

PART 14.2C - PUBLIC OPEN SPACE 3 - STREETS

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Plan modification annotations - key



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



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

Underlined content to be inserted.

~~Struck through~~ content to be deleted.





PUBLIC OPEN SPACE 3 - STREETS

14.2C.1 INTRODUCTION

Streets contain vital transport and pedestrian facilities and networks and essential infrastructure utilities and services. Apart from allowing access of daylight and sunlight, streets enable the development of public amenity areas and facilities, they influence the character of an area and they provide important views. Part of the unique character of central Auckland is its views of the harbour and it is important that these views are maintained.

The Plan seeks to create a resource management approach that maintains a high quality environment while providing for the development, use and maintenance of the streets to meet the reasonable needs engendered by the business and residential activities of the Central Area.

Public Open Space 3 generally applies to streets identified in the precinct or quarter which have an important pedestrian and amenity function in the CBD and are identified on Planning Overlay Map 1.

14.2C.2 RULES - ACTIVITIES

In addition to clause 6.9 Verandahs and the Part 12 Network Utility Services provisions of this Plan the following activities are provided for in the area identified as Public Open Space 3 Precinct.

Above verandah seating area for food and beverage facilities Ω	P
Outdoor tables and seating Ω (excluding permanent buildings) provided that the area for each individual activity is not larger than 25m ²	P
Overpass	RD
Underpass	RC

P= Permitted Activity

RC= Restricted Controlled Activity

RD= Restricted Discretionary Activity

Ω Activities and uses on public land require permission from the Council. Trading in streets and public places

is controlled by the Auckland City Council Consolidated Bylaw.

14.2C.2.1 Pedestrian Overpasses and Underpasses

The Plan provisions seek to encourage pedestrians to move about at street level in the Central Area in order to enhance life on the street, promote activity and interest, and ensure safety and security.

While underground/above ground pedestrian networks provide benefits in terms of traffic safety and protection from the weather, the disadvantages are separation from the natural environment, potential for disorientation, risks to safety to and greater potential for unobserved crime and loss of street frontage activity. Overpasses can have an adverse impact on the streetscape and reduce the amenity gained from views.

Overpasses require additional assessment where they are proposed to be located on any street identifying a sightline shown on Figure 14.2C.1, Street Sight lines. Particular consideration will be given to the impact on the streetscape, the location and the design of the overpass.

Refer to clause 14.2C.3.1 Assessment Criteria for Pedestrian Overpasses and Underpasses.

14.2C.3 ASSESSMENT CRITERIA

14.2C.3.1 Assessment Criteria for Pedestrian Overpasses and Underpasses

“Overpass or underpass” shall apply to a walkway which is constructed over or under a road or other public space for, or with the authority of, the Council where such walkway is integrated into the pedestrian network by means of the necessary through site links.

- Plans and written material to describe the nature, extent and form of the built structure.
- The impact that the overpass will have on the surrounding environment. The compatibility of the design and impact of the structure on the streetscape should be assessed in terms of avoiding or mitigating excessive visual bulk and scale.
- Properties abutting the overpass or underpass are to be in common ownership, or subject to a satisfactory agreement reached between the property owners concerned as to the connection of the facility to the property.



- d) The overpass or underpass may be located or connected with a public area in an entrance foyer or lobby or part thereof being a primary access to a building which is accessed directly from a public place and has an overhead clearance of not less than 6m.
- e) The overpass or underpass is required to meet the additional specifications for overpasses and underpasses contained in Appendix 9.

14.2C.3.2 Specific Criteria for Assessment of Overpasses on Streets identified on Figure 14.2C.1.

In addition to the criteria in 14.2C.3.1 above, any application for an overpass on streets identified on Figure 14.2C.1 shall include an assessment of the effects on the environment made in accordance with Part 15 of the Plan. This assessment shall, in addition, include:

- a) Plans and written material to describe the nature, extent and form of the built structure.
- b) A visual impact assessment including an assessment of the extent to which the structure obscures the protected view of the sightline. In assessing the degree of intrusion into the protected view the following criteria will be considered:
 - i) the silhouette of the overpass, on the protected sightline and vista including focal and context elements
 - ii) the extent to which the overpass constitutes a visually competing intrusion into the background or foreground of the view.
- c) The impact the overpass will have on the surrounding environment. The compatibility of the design and impact of the structure on the streetscape should be assessed in terms of avoiding or mitigating excessive visual bulk and scale.
- d) In applying its discretion the Council will consider:
 - i) Any policies and objectives of this Plan relevant to the circumstances of the application.
 - ii) The necessity for the structure and any alternative methods available to the applicant which would meet the requirements of the Plan.
 - iii) The assessment of the effects on the environment as requested above.
 - iv) Ways in which any adverse effects may be mitigated.

14.2C.4 RULES

14.2C.4.1 Pedestrian-orientated Area.

Planning Overlay Map 2 applies only to the roads shown as Public Open Space 3 Precinct on Planning Map 1.

14.2C.4.2 Central Area Street Sight Lines

Views from public open space or along streets to the harbour, to Rangitoto Island and to the North Shore or to other natural features and landmarks from within the Central Area are protected as shown on Figure 14.2C.1, Street Sight lines. Except for the eastern ray of Street Line No. 23 (which affects part of the Maritime Square site (being Lot 1A DP 198984), this rule does not apply beyond the streets affected. Please refer to Appendix 5, where the sightlines are depicted in detail.

No person shall erect any building or structure on the streets that will visually intrude and infringe on the sight lines identified on Figure 14.2C.1, except as otherwise provided for in 14.2C.2 and in Part 12 and Part 6.9.

Any application to infringe the street sightlines will be assessed as a non-complying activity, except as otherwise provided for in clause 14.2C.2 and in Part 12 Network Utility Services and clause 6.9.

14.2C.5 TREE PROTECTION

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

14.2C.6 HERITAGE ITEMS

For any scheduled building, object, place, heritage property or tree or site 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.

14.2C.7 ANTICIPATED ENVIRONMENTAL RESULTS

The Council acknowledges that there is a need to balance the differing functions of the street network. In this regard it is expected that the Plan provisions applying to the Open Space 3 areas will maintain and support the essential pedestrian and transport facilities and networks as well as the requisite infrastructure utilities and services. In



addition the provisions will enhance pedestrian amenity by maintaining access to daylight and sunlight and conserve important views and vistas along the streets in the Central Area.

Figure 14.2C.1
Refer to Appendix 5, where the sightlines are depicted in detail

