

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 081 – Sylvia Park Metropolitan Centre

BETWEEN KIWI PROPERTY GROUP LIMITED, KIWI PROPERTY HOLDINGS LIMITED and SYLVIA PARK BUSINESS CENTRE LIMITED (Submitter 5253)

Appellants

A N D AUCKLAND COUNCIL

Respondent

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NOTICE OF APPEAL

RE PROPOSED PLAN TOPIC 081 – SYLVIA PARK METROPOLITAN CENTRE

DATED: 12 September 2016

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ELLIS GOULD  
SOLICITORS  
AUCKLAND

REF: Douglas Allan

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48 Shortland Street, Auckland  
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TO: The Registrar  
Environment Court  
AUCKLAND

1. **Kiwi Property Group Limited, Kiwi Property Holdings Limited and Sylvia Park Business Centre Limited** (“**the Appellants**”) appeal against a part of a decision of Auckland Council (“**the Council**”) on the proposed Auckland Unitary Plan (“**Proposed Plan**”).
2. The Appellants have the right to appeal the Council’s decision to the Environment Court under section 156(1) of the LGATPA because the Council rejected a recommendation of the Hearings Panel in relation to provisions or matters relating to the Proposed Plan:
  - (a) That the Appellants addressed in their submission relating to the provisions concerning the Sylvia Park Metropolitan Centre (submission number 5253); and
  - (b) That resulted in alternative solutions being included in the Proposed Plan and other provisions being excluded from the Proposed Plan.
3. The Appellants provide further details of the reasons for their Appeal below.
4. The Appellants are not trade competitors for the purposes of section 308D of the RMA. In any event, the Appellants are directly affected by an effect of the subject of the Appeal that:
  - (a) Adversely affects the environment; and
  - (b) Does 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 081 (Item 1 336 - Sylvia Park Precinct) (“**the Decision**”), was received by the Appellant on or about 19 August 2016.
6. The Decision was made by the Council.
- 6.1 The provisions and parts of the Decision that are being appealed are the rejection by the Council of the Hearing Panel’s recommendation pursuant to Hearing Topic 081 to delete the Sylvia Park Precinct (Item 1 336) and to rely on the underlying Metropolitan Centre zone provisions.
7. The reasons for this Appeal are:

- (a) Kiwi Income Property Trust, Kiwi Property Holdings Limited and Sylvia Park Business Centre Limited (submitter 5253) lodged a submission dated 27 February 2014 relating to the Proposed Plan provisions governing Sylvia Park and its environs ("**the Submission**"). A copy of the Submission is **attached** as Annexure A. Kiwi Property Group Limited is the successor to Kiwi Income Property Trust with respect to the Submission.
- (b) The Appellants are, collectively, the owners and managers of almost all of the Sylvia Park Metropolitan Centre which is subject to the relevant part of the Decision.
- (c) The Appellants sought, through the Submission, a number of changes to the Sylvia Park Precinct provisions including:
  - (i) Deletion of the provisions relating to minimum parking requirements;
  - (ii) In the event that maximum parking requirements are removed from the Metropolitan Centre or Town Centre zone provisions, that they also be removed from the Sylvia Park Precinct;
  - (iii) Other specific changes to carparking requirements;
  - (iv) Amendments to the maximum height limits enabled within the Sylvia Park Precinct; and
  - (v) Changes to the manner in which the Metropolitan Centre zone interrelated with the adjacent rail corridor.
- (d) The Hearing Panel gave effect to the Appellants' submission by deleting the Sylvia Park Precinct and relying upon the underlying Metropolitan Centre zone provisions. The practical effect of that relief was to resolve the Appellants' concerns regarding carparking, height and most other aspects raised in their submission.
- (e) The Hearing Panel did not identify the relief upheld by it with respect to Sylvia Park as being outside scope.
- (f) The subject matter of this Appeal is the package of provisions in the Proposed Plan that apply to the Sylvia Park Metropolitan Centre:
  - (i) Pursuant to the Hearing Panel recommendations, the provisions comprise the underlying Metropolitan Centre

zoning, together with the other relevant provisions in the Proposed Plan.

- (ii) Pursuant to the Decision, the provisions comprise the reinstated Sylvia Park Precinct, in addition to the underlying Metropolitan Centre zoning and other relevant provisions in the Proposed Plan.
- (g) The reinstatement of the Council's preferred version of the Sylvia Park Precinct, pursuant to the Decision, effectively declines key aspects of the relief sought in the Submission, being relief that had been granted pursuant to the Hearing Panel's recommendations.
- (h) The Hearing Panel's recommendation represents an appropriate response to the Submission in the context of the balance of the Proposed Plan and the changes in circumstances that have occurred since the Submission was lodged. The Metropolitan Centre zone provisions are the most appropriate means of giving effect to the RMA and the higher order provisions in the Proposed Plan with respect to the Sylvia Park Metropolitan Centre given:
- (i) The extent to which the Sylvia Park Metropolitan Centre has been developed since the operative Auckland Council District Plan (Auckland Isthmus Section) provisions for the site were settled.
  - (ii) The changed expectations for the land on the periphery of the Sylvia Park Metropolitan Centre embodied in the balance of the provisions in the Proposed Plan, which include:
    - Additional development flexibility enabled through the Hearing Panel recommendations accepted by the Council with respect to the Terraced Housing and Apartment Building and Mixed Use zones (which apply to land to the north and north-west of the Sylvia Park Metropolitan Centre); and
    - Increased site specific maximum heights and hence development capacity for the adjacent Terraced Housing and Apartment Building zoned land to the north (22.5 m) and Mixed Use zoned land to the east and west (27 m) of Sylvia Park Metropolitan Centre.

- (iii) The consequential:
- Reduction through the Proposed Plan hearings, recommendations and decisions process in the sensitivity of the interfaces between the Sylvia Park Metropolitan Centre zone and the neighbouring land to the north-west, north and east; and
  - Removal of the rationale for the interface provisions applied to the northern part of the Sylvia Park Precinct in the notified version of the Proposed Plan.
- (iv) The absence of sensitive activities on the balance of the boundaries to the Sylvia Park Metropolitan Centre zone, which comprise the North Island Main Trunk Railway and Light Industry zoned land to the south-east, the Southern Motorway to the south and General Business zoned land across Mount Wellington Highway to the west.
- (v) The comprehensive nature and efficacy of the Metropolitan Centre zone provisions recommended by the Hearing Panel and accepted by the Council, which will ensure that any new activities and structures that are established in the Sylvia Park Metropolitan Centre zone are of an appropriate character; avoid, remedy or mitigate any adverse effects that might be generated; and have an appropriate interface with surrounding activities and zones.
- (i) Unless and until the Proposed Plan provisions for the Sylvia Park Metropolitan Centre 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.

