

## PART 6 - DEVELOPMENT CONTROLS

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### Plan modification annotations - key



Indicates where content is affected by proposed plan modification x.  
Refer to plan modification folder or website for details.



Indicates where the content is part of plan modification x, which is subject to appeal.

Underlined content to be inserted.

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**PART 6 - DEVELOPMENT CONTROLS**



See key on page 1  
of this section



## DEVELOPMENT CONTROLS

### 6.0 INTRODUCTION

This part contains the general development controls for permitted activities in the Central Area. They apply as overlays across the five Strategic Management Areas, which cover the Central Area, and provide the Plan method for achieving the objectives, policies and expected outcomes set out for each area in Part 4.

The controls relate primarily to the scale, form and intensity of buildings and the resultant effects on visual amenity and the pleasantness and safety for pedestrians throughout the Central Area.

In addition, specific development controls are applied within selected precincts or quarters where the control of a particular characteristic is desired.

To determine what development controls are applicable to any site located within a precinct or quarter, both the following general controls and the specific controls for the precinct or quarter in Part 14 need to be referred to.

Note 1: Except for the rules listed in Note 2 below and the exceptions in this paragraph, an application to modify one or more of the development control rules may be considered under Clause 15.3.1.2(b) as a restricted discretionary activity. Clause 15.3.1.2(b) does not apply to applications to exceed the permitted height on the site to the south of and adjoining the St Andrews Presbyterian Church site (as shown on Planning Overlay Map 3). An application to exceed the permitted height on that site may be considered as a restricted discretionary activity under Clause 15.3.1.2(e). Clause 15.3.1.2(b) does not apply to the Empire Tavern site, which is located at the north western intersection of Nelson Street and Victoria Street West (as shown on Planning Overlay Map 3). An application to exceed the permitted height on part of that site may be considered as a restricted discretionary activity under Clause 15.3.1.2(f).

Note 2: An application for a non-complying activity will be required to modify:

- i) Maximum total floor area ratio (see 6.7.3)
- ii) the maximum heights determined by any of the following controls:
  - Admission of sunlight to public places
  - Aotea Height Control Plane
  - Harbour Edge Height Control Plane east of Queen Elizabeth Square

- Mt Eden View Protection Planes
- Auckland War Memorial Museum View Protection Plane
- Dilworth Terrace Houses View Protection Plane
- Railway Station Building and Gardens View Protection Plane.

### 6.1 INTERPRETATION AND DEFINITIONS

Refer to Part 16 for definitions and common terms employed in this Part.

### 6.2 HEIGHT

#### 6.2.1 MAXIMUM HEIGHT

- a) The height of a building shall not exceed the limits determined by the general height controls shown on Planning Overlay Map 3, the height planes for admission of sunlight to public places and the following special height limits shown on Planning Overlay Map 4:
  - i) Aotea Height Control Plane (see 6.4)
  - ii) Harbour Edge Height Control Plane (see 6.5)
  - iii) Mt Eden View Protection Planes (see Clause 10.14.6.3)
  - iv) Auckland War Memorial Museum View Protection Plane (see Clause 10.14.6.1)
  - v) Dilworth Terrace Houses View Protection Plane (see Clause 10.14.6.2)
  - vi) Railway Station Building and Gardens View Protection Plane (see Clause 10.14.6.4)
- b) Where height limits shown on Planning Overlay Maps 3 and 4 overlap, the lowest height applies as the first level of control. However in assessing resource consent applications all height controls will be taken into account.

Note: Detailed height restriction and land contour information is available at the Council Planning Office.



## PART 6 - DEVELOPMENT CONTROLS

### **Explanation**

*The maximum height control limits the bulk and scale of buildings in conjunction with the floor area ratio control. In the Core SMA the maximum total floor area is concerned with limiting the scale of activity and the building bulk rather than absolute height.*

*The primary control on absolute height for the Core SMA is the admission of sunlight to public places which protects sunlight penetration to key public places to ensure they remain attractive for people. This control is complemented by the Aotea and Harbour Edge height control planes which ensure that building redevelopment does not have an obtrusive impact on those environments, and the visual protection planes.*

*From the peak heights of the core area and adjacent ridgelines, the height limits provide a transition of lower heights to the waterfront and landward periphery. This transition is based on maintaining a consistency with existing development in the vicinity, and maintaining the context of the existing landform falling away from the core area. The transition also ensures that views of Central Area buildings from outside the area and views to the harbour and surrounding city from buildings within the Central Area are not unduly compromised.*

*In this respect the core controls differ from those applied to the peripheral areas. Within the core area of Queen Street up to the Hobson Street ridge on the western side and the Kitchener Street ridge on the eastern side, the need to protect sun admission to public places takes precedence. Apart from small glimpses of the harbour or the periphery of Albert Park, the outlooks at street level within the core area are very localised.*

*However outside the core ridgelines where the landform either continues to rise to the Symonds Street and Karangahape Road ridgelines or falls away to the harbour and eastern and western peripheries the impact of views beyond the Central Area and the transition to development adjacent to the Central Area become the primary influence. In these areas transitional height limits have been maintained. For example, to maintain the views of the Ponsonby ridge and adjacent inner suburbs, upper harbour and beyond the height limit of 15m west of the Hobson Street ridge has been retained.*

### **6.3 ADMISSION OF SUNLIGHT TO PUBLIC PLACES**

- a) No new building or structure on any site within the defined areas shown on Planning Overlay Map 4 shall exceed the heights determined for admission of sunlight at defined time periods detailed on the relevant diagrams under Appendix 11.

