

H8. Business – City Centre Zone

H8.1. Zone description

The city centre is the top of the centres hierarchy and plays a pivotal role in Auckland's present and future success. The Business – City Centre Zone seeks to ensure the city centre is an international centre for business and learning, innovation, entertainment, culture and urban living.

To maintain and enhance the vibrancy of the city centre, the zone permits a wide range of activities to establish in most parts of the city centre. The zone also manages activities that have the potential to adversely affect the amenity of the city centre or that have the potential to generate reverse sensitivity effects on identified marine and port activity areas.

The Plan enables the greatest intensity of development in terms of height and floor area to occur in the city centre. Within the city centre itself, development potential is concentrated in the core central business district. Development potential reduces towards the ridgelines and transitions to lower heights on the waterfront and landward periphery whilst allowing for variation and interest in built form outcomes. The zone also manages the scale of development in order to protect important special character areas, sunlight admission to parks and public spaces, significant views to the volcanic cones and other landmarks including identified views to historic heritage places and to maintain and enhance the distinctiveness of particular areas.

The city centre makes an important contribution to our sense of identity. The significant height and scale of buildings in the city centre increases their visibility from many places, affecting the quality of both public and private views at local and city-wide scales. In addition to managing the scale of development, the zone manages the quality of building design to ensure new buildings successfully integrate with the city centre's existing and planned built form and public realm to create an attractive and recognisable skyline.

Within the city centre are precincts and overlays, which have their own distinct features, character and/or function. For example, the Port Precinct allows for the ongoing use, development and expansion of port and marine activities at the Port of Auckland.

H8.2. Objectives

General objectives for all centres, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone

- (1) A strong network of centres that are attractive environments and attract ongoing investment, promote commercial activity, and provide employment, housing and goods and services, all at a variety of scales.
- (2) Development is of a form, scale and design quality so that centres are reinforced as focal points for the community.
- (3) Development positively contributes towards planned future form and quality, creating a sense of place.
- (4) Business activity is distributed in locations, and is of a scale and form, that:

- (a) provides for the community's social and economic needs;
 - (b) improves community access to goods, services, community facilities and opportunities for social interaction; and
 - (c) manages adverse effects on the environment, including effects on infrastructure and residential amenity.
- (5) A network of centres that provides:
- (a) a framework and context to the functioning of the urban area and its transport network, recognising:
 - (i) the regional role and function of the city centre, metropolitan centres and town centres as commercial, cultural and social focal points for the region, sub-regions and local areas;
 - (ii) local centres and neighbourhood centres in their role to provide for a range of convenience activities to support and serve as focal points for their local communities;
 - (b) a clear framework within which public and private investment can be prioritised and made; and
 - (c) a basis for regeneration and intensification initiatives.

Business – City Centre Zone objectives

- (6) The city centre is an internationally significant centre for business.
- (7) The city centre is an attractive place to live, learn, work and visit with 24-hour vibrant and vital business, education, entertainment and retail areas.
- (8) Development in the city centre is managed to accommodate growth and the greatest intensity of development in Auckland and New Zealand while respecting its valley and ridgeline form and waterfront setting.
- (9) The distinctive built form, identified special character and functions of particular areas within and adjoining the city centre are maintained and enhanced.
- (10) A hub of an integrated regional transport system is located within the city centre.
- (11) The city centre is accessible by a range of transport modes with an increasing percentage of residents, visitors, students and workers choosing walking, cycling and public transport.

H8.3. Policies

General policies for all centres, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone

- (1) Reinforce the function of the city centre, metropolitan centres and town centres as the primary location for commercial activity, according to their role in the hierarchy of centres.
- (2) Enable an increase in the density, diversity and quality of housing in the centres zones and Business – Mixed Use Zone while managing any reverse sensitivity effects including from the higher levels of ambient noise and reduced privacy that may result from non-residential activities.
- (3) Require development to be of a quality and design that positively contributes to:
 - (a) planning and design outcomes identified in this Plan for the relevant zone;
 - (b) the visual quality and interest of streets and other public open spaces; and
 - (c) pedestrian amenity, movement, safety and convenience for people of all ages and abilities.
- (4) Encourage universal access for all development, particularly medium to large scale development.
- (5) Require large-scale development to be of a design quality that is commensurate with the prominence and visual effects of the development.
- (6) Encourage buildings at the ground floor to be adaptable to a range of uses to allow activities to change over time.
- (7) Require at grade parking to be located and designed in such a manner as to avoid or mitigate adverse impact on pedestrian amenity and the streetscape.
- (8) Require development adjacent to residential zones and the Special Purpose – School Zone and Special Purpose – Māori Purpose Zone to maintain the amenity values of those areas, having specific regard to dominance, overlooking and shadowing.
- (9) Discourage activities, which have noxious, offensive, or undesirable qualities from locating within the centres and mixed use zones, while recognising the need to retain employment opportunities.
- (10) Discourage dwellings at ground floor in centres zones and enable dwellings above ground floor in centres zones.
- (11) Require development to avoid, remedy or mitigate adverse wind and glare effects on public open spaces, including streets, and shading effects on open space zoned land.

- (12) Recognise the functional and operational requirements of activities and development.
- (13) In identified locations within the centres zones, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone enable greater building height than the standard zone height, having regard to whether the greater height:
- (a) is an efficient use of land;
 - (b) supports public transport, community infrastructure and contributes to centre vitality and vibrancy;
 - (c) considering the size and depth of the area, can be accommodated without significant adverse effects on adjacent residential zones; and
 - (d) is supported by the status of the centre in the centres hierarchy, or is adjacent to such a centre.
- (14) In identified locations within the centre zones, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone, reduce building height below the standard zone height, where the standard zone height would have significant adverse effects on identified special character, identified landscape features, or amenity.

Business – City Centre Zone policies

Land use activities

- (15) Provide for a wide range and diverse mix of activities that enhance the vitality, vibrancy and amenity of the city centre including:
- (a) commercial and residential activities;
 - (b) arts, entertainment, events, civic and community functions;
 - (c) high-quality visitor experiences, visitor accommodation and associated services; and
 - (d) learning, teaching and research activities, with a particular concentration in the learning precinct.
- (16) Enable a significant and diverse residential population to be established and maintained within a range of living environments and housing sizes.
- (17) Enable the most significant concentration of office activity in Auckland to locate in the city centre by providing an environment attractive to office workers, with a focus on the core central business district.
- (18) Provide for a wide range of retail activities throughout the city centre while maintaining and enhancing the vitality, vibrancy and amenity of core retail areas within the city centre and centres outside of the city centre. In particular:

- (a) enable smaller scale retail activities to occur throughout the city centre;
 - (b) encourage large department stores and integrated retail developments to locate within the core retail area; and
 - (c) avoid large department stores and integrated retail developments locating outside the core retail area where they would adversely affect the amenity, vitality and viability of core retail areas within the city centre and/or centres outside of the city centre.
- (19) Provide for a wide range of activities along the waterfront, while continuing to provide for those activities requiring a harbour location.
- (20) Enhance the waterfront as a major gateway to the city centre and Auckland.
- (21) Enable the efficient use and development of the Port of Auckland and identified marine and port activity areas.
- (22) Support the development of public transport, pedestrian and cycle networks and the ability to efficiently change transport modes.

Precincts

- (23) Identify and encourage specific outcomes in areas of the city centre that relate to:
- (a) a distinctive built character; and/or
 - (b) a concentration of particular activities; and/or
 - (c) activities that have specific functional requirements; and/or
 - (d) significant transformational development opportunities.
- (24) Encourage comprehensive and integrated development of key development sites or precincts in the city centre.
- (25) Limit activities that would have reverse sensitivity effects on established and future marine and port activities.
- (26) Limit activities within the residential and learning precincts that would adversely affect the amenity and character of those precincts.

Historic heritage and special character

- (27) Encourage the retention and conservation of the city centre's historic heritage through scheduling and through development incentives.
- (28) Maintain and enhance the special character values identified on Map H8.11.1 of the Business – City Centre Zone as making a strong or significant contribution to the special character of the surrounding area, in particular by:

- (a) awarding transferable development rights where an identified special character building is protected in perpetuity and restored in accordance with an approved character plan;
- (b) requiring all development proposals for identified special character buildings to have considered adaptive re-use;
- (c) avoiding the demolition of identified special character buildings where it would adversely affect the built character of the surrounding area; and
- (d) requiring alterations and additions to existing buildings and new buildings to give consideration to, and be sympathetic to the existing and planned character of the area.

City form

- (29) Enable the tallest buildings and the greatest density of development to occur in the core central business district.
- (30) Manage adverse effects associated with building height and form by:
 - (a) transitioning building height and development densities down to neighbourhoods adjoining the city centre and to the harbour edge;
 - (b) protecting sunlight to identified public open spaces and view shafts;
 - (c) requiring the height and form of new buildings to respect the valley and ridgeline form of the city centre and building design to be complementary to existing or planned character of precincts; and
 - (d) managing the scale, form and design of buildings to:
 - (i) avoid adverse dominance and/or amenity effects on streets and public open space; and
 - (ii) encourage well-designed, slender towers on sites identified within the special height area on Map H8.11.3.
- (31) Maximise light and outlook around buildings.
- (32) Encourage public amenities to be provided within developments, including publicly accessible open space, works of art and through site links.

Public realm

- (33) Require building and development of the highest quality that contributes to the city centre's role as an international centre for business, learning, innovation, entertainment, culture and urban living.
- (34) Require building frontages along identified public open spaces and streets to be designed in a way that provides a sense of intimacy, character, interest and variation, and enclosure at street level.

(35) Require the demolition of buildings and structures to avoid, remedy or mitigate significant adverse effects on the pedestrian amenity of the city centre and the safety and efficiency of the road network.

(36) Protect identified sightlines along streets and public open spaces from the city centre to the harbour, Rangitoto Island, the North Shore and identified sightlines along roads and public open spaces within the city centre to natural features and landmarks.

(37) Enable high-quality public open spaces along the waterfront that are accessible and provide spaces for recreational opportunities, facilities and events.

H8.4. Activity table

Table H8.4.1 specifies the activity status of land use and development activities in the Business – City Centre Zone pursuant to section 9(3) of the Resource Management Act 1991.

Table H8.4.1 Activity table

Activity		Activity status
General		
(A1)	Activities not provided for	NC
Use		
Residential		
(A2)	Boarding houses	P
(A3)	Dwellings	P
(A4)	Retirement villages	P
(A5)	Supported residential care	P
(A6)	Visitor accommodation	P
Commerce		
(A7)	Commercial services	P
(A8)	Entertainment facilities	P
(A9)	Offices	P
(A10)	Retail	P
(A11)	Conference facilities	P
(A12)	Drive-through facilities	NC
(A13)	Service stations not otherwise provided for	NC
(A14)	Service stations on sites with frontage to Beach Road between Ronayne St and Stanley Street	D
Community		
(A15)	Artworks	P
(A16)	Public amenities	P

H8 Business – City Centre Zone

(A17)	Care centres	P
(A18)	Community facilities	P
(A19)	Education facilities	P
(A20)	Emergency services	P
(A21)	Healthcare facilities	P
(A22)	Hospitals	P
(A23)	Information facilities	P
(A24)	Recreation facilities	P
(A25)	Major recreation facilities	P
(A26)	Tertiary education facilities	P
Industry		
(A27)	Industrial laboratories	P
(A28)	Manufacturing	P
(A29)	Repair and maintenance services	P
(A30)	Warehousing and storage	P
Mana Whenua		
(A31)	Marae complex	P
Development		
(A32)	New buildings	RD
(A33)	Demolition of buildings	C
(A34)	Minor cosmetic alterations to a building (including special character buildings identified on Map H8.11.1) that do not change its external design and appearance	P
(A35)	Internal alterations to buildings	P
(A36)	External alterations and additions to a special character building identified on Map H8.11.1 not otherwise provided for	RD
(A37)	Alterations and additions to buildings not otherwise provided for	RD
(A38)	Conversion of a building or part of a building to dwellings, visitor accommodation or boarding houses	RD
(A39)	The total or substantial demolition (more than 30 per cent by volume), or any demolition of the front facade of a special character building identified on Map H8.11.1	RD
(A40)	Activities not provided for	NC
(A41)	A building that does not comply with Standard H8.6.3 Admission of sunlight to public places	NC
(A42)	A building that does not comply with Standard H8.6.4 Aotea Square height control plane	NC
(A43)	A building that does not comply with Standard H8.6.5 Harbour edge height control plane or Standard H8.6.6 Exception to the harbour edge height control	D

(A44)	A building that does not comply with Standard H8.6.7 Railway station building and gardens view protection plane	NC
(A45)	A building that exceeds the basic floor area ratio specified for the site in Standard H8.6.10 Basic floor area ratio without providing a bonus feature	NC
(A46)	A building that exceeds the maximum total floor area ratio in Standard H8.6.21 Maximum total floor area ratio	NC

H8.5. Notification

- (1) An application for resource consent for a controlled activity listed in Table H8.4.1 above will be considered without public or limited notification or the need to obtain written approval from affected parties unless the Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991.
- (2) Any application for resource consent for an activity listed in Table H8.4.1 Activity table and which is not listed in H8.5(1) will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (3) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).

H8.6. Standards

All activities listed as permitted, controlled or restricted discretionary in Table H8.4.1 Activity table must comply with the following standards.

H8.6.1. Retail

Purpose: to maintain and enhance the vitality, vibrancy and amenity of the core retail area shown on Map H8.11.2.

- (1) The land use activity status of retail outside of the core retail area shown on Map H8.11.2 will be determined in accordance with the Table H8.6.1.1 below.
- (2) Trade suppliers, marine retail, motor vehicle sales, garden centres, markets and food and beverage activities are not subject to this standard.

Table H8.6.1.1 Retail

Activity	Activity status
Retail (excluding department stores and integrated shopping malls) less than 1000m ² gross floor area per site	P
Retail (excluding department stores and integrated shopping malls) between 1000m ² and 5000m ² gross floor area per site	RD
Retail (excluding department stores and integrated shopping malls) over 5000m ² gross floor area per site	D

Department stores and integrated shopping malls over 1000m ² gross floor area per site	D
---	---

H8.6.2. General building height

Purpose: manage the height of buildings within the city centre to:

- enable the tallest buildings within the core central business district and transition heights down to neighbourhoods adjoining the city centre and to the harbour edge;
- respect the valley and ridgeline form of the city centre and the existing or planned character of precincts; and
- avoid adverse dominance, shading and/or visual amenity effects of building height on streets and public open spaces.

- (1) The height of a building must not exceed the limits shown on Map H8.11.3.
- (2) Where height limits shown on Map H8.11.3 and Map H8.11.4 overlap, the lowest height limit applies as the first level of control.
- (3) The measurement of height for the purposes of Standards H8.6.2(1) and H8.6.2(2) above shall be undertaken in accordance with Standard H8.6.8 below.

H8.6.3. Admission of sunlight to public places

Purpose: manage the scale of development around identified public open spaces to ensure they receive adequate sunlight when those spaces are most used.

- (1) The height of a building within a defined sunlight admission cone shown on Map H8.11.4 must not exceed the allowable building heights detailed on the relevant diagrams in Appendix 11 Business – City Centre Zone sunlight admission into public places.
- (2) Where part of an existing building does not comply with this standard, any reconstruction, alteration or addition to the building must not further reduce sunlight admission to public open spaces identified in Appendix 11 Business – City Centre Zone sunlight admission into public places.

H8.6.4. Aotea Square height control plane

Purpose: manage the scale of buildings:

- to ensure that Aotea Square receives adequate sunlight when the space is most used;
- to maintain views from Aotea Square to landmark buildings and views to Aotea Square; and
- so that tall buildings do not dominate the open character of Aotea Square.

- (1) The height of a building subject to this standard must not exceed the height plane shown on Figure 5 in Appendix 11 Business – City Centre Zone sunlight admission into public places.

H8.6.5. Harbour edge height control plane

Purpose: manage the scale of buildings at the western end of Quay Street to:

- provide a transition in building height from the core central business district to the waterfront;
- maximise views between the harbour and the city centre; and
- reinforce the Quay Street east west connection running from the corner of The Strand and Quay Street to the east and Jellicoe Street in Wynyard Precinct to the west by the alignment of tall building frontages.

(1) The height of a building subject to this standard must not exceed the height plane shown in Figure H8.6.6.1 Harbour edge height control plane. The height plane starts at a line 40m above the centre line of Quay Street and continues as a tilted plane at 45 degrees to the horizontal from that line in a southerly direction.

(2) For the purpose of this standard, the centre line of Quay Street extends between the eastern boundary of Britomart Place and the western boundary of Lower Hobson Street and is defined by a straight line passing through the coordinates specified in Figure H8.6.6.2 Harbour edge height control co-ordinates.

H8.6.6. Exception to the harbour edge height control plane

(1) Where the building or structure is located on a site within the area bounded by Customs Street, Lower Hobson Street, Quay Street and Queen Elizabeth Square, an application may be made as a restricted discretionary activity to exceed the Harbour Edge Height Control Plane by no more than 20m, where the following requirements are met:

(a) any penetration of building bulk through the Harbour Edge Height Control Plane must be compensated for by equivalent open space “corridors” which are situated below the plane and which must:

- (i) be continuous and run approximately north to south through the development site to provide some permeability of appearance when looking from a northerly or southerly direction; and
- (ii) have a minimum width equating to 15 per cent of the widest east-west dimension for the site.

(b) the method of calculating the compensatory open space for Standard H8.6.6.1(a) above is as follows:

- (i) establish a maximum total floor area ratio for the site;
- (ii) calculate and demonstrate the obtainable floor area ratio for the building proposal within the Special Height Control Plane;
- (iii) determine the floor area which the building proposal could qualify for above the Special Height Control Plane;

- (iv) add that floor space to the building or structure above the Special Height Control Plane and also add a theoretical compensatory floor area (equal to that calculated in Standard H8.6.6.1(b)(iii) above) to the building or structure below the Special Height Control Plane, assuming a floor-to-floor distance the same as applies to the building or structure at that level; and
- (v) then recalculate any light and outlook bonus claimed, as if the theoretical compensatory floor area Standard H8.6.6.1(b)(iv) existed.