8. The Appellants seek 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 081 to delete the Sylvia Park Precinct (Item 1 336) and to rely on the underlying Metropolitan Centre zone provisions.
  - (c) Alternatively, and in the event that the Hearing Panel's recommendation is not reinstated in its entirety, incorporation into the Sylvia Park Precinct of provisions that address the matters raised in the Appellants' submissions, in the Appellants' evidence to the Hearing Panel and in the grounds set out above; including provisions that:
    - (i) Apply to the Sylvia Park Precinct the height limits applicable under the underlying Metropolitan Centre zone provisions.
    - (ii) Exempt the Sylvia Park Precinct from underlying Metropolitan Centre zone yard controls.
    - (iii) Enable the piping as of right of the stormwater drain along the northern boundary of Sylvia Park and the construction of structures above that area.
  - (d) 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.
  - (e) Costs of and incidental to the Appeal.
9. The Appellants **attach** the following documents to this Notice of Appeal:
- (a) A copy of the Appellants' submission relating to the Sylvia Park Metropolitan Centre (**Annexure A**).
  - (b) A copy of the relevant parts of the Decision (**Annexure B**).
  - (c) 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 C**).

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

**Kiwi Property Group Limited, Kiwi Property Holdings Limited and Sylvia Park Business Centre Limited** by their 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**

**Copy of the Appellants' Submission on the Sylvia Park Precinct**



## 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, Kiwi Property Holdings Limited and  
Sylvia Park Business Centre Limited  
Submission 2 – Sylvia Park

**To: Auckland Council**

**Name of Submitter:** Kiwi Income Property Trust, Kiwi Property Holdings Limited and Sylvia Park Business Centre 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 the provisions governing the Sylvia Park Metropolitan Centre and the surrounding area.
4. Kiwi's submission is as follows:
  - (a) 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. Sylvia Park Business Centre Limited is the legal entity with responsibility for the Sylvia Park Centre.
  - (b) Kiwi's assets in Auckland include the Sylvia Park Centre, Mt Wellington, which forms the core of the Sylvia Park Metropolitan Centre.
  - (c) Kiwi supports:

- (i) The Metropolitan Centre status allocated to Sylvia Park.
  - (ii) The extent of the Sylvia Park Precinct within the Sylvia Park Metropolitan Centre.
  - (iii) The provisions that apply to the Sylvia Park Precinct, being Part 2 Chapter F Section 2.21 – Sylvia Park and Part 3 Chapter K Section 2.21 – Sylvia Park, subject to the matters noted below.
  - (iv) The zonings that apply to the land in the vicinity of the Sylvia Park Precinct, subject to the matters noted below.
- (d) The Sylvia Park Precinct provisions warrant amendment and refinement to ensure that appropriate controls are incorporated into the Unitary Plan. Details of the alterations sought are set out in **Annexure 1**.
- (e) Kiwi supports the General Business zoning of the land bounded by Mt Wellington Highway, the Southern Motorway and SEART (“**the Apex Block**”) but considers that it should be subject to a precinct overlay that retains the key constraints relating to traffic generation that apply under the resource consents pursuant to which the activities on that land were established. Those provisions were imposed to manage traffic effects on the major arterial route passing through (rather than around) the Metropolitan Centre and are appropriate given the proximity of the Southern Motorway interchange.
- (f) Kiwi considers that the land on the western side of Mt Wellington Highway between Aranui Road and the Mt Wellington Town Centre (“**the MWH Strip**”) would more appropriately be zoned Terrace House and Apartment Buildings (as shown on **Annexure 2**) than the Mixed Use zoning that has been applied to it:
- (i) The MWH Strip is a narrow sliver of land, most of which has road frontage only to Mt Wellington Highway. As a result, any commercial activity on the MWH Strip is likely to involve extensive traffic access to and from the arterial road.
  - (ii) Kiwi is concerned that the application of Mixed Use zoning to the MWH Strip will result in significantly greater adverse traffic effects than will the application of Terrace House and Apartment Buildings zoning. That may adversely affect the functioning of the Metropolitan Centre.

- (iii) Kiwi considers that applying the Terrace House and Apartment Buildings zone to the MWH Strip as well as the land to its west and the block of land north of Sylvia Park on the eastern side of Mt Wellington Highway will facilitate the development of a coherent residential community which will be appropriately served by the facilities at Sylvia Park.
  - (iv) Mt Wellington Highway is a very wide road and it is appropriate in that circumstance for the Terraced House and Apartment Buildings zone to have a raised maximum height limit of 20 metres.
- (g) Kiwi considers that the residential areas around the Panmure Lagoon offer significant potential for urban intensification by virtue of:
- (i) The northern orientation of much of that land;
  - (ii) The quality of views to the north and east across the Lagoon;
  - (iii) The gently sloping topography which enables development that maximises use of the views;
  - (iv) The area's proximity to the Sylvia Park Metropolitan Centre and Panmure Town Centre, to key roading infrastructure and to public transport services.

In the circumstances Kiwi suggests that Council give consideration to altering the zoning of suitable parts of these areas to Terraced House and Apartment Buildings. The relief sought below in this regard has been widely phrased to provide flexibility to Council to revisit this issue and take appropriate action.

- (h) 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. 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) Retention of:
  - (i) The Metropolitan Centre status of Sylvia Park.
  - (ii) The extent of the Sylvia Park Precinct identified in the Unitary Plan.
- (c) Retention of the provisions relating to the Sylvia Park Precinct (being Part 2 Chapter F Section 2.21 – Sylvia Park and Part 3 Chapter K Section 2.21 – Sylvia Park) subject to the rules relating to the Sylvia Park Precinct being amended in accordance with **Annexure 1**.
- (d) Retention of the General Business zoning of the Apex Block subject to the Apex Block becoming subject to a precinct overlay that retains the key constraints relating to traffic generation that apply under the resource consents pursuant to which the activities on that land were established.
- (e) Re the MWH Strip:
  - (i) Amend the zoning of the MWH Strip from Mixed Use to Terrace House and Apartment Buildings (as shown on **Annexure 2**); and
  - (ii) Apply a maximum height limit of 20 metres to the Terraced Housing and Apartment Buildings Zoned land in the MWH Strip.
- (f) Amend the zoning of all or part of the residential areas around the Panmure Lagoon (being the Mixed Housing Residential zoned area bounded to the north by the Lagoon and Cleary Road, to the west by Ireland Road and the Railway, to the south by Waipuna Road and Pakuranga Highway and to the east by Tamaki Estuary) from Mixed Housing to Terraced House and Apartment Buildings.

- (g) 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.
  - (h) That, subject to any amendments required to uphold this submission, the zonings and provisions addressed in the **Annexures** be retained in the Unitary Plan.
  - (i) Such other relief or other consequential amendments as are 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, Kiwi Property Holdings Limited and  
Sylvia Park Business Centre Limited** by their duly authorised agent:



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Mark Luker – General Manager, Development

Submitter address: c/- Level 14, DLA Phillips Fox Tower, National Bank Centre, 205 Queen Street, PO Box 2071, Auckland 1140.

