

D16. Local Public Views Overlay

D16.1. Overlay description

In addition to the distinctive volcanic landscape and regionally significant outstanding natural landscapes and outstanding natural features, Auckland's wider landscape and maritime setting provides a sense of identity at the local level. Individual viewing points, and their locally significant viewshafts from public places, contribute to the unique character of many of Auckland's neighbourhoods and coastal areas. Although many significant local views are naturally self-preserved by topography or proximity to the coast and require no specific protective restrictions, some are in prominent public locations but could be obstructed by buildings occurring in the foreground. These viewing points and the views from them have been scheduled in the Local Public Views Overlay to ensure the benefits they provide are retained for future generations.

D16.2. Objective

- (1) Locally significant public views are managed to maintain and enhance the visual integrity of the views.

D16.3. Policies

- (1) Identify and evaluate significant local public viewshafts using the following criteria:
 - (a) the extent to which the public viewshaft contributes to the aesthetic value or visual legibility of the wider natural landscape;
 - (b) the community association with, or public appreciation of, the values of the viewshaft;
 - (c) the visual coherence, unity or integrity of the viewshaft and its view; and
 - (d) the potential value of the viewshaft for public education, including known historic associations in relation to the site where the viewshaft originates.
- (2) Manage development on sites within the viewshafts to avoid adverse physical and visual effects on the viewshaft including adverse cumulative effects on the viewshaft.
- (3) Require public access to be maintained to the viewing point where the viewshaft originates.

D16.4. Activity table

Table D16.4.1 specifies the activity status of development activities in the Local Public Views Overlay pursuant to section 9(3) of the Resource Management Act 1991.

- The rules that apply network utilities and electricity generation in the Local Public Views Overlay are located in E26 Infrastructure.
- The floor of the viewshaft is determined in accordance with the survey co-ordinates contained in Schedule 11 Local Public View Schedule.

Table D16.4.1 Activity table

Activity		Activity status
Development (where it intrudes into a scheduled local public viewshaft)		
(A1)	Temporary construction and safety structures	P
(A2)	Buildings and structures that intrude into a scheduled local public viewshaft	RD

D16.5. Notification

- (1) Any application for resource consent for an activity listed in Table D16.4.1 Activity table above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (2) 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).

D16.6. Standards

There are no standards in this overlay.

D16.7. Assessment – controlled activities

There are no controlled activities in this overlay.

D16.8. Assessment – Restricted discretionary activities

D16.8.1. Matters of discretion

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

- (1) buildings and structures that intrude into a scheduled local public viewshaft:
 - (a) effects on the visual integrity of the view from the identified viewing point;
 - (b) location, nature, form and extent of proposed works;
 - (c) the functional need or operational need for the proposal and any alternatives considered to fulfil that need without the intrusion into the view; and
 - (d) the relevant objectives and policies in D16.

D16.8.2. Assessment criteria

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

- (1) buildings and structures that intrude into a scheduled local public viewshaft:
 - (a) whether the nature, form and extent of the building adversely affects the visual integrity of the viewshaft and its view;

- (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; and
- (c) whether there are practicable alternatives available that will not intrude into, or will minimise the intrusion into the local public viewshaft.

D16.9. Special information requirements

There are no special information requirements in this overlay.