panel's recommendations are higher than the rates currently applied and are considered to be less efficient and effective in achieving transport objectives around managing travel demand in the City Centre.	
<b>Alternative solution</b>	See Attachment A
<b>Section 32AA evaluation</b>	See Attachment B

**34. Council decisions relating to Panel report entitled "Report to Auckland Council Hearing Topic 045 (Airports), July 2016"**

**Panel recommendations accepted:**

- 34.1 The Council has accepted all the recommendations of the Panel contained in the Panel report for Hearing Topic 045 (Airports), as they relate to the content of the PAUP, and also the associated recommendations as they appear in the plan and the maps.

**Panel recommendations rejected: none.**







**Decisions of the Auckland Council on  
recommendations by the Auckland Unitary  
Plan Independent Hearings Panel on  
submissions and further submissions to the  
Proposed Auckland Unitary Plan**

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**Attachment A**

The alternative solutions prepared by the Council for any rejected recommendations (which includes: text, diagram and map alternative solutions).

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**19 August 2016**

# Topic 043-044

## E27 Transport

## E27. Transport

### E27.1. Background

To support and manage the effects on the operation.....

The approach to parking provided with an activity or development is outlined below:

- there is no requirement for activities or development to provide parking in the following zones and locations:
  - the Business – City Centre Zone; and
  - Centre Fringe Office Control as shown on the planning maps for office activities; and
  - Business – Metropolitan Centre Zone; Business – Town Centre Zone, Business – Local Centre Zone and Business – Mixed Use Zone (with the exception of identified non-urban town and local centres

instead, a maximum limit has been set on the amount of parking that can be provided on a site in these areas;

- there is no requirement or limit for activities or development excluding office and retail to provide parking in the following zones and locations:
  - ~~Business – Metropolitan Centre Zone; Business – Town Centre Zone, Business – Local Centre Zone and Business – Mixed Use Zone (with the exception of identified non-urban town and local centres);~~
  - Centre Fringe Office Control as shown on the planning maps;
  - Residential – Terrace Housing and Apartment Buildings Zone; and
  - Residential – Mixed Housing Urban Zone (for studio and one-bedroom dwellings)

this approach supports intensification and public transport and recognises that for most of these areas, access to the public transport network will provide an alternative means of travel to private vehicles;

- in all other areas, .....

### E27.2. Objectives....

### E27.3. Policies...

#### *Parking*

- (3) Manage the number, location.....
- (6) ~~Provide for flexible on-site parking by not~~ Limiting the supply of on-site parking or requiring parking for subdivision, use and development (excluding office and retail activities) in the Business – Metropolitan Centre Zone, Business – Town Centre Zone, Business – Local Centre Zone, and Business – Mixed Use Zone (with the exception of non-urban town and local centres), Centre Fringe Office Control area, Residential – Terrace Housing and Apartment Buildings Zone and Residential – Mixed Housing Urban Zone (studio and one-bedroom dwellings).

(7) Provide for flexible on-site parking by not limiting or requiring parking for subdivision, use and development (excluding office) in the Centre Fringe Office Control area, Residential – Terrace Housing and Apartment Buildings Zone and Residential – Mixed Housing Urban Zone (studio and one bedroom dwellings).

(8) Require all other.....

#### E27.4. Standards

##### E27.4.2 Number of parking and loading spaces

Table E27.6.2.1 Maximum parking rates for the Business – City Centre Zone

Activity/site			Business – City Centre Zone maximum rate
(T1)	Dwellings	<u>Dwellings &lt;75m<sup>2</sup> GFA</u>	<u>0.7 per dwelling</u>
(T12)		<u>Dwellings ≥75 and &lt; 90m<sup>2</sup> GFA</u>	<u>1.4 per dwelling</u>
(T13)		<u>Dwellings ≥90m<sup>2</sup> GFA</u>	<u>1.7 per dwelling</u>
(T14)		<u>Visitor spaces</u>	<u>0.2 per dwelling</u>
(T15) (T12)	All other activities	<u>Inner-core as shown on the Parking Variation Control planning maps</u>	<u>1:200m<sup>2</sup> GFA</u>
(T13)		<u>Outer-core as shown on the Parking Variation Control planning maps</u>	<u>1: 125m<sup>2</sup> GFA</u>

Table E27.6.2.3 Parking rates - area 1

Activity			Applies to zones and locations specified in Standard E27.6.2(4)	
			Minimum rate	Maximum rate
(T16) (T18)	Offices		No minimum	1 per 30 m <sup>2</sup> GFA
(T17) (T19)	Retail	Food and beverage (excluding taverns)	<u>A minimum of 1 per 30m<sup>2</sup> GFA and outdoor seating area</u> <u>No minimum</u>	<u>No maximum</u> <u>1 per 10m<sup>2</sup> GFA and outdoor seating area</u>
(T18)		Supermarkets	<u>A minimum of 1 per 30m<sup>2</sup> GFA</u>	<u>No maximum</u>
(T19) (T20)		All other retail (including taverns)	<u>No minimum</u>	<u>No maximum</u> <u>1 per 20m<sup>2</sup> GFA</u>
(T21)	<u>Entertainment facilities and community facilities</u> <u>Provided that, for places of worship, the "facility" shall be the primary place of assembly</u>		<u>No minimum</u>	<u>0.2 per person the facility is designed to accommodate</u>

Activity		Applies to zones and locations specified in Standard E27.6.2(4)		
		Minimum rate	Maximum rate	
	<u>(ancillary spaces such as prayer rooms, meeting rooms and lobby spaces may be disregarded)</u>			
(T22)	<u>Emergency services</u>		<u>No minimum</u>	<u>1 car parking space per employee on site plus one per emergency service appliance based at the facility</u>
(T23)	<u>Care centres</u>		<u>No minimum</u>	<u>0.10 per child or other person (other than employees) plus 0.5 per FTE (full time equivalent) employee</u>
(T24)	<u>Education facilities</u>	<u>Primary and secondary</u>	<u>No minimum</u>	<u>0.5 per FTE employee plus 1 visitor space per classroom</u>
(T25)		<u>Tertiary</u>	<u>No minimum</u>	<u>0.5 per FTE employee plus 0.25 per EFT (equivalent full time) student the facility is designed to accommodate</u>
(T26)	<u>Medical facilities</u>	<u>Hospital</u>	<u>No minimum</u>	<u>1 per 40 m<sup>2</sup> GFA</u>
(T27)		<u>Healthcare facilities</u>	<u>No minimum</u>	<u>1 per 20 m<sup>2</sup> GFA</u>
(T20)	<u>Commercial services</u>		<u>A minimum of 1 per 30m<sup>2</sup> GFA</u>	<u>No maximum</u>
(T28)	<u>Residential</u>	<u>All other activities All dwellings in the Terrace Housing &amp; Apartment Buildings zone</u>	<u>No minimum</u>	<u>No maximum</u>
(T29)		<u>Dwellings – studio or 1 bedroom</u>	<u>No minimum</u>	<u>1 per dwelling</u>
(T30)		<u>Dwellings – two or more bedrooms</u>	<u>No minimum</u>	<u>2 per dwelling</u>
(T31)		<u>Visitor spaces</u>	<u>No minimum</u>	<u>0.2 per dwelling</u>
(T32)		<u>Retirement villages</u>	<u>No minimum</u>	<u>1 per unit / apartment plus</u>

Activity		Applies to zones and locations specified in Standard E27.6.2(4)	
		Minimum rate	Maximum rate
			<u>0.2 visitor space per unit / apartment plus 0.3 per bed for rest home beds</u>
<u>(T33)</u>	<u>Supported residential care</u>	<u>No minimum</u>	<u>0.3 per bed</u>
<u>(T34)</u>	<u>Visitor accommodation</u>	<u>No minimum</u>	<u>1 per unit, or, where accommodation is not provided in the form of units, 0.3 per bedroom</u>
<u>(T35)</u>	<u>Boarding houses</u>	<u>No minimum</u>	<u>0.5 per bedroom</u>
<u>(T24)</u> <u>(T36)</u>	<u>All other activities</u>	<u>No minimum</u>	<u>1 per 20 m<sup>2</sup> GFA</u>

~~(5) The minimum parking requirements in Table E27.6.2.3 do not apply in any of the following circumstances:~~

~~(a) where the activity is located within the D17 Historic Heritage Overlay or~~

~~(b) where the activity is located within the D18 Special Character Areas Overlay—Residential and Business; or~~

~~(c) where the activity involves a change in use from;~~

~~(i) one retail activity to another; or~~

~~(ii) one commercial service to another; or~~

~~(iii) one retail activity to a commercial service or vice-versa; or~~

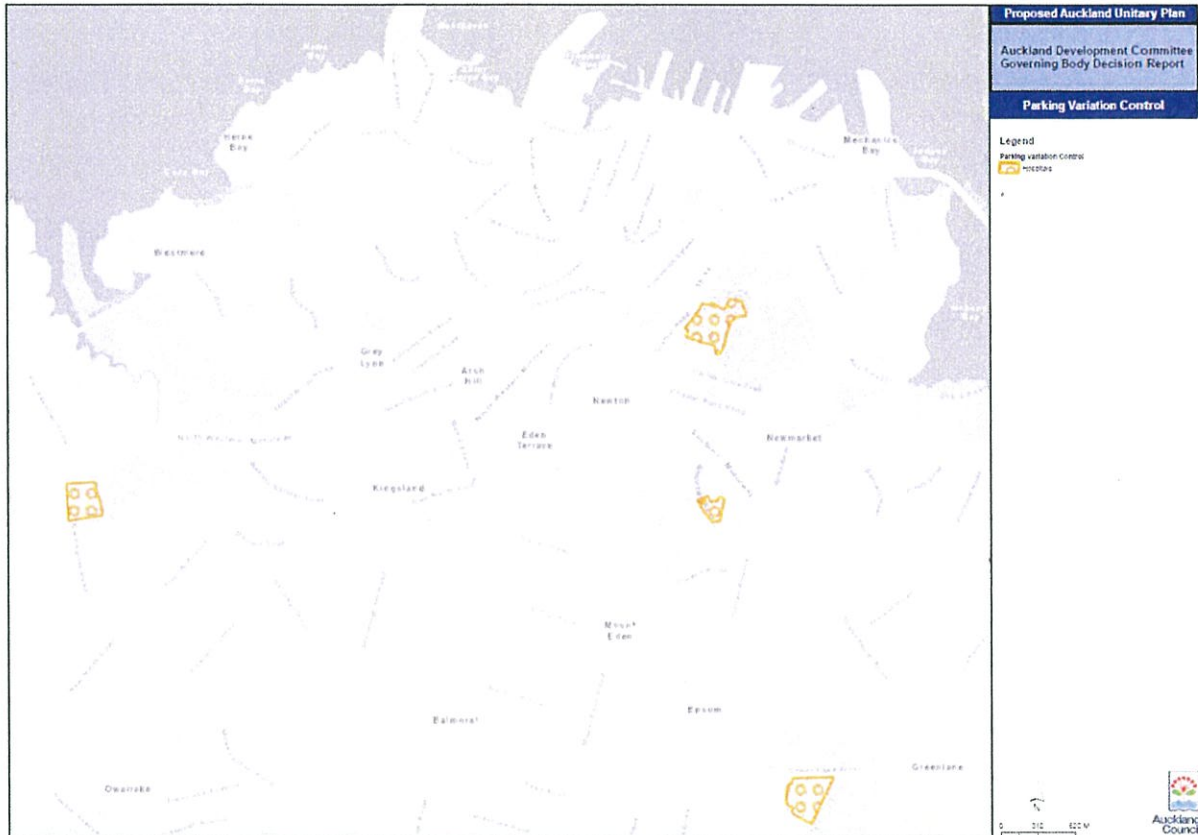
~~(d) where the activity does not involve either:~~

~~(i) the construction of a new building not exceeding 100 m<sup>2</sup>; or~~

~~(ii) an addition not exceeding 100m<sup>2</sup> GFA to an existing building.~~

~~(6) (5) Table E27.6.2.4 sets out the parking rates which apply to the Business – Neighbourhood Centre Zone and all other zones and areas not specified in Table E27.6.2.1, Table E27.6.2.2 and Table E27.6.2.3.~~

Topic Number	Topic Name	Change requested to planning maps
Topic 043 and 044	Transport	Remove Parking Variation (Inner and Outer Core) Controls on City Centre Zone. The changes apply across the City Centre zone – see map. Parking Variation (Hospital) Control is retained, see below.









**Decisions of the Auckland Council on  
recommendations by the Auckland Unitary  
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Proposed Auckland Unitary Plan.**

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**Attachment B**

The section 32AA assessment reports prepared,  
where necessary, as part of any rejection

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**19 August 2016**

## Section 32 information to support amendments to E27.6.2.1 - City Centre parking rates

### City centre parking rates – existing Reports

#### Council evidence references

- Refer to Council evidence in its entirety.
- Refer to paragraph 1.5 of Joshua Arbury's evidence dated 13 October 2014 for reference to s32 assessment reports
- Refer to paragraphs 3.4, 6.3 and Table 2 of Kevin Wong-Toi's evidence dated 13 October 2014 for reference to related s32 assessment reports and s32 assessment of RPS transport provisions
- Refer to paragraphs 1.5, 5.11, 6.8, 6.19, 6.23 and 6.34 of Joshua Arbury's evidence dated 2 June 2015 for reference to s32 assessment reports
- Refer to paragraphs 3.2, 6.9 – 6.14 and 7.1 of Kevin Wong-Toi's evidence dated 2 June 2015 for reference to related s32 assessment reports
- Refer to paragraph 14 of Mairi Joyce's evidence dated 2 June 2015 for reference to s32 assessment reports
- Refer to paragraphs 1.3, 3.1(b), 4.1(b) – (c), 5.3 and 8.1 of Stuart Donovan's evidence dated 2 June 2015 for reference to s32 assessment reports

#### Council s32 evaluation report references

- Refer to s32 evaluation – Accessory parking, paragraph 1.9 Proposed Provisions, paragraph 2.1.1 Policies (Transport - RPS level), paragraph 2.2 Objectives (District level) – Appropriateness, paragraph 2.2.1 Policies (District level), paragraph 2.2.2 Rules and other methods
- Appendices 3.9.1 (Resource 1 – Facts and figures), 3.9.2 (City Centre Masterplan 2012), 3.9.3 (Unitary Plan Parking Standards - Number of Parking and Loading Spaces Required), 3.9.4 (Number of Parking and Loading Spaces Required for the City Centre), 3.9.5 (Technical note – Future traffic flows in the Auckland City Centre), 3.9.6 (Unitary Plan Parking Provision Rules - Auckland City Centre Fringe), 3.9.8 (Technical note – Criteria for local centres), 3.9.9 (Technical note – Additional work), 3.9.11 (The Economic Impacts of Minimum Parking Requirements An Analysis of Dominion Rd, Takapuna, and Onehunga), 3.9.12 (Technical note – Parking provision rates for retail), 3.9.13 (The Economic Impacts of Parking Requirements in Auckland), 3.9.15 (Auckland Regional Parking Strategy)

### City centre parking rates – s32 assessment

*(1)(b) examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by—*

- (i) identifying other reasonably practicable options for achieving the objectives; and*
- (ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
- (iii) summarising the reasons for deciding on the provisions; and*

*(3) If the proposal (an **amending proposal**) will amend a standard, statement, regulation, plan, or change that is already proposed or that already exists (an **existing proposal**), the examination under subsection (1)(b) must relate to—*

- (a) the provisions and objectives of the amending proposal; and*

- The objectives seek to manage the supply of parking in the City Centre to support planned growth and intensification while recognising the high levels of accessibility to public transport, walking and cycling, and the constrained capacity of the road network. The management of parking supply provides opportunities to realise efficiencies in terms of the allocation of limited transport resources by encouraging the use of and supporting the investment in public transport infrastructure and services and encouraging intensification (through the provision of less on-site parking). Given the road network capacity constraints, future growth in person trips will need to be accommodated through increased vehicle occupancy and other modes such as public transport, walking and cycling. The reasonably practicable options for achieving this objective were considered during the hearing process in terms of reverting to the Operative City Centre parking controls and variations on these controls. In the absence of direct economic measures such as congestion charges or pricing, limiting the supply of parking in the City Centre is considered an appropriate method to achieve the objectives.
- The provisions and objectives of the amending proposal (i.e. Council's alternative provision) relate to the maximum accessory parking rates applying to activities in the City Centre Zone. A 'blanket' rate of 1 car park per 200m<sup>2</sup> GFA is proposed for non-residential activities and three 'tiers' of accessory parking rates for residential activities based on dwelling size design controls. The approach of the amending proposal is to recognise the significant limitations of the City Centre's road network capacity (as a physical resource) and as a response to these constraints, to encourage the use of public transport infrastructure and services available in the City Centre and to encourage walking and cycling. Constraining the supply of parking in the City Centre is recognised as part of the suite of policies to encourage the use of other transport modes such as public transport, walking and cycling. The provisions of the amending proposal are a more appropriate response to efficiently and effectively achieve objectives around accommodating future transport demands within a constrained and congested road network by applying maximum accessory parking rates which will potentially result in fewer vehicles on an already congested road network.

*(b) the objectives of the existing proposal to the extent that those objectives—  
(i) are relevant to the objectives of the amending proposal; and*

- The objectives of the existing proposal (i.e. the Panel's recommendation) relate to a graduated approach for non-residential parking rates in the City Centre and single rate for residential activities. The existing proposal recommends a maximum rate of 1:125m<sup>2</sup> for non-residential activities within a proposed 'Outer core' parking area while applying a rate of 1:200m<sup>2</sup> within a proposed 'Inner core' parking area. A maximum rate of 1.5 car parks per dwelling (regardless of dwelling size) is proposed for residential activities. The objective of the existing proposal in regard to applying a parking maximum is to moderate traffic congestion. The objective of the existing proposal's specific parking rates for residential and non-residential activities is not explicit, however based on the options considered during the hearing process, it is reasonable to suppose that the objective of these parking rates relates to the design of parking rates which are linked to and determined by the road capacity of individual roads (based on the road hierarchy and road types identified in the Operative provisions of the City Centre).
- The objectives of the existing proposal are relevant to the amending proposal in respect to the potential effects of applying the parking rates of the existing proposal. The primary effect concerns the potential to provide more accessory parking than would be provided for under the amending proposal in the context of a constrained and congested road network. It is noted that the maximum parking rates of the existing proposal are higher (i.e. there is potential to provide more on-site parking) than those contained in the Operative City Centre provisions. The existing proposal is considered less efficient and effective in achieving transport objectives around managing future travel demands as there is a reduced alignment between the existing proposal's parking rates and: the high levels of accessibility to

public transport in the City Centre; and the levels of widespread peak period congestion of roads into and out of the City Centre.

- The objectives of the existing proposal have the potential to be less efficient and effective when compared to the amending proposal in terms of applying a consistent basis to manage the number of vehicles entering the City Centre. For example, in regard to the parking rate for non-residential activities, the parking rates of the existing proposal will involve localised variations where the levels of accessibility to public transport and levels of congestion are essentially the same. The amending proposal recognises that the most efficient and effective approach to managing the growth in transport demands in the City Centre is to treat the City Centre as an integrated network in its entirety while also acknowledging the diminished relevance of a parking regime based on a graduated hierarchy of road capacity.

*(ii) would remain if the amending proposal were to take effect.*

The objectives of the existing proposal would remain to the extent that the application of maximum parking rates has a role in managing traffic congestion. If the amending proposal were to take effect (noting that the proposal is already partially in effect in the Operative City Centre parking controls) it is expected that a consistent approach to the tightening of City Centre parking controls will more efficiently and effectively influence and achieve the related objectives of supporting intensification, encouraging the use of public transport and managing an already congested road network.

## ANNEXURE D

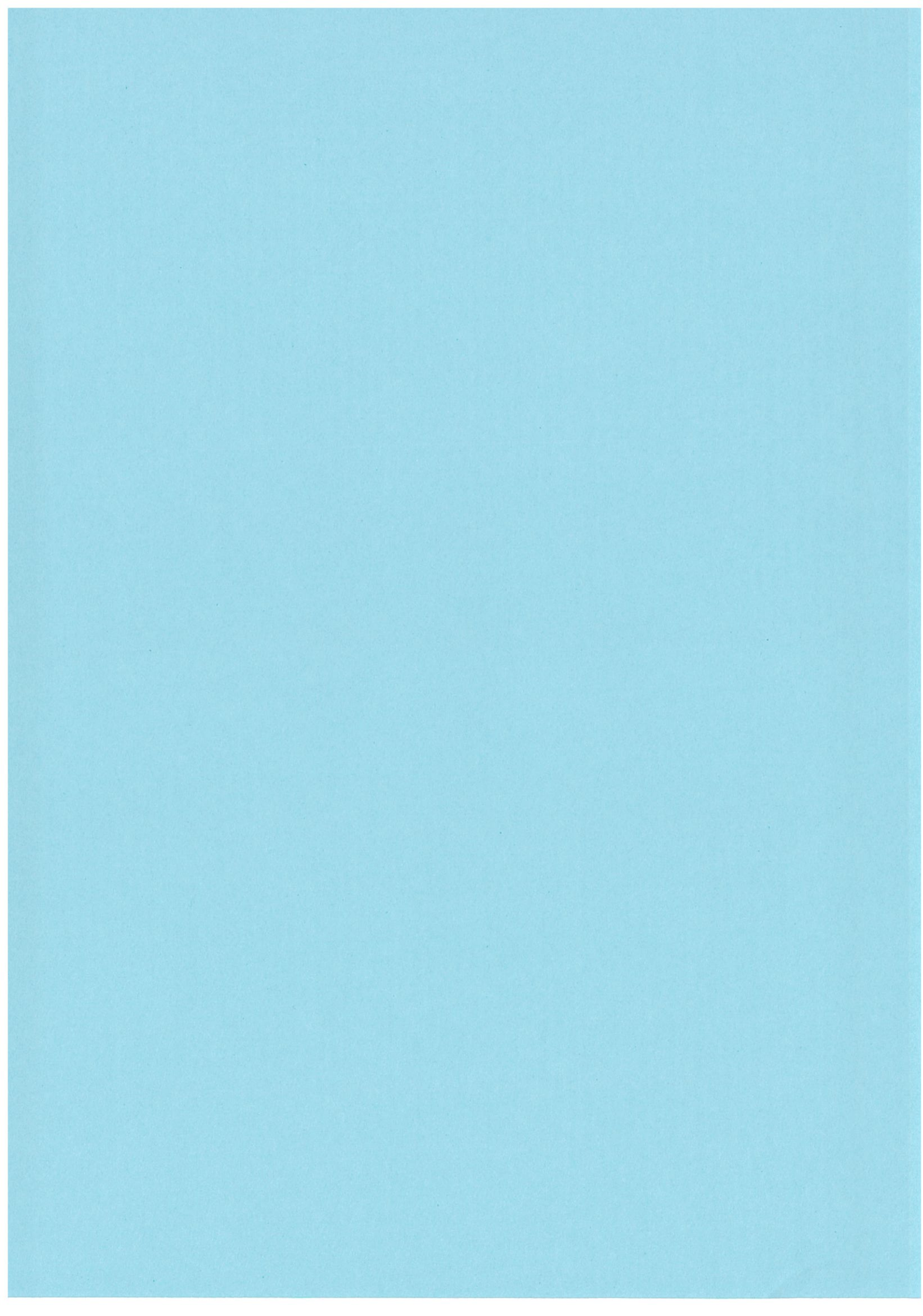
Names and addresses of persons to be served with a copy of this notice:

Name	Address for Service
Auckland Council	<u><a href="mailto:unitaryplan@aucklandcouncil.govt.nz">unitaryplan@aucklandcouncil.govt.nz</a></u>

## ANNEXURE D

Names and addresses of persons to be served with a copy of this notice:

Name	Address for Service
Auckland Council	<u><a href="mailto:unitaryplan@aucklandcouncil.govt.nz">unitaryplan@aucklandcouncil.govt.nz</a></u>





## **Advice to recipients of copy of notice of appeal**

### ***How to become party to proceedings***

You may become a party to the appeal if you are one of the persons described in section 274(1) of the RMA.

To become a party to the appeal, you must, within 15 working days after the period for lodging a notice of appeal ends, lodge a notice of your wish to be a party to the proceedings (in form 33 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003) with the Environment Court by email (to [unitaryplan.ecappeals@justice.govt.nz](mailto:unitaryplan.ecappeals@justice.govt.nz)) and serve copies of your notice by email on the Auckland Council (to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)) and the appellant.

Your right to be a party to the proceedings in the Court may be limited by the trade competition provisions in section 274(1) and Part 11A of the RMA.

You may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing or service requirements (see form 38 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003).

### ***Advice***

If you have any questions about this notice, contact the Environment Court in Auckland.