

PART 14.4 - QUEEN STREET VALLEY PRECINCT

CONTENTS	PAGE
14.4.1 INTRODUCTION	4
14.4.2 RESOURCE MANAGEMENT ISSUES	5
14.4.3 RESOURCE MANAGEMENT OBJECTIVES AND POLICIES	5
14.4.4 RESOURCE MANAGEMENT STRATEGY	7
14.4.5 ANTICIPATED ENVIRONMENTAL RESULTS	8
14.4.6 RULES - ACTIVITIES	8
14.4.7 ASSESSMENT CRITERIA	9
14.4.8 RULES - DEVELOPMENT CONTROLS	11
14.4.9 REFERENCES	16

Plan modification annotations - key



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



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

Underlined content to be inserted.

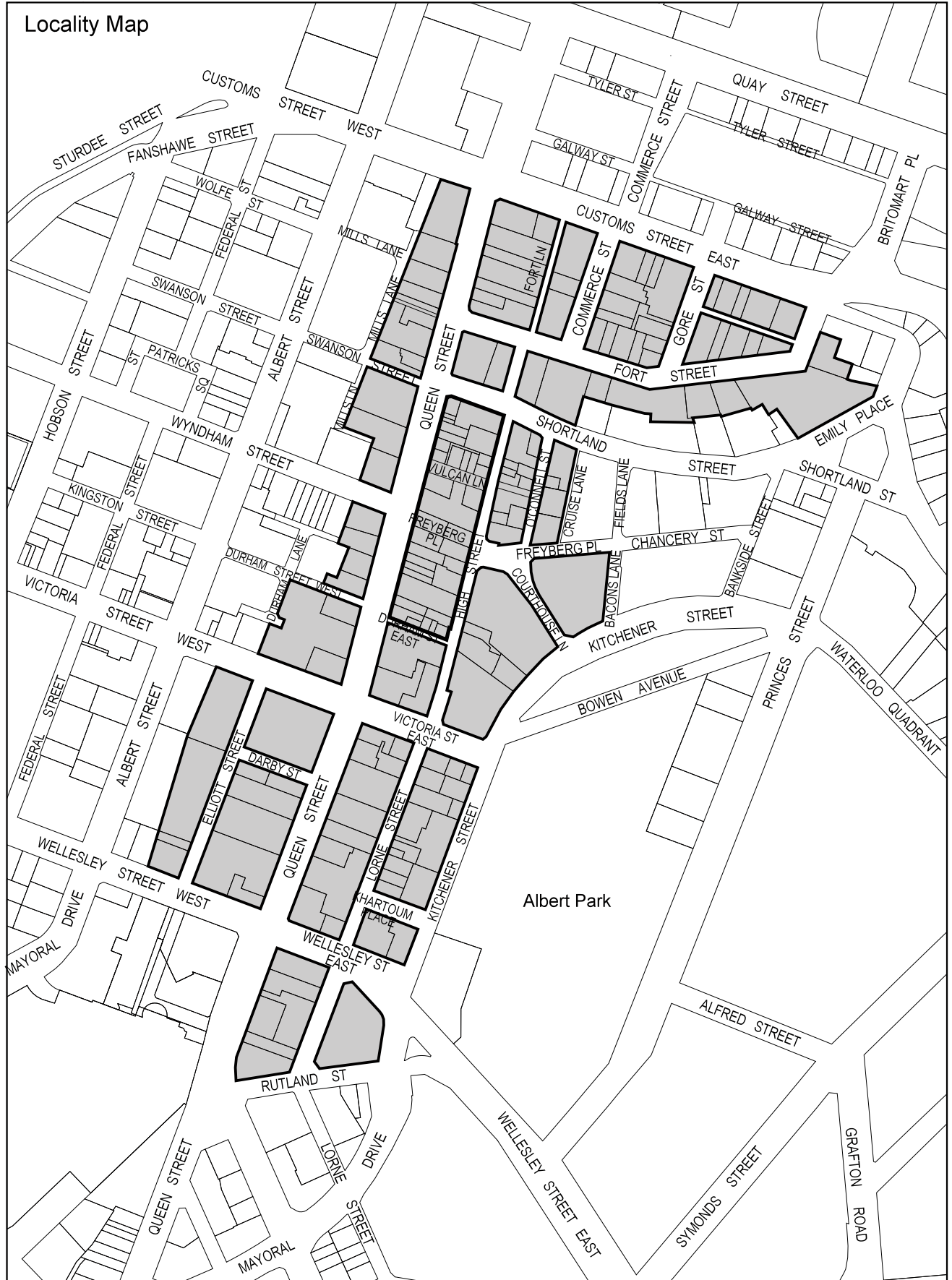
~~Struck through~~ content to be deleted.





See key on page 1
of this section





QUEEN STREET VALLEY PRECINCT

14.4.1 INTRODUCTION

The Queen Street Valley Precinct is formed around the Queen Street corridor which is the focus for the most intensive retail activities in the Central Area. It also contains a significant proportion of the commercial offices. Queen Street itself is Auckland's main street, which also provides Aucklanders with a route for ceremonies and processions and which leads to the harbour edge.

However, there is a clear contrast in the form and character of development between the west and east of Queen Street. The Precinct reflects this contrast by focussing primarily on the eastern side of Queen Street which includes the areas surrounding High Street, Lorne Street, O'Connell Street and Fort Street. These areas are characterised by the architectural style and human scale of the older buildings and a sense of intimacy and enclosure. This part of the Precinct also has status as the historic nucleus of Auckland's development, particularly Fort Street and Shortland Street, and consequently contains a number of scheduled heritage buildings.

The architectural character of the Precinct is characterised by a highly diverse range of ages, styles, levels of detail, height and bulk. To the east of Queen Street the streets are generally of narrow width, creating a sense of enclosure, and housing a rich diversity of activities. Because of the number of small buildings and small lot sizes, the architectural character is diverse. The older buildings in this part exert a strong presence in the streetscape contributing to the Precinct's character and sense of human scale. This results in a sense of "place" with identifiable and unique qualities.

