

## 14.2A - PUBLIC OPEN SPACE 1

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## PUBLIC OPEN SPACE 1 - CONCEPT PLANS

### 14.2A.1 INTRODUCTION

Concept Plans have been prepared for the major Central Area parks, squares and reserves to facilitate the management of activities and development that can adversely impact on these areas of public open space. The Concept Plans recognise the uniqueness and importance of these individual areas to the Central Area. These areas include Albert Park, Myers Park, Symond's Street Cemetery, Old Government House Grounds, Victoria Park, Queen Elizabeth Square, Aotea Square and Saint Patrick's Square.

The Concept Plans indicate the particular development controls for the individual areas and also the range of recreation and leisure activities which are considered appropriate. In recognition of the community value of these parks and reserves and the need to preserve them, provision is made for a limited range of activities which support their continued viability. These supporting activities must demonstrate a reasonable degree of visual and physical integration within the area and be appropriate to the environmental context. Some activities are subject to particular controls depending on the potential impact of the use.

The Council acknowledges that the parks within the Central Area face some major challenges in terms of maintaining the quality of the environmental amenity. The Plan provisions seek to protect these valued spaces from the adverse effects of development.

### 14.2A.2 ANTICIPATED ENVIRONMENTAL RESULTS

The Concept Plans provide for the continued use and enhancement of the parks, squares and reserve areas while ensuring that those elements of the public open space which are of value, are retained.



## 14.2A.3 CONCEPT PLAN - ALBERT PARK

### 14.2A.3.1 DESCRIPTION

Albert Park is located in the Eastern Strategic Management Area a block away from Queen Street. The Park covers approximately six hectares and attracts people from the surrounding commercial areas, Auckland University and the Auckland Institute of Technology.

There are pedestrian linkages through the Park from the surrounding roads: Kitchener Street, Wellesley Street, Princes Street, and Bowen Avenue.

Albert Park is recognised as an area of historical, natural and archaeological significance. It also provides an important open space amenity.

The facilities and amenities of the Park include public toilets, park keeper's cottage (clock museum), statues, band rotunda, sculptures, fountain, notable trees and landscaping. The Auckland City Art Gallery is located on the south-western corner of the Park. The Merchant Houses are located between Albert Park and Princes Street.

A Management and Conservation Plan has been prepared for Albert Park. The Park, Merchant Houses and Old Synagogue are subject to the Auckland Improvement Trust Act 1971 (together with various amendments). Albert Park is classified as an Historic Reserve under the Reserves Act 1977.

The range of activities permitted in the Park is limited to ensure that it remains predominantly an open space for passive recreation. However provision is made for a wider range of activities for the Merchant Houses. The whole of Albert Park and a number of features included within the grounds have been scheduled in the Plan for protection. The area is also part of a Conservation Area.

### 14.2A.3.2 RULES - ACTIVITIES

|   |   |
|---|---|
| Maintenance of ornamental gardens and other landscape areas, including monuments, sculptures and water features | P |
| Ornamental gardens and other landscape areas, including monuments, sculptures and water features.               | D |

|  |   |
|--|---|
| Informal recreation such as walking, jogging and sitting.  | P |
| <b>Buildings:-(except for Area A on the Concept Plan).</b>   |   |
| Buildings predominantly used for changing rooms, first aid rooms, rest rooms, storage and maintenance sheds with a gross floor area not exceeding 50m <sup>2</sup> .                         | C |
| Buildings predominantly used for changing rooms, first aid rooms, rest rooms, information centres, kiosks and refreshment facilities with a gross floor area of more than 50m <sup>2</sup> . | D |
| Demolition or removal of a building except a scheduled heritage building.  | P |
| <b>Merchant Houses, Princes Street Buildings (illustrated as Area A on the Concept Plan):-</b>   |   |
| Services   | P |
| Entertainment/gathering  | P |
| Office   | P |
| Education  | P |

P = Permitted Activity  
C = Controlled Activity  
D = Discretionary Activity

**Note:** The Merchant Houses, Princes Street are included in Schedule A. The land upon which the houses and former Synagogue are located is vested in the Council under the Auckland Improvement Trust Act 1971.

All but one of the houses were built in the 1870s (No. 27 was built in 1934) and the Synagogue, constructed in 1884, was the centre of Jewish community life in Auckland for 84 years. In recognition of both the individual and the collective significance of these buildings, the Council initiated an amendment to the Auckland Improvement Trust Act in 1973 whereby provision is made for the retention of the buildings and the curtilages.



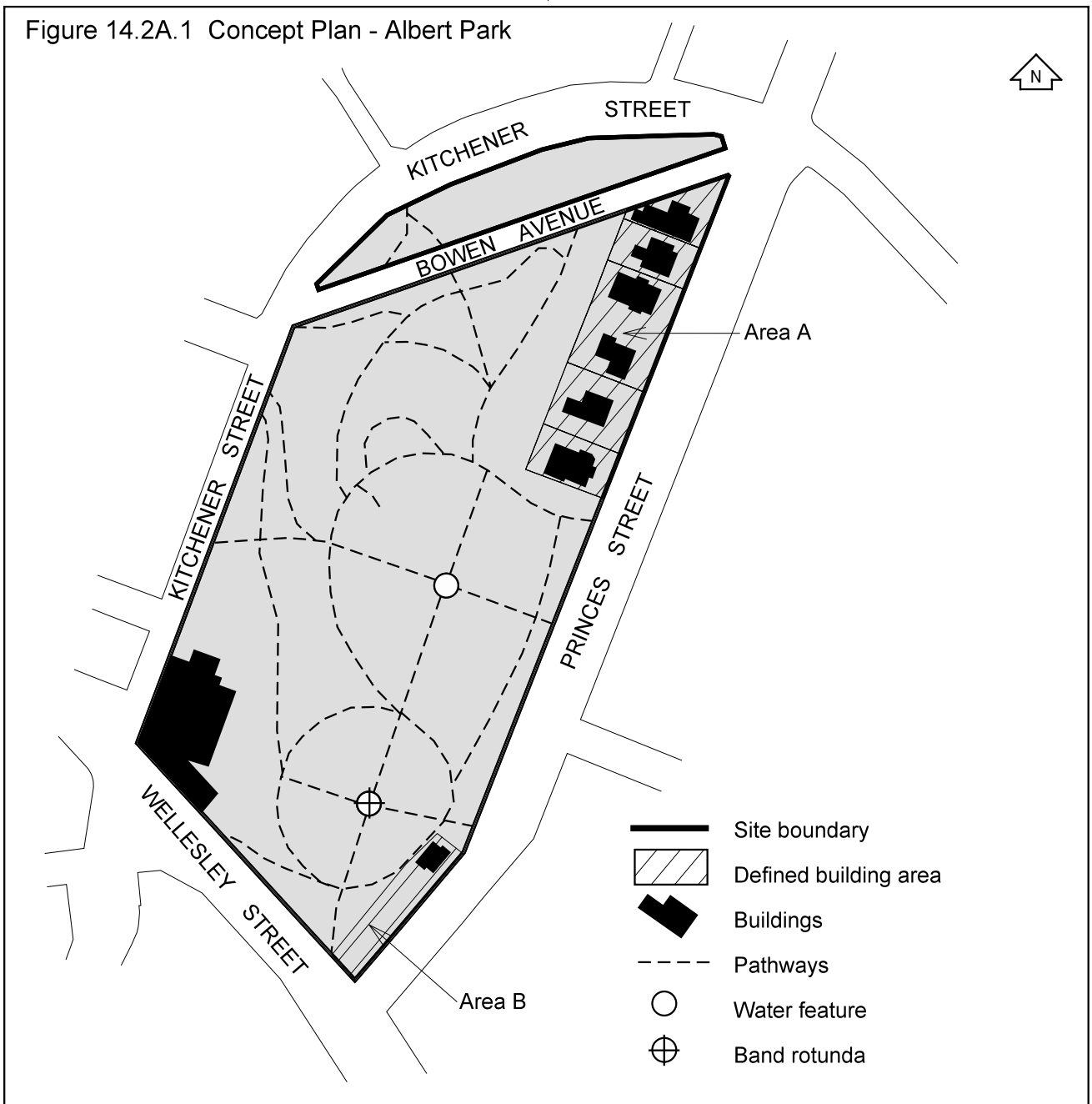
**14.2A.3.3 ASSESSMENT CRITERIA CONTROLLED OR DISCRETIONARY**

In addition to the objectives and policies of the Open Space Precinct under 14.2.3 and the provisions of any reserve management plan, the criteria set out in 14.2B.3 shall be used in assessing an application for a resource consent for a controlled or discretionary activity.