**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.

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## **Annexure 1: Table of Alterations – Sylvia Park**

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

**Submission 2**

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**Annexure 1: Alterations Sought to the Sylvia Park Precinct Provisions**

<b>Rule Reference</b>	<b>Change Sought</b>	<b>Reason</b>
K2.21.3.3.1 Car Parking	Delete the provisions relating to minimum parking requirements.	Deleting the minimum parking requirements will achieve consistency with the rules applying to other centres.
K2.21.3.3.1 Car Parking	In the event that maximum parking requirements are removed from the Metropolitan Centre or Town Centre Zone provisions, that they also be removed from the Sylvia Park Precinct.	It is important for the realisation of Council centres hierarchy that Sylvia Park develop a balanced range of activities. In that context, the development of Sylvia Park and its office component in particular is reliant upon there being no disincentive to tenants or business to establish in Sylvia Park in comparison with other centres. Thus if car parking constraints are removed from other centres they should also be removed from Sylvia Park.
K2.21.3.1.2 Height Limit in Area A1	Amend the height limit in Area A2 to 72.5m/18 storeys	This will provide consistency with the height limited that is permitted in other Metropolitan Centres.
K2.21.3.1.2 Height Limit in Area A2	Amend the height limit in Area A2 to 72.5m/18 storeys	This will provide consistency with the height limited that is permitted in other Metropolitan Centres.
K2.21.3.1.3 Height Limit in Area B	Amend the height limit in Area B to 20.5m.	This will achieve consistency with the height limit provided for in the adjacent Terraced Housing and Apartment Buildings zone.
K2.21.3.3.1 Car Parking Table 2	Delete the last three lines of Table 2 (i.e. retain only the parking rate of 1:25m <sup>2</sup> for office activity up to 10,000m <sup>2</sup> GFA) and add a new line for "10,001 m <sup>2</sup> + - 400 spaces + 1:30m <sup>2</sup> for any office GFA above 10,000 m <sup>2h</sup> ."	Amending the provisions as sought will bring Sylvia Park into line with the maximum parking rates that apply to other centres. Retaining the higher rate of 1:25m <sup>2</sup> for offices up to 10,000m <sup>2</sup> will assist in attracting the first tenants to Sylvia Park which is currently an unproven market in terms of office activity and is consistent with the operative provisions that apply to Sylvia Park and that have been relied upon by Kiwi.
Planning Map	Amend planning map to extend the Metropolitan Centre zoning over the adjacent rail corridor.	The Concept Plan currently included in the District Plan applies a Business 8 zoning to the adjacent rail corridor. This was purposely done to facilitate development and connections across the corridor. It is appropriate that this zoning be carried over to the Unitary Plan.

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## **Annexure 2: Sylvia Park Zoning Map**

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

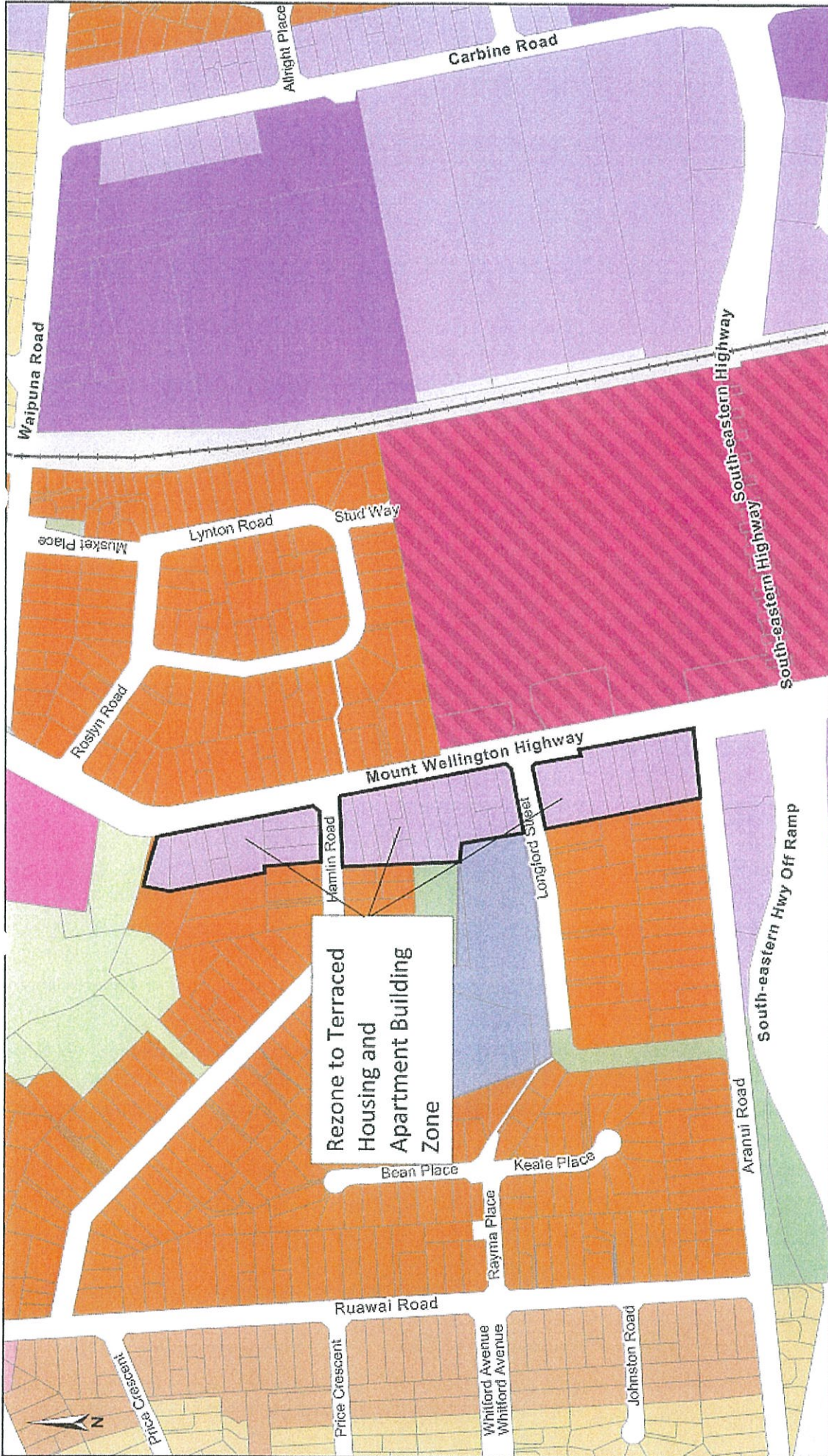
**Submission 2**

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# Sylvia Park



**Rezoned to Terraced  
Housing and  
Apartment Building  
Zone**

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

1:5,000 Auckland Council  
Plan Created: 21/2/14



**ANNEXURE B**

**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**

**52. Council decisions relating to Panel report entitled “Report to Auckland Council Hearing Topic 080 Rezoning and precincts (General), and 081 Rezoning and precincts (Geographic areas) and 016 and 017 - Rural urban boundary and Annexures 1 – 6, July 2016 – (recommendations in CENTRAL)”**

**Panel recommendations accepted:**

- 52.1 The Council has accepted all the recommendations of the Panel contained in the Panel reports for Hearing Topic 080 Rezoning and precincts (General), and 081 Rezoning and precincts (Geographic areas) and 016 and 017 - Rural urban boundary and Annexures 1 – 6, July 2016 – (recommendations in CENTRAL), 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 52.2.

