

## **D14. Volcanic Viewshafts and Height Sensitive Areas Overlay**

### **D14.1. Overlay description**

The purpose of the Volcanic Viewshafts and Height Sensitive Areas Overlay is to appropriately protect significant views of Auckland's volcanic cones through the use of viewshafts and height sensitive areas. The volcanic viewshafts and height sensitive areas are identified on the planning maps.

This overlay contributes to Auckland's unique identity by protecting the natural and cultural heritage values of significant volcanic cones.

This overlay incorporates three elements:

- (1) Regionally significant volcanic viewshafts which protect regionally significant views to the Auckland maunga. Buildings that intrude into a regionally significant volcanic viewshaft require restricted discretionary activity consent up to 9m in height, beyond which they are a non-complying activity.
- (2) Locally significant volcanic viewshafts manage development to maintain locally significant views to the Auckland maunga. Buildings that intrude into a locally significant volcanic viewshaft are a permitted activity up to 9m in height, beyond which they are a restricted discretionary activity.
- (3) Height sensitive areas are areas of land located on the slopes and surrounds of the volcanic cones. These areas are mapped and are identified as a layer on the planning maps and are marked with the following symbol: ▼.

Height sensitive areas enable reasonable development in areas where the floor of the viewshaft is less than 9m (the maximum height in Residential – Single House Zone and Residential – Mixed Housing Suburban Zone). They also ensure that development is of a scale and/or location that does not dominate the local landscape or reduce the visual significance or amenity values of the volcanic feature. Buildings are a permitted activity up to a defined maximum height beyond which they are a non-complying activity. An additional height control applies at the boundary of a volcanic feature.

### **D14.2. Objectives [rcp/dp]**

[The regional coastal plan [rcp] provisions (for activities or resources in the coastal marine area) are not operative until the Minister of Conservation has formally approved the regional coastal plan part of the Auckland Unitary Plan.]

- (1) The regionally significant views to and between Auckland's maunga are protected.
- (2) The locally significant views to Auckland's maunga are managed to maintain and enhance the visual character, identity and form of the maunga in the views.

### **D14.3. Policies [rcp/dp]**

[The regional coastal plan [rcp] provisions (for activities or resources in the coastal marine area) are not operative until the Minister of Conservation has formally approved the regional coastal plan part of the Auckland Unitary Plan.]

- (1) Protect the visual character, identity and form of regionally significant volcanic maunga, together with local views to them, by:

- (a) locating height sensitive areas around the base of the volcanic maunga; and
  - (b) imposing height limits which prevent future encroachment into views of the volcanic maunga that would erode the visibility to their profile and open space values, while allowing a reasonable scale of development.
- (2) Manage subdivision, use and development to ensure that the overall contribution of the regionally significant volcanic maunga scheduled as outstanding natural features to the landscape of Auckland is maintained and where practicable enhanced, including by protecting physical and visual connections to and views between the volcanic maunga.
- (3) Protect the historic, archaeological and cultural integrity of regionally significant volcanic features and their surrounds by avoiding activities that detract from these values and the mana of the maunga.
- (4) Avoid new buildings or structures that intrude into volcanic viewshafts scheduled in Schedule 9 Volcanic Viewshafts Schedule, except:
- (a) where they would have no adverse effect on the visual integrity of the volcanic maunga as seen from the identified viewing point or line; or
  - (b) to allow development up to a two storey height to intrude into a volcanic viewshaft, where any adverse effect of development is avoided or mitigated; or
  - (c) to allow development located within an identified height sensitive area up to defined appropriate height limits; or
  - (d) to allow the provision of infrastructure where there are particular functional or operational needs that necessitate a structure that penetrates the floor of a volcanic viewshaft, there is no reasonably practicable alternative and adverse effects of development are avoided or mitigated.
- (5) Avoid new buildings or structures that exceed two storeys in height in a height sensitive area, except where they would have no adverse effect on the visual integrity of any volcanic maunga to which that height sensitive area relates, as seen from any public place.
- (6) Require urban intensification to be consistent with the protection of volcanic features and viewshafts.

#### **D14.4. Activity table [rcp/dp]**

[The regional coastal plan [rcp] provisions (for activities or resources in the coastal marine area) are not operative until the Minister of Conservation has formally approved the regional coastal plan part of the Auckland Unitary Plan.]

Table D14.4.1 specifies the activity status of land use and development activities in the Volcanic Viewshafts and Height Sensitive Areas Overlay pursuant to 9(3) of the Resource Management Act 1991.

- The rules that apply to network utilities and electricity generation in the Volcanic Viewshafts and Height Sensitive Areas Overlay are located in Section E26 Infrastructure.