**14.2A.3.4 RULES - DEVELOPMENT CONTROLS**

- a) **Maximum height:** 7.5m measured by the rolling height method (refer definition of "Height" under Part 16).

Figure 14.2A.1 Concept Plan - Albert Park



## 14.2A - PUBLIC OPEN SPACE 1

- b) **Maximum building coverage:** 30% of the defined building area A and 25% of the defined building area B.
- c) **Yards:** no building is permitted within 3m of a road boundary.
- d) **Defined building areas:** building development is limited to the building areas illustrated on the Concept Plan as Areas A and B.

**Note:** An application to modify one or more of the above development controls may be considered by the Council under Clause 15.3.1.2(b) as a restricted discretionary activity.

### ***Explanation***

*An area of land free of buildings is a general characteristic of public open space. Setting a maximum building coverage assists in its retention. Adequate public open space for visual amenity and recreation will be ensured because the extent of building development permitted over a site is limited.*

*Imposing a separation of activities by distance is designed to avoid, remedy or mitigate any adverse effects that any activity on public open space may have on the streetscape. Such effects may include dust, litter, signs, visually intrusive buildings or activities or parking areas.*

### **14.2A.3.5 SUNLIGHT PLANES**

Albert Park has four areas covered by “sunlight planes” which protect the admission of sunlight during the times it is most intensively used. Development within the defined area shown on Planning Overlay Map 4 is required to comply with the application of the sunlight planes as set out in Part 6.

### **14.2A.3.6 TREE PROTECTION**

In addition to any tree scheduled for protection under Appendix 2, the tree protection controls set out in 14.2B.5 shall apply.

### **14.2A.3.7 HERITAGE ITEMS**

The whole of Albert Park is scheduled as a Category A heritage site and is an archaeological site. It is also located within a Conservation Area shown on Planning Overlay Map 6. The park is also an archaeological site under the provisions of the Historic Places Act 1993.

Refer to Part 10 Heritage for any additional compliance requirements and for an explanation of the role of the New Zealand Historic Places Trust.



## 14.2A.4 CONCEPT PLAN - VICTORIA PARK

### 14.2A.4.1 DESCRIPTION

Victoria Park is open space land reclaimed from the waterbody of Freemans Bay. Most of the nine-hectare area is used for organised sport such as cricket in the summer and rugby in the winter.

Along the southern boundary is a double row of mature plane trees, a children's playground, wide pedestrian pathways and seating. Towards the western end the airspace over the Park is intersected by the northern motorway flyover bridge. A new grandstand is located on the northern boundary

The Park fulfils a role as a sports ground as well as an open space resource for local residents and workers. It forms a distinctive "green belt" between the City and the north-western suburbs.

The range of activities provided for recognises that Victoria Park is used for a variety of informal and formal recreational activities.

### 14.2A.4.2 RULES - ACTIVITIES

|   |   |
|---|---|
| Organised sport and recreation and associated grounds and playing fields and maintenance thereof.   | P |
| Ornamental gardens and other landscape areas, including monuments, sculptures, and water features and maintenance thereof.  | P |
| Playgrounds and playground apparatus provided that within each individual public space the total of such activity shall not occupy more than 10% of any one established public space. | P |
| Residential accommodation for people whose duties require them to live on site within the existing building.  | P |
| Informal recreation such as walking, jogging and sitting.   | P |
| Earthworks not exceeding 5m <sup>3</sup> in volume and 50 m <sup>2</sup> in area.   | P |
| Earthworks* not otherwise provided for.   | C |
| <b>Buildings:-</b>  |   |

|  |   |
|--|---|
| Building or parts of buildings and structures used for recreational or community purposes.   | D |
| Buildings predominantly used for changing rooms, first aid rooms and public toilets with a gross floor area not exceeding 50m <sup>2</sup> .   | C |
| Buildings predominantly used for changing rooms, first aid rooms, public toilets, information centres, kiosks and refreshment facilities with a gross floor area of more than 50m <sup>2</sup> . | D |
| Storage and maintenance sheds in areas of public open space not exceeding 50m <sup>2</sup> .   | C |
| Structures for seating spectators.   | D |
| Use of artificial lighting, producing an illuminance in excess of 150 lux, measured at any point on the site containing the light source, in a horizontal or vertical plane at ground level.     | D |
| Demolition or removal of a building except a scheduled heritage building.  | P |

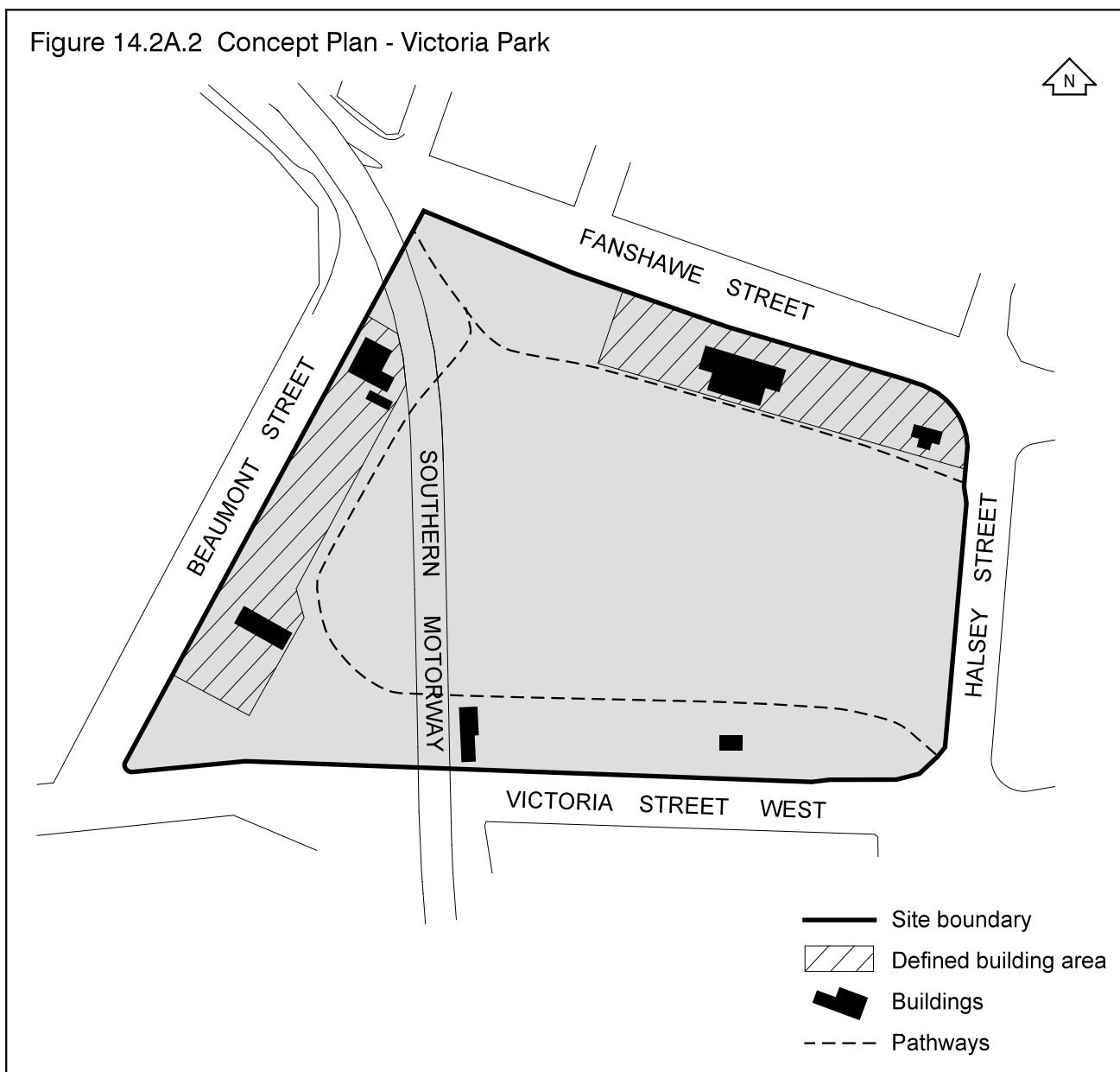
P = Permitted Activity  
C = Controlled Activity  
D = Discretionary Activity

