

G14-15 CONCEPT PLAN - SYLVIA PARK

Explanation

Sylvia Park is a strategically suitable location for a sub-regional / principal centre incorporating a wide range of activities in close proximity to important transport corridors and routes. The site is a catalyst for intensive redevelopment of the wider area.

The provisions of this Concept Plan, along with a package of other methods outside of the district plan, are designed to facilitate development of the commercial heart of the Sylvia Park sub-regional / principal centre.

The key guiding principles/attributes for future development are:

- 1. Provision of an integrated and legible urban form*
- 2. Enablement and encouragement of a mix of activities*
- 3. Development of high quality buildings*
- 4. Development of high quality, vibrant and accessible streets and public spaces*
- 5. Facilitation of multi-modal access to encourage sustainable transportation patterns*
- 6. Achievement of a form of development that respects the surrounding cultural and physical environment*

The site is unusual in that the land is held in single ownership. This allows development to be planned and implemented in an integrated and comprehensive manner. To date this has been achieved through the provision of key structuring elements for the site: roads; public transport infrastructure; buildings; and open spaces. Future development on the site will be carried out within the context of this established underlying urban structure.

Enabling the development of a mixed-use environment is seen as a key element of the development of a sub-regional / principal centre. The site itself may not contain all the elements that will make up the sub-regional / principal centre but it will form the commercial heart. The Concept Plan provisions enable and encourage the establishment of a wide range of activities including retail, entertainment, education, civic, commercial, and residential.

The development of high quality buildings is an important element of achieving a high quality environment and a sense of place for the community. Particular consideration needs to be given to building form, function, detailing and materials used for new buildings.

There are a number of existing formal and informal public spaces and amenity areas on the site. Key formal public spaces are the Cone and the Green.

Future development should protect these spaces from adverse wind and shading effects. There is also an opportunity to create further public spaces on the site as part of the development of a commercial heart of a future sub-regional / principal centre. In the longer term improved linkages could be provided by Council to better connect Sylvia Park with Hamlins Hill and Panmure Basin.

The site has a train station and bus interchange which provide convenient access to regional transport infrastructure. In addition, a network of pedestrian and cycle ways has been established within the site. These pedestrian and cycle ways also connect to the wider environs which are earmarked for future intensification. These features provide an opportunity to achieve a modal shift away from private vehicle use and will facilitate a more sustainable form of development in the longer-term. A sub-regional / principal centre is likely to stimulate and attract to the area other developments and redevelopments that will contribute to the development of a larger node of activity and, for this reason, it is anticipated that significant use of the public transport facilities will occur.

In the future, it is possible that the industrial land to the east of the railway station will be redeveloped. Depending on the future form of the development that occurs on this land, there may be opportunities to focus activities (occurring both within the site and on adjoining properties) towards the railway station.

The site is bordered and bisected by large-scale transportation infrastructure. With the exception of the northern part of the site, there is a limited extent to which development on the site is able to integrate directly with other sites in the wider area. In the case of the northern portion of the site there is an opportunity to integrate the sub-regional / principal centre into the existing residential area centred around Roslyn and Lynton Roads.

The 'Limited Earthworks Corridor' (shown in Diagram G14-15(3)) identifies an area of spiritual and cultural importance to tangata whenua. In recognition of the importance of this area, specific controls are incorporated applying to earthworks of a depth greater than 1 metre below ground level as at 29 January 1999. It is recognised that some piling or service earthworks requiring resource consents may be necessary within the Corridor.

Definition: In the context of this Concept Plan "site" means the area covered by the Concept Plan.

PART A: ACTIVITIES

AREA A

DOMINANT ACTIVITY

Area A is to be the commercial heart of a sub-regional / principal centre in which the dominant activities are retail, office and entertainment and may include residential.

PERMITTED ACTIVITIES

- Accessory buildings or ancillary activities for permitted activities
- Internal additions and internal alterations to existing buildings
- Boarding houses / hostels
- Building improvement and hire centres
- Bus transfer stations
- Care centres
- Carparking that complies with the carparking development controls
- Community welfare facilities
- Drive through facilities
- Entertainment facilities
- Educational facilities
- Garden centres
- Healthcare services
- Laboratories
- Offices
- Open space
- Places of assembly
- Premises for cultural activity and/or natural display
- Residential units
- Visitor accommodation
- Restaurants, cafes and other eating places
- Retail premises
- Taverns
- Tourist complexes
- Workrooms

AREA B

DOMINANT ACTIVITY

Residential units and home occupations

Area B is to be designed as a transitional area between the intensive development permitted in Area A and the adjoining residential zones.

PERMITTED ACTIVITIES

- Care centres#
- Community welfare facilities#
- Healthcare services#
- Home occupations (refer to Part B15)
- Open space
- Residential units

AREAS A and B

RESTRICTED CONTROLLED ACTIVITIES

- The construction of or any addition to building(s) not provided for as a permitted activity, including buildings up to 10m in height in Area B and up to 24m in height in Area A.

Except as provided for by section 95A(4) of the Act, such restricted controlled activities will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons and will be assessed according to matters the council has reserved control over in the Concept Plan as set out below.

- Earthworks greater than 1 metre in depth below ground level within the Limited Earthworks Corridor. For the purposes of this rule 'ground level' shall be defined as the reduced levels on the site as recorded on Tse Group Limited site survey plans referenced Project No. 5019-01-102/1, 102/2 and 102/3 dated 29 January 1999 and held by the Council on the Plan Change file. The Limited Earthworks Corridor comprises a corridor of land 5 metres in width centred on the line shown on Diagram G14-15(3).

The Council need not serve a copy of any application for earthworks greater than 1 metre in depth below ground level within the Limited Earthworks Corridor on any party other than tangata whenua.

Advisory note: the tangata whenua who have been involved in the identification of the Limited Earthworks Corridor comprise Ngati Paoa, Ngati Maru, Ngati Whanaunga and Ngati Tamatera.

