

Wellington City Proposed District Plan

Hearing Stream 3 – Viewshafts

Section 42A of the Resource Management Act 1991

Document Information

REPORT FOR: **Independent Hearings Commissioners:**
Trevor Robinson (Chair)
Rawiri Faulkner
Heike Lutz
David McMahon

SUBJECT: **Wellington City Proposed District Plan**
– Viewshafts Section 42A Report

PREPARED BY: Anna Stevens

REPORT DATED: 5 April 2023

DATE OF HEARING: 9 May 2023

Executive Summary

1. This report considers submissions received by Wellington City Council in relation to the relevant objectives, policies, rules, definitions, appendices and maps of the Wellington City Proposed District Plan as they apply to the Viewshafts Chapter and Schedule 5 – Viewshafts.
2. There were 16 submitters who collectively made 44 submission points on this topic.
3. There were 6 further submitters who collectively made 20 further submission points. Overall there were 64 total submission points on Viewshafts and Schedule 5 - Viewshafts.
4. The submissions received were diverse and sought a range of outcomes. The report outlines recommendations in response to the issues that have emerged from these submissions.
5. The following are considered to be the key issues in contention in the Viewshaft chapter and Schedule 5 - Viewshafts:
 - a. The content of the Introduction text to the Viewshafts chapter, and specific provisions
 - b. The addition of new viewshafts to Schedule 5;
 - c. The reinstatement of Viewshaft 3 and Viewshaft 21 from the ODP; and
 - d. The extent and descriptions of the notified Viewshafts.
6. This report addresses each of these key issues, as well as any other relevant issues raised in the submissions.
7. The report includes recommendations to address matters raised in submissions as to whether the provisions in the Proposed District Plan relating to Viewshafts should be retained as notified, amended, or deleted in full.
8. Appendix A of this report sets out the recommended changes to the Viewshaft chapter and Schedule 5 - Viewshafts in full. These recommendation takes into account all of the relevant matters raised in submissions and relevant statutory and non-statutory documents.
9. Appendix B of this report details officers' recommendations on submissions, and whether those submissions should be accepted or rejected. The reasoning for these recommendations is set out in the body of this report.
10. For the reasons set out in the Section 32AA evaluation included throughout this report, the proposed objectives and associated provisions, with the recommended amendments, are considered to be the most appropriate means to:
 - a. Achieve the purpose of the Resource Management Act 1991 (RMA) where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed objectives; and
 - b. Achieve the relevant objectives of the Proposed District Plan, in respect to the proposed provisions.

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Interpretation

Table 1: Abbreviations

Abbreviation	Means
the Act / the RMA	Resource Management Act 1991
the Council	Wellington City Council
the Operative Plan/ODP	Operative Wellington City District Plan
the Proposed Plan/PDP	Proposed Wellington City District Plan
HRZ	High Density Residential Zone
MRZ	Medium Density Residential Zone
National War Memorial	The National War Memorial, which includes the Carillon, Hall of Memories, Tomb of the Unknown Warrior, steps, pool and forecourt, and pohutukawa-clad escarpment (containing pedestrian routes at various levels)
NPS	National Policy Statement
NPS-UD	National Policy Statement on Urban Development 2020
ODP-VS3	Operative District Plan Viewshaft 3
ODP-VS4	Operative District Plan Viewshaft 4
ODP-V20	Operative District Plan Viewshaft 20
ODP-VS21	Operative District Plan Viewshaft 21
OSZ	Open Space Zone
PDP-VS1	Proposed District Plan Viewshaft 1
PDP-VS2	Proposed District Plan Viewshaft 2
PDP-VS3	Proposed District Plan Viewshaft 3
PDP-VS4	Proposed District Plan Viewshaft 4
PDP-VS5	Proposed District Plan Viewshaft 5
PDP-VS6	Proposed District Plan Viewshaft 6
PDP-VS7	Proposed District Plan Viewshaft 7
PDP-VS8	Proposed District Plan Viewshaft 8
PDP-VS9	Proposed District Plan Viewshaft 9
PDP-VS10	Proposed District Plan Viewshaft 10
PDP-VS11	Proposed District Plan Viewshaft 11
PDP-VS12	Proposed District Plan Viewshaft 12
PDP-VS13	Proposed District Plan Viewshaft 13
PDP-VS14	Proposed District Plan Viewshaft 14
PDP-VS15	Proposed District Plan Viewshaft 15
PDP-VS16	Proposed District Plan Viewshaft 16
PDP-VS17	Proposed District Plan Viewshaft 17
PDP-VS18	Proposed District Plan Viewshaft 18
PNRP	Proposed Wellington Natural Resources Plan (Decisions Version) 2019
Pukeahu Park	Pukeahu National War Memorial Park, comprising the public space associated with the National War Memorial and collection of national memorials within it
SASM	Sites and Areas of Significance to Māori
S32	Section 32 of the Resource Management Act 1991
S32AA	Section 32AA of the Resource Management Act 1991
TEDZ	Tertiary Education Zone
VS	Viewshaft
WFZ	Waterfront Zone