*\* These provisions do not apply to earthworks which are carried out as part of-*

- i) the excavation and filling necessary to construct a building which is otherwise a permitted activity and which has been granted a building consent*
- ii) a network utility service of the type where specific provision has been made in 12.6.1.*



Figure 14.2A.2 Concept Plan - Victoria Park





### 14.2A.4.3 ASSESSMENT CRITERIA - CONTROLLED OR DISCRETIONARY ACTIVITIES

In addition to the objectives and policies of the Open Space Precinct under 14.2.3 and the provisions of any reserve management plan, the criteria set out in 14.2B.3 shall be used in assessing an application for a resource consent for a controlled or discretionary activity.

### 14.2A.4.4 RULES - DEVELOPMENT CONTROLS

- a) **Maximum height:** 10m measured by the rolling height method (refer definition of "Height" under Part 16).
- b) **Maximum building coverage:** 10% of the defined building area.
- c) **Yards:** no building is permitted within 6m of a road boundary.
- d) **Defined Building Area:** Building development is limited to the defined building area.

**Note:** An application to modify one or more of the above development controls may be considered by the Council under Clause 15.3.1.2(b) as a restricted discretionary activity.

#### **Explanation**

*An area of land free of buildings is a general characteristic of public open space. Setting a maximum building coverage assists in its retention. Adequate public open space for visual amenity and recreation will be ensured because the extent of building development permitted over a site is limited.*

*Imposing a separation of activities by distance is designed to avoid, remedy or mitigate any adverse effects that any activity on public open space may have on the streetscape. Such effects may include dust, litter, signs, visually intrusive buildings or activities or parking areas.*

### 14.2A.4.5 TREE PROTECTION

In addition to any tree scheduled for protection under Appendix 2, the tree protection controls set out in 14.2B.5 shall apply.

### 14.2A.4.6 HERITAGE ITEMS

Victoria Park contains a number of scheduled heritage items shown on Planning Overlay Map 6. The park is also an archaeological site under the provisions of the Historic Places Act 1993.

Refer to Part 10 Heritage for any additional compliance requirements and for an explanation of the role of the New Zealand Historic Places Trust.



## 14.2A.5 CONCEPT PLAN - MYERS PARK

### 14.2A.5.1 DESCRIPTION

Myers Park was established in 1915. It is located between Karangahape Road and Mayoral Drive and features mature mixed native and exotic trees offset by an avenue of palms.

Myers Park contains a playground, kindergarten, seating and access ways to Greys Avenue and Queen Street.

The range of activities is limited to ensure that Myers Park remains predominantly a park for passive recreation. However provision is made for the kindergarten in the existing building. A number of features included within the grounds have been scheduled for protection in the Plan.

Myers Park provides a valuable pedestrian connection between the Karangahape Road Precinct and the central City. It also provides an important open space for local residents.

### 14.2A.5.2 RULES - ACTIVITIES

|  |   |
|--|---|
| Ornamental gardens and other landscape areas, including monuments, sculptures, and water features and maintenance thereof.   | P |
| Playgrounds and playground apparatus. Provided that within each individual public space the total of such activity shall not occupy more than 10% of any one established public space.           | P |
| Informal recreation such as walking, jogging and sitting.  | P |
| Earthworks not exceeding 5m <sup>3</sup> in volume and 50m <sup>2</sup> in area.   | P |
| Earthworks* not otherwise provided for.  | D |
| <b>Buildings:-</b>   |   |
| Buildings predominantly used for changing rooms first aid rooms, public toilet with a gross floor area not exceeding 50m <sup>2</sup> .  | C |
| Buildings predominantly used for changing rooms, first aid rooms, public toilets, information centres, kiosks and refreshment facilities with a gross floor area of more than 50m <sup>2</sup> . | D |

|   |   |
|---|---|
| Storage and maintenance sheds in areas of public open space not exceeding 50m <sup>2</sup> .                              | C |
| Education within the existing building shown on the concept plan, or any additions or alterations approved under Part 10. | P |
| Demolition or removal of a building except a scheduled heritage building.   | P |

P = Permitted Activity  
C = Controlled Activity  
D = Discretionary Activity

*\*These provisions do not apply to earthworks which are carried out as part of -*

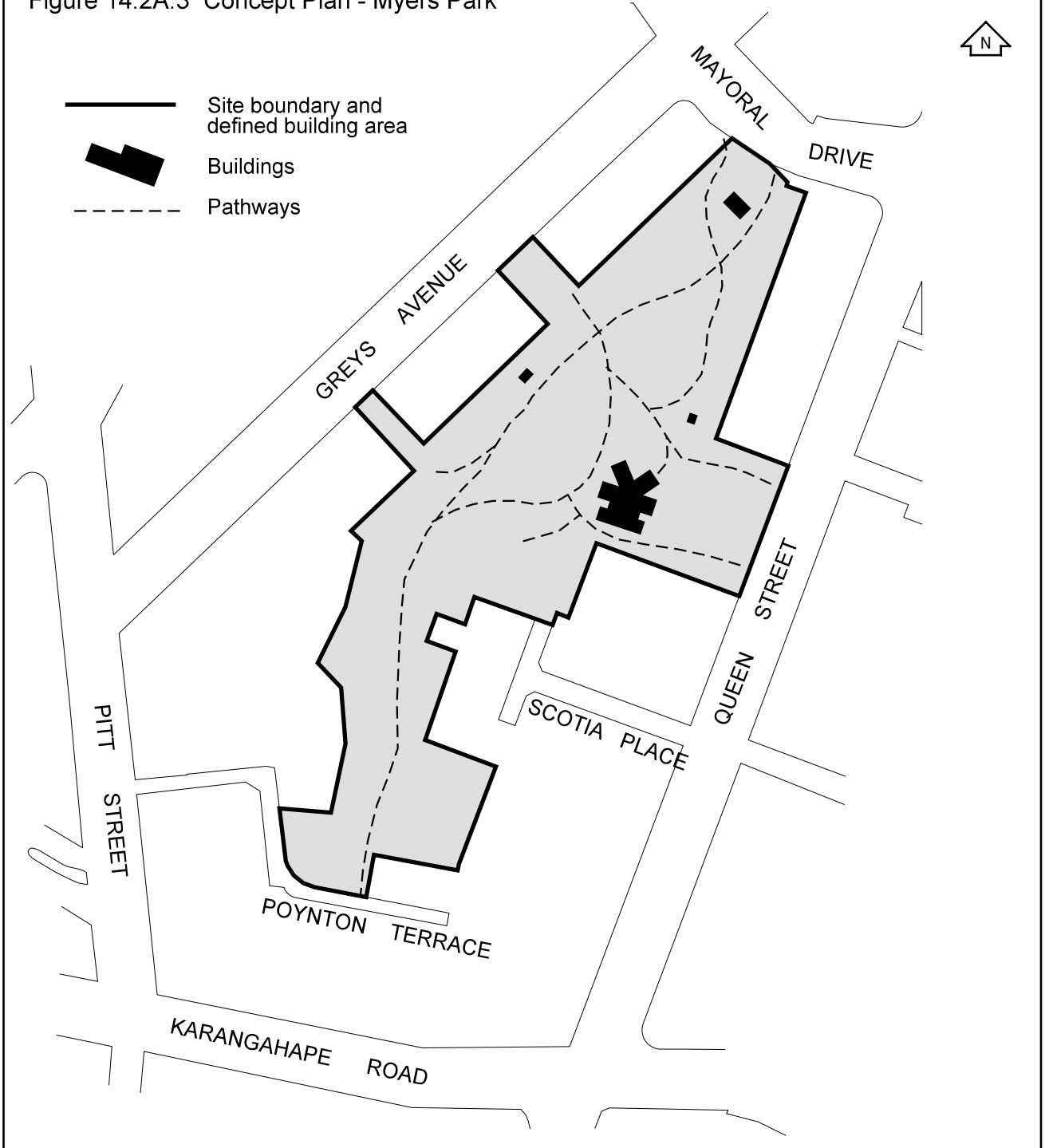
- i) the excavation and filling necessary to construct a building which is otherwise a permitted activity and which has been granted a building consent*
- ii) a network utility service of the type where specific provision has been made in 12.6.1.*