RESTRICTED DISCRETIONARY ACTIVITIES

- Subdivision
- The construction of or any addition to building(s) between 24m and 60m in height in Height Area A1.

Except as provided for by section 95A(4) of the Act, any restricted discretionary activity will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons and will be assessed according to matters the council has restricted its discretion over in the Concept Plan as set out below.

DISCRETIONARY ACTIVITIES

- Any activity not listed as a permitted, controlled or restricted discretionary activity.

PART B: DEVELOPMENT CONTROLS

All development is subject to the development controls specified by this Concept Plan. An application to modify the development controls will be considered as follows:

No.	Rule	Status
B1	Building Platform	D
B2	Site Intensity for activities other than residential.	D
B2	Site Intensity for residential activities.	RD*
B3	Maximum Height	D
B4	Building in Relation to Boundary	RD
B5	B5 Frontage Control	RD*
B6	Parking more than maximum or less than minimum	RD*
B7	Vehicle Access	RD
B8	Heavy Vehicle Access	RD
B9	Landscaping and On-site Amenity Areas	RD*
B10	Noise	RD
B11	Minimum Size of Residential Units	RD*
B12	Outlook and Private Open Space for Residential Units	RD*

RD = Restricted Discretionary Activity

D = Discretionary Activity

Except as provided for by section 95A(4) of the Act, activities notated * will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons.

1. Building Platform

Building development is limited to the building platform defined on Diagram G14-15(1).

Explanation

Subject to compliance with the relevant bulk and location controls, new buildings can be established anywhere on the site. The favourable topographical conditions together

the relative lack of sensitive activities within close proximity means that there is no requirement to impose any particular restrictions on where development can occur. The land within close proximity to the SEART flyover is subject to access easements and any development in this area is subject to restrictions imposed by these easements.

2. Site Intensity

Overall Gross Floor Area Limitation

The maximum total gross floor area on the site is 250,000m² provided that any proposal to exceed that limit shall be assessed:

- as a restricted discretionary activity if it is for residential units; or
- as a discretionary activity if it is any activity other than residential units.

Specific Gross Floor Area Limitations

Activity-Area A	Maximum Allowable Gross Floor Area
Any combination of: retail; entertainment facilities; taverns; restaurants, cafes & other eating places	130,000m ² provided that the maximum allowed gross floor area for retail shall not exceed 110,000m ²
Any permitted activity other than residential units, visitor accommodation and boarding houses / hostels.	200,000m ²
Residential units, visitor accommodation and boarding houses / hostels.	250,000m ²
Activity – Area B	Maximum Allowable Gross Floor Area
Residential & other permitted activities	6,000m ²
Combined total of activities marked # in the permitted activities table	3,000m ²

Explanation

The Concept Plan envisages that a wide range of activities will be established on the site. In

order to encourage mixed use development limits are imposed on retail, entertainment facilities, taverns, restaurants, cafes and other eating places.

In order to encourage residential activity to be established 50,000m² of GFA can be taken up above 200,000m² provided it is used for residential purposes.

The specific GFA caps on activities other than residential units, visitor accommodation and boarding houses / hostels have been imposed in order to encourage the development of a mixed use centre and because traffic effects beyond the specified caps have not been assessed.

The overall cap can be exceeded by residential activities by way of a restricted discretionary activity with council's discretion being restricted to matters relating to transportation modes.

Any other activity exceeding either the specific GFA limit for that activity or the overall GFA limit will be assessed as a discretionary activity.

3. Maximum Height

The height areas are set out on Diagram G14-15(2).

For the purposes of calculating height under this Concept Plan the ground level of the site shall be calculated based on the earthworks completion report prepared by SKM and dated May 2006.

(a) Building Platform – Area A

(i) Height Area A1

Maximum height – 60m provided that all parts of buildings between 24m and 60m in height shall:

- in total, not exceed more than 15% of the area of Height Area A1;
- in each case, not exceed a floor plate area of 3,000m²; and
- be separated from each other by a minimum horizontal distance of 20m.

(ii) Height Area A2

Maximum height – 24m

(b) Building Platform – Area B

Maximum height – 10m

Explanation

Ten metre and 24m height limits are applied to the northern and north-western parts of the site in order to provide a height transition between the remainder of the site and the residential properties to the north and north-west.

Elsewhere on the site a 60m height limit applies. Buildings up to this height are appropriate for a sub-regional / principal centre and will enable development to respond to the large-scale regional infrastructure that borders and bisects the site without detracting from visual connections between Hamblins Hill and Mt Wellington.

Buildings up to 24m in height can be established without generating significant adverse shading, wind, visual or dominance effects. Given their additional visibility, buildings over 24m in height are subject to a restricted discretionary activity consent so that they can be assessed in terms of the way they relate to their surrounding environment.

Parts of buildings above 24m in height are subject to maximum floor plate and minimum separation distance controls in order to discourage large buildings being concentrated within particular areas of the site and so that potential building dominance effects are avoided.

4. Building in Relation to Boundary

Where a site adjoins land zoned residential (other than Residential 7a, 7b, or 7c), no part of any building shall project beyond a building envelope contained by a 45° recession plane from points 2.0m above the common boundary.

Explanation

A building in relation to boundary control is applied to Area B as this part of the site interfaces directly with residential properties to the north. The height in relation to boundary control is designed to enable development at or in close proximity to boundaries while providing daylighting and limiting dominance to adjoining sites.

5. Frontage Control

Within those parts of the site that are identified on Diagram G14-15(1) as being subject to the Frontage A Control, new buildings, or additions and alterations to existing buildings, shall 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% of its height for at least 50% of the ground floor building frontage (other than vehicle entrances and loading bays, and pedestrian entrances and lobbies); and
- (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 to the rear of the retail/commercial activity.

