

# **WELLINGTON DISTRICT PLAN CENTRAL AREA VIEWSHAFTS**

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## **ASSESSMENT AND REVIEW PART ONE**



### **URBAN DESIGN REPORT**

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**Prepared for Wellington City Council**

**by**

**Urban Perspectives Ltd**

**July 2020 (FINAL)**

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# 1 INTRODUCTION

As part of the District Plan Review, the Wellington City Council is undertaking a review of the viewshaft provisions within the Central Area Chapters (Chapters 12 and 13 and associated Appendix 11). These provisions give direction with regard to protecting identified views and managing the effects of developments upon those views.

The Council has commissioned Urban Perspectives Ltd (UPL) to carry out the review.

## BACKGROUND

The protection of public views first came into Wellington planning context in 1979 when public views from the Cable Car and Carillon were used to establish Central Area building heights. The statement in the District Scheme, under the heading “Height Control”, was that ‘dispensations’ from the maximum building heights set for the Retail B1 and Office B1 zones (effectively the CBD) could be granted, but that Council would:

*“... take into account the effect of that dispensation upon Category 1 and Category 2 view shafts, as shown on the plans contained in Appendix 2N and Appendix 2P to the District Scheme. The view shafts shall be regarded as a guide only”*<sup>1</sup> [emphasis added]

In 1985 a ‘view protection and urban form study’ was completed and used as a basis for a review of the building height controls.<sup>2</sup> The study advocated the idea that absolute building heights were necessary to protect views, and promoted the need to identify important city views to key elements and townscape features that contribute to Wellington’s identity and sense of place, such as the harbour, hills and landmark buildings and places.

The study recommended that planning provisions be promulgated to introduce building height controls to protect specific views, adding that:

*“The views have been considered in terms of vista, contained view, and viewshaft”.*<sup>3</sup>

Subsequently, and drawing on the 1985 study, a district scheme change (DSC 88/1) introduced modified building height controls as a means of achieving urban form and view protection objectives.

The scheme change included an ‘ordinance’, Ordinance 8.3.(3) View Protection, which stated that:

*“In addition to the maximum height limits which protect selected panoramic views, no development shall extend into the Category One viewshafts shown on Plan E3(a) in Appendix E which protect important vista views”.*

Subsequently, the Planning Tribunal in its decision on appeals against the Council’s decisions on DSC 88/1 stated, inter alia, that:

*“... the principle of Category One view shafts is sound and that those view shafts should remain upon the District Scheme even should the presence of such a shaft inhibit a developer in gaining a building height or form which would otherwise be permitted”.*<sup>4</sup>

In July 2000, when Wellington’s first District Plan under the Resource Management Act 1991 (the Act) became operative, twenty-seven viewshafts were listed, along with one panoramic view. At the same time, the District Plan enacted the high-city/low-city urban form through detailed building height limits.

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<sup>1</sup> Wellington City District Scheme (1985), Ordinance 10.1 “Height Control”, page 10/7.

<sup>2</sup> View Protection and Urban Form: Wellington’s Inner City”, Town Planning Department, Wellington City Council, April 1985.

<sup>3</sup> Op cit, page 98.

<sup>4</sup> Planning Tribunal Decision No. W 27/9026, June 1990, page 23.

Since July 2000, one plan change has been promulgated that amended the viewshaft provisions, namely District Plan Change 48 (Central Area Review). As part of DPC 48, which became operative in October 2013, the twenty-seven viewshafts were updated, deleted and/or amalgamated (into twenty-three viewshafts) to ensure the views were readily visible and viewshaft protection was an appropriate mechanism.

In 2016 a brief review of the viewshafts was undertaken by WCC staff, prompted by the need to clarify aspects of certain viewshafts (such as inconsistencies with viewshaft descriptions, relevance of viewpoints, incorrect property references etc). This was subsequently followed by a more thorough Staff Assessment of the viewshafts in 2017 ("2017 Staff Assessment"). The 2017 Staff Assessment concluded that some viewshafts required only minor adjustments, while others were recommended to undergo further review and more detailed assessment.

The 2017 Staff Assessment resulted in minor amendments to some of the viewshafts under Clause 20A, Schedule 1 of the Act - minor amendments), while also identifying the need for the further review of the relevance and value of some other viewshafts. The recommended 'minor amendments' have been incorporated into the current Appendix 11.

The current review subject to this report builds upon the recommendations of the 2017 Staff Assessment.

## **SCOPE AND PURPOSE**

The purpose of the present review is to establish:

- whether each viewshaft is still relevant to the city's sense of place and urban form; and
- what are the potential risks from removing any viewshafts from the District Plan, if they are deemed to be compromised or no longer worthy of on-going protection.

The scope of this review is focused on:

- 1) providing an independent expert review of the conclusions reached in the 2017 Staff Assessment for each viewshaft; and
  - confirming agreement reached in the staff assessment; or
  - where a different conclusion is reached, identify reasons for that;
- 2) identifying any changes relating to the viewshafts that have occurred in the period since the 2017 assessment;
- 3) assessing the value/contribution of each viewshaft to the city in its current state;
- 4) assessing the risks of removing individual viewshafts from the District Plan;
- 5) making recommendations for any amendments to the current viewshaft provisions; and
- 6) providing an urban design and planning evaluation addressing the operation of the current District Plan viewshaft provisions.

## **STRUCTURE OF THE REVIEW**

The review is structured in two parts.

**Part One** provides the core urban design/planning evaluation of the individual viewshafts with regard to their current state, value and relevance (this covers Items 1-5 above).

**Part Two** is referred to as 'Lessons Learnt' through the implementation of the District Plan objectives, policies, rules and standards and covers Item 6 above. Part Two essentially addresses the 'operation' of the current District Plan viewshafts provisions.

This report presents the results of Part One.

## METHODOLOGY

The methodology for Part One includes a review of relevant documents and field work. The field work involved assessing each individual viewshaft from the identified viewpoint location.

For consistency, the assessment of each viewshaft has been recorded in the same tabulated format.

The methodology for Part Two includes:

- (a) a survey completed by Council staff and external advisors/consultants;
- (b) a review of resource consent applications where viewshafts were a relevant matter; and
- (c) a review of case law.

The findings of Part One and Part Two have been considered together in drawing the final conclusions and recommendations.

## 2 2017 STAFF ASSESSMENT OVERVIEW

The 2017 study reviewed all of the twenty-three listed viewshafts. Out of the twenty-three viewshafts:

- twelve viewshafts (Vs2, Vs3, Vs4, Vs7, Vs8, Vs9A, Vs10, Vs12, Vs17, Vs18, Vs19 and Vs20) were confirmed to require no amendment;
- eight viewshafts (Vs1, Vs4A, Vs5, Vs6, Vs11, Vs14, Vs15 and Vs16) were found to have minor issues and would require amendments to their Appendix 11 description. Recommended amendments which could be made under Clause 20A, Schedule 1 of the Act have been incorporated in the current Appendix 11 viewshaft descriptions. Other amendments that were considered to fall outside the scope of Clause 20A, are still to be made; and
- four viewshafts (Vs9, Vs11, Vs13, Vs21) were recommended to undergo further review and assessment, as more significant issues were identified.<sup>5</sup>

The key findings and recommendations of the 2017 Staff Assessment are summarised in Table V at p5 of the study - refer **Attachment 1**.

Further to this, the 2017 Staff Assessment (p20) concluded that:

*“The fact that there were many areas of confusion for a majority of the viewshafts, makes it clear that these viewshafts should undergo further review and assessment. Some should be re-evaluated and analysed to see if they are still worthy of protection (particularly Viewshafts 9 and 21) and some should simply be reviewed to clarify wording, addresses and margins. Additionally, since the last full review was done around 2005-2006, a lot of aspects of the viewshafts in terms of the current site conditions have changed, therefore an update to align with these existing conditions could be useful for monitoring and to ensure these viewshafts are effectively being defined and protected”.*

The 2017 Staff Assessment also made the following suggestions for the future review of the viewshafts (summarised):

- a) clarify ‘viewshaft’ terminology, including suggestion to use ‘view corridors’;
- b) relocate and establish viewpoints from a public space (where they are presently on private land);

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<sup>5</sup> Viewshaft 11 (Willeston Street) was listed for both ‘minor amendments’ and ‘further review’.

- c) consider better way to establish and define viewpoint location; and
- d) establish clearly defined assessment criteria for resource consents.

The 2017 Staff Assessment conclusions, suggestions and recommendations have been taken into account and referred to and discussed in the present viewshaft review, subject to this Part One Report, with the exception of the last item which will be covered in the Part Two Report.

### 3 2020 EVALUATION: MAIN FINDINGS

#### EVALUATION OF INDIVIDUAL VIEWSHAFTS

A detailed urban design and planning evaluation of the twenty-three Appendix 11 viewshafts identified for protection by the District Plan was carried out to review their current state, value and relevance, and to establish whether they are appropriately defined and therefore protected.

Each of the twenty-three viewshafts have been reviewed and assessed individually in relation to the following matters:

- state of current viewshafts in relation to: (i) change in site/context conditions; and (ii) consistency with Appendix 11 description and associated photo;
- accuracy of description re margins, viewpoint location and focal/context elements;
- value of the viewshaft based on its contribution to the city's legibility, identity and sense of place and the extent to which it enhances peoples' experience of the city;
- risks of removing the viewshaft;
- potential risks arising from future development on sites within or adjacent to the viewshaft that might affect margins and/or compromise the integrity of the viewshaft;
- comments on the 2017 Staff Assessment findings/recommendations; and
- recommendations based on the above findings.

The findings and recommendations for each of the twenty-three viewshafts have been recorded in the same format based on a 'checklist' template created for the purposes of this review, with reference to the above assessment matters - refer **Attachment 2**.

#### SUMMARY OF MAIN FINDINGS

The main findings of the individual viewshaft assessment (as detailed in **Attachment 2**) are:

##### Appendix 11 Protected Viewshafts

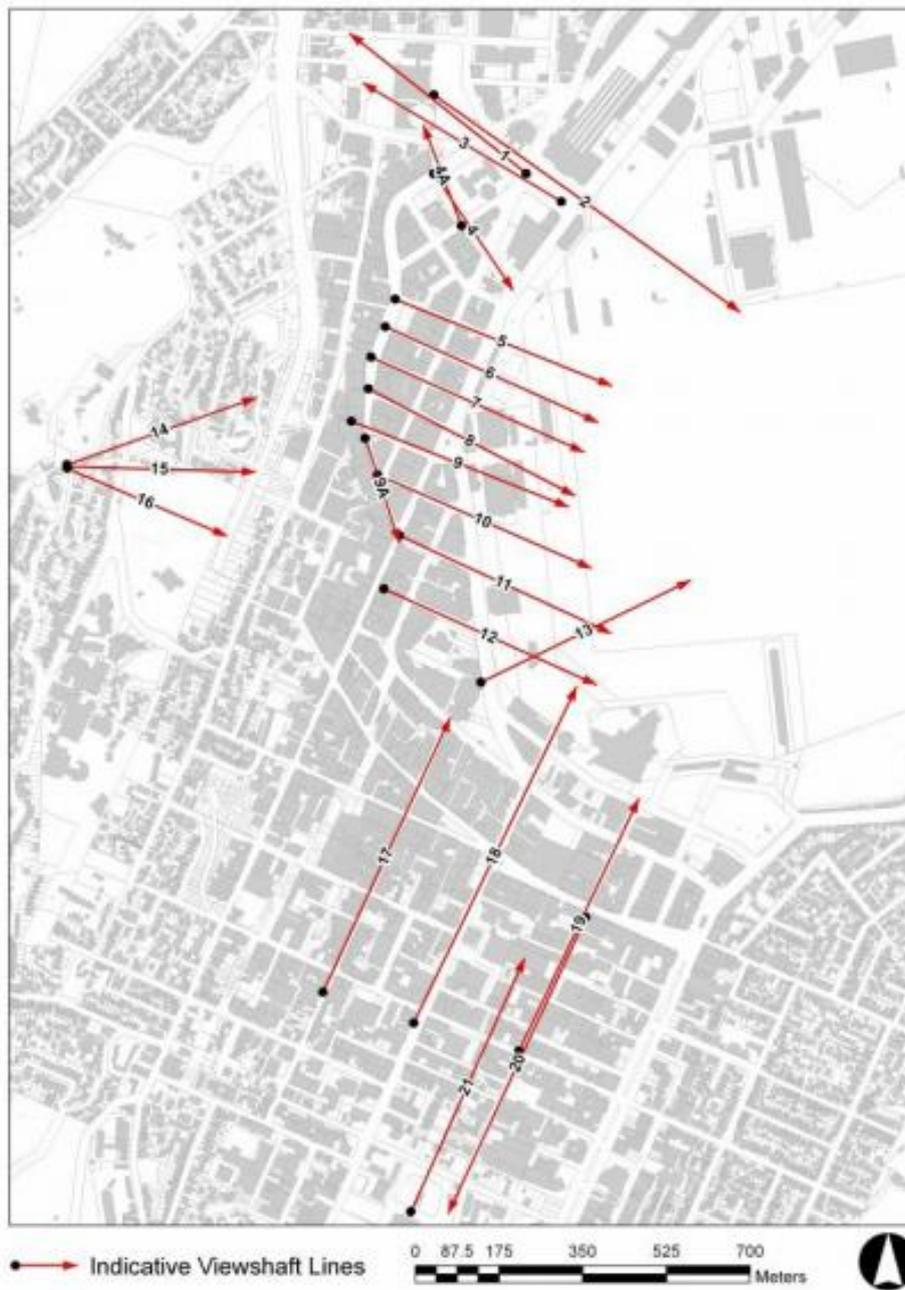
- 7) The Appendix 11 viewshafts subject to this review fall into three main types with regard to viewpoint location, view direction and focal elements:
  - (a) Viewshafts protecting views from the CBD of the harbour, hills, landmarks and wider setting. These constitute the majority of viewshafts (15 of 23) and include Vs2, Vs4, Vs5-vs9, Vs10-Vs13 and Vs17-vs19 and Vs21. These viewshafts recognise the unique relationship between topography and built form. They promote the city's collective identity and the features contributing to its legibility and sense of place.
  - (b) Viewshafts protecting wide-angle elevated views across the harbour from the Cable Car station viewing platform (Vs14-16). By allowing expansive (panoramic) views of the Wellington's memorable landscape setting, experienced at the foreground of the 'high city', these viewshafts complement the 'type (a)' viewshafts from within the CBD.<sup>6</sup>
  - (c) Viewshafts protecting views of landmark buildings/places in the Central Area. By providing reference points, these viewshafts help to understand the Central Area environment and assist wayfinding. These include Vs1, Vs3 and Vs4A (which focus on The Beehive and Parliament Buildings), Vs9A which focuses on the MLC and Aon Centre in Lambton Quay/Willis Street, and Vs20 which focuses on the Buckle Street Barracks.

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<sup>6</sup> Appendix 10 to Chapter 12 identifies the "Panoramic View" from the Cable Car Station 'tele-viewer'. This panoramic view is separate from and additional to the three viewshafts (Vs14, Vs15 and Vs16) from this viewing location. It essentially 'stitches' the separate viewshafts together.

Collectively the three viewshaft types enhance Wellington's identity and sense of place and reinforce peoples' understanding and overall experience of the city.

## APPENDIX 11. CENTRAL AREA VIEWSHAFTS



### Protected Viewshafts: Spatial Character

- 8) With regard their spatial character (re extent and 'frame' of the view and viewing angle), the viewshafts in Appendix 11 relate to two categories of views: contained views (views along streets that are generally contained/framed by buildings); and vista views (more open 'panoramic'-type views restricted by buildings only to a very small degree, if at all).
- (a) Contained views - contained views are obtained along the axis of identified street corridors. The extent of contained views is defined vertically by existing (or future permitted) buildings at the end of the street which frame (contain) the protected view - i.e. the margins of the contained views are defined by physical elements.



Examples of 'contained views' (Vs10/left and Vs11/right)

- (b) Vista views - compared to the contained views, vista views are more open and therefore more extensive. They are obtained from viewpoints that are either elevated or otherwise located within areas that allow a wider viewing angle. Despite the open character of vista views, the current viewshafts protect only a small part of the total view, with the protected part of the view being defined by 'virtual' margins rather than always being framed by physical elements like the contained views. Notwithstanding this, the actual visual experience, while focused on the protected elements, relates to the entire view.



Examples of 'vista views' (Vs2/left and V16/right)

### Terminology: Viewshafts versus Views

- 9) The District Plan protects identified public views referred to as 'viewshafts'. There is no definition of a 'viewshaft' in the District Plan. The relevant District Plan policies refer to 'protected views', but the words 'viewshaft' and 'view' are used interchangeably.
- 10) The word 'viewshaft' is defined <sup>7</sup> as 'a gap between buildings or other visual obstructions that allows a view of something scenic'. This definition fits the contained views discussed above, but does not define the vista views, which tend to be defined by 'virtual' margins rather than actual

<sup>7</sup> Word Sense.eu/Dictionary.

physical features. Further to this, the use of 'viewshaft' in the District Plan is synonymous with "view corridor" where view corridors are defined by either physical or virtual margins.

- 11) To simplify language and avoid confusion, referring to protected views consistently as "views" rather than "viewshafts" seems to be more appropriate, along with clarifying terminology and outlining the types of protected views and the way they are defined.

#### **Existing Viewshafts: Types of Views and Significance**

- 12) There are two categories of views which the current viewshaft provisions seek to protect: 'contained views' and 'vista views'.
- 13) The majority of viewshafts (15 of 23) relate to contained views (Vs4, Vs4A, Vs5, Vs6, Vs7, Vs8, Vs9, Vs9A, Vs10, Vs11, Vs12, Vs17, Vs18, Vs19 and Vs20). Most of the contained views are views from within the CBD to the waterfront and inner harbour, Oriental Parade and Roseneath beyond and/or the distant hills. Only two of the contained views are from elevated spaces associated with private buildings (one of which (Vs9) is not readily accessible). All of the remaining contained views are obtained from street level and are experienced on a daily basis.
- 14) The above contained views are important as they recognise the unique relationship between topography and built form and reinforce the historical connection between the original shoreline and the harbour. They also promote the visual connection between the CBD and the waterfront and the inner harbour and, in turn, contribute to wayfinding and an enhanced sense of place through providing sequential views to the inner harbour from the Golden Mile (Lambton Quay/Willis Street), Wellington's premier pedestrian route. These viewshafts should be retained, with the exception of Vs9, which has an elevated 'private' viewpoint location that is difficult to access and/or find. Consideration could also be given to the possible removal of Vs17, and Vs20 due to the low risk of losing the view as a result of inappropriate development, if the view is not formally recognised in the District Plan (see summary table identifying the potential level risk resulting from new development for each of the protected viewshafts, page 10).
- 15) Vista views comprise approximately a third of the viewshafts (8 of 23). Most of these are open views across the harbour and hills from elevated viewpoints which complement and reinforce the CBD contained views from street level. These include: Vs2 from the Parliament Building steps to the inner harbour; Vs13 from the Harbour Lounge inside the Michael Fowler Centre to Somes Island (Matiu); Vs14, Vs15 and Vs16 from the Cable Car Station viewing platform to (respectively) Somes Island (Matiu), Point Jerningham/Point Halswell, and St Gérard's Monastery; and Vs21 from the steps to Massey University (former National Art Gallery and Museum) to the Western Escarpment and Te Aro Basin.
- 16) The above vista views are valuable in establishing the relationship of the Central Area with its wider landscape and harbour setting. They reinforce the Central Area's identity and sense of place and therefore should be retained, except for Vs13 and Vs21, both of which could be considered for removal. Vs13 is from inside the MFC and not readily accessible at all times and the view itself is not at risk of being lost if is not formally protected under the District Plan. Vs21 has lost its public significance in terms of viewpoint location with the integrity of the view being compromised by existing 'over-height' development 'in the Te Aro Basin. Alternatively, consideration could be given to establishing new viewpoints to the views currently offered by Vs13 and Vs21.
- 17) A small number of viewshafts protect contained or vista views to important landmark buildings and places within the city. These include: Vs1, Vs3 and Vs4A focusing on The Beehive and Parliament Buildings and The Cenotaph (in the case of Vs4A); Vs9A which focuses on the MLC Building and Aon Centre in Lambton Quay/Willis Street; and Vs20 which focuses on the Buckle Street Barracks. These viewshafts help to understand the Central Area environment, promote its history and assist wayfinding and should be retained, except that:
  - (a) Vs3 could be removed and amalgamated with Vs1 as both views have the same focal elements;
  - (b) the viewpoint of Vs9A could be amended to recognise the sequential visual experience of the identified focal element without unnecessarily restricting development potential; and

- (c) Vs20 could be removed due to the low risk of losing the view as a result of inappropriate development, if the viewshaft is not formally protected under the District Plan.
- 18) While the viewshafts identified for retention are all worthy of protection, they have different levels of relative significance with some of them being more important than others. For example, the relative significance of Vs14-Vs16 (from the Cable Car Station) is higher compared to the remaining views as they protect the relationship of the collective urban form to the wider landscape setting at a 'macro level' as experienced from one of the most popular viewing 'platforms' in the city. Vs2 (from Parliament Buildings) has a similar significance status due to public significance of the viewpoint location at the top of steps to Parliament Buildings. In the same vein, the relative value of Vs1, Vs3 and Vs4A focusing on The Beehive and Parliament Buildings and The Cenotaph (in the case of Vs4A) is also higher compared to the remaining views, as they promote the status of Wellington as New Zealand's capital city and, in this sense, they have significance beyond the city.

### Appendix 11 Viewshaft Description

- 19) Referring to the 2017 Staff Assessment, the current review has confirmed that for the majority of the viewshafts the respective descriptions (viewpoint location, focal and context elements, and margins) are correct and do not require further amendment.
- 20) Although recent development (2017-2020) has not impacted in any significant way on any viewshaft,<sup>8</sup> out of the total of the twenty-three viewshafts, nineteen do require some form of amendment, either to the viewpoint location, to the description of focal and/or context elements, or to the description of the viewshaft margins. The identified amendments are summarised below (refer **Attachment 2** for details):

#### Viewpoint Location:

- (a) Vs3, Vs11, Vs13, Vs17 and Vs21 - relocation of viewpoint; and
- (b) Vs5 - minor amendment to viewpoint location description.

#### Focal and Context Elements

- (c) Vs7, Vs8, Vs9A, Vs11, Vs12, Vs16, Vs19, and Vs21 - amendments to the description of focal elements relating to name changes and/or changes to site conditions; and
- (d) Vs4, Vs5, Vs6, Vs14, Vs15 and Vs16 - amendments to the description of context elements relating to name changes.

#### Margins' Description

- (e) Vs1, Vs7, Vs8, Vs10, Vs12 - update/amend descriptions of margins and/or map references

### Risks of Removing Viewshafts

- 21) The current viewshafts, subject to adjustments to some of them, do contribute to the city in their current form as their value and integrity has not been compromised or significantly affected by new development (except for the small number of identified viewshafts recommended for removal).
- 22) The purpose of retaining the viewshafts in the District Plan is protecting them from inappropriate development (e.g. development with a form/bulk that exceeds permitted development standards). Therefore, it is important to understand the potential risk of removing viewshafts on the value and integrity of the views they seek to protect.

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<sup>8</sup> Since the 2017 Staff Assessment consent has been granted for minor verandah encroachments on three sites: 1 Whitmore Street (Vs4), 20 Customhouse Quay (Vs5 and Vs6) and 149 Featherston Street (Vs7). The Site 9 building at North Kumutoto (Lady Elizabeth Lane) was sited to be clear of Vs4 and Vs5.