### 14.2A.5.3 ASSESSMENT CRITERIA – CONTROLLED OR DISCRETIONARY

In addition to the objectives and policies of the Open Space Precinct under 14.2.3 and the provisions of any reserve management plan, the criteria set out in 14.2B.3 shall be used in assessing an application for a resource consent for a controlled or discretionary activity.



Figure 14.2A.3 Concept Plan - Myers Park



#### 14.2A.5.4 RULES -DEVELOPMENT CONTROLS

- a) **Maximum height:** 7.5m measured by the Rolling height method (refer definition of “Height” under Part 16).
- b) **Maximum building coverage:** 5% of the defined building area.
- c) **Yards:** no building is permitted within 3m of a road boundary.

**Note:** An application to modify one or more of the above development controls may be considered by the Council under Clause 15.3.1.2(b) as a restricted discretionary activity.

##### **Explanation**

*An area of land free of buildings is a general characteristic of public open space. Setting a maximum building coverage assists in its retention. Adequate public open space for visual amenity and recreation will be ensured because the extent of building development permitted over a site is limited.*

*Imposing a separation of activities by distance is designed to avoid, remedy or mitigate any adverse effects that any activity on public open space may have on the streetscape. Such effects may include dust, litter, signs, visually intrusive buildings or activities or parking areas.*

#### 14.2A.5.5 SUNLIGHT PLANES

Myers Park is covered by sunlight planes which protect the admission of sunlight to specified areas during the times when the Park is most intensively used. Development within the defined area shown on Planning Overlay Map 4 is required to comply with the application of the sunlight planes as set out in Part 6.

#### 14.2A.5.6 TREE PROTECTION

In addition to any tree scheduled for protection under Appendix 2, the tree protection controls set out in 14.2B.5 shall apply.

#### 14.2A.5.7 HERITAGE ITEMS

The whole of Myers Park is scheduled as an archaeological site and contains a number of scheduled heritage items shown on Planning Overlay Map 6. The park is also an archaeological site and an Historic Area (Reg No 7008) under the provisions of the Historic Places Act 1993.

Refer to Part 10 Heritage for any additional compliance requirements and for an explanation of the role of the New Zealand Historic Places Trust.



## 14.2A.6 CONCEPT PLAN - SYMONDS STREET CEMETERY

### 14.2A.6.1 DESCRIPTION

The Symonds Street Cemetery covers approximately 5.77 hectares. Apart from graves, it contains grassed areas, deciduous glades and native trees. The Cemetery is no longer used as a graveyard and the majority of the graves date back to between 1842 and 1886.

The Plan provisions ensure that the Symonds Street Cemetery is retained and a number of features included within the grounds have been scheduled for protection.

### 14.2A.6.2 RULES - ACTIVITIES

|  |   |
|--|---|
| Ornamental gardens and other landscape areas, including monuments, sculptures, and water features and maintenance thereof.   | P |
| Informal recreation such as walking, jogging and sitting.  | P |
| Earthworks* not otherwise provided for.  | D |
| <b>Buildings:-</b>   |   |
| Buildings predominantly used for changing rooms, first aid rooms, public toilets with a maximum floor area not exceeding 50m <sup>2</sup> .  | D |
| Buildings predominantly used for changing rooms, first aid rooms, public toilets, information centres, kiosks and refreshment facilities with a gross floor area of more than 50m <sup>2</sup> . | D |
| Storage and maintenance sheds in areas of public open space not exceeding 50m <sup>2</sup> .   | P |
| Demolition or removal of a building except a scheduled heritage building.  | P |

P = Permitted Activity  
C = Controlled Activity  
D = Discretionary Activity

*\*These provisions do not apply to earthworks which are carried out as part of-*

- i) *the excavation and filling necessary to construct a building which is otherwise a permitted activity and which has been granted a building consent*

- ii) *a network utility service of the type where specific provision has been made in 12.6.1.*

### 14.2A.6.3 ASSESSMENT CRITERIA – CONTROLLED OR DISCRETIONARY

In addition to the objectives and policies of the Open Space Precinct under 14.2.3 and the provisions of any reserve management plan, the criteria set out in 14.2B.3 shall be used in assessing an application for a resource consent for a controlled or discretionary activity.

### 14.2A.6.4 RULES - DEVELOPMENT CONTROLS

- a) **Maximum height:** 7.5m measured by the Rolling height method (refer definition of “Height” under Part 16).
- b) **Maximum building coverage:** 5% of the defined building area.
- c) **Yards:** no building is permitted within 3m of a road boundary.

**Note:** An application to modify one or more of the above development controls may be considered by the Council under Clause 15.3.1.2(b) as a restricted discretionary activity.

#### **Explanation**

*An area of land free of buildings is a general characteristic of public open space. Setting a maximum building coverage assists in its retention. Adequate public open*



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space for visual amenity and recreation will be ensured because the extent of building development permitted over a site is limited.

Imposing a separation of activities by distance is designed to avoid, remedy or mitigate any adverse effects that any activity on public open space may have on the streetscape. Such effects may include dust, litter, signs, visually intrusive buildings or activities or parking areas.