Within those parts of the site that are identified on Diagram G14-15(1) as being subject to the Frontage B Control, new buildings, or additions and alterations to existing buildings, shall at ground level comply with clauses (b) to (d) above.

Explanation

The purpose of this control is to provide a built environment that will encourage active street and public space frontages.

6. Parking

Parking shall be provided on the site at a minimum rate equal to 75% of the car parking rates set out in Clause 12.8.1 Parking and at a maximum rate that does not exceed the parking rates set out in Clause 12.8.1 Parking except in the case of office activities where the following maximum provisions shall apply:

Total Office GFA on Site	Maximum Parking Provision
0 m ² to 10,000m ²	1:25 m ²
10,001m ² to 20,000m ²	400 spaces + 1:30 m ² for any office GFA above 10,000 m ²
20,001m ² to 30,000m ²	733 spaces + 1:35 m ² for any office GFA above 20,000 m ²
30,001m ² +	1019 spaces + 1:40 m ² for any office GFA above 30,000m ²

Parking on site may be shared between activities with the exception that total office parking shall not exceed the maximum rates set out in the above table.

Loading spaces shall be provided at a minimum rate as set out in Clause 12.8.1.2.

All parking and loading spaces shall comply with the requirements set out in Clause 12.8.1.3 Assessment and Formation of Parking and Loading Areas.

Explanation

Maximum parking rates are applied as it is recognised that there is a link between parking provision and trip generation and that parts of the roading network around Sylvia Park at times currently experience congestion.

Minimum parking rates are applied as it is recognised that, while a shift to alternative modes is desirable in the short to medium term, private vehicle use is likely to remain the dominant mode of transport. Parking shortfalls have the potential to result in parking spilling over to adjoining residential neighbourhoods which could give rise to unacceptable amenity effects.

Sylvia Park has both a train station and bus interchange and also has facilities to encourage active modes. In the short to medium term, however, it is important that constraints on parking do not discourage activities from locating at Sylvia Park as this would undermine its ability to develop as a sub-regional / principal centre. For this reason a progressive maximum parking control has been developed in respect of office activities.

In all cases, the provision of less parking than is required under the district plan is encouraged by applying restricted discretionary activity consent status to such applications.

7. Vehicle Access

Vehicle access to the site shall be limited to the access / egress points identified on the Diagram G14-15(1).

Refer also to clause B8 below for requirements for heavy vehicle access.

Explanation

There are currently five accesses to Sylvia Park: three from the west via Mt Wellington Highway; one from the north via Stud Way; and one from the east via Carbine Road. Further accesses may be required in the future, however, any such access will be subject to a restricted discretionary activity resource consent process.

8. Heavy Vehicle Access

With the exception of emergency service vehicles, heavy motor vehicles are not permitted to enter or leave the site via Stud Way.

For the purpose of the rule Heavy Motor Vehicle is defined as goods delivery and service vehicles with a gross laden weight exceeding 3500 kilograms, 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 on New Zealand roads at the time.

Explanation

The movement of heavy vehicles has the potential to create adverse noise and amenity effects on the residential properties located to the north of the site. For this reason, the Stud

Way access is restricted to vehicles weighing under 3500 kilograms.

9. Landscaping and On-Site Amenity Areas

- (a) A minimum of 10% of the site (except that part of the site which is designated for railway purposes) shall be developed for landscaping and on-site amenity areas.
- (b) Landscaping shall be provided to achieve visual enhancement of at-grade parking areas visible from pedestrian access routes and roads subject to the Frontage Controls shown on Diagram G14-15(1).
- (c) The Cone is required to receive direct sunlight between 11am – 2pm between the months of September and March (inclusive).

For the purpose of this clause, 'on-site amenity areas' include the pedestrian plaza referred to in clause C1, open space areas (including those shown on Diagram G14-15(1)), playgrounds, water features, other amenity areas and pedestrian walkways.

Explanation

The purpose of this control is to ensure that an appropriate level of amenity is achieved for the site. Amenity can be derived from both soft landscaping (e.g. lawn, groundcover planting, and trees) and hard landscaping (e.g. plaza areas and lanes).

Separate rules and assessment criteria deal with building design and outdoor storage areas. For this reason, it is not expected that landscaping will be required to perform a visual screening function.

10. Noise

For the purposes of this rule, noise levels shall be measured and assessed in accordance with the requirements of New Zealand Standard NZS 6801:2008 "Acoustics - Measurement of Environmental Sound" and New Zealand Standard NZS 6802:2008 "Acoustics - Environmental Noise" except for the requirements specifically stated in this rule.

When assessing the noise from activities within or from the use of the site, in terms of the following standards, noise generated by trains on that part of the zone forming part of the North Island Main Trunk railway and vehicles using the South Eastern Highway shall be disregarded.

- (a) Noise received on Residentially Zoned Land

The noise from activities within or from the use of the site shall not exceed the following levels when measured on any residentially zoned land.

	Noise Level	
	L10	Lmax
Monday to Saturday 0700 to 2200hrs	55 dBA	-
Sunday and Public Holidays 0900 to 1800hrs	55 dBA	-
At all other times	45 dBA	75 dBA

- (b) Noise Received in Residential Units on the Site

Residential units on the site shall achieve the following internal noise performance standards:

- Bedrooms: 35 dBA Leq
- All other habitable rooms: 40 dBA Leq

This noise performance standard shall be achieved by either:

- i) appropriate acoustic design and construction of the residential units; or,
- ii) control and location of noise generating activities on the site

A certificate confirming that proposed on-site residential units will comply with the internal noise criteria shall be provided by an acoustic engineer who is a member of the New Zealand Acoustical Society, before the issue of any relevant building consent.

- (c) Noise Received on Business Zoned Land

The noise received from activities within or from the use of the site shall not exceed the following levels when measured on any business zoned land.