**Panel recommendations rejected:**

- 52.2 The Council has rejected the Panel recommendations in relation to Hearing Topic 080 Rezoning and precincts (General), and 081 Rezoning and precincts (Geographic areas) and 016 and 017 - Rural urban boundary and Annexures 1 – 6, July 2016 (recommendations in CENTRAL) as listed below, with accompanying reasons, alternative solutions and section 32AA evaluation (where necessary):

(a) **Deletion of the Sylvia Park precinct and reliance on the underlying Metropolitan Centre zone**

<b>Reasons</b>	
<p>(i) Sylvia Park has undergone a recent plan change which incorporates the most up to date provisions that provide for the ongoing development and operation of the site as well as site-specific development and land-use standards. A number of provisions in the precinct are more enabling and cannot be controlled by overlays.</p>	
<p>(ii) Removing the precinct provisions removes the delivery of three separate height areas that provide a more granular approach to bulk on the site.</p>	
<p>(iii) Removing the precinct provisions also removes specific information requirements.</p>	
<p>(iv) In removing the precinct, Appendix 11.2.2 Sylvia Park is also deleted and this contains statutory provisions that form an interrelated and fundamental part of the precinct.</p>	
<p>(v) Retaining the precinct will ensure a better overall outcome for the long-term development of Sylvia Park.</p>	
<b>Alternative solution</b>	See Attachment A





Topic 081  
I336 Sylvia Park Precinct  
Appendix



## I336 Sylvia Park Precinct

### Appendix

There is an accompanying appendix to Sylvia Park precinct which is referred to in Standards – I336.6.3. (1) Building Height that refers to:

- Geotechnical completion report for earthworks, dated May 2006 prepared for SKM by Tonkin & Taylor Ltd

Due to the length of this report it has not been appended in this section. A copy is available on request.

# Topic 081

## I336 Sylvia Park Precinct

### **I336. Sylvia Park Precinct**

#### **I336.1. Precinct description**

The underlying zoning of the land within the Sylvia Park precinct is the Metropolitan Centre zone. Refer to the planning maps for the location and extent of the precinct.

Sylvia Park is located at 286 Mount Wellington Highway, Mount Wellington, and is identified as an emergent metropolitan centre in the Auckland Plan.-

The purpose of the Sylvia Park precinct is to guide future development towards supporting a greater range of activities for it to become a metropolitan centre.

Achieving high quality development for buildings and publicly accessible open spaces, including the plaza, and others proposed, integrated with enhanced public transport facilities, will provide a community focal point with a unique sense of place.

Particular consideration needs to be given to building form, function, detailing and materials for new buildings. Future development should also recognise areas of remnant natural character, including Mutukaroa - Hamlins Hill and Panmure Basin. In addition, the precinct identifies a limited earthworks corridor which identifies the course of a historic, spiritual and culturally significant stream of importance to Mana Whenua. The path of the stream has been identified and commemorated on-site as part of its development. Some piling or service earthworks requiring resource consents may be necessary within the corridor.

#### **I336.2. Objectives**

- (1) Sylvia Park precinct provides a mix of residential, commercial, civic and community activities which promotes its role as a Metropolitan Centre.
- (2) Development within the Sylvia Park precinct is integrated with the surrounding urban environment, infrastructure and the natural values of the area.

The underlying Metropolitan Centre zone, Auckland-wide and overlay objectives apply in this precinct, in addition to those specified above.

#### **I336.3. Policies**

- (1) Enable and encourage Sylvia Park precinct to become a Metropolitan Centre by the establishment of a broader range of uses including residential, retail, community, entertainment, education, civic and commercial activities.
- (2) Require development to avoid or mitigate potential adverse effects on the environment, amenity and public safety of surrounding residential and commercial areas. Particular attention should be given to adverse effects in relation to the limited earthworks corridor and the transition in heights between the Metropolitan Centre and the surrounding residential areas and Mixed Use zones.
- (3) Require development to deliver the Structural Elements identified in Precinct Plan 2 (I336.10.2) - Sylvia Park and to:
  - a. provide an integrated and legible urban form
  - b. enable and encourage a mix of activities

- c. establish high-quality buildings in terms of external and internal appearance and functionality
- d. establish high-quality, vibrant and accessible streets and public spaces
- e. facilitate walking, cycling and public transport use to encourage sustainable transport patterns
- f. achieve a form of development that respects the surrounding cultural and physical environment
- g. provide high quality dwellings which cater for different stages through a range of dwelling sizes.

(4) Ensure dominant activities in sub-precinct C are dwellings and home occupations to provide a transition area with the adjoining residential zone that integrates with the surrounding environment.

The underlying Metropolitan Centre zone, Auckland-wide and overlay policies apply in this precinct, in addition to those specified above.

#### **I336.4. Activity table**

The underlying zone, Auckland-wide and relevant overlays activity tables apply in sub-precinct A and sub-precinct B unless otherwise specified below.

The sub-precinct C activity table below replaces the underlying zone activity table. The Auckland-wide and relevant overlays activity tables apply in this sub-precinct unless otherwise specified below.

Table I336.4.1 Activity table specify the activity status of land use and development in the Sylvia Park Precinct pursuant to sections 9(3) and 11 of the Resource Management Act 1991 or any combination of all these sections where relevant.

**Table I336.4.1: Activity Table**

<b><u>Activity</u></b>	<b><u>Activity status</u></b>
<b><u>Use</u></b>	
<b><u>Sub-precincts A and sub-precinct B</u></b>	
(A1)	Public places P
<b><u>Development - sub-precinct A – I336.10.1. Precinct Plan 1: Height areas</u></b>	
(A2)	Buildings up to 27m C
(A3)	Buildings between 27m and 72.5m RD
(A4)	Buildings greater than 72.5m D
<b><u>Development – sub-precinct B - I336.10.1. Precinct Plan 1: Height areas</u></b>	
(A5)	Buildings up to 27m C
(A6)	Buildings greater than 27m D