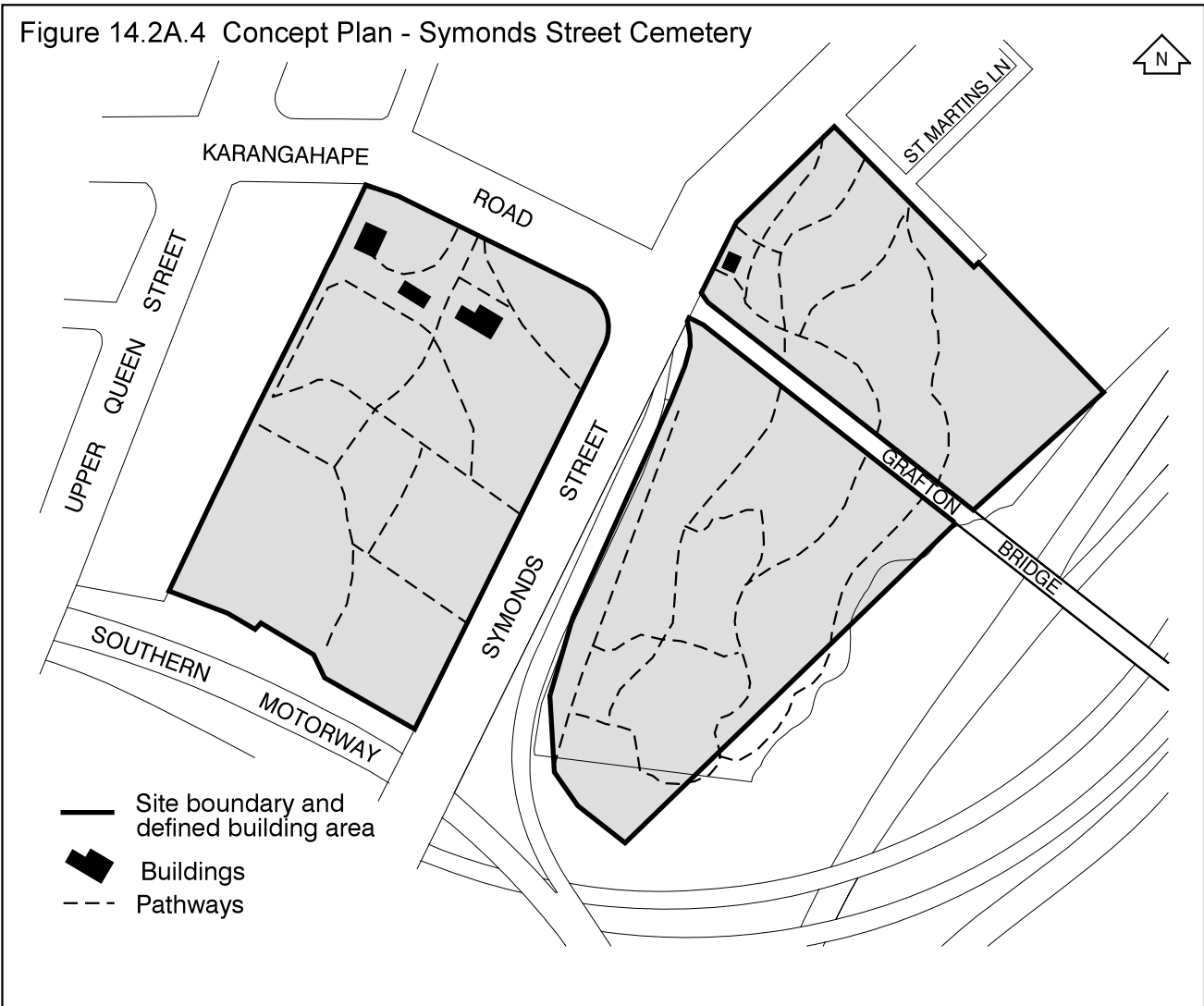
**14.2A.6.5 TREE PROTECTION**

In addition to any tree scheduled for protection under Appendix 2, the tree protection controls set out in 14.2B.5 shall apply.

**14.2A.6.6 HERITAGE ITEMS**

The whole of Symonds Street Cemetery is scheduled as a Category A heritage site shown on Planning Overlay Map 6. The cemetery is also an archaeological site under the provisions of the Historic Places Act 1993.

Refer to Part 10 Heritage for any additional compliance requirements and for an explanation of the role of the New Zealand Historic Places Trust.



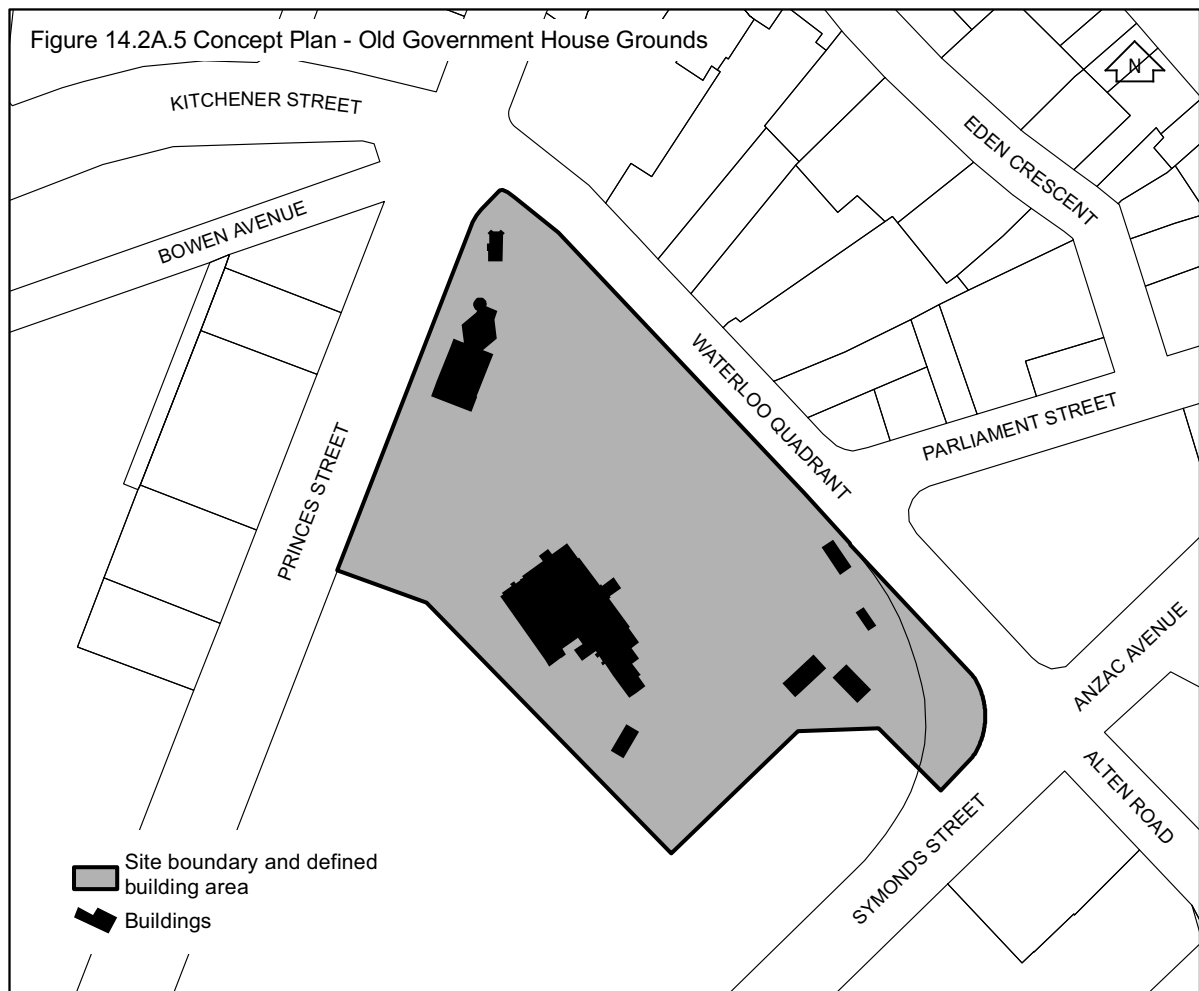
## 14.2A.7 CONCEPT PLAN - OLD GOVERNMENT HOUSE GROUNDS

### 14.2A.7.1 DESCRIPTION

The Old Government House Grounds are located at the corner of Princes Street and Waterloo Quadrant. The land forms part of the University of Auckland complex. The buildings located on the site include the McClaurin Chapel, the old gate keeper's cottage, and Old Government House.

The Old Government House Grounds, whilst in private ownership, are available for public use and provide a key open space within the City and more particularly the University. The amenity of the area contrasts with the intensity of the surrounding building form.

The range of activities is limited to ensure that the Grounds remain predominantly an open space for passive recreation. A number of features included within the grounds have been scheduled for protection.



### 14.2A.7.2 RULES - ACTIVITIES

|  |   |
|--|---|
| Ornamental gardens and other landscape areas, including monuments, sculptures, and water features and maintenance thereof.   | P |
| Informal recreation such as walking, jogging and sitting.  | P |
| Earthworks not exceeding 10m <sup>3</sup> in volume and 10m <sup>2</sup> in area.  | P |
| Earthworks* not otherwise provided for.  | D |
| Functions and Ceremonies   | P |
| <b>Buildings:-</b>   |   |
| Storage and maintenance sheds in areas of public open space not exceeding 50m <sup>2</sup> .   | P |
| Education and ancillary activities within existing buildings or any approved alterations or additions.   | P |
| Construction of building, and alterations/additions to existing building that comply with the relevant development controls including Part 10 - Heritage.  | D |
| Demolition or removal of a building except a scheduled heritage building.  | P |
| Non Permanent Structures associated with functions and ceremonies including the erection of tents and marquees for no more than 6 events in a calendar year (1 January to 31 December inclusive) where the duration of each event does not exceed a maximum of 7 consecutive days and there is no less than 7 days between different events. | P |

P = Permitted Activity  
D = Discretionary Activity

\*These provisions do not apply to earthworks which are carried out as part of -

- i) the excavation and filling necessary to construct a building which is otherwise a permitted activity and which has been granted a building consent
- ii) a network utility service of the type where specific provision has been made in 12.6.1.

### 14.2A.7.3 ASSESSMENT CRITERIA – DISCRETIONARY ACTIVITIES

In addition to the objectives and policies of the Open Space Precinct under 14.2.3 and the provisions of any reserve management plan, the criteria set out in 14.2B.3 shall be used in assessing an application for a resource consent for a discretionary activity.

### 14.2A.7.4 RULES - DEVELOPMENT CONTROLS

- a) **Maximum height:** 7.5m measured by the Rolling height method (refer definition of “Height” under Part 16).
- b) **Maximum building coverage:** 5% of the defined building area.
- c) **Yards:** no building is permitted within 3m of a road boundary.

**Note:** An application to modify one or more of the above development controls may be considered by the Council under Clause 15.3.1.2(b) as a restricted discretionary activity.

**Explanation**

*An area of land free of buildings is a general characteristic of public open space. Setting a maximum building coverage assists in its retention. Adequate public open space for visual amenity and recreation will be ensured because the extent of building development permitted over a site is limited.*

*Imposing a separation of activities by distance is designed to avoid, remedy or mitigate any adverse effects that any activity on public open space may have on the streetscape. Such effects may include dust, litter, signs, visually intrusive buildings or activities or parking areas.*

### 14.2A.7.5 SUNLIGHT PLANES

Old Government House Grounds are covered by sunlight planes to ensure the admission of sunlight during the times of the day when the Grounds are most intensively used. Development within the defined area shown on Planning Overlay Map 4 is required to comply with the application of the sunlight planes as set out in Part 6.





**14.2A.7.6 TREE PROTECTION**

In addition to any tree scheduled for protection under Appendix 2 the tree protection controls set out in 14.2B.5 shall apply.

**14.2A.7.7 HERITAGE ITEMS**

Government House Grounds contains a number of scheduled heritage items shown on Planning Overlay Map 6. The grounds are also classified as an archaeological site under the provisions of the Historic Places Act 1993.

Refer to Part 10 Heritage for any additional compliance requirements and for an explanation of the role of the New Zealand Historic Places Trust.



## 14.2A.8 CONCEPT PLAN - QUEEN ELIZABETH SQUARE

### 14.2A.8.1 DESCRIPTION

Queen Elizabeth Square is located at the northern end of Queen Street between the City and the waterfront and provides an important open space for people, particularly at lunchtime period.

The range of activities provided for is generally limited to those associated with maintenance and further enhancement. The principal development controls limit building height and coverage to ensure that buildings do not dominate the space.

### 14.2A.8.2 RULES - ACTIVITIES

|  |   |
|--|---|
| Ornamental gardens and other landscape areas, including monuments, sculptures, and water features and maintenance thereof  | P |
| Playgrounds and playground apparatus provided that within each individual public space the total of such activity shall not occupy more than 10% of any one established public space.  | D |
| Informal recreation such as walking, jogging and sitting.  | P |
| Canopies, awnings or similar weather protection structures, ancillary to outdoor tables and seating areas (other than verandahs required under 6.9).   | C |
| Outdoor tables and seating and/or displays (excluding permanent buildings) provided that the total of such activities shall not occupy more than 10% of any one established public open space and the area for any individual activity shall not exceed 50m <sup>2</sup> . | C |
| Earthworks not exceeding 5m <sup>3</sup> in volume and 50m <sup>2</sup> in area  | P |
| Earthworks* not otherwise provided for.  | D |
| <b>Buildings:-</b>   |   |
| Buildings predominantly used for changing rooms first aid rooms, public toilet with a gross floor area not exceeding 50m <sup>2</sup> .  | C |

|   |   |
|---|---|
| Demolition or removal of a building except a scheduled heritage building. | P |
|---|---|

P = Permitted Activity  
 C = Controlled Activity  
 D = Discretionary Activity

*\*These provisions do not apply to earthworks which are carried out as part of -*

- i) *the excavation and filling necessary to construct a building which is otherwise a permitted activity and which has been granted a building consent*
- ii) *a network utility service of the type where specific provision has been made in 12.6.1.*

### 14.2A.8.3 ASSESSMENT CRITERIA – CONTROLLED OR DISCRETIONARY ACTIVITIES

In addition to the objectives and policies of the Open Space Precinct under 14.2.3 and the provisions of any reserve management plan, the criteria set out in 14.2B.3 shall be used in assessing an application for a resource consent for a controlled or discretionary activity.

### 14.2A.8.4 RULES - DEVELOPMENT CONTROLS

- a) **Maximum height:** 4m measured by the rolling height method (refer definition of “Height” under Part 16).
- b) **Maximum building coverage:** 5% of the defined building area.

**Note:** An application to modify one or more of the above development controls may be considered by the Council under Clause 15.3.1.2(b) as a restricted discretionary activity.

**Explanation**

*An area of land free of buildings is a general characteristic of public open space. Setting a maximum building coverage assists in its retention. Adequate public open*



space for visual amenity and recreation will be ensured because the extent of building development permitted over a site is limited.

Imposing a separation of activities by distance is designed to avoid, remedy or mitigate any adverse effects that any activity on public open space may have on the streetscape. Such effects may include dust, litter, signs, visually intrusive buildings or activities or parking areas.

**14.2A.8.5 SUNLIGHT PLANES**

Queen Elizabeth Square is covered by sunlight planes which protect the admission of sunlight during the times of the day when the Square is most intensively used. Development within the defined area shown on Planning Overlay Map 4 is required to comply with the application of the sunlight planes as set out in Part 6.