- b) Where part of an existing building exceeds the standards for admission of sunlight, any reconstruction, alteration or addition to the building shall not increase the degree of non-compliance in terms of sunlight admission to the public place protected under this rule
- c) A certificate prepared and signed by a registered surveyor or other appropriately qualified person must be supplied to demonstrate compliance with this rule where the proposed building height is within 5m of the maximum permitted for the site.
- d) Where any part of a new building, other than those features which are excluded from the definition of height, exceeds the sunlight planes an application for a non-complying activity will be required.

### **Explanation**

*The admission of sunlight to public places is considered essential to people's enjoyment of the Central Area. In key public places sunlight penetration has been protected by the establishment of defined sunlight planes. The angles of those planes have been calculated to enable the specified public areas to be in sunshine for those times of the day when they are most intensively used.*

### **6.4 AOTEA HEIGHT CONTROL PLANE**

No building or structure on any site within the Height Control Plane shown on Planning Overlay Map 4 shall exceed the heights determined by a 30 degree cone from the centre of origin detailed in Appendix 11.

### **Explanation**

*The purposes of the control are, firstly, to maintain a sense of orientation both for viewing points from the Aotea open spaces to key buildings and for views into the open space from buildings and other points around the city centre. Secondly, the control is designed to avoid a sense of tall buildings visually intruding into the open space and thereby reducing the degree of seclusion that the space can otherwise provide*

### **6.5 HARBOUR EDGE HEIGHT CONTROL PLANE**

- a) This control applies to all sites located within the area bounded by Customs Street, Lower Hobson Street, Britomart Place and Quay Street.



Figure 6.1 Special Height Control Plane

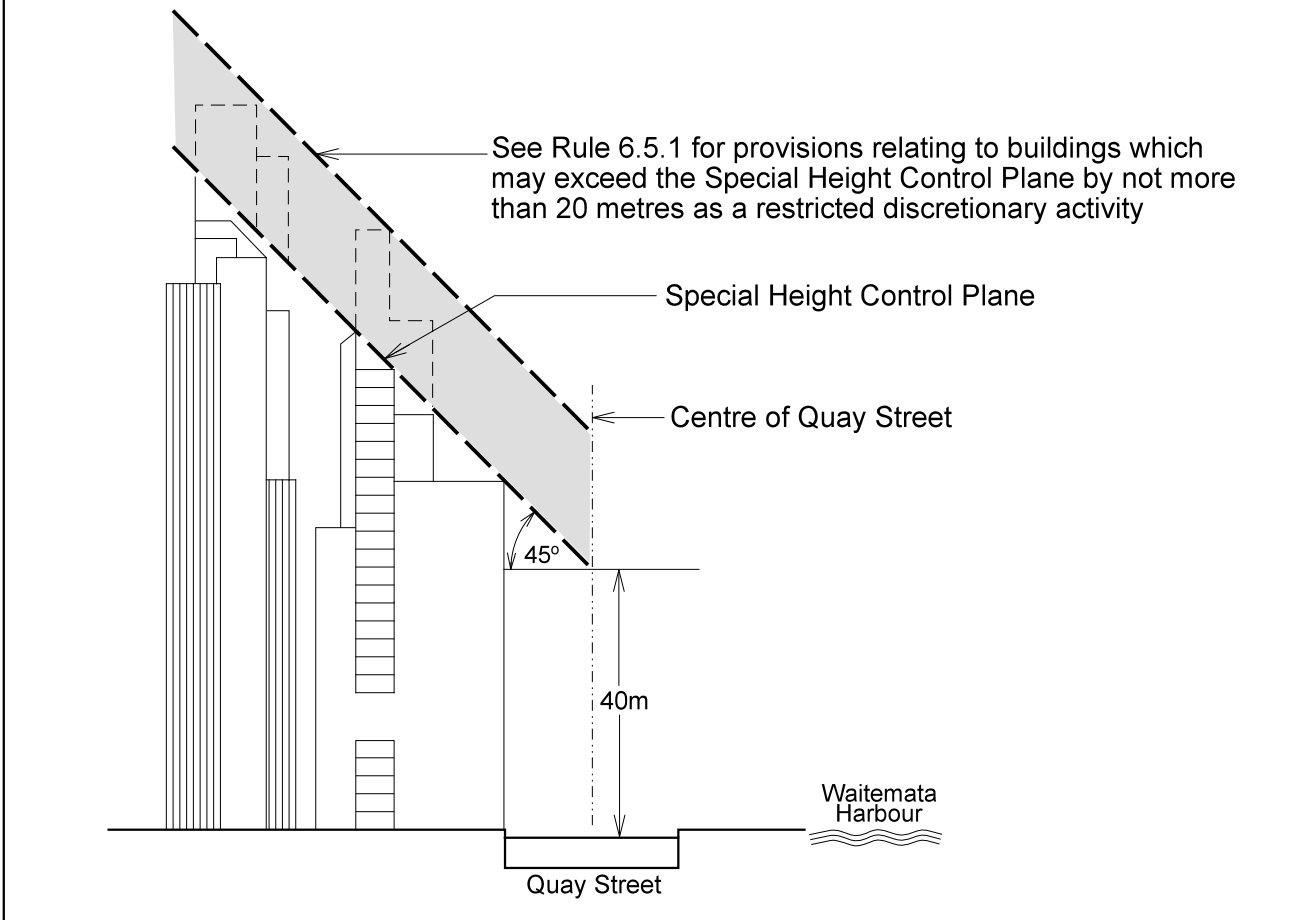
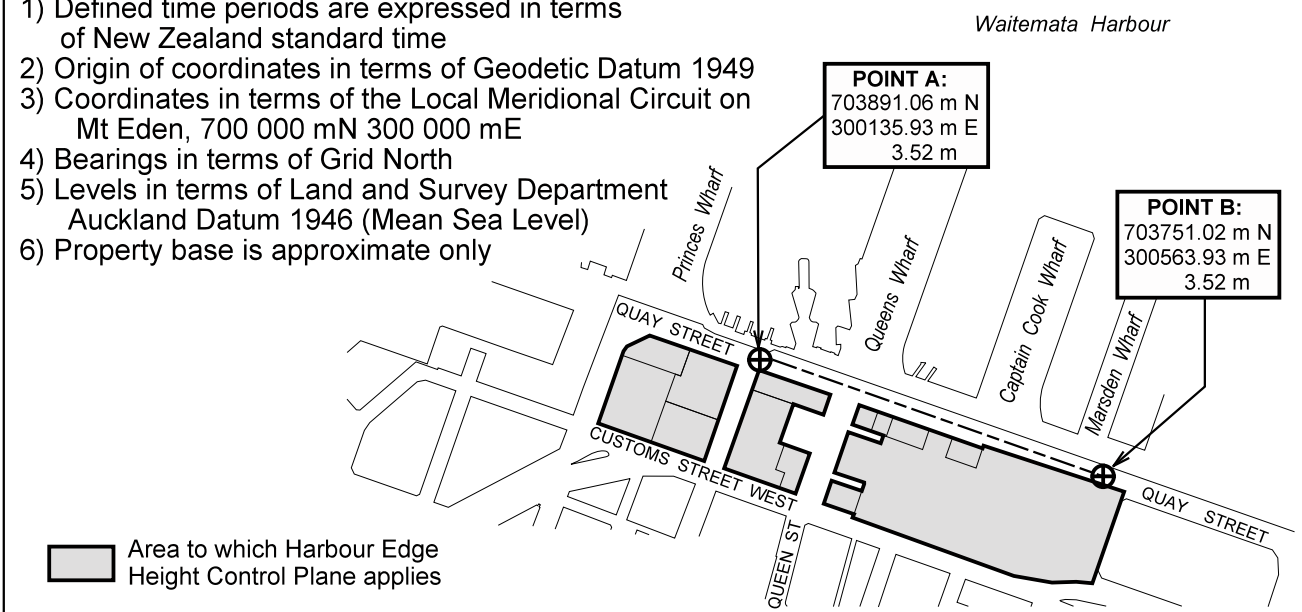


Figure 6.2

NOTE:

- 1) Defined time periods are expressed in terms of New Zealand standard time
- 2) Origin of coordinates in terms of Geodetic Datum 1949
- 3) Coordinates in terms of the Local Meridional Circuit on Mt Eden, 700 000 mN 300 000 mE
- 4) Bearings in terms of Grid North
- 5) Levels in terms of Land and Survey Department Auckland Datum 1946 (Mean Sea Level)
- 6) Property base is approximate only



## PART 6 - DEVELOPMENT CONTROLS

- b) Apart from the exception provided for in 6.5.1 below, no building shall exceed the Height Control Plane shown on Planning Overlay Map 4 and depicted in Figure 6.1.
- c) The Height Control Plane starts at a line 40m above the centre line of Quay Street and continues as a tilted plane at 45 degrees to the horizontal from that line in a generally southerly direction.
- d) For the purpose of this control the centre line of Quay Street shall extend between the eastern boundary of Britomart Place and the western boundary of Lower Hobson Street and shall be defined by a straight line passing through the coordinates specified in Figure 6.2.

### **6.5.1 EXCEPTION TO HARBOUR EDGE HEIGHT CONTROL PLANE**

- a) Application may be made to exceed the Harbour Edge Height Control Plane where the building or structure is located on a site within the area bounded by Customs Street, Lower Hobson Street, Quay Street and Queen Elizabeth Square.
  - i) The application will be assessed as a restricted discretionary activity where the requirements in clause 6.5.1 and criteria (b), (e) and (f) in 6.5.1.1 are met, and the maximum height to which the Harbour Edge Height Control Plane is exceeded is no more than 20m.
  - ii) The application will be assessed as a discretionary activity where the requirements in clause 6.5.1 and the criteria in clause 6.5.1.1 are met and the Harbour Edge Height Control Plane is exceeded by more than 20m.
- b) In order to qualify as a restricted discretionary or discretionary activity under this rule any penetration of building bulk through the Harbour Edge Height Control Plane must be compensated for by equivalent open space "corridors" which are situated below the plane and which must:
  - i) be continuous and run approximately north to south through the development site to provide some permeability of appearance when looking from a northerly or southerly direction.
  - ii) have a minimum width equating to 15% of the widest east-west dimension for the site.
- c) The method of calculating the compensatory open space is as follows:
  - i) establish a Maximum Total Floor Area Ratio (MTFAR) for the site

- ii) calculate and demonstrate the obtainable Floor Area Ratio (FAR) for the building proposal within the Special Height Control Plane
- iii) determine the floor area which the building proposal could qualify for above the Special Height Control Plane
- iv) add that floor space to the building or structure above the Special Height Control Plane and also add a theoretical compensatory floor area (equal to that calculated in (c) above) to the building or structure below the Special Height Control Plane, assuming a floor to floor distance the same as applies to the building or structure at that level
- v) then recalculate any light and outlook bonus claimed, as if the theoretical compensatory floor area (iv) existed
- vi) if the building now fails to comply with the Maximum Total Floor Area Ratio (as calculated in (iv) above) or the Permitted Floor Area Ratio calculated in accordance with the rules, the proposal does not qualify as a restricted discretionary or discretionary activity under this rule.

### **6.5.1.1 SPECIFIC ASSESSMENT CRITERIA**

#### a) Visual Profile

The visual profile which the building or structure will present and its appropriateness when viewed from the main Central Area approaches by land and water and from public places which offer comprehensive views. In this regard, Council must be satisfied that a building or structure has a scale, bulk, appearance and location which represents a visually compatible addition to the central city.

#### b) Waterfront Amenity

The Council must be satisfied that the building bulk penetrating the Harbour Edge Height Control Plane does not result in significant loss of amenity to adjacent waterfront areas where the public are likely to gather. Particular consideration will be given in this regard to aspects of sunlight admission, shading and air movement at street level and at public gathering places.

#### c) Streetscape and street corners

Whether the disposition of the proposed building or structure is consistent with the existing streetscape in terms of scale, visual harmony and form. A particular concern will be the relationship to street corners,



especially for sites fronting Quay Street, Customs Street and Queen Elizabeth Square.

d) Effects on surrounding properties

The extent to which the proposed building or structure will allow for light, space and general amenity around the development and where possible through the site. Long facades of unbroken design are not likely to meet this criterion. It should be noted that it is not the intention of this provision to protect views from private property to the harbour.

e) Design of upper parts of buildings or structures

Whether that part of the building or structure which protrudes through the Harbour Edge Height Control Plane is designed in a manner which avoids abrupt or arbitrary truncation of the upper parts of the building or structure.

f) Particular constraints

Whether there are particular site development characteristics in terms of unusual site size, shape or orientation, or the location and nature of existing buildings which have constrained the form of development proposed.

**Explanation**

*The scale of building development has the potential for significant impact on the harbour edge. The purpose of the control is to provide a scale of building which is sensitive to the natural environment and which maximises views between the harbour and the Central Area.*

*The restricted discretionary and discretionary activity provisions recognise that there may be proposals for buildings and structures that exceed the height control plane which may still be able to meet the purpose of the control, provide for street amenity and achieve an appropriate transition. The restricted discretionary and discretionary activity provisions do not apply to the Britomart Precinct east of Queen Elizabeth Square where open space corridors are already part of the comprehensive above ground development concept.*

## 6.6 ROOFTOP CONTROL

- a) Rooftop projections including towers, turrets, chimneys, lift towers, machinery rooms and water towers which exceed the height of all parts of a parapet surrounding the roof on which the projections are located, shall be enclosed in either a single structure or a maximum of three structures.
- b) All floor space forming part of rooftop projections that meet the requirements of this rule is excluded from the calculation of gross floor area for the development.

For the purpose of this rule “rooftop” includes the roof of building podiums in addition to its ordinary meaning.

For the purposes of this rule rooftop projections do not include;

- i) Any part of a building included in the definition of gross floor area in part 16 of the Plan.
- ii) Any roof top ornamental projections including finials, turrets, towers, cupola, pediments and cornices integral to the design of the building; and
- iii) Telecommunications antennas and aerials.

**Explanation**

*The purpose of this control is to prevent the unsightly proliferation of projections above rooftops.*

## 6.7 SITE INTENSITY

### 6.7.1 BASIC FLOOR AREA RATIO

The basic floor area ratio applying to any site in the Central Area shall be as shown on Planning Overlay Map 5.

For the purposes of this rule floor area ratio is as defined in Part 16 and the basic floor area is the gross floor area allowed as a permitted activity.

### 6.7.2 BONUS FLOOR AREA

- a) In addition to the basic floor area, bonus floor area is available where development incorporates one or more of the features listed in Figure 6.3, except that the area of a feature for which a bonus is obtained cannot be claimed for twice.
- b) The amount of bonus floor area available per square metre of feature provided and the locations within which they apply are set out in Figure 6.3 except that Clauses 6.7.2.2 to 6.7.2.5 set out the methods for calculating the amount of bonus floor area available per square metre of feature provided for light and outlook, works of art, heritage floor space, and through-site links.
- c) Figure 6.3 lists the bonus features as either permitted, restricted controlled or restricted discretionary activities. The bonus features of accommodation, pre-school facility, light and outlook and escalators are permitted activities subject to any standards specified in clause 6.7.4. Consent for the remaining bonus features will be granted where the council is satisfied



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that the bonus features meet the relevant standards and assessment criteria under 6.7.5 and 6.7.6

### 6.7.2.1 Interpretation

For the purpose of the bonus provisions, the following items and abbreviations apply:

- AFA** average floor area as defined in Part 16.
- CFA** calculated floor area is average floor area as defined in Part 16, but is calculated by averaging the area of that floor or part of a floor immediately below a horizontal plane of a set height above mean street level and all floors above that plane. The height of the horizontal plane shall be:
- For bonus areas 1 and 2 : 20m above mean street level
- For bonus areas 3 and 4 : 12.5m above mean street level
- Bonus Area 5 and 6: not applicable (see Clause 6.7.2.2)
- FAR** floor area ratio as defined in Part 16.
- MTFAR** maximum total floor area ratio
- SA** site area



Figure 6.3

Bonus Feature	Activity Type	Bonus Floor Area Available per Square Metre of Feature Provided						Maximum Floor Area Ratio Limit to Bonuses on a Site						
		1	2	3	4	5	6	1	2	3	4	5	6	
<b>Bonus Area (see Figure 6.4 and Planning Overlay Map 5).</b>														
<b>Activities</b>														
Accommodation (including Non Permanent Accommodation)	P	2m <sup>2</sup>	2m <sup>2</sup>	2m <sup>2</sup>	2m <sup>2</sup>	2m <sup>2</sup>	2m <sup>2</sup>	4:1	4:1	4:1	2:1	1:1	0.5:1	
Pre-school facility	P	3m <sup>2</sup>	3m <sup>2</sup>	3m <sup>2</sup>	3m <sup>2</sup>	3m <sup>2</sup>	3m <sup>2</sup>	1:1	1:1	1:1	1:1	0.5:1	1:1	
Rest room	RD	3m <sup>2</sup>	3m <sup>2</sup>	3m <sup>2</sup>	3m <sup>2</sup>		3m <sup>2</sup>	2:1	1:1	1:1	1:1		1:1	
Cycle parking facility +	RD	3m <sup>2</sup>	3m <sup>2</sup>	3m <sup>2</sup>	3m <sup>2</sup>		3m <sup>2</sup>	2:1	1:1	1:1	1:1		1:1	
<b>Amenities</b>														
Light and outlook	P	Refer Clause 6.7.2.2												
Plaza	RD	4m <sup>2</sup>	3m <sup>2</sup>	3m <sup>2</sup>	3m <sup>2</sup>			3:1	3:1	3:1	2:1			
Works of art	RD	Refer Clause 6.7.2.4						1:1	1:1	1:1	1:1	0.5:1	1:1	
Heritage floor space	RD/ RC*	Refer Clause 6.7.2.5						4:1	4:1	4:1	2:1	1:1	0.5:1	
<b>Pedestrian Facilities</b>														
Through-site links	RD	Refer Rule 6.7.2.3						1:1	0.5:1	0.5:1	0.5:1	0.5:1	0.5:1	
Footpath widening	RD	3m <sup>2</sup>	2m <sup>2</sup>					0.5:1	0.25:1					
Escalators	P	500m <sup>2</sup> per pair	500m <sup>2</sup> per pair	500m <sup>2</sup> per pair	500m <sup>2</sup> per pair			1:1 /	0.5:1	0.5:1	0.5:1			
<p>P Permitted Activity  RC Restricted Controlled Activity  RD Restricted Discretionary Activity</p> <p>+Bonus floor area for cycle parking facilities is available throughout the Tertiary Education Precinct. For those parts of the Precinct which are outside bonus Areas 1-6 the bonus floor area shall not exceed 3% coverage additional to the maximums specified for Precinct Areas A-E in clause 14.12.9.2</p> <p>*Obtaining heritage floor space bonus in accordance with 6.7.6.9 is a Restricted Discretionary Activity. The use or transfer of heritage floor space bonus in accordance with 6.7.5.1 is a Restricted Controlled Activity.</p>														



Figure 6.4 Bonus Areas

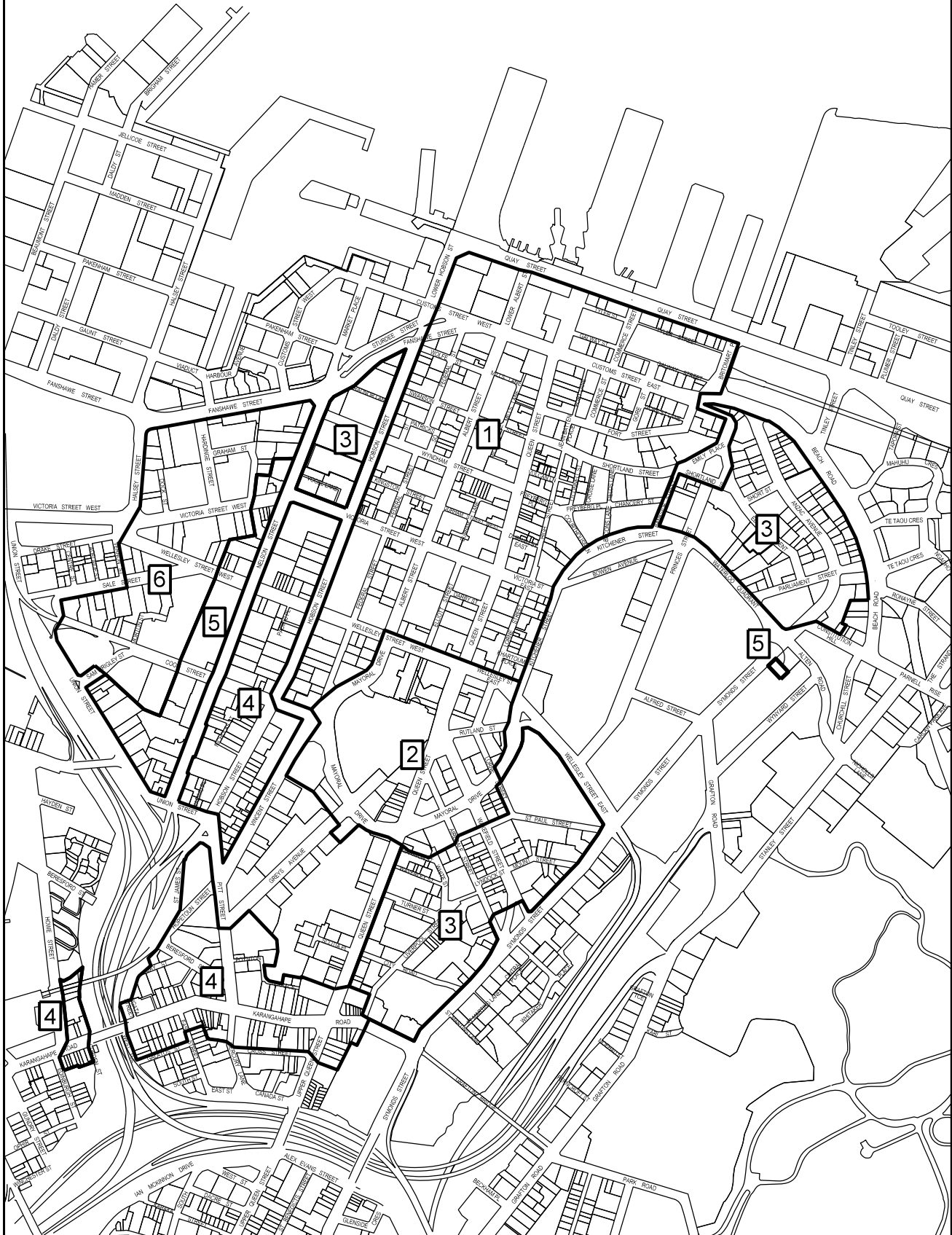


Figure 6.5

<b>Bonus Area 1</b>	
where;	Bonus FAR equals
(a) $\frac{CFA}{SA} < 0.25$	4.0:1
(b) $0.25 < \frac{CFA}{SA} \leq 0.75$	$5.75 - (7 \times \frac{CFA}{SA}) : 1$
(c) $CFA > 0.75$	Nil
<b>Bonus Areas 2, 3 and 4</b>	
where;	Bonus FAR equals
(a) $CFA < 0.3$	1.5:1
(b) $0.3 \leq \frac{CFA}{SA} \leq 0.8$	$2.4 - (3 \times \frac{CFA}{SA}) : 1$
(c) $\frac{CFA}{SA} \geq 0.8$	Nil

**6.7.2.2 Light and Outlook**

- a) A bonus will be awarded where that part of a building to which CFA relates is reduced in coverage as set out in Figure 6.5 except for sites shown on Queen Street Valley Precinct Plan C with a MTFAR of 8:1 or 10:1 (see Clause 14.4.8.1) or to sites within Bonus Area 5 and 6.
- b) Compensatory Open Space corridors (see 6.5.1) shall be deemed to be building mass for the purpose of calculating light and outlook bonus.

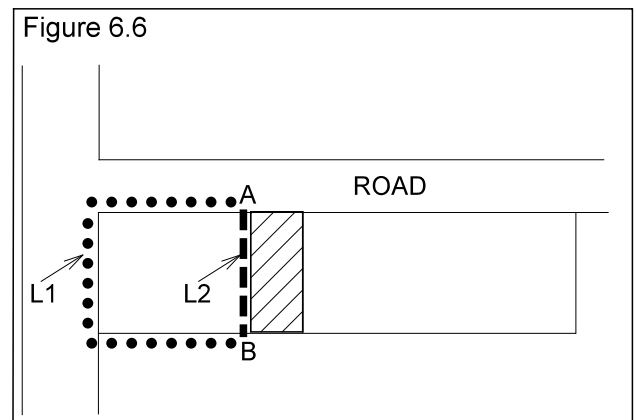
**6.7.2.3 Through-site Links**

The through-site link bonus applies to lanes, arcades and covered links. The link should provide a separately defined, continuous and clearly identifiable public walkway taking the most direct route, which is designed specifically to traverse a site to connect roads or other public places or other through-site links and is a pedestrian route which will be of substantial public benefit by providing a shorter and more convenient route than the existing alternative. Through-site links have been categorised into lanes, arcades and covered links, and these different types of links are all provided for within the ‘through-site link’ bonus in Figure 6.3.

The bonus floor area achievable per square metre of through-site link provided is expressed by the ratio L1:L2 where:

L1 = The shortest distance between points A and B measured along the road boundary.

L2 = The shortest pedestrian route between points A and B.(see Figure 6.6 below)



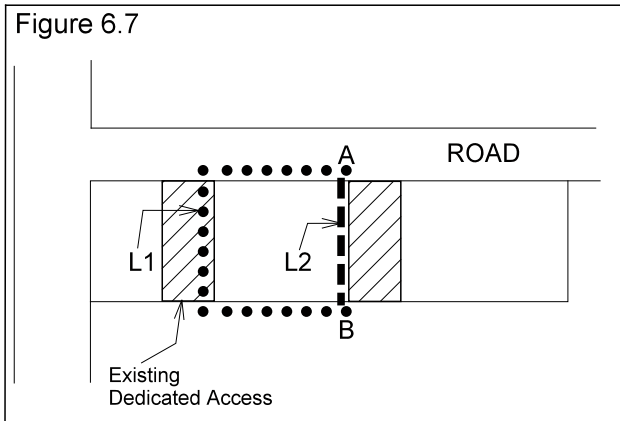
Except that subject to the maximum FAR limit for a through-site link bonus set out in Figure 6.3:

- The bonus floor area available per square metre of through-site link provided shall not exceed 10m<sup>2</sup> (ie, where L1:L2 = 10:1); and
- The bonus floor area available per square metre of through-site link provided shall be no less than 5m<sup>2</sup> (i.e. where L1:L2 = 5:1 or less) provided that through site links that attain less than 2m<sup>2</sup> shall not be eligible for a bonus.

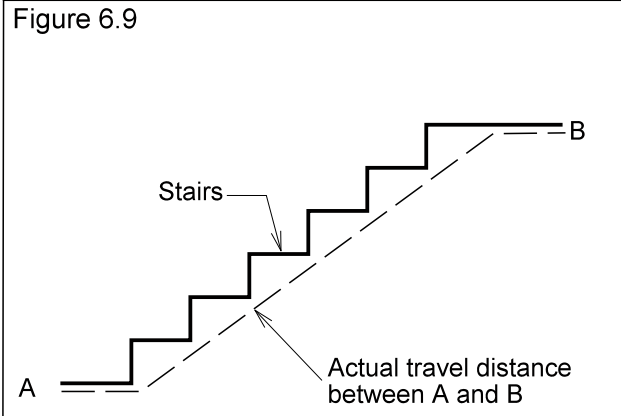
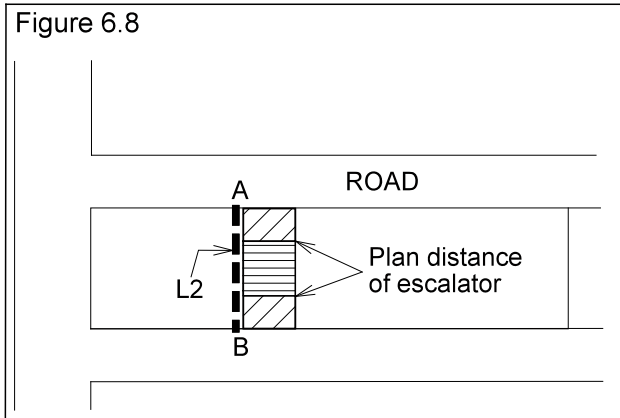
For the purpose of these measurements the following terms apply:

- a) Road boundary includes the shortest distance between points at either end of a pedestrian access which is protected by a registered easement or similar form of dedication.(see Figure 6.7 below).





- b) No part of a through-site link is counted more than once for the measurement of L2.
- c) Where escalator pairs are included in the through-site link they count as having zero distance except that the separate bonus available for escalator pairs still applies.
- d) Where a single escalator is included in a through-site link, the calculation of L2 includes the plan distance of the escalator. (see Figure 6.8 below)
- e) Where stairs are included in a through-site link their actual travel distance applies.(see Figure 6.9 below)



**6.7.2.4 Works of Art**

- a) The bonus floor area available is assessed at the following ratio:
  - 5% extra floor area for each 1% of total construction cost spent on the commission and execution of the work of art.
- b) For the purpose of calculating the extra floor area which can be claimed, 5% shall be taken of the total floor area which has resulted from the addition of:
  - i) the floor area permitted by the basic floor area ratio
  - ii) all bonus floor area claimed and awarded (apart from the extra floor area claimed for provision of a work of art)
  - iii) areas contained within a building occupied by pedestrian facilities for which consent has been granted under the standards and criteria 6.7.4 and 6.7.5.
  - iv) areas in entrance foyer/lobby or part thereof being a primary means of access to a building which is open to the public, is accessed directly from a public place and has an overhead clearance of not less than 6m.
- c) For the purpose of this rule “Total Construction Cost” means the total cost of completing the development (or in the case of an existing development, the replacement cost of that development) for which extra floor area is claimed to an initial tenantable condition, including all external and internal structural walls of the building to a finished standard (but excluding non-structural partitioning and furnishings); all building services; floor coverings; and all site works but not including land cost or the cost of the proposed work of art.
- d) A certificate prepared and signed by a registered quantity surveyor or registered architect must be supplied to the Council to verify “Total Construction Cost” as defined in (c) above, land cost and cost of the proposed work of art.



- e) A fraction of the 1% of total construction cost, either more or less, may be spent on the commission and execution of the work and where this occurs the amount of extra floor area granted shall be increased or reduced in the same proportion.

### 6.7.2.5 Heritage Floor space Bonus

#### Floor space calculation

- a) A floor space bonus may be granted when the buildings of heritage value listed in Appendix 1, Schedule D are retained and conserved. The bonus comprises the sum of the following two items:
- i) compensation for the loss of development potential that arises as a consequence of the building being scheduled for heritage purposes, and
  - ii) compensation for the cost of conservation
- b) The sum of (i) and (ii) above is calculated by the following formula:

$$(A \times B) - C + \left( \frac{C \times D}{100} \right)$$

A = Area of heritage floorplate

B = Development potential multiplier

C = Gross Floor Area of the scheduled building

D = Heritage schedule point ranking

“Heritage floor plate” means that part of a site which is covered by a scheduled building listed in Appendix 1, Schedule D including a curtiledge of a minimum depth of 2m contained within the legal boundaries of the site and surrounding the scheduled building except that as part of the application for obtaining heritage floor space the depth of the curtiledge may be increased where the Council is satisfied that the increased depth would enhance the visual integrity of the scheduled building.

The “Development potential multiplier” is an estimated average development potential based on the relevant development controls applicable to the area within which the heritage building is located.

- c) The development potential multiplier and the schedule point ranking are listed for each scheduled building in Appendix 1, Schedule D.
- d) In determining the amount of gross floor area permitted on the balance of a site or residual site area but not contained within the heritage floor plate, that portion of the site area occupied by the heritage floor plate shall not be included for the purpose of calculating the basic FAR.
- e) Where any pedestrian facility or amenity bonus element, except the light and outlook bonus, has been granted on the heritage floor plate, this bonus floor space, subject to compliance with all other

requirements of the Plan, may be included in the permitted floor area for the development on the residual site.

- f) In calculating the light and outlook bonus and MTFAR, the AFA, CFA and SA shall be assessed on the total site (ie, the heritage floor plate plus the residual site excluding any area affected by a building line for road widening) but the derived bonus ratio shall be applied to the residual site area only.
- g) Where a building which is scheduled in Appendix 1 is incorporated in a development or a new development is proposed on the residual site area and the scheduled building is subject to an approved conservation plan, the gross floor area of the scheduled building is excluded from floor area ratio calculations.

#### Register of heritage bonus floor space

- a) For the purpose of monitoring the acquisition and use of heritage floor space bonus a register shall be maintained by the Council and shall record:
- i) the address and legal description of the donor site
  - ii) the address and legal description of the recipient site(s)
  - iii) the area of the heritage floor plate on which the scheduled building is situated and the amount of heritage bonus floor space obtained from the floor plate
  - iv) the amount of bonus floor space transferred to the recipient site(s) or used within the site of the scheduled building, the date of that transfer or use and the residual floor area remaining after that transfer or use. Any such residual floor area may be transferred to another recipient site(s) at a later date.



Figure 6.10

Bonus Area 1 (see Clause 6.7.3(a)(i) for exceptions)	
Where:	MTFAR equals
(a) $\frac{AFA}{SA} < 0.25$	13:1
(b) $0.25 \leq \frac{AFA}{SA} \leq 0.75$	$15 - \frac{(8 \times AFA)}{SA} : 1$
(c) $\frac{AFA}{SA} > 0.75$	6.5:1
Bonus Area 2	
Where:	MTFAR equals
(a) $\frac{AFA}{SA} < 0.35$	10:1
(b) $0.35 \leq \frac{AFA}{SA} \leq 0.75$	$12.8 - \frac{(8 \times AFA)}{SA} : 1$
(c) $\frac{AFA}{SA} > 0.75$	6.5:1
Bonus Area 3	
Where	MTFAR equals
(a) $\frac{AFA}{SA} < 0.6$	6:1
(b) $0.6 \leq \frac{AFA}{SA} \leq 0.75$	$10.8 - \frac{(8 \times AFA)}{SA} : 1$
(c) $\frac{AFA}{SA} > 0.75$	4.5:1

**6.7.3 MAXIMUM TOTAL FLOOR AREA RATIO**

- a) The basic floor area ratio (FAR) plus the accumulation of any bonus FAR shall not exceed the Maximum Total FAR (MTFAR) as identified on Planning Overlay Map 5 except that :
  - i) The MTFAR achievable in Bonus Areas 1 (excluding sites shown on Queen Street Valley Precinct Plan C with MTFAR of 8:1 or 10:1), 2 and 3 is limited by the ratio of average floor area to site area to the extent shown in Figures 6.10, 6.11 and 6.12.
  - ii) The MTFAR in Bonus Area 3 may be increased by up to an FAR equivalent of 2:1 as shown on Figure 6.12 where additional bonus floor area is obtained through the provision of the following bonus features: accommodation, non permanent accommodation, heritage floor space and/or plazas.  
  
Only that bonus floor area awarded for the above bonus features shall exceed the MTFAR as described in Figure 6.10.

**Explanation**

*The site intensity control limits both the building bulk and total floor area on a site. It is the prime control of the scale and intensity of development in the Central Area and expresses the relationship between building floor area and site area as a measure of permissible building size.*

*The Maximum Total Floor Area Ratios have been determined to retain the most intensive development within the Core SMA, both in terms of activities and built form, while having regard to the expected demand for commercial floor space and the ability of the city's infrastructure to service developments.*

*Incentive in the form of bonus floor area is offered, primarily in the core areas of highest activity, to encourage accommodation, building form which will minimise adverse effects of building bulk on the amenities of people both inside and outside buildings and the provision of pedestrian amenities and facilities.*