<u>Site Intensity: Maximum basic allowable Gross Floor Area controls</u>		
<u>(A7)</u>	<u>Any combination of: retail; entertainment facilities; taverns; restaurants, cafes and other eating places up to 120,000m<sup>2</sup> provided the maximum allowed GFA for retail does not exceed 102,000m<sup>2</sup></u>	<u>P</u>
<u>(A8)</u>	<u>Any combination of retail, entertainment facilities, taverns, restaurants, cafes and other eating places exceeding 120,000m<sup>2</sup> but within the overall basic GFA limitation</u>	<u>RD</u>
<u>(A9)</u>	<u>Any combination of retail, entertainment facilities, taverns, restaurants, cafes and other eating places exceeding the 200,000m<sup>2</sup> GFA limitation</u>	<u>D</u>
<u>(A10)</u>	<u>Offices up to 48,000m<sup>2</sup></u>	<u>P</u>
<u>Development - Sub-precinct C – I336.10.1. Precinct Plan 1: Height areas</u>		
<u>(A11)</u>	<u>Buildings up to 22.5m</u>	<u>C</u>
<u>(A12)</u>	<u>Buildings greater than 22.5m</u>	<u>D</u>
<u>Specific Activities - Sub-precinct C</u>		
<u>(A13)</u>	<u>Care centres</u>	<u>P</u>
<u>(A14)</u>	<u>Community facilities</u>	<u>P</u>
<u>(A15)</u>	<u>Healthcare facilities</u>	<u>P</u>
<u>(A16)</u>	<u>Home occupations</u>	<u>P</u>
<u>(A17)</u>	<u>Public places, informal recreation and leisure</u>	<u>P</u>
<u>(A18)</u>	<u>Dwellings</u>	<u>P</u>
<u>(A19)</u>	<u>All other activities in the Metropolitan Centre zone not listed in this activity table, except those deemed as non-complying</u>	<u>D</u>
<u>Site Intensity: Maximum basic allowable Gross Floor Area controls</u>		
<u>(A20)</u>	<u>Up to 6000m<sup>2</sup> of residential and other permitted activities</u>	<u>P</u>

(A21)	A combined area of 3000m <sup>2</sup> relating to care centres, community facilities and healthcare facilities	P
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### **I336.5. Notification**

- (1) An application for resource consent for a controlled activity listed in Table I336.4.1 Activity table above will be considered without public or limited notification or the need to obtain written approval from affected parties unless the Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991. For the following activities council will consider limited notification may be given to identified Mana Whenua; being Ngati Paoa, Ngati Maru, Ngati Whanaunga and Ngati Tamatera for:
1. A control infringement of Standard I336.6.8.
- (2) Any other application for resource consent for an activity listed in Table I336.4.1 Activity table above which is not listed in Standard I336.5(1) above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (3) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

### **I336.6. Standards**

The standards applicable to the overlays, zones and Auckland-wide provisions apply in this precinct unless otherwise specified below.

Metropolitan Centre zone standards not applying to this precinct include:

- Standard H9.6.1 Building height
- Standard H9.6.4 Maximum tower dimension and tower separation
- Standard H9.6.5 Residential at ground floor
- Standard H9.6.7 Landscaping

All other standards in the Metropolitan Centre zone, Auckland-wide standards and any relevant overlays apply in this precinct in addition to Standards I336.6.1 – I336.6.8 below:

#### **I336.6.1. Site Intensity**

- (1) The maximum total basic gross floor area on the site is 200,000m<sup>2</sup> subject to the limitations set out in the activity table under I336.4.1.
- a) Bonus accommodation floor area: 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
  - b) Office activity exceeding 48,000m<sup>2</sup> up to a maximum of 70,000m<sup>2</sup> GFA is a restricted discretionary activity.

- c) Non-residential activities exceeding the standards above (as set out in the activity table) will be considered a discretionary activity.

#### **I336.6.2. Home occupations**

- (1) Refer to Standard H6.6.2 Home occupations.

#### **I336.6.3. Building height (shown in I336.10.1)**

- (1) For the purposes of calculating height in the Sylvia Park precinct, the ground level of the site will be calculated based on the 'Geotechnical Completion Report for Earthworks' prepared for SKM by Tonkin & Taylor Ltd, dated May 2006.
- (2) Building platform – sub-precinct A and sub-precinct B
- a) 'Height area– sub-precinct A'
- i. The maximum height is 72.5m provided that all parts of buildings between 27m and 72.5m in height must:
- In total, not exceed more than 15 per cent of the area of 'Height area - sub-precinct A'
  - in each case, not exceed a floor plate area of 3000m<sup>2</sup> and
  - be separated from each other by a minimum horizontal distance of 20m.
- b) 'Height area – sub-precinct B'
- i. Buildings must not exceed 27m in height.
- (3) Building platform - sub-precinct C
- a) Buildings must not exceed 22.5m in height.
- (4) Development that does not comply with clauses 1 to 3 above is a discretionary activity.

Development in sub-precincts A and B not complying with standards I336.6.4. to I336.6.7 below is a restricted discretionary activity.

#### **I336.6.4. Frontage control**

- (1) Within those parts of the site identified in I366.10.2 - Precinct Plan 2: 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.

- e) The ground floor frontage of buildings used for commercial sexual services and strip clubs must screen the areas where the services take place, if they are directly visible from the street.
- (2) Within those parts of the site identified in I366.10.2 - Precinct Plan 2: 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 - e above.

#### **I336.6.5. Vehicle access**

- (1) Vehicle access to the site is limited to the entry/exit points identified in I366.10.2 - Precinct Plan 2: Structuring Elements.

#### **I336.6.6. 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 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.

#### **I336.6.7. Landscaping and on-site amenity areas**

- (1) A minimum of 10 per cent of the site 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 access routes and roads subject to the frontage controls shown on I366.10.2, Precinct Plan 2: Structuring elements.
- (3) The 'Cone' (located over the existing open space as shown on I366.10.2, Precinct Plan 2: Structuring Elements) 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 in I366.10.2, Precinct Plan 2: Structuring Elements including playgrounds, water features, other amenity areas and pedestrian walkways.

#### **I336.6.8. 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 I336.10.3 Limited earthworks corridor diagram.
- (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.
- (3) An infringement of the corridor control will be considered as a controlled activity.



### I336.7. Assessment – Controlled Activities

#### I336.7.1. Matters of control

For activities/development that is a controlled activity in the Sylvia 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, Auckland-wide or overlay provisions.

#### 1. Buildings less than 27m in height

- a. general design principles
- b. building design
- c. street level interface
- d. upper floors and roof levels
- e. off-site road works
- f. limited earthworks corridor

#### I336.7.2. Assessment criteria

For activities/development that is a controlled activity in the Sylvia Park precinct, the following assessment criteria apply.

#### (1) Buildings up to 27m 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.
- legible and safe pedestrian access routes as shown in Precinct Plan 2: Structuring Elements are provided between significant on-site activities, including public transportation facilities
- 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 1 and 2 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'(town square), Pedestrian Plaza as well as key future amenity areas within the Precinct or immediately adjacent
    - the pedestrian connections as shown in I336.10.2 - Precinct plan 2: 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
- 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
- i. 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.
- ii. 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 I336.9 a.1.d. below.
- iii. 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

### **I336.8. Assessment – Restricted discretionary activities**

#### **I336.8.1. Matters of discretion**

For activities and development that is a restricted discretionary activity in the Sylvia Park precinct, the council will restrict its discretion to the following matters in addition to the matters specified for the relevant restricted discretionary activities in the Metropolitan Centre zone and the Auckland-wide rules:

- (1) Travel management
- (2) Trip generation
- (3) Building design over 27m in height and up to 72.5m
- (4) Frontage Control
- (5) Car parking
- (6) Vehicle Access
- (7) Heavy vehicle access

(8) Landscaping and on-amenity areas**1336.8.2. Assessment criteria**

For activities and development that is a restricted discretionary activity in the Sylvia Park precinct, the following assessment criteria apply, in addition to the criteria specified for the relevant restricted discretionary activities in the Metropolitan Centre zone, the Auckland-wide, or overlay provisions and having reference to the guiding principles set out in Sylvia Park precinct Policy 3:

- (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 130,00m<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 27m high in Height area sub-precinct A

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.