**14.2A.8.6 TREE PROTECTION**

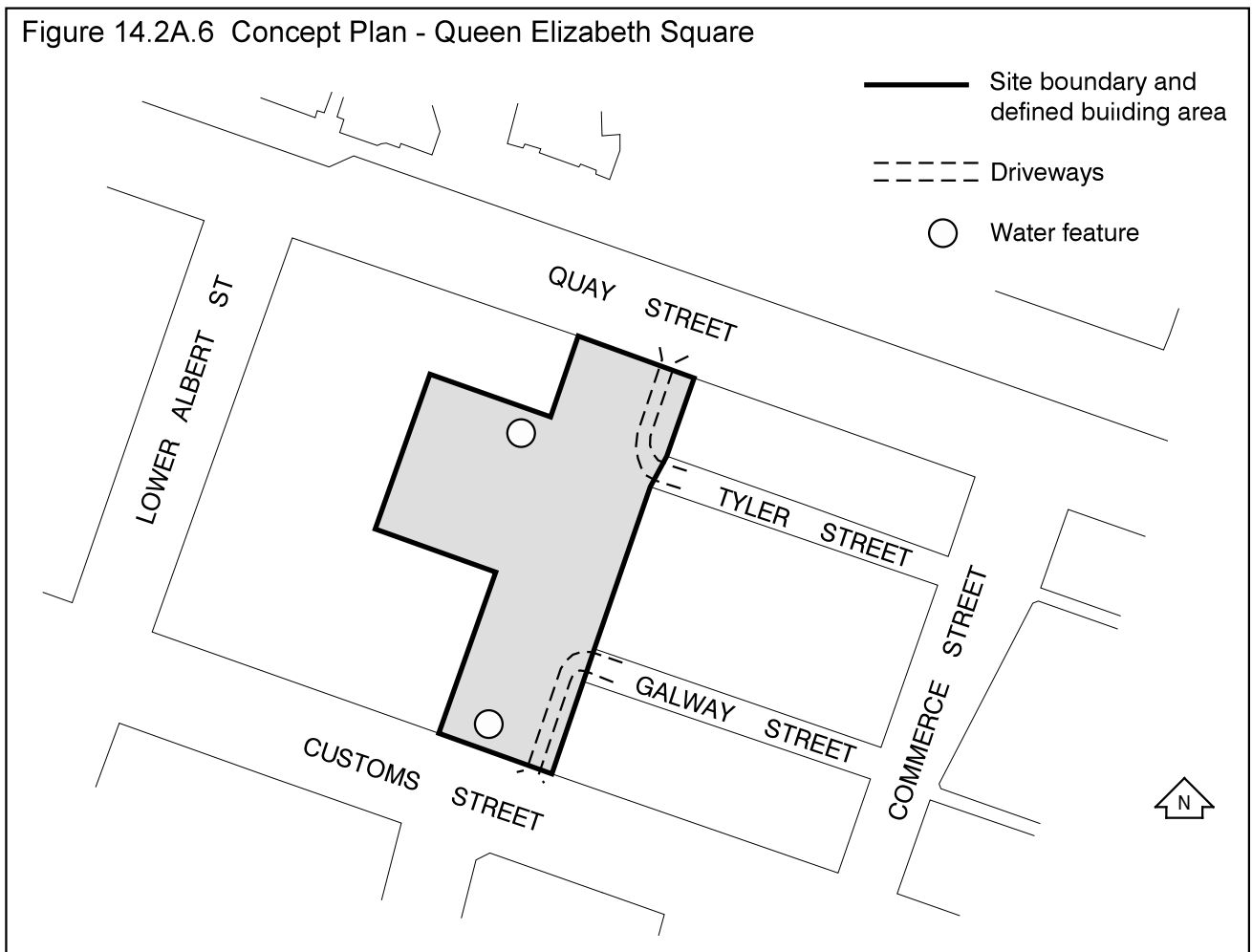
In addition to any tree scheduled for protection under Appendix 2 the tree Protection Controls set out in 14.2B.5 shall apply.

**14.2A.8.7 HERITAGE ITEMS**

Queen Elizabeth Square contains a scheduled heritage item as shown on Planning Overlay Map 6. The square is also classified as an archaeological site under the provisions of the Historic Places Act 1993.

Refer to Part 10 Heritage for any additional compliance requirements and for an explanation of the role of the New Zealand Historic Places Trust.

Figure 14.2A.6 Concept Plan - Queen Elizabeth Square



## 14.2A.9 CONCEPT PLAN - ST PATRICK'S SQUARE

### 14.2A.9.1 DESCRIPTION

Saint Patrick's Square is located in the city block bounded by Swanson, Albert, Hobson and Wyndham Streets. The Square comprises a paved area and gardens surrounding St Patrick's Cathedral and a courtyard that includes a water feature, a grassed area and seating.

The integration of paving across Swanson Street successfully links the Square with the courtyard and plaza of the building at 23-29 Albert Street (known as the Coopers and Lybrand Building).

Saint Patrick's Square is an attractive sunny open space area serving inner city workers, and visitors. The range of activities provided for is generally limited to those associated with maintenance and further enhancement.

### 14.2A.9.2 RULES - ACTIVITIES

|  |   |
|--|---|
| Ornamental gardens and other landscape areas, including monuments sculptures, and water features and maintenance thereof.  | P |
| Informal recreation such as walking, jogging and sitting.  | P |
| Outdoor tables and seating (excluding permanent buildings) provided that the total of such activities shall not occupy more than 10% of any one established public open space and the area for any individual activity shall not exceed 25m <sup>2</sup> . | C |
| Earthworks not exceeding 5m <sup>3</sup> in volume 50 m <sup>2</sup> in area.  | P |
| Earthworks* not otherwise provided for   | D |
| <b>Buildings:-</b>   |   |
| Buildings predominantly used for rest rooms with a gross floor area not exceeding 25m <sup>2</sup> .   | C |
| Demolition or removal of a building except a scheduled heritage building.  | P |

P = Permitted Activity

C = Controlled Activity

D = Discretionary Activity

*\*These provisions do not apply to earthworks which are carried out as part of -*

- i) *the excavation and filling necessary to construct a building which is otherwise a permitted activity and which has been granted a building consent*
- ii) *a network utility service of the type where specific provision has been made in 12.6.1.*

### 14.2A.9.3 ASSESSMENT CRITERIA – CONTROLLED OR DISCRETIONARY ACTIVITIES

In addition to the objectives and policies of the Open Space Precinct under 14.2.3 and the provisions of any reserve management plan, the criteria set out in 14.2B.3 shall be used in assessing an application for a resource consent for a controlled or discretionary activity.

### 14.2A.9.4 RULES - DEVELOPMENT CONTROLS

- a) **Maximum height:** 4.5m measured by the Rolling height method (refer definition of "Height" under Part 16).
- b) **Maximum building coverage:** 5% of the defined building area.
- c) **Yards:** no building is permitted within 3m of the boundaries of Federal Street, Swanson Street and Wynham Street as shown on figure 14.2A.7.

**Note:** An application to modify one or more of the above development controls may be considered by the Council under Clause 15.3.1.2(b) as a discretionary activity.

#### *Explanation*

*An area of land free of buildings is a general characteristic of public open space. Setting a maximum building coverage assists in its retention. Adequate public open*



space for visual amenity and recreation will be ensured because the extent of building development permitted over a site is limited.

Imposing a separation of activities by distance is designed to avoid, remedy or mitigate any adverse effects that any activity on public open space may have on the streetscape. Such effects may include dust, litter, signs, visually intrusive buildings or activities or parking areas.

**14.2A.9.5 SUNLIGHT PLANES**

St Patrick's Square is covered by a sunlight plane to ensure the admission of sunlight to the Square during the times of the day when it is most intensively used. Development within the defined area shown on Planning Overlay Map 4 is required to comply with the application of the sunlight planes as set out in Part 6.

**14.2A.9.6 TREE PROTECTION**

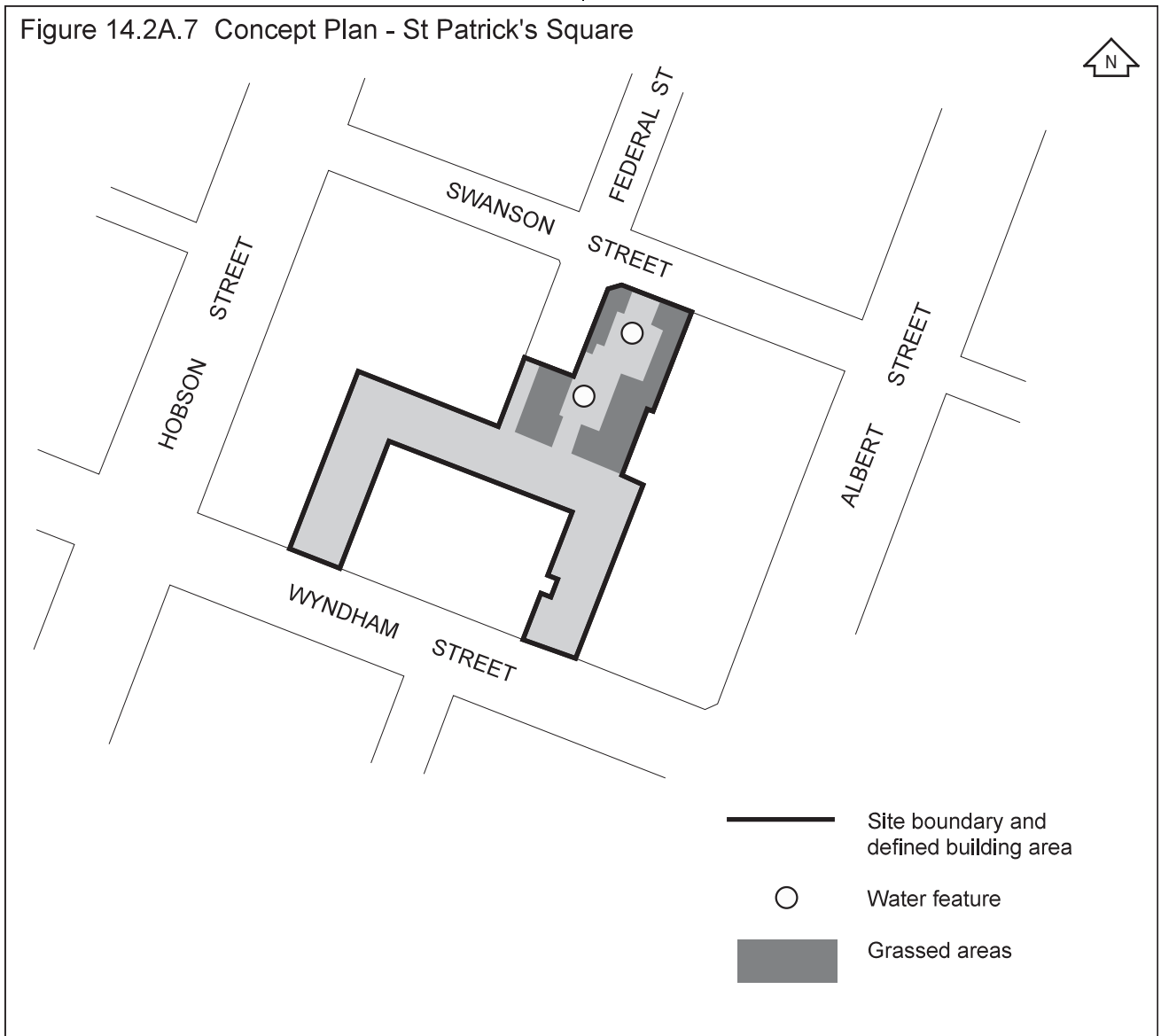
In addition to any tree scheduled for protection under Appendix 2 the tree protection controls set out in 14.2B.5 shall apply.

**14.2A.9.7 HERITAGE ITEMS**

St Patrick's Square contains a number of scheduled heritage items shown on Planning Overlay Map 6. The square is also an archaeological site under the provisions of the Historic Places Act 1993.

Refer to Part 10 Heritage for any additional compliance requirements and for an explanation of the role of the New Zealand Historic Places Trust

Figure 14.2A.7 Concept Plan - St Patrick's Square



## 14.2A.10 CONCEPT PLAN - AOTEA SQUARE

### 14.2A.10.1 DESCRIPTION

Aotea Square is located adjacent to the Civic Centre on the corner of Queen Street and Mayoral Drive and forms a large civic space flanked on the western side by the Aotea Centre and on the east by the Town Hall. The Square is made up of both grass and paving. Notable features of the paved areas are the changes in level to incorporate steps and associated seating. A new building is proposed to the north incorporating the Civic Theatre.

Aotea Square is an important open space providing for a range of functions from major public gatherings within the paved quadrant to small lunchtime groups on the grassed areas. The range of functions provided for is generally limited to those associated with maintenance and further enhancement.

### 14.2A.10.2 RULES - ACTIVITIES

|   |   |
|---|---|
| Ornamental gardens and other landscape areas, including monuments, sculptures, and water features and maintenance thereof.  | P |
| Playgrounds and playground apparatus provided that within each individual public space the total of such activity shall not occupy more than 10% of any one established public space.   | D |
| Informal recreation such as walking, jogging and sitting.   | P |
| Outdoor tables and seating and/or displays (excluding permanent buildings) provided that the total of such activities shall not occupy more than 10% of any one established public open space and the gross floor area for any individual activity shall not exceed 50m <sup>2</sup> . Public performances and associated buildings, including stages and seatings. | C |
| Earthworks not exceeding 5m <sup>3</sup> and not exceeding 50m <sup>2</sup> in area.  | P |
| Earthworks* not otherwise provided for.   | D |

|  |   |
|--|---|
| Public Performances and associated buildings, including stages and seating, except as provided for in accordance with rule 15.5.1.3.   | P |
| <b>Buildings:-</b>   |   |
| Buildings predominantly used for changing rooms, first aid rooms, rest rooms with a gross floor area not exceeding 50m <sup>2</sup> .  | C |
| Buildings predominantly used for changing rooms, first aid rooms, rest rooms, information centres, kiosks and refreshment facilities with a gross floor area of more than 50m <sup>2</sup> . | D |
| Demolition or removal of a building except a scheduled heritage building.  | P |

P = Permitted Activity  
 C = Controlled Activity  
 D = Discretionary Activity

*\*These provisions do not apply to earthworks which are carried out as part of -*

- i) *the excavation and filling necessary to construct a building which is otherwise a permitted activity and which has been granted a building consent*
- ii) *a network utility service of the type where specific provision has been made in 12.6.1.*

### 14.2A.10.3 ASSESSMENT CRITERIA – CONTROLLED OR DISCRETIONARY ACTIVITIES

In addition to the objectives and policies of the Public Open Space Precincts under 14.2.3 and the provisions of any reserve management plan, the criteria set out in 14.2B.3 shall be used in assessing an application for a resource consent for a controlled or discretionary activity.



#### 14.2A.10.4 RULES - DEVELOPMENT CONTROLS

- a) **Maximum height:** 4m measured by the rolling height method (refer definition of “Height” under Part 16).
- b) **Maximum building coverage:** 3% of the defined building area.

**Note:** An application to modify one or more of the above development controls may be considered by the Council under Clause 15.3.1.2(b) as a restricted discretionary activity.

##### *Explanation*

*An area of land free of buildings is a general characteristic of public open space. Setting a maximum building coverage assists in its retention. Adequate public open space for visual amenity and recreation will be ensured because the extent of building development permitted over a site is limited.*

*Imposing a separation of activities by distance is designed to avoid, remedy or mitigate any adverse effects that any activity on public open space may have on the streetscape. Such effects may include dust, litter, signs, visually intrusive buildings or activities or parking areas.*

#### 14.2A.10.5 SUNLIGHT PLANES

Aotea Square is covered by two sunlight planes to ensure the admission of sunlight to specified areas during the times of the day when the Square is most intensively used. Development within the defined areas shown on Planning Overlay Map 4 is required to comply with the application of the sunlight planes as set out in Part 6.

#### 14.2A.10.6 AOTEA HEIGHT CONTROL PLANE

Development is required to comply with the Aotea Height Control Plane as set out in 6.4. The application of the plane, which forms a recession cone around the Square, ensures that a sense of orientation and location within the city is maintained from Aotea Square.

#### 14.2A.10.7 TREE PROTECTION

In addition to any tree scheduled for protection under Appendix 2, the tree protection controls set out in 14.2B.5 shall apply.

#### 14.2A.10.8 HERITAGE ITEMS

Aotea Square contains the scheduled heritage item shown on Planning Overlay Map 6. Refer to Part 10 Heritage for any additional compliance requirements and for an explanation of the role of the New Zealand Historic Places Trust.



Figure 14.2A.8 Concept Plan - Aotea Square