- 23) A number of the protected views (10 of 23) are, to a varying degree, 'at risk' from new development intruding into the view:
- (a) Vs1 and Vs3: potential development on the site of Government Buildings 1876 - very low risk;
  - (b) Vs2: potential development on VUW (Rutherford Building) site; and potential development on Glasgow Wharf (coastal marine area) - medium risk;
  - (c) Vs4A: potential development on Bowen House site - low risk;
  - (d) Vs7: potential development on northern arm of Outer Tee (Shed 1 - coastal marine area) - low to medium risk;
  - (e) Vs8: potential development on the podium of the InterContinental Hotel - low-to-medium risk; and potential development on southern arm of Outer Tee (coastal marine area) - low to medium risk;
  - (f) Vs9A: potential development on Grant Thornton tower podium - low to medium risk;
  - (g) Vs11: potential development at 1-11 Victoria Street (corner of Victoria Street and Willeston Street) - low to medium risk;
  - (h) Vs18: potential development on BP Roadmaster site (Lower Taranaki Street) - low to medium risk; and
  - (i) Vs21: from potential new viewpoint location, future development across Te Aro Basin (possibility of higher building height regime under District Plan Review) - medium risk.
- 24) As a general observation, most contained views to the harbour have a lower risk of being compromised as: (i) the street walls framing the view are unlikely to change; and (ii) the majority of the waterfront sites have already been developed. However, there is potential risk from development on the Outer T, which is in the coastal marine area. Further to this, there are a small number of contained views with margins defined by low-height podiums which, if redeveloped, would affect the margins and reduce the extent of the view (e.g. Vs4A, Vs8 and Vs9A). Regarding contained views, a cautious approach would be to retain them as otherwise the effects of encroachment (like balconies, verandahs, projections relating to the form of street facades to add interest/sculptural quality) and/or redeveloping existing low podiums could be difficult to manage. Alternatively, there could be other District Plan mechanisms that could be explored to address these issues.
- 25) Compared to contained views, vista views are, in general, more at risk if removed, particularly for the views from the Cable Car Station viewing platform (Vs14-Vs16), Vs2 (Parliament Buildings) and Vs21 (top of Museum Steps but at a relocated viewing position, if not removed), and particularly if permitted building heights in the Central Area ('low city') were to increase. Therefore, retaining these viewshafts would be appropriate to guide the assessment of over-height development under the current provisions and/or assist the review of future possible increases in building heights during the District Plan review process. Alternatively, other District Plan mechanisms could be explored to address these issues.
- 26) The vista views to The Beehive (Vs1 and Vs3) are at a low risk of being affected as a zero metres height limit applies to the area in front of Parliament Buildings; and while there could be limited new buildings or structures on the site of the Government Buildings 1876 (VUW Faculty of Law) where a 15m 'absolute' height applies,<sup>9</sup> the risk is considered to be very low. However, the importance of The Beehive and Parliament Buildings as 'emblems' of Wellington as NZ's capital city, justifies the retention of those viewshafts, except that Vs3 could be amalgamated with Vs1.
- 27) The removal of Vs13 to Somes Island (Matiu) from either its current viewpoint location (from inside the Michael Fowler Center), or from the suggested new viewpoint on the City-to-Sea Bridge, could be considered without the risk of losing the view, as the line of sight does not traverse any future development sites, also noting that both the Wellington Rowing Club (1874) and Star Boating Club (1885) buildings are listed heritage buildings.

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<sup>9</sup> This is the height limit that applies to buildings and structures in the Parliamentary Precinct Heritage Area.

**Table: Potential Risks to Viewshafts**

<b>Viewshaft No</b>	<b>Risk Profile</b>
Vs1: Corner of Bunny Street & Featherston Street	Very low
Vs2: Tops of steps to Parliament Building	Medium
Vs3: Waterloo Quay and Bunny Street	Very low
Vs4: Whitmore Street (to North Kumutoto Precinct	No obvious risks
Vs4A: Whitmore Street (to The Beehive)	Low (under current specific height limit applying to Bowen House site)
Vs5: Waring Taylor Street	No obvious risk
Vs6: Johnston Street	Medium - potential risk from development on the northern arm of the Outer Tee, Queens Wharf
Vs7: Brandon Street	Medium - potential risk from development on the northern arm of the Outer Tee, Queens Wharf
Vs8: Waring Taylor Street	Low to medium
Vs9: Above Grey Street	Low
Vs9A: Lambton Quay	Low to medium
Vs10: Hunter Street	No obvious risk
Vs11: Willeston Street	Low to medium
Vs12: Chews Lane	No obvious risk
Vs13: Michael Fowler Centre	Very low
Vs14: Cable Car	Low (at present). Medium to high if building heights are increased in the 'high city'.
Vs15: Cable Car	Low (at present). Medium to high if building heights are increased in the 'high city'.
Vs16: Cable Car	Low (at present). Medium to high if building heights are increased in the 'high city'.
Vs17: Cuba Street	Low

Vs18: Taranaki Street	Low to medium
Vs19: Tory Street	Medium
Vs20: Tory Street	No obvious risks
Vs21: Entrance steps to Massey University	Medium to high (if current viewpoint location is retained)

### OVERALL SUMMARY FINDING

The majority of the twenty-three viewshafts (both individually and collectively) have retained their value, relevance and contribution to the understanding of the Central Area's urban form and the promotion of visual connections to its wider landscape and harbour setting, thereby enhancing the Central Area's identity and 'sense of place'. There are a small number of viewshafts which, for various reasons, can be considered for removal as they have been either compromised, or their viewpoint has lost its public significance or is difficult to find, and/or they are at a minimal risk of being lost if not formally protected by The District Plan.

Therefore, the number of viewshafts could be reduced to by removing six viewshafts (Vs9, Vs13 and Vs21 and potentially Vs17 and Vs20) and amalgamating two others into one (Vs1 and Vs3), thus reducing the total number to seventeen.

The protection of these seventeen viewshafts through appropriate District Plan controls, subject to the recommendations in Section 4, is considered to be appropriate, if the visual experience of the city's relationship to harbour and hills is to be retained and its collective identity and sense promoted and enhanced.

## 4 RECOMMENDATIONS

### RECOMMENDATION 1

#### 1A Consider removing the following viewshafts:

- (a) Vs3 (from Waterloo Quay/Bunny Street corner to The Beehive) and amalgamating it with Vs1. Alternatively, if Vs3 is to be retained, consider relocating its viewpoint to improve the quality of the view (refer Recommendation 2A below);
- (b) Vs9 (above Grey Street to the inner harbour);
- (c) Vs13 (from MFC to Somes Island (Matiu) and inner harbour). Alternatively, if the view offered by Vs13 is to be retained, consider relocating its viewpoint to the City-to-Sea Bridge, a public space, to improve accessibility and enhance the quality of the view (refer Recommendation 2D below);
- (d) Vs21 (entrance steps to Massey University) from its current location. Alternatively, if the view offered by Vs21 is to be retained, consider relocating its viewpoint to a new nearby location adjacent to the southern side of the Tomb of the Unknown Warrior (see Recommendation 2F).

#### Reason

Vs3 (from Waterloo Quay/Bunny Street corner to The Beehive) - the protected view is similar but slightly narrower than Vs1. Retaining Vs1, which has a wider angle, will also protect the view currently offered by Vs3.

Vs9 (above Grey Street) - the viewpoint for this viewshaft is difficult to find. It is not from a readily accessible public space; and, in any case, it is most unlikely that any future development could intrude into the viewshaft. Therefore, it does not require 'protection' in any event.

Vs 13 (from the MFC to Somes Island (Matiu) and inner harbour) - the viewpoint is from the interior of the MFC and although the MFC is a publicly accessible venue, it is not readily accessible. Even if the viewpoint is relocated to a nearby public space (e.g. City-to-Sea Bridge), there is a minimal risk of losing the view, as the line of sight does not traverse any development sites.

Vs21 (from the entrance steps of Massey University) - the viewshaft's viewpoint has lost its wider public significance. Further to this, the integrity of the view has been compromised as the focal elements have been blocked by building development in the Te Aro Basin.

#### 1B Further to recommendation 1A consider the possible removal of the following two viewshafts:

- (e) Vs17 (202 Cuba Street). Alternatively, if the view offered by Vs17 is to be retained, consider relocating its viewpoint to a new nearby location (refer Recommendation 2E below); and
- (f) Vs20 (south/east corner at the intersection of Courtenay Place and Tory Street).

#### Reason

Vs17 (202 Cuba Street) - view to focal and context elements difficult to appreciate due to distance and foreground buildings. Further to this, the view is at low risk of being lost due to heritage status of Cuba Street Heritage Area. If view is to be retained, the viewpoint should be relocated to improve visibility (see Recommendation 2E).

Vs20 (Tory Street) is at a minimal risk as the street walls along the margins are unlikely to significantly change and the Buckle Street Barracks (one of the focal elements) is a listed heritage item.

- 1B** Retain all the remaining viewshafts (subject to recommended amendments).

Reason

All the remaining viewshafts have retained their value, significance and integrity and some of them are at risk from future inappropriate development.

## **RECOMMENDATION 2**

Amend the viewpoint locations for the following views:

- 2A** Vs3 - view to The Beehive from the corner of Bunny Street and Waterloo Quay. Relocate to eastern side of Waterloo Quay alongside pedestrian crossing signal (adjacent to Shed 21), if this viewshaft is to be retained.

Reason

With the growing popularity of the Waterfront Promenade for commuters moving to and from the Railway Station, the view from the eastern side of Waterloo Quay is considered to be a preferred viewpoint location. To avoid structures in the immediate foreground when standing at the present viewpoint location requires the viewer moving to the very edge of the footpath.

- 2B** Vs9A - view of the MLC Building and Aon Centre from Lambton Quay at Grey Street corner. Consider relocating the viewpoint approximately 50m to the south along Lambton Quay.

Reason

Relocating the viewpoint will not significantly compromise the overall experience of the townscape contribution made by the focal elements, while allowing the potential redevelopment of the Grant Thornton Tower podium.

- 2C** Vs11 - view to St Gerard's Monastery and Frank Kitts Park from Stewart Dawsons Corner. Relocate viewpoint from Shoreline Plaque to a new viewpoint location to align with the centre line of Willeston Street.

Reason

The view to the two focal elements is severely compromised/blocked by the traffic signals and street trees planted at the time of the widening of the footpath on the northern side of Willeston Street.

- 2D** Vs13 - view from the Harbour Lounge of the Michael Fowler Centre to Somes Island (Matiu) and harbour foreground. Relocate to a new viewpoint location on the City-to-Sea Bridge, if this viewshaft is to be retained.

Reason

The view from inside the Michael Fowler Centre is not readily accessible by the public. The City-to-Sea bridge, a popular pedestrian link between the Civic Centre and the waterfront, provides several opportunities for a very similar view focusing on Somes Island (Matiu), the waterfront and harbour.

- 2E** Vs17 - view from 202 Cuba Street to Western Escarpment. Relocate approximately 50m north to the southwestern corner of the Cuba Street/Vivian Street intersection, if this viewshaft is to be retained.

Reason

To obtain the view from 202 Cuba Street requires standing on the outer edge of the footpath. The same view can be obtained by pedestrians and motorists waiting at the lights-controlled intersection, although slightly less of the Western Escarpment is visible given the lower (amsl) elevation of the footpath at this point.

- 2F** Vs21 - view from the top of the steps to Massey University (former National Art Gallery and Museum). Relocate to a new viewpoint location adjacent to the southern side of the Tomb of the

Unknown Warrior, if the view offered by the current viewshaft location(s) is to be protected from a similar but publicly more significant viewpoint location.

#### Reason

From the current viewpoint locations for this viewshaft (either side of The Carillon) the views of the Inner Harbour (a focal element) and Te Papa (a context element) have been blocked by development in the Te Aro Basin (particularly the Century City Hotel development in Tory Street). Also, the Pohutukawa trees in the foreground have blocked more of the view than previously was the case.

The new location, although at a lower elevation, still provides a wide vista view, including a view to Mt Kau Kau on the western escarpment (which could be the focal element of the view), with the Te Aro Basin being the context element. Also, the Pukeahu National War Memorial Park features in the foreground and could be a second context element. It is acknowledged that the 'visual profile' of the Te Aro Basin will change as new development proceeds. However, it is unlikely that such development would 'block' the view to Mt Kau Kau - a key reference in the Wellington's landscape setting.<sup>10</sup>

### RECOMMENDATION 3

Update viewshaft descriptions as detailed in **Attachment 2** to include:

#### Focal and Context Elements:

- (a) Vs4, Vs5 and Vs6: context element - North Queens Wharf, now known as North Kumutoto Precinct;
- (b) Vs7 and Vs8: focal element - the Outer Tee does not feature in the view;
- (c) Vs9A: focal element - State Insurance Building is now the Aon Centre;
- (d) Vs 11, Vs12, Vs16: focal element - St Gerard's (add Monastery);
- (e) Vs13, Vs14 and Vs15: context element - Rimutaka Range now Remutaka Range;
- (f) Vs19: focal elements: port and inner harbour now blocked by Pohutukawa trees within Te Papa curtilage; and
- (g) Vs21: focal element - inner harbour now blocked by development in Te Aro Basin; and context element - Te Papa now blocked by development in Te Aro Basin.

#### Reason

Some changes are necessary to 'update' the descriptions, including changes to names of buildings.

#### Margins' Description and Map References:

For a number of the viewshafts (Vs1, Vs7, Vs8, Vs10, Vs12) the descriptions of the left and/or right margins need up-dating and/or amendment - for the details refer **Attachment 2**.

#### Reason

Some changes are necessary to correct and/or 'update' the descriptions of the margins.

### RECOMMENDATION 4

- 4A** Review terminology of 'viewshafts' in the District Plan which uses 'viewshaft' and 'protected view' interchangeably. Consider:
- (a) removing the word viewshaft and referring to protected views consistently as 'views' (not viewshafts); and

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<sup>10</sup> The 1985 'view protection and urban form' report described Mt Kau Kau as "*magnificent and comprehensive over both the city and harbour*".

- (b) introducing types of views (e.g. contained views and vista views) and explaining how these are defined.

Reason

The current viewshafts 'represent' two different types of protected views - views defined by physical margins (contained views) and views defined by virtual margins (as part of vista views). Regarding the latter type of views (approximately a third of all viewshafts) the use of viewshaft ('a gap between buildings and other visual obstructions that allows a view of something scenic) is somewhat confusing and potentially misleading.

There is no definition of 'viewshaft' in the District Plan and 'viewshafts' and 'protected views' are used interchangeably. Furthermore, the District Plan objective is to protect views not a viewshafts.

- 4A** Consider recognising the relative significance of the different viewshafts (e.g. by introducing 'category one' and 'category two' viewshafts and attributing each category a different level of management controls - also refer to Part Two Report).

Reason

Some views have greater value than others in terms of the city's collective character and its unique identity as New Zealand's capital city and/or are at a different level of risk from future development. A targeted approach to their management will recognise their specific level of contribution to the city, without unnecessarily restricting appropriate development opportunities.

**RECOMMENDATION 5**

- 5A** Update all photos, including photos from new (recommended) viewpoint locations.
- 5B** Update maps where amendments to viewpoint location and margin adjustments have been made.

Reason

Photos of the recommended 'contained views' and 'vista views' to be updated to capture the 'existing environment' within and adjacent to each viewshaft. Maps to be updated to reflect the changes to viewshaft elements.

**RECOMMENDATION 6**

Insert a small plaque or disk to mark the exact viewpoint location for each protected view.

Reason

For some of the current viewshafts it is difficult to determine the exact viewpoint location. It is important that the location can be accurately pinpointed when preparing view montages for resource consent applications for developments that may intrude into the protected view.

**RECOMMENDATION 7**

'View protection' objectives to be taken into account when reviewing the building height limits for the Central Area, in situations where potential development sites 'frame' or potentially intrude into views. Current viewshafts where this could be a consideration are:

- (a) Vs1 and Vs3: potential development on the site of Government Buildings 1876 - 15m operative height limit;
- (b) Vs2: potential development on the Rutherford House podium (VUW) - 35.4m operative height limit;
- (c) Vs4A: potential development on Bowen House site;

- (d) Vs6 and Vs7: potential development on northern arm of Outer Tee (but within the coastal marine area and therefore subject to the Proposed Natural Resources Plan - refer Part Two Report);
- (e) Vs8: potential development on the podium of the InterContinental Hotel site and on the southern arm of Outer Tee;
- (f) Vs9A: potential development on Grant Thornton tower podium;
- (g) Vs11: potential development on 1-11 Victoria Street;
- (h) Vs18: potential development on BP Roadmaster site (Lower Taranaki Street); and
- (i) Vs21: future development across Te Aro Basin

Reason

There is a potential risk that future development on sites adjacent to some of the current protected views could impinge on those views under current (Planning Map 32) building heights. Regard should be had to this potential risk when reviewing/setting proposed Central Area building heights.

**RECOMMENDATION 8**

Amend/update the names of the protected views under the two recommended view categories of contained views and vista views; and also renumber.

Reason

To reflect recommended changes.

**ACKNOWLEDGEMENT**

It is acknowledged that implementation of the above recommendations will require a review of the District Plan provisions relating to view protection - and this is recommended.

Further comment will be made on this in the Part Two Report.

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Deyana Popova / Alistair Aburn  
Urban Perspectives Ltd  
8 July 2020

## **5 ATTACHMENT ONE**

### **2017 STAFF ASSESSMENT SUMMARY FINDINGS & RECOMMENDATIONS**

## SUMMARY OF CURRENT VIEWSHAFT ASSESSMENTS – KEY FINDINGS

The following table (Table V.) summarizes the staff assessment of each viewshaft. Out of the 23 viewshafts, eight (viewshafts 1, 4a, 5, 6, 11, 14, 15, and 16, noted in green below) were found to have minor issues and would require amendments to their Appendix 11 Viewshaft description. These viewshafts would qualify for Clause 20A amendments per Schedule 1 of the Resource Management Act (RMA). Additionally, out of all the operative viewshafts, four (viewshafts 9, 11, 13, 21, noted in grey below) should undergo further staff assessment or review as more complicated issues were recognized and would not be applicable under the Clause 20A criteria. Furthermore, the following pages identify the specific amendments or main issues that pertain to each of the viewshafts that require either Clause 20A revisions or further evaluation. Additionally, staff notes and comments from site visits from October through November 2017 can be seen in [Appendix III: Viewshaft Summaries](#) of this document.

Table V. Summary of Current Viewshaft Assessments		Key Findings
No.	Viewshaft Description	
1	Corner of Bunny Street and Featherston Street – Beehive	Minor typos in the viewshaft description and inconsistencies between margin descriptions and map in Appendix 11
2	Old Parliament Building looking toward Harbour	No amendments proposed
3	Corner of Waterloo Quay and Bunny Street - Beehive	No amendments proposed
4	Corner of Bowen Street and Lambton Quay – Whitmore Street	No amendments proposed
4A	Corner of Whitmore Street and Featherston Street - Beehive	Minor typos in the viewshaft description and inconsistencies between margin descriptions and map in Appendix 11
5	Waring Taylor Street looking toward Harbour	Minor typos in the viewshaft description and inconsistencies between margin descriptions and map in Appendix 11
6	Johnston Street looking toward Harbour	Minor typos in the viewshaft description and inconsistencies between viewpoint location, picture of viewshaft, and map in Appendix 11
7	Brandon Street looking toward Queens Wharf	No amendments proposed – clarify margins in future
8	View above Panama Street looking toward Harbour	No amendments proposed – clarify margins in future
9	View above Grey street looking toward Harbour	Further review and assessment recommended. Clarify margins and amend viewpoint location.
9A	Lambton Quay looking toward MLC Building	No amendments proposed
10	Hunter Street looking toward Waterfront/Harbour	No amendments proposed
11	Willeston Street looking toward Waterfront/Harbour	Minor Amendments to Focal and Context Elements in Appendix 11 to align with current elements. + Further review and assessment recommended – viewshaft slightly obstructed + unclear margins
12	Chews Lane looking toward Waterfront/Harbour	No amendments proposed
13	Michael Fowler Centre looking toward Waterfront and Somes (Matiu) Island	Further review and assessment recommended. Potential to move viewpoint location to public space.
14	Viewing Platform at Cable Car Station – Somes (Matiu) Island	Minor Amendments to viewpoint location description in Appendix 11
15	Viewing Platform at Cable Car Station – Point Jerringham and Point Halswell	Minor Amendments to viewpoint location description in Appendix 11
16	Viewing Platform at Cable Car Station – St Gerard's Monastery	Minor Amendments to viewpoint location description + verify left margin in Appendix 11
17	Cuba Street	No amendments proposed
18	Taranaki Street looking toward Waterfront/Harbour	No amendments proposed
19	Corner of Tory Street and Vivian Street looking toward Waterfront/Harbour	No amendments proposed
20	Corner of Tory Street and Courtenay Place looking toward Inner Town Belt	No amendments proposed
21	Massey University and National War Memorial looking toward Harbour/Waterfront	Further review and assessment recommended – viewshaft obstructed

# 6 ATTACHMENT TWO

## ASSESSMENT TABLES

## VIEWSHAFT No. Vs1

### Corner of Bunny Street and Featherston Street, focusing on The Beehive and Parliament Buildings

	EVALUATION SCOPE	EVALUATION
1	<ul style="list-style-type: none"> <li>▪ Assess state of the viewshaft relative to the Appendix 11 description + associated photo</li> <li>▪ Identify any changes since 2017 study</li> </ul>	<p>The current state of Vs1 is consistent with the Appendix 11 description. There are no evident changes to the elements of the viewshaft and/or the surrounding context that compromise the integrity of the viewshaft.</p>
2	<p>Description as per Appendix 11</p> <ul style="list-style-type: none"> <li>▪ location</li> <li>▪ focal elements</li> <li>▪ context elements</li> <li>▪ margins</li> </ul>	<ul style="list-style-type: none"> <li>▪ location description accurate (no change)</li> <li>▪ focal elements description accurate (no change)</li> <li>▪ context elements description accurate (no change)</li> <li>▪ left margin description - amend to "Government Buildings 1876 (VUW Faculty of Law)"</li> <li>▪ right margin accurate</li> </ul>
3	<p>Value of each viewshaft in its current state - the extent to which the viewshaft:</p> <ul style="list-style-type: none"> <li>▪ contributes to the city's sense of place</li> <li>▪ enhances legibility and assists wayfinding &amp; sense of orientation</li> <li>▪ has a publicly accessible viewpoint that is easy to find</li> </ul>	<p>Vs1 is one of the three viewshafts (the others being Vs3 and Vs4A) focused on The Beehive and Parliament Buildings (from the south/east) and viewed against the backdrop of Tinakori Hill. The three viewshafts, which collectively promote the image of Wellington as a capital city in views from key points within the northern end of the Central Area, have an enhanced public significance.</p> <p>The Beehive and Parliament Buildings are one of the emblems of New Zealand's capital and key landmarks in the Wellington townscape. Vs1, located on a major pedestrian route for commuters leaving the Wellington Rail Station, enhances wayfinding and contributes to Wellington's sense of place.</p>
4	<p>Risks/effects of removing viewshafts that are considered compromised/no longer relevant</p>	<p>Vs1 (for the reasons above) is still relevant. It has an enhanced public significance and should be retained. Its potential removal will also devalue Vs3 and Vs4A and by default will require their removal too. However, it could be combined with Vs3 (see comment under Vs3).</p>
5	<p>Potential risks to the viewshaft associated with current height limits applied to redeveloping sites within the viewshaft that might affect margins</p>	<p>The only potential risk is from any additional building/structure in the grounds of the Government Buildings 1876 site (VUW Faculty of Law) and Parliament Grounds, but noting that:</p> <ol style="list-style-type: none"> <li>(a) the upper height threshold/absolute maximum height for the site occupied by Government Buildings 1876 is 15m (Central Area Rule 13.6.3.1.6); and</li> <li>(b) for Parliament Grounds east of The Beehive and Parliament Buildings, no new building development is anticipated as a 0m height limit is specified (Central Area Rule 13.6.3.1.6, Footnote 3).</li> </ol>

		Risk profile: very low.
6	Viewshaft staff assessment 2017: review key findings & recommendations	Agree with findings and support recommendations (already implemented in Appendix 11).
		<b>RECOMMENDATIONS</b>
		<p>Retain Vs1.</p> <p>Amend left margin description - insert "1876" after "Government Buildings" and add in brackets "(VUW Faculty of Law)."</p> <p>Update photo.</p>

## VIEWSHAFT No. Vs2

### Top of steps to Parliament Building, focusing on the Inner Harbour/Mt Victoria Ridgeline

	EVALUATION SCOPE	EVALUATION
1	<ul style="list-style-type: none"> <li>▪ Assess state of the viewshaft relative to the Appendix 11 description + associated photo</li> <li>▪ Identify any changes since 2017 study</li> </ul>	<p>The current state of Vs2 is consistent with the Appendix 11 description, apart from an increased height of the existing Norfolk Pine tree encroaching into the right margin.</p> <p>Note: the tree is not a listed heritage tree and could (potentially) be 'trimmed' to open up the view.</p>
2	<p>Description as per Appendix 11</p> <ul style="list-style-type: none"> <li>▪ location</li> <li>▪ focal elements</li> <li>▪ context elements</li> <li>▪ margins</li> </ul>	<ul style="list-style-type: none"> <li>▪ The description as whole is accurate (no changes)</li> </ul>
3	<p>Value of each viewshaft in its current state - the extent to which the viewshaft:</p> <ul style="list-style-type: none"> <li>▪ contributes to the city's sense of place</li> <li>▪ enhances legibility and assists wayfinding &amp; sense of orientation</li> <li>▪ has a publicly accessible viewpoint that is easy to find</li> </ul>	<p>Vs2 is one of fifteen viewshafts enhancing the visual connection between the city, the harbour and wider setting.</p> <p>The Vs2 viewpoint allows for an elevated view over the harbour and promotes the relationship between two of the Wellington's key townscape features - Parliament Buildings and Grounds and the harbour. The viewpoint location is an important viewing platform for visitors, while also being a place for public demonstrations and events, such as receiving petitions.</p>
4	<p>Risks/effects of removing viewshafts that are considered compromised/no longer relevant</p>	<p>Viewshaft 2 has not changed since it was introduced for protection. For the reasons outlined above, it is still experienced by large groups of people on daily basis and therefore should be retained.</p>
5	<p>Potential risks to the viewshaft associated with current height limits applied to redeveloping sites within the viewshaft that might affect margins</p>	<p>The permitted activity height (Planning Map 32) for the Rutherford House site (occupied by VUW) is 35.4m above ground. The podium height of Rutherford House set up the horizontal datum for Vs2. Any further development above the existing podium fronting Bunny Street would significantly affect the viewshaft.</p> <p>Future development on Glasgow Wharf (in the coastal marine area) could also intrude into the viewshaft.</p> <p>Risk profile: medium.</p>
6	<p>Viewshaft staff assessment 2017: review key findings &amp; recommendations</p>	<p>Agree with findings and support recommendations.</p>