Table 2: Abbreviations of Submitters' Names

Abbreviation	Means
Argosy Property	Argosy Property No. 1 Limited
CentrePort	CentrePort Limited
Historic Places Wellington	Historic Places Wellington Inc
Kāinga Ora	Kāinga Ora - Homes and Communities
Panorama Property	Panorama Property Limited
Thorndon Residents Association	Thorndon Residents Association Inc

In addition, references to submissions includes further submissions, unless otherwise stated.

1.0 Introduction

1.1 Purpose

1. This report is prepared under section 42A of the Resource Management Act 1991 (the **RMA**) to:
 - a. Assist the Independent Hearings Panel in their role as independent commissioners in making their decisions on the submissions and further submissions on the Wellington City Proposed District Plan (the **PDP**); and
 - b. Provide submitters with information on how their submissions have been evaluated and the recommendations made by officers, prior to the hearing.

1.2 Scope

2. This report considers submissions received by the Council in relation to the following:
 - a. Viewshaft Chapter Introduction;
 - b. Policies VIEW-P2 and VIEW-P3;
 - c. Rules VIEW-R1 and VIEW-R2;
 - d. Standard VIEW-S1;
 - e. Schedule 5 – Viewshafts, including:
 - i. VS1 The Beehive
 - ii. VS3 North Queens Wharf and Inner Town Belt – Whitmore Street
 - iii. VS4 The Beehive and The Cenotaph – Whitmore Street
 - iv. VS8 Panama Street
 - v. VS9 Lambton Quay/ Grey Street
 - vi. VS13 Cable Car Station to Matiu Somes Island and Mokopuna Island
 - vii. VS14 Cable Car Station to Point Jerningham and Point Halswell
 - viii. VS15 Cable Car Station to St Gerard’s Monastery
 - ix. VS18 Cable Car Panoramic View
3. This report:
 - a. Discusses general issues;
 - b. The original and further submissions received;
 - c. Makes recommendations as to whether or not those submissions should be accepted or rejected; and
 - d. Concludes with a recommendation for changes to the plan provisions or maps based on the assessment and evaluation contained in the report.
4. This report is intended to be read in conjunction with the Section 42A Assessment Report: Part A – Overview, which sets out the statutory context, background information and administrative matters pertaining to the District Plan review and PDP.
5. The Independent Hearings Panel may choose to accept or reject the conclusions and recommendations of this report, or may come to different conclusions and make different recommendations, based on the information and evidence provided to them by submitters.

1.3 Author and Qualifications

6. My full name is Anna Mariebel Sutherland Stevens. I am a Team Leader in the District Planning Team at Wellington City Council (the Council).
7. My role in preparing this report is that of an expert in planning.
8. I hold the qualification of Master of Planning and Bachelor of Arts (Geography and Psychology) from the University of Otago. I am an Intermediate Member of the New Zealand Planning Institute and have served for five years as a member of Wellington Branch Committee.
9. I have seven years' experience in planning and resource management. I had policy roles at Bay of Plenty Regional Council, Harrison Grierson and Boffa Miskell (including a secondment to Department of Corrections) prior to joining the Wellington City Council. In these roles I have been responsible for the preparation and lodgement of resource consent applications, providing general planning and feasibility advice under various district plans and processing private plan change as a consultant Council officer.
10. I have been involved with the District Plan review process since joining the District Planning Team in 2019. I have been involved with the development of the Spatial Plan and Draft District Plans since their initial drafting, participated in community engagement, and helped refine the provisions in the lead up to notification of the PDP.
11. I have led the drafting of new chapters for City Centre Zone, Te Ngākau Civic Square Precinct, Viewshafts, Wind, Special Purpose Hospital Zone and Special Purpose Tertiary Education Zone. I have assisted in the drafting of the Special Purpose Waterfront Zone, Special Purpose Port Zone, Inner Harbour Port Precinct, Multi-User Ferry Precinct, Special Purpose Stadium Zone, Temporary Activities chapter and Signage chapter and peer reviewed other chapters in the plan. I prepared the section 32 reports for the Wind topic, City Centre Zone, Te Ngākau Civic Square Precinct, Special Purpose Waterfront Zone and Special Purpose Stadium Zone.
12. I am also the reporting officer on the City Centre Zone, the Wind Chapter, the Centres and Mixed Use Design Guide and Special Purpose Stadium Zone.