Business Zone	Noise Level L10
4	60 dBA
5	70 dBA

- (d) Construction Noise

Noise from construction activities shall not exceed the limits recommended in, and shall be measured and assessed in accordance with New Zealand Standard NZS 6803:1999 "Acoustics Construction Noise".

The noise limits of Table 1 of NZS 6803P: "Recommended Upper Limits for Levels of Construction Work Noise Received in Residential Areas" shall apply to all residentially zoned land and to all occupied residential units on the site.

Explanation

Excessive noise occurring for a continuous period or duration can be damaging to public health and can have an adverse effect on the amenity of the receiving environment.

As well as providing noise protection on residential boundaries it is also appropriate that some acoustic privacy is provided between sites within business zones. A mixture of uses is highly likely within these zones and some activities may require appropriate levels of acoustic privacy.

It is expected that over time residential units will be developed on the site. These units should be designed in such a way that a reasonable level of acoustic amenity is provided for future residents.

11. Minimum Size of Residential Units

Residential units shall have the following minimum sizes:

- (a) Studio: minimum 35m²
- (b) One bedroom: minimum 45m²
- (c) Two bedroom: minimum 70m²
- (d) Three plus bedroom: minimum 90m²

Explanation

The purpose of this control is to achieve minimum standards of amenity for occupants of residential units.

12. Outlook and Private Open Space for Residential Units

- (a) Each residential unit shall have an outdoor living area comprising at least:
 - (i) an exclusive area at ground level of 25m² with a minimum width of 3m which has convenient access from a living room; or
 - (ii) a balcony with an area of 8m² and a minimum width of 1.6m which has convenient access from a living room; or
 - (iii) a roof-top space with an area of 10m² and a minimum width of 2m which has convenient access to a living room.
- (b) An outlook space shall be provided from each face of each building containing windows to principal living areas or bedrooms of any residential unit. Where windows to a principal living area or

bedroom are provided from two or more faces of a building, outlook space shall be provided for the face with the greatest window area. For the purpose of this rule "principal living area" means the main communal living space within an accommodation unit for entertainment, recreation and relaxation.

Outlook space may be over:

- the site on which the building is located;
- legal road;
- public open space; or
- another site

provided that where outlook space is to be provided over another site:

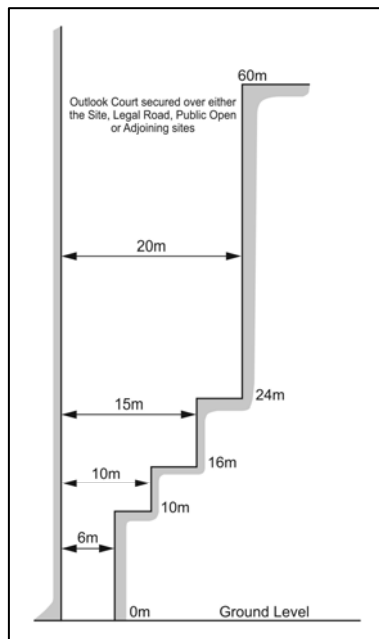
- the outlook space shall be secured in perpetuity for the benefit of the building by a legal instrument to be put in place prior to the commencement of construction
- written approval of the owner of the adjoining site for the outlook space shall be provided prior to the grant of resource consent for the building.

More than one building may share an outlook space.

The minimum dimensions for outlook space are:

- i) For principal living areas, the dimensions of the outlook space, measured perpendicular to the exterior face of the building, shall be in accordance with Figure 1 for the relative height of the floor above the average ground level along the face of the building from which the principal living area derives its outlook.
- ii) For bedrooms, the outlook space shall be a minimum of 6m, measured perpendicular to the exterior face of the building.

Figure 1 – Outlook Space



Explanation

The inclusion of private open space for residents greatly increases the liveability of dwellings.

Where a dwelling in a new building is located above ground floor level and does not have access to areas of ground level private outdoor space, a balcony or roof top space will be required.

The purpose of the outlook control is to safeguard outlook, daylight, sunlight and privacy for occupants of buildings. This is not a view protection control.

13. Exceptions

- (a) Clause 8.8.3 Development Controls for the Business 8 zone shall not apply.
- (c) Except for Clause 12.8.2.3 Reverse Manoeuvring, Clause 12.8.2 Access shall not apply.
- (d) Clause 12.9.1.1A RULE: Controlled Activities shall not apply.
- (e) Clause 12.9.1.1 RULE: Discretionary Activities shall not apply.
- (f) Clause 12.9.1.2(a) Traffic Considerations shall not apply
- (g) Clause 5D Natural Hazards shall not apply.
- (h) Clause 5E.7.4.2 Discretionary Activities shall not apply in respect of any contamination on the site as at 19 December 2005. Clause 5E.7.4.2 shall apply in respect of any new contamination occurring after 19 December 2005 except

that any application shall be assessed as a restricted discretionary activity with Council's discretion being restricted to those matters listed in 5E.7.4.2.

For completeness it is recorded that, notwithstanding the above, Council reserves the right to take into account potential contamination effects when processing and assessing any application for discretionary activity or non-complying activity resource consent under 'Part A Activities' of the Concept Plan with respect to the site.

14. Apart from the Exceptions Listed Above reference should also be made to the following parts of the Plan:

- Part 4 -Refer Clause 4.5 Signs
- Refer Clause 4.6 Artificial Lighting
- Part 4a General Rules
- Part 5c Heritage
- Part 5e Hazardous Facilities
- Part 11 Subdivision
- Part 12 Transportation
- Part 13 Interpretations and Definitions

15. Additional Controls for Home Occupations

The additional controls for home occupations set out in Clause 7.8.1.14 Additional Controls for Home Occupations of the Plan shall apply except that up to 3 full-time equivalent persons from outside the household may be employed in the home occupation activity.

PART C: REQUIRED WORKS AND MANAGEMENT PLANS

The provision of the following works and management plans shall be to the satisfaction of the council and the ongoing performance of the works and management plans shall be protected by means of conditions on resource consents or by way of other mechanisms outside of the district plan. Except as otherwise provided in this Concept Plan the works and management plans described below are to be funded by the landowner or its nominee.

1. Pedestrian Plaza

A pedestrian plaza having a minimum area of 400m² shall be provided within Area A south of the Southeastern arterial flyover and will be located so as to be conveniently accessed from other parts of the site, be sheltered from the wind, be designed for personal safety, and receive direct sunlight between 11:00am and 2:00pm. 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 148,000m² of gross floor area of development on the site.

2. Drainage

Any relocation, reconstruction or diversion of existing public sewer or stormwater drains through the site, necessary to allow development of the centre, shall be to design standards specified by the relevant authority. Such work shall 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.

Any existing drain that requires reconstruction due to its physical condition shall be the subject of a financial contribution from the development to the extent only that additional capacity is required to service the development.

A primary stormwater system of underground pipes or open channels shall be provided to convey runoff from the site from storms with a 10 year return period.

A secondary system of overland flow paths shall be provided to convey additional runoff from the site from storms with a return period greater than 10 years, and up to 100 years.

The Mt Wellington - Southdown Catchment Management Plan (January 1998) prepared by the Council propose installation of a box culvert through the site and the upgrading of drainage along the edge of the site. If that work is not carried out by the Council prior to development commencing on the site in accordance with the Concept Plan the developer will be entitled to commence development in a way that does not prejudice the future drainage works identified in the Catchment Management Plan; and if it does commence development, may carry out the box culvert works, the allocation of the cost of which shall be determined at that time.

3. Pedestrian and Cycleway Connection to Environs

A new safe pedestrian and cycleway connection shall be provided to connect the site to Lynton Road in the general location shown on Diagram G14-15(1).

The connection shall have a minimum width of 5m.

The connection is to be provided no later than completion of 148,000m² of gross floor area of development on the site.

4. Off-Site Rooding Works

Council may require, as conditions upon resource consents granted in accordance with the criteria set out in Part D below, works or financial contributions in order to ensure that any physical changes to the rooding network required as a result of the redevelopment of the site in accordance with the Concept Plan are carried out.

Conditions regarding off-site road works may be imposed on individual applications for resource consent that will increase total approved development on the site above 148,000m² 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 which is required as a result of the particular application. The proportion that is 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.

5. Transport Plan

Once development on the site exceeds 148,000m², a comprehensive transport plan shall be developed for the site setting out:

- a) the physical infrastructure to be established or that is currently established on-site to support the use of alternative forms of transport such as adequate facilities for cyclists, showering, locker and changing facilities, carpool parking areas, travel reduction information boards in foyer areas (to display and make available information such as timetables and route maps) and an internet service to enhance awareness of alternative transportation services;
- b) the physical linkages to be provided on the site to link with surrounding pedestrian and cycle networks and public transport resources;
- c) operational measures to encourage reduced vehicle trips (including car sharing schemes, public transport use incentives, flexitime, staggered working hours);
- d) A plan setting out how 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.

The plan shall be updated as required, including as part of any applications involving significant new development on the site.

6. Landscape Plan

Once development on the site exceeds 148,000m², a comprehensive landscape management plan shall be developed setting out the overall landscape concept for the site and details of maintenance plans. The landscaping plan shall address both hard and soft landscaping, provision of public art, and the design concepts for plaza spaces. Landscaping shall be developed and maintained on the site in accordance with the management plan. The plan shall be updated as required, including as part of any applications involving significant new development on the site.

7. Signage

Once development on the site exceeds 148,000m², a comprehensive signage concept shall be developed for the site setting out the signage concept for the site. Any applications for new signage shall provide assessment as to the extent to which the proposed signage accords with the overall signage concept. The plan shall be updated as required, including as part of any applications involving significant new development on the site.

8. Street Amenity and Maintenance

Once development on the site exceeds 148,000m², a street amenity and maintenance plan shall be developed and maintained setting out the design and maintenance of the internal street network. The plan shall set out the design treatment of internal streets including details of: paving materials, public transport facilities, road signage, lighting and street furniture and include the methods by which the streets will be maintained. The plan shall be updated as required, including as part of any applications involving significant new development on the site.

9. Financial Contribution for Off-Site Amenity

A financial contribution of \$1,500,000 shall 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.

The financial contribution shall not be used to fund any works required to mitigate the adverse effects of the proposed northern access route linking Waipuna Road and Lynton

Road to the Business 8 zoned land. Any acoustical or visual mitigation measures required as part of a resource consent granted under Clause 10.7.5 shall be separately funded by the developer.

The financial contribution shall be made in two parts. The first contribution of \$750,000 is to be paid to the Auckland City Council no later than the completion of 30,000m² gross floor area of development on the site. The second contribution of \$750,000 is to be paid to the Auckland City Council no later than the completion of a total of 80,000m² gross floor area of development on the site.

PART D: CRITERIA FOR ASSESSING APPLICATIONS FOR RESOURCE CONSENT

1. Buildings less than 24m in height as a Restricted Controlled Activity

Control is restricted to, applications for activities will be assessed against, and conditions may be imposed with respect to:

1.1 General Design Principles

The extent to which:

- (i) Development is designed to provide an integrated and legible urban form;
- (ii) Development provides a variation in building height;
- (iii) Development is designed in accordance with the Safety guidelines in Annexure 16 of the District Plan;
- (iv) Legible and safe pedestrian access routes as shown on Diagram G14-15(1) are provided between significant onsite activities, including public transportation facilities;
- (v) The scale and location of buildings provide a sense of enclosure to Mount Wellington Highway;
- (vi) Buildings are designed to be sustainable through the use of durable low maintenance materials, maximising solar access and natural ventilation, and the incorporation of mechanical and electrical systems that optimise energy efficiency;
- (vii) On-site stormwater conservation measures are incorporated where appropriate, including rainwater harvesting devices, green roofs, or rain gardens; and
- (viii) Development on the site has regard to the management plans set out in Part C of this Concept Plan.

1.2 Building Design

The extent to which:

- (i) Building design is of high quality, showing creativity and responsiveness to the local context (this includes architectural character and expression, use of materials, articulation and modulation to create visual interest);
- (ii) Modulation of the façade is expressed at each scale (macro, medium and detail);
- (iii) Flat planes or blank façades devoid of modulation, relief or surface detail have been avoided where appropriate; and
- (iv) The building is of a form, location and orientation that minimises or avoids the creation of adverse effects in terms of shadowing, amenity and wind with respect to:
 - The Cone, the Green and key future amenity areas,
 - The pedestrian connections as shown on Diagram G14-15(1).
 - Any residentially zoned properties in the vicinity of the site.

At street level, the extent to which:

- (v) The building contributes to pedestrian vitality, interest and public safety through the use of architectural detail and maximising door and window openings;
- (vi) The building entrance(s) are easily identifiable and accessible from street level and provide pedestrian shelter; and
- (vii) Separate pedestrian entrances have been provided for different uses within the building, particularly for residential activity.
- (viii) Vehicle accesses and loading facilities are designed for pedestrian safety in terms of location, visibility, and width.

At upper levels and on rooftops, the extent to which:

- (ix) Large expanses of blank walls are avoided at upper levels on road and public open space frontages;
- (x) Architectural design differentiates upper building levels from middle and ground levels;
- (xi) Cantilevered balconies are avoided; and
- (xii) Roof profiles should be designed as 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.

1.3 Residential Units

Where a building is intended to be used for residential units, the extent to which:

- (i) The design provides a good standard of internal amenity to occupants;
- (ii) The design provides acoustic and visual privacy for occupants.
- (iii) The design provides opportunities for natural ventilation and maximises outlook and solar access; and
- (iv) Roof-top areas have been designed for recreational use, where practicable.

1.4 Screening

- (i) The extent to which outdoor storage, refuse disposal and service areas are screened or landscaped to avoid, mitigate or remedy adverse visual impacts.

1.5 Engineering

- (i) The extent to which the building design avoids or mitigates natural hazards arising from stormwater and stability issues on the site.
- (ii) The extent to which the design and location of the building impacts the overland flow path registered on the certificate of title.

1.6 Other

- (i) Ensuring that prior to construction commencing, a site and traffic management plan has been provided to the satisfaction of the council. The site and traffic management shall specify:
 - Who the site manager is and contact details;
 - Measures to be adopted 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 which include designated sites for refuse bins, and for recycling bins for glass, plastic and cans storage and collection 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 (eg portaloos);
- Ingress and egress to and from the site for construction vehicles;
- Hours of construction and demolition;
- Dust control measures;
- Location of site hoardings;
- Procedures for managing construction traffic.

(ii) Where development on site exceeds 148,000m², the extent to which off-site roading works are required to be implemented to mitigate significant traffic effects (refer clause C4).

2. Earthworks greater than 1 metre in depth below ground level within the Limited Earthworks Corridor as a Restricted Controlled Activity:

Discretion is restricted to and applications will be assessed in terms of any effect on the relationship of tangata whenua and their culture and traditions with wahi tapu on the site, especially wahi whenua and wahi pito.

Conditions may be imposed on consents with regard to any means of avoiding remedying or mitigating any adverse effects of the works on the relationship of tangata whenua and their culture and traditions with wahi tapu on the site especially wahi whenua and wahi pito, and may include but will not be limited to the following matters:

- (i) A requirement to notify the council and tangata whenua before any earthworks commence;
- (ii) Supervision of works by a council appointed archaeologist and tangata whenua representative(s);
- (iii) Control of the manner in which earthworks are undertaken (e.g.: hand digging as opposed to mechanical digging);
- (iv) Limits on the duration of the works;
- (v) Controls aimed at minimising the physical extent of the works; and
- (vi) Controls aimed at locating the works in a way which minimises their effect on wahi tapu.

3. Restricted Discretionary Activities in Area B

Discretion is restricted to, applications for activities will be assessed against, and conditions may be imposed with respect to:

- (i) Noise effects on the adjoining residentially zoned land. Compliance with the standards for noise set out in Part B10 as

measured at the nearest residential boundary shall be deemed to satisfy this criterion;

- (ii) Traffic and parking effects on the amenity of the adjoining residential zoned land;
- (iii) The effects of any new buildings proposed on the visual amenity of adjoining residentially zoned land, and the extent to which such effects will be mitigated by landscaping and/or screening;
- (iv) Protection and maintenance of residential units and home occupations as the dominant activity in Area B.

4. An application to modify Development Controls as a Restricted Discretionary Activity

In addition to having reference to the guiding principles set out in the explanation to this concept plan, discretion is restricted to, applications for activities will be assessed against, and conditions may be imposed with respect to:

4.1 Residential Activity Exceeding Site Intensity

- (i) The extent to which development at Sylvia Park 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.

4.2 Building in relation to boundary

- (i) The extent to which development results in adverse shadowing and dominance effects on adjacent sites, having regard to effects that would be associated with an otherwise complying development.

4.3 Frontage Control

- (i) 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).
- (ii) The extent to which the structural framework of the building enables conversion of the floor space to comply with the height and glazing requirements in the future.
- (iii) The extent to which building design and/or landscaping features mitigate a reduction in glazing.
- (iv) The extent to which the building design and/or location adversely affects pedestrian amenity.

4.4 Parking

- (i) Where parking is to be provided at a rate less than the minimum required, the extent to which spillover parking outside of the site creates adverse effects in terms of residential amenity.
- (ii) Where parking is to be provided at a rate more than the maximum allowed, the extent to which:
 - The activity will adversely affect the operational capacity and efficiency of the adjacent road network;
 - The site as a whole is achieving a modal shift toward more sustainable transport modes; and
 - The excess parking is of a temporary or fixed duration.
- (iii) Parking and loading not meeting the requirements of Clauses 12.8.1.2 and 12.8.1.3 of the District Plan will be assessed against the relevant matters set out in Clause 12.9.1.2.

4.5 Vehicle Access

- (i) 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.

4.6 Heavy Vehicle Access

- (i) The extent to which heavy vehicle access may result in adverse effects in terms of road safety and residential amenity.

4.7 Landscaping and On-site Amenity Areas

- (i) The extent to which the infringement may result in the loss of on-site amenity.

4.8 Noise

- (i) The extent to which noise may create adverse effects in terms of residential amenity or the operation of business activities.

4.9 Minimum Size of Residential Units

- (i) The extent to which the departure from the control is likely to adversely affect the amenity of the residents.
- (ii) The extent to which additional balcony space or outdoor space for the exclusive use of the residents of each accommodation unit remedies or mitigates a reduction in internal living space.

4.10 Outlook and Private Open Space for Residential Units

- (i) The extent to which the departure from the control is likely to adversely affect the amenity of the residents.

- (ii) The extent to which alternative forms of amenity, such as communal open space or facilities, are provided.

5. Buildings over 24m in height in Height Area A1

In addition to the criteria for assessment of buildings as a restricted controlled activity set out in Part D.1 above, discretion is restricted to, applications for activities will be assessed against, and conditions may be imposed with respect to the extent to which:

- (i) 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 Business 8 zone.
- (ii) Building scale and location provides an appropriate transition between the commercial activities on the site and neighbouring residential activities.
- (iii) Views to and from Hamlins Hill are not significantly compromised as a result of the concentration of large scale building forms.
- (iv) The building responds and relates appropriately to the scale of the surrounding public infrastructure, including the Southern Motorway, SEART, Mt Wellington Highway, and the North Island Main Trunk Railway line.
- (v) The building responds and relates appropriately to the scale and form of neighbouring onsite buildings.
- (vi) 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.
- (vii) 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.

6. Subdivision as a Restricted Discretionary Activity

In addition to the relevant criteria set out in Clause 11.5.5 of the District Plan, discretion is restricted to, applications for activities will be assessed against, and conditions may be imposed with respect to:

- (i) Ensuring that the proposed use of any new site or sites created is in accordance with the Concept Plan's permitted activities or with an application for

resource consent which has been granted;




- (ii) Ensuring that the subdivision is consistent with the Concept Plan and will not adversely affect the operation and management of the dominant activity; and
- (iii) Ensuring that the subdivision provides for the required works, infrastructure, and financial contributions as set out in Part C of the Concept Plan.

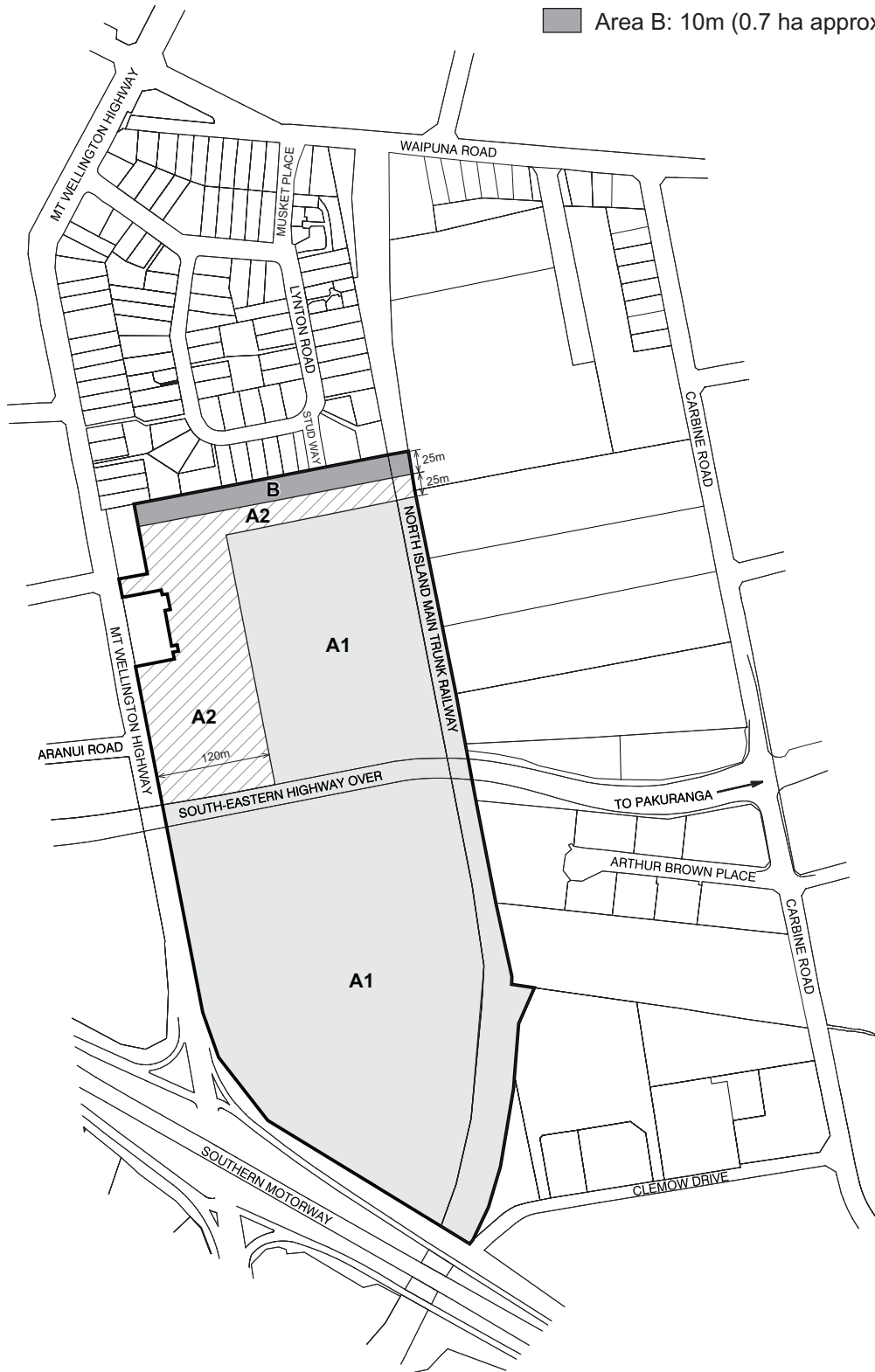
7. Discretionary Activities as set out in Part A above of these Rules