Figure H8.6.6.1 Harbour edge height control plane

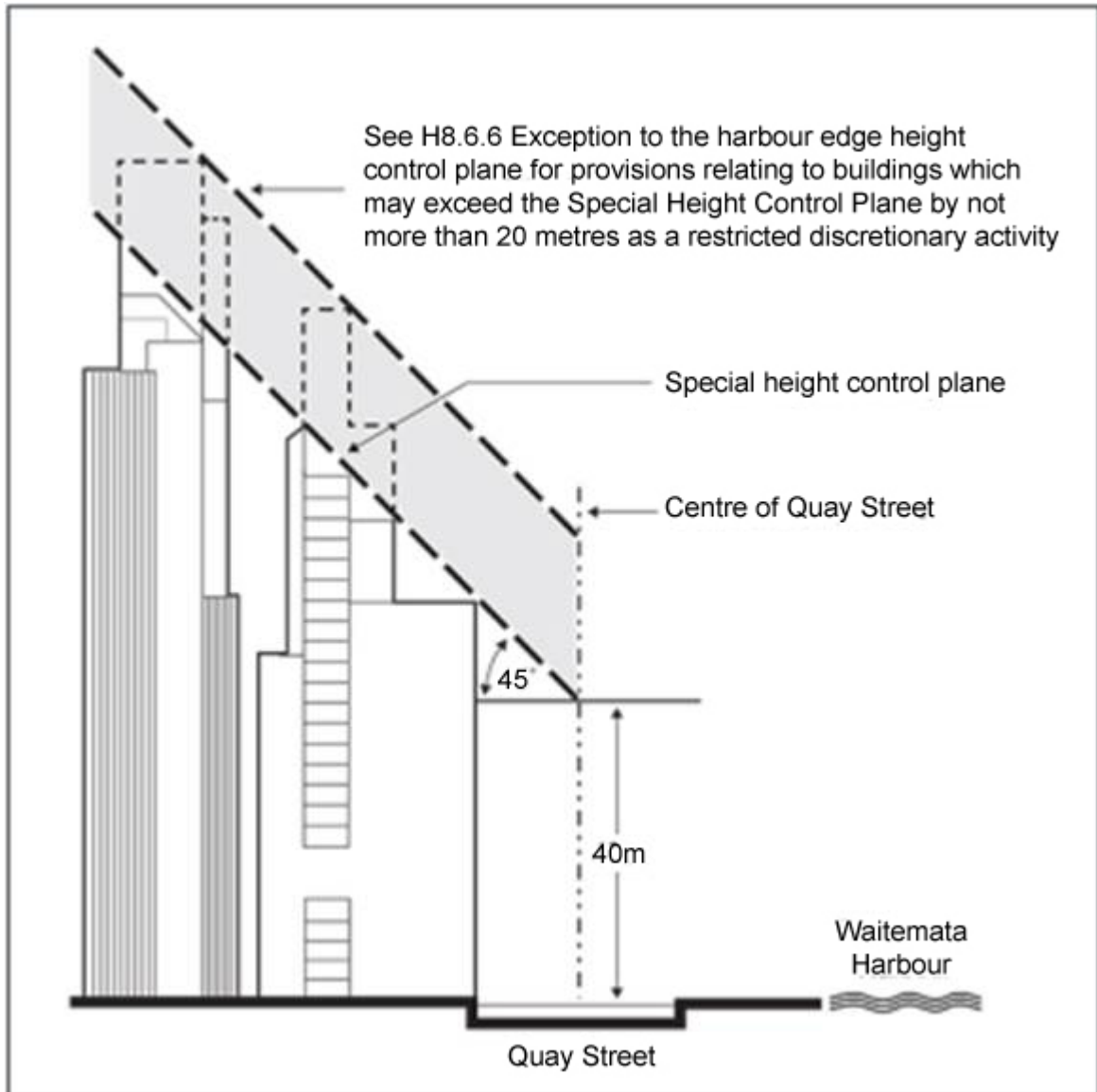
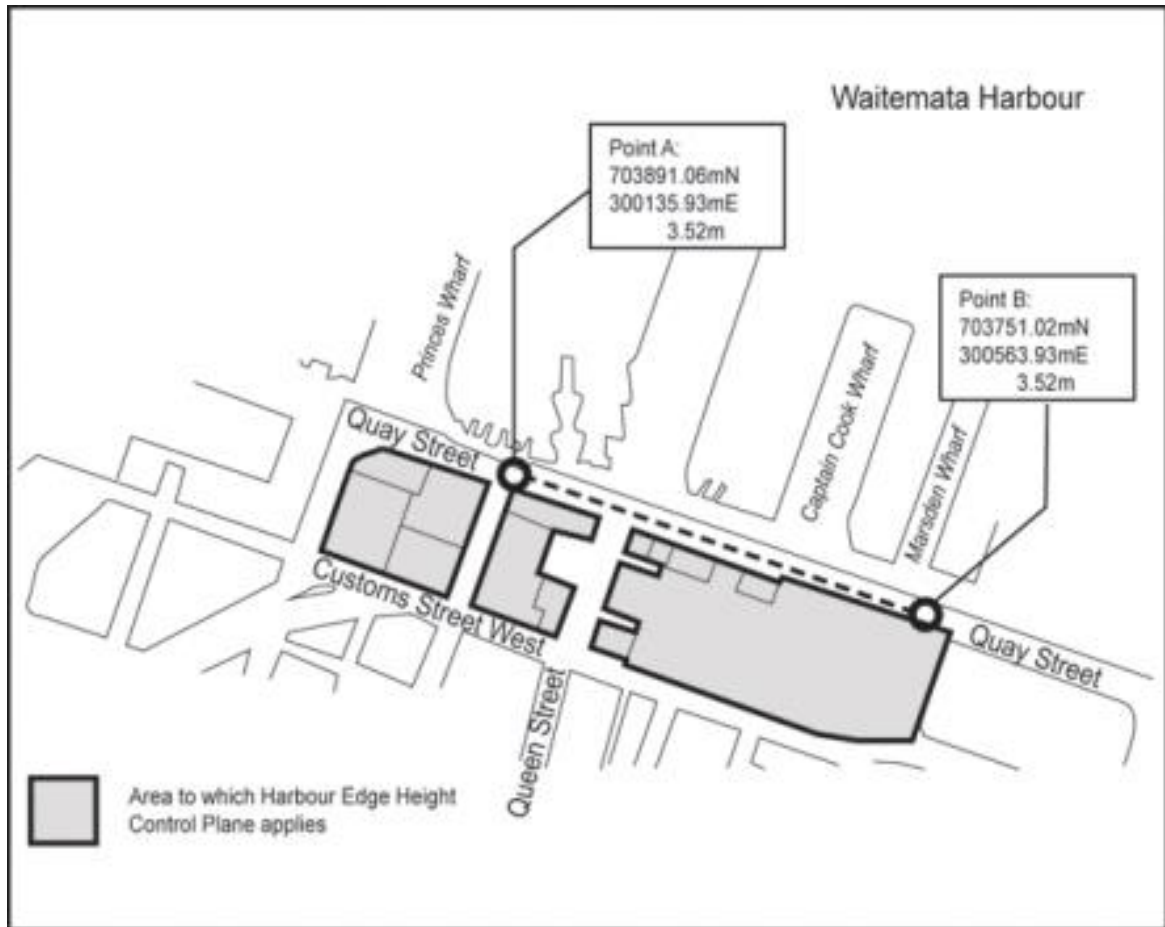


Figure H8.6.6.2 Harbour edge height control co-ordinates

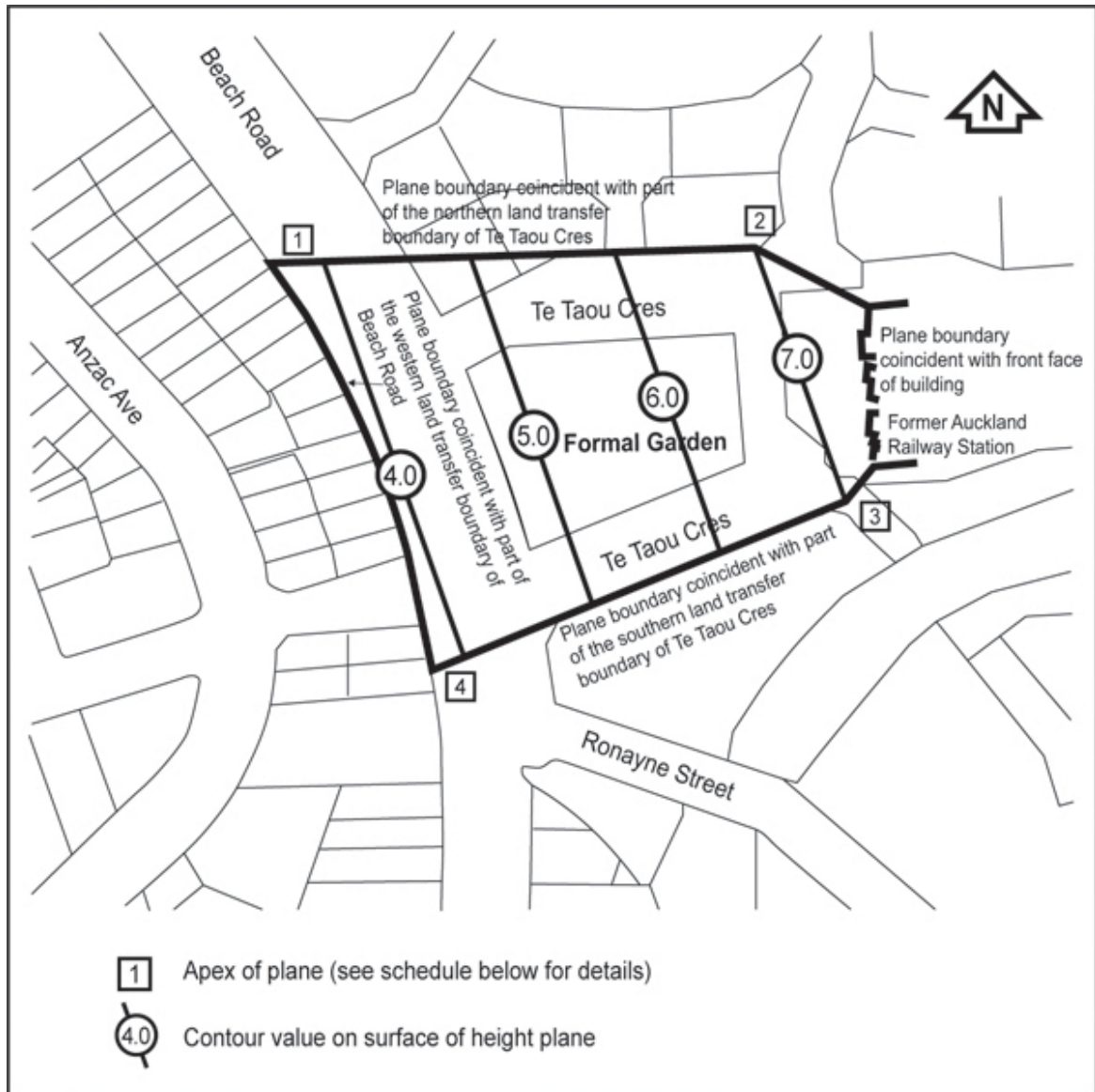


H8.6.7. Railway station building and gardens view protection plane

Purpose: manage the scale of development to protect the view of the railway station buildings and gardens when viewed from Beach Road.

- (1) The height of a building, including any structures on the roof of a building, subject to this standard must not exceed the height limits specified on Figure H8.6.7.1 Railway station buildings and garden view protection plane. This figure defines achievable reduced level (RL).

Figure H8.6.7.1 Railway station buildings and garden view protection plane



Note 1

Maximum allowable building height above mean sea level (L&S Auckland Datum 1946).

Table H8.6.7.1 Coordinate schedule

Point	Mt Eden circuit		Height	New Zealand map grid	
1	703359.74	300824.91	3.72	6482240.75	2668580.94
2	703370.51	300995.42	7.00	6482248.03	2668751.85
3	703280.48	301025.99	7.00	6482157.38	2668780.37
4	703223.73	300874.12	3.76	6482103.75	2668627.36

Note 1

Coordinates in terms of Geodetic Datum 1949.

Circuit origin: Mt Eden 700.000mN 300.000mE.

H8.6.8. Measuring building height

Purpose: require height to be measured using the rolling height method where the maximum height varies across the site (contours) or average street level method where a general height limit is specified.

- (1) Building height will be the same as the definition of height when measuring the:
 - (a) height planes for admission of sunlight to public places and the special height limits (refer Map H8.11.4); and
 - (b) height of buildings within the blocks bounded by Hobson Street, Fanshawe Street, Halsey Street, Victoria Street West, and Union Street.
- (2) Unless otherwise stated all other heights will be measured as the vertical distance between mean street level and a horizontal plane above that level (being the specified height limit).
- (3) For the sites fronting Nelson Street within the block bounded by Union Street to the south and Cook Street to the north, height may be determined from the mean street level of Nelson Street to a maximum depth of 26m from the site boundary with Nelson Street.

H8.6.9. Rooftops

Purpose: ensure the roofs of buildings are uncluttered when viewed from the street and surrounding buildings.

- (1) Rooftop projections including towers, turrets, chimneys, lift towers, machinery rooms and water towers that exceed the height of all parts of a parapet surrounding the roof on which the projections are located, must be enclosed in a maximum of three structures and integrated within the overall roof design.
- (2) All floor space forming part of rooftop projections that meet the requirements of this standard is excluded from the calculation of gross floor area for the development.
- (3) For the purpose of this standard rooftop includes the roof of building podiums in addition to its ordinary meaning.
- (4) For the purpose of this standard, rooftop projections do not include:
 - (a) any part of a building included in the definition of gross floor area;
 - (b) any rooftop ornamental projections including finials, pediments and cornices integral to the design of the building; and
 - (c) telecommunications antennas and aerials.

H8.6.10. Basic floor area ratio

Purpose: manage the scale of development in the city centre.

- (1) The basic floor area ratio applying to any site in the city centre is as shown on Map H8.11.7.

H8.6.11. Bonus floor area ratio

Purpose: encourage developments to be designed, contain activities or provide features that provide a benefit to the public.

- (1) In addition to the basic floor area, bonus floor area is available where development incorporates one or more of the features listed in Table H8.6.11.1.
- (2) The area of a feature for which a bonus is obtained cannot be claimed for twice.
- (3) Floor space approved for publicly accessible open space and through-site links are exempt from the calculation of gross floor area.
- (4) To qualify for the bonus, the bonus feature must comply with the bonus standards. A bonus feature that does not comply with the relevant standards is a restricted discretionary activity.
- (5) The amount of bonus floor area available per m² of feature provided and the locations within which they apply are set out in Table H8.6.11.1 except that the methods for calculating the amount of bonus floor area available per m² of feature provided for, historic heritage and special character floor space, through-site links and works of art are detailed in Standards H8.6.15, H8.6.16, H8.6.18, H8.6.19 and H8.6.20 respectively.
- (6) Table H8.6.11.1 lists the bonus features as permitted, controlled or restricted discretionary activities.
- (7) The bonus areas referenced in Table H8.6.11.1 are shown on Map H8.11.8.

Table H8.6.11.1 Bonus floor area

Bonus feature	Activity type	Bonus floor area available per m ² of feature provided						Maximum floor area ratio limit to bonuses on a site								
		1a	1b 1c	2	3	4	5	6	1a	1b	1c	2	3	4	5	6
See Map H8.11.8 Bonus areas and Map H8.11.7 Site intensity																
Use or transfer of historic heritage and special character	C	Refer to Standard H8.6.13						NA	NA	NA	NA	NA	NA	NA	NA	NA

H8 Business – City Centre Zone

building floor space																	
Securing historic heritage and special character building floor space		Refer to Standard H8.6.14								4:1	4:1	4:1	4:1	4:1	1:5:1	1:5:1	1:1
Activities																	
Residential	RD	2m ²	2m ²	2m ²	2m ²	2m ²	2m ²	2m ²	2m ²	2:1	2:1	2:1	2:1	2:1	1:1	1:1	1:1
Public amenities																	
Public open space	RD	8m ²	6m ²	6m ²	4m ²	4m ²	3.5 m ²	3m ²		3:1	3:1	2:1	3:1	3:1	2:1	1:1	1:1
Through-site links*	RD	Refer to Standard H8.6.18								1:1	1:1	1:1	0.5:1	0.5:1	0.5:1	1:1	0.5:1
Works of art	RD	Refer to Standard H8.6.20								1:1	1:1	1:1	1:1	1:1	1:1	1:1	1:1
Light and outlook																	
Light and outlook	P	Refer to Standard H8.6.12									NA	NA					

*See Standard H8.6.19 for the additional bonus floor space available for through site links on identified blocks.

H8.6.12. Bonus floor area ratio – light and outlook

Purpose: provide additional floor area where buildings are setback from site boundaries to encourage:

- slender buildings that are not overly bulky in appearance;
- sunlight access to streets and nearby sites;
- sunlight and outlook around buildings; and
- views through the city centre.

(1) Bonus floor area is available as a permitted activity for light and outlook as calculated below.

(2) A bonus will be awarded where that part of a building to which calculated floor area relates is reduced in coverage as set out in Table H8.6.12.1 except for sites in bonus areas 1b and 1c (refer to Standard H8.6.21).

(3) For the purpose of this standard, calculated floor area has the same meaning as average floor area except that it is calculated by averaging the area of that floor or part of a floor immediately below a horizontal plane of a set height above mean street level and all floors above that plane. The height of the horizontal plane must be:

(a) for bonus areas 1a and 2: 28m above mean street level; or

(b) for bonus areas 3, 4, 5 and 6: 12.5m above mean street level.

(4) To qualify for the bonus, the building must comply with Standard H8.6.24 below

Table H8.6.12.1 Calculating the light and outlook bonus

Bonus area 1a		
Where:		Bonus FAR equals
(A47)	$\frac{CFA}{SA} < 0.25$	4:1
(A48)	$0.25 < \frac{CFA}{SA} < 0.75$	$5.75 - \frac{(7 \times CFA)}{SA} : 1$
(A49)	$CFA > 0.75$	Nil
Bonus area 2, 3, 4, 5, and 6		
Where:		Bonus FAR equals
(A50)	$\frac{CFA}{SA} < 0.3$	1.5:1
(A51)	$0.3 \leq \frac{CFA}{SA} \leq 0.8$	$2.4 - \frac{(3 \times CFA)}{SA} : 1$
(A52)	$\frac{CFA}{SA} > 0.8$	Nil

H8.6.13. Bonus floor area - use or transfer of historic heritage and special character floor space bonus

Purpose: encourage the retention and enhancement of scheduled historic heritage and identified special character buildings by enabling those buildings to sell or transfer their unrealisable floor space to another site.

- (1) The use or transfer of bonus floor space obtained by the conservation of a scheduled heritage building or the protection of an identified special character building is a controlled activity.
- (2) The historic heritage or special character building floor space bonus may be used in whole or in part on the site of that building where that site is located within the Business – City Centre Zone or transferred in whole or in part from the site of the scheduled building to one or more sites within the Business – City Centre Zone, subject to compliance with the following:
 - (a) upon use of historic heritage or special character building floor space within the donor site or transfer of historic heritage or special character building floor space, the registered covenant on the title of the donor site must be amended to show the corresponding reduction of the historic heritage or special character building floor space bonus; and
 - (b) the amount of any historic heritage or special character building floor space bonus transferred from a recipient site and any remaining floor

space bonus must be recorded by covenant registered against the title of the recipient site.

- (3) The transfer of all or part of the historic heritage or special character building floor space bonus may be postponed and used at a later date subject to securing the necessary resource consent under this standard.

H8.6.14. Bonus floor area - securing historic heritage and special character floor space bonus

Purpose:

- to ensure that a conservation plan is prepared and able to be implemented prior to awarding transferable floor space to scheduled historic heritage buildings; and
 - to ensure that a character plan is prepared and able to be implemented prior to awarding transferable floor space to identified special character buildings.
- (1) Securing bonus floor space for the conservation of a scheduled heritage building or the protection of identified special character buildings is a restricted discretionary activity.
 - (2) The amount of floor space claimed must be assessed in accordance with the method of calculation set out below.
 - (3) For scheduled historic heritage buildings, the applicant must prepare a conservation plan in accordance with the requirements of the Historic Heritage Overlay rules in D17.11(4) and demonstrate that a programme of works will be undertaken including a maintenance plan to guide ongoing regular maintenance and cleaning.
 - (4) For identified special character buildings, the applicant must prepare a character plan that details how the significant features of the building that contribute to streetscape amenity will be retained and enhanced. The plan must demonstrate that a programme of works will be undertaken, including a maintenance plan to guide ongoing regular maintenance and cleaning.
 - (5) The applicant must pay a bond to ensure that the works will be completed in accordance with the conservation plan or character plan.
 - (6) The area of the heritage floor plate and the amount of heritage or special character floor space must be recorded by way of a registered covenant on the certificate of title.
 - (7) Once the heritage or special character floor space has been recorded on the certificate or certificates of title, the Council will maintain a register that records the following for the purpose of monitoring the acquisition and use of such floor space:
 - (a) the address and legal description of the donor site;
 - (b) the address and legal description of the recipient site or sites;

- (c) the amount of heritage floor space secured by the donor site;
- (d) the amount of heritage floor space used on the donor site or transferred to a recipient site; and
- (e) the date of the use or transfer and the residual floor area remaining after the use or transfer.

H8.6.15. Bonus floor area - bonus floor space calculation for scheduled heritage buildings

Purpose: calculate the transferable floor area available to scheduled historic heritage buildings based on the lost development potential arising as a result of the building being scheduled and the relative costs of conservation.

- (1) The following formula must be used to determine bonus floor space for identified historic heritage buildings:

$$\text{Bonus floor area} = (A \times B) - C + \frac{(C \times D)}{100}$$

A = Area of historic heritage floor plate

B = MTFAR applying to the site. For sites with no MTFAR: 2.5

C = Gross floor area of the scheduled building

D = Heritage schedule point ranking.

- (2) 'Historic heritage floor plate' means that part of a site which is covered by a scheduled building including a curtilage of a minimum depth of 2m contained within the legal boundaries of the site and surrounding the scheduled building except that as part of the application for securing historic heritage floor space the depth of the curtilage may be increased where the Council is satisfied that the increased depth would enhance the visual integrity of the scheduled building.
- (3) The 'equivalent schedule point ranking' must be determined as follows:
- (a) Category A scheduled buildings: 110 points; and
 - (b) Category B scheduled buildings: 74 points.
- (4) In determining the amount of gross floor area allowed on the balance of a site or residual site area but not contained within the historic heritage floor plate, that portion of the site area occupied by the historic heritage floor plate must not be included for the purpose of calculating the BFAR.
- (5) Where a scheduled building is incorporated in a development or a new development is proposed on the residual site area and the scheduled building is subject to an approved conservation plan, the gross floor area of the scheduled building is excluded from floor area ratio calculations.

- (6) Where any public amenity bonus element has been granted on the historic heritage floor plate, this bonus floor space, subject to compliance with all other requirements of the Plan, may be included in the permitted floor area for the development on the residual site.

H8.6.16. Bonus floor area - bonus floor space calculation for identified special character buildings

Purpose: calculate the transferable floor area available to identified special character buildings based on the lost development potential arising as a result of the building being retained as special character and the relative costs of protection.

- (1) A floor space bonus may be granted when the significant features of identified special character buildings that contribute to streetscape amenity are protected. The bonus comprises the sum of the following two items:
- (a) recognition of the loss of development potential that arises as a consequence of the special character building being retained; and
 - (b) recognition of the cost of protection

The sum of (a) and (b) above is calculated by the following formula:

$$\text{Bonus floor area} = (A \times B) - C + \frac{(C \times 49)}{100}$$

A = Area of the identified special character building floor plate

B = MTFAR applying to the site. For sites with no MTFAR: 2.5

C = Gross floor area of the identified special character building

- (2) For the purpose of this standard:
- (a) 'identified special character buildings' are those identified on Map H8.11.1;
 - (b) 'character building floor plate' means that part of a site which is covered by an identified special character building including a curtilage of a minimum depth of 2m contained within the legal boundaries of the site and surrounding the building except that as part of the application for securing special character floor space the depth of the curtilage may be increased where the Council is satisfied that the increased depth would enhance the visual integrity of those parts of the buildings that are identified as significant features.
- (3) In determining the amount of gross floor area permitted on the balance of a site or residual site area but not contained within the identified special character building floor plate, that portion of the site area occupied by the special character building floor plate will not be included for the purpose of calculating the basic FAR.

- (4) Where any public amenity bonus element has been granted on the identified special character building floor plate, this bonus floor space, subject to compliance with all other requirements of the Plan, may be included in the permitted floor area for the development on the residual site.
- (5) Where an identified special character building is incorporated in a development or a new development is proposed on the residual site area and the special character building is subject to an approved character plan, the gross floor area of the special character building is excluded from floor area ratio calculations.

H8.6.17. Bonus floor area - public open space

Purpose: provide additional floor area where a high-quality public open space is incorporated into the development.

- (1) The Council will consider as a restricted discretionary activity an application to obtain bonus floor space for the provision of a public open space.
- (2) In order to qualify for the bonus, the public open space must:
 - (a) be readily accessible to the public 24 hours a day, seven days a week, except where required to be closed from time to time for public safety or maintenance reasons, and signposted accordingly;
 - (b) adjoin the street for a minimum length of 10m;
 - (c) be capable of containing a 10m diameter circle;
 - (d) the level of the public open space must be at the same level of the adjoining street for a minimum depth of 10m, except that where the adjoining street slopes along the site frontage, the public open space must be no more than 1.2m above or below the level of the site frontage;
 - (e) the entrance of the public open space must be at street level;
 - (f) exclude any area nominated as a through-site link or a service lane/s; and
 - (g) 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 1.5m over the public open space if not more than 10 per cent of the public open space is so covered.
- (3) The public open space must connect at grade with the street, with vertical differences traversed by ramps or escalators.
- (4) Where required by Standard H8.6.26, provide a verandah along the street for the full length of the public open space.
- (5) This standard does not exempt or offset the payment of development contributions for public open space.

H8.6.18. Bonus floor area - through-site link

Purpose: provide additional floor area where a high-quality through-site link is incorporated into a development that will enhance the pedestrian amenity of the city centre.

- (1) The Council will consider any application to obtain bonus floor space for the provision of a through-site link as a restricted discretionary activity.
- (2) The through-site link bonus applies to lanes, arcades and covered links.
- (3) For the purpose of this standard, lanes, arcades and covered links are defined as follows:
 - (a) lanes are uncovered external spaces that provide permanent pedestrian connections at all times;
 - (b) arcades are enclosed pedestrian routes within buildings which feature active uses, such as retail, along their length; and
 - (c) covered links are enclosed pedestrian routes within buildings, that are not arcades.
- (4) To qualify for the bonus, all forms of through site link must:
 - (a) be a separately defined, continuous and clearly identifiable public walkway taking the most direct route, which is designed specifically to traverse a site to connect roads or other public places or other through-site links and provides a shorter and more convenient route than the existing alternative; and
 - (b) have an access easement registered on the title to which the link applies to ensure preservation of the link and its ongoing maintenance by the owner of the title.
- (5) A through-site link may be a combination of lanes, arcades and covered links along its length. The particular length of the link must comply with the requirements below as they apply to that length.
- (6) To qualify for the bonus, lanes, arcades and covered links must comply with the standards below.

Lanes

- (7) Lanes must be fully pedestrian or have only limited vehicular access and be kept clear and unobstructed from the ground or floor level upwards.
- (8) Lanes must be publicly accessible 24 hours a day, seven days a week.
- (9) Lanes must maintain a minimum unobstructed width of 3.5m. The unobstructed width of the lane must be free of any buildings and fixtures that disrupt the passage of pedestrians.

Arcades

- (10) Arcades must be pedestrian-only and covered.
- (11) Arcades must be publicly accessible, the minimum hours of operation being 7.30am to 6pm Monday to Friday, excluding public holidays, and such other times when the site is open for business or for its principal purpose.
- (12) Arcades must maintain a minimum unobstructed width of 3.5m. The unobstructed width of the arcade must be free of any buildings and fixtures that disrupt the passage of pedestrians.

Covered links

- (13) Covered links must be pedestrian only and covered.
- (14) Covered links must be publicly accessible, the minimum hours of operation being 7.30am to 6pm Monday to Friday, excluding public holidays, and such other times when the site is open for business or for its principal purpose.
- (15) Covered links must have a minimum unobstructed width of 3.5m. The unobstructed width of the covered link must be free of any buildings and fixtures that disrupt the passage of pedestrians.

Method of calculation

- (16) The through-site link bonus, be it a lane, arcade or covered link, or those in combination is calculated in accordance with the formula below:
 - (a) The bonus floor area achievable per square metre of through-site link provided is expressed by the ratio L1:L2 where:
 - (i) L1 = the shortest distance between points A and B measured along the road boundary; and
 - (ii) L2 = the shortest pedestrian route between points A and B (refer Figure H8.6.18.1 below).
 - (b) except that subject to the maximum FAR limit for a through-site link bonus set out in Table H8.6.11.1:
 - (i) the bonus floor area available per square metre of through-site link provided will not exceed 10m² (i.e. where L1:L2 = 10:1); and
 - (ii) the bonus floor area available per square metre of through-site link provided will be no less than 5m² (i.e. where L1:L2 = 5:1 or less) provided that through site links that attain less than 2m² will not be eligible for a bonus.
 - (c) for the purpose of these measurements the following apply:
 - (i) road boundary includes the shortest distance between points at either end of a pedestrian access which is protected by a registered easement or similar form of dedication (refer Figure H8.6.18.2);

- (d) no part of a through-site link is counted more than once for the measurement of L2;
- (e) where either an escalator is included in a through-site link, the calculation of L2 includes the plan distance of the escalator (refer Figure H8.6.18.3 below);
- (f) where stairs are included in a through-site link their actual travel distance applies (refer Figure H8.6.18.4 below); and
- (g) the maximum width of the through-site link will be regarded as 6m.

Figure H8.6.18.1 Calculating through-site link bonus

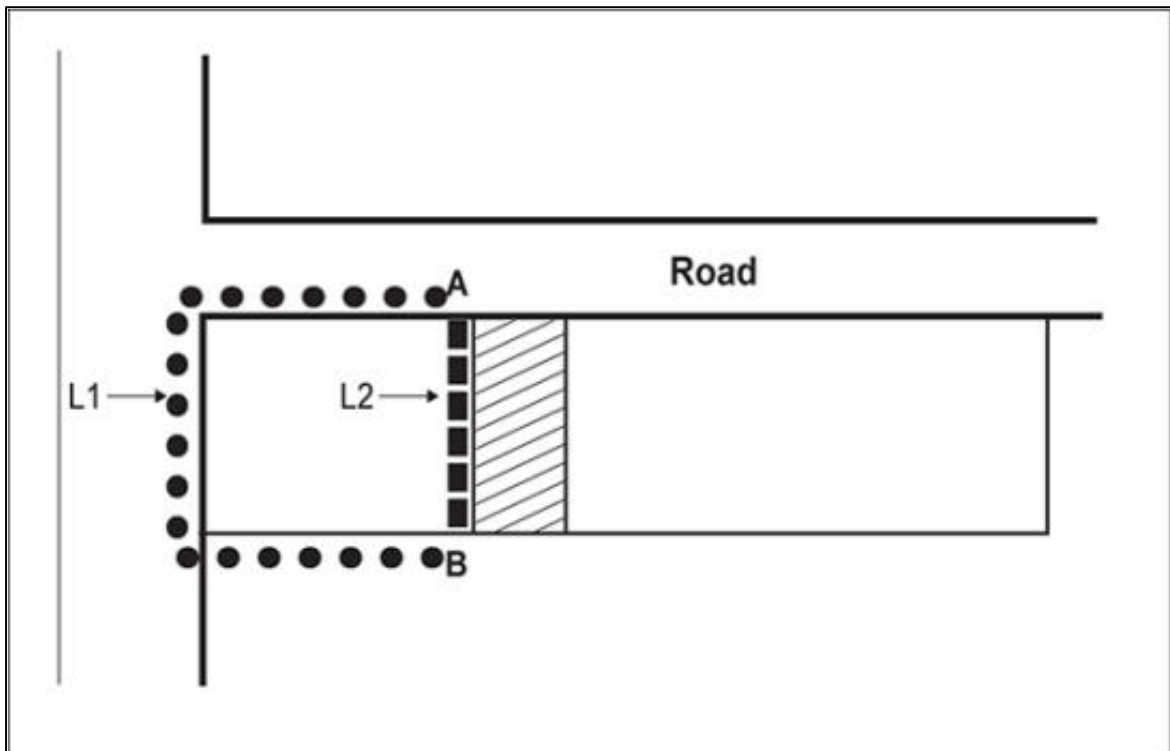


Figure H8.6.18.2 Calculating through-site link bonus 2

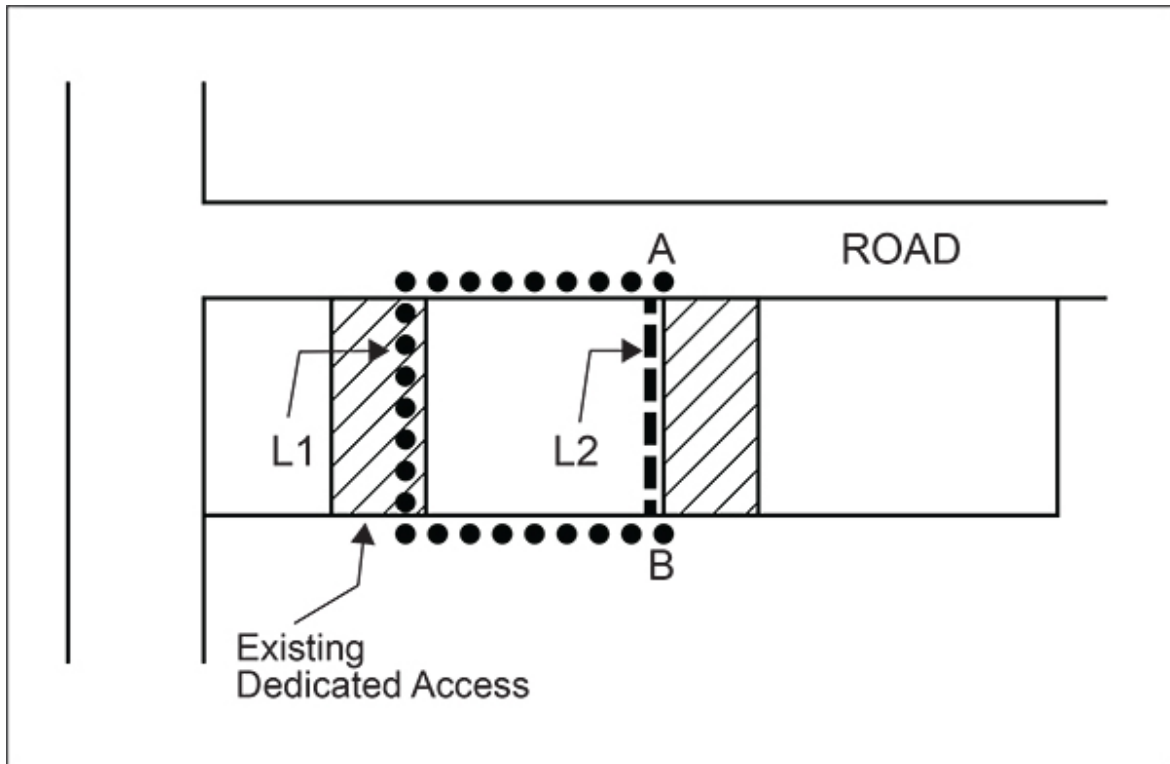


Figure H8.6.18.3 Escalator plan distance

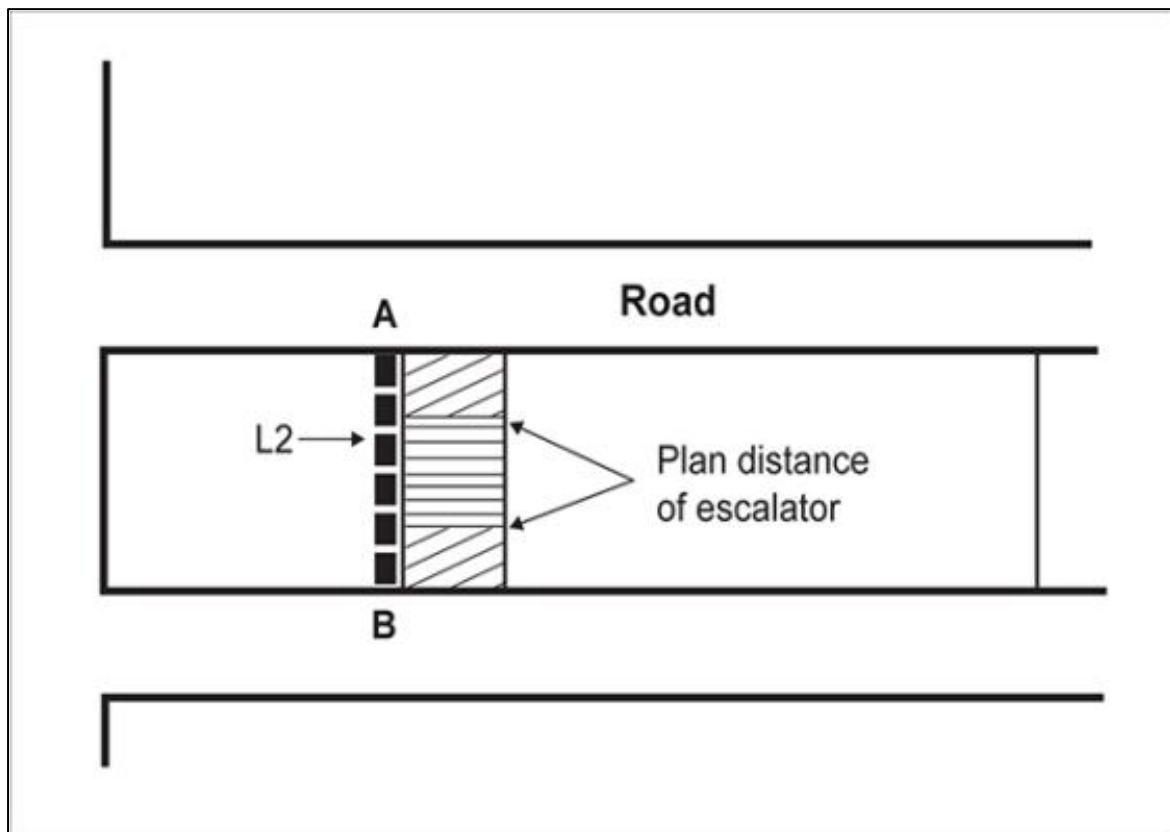
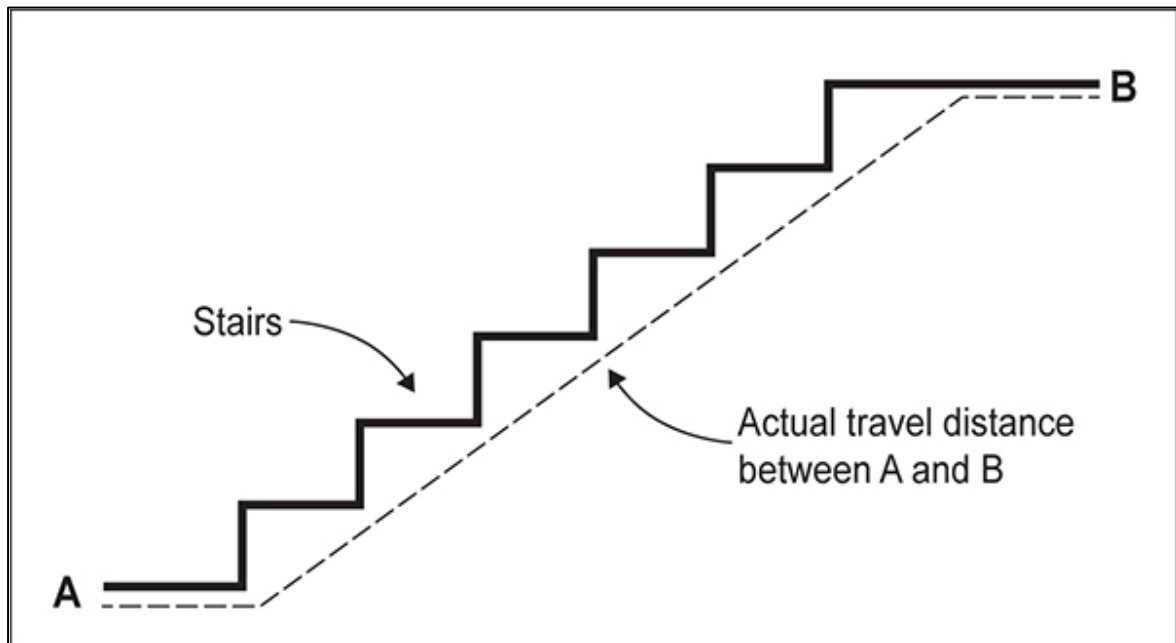


Figure H8.6.18.4 Escalator plan distance measurement



H8.6.19. Bonus floor area - through-site links through identified blocks

Purpose: provide additional floor area where a through-site link is incorporated into a development that will significantly improve the permeability and accessibility of the block.

- (1) Where a through-site link is provided through a block identified on Map H8.11.9, the above standards apply, except that:
 - (a) an additional 0.5:1 will be awarded to any through-site link on the blocks identified on Map H8.11.9 and will apply in addition to the bonus calculated above using the ratio of L1:L2.

H8.6.20. Bonus floor area - works of art

Purpose: provide additional floor area where a high quality work of art is incorporated into the development that will enhance the cultural richness of the city centre.

- (1) Securing bonus floor space for the provision of works of art is a restricted discretionary activity.
- (2) To qualify for the bonus:
 - (a) works of art must be located so they are accessible or visible to the public 24 hours a day, seven days a week; and
 - (b) a covenant must be registered on the title to which the work of art applies to ensure preservation of the work of art and its ongoing maintenance by the owner of the title.
- (3) The bonus floor area available is assessed at the following ratio:

- (a) five per cent extra floor area for each one per cent of total construction cost spent on the commission and execution of the work of art;
- (b) for calculating the extra floor area which can be claimed, five per cent will be taken off the total floor area which has resulted from the calculation of the addition of all of the following:
 - (i) the floor area permitted by the basic floor area ratio for the site;
 - (ii) all bonus floor area claimed and awarded (apart from the extra floor area claimed for provision of a work of art);
 - (iii) areas contained within a building occupied by pedestrian facilities for which consent has been granted; and
 - (iv) areas in entrance foyer/lobby or part thereof being a primary means of access to a building which is open to the public, is assessed directly from a public place and has an overhead clearance of not less than 6m.
- (c) for the purpose of this standard, 'total construction cost' means the total cost of completing the development (or in the case of an existing development, the replacement cost of that development) for which extra floor area is claimed to an initial tenable condition, including all external and internal structural walls of the building to a finished standard (but excluding non-structural partitioning and furnishings); all building services; floor coverings; and all site works but not including land cost or the cost of the proposed work of art;
- (d) a certificate prepared and signed by a registered quantity surveyor or registered architect must be supplied to the Council to verify total construction cost as defined in H8.6.20(3)(c) above, land cost and cost of the proposed work of art; and
- (e) a fraction of the one per cent of total construction cost, either more or less, may be spent on the commission and execution of the work and where this occurs the amount of extra floor area granted will be increased or reduced in the same proportion.

H8.6.21. Maximum total floor area ratio

Purpose: manage the overall scale of development in the city centre.

- (1) The basic FAR plus the accumulation of any bonus FAR must not exceed the MTFAR identified on Map H8.11.7.
- (2) The MTFAR achievable in bonus areas 1a, 2 and 3 is limited by the ratio of average floor area to site area to the extent shown in Table D1.6.21.1 and Figure H8.6.21.1 MTFAR bonus areas 1a and 2 and Figure H8.6.21.2 MTFAR bonus area 3.

Table H8.6.21.1 Maximum total floor area ratio

Bonus area 1a		
Where:		MTFAR equals
(A53)	$\frac{AFA}{SA} < 0.25$	13:1
(A54)	$0.25 < \frac{AFA}{SA} \leq 0.75$	$15 - \frac{(8 \times AFA)}{SA} : 1$
(A55)	$\frac{AFA}{SA} > 0.75$	6.5:1
Bonus area 2		
(A56)	$\frac{AFA}{SA} < 0.35$	10:1
(A57)	$0.35 \leq \frac{AFA}{SA} \leq 0.8$	$12.8 - \frac{(8 \times AFA)}{SA} : 1$
(A58)	$\frac{AFA}{SA} > 0.8$	6.5:1
Bonus area 3		
(A59)	$\frac{AFA}{SA} < 0.6$	8:1
(A60)	$0.6 \leq \frac{AFA}{SA} \leq 0.75$	$10.8 - \frac{(8 \times AFA)}{SA} : 1$
(A61)	$\frac{AFA}{SA} > 0.75$	4.5:1

Figure H8.6.21.1 MTFAR bonus areas 1a and 2

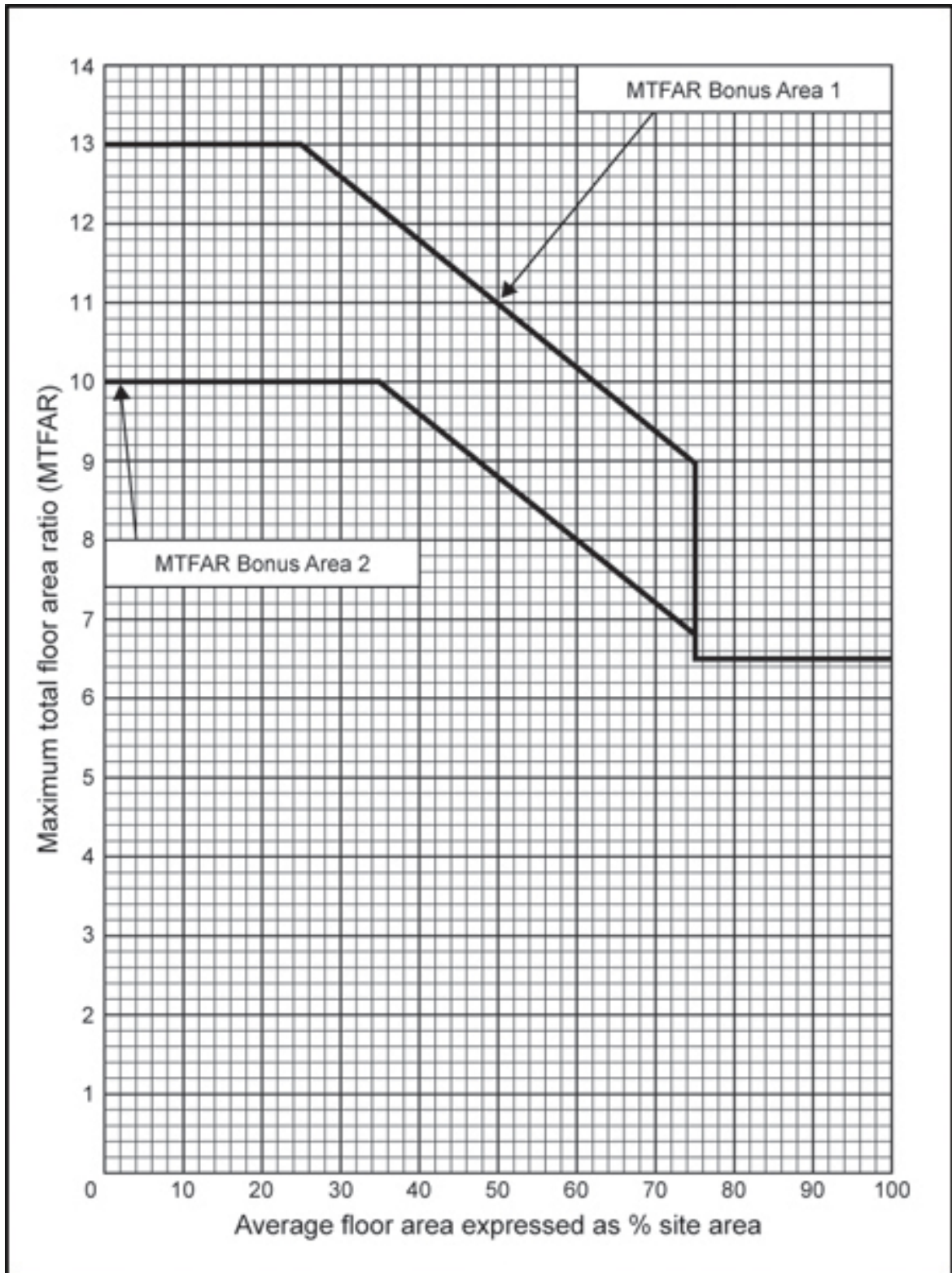
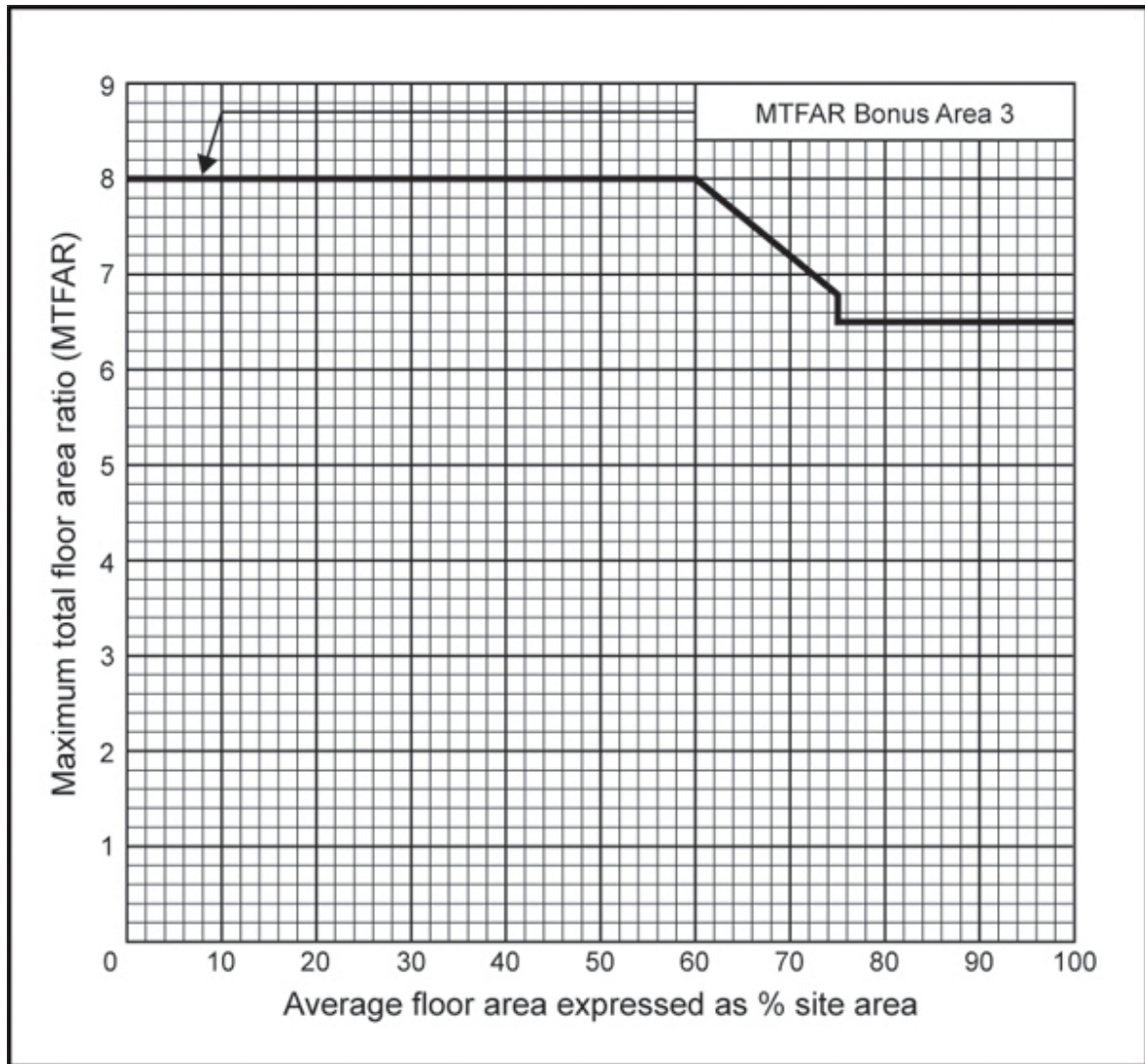


Figure H8.6.21.2 MTFAR bonus area 3



H8.6.22. Building in relation to boundary

Purpose: retain the spacious landscaped character and maximise sunlight admission to public open spaces in the areas that the standard applies.

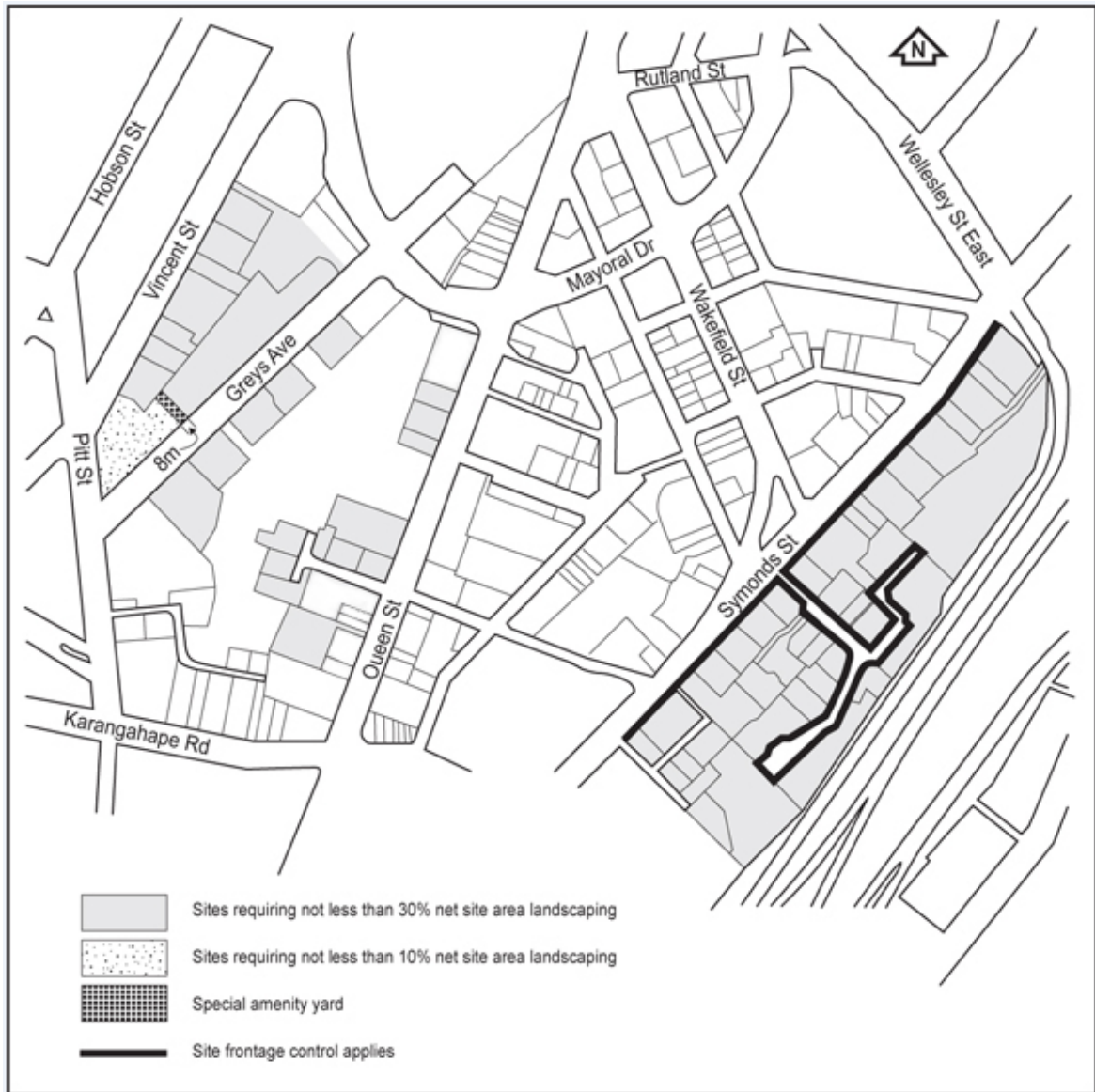
- (1) A building located on a site identified as being subject to this standard on Map H8.11.7 must comply with the indicators set out in Appendix 10 Business – City Centre Zone building in relation to boundary except that:
 - (a) this standard only applies to the shared boundaries of identified sites or where the boundary of an identified site adjoins open space zones; and
 - (b) the effective site boundary for the purpose of this standard may be taken as the furthest pedestrian accessway, entrance strip or access site, where a site adjoins such accessway, entrance strip or access site, or adjoins a series of contiguous entrance strips or access sites.

H8.6.23. Streetscape improvement and landscaping

Purpose: maintain landscaped qualities in the areas that the standard applies.

- (1) For those sites identified on Figure H8.6.23.1 as being subject to the site frontage standard:
 - (a) not less than 50 per cent of that part of the site, between the street and a parallel line 6m from the street frontage must be landscaped;
 - (b) no part of any building or parking and manoeuvring space may be located within an area between the street and a line 3m parallel from the street frontage; and
 - (c) Standards H8.6.23(1)(a)-(b) above do not apply to rear sites.
- (2) For the sites identified on Figure H8.6.23.1 as 'Sites requiring not less than 30 per cent net site area landscaping', at least 30 per cent of the net site area must be landscaped.
- (3) For the sites identified on Figure H8.6.23.1 as 'Sites requiring not less than 10 per cent net site area landscaping', at least 10 per cent of the net site area must be landscaped. The landscaping must include a special amenity yard between the north-eastern boundary and a parallel line 8m from that boundary, as shown on Figure H8.6.23.1, in which no part of any building or parking may be located.
- (4) The landscaping required above must incorporate both:
 - (a) low level shrubs; and
 - (b) specimens of trees capable of reaching a minimum height at maturity of 8m. The trees must be at least 1.5m high at the time of planting.
- (5) The following applies in relation to the site that adjoins and is to the south of the St Andrew's Presbyterian Church site:
 - (a) no part of any building, or parking and manoeuvring space, or service area may be located on the site between the street and a parallel line 8m from the street frontage; and
 - (b) at least 50 per cent of the 8m set-back area must be landscaped.

Figure H8.6.23.1 Streetscape improvement and landscaping



H8.6.24. Maximum tower dimension, setback from the street and tower separation

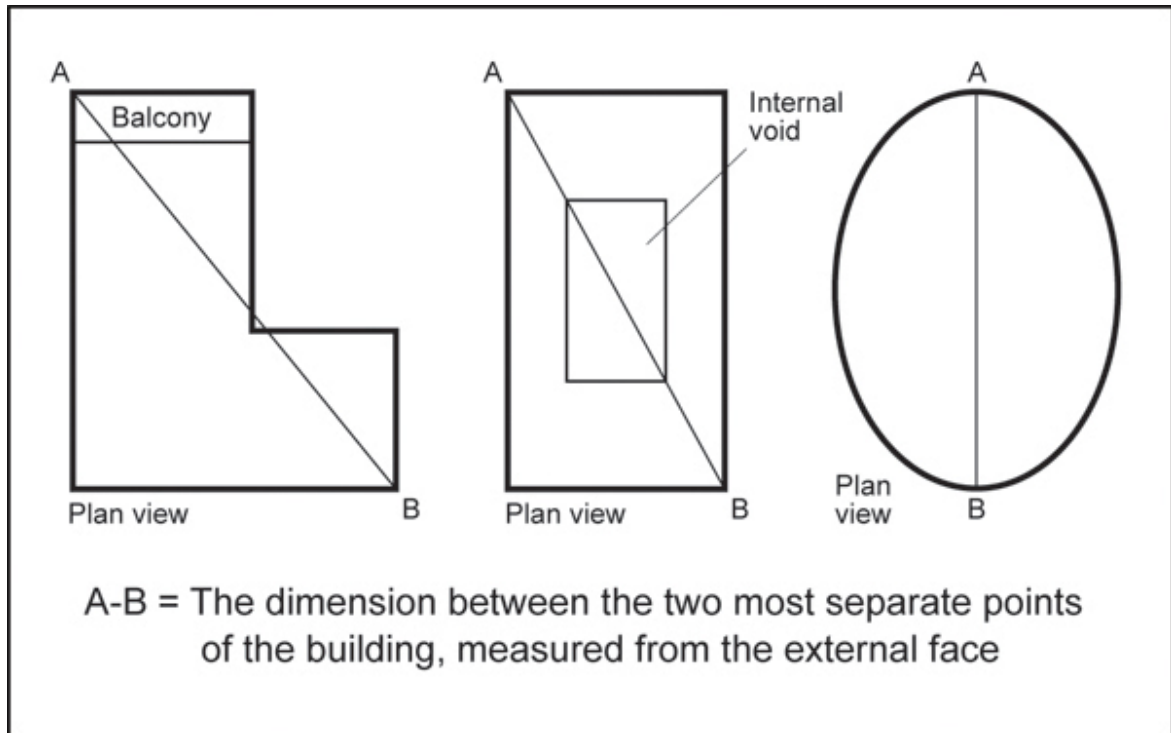
Purpose: ensure that high-rise buildings:

- are not overly bulky and are slender in appearance;
- provide adequate sunlight access to streets;
- provide a consistent human-scaled edge to the street;
- provide adequate sunlight and outlook around buildings;
- enable views through the city centre; and
- mitigate adverse wind effects.

(1) On every site identified as special height area on Map H8.11.3:

- (a) the maximum plan dimension of that part of the building 28m above mean street level must not exceed 50m; and
 - (b) the part of a building above 28m must be located at least 6m from all boundaries of the site.
- (2) The maximum plan dimension is the horizontal dimension between exterior faces of the two most separate points of the building (refer Figure H8.6.24.1).

Figure H8.6.24.1 Maximum plan dimension



H8.6.25. Building frontage alignment and height

Purpose: ensure streets are well defined by buildings and provide a sense of enclosure to enhance pedestrian amenity.

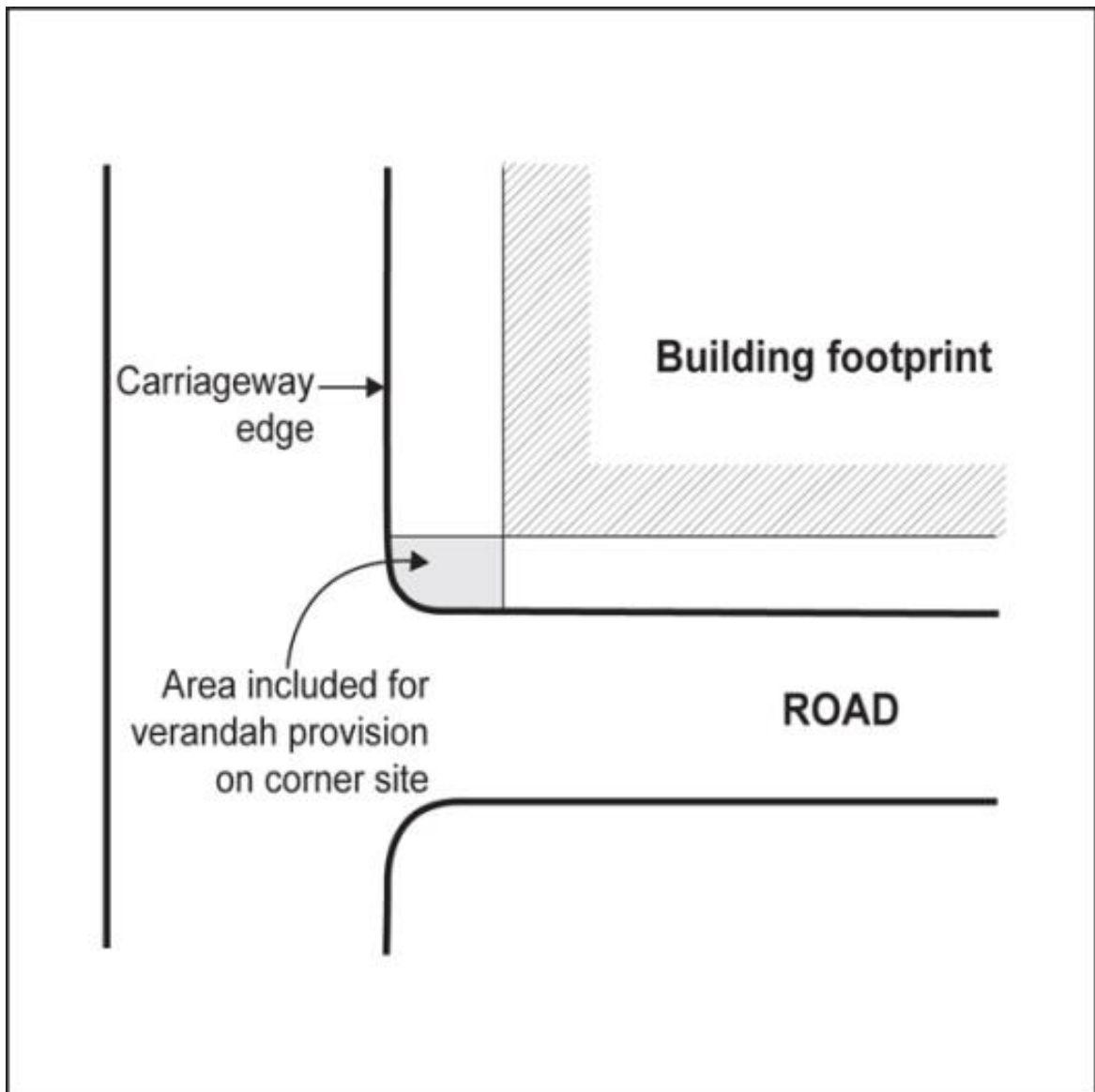
- (1) On every frontage identified on Map H8.11.5, a new building or addition to an existing building must comply with the following:
 - (a) the building must adjoin the entire length of the frontage excluding vehicle and pedestrian access and public open spaces for the minimum frontage height specified in H8.6.25(1)(a)(i) and (ii) below:
 - (i) for frontages identified as '19m', the building must have minimum contiguous height of 19m for a minimum depth of 6m from the frontage; and
 - (ii) for frontages identified as '13m', the building must have minimum contiguous height of 13m for a minimum depth of 6m from the frontage.

H8.6.26. Verandahs

Purpose: provide pedestrians with weather protection on main streets.

- (1) A new building, external alteration or substantial internal alteration to an existing building, excluding minor cosmetic alterations or repairs which do not change its design and appearance, on a site identified on Map H8.11.6 must provide a continuous verandah along the full width of its building frontage.
- (2) For the purpose of this standard, substantial internal alterations means 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.
- (3) If an existing verandah is removed, it must be replaced in accordance with the requirements of this standard.
- (4) A verandah on a corner site must comply with Figure H8.6.26.1.

Figure H8.6.26.1 Verandah on corner site



- (5) All verandahs must:

- (a) have a minimum height of 3m and a maximum height of 4m above the footpath immediately below;
- (b) be no closer than 700mm in plan to the edge of the road carriageway notwithstanding any other requirement of this standard;
- (c) include drainage to control rain run-off;
- (d) where glazed, be opaque or patterned glass; and
- (e) comply with the minimum widths in Table H8.6.26.1.

Table H8.6.26.1 Minimum width

Location	Minimum width
Queen Street, north of Wakefield Street except the western side between Aotea Square and Wellesley Street	4m
Karangahape Road	4m
Swanson Street between Mills Lane and Queen Street	3m
Vulcan Lane, south side	3m
Queen Street, west side between Aotea Square and Wellesley Street	5m
All other frontages identified on the plan	3m or setback no further than 600mm in plan from the edge of the road carriageway, whichever is the lesser

- (6) Lighting outside daylight hours must be provided under a 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. Lighting of the footpath must have a uniformity ratio of 0.5.
- (7) The lighting levels required above may be met by one or more of the following methods:
 - (a) providing lighting beneath a street verandah;
 - (b) providing lighting within the shop/office that spills out through windows to the outside footpath;
 - (c) the use of advertising signage of light colour which will spill light out onto the footpath; or
 - (d) providing downwardly directed lighting on the exterior of the building.

H8.6.27. Minimum floor to floor height

Purpose: ensure that:

- commercial buildings are adaptable to a wide variety of uses over time; and
 - adequate sunlight and/or daylight is provided into the interior spaces of commercial buildings.
- (1) The ground floor of a new building must have a minimum finished floor to floor height of 4.5m for a minimum depth of 10m where it adjoins a street or public open space.
- (2) The finished floor to floor height of new buildings above ground floor must be at least 3.6m where those floors will accommodate non-residential activities.

H8.6.28. Wind

Purpose: mitigate the adverse wind effects generated by high-rise buildings.

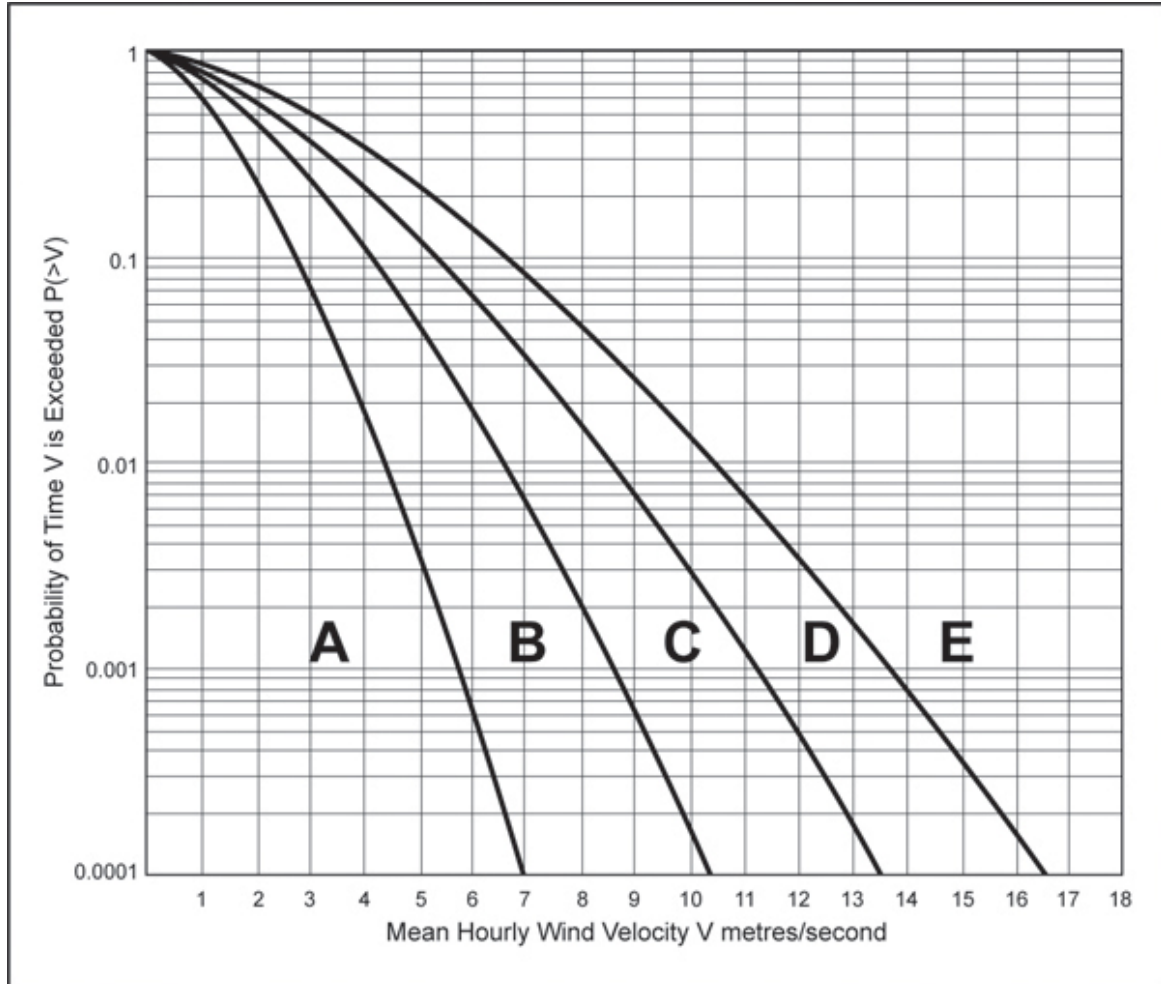
- (1) A new building must not cause:
- (a) the mean wind speed around it to exceed the category for the intended use of the area as set out in Table H8.6.28.1 and Figure H8.6.28.1 Wind environment control;
 - (b) the average annual maximum peak 3 second gust to exceed the dangerous level of 25m per second; and
 - (c) an existing wind speed which exceeds the controls below.

Table H8.6.28.1 Performance categories

Category	Description
Category A	Areas of pedestrian use containing significant formal elements and features intended to encourage longer term recreational or relaxation use, such as. major and minor public squares, parks and other open spaces, including. Aotea Square, Queen Elizabeth Square, Albert Park, Myers Park, St Patrick’s Square, and Freyberg Place
Category B	Areas of pedestrian use containing minor elements and features intended to encourage short-term recreation or relaxation, such as minor pedestrian open spaces, pleasure areas in road reserves, streets with significant groupings of landscaped seating features, including Khartoum Place, Mayoral Drive pleasure areas, and Queen Street
Category C	Areas of formed footpath or open space pedestrian linkages, used primarily for pedestrian transit and devoid of significant or repeated recreational or relaxational features, such as footpaths where not covered in categories A or B above
Category D	Areas of road, carriage way, or vehicular routes, used primarily for vehicular transit and open storage, such as roads generally where devoid of any features or form which would include the spaces in categories A - C above
Category E	Represents conditions which are dangerous to the elderly and infants and of considerable cumulative discomfort to

	others. Category E conditions are unacceptable and are not allocated to any physically defined areas of the city
Note: All through-site links and other private land given over to public use as bonus features, or subject to public access easements, must be subject to the wind environmental categories.	

Figure H8.6.28.1 Wind environment control



H8.6.29. Glare

Purpose: ensure non-reflective materials are used on buildings to avoid, remedy and mitigate the adverse effects of glare on pedestrians and motorists.

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

H8.6.30. Special amenity yards

Purpose: avoid buildings locating in areas that would have a significant adverse effect on pedestrian and/or streetscape amenity.

- (1) A building must not be at or above ground level within the yards shown on Figures H8.6.30.1, H8.6.30.2 and H8.6.30.3
- (2) In the Freyberg Place special amenity yard, the existing contour of the land and the existing Phoenix palms within the yard must be retained.

Figure H8.6.30.1 Freyberg Place special amenity yard

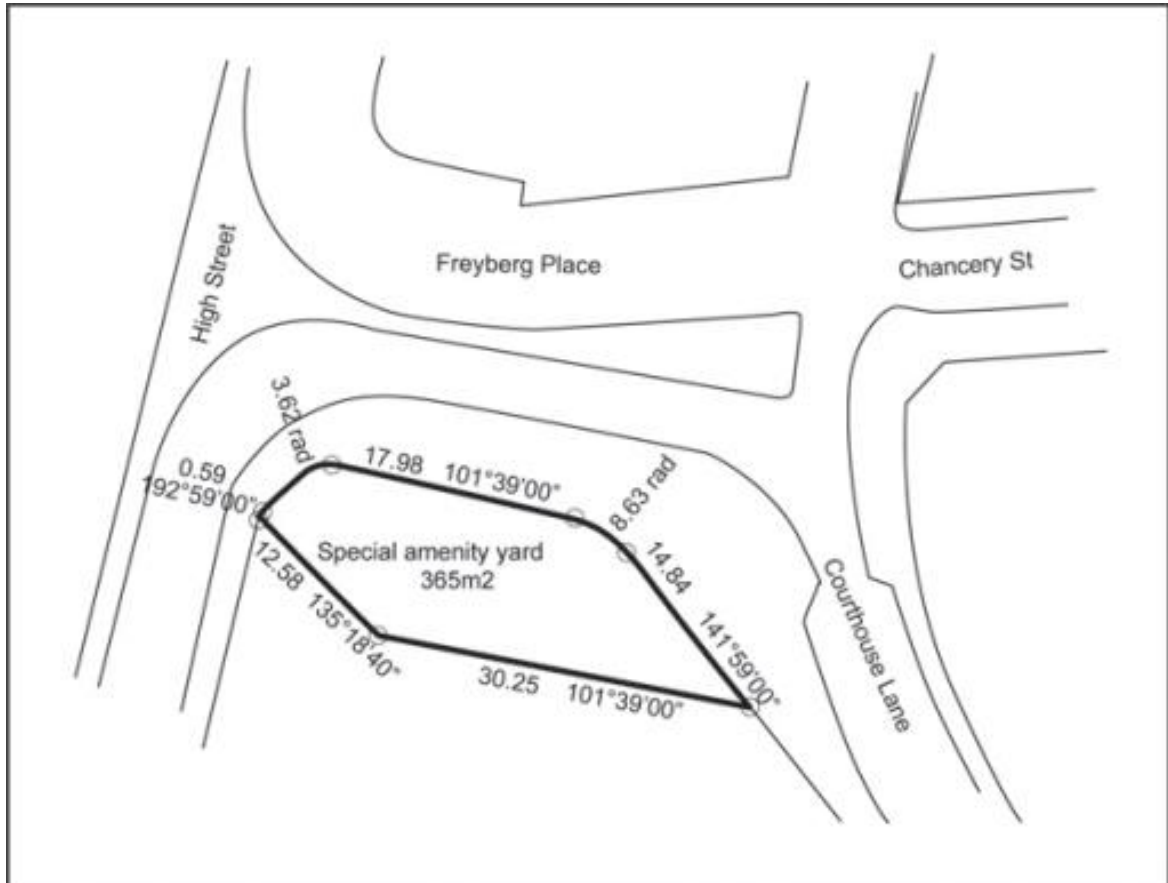


Figure H8.6.30.2 Myers Park special amenity yard

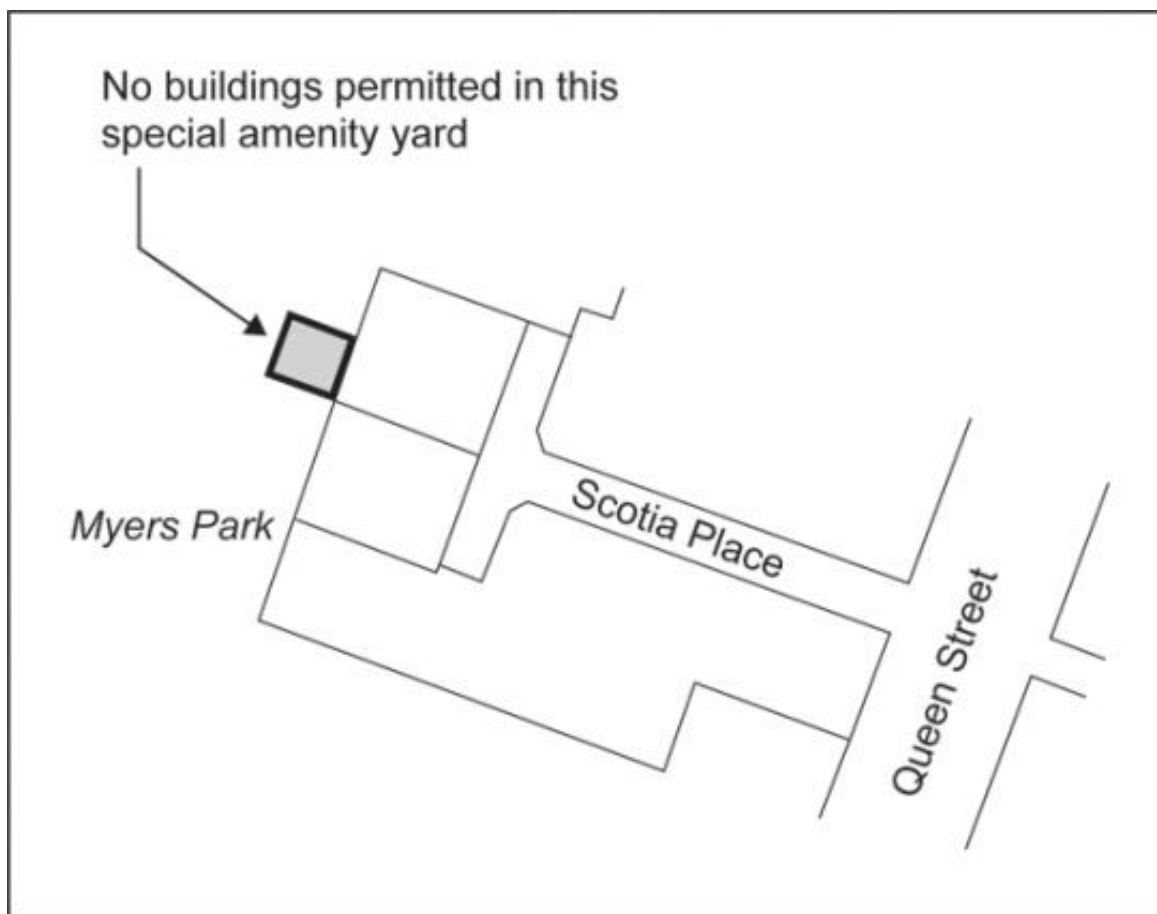
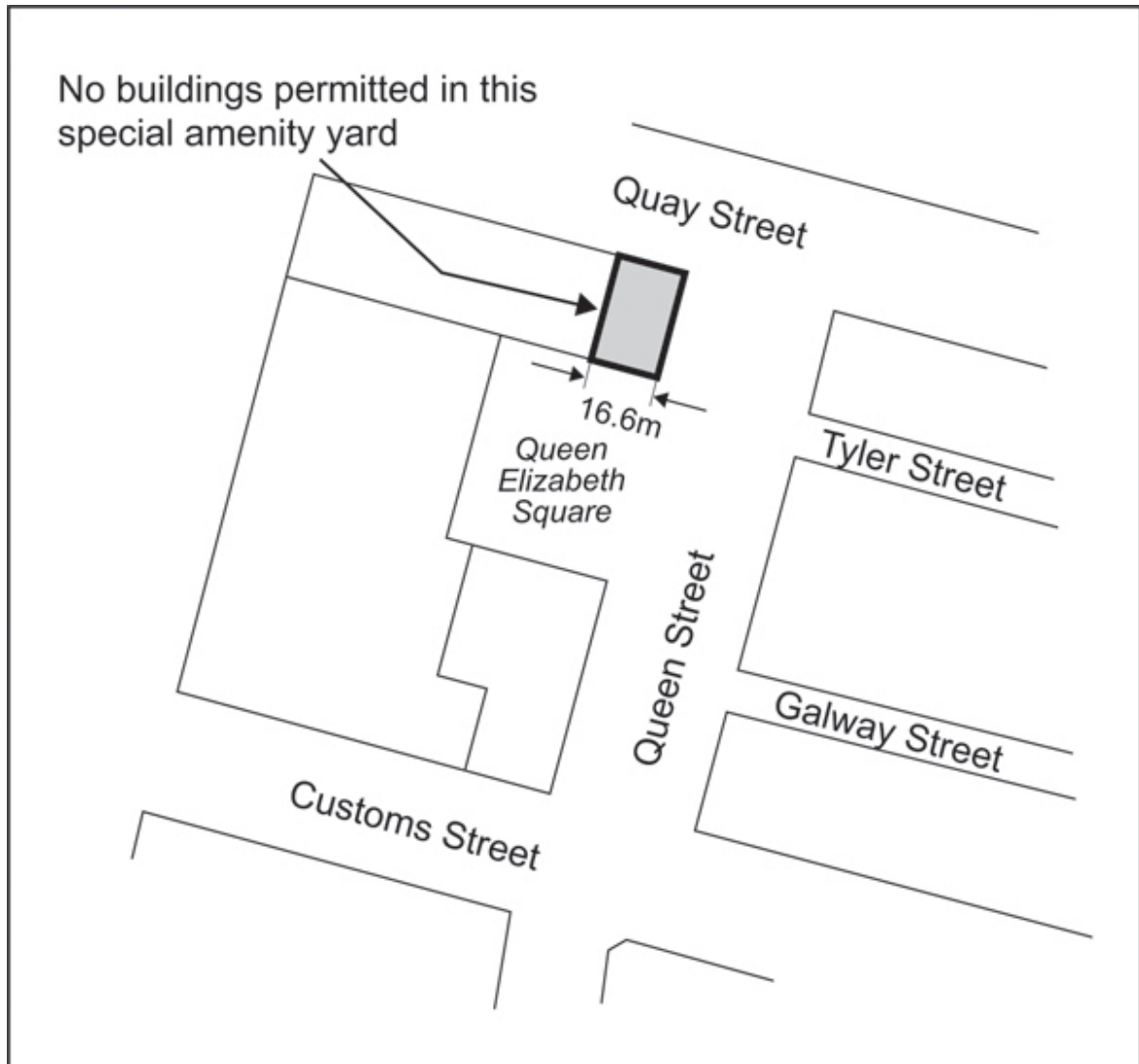


Figure H8.6.30.3 Queen Street special amenity yard



H8.6.31. Street sightlines

Purpose: retain views from key locations in the city centre to significant landmarks and the harbour.

- (1) 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 city centre are protected as shown in Appendix 9 Business – City Centre Zone 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 standard does not apply beyond the streets affected. Refer to Appendix 9 Business – City Centre Zone sight lines, where the sightlines are shown in detail.
- (2) Buildings or structures must not locate within the sightlines identified in Appendix 9 Business – City Centre Zone sight lines, except as otherwise provided in Table E26.2.3.1 Activity table in E26 Infrastructure.

H8.6.32. Outlook space

Purpose:

- ensure a reasonable standard of visual and acoustic privacy between different dwellings, including their outdoor living space, on the same or adjacent sites; and
 - encourage the placement of habitable room windows to the site frontage or to the rear of the site in preference to side boundaries, to maximise both passive surveillance of the street and privacy, and to avoid overlooking of neighbouring sites.
- (1) The standard below applies to new buildings containing dwellings, visitor accommodation and boarding houses, and buildings that are converted to dwellings, visitor accommodation and boarding houses.
 - (2) An outlook space must be provided from each face of the building containing windows to principal living areas or bedrooms of any dwelling. Where windows to a principal living area or bedroom are provided from two or more faces of a building, outlook space must be provided to the face with the greatest window area of outlook.
 - (3) The minimum dimensions for outlook space are:
 - (a) for principal living areas, the dimensions of the outlook space, measured perpendicular to the exterior face of the building, must be in accordance with Figure H8.6.32.2, for the relative height of the floor above the average ground level along each building face; and
 - (b) for bedrooms, the outlook space must be a minimum of 6m, measured perpendicular to the exterior face of the building.
 - (4) The outlook space must extend from the exterior wall of the principal living room or bedroom and not the windows.
 - (5) The outlook space may be over:
 - (a) the site on which the building is located, but not towards a side boundary if the building is within 10m of the site frontage (refer Figure H8.6.32.1);
 - (b) the street;
 - (c) public open space; or
 - (d) another site, only if:
 - (i) the outlook space is secured in perpetuity for the benefit of the building by a legal instrument to be put in place prior to the commencement of construction; and
 - (ii) the written approval of the owner of the adjoining site for the outlook space is provided when the application for resource consent is lodged.

(6) In the situation where an outlook space is provided over a legal road narrower than the width specified in Figure H8.6.32.2, the street width is deemed to satisfy the minimum outlook space requirement.

(7) More than one building on the site may share an outlook space.

Figure H8.6.32.1 Outlook over the street

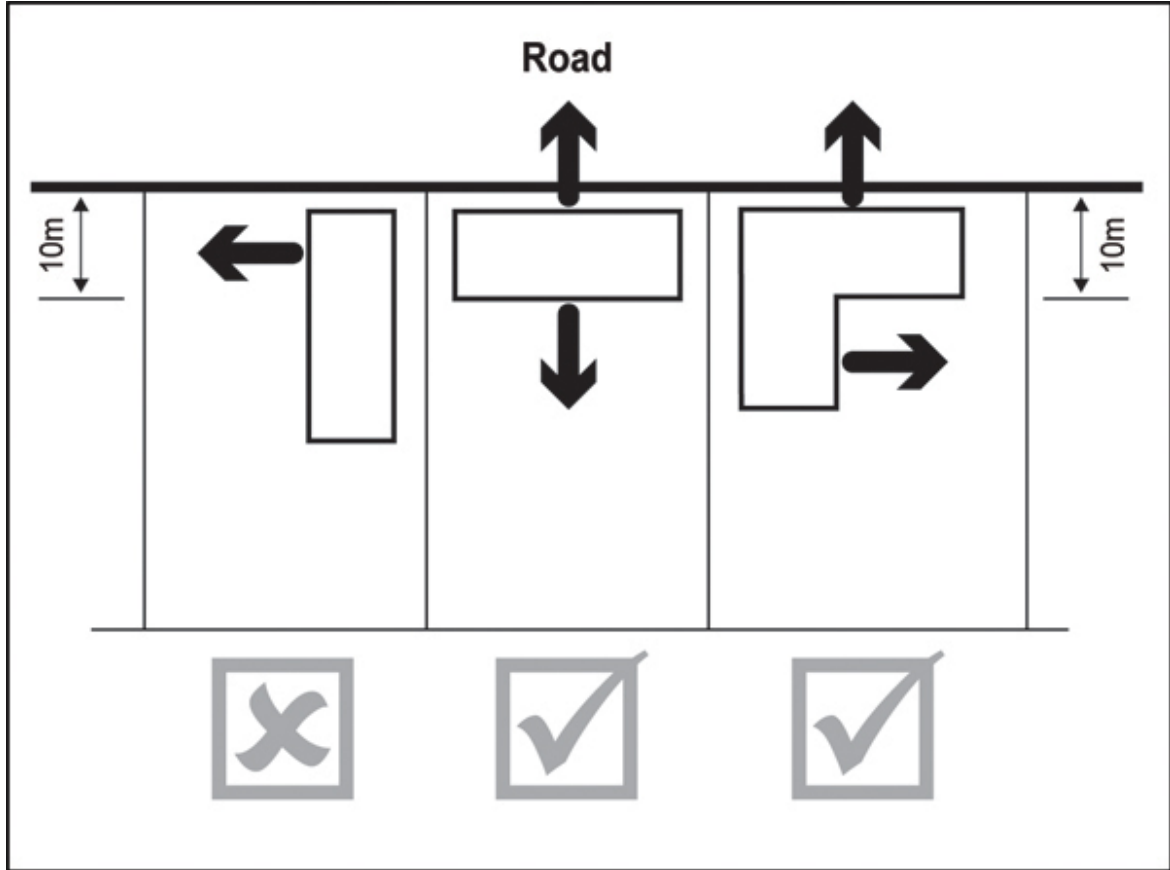
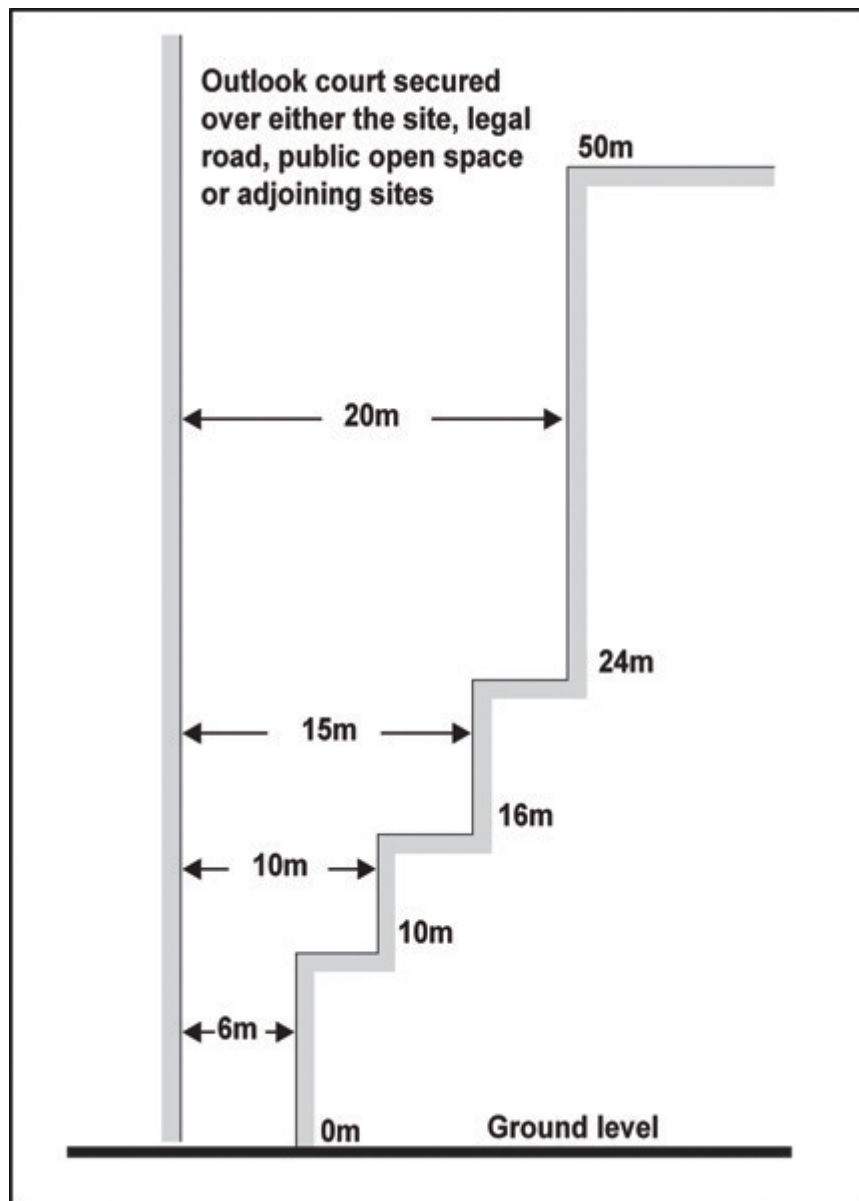


Figure H8.6.32.2 Outlook space



H8.7. Assessment – controlled activities

H8.7.1. Matters of control

The Council will reserve its control to all of the following matters when assessing a controlled activity resource consent application:

- (1) demolition of buildings:
 - (a) pedestrian amenity and safety;
 - (b) reuse of building materials;
 - (c) site condition post-demolition; and
 - (d) traffic generation.

H8.7.2. Assessment criteria

The Council will consider the relevant assessment criteria below for controlled activities:

(1) demolition of buildings:

(a) pedestrian amenity and safety:

(i) whether sites containing buildings that are proposed to be demolished have significant adverse effects on the quality and amenity of the public realm and the safety and efficiency of the surrounding transport network. In particular:

- whether a high-quality and safe temporary hard or landscaped edge is provided along the site boundaries so that a defined boundary to streets and public open spaces is maintained. Including the provision and maintenance of continuous pedestrian cover within areas subject to the verandah standard; and
- whether an edge treatment designed to reduce its vulnerability to graffiti and vandalism is maintained;

(b) reuse of building materials:

(i) the extent to which demolished materials are reused and recycled as much as possible;

(c) site condition post-demolition:

(i) if the site is not developed following demolition, the extent to which the site is landscaped to provide a good standard of visual amenity and whether the site will not be used for temporary or permanent parking.

(d) traffic generation:

(i) with regard to the effects of building demolition on the transport network:

- proposed hours of operation;
- the frequency and timing of truck movements to and from the site; and
- the location of vehicle access.

H8.8. Assessment – restricted discretionary activities

H8.8.1. Matters of discretion

The Council will reserve its discretion to all of the following matters when assessing a restricted discretionary resource consent application:

(1) new buildings and external alterations and additions to buildings not otherwise provided for:

- (a) building design and external appearance;
 - (b) form and design of buildings adjoining historic heritage places;
 - (c) design of parking, access and servicing;
 - (d) design and layout of dwellings, visitor accommodation and boarding houses; and
 - (e) functional requirements;
- (2) external alterations and additions to a special character building identified on Map H8.11.1:
- (a) building design and external appearance;
 - (b) architectural style and retention of original building features; and
 - (c) consistency with an approved character plan;
- (3) conversion of a building or part of a building to dwellings, visitor accommodation or boarding houses:
- (a) design and layout of dwellings, visitor accommodation and boarding houses;
- (4) retail (excluding department stores) between 1000m² and 5000m² gross floor area per site:
- (a) centre amenity and vitality;
- (5) the total or substantial demolition (more than 30 per cent by volume), or any demolition of the front façade of a special character building identified on Map H8.11.1:
- (a) the matters of control identified in H8.8.1(1) above; and
 - (b) special character values;
- (6) infringement of building height, building in relation to boundary, streetscape improvement and landscaping, maximum tower dimension and tower separation standards:
- (a) effects of additional building scale on neighbouring sites, streets and public open spaces (sunlight access, dominance, visual amenity, and landscape character);
 - (b) consistency with the planned future form and character of the area/zone; and
 - (c) site specific characteristics;
- (7) infringement of rooftops standard:

- (a) amenity effects;
- (8) exception to the harbour edge height control plane standard:
 - (a) form, scale and dominance effects;
 - (b) amenity effects;
 - (c) consistency with the streetscape; and
 - (d) design of buildings or structures;
- (9) infringement of minimum floor to floor height ground floor activities, building frontage alignment and height and verandahs standards:
 - (a) effects on the vitality and amenity of streets and public open spaces;
 - (b) effects on historic heritage and special character buildings; and
 - (c) effects on the potential of the building to accommodate other uses over time;
- (10) infringement of outlook space standard:
 - (a) privacy and outlook for dwellings;
 - (b) daylight access and ventilation for dwellings; and
 - (c) privacy, outlook, daylight access and ventilation for visitor accommodation;
- (11) infringement of wind standard:
 - (a) pedestrian amenity;
- (12) infringement of glare standard:
 - (a) pedestrian amenity; and
 - (b) traffic safety and efficiency;
- (13) infringement special amenity yards standard
 - (a) effects on amenity; and
 - (b) design of buildings or structures;
- (14) infringement of street sightlines standard:
 - (a) design of buildings or structures.

H8.8.2. Assessment criteria

The Council will consider the relevant assessment criteria below for restricted discretionary activities:

- (1) new buildings and external alterations and additions to buildings not otherwise provided for:

(a) building design and external appearance:

Contributing to a sense of place

- (i) the extent to which the design of buildings contribute to the local streetscape and sense of place by responding positively to the existing and planned form and character of the surrounding area and significant natural landforms and landscape features;
- (ii) the extent to which the silhouette of the building as viewed from areas surrounding the city centre positively contributes to the city centre's skyline;

Creating a positive frontage

- (iii) the extent to which buildings have clearly defined public frontages that address the street and public open spaces to positively contribute to the public realm and pedestrian safety;
- (iv) whether the ground floor of a new building is at the same level as the adjoining street;
- (v) the extent to which pedestrian entrances are located on the street frontage and are clearly identifiable and level with the adjoining frontage;
- (vi) whether verandahs are designed to be predominantly transparent to enable pedestrians to view the building façade from under the verandah and from across the street;
- (vii) for mixed use buildings, whether separate pedestrian entrances are provided for residential uses;
- (viii) where not required by a standard, activities that engage and activate streets and public spaces are encouraged at ground and first floor levels;
- (ix) the extent to which internal space at all levels within buildings is designed to maximise outlook onto street and public open spaces;
- (x) the extent to which dwellings located on the ground floor of buildings fronting streets and public open spaces adversely affect:
 - amenity values and the vitality of the street or public open space, such as on frontages that are subject to the verandah standard; and
 - amenity values in terms of noise and air quality effects, such as on streets that carry high volumes of vehicle traffic.
- (xi) where dwellings are considered to be appropriate at ground floor, the extent to which they are designed to enable passive surveillance of the street/public open space and provide privacy for residents. This could be achieved by:

- providing balconies over-looking the street or public open space;
- providing a planted and/or fenced setback where the site adjoins streets or public open space. Fences or landscaping should be low enough to allow direct sight lines from a pedestrian in the public realm to the front of a balcony; or
- raising the balcony and floor plate of the ground floor dwellings above the level of the adjoining street or public open space to a height sufficient to provide privacy for residents and enable them to overlook the public realm;

Variation in building form/visual interest

- (xii) the extent to which buildings, including alterations and additions, are designed as a coherent scheme and demonstrate an overall design strategy that contributes positively to the visual quality of the development;
- (xiii) where the proposed development is an addition or alteration to an existing building, the extent to which it is designed with consideration to the architecture to the original building and respond positively to the visual amenity of the surrounding area;
- (xiv) the extent to which buildings are designed to:
 - avoid long, unrelieved frontages and excessive bulk and scale when viewed from streets and public open spaces;
 - visually break up their mass into distinct elements to reflect a human scale and the typical pattern of development in the area; and
 - differentiate ground, middle and upper level;techniques to achieve this include the use of recesses, variation in building height and roof form, horizontal and vertical rhythms and facade modulation and articulation;
- (xv) whether blank walls should be avoided on all levels of building frontages to streets and public open spaces;
- (xvi) whether side or rear walls without windows or access points are used as an opportunity to introduce creative architectural solutions that provide interest in the facade including modulation, relief or surface detailing;
- (xvii) the extent to which buildings provide a variety of architectural detail at ground and middle levels including maximising doors, windows and balconies overlooking the streets and public open spaces;
- (xviii) the extent to which roof profiles are designed as part of the overall building form and contribute to the architectural quality of the

skyline as viewed from both ground level and the surrounding area. This includes integrating plant, exhaust and intake units and other mechanical and electrical equipment into the overall rooftop design;

- (xix) the extent to which colour variation and landscaping are used- Noting they should not be used to mitigate a lack of building articulation or design quality;
- (xx) for residential development:
 - the extent to which the mechanical repetition of unit types is avoided;
 - the extent to which balconies are designed as an integral part of the building. A predominance of cantilevered balconies should be avoided;
 - whether apartments above ground floor can be accessed from internal corridors or entrance way. External walkways/breezeways should generally be avoided;

Materials and finishes

- (xxi) the extent to which buildings use quality, durable and easily maintained materials and finishes on the façade, particularly at street level;
- (xxii) where provided, the extent to which signs are designed as an integrated part of the building façade;

Cultural identity

- (xxiii) the extent to which development to integrates mātauranga and tikanga into the design of new buildings and public open spaces; and

Functional requirements

- (xxiv) whether the design recognises the functional requirements of the intended use of the building;

(b) design and scale of buildings adjoining historic heritage places:

- (i) buildings adjoining or in close proximity to a scheduled historic heritage place:
 - whether the proposed building is located and designed to have regard to the significant historic heritage elements and built form of the place. This does not mean a rigid adherence to the height of the place, nor does it reduce the development potential of the site, but it does require careful consideration in terms of the form and design of the building to minimise the effects of dominance;

- may not be required to adjoin the site frontage if a better design outcome could be achieved by respecting the setback and/or spatial location of the place; or
- whether the proposed building uses materials and/or design detail that respect rather than replicate any patterns or elements existing in the place, however new and contemporary interpretations in form and detail may be used;

(c) design of parking, access and servicing:

- (i) whether parking is located, in order of preference, underground, to the rear of building or separated from the street frontage by uses that activate the street;
- (ii) where parking is provided at lower building levels, the extent to which it is fully sleeved with active uses or activities that provide passive surveillance of the street and contribute to pedestrian interest and vitality. Above this, the extent to which car parking is fully screened on all sides of the building using design methods that present facades that are visually attractive and avoid night time light spill, noise and air quality effects on nearby sites and streets and public open spaces;
- (iii) whether vehicle crossings and accessways are designed to reduce vehicle speed, be visually attractive and clearly signal to pedestrians the presence of a vehicle crossing or accessway;
- (iv) whether pedestrian access between parking areas, building entrances/lobbies and the street provide equal access for people of all ages and physical abilities, a high level of pedestrian safety and be visually attractive;
- (v) whether separate vehicle and pedestrian access are provided within parking areas. Shared pedestrian and vehicle access may be appropriate where a lane or street is proposed within a development site. The shared space should prioritise pedestrian movement;
- (vi) whether ramps visible from the street are avoided, however, where necessary, whether they are minimal in length and integrated into the design of the building;
- (vii) for commercial activities, whether suitable provision is made for on-site rubbish storage and sorting of recyclable materials that:
 - is a sufficient size to accommodate the rubbish generated by the proposed activity;
 - is accessible for rubbish collection; and
 - for new buildings, is located within the building
- (viii) where appropriate, whether a waste management plan is provided and:

- includes details of the vehicles to be used for rubbish collection to ensure any rubbish truck can satisfactorily enter and exit the site; and
 - provides clear management policies to cater for different waste management requirements of the commercial tenancy and residential apartments.
- (ix) for alterations or additions to existing buildings where it is not possible to locate the storage area within the building, whether they are located in an area not visible from the street or public open spaces;
- (x) whether the development is able to be adequately served by wastewater and transport infrastructure; and
- (xi) whether servicing elements (including venting and air-conditioning units) are located on the roof of the building or internal to the site and not on street-facing facades. Where this is not possible (e.g. alterations to a shop front), the extent to which servicing:
- forms an integrated element of the building façade; and
 - is located so that it minimises adverse effects such as noise/odour on neighbouring sites and the public realm;
- (d) design and layout of dwellings, visitor accommodation and boarding houses:
- (i) the extent to which dwellings are located, proportioned and orientated within a site to maximise the amenity of future residents by:
- clearly defining communal, semi-communal and private areas within a development;
 - maximising passive solar access while balancing the need for buildings to front the street; or
 - providing for natural cross-ventilation by window openings facing different direction.
- (ii) the extent to which visitor accommodation and boarding houses are designed to achieve a reasonable standard of internal amenity. Taking into account:
- any specific internal design elements that facilitate the more efficient use of internal space;
 - the relationship of windows or balconies to principal living rooms; and
 - the provision of larger indoor or outdoor living spaces whether communal or exclusive to the dwelling is more important for units that are not self-contained.

(iii) whether suitable provision is made for on-site rubbish storage and sorting of recyclable materials that:

- is a sufficient size to accommodate the rubbish generated by the proposed activity;
- is accessible for rubbish collection;
- for new buildings, is located within the building; and
- for alterations or additions to existing buildings where it is not possible to locate the storage area within the building, whether the storage area is enclosed and not visible from the street or public open spaces.

(iv) whether a waste management plan:

- includes details of the vehicles to be used for rubbish collection to ensure any rubbish truck can satisfactorily enter and exit the site; and
- provides clear management policies to cater for different waste management requirements of the commercial tenancy and residential apartments;

(2) external alterations and additions to special character buildings identified on Map H8.11.1:

(a) building design and external appearance:

(i) refer to the assessment criteria in H8.8.2(1)(a), H8.8.2(1)(b) and H8.8.2(1)(c) above.

(b) architectural style and retention of original building features:

(i) whether alterations and additions to special character buildings:

- are in keeping with the building's architectural form, proportions and style and whether materials that are sympathetic to those originally used;
- retain as much of the existing building façade as practicable by refurbishing, restoring and adapting parts of the building rather than replacing them;
- are in a contemporary architectural style and whether they are designed to be sympathetic to the form, bulk, proportions and articulation of the existing building or buildings on the site; and
- avoid additional structures such as aerials and air-conditioning units on street-facing facades of the special character building. However, where they are necessary, whether they are appropriately located and designed to reduce the appearance of visual clutter.

- (c) consistency with an approved character plan:
- (i) whether alterations and additions are consistent with a character plan, where one has been approved for the site;
- (3) conversion of a building or part of a building to dwellings, visitor accommodation or boarding houses:
- (a) design and layout of dwellings, visitor accommodation and boarding houses:
 - (i) refer to the assessment criteria in H8.8.2(1)(d) above;
- (4) retail (excluding department stores) between 1000m² and 5000m² gross floor area per site:
- (a) centre amenity and vitality:
 - (i) whether retail greater than 1000m² and less than 5000m² gross floor area per site outside of the core retail area:
 - significantly adversely affect the amenity values and functions of the core retail area having regard to the activity's proposed size, composition and characteristics; and
 - provide a net positive benefit in terms of the community's convenient access to commercial activities and community services, including having regard to whether locating within the core retail area would result in adverse environmental effects on the form, function or capacity of the core retail area;
- (5) the total or substantial demolition (more than 30 per cent by volume) or any demolition of the front façade of a special character building identified on Map H8.11.1:
- (a) the assessment criteria in H8.7.2(1) above apply in addition to the criteria below;
 - (b) special character values:
 - (i) whether the total or substantial demolition (more than 30 per cent by volume) or any demolition of the front facade of a special character building significantly adversely affect the built form and streetscape character of the surrounding area. In considering this, the Council will have regard to the following:
 - whether the building forms part of a cohesive group of buildings similar in age, scale, proportion or design and the extent to which the building's demolition would detract from the shared contribution that group makes to streetscape, the unique special character or the history and context of the area;

- whether the building makes a significant contribution to the historic context, character or cohesiveness of the surrounding streetscape;
 - whether the building is a remnant example of a building type that reflects the history of the area;
 - the extent of the building's contribution to any adjoining or nearby scheduled places, either through the context and the relationship of the building to the scheduled place or through the building's mass, height or rhythm of facades;
 - whether demolition would adversely affect the historic heritage values of any neighbouring scheduled historic heritage places; and
 - whether the proposal has fully considered whether reasonable use of the site could be achieved through the adaptive re-use of the building rather than through demolition and replacement.
- (ii) notwithstanding the above, other factors will be considered and balanced when assessing an application for the demolition of a special character building, including:
- whether the building is beyond rehabilitation in terms of poor structural or physical condition, and the costs of the repair work or upgrading necessary to extend the useful life of the building are prohibitive in comparison to the costs of a new building of similar size; and
 - whether the building is beyond rehabilitation to its original state and the costs of the rehabilitation to reproduce the qualities of the building and enhance the architectural qualities and special characteristics of the streetscape and the surrounding area, in comparison to the costs of a new building of a similar size;
- (6) infringement of building height, building in relation to boundary, streetscape improvement and landscaping, maximum tower dimension and tower separation standards:
- (a) effects of additional building scale on neighbouring sites and streets and public open spaces (sunlight access, dominance, visual amenity and landscape character):
- (i) whether minor height infringements may be appropriate where it would provide an attractive and integrated roof form that also meets the purpose of the standard;
 - (ii) whether height infringements may be appropriate on corner sites to reinforce the prominence of the corner where it meets the relevant standard infringement criteria and makes a positive contribution to the streetscape; and

- (iii) whether minor infringements to the building in relation to boundary standard or the streetscape improvement and landscaping standard may be appropriate where the spacious landscaped character of the area is retained.
- (b) consistency with the planned future form and character of the zone/area:
- (i) where building height or maximum tower dimension and tower separation is infringed whether the proposal demonstrates that Policies H8.3(30) and H8.3(31) of the Business – City Centre Zone are met.
- (c) site specific characteristics:
- (i) whether there are particular site specific characteristics in terms of unusual site size, shape or orientation, or the location and nature of existing buildings which have constrained the form of the development proposed;
- (7) infringement of rooftops standard:
- (a) amenity effects:
- (i) whether rooftop projections result in a cluttered roof appearance when viewed from the street and surrounding buildings;
- (8) exception to the harbour edge height control plane standard:
- (a) visual profile:
- (i) the effects of the building profile on the form of the city centre when viewed from the main city centre approaches by land and water and from public places which offer comprehensive views. Whether the building must be of a scale, bulk, appearance and location which represents a visually compatible addition to the city centre.
- (b) waterfront amenity:
- (i) whether the building bulk penetrating the Harbour Edge Height Control Plane results in significant loss of amenity to adjacent waterfront public areas. Particular consideration will be given to sunlight admission, shading and air movement at street level and at public gathering places.
- (c) streetscape and street corners:
- (i) the extent to which the proposed building is consistent with the scale, visual harmony and form of the existing streetscape, in particular the relationship to street corners, especially for sites fronting Quay Street, Customs Street and Queen Elizabeth Square.
- (d) effects on surrounding properties:

- (i) whether the building allows for adequate light, space and general amenity around the development and where possible through the site while noting that it is not the intention of this provision to protect views from private property to the harbour.
- (e) design of upper parts of buildings or structures:
 - (i) the extent to which the part of the building which protrudes through the harbour edge height control plane is designed in a manner which avoids abrupt or arbitrary truncation of the upper parts of the building or structure.
- (f) particular constraints:
 - (i) whether there are particular site development characteristics in terms of unusual site size, shape or orientation, or the location and nature of existing buildings which have constrained the form of the development proposed.
- (9) infringement of minimum floor to floor height (ground floor), ground floor activities, building frontage alignment and height and verandahs standards:
 - (a) effects on the vitality and amenity of streets and public open spaces;
 - (b) effects on historic heritage and special character buildings:
 - (i) the Council will give priority to protecting important features of historic heritage and special character building ground floor facades over compliance with the street frontage standard.
 - (c) effects on the potential of the building to accommodate other uses over time.
- (10) infringement of outlook space standard:
 - (a) privacy and outlook for dwellings:
 - (i) dwellings that infringe the outlook standard, whether they will have a good standard of outlook and visual and acoustic privacy between principal living rooms and bedrooms of dwellings on the same and between dwellings on adjacent sites and will not prevent a complying residential development on an adjoining site.
 - (b) daylight access and ventilation for dwellings:
 - (i) dwellings that infringe the outlook standard, whether the dwellings will receive a good degree of natural light and ventilation, particularly those at lower building levels.
 - (c) privacy, outlook, daylight access and ventilation for visitor accommodation:
 - (i) the criteria for dwellings in H8.8.2(10)(a) and H8.8.2(10)(b) above apply, except that a lesser dimension of outlook separation to a

minimum of 6.0m from bedrooms or principle living areas may be acceptable in some cases where the intent of criteria H8.8.2(10)(a) and H8.8.2(10)(b) above are satisfied and, with the exception of Crown land, where certainty can be provided, through a registered covenant in favour of the Council or another equally restrictive mechanism, that the building or area within a building is not to be used for accommodation other than non-permanent accommodation and is to be managed as a single entity in perpetuity;

(11) infringement of wind standard:

(a) pedestrian amenity:

- (i) whether development avoids excessive wind velocity and turbulence in outdoor pedestrian spaces; and
- (ii) consideration will be given to the potential for mitigation measures to be incorporated into the development to minimise exacerbation of existing wind conditions;

(12) infringement of glare standard:

(a) pedestrian amenity:

- (i) the extent to which glare from external surfaces may cause discomfort or hazards to pedestrians.

(b) traffic safety and efficiency:

- (i) the extent to which glare may generate hazards for drivers;

(13) special amenity yards:

(a) effects on amenity:

- (i) the extent to which buildings within special amenity yards avoid significant adverse effects on pedestrian and/or streetscape amenity.

(b) design of buildings or structures:

- (i) the nature, extent and form of any building element or feature proposed within a special amenity yard;
- (ii) the extent to which any building element or feature proposed within the Queen Street special amenity yard obscures:
 - views of the Ferry Building and harbour glimpses available through the special amenity yard from Queen Elizabeth Square and the Central Post Office building; or
 - views of the Central Post Office Building through the special amenity yard from the Ferry Building.

- (iii) the extent to which the proposed building element constitutes a visually competing intrusion into the foreground or background of the protected sightline(s);

(14) street sightlines:

(a) design of buildings or structures:

- (i) the nature, extent and form of the proposed non-complying feature;
- (ii) the extent to which the proposed non-complying built element will obscure the protected sightline from the key location in the city centre to significant landmarks and the harbour; or
- (iii) the extent to which the proposed non-complying element constitutes a visually competing intrusion into the foreground or background of the protected sightline.

H8.9. Assessment – bonus floor area

H8.9.1. Controlled activities

H8.9.1.1. Matters of control

The Council will reserve its control to all of the following matters when assessing a controlled activity resource consent application for development seeking to obtain bonus floor space:

- (1) the use or transfer of historic heritage and special character floor space:
 - (a) recording the use/transfer of floor space on the certificate of title.

H8.9.1.2. Assessment criteria

The Council will consider the relevant assessment criteria below for controlled activities:

- (1) the use or transfer of historic heritage and historic special character floor space:
 - (a) recording the use/transfer of floor space on the certificate of title.

H8.9.2. Restricted discretionary activities

H8.9.2.1. Matters of discretion

The Council will reserve its discretion to all of the following matters when assessing a restricted discretionary resource consent application for development seeking to obtain bonus floor space:

- (1) public open space:
 - (a) pedestrian safety, interest and amenity;
 - (b) universal access;
 - (c) sunlight access; and

- (d) landscaping, lighting and materials;
- (2) through-site links:
 - (a) pedestrian safety, interest and amenity;
 - (b) universal access;
 - (c) daylight access; and
 - (d) landscaping, lighting and materials.
- (3) works of art:
 - (a) artistic quality; and
 - (b) public access;
- (4) securing historic heritage building floor space:
 - (a) effects on historic heritage;
- (5) securing special character building floor space:
 - (a) effects on special character;
- (6) residential:
 - (a) internal and on-site amenity;
- (7) infringements to bonus floor area standards:
 - (a) public benefit.

H8.9.2.2. Assessment criteria

The Council will consider the relevant assessment criteria below for restricted discretionary activities:

- (1) public open space:
 - (a) pedestrian safety, interest and amenity:
 - (i) the extent to which pedestrian desire lines are provided to, from and within the public open space;
 - (ii) the extent to which the design of the public open space has ~~have~~ a sense of order and proportion and have regard to the human scale;
 - (iii) the extent to which orientation and design provides pedestrians with protection from the wind, particularly in those locations where seating is provided;

- (iv) the extent to which a significant area of the public open space is visible from its entrance onto the street;
- (v) the extent to which buildings adjoining the public open space are 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 should be avoided; and
- (vi) the extent to which good visibility to, from and within the public open space is provided to ensure public safety;

(b) sunlight access:

- (i) the extent to which sunlight access into the space is maximised. The extent to which seating areas are located to avoid being shaded from 10am to 3pm in mid-winter where practical;

(c) landscaping, lighting and materials:

- (i) the extent to which areas of landscaping dominate any paved pedestrian area;
- (ii) the extent to which seating and landscaping is in pleasant, clearly visible, convenient and safe locations. As a guide landscaping may comprise low shrubs and plants or tall open trees and shrubs which do not screen an area off;
- (iii) the extent to which high quality and durable materials are used; and
- (iv) whether the public open space is well lit. Whether the lighting provides a high vertical luminance so that shadows of people and indications of movement are easily seen, even at a distance;

(2) through-site links:

- (a) the assessment criteria in H8.9.2.2(1)(a)(v) - (vi), H8.9.2.2(1)(b)(i) and H8.9.2.2(1)(d)(iii) above apply;
- (b) pedestrian safety, interest and amenity:
 - (i) whether through-site links provide a connection between two streets or other public areas to create interest in the city and have a clearly visible origin and destination;

- (ii) the extent to which the design of the through-site link take the pedestrian's desired routes into consideration when determining location;
 - (iii) the extent to which lanes are of a width proportionate to the scale of development to create a sense of enclosure, with a ratio of 1:5 being encouraged; and
 - (iv) the extent to which lanes have active uses along at least one side.
- (c) daylight access:
- (i) the extent to which arcades are covered and lined with active uses at the level of the arcade; and
 - (ii) the extent to which arcades are of generous height to maximise a sense of space and maximise daylight penetration to their interior;
- (3) works of art:
- (a) artistic quality:
- (i) the extent to which the work of art is in media adequate for the site such as a sculpture, mural, glass, or water feature; and
 - (ii) the extent to which the work of art aesthetically enhances the public space to which it relates having regard to its artistic merit, scale and placement as adjudged by the Council;
- (b) public access:
- (i) whether works of art are freely accessible from public space during daylight hours by being incorporated as a feature into the development or on the facade of the building for which the bonus is claimed, or be in the form of a night time feature;
- (4) securing historic heritage building floor space:
- (a) refer to the relevant policies and assessment criteria in D17 Historic Heritage Overlay;
- (5) securing special character building floor space:
- (a) effects on special character:
- (i) whether the character plan outlines the significant features of the building that contribute to the built and streetscape character of the surrounding area, and how any future works should be undertaken to respect the significant features of the building identified in the plan;

(6) residential:

(a) internal and on-site amenity:

- (i) the extent to which residential development provides a high standard of internal amenity and on-site amenity for occupants of the dwellings. To demonstrate this, and in order for the bonus floor space to be awarded, residential development must comply with all of the standards applying to residential development, and be consistent with the assessment criteria for residential development.

In some circumstances it may be appropriate to award the bonus floor space where the development does not comply with the standards for dwellings. In this instance, the development will need to demonstrate that an equal or better standard of amenity can be achieved when compared with a complying development;

(7) bonus floor area standards:

(a) public benefit:

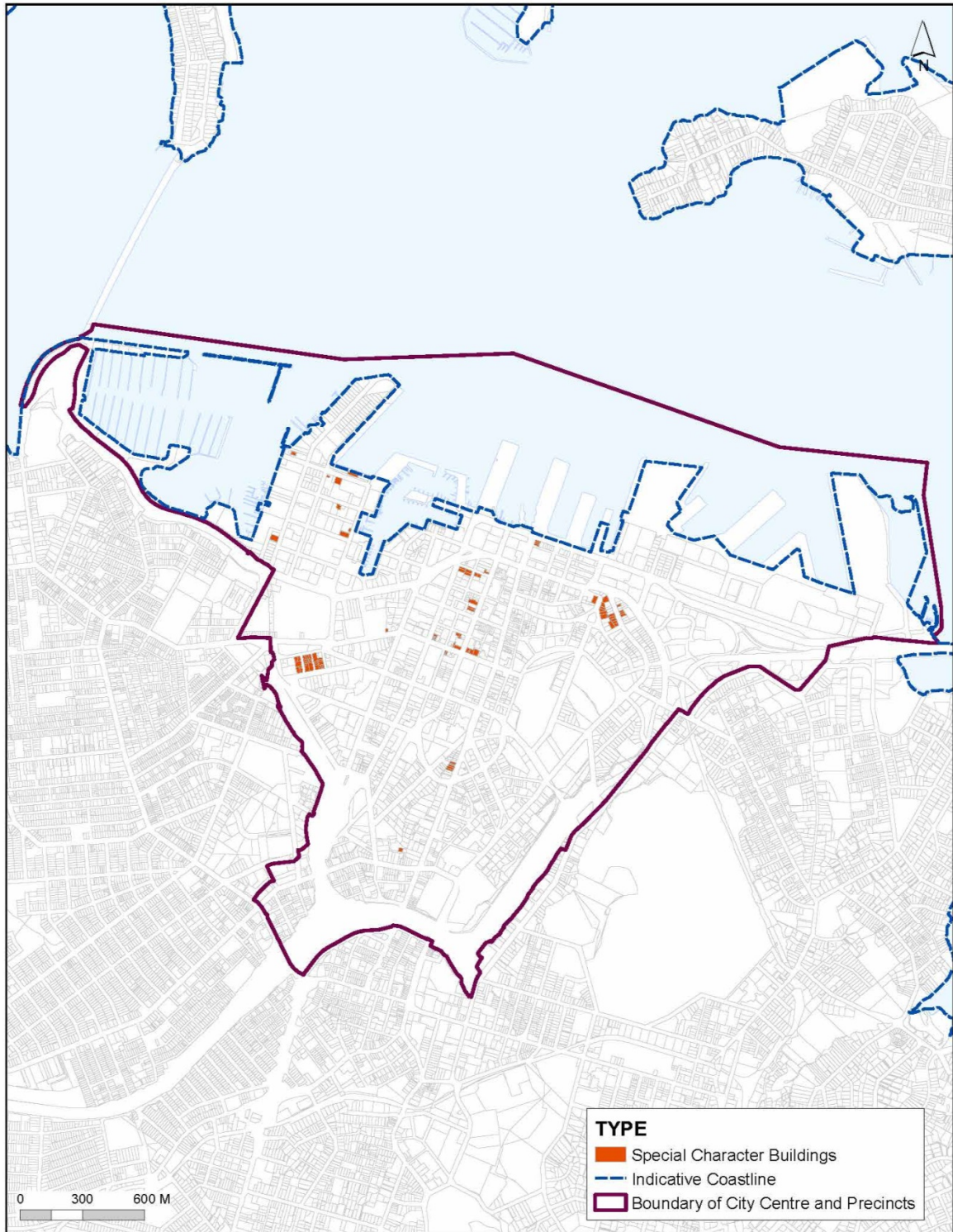
- (i) whether the proposal meets the intent of the bonus as contained in its associated stated purpose or it is unreasonable or impractical to enforce the standard; and
- (ii) whether the application to infringe the standard would achieve the objectives and policies of the Business – City Centre Zone.

H8.10. Special information requirements

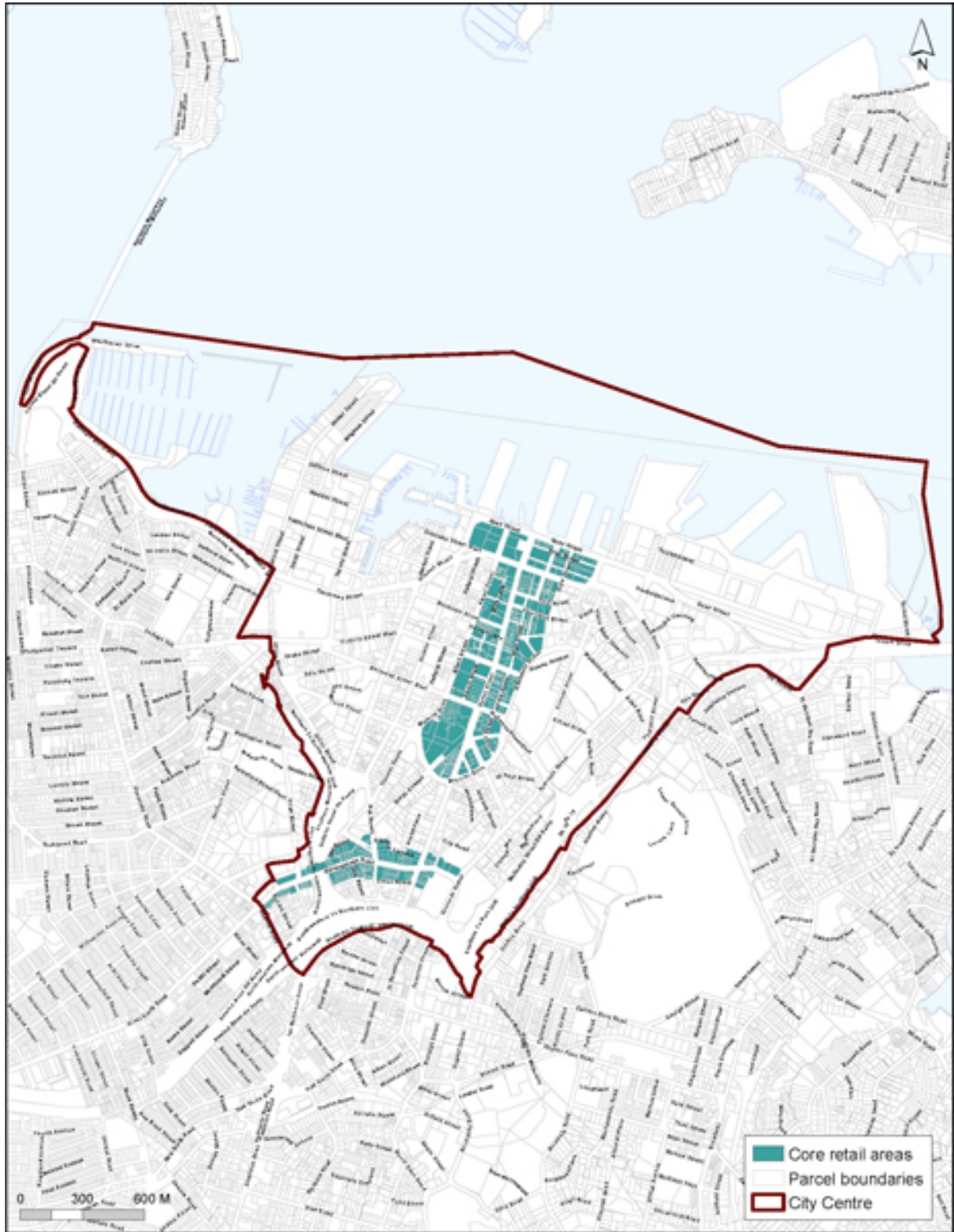
There are no special information requirements in this section.

H8.11. Maps

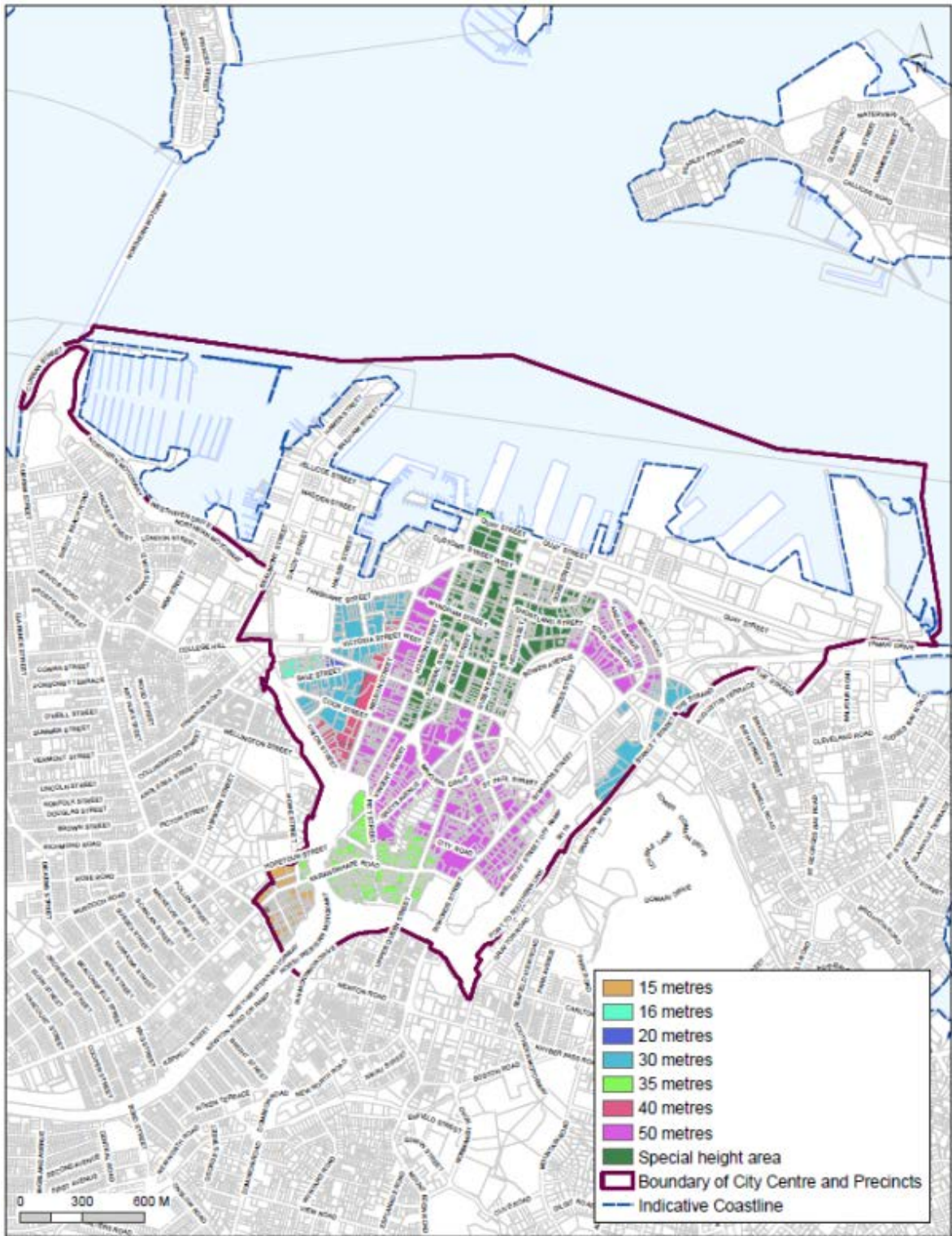
Map H8.11.1 Special character buildings



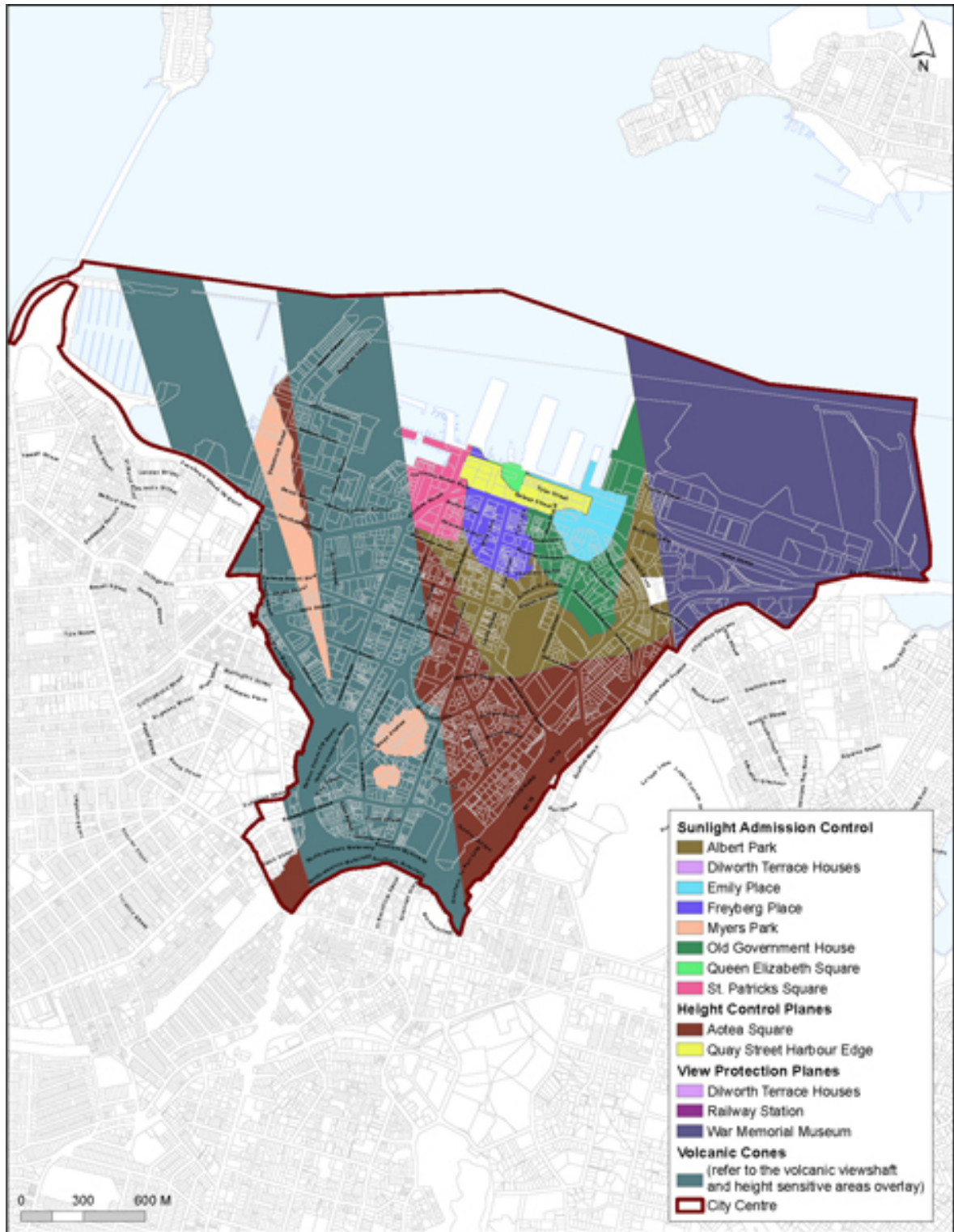
Map H8.11.2 Core retail areas



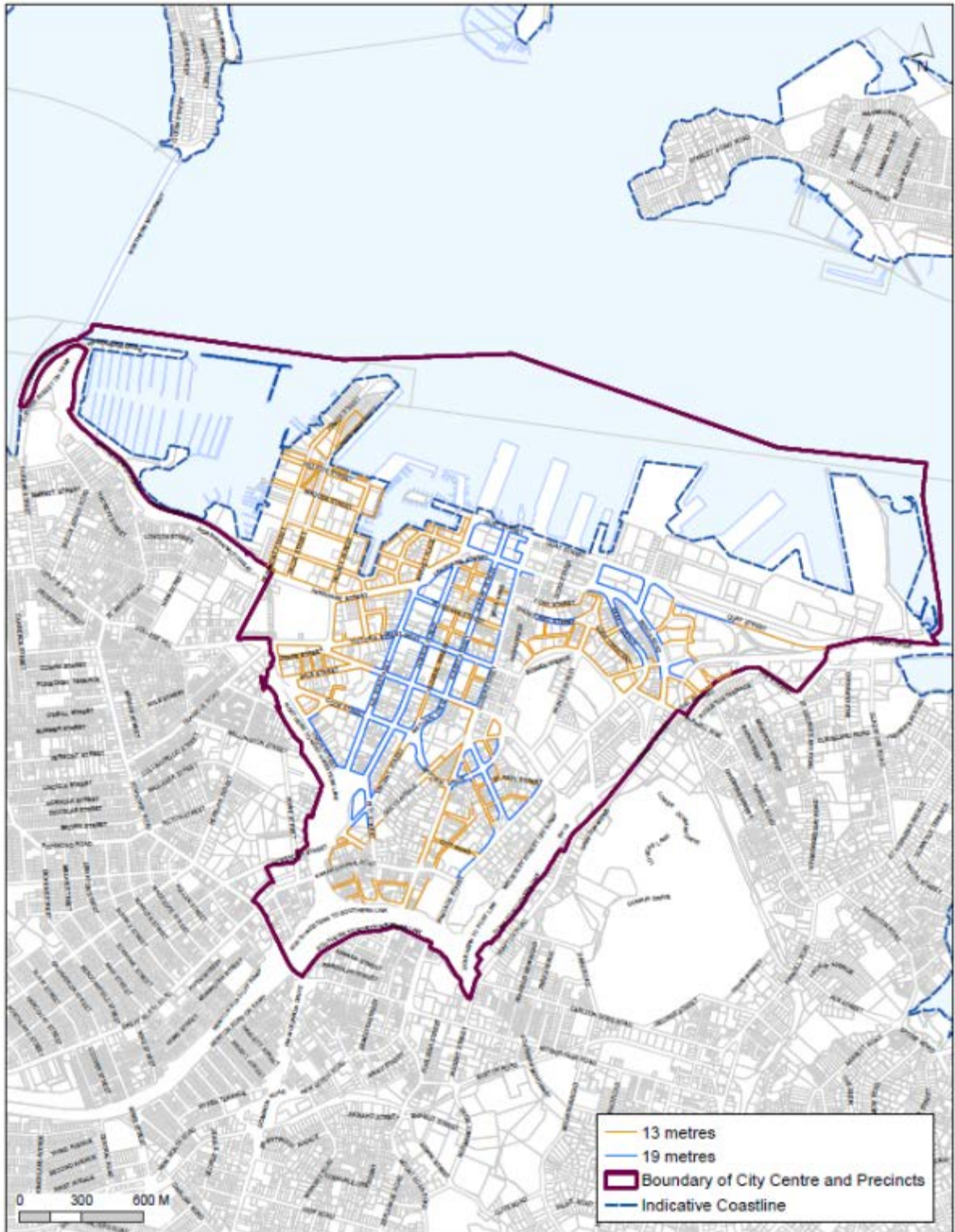
Map H8.11.3 General height controls



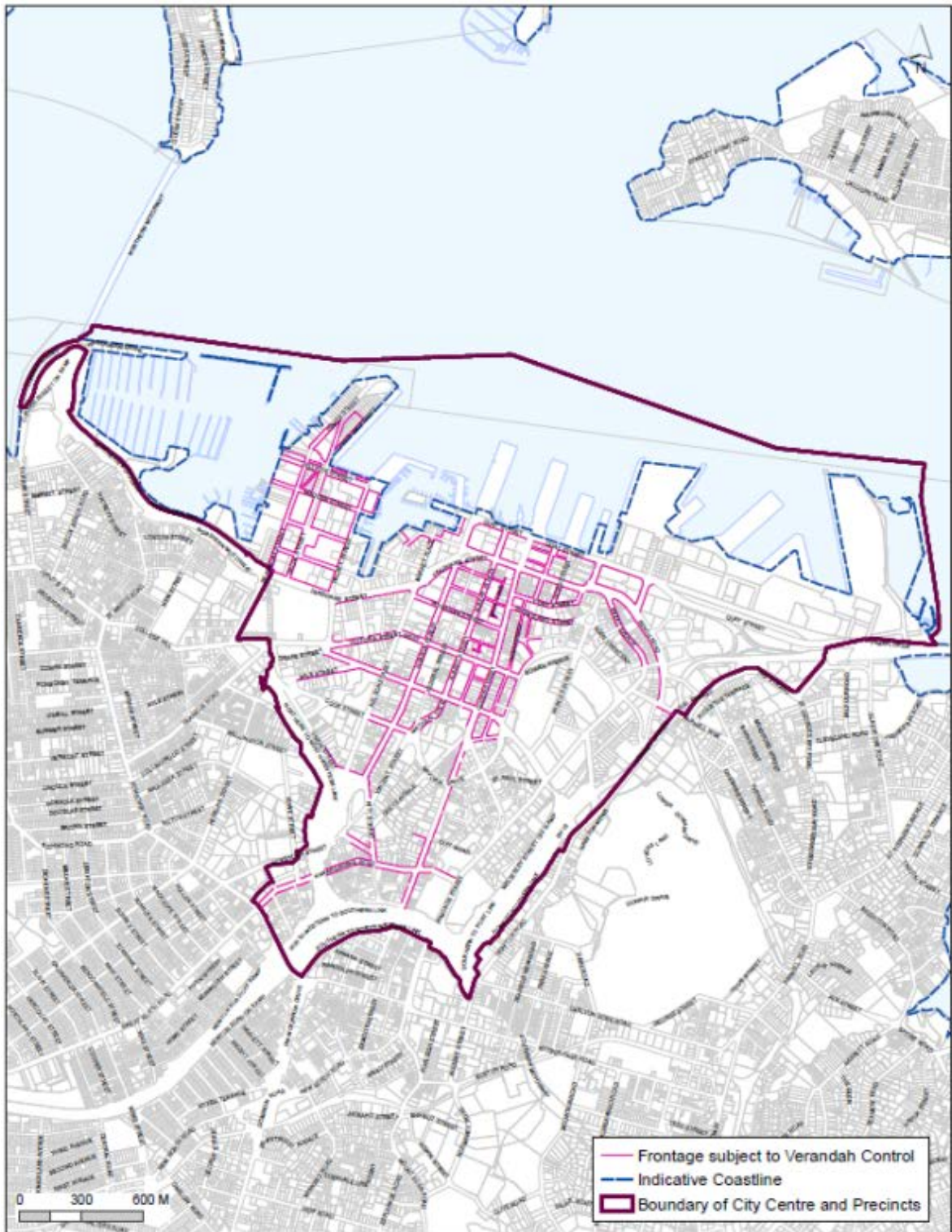
Map H8.11.4 Special height controls



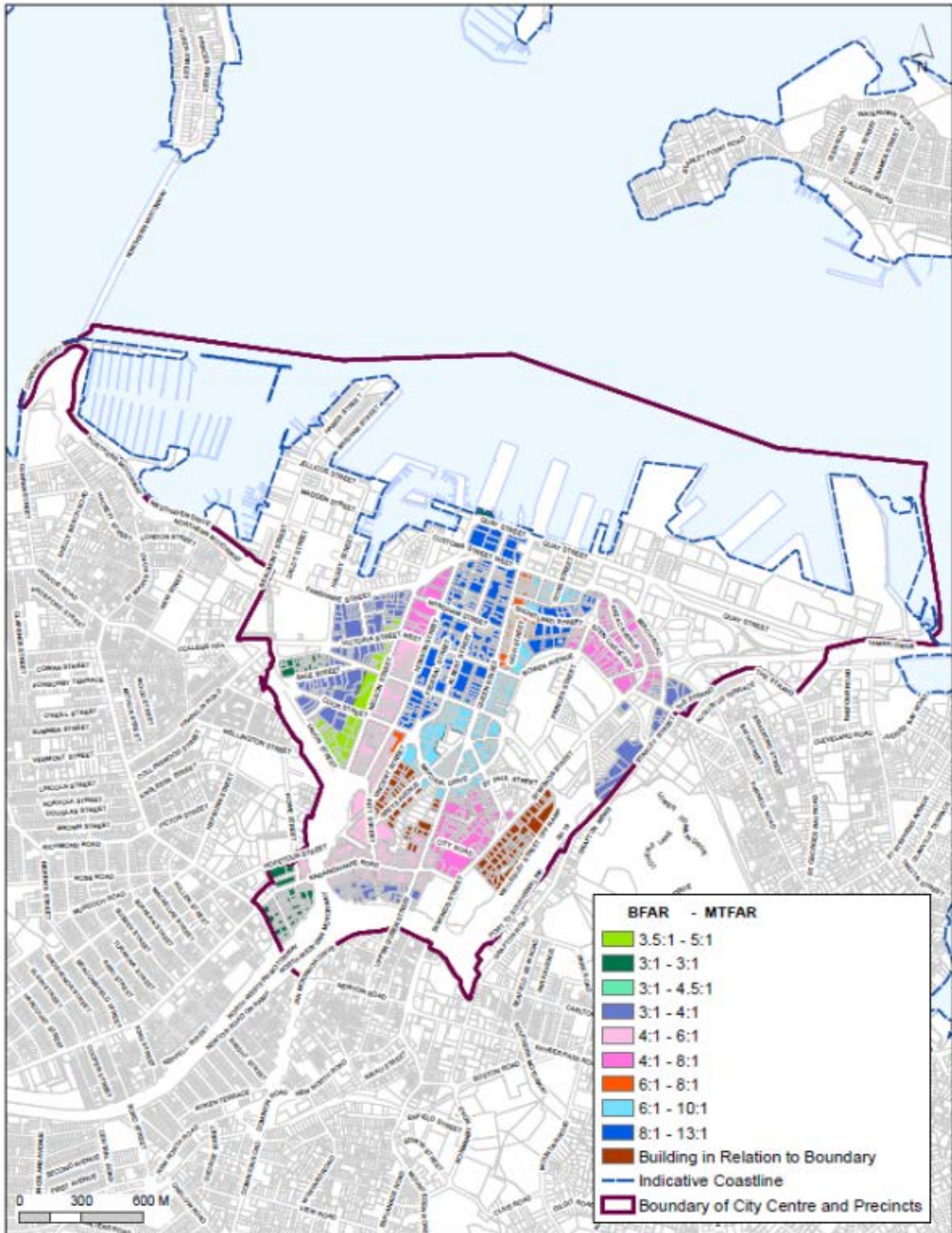
Map H8.11.5 Minimum frontage height



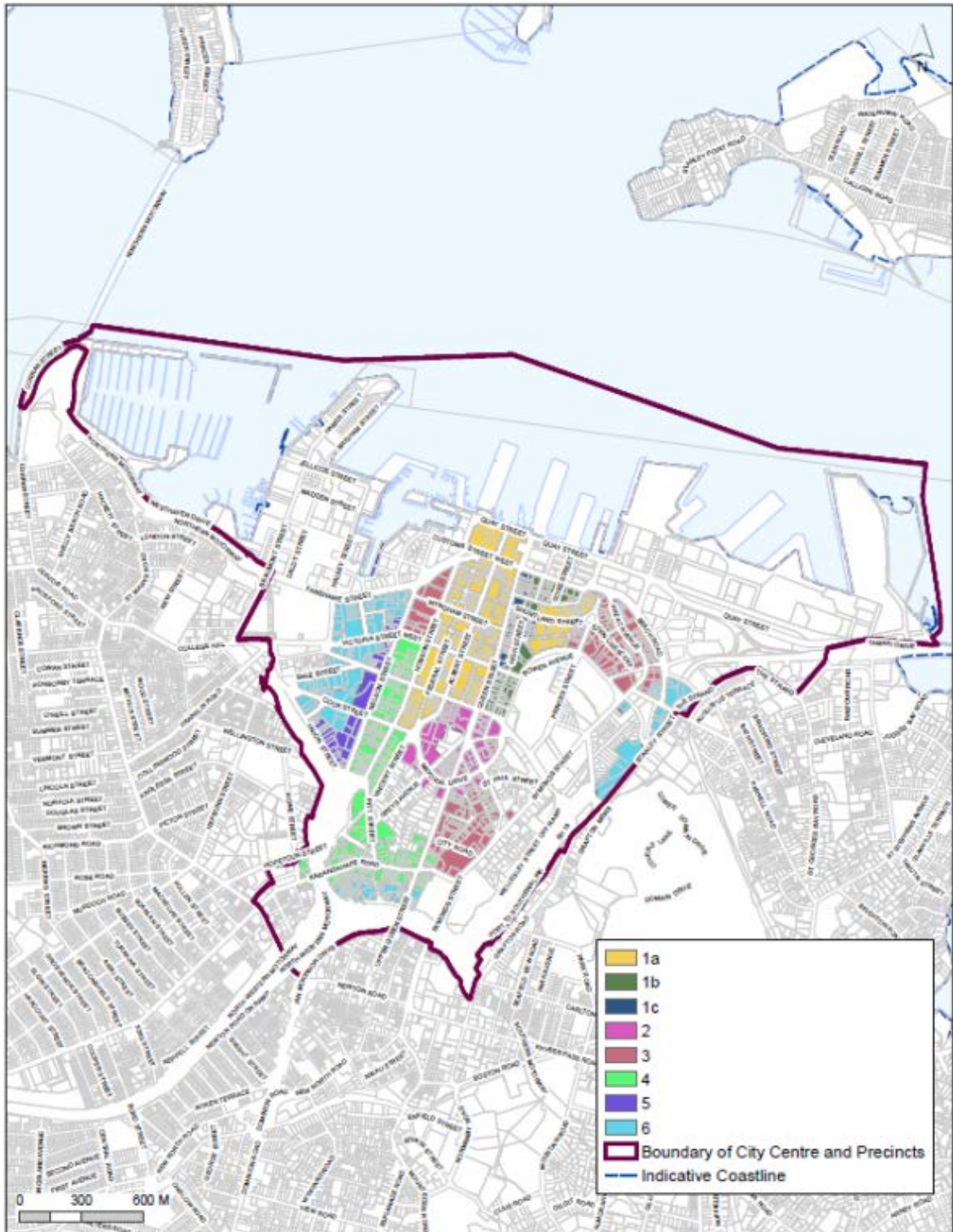
Map H8.11.6 Verandahs



Map H8.11.7 Site intensity



Map H8.11.8 Bonus areas



Map H8.11.9 Additional through-site link bonus