(4) 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.

(5) Car parking

- a. Car parking and loading not meeting the requirements of Tables E27.6.2.3 and E27.6.2.4 in clause E27 of the Auckland-wide rules - Transport section will be assessed against the relevant matters set out in clause E27.6.3 of the Auckland-wide rules - Transport section.

(6) 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.

(7) Heavy vehicle access

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

(8) Landscaping and on-site amenity areas

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

**I336.9. Special information requirements**

An application for resource consent must be accompanied by:

**a. 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 Unitary 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 sub-precinct 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**

- 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: Structuring Elements.

- 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, 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 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.

- b. Landscape management plan
  - i. 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.
  - ii. 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.
- c. Signage
  - i. 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

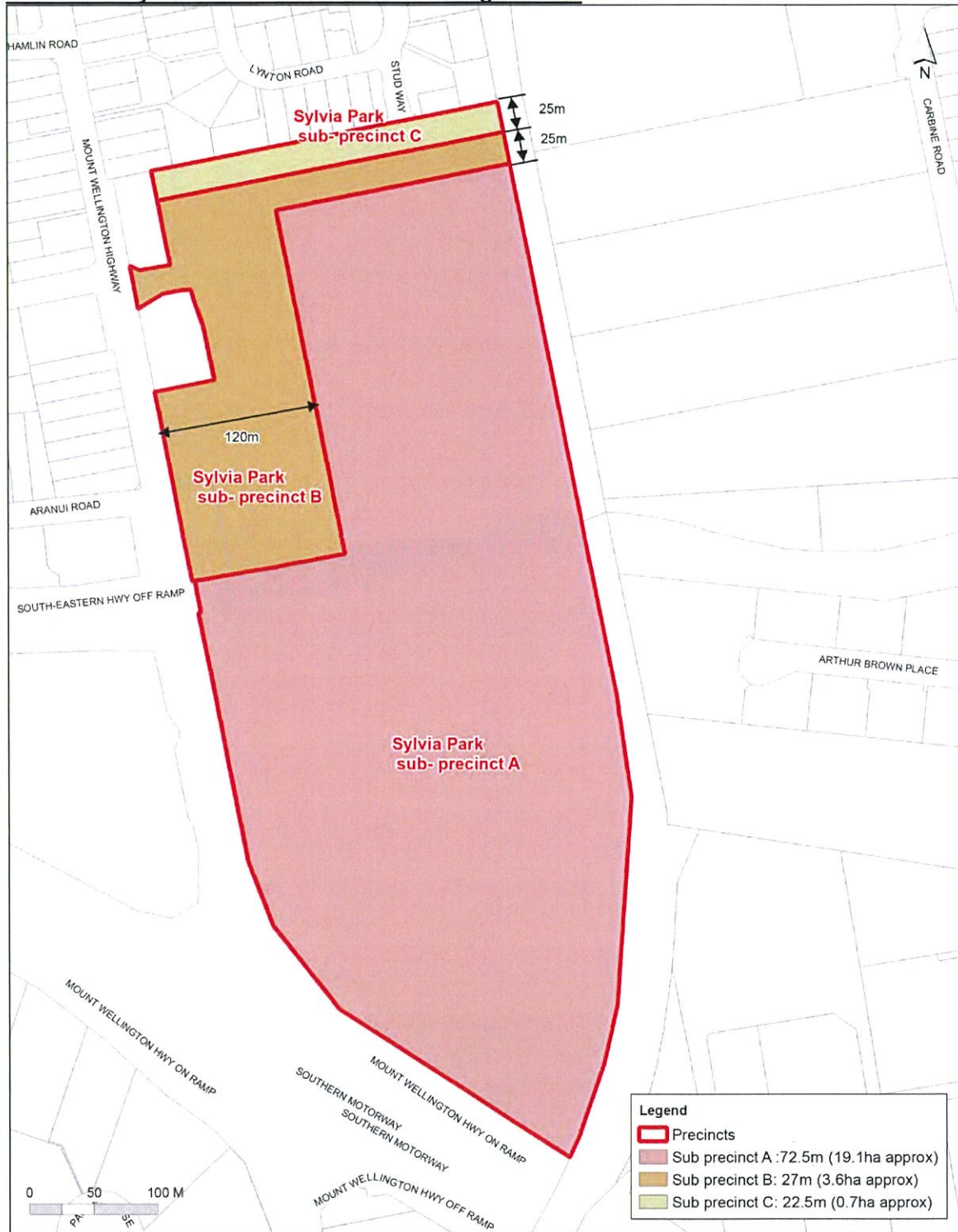
The signage plan must be submitted to the council for approval and thereafter updated as required and approved by the council prior to the grant of any resource consent involving new signage or applications under the signs bylaw.

d. Street amenity and maintenance

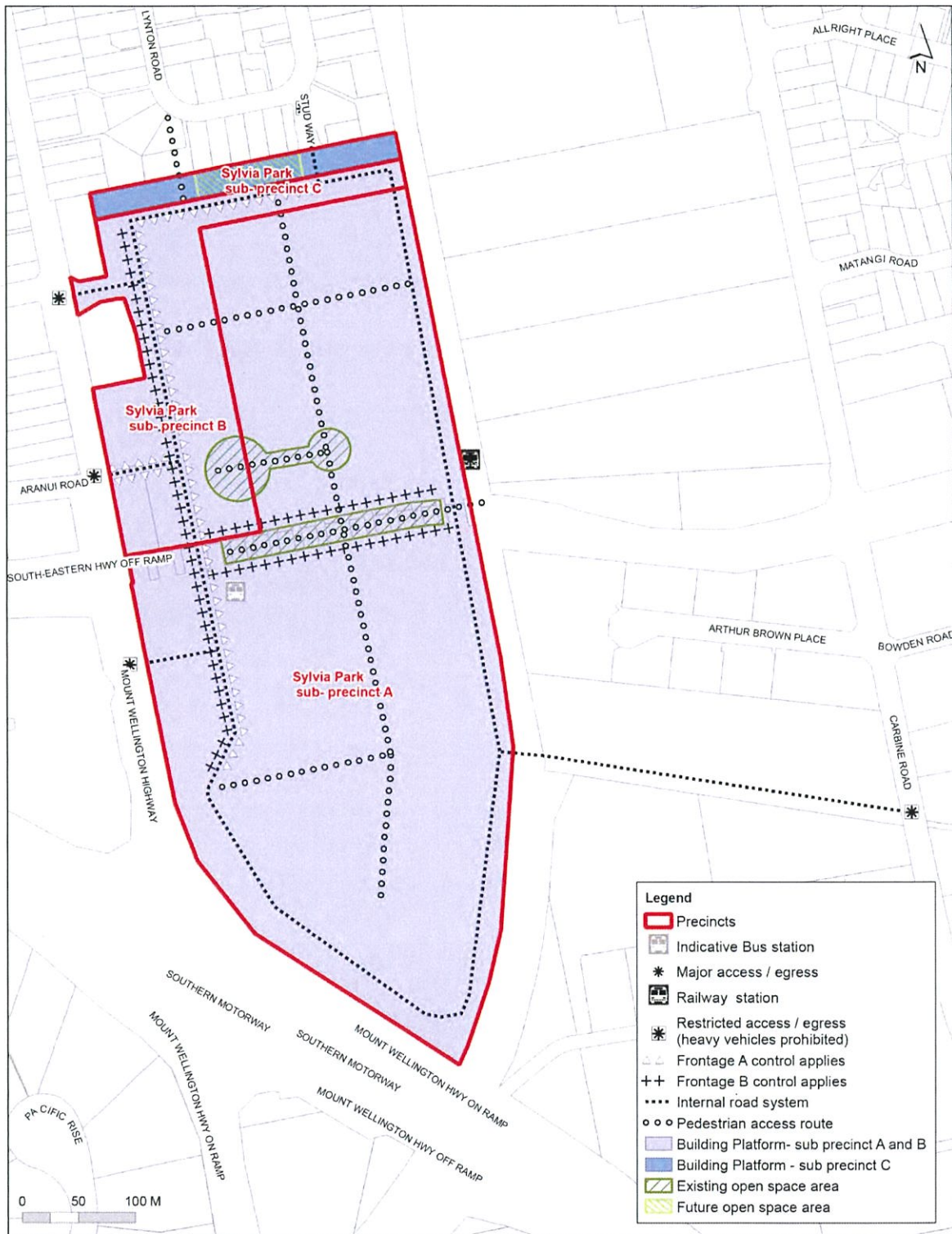
- i. Once development on the site exceeds 148,000m<sup>2</sup>, a street amenity and maintenance plan must be prepared, setting out the design and maintenance of the internal street network. This must set out the design treatment of internal streets including details of paving materials, public transport 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.

**1336.10. Precinct plans**

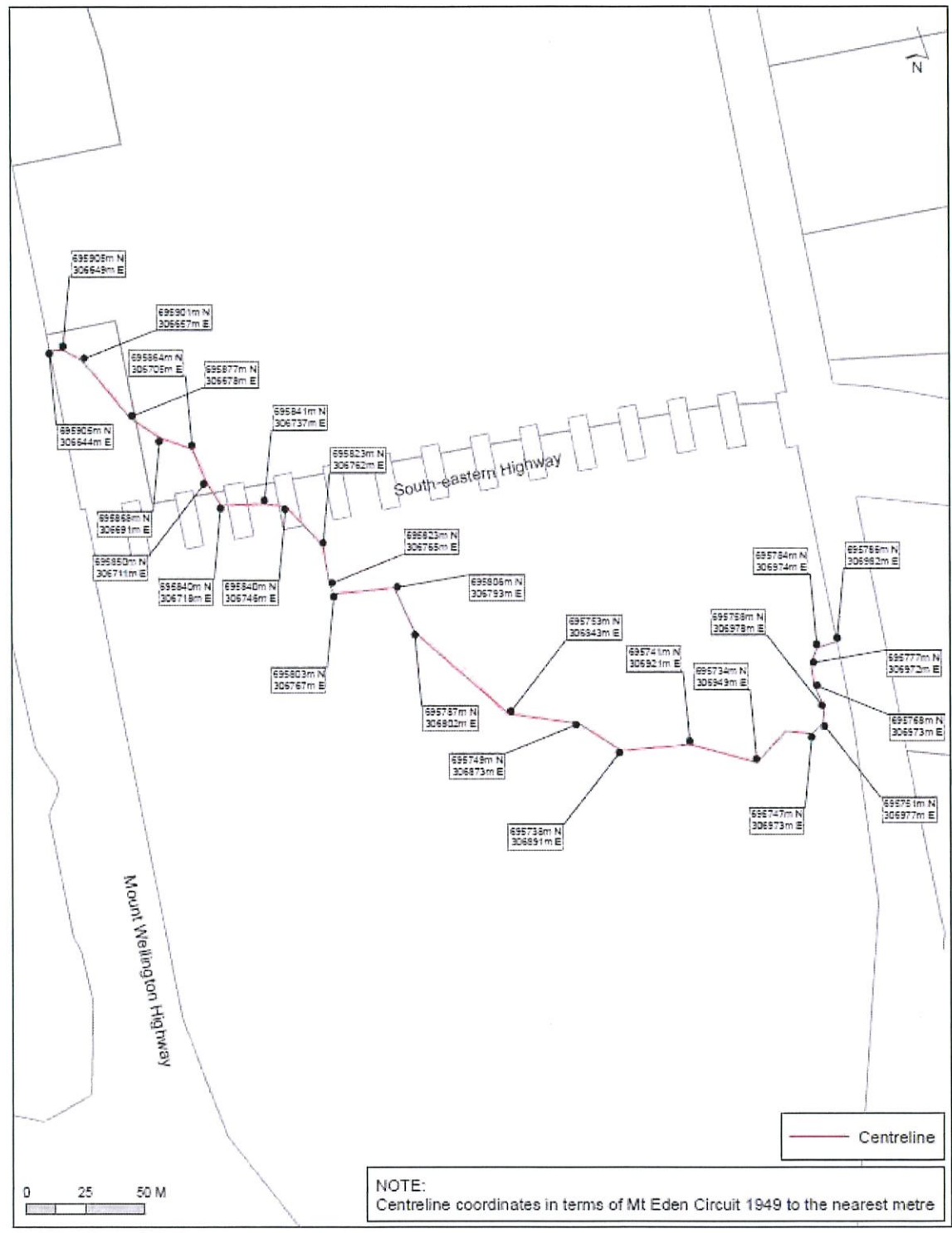
**1336.10.1 Sylvia Park: Precinct Plan 1: Height areas**