1.4 Code of Conduct

13. Although this is a Council Hearing, I have read the Code of Conduct for Expert Witnesses contained in the Practice Note issued by the Environment Court, which came into effect on 1 January 2023. I have complied with the Code of Conduct when preparing my written statement of evidence and I agree to comply with it when I give any oral evidence.
14. Other than when I state that I am relying on the evidence or advice of another person, this evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.
15. Any data, information, facts, and assumptions I have considered in forming my opinions are set out in the part of the evidence in which I express my opinions. Where I have set out opinions

in my evidence, I have given reasons for those opinions.

1.5 Supporting Evidence

16. The expert evidence, literature, legal cases or other material which I have used or relied upon in support of the opinions expressed in this report is as follows:
 - a. Expert evidence of Ms Deyana Popova, Urban Design Consultant and Director with Urban Perspectives Ltd with respect to submissions on SCHED5 – Viewshafts;
 - b. Expert evidence of Dr Farzard Zamani, Urban Regeneration and Design Manager with City Design Wellington City Council team, with respect to submissions on SCHED5.
17. The expert evidence statements can be found online at: <https://wellington.govt.nz/your-council/plans-policies-and-bylaws/district-plan/proposed-district-plan/hearings-information>

1.6 Key resource management issues in contention

18. Forty-four submission points and 20 further submission points were received on the provisions relating to this topic. The following Viewshaft Chapter provisions and Schedule 5 viewshaft viewshafts have not been submitted on but may be subject to changes through minor and inconsequential amendment recommendations made in Section 6.3:
 - VIEW-O1
 - VIEW-O2
 - VIEW-P1
 - Viewshaft 2
 - Viewshaft 5
 - Viewshaft 6
 - Viewshaft 7
 - Viewshaft 10
 - Viewshaft 11
 - Viewshaft 12
 - Viewshaft 13
 - Viewshaft 16
 - Viewshaft 17.
19. Having read the submissions and further submissions, I consider that the following matters are the key issues in contention in the chapter:
 - a. The content of the Introduction text to the Viewshafts chapter, and specific provisions
 - b. The addition of new viewshafts to Schedule 5;
 - c. The reinstatement of Viewshaft 3 and Viewshaft 21 from the ODP; and
 - d. The extent and descriptions of the notified Viewshafts.

1.7 Procedural Matters

20. There are not considered to be any other procedural matters to note.

2.0 Background and Statutory Considerations

2.1 Resource Management Act 1991

21. Since public notification of the District Plan and publishing of the related section 32 evaluation reports on 18th July 2022, the following relevant statutory considerations have changed/been introduced:

a. **The Spatial Planning Bill and Natural and Built Environment Bill were introduced to Parliament and have been referred to Select Committees (14.11.2022).**

i. These Bills are currently before the select committee and have no implications for the plan.

2.2 Schedule 1 and ISPP

22. As detailed earlier in the section 42A Overview Report, the Council has chosen to use two plan review processes:

a. The Intensification Streamlined Planning Process (ISPP) under Part 6 of Schedule 1 of the RMA for the intensification planning instrument (IPI). There are no appeal rights on ISPP provisions.

b. For all other PDP provisions and content, Part 1 of Schedule 1 process is used. Part 1 Schedule 1 provisions can be appealed.

23. For this topic, all provisions fall under the ISPP.

2.3 Section 32AA

24. I have undertaken an evaluation of the recommended amendments to provisions since the initial section 32 evaluation was undertaken in accordance with s32AA. Section 32AA states:

32AA Requirements for undertaking and publishing further evaluations

(1) A further evaluation required under this Act—

(a) is required only for any changes that have been made to, or are proposed for, the proposal since the evaluation report for the proposal was completed (the changes); and

(b) must be undertaken in accordance with section 32(1) to (4); and

(c) must, despite paragraph (b) and section 32(1)(c), be undertaken at a level of detail that corresponds to the scale and significance of the changes; and

(d) must—

(i) be published in an evaluation report that is made available for public inspection at the same time as the approved proposal (in the case of a national policy statement or a New Zealand coastal policy statement or a national planning standard), or the decision on the proposal, is notified; or

(ii) be referred to in the decision-making record in sufficient detail to demonstrate that the further evaluation was undertaken in accordance with this section.

(2) To avoid doubt, an evaluation report does not have to be prepared if a further evaluation is undertaken in accordance with subsection (1)(d)(ii).

