D20A. Stockade Hill Viewshaft Overlay

D20A.1. Overlay description

This overlay is used to restrict building heights to ensure that new development is of a height that does not intrude into or obstruct views to the coastal environment.

PC 78 (**see Modifications**) | **[new text to be inserted]**

D20A.2. Objectives [rcp/dp]

(1) Objective D16.2.(1) applies to this overlay.

D20A.3. Policies [rcp/dp]

(1) Policies D16.3.(1), D16.3.(2) and D16.3.(3) apply to this overlay.

D20A.4. Activity table

Table D20A.4.1 Activity table specifies the activity status of development activities in the Stockade Hill Viewshaft Overlay pursuant to section 9(3) of the Resource Management Act 1991.

- The rules that apply to network utilities and electricity generation in the Overlay are located in E26 Infrastructure.

- For the avoidance of doubt, it is noted that the Stockade Hill Viewshaft Overlay does not apply any height limits to road network activities within the legal road.

Table D20A.4.1 Activity table

Activity		Activity status
Development (where it intrudes into the viewshaft)		
(A1)	Temporary construction and safety structures	P
Buildings in the 8m height area depicted in Figure D20A.6.1.1, excluding network utilities, electricity generation facilities, broadcasting facilities and road networks		
(A2)	Buildings, structures and external additions and alterations to buildings that do not comply with D20A.6.1	RD

D20A.5. Notification

(1) Any application for resource consent for an activity listed in Table D20A.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).

D20A.6.Standards

D20A.6.1 Height
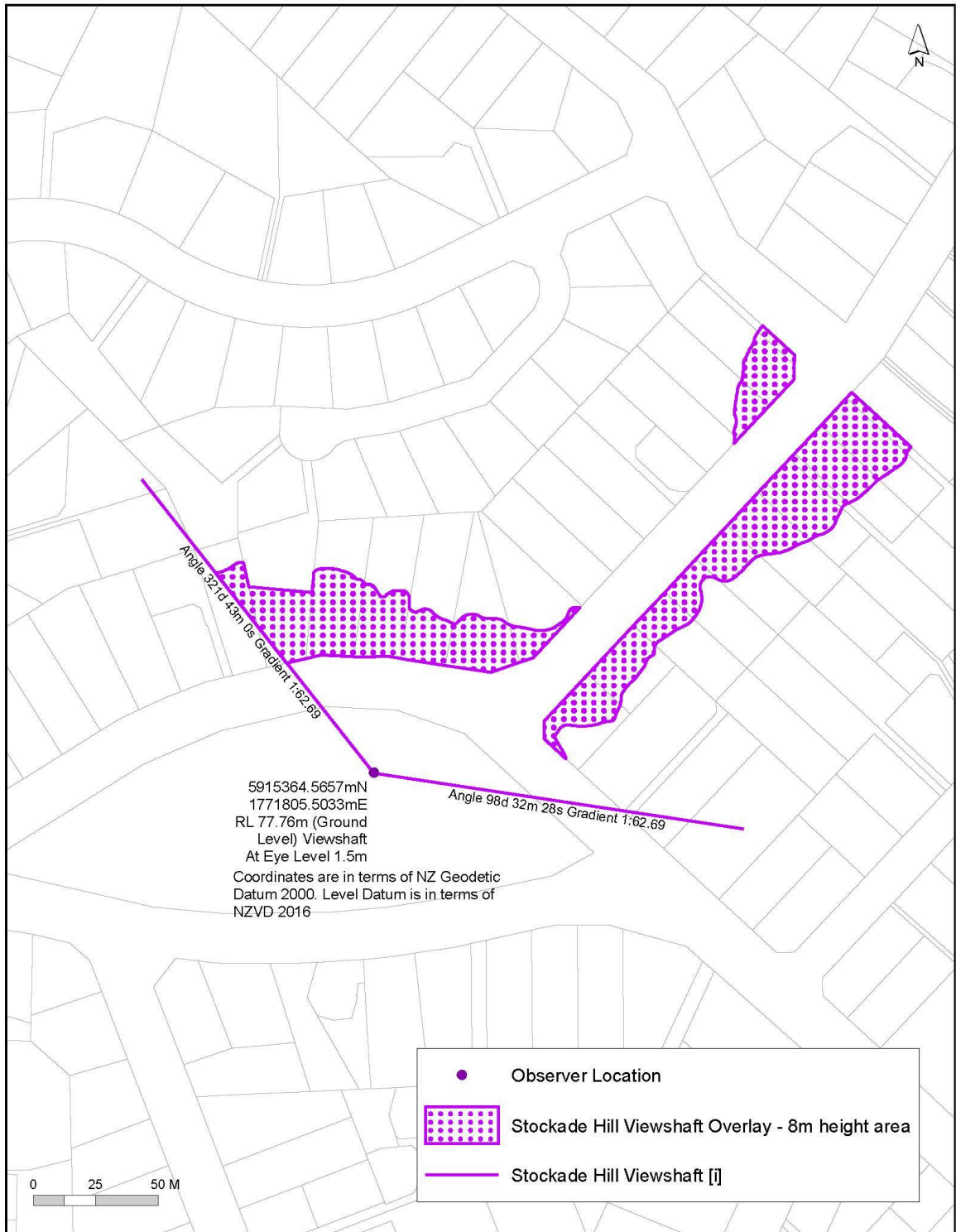
Purpose: to manage the height of buildings to:
- maintain the visual integrity of the view by minimising the visual intrusion of buildings
- protect views to the coastal environment from public open spaces, including scheduled historic heritage place

(1) In applying these standards, height must be measured using the average ground level method.

(2) Buildings within the Stockade Hill Viewshaft must not exceed a maximum building height of 8m within the areas as shown on Figure D20A.6.1.1

Figure D20A.6.1.1 Building Height

D20A.7. Assessment – Controlled activities

There are no controlled activities in this overlay.

D20A.8. Assessment – Restricted discretionary activities

D20A.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 the 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 D20A.

D20A.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 the 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 viewshaft.

D20A.9. Special information requirements

There are no special information requirements in this overlay.