The west side of Queen Street is differentiated from the east side by the development which has taken place since the late 1970s. This has resulted in a different form and character of development with the continuity of building to street frontages being somewhat dissipated by buildings rising directly from the street frontage or set back above low podiums.

The Precinct contains an important pedestrian focus having obtained the highest pedestrian counts in the region. Queen Street is the main pedestrian thoroughfare leading to the harbour edge while High/Lorne and Fort Street are close to such facilities as the High Court, the University, Albert Park and civic amenities such as the Art Gallery and the central library. Fort Street has the potential to provide an important pedestrian link to the proposed areas of redevelopment of the Britomart and Former Railyards

Precincts. There are many through-site links to parallel streets associated with shopping arcades or indoor plazas and foodhalls.

Part of the special character of the area is its varying topography. It consists of a north facing valley running between the Hobson Street and Princes Street ridges. The valley is mostly of gentle slope and was modified by lava flows from one of the area's first volcanic vents near the Victoria/Kitchener Streets intersection. The original shoreline runs across Queen Street in the vicinity of Fort Street.

The focus of activity for the Precinct is concentrated around Queen Street, High Street, Lorne Street, Elliott Street, Darby Street, O'Connell Street and Vulcan Lane where pedestrian-orientated activities such as shops and cafes predominate. Large office buildings are mostly located along the western side of Queen Street.

It is people who bring the Precinct to life and it is essential that everyone can continue to enjoy the daytime and nighttime activities and attractions.

14.4.1.1 PRECINCT ATTRIBUTES

- a) Queen Street is the City's main street and focus for the Core SMA and retains importance as a major commercial and retail street and one which is also used for processions and marches.
- b) The Precinct has the highest level of pedestrian activity in the City.
- c) The buildings within the Precinct have both significant individual and group heritage quality.
- d) The Precinct has a unique and special character particularly the east side of Queen Street, Lorne Street, High Street, Fort Street and O'Connell Street characterised by:
 - i) buildings from street frontage up to eight stories
 - ii) narrow streets
 - iii) narrow lot frontages
 - iv) diverse building styles and activities
 - v) human scale
 - vi) relatively low building scale and mass to street width.



- e) The definition of street corners, especially by older buildings, and the symmetry of architectural features on either side are notable elements of the Precinct.
- f) Many sites which front Queen Street have service and loading facilities located on High and Lorne Streets.
- g) The High Street/Lorne Street area contains narrow, intimate streets regularly punctuated by areas of open spaces or street junctions.
- h) Part of the unique character of the area is its visual quality enhanced by views of public open space.
- i) The Precinct contains a diversity of activities with a particularly high proportion of pedestrian-orientated activities at ground level.

14.4.2 RESOURCE MANAGEMENT ISSUES

- a) The potential to lose existing scale and historic character. Buildings in the Precinct are characterised by a diverse range of styles, ages, heights and bulk.
- b) The potential for building bulk to dominate the area and result in a loss of daylight and visible sky.
- c) The potential for building bulk to dominate and impair the particular character for which the area is appreciated and recognised.
- d) The opportunity to reinforce the relationship between the built form and open space including street space.
- e) The opportunity to reinforce and enhance the ease, comfort and safety of the pedestrian environment.
- f) The opportunity to provide for an environment which encourages good urban design and amenity qualities.
- g) The potential for significant adverse effects from new development on the microclimate if the Precinct becomes densely built up and if buildings are not designed to avoid or mitigate such effects.
- h) The opportunity to retain and enhance a safe, convenient and interesting pedestrian environment by avoiding the location of additional servicing and loading facilities which interrupt street frontages.
- i) The potential to ensure quality pedestrian linkages to destinations such as the harbour edge, Queen Street, the University and Albert Park.
- j) The opportunity to maintain a sense of awareness of the underlying landform and topography of the Precinct.
- k) The opportunity to maintain views of public open space including protection of the streetscape vistas.

- l) The retention of sunlight access to Freyberg Place.
- m) The enhancement of quality public open space particularly in the Queen Street area.
- n) The maximisation of pedestrian use of the existing street system.

14.4.3 RESOURCE MANAGEMENT OBJECTIVES AND POLICIES

14.4.3.1 OBJECTIVE

To foster an environment that encourages activities which will enhance the vitality and interest of the Precinct.

Policies

- a) By ensuring that significant portions of ground floor frontages are made available for activities such as shops, food and beverage outlets and services to reinforce pedestrian activity.
- b) By encouraging streetside cafes, especially in Khartoum Place and Vulcan Lane.

Method

By applying an activities control which gives priority to activities at ground level and to those which contribute to maintaining pedestrian interest and activity.

14.4.3.2 OBJECTIVE

To maintain and enhance the Precinct as an attractive, safe and comfortable environment where any adverse effects on the microclimate are avoided or mitigated.

Policies

- a) By providing a network of public open spaces in key locations, by protecting the special qualities of public open spaces at Freyberg Place, Khartoum Place and Vulcan Lane and by providing for a new area of public open space directly off Queen Street.
- b) By maintaining and enhancing the quality of public open spaces, including streets, through appropriate landscaping and paving.
- c) By preserving sunlight access to specified public spaces.



PART 14.4 - QUEEN STREET VALLEY PRECINCT

- d) By ensuring that the public open space and pedestrian routes are protected from adverse ground level wind conditions, glare and shade.
- e) By enhancing the urban design quality and attractiveness of streets and other public open spaces.
- f) By ensuring that street frontages are maintained and that aggregated vehicle and service access provisions to buildings do not dissipate the street frontages.
- g) By protecting views along the streets by limiting any encroachment of development on sight-lines.
- h) By encouraging pedestrian pathways.
- i) By maintaining and enhancing the existing embankment which forms an integral part of the character and amenity of Freyberg Place.

Methods

- i) Financial contributions are imposed on development to contribute towards the cost of Council initiated purchase and upgrading of public open space including roads.
- ii) A requirement for verandah coverage along key pedestrian thoroughfares is applied.
- iii) Rules to avoid, mitigate or remedy the adverse effects of activities on the amenities of the area including noise, parking and access, wind and glare are imposed.
- iv) Defined sunlight planes are applied to protect sunlight access to identified public places.
- v) Through-site links are encouraged by the general bonus provisions and by additional bonus provisions for identified preferred links.
- vi) The methods specified under 14.2C.3.2 applied.
- vii) A site at the northeastern corner of Vulcan Lane and Queen Street is designated as a proposed public open space.
- viii) Guidelines for Design Against Crime are applied for the design and layout of public spaces including those public spaces provided through the bonus provisions.
- ix) Vehicular and service access to sites in particular locations.

14.4.3.3 OBJECTIVE

To retain significant heritage buildings in the Precinct which contribute to the character of the area.

Policies

- a) By scheduling buildings and parts of buildings for heritage protection.

- b) By enabling the reuse of scheduled buildings while ensuring that their valued features are not impaired or destroyed.
- c) By avoiding insensitive development or objects such as signs, street furniture, phone boxes adjacent to scheduled buildings that detract from the heritage values for which the building is scheduled.

Method

The methods specified under Part 10, Heritage will be applied.

14.4.3.4 OBJECTIVE

To maintain and enhance the built and streetscape character of the Precinct and maintain a built form which is of an appropriate scale in relation to the form and scale of existing character buildings.

Policies

- a) By encouraging a quality of urban design which respects the form, scale and architecture of existing character buildings.
- b) By applying a building development control package which seeks to maintain the character, sense of scale and access to daylight levels and visible sky.
- c) By maintaining the small-scale variation and detail of shopfronts.
- d) By requiring development of building frontages to streets or other public open spaces to maintain a height above street level which retains a sense of intimacy and character.
- e) By reinforcing the character of the Precinct by requiring the design of new buildings or new work on existing buildings to respect the design elements of the existing buildings where specified.
- f) By assessing the effects of the demolition or removal of pre 1940 buildings on the built and streetscape character of the Precinct.

Methods

- i) A frontage height and set back control is applied and off set by floor area exemptions.
- ii) Floor area ratio restrictions are included.
- iii) Resource consent applications for new buildings and building alterations and additions are required to be assessed against urban design criteria.
- iv) Design guidelines are set out which assist the applicant with the design of buildings and facilitate the assessment of applications to ensure that the character and architectural style is maintained.



- v) Resource consent applications for the demolition or removal of pre 1940 buildings are required to be assessed against criteria which require evaluation of the contribution the existing building makes to the character of the Precinct, including the cohesiveness of the streetscape.

14.4.4 RESOURCE MANAGEMENT STRATEGY

The Precinct has some of the highest pedestrian volumes recorded for the region and for this reason the ease, comfort and safety of pedestrian movement through the Precinct is fundamental.

Provision is made for a wide range of activities in the Precinct. The retention of retail and other activities which are visually attractive and inviting to people along selected street frontages where pedestrian activity is high, is recognised as being important to enable the character of the area to be maintained.

Also of importance is making sure that pedestrian access through the Precinct is maintained and encouraged. This is provided for in two ways. Firstly, by maximising pedestrian use of the existing streets through provisions requiring verandahs along street frontages; providing for a new public open space on the north-eastern corner of Vulcan Lane and Queen Street, and ensuring that public open spaces are protected from adverse environmental conditions such as wind, shade and glare. The second method is to encourage the provision of useful through-site links.

The Precinct contains a wide range of buildings but nevertheless, a significant number of older buildings remain which contribute to the special character and human scale of the area. Even in those parts of the Precinct where some larger, relatively recent buildings have been built, they have generally not compromised the lower scale feel of the Precinct.

The existing form of development throughout the Precinct, represented in particular by the older buildings, imparts a sense of intimacy and human scale. There are three key factors which have contributed to this form:

- a) The original subdivision pattern of relatively small lots.
- b) The continuity of building frontages built to street boundaries and a frontage “height-to-street-width” ratio generally varying between 1:1 and 2:1.
- c) The general absence of tall tower blocks above the street frontage heights and the relatively low-scale building “mass-to-street-width”.

The maintenance of the integrity and coherence of the building form and architecture is therefore important to the survival of the street character. A frontage height and setback control is applied to ensure that new building conforms to the scale and alignment of the existing older buildings in relation to the street and thereby maintains the sense of intimacy and human scale which characterises the area.

The scale of development is also controlled through the application of floor area ratios applied to different parts of the Precinct to maintain the character, sense of human scale, and daylight levels. The floor area ratios are generally lower than those permitted elsewhere in the Core. However, although the maximum floor area ratios for the heart of the Precinct are set at 8:1 and 10:1, there is flexibility to achieve additional floor area depending on the extent to which the floor area exemptions available under the frontage height and setback control are incorporated into a development.

In combination with the frontage height and setback rule the floor area ratios seek to maintain a form of development through the Precinct which provides frontage interest and continuity, appropriate frontage “height-to-street-width” ratios and building bulk set back above podiums which discourages high tower forms. Accordingly, the building bulk formula and light and outlook bonus only applies to sites with a maximum total floor area ratio of 13:1 on the fringe of and outside the Precinct. This provides the option of increased tower height in exchange for reduced building bulk.

The character of the Precinct is protected by requiring an application for a resource consent for intended work on new or existing buildings. The application is assessed in terms of design assessment criteria which aim to ensure that building design respects the elements of human scale evident in the designs of existing older buildings. The purpose is not to promote replication or imitation, but to maintain a visual cohesiveness to building frontages and the human scale and design qualities of the Precinct. The rule applies primarily to sites which are subject to the frontage height and setback control. However, it also applies to sites which are not affected by that control along parts of the western side of Queen Street and the southern side of Fort Street where the form of newer developments has largely eroded the sense of frontage continuity evident throughout the rest of the Precinct. The visual harmony and cohesiveness of these areas can be fostered only if future developments on either side of those streets are subject to the same design principles.

Pre 1940 buildings make a significant contribution to the character of the precinct. In order to ensure this character is maintained and enhanced, the demolition of such buildings is included in the precinct as a restricted discretionary activity. The intent of this control is not necessarily about the preservation of all pre-1940



PART 14.4 - QUEEN STREET VALLEY PRECINCT

buildings, but rather seeks to encourage protection and enhancement of built and streetscape character. Accordingly, the ability for well designed contextual replacement buildings to also contribute to the built character of the precinct is recognised in the assessment criteria.

The development control package combined with the application of design assessment criteria is intended to provide a framework which provides flexibility in building design, encourages well defined edges to public spaces, a sense of containment and human scale and maintains an articulated character of street frontages reflecting the small lot patterns of the area.

14.4.5 ANTICIPATED ENVIRONMENTAL RESULTS

It is expected that the provisions adopted for the Precinct will result in the following.

- a) An environment that encourages activities which enhance the vitality, vibrancy and interest of the Precinct while ensuring that their adverse effects are avoided or mitigated.
- b) A high quality environment exhibiting good urban design.
- c) Comfortable, safe and attractive pedestrian accessibility throughout.
- d) The maintenance and enhancement of the existing character of the area.

14.4.6 RULES - ACTIVITIES

The activities allowed in the Precinct are those listed for pedestrian-oriented areas in the Activities Table under Part 5, except that:

- a) For those sites identified on Precinct Plan A, the occupation of not less than 100% of the length and not less than 10m depth of the ground floor street frontage (other than vehicle entrances and loading bays and pedestrian entrances and lobbies) shall be limited to the following activities:
 - food and beverage
 - retail
 - services.
- b) For those sites identified on Precinct Plan A, the occupation of not less than 70% of the length and not

less than 10m depth of the ground floor street frontage (other than vehicle entrances and loading bays and pedestrian entrances and lobbies) shall be limited to the following activities:

- food and beverage
- retail
- services.

For the purpose of Clauses (a) and (b) above the width of vehicle access is subject to Clause 14.4.8.4 and the maximum total width of pedestrian entrances or lobbies along the street frontage of any one site shall be 10m.

- c) The activities listed for pedestrian-orientated areas shall not apply to the areas denoted as public open space. (refer Clause 14.4.6.2)
- d) The demolition of a pre-1940 building is a restricted discretionary activity under clause 14.4.6.1.

Explanation

The Precinct contains some of the primary retail frontages in the Central Area. The visual interest and liveliness of the street level frontages provided by the mix of mainly retail and food and beverage activities is integral to the precinct's character and attraction. The limitation of frontages identified on Precinct Plan A to activities such as retailing, food and beverage outlets and services ensures that the street level interest and vitality is maintained.

14.4.6.1 ADDITIONAL ACTIVITIES

In addition to the activities provided for under 14.4.6 above, the following activities apply to the Queen Street Valley Precinct :

Activity	Consent Required
On those sites identified on Precinct Plan B: i) The erection of any new building; or ii) The external alteration or addition to the street frontage of any existing building (other than a heritage building scheduled under Part 10 of the Plan), excluding minor cosmetic alterations or repairs which do not change the design and appearance of the existing building	Restricted Discretionary



Activity	Consent Required
<p>The demolition or removal of any building, or part of a building constructed prior to 1 January 1940, except for the demolition of internal walls, partitions and fixtures and internal and external redecoration, maintenance or repair. For the purpose of this rule, "building or part of a building constructed prior to 1 January 1940" includes buildings for which building approval was issued prior to 1 January 1940.</p> <p>This rule does not apply to any building where the building, or portion of a building is scheduled under Part 10 Heritage. For rules relating to the demolition, removal, alteration or addition to scheduled heritage buildings refer to 10.9.</p> <p>This rule does not apply to 176 and 178 Queen St comprised in Lot 1 DP 22571 and Lot 2 DP 22571.</p>	Restricted Discretionary

Note: Scheduled Heritage Buildings

Alterations or additions to any buildings within the Precinct which are listed on the Heritage Schedule are also subject to the obtaining of any necessary resource consents under Part 10-Heritage. Consultation with, or consent from the NZHPT may also be required.

14.4.6.2 PUBLIC OPEN SPACE ACTIVITIES

Activities allowed within the areas identified as public open space on Precinct Plan A are as listed in the following table:

Activity	Consent Required
Canopies, awnings or similar weather protection structures ancillary to outdoor table and seating areas (other than verandahs required under 6.9)	Restricted Controlled
Outdoor tables and seating	Restricted Controlled

Activity	Consent Required
Temporary activities under Part 15.	Permitted

14.4.7 ASSESSMENT CRITERIA

An application for, restricted discretionary or restricted controlled activity shall be accompanied by an assessment of the environmental effects of the proposed activity in terms of the relevant criteria contained in Part 15, the following design assessment criteria for building works where applicable, and the criteria under Part 14.2B for the public open space activities.

Note: Scheduled Heritage Buildings

Alterations or additions to any buildings within the Precinct which are listed on the Heritage Schedule are also subject to the obtaining of any necessary resource consents under Part 10-Heritage. Consultation with, or consent from the NZHPT may also be required.

14.4.7.1 General Explanation

The Precinct is characterised by a wide range of building styles. However, the scale and form of older buildings, particularly on the eastern side of Queen Street and the blocks surrounding High Street, Lorne Street and Fort Street, still has a significant influence on the character of the precinct. There is an intimacy of scale created by the continuity of frontages built to the street boundaries. A number of the streets are narrow and create a sense of enclosure with a rich diversity of activities resulting from the generally small leasable spaces.