25. The required section 32AA evaluation for changes proposed as a result of consideration of submissions with respect to this topic is contained within the assessment of the relief sought in submissions in sections 4 to 6 of this report, as required by s32AA(1)(d)(ii).
26. The Section 32AA further evaluation contains a level of detail that corresponds to the scale and significance of the anticipated effects of the changes that have been made. Recommendations on editorial, minor, and consequential changes that improve the effectiveness of provisions without changing the policy approach are not re-evaluated. No re-evaluation has been undertaken if the amendments have not altered the policy approach.
27. For changes that represent a significant departure from the PDP as notified, I have undertaken the s32AA evaluation in a consolidated manner following the assessment and recommendations on submissions in this section.

2.4 Trade Competition

28. Trade competition is not considered relevant to the provisions of the PDP relating to this topic.
29. There are no known trade competition issues raised within the submissions.

3.0 Consideration of Submissions and Further Submissions

3.1 Overview

30. There were 16 submitters who collectively made 44 submission points on this topic, including Schedule 5 – Viewshafts.
31. There were 6 further submitters who collectively made 20 further submission points.

3.2 Report Structure

32. Submissions on this topic raised a number of issues that have been grouped into sub-topics within this report. Some of the submissions are addressed under a number of topic headings based on the topics contained in the submission. I have considered substantive commentary on primary submissions contained in further submissions as part of my consideration of the primary submissions to which they relate.
33. In accordance with Clause 10(3) of the First Schedule of the RMA, the following evaluations have been undertaken on both an issues and provisions-based approach, where a large number have been received, as opposed to a submission-by-submission approach. Where a small number of submissions have been received, each submission is addressed. The evaluation is organised in accordance with the layout of chapters of the Plan as notified and

the particular Schedule 5 Viewshafts addressed in the submissions.

34. Recommended amendments are contained in the following appendices:
 - a. Appendix A – Recommended Amendments to the Viewshaft Chapter and SCHED5 – Viewshafts.
 - b. Appendix B – Recommended Responses to Submissions and Further Submissions on Viewshaft Chapter and SCHED5 – Viewshafts.
35. Additional information can also be obtained from the associated Viewshafts Section 32 Report, and the overlays and maps on the ePlan.
36. The following evaluation should be read in conjunction with the summaries of submissions and further submissions, along with the originating submissions themselves. Where there is agreement with the relief sought and the rationale for that relief, this is noted in the agreement, and a recommendation provided in the summary of submission table in Appendix B. Where further evaluation of the relief sought in a submission(s) has been undertaken, the evaluation and recommendations are set out in the body of this report. A marked-up version of the Viewshafts chapter and Schedule 5 – Viewshafts with recommended amendments in response to submissions is contained as Appendix A.
37. This section 42A report only addresses definitions that are specific to this topic. Definitions that relate to more than one topic have been addressed in Hearing Stream 1 and the associated section 42A report, and in other relevant section 42A reports for different topics.

3.3 Format for Consideration of Submissions

38. The consideration of submissions has been undertaken in the following format:
 - Matters raised by submitters;
 - Assessment; and
 - Summary of recommendations.
39. Recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.
40. The recommended amendments to the relevant parts of the plan are set out in Appendix A of this report where all text changes are shown in a consolidated manner.
41. The recommended acceptance or rejection of submissions (and accordingly further submissions) is set out in Appendix B.
42. I have undertaken a s32AA evaluation in respect to recommended amendments in my assessment that represent a material change from the policy direction in the proposed Viewshaft chapter.

4.0 Submission Points on the Viewshaft Chapter

4.1 General Submission Points on the Viewshaft Chapter

Matters raised by submitters

43. Wellington’s Character Charitable Trust [233.13] (Supported by Thorndon Residents Association Inc [FS69.91]) and Juliet Broadmore [471.1] submit that the Viewshaft chapter should be retained as notified.

Assessment

44. I acknowledge and accept the submission points by Wellington’s Character Charitable Trust [233.13] and Juliet Broadmore [471.1], to retain the Viewshaft Chapter as notified. I consequentially acknowledge and accept the further submission in response to [233.13] from Thorndon Residents Association Inc [FS69.91]. I note that above and later in this report I have made recommendations that minor changes be made to the notified Viewshaft Chapter in response to submissions received.

Summary of recommendations

45. HS3-VIEW-Rec1: No amendments are recommended in response to submission points on the retention of the Viewshaft Chapter.
46. HS3-VIEW-Rec2: That General submission points on Viewshaft Chapter are accepted as detailed in Appendix B.

4.2 Submissions on Viewshaft Provisions

Introduction

Matters raised by submitters

47. