

# The Proposed Auckland Unitary Plan (notified 30 September 2013)

## 2.21 Sylvia Park

### 1. Activity table

Refer to Sylvia Park precinct plan 1 for the location of Areas A1, A2 and B.

The activities allowed in Area A (being Area A1 and A2) of the Sylvia Park precinct are those listed in the Metropolitan Centre zone, except those specified in the table below. Specific Area B activities are identified in the activity table below.

#### Area A dominant activities

Retail, offices, entertainment, residential, civic and community.

#### Area B dominant activities

A transition area between the intensive development permitted in Area A and the adjoining residential zones with the dominant activity being residential dwellings and home occupations.

A site may contain more than one of the listed activity categories.

Activity	Activity Status
<b>Development - areas A and B</b>	
Buildings up to 24m	C
Buildings between 24m and 60m	RD
<b>Area B – specific activities</b>	
Care centres	P
Community facilities	P
Healthcare facilities	P
Home occupations	P
Informal recreation and leisure	P
Dwellings	P
All other activities in the Metropolitan Centre zone not listed in this activity table, except those deemed as NC	D
NC activities in the Metropolitan Centre zone	NC

### 2. Land use controls

1. The land use controls in the metropolitan centre zone applies in the Sylvia Park precinct unless otherwise specified below.

#### 2.1 Site intensity

1. The land use controls in the metropolitan centre zone applies in the Sylvia Park precinct unless otherwise specified below.

Table 1: Specific GFA limitations

Activity - Area A	Maximum allowable GFA
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Any combination of retail activities	200,000m <sup>2</sup> provided the maximum allowed GFA for retail does not exceed 102,000m <sup>2</sup>
Offices	48,000m <sup>2</sup>
<b>Activity -Area B</b>	<b>Maximum allowable GFA</b>
Combined total of care centres, community facilities and healthcare facilities	3000m <sup>2</sup>
Residential and other permitted activities not listed above and identified in the activity table for this precinct	6000m <sup>2</sup>

2. Bonus accommodation floor area
  - a. Where floor area is developed for residential units, visitor accommodation, hotels, and boarding houses/hostels, the maximum basic GFA limitation may be exceeded by:
    - i. up to 50,000m<sup>2</sup> as a permitted activity
    - ii. over 50,000m<sup>2</sup> as a restricted discretionary activity
    - iii. office activity exceeding 48,000m<sup>2</sup> GFA
    - iv. office activity exceeding 48,000m<sup>2</sup> up to a maximum of 70,000m<sup>2</sup> GFA is a restricted discretionary activity.
    - v. Non-residential activities exceeding the standards above will be considered a discretionary activity.

### 2.2 Home occupations

1. Refer to [clause 3.2](#) of the Residential zone rules.

### 3. Development controls

1. Development in Area A of the precinct not complying with clauses 4.1 – 4.6 below is a discretionary activity.

#### 3.1 Building height

Height areas are set out in Figure 2: Sylvia Park height areas.

1. For the purposes of calculating height in this precinct, the ground level of the site will be calculated based on the earthworks completion report prepared by SKM, dated May 2006 and held by the council on file.
2. Building platform - Area A
  - a. Height area A1
    - i. Buildings must not exceed 60m in height provided all parts of buildings between 24m and 60m in height:
      - in total, do not exceed more than 15 per cent of the area of Height Area A1
      - in each case, do not exceed a floor plate area of 3000m<sup>2</sup>
      - are separated from each other by a minimum horizontal distance of 20m.
    - Height area A2
      - Buildings must not exceed 24m in height.
3. Building platform - Area B
  - a. Buildings must not exceed 10m in height.
4. An infringement of the maximum building height controls in clauses 1-3 above will be considered as a discretionary activity.

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## 3.2 Frontage control

1. Within those parts of the site identified in Figure 3: Sylvia Park structuring elements which are subject to the frontage A control, the establishment of new buildings, or undertaking additions and alterations to existing buildings, must at ground level:
  - a. directly abut the road or any intervening public space to which the control relates
  - b. have a minimum floor to floor height of 4m for a minimum depth of 8m
  - c. have clear glazing for 75 per cent of its height for at least 50 per cent of the ground floor building frontage, other than vehicle entrances and loading bays, and pedestrian entrances and lobbies
  - d. not include residential activity and/or car parking unless retail/commercial activity fronts the street and the residential activity and/or car parking is located behind the retail/commercial activity.
2. Within those parts of the site identified in Figure 3: Sylvia Park structuring elements which are subject to the frontage B control, the establishment of new buildings, or undertaking additions and alterations to existing buildings, must at ground level comply with clauses 1.b - d above.

## 3.3 Car parking

1. On-site car parking must be provided at a minimum rate equal to 75 per cent of the car parking rates set out in the Auckland-wide Transport rules - Table 1c and at a maximum rate that does not exceed the car parking rates set out in Table 3 in section 3.2 of the Auckland-wide rules - Transport section, except in the case of office activities where the following maximum provisions apply:

Table 2

Total office GFA on site	Maximum car parking provision
0m <sup>2</sup> - 10,000m <sup>2</sup>	1:25 m <sup>2</sup>
10,001m <sup>2</sup> - 20,000m <sup>2</sup>	400 spaces + 1:30 m <sup>2</sup> for any office GFA above 10,000 m <sup>2</sup>
20,001m <sup>2</sup> - 30,000m <sup>2</sup>	733 spaces + 1:35 m <sup>2</sup> for any office GFA above 20,000 m <sup>2</sup>
30,001m <sup>2</sup> +	1019 spaces + 1:40 m <sup>2</sup> for any office GFA above 30,000m <sup>2</sup>

## 3.4 Vehicle access

1. Vehicle access to the site is limited to the entry/exit points identified in Figure 3: Sylvia Park structuring elements.

## 3.5 Heavy vehicle access

1. With the exception of emergency service vehicles, heavy motor vehicles are not permitted to enter or leave the site via Stud Way.
2. For the purpose of this rule, a heavy motor vehicle is defined as a goods delivery vehicle and service vehicles with a gross laden weight exceeding 3500kg, where the gross laden weight is the total of the unladen weight of the vehicle and the maximum load the vehicle is generally allowed to carry at the time.

## 3.6 Landscaping and on-site amenity areas

1. A minimum of 10 per cent of the site, except that part designated for railway purposes, must be developed for landscaping and on-site amenity areas.
2. Landscaping must achieve visual enhancement of at-grade car parking areas visible from pedestrian

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access routes and roads subject to the frontage controls shown on Figure 3: Sylvia Park structuring elements.

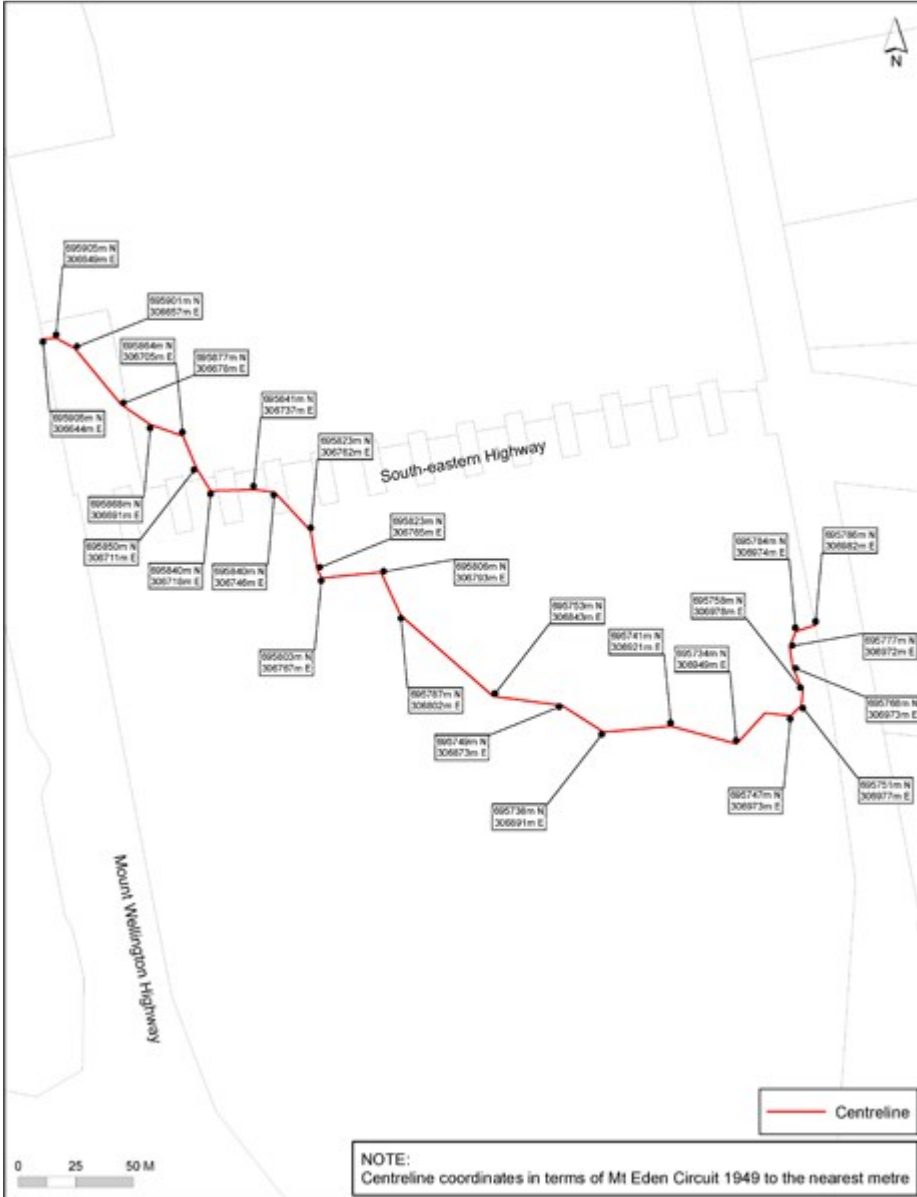
3. The Cone must receive direct sunlight between 11am-2pm September-March inclusive.
4. For the purpose of this clause, on-site amenity areas includes the pedestrian plaza referred to as open space areas and those shown precinct plan 2 including playgrounds, water features, other amenity areas and pedestrian walkways.

### 3.7 Limited earthworks corridor

1. Earthworks must not exceed 1m in depth below ground level within the limited earthworks corridor measured 5m either side of the centre line which is shown on figure 1 – limited earthworks corridor.
2. For the purposes of this rule, ground level is defined as the reduced levels in the precinct as recorded on Tse Group Limited survey plans referenced Project No. 5019-01- 102/1, 102/2 and 102/3 dated 29 January 1999 and held by the council on file.
3. An infringement of the corridor control will be considered as a controlled activity. The application will be served on identified Mana Whenua; being Ngāti Paoa, Ngāti Maru, Ngāti Whanaunga and Ngāti Tamatera.

**Figure 1: Limited earthworks corridor**

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## 4. Assessment - Controlled activities

### 4.1 Matters of control

For activities/development that is a controlled activity in the Sylvania Park precinct, the council will reserve its control to the following matters, in addition to the matters specified for the relevant controlled activities in the Metropolitan Centre zone.

1. Buildings less than 24m in height
  - a. General design principles
    - i. The extent to which:
      - development provides an integrated and legible urban form
      - development provides a variation in building height
      - development contributes to the prevention of crime through design and configuration, with reference to the CPTED criteria (x-ref to the general criteria)
      - legible and safe pedestrian access routes as shown in precinct plan 2 are provided between significant on-site activities, including public transportation facilities

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- the scale and location of buildings provide a sense of enclosure to Mount Wellington Highway
  - buildings are sustainable, using durable low maintenance materials, maximising solar access and natural ventilation, and incorporating mechanical and electrical systems that optimise energy efficiency
  - on-site stormwater conservation measures are incorporated where appropriate, including rainwater harvesting devices, green roofs or rain gardens
  - development has regard to the required works and management plans set out in Part A and B of the Sylvia Park precinct
  - development avoids, remedies or mitigates any adverse effect on the identification and commemorative measures in relation to the stream and limited earthworks corridor.
- b. Building design
- i. The extent to which:
    - building design is of high-quality, showing creativity and responsiveness to the local context, including architectural character and expression, use of materials, articulation and modulation to create visual interest
    - modulation of the facade is expressed at macro, medium and detail scales
    - flat planes or blank facades devoid of modulation, relief or surface detail have been avoided where appropriate
    - the building is of a form, location and orientation that minimises or avoids creating adverse shadowing, amenity and wind effects for:
      - the Cone, Green and key future amenity areas
      - the pedestrian connections as shown in Figure 3: Sylvia Park structuring elements
      - any residential zones in the vicinity of the precinct.
- c. At street level, the extent to which:
- i. the building contributes to pedestrian vitality, interest and public safety through the use of architectural detail and maximising door and window openings
  - ii. building entrances are easily identifiable and accessible from street level, and provide pedestrian shelter
  - iii. separate pedestrian entrances have been provided for different uses within the building, particularly for residential activity
  - iv. vehicle accesses and loading facilities are designed for pedestrian safety in terms of location, visibility, and width.
- d. At upper levels and on rooftops, the extent to which:
- i. large expanses of blank walls are avoided on road and public open space frontages
  - ii. architectural design differentiates upper building levels from middle and ground levels
  - iii. cantilevered balconies are avoided
  - iv. roof profiles should be part of the overall building form and contribute to the architectural quality of the skyline as viewed from both ground level and higher surrounding buildings. This includes the integration of plant, exhaust and intake units and other mechanical and electrical equipment into the overall rooftop design.
- e. Engineering

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- i. The extent to which the:
  - building design avoids or mitigates natural hazards arising from stormwater and stability issues in the precinct
  - design and location of the building impacts the overland flow path registered on the certificate of title.
- f. Other
  - ii. Prior to construction starting, a site and traffic management plan has been provided to council's satisfaction, specifying:
    - the site manager and contact details
    - measures to maintain the site in a tidy condition in terms of disposal and storage of rubbish, storage and unloading of building materials and similar construction activities
    - measures for waste management, including designated sites for storage and collection of refuse and glass/plastic/can recycling bins in accordance with the council's waste reduction policy
    - procedures for controlling sediment runoff and the removal of soil debris and construction materials from public roads or places
    - proposed numbers and timing of truck movements throughout the day including identification of heavy vehicle routes which avoid residential streets
    - location of workers' conveniences
    - site entry/exit for construction vehicles
    - hours of construction and demolition
    - dust control measures
    - location of site hoardings
    - procedures for managing construction traffic.
  - iii. Where development exceeds 148,000m<sup>2</sup>, the extent to which on-site or off-site roading works are required to mitigate significant traffic effects covered in clause 7.1.d. below.
  - iv. Earthworks greater than 1m deep below ground level within the limited earthworks corridor
    - Control is restricted to and applications will be assessed in terms of any effect on the relationship of Mana Whenua and their culture and traditions with wāhi tapu in the precinct, especially wāhi whenua and wāhi pito.
    - Conditions may be imposed on consents to avoid, remedy or mitigate any adverse effects of works to support Mana Whenua, including:
      - a requirement to notify the council and Mana Whenua before any earthworks start
      - supervision of works by a council-appointed archaeologist and Mana Whenua representatives
      - control how earthworks are managed, such as hand digging rather than mechanical digging
      - limits on the duration of the works
      - controls aimed at minimising the physical extent of the works
      - controls aimed at locating the works to minimise their effect on wāhi tapu.

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## 5. Assessment - Restricted discretionary activities

### 5.1 Assessment criteria

In addition to having reference to the guiding principles set out in Sylvia Park precinct Policy 3, discretion is restricted to:

1. Residential units, visitor accommodation, hotels, and boarding houses/hostels where the maximum combined total GFA exceeds 250,000m<sup>2</sup>.
  - a. the extent to which development contributes to achieving a modal shift toward more sustainable transport modes including any available information demonstrating the success or otherwise of travel management measures implemented at Sylvia Park.
2. Office activity exceeding 48,000m<sup>2</sup> up to a maximum of 70,000m<sup>2</sup> GFA and any combination of retail entertainment facilities, taverns, restaurants, cafes and other eating places between 120,000m<sup>2</sup> and 130,000m<sup>2</sup>, provided retail activity does not exceed 102,000m<sup>2</sup>.
  - a. The extent to which development contributes to achieving a modal shift toward more sustainable transport modes including any available information demonstrating the success or otherwise of travel management measures implemented at Sylvia Park.
  - b. The extent to which the activity will result in a total trip generation for Sylvia Park in excess of 4350 private vehicle trips per hour in weekday 4pm-6pm peaks.
  - c. For the purposes of calculating this number, any unrealised GFA for:
    - i. Retail entertainment facilities taverns restaurants, cafes and other eating places below the 120,000m<sup>2</sup> provided for as a permitted activity will be factored into the calculation at a rate of 2.61 trips per 100m<sup>2</sup>
    - ii. Offices already consented or below the 48,000m<sup>2</sup> provided for as a permitted activity will be factored into the calculation at a rate of 1.65 trips per 100m<sup>2</sup>.
    - iii. The extent to which measures are proposed to mitigate adverse traffic effects where total private vehicle trips per hour in the weekday 4pm-6pm peaks exceeds 4350.
3. Buildings over 24m high in Height area A1  
In addition to the criteria for assessment of buildings as a controlled activity set out above, discretion is restricted to whether:
  - a. the building maintains or enhances visual amenity of development on the site as a whole as viewed from residential zones, and from public places outside the Sylvia Park precinct
  - b. building scale and location provides an appropriate transition between the activities on the site and neighbouring residential activities
  - c. views to and from Hamlins Hill are significantly compromised as a result of the concentration of large-scale building forms
  - d. the building responds and relates appropriately to the scale of the surrounding public infrastructure, including the Southern Motorway, South Eastern Arterial (SEART), Mt Wellington Highway, and the main trunk railway line
  - e. the building responds and relates appropriately to the scale and form of neighbouring onsite buildings
  - f. the building provides an attractive silhouette against the sky when viewed from major public spaces within and around the site, making a positive contribution to the collective skyline of the commercial centre
  - g. the location of the building has been considered in relation to its urban context and makes a positive contribution to the urban structure, particularly with regard to the distribution of other taller buildings and the location of public open spaces and amenities.



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### 6. Assessment - Development control infringements

1. Frontage control
  - a. Where buildings do not front the road boundary, the extent to which intervening space is developed and designed as a public amenity area, including hard or soft landscaping.
  - b. . The extent to which the structural framework of the building enables conversion of the floor space to comply with future height and glazing requirements.
  - c. The extent to which building design and/or landscaping features mitigate a reduction in glazing.
  - d. The extent to which the building design and/or location adversely affects pedestrian amenity.
2. Car parking
  - a. Where less than the minimum car parking is to be provided, the extent to which spillover car parking outside the site creates adverse effects in terms of residential amenity.
  - b. Where car parking is to be provided at more than the maximum allowed, the extent to which:
    - i. the activity will adversely affect the operational capacity and efficiency of the adjacent road network
    - ii. the site as a whole is achieving a modal shift toward more sustainable transport modes
    - iii. the excess car parking is of a temporary or fixed duration.
  - c. Car parking and loading not meeting the requirements of Tables 3 and 4 in clause 3.2 of the Auckland-wide rules - Transport section will be assessed against the relevant matters set out in clause 5 of the Auckland-wide rules - Transport section.
3. Vehicle access
  - a. The extent to which any new access will adversely affect the operational capacity and safety of the adjacent road network and amenity of adjacent sites.
4. Heavy vehicle access
  - a. The extent to which heavy vehicle access may result in adverse effects in terms of road safety and residential amenity.
5. Landscaping and on-site amenity areas
  - a. The extent to which the infringement may result in the loss of on-site amenity.

### 7. Required works and management plans

Works and management plans must be provided to council's satisfaction and protected by conditions on resource consents or by way of other mechanisms outside the district plan. Except as otherwise provided in this precinct, the works and management plans described below are to be funded by the landowner(s) or their nominee.

1. Required works
  - a. Pedestrian plaza
    - i. A pedestrian plaza with a minimum area of 400m<sup>2</sup> must be provided within Area A south of the south-eastern arterial flyover and located so it can be conveniently accessed from other parts of the site, is sheltered from the wind, is designed for personal safety, and receive direct sunlight between 11am and 2pm. The design and location of the plaza must be approved by the council. The location of the plaza should be determined having regard to the alignment of nearby streets, the distribution of activities, and the configuration of buildings. The plaza is to be provided no later than the completion of 148,000m<sup>2</sup> of GFA of development on the site.
  - b. Drainage

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- i. Any relocation, reconstruction or diversion of existing public sewer or stormwater drains through the site, necessary to allow development of the centre, must meet design standards specified by the relevant authority. Such work will be to the cost of the development except insofar as the relevant authority requests or requires that replacement drains have a greater nominal capacity than the existing system and this extra capacity is required to serve land outside the development.
  - ii. Any existing drain requiring reconstruction due to its physical condition will be the subject of a financial contribution from the development to the extent only that additional capacity is required to service the development.
  - iii. A primary stormwater system of underground pipes or open channels must be provided to convey runoff from the site from storms with a 10-year return period.
  - iv. A secondary system of overland flow paths must be provided to convey additional runoff from the site from storms with a return period greater than 10 years, and up to 100 years.
- c. Pedestrian and cycleway connection
- i. A new safe pedestrian and cycleway connection must be provided to connect the site to Lynton Road in the general location shown in precinct plan 2.
  - ii. The connection will have a minimum width of 5m and a design approved by the council.
  - iii. The connection is to be provided no later than completion of 148,000m<sup>2</sup> of GFA of development on the site.
- d. Off-site roading works
- i. Council may require, as conditions upon resource consents granted in accordance with the criteria set out in Part D below, works or financial contributions so that any physical changes to the roading network required as a result of the redevelopment of the site in accordance with the core precinct are carried out.
  - ii. Conditions regarding on-site or off-site road works, including a requirement to signalise internal roundabouts, may be imposed on individual applications for resource consent that will increase total approved development on the site above 148,000m<sup>2</sup> as the need for such works becomes apparent. The amount of any financial contribution payable on any individual application will be the proportion of the actual cost of road works required as a result of the particular application. The proportion payable on any application will be determined taking into account the amount of traffic generated by the development of the centre for which resource consent is being sought, relative to existing traffic, and the extent to which that development will use up additional capacity provided by the intersection improvements. In calculating the financial contribution payable, consideration will also be given to the benefits accruing to other road users and property owners in terms of actual usage and increased capacity.
- e. Financial contribution for off-site amenity
- i. A total financial contribution of \$1.5m is to be provided by the developer for works to improve off-site amenity in the local Panmure/Mt Wellington/Sylvia Park community. Such works may include children's play areas, street landscaping, paving and furniture, pedestrian facilities, and environmental improvements.
  - ii. The financial contribution must not be used to fund any works required to mitigate the adverse effects of the proposed northern access route linking Waipuna and Lynton roads to the precinct. Any acoustic or visual mitigation measures required as part of a resource consent must be separately funded by the developer.
  - iii. A financial contribution of \$750,000 was paid to council at the initial stage of development. A

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second contribution of \$750,000 is to be paid to the council no later than the completion of a total of 80,000m<sup>2</sup> GFA of development on the site.

### 2. Management plans

#### a. Transport plan

- i. A comprehensive transport plan must be developed, setting out:
  - the physical infrastructure to be established or that is currently established on-site to support the use of alternative forms of transport such as public transport; adequate facilities for cyclists - showers, lockers and changing facilities; carpool parking areas; travel reduction information boards in foyer areas for information such as timetables and route maps; and an internet service to enhance awareness of alternative transport services.
- ii. The physical linkages to be provided on the site to link with surrounding pedestrian and cycle networks and public transport resources.
- iii. Operational measures to encourage reduced vehicle trips, including car sharing schemes, public transport use incentives, flexitime, staggered working hours.
- iv. A plan setting out how car parking for the site is to be managed in an integrated manner to optimise usage whilst facilitating the use of other modes to the greatest extent practicable.
- v. Any proposal to provide for the extension, relocation and/or improvement of the bus station in order to accommodate any increase in patronage or services.

#### Note

The transport plan must be submitted to the council for approval and thereafter updated as required and approved by the council prior to the grant of any resource consent involving additional GFA. An integrated transport assessment will be lodged with any application for resource consent involving additional gross floor area in excess of 5000m<sup>2</sup> GFA. The detail to be provided in the update of the transport plan and in any integrated transport assessment must be commensurate with the scale of the development proposed and its anticipated effects.

#### ii. Landscape management plan

- Once development on the site exceeds 148,000m<sup>2</sup>, a comprehensive landscape management plan must be developed setting out the overall landscape precinct for the site and details of maintenance plans. This plan must address both hard and soft landscaping, provision of public art, and the design precincts for plaza spaces. Landscaping must be developed and maintained on the site in accordance with the management plan. The plan must be updated as required and be part of any application involving significant new development on the site.
- The plan must be submitted to the council for approval and thereafter updated as required and approved by the council prior to the grant of any resource consent involving additional GFA.

#### iii. Signage

- Once development on the site exceeds 148,000m<sup>2</sup>, a comprehensive signage concept plan must be developed. Any applications for new signage must show how the proposed signage accords with the overall signage plan. The signage plan must be updated as required, including as part of any applications involving significant new development on the site.

#### Note

The signage plan must be submitted to the council for approval and thereafter updated as required and approved by the council prior to the grant of any resource consent involving new signage or applications under the signs bylaw.

#### iv. Street amenity and maintenance

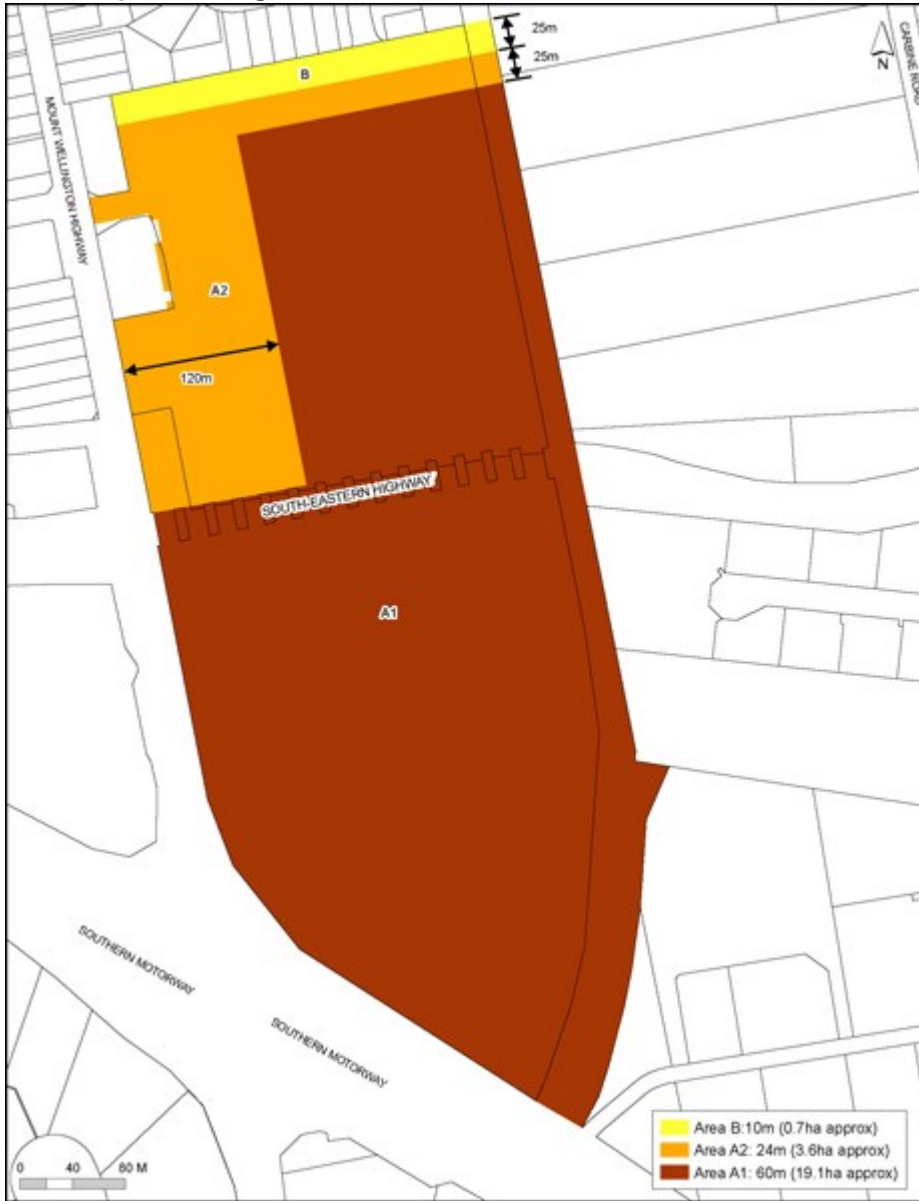
- Once development on the site exceeds 148,000m<sup>2</sup>, a street amenity and maintenance plan must be prepared, setting out the design and maintenance of the internal street network. This must set

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out the design treatment of internal streets including details of paving materials, public transport facilities, road signage, lighting and street furniture and how streets will be maintained. The street amenity and maintenance plan must be updated as required, including as part of any applications involving significant new development on the site.

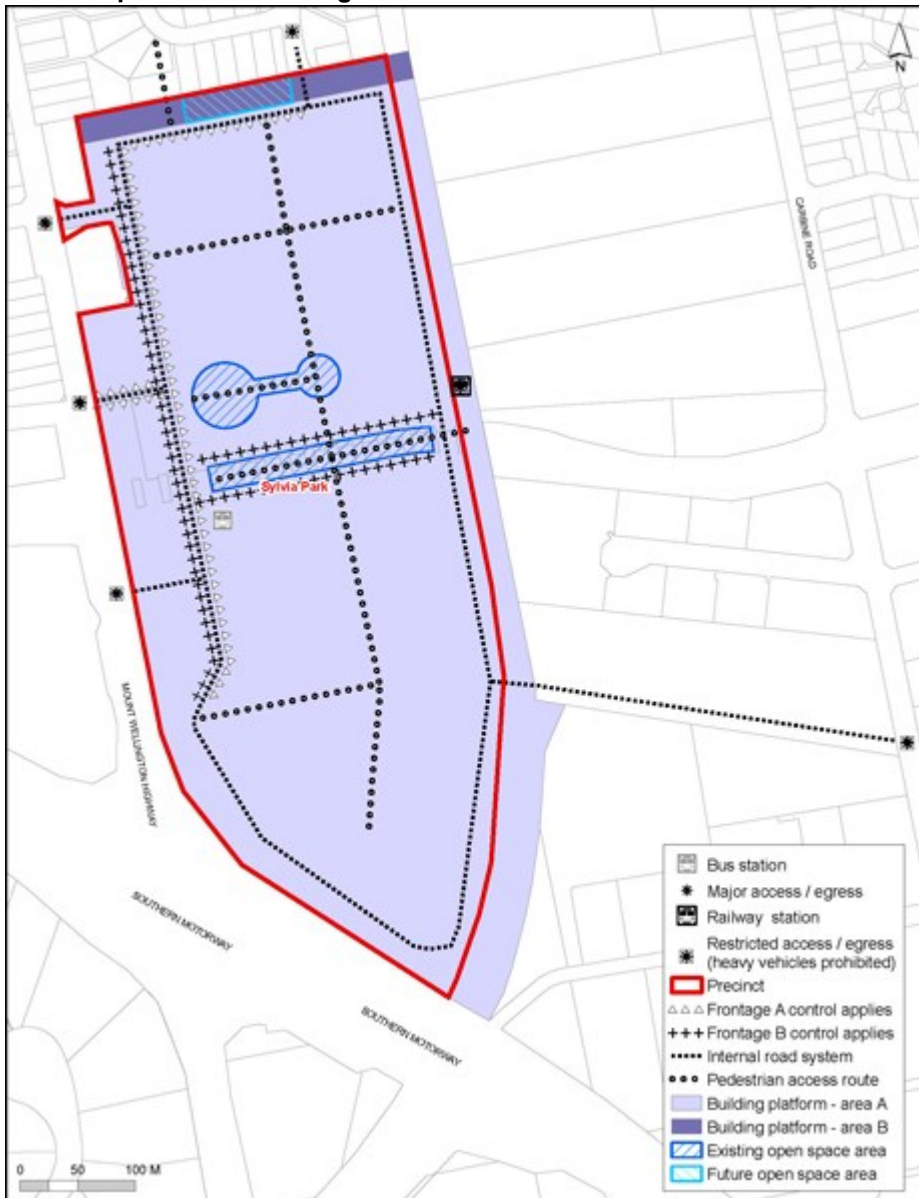
8. Precinct plans

Precinct plan 1: Height areas



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## Precinct plan 2: Structuring elements



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