		<b>RECOMMENDATIONS</b>
		<p>Retain Vs2 (no changes).</p> <p>Consider Vs2 when reviewing District Plan building heights in the Central Area block bounded by Bunny Street, Lambton Quay and Thorndon Quay.</p> <p>Update photo.</p>

## VIEWSHAFT No. Vs3

### North west corner of intersection of Waterloo Quay and Bunny Street, focusing on The Beehive

	EVALUATION SCOPE	EVALUATION
1	<ul style="list-style-type: none"> <li>Assess state of the viewshaft relative to the Appendix 11 description + associated photo</li> <li>Identify any changes since 2017 study</li> </ul>	<p>The current state of the viewshaft is consistent with the Appendix 11 description. There are no evident changes to the elements of the viewshaft and/or the surrounding context.</p>
2	<p>Description as per Appendix 11</p> <ul style="list-style-type: none"> <li>viewpoint location</li> <li>focal elements</li> <li>context elements</li> <li>margins</li> </ul>	<ul style="list-style-type: none"> <li>viewpoint location description - accurate. However, the specific location of the viewpoint is questionable. Located at the very edge of the footpath, it does not provide a safe and/or convenient place directing the viewer towards The Beehive (the focal element). Moving the viewpoint along the same alignment to the east, on the east side of Waterloo Quay (at the pedestrian crossing immediately to the north of Shed 22) is recommended for consideration. The recommended alternative viewpoint will provide a view to The Beehive for those using the waterfront route when going to the Railway Station. The waterfront route is a well-used and popular pedestrian route now, which was not the case when the initial viewpoints were selected.</li> <li>focal elements description - accurate (no change)</li> <li>context elements - amend to Government Buildings 1876 (VUW Faculty of Law)</li> <li>margins description - accurate (no change)</li> </ul>
3	<p>Value of each viewshaft in its current state - the extent to which the viewshaft:</p> <ul style="list-style-type: none"> <li>contributes to the city's sense of place</li> <li>enhances legibility and assists wayfinding &amp; sense of orientation</li> <li>has a publicly accessible viewpoint that is easy to find</li> </ul>	<p>Vs3 is 'complementary' to Vs1, with the respective viewpoints located approximately 100m apart.</p> <p>Vs3, together with Vs1 and Vs4A, is focused on The Beehive and Parliament Buildings viewed against the backdrop of Tinakori Hill. The three viewshafts, which collectively promote the image of Wellington as NZ's seat of government and capital city, in views from key points within the northern end of the Central Area, have an enhanced public significance.</p> <p>Vs3 provides an important view that contributes to the Wellington's sense of place and promotes its role as NZ's 'seat of government' and capital city.</p>
4	<p>Risks/effects of removing viewshafts that are considered compromised/no longer relevant</p>	<p>Vs3 (for the reasons above) is still relevant and should be retained. However, note that protecting Vs1, will also protect Vs3 as they relate to the same focal and context elements. Vs3 could therefore possibly be considered for removal and the viewpoint not relocated.</p>
5	<p>Potential risks to the viewshaft associated with current height limits applied to redeveloping sites</p>	<p>As for Vs1, the only potential risk is any additional building/structure in the grounds of the Government Buildings 1876 site and Parliament</p>

	within the viewshaft that might affect margins	<p>Grounds, but noting that:</p> <ul style="list-style-type: none"> <li>(a) upper height threshold/absolute maximum height for the site occupied by Government Buildings 1876 is 15m (Central Area Rule 13.6.3.1.6); and</li> <li>(b) for Parliament Grounds east of The Beehive and Parliament Buildings, no new building development is anticipated as a 0m height limit is specified (Central Area Rule 13.6.3.1.6, Footnote 3).</li> </ul> <p>Risk profile: very low.</p>
6	Viewshaft staff assessment 2017: review key findings & recommendations	Agree with findings and support recommendations
		<b>RECOMMENDATIONS</b>
		<p>Consider removal of Vs3, but if it is retained consider relocation of viewpoint location (move the viewpoint along the same alignment to the east, on the east side of Waterloo Quay, at the pedestrian crossing immediately to the north of Shed 22).</p> <p>Change the context element Government Buildings to “Government Buildings 1876 (VUW Faculty of Law)”.</p> <p>Update photo.</p>



Photo from possible alternative viewpoint location for Vs3 - eastern side of Waterloo Quay adjacent to pedestrian crossing signals, northern end of Shed 13

## VIEWSHAFT No. Vs4 (Whitmore Street)

### North west corner of the intersection of Bowen Street and Lambton Quay, focusing on North Queens Wharf and Inner Town Belt

	EVALUATION SCOPE	EVALUATION
1	<ul style="list-style-type: none"> <li>Assess state of the viewshaft relative to the Appendix 11 description + associated photo</li> <li>Identify any changes since 2017 study</li> </ul>	<p>The current state of the viewshaft is consistent with the Appendix 11 description. There are no apparent changes to the elements of the viewshaft and/or the surrounding context affecting the margins, apart from a small encroachment into the right margin associated with the veranda of the approved new office development at 1 Whitmore Street. The recent Site 10 (PWC Building) and proposed Site 9 buildings have been positioned to be clear of any viewshaft intrusion.</p>
2	<p>Description as per Appendix 11</p> <ul style="list-style-type: none"> <li>viewpoint location</li> <li>focal elements</li> <li>context elements</li> <li>margins</li> </ul>	<ul style="list-style-type: none"> <li>viewpoint location description - accurate (no change)</li> <li>focal elements description - accurate (no change)</li> <li>context elements description - accurate, but needs an update on place naming (replace North Queens Wharf with its new name - "North Kumutoto Precinct")</li> <li>margins description - 'update' right margin description</li> </ul>
3	<p>Value of each viewshaft in its current state - the extent to which the viewshaft:</p> <ul style="list-style-type: none"> <li>contributes to the city's sense of place</li> <li>enhances legibility and assists wayfinding &amp; sense of orientation</li> <li>has a publicly accessible viewpoint that is easy to find</li> </ul>	<p>Vs4 is one of the nine viewshafts promoting views from the Golden Mile (Lambton Quay/Willis Street) to the harbour and its wider setting. The importance of these viewshafts, individually and collectively, is that they provide frequent and sequential views to the harbour for people moving along the Golden Mile - one of the most widely used pedestrian routes within the city.</p> <p>The viewshafts enhance the historical connection between the original shoreline and the harbour. They also promote visual and physical connections between the CBD with the waterfront and, in turn, contribute to wayfinding and an enhanced sense of place.</p>
4	<p>Risks/effects of removing viewshafts that are considered compromised/no longer relevant</p>	<p>Vs4 (for the reasons above) is still relevant and should be retained.</p> <p>Note: resource consent was recently granted for minor verandah intrusions into Vs4 (1 Whitmore Street redevelopment - SR No. 448622, 13 December 2019).</p> <p>The removal of this viewshaft would devalue the importance/meaning of all nine viewshafts promoting views from the Golden Mile.</p>
5	<p>Potential risks to the viewshaft associated with current height limits applied to redeveloping sites within the viewshaft that might affect margins</p>	<p>Vs4 runs along the street corridor of Whitmore Street. Its risk of being compromised by new development under the current District Plan provisions is low as: (a) the street walls framing the view are unlikely to change; and (b) Site 10, which defines the left margin of the viewshaft has been developed while Site 9, which defines the right margin, has a</p>

		<p>resource consent for a new building with construction planned to start in the near future. There is a potential, but relatively low risk of encroachment into the viewshaft margins by projecting features/elements associated with new development or redevelopment of existing buildings.</p> <p>Risk profile: no obvious risks.</p>
6	Viewshaft staff assessment 2017: review key findings & recommendations	Agree with findings and support recommendations, subject to the recommended change to the description of the right margin.
		<b>RECOMMENDATIONS</b>
		<p>Retain Vs4, but amend the description under context elements (replace North Queens Wharf with its new name "North Kumutoto Precinct").</p> <p>Change the description of the right margin to "South-eastern corner of Whitmore Street/Customhouse Quay (1 Whitmore Street)".</p> <p>Update photo.</p>

## VIEWSHAFT No. Vs4A (Whitmore Street)

### Southern corner of the intersection of Whitmore Street and Featherston Street, focusing on The Beehive and The Cenotaph

	EVALUATION SCOPE	EVALUATION
1	<ul style="list-style-type: none"> <li>Assess state of the viewshaft relative to the Appendix 11 description + associated photo</li> <li>Identify any changes since 2017 study</li> </ul>	The current state of the viewshaft is consistent with the Appendix 11 description. There are no apparent changes to the elements of the viewshaft and/or the surrounding context affecting the margins.
2	<p>Description as per Appendix 11</p> <ul style="list-style-type: none"> <li>viewpoint location</li> <li>focal elements</li> <li>context elements</li> <li>margins</li> </ul>	<ul style="list-style-type: none"> <li>viewpoint location description - accurate (no change)</li> <li>focal elements description - accurate (no change)</li> <li>context elements description - accurate (no change)</li> <li>margins description - accurate (no change)</li> </ul>
3	<p>Value of each viewshaft in its current state - the extent to which the viewshaft:</p> <ul style="list-style-type: none"> <li>contributes to the city's sense of place</li> <li>enhances legibility and assists wayfinding &amp; sense of orientation</li> <li>has a publicly accessible viewpoint that is easy to find</li> </ul>	Vs4A is one of the three viewshafts (the others being Vs1 and Vs3) focused on The Beehive from the south/east and viewed against the backdrop of Tinakori Hill. However, this viewshaft also includes The Cenotaph as an additional focal element. The three viewshafts, individually and collectively, which promote the image of Wellington as NZ's 'seat of government' and capital city, in views from key points, have an enhanced public significance. The Beehive and The Cenotaph are both part of Wellington's history, and views to them, as provided by Vs4A, contribute to the city's sense of place.
4	Risks/effects of removing viewshafts that are considered compromised/no longer relevant	Vs4A (for the reasons above) is still relevant and should be retained.
5	Potential risks to the viewshaft associated with current height limits applied to redeveloping sites within the viewshaft that might affect margins	<p>Redeveloping the podium of the Bowen House (corner of Lambton Quay and Bowen Street) which frames the left margin of the viewshaft, or redeveloping the entire site occupied by that building, could potentially affect the left margin and therefore the extent and integrity of Vs4A.</p> <p>Under Planning Map 32 the Bowen House site has a 75m height limit <u>BUT</u> is subject to the following 'note':</p> <p><i>Bowen House Height Controls: Section 9 of the Reserves and Other Lands Disposal Act 1932-33 restricts height development on Lots 1 and 2 DP 10325 to that of existing buildings.</i></p> <p>Note: if the above note is to be retained on Planning Map 32, the legal description may require amendment. The current legal description of the Bowen House site is Lot 1 DP 68935.</p>

		Risk profile: low, given the specific height limit applying to the Bowen House site.
6	Viewshaft staff assessment 2017: review key findings & recommendations	Agree with findings and support recommendations (already implemented in Appendix 11).
		<b>RECOMMENDATIONS</b>
		<p>Retain Vs4A.</p> <p>Consider Vs4A when reviewing District Plan building heights in the Central Area.</p> <p>Update photo.</p>

## VIEWSHAFT No. Vs5 (Waring Taylor Street)

Western side of Lambton Quay, in line with middle of Waring Taylor Street focusing on the Inner Harbour and Inner Town Belt

	EVALUATION SCOPE	EVALUATION
1	<ul style="list-style-type: none"> <li>Assess state of the viewshaft relative to the Appendix 11 description + associated photo</li> <li>Identify any changes since 2017 study</li> </ul>	<p>The current state of the viewshaft differs from the image displayed in the Appendix 11 photo.</p> <p>Changes relate to intrusions into the viewshaft including: (i) the vertical/sculptural element at the southern end of the North Kumutoto Precinct appearing in the centre of the view; and (ii) the top northern corner of the Meridian Building which extends above the top of Shed 13, thus reducing the extent of the view to Roseneath along the right margin.</p> <p>The above intrusions, which would have been approved as part of the resource consent applications required for the construction of the above-mentioned structures, are relatively minor and do not compromise the integrity of the viewshaft.</p>
2	<p>Description as per Appendix 11</p> <ul style="list-style-type: none"> <li>viewpoint location</li> <li>focal elements</li> <li>context elements</li> <li>margins</li> </ul>	<ul style="list-style-type: none"> <li>viewpoint location description - not entirely accurate - i.e. the location is not immediately outside the eastern entrance to Lambton Square, but rather several metres to the right (south) of that location</li> <li>focal elements description - accurate (no change)</li> <li>context elements description - the description refers to the North Queens Wharf. The name of this area has been subsequently replaced by a new name - "North Kumutoto Precinct". Update of the name is recommended.</li> <li>left margins description - accurate (no change)</li> </ul>
3	<p>Value of each viewshaft in its current state - the extent to which the viewshaft:</p> <ul style="list-style-type: none"> <li>contributes to the city's sense of place</li> <li>enhances legibility and assists wayfinding &amp; sense of orientation</li> <li>has a publicly accessible viewpoint that is easy to find</li> </ul>	<p>Vs5 is one of the nine viewshafts promoting views from the Golden Mile (Lambton Quay/Willis Street) to the harbour and its wider setting and sequential to Vs4 when moving south along Lambton Quay. The importance of these viewshafts, individually and collectively, is that they provide frequent and sequential views to the harbour for people moving along the Golden Mile - one of the most widely used pedestrian routes within the city. Further to this, Vs5 is located in the vicinity of one of the most widely used inner-city parks (Midland Park).</p> <p>The nine viewshafts are important as they enhance the historical connection between the original shoreline and the harbour. They also promote the visual and physical connection between the CBD with the waterfront and in turn contribute to wayfinding and an enhanced sense of place.</p>
4	<p>Risks/effects of removing viewshafts that are considered compromised/no longer relevant</p>	<p>Viewshaft 5 (for the reasons above) is still relevant and should be retained. The possible removal of this viewshaft will devalue the importance and meaning of all nine viewshafts from the Golden Mile to</p>

		the harbour and Inner Town Belt/Te Ranga a Hiwi Precinct.
5	Potential risks to the viewshaft re current height limits applied to redeveloping sites within the viewshaft that might affect margins	<p>Vs5 runs along the street corridor of Waring Tylor Street. Its risk of being compromised by new development under the current District Plan provisions is low as: (a) the street walls framing the view are unlikely to change; and (b) Site 9 (currently vacant), which defines the right margin of the viewshaft has a resource consent with construction planned to start in the near future. There is a potential, but relatively low risk of encroachment into the viewshaft margins by projecting features/elements associated with new development or redevelopment of existing buildings.</p> <p>Risk profile: no obvious risk.</p>
6	Viewshaft staff assessment 2017: review key findings & recommendations	Agree with findings and recommendations (already implemented in Appendix 11).
		<b>RECOMMENDATIONS</b>
		<p>Retain Vs5 but amend description under the context elements (replace North Queens Wharf with its new name “North Kumutoto Precinct”).</p> <p>Amend description of viewpoint location.</p> <p>Update photo.</p>

## VIEWSHAFT No. Vs6 (Johnston Street)

### Western side of Lambton Quay, in line with middle of Johnston Street focusing on Roseneath and Inner Town Belt

	EVALUATION SCOPE	EVALUATION
1	<ul style="list-style-type: none"> <li>Assess state of the viewshaft relative to the Appendix 11 description + associated photo</li> <li>Identify any changes since 2017 study</li> </ul>	<p>The current state of the viewshaft is consistent with the Appendix 11 description. There are no apparent changes to the elements of the viewshaft and/or the surrounding context affecting the margins.</p>
2	<p>Description as per Appendix 11</p> <ul style="list-style-type: none"> <li>viewpoint location</li> <li>focal elements</li> <li>context elements</li> <li>margins</li> </ul>	<ul style="list-style-type: none"> <li>viewpoint location description - accurate (no change)</li> <li>focal elements description - 'Roseneath' is one of the focal elements. However, 'Roseneath built-up ridge' (which is integral part of Roseneath) is listed under 'context elements'. For clarity, consider removing 'Roseneath built-up ridge' from the context elements and include it under focal elements.</li> <li>context elements description - needs an update on place naming (replace North Queens Wharf with its new name - "North Kumutoto Precinct"). Also, consider removing 'built-up ridge line of Roseneath' and include it under focal elements (see above)</li> <li>margins description - accurate (no change)</li> </ul>
3	<p>Value of each viewshaft in its current state - the extent to which the viewshaft:</p> <ul style="list-style-type: none"> <li>contributes to the city's sense of place</li> <li>enhances legibility and assists wayfinding &amp; sense of orientation</li> <li>has a publicly accessible viewpoint that is easy to find</li> </ul>	<p>Vs6 is one of the nine viewshafts promoting views from the Golden Mile (Lambton Quay/Willis Street) to the harbour and its wider setting and sequential to Vs5 when moving south along Lambton Quay. The importance of these viewshafts, individually and collectively, is that they provide frequent and sequential views to the harbour for people moving along Lambton Quay - one of the most widely used pedestrian routes within the city. Further to this, Vs6 is located in the vicinity of the one of the most widely used inner-city parks (Midland Park).</p> <p>The viewshafts are important as they enhance the historical connection between the original shoreline (that once ran along Lambton Quay) and the harbour. They also promote the visual and physical connection between the CBD with the waterfront and in turn contribute to wayfinding and an enhanced sense of place.</p>
4	<p>Risks/effects of removing viewshafts that are considered compromised/no longer relevant</p>	<p>Vs6 (for the reasons above) is still relevant and should be retained. The possible removal of this viewshaft will devalue the importance and meaning of all nine viewshafts from the Golden Mile to the harbour and hills.</p>
5	<p>Potential risks to the viewshaft associated with current height limits applied to redeveloping sites within the viewshaft that might affect margins</p>	<p>The viewshaft traverses the Queens Wharf 'Outer T' (Shed 1). Any redevelopment of Shed 1 with a higher building would intrude into the viewshaft. Note: the northern end of Shed 1 currently is visible within the viewshaft</p> <p>The Outer T is within the coastal marine area and outside the control of</p>

		<p>the District Plan.</p> <p>Under the relevant regional plan (Proposed Natural Resources Plan) there are provisions which require, when assessing resource consent applications, that regard is had to provisions contained in the Wellington City District Plan relating to the following matters:</p> <ul style="list-style-type: none"> <li>- amenity values;</li> <li>- <u>views</u>,</li> <li>- height, bulk and form; and</li> <li>- and urban design.</li> </ul> <p>Refer Part 2 Report for commentary on earlier proposed hotel development on the northern arm of the Outer Tee, Queens Wharf, which intruded into Vs6.</p> <p>Risk profile: medium - potential risk from development on the northern arm of the Outer Tee, Queens Wharf.</p>
6	Viewshaft staff assessment 2017: review key findings & recommendations	Agree with findings and recommendations (already implemented in Appendix 11).
		<b>RECOMMENDATIONS</b>
		<p>Retain Vs6 but amend the description under the context elements (replace North Queens Wharf with its new name "North Kumutoto Precinct").</p> <p>Move the reference to "Roseneath built-up ridge line" from the context elements to the focal elements.</p> <p>Update photo.</p>

## VIEWSHAFT No. Vs7 (Brandon Street)

### Western footpath on Lambton Quay, in line with centre of Brandon Street focusing on Queens Wharf

	EVALUATION SCOPE	EVALUATION
1	<ul style="list-style-type: none"> <li>Assess state of the viewshaft relative to the Appendix 11 description + associated photo</li> <li>Identify any changes since 2017 study</li> </ul>	<p>The current state of the viewshaft is consistent with the Appendix 11 description. There are no apparent changes to the elements of the viewshaft and/or the surrounding context affecting the margins.</p>
2	<p>Description as per Appendix 11</p> <ul style="list-style-type: none"> <li>viewpoint location</li> <li>focal elements</li> <li>context elements</li> <li>margins</li> </ul>	<ul style="list-style-type: none"> <li>viewpoint location description - accurate (no change)</li> <li>focal elements description - 'Queens Wharf' is recorded as the focal element of this viewshaft. The viewshaft is focused on the current <u>building</u> at Queens Wharf - recommend adding the name of the building (3 Queens Wharf). Note that Queens Wharf itself cannot be seen</li> <li>context elements description - consider removing 'Outer Tee' (i.e. Shed 1) as it cannot be seen</li> <li>margins description - amend left margin to replace Wool House with "former Deloitte House"; and amend right margin to delete Tower Building and replace with "Chartered Accountants House".</li> </ul>
3	<p>Value of each viewshaft in its current state - the extent to which the viewshaft:</p> <ul style="list-style-type: none"> <li>contributes to the city's sense of place</li> <li>enhances legibility and assists wayfinding &amp; sense of orientation</li> <li>has a publicly accessible viewpoint that is easy to find</li> </ul>	<p>Vs7 is one of the nine viewshafts promoting views from the Golden Mile (Lambton Quay/Willis Street) to the harbour and its wider setting and sequential to Vs6 when moving south along Lambton Quay. The importance of these nine viewshafts, individually and collectively, is that they provide frequent and sequential views to the harbour for people moving along the Golden Mile - one of the most widely used pedestrian routes within the city.</p> <p>However, Vs7 is dominated by the building at Queens Wharf (3 Queens Wharf the former retail centre) which does not allow Queens Wharf per se (the focal element of the view) to be seen; and has also reduced visibility to the built-up ridgeline of Roseneath (context element).</p> <p>The viewshafts are important as they enhance the historical connection between the original shoreline and the harbour. They also promote the visual and physical connection between the CBD with the waterfront and in turn contribute to wayfinding and an enhanced sense of place.</p>
4	<p>Risks/effects of removing viewshafts that are considered compromised/no longer relevant</p>	<p>Although compromised/affected by the current building at Queens Wharf, Vs7 (for the reasons above) is still relevant and should be retained. Its possible removal poses a potential risk of losing the visual connection to the context elements (Roseneath's built-up edge) - see comments below.</p>
5	<p>Potential risks to the viewshaft re current height</p>	<p>Note: resource consent was recently granted for minor verandah</p>

	limits (height provisions) applied to redeveloping sites within the viewshaft that might affect margins	<p>intrusions into Vs7 (149 Featherston Street redevelopment - currently under construction - SR No. 396279).</p> <p>Risks relate to potential development on northern arm of Outer Tee (Shed 1 - coastal marine area) or redevelopment of existing buildings at Queens Wharf. Refer Part Two Report for commentary on earlier proposed hotel development on the northern arm of the Outer Tee, Queens Wharf, which intruded into Vs7.</p> <p>Risk profile: medium - potential risk of development on the northern arm Outer Tee, Queens Wharf.</p>
6	Viewshaft staff assessment 2017: review key findings & recommendations	<p>Agree with findings and recommendations.</p> <p>Consider (as per 2017 suggestion) re-wording property reference on the aerial map for the right-side property reference from eastern corner to "north-eastern corner".</p>
		<b>RECOMMENDATIONS</b>
		<p>Retain Vs7 but consider:</p> <p>Adding the name of the building (3 Queens Wharf) under description of the focal elements.</p> <p>Removing the reference to Outer Tee under context elements.</p> <p>Amend left margin to replace Wool House with "former Deloitte House"; and amend right margin to delete Tower Building and replace with "Chartered Accountants House".</p> <p>Consider (as per 2017 suggestion) re-wording property reference on the aerial map for the right-side property reference from eastern corner to "north-eastern corner".</p> <p>Update photo.</p>

## VIEWSHAFT No. Vs8 (above Panama Street)

Viewing platform on 8<sup>th</sup> floor of the office tower at 125 The Terrace (238-252 Lambton Quay) focusing Old Harbour Board Office building, Inner Harbour and Oriental Parade