14.4.7.2 Design Assessment Criteria

- a) Buildings shall be designed to address and align to the street boundary. However, minor modulation and variance of the frontage layout, such as recessed pedestrian entrances, is acceptable to avoid architectural monotony provided that the overall continuity of the frontage is not compromised.
- b) Building levels aligned to the street boundaries shall incorporate design elements which acknowledge the existing human scale and character of the precinct. In particular:
 - i) Frontage height and design should have regard to existing buildings in the vicinity and maintain a consistent scale. This does not mean a rigid adherence to a single height but it does mean a



PART 14.4 - QUEEN STREET VALLEY PRECINCT

respect for the general appearance of the surrounding blocks.

- ii) Design of frontages should include vertical and horizontal details which avoid dominance of frontage elements larger than historically present. Where existing sites are amalgamated, the frontage design should have regard to the existing “grain” of development and convey a residual sense of the original subdivision pattern.
 - iii) The consistency of the existing character in a cohesive streetscape should be maintained with new buildings acknowledging the scale, sense of proportion and level of intricacy of adjacent heritage buildings in the Precinct. However, new buildings should be sympathetic to those heritage buildings and should not replicate or imitate the architectural detailing or style.
 - iv) Design at ground level must contribute to the continuity of pedestrian interest and vitality, particularly for those frontages where the activities control under 14.4.6 applies. However, frontages entirely of glass (curtain walling or continuous shopfront glazing) must not be used at street level as they detract from the streetscape. Where feasible, restoration of original ground level detail should be included in plans for buildings adjoining heritage buildings or for alterations to heritage buildings.
 - v) At upper levels, large expanses of blank walls must be avoided. In particular, the proportion of walls and windows on elevations should reflect any patterns existing in retained heritage buildings. This will tend to favour solid walls penetrated by a pattern of windows above verandah level, articulation of floor levels and an appropriate treatment of the parapet level. A hierarchy of window size is encouraged to create a distinction between the top, middle and bottom level of the frontage.
- c) The design of upper setback levels should relate naturally to the lower frontage height levels in an acceptable architectural manner such as continuation of an elevational rhythm or recognisable visual theme or proportion.
 - d) Design of buildings on corner sites should take advantage of the corner where possible. In particular, designs should recognise the importance of corner sites in linking the narrow street spaces to the wider, more expansive intersections and public open spaces. Building design on such sites should “address” the corner with symmetry and formality.

- e) Materials used in new buildings should have regard to existing buildings, but new and contemporary interpretations in form and detail may be used.
- f) Designs must provide strong architectural cues to accessways and through-site links, with portal or clearly indicative entrance imagery, so as to enhance the visible sense of pedestrian access to the area. The criteria under Clause 6.7.6.4 should be referred to for the incorporation of appropriate design features which contribute to a safe and comfortable pedestrian environment.
- g) Frontages should be designed as far as possible to avoid aggregated service and access interruptions to frontage continuity, by dispersing such requirements along available frontage.

Explanation

The provisions recognise the need to protect the existing character by requiring an application for resource consent to undertake work on existing or new buildings. The application is assessed in terms of design criteria which aim to ensure that building design respects the elements of human scale evident in the designs of older buildings. The control on the demolition or removal of pre 1940s buildings recognises the contribution such buildings usually make to the character of the precinct and to streetscape values. The control is not necessarily about the preservation of all pre-1940 buildings, but rather seeks to encourage protection and enhancement of built character.

14.4.7.3 Demolition, removal or partial demolition of pre 1940 buildings

- a) Whether the existing building makes a particular architectural contribution to the character of the precinct in terms of building design, form or detailing, or the prominence of the building's location (particularly on corner sites or sites that terminate notable vistas) and the extent to which demolition or removal of the building, or part of the building will detract from the character of the precinct, including cohesiveness of the streetscape.
- b) Whether the existing building forms part of a cohesive group of buildings within the precinct of a similar age, scale, proportion or design and the extent to which the building's demolition would adversely impact on the shared contribution that group makes to the streetscape character of the precinct.
- c) The extent to which the building is beyond restoration in terms of demonstrated poor structural or physical condition and whether retention of the building would, in these circumstances, put an unreasonable financial burden on its owner.
- d) The extent to which the applicant has considered development options incorporating the adaptive re-use



of the character building and, in particular, whether reasonable use of the site can be achieved through adaptive re-use of the building rather than through its demolition and replacement.

- e) The extent to which any replacement building maintains or enhances any contribution to character or streetscape made by the existing building (either as an individual or as part of a cohesive group) and the extent to which that contribution is recognised and provided for in the design of the new building. This may include, but is not limited to, reference to or inclusion of elements of the existing building in the new building. It is recognised that new buildings that are designed in accordance with the criteria under 14.4.7.2 can make an equal or better contribution to character of the precinct. For consideration under this criterion, an application for the building's replacement shall be lodged concurrently with the application for the removal or demolition.
- f) The matters set out in 5.6.1.1.

14.4.7.4 Anticipated Environmental Results

It is expected that compliance with the assessment criteria set out above will result in the following:

- a) Development which fosters the existing sense of human scale and is sympathetic and sensitive to the existing qualities of the Precinct.
- b) Maintenance of and respect for the heritage value of significant buildings and groups of buildings throughout the Precinct resulting in a cohesive and attractive streetscape.

14.4.8 RULES - DEVELOPMENT CONTROLS

All development within the Precinct is subject to the development controls contained in Part 6 of the Plan, except as specified by the following rules.

An application to modify the special amenity yard and vehicular access over footpaths, and the frontage height and setback control rules may be considered under Clause 15.3.1.2(b) as a restricted discretionary activity.

An application for a non-complying activity will be required to exceed:

- i) the maximum total floor area ratio.

14.4.8.1 SITE INTENSITY

- a) The basic floor area ratio applying to any site in the Precinct is 6:1.
- b) For the purposes of this clause, floor area ratio is defined in Part 16 and the basic floor area is the gross floor area allowed as a permitted activity.
- c) The bonus floor area provisions under 6.7.2 apply, except in the case of those sites shown with a maximum total floor area ratio of 8:1 or 10:1 on Precinct Plan C when the light and outlook bonus does not apply.
- d) In addition to the bonuses provided for under 6.7.2 and subject to (f) below, bonus floor space may be obtained by way of a resource consent application for a through-site link in the indicative locations shown on Precinct Plan A where:
 - i) the bonus floor space available per square metre of through-site link provided is 10m², and
 - ii) the maximum floor area ratio limit for the bonus on a site is 1:1.
- e) An application for bonus floor space under (d) above will be assessed as a restricted discretionary activity and shall comply with the standards and assessment criteria under Clauses 6.7.6.6, 6.7.6.7 and 6.7.6.8.
- f) Where the bonus for indicative through-site links under this rule is granted, the through-site link bonus under Clause 6.7.2.3 is not applicable.
- g) The basic FAR plus the bonus FAR shall not exceed the Maximum Total FAR as identified on Precinct Plan C except that:
 - i) The MTFAR achievable for those sites shown with a MTFAR of 13:1 is also limited by the ratio of average floor area to site area to the extent shown in Figure 14.4.1 below.

Figure 14.4.1

Where:	MTFAR equals
(a) $\frac{AFA}{SA} < 0.25$	13:1
(b) $0.25 \leq \frac{AFA}{SA} \leq 0.75$	$15 - \frac{(8 \times AFA)}{SA} : 1$
(c) $\frac{AFA}{SA} > 0.75$	6.5:1

Explanation

The site intensity rule limits the gross total floor area achievable on a site. The floor area ratio limits of 8:1 and 10:1 are designed to ensure that new buildings maintain a



PART 14.4 - QUEEN STREET VALLEY PRECINCT

similar scale and form of development which, in combination with the other development controls and design criteria, will contribute to the Precinct's special sense of intimacy and attraction being maintained and fostered.

The 8:1 maximum floor area ratio applies to the heart of the Precinct around High Street and O'Connell Street to lower Queen Street where the street pattern is generally narrow and the relatively low scale of existing heritage buildings still prevails. The 10:1 maximum for the areas towards the northern and southern ends of the Precinct still reflect the lower scale of development and influence of older buildings in setting the character of those areas, but also acknowledges the greater proportion of newer, larger buildings which have emerged.

The floor area ratios take into account the fact that additional floor area beyond the 8:1 and 10:1 limits can be obtained through the floor area exemptions which apply under the frontage height and setback control.

Indicative through site links have been identified on Precinct Plan A only for the purpose of identifying a number of sites in the Precinct where it is considered that substantial public benefit would be achieved by the provision of a through site link. Under clause 14.4.8.1(d) additional bonus floor area is offered for the provision of through site links in these indicative locations as a means of encouraging public pedestrian linkages through these mid-block locations. The provision of through site links in these locations is voluntary.

14.4.8.2 FRONTAGE HEIGHT AND SETBACK

a) The frontage of a new building on a site identified on Precinct Plan B must abut the street boundary in accordance with the following standards:

i) For the sites identified as Frontage Type A on Figure 14.4.2

The frontage height of the building shall not be less than 13 metres above mean street level ("MSL") and not more than 28 metres above MSL. The building shall be setback above the frontage height to a depth of not less than 5 metres parallel with the street boundary of the site to which the control applies.

ii) For the sites identified as Frontage Type B on Figure 14.4.2

The frontage height of the building shall not be less than 13 metres above MSL; and

No part of the building shall project through a plane starting at 28m above MSL and rising at 65

degrees to its baseline parallel with the street boundary of the site to which the control applies to a point not less than 5 metres parallel to that street boundary. The setback shall be an emphatic or stepped profile of not less than 2 storeys, as shown on Figure 14.4.2, and shall not be literal regression of the 65 degree angle.

iii) For sites identified as Frontage Type C on Figure 14.4.2

The frontage height of the building shall not be less than 13 metres above MSL; and

No part of the building shall project through a plane starting at 19m above MSL and rising at 65 degrees to its baseline parallel with the street boundary of the site to which the control applies to a point not less than 5 metres parallel to that street boundary. The setback shall be an emphatic or stepped profile of not less than 2 storeys, as shown on Figure 14.4.2, and shall not be a literal regression of the 65 degree angle.

iv) Subject to (v) and (vi) below, floor space within the area defined on Figure 14.4.2 is exempt from gross floor area calculations for a depth not exceeding 20m parallel to the street boundary, provided that that floor space is located on a floor level which abuts the street boundary or is within the 4 metres above maximum frontage height described in point (v) below and shown in the figure 14.4.2.

(v) Subject to (vi) below, a maximum of 6 floors for Frontage Types A and B and 4 floors for Frontage Type C are permitted to be exempted. The maximum number of floors exempted only applies to any floor located between 4 metres below the minimum frontage height and 4 metres above the maximum frontage height, except that the MTFAR for the total building, including the exempted floor area calculated in this rule, shall not exceed 13:1.

(vi) Notwithstanding anything in points (iv) and (v) above, floor space above the frontage height of a building is not exempted if the building is not built to the maximum frontage height.

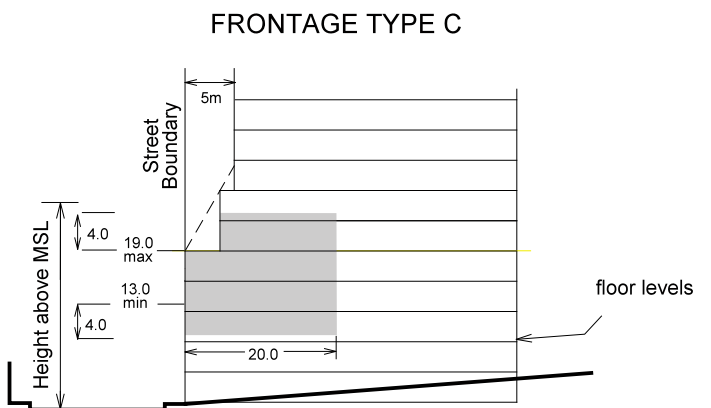
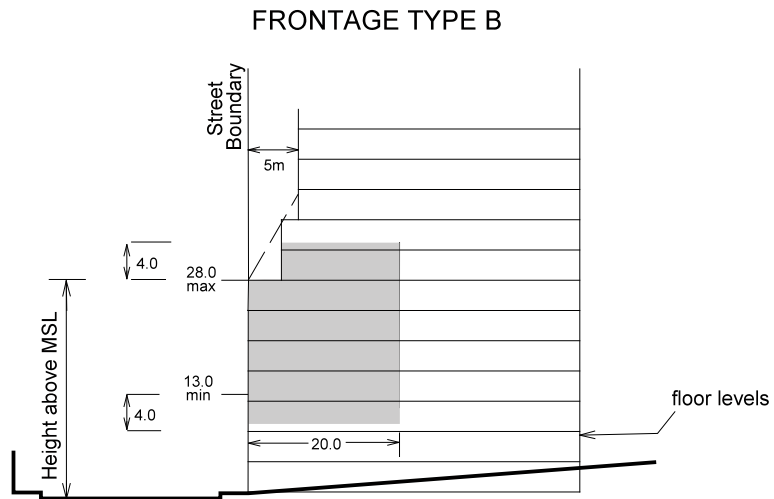
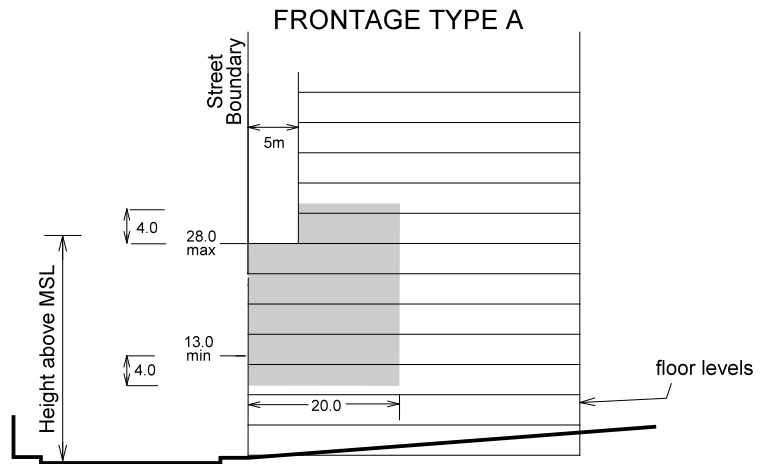
(vii) The floor space exempted from gross floor area calculations in this rule may be counted in the assessment of permitted parking.

(viii) Compliance with the frontage setback under this rule is not required for any part of a building which is:

- located within a distance of 8 metres or less from the corner intersection of two street frontage boundaries; and



Figure 14.4.2



Maximum area exempt from GFA and AFA
(not to scale)



PART 14.4 - QUEEN STREET VALLEY PRECINCT

- no more than 3 floor levels above the maximum frontage height, where the maximum vertical distance between each floor level is 4 metres.

All other parts of the building above the maximum frontage height shall comply with the setback requirements (See Figure 14.4.2A and clause 14.4.7.2 (d) for design criteria relating to corner sites).

For the purpose of this rule “frontage” means the external wall of a building which occupies the length of the street boundary and which rises from that boundary to a height of no less than the minimum or no greater than the maximum permitted under a(i), a(ii), or a(iii) of this rule, but excludes vehicle entrances, loading bays, pedestrian entrances and lobbies, window and balcony recesses and similar architectural modulations.

“frontage height” excludes any railing or other similar form of safety barrier that is not less than 50% open and not higher than 1.4 metres above its point of attachment.

- b) Bonus floor area provisions under 6.7.2 for a “plaza” shall not apply if the proposed location of either prevents compliance with (a) above.

Explanation

The Frontage Height and Setback control is applied to ensure that new building conforms to the scale and alignment of the existing older buildings in relation to the street and thereby maintains the sense of intimacy and enclosure which characterises the area. The control identifies three frontage types. Frontage Type C applies to the narrower High, Lorne and O’Connell Streets and reflects the generally lower frontages of existing old buildings which range from two to seven storeys high. Frontage Types A and B apply where the more typical frontage heights are six to eight storeys and the higher frontage height is appropriate for the wider street pattern. Rather than set a single fixed frontage height, the control sets a minimum base height and provides incentive by way of exemption from floor area calculations to build up to maximum frontage heights. This provides for some flexibility in design and avoids potential visual monotony of a regimented frontage height.

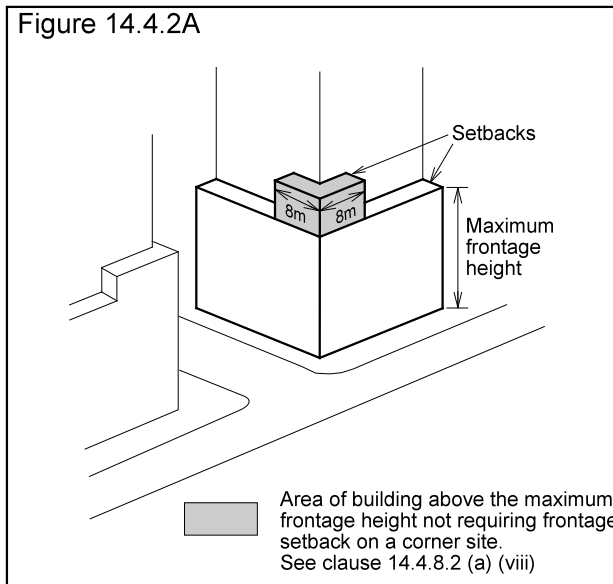
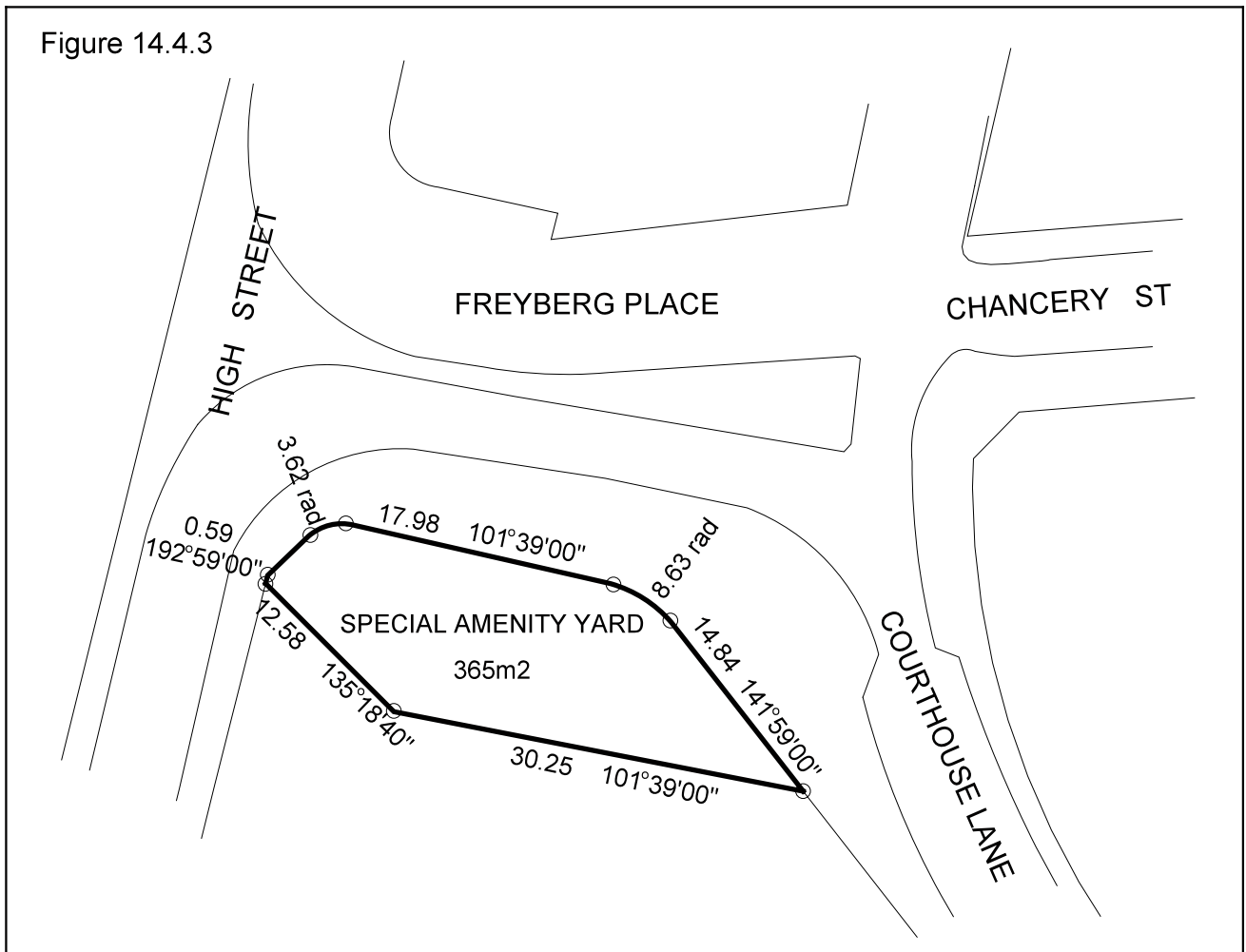


Figure 14.4.3



14.4.8.3 SPECIAL AMENITY YARD

- a) No building is permitted at or above ground level within the yard shown on Figure 14.4.3.
- b) The existing contour of the land and the existing Phoenix palms within the yard shall be retained
- c) Any works within the yard, other than regular maintenance or tending of vegetation, is a controlled activity. In addition to the criteria in 14.4.7 an application for works within the yard will need to satisfy the Council that the existing topography and Phoenix palms will be retained.

Note: The historic stairs and railings located within the yard are scheduled heritage objects under Part 10 of the Plan. Any works within the yard may also require consent under the heritage provisions.

Explanation

The purpose of this control is to ensure the retention and enhancement of the existing embankment which forms an integral part of the character and amenity of Freyberg Place.

14.4.8.4 VEHICULAR ACCESS OVER FOOTPATHS

The provisions under Clause 9.7.3.3 (except part (d) of that rule) apply to the Precinct provided that for Lorne Street (north of Wellesley Street), High Street and O’Connell Street the maximum width of any crossing at the road boundary frontage shall not exceed 4.5m.

Explanation

The purpose of the rule is to prevent the aggregation of vehicular accesses which can have an adverse effect by breaking frontage continuity. The streets to which the rule applies are those with existing service functions and which,



PART 14.4 - QUEEN STREET VALLEY PRECINCT

having regard to their narrowness, sense of intimacy and enclosure, are particularly sensitive to excessive frontage interruptions.

14.4.9 REFERENCES

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

- Part 4 Strategic Management Areas
- Part 5 Activities
- Part 6 Development Controls
- Part 7 Noise, Signs and Lighting
- Part 8 Financial Contributions
- Part 9 Transportation
- Part 10 Heritage
- Part 11 Hazardous Facilities and Contaminated sites
- Part 12 Network Utility Services
- Part 13 Subdivision
- Part 14 Precincts and Quarters
- Part 15 General Rules/Designations
- Part 16 Definitions and Interpretations










Precinct Plan B



Frontages subject to Frontage Height and Setback Control (See Clause 14.4.8.2)

-  Frontage Type A
-  Frontage Type B
-  Frontage Type C

-  Sites on which building works are subject to design criteria under Clause 14.4.7.2
-  Precinct Boundary