Without limiting the exercise of discretion, any activity not listed as a Permitted, Controlled or Restricted Discretionary Activity will be assessed against the objectives and policies for the Business 8 zone, relevant criteria set out above, the extent to which the proposed activity is compatible with other activities on the site and is consistent with the guiding principles set out in the explanation to this concept plan, and, where relevant, the explanation of the control for which consent is sought to modify.

Proposed

G14-15(2) Concept Plan - Business 8 Zone
 Sylvia Park
 Plan Showing Height Areas

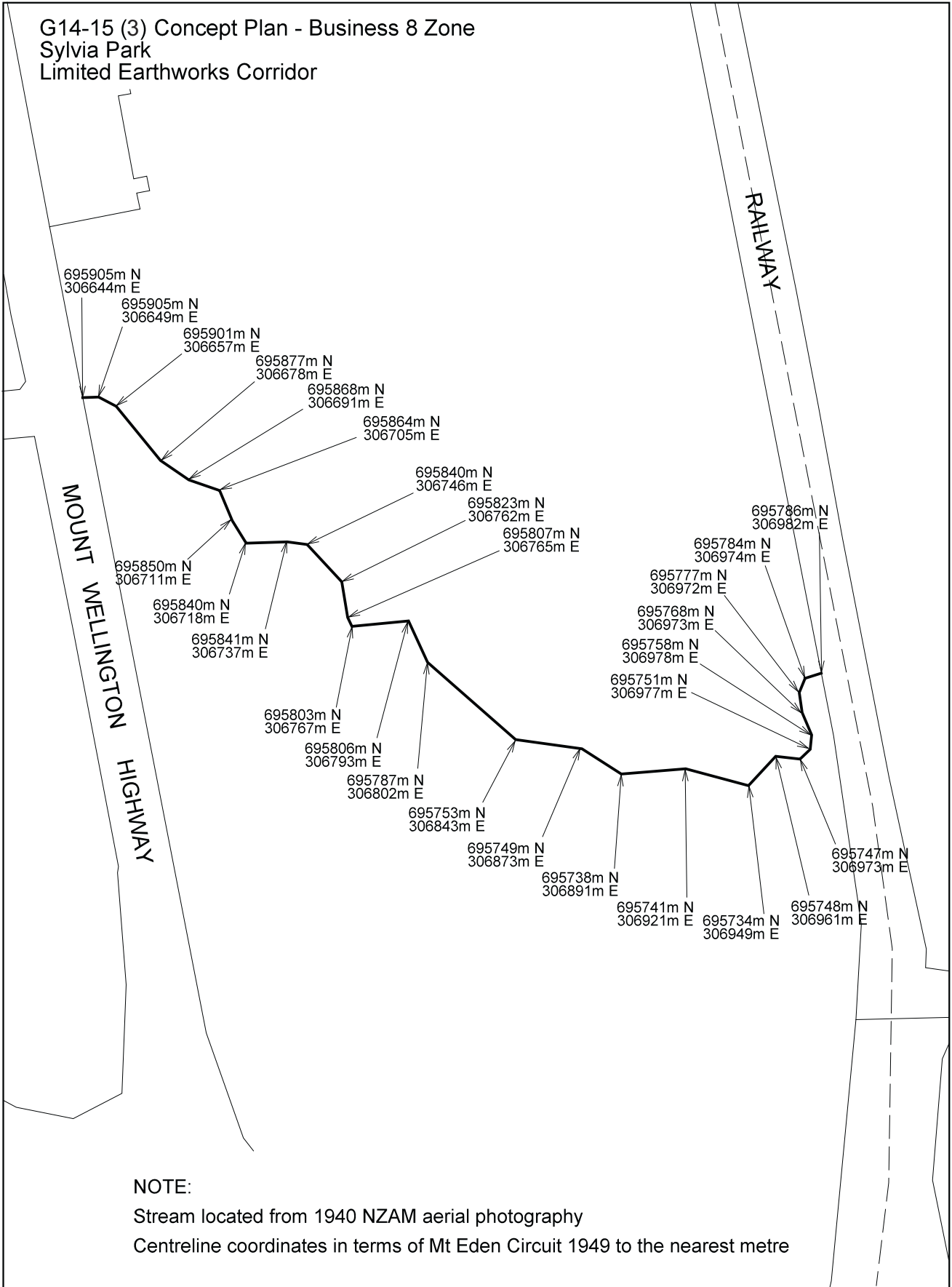
- Area A
-  Height area A1: 60m (19.1 ha approx.)
 -  Height area A2: 24m (3.6 ha approx.)
 -  Area B: 10m (0.7 ha approx.)



Proposed Plan Change 235

13 October 2009

G14-15 (3) Concept Plan - Business 8 Zone
 Sylvia Park
 Limited Earthworks Corridor



Proposed Plan Change 235

13 October 2009