	EVALUATION SCOPE	EVALUATION
1	<ul style="list-style-type: none"> <li>Assess state of the viewshaft relative to the Appendix 11 description + associated photo</li> <li>Identify any changes since 2017 study</li> </ul>	<p>The current state of the viewshaft is consistent with the Appendix 11 description. There are no apparent changes to the elements of the viewshaft and/or the surrounding context affecting the margins.</p>
2	<p>Description as per Appendix 11</p> <ul style="list-style-type: none"> <li>viewpoint location</li> <li>focal elements</li> <li>context elements</li> <li>margins</li> </ul>	<ul style="list-style-type: none"> <li>viewpoint location description - needs to update the name of the building (no longer AMP NZ Building). Also, the address of viewpoint (238-252) is confusing as access to the viewpoint from Lambton Quay is convoluted and indirect. The viewpoint is directly accessible from 125 The Terrace</li> <li>focal elements description - accurate (no change)</li> <li>context elements description - consider removing 'Queens Wharf and Outer Tee' as a context element as these are not readily discernible</li> <li>margins description - amend left margin to replace Tower Building with "Chartered Accountants House; amend right margin to incorporate "... following the outline of existing podium ..." after "Intercontinental Hotel"; and amend map to align frame with the margins' description (as per 2017 Staff Assessment recommendation)</li> </ul>
3	<p>Value of each viewshaft in its current state - the extent to which the viewshaft:</p> <ul style="list-style-type: none"> <li>contributes to the city's sense of place</li> <li>enhances legibility and assists wayfinding &amp; sense of orientation</li> <li>has a publicly accessible viewpoint that is easy to find</li> </ul>	<p>Vs8 is one of the nine viewshafts promoting views from the Golden Mile (Lambton Quay/Willis Street) to the harbour and its wider setting. It is sequential to Vs7 when moving south along the Golden Mile, but obtained from an elevated position. As such it offers a view from a different angle/perspective within a place, which, in addition to being part of a thoroughfare (between Lambton Quay/The Terrace), also provides a publicly accessible area to stop and observe. The importance of Vs8 is that it, along with the remaining nine viewshafts, provides frequent and sequential views to the harbour for people moving along Lambton Quay, and also along The Terrace in this case.</p> <p>The abovementioned nine viewshafts are important as they enhance the historical connection between the original shoreline and the harbour. They also promote the visual and physical connection between the CBD with the waterfront and in turn contribute to wayfinding and an enhanced sense of place.</p>
4	<p>Risks/effects of removing viewshafts that are considered compromised/no longer relevant</p>	<p>Vs8 (for the reasons above) is still relevant and should be retained. The possible removal of this viewshaft will devalue the importance and meaning of all nine viewshafts from the Golden Mile to the harbour and hills.</p>

5	Potential risks to the viewshaft associated with current height limits applied to redeveloping sites within the viewshaft that might affect margins	<p>Potential future redevelopment of the Intercontinental Hotel poses a risk, particularly redevelopment/vertical extension of the current podium which defines the right margin. Current operative District Plan height (Map 32) for the Intercontinental Hotel site is 60m for the front half fronting Customhouse Quay, which is in the Post Office Square Heritage Area, and 80m for the rear half fronting Featherston Street</p> <p>Also, any redevelopment of existing buildings on Queens Wharf (TSB Arena and 3 Queens Wharf), as well as any building/structure on the southern arm of the Outer Tee (in the coastal marine area), could intrude into the inner harbour and Oriental Bay focal elements of this viewshaft.</p> <p>Risk profile: low to medium</p>
6	Viewshaft staff assessment 2017: review key findings & recommendations	Agree with findings and recommendations, subject to amendments to left and right margins and aerial map.
		<b>RECOMMENDATIONS</b>
		<p>Recommendations:</p> <p>Retain Vs8 but:</p> <p>Up-date the name of the building under description of viewpoint to “8<sup>th</sup> Floor of Capital on the Quay”, changing the address of this building to 226-262 Lambton Quay / 125 The Terrace.</p> <p>Update description of margins and correct/update map (amend left margin to replace Tower Building with “Chartered Accountants House; amend right margin to incorporate “... following the outline of existing podium ...” after “Intercontinental Hotel”; and amend map to align frame with the margins’ description)</p> <p>Consider removing the reference to Queens Wharf and Outer Tee under context elements.</p> <p>Update photo.</p>

## VIEWSHAFT No. Vs9 (above Grey Street)

### Access route from (141 The Terrace - Fujitsu Tower) to Lambton Quay overlooking northern side of Grey Street

	EVALUATION SCOPE	EVALUATION
1	<ul style="list-style-type: none"> <li>Assess state of the viewshaft relative to the Appendix 11 description + associated photo</li> <li>Identify any changes since 2017 study</li> </ul>	The current state of the viewshaft is consistent with the Appendix 11 description. There are no apparent changes to the elements of the viewshaft and/or the surrounding context affecting the margins
2	<p>Description as per Appendix 11</p> <ul style="list-style-type: none"> <li>viewpoint location</li> <li>focal elements</li> <li>context elements</li> <li>margins</li> </ul>	<ul style="list-style-type: none"> <li>viewpoint location description - if retained, need to update the name of the Caltex Tower building, now Fujitsu Tower and Phoenix Arcade now James Cook Arcade and relocate viewpoint location to carpark at top of steps down to Lambton Quay</li> <li>focal elements description - reference "Wellington Museum (former WHB Bond Store)" in place of Wellington Harbour Board Offices</li> <li>context elements description - reference "TSB Arena" in brackets after Queens Wharf</li> <li>margins description - accurate (no change)</li> </ul>
3	<p>Value of each viewshaft in its current state - the extent to which the viewshaft:</p> <ul style="list-style-type: none"> <li>contributes to the city's sense of place</li> <li>enhances legibility and assists wayfinding &amp; sense of orientation</li> <li>has a publicly accessible viewpoint that is easy to find</li> </ul>	<p>Vs9 is one of several viewshafts promoting views from the Golden Mile (Lambton Quay/Willis Street) to the harbour and its wider setting. It is sequential to Vs8 when moving south along Lambton Quay but obtained from an elevated position accessed from The Terrace. As such, it offers a view from a different angle/perspective from an access route from The Terrace to Lambton Quay (although not a well-used access route). Also, the viewpoint location, which is difficult to find, is in a private rooftop carpark, notwithstanding the access down to Lambton Quay.</p> <p>The abovementioned viewshafts (Vs4-Vs9) collectively are important as they enhance the historical connection between the original shoreline and the harbour. They also promote the visual and physical connection between the CBD and the waterfront and in turn contribute to wayfinding and an enhanced sense of place.</p>
4	Risks/effects of removing viewshafts that are considered compromised/no longer relevant	Given the limited and somewhat convoluted access to the viewing position and its location within a rooftop private carpark, it is very questionable whether the Vs9 should be retained.
5	Potential risks to the viewshaft associated with current height limits applied to redeveloping sites within the viewshaft that might affect margins	The risk of Vs9 being compromised by new development is very low, as both of the buildings defining the margins of the viewshaft, the former WHB Bond Store (Wellington Museum) and the Huddart Parker Building, are listed heritage buildings.

		<p>Potential, but very low risk of redeveloping the TCB Arena site with a taller building.</p> <p>Risk profile: low.</p>
6	Viewshaft staff assessment 2017: review key findings & recommendations	<p>The question asked in the 2017 Staff Assessment review was: should Vs9 remain as viewing location given it is now predominantly a private space (café) and not a public space, notwithstanding that the view itself remains unaffected and includes several city/harbour features.</p> <p>Agree that relevance and therefore retention of Vs9 is very questionable because of difficult to find/limited access to the viewpoint.</p>
		<b>RECOMMENDATIONS</b>
		<p>Consider removal of Vs9 on the basis that: (a) the viewshaft location is difficult to find and access and is located within a private carpark; and (b) the risk of future development intruding into the viewshaft is low.</p> <p>If retained:</p> <ul style="list-style-type: none"> <li>amend viewpoint location and margin descriptions; and</li> <li>■ rename focal element “Wellington Museum (former WHB Bond Store)”.</li> </ul> <p>Update photo if Vs9 is retained.</p>

## VIEWSHAFT No. Vs9A (Lambton Quay)

### Southwest corner of Lambton Quay/Grey Street intersection (on Lambton Quay Footpath)

	EVALUATION SCOPE	EVALUATION
1	<ul style="list-style-type: none"> <li>Assess state of the viewshaft relative to the Appendix 11 description + associated photo</li> <li>Identify any changes since 2017 study</li> </ul>	<p>The current state of the viewshaft is consistent with the Appendix 11 description. There are no apparent changes to the elements of the viewshaft and/or the surrounding context affecting the margins</p>
2	<p>Description as per Appendix 11</p> <ul style="list-style-type: none"> <li>viewpoint location</li> <li>focal elements</li> <li>context elements</li> <li>margins</li> </ul>	<ul style="list-style-type: none"> <li>viewpoint location description - accurate (no change)</li> <li>focal elements description - update State Insurance Building to Aon Centre</li> <li>context elements description - accurate (no change)</li> <li>margins description - accurate (no change)</li> </ul>
3	<p>Value of each viewshaft in its current state - the extent to which the viewshaft:</p> <ul style="list-style-type: none"> <li>contributes to the city's sense of place</li> <li>enhances legibility and assists wayfinding &amp; sense of orientation</li> <li>has a publicly accessible viewpoint that is easy to find</li> </ul>	<p>Although located on Lambton Quay, Vs9A is <u>not</u> one of several viewshafts promoting views from the Golden Mile to the harbour and its wider setting. Rather, it is 'townscape' view principally focussing on two well-known buildings (MLC Building and Aon Centre - the later formerly known as the BNZ Tower and then State Insurance Building). The two buildings which present distinctly different form and architectural character/features, are both well-known city landmarks. The viewshaft promotes the townscape significance those buildings and their contribution to the area's sense of place.</p>
4	<p>Risks/effects of removing viewshafts that are considered compromised/no longer relevant</p>	<p>Vs9A (for the reasons above) is still relevant and should be retained. However, consideration could be given to relocating the viewpoint location further to the south. This will remove development restrictions on the nearby Grant Thornton Tower (defining the left margin of the viewshaft) while still retaining views to the focal elements as part of the overall experience when moving south along Lambton Quay (see further comments below).</p>
5	<p>Potential risks to the viewshaft associated with current height limits applied to redeveloping sites within the viewshaft that might affect margins</p>	<p>On the right margin (Stewart Dawson's Corner) the tower currently under construction behind the Stewart Dawson's facade is set-back from the street frontage and will not intrude into the viewshaft.</p> <p>The only risk to the viewshaft is further development at the south end of the Grant Thornton Tower (above the existing two-level 'podium'), which could partially block the view of the MLC Building.</p> <p>Risk profile: low to medium</p> <p>Even if the podium was developed, the views of the focal elements will be retained, albeit with a reduced visibility to the MLC Building in some</p>

		<p>of the views. Notwithstanding the reduced visibility, the visual relationship between the two building will still be understood and appreciated. This observation is based on the following:</p> <ul style="list-style-type: none"> <li>(a) The two focal elements (MLC Building and Aon Centre) are experienced in a series of sequential views when moving south along the section of Lambton Quay between Grey Street and Hunter Street (approximately 100m long route/approximatley1-2 min walk).</li> <li>(b) The view protected by Vs9A from its current viewpoint location is obtained from the northern end of this 100m long route (Grey Street intersection), with the view to the focal elements becoming increasingly wider as one moves south along Lambton Quay.</li> <li>(c) The podium, if developed, will partially block the view of the MCL Building from the current viewpoint location with the extent of the current protected view revealed fully from viewpoints about 50m further to the south. This means that the degree of visibility of the MCL Building relative to the current view, will be reduced in the sequential views obtained within 50m distance (approximately 1 min walk). Notwithstanding this, the observer will be aware of and able to understand/appreciate the visual relationship between the two focal elements when moving south along Lambton Quay.</li> <li>(d) The above suggests that relocating the viewpoint, as discussed, will not significantly compromise the overall experience of the townscape contribution made by the focal elements, while allowing the potential redevelopment of the Grant Thornton Tower.</li> </ul>
6	Viewshaft staff assessment 2017: review key findings & recommendations	Agree with findings - no amendments required apart from change of name of State Insurance Building to "Aon Centre".
		<b>RECOMMENDATIONS</b>
		<p>Retain Vs9A, but rename State Insurance Building - a focal element - as Aon Centre; and consider relocation of the viewpoint 50m further to the south.</p> <p>Update photo (following completion of Stewart Dawsons redevelopment).</p>

## VIEWSHAFT No. Vs10 (Hunter Street)

### Western footpath on Lambton Quay, in line with centre of Hunter Street focusing Oriental Bay and Te Ranga a Hiwi Precinct

	EVALUATION SCOPE	EVALUATION
1	<ul style="list-style-type: none"> <li>▪ Assess state of the viewshaft relative to the Appendix 11 description + associated photo</li> <li>▪ Identify any changes since 2017 study</li> </ul>	<p>The current state of the viewshaft is consistent with the Appendix 11 description. There are no apparent changes to the elements of the viewshaft and/or the surrounding context affecting the margins.</p> <p>Future (pending) change with the redevelopment of the Frank Kitt Park children's playground (Frank Kitts Part is a context element), which will include the removal of existing Pohutukawa trees which feature in the viewshaft.</p>
2	<p>Description as per Appendix 11</p> <ul style="list-style-type: none"> <li>▪ viewpoint location</li> <li>▪ focal elements</li> <li>▪ context elements</li> <li>▪ margins</li> </ul>	<ul style="list-style-type: none"> <li>▪ viewpoint location description - accurate (no change)</li> <li>▪ focal elements description - accurate (no change)</li> <li>▪ context elements description - accurate (no change)</li> <li>▪ margins description - amend right margin, change NBNZ House to "Ricoh House".</li> </ul>
3	<p>Value of each viewshaft in its current state - the extent to which the viewshaft:</p> <ul style="list-style-type: none"> <li>▪ contributes to the city's sense of place</li> <li>▪ enhances legibility and assists wayfinding &amp; sense of orientation</li> <li>▪ has a publicly accessible viewpoint that is easy to find</li> </ul>	<p>Vs10 is one of nine viewshafts promoting views from the Golden Mile (Lambton Quay/Willis Street) to the harbour and its wider setting and sequential to Vs7 when moving south along Lambton Quay. The importance of these viewshafts, individually and collectively, is that they provide frequent and sequential views to the harbour for people moving along the Golden Mile - one of the most widely used pedestrian routes within the city.</p> <p>The above mentioned nine viewshafts are important as they enhance the historical connection between the original shoreline and the harbour. They also promote the visual and physical connection between the CBD with the waterfront and in turn contribute to wayfinding and an enhanced sense of place.</p>
4	<p>Risks/effects of removing viewshafts that are considered compromised/no longer relevant</p>	<p>Vs10 (for the reasons above) is still relevant and should be retained. The possible removal of this viewshaft will devalue the importance and meaning of the viewshafts from the Golden Mile to the harbour and hills and diminish peoples' experience of the city/harbour connection.</p>
5	<p>Potential risks to the viewshaft associated with current height limits applied to redeveloping sites within the viewshaft that might affect margins</p>	<p>There are no apparent risks to this viewshaft from future development, although change will occur within Frank Kitts Park (a context element) with the redevelopment of the children's playground.</p> <p>Risk profile: no obvious risk.</p>

6	Viewshaft staff assessment 2017: review key findings & recommendations	Agree with findings
		<b>RECOMMENDATIONS</b>
		<p>Retain Vs10 but amend right margin description, change NBNZ House to "Ricoh House".</p> <p>Update Photo.</p>

## VIEWSHAFT No. Vs11 (Willeston Street)

### Western side of Lambton Quay at 'Stewart Dawson's Corner'

	EVALUATION SCOPE	EVALUATION
1	<ul style="list-style-type: none"> <li>▪ Assess state of the viewshaft relative to the Appendix 11 description + associated photo</li> <li>▪ Identify any changes since 2017 study</li> </ul>	<p>The current state of the viewshaft is significantly compromised by street trees and traffic signal infrastructure, with the traffic signal infrastructure blocking the view of St Gerard's Monastery, a focal element.</p> <p>Note: Vs11 was the subject of close scrutiny by the Environment Court during the appeals on Council's decision to grant consent for the redevelopment of Frank Kitts Park, a focal element. For further comment, refer to the Part Two Report.</p>
2	<p>Description as per Appendix 11</p> <ul style="list-style-type: none"> <li>▪ viewpoint location</li> <li>▪ focal elements</li> <li>▪ context elements</li> <li>▪ margins</li> </ul>	<ul style="list-style-type: none"> <li>▪ viewpoint location description - recommend a change in the viewpoint location so that it aligns more with the centre line of Willeston Street</li> <li>▪ focal elements description - accurate (no change)</li> <li>▪ context elements description - consider removing Clyde Quay Wharf, as it is not readily discernible from the viewpoint location</li> <li>▪ margins description - possible need to update margins to reflect change in viewpoint location.</li> </ul>
3	<p>Value of each viewshaft in its current state - the extent to which the viewshaft:</p> <ul style="list-style-type: none"> <li>▪ contributes to the city's sense of place</li> <li>▪ enhances legibility and assists wayfinding &amp; sense of orientation</li> <li>▪ has a publicly accessible viewpoint that is easy to find</li> </ul>	<p>Vs11 is one of the series of viewshafts promoting views from the Golden Mile (Lambton Quay/Willis Street) to the harbour and its wider setting and sequential to Vs10 when moving south along the Golden Mile. The importance of these viewshafts, individually and collectively, is that they provide frequent and sequential views to the harbour for people moving along the Golden Mile - one of the most widely used pedestrian routes within the city.</p> <p>The viewshafts to the inner harbour are important as they enhance the historical connection between the original shoreline and the harbour. They also promote the visual and physical connection between the CBD with the waterfront and in turn contribute to wayfinding and an enhanced sense of place.</p>
4	<p>Risks/effects of removing viewshafts that are considered compromised/no longer relevant</p>	<p>Vs11 (for the reasons above) is still relevant and should be retained. The possible removal of this viewshaft will devalue the importance and meaning of the viewshafts from Lambton Quay to the harbour and hills.</p>
5	<p>Potential risks to the viewshaft associated with current height limits applied to redeveloping sites within the viewshaft that might affect margins</p>	<p>Redevelopment of 1-11 Victoria Street (north-east corner of Willeston Street/Jervois Quay) - potential for intrusion into left margin of the viewshaft.</p> <p>Note: the main entrance to proposed Chinese Garden, which has been</p>

		approved, will be visible as part of the focal element (Frank Kitts Park). Risk profile: low to medium.
6	Viewshaft staff assessment 2017: review key findings & recommendations	Agree with findings and recommendations, notably the recommendation to move the viewpoint location so that aligns more with the centreline of Willeston Street.
		<b>RECOMMENDATIONS</b>
		Retain Vs11 but: Move viewpoint location to align more with centreline of Willeston Street. Consider removing Clyde Quay Wharf as a context element. Update/revise margins to reflect recommended change in viewpoint location. Update photo from new viewpoint location.



Photo of Vs11 - from relocated viewpoint to align with the centre of Willeston Street

## VIEWSHAFT No. Vs12 (Chews Lane)

### Eastern side of Willis Street and mid-point of Chews Lane

	EVALUATION SCOPE	EVALUATION
1	<ul style="list-style-type: none"> <li>▪ Assess state of the viewshaft relative to the Appendix 11 description + associated photo</li> <li>▪ Identify any changes since 2017 study</li> </ul>	The current state of the viewshaft is consistent with the description in Appendix 11 - notwithstanding the encroachment across the left margin by the upper level addition (Levels 1-4) to 50-52 Victoria Street undertaken as part of the Chews Lane Precinct Development.
2	<p>Description as per Appendix 11</p> <ul style="list-style-type: none"> <li>▪ viewpoint location</li> <li>▪ focal elements</li> <li>▪ context elements</li> <li>▪ margins</li> </ul>	<ul style="list-style-type: none"> <li>▪ viewpoint location description - accurate (no change)</li> <li>▪ focal elements description - accurate but add "Monastery" to St Gerard's note that view to St Gerard's has been slightly reduced by the 3-level addition (Levels 1-4) to 50-52 Victoria Street</li> <li>▪ context elements description - accurate (no change)</li> <li>▪ margins description - left margin, amend to read "South-east corner of Datacom House (south tower) 68 Jervois Quay"; right margin, amend to read "Colonial Carrying Company Building, 56 Victoria Street, (Lot 1 DP 365302)".</li> </ul>
3	<p>Value of each viewshaft in its current state - the extent to which the viewshaft:</p> <ul style="list-style-type: none"> <li>▪ contributes to the city's sense of place</li> <li>▪ enhances legibility and assists wayfinding &amp; sense of orientation</li> <li>▪ has a publicly accessible viewpoint that is easy to find</li> </ul>	Vs12 continues the series of viewshafts promoting views from the Golden Mile (Lambton Quay/Willis Street) to the harbour and its wider setting and sequential to Vs11. The importance of these viewshafts, individually and collectively, is that they provide frequent and sequential views to the harbour for people moving along Lambton Quay and Willis Street, both of which are widely used pedestrian routes within the city. These views are also important as they enhance the historical connections between the CBD and the harbour while promoting physical and visual connections to from the CBD to the waterfront and in turn contribute to wayfinding and an enhanced sense of place.
4	Risks/effects of removing viewshafts that are considered compromised/no longer relevant	Vs12 (for the reasons above) is still relevant and should be retained.
5	Potential risks to the viewshaft associated with current height limits applied to redeveloping sites within the viewshaft that might affect margins	<p>Vs12 runs along the spatial corridor of Chews Lane/Harris Street its risk of being compromised by new development under the current District Plan provisions is low as: (a) the street walls framing the view are unlikely to change; and (b) the Star Boating Club, 1885 (the closest focal element) is a heritage building and line of sight does not traverse any future development sites.</p> <p>As with other similar viewshafts, there is a potential, but relatively low risk of encroachment into the viewshaft margins by projecting features/elements associated with new development or redevelopment of existing buildings.</p> <p>Risk profile: no obvious risk.</p>

6	Viewshaft staff assessment 2017: review key findings & recommendations	Agree with findings and recommendations, notably the need to review/confirm the margins
		<b>RECOMMENDATIONS</b>
		<p>Retain Vs12, but with any necessary clarification/corrections to margins to reflect the Chews Lane Precinct development (left margin, amend to read “South-east corner of Datacom House (south tower) 68 Jervois Quay”; right margin, amend to read “Colonial Carrying Companying Building , 56 Victoria Street, (Lot 1 DP 365302)”.</p> <p>Add “Monastery” after St Gerard’s - a focal element</p> <p>Update photo.</p>

## VIEWSHAFT No. Vs13 (Michael Fowler Centre)

### From the Harbour View Lounge inside Michael Fowler Centre

	EVALUATION SCOPE	EVALUATION
1	<ul style="list-style-type: none"> <li>▪ Assess state of the viewshaft relative to the Appendix 11 description + associated photo</li> <li>▪ Identify any changes since 2017 study</li> </ul>	<p>Vs13 is from inside the Michael Fowler Centre, and although the MFC is a public venue, the viewpoint location is not readily accessible.</p> <p>As is foreshadowed in the current description of the viewpoint location:  <i>“In the future the viewpoint may be relocated outside on the western side of Jervois Quay once the new bridge connecting the Civic Centre with the waterfront and Te Papa is built”.</i></p> <p>This relocation should now be progressed through the District Plan review process - if it is to be retained.</p> <p>The focal elements of Vs13, Somes Island (Matiu) and the harbour foreground, can be retained from several viewpoint locations on the City-to-Sea Bridge - for one possible location, refer photo at end of the table.</p>
2	<p>Description as per Appendix 11</p> <ul style="list-style-type: none"> <li>▪ viewpoint location</li> <li>▪ focal elements</li> <li>▪ context elements</li> <li>▪ margins</li> </ul>	<p>Current description for Vs13 is accurate, except for the spelling of Rjmutata (which has to be amended to Remutata)</p> <p>If the viewpoint is to be relocated, as discussed above, a new description required for new viewpoint location and also (most likely) the margins.</p>
3	<p>Value of each viewshaft in its current state - the extent to which the viewshaft:</p> <ul style="list-style-type: none"> <li>▪ contributes to the city’s sense of place</li> <li>▪ enhances legibility and assists wayfinding &amp; sense of orientation</li> <li>▪ has publicly accessible viewpoint that is easy to find</li> </ul>	<p>The current value of the existing Vs13 is reduced given its location within the Michael Fowler Centre and associated difficulties of accessing it and experiencing the view.</p> <p>The same focal elements are more readily viewed from a public space location on the City-to-Sea Bridge.</p>
4	<p>Risks/effects of removing viewshafts that are considered compromised/no longer relevant</p>	<p>No significant risk from relocating viewshaft from the current viewpoint location within the Michael Fowler Centre to a new viewpoint location on the City-to-Sea Bridge.</p> <p>Alternatively, Vs13 could be removed as the view is not at risk of being lost if not formally protected under the District Plan. This is because the line of sight does not traverse any future development sites, also noting that both the Wellington Rowing Club (1874) and Star Boating Club (1885) buildings are listed heritage buildings.</p>
5	<p>Potential risks to the viewshaft associated with current height limits applied to redeveloping sites</p>	<p>There are no risks of future intrusion into the viewshaft from the new recommended viewpoint location given the 0m height limit applying to</p>

	within the viewshaft that might affect margins	the Lambton Harbour Area. For the same reason, there is little risk of losing the view from a relocated viewpoint on the City-to-Sea Bridge.  Risk profile: very low
6	Viewshaft staff assessment 2017: review key findings & recommendations	Agree with findings and recommendations, notably the need to review/confirm the preferred position for the new viewpoint location on the City to Sea Bridge, which retains a view of Somes Island (Matiu) as a focal element.
		<b>RECOMMENDATIONS</b>
		Consider removing Vs13.  Alternatively, relocate Vs13 to a new viewpoint location on the City-to-Sea Bridge, if it is to be retained, a viewpoint location which provides a view of Somes Island (Matiu).  Update photo from new viewpoint location.



Photo from possible new viewpoint location for Vs13 - focal elements Somes Island (Matiu) and harbour foreground. Alternative positions on the City-to-Sea Bridge should be considered as part of the recommended review of the viewpoint location for Vs13.

## VIEWSHAFT No. Vs14

### Viewing platform to the north of the Cable Car Station focusing on Somes Island (Matiu) and Makopuna Island

	EVALUATION SCOPE	EVALUATION
1	<ul style="list-style-type: none"> <li>▪ Assess state of the viewshaft relative to the Appendix 11 description + associated photo</li> <li>▪ Identify any changes since 2017 study</li> </ul>	<p>The current state of the viewshaft is consistent with the Appendix 11 description. However, the photo in Appendix 11 needs to be updated to reflect more recent high-rise developments. None of the recent developments compromise the integrity of the viewshaft.</p>
2	<p>Description as per Appendix 11</p> <ul style="list-style-type: none"> <li>▪ location</li> <li>▪ focal elements</li> <li>▪ context elements</li> <li>▪ margins</li> </ul>	<ul style="list-style-type: none"> <li>▪ location description - accurate (no change)</li> <li>▪ focal elements description - accurate (no change)</li> <li>▪ context elements description - accurate, but requires amending the spelling from 'Rimutaka Ranges' to 'Remutaka Ranges'</li> <li>▪ margins description - accurate (no change)</li> </ul>
3	<p>Value of each viewshaft in its current state - the extent to which the viewshaft:</p> <ul style="list-style-type: none"> <li>▪ contributes to the city's sense of place</li> <li>▪ enhances legibility and assists wayfinding &amp; sense of orientation</li> <li>▪ has a publicly accessible viewpoint that is easy to find</li> </ul>	<p>Vs14, along with Vs15 and Vs16, is one of three elevated viewshafts protecting 'vista' views across the harbour from the west. Obtained from the same viewpoint (Cable Car Station viewing platform), these viewshafts provide sequential views of the Wellington's wider harbour landscape setting (moving in a north-south direction).</p> <p>By allowing wide angle expansive views of the Wellington's memorable landscape, these viewshafts promote the city's sense of place, experienced at the foreground of the 'high city'.</p> <p>Collectively, when 'stitched together', the 'full' views of Vs14, Vs15 and Vs16 provide a single 'panoramic' view of the city (a view which has been recognised in the District Plan, refer Appendix 10).</p> <p>The three 'elevated' viewshafts, obtained from a popular visitor's destination accessed by the Cable Car (one of Wellington's symbols), complement the 'ground level' viewshafts from along the Golden Mile to the harbour.</p> <p>It is important to recognise that the viewshafts from the Cable Car provide an enhanced experience of the relationship between the collective urban form of the city and its wider landscape setting at a macro scale. It is also important to recognise that historically these viewshafts have been a key mechanism for establishing the height limits in the Central Area ('high city') and, as such, they have influenced the collective form and silhouette of Wellington city. All this determines their special significance for the city.</p>
4	<p>Risks/effects of removing viewshafts that are considered compromised/no longer relevant</p>	<p>For the reasons outlined above, Vs14, (along with Vs15 and Vs16) is still highly relevant and should be retained. Its potential removal will also devalue Vs15 and Vs16, which in turn is likely to result in</p>

		significant changes to city's urban form, particularly if the Central Area height limits were to be increased as part of the District Plan Review. It will also diminish the overall experience of Wellington's landscape and the understanding of its collective identity.
5	Potential risks to the viewshaft associated with current height limits applied to redeveloping sites within the viewshaft that might affect margins	<p>No potential risks identified at present, unless maximum building heights within the viewshaft frame are increased during the District Plan review process, and particularly if Vs14, Vs15 and Vs16 were removed for some reason.</p> <p>Risk profile: Low (at present). Medium to high if building heights are increased in the 'high city'.</p>
6	Viewshaft staff assessment 2017: review key findings & recommendations	Agree with findings and support recommendations (already implemented in Appendix 11).
		<b>RECOMMENDATIONS</b>
		<p>Retain Vs14 (no changes except for amending the spelling of Rimutaka Ranges to "Remutaka Ranges" under context elements).</p> <p>Update photo.</p>

## VIEWSHAFT No. Vs15

### Viewing platform to the north of the Cable Car station focusing on Point Jermingham and Point Halswell

	EVALUATION SCOPE	EVALUATION
1	<ul style="list-style-type: none"> <li>▪ Assess state of the viewshaft relative to the Appendix 11 description + associated photo</li> <li>▪ Identify any changes since 2017 study</li> </ul>	<p>The current state of the viewshaft is consistent with the Appendix 11 description. However, the photo in Appendix 11 needs to be updated to reflect more recent high-rise developments. None of the recent developments compromise the integrity of the viewshaft.</p>
2	<p>Description as per Appendix 11</p> <ul style="list-style-type: none"> <li>▪ location</li> <li>▪ focal elements</li> <li>▪ context elements</li> <li>▪ margins</li> </ul>	<ul style="list-style-type: none"> <li>▪ location description - accurate (no change)</li> <li>▪ focal elements description - accurate (no change)</li> <li>▪ context elements description - accurate, but requires amending the spelling of 'Rimutaka ranges' to 'Remutaka' ranges</li> <li>▪ margins description - accurate (no change)</li> </ul>
3	<p>Value of each viewshaft in its current state - the extent to which the viewshaft:</p> <ul style="list-style-type: none"> <li>▪ contributes to the city's sense of place</li> <li>▪ enhances legibility and assists wayfinding &amp; sense of orientation</li> <li>▪ has a publicly accessible viewpoint that is easy to find</li> </ul>	<p>Vs15, along with Vs14 and Vs16, is one of three elevated viewshafts protecting views across the harbour from the west. Obtained from the same viewpoint (Cable Car Station viewing platform), these viewshafts provide sequential views of the wider Wellington's harbour and landscape setting (in north-south direction).</p> <p>By allowing wide angle expansive views of the Wellington's memorable landscape, these viewshafts promote the city's sense of sense of place, experienced at the foreground of the 'high city'.</p> <p>Collectively, when 'stitched together', the full views of Vs14, Vs15 and Vs16 provide a single 'panoramic' view of the city (a view which has been recognised in the District Plan, refer Appendix 10).</p> <p>The three 'elevated' viewshafts, obtained from a popular visitor's destination accessed by the Cable Car (one of Wellington's symbols), complement the 'ground level' viewshafts from along the Golden Mile to the harbour.</p> <p>It is important to recognise that the viewshafts from the Cable Car provide an enhanced experience of the relationship between the collective urban form of the city and its wider landscape setting at a macro scale. It is also important to recognise that historically these viewshafts have been a key mechanism for establishing the height limits in the Central Area ('high city') and, as such, they have influenced the collective form and silhouette of Wellington city. All this determines their special significance for the city.</p>
4	<p>Risks/effects of removing viewshafts that are considered compromised/no longer relevant</p>	<p>For the reasons outlined above, Vs15, (along with Vs14 and Vs16) is still highly relevant and should be retained. Its potential removal will also devalue Vs14 and Vs16, which this in turn is likely to result in</p>

		significant changes to city's urban form, particularly if the Central Area heights were to be increased as part of the District Plan Review. It will also diminish the overall experience of Wellington's landscape and the understanding of its collective identity.
5	Potential risks to the viewshaft associated with current height limits applied to redeveloping sites within the viewshaft that might affect margins	<p>No potential risks identified at present, unless maximum building heights within the viewshaft frame are increased during the District Plan review process, and particularly if Vs14, Vs15 and Vs16 were removed for some reason.</p> <p>Risk profile: Low (at present). Medium to high if building heights are increased in the 'high city'.</p>
6	Viewshaft staff assessment 2017: review key findings & recommendations	Agree with findings and support recommendations (already implemented in Appendix 11).
		<b>RECOMMENDATIONS</b>
		<p>Retain Vs15 (no changes except for amending the spelling of 'Rimutaka' to 'Remutaka' under context elements).</p> <p>Update photo.</p>

## VIEWSHAFT No. Vs16

### Viewing platform to the north of the Cable Car station focusing on St Gerard's Monastery

	EVALUATION SCOPE	EVALUATION
1	<ul style="list-style-type: none"> <li>Assess state of the viewshaft relative to the Appendix 11 description + associated photo</li> <li>Identify any changes since 2017 study</li> </ul>	<p>The current state of the viewshaft is consistent with the Appendix 11 description. However, the photo in Appendix 11 needs to be updated to reflect more recent high-rise developments. None of the recent developments compromise the integrity of the viewshaft.</p>
2	<p>Description as per Appendix 11</p> <ul style="list-style-type: none"> <li>location</li> <li>focal elements</li> <li>context elements</li> <li>margins</li> </ul>	<ul style="list-style-type: none"> <li>location description - accurate (no change)</li> <li>focal elements description - accurate (no change). Suggest the description for St Gerard's to be changed to "St Gerard's <u>Monastery</u>" for completeness</li> <li>context elements description - accurate (no change)</li> <li>margins description - accurate (no change)</li> </ul>
3	<p>Value of each viewshaft in its current state - the extent to which the viewshaft:</p> <ul style="list-style-type: none"> <li>contributes to the city's sense of place</li> <li>enhances legibility and assists wayfinding &amp; sense of orientation</li> <li>has a publicly accessible viewpoint that is easy to find</li> </ul>	<p>Vs16, along with Vs14 and Vs15, is one of three elevated viewshafts protecting views across the harbour from the west. Obtained from the same viewpoint (Cable Car Station viewing platform), these viewshafts provide sequential views of the wider Wellington's harbour and landscape setting (in north-south direction).</p> <p>By allowing wide angle expansive views of the Wellington's memorable landscape, these viewshafts promote the city's sense of sense of place, experienced at the foreground of the 'high city'.</p> <p>Collectively, when 'stitched together', the full views of Vs14, Vs15 and Vs16 provide a single 'panoramic' view of the city (a view which has been recognised in the District Plan, refer Appendix 10).</p> <p>The three 'elevated' viewshafts, obtained from a popular visitor's destination accessed by the Cable Car (one of Wellington's symbols), complement the 'ground level' viewshafts from along the Golden Mile to the harbour.</p> <p>It is important to recognise that the viewshafts from the Cable Car provide an enhanced experience of the relationship between the collective urban form of the city and its wider landscape setting at a macro scale. It is also important to recognise that historically these viewshafts have been a key mechanism for establishing the height limits in the Central Area (high city) and, as such, they have influenced the collective form and silhouette of Wellington city. All this determines their special significance for the city.</p>
4	<p>Risks/effects of removing viewshafts that are considered compromised/no longer relevant</p>	<p>For the reasons outlined above, Vs16, (along with Vs14 &amp; Vs15) is still highly relevant and should be retained. Its potential removal will also devalue Vs14 and Vs15, which in turn is likely to result in significant changes to city's urban form, particularly if the central area heights were to be increased as part of the District Plan Review. It will also</p>

		diminish the overall experience of Wellington's landscape and the understanding of its collective identity.
5	Potential risks to the viewshaft associated with current height limits applied to redeveloping sites within the viewshaft that might affect margins	<p>No potential risks identified at present, unless maximum building heights within the viewshaft frame are increased during the District Plan review process, and particularly if Vs14, Vs15 and Vs16 were removed for some reason.</p> <p>Risk profile: Low (at present), Medium to high risk if height increased in the 'high city'.</p>
6	Viewshaft staff assessment 2017: review key findings & recommendations	Agree with findings and support recommendations (already implemented in Appendix 11).
		<b>RECOMMENDATIONS</b>
		<p>Retain Vs16 (no changes except for amending the focal element description from St Gerard's to "St Gerard's <u>Monastery</u>".</p> <p>Update photo.</p>

## VIEWSHAFT No. Vs17 (Cuba Street)

### Western side of Cuba Street (202 Cuba Street)

	EVALUATION SCOPE	EVALUATION
1	<ul style="list-style-type: none"> <li>▪ Assess state of the viewshaft relative to the Appendix 11 description + associated photo</li> <li>▪ Identify any changes since 2017 study</li> </ul>	The current state of the viewshaft is consistent with the Appendix 11 description. There are no evident changes to the elements of the viewshaft and/or the surrounding context.
2	Description as per Appendix 11 <ul style="list-style-type: none"> <li>▪ viewpoint location</li> <li>▪ focal elements</li> <li>▪ context elements</li> <li>▪ margins</li> </ul>	<ul style="list-style-type: none"> <li>▪ viewpoint location description - accurate (no change)</li> <li>▪ focal elements description - accurate (no change)</li> <li>▪ context elements description - accurate (no change)</li> <li>▪ margins description - accurate (no change)</li> </ul>
3	Value of each viewshaft in its current state - the extent to which the viewshaft: <ul style="list-style-type: none"> <li>▪ contributes to the city's sense of place</li> <li>▪ enhances legibility and assists wayfinding &amp; sense of orientation</li> <li>▪ has a publicly accessible viewpoint that is easy to find</li> </ul>	<p>Vs17 is the only viewshaft from Cuba Street and as such has an important role in establishing the relationship of this well-used pedestrian street to the Central Area's northern containment boundary, established visually by the Western Escarpment. However, it is one of many views to the distant hills with a viewpoint location along Cuba Street where the attention hardly/rarely focusses on the small portion of the hills seen above the rooftop of the MFC.</p> <p>Further to this, existing street elements in the foreground reduce visibility to the focal element of the view.</p>
4	Risks/effects of removing viewshafts that are considered compromised/no longer relevant	<p>Vs17, for the reasons outlined above and its low risk of being lost if not formally protected by the District Plan (see comments under point 5 below) could be considered for removal.</p> <p>Alternatively, if the viewshaft is to be retained consider relocating the viewpoint location to the south-west corner of the Cuba Street/Vivian Street intersection approximately 50m to the north, to improve visibility to the Western escarpment (the identified focal element).</p>
5	Potential risks to the viewshaft associated with current height limits applied to redeveloping sites within the viewshaft that might affect margins	<p>Low risk of any intrusion into the viewshaft given Heritage Area status of Cuba Street. Only a redevelopment of the Michael Fowler Centre could result in a significant intrusion, an unlikely event.</p> <p>Risk profile: low.</p>
6	Viewshaft staff assessment 2017: review key findings & recommendations	Agree with findings and recommendations - subject to possible relocation of viewpoint location to the south-western corner of the Cuba Street/Vivian Street intersection.

		<b>RECOMMENDATIONS</b>
		<p>Consider removing Vs17 or alternatively, if it is to be retained, consider relocation of its viewpoint location approximately 50m to the north.</p> <p>Update photo from confirmed viewpoint location.</p>



Photo from possible new viewpoint location for Vs17 at the south-west corner of the Cuba Street/ Vivian Street intersection

## VIEWSHAFT No. Vs18 (Taranaki Street)

### Western side of Taranaki Street outside Te Aro Hall (152 Taranaki Street)

	EVALUATION SCOPE	EVALUATION
1	<ul style="list-style-type: none"> <li>▪ Assess state of the viewshaft relative to the Appendix 11 description + associated photo</li> <li>▪ Identify any changes since 2017 study</li> </ul>	The current state of the viewshaft is generally consistent with the Appendix 11 description; although there have been some new buildings constructed on the left margin in lower Taranaki Street (Soho Apartments and Elevate Apartments) that now feature in the view.
2	Description as per Appendix 11 <ul style="list-style-type: none"> <li>▪ viewpoint location</li> <li>▪ focal elements</li> <li>▪ context elements</li> <li>▪ margins</li> </ul>	<ul style="list-style-type: none"> <li>▪ viewpoint location description - accurate (no change) - however it is noted that some existing road signs intrude into the view</li> <li>▪ focal elements description - accurate (no change)</li> <li>▪ context elements description - accurate (no change)</li> <li>▪ margins description - accurate (no change)</li> </ul>
3	Value of each viewshaft in its current state - the extent to which the viewshaft: <ul style="list-style-type: none"> <li>▪ contributes to the city's sense of place</li> <li>▪ enhances legibility and assists wayfinding &amp; sense of orientation</li> <li>▪ has a publicly accessible viewpoint that is easy to find</li> </ul>	Vs18 is the only viewshaft in Taranaki Street and as such has an important role in establishing the relationship of this important arterial connection (both pedestrian and vehicular) to the port and harbour and the more distant Western Escarpment.
4	Risks/effects of removing viewshafts that considered compromised/no longer relevant	Vs18 (for the reasons above) is still relevant and given the potential risk of future development (see comments under point 5 below) it should be retained.
5	Potential risks to the viewshaft associated with current height limits applied to redeveloping sites within the viewshaft that might affect margins	Potential risk (i.e. intrusion) into the viewshaft from any redevelopment of the BP Roadmaster (lower Taranaki Street) site.  Risk profile: low to medium.
6	Viewshaft staff assessment 2017: review key findings & recommendations	Agree with findings and recommendations.
		<b>RECOMMENDATIONS</b>
		Retain Vs18.  Update photo.

## VIEWSHAFT No. Vs19 (Tory Street)

### South-western corner of Tory Street/Vivian Street Intersection

	EVALUATION SCOPE	EVALUATION
1	<ul style="list-style-type: none"> <li>▪ Assess state of the viewshaft relative to the Appendix 11 description + associated photo</li> <li>▪ Identify any changes since 2017 study</li> </ul>	<p>The current state of the viewshaft is generally consistent with the Appendix 11 description - with the exception of new balconies on the Century City Hotel development impinging on the left margin.</p> <p>Also, Pohutukawa trees in Cable Street and the Te Papa eastern forecourt substantially block the view of the port and inner harbour.</p>
2	<p>Description as per Appendix 11</p> <ul style="list-style-type: none"> <li>▪ viewpoint location</li> <li>▪ focal elements</li> <li>▪ context elements</li> <li>▪ margins</li> </ul>	<ul style="list-style-type: none"> <li>▪ viewpoint location description - accurate (no change)</li> <li>▪ focal elements description - requires change as the port and inner harbour now hidden from view behind Pohutukawa trees in the Te Papa curtilage</li> <li>▪ context elements description - Lambton Harbour Area now not evident given blocking nature of the Pohutukawa trees</li> <li>▪ margins description - accurate (no change)</li> </ul>
3	<p>Value of each viewshaft in its current state - the extent to which the viewshaft:</p> <ul style="list-style-type: none"> <li>▪ contributes to the city's sense of place</li> <li>▪ enhances legibility and assists wayfinding &amp; sense of orientation</li> <li>▪ has a publicly accessible viewpoint that is easy to find</li> </ul>	<p>Vs19 is one of two viewshafts in Tory Street, but the only one with a northerly orientation and, as such, it has an important role in establishing the relationship from a midpoint in Te Aro Basin to the waterfront/inner harbour (now partially blocked by Pohutukawa trees in the Te Papa curtilage) and the more distant Western Escarpment.</p>
4	<p>Risks/effects of removing viewshafts that considered compromised/no longer relevant</p>	<p>Vs19 (for the reasons above) is still relevant and should be retained.</p>
5	<p>Potential risks to the viewshaft associated with current height limits applied to redeveloping sites within the viewshaft that might affect margins</p>	<p>Potential intrusion by a new building on the 'transition site' (Lambton Harbour Area) to the immediate east of Te Papa.</p> <p>Risk profile: medium</p>
6	<p>Viewshaft staff assessment 2017: review key findings &amp; recommendations</p>	<p>Agree with findings and recommendations noting comment that the viewshaft might be better referenced as a 'view corridor'.</p>

		<b>RECOMMENDATIONS</b>
		<p>Retain Vs19</p> <p>Consider changes to the description of the focal and context elements as a consequence of the blocking effect of the Pohutukawa trees in the Te Papa curtilage.</p> <p>Retain Vs19.</p> <p>Update photo.</p>

## VIEWSHAFT No. Vs20 (Tory Street)

### South-eastern corner of Courtney Place and Tory Street

	EVALUATION SCOPE	EVALUATION
1	<ul style="list-style-type: none"> <li>▪ Assess state of the viewshaft relative to the Appendix 11 description + associated photo</li> <li>▪ Identify any changes since 2017 study</li> </ul>	The current state of the viewshaft is consistent with the Appendix 11.
2	Description as per Appendix 11 <ul style="list-style-type: none"> <li>▪ viewpoint location</li> <li>▪ focal elements</li> <li>▪ context elements</li> <li>▪ margins</li> </ul>	<ul style="list-style-type: none"> <li>▪ viewpoint location description - accurate (no change)</li> <li>▪ focal elements description - accurate (no change)</li> <li>▪ context elements description - accurate (no change)</li> <li>▪ margins description - accurate (no change)</li> </ul>
3	Value of each viewshaft in its current state - the extent to which the viewshaft: <ul style="list-style-type: none"> <li>▪ contributes to the city's sense of place</li> <li>▪ enhances legibility and assists wayfinding &amp; sense of orientation</li> <li>▪ has a publicly accessible viewpoint that is easy to find</li> </ul>	Vs20 one of two viewshafts in Tory Street, but the only one with a southerly orientation and as such has an important role in establishing the relationship from the northern end of Te Aro Flat to the southern enclosure of Te Aro Basin formed by the Inner Town Belt and Brooklyn Hills.
4	Risks/effects of removing viewshafts that considered compromised/no longer relevant	Vs20 (for the reasons above) is still relevant and should be retained. However, as the risk of any encroachment is minimal (see point 5 below), it could be considered for removal.
5	Potential risks to the viewshaft associated with current height limits applied to redeveloping sites within the viewshaft that might affect margins	No apparent risks. This is because the street walls along the margins are unlikely to significantly change and Buckle Street Barracks (one of the focal elements) is a listed heritage item.  Risk profile: no obvious risk.
6	Viewshaft staff assessment 2017: review key findings & recommendations	Agree with findings and recommendations.
		<b>RECOMMENDATIONS</b>
		Consider the possible removal of Vs20.  Update photo if Vs20 is to be retained.