**1336.10.2 Sylvia Park: Precinct Plan 2: Structuring elements**

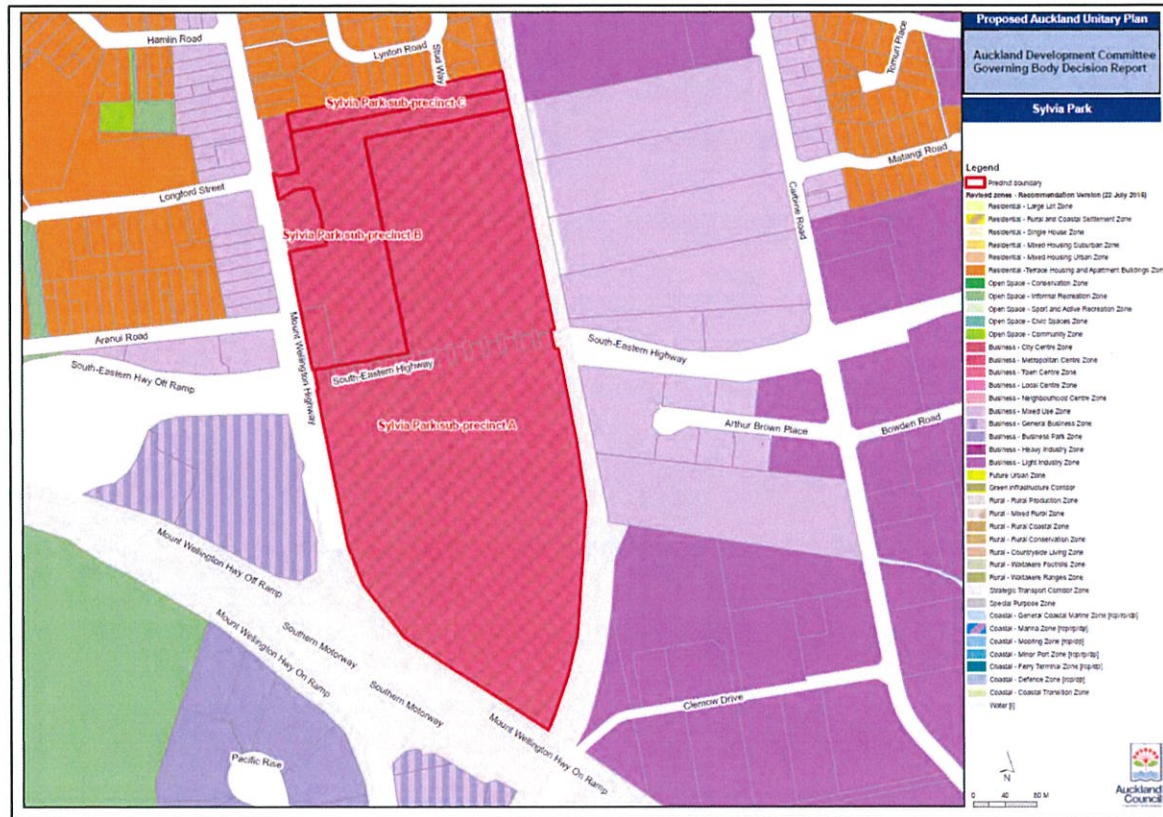


1336.10.3 Sylvia Park: Limited earthworks corridor





Topic Number	Topic Name	Change requested to planning maps
Topic 016, 017, 080, 081	Rural Urban Boundary, rezoning and precincts (Central)	Reinsert Sylvia Park Precinct map boundary including the insertion of sub-precincts A, B and C into the planning maps – see below.





## ANNEXURE C

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

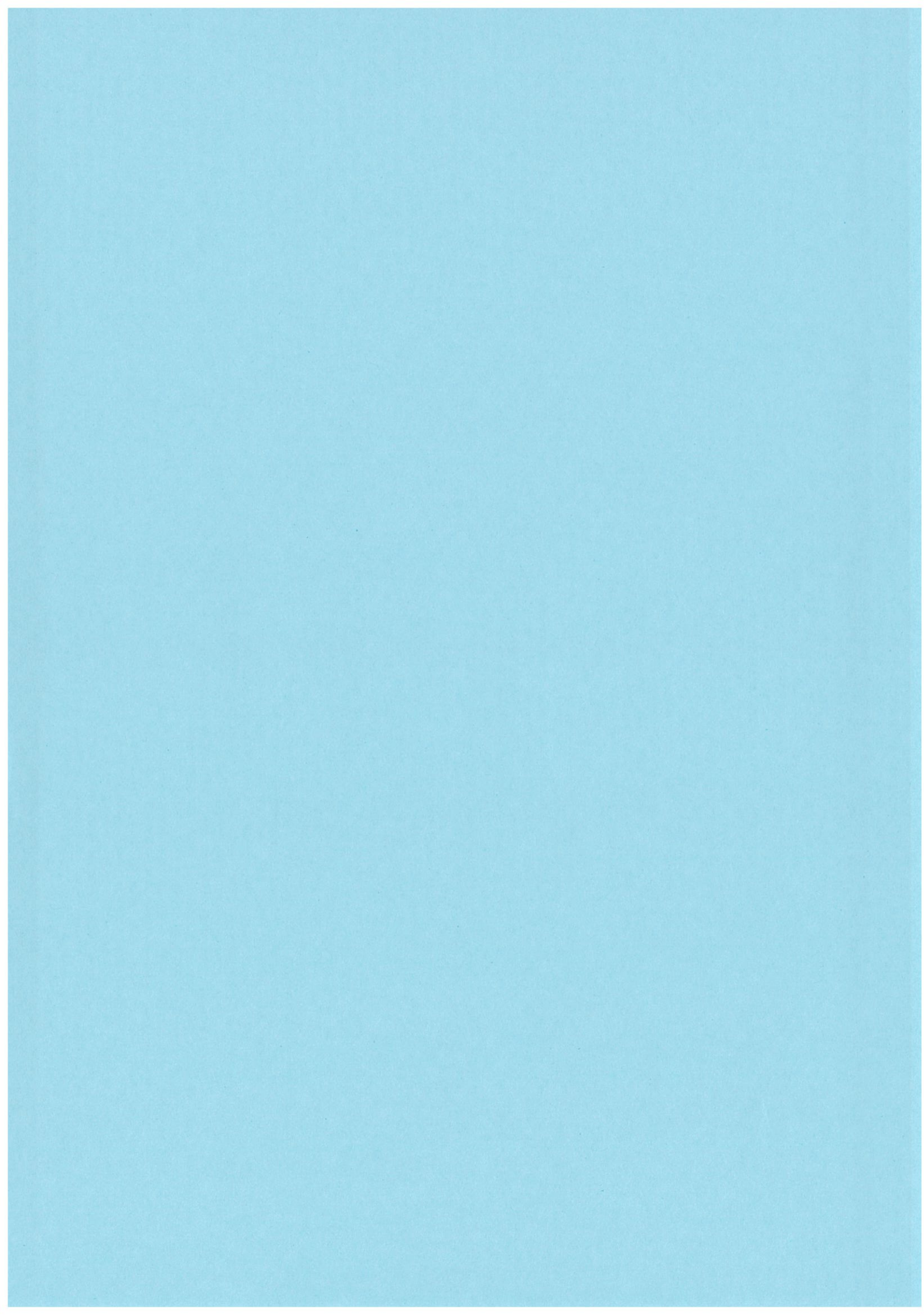
Name	Address for Service
Auckland Council	<u><a href="mailto:unitaryplan@aucklandcouncil.govt.nz">unitaryplan@aucklandcouncil.govt.nz</a></u>

## ANNEXURE C

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

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







## **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.