**Table D14.4.1 Activity table**

Activity		Activity status	
<b>Buildings (where they intrude into a scheduled volcanic viewshaft), excluding network utilities, electricity generation facilities, broadcasting facilities and road networks)</b>			
		<b>Regionally Significant Volcanic Viewshaft</b>	<b>Locally Significant Volcanic Viewshaft</b>
(A1)	Buildings that do not intrude into a viewshaft scheduled in Schedule 9 Volcanic Viewshafts Schedule	P	P
(A2)	Temporary activities	P	P
(A3)	Buildings, except for fences and walls, up to 9m in height	RD	P
(A4)	Fences and walls, where their height does not exceed 2.5m	RD	P
(A5)	Towers associated with fire stations operated by the New Zealand Fire Service that are no higher than the height allowed as a permitted activity in the zone	RD	P
(A6)	Buildings not otherwise provided for or that do not comply with the standards	NC	RD
<b>Buildings in a height sensitive area, excluding network utilities, electricity generation facilities, broadcasting facilities and road networks</b>			
(A7)	Buildings up to 9m in height except as specified in Standard D14.6.3.3	P	
(A8)	Buildings up to 13m in height in the areas identified in Figure D14.10.1	P	
(A9)	Temporary activities	P	
(A10)	Towers associated with fire stations operated by the New Zealand Fire Service that are no higher than the height allowed as a permitted activity in the zone	RD	
(A11)	Buildings not otherwise provided for or that do not comply with the standards	NC	

**D14.5. Notification**

- (1) Any application for resource consent for any of the following non-complying activities must be publicly notified:

- (a) D14.4.1(A6) Buildings not otherwise provided for or that do not comply with the standards (non-complying only); and
  - (b) D14.4.1(A11) Buildings not otherwise provided for or that do not comply with the standards.
- (2) Any application for resource consent for an activity listed in Table D14.4.1 Activity table and which is not listed in D14.5(1) above 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).

#### **D14.6. Standards**

All activities listed as permitted and restricted discretionary in Table D14.4.1 must comply with the following standards.

##### **D14.6.1. Height**

- (1) In applying these standards, height must be measured using the rolling height method.
- (2) Flagpoles, masts, lighting poles, chimneys and water overflow pipes must not exceed 300mm in any horizontal cross-sectional dimension and must be located at least 10m from any other flagpole, mast, lighting pole, chimney or water overflow pipe.
- (3) Except for guy wires and chain link or other open or transparent fences, the list of exclusions in the plan's definition of height do not apply.

##### **D14.6.2. Buildings and structures that do not intrude into a viewshaft scheduled in Schedule 9 Volcanic Viewshafts Schedule**

- (1) Compliance must be confirmed by a report from a registered surveyor that the building does not intrude into the scheduled viewshaft (from the identified viewpoint or line) because of the presence of landform. The presence of existing vegetation is not to be taken into account when confirming compliance and the report shall include identification of the landform used to confirm compliance.

##### **D14.6.3. Buildings on sites that have a contiguous boundary with a site with a volcanic feature mapped as an outstanding natural feature**

- (1) Buildings on sites that have a contiguous boundary with a site with a volcanic feature mapped as an outstanding natural feature must not exceed a height of:
  - (a) the lowest of:

- (i) the height defined on the height sensitive area planning maps or otherwise 9m; or
  - (ii) where there are buildings on the adjoining sites on either side that also have a contiguous boundary with the site with the volcanic feature, the average height of the highest points of the roofs of the nearest buildings (other than accessory buildings) on each site, provided that such buildings are both higher than the average boundary level of the site of the proposed building; or
  - (iii) where D14.6.3(1)(ii) cannot be applied, the average height of the site which is contiguous with the boundary of the site with the volcanic feature.
- (b) 7.3m for buildings on 14A Pickens Crescent Mt Albert (Lot 1 DP 394305; CT 377258); or
  - (c) RL 103.37 for buildings on 47A Mount St John Avenue Epsom (Lot 1 DP 359371; CT 241868).

#### **D14.6.4. Temporary construction and safety structures**

- (1) Temporary construction and safety structures must be removed within 30 days or upon completion of the construction works, whichever is the lesser.

#### **D14.7. Assessment – controlled activities**

##### **D14.7.1. Matters of control**

There are no controlled activities in this overlay.

#### **D14.8. Assessment – restricted discretionary activities**

##### **D14.8.1. Matters of discretion**

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

- (1) all restricted discretionary activities:
  - (a) effects on the visual integrity of the view of the maunga from the identified viewing point or line;
  - (b) location, nature, form and extent of proposed works;
  - (c) mana whenua values associated with the maunga; and
  - (d) the functional or operational need for the proposal and any alternatives considered to fulfil that need without the intrusion into the viewshaft or exceeding the maximum height limit of a height sensitive area.

##### **D14.8.2. Assessment criteria**

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

(1) all restricted discretionary activities:

- (a) having regard to the viewshaft or height sensitive area statement in Appendix 20 Volcanic Viewshafts and Height Sensitive Areas – Values Assessments, whether the nature, form and extent of the building adversely affects the visual integrity of the maunga;
- (b) whether the proposed building has a functional or operational requirement to be in the location proposed and the proposed height of the building is consistent with that requirement;
- (c) whether there are practicable alternatives available that will not intrude into, or will minimise the intrusion into the viewshaft or exceedance of the maximum height of a height sensitive area;
- (d) whether the proposed building will impact on Mana Whenua values associated with the maunga; and
- (e) the relevant objectives and policies in B4.3, D14.2 and D14.3

**D14.9. Special information requirements**

There are no special information requirements in this overlay.

**D14.10. Figures**

Figure D14.10.1 Devonport Height Sensitive Area height