## VIEWSHAFT No. Vs21

### From the top of the entrance steps to Massey University (former National Art Gallery and Museum)

	EVALUATION SCOPE	EVALUATION
1	<ul style="list-style-type: none"> <li>▪ Assess state of the viewshaft relative to the Appendix 11 description + associated photo</li> <li>▪ Identify any changes since 2017 study</li> </ul>	<p>Vs21 has two viewpoint locations either side of The Carillon providing views across the Pukeahu National War Memorial Park (in the foreground) and across the Te Aro Basin and CBD to the Western Escarpment.</p>
2	<p>Description as per Appendix 11</p> <ul style="list-style-type: none"> <li>▪ viewpoint location</li> <li>▪ focal elements</li> <li>▪ context elements</li> <li>▪ margins</li> </ul>	<ul style="list-style-type: none"> <li>▪ viewpoint location description - accurate, however, viewpoint location has lost its public meaning</li> <li>▪ focal elements description - the inner harbour (one of the focal elements) no longer present in the view</li> <li>▪ context elements description – Te Papa (one of the context elements) no longer present in the view</li> <li>▪ margins description - accurate</li> </ul> <p>New description(s) required if recommendation to relocate viewpoint is endorsed - refer Point 4 below.</p>
3	<p>Value of each viewshaft in its current state - the extent to which the viewshaft:</p> <ul style="list-style-type: none"> <li>▪ contributes to the city's sense of place</li> <li>▪ enhances legibility and assists wayfinding &amp; sense of orientation</li> <li>▪ has a publicly accessible viewpoint that is easy to find</li> </ul>	<p>Vs21 provides views to the inner harbour, Western Escarpment from public spaces immediately alongside The Carillon. However, the current value of the existing Vs21 is significantly reduced due to:</p> <p>(a) continuing growth and therefore blocking of the view by the Pohutukawa trees in the immediate foreground; and</p> <p>(b) new development in Te Aro Basin (notably the Century City Hotel development on Tory Street) which has blocked the view of the inner harbour (a focal element) and Te Papa (a context element).</p> <p>While Vs21 from its current viewpoint location has been compromised, and can be considered for removal, the adjacent area around the Tomb of the Unknown Warrior is a publicly significant location and views from that location are important. Therefore, there is the potential to relocate the viewpoint location - see 4 below.</p>
4	<p>Risks/effects of removing viewshafts that considered compromised/no longer relevant</p>	<p>No significant risk from removing viewshaft from the current viewpoint location(s) and relocating to a new viewpoint location adjacent to the Tomb of the Unknown Warrior. A view of the Western Escarpment (a focal element) and Te Aro Basin (a context element) will still be available from the new viewpoint location; along with a foreground view of the Pukeahu National War Memorial Park.</p> <p>See photo at rear of schedule.</p>

5	Potential risks to the viewshaft re current height limits applied to redeveloping sites within the viewshaft that might affect margins	<p>There are risks of future intrusion into the viewshaft from new development in the Te Aro Basin, especially in a situation where the height limits (presently generally 27m above ground) are increased within the Te Aro 'low city' as part of the District Plan review process.</p> <p>Risk profile: medium to high.</p> <p>However, if viewpoint is relocated (refer 4 above) and the viewshaft focuses on Mt Kau Kau, risk profile from intrusion from development in Te Aro Basin is low.</p>
6	Viewshaft staff assessment 2017: review key findings & recommendations	Agree with findings and recommendations, notably the need to review/confirm the retention (or otherwise) of Vs21.
		<b>RECOMMENDATIONS</b>
		<p>Consider removing the Vs21 from its current viewpoint location and relocating to a new (single) viewpoint location at the rear (south end) of the Tomb of the Unknown Warrior, with the Western Escarpment (Mt Kau Kau) as the focal element and Te Aro Basin as the context element.</p> <p>Remove inner harbour and Te Papa as focal element and context elements respectively.</p> <p>Update photo from new viewpoint location.</p>



Photo from possible new viewpoint location for Vs21

# WELLINGTON DISTRICT PLAN CENTRAL AREA VIEWSHAFTS

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## ASSESSMENT AND REVIEW PART TWO



### PLANNING REPORT

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Prepared for Wellington City Council

by

Urban Perspectives Ltd

July 2020 (FINAL)

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# 1 INTRODUCTION

As part of the District Plan Review, the Wellington City Council is undertaking a review of the viewshaft provisions within the Central Area Chapters (Chapters 12 and 13 and associated Appendix 11). These provisions give direction with regard to protecting identified public views and managing the effects of developments upon those views.

The Council has commissioned Urban Perspectives Ltd (UPL) to carry out the review.

## BACKGROUND

The protection of public views first came into the Wellington planning context in 1979 when views from the Cable Car and Carillon were used to establish Central Area building heights. The statement in the District Scheme, under the heading “Height Control”, was that ‘dispensations’ from the maximum building heights set for the Retail B1 and Office B1 zones (effectively the CBD) could be granted, but that Council would:

*“... take into account the effect of that dispensation upon Category 1 and Category 2 view shafts, as shown on the plans contained in Appendix 2N and Appendix 2P to the District Scheme. The view shafts shall be regarded as a guide only”*<sup>1</sup> [emphasis added]

In 1985 a ‘view protection and urban form study’ was completed and used as a basis for a review of the building height controls.<sup>2</sup> The study advocated the idea that absolute building heights were necessary to protect views, and promoted the need to identify important city views to key elements and townscape features that contributed to Wellington’s identity and sense of place, such as the harbour, hills and landmark buildings and places.

The study recommended that planning provisions be promulgated to introduce building height controls to protect specific views, adding that:

*“The views have been considered in terms of vista, contained view, and viewshaft”.*<sup>3</sup>

Subsequently, and drawing on the 1985 study, a district scheme change (DSC 88/1) introduced modified building height controls as a means of achieving urban form and view protection objectives.

The scheme change included an ‘ordinance’, Ordinance 8.3.(3) View Protection, which stated that:

*“In addition to the maximum height limits which protect selected panoramic views, no development shall extend into the Category One viewshafts shown on Plan E3(a) in Appendix E which protect important vista views”.*

Subsequently, the Planning Tribunal in its decision on appeals against the Council’s decisions on DSC 88/1, stated, inter alia, that:

*“... the principle of Category One view shafts is sound and that those view shafts should remain upon the District Scheme even should the presence of such a shaft inhibit a developer in gaining a building height or form which would otherwise be permitted”.*<sup>4</sup>

In July 2000, when the first District Plan prepared under the Resource Management Act 1991 (“the Act”) became operative, twenty-seven viewshafts were listed, along with one panoramic view. At the same time, the District Plan enacted the high-city/low-city urban form through detailed building height limits.

Since July 2000, one plan change has been promulgated that amended the viewshaft provisions, namely District Plan Change 48 (Central Area Review). As part of DPC 48, which became operative in October 2013, the twenty-seven viewshafts were updated, deleted, and/or amalgamated (into twenty-three viewshafts) to ensure the views were readily visible and viewshaft protection was an appropriate mechanism.

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<sup>1</sup> Wellington City District Scheme (1985), Ordinance 10.1 “Height Control”, page 10/7.

<sup>2</sup> View Protection and Urban Form: Wellington’s Inner City”, Town Planning Department, Wellington City Council, April 1985.

<sup>3</sup> Op cit, page 98.

<sup>4</sup> Planning Tribunal Decision No. W 27/90, June 1990, page 23.

In 2016 a brief review of the viewshafts was undertaken by WCC staff, prompted by the need to clarify aspects of certain viewshafts (such as inconsistencies with viewshaft descriptions, relevance of viewpoints, incorrect property references etc). This was subsequently followed by a more thorough Staff Assessment of the viewshafts in 2017 ("2017 Staff Assessment"). The 2017 Staff Assessment concluded that some viewshafts required only minor adjustments, while others were recommended to undergo further review and more detailed assessment.

The 2017 Staff Assessment resulted in minor amendments to some of the viewshafts under Clause 20A, Schedule 1 of the Act - minor amendments), while also identifying the need for the further review of the relevance and value of some other viewshafts. The recommended 'minor amendments' have been incorporated into the current Appendix 11.

The current review, subject to this report, builds upon the recommendations of the 2017 Staff Assessment.

## **SCOPE AND PURPOSE**

The purpose of the review is to establish:

- whether each viewshaft is still relevant to the city's sense of place and urban form; and
- what are the potential risks from removing any viewshafts from the District Plan, if they are deemed to be compromised or no longer worthy of on-going protection.

The scope of this review is focused on:

- 1) providing an independent expert review of the conclusions reached in the 2017 Staff Assessment for each viewshaft; and
  - confirming agreement reached in the staff assessment; or
  - where a different conclusion is reached, identify reasons for that;
- 2) identifying any changes relating to the viewshafts that have occurred in the period since the 2017 assessment;
- 3) assessing the value/contribution of each viewshaft to the city in its current state;
- 4) assessing the risks of removing individual viewshafts from the District Plan;
- 5) making recommendations for any amendments to the current viewshaft provisions; and
- 6) providing an urban design and planning evaluation addressing the operation of the current District Plan viewshaft provisions.

## **STRUCTURE OF THE REVIEW**

The review is structured in two parts.

**Part One** provides the core urban design/planning evaluation of the individual viewshafts with regard to their current state, value and relevance (this covers Items 1-5 above).

**Part Two** is referred to as 'Lessons Learnt' through the implementation of the District Plan objectives, policies, rules and standards and covers Item 6 above. Part Two essentially addresses the 'operation' of the current District Plan viewshafts provisions.

This report presents the results of Part Two.

## **METHODOLOGY**

The methodology for Part One includes review of relevant documents and field work. The field work involved assessing each individual viewshaft from the identified viewpoint location.

For consistency, the assessment of each viewshaft has been recorded in the same tabulated format.

The methodology for Part Two includes:

- (a) a survey completed by Council staff and external advisors/consultants;
- (b) a review of resource consent applications where viewshafts were a relevant matter; and
- (c) a review of case law.

Findings of Part One and Part Two have been considered together in drawing the final conclusions and recommendations.

## 2 VIEWSHAFT SURVEY

The original intention had been to convene a workshop involving Council resource consent planning and urban design staff and external urban design and legal advisors who had been involved with applications for Central Area developments that fell within or were adjacent to an Appendix 11 viewshaft. The purpose of the proposed workshop was to discuss:

- current District Plan 'methods' for protecting viewshafts; and
- experience with the implementation of the methods

and to identify particular applications where view protection had been an issue for assessment.

However, due to the Covid-19 Level 4 'lockdown', the workshop was replaced with an on-line survey.

The survey was circulated to thirteen staff/external advisors. Twelve completed surveys were returned, from planning (seven), urban design (four) and legal (one) advisors.

The principal questions covered by the survey and comments received are summarised as follows:

### ***Question: do you consider that all viewshafts should be retained in the District Plan?***

Answers to the questions varied, but the majority of respondents were in favour of retaining either all of or some of the viewshafts, subject to confirming their values and relevance. Specific 'verbatim' comments included:

- not necessarily;
- I consider that viewshafts should be retained;
- I think they are useful;
- fundamentally I think the viewshafts should be used to protect views that are iconic to Wellington;
- I consider that view protections should be retained in the District Plan, but not necessarily all of the viewshafts as currently conceived and described;
- most seem to be relevant;
- if viewshafts have been compromised by development over the life of the current district plan they may need reassessment;
- no - in priority - I think the top of the Cable Car, the protection of the link between Parliament and harbour are important;
- no, I don't think all viewshafts should be retained;
- they require checking in terms of how many have been compromised;
- I find many of the viewshafts to be of limited usefulness and relevance as they are currently defined; and
- some of the viewshafts appear to me to be of higher value than others. Some such as those that provide a view to The Beehive, Mt Victoria and the waterfront provide obvious value, but those that provide distant views of the hills or are cluttered seem to provide less value.

### ***Question: which viewshafts do you consider are not suitable for retention?***

In answering this question, comments were both general and specific and based on reasons such as:

- change in focal element;
- reduced visibility/low prominence of protected elements;
- development had compromised the viewshaft; and
- compromised accessibility and/or reduced public significance of the viewpoint location.

Specific viewshafts that were mentioned were:

- Vs5-Vs10 - 'superfluous' as they run along street corridors and will never be compromised by development;
- Vs6 and Vs12 - compromised;
- Vs7: largely built out
- Vs13 and vs20 - never been used;
- Vs17 - one of countless viewshafts to the distant hills from a viewpoint along Cuba Street where the attention hardly ever focuses on a small portion of the hills;
- Vs18 - not one of the finest or most valuable views; and
- Vs21 - viewpoint has lost its public meaning/significance and compromised by recent development.

Also, in answering this question, some respondents identified specific viewshafts that they considered were important and which should be retained, such as views protecting the link with Parliament (Vs1, Vs2, Vs3 and Vs4A), the city-wide views from the Kelburn Cable Car station (Vs14, Vs15 and Vs16), and views from Willis Street to the inner harbour (Vs11 and Vs12).

**Question: which development proposals have been assessed for actual/potential intrusion into a protected view**

**Question: where there was an intrusion what was the nature of the intrusion? Was the intrusion significant?**

Note: the answers to these two questions have been incorporated into the following section of this Report "Review of Resource Consent Decision Reports".

**Question: if there was an intrusion, was consent granted?**

Although there have been occasions during pre-application discussions when proposed developments were amended to remove/reduce potential viewshaft intrusions, no consent has been refused by the Council on the basis of a viewshaft intrusion. In the majority of cases, it is been concluded that there was no intrusion, or where there was an intrusion, it was not significant - refer also to "Review of Resource Consent Decision Reports".

The only development that was refused consent (by the Environment Court), and where effects on protected views were identified as a key factor, was the Hilton Hotel proposed for the Outer Tee at Queens Wharf, which is within the coastal marine area - refer Section 4 below.<sup>5</sup>

**Question: how often have you used the Central Area Urban Design Guide (CAUDG) as an assessment method?**

Note: Design Guides are identified as a "Method" under District Plan Policy 12.2.6.7.

There is little 'evidence' of the CAUDG being used as a method to assess viewshaft intrusions, notwithstanding that resource consent applications for Central Area developments need to be assessed, by a Council or Council-appointed urban designer, against the CAUDG. The reason for this is best summarised in the following responses:

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<sup>5</sup> The Environment Court decision was on appeals lodged against the Regional Council's Hearing Commissioners' decision to grant consent to the proposed hotel development. In relation to protected views, the Hearing Commissioners had found that:

*In terms of the effects on the DP viewshafts, the Commissioners visited both the viewshafts so that they could assess first-hand the effect of the proposal. They concluded that the effects on both viewshafts would be minor, for the reasons outlined by TAG in their report. However, they wish to record their opinion that the cumulative effect of impacts on viewshafts is such that a succession of minor effects tends to result in important viewshafts being eroded over time. In this case, there has already been considerable erosion of Viewshaft 9 [Brandon Street] from previous developments and any residual views from that point will be completely lost as a result of the hotel. The degree of erosion that has occurred to Viewshaft 8 [Johnston Street] is not as extensive and it is fortunate that the impact of the proposed hotel on this viewshaft will be minor.*

Planner

*I have not specifically used the CAUDG. It doesn't provide any specific guidance to assess the value or intrusion into a viewshaft.*

Urban Designer

*I have not used the CAUDG for this purpose as it does not specifically refer to viewshafts - they are not covered in any design objective or design guideline. Moreover, addressing the effects of intrusions was not one of the intentions (of the CAUDG).*

*Neither do I consider it desirable that a design guide which is at a high level and covers general design matters should cover the specifics of view protection. I consider this is best addressed by the detailed standards for viewshafts and the specific view protection policies, or alternatively specific criteria for assessing departure from the standard.*

However, one of the urban design respondents commented that:

*Every time it comes up, I use this tool*

but, without identifying any specific guidelines.

**Question: when assessing viewshaft intrusions have you used the criteria listed under Policy 12.2.6.7 as a framework for your assessment?**

The majority of respondents answered "yes".

One respondent considered that the matters for consideration listed in the explanation to Policy 12.2.6.7 should be assessment criteria attached to a rule rather than "guidance to a policy" - refer also to the next question.

**Question: do you consider the 'considerations' under Policy 12.2.6.7 should be listed (as assessment criteria) under the relevant rule? Would this provide more explicit guidance for assessing viewshaft intrusions?**

The general consensus was that the preferred approach would be to have assessment criteria attached to a rule and not be part of an explanation to the policy - i.e. if the relevant rule for view protection is retained as a restricted discretionary activity, the 'assessment criteria' would be the matters of discretion.

However, one senior planner respondent commented:

*Our application of policy guidance notes is that they comprise part of the policy. This has never really been put to a full legal test, so I suggest legal advice. Whether they are assessment criteria vs policy guidance notes in terms of having the most legally defensible position is the question. As long as they could be deemed to be part of the policy that is probably the stronger position, even if they had to be changed from being 'guidance notes'.*

*They seem to cover most relevant matters relating to viewshaft intrusion.*

**Question: if view protection is to remain a District Plan objective, what changes/improvements to the current provisions should be made?**

In summary, the following changes were suggested:

- take a more targeted or focused approach to view protection - decide whether all of the current viewshafts should be retained;
- remove the viewshafts where the viewpoint location is not readily accessible and/or the focal element has been modified;
- change the location of the viewpoint from the War Memorial;
- resolve the current disconnect between two DP requirements (view protection and verandah provision) - e.g. allow minor intrusions of verandahs and canopies as a permitted activity;
- state the clear purpose of view protection;
- focus should be more strongly on the focal elements rather than the 'edges'/frames of the viewshafts;
- consider the role and value of 3d modelling and EPLAN; and
- make the viewpoint locations easier to find (how their location is recorded - possible use of plaques)

**Question: is there any other point you wish to make?**

Most respondents answered “no” - however, the following response encapsulates a lot of the opinion covered by many of the responses to the survey questions:

*In my opinion if as a city we value specific views ... then we need a tool such as the viewshafts to ensure this view is retained. There are some aspects of Wellington that are unique and such views should be retained so that the visual aspects of the city which we consider important are retained now and into the future. However, views that are only brief, or not where the public will spend any time, add very little value and I struggle to justify their retention.*

### 3 REVIEW OF RESOURCE CONSENT DECISION REPORTS

#### SUMMARY OF MAIN FINDINGS <sup>6</sup>

A total of fourteen resource consent decision reports were reviewed where developments included intrusions into viewshafts. The intrusions consisted of:

- verandahs;
- non-verandah building mass intruding across a viewshaft margin; and
- building mass intruding above a viewshaft base.

Across the current twenty-three operative District Plan viewshafts, the identified intrusions relate to: <sup>7</sup>

#### Verandah Intrusions

Six of the intrusions have been by verandahs on frontages where Planning Map 49E states a verandah is required as a permitted activity standard (Rule 13.6.3.3)). However, a ‘permitted activity’ standard verandah, where it intrudes into a viewshaft, requires consent under Rule 13.3.8.6 as a discretionary activity (restricted).

Although the provision of a verandah is a permitted activity standard on Central Area street frontages, any intrusion by a verandah into a viewshaft not only requires consent but, unlike other ‘non-compliances’ (e.g. ‘sunlight protection’), is not covered by a non-notification presumption.<sup>8</sup>

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<sup>6</sup> Refer **Attachment 1** for the detail. Note: one development intruded into two viewshafts.

<sup>7</sup> The summary is based on a review of the Decision Reports for developments where it is known that viewshafts were a consideration. While it is understood that the developments that were identified through answers to Q3 of the survey cover the majority of cases, there may be some others that were not identified.

<sup>8</sup> Prior to the High Court Decision (October 2016) in *Sydney Street Substation Ltd v Wellington City Council*, the non-notification statement under Rule 13.3.8 was:

*“ ... In respect of Rule 13.3.8 applications do not need to be publicly notified and do not need to be served on affected persons in respect of:*

Note: ‘view protection’ was not listed as one of the matters covered by the non-notification statement under Rule 13.3.8, whereas ‘building height’, ‘building mass’ and ‘sunlight protection’ were all listed and therefore covered by the non-notification statement. The High Court’s decision effectively removed the non-notification presumption under Rule 13.3.8.

For one Central Area development (20 Customhouse Quay), given that the non-notification provision did not cover ‘view protection’, the Applicant incorporated colonnades in lieu of verandahs to avoid the possibility of notification. Then, following the grant of consent on a non-notified basis, the Applicant ‘reapplied’ for a development incorporating verandahs that intruded into two viewshafts (Vs5 and vs6). The second application (SR 357422) was also granted consent on a non-notified basis. In relation to the intrusions by the verandahs, the assessment by Council was that they would be “imperceptible” and would not intrude into the focal or context elements of either viewshaft.

In relation to the six intrusions, in each case consent was granted for the respective development. Also, the only occasion where an application was notified, was where the Applicant requested public notification (due to the proposed building height/building mass).<sup>9</sup>

Assessment Comment/Conclusions Recorded in Decision Reports:

All of the developments involving verandah encroachments were into viewshafts from a location on Lambton Quay to the waterfront: (Whitmore Street (Vs4); Waring Taylor Street (Vs5); Johnston Street (Vs6); and Brandon Street (Vs7):

- *the prime (more distant) focus of the viewshaft would not be compromised by the minor intrusions at verandah level*
- *there will be an indiscernible effect*
- *... the verandah will be a negligible component of the visual field. Overall, I consider that the actual and potential effects on the viewshaft will be less than minor*
- *I have evaluated the effects from the relevant viewpoints of each viewshaft and found these to be imperceptible ... the verandahs would not intrude into the focal or context elements of either viewshaft.*
- *"... while the canopies along Waring Taylor Street will impinge slightly on the viewshaft, the encroachment is insignificant*
- *The impact that the proposed building will have on the viewshaft is indiscernible*

**Building Mass Across the Left or Right Margin of the Viewshaft:**

- **Vs4:** Holiday Inn (now Rydges Hotel) - Level 1 rooftop encroachment across the left margin

Assessment Comment/Conclusion Recorded in Decision Report:

*... it is considered that the prime (more distant) focus of the viewshaft would not be compromised by the minor intrusions at verandah and eave level ...*

- **Vs5:** Site 7 Kumutoto (Meridian Building) - north elevation across the right margin

Assessment Comment/Conclusion Recorded in Decision Report:

*... the proposed building will not break up the view of the inner harbour and Roseneath from Lambton Quay, or impinge on the central core of either viewshaft. For these reasons, it can be concluded that the proposed building will not adversely affect the visual connection between the city and the waterfront.*

- **Vs12:** Chews Lane Precinct Development - 3-level building encroachment (Levels 1-4) across the left margin of the viewshaft

Assessment Comment/Conclusion Recorded in Decision Report:

*The proposed new building to be constructed at 50 Victoria Street will intrude partially into Viewshaft 14 [now Vs12] due to its "stepped glass projection" into Chews Lane, however, a sense of direction to the waterfront, the primary focus of this viewshaft will remain uninterrupted. I note that much better views of the listed focal elements of Viewshaft 14 are gained elsewhere within the City, for example at the Cable Car Station and the waterfront.*

- **Vs8:** Retail Centre at Queens Wharf

Refer below "Waterfront Developments".

**Building Mass Above the Base of the Viewshaft:**

- **Vs2:** encroachment above the base of the viewshaft by podium element on Rutherford House (Bunny Street)

Assessment Comment/Conclusion Recorded in Decision Report:

*The effects of this 5 metre wide, 1 metre high infringement are addressed within the applicant's Urban Design assessment as having no material effect upon the viewshaft, in that the infringement does not detract from the focal or context elements of the viewshaft. I agree with this assessment.*

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<sup>9</sup> 109 Featherston Street (SR 184880).

- **Vs21:** rooftop encroachments above the viewshaft base by three separate developments:

Assessment Comments /Conclusions Recorded in Decision Reports

- (a) 70 Tory Street (Century City Hotel Development)

*It is worthy of note that the actual viewshafts VS 26 and VS 27 are probably redundant now because the reasons for setting them up was the use of the building in Buckle Street as the National Museum and Art Gallery. As these have now moved this reason should no longer apply. It is also significant that trees immediately adjacent to the old Museum have effectively blocked the view from VS 26 and that the new Museum Te Papa appears to significantly impinge through VS 27.*

- (b) 106-112 Tory Street (Il Casino Apartments)

*It is not considered that the impact on either Viewshaft 21 or 26 will be significant, as only a small part of the building (0.2m in height and 7.4m in length) will encroach through part of the identified viewshaft. The proposed building is unlikely to have a detrimental impact on the view north from the Museum steps. Accordingly, I do not consider that the impact of the proposal on Viewshaft 21 or 26 will be more than minor.*

- (c) 47-49 Vivian Street

*The proposed lift overrun will result in this section of the building intruding into Viewshaft 21. Given that the majority of the roof line is below the view corridor and the lift overrun structure will appear against the backdrop of other buildings, I agree with the applicant that the effects of this intrusion to be less than minor.*

#### **WATERFRONT DEVELOPMENTS**

Between November 1989 and July 2000 when the now operative District Plan was first made operative, the operative and therefore relevant plan for waterfront development was the Lambton Harbour Combined Scheme (LHCS) prepared under the Town and Country Planning Act 1977.<sup>10</sup>

Under the LHCS new building development was a controlled activity, subject to being consistent with the Lambton Harbour Concept Plan.

Over the decade when the LHCS was the operative plan, in addition to the refurbishment of a number of the existing (heritage listed) buildings, new building development on the waterfront was limited to the construction of two buildings at Queens Wharf (Queens Wharf Retail Centre, now 3 Queens Wharf; and the Events Centre, now TSB Arena), and Te Papa.

#### **Queens Wharf Buildings**

Consent was granted to both buildings in 1993.

The LHCS did not include specific viewshaft controls, although a specific 'development and design' policy for the 'Queens Wharf Character Area' was Policy 4:

4. *To retain a sea view from the main harbour entrance gates, Hunter Street and Waring Taylor Street, and to preserve the viewshafts of the harbour from other vantage points in the city in order to encourage a visual relationship between land and maritime activities in a harbour city.*

At the time of the application for the Retail Centre and Events Centre buildings, the following viewshafts crossed Queens Wharf:

Vs7 (Brandon Street)

Vs8 (Panama Street)

Vs9 (Grey Street).

Ordinance 3.34 of the LHCS identified the matters to be taken into account for controlled activity applications, including:

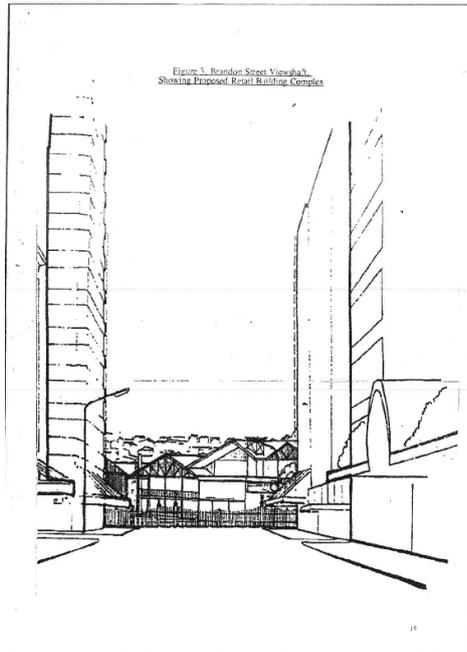
- (iv) *The impact if any on viewshafts shown in Map 8 of the Appendix.*

The Council's assessment of the 'impact' of the development on the viewshafts was:

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<sup>10</sup> The Lambton Harbour Combined Scheme was made operative on 1 November 1989.

*In the Wellington City Transitional District Plan (“the District Plan”), there are two elevated Category 1 viewshafts which overlook the application area: along Panama Street and Grey Streets from The Terrace. The Combined Plan does not specifically require the consideration of these viewshafts. However, it is useful to note that the elevation of these viewshafts and the height of the existing buildings in the foreground, mean that the viewshafts will not be affected by the proposed development. There is one viewshaft near ground level, looking along Brandon Street towards Roseneath from the west side of Lambton Quay. This viewshaft will be affected by the Retail Centre. However, the building will be below the Roseneath skyline and will replace the views of Sheds 5 and 1.*



**PHOTO 1: Vs7: Brandon Street**

The drawing is the illustration of the Brandon Street viewshaft submitted with the application; whereas Photo 1 shows that the Roseneath skyline is very largely obscured..

Photo 2 is of the view from Vs9 (above Grey Street) and shows the roof of the TSB Arena, which intrudes into the inner harbour (a focal element).



**PHOTO 2: Vs9 (above Grey Street)**

## Te Papa

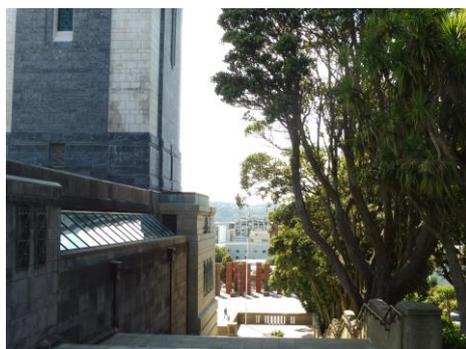
The other waterfront building consented under the LHCS was Te Papa in 1994. The Te Papa site was within viewshafts V10b and V10c (now Vs 21) from the top of the steps to the former National Museum. At the time, the description of the view was:

*A contained view of the Western Escarpment, Port and inner harbour and Te Aro Basin.*

The construction of Te Papa intruded into the view to the port and inner harbour.

Subsequently, Vs21, introduced through DPC 48, identified Te Papa as a context element in the view, along with the Te Aro Basin; with the inner harbour and the Western Escarpment identified as focal elements.

Note: subsequent development in the Te Aro Basin, notably the Century City Hotel development in lower Tory Street, blocked the view of both the inner harbour and Te Papa - refer Photo 3.



**PHOTO 3: Vs21**

Today, only the Western Escarpment, as a focal element, and the Te Aro Basin, as a context element, remain visible, with the later constantly changing as a result of new development.

## Other Waterfront Buildings

Post July 2000 (at which point the present operative District Plan was first made operative) resource consent has been granted for a number of new waterfront buildings, as follows:

2002: 'Steamship Wharf' Building

2005: Site 7 (Meridian Building)

2005: Te Raukura (Te Wharewaka)

2009: Clyde Quay Wharf <sup>11</sup>

2017: Site 10 (PWC Centre)

2020: Site 9

With the exception of the intrusion of a portion of the northern elevation of the Meridian Building into Vs5 (Waring Taylor Street) - refer Section 3 - all of the other new waterfront buildings have been positioned to avoid any viewshaft intrusion.

Going forward, if guidance is taken from the Wellington Waterfront Framework (2001), the only likely further new building on the waterfront would be the so-called 'transition building' to the east of Te Papa.<sup>12</sup> There is the potential for a building in this location to intrude into Vs19 (Tory Street). However, the view to

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<sup>11</sup> See comment in Section 4 "Case Law" - Case 3: Clyde Quay Wharf Case.

<sup>12</sup> The Wellington Waterfront Framework (2001) at page 26 refers to:

*Transition zone on eastern side of Te Papa - could be landscape of buildings - to be decided at stage two using detailed design studies.*

the inner harbour from the Tory Street viewpoint is already significantly obscured by Pohutukawa trees, both in Cable Street and in Te Papa's eastern forecourt.

## 4 CASE LAW

### BACKGROUND / HISTORY

In relation to view protection through District Plan controls, relevant case law effectively started with the Planning Tribunal's decision on District Scheme Change 88/1 (DCS 88/1).<sup>13</sup>

As noted in the "Introduction" to this Report, DSC 88/1 had its genesis in the 1985 'view protection and urban form study'. The scheme change sought to introduce:

*... new central area code provisions relating to urban form, building height, view protection and sunlight protection to parks and pedestrian malls.*

A new general objective to be incorporated into the District Scheme by DSC 88/1 was:

*To protect and where possible enhance significant vista views of the harbour, hills and townscape features, from within and around the central area.*

The 'reasoning' for this was that:

*Clause 1 of the Second Schedule of the Town and Country Planning Act requires Council to make provision in the District Scheme for amenities appropriate to the needs of present and future inhabitants of the District. Council accepts that in Wellington City, many panoramic and vista views from public places are of outstanding amenity importance and are worthy of protection.*

DSC 88/1 introduced a view protection clause (Cause 8.3.(3)) as follows:

*In addition to the maximum height limits which protect selected panoramic views, no development shall extend into Category One viewshafts shown on Plan E3(a) in Appendix E which protect important vista views.*

In considering a number of appeals against the proposed 'view protection' provisions, both generally and in relation to specific sites, the Planning Tribunal concluded, inter alia, that:

*... the principle of the Category One view shafts is sound and that those view shafts should remain upon the District Scheme even should the presence of such a shaft inhibit a developer in gaining a building height or form which would otherwise be permitted.*

### Observations

1. Protection of public views is a legitimate public policy 'tool' / planning objective, even where it might affect the ability to otherwise develop to a building height permitted by the District Plan.
2. The first District Plan prepared under the Resource Management Act 1991<sup>14</sup> effectively 'rolled over' the view protection provisions that had been endorsed by the Planning Tribunal.
3. The 'view protection' provisions have remained essentially unchanged since the notification of the 1994 Proposed District Plan, although some changes were made through DPC 48, including a reduction in the number of protected views (viewshafts) from 27 to 23, which included two new viewshafts (Vs4A and Vs9A).

### Environment Court Cases

Since July 2000 when the District Plan, as we know it today, was first made operative, there have been four Environment Court cases which 'invoked' scrutiny of protected views (viewshafts):

- Duxton Hotel Wellington v Wellington City Council<sup>15</sup>

<sup>13</sup> Building Owners & Managers Association of New Zealand & Others v Wellington City Council, Planning Tribunal, Decision No: W27/90, 26 June 1990.

<sup>14</sup> The Proposed District Plan was publicly notified July 1994. It was made operative in July 2000.

<sup>15</sup> Duxton Hotel Wellington v Wellington City Council, Decision No W21/2005, 12 February 2005.

- Intercontinental Hotel & Others v Wellington Regional Council <sup>16</sup>
- Waterfront Watch Inc v Wellington Regional Council <sup>17</sup>
- Waterfront Watch Inc & Michael Gibson v Wellington City Council <sup>18</sup>

### Case 1: The Duxton Hotel Case

The Duxton Hotel case related to the 'Watermark' site, being the triangular block of land bounded by Wakefield Street, Cable Street and Taranaki Street - now occupied by One Market Lane.

The appeal was against the Council's decision to grant consent to a building that exceeded the District Plan height limit. As stated at paragraph [2] of the Court's decision:

*[2] The unusual aspect of this appeal for Wellington is that apart of the proposed new building is intended to be 11-storeys high and have a height of 41.5 metres. Height limits have been strongly debated in Wellington City in the past. The height of this building exceeds the permitted height of 27 metres on this site in the District Plan, as well as the discretionary height limit of 27 metres plus one storey (4.2 metres). At a height of 10.3 metres above the discretionary limit, the development is therefore a non-complying activity.*

Although the main focus of the Court's decision is on building height and urban form, it also addressed "adverse effects on existing views" being one of the issues raised by the appellant, the Duxton Hotel.

The Court referred to Policy 12.2.2.6 and Policy 12.2.2.7 (as those policies were then worded)<sup>19</sup> and noted, inter alia, that in relation to Policy 12.2.2.6:

*"Any development above the maximum height limits is a Discretionary Activity and assessed for its impact on this public view"*

and that in relation to Policy 12.2.2.7:

*"Building development that intrudes upon a view is a Discretionary Activity"*

At paragraph [42] the Court recorded that:

*[42] The relevant Central City View Protection Rule (13.1.2.6) confirms that the protection rule specifically protects only the viewshafts identified in Appendix 5. And of the 27 identified viewshafts in Appendix 5, the Taranaki Street Viewshaft (23) is the only view that could potentially be affected by the proposed Watermart development. Mr Boffa agrees with Mr Barratt-Boyes that the impact of the Watermart on this viewshaft is minor and does not adversely affect or compromise the view from this location in respect of the District Plan. Mr Barratt-Boyes' illustration attached to his evidence as P-116 View of Site from Point F - Taranaki Street (Viewshaft No V23), clearly demonstrates the visual effect on the Taranaki Street Viewshaft to be as these experts state. And there was no rebuttal from the appellant to indicate otherwise.*

The Court confirmed that views beyond those identified under Policies 12.2.2.6 and 12.2.2.7 are not protected or controlled.

The Court reiterated the point when stating at paragraph [254] that:

*[254] Despite not being part of the specific amenities referred to in the policies which support Objective 12.2.2, the appellant still considered there were adverse effects from this proposal on the amenity of the Duxton Hotel and, in particular, from the hotel's views.*

The Court did accept, however, that in line with its decision in *Foot v Wellington City Council*, that while there is no legal right to a particular private view, it is a legitimate aspect of the amenity value to be

<sup>16</sup> Intercontinental Hotel & Others v Wellington Regional Council, Decision W015/2008, 14 March 2008.

<sup>17</sup> Waterfront Watch Inc v Wellington Regional Council, Decision W43/2009, NZEnvC 130, 9 June 2009.

<sup>18</sup> Waterfront Watch Inc & Michael Gibson v Wellington City Council, Decision [2018] NZEnvC 39, 6 April 2018.

<sup>19</sup> Policy 12.2.2.6: Protect the panoramic view from the public viewing point at the top of the Cable Car; and  
Policy 12.2.2.7: Protect, and where possible enhance, significant vista views of the harbour, hills and townscape features from within and around the Central Area.

evaluated when setting building height controls in the district plan.<sup>20</sup> In respect of views from the Duxton Hotel, the Court concluded that the effect would not be “*significantly adverse*”.

### Conclusion

The District Plan only protects identified public views.

However, other views, whether ‘public’ or private’, could potentially be taken into account as part of an assessment of a development’s effect on amenity values generally, particularly given the definition of “amenities” (s2 RMA) - as was the case in the proposed Hilton Hotel at Queens Wharf (refer Intercontinental Hotel case).

### **Case 2: The Intercontinental Hotel Case**

The Intercontinental Hotel case related to the proposal to build a Hilton Hotel on the northern arm of the Queens Wharf Outer Tee. As the wharf structure is in the coastal marine area, the site comes within the jurisdiction of the regional plan administered by the Greater Wellington Regional Council. Consent had been granted by independent commissioners appointed by the GWRC. A number of appeals emerged from that decision.

The northern Outer Tee at Queens wharf is traversed by two viewshafts:

- Vs6 Johnston Street
- Vs7 Brandon Street.

The relevant statutory instrument was the Regional Coastal Plan (RCP). The Court cited Objective 4.1.10 of the RCP:

*Objective 4.1.10: Important views to and from the coastal marine area are to be retained*

adding that this general objective is reflected in Structures Policy 6.2.9, which is:

*To have particular regard to any relevant provisions in appropriate district plan(s) relating to the protection of important views when assessing an application for an activity involving the development of a structure in the coastal marine area*

and drawing attention to the explanation to Policy 6.2.9, which stated, inter alia, that:

*... The district plan may have controls to protect important views to the coastal marine area. These will be taken into account when assessing the application and deciding on any conditions that might be placed on a resource consent.*

Given the policy direction of the Regional Coastal Plan, the Court assessed the proposed hotel development against the District Plan view protection policy (Policy 12.2.2.7) and rule (Rule 13.3.2.6) and concluded that:

*Insofar as consideration of effect on public views is concerned, our s5 assessment will be undertaken on the basis that the Hilton proposal has a significant adverse effect on public views in respect of the Johnston Street viewshaft and a minor adverse effect on the Brandon Street viewshaft.<sup>21</sup>*

### Conclusion

The District Plan view protection provisions can be had regard to when assessing developments in the coastal marine area under the regional Natural Resources Plan.<sup>22</sup>

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<sup>20</sup> The *Foot* decision related to the proposed height controls for the Oriental Bay Height Area.

<sup>21</sup> The Court’s decision to uphold the appeals against the grant of consent was based on a number of factors and conclusions, of which the effect on viewshafts was but one. One of the other factors was the effect on private views. In relation to private views, the Court recorded at paragraph [282] that:

*[282] As a general proposition it may be accepted that the protection of private views is not guaranteed by the District Plan nor by the Regional Coastal Plan. However, the availability of views from private spaces across the waterfront to the harbour is clearly something which may contribute to the amenity values enjoyed by the owners and occupants of some buildings in the CBD.*

The Court found that the effect on views from a number of floors of two Central Area buildings on Customhouse Quay “*will be more than minor*”.

<sup>22</sup> For further consideration of this point - refer **Attachment 3**.

Note, however, the present District Plan standard:

13.6.3.3 *View Protection*

13.6.3.3.1 *No building shall intrude on any viewshaft as shown in Appendix 11.*

**13.6.3.3.2 *Standard 13.6.3.3.1 does not apply to any building or structure within the coastal marine area.***

[emphasis added]

Notwithstanding this District Plan standard, given the Environment Court's decision in the Hilton Hotel case, it is apparent that regard can be had to the District Plan provisions; as now provided for under Policy 142 "Lambton Harbour Area" of the Proposed Natural Resources Plan, which states:

*Policy P142: Lambton Harbour Area*

*When considering whether use and development of the Lambton Harbour Area is appropriate, have regard to the extent which it:*

- (a) provides a range of activities appropriate to the harbour/city interface; and*
- (b) **is compatible with the urban form of the city;** and*
- (c) recognises the historic heritage character, development and association of the area;*
- (d) does not detract from the amenity of the area;*

.....

- (j) addresses provisions, including design guides, contained in the Wellington City District Plan and any relevant proposed plan changes or variations, including the following matters: amenity values; noise and vibration; **views**; traffic; wind, lighting and glare; sunlight; height, bulk and form; and urban design*

[emphasis added]

### **Case 3: Clyde Quay Wharf Case**

The Clyde Quay Wharf case related to the redevelopment of the former Overseas Passenger Terminal (OPT) at Clyde Quay Wharf.

As with the Hilton Hotel case, the consent authority was the Greater Wellington Regional Council and the statutory planning document the Regional Coastal Plan.

At the time of the hearing, the OPT was identified as a context element in Vs11; and also it was within the 'arc' of Vs4, vs10 and Vs16 as those viewshafts 'crossed' the harbour to 'terminate' at the following focal elements: Oriental Bay (Vs4 and Vs10) and St Gerard's Monastery (Vs16).

Notwithstanding that the redevelopment of the OPT resulted in a different building in terms of 'bulk and height' (it was one storey higher) and in the overall 'design and external appearance', there was no assessment by the Court of:

- the change in the 'visual makeup'/'design and external appearance' of a context element from a view protection perspective;<sup>23</sup> or
- any intrusion into the viewshaft(s) that would affect the identified focal elements

recorded in the Court's decision.

### Conclusion

An implicit conclusion is that the 'makeup' of context elements is not protected from change in situations where there is no consequential intrusion into a view of a focal element - a conclusion reinforced by the High Court's decision in relation to the Frank Kitts Park Redevelopment.

### **Case 4: Frank Kitt Park Redevelopment**

The redevelopment of Frank Kitts Park (FKP), including the establishment of a Chinese Garden, is the most recent (2018) Environment Court case involving the District Plan's view protection provisions.

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<sup>23</sup> The Court did pay considerable attention to urban design and townscape issues aside from view protection per se.

Two viewshafts cross FKP, Vs10 (Hunter Street) and Vs11 (Willeston Street). A major focus of the hearing was a purported intrusion by the proposed Chinese Garden feature into Vs11.

At paragraph [22] of its Decision, the Court recorded:

*So, Viewshaft 11 runs down Willeston Street from the Stewart Dawson's corner, within the margins given, to the harbour area. Its focal elements - the components that are the primary purpose for the view - are St Gerard's and Frank Kitts Park. The context elements - those that surround the focal elements and provide the setting for them - are Clyde Quay Wharf, Oriental Bay, Roseneath and Te Ranga a Hiwi Precinct.*

Discussing the viewshaft issue, the Court recorded at paragraph [24]:

*First, there will be no intrusion into the Viewshaft, in the sense of its margins being narrowed, or some similar effect. It is plain that there will be no change to the ability to see St Gerard's from the Viewshaft. That can be put aside. Given that Frank Kitts Park is a focal element of the Viewshaft, what considerations might prevent it being changed? Are there considerations to be taken into account which are different from those to be considered in a proposed modification of existing open space in the Lambton Harbour Area under Rule 13.4.5?*

The Court 'answered' the question by stating that: "we cannot see that there are".

In the end result, the Court concluded that:

*... the nett result is no more than the viewshaft's focal element of Frank Kitts Park will have a somewhat different frontage to Jervois Quay.*

The Environment Court's decision was appealed to the High Court by Waterfront Watch Inc who contended that the Environment Court incorrectly interpreted and applied the requirement in Policy 12.2.6.7 to protect Viewshaft 11.

The High Court in its decision,<sup>24</sup> recorded at paragraph [23] the issue as follows:

*Waterfront Watch is concerned that Viewshaft 11 will be negatively affected by the proposed redevelopment of the Park. It is accepted by all parties that the view of St Gerard's Monastery will not be directly impacted by the Park proposal. However, the Park itself is a focal point of the viewshaft, and that is at the heart of Waterfront Watch's challenge*

adding at paragraph [43] that:

*The contention between the parties is whether Viewshaft 11 protects the view of the Park down Willeston Street, as the Council submits, or whether it is the focal point itself, which is protected, namely the subject of the view, with its qualities or attributes for which the focal element has been identified as "outstanding" in the first place. The contest, then, is whether it is the view to the Park, or the attributes of the Park, that are protected by Viewshaft 11. To answer this question, both parties addressed the relevance of Policy 12.2.6.7 and its application to the proposal.*

Referring to Policy 12.2.6.7, the Court recorded that:

*Waterfront Watch says that the Policy applies, because the Policy is directed to protecting and, where possible, enhancing identified public views of the harbour, hills, and townscape features from within and around the Central Area.*

The Court recorded its conclusion at paragraph [54] stating that:

*On my reading of the details of Viewshaft 11, Policy 12.2.6.7 and its explanatory note, I am drawn to the conclusion that Viewshaft 11 protects the view of Frank Kitts Park from Willeston Street, not what is in Frank Kitts Park. Provided the proposal for the development of the Park does not intrude into Viewshaft 11 and its elements, then the policy has no further application*

adding at paragraph [55] that:

*... the point is to preserve the view of Frank Kitts Park, not what is in it.*

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<sup>24</sup> Waterfront Watch Inc v Wellington City Council, CIV-2018-485-345 [2018] NZHC 3453, Cull J, 21 December 2018, para [23].

## Conclusion

The purpose of viewshafts is to preserve the view to the focal and context elements from a specified place, not to protect the 'makeup' of the focal and context elements from change.

### **Case Law Summary**

Although only a small number of Court cases have reviewed the District Plan's view protection provisions since they were first introduced, some 'learnings' can be derived from those cases:

1. District Plan provisions which seek to control development with the aim of protecting identified public views are a legitimate planning tool.
2. The protection afforded is of the view to the identified focal and context elements, and not of the 'makeup' of the focal and context elements themselves, which can change.
3. Policy 12.2.6.7 which seeks to 'protect and where possibly enhance' protected views contemplates that changes can be made to identified public views. As the High Court stated in the Frank Kitts Park case, "*they are not protected in perpetuity*".
4. The District Plan's view protection policies can be had regard to when assessing development under the Regional Plan for sites in the coastal marine area.

## **5 RECOMMENDATIONS**

Note: the recommendations are in addition to, or build on, the recommendations in Section 4 of the Part One Report.

Also, the recommendations are based on an acceptance that the continued protection of important public views is an important 'environmental result' for Wellington.

### **RECOMMENDATION 1**

Review the operative District Plan provisions relating to 'view protection' as part of the review of Chapters 12 and 13 of the operative District Plan.

#### Reason

It is apparent that some of the existing viewshafts have been significantly compromised (e.g. Vs7 and Vs 21) while others are from locations which are not readily accessible to the general public (e.g. Vs9 and Vs13). Furthermore, for a number of the viewshafts the risk of intrusions as a consequence of future Central Area development is very low. This is particularly so for the viewshafts from Lambton Quay to the inner harbour (e.g. Vs4, Vs5 and Vs6) where most sites fronting the left and right margins of the viewshafts have been redeveloped and all the waterfront buildings adjacent to these viewshafts have been constructed, or, in the case of Site 9, consented.

The review should not only be of which viewshafts should be retained or removed, but also of the view protection policies, rules and standards, for the reasons stated in relation to Recommendations 3 to 7.

### **RECOMMENDATION 2**

In relation to specific viewshafts:

#### **2.1 Remove the following viewshafts:**

Vs3 (to be combined with Vs1)

Vs9 (viewpoint location not readily accessible)

Vs13 (viewpoint location not readily accessible)

Vs21 (significance of viewshaft location diminished and focal elements blocked).

#### Reason

For the reasons canvassed in the Part One Report, but noting that for Vs13 and Vs21 it could be that the viewpoint location is moved to a new location, as an alternative to their removal.

**2.2** Give consideration to the removal of the following two viewshafts:

Vs17

Vs20

Reason

These two viewshafts are more long-distance views, principally to the port and inner harbour and western escarpment (Vs17), and the Buckle Street Barracks and surrounding vegetation (Vs20). As they are essentially 'corridor views', the risk of any encroachment is minimal.

Also, they are considered to be less significant than the Category 2 Viewshafts listed in 2.3 above. The recommended Category 2 viewshafts are, in comparison to the above two viewshafts, mostly shorter-distant views (the focal elements, notably the waterfront and inner harbour, are therefore more visible) and they reinforce the city/harbour connection, which is an important element in establishing Wellington's 'sense of place'.

Note: consideration was also given to removing Vs19, but in the end result It has been retained as a Category 2 viewshaft - but noting, however, that it is at risk of any new development on the Lambton Harbour Area 'transition site' immediately to the east of Te Papa.

**2.3** Retain the following viewshafts as "Category One" viewshafts:

Vs1

Vs2

Vs4A

Vs14

Vs15

Vs16

Reason

The public views protected by these viewshafts are considered to be the most important in establishing Wellington's City's identity and sense of place as both capital city and harbour city. Any significant intrusions into these viewshafts should be avoided.

**2.4** Retain the following viewshafts as "Category Two" viewshafts:

Vs4

Vs5

Vs6

Vs7

Vs8

Vs9A (possibly move viewpoint location - refer Part One Report)

Vs10

Vs11

Vs12

Vs18

Vs19

Reason

With the exception of Vs9A, and also Vs18 and Vs19, these viewshafts provide a series of sequential views from the City's premier retail destination (the "Golden Mile") to the inner harbour and Oriental Bay, the Inner Town Belt and the Roseneath and Mt Victoria ridgelines beyond, and are important in reinforcing Wellington's 'sense of place' and identity as a harbour city.

The Category 2 status recommended for these viewshafts 'acknowledges' that the future risk of significant encroachment into these views is low, given:

- (a) the Lambton Harbour Area (aka waterfront development) is now completed from Site 10 through to Queens Wharf - with the possible exception of:
  - a future building to the east of Te Papa (the 'transition site'); and
  - any future development on the Outer Tee at Queens Wharf (subject to the GWRC's Proposed Natural Resources Plan); and
- (b) development on sites between Lambton Quay and Customhouse Quay/Jervois Quay is unlikely to encroach into the viewshafts (apart from verandah intrusions), with the possible exception of:
  - development on the Intercontinental Hotel podium (Vs8); and
  - redevelopment of the site on the north-east corner of Jervois Quay and Willeston Street (Vs11).

As noted below (refer Recommendation 3) the Category 2 viewshaft policy should retain the 'maintain' language, as distinct from the 'avoid' language recommended for Category 1 viewshafts.

