

Figure 6.11
Basic and Maximum
Total Floor Area Ratios:
Bonus Areas 1 and 2

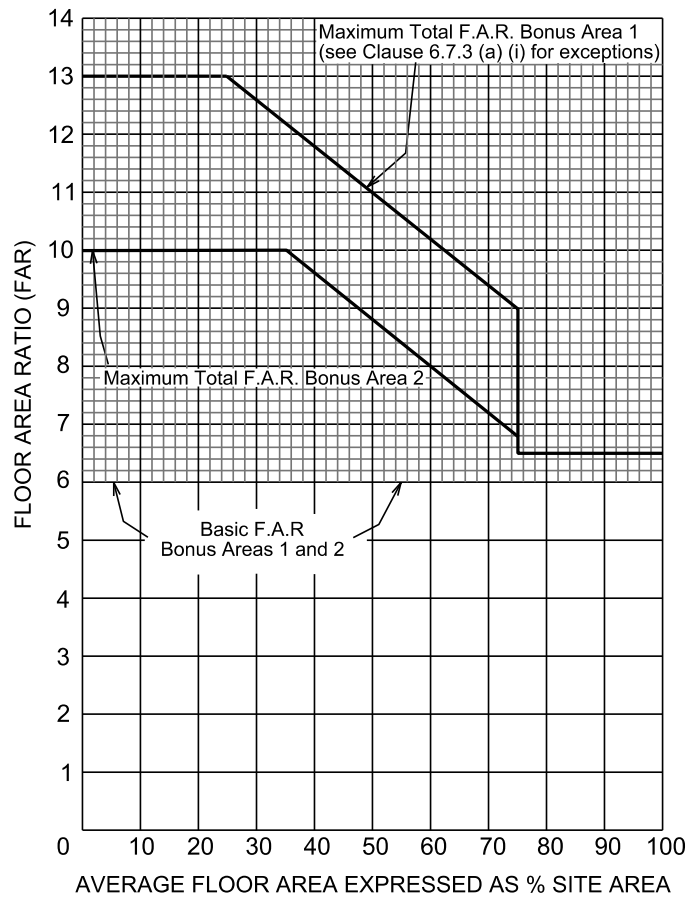
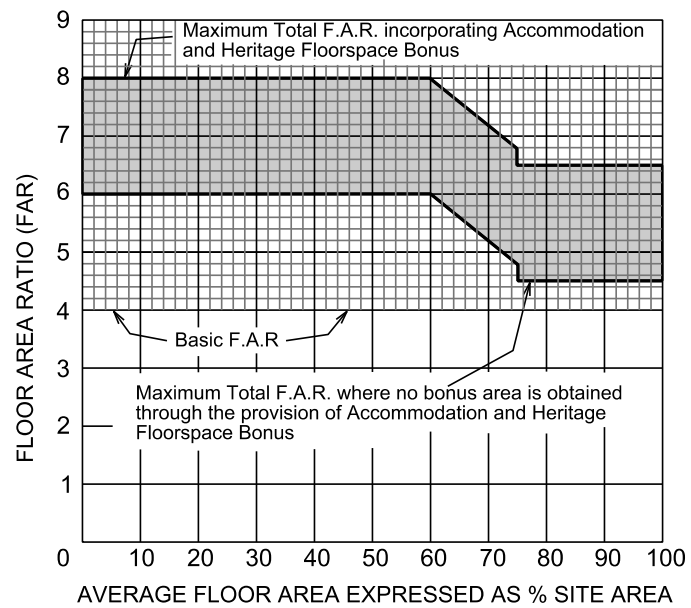


Figure 6.12
Basic and Maximum
Total Floor Area Ratios:
Bonus Area 3



The bonus floor areas are earned by offsetting the adverse effects of building bulk in the case of the light and outlook bonus, by contributing positively to the liveliness and vibrancy of the Central Area in the case of the accommodation bonus and by enhancing the amenity values by bonuses for such features as through-site links, works of art, plazas and heritage protection, all of which contribute positively to offsetting the adverse effects of the high intensity of development in the city core.

The bonus features are either permitted, restricted controlled or restricted discretionary activities. Where the activities are restricted discretionary, it provides the Council with the option of refusing consent where an application cannot demonstrate clear public benefit through meeting the assessment criteria.

Accommodation (including Non Permanent Accommodation)

The continuing development of inner city accommodation with its attendant reinforcement of business, entertainment and service activities is crucial for the maintenance and enhancement of a vital and vibrant Central Area. The incentive of bonus floor area for accommodation is therefore considered to be a positive action towards ensuring the sustainability of the Central Area as a physical resource of regional and national importance.

Pre-school facility

The Central Area is a major work destination for the Auckland region and has growing significance as a residential environment. The encouragement of childcare facilities helps to reinforce the sustainability of these key contributors to the viability and vitality of the Central Area.

Rest rooms

The provision for restrooms as a bonus feature contributes to maintaining and enhancing the pleasantness, convenience and comfort for pedestrians. Rest rooms are required to include public toilets and should include changing facilities for parents with infants.

Cycle parking facilities including changing rooms

The provision of secure and conveniently located bicycle parking facilities makes an important contribution to the convenience of a cycling journey. The Central Area is a major work, shopping, and leisure destination and the incentive of bonus floor area for cycle parking is considered to be a positive action towards encouraging more people to cycle as a non-polluting and efficient mode of transport. Changing rooms that include toilets, showers

and lockers with separate facilities for males and females are required and will encourage the use of the cycle parking facilities.

Plazas

Bonus floor area is available for the provision of plazas to provide meeting places and areas for relaxation, general amenity and in some cases enhance pedestrian movement.

A bonus will not generally be available for plazas to be sited along significant character frontages such as Queen Street, High Street and Lorne Street.

The standards and assessment criteria encourage designs for plazas (including landscaped areas within the plaza) which make those spaces visually attractive, readily identifiable and accessible, and safe and which incorporate activities around their perimeters.

Works of art

Additional floor area is available for the provision of art works which will add interest to and enliven the pedestrian environment. The work of art is required to be located within or adjacent to the building for which the bonus is claimed in order to link it to the public amenity provided.

Heritage floor space

The heritage value of buildings contributes significantly to the character, interest and diversity of the Central Area. The purpose of the heritage floor space bonus is to reduce the pressure for development on sites occupied by heritage buildings and to provide an incentive for the conservation and ongoing maintenance of heritage buildings through the regulated use of bonus floor space entitlement for private owners who cannot be expected to willingly accept a "heritage protection" role unless it is financially feasible. Accordingly, the list of buildings eligible for the heritage floor space bonus in Appendix I, Schedule D is compiled on the basis that all privately owned buildings on the heritage schedule, Categories A and B, should be eligible for application for the bonus. Heritage buildings owned by the Council itself, and Government-owned buildings such as the Supreme Court are excluded on the basis that the public can reasonably expect that such bodies should protect important items of our heritage.

The bonus floor space may be used either within the same site as the scheduled building or transferred for use on another site within Bonus Areas 1-6. Both the obtaining and the use of heritage floor space requires resource consent. This enables the Council to, firstly, assess a conservation plan and apply conditions where necessary to ensure that the awarding of a bonus will result in the scheduled building being conserved and maintained to a



standard which demonstrates that a positive public benefit is being achieved and, secondly, to record and monitor the transfer and use of bonus floor space.

The “donor site” is the site of the scheduled building from which the heritage floor space bonus is obtained. The “recipient site” is the site to which the heritage floor space bonus is used or transferred (either the same site as the scheduled building or another site within Bonus Areas 1-6).

In order to obtain the heritage floor space bonus, a conservation plan must be provided to ensure the conservation of the heritage building on the donor site. The conservation works required by the conservation plan must be undertaken as a condition of obtaining the bonus.

Recording the bonuses that have been awarded to the scheduled buildings and the use and transfer of these bonuses to recipient sites is an important component of the heritage floor space bonus method. Where a bonus has been awarded to the site of a scheduled building, the area of the heritage floor plate is recorded by way of registering a covenant on the site. Subsequent use of the bonus floor space on the same site as the scheduled building, or its transfer to another site, requires this covenant to be amended.

Through-site links

Through-site links can be in the form of either lanes, arcades or covered links through buildings.

Through-site links should provide safe, universal access to cater for all pedestrians needs. Universally accessible built environments are those that meet the access requirements of all people, irrespective of age and ability.

Pedestrians should be able to walk easily, conveniently and safely around the Central Area. Routes available to pedestrians at ground level should be provided to avoid long distances around large city blocks. A number of existing through-site links in the Central Area have been provided by way of bonus provisions but have not resulted in shorter or more convenient pedestrian routes. Under the above provision the amount of bonus floor area available has been made commensurate with the extent to which the through-site link shortens walking distance.

Within the through-site link, the measurement of the means of grade change varies according to the level of convenience achieved for the pedestrian. In this respect the use of stairs adds the greatest “penalty” to the measurement of the length of the through-site link while the

use of escalator pairs does not add to the measurement of LI because they enhance pedestrian convenience and ease of movement.

Footpath widening

Bonus floor area is available for developments which are designed to provide wider footpaths along the frontages of certain streets within Bonus Areas 1 and 2. Such widening can contribute to the ease and convenience of pedestrian movement along the most intensively used city streets. The desirability for inner city cafes and restaurants to provide pavement tables and chairs reinforces the desirability of encouraging more spacious footpaths as pedestrian volumes gradually exceed existing capacity. Footpath widening will only be considered appropriate where the existing footpath is considered insufficient to meet existing or anticipated future demands.

Escalators

The provision of escalators is recognised as the most appropriate means of enabling people to move conveniently and with ease between grades. However, the bonus available has been limited to circumstances where the change in grade is at least 2m vertical distance between floors. This avoids past occurrences where the bonus was available for short lengths of escalator which bridged relatively minor grade changes.

Light and outlook

Additional floor space will be granted where a development adopts a form which maximises the amount of light and air reaching roads and adjacent properties. Building bulk, measured in terms of a building’s plan dimensions rather than its absolute height, has been adopted as a factor for assessing this light and outlook bonus. The additional floor space will be granted where part of a building above a maximum height specified for the relevant Bonus Area is reduced in area to cover only part of the overall development site. Because the public benefit increases commensurate with the reduction in building bulk, the bonus value is increased accordingly.

6.7.4 BONUS FLOOR AREA – PERMITTED ACTIVITIES

6.7.4.1 Standards for specific activities

a) Accommodation and Pre-school facility.

Bonus floor area is available as a permitted activity for new or converted floor space to be used for accommodation or non permanent accommodation as defined in Part 16.



b) Light and Outlook

Bonus floor area is available as a permitted activity for light and outlook as calculated under clause 6.7.2.2

c) Escalators

Bonus floor area is available as a permitted activity for escalators where they comply with the following standards.

A proposal which does not meet the standards shall be assessed as a restricted discretionary activity under the Development Control Modification provisions of clause 15.3.1.2(b)

Standards

- i) The bonus floor area for escalators shall apply only where such facilities give access to or through a through-site link or plaza for which a bonus is available.
- ii) The bonus floor area shall only be available where the provision of escalator pairs effects a change of grade of at least 2m vertical distance.

**6.7.5 BONUS FLOOR AREA -
RESTRICTED
CONTROLLED ACTIVITY**

An application for bonus floor area shall comply with the following standards and assessment criteria. An application which does not meet the standards shall be assessed as a restricted discretionary activity under the Development Control Modification provisions of Clause 15.3.1.2(b).

6.7.5.1 Use or transfer of heritage floor space bonus

The Council will consider as a restricted controlled activity an application to use or transfer bonus floor space obtained by the conservation of a scheduled heritage building. Heritage floor space bonus may be used in whole or in part on the site of the scheduled building where that site is located within the Bonus Areas 1, 2, 3, 4, 5 or 6 or transferred in whole or in part from the site of the scheduled building to one or more sites within the Bonus Areas 1, 2, 3, 4, 5 or 6 subject to compliance with the following standards.

a) Standards

- i) the development controls under Part 6 shall apply to any building proposal on any recipient site.
- ii) the maximum FAR allowed on the donor and/or recipient site(s) shall comply with the maximum

FAR limit to bonuses on a site as set out in Figure 6.3

- iii) the transfer of all or part of the heritage floor space bonus may be postponed and used at a later date subject to obtaining the necessary resource consent under this rule.
- iv) upon use of heritage floor space within the donor site or transfer of heritage floor space, the registered covenant on the title of the donor site must be amended to show the corresponding reduction of the heritage floor space bonus
- v) The amount of any heritage floor space bonus transferred on from a recipient site and any remaining floor space bonus must be recorded by covenant registered against the title of the recipient site.

**6.7.6 BONUS FLOOR AREA –
RESTRICTED
DISCRETIONARY ACTIVITY**

6.7.6.1 Assessment Criteria for Works of Art

- i) The work of art may be in any media adequate for the site such as a sculpture, mural, glass, or water feature.
- ii) The work of art should aesthetically enhance the public space to which it relates having regard to its artistic merit, scale and placement as adjudged by the Council.
- ii) Works of art should be freely accessible from public space during daylight hours by being incorporated as a feature into the development or on the façade of the building for which the bonus is claimed, or be in the form of a night time feature.

6.7.6.2 Rest room

a) Standards

- i) The facility shall be available for public use, the minimum hours of operation being 8.00am to 6.00pm seven days a week.
- ii) Toilets shall be provided as separate facilities for males and females.

b) Assessment Criteria

- i) A rest room should be located so that its entrance is clearly visible and accessible from a public space.
- ii) Changing facilities for parents with infants should be provided where possible.
- iii) Clearly visible signage should be provided identifying the rest room entrance and the times



that the facility is available for public use in accordance with standard (i) above.

- iv) The site owner shall execute an appropriate form of binding legal agreement to the satisfaction of the Council ensuring public access and use and ongoing maintenance of the facility by the site owner/s or their representative/s.

6.7.6.3 Cycle parking facility

a) Standards

- i) Cycle parking facilities shall include covered changing rooms with toilets, showers and lockers with separate facilities for males and females.
- ii) The facility shall be available for public use, the minimum hours of operation being 8.00am to 6.00pm five days a week.
- iii) The maximum area per cycle park (including manoeuvring space and aisles) for which a bonus can be claimed is 3m². The bonus that may be claimed for any associated area for changing rooms and lockers shall be calculated according to the area of the changing rooms and lockers.

b) Assessment Criteria

- i) A cycle parking facility should be located so that its entrance is clearly visible and accessible from a public space.
- ii) Clearly visible signage should be provided identifying the cycle parking facility entrance and the times that the facility is available for public use in accordance with standard (ii) above.
- iii) Clearly visible signage should be provided giving clear instruction for use of the facility.
- iv) The number of toilets, showers and lockers provided should adequately cater for the number of cycle parks provided and should be located within easy access of the cycle parking area.
- v) The facility should have a high level of security with good passive surveillance and/or CCTV coverage.
- vi) There should be provision for personal bicycle locks to be used.
- vii) The design of the cycle parking facility should:
 - Enable both wheels and the frame to be locked to the parking device without damaging the bicycle.
 - Present no hazard to pedestrians.
 - Be arranged so that parking manoeuvres do not damage adjacent bicycles.

- Be lit by appropriate security lighting where the facility is to be used after daylight hours.

viii) Dimensions for cycle parking should be in accordance with Annexure 9 - Austroads Guide to Traffic Engineering Practice Part 14: Bicycles.

- ix) The site owner shall execute an appropriate form of binding legal agreement to the satisfaction of the Council ensuring public access and use and ongoing maintenance of the facility by the site owner/s or their representative/s.

6.7.6.4 Footpath widening

a) Standards

- i) Footpath widening shall only apply on frontages:

- which are located within Bonus Area 1 or 2 and are subject to 6.9 Verandahs.

Except that this rule does not apply to any frontages located within the Britomart Precinct or which are subject to:

- Clause 14.4.7.2 Frontage Height and Setback, or
- Clause 14.5.8.1 Special Character Frontage

- ii) Any part of the footpath widening which is covered shall have an unobstructed height to width ratio of not less than 1:1 and a maximum unobstructed width of 4.6m.
- iii) The area of such footpath widening may be included in the site area assessment of any site concerned, notwithstanding any bonus granted for such widening.
- iv) For the purpose of calculating bonus floor area the surface area of footpath widening occupied by building columns shall be excluded.

b) Assessment criteria

- i) The footpath widening should extend over the full length of the site frontage unless the applicant can demonstrate to the satisfaction of the Council that a widening of lesser length is acceptable having regard to the characteristics of the site eg, where a building has a street corner set back.
- ii) Columns within the area of footpath widening must be located to minimise adverse effects on pedestrian flows.
- iii) The extent to which the existing street footpath is insufficient in width for existing and anticipated future pedestrian demand and whether footpath widening is desirable to allow for pedestrian priority while also providing for street furniture,



landscaping and tables and chairs associated with adjoining activities.

6.7.6.5 Plaza

a) Standards

- i) A plaza shall contain a minimum horizontal dimension of 10m measured at right angles to its perimeter.
- ii) A plaza shall exclude any area designated for footpath widening or nominated as a through-site link.
- iii) A plaza may either be open or covered, and
 - where open shall be kept clear and unobstructed from the ground or floor level upwards except that, any part of a building may project by not more than 4.6m over the plaza if not more than 20% of the plaza is so covered, or
 - where covered shall be totally covered with clear translucent roofing provided that the space below such a roof has a minimum vertical dimension of 4m for not less than 70% of its area, and is clear and unobstructed of buildings.
- iv) A plaza will be readily accessible to the public at all reasonable times and signposted accordingly.
- v) Plazas should connect at grade with the street, with vertical differences acceptable only where they are traversed by ramps or escalators, especially where that is for the purpose of leading to a through-site link or otherwise providing connectivity with an adjoining public place or road.
- v) All pedestrian spaces and facilities within the plaza shall comply with the design specifications for walkways contained in Appendix 8.

Note : The floor and void space of a fully covered plaza will be excluded from the gross floor area.

b) Assessment Criteria

- i) Location and Scale
 - Where the plaza is covered it shall integrate with its host building to form an attractive internal space.
 - Where required by Rule 6.9, a verandah shall be provided along the street for the full length of the plaza.
 - Plazas should be located and accessed to accommodate pedestrian desire lines both to, from and within the site.
 - Plazas should provide a safe, easily identifiable place for people to congregate within the city.

- Plazas should be designed with a sense of order and proportion and have regard to the human scale.

ii) Attraction of people to the plaza

A plaza should be designed to attract people. To achieve this the following factors are important.

- Outdoor plazas should be orientated and designed to maximise solar access into the space. Seating areas should be located to avoid being shaded from 10am to 3pm in mid-winter where practical.
- Areas of landscaping are only acceptable where they do not dominate paved pedestrian area.
- Where part of the plaza (including any landscaped areas) is proposed to be within or under a building, its design should demonstrate to the satisfaction of the Council that:
 - there is adequate access to daylight and/or sunlight provided for the amenity of people using the area and for the maintenance of plant health and growth.
 - there is adequate soil depth, drainage and watering to maintain plant health and growth and that the plant species within or under the building are suitable for any landscaped areas.
- Outdoor plazas (including any landscaped areas) should be orientated and designed to provide pedestrians with protection from the wind, particularly in those locations where seating is provided.
- Seating and landscaping should be in pleasant, clearly visible, convenient and safe locations. Landscaping should comprise low shrubs and plants or tall open trees and shrubs which do not screen an area off.
- A detailed landscape plan showing compliance with the above criteria shall be provided with the application for the approval of the Council.
- Commercial rubbish storage areas should not impede pedestrian activity and should be screened from sight.
- Provision should be made for activities such as cafes and retail to locate within, or adjacent to the plaza to further attract people to the area.
- A significant area of the plaza should be visible from its entrance onto the street.



iii) Quality

- Plazas should be designed as part of the overall development and should be constructed from high quality materials.

iv) Activities within and adjoining plazas, and through-site links

In order to encourage public use of plazas, and through-site links and to provide surveillance at night the following factors should be addressed.

- Provision should be made for activities to locate within the amenity areas or spill out into them from adjacent private space.
- Buildings adjoining the amenity areas should be designed to provide for, or facilitate the establishment of, those activities which attract people, especially at night. For example upper level residential accommodation with windows or balconies overlooking the amenity area would be appropriate, as would adjoining cafes, restaurants or small shops. Blank facades, offices and activities with very large frontages, especially those which are traditionally closed at night and weekends, would be inappropriate.

v) Lighting

Lighting should comply with the following:

- Fluorescent and metal halide (white) lamp sources should be installed.
- There should be a high vertical luminance so that shadows of people and indications of movement are easily seen, even at a distance.
- The following recommended standards should be met:
 - In open spaces the lighting level should be between 10-20 lux at a uniformity ratio better than 0.3.
 - For internal access ways (including access ways to carparks) and through-site links without stairs, appropriate horizontal lighting level, at floor level, is 100 lux at a minimum uniformity of 0.6.
 - For internal access ways and through-site links with stairs, escalators and travelators the appropriate horizontal lighting level, at stair level, is 150 lux at a minimum uniformity of 0.6.

vi) Visibility

Plazas, and through-site links should be designed to enable good visibility from adjoining private and

public areas, and within all parts of the amenity. In order to achieve this there should be:

- Avoidance of a multiplicity of entrances and exits to reduce the potential for unseen threats.
- Clear sight lines from the beginning to the end of the amenity, or to and from a suitably safe and open intermediate junction, or change of direction or grade. Where a junction or change of direction or grade occurs, the design should allow for clear lines of sight on approach. Maximum visibility of the route from either direction should be provided.
- Stair design within amenity areas which ensures visibility to the main part of the amenity from its entrance is unobstructed.
- Areas that are set back from the amenity with a clear two-way view to and from the amenity and the surrounding area to eliminate hiding places and avoid the possibility of entrapment.
- Entrances and exits which provide good visibility into approaching areas.
- Where practical, maximum visibility provided between the facility and adjacent private and public spaces.
- Seating areas that are clearly visible from other parts of the facility and, wherever practical, from adjoining public or private spaces.
- Maximum visibility where escalators are used between areas, levels and surrounds through the use of such means as clear balconies, approach paths across lines of sight and wide approaches.

6.7.6.6 Through-Site Links - Lanes

a) Standards

- Lanes are uncovered external spaces that provide permanent pedestrian connections at all times. The registration of an access easement on the title(s) to which the link applies is required to ensure preservation of the link and its ongoing maintenance by the owner(s) of the title(s).
- Lanes shall be fully pedestrian or have only limited vehicular access and be an open air connection.
- Lanes shall provide a connection between two streets or other public areas to create interest in the city and have a clearly visible origin and destination.
- Lanes shall be universally accessible with a grade no greater than a 1:12 gradient.
- Lanes shall be no less than 3.5 metres in width.



- vi) Lanes shall be publically accessible 24 hours a day, seven days a week.

b) Assessment Criteria

Lanes should:

- i) be of a width (not less than 3.5m) that is proportionate to the scale of development to create a sense of enclosure with a ratio of 1:5 being encouraged except that for the calculation of bonus floor area, the maximum width of any through-site link is regarded as 6 metres.
- ii) have active uses along at least one side of the lane.
- iii) be designed incorporating principles of Crime Prevention through Environmental Design (CPTED) contained in Annexure 6 including being well lit, visible and safe.
- iv) comply with the design specifications for walkways contained in Appendix 8.

The assessment criteria in clauses 6.7.6.5(b)(iv) Activities within and adjoining plazas-and through-site links, 6.7.6.5(b)(v) Lighting and 6.7.6.5(b)(vi) Visibility also apply where relevant.

6.7.6.7 Through-Site Links - Arcades

a) Standards

- i) Arcades are enclosed pedestrian routes within buildings which feature active uses (e.g. retail or food and beverage) along their length. The registration of an access easement on the title(s) to which the link applies is required to ensure preservation of the link and its ongoing maintenance by the owner(s) of the title(s).
- ii) Arcades shall:
 - a) be covered but have access to natural light for most of their length and be lined with active uses at the level of the arcade.
 - b) be available for public use, the minimum hours of operation being 8.30am to 5.30pm Monday to Friday (excluding public holidays) and such other times when the site is open for business or for its principal purpose with signs indicating this.
 - c) be open and universally accessible at each end and throughout the length of the link.
 - d) maintain a minimum unobstructed width of 3.5 metres and be of sufficient height to allow daylight penetration to their interior except that for the calculation of bonus floor area, the maximum width of any through-site link is regarded as 6 metres. The unobstructed width

of the arcade shall be free of any buildings and fixtures that disrupt the passage of pedestrians.

b) Assessment Criteria

Arcades should:

- i) be designed incorporating principles of Crime Prevention through Environmental Design (CPTED) contained in Annexure 6 including being well lit, visible and safe.
- ii) comply with the design specifications for walkways contained in Appendix 8.

The assessment criteria in clauses 6.7.6.5(b)(iv) Activities within and adjoining plazas-and through-site links, 6.7.6.5(b)(v) Lighting and 6.7.6.5(b)(vi) Visibility also apply where relevant.

6.7.6.8 Through-Site Links – Covered links through buildings

a) Standards

- i) Covered links through buildings includes links through businesses, hotels and car park links. The registration of an access easement on the title(s) to which the link applies is required to ensure preservation of the link and its ongoing maintenance by the owner(s) of the title(s).
- ii) Covered links shall:
 - a) be covered and designed for ease of pedestrian use including being universally accessible along the length of the link, via mechanisation where necessary.
 - b) be available for public use, the minimum hours of operation being 8.30am to 5.30pm Monday to Friday (excluding public holidays) and such other times when the site is open for business or for its principal purpose with signs indicating this and clearly setting out the destination.

b) Assessment Criteria

Covered links should:

- i) provide a clear, obvious and direct link through a building.
- ii) be designed incorporating principles of Crime Prevention through Environmental Design (CPTED) contained in Annexure 6 including being well lit, visible and safe.
- iii) have a minimum unobstructed width of 2.4m except for the calculation of bonus floor area, the maximum width of any through-site link is regarded as 6 metres.
- iv) comply with the design specifications for walkways contained in Appendix 8.



- v) take pedestrian desire lines into consideration when determining location.

The assessment criteria in clauses 6.7.6.5(b)(iv) Activities within and adjoining plazas-and through-site links, 6.7.6.5(b)(v) Lighting and 6.7.6.5(b)(vi) Visibility also apply where relevant.

6.7.6.9 Obtaining heritage floor space bonus

The council will consider as a restricted discretionary activity any application to obtain bonus floor space for the conservation of a scheduled heritage building appearing in the list in Appendix 1, Schedule D.

a) Standards

- i) The amount of floor space claimed must be assessed in accordance with the method of calculation set out in Clause 6.7.2.5(b).
- ii) Any heritage building for which the maximum achievable amount of heritage floor space bonus is obtained under these provisions or has been obtained under the heritage floor space provisions of the 1991 Transitional Operative District Plan is not eligible to obtain any further amount.
- iii) The application must be accompanied by a conservation plan prepared in accordance with requirements in Part 10.9.13 to be approved by the Council.
- iv) The application must be accompanied by a calculation of the heritage floor plate as defined either by the certificate(s) of title or a plan prepared by a registered surveyor.

b) Assessment Criteria

- i) In considering the application the Council will have regard to the relevant provisions of Parts 4 and 5 and will need to be satisfied that:
 - the conservation plan makes satisfactory provision for the recommended work necessary to ensure the conservation of the heritage building to a standard which reflects the heritage values for which the building is scheduled, and
 - the conservation works will be completed in accordance with the conservation plan. For these purposes the application must include, either as part of the conservation plan or as a separate report,
 - an assessment by a suitably qualified expert, such as a registered architect, on the condition of the building and any immediate remedial measures and the long-term maintenance measures required to ensure the ongoing conservation of the building, and

- a programme of works to be undertaken to put the works required above into effect including a maintenance plan to guide ongoing regular maintenance and cleaning.

c) Conditions

Conditions may be imposed as part of any consent to an application and may include:

- a requirement that the following information to be recorded by means of registered covenant against the title of the site of the scheduled building (the donor site):
 - the area of the heritage floor plate on which the building is situated, and the amount of heritage floor space obtained.
- a requirement to pay a bond to ensure that the conservation works will be completed in accordance with the conservation plan.
- a requirement to provide to the Council a review of the condition of the building at specified intervals being not less than three yearly to ensure that the conservation maintenance is being carried out and remains appropriate to the building.

6.8 BUILDING IN RELATION TO BOUNDARY

- a) Where a building is located on a site identified as being subject to this rule on Planning Overlay Map 5 it shall comply with the indicators set out in Appendix 7 except that:
 - i) this rule only applies to the shared boundaries of identified sites or where the boundary of an identified site adjoins public open space other than road
 - ii) The effective site boundary for the purpose of this rule may be taken as the furthest pedestrian accessway, entrance strip or access lot, where a site abuts such accessway, entrance strip or access lot, or abutts a series of contiguous entrance strips or access lots.

Explanation

The control has been applied in previous Auckland City Council district plans to site boundaries adjoining residential and open space zones. Its primary purpose has been to ensure that residential zoned properties and public open spaces receive adequate amounts of daylight. However, the control has also contributed significantly to the general outdoor amenity of those areas to which it has been applied, such as upper Symonds Street. The



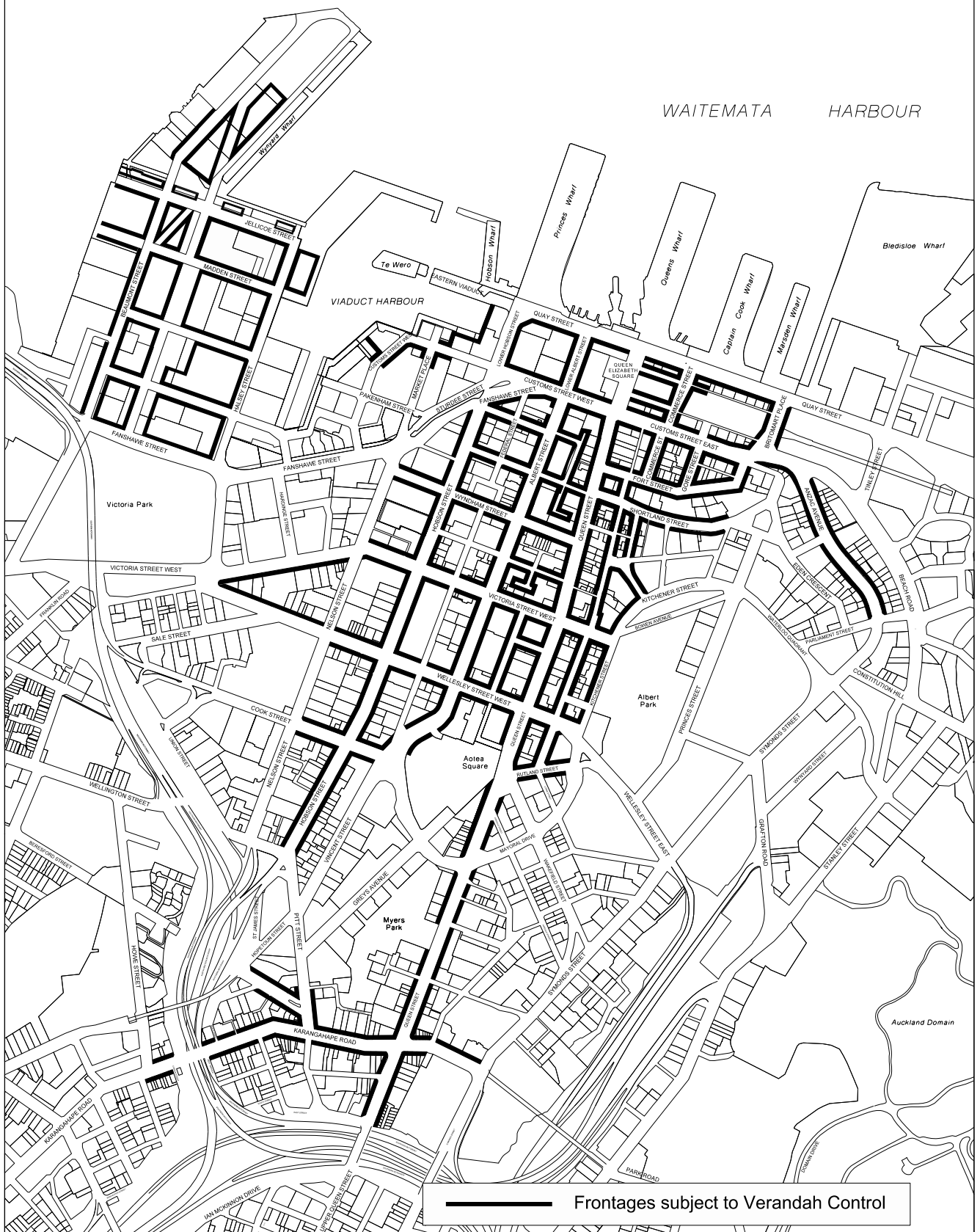
PART 6 - DEVELOPMENT CONTROLS

distinctive diamond and rounded shaped buildings resulting from the control have created a sense of spaciousness between buildings and in relation to front boundaries, provided more practical spaces along boundaries and between buildings for landscaping and maintained viewshafts between and around buildings to take advantage of outlooks that may otherwise have been lost by the development of a conventionally shaped and orientated tower.

Accordingly, the control has been retained not only within and adjoining the boundaries of those areas which were zoned for residential and open space purposes in the previous District Plan, but also extended into adjacent mixed activity areas such as the eastern side of upper Symonds Street to maintain and enhance the existing level of amenity and the spacious, planted character.



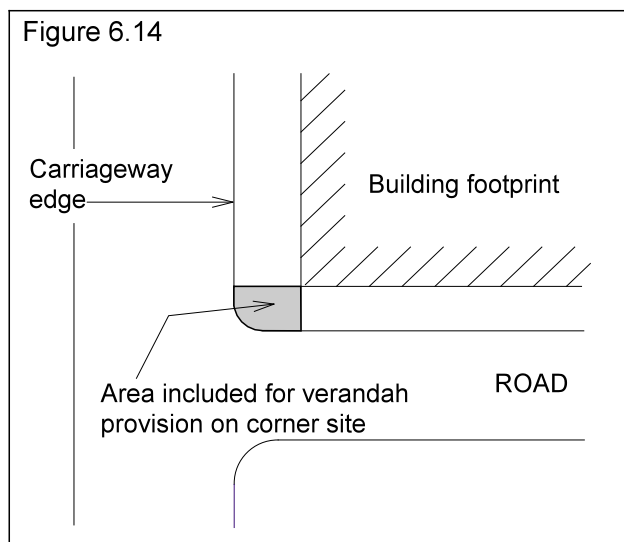
Figure 6.13



6.9 VERANDAHS

- a) On every site identified on Figure 6.13 a verandah shall be provided along the full length of the site's frontage where:
- a new building is erected anywhere on the site, or
 - an existing building is reconstructed or altered in a manner that involves substantial changes to its internal structure or the design and appearance of its facade.
- b) For the purpose of this rule :
- the length of a corner site's frontage is increased to the road carriageway (see Figure 6.14)
 - "substantial" means either:
 - the alteration or reconstruction of an existing building to a value of \$500,000 or more assessed at the time a building consent is lodged with the Council, or
 - the alteration or reconstruction of an existing building which changes the design and appearance of at least 50% of the area of the ground level facade or 50% of the facade area of two or more levels above the ground level of the building.

Figure 6.14



Exceptions

The following works do not require a verandah under this rule:

- non-structural internal refurbishments

- cosmetic repairs not changing the design and appearance of an existing building
 - external painting.
- c) Verandahs required under this rule or required as part of a building design to meet the wind environment control in 6.12 must comply with the following standards:
- be so related to any adjoining existing verandah as to provide continuous pedestrian cover
 - have a minimum height of 3m and a maximum height of 4m above the footpath immediately below
 - be no closer than 500mm in plan to the edge of the road carriageway notwithstanding any other requirement of this rule
 - have the following minimum width:-

• Queen Street (north of Wakefield Street except the western side between Aotea Square and Wellesley Street)	minimum width 4m
• Karangahape Road	minimum width 4m
• Swanson Street (between Mills Lane and Queen Street)	minimum width 3m
• Vulcan Lane (south side)	minimum width 3m
• Queen Street (west side between Aotea Square and Wellesley Street)	minimum width 5m
• All other frontages identified on plan	minimum width 3m or setback no further than 600mm in plan from the edge of the road carriageway, whichever is the lesser.
- v) The design may be modified to take into account the immediate area surrounding a tree growing in the road reserve or footpath where by the presence of a verandah would impede the present or future growth of the tree.
- d) Lighting outside daylight hours shall be provided under any verandah to a minimum of 20 lux (light illumination) on the footpath, where the lux level is



measured at ground level on a horizontal plane at 2m from the building adjoining the footpath.

- (e) The lighting levels required in (d) can be met by one or more of the following methods:
- i) by providing lighting beneath a street verandah
 - ii) by providing lighting within the shop/office that spills out through windows to the outside footpath
 - iii) by the use of advertising signage of light colour which will spill light out onto the footpath
 - iv) by providing downwardly directed lighting on the exterior of the building
 - v) By such other methods as to meet the lighting levels required in d).
- f) An application for a restricted discretionary activity is required where it is a recommendation that no verandah be provided as part of a Conservation Plan for the protection of a scheduled building.

This provision is supplementary to and not in place of any bylaw requirements relating to verandahs.

Explanation

Verandahs are required along the frontage of sites which are significant pedestrian thoroughfares and linkages. They provide protection and are integral to encouraging people to walk around the city centre and contribute to it being a vibrant and enjoyable place.

Good lighting after dark is essential to allow pedestrians to see and be seen. Well designed lighting can not only reduce the opportunity for concealment and unobserved crime, it can help reduce people's fear of crime and help contribute to the use and attractiveness of the Central Area at night.

6.10 STREETSCAPE IMPROVEMENT AND LANDSCAPING

6.10.A General Provisions

- a) For those sites identified on Figure 6.15
- i) not less than 50% of that part of the site other than rear sites, between the road boundary and a parallel line 6m therefrom shall be landscaped, and
 - ii) no part of any building or parking and manoeuvring space shall be located within an area between the road boundary and a line 3m parallel therefrom.
- b) For those sites identified on Figure 6.15 not less than 30% of the net site area shall be landscaped.

- c) For the sites identified on Figure 6.15 not less than 10% of the net site area shall be landscaped. The landscaping shall include a special amenity yard between the north-eastern boundary and a parallel line 8m therefrom, as shown on Figure 6.15, in which no part of any building or parking shall be located.
- d) The landscaping required under (a), (b) and (c) above shall incorporate both low level shrubs and specimens of trees which are capable of reaching a minimum height at maturity of 8m and shall not be less than 1.5m high at the time of planting.
- e) A landscape plan showing compliance with (a) - (d) above shall be submitted no later than the time the application for building is lodged for consideration by the Council.
- f) The following applies in relation to the site that adjoins and is to the south of the St Andrews Presbyterian Church site.
- i) no part of any building, or parking and manoeuvring space, or service area, shall be located on the site between the road boundary and a parallel line 8 metres therefrom; and
 - ii) not less than 50% of that 8 metre set-back area shall be landscaped.

Explanation

Forms of both these controls have applied under previous plans to those parts of the Central Area which had a residential zoning. In combination with the bulk-to-boundary control they have fostered a relatively spacious, well-vegetated appearance in areas such as upper Symonds Street, Greys Avenue and Vincent Street.

The controls are applied to those and other residential precincts or quarters and mixed activity areas to maintain and enhance the "green" character. By enabling part of a building to be built 3m from a front boundary, the street improvement control is well suited to the diamond and rounded shaped buildings designed in terms of the bulk in relation to boundary control. At the same time the control provides a sufficiently wide planted corridor to enable the "green" character to dominate over the built environment at street level.

The landscaping control provides landscape "softening" around, and separation between, buildings and paved areas to contribute to the overall amenity.



Figure 6.15 Streetscape Improvement and Landscaping

**6.10.B - 35 Grafton Road (as shown in Figure 6.15A)**

The following applies in relation to the site identified in Figure 6.15A

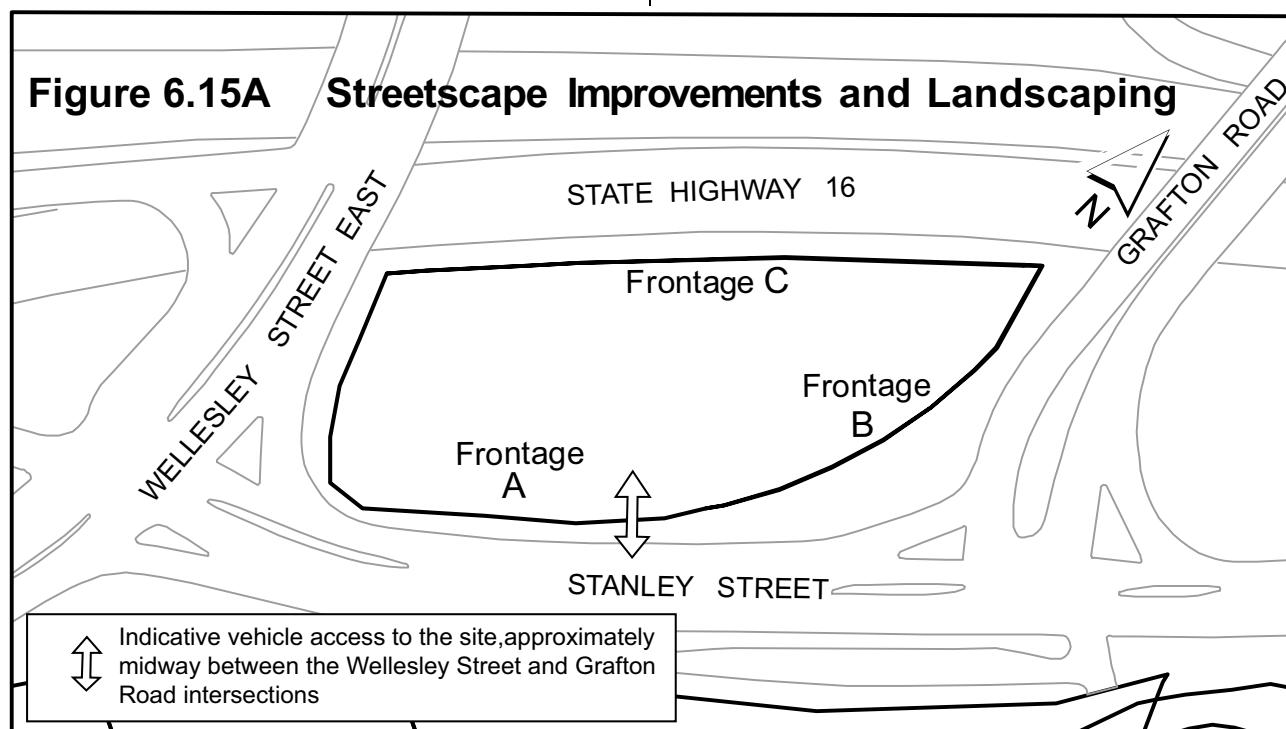
a) Frontage A – Stanley Street (otherwise known as Grafton Road or Grafton Road South)

- i) Not less than 50% of that part of the site between the road boundary and a parallel line 3m therefrom shall be landscaped, and
- ii) No part of any building or parking and manoeuvring space shall be located within an area between the road boundary and a line 3m parallel therefrom except for an area for site access.

b) Frontage B - Grafton Road (otherwise known as Grafton Road East)

- i) Not less than 90% of that part of the site between the road boundary and a parallel line 6m therefrom shall be landscaped, and
 - ii) No part of any building or parking and manoeuvring space shall be located within an area between the road boundary and a line 6m parallel therefrom; and
 - iii) London Plane trees shall be planted within the landscaped area at not less than one per 20m frontage.
- c) Frontage C - Motorway boundary (State Highway 16).
- i) A planted landscape strip shall be provided between the motorway boundary and a line 3m parallel therefrom. Within this area planting shall comprise native mixed planting varying in height and with a maximum height of 3m.





Note: Stanley Street is also known as Grafton Road or Grafton Road South, and Grafton Road is also known as Grafton Road East. The address of the site itself is 35 Grafton Road.

EXPLANATION

The controls on the Stanley Street and Grafton Road frontages are proposed to soften these road frontages when viewed from the Auckland Domain and the surrounding road network. The landscaped yards should provide an amenity buffer between development on the site and the adjoining road network, as well as providing a degree of amenity for pedestrians on Stanley Street and Grafton Road.

The controls on Grafton Road (East) are proposed in anticipation that on-site parking and servicing areas are likely to be visible from Grafton Road. Planting on this frontage should adequately screen or soften all on-site parking and servicing areas from the road and together with street trees should ensure the continuation of the existing greening of Grafton Road.

A landscape control for the motorway boundary is intended to soften the common boundary of the site when viewed from the northern side of the motorway and to provide a sense of separation from it.

6.11 SCREENING

Where any outdoor storage, service or refuse disposal area adjoins or directly faces a road or other public open space or a residential precinct, such areas, excluding access ways to off street loading bays, shall be screened from the road,

public open space or residential precinct by a solid wall or fence not less than 1.8m in height

Except for refuse disposal areas, sites in the Wynyard Quarter and the Ports Precinct shall be exempt from this rule.

Explanation

The purpose of this control is to lessen the adverse effects generated by storage and service activities on residential precincts and public open spaces. In particular the provision of solid screening can reduce the visual impact and lessen the effects of noise, dust and litter beyond the generating site.

6.12 WIND ENVIRONMENT CONTROL

- a) New buildings or structures must be erected in such a manner that:
 - i) does not cause the mean wind speed around them to exceed the category for the intended use of the area as set out in Appendix 10
 - ii) does not cause the average annual maximum peak 3 second gust to exceed the dangerous level of 25 metres per second



PART 6 - DEVELOPMENT CONTROLS

iii) does not cause an existing wind speed which exceeds the standards of (i) or (ii) to be increased.

b) This rule does not apply to the Port Precinct

Explanation

The purpose of the control is to avoid excessive wind velocity and turbulence in outdoor pedestrian spaces. The performance categories set tolerable wind levels for various pedestrian environments depending on the likely frequency and type of usage of those environments. They are designed to ensure that a development does not make the existing wind conditions significantly worse.

Compliance with this rule may either be demonstrated by a wind report including the results of a wind tunnel test or appropriate alternative test procedure to show that the proposed development complies with the above standards. Alternatively a report from a suitably qualified expert that a building or addition meets the requirements of this rule may be accepted, without the need for a wind tunnel test, depending on the nature of the proposal, its design and scale and the sensitivity of the receiving wind environment.

6.13 GLARE CONTROL

Buildings shall be designed and built so that the reflectivity of all external surfaces does not exceed 20% of white light. This means that glass and other materials with reflectivity values that exceed 20% may only be used provided they are covered or screened in such a way that the external surfaces will still meet this rule.

Explanation

The reflectivity of materials used on the outside of buildings can cause discomfort to pedestrians and is potentially hazardous for drivers and pedestrians. The purpose of this control is to minimise such adverse effects.

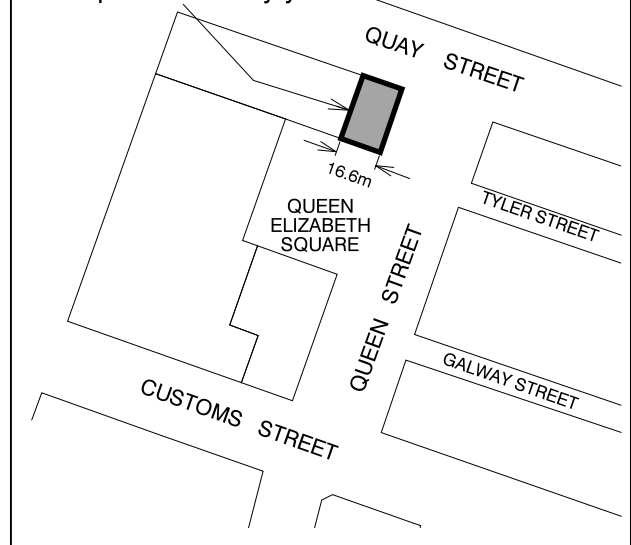
6.14 SPECIAL AMENITY YARDS

6.14.1 QUEEN STREET

No building is permitted at or above ground level within the yard shown on Figure 6.16.

Figure 6.16

No building is permitted in this special amenity yard



Explanation

The purpose of the yard is to avoid buildings which dominate the northern edge of Queen Elizabeth Square or obscure views of the Ferry Building and harbour glimpses available through the yard from the Square.

6.15 ACCOMMODATION

a) For new building or the conversion of floor space within existing buildings to accommodation (excluding non permanent accommodation):

Accommodation shall be designed to meet the following minimum standards:

i) Gross Floor Area as follows:

- Studio - 35 sq.m;
- 1 Bedroom - 45 sq.m ;

The minimum gross floor area for studio and 1 bedroom accommodation units may be reduced by 5 sq.m where a balcony of 5 sq.m or greater is provided.

- 2 Bedroom - 70 sq.m;
- 3+ Bedroom - 90 sq.m;

The minimum gross floor area for 2 bedroom and 3+ bedroom accommodation units may be reduced by 8 sq.m where a balcony of 8 sq.m or greater is provided.



ii) Minimum apartment mix

In any one residential apartment building containing in excess of 20 residential units, the combined number of one bedroom units and studios shall not exceed 70% of the total number of apartments within the building

iii) Accommodation units shall be designed to achieve the following minimum daylight standards:

- a) Living rooms and living/dining areas - a total clear glazed area of exterior wall no less than 20% of the floor area of that space.
- b) Bedrooms - a minimum of one bedroom with a total clear glazed area of exterior wall no less than 20% of the floor area of that space.
- c) No more than one bedroom in an apartment may rely on natural light borrowed from another naturally lit room provided:
 - i) the maximum distance of the bedroom from the natural light source window shall be 6m; and
 - ii) the minimum total clear glazed area of the light source shall be no less than 20% of the floor area of the bedroom.

- b) An application for a restricted discretionary activity to infringe the requirements of rule 6.15a)i) and ii) need not be publicly notified as otherwise required by section 95A(2)(a) and notice of an application need not be served on any person or party as required by section 95B(2) of the Resource Management Act 1991.

Explanation

The purpose of this control is to achieve minimum standards of amenity for occupants of accommodation. These development controls apply further to the criteria for accommodation in 5.6.3.1(d).10.

6.16 OUTLOOK SPACE

The following building development control shall apply to accommodation and non permanent accommodation buildings in all parts of the Central Area with the exception of the Public Open Space Precincts (Part 14.2), Transport Corridor Precinct (Part 14.3), Britomart Precinct (Part 14.6), Port Precinct (Part 14.8), Wynyard Quarter (Part 14.9), Victoria Quarter (Part 14.10) and sites subject to the Building in Relation to Boundary Control as identified on Planning Overlay Map 5:

For new buildings or the conversion of floor space within existing buildings to accommodation or non permanent accommodation:

- a) An outlook space shall be provided from each face of the building containing windows to principal living areas or bedrooms of any accommodation unit. Where windows to a principal living area or bedroom are provided from two or more faces of a building, outlook space shall be provided to the face with the greatest window area of outlook.

For the purpose of this rule, "principal living area" means the main communal living space within an accommodation unit for entertainment, recreation and relaxation. Refer to "living" in Appendix 12 Section A, "A Matrix of Minimum Gross Floor Areas (in sq.m) For Components of Various Residential Apartment Types".

b) The minimum dimensions for outlook space are:

- i) For principal living areas, the dimensions of the outlook space, measured perpendicular to the exterior face of the building, shall be in accordance with Figure 6.17 for the relative height of the floor above the average ground level along each building face.
- ii) For bedrooms, other than those relying on borrowed natural light under rule 6.15(a)(iii)(c), the outlook space shall be a minimum of 6m, measured perpendicular to the exterior face of the building.

c) The outlook space may be over:

- i) the site on which the building is located;
- ii) legal road;
- iii) public open space; or
- iv) another site,

provided that in the event of iv):

- the outlook space shall be secured in perpetuity for the benefit of the building by a legal instrument to be put in place prior to the commencement of construction
- written approval of the owner of the adjoining site for the outlook space shall be provided when the application for resource consent is lodged
- more than one building may share an outlook space.

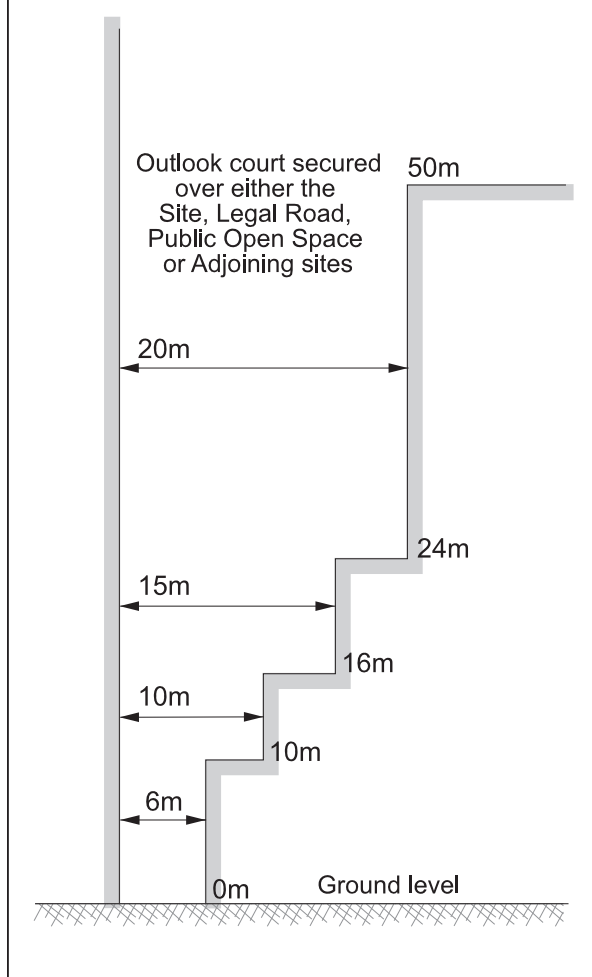
- d) The outlook space may not be any part of the site or an adjoining site across a side or rear boundary within 10m of a road boundary.

- e) In the situation where an outlook space is provided over a legal road narrower than the width specified in Figure 6.17, the street width shall be deemed to satisfy the minimum outlook space requirement.



- f) Balconies that have direct access from the principal living area or bedroom and are recessed within the exterior face of the building may be included in the calculation of outlook space under b) (i) or (ii) to a maximum depth of 3m.
- g) Except as provided for by section 95A(4) of the Act, an application to modify the outlook space development control in Rule 6.16(b) will be considered without public notification or the need to obtain written approval of or serve notice on affected persons (refer Rule 15.3.1.2(h)).

Figure 6.17 - Outlook Space



Explanation

The purpose of this control is to safeguard outlook, daylight, sunlight and privacy for occupants of accommodation buildings. It is noted this is not a view protection control. The outlook space is excluded from within 10m of the road boundary to ensure a high degree of street space definition and an appropriate continuity of

built form that addresses the street.

6.17 NON PERMANENT ACCOMMODATION

Except where located on Crown land, non permanent accommodation shall be:

- a) Composed of no more than one allotment or stratum estate in freehold or leasehold, in one certificate of title; and
- b) Subject to a registered covenant in favour of the Council or another equally restrictive mechanism, that records that the building or area within a building is not to be used for accommodation other than non permanent accommodation.

An application to infringe this rule will be considered as a restricted discretionary activity (refer assessment criteria 15.3.1.2(i)).

Explanation

The purpose of this control is to encourage non permanent accommodation to be developed and managed as a single entity as a means of ensuring it is used for short stay visitors. The control also assists to safeguard against non permanent accommodation being disposed as separate titles and used as permanent accommodation units.

6.18 REFERENCES

Reference should also be made to the following parts of the Plan:

- Part 1 District Plan Structure
- Part 2 District Plan Development
- Part 3 Resource Management
- Part 4 Strategic Management Areas
- Part 5 Activities
- Part 7 Noise, Signs and Lighting
- Part 8 Financial Contributions
- Part 9 Transportation
- Part 10 Heritage
- Part 11 Hazardous Facilities and Contaminated sites
- Part 12 Network Utility Services
- Part 13 Subdivision



Part 14	Precincts and Quarters
Part 15	General Rules/Designations
Part 16	Definitions and Interpretations