### **RECOMMENDATION 3**

Review and 'split' Policy 12.2.6.7 into two new policies to separately recognise Category One and Category Two viewshafts. For Category One viewshafts replace 'protect, maintain and enhance' emphasis with 'avoid'. For Category Two viewshafts retain the 'maintain' emphasis.

#### **Reason**

If there is agreement that the views protected by Vs1, Vs2, Vs4A, Vs14, Vs15 and Vs16 are essential to reinforcing the city's identity and sense of place, both as capital city and harbour city, then, and following recent case law in relation to 'avoidance', greater protection will be afforded if the policy for Category One viewshafts requires avoidance of any intrusions, with the exception of verandahs in relation to Vs1 and Vs4A; although verandahs into Category One viewshafts should require resource consent (see Recommendation 5).

### **RECOMMENDATION 4**

Retain discretionary activity (restricted) 'status' for intrusions into protected views (verandahs aside - see Recommendation 5); but review the existing 'considerations' in the explanation to Policy 12.2.6.7 and include 'matters of discretion'/assessment criteria in the relevant rule, and not rely on the explanation to the policy.

#### **Reason**

As a restricted discretionary activity, the rule should preferably include the 'matters of discretion' and not rely on the explanation to the policy.<sup>25</sup>

In the words of one respondent to the on-line survey:

*... policy should stand alone and convey what you want it to. The material in the bullet points is really assessment criteria (or matters of discretion if it is remain restricted discretionary) and should be in a rule and not a policy.*

### **RECOMMENDATION 5**

Exempt verandas that comply with the permitted activity standards (Rule 13.6.3.6) from requiring resource consent under the Category 2 viewshaft view protection provisions.

#### **Reason**

With over twenty years' experience with the operative District Plan viewshaft provisions there have been no examples of verandahs resulting in a significant intrusion/adverse effects on any protected view.

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<sup>25</sup> Some of the current Central Area discretionary activity (restricted) rules do incorporate 'matters of discretion' (e.g. Rule 13.3.8.4 in relation to building height).

In the words of one of the respondents to the on-line survey:

*Given that the viewshafts generally run along the road corridor, the chances of any part of the building, apart from the verandah intruding, are quite low. I don't see that a small intrusion at street/verandah level is ever a significant effect, as at this height there is already a lot of visual clutter (street trees, other verandahs, streetlights etc). At the higher levels, buildings are unlikely to hang far enough over the street to create an intrusion.*

[emphasis added].

The assessments undertaken to date have found that verandah intrusions are 'indiscernible', 'negligible', 'insignificant', 'imperceptible', 'less than minor' etc. Consequently, there can be little 'environmental effects'-based justification for requiring verandahs meeting the permitted activity standards to be assessed for viewshaft intrusion, especially in relation to Category 2 viewshafts. For 'street-level' Category One viewshafts (Vs1 and Vs4A) verandah intrusions should be subject to a resource consent assessment, but on a non-notified basis.

## **RECOMMENDATION 6**

Revise Standard 13.6.3.3.2 to read as follows:

Standard 13.6.3.3.2: for buildings and structures in the coastal marine area the provisions of the Regional Plan shall apply.

Reason

The revision is necessary to clarify the point that for development in the coastal marine area within the Lambton Harbour Area regard can be had to the District Plan's view protection policy through the provisions of the Regional Plan.

## **RECOMMENDATION 7**

Remove Design Guides as a "Method" under Policy 12.2.6.7.

Reason

The Central Area Urban Design Guide does not include any specific guidelines relating to view protection. As noted by one of the urban design respondents to the on-line survey:

*I have not used the CAUDG for this purpose as it does not specifically refer to viewshafts - they are not covered in any design objective or design guideline. Moreover, addressing the effects of intrusions was not one of the intentions (of the CAUDG).*

*Neither do I consider it desirable that a design guide which is at a high level and covers general design matters should cover the specifics of view protection. I consider this is best addressed by the detailed standards for viewshafts and the specific view protection policies or alternatively specific criteria for assessing departure from the standard.*

The alternative could be for any review of the CAUDG, and possibly also of the Signs Design Guide, to specifically include 'view protection' guidelines.

Note: at present, the Signs Design Guide includes the following objective and guideline under "Relationship to Surrounding Context":

*O2.1 To ensure that new signs fit with the character of the surrounding area and acknowledge the wider city context.*

*G2.3 Signs should not disrupt or visually dominate important characteristics of the surroundings (e.g. identified viewshafts, prominent skyline views, landmark buildings or those at the end of vistas). Standard billboards and projecting signs generally have a greater potential to detract from the character of their setting unless carefully positioned and designed.*

An application for a billboard sign on a site on the immediate margin of Vs4A was declined consent, with one of the stated reasons being:

*... the framing of the view along the viewshaft with a clutter of billboards would disrupt and visually dominate these important characteristics of the City's townscape.*

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Alistair Aburn / Deyana Popova

Urban Perspectives Ltd

8 July 2020

## **6 ATTACHMENT ONE**

### **VIEWSHAFT INTRUSIONS**

## ATTACHMENT 1 - SUMMARY OF VIEWSHAFT INTRUSIONS

Vs No	SR No	Proposed Development	Council's Assessment	UPL Comment
Vs1		No intrusions recorded.		
Vs2	SR308240	Additions and alterations to Rutherford House. The roof of the 'podium' addition infringed the viewshaft. The infringement was 5m wide and 1 metre high.	<p>The Applicant's urban design assessment was:</p> <p>The two-storey high south-eastern podium extension technically impinges on viewshaft Vs2 but has no material effect on this viewshaft. This is because it does not screen either the identified 'focal' or 'context' elements of that viewshaft. The presence of foreground elements (trees) obscures/screens views of the podium edge, and elements behind it mean that it is subsumed into the existing elements at the base of the viewshaft. Adding to these mitigating factors, the very small protrusion in combination with long viewing distance means that even if it were not substantially screened, it would be scarcely visible with the naked eye.</p> <p>The Council's assessment was:</p> <p>As discussed in the Applicant's AEE, Viewshaft 2 takes in views from the top steps between the two middle steps of the Parliament Buildings towards the inner harbour. The effects of this 5 metre wide, 1 metre high infringement are addressed within the applicant's Urban Design assessment as having no material effect upon the viewshaft, in that the infringement does not detract from the focal or context elements of the viewshaft. I agree with this assessment.</p> <p>On the basis of the assessments provided with the AEE and by Mr Beard I consider the visual effects of the proposal to be no more than minor, with no parties being adversely affected.</p>	

Vs3		No intrusions recorded.		
Vs4	SR 73908	The development the Holiday Inn Hotel at 75-91 Featherston Street (now Rydges Hotel) was set back 1.7m along the short Whitmore Street frontage so as to predominantly preserve Vs6 now Vs 4), nevertheless the verandah and roof top intruded across the left margin	<p>“Specific (significant) views of the harbour, local hills and townscape features as seen from public vantage viewpoints throughout Wellington City are an important element of city design, which Council aims to preserve. With this in mind, the subject site is flanked by three such listed viewshafts (as per Appendix 5), which should not be impinged upon, as per Rule 13.1.2.6.1.</p> <p>Whilst viewshafts Vs4 and Vs5 as they relate to the view of The Beehive with Government buildings and the Tinakori hills above, would not be compromised by the location and scale of the proposed development, Vs6 (down Whitmore Street and out to Mt Victoria would be impinged upon by parts of the proposed large scale development at verandah and roof top level. Specific resource consent approval is required for these encroachments. With this in mind, and with deference to the relevant ‘dispensation’ criteria (at rule 13.3.2.16), it is considered that the prime (more distant) focus of the viewshaft would not be compromised by the minor intrusions at verandah and eave level, as per the detailed Assessment of Environmental Effects (AEE) and perspective of the level and scale of the proposed intrusion (ref SK-340 r1) submitted as part of the application to Council.</p>	
	SR 448622	1 Whitmore Street - new 13-storey building with a verandah intruding into the viewshaft (right margin)	<p>The verandah along the Whitmore Street frontage will protrude into the Central Area viewshaft Vs4 which protects views from The Beehive (sic). The focal elements of this viewshaft are Oriental Bay and the inner harbour.</p> <p>... there will be an indiscernible effect and that the colour of the verandah will ensure it merges with the light colour tones of the buildings and structures in the background ... the verandah will be a negligible component of the visual field. Overall, I consider that the actual and potential effects on the viewshaft will be less than minor.</p>	The viewpoint is the corner of Lambton Quay and Bowen Street - not The Beehive
Vs4A	SR 305540	17-21 Whitmore Street - proposed billboard sign	Mr Beard also noted that there is an important viewshaft identified in the District Plan (Viewshaft 4A) along Whitmore Street to The Beehive and the skyline of Te	Consent was declined by an independent

			<p>Ahumairangi Hill. Mr Beard acknowledged that the proposed billboard would not be <u>within</u> this viewshaft (the applicant's evidence demonstrates that it will sit to one side of and outside the identified viewshaft). Mr Leary also pointed out that the proposed sign would not be the nearest sign to the viewshaft (the existing one is closer). However, Mr Beard considered that framing the view along the viewshaft with a clutter of billboards would disrupt and visually dominate these important characteristics of the City's townscape.</p> <p>Ms Hayes acknowledged that the proposed billboard would not actually be within the identified view of Viewshaft 4A. However, her concern was that it would have an adverse visual impact - again in combination with the existing signs - in compounding the signage clutter framing the view along the viewshaft towards Parliament and the skyline of Te Ahumairangi Hill.</p>	<p>commissioner on the grounds, inter alia, that the proposed billboard sign would "contribute adversely (rather than positively) to the context of Whitmore Street views towards the Parliamentary Precinct Heritage Area, which is an outcome directly contrary to Policy 12.2.10.6".</p> <p><u>Note:</u> Policy 12.2.10.6 is not the viewshaft policy.</p>
Vs5	SR 357422	20 Customhouse Quay - new 13-storey building with a verandah intruding into the viewshaft (right margin).	<p>I note that the verandahs in <u>Waring Taylor Street</u> and Johnston Street would extend into Viewshafts 5 and 6. I have evaluated the effects from the relevant viewpoints of each viewshaft and found these to be imperceptible ... the verandahs would not intrude into the focal or context elements of either viewshaft.</p> <p>The design of the verandah is consistent with the overall design of the building.</p>	
	SR 184880	Redevelopment of 109 Featherston Street included pedestrian canopies on the southern side of Waring Taylor Street, which intruded into the right margin of Viewshaft 5.	<p>The Hearing Commissioners concluded that:</p> <p>".... While the canopies along Waring Taylor Street will impinge slightly on the viewshaft, the encroachment is insignificant. Moreover, the focal elements of the view will remain intact, those being views to the Wellington harbour and</p>	<p>The application was publicly notified. Notwithstanding a s125 time extension</p>

			across to the Inner Town Belt and Mt Victoria. They also agree with Ms Willoughby, who noted that this level of encroachment is largely anticipated by the District Plan and Plan Change 48”.	to 9 April 2019 (the initial consent was granted on 9 April 2009) the redevelopment has not proceeded.
Vs6	SR 126110	Construction of a new building on Site 7 at Kumutoto (North Queens Wharf) - now the Meridian Building (SR 1266110; and open space development (SR 126112).	<p>The Planning Report to the Hearings Committee confirms that:</p> <p>Specific views of the harbour, local hills and townscape features are an important element of the cityscape and building development that impinges on protected views require special consideration. The proposed development involves the construction of buildings and structures that will impinge on protected viewshafts</p> <p>and noted that:</p> <p>a number of submissions received raised concern that the proposed building will impinge on identified viewshafts and adversely affect views between the city and the harbour.</p> <p>The proposed building has the potential to affect two viewshafts (viewshaft numbers 7 and 8 in the District Plan). The focal elements of these viewshafts are the inner harbour and Roseneath, with the context elements being the city wharf (viewshaft 7), Queens Wharf (viewshaft 8) and the built-up ridgeline beyond.</p> <p>The proposed building will be visible in the right-hand margin of viewshaft 7 and the left-hand margin on viewshaft 8.</p> <p>The detailed design review by TAG (Appendix 6) includes and assessment of the orientation of the proposal in terms of its effects on viewshafts. That report states:</p> <p><i>“Waring Taylor and Johnston Street viewshafts are appropriately extended</i></p>	The application for the new building on Site 7 (SR 126110) and the landscaping at Kumutoto (SR 126112) was publicly notified.

	SR 126112	The development of open space at Kumutoto was applied for at the same time as the new building on Site 7.	<p><i>along the walls of these streets. This maintains a visual connection between city and sea and at the same time by continuing the alignment, reads as an extension of the street space to the sea”.</i></p> <p>I concur with the assessment provided by TAG and note that the proposed building will not break up the view of the inner harbour and Roseneath from Lambton Quay, or impinge on the central core of either viewshaft. For these reasons, it can be concluded that the proposed building will not adversely affect the visual connection between the city and the waterfront.</p> <p>The Planning Report to the Hearings Committee confirmed that:</p> <p>The proposed open space development has the potential to affect four viewshafts (viewshaft numbers 6, 7, 8, and 9 in the District Plan). The focal elements of these viewshafts are the inner harbour, Mt Victoria (viewshafts 6 and 9), and Roseneath (viewshafts 7, 8 and 9), with the context elements being Kings Wharf and the Inner town belt (viewshaft 6), the city wharf (viewshaft 7), Queens Wharf (viewshaft 8 and 9) and the built-up ridgeline beyond (viewshafts 7, 8 and 9).</p> <p>As noted by the applicant, the proposed open space areas are low in scale and do not extend into these viewshafts, The design review by TAG (Appendix 6) highlights the importance of the future design of buildings on surrounding sites due to their potential to impinge into viewshafts. However, the current proposal involves the construction of only low-lying structures and buildings, and as such will not adversely affect the visual connection between the city and the waterfront.</p>	
	SR 357422	20 Customhouse Quay - new 13-storey building with a verandah intruding into the left margin	<p>I note that the verandahs in Waring Taylor Street and <u>Johnston Street</u> would extend into Viewshafts 5 and 6. I have evaluated the effects from the relevant viewpoints of each viewshaft and found these to be imperceptible ... the verandahs would not intrude into the focal or context elements of either</p>	



Vs9A		No intrusions recorded		
Vs10	SR 358352	The redevelopment of Frank Kitts Park, including the redevelopment of the children's playground.		The hearing commissioners and subsequent Court hearings accepted that there was no intrusion.  See Vs11
Vs11	SR 358352	The redevelopment of Frank Kitts Park, including the incorporation of the Chinese Garden in the frame of Vs11.	<p><u>Independent Hearing Commissioners:</u></p> <p>Given the viewing distance, the complexity of the view and the new intervening streetscape elements, we concur with the applicant and TAG that the effect on the Willeston viewshaft is minor.</p> <p>The Independent Hearing Commissioners also noted:</p> <p>Since the viewshafts were first described there have been a number of changes to the city landscape that provides the viewing context. For example, the Overseas Passenger Terminal (now Clyde Quay Wharf Apartments) building has an additional storey and we can confirm. Mr Dunn's observation that the widening of the Willeston Street footpath, new traffic lights and street trees has compromised the viewshaft from Lambton Quay down Willeston Street.</p> <p><u>Environment Court:</u></p> <p>First there will be no intrusion into the Viewshaft, in the sense of its margins being narrowed, or some similar effect. It is plain that there will be no change to the ability to see St Gerard's from the viewshaft. That can be put aside. Given that Frank Kitts Park is a focal element of the Viewshaft, what considerations might prevent it being changed? ... we cannot see that there</p>	For further discussion of the Environment Court and High Court's decisions - refer Section 4 of the Report "Case Law" -

			<p>are ... the new result is no more than the viewshaft's <i>focal element</i> will have a somewhat different frontage to Jervois Quay.</p> <p><u>High Court:</u></p> <p>The contest, then, is whether it is the view to the Park or the attributes of the park, that are protected by Viewshaft 11.</p> <p>The purpose of the viewshaft is to preserve the focal and context elements of the view from a specified place. Here, from Willeston Street, the importance of the viewshaft is to ensure that the view of the Park and Monastery is retained. This proposal seeks to develop the Park itself, but does not intrude or impinge on the identified focal elements in the viewshaft, that is the Park and the Monastery. If the layout or detail of the Park changes - which all parties agree can occur – the observer in Willeston Street will still have a view of Frank Kitts Park and the Monastery.</p>	Case 4 - Frank Kitts Park Redevelopment.
Vs12	SR 131269	The 'Chews Lane Development Precinct Redevelopment' involved the construction of new buildings and the retention and refurbishment of existing buildings, including listed heritage buildings. The upper levels (Levels 1 to 4) of the new building constructed at 50 Victoria Street intruded across the left margin of the viewshaft.	<p>The proposed new building to be constructed at 50 Victoria Street will intrude partially into Viewshaft 14 [now Vs12] due to its "stepped glass projection" into Chews Lane, however, a sense of direction to the waterfront, the primary focus of this viewshaft will remain uninterrupted. I note that much better views of the listed focal elements of Viewshaft 14 are gained elsewhere within the City, for example at the Cable Car Station and the waterfront.</p> <p>Further, in relation to the Cable Car Station, I note that Viewshaft 18 [now Viewshaft 16] seeks to protect the view from the Cable Car, across the inner City towards Mount Victoria. The applicant demonstrates that this view will not be impinged upon. I concur with the applicant as the focus of the view is over and higher than the proposed maximum height of the building.</p> <p>Overall, I consider the effect upon listed viewshafts to be no more than minor.</p>	
Vs13		No intrusions recorded		
Vs14		No intrusions recorded		Vs14, Vs15 and Vs16

				are the three viewshafts originating at the Cable Car (Kelburn) viewing platform. A number of applications for new Central Area buildings have been assessed for any intrusion into these three viewshafts - but no intrusions have been recorded.
Vs15		No intrusions recorded		See above for Vs14
Vs16		No intrusions recorded		See above for Vs14
Vs17		No intrusions recorded		
Vs18		No intrusions recorded		
Vs19		Te Papa	TBC	TBC
Vs20		No intrusions recorded		
Vs21	SR 407048 SR 427889	The development at 47-49 Vivian Street was for a proposed new apartment building. Consent was granted for a building to 26.7m (SR407048). Subsequently, a s127 application (SR427889) was granted for, inter alia, for a lift over-run to intrude into the viewshaft.	The initial application was assessed as having no impact on Viewshaft 21: “The subject site is within Viewshaft 21. However, the applicant has confirmed that the proposed building will not intercept within the viewshaft in this locality. I accept this assertion”.  The s127 application sought increased height for the lift over-run to 1.5m above the 27m height limit.  “The proposed lift overrun will result in this section of the building intruding into Viewshaft 21. Given that the majority of the roof line is below the view corridor and the lift overrun structure will appear against the backdrop of other	

	SR 163437	The initial development at 106-112 Tory Street (Il Casino site) was for a 36.45m high building; however, following concerns with potential shading, wind effects and urban design, the proposal was reduced to a building of 27m in height.	<p>buildings, I agree with the applicant that the effects of this intrusion to be less than minor”.</p> <p>Approximately 0.2m on the top of the proposal building encroached through the base of Viewshaft 26 (now Viewshaft 21).</p> <p>The assessment concluded that:</p> <p>It is not considered that the impact on either Viewshaft 21 or 26 will be significant, as only a small part of the building (0.2m in height and 7.4m in length) will encroach through part of the identified viewshaft. The proposed building is unlikely to have a detrimental impact on the view north from the Museum steps. Accordingly, I do not consider that the impact of the proposal on Viewshaft 21 or 26 will be more than minor.</p>	
	SR 38678	The development at 70 Story Street (Century City Hotel site) was a comprehensive development comprising three buildings. The development encroached into Viewshafts 26 and 27 (now Vs21). The 27m height limit was exceeded by 3.75m.	<p>In relation to view protection (viewshafts) the Decision Report recorded that:</p> <p>“The maximum height limits are designed primarily to protect the panoramic view of the harbour and distant hills from the top of the Cable Car. In this case the additional height has no impact on the panoramic view of the City due to the location of the site away from the High City Area.</p> <p>The site is traversed by Viewshafts 26 and 27 of the Proposed Plan. These viewshafts are taken from the National Museum at Buckle Street. The focal points are the inner harbour and the western escarpment. The applicant has submitted information from a registered surveyor relating to the effects of the development on these viewshafts. This states:</p> <p><i>It is worthy of note that the actual viewshafts VS 26 and VS 27 are probably redundant now because the reasons for setting them up was the use of the building in Buckle Street as the National Museum and Art Gallery. As these have now moved this reason should no longer apply. It is also significant that trees immediately adjacent to the old Museum have effectively blocked the</i></p>	

			<p><i>view from VS 26 and that the new Museum Te Papa appears to significantly impinge through VS 27.</i></p> <p>I agree with the above statements. I am aware from previous applications as well as this one that the base level of Viewshafts 26 and 27 has effectively been increased by the construction of Te Papa which extends across a significant portion of the viewshafts.</p> <p>The applicant has also submitted an elevation of the development prepared</p> <p>By the registered surveyor indicating the level of the building that extends above the viewshafts. This area does not represent a significant bulk of the building, but rather mainly comprises decorative roof features. As stated earlier, these features are considered to add an interesting skyline for the City in line with urban form objectives of the Proposed the District Plan.</p>	
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# 7 ATTACHMENT TWO

## PROPOSED NATURAL RESOURCES PLAN

## ATTACHMENT 2 - REGIONAL PLAN - THE PROPOSED NATURAL RESOURCES PLAN

For any development within the Lambton Harbour Area that lies within the 'coastal marine area' the relevant statutory instrument is the Proposed Natural Resource Plan (PNRP) - being the regional plan for managing development within the Wellington Region.

Following the public notification, submission and hearing process the Greater Wellington Regional Council released its decisions on submissions in July 2019, and subsequently issued a "Decisions Version" of the PNRP.

The PNRP provisions replace those of the Regional Coastal Plan that were referenced in the Environment Court's decision on the Hilton Hotel case - refer Section 4 "Case Law" of the Part Two Report.

The parts of the coastal marine area (wharf structures) that lie within the frame of District Plan identified viewshafts are:

- The Outer Tee at Queens Wharf: Vs6 and Vs7;
- Clyde Quay Wharf: Vs4, Vs8, Vs10 and Vs11; and
- Glasgow Wharf: Vs2

### PNRP Provisions <sup>26</sup>

#### *Objective 053*

*Use and development shall not be located in the coastal marine area except where it has a functional need or operational requirement to be located there, unless the use and development is in the Lambton Harbour Area.*

#### *Objective 056*

*New development in the coastal marine area is of a scale, density and design that is compatible with its function and its location in the coastal environment.*

#### *Objective 057*

*Use and development is appropriate in the Lambton Harbour Area when it is compatible with its surroundings and the Central Area of Wellington City.*

*Policy 132: Functional need and efficient use:*

*Use and development in the coastal marine area shall:*

...

*(c) be in the Lambton Harbour Area*

*Policy P134: Public open space values and visual amenity.*

*The adverse effects of new use and development on public open space and visual amenity viewed within, to and from the coastal marine area shall be minimised by:*

*(a) Having regard to any relevant provisions contained in any bordering territorial authorities' proposed and/or operative district plan.*

*Policy P142: Lambton Harbour Area*

*When considering whether use and development of the Lambton Harbour Area is appropriate, have regard to the extent which it:*

- (a) provides a range of activities appropriate to the harbour/city interface; and*
- (b) is compatible with the urban form of the city; and*
- (c) recognises the historic heritage character, development and association of the area;*
- (d) does not detract from the amenity of the area;*

.....

*(j) addresses provisions, including design guides, contained in the Wellington City District Plan and any relevant proposed plan changes or variations, including the following matters: amenity values;*

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<sup>26</sup> These provisions are subject to appeals to the Environment Court and may therefore change.

*noise and vibration; **views**; traffic; wind, lighting and glare; sunlight; height, bulk and form; and urban design*

[emphasis added]

**Comment:**

Given the above PNRP provisions, an assessment of any developments in the coastal marine area that might potentially intrude into a District Plan identified viewshaft would be able to have full regard to the District Plan's viewshaft provisions, in the same way that the Environment Court had regard to the District Plan viewshaft protection provisions in the Hilton Hotel case.

This could include any future development on Glasgow Wharf (Vs2) and the Outer Tee at Queens Wharf (Vs6 and Vs7).

Currently, the District Plan includes the following standard:

*13.6.3.3 View Protection*

*13.6.3.3.1 No building shall intrude on any viewshaft as shown in Appendix 11.*

**13.6.3.3.2 Standard 13.6.3.3.1 does not apply to any building or structure within the coastal marine area.**

Notwithstanding this District Plan provision, given the Environment Court's decision in the Hilton Hotel case, it is apparent that regard can be had to the District Plan provisions; as now provided for under Policy 142 "Lambton Harbour Area".

Refer Recommendation 6 in the Part Two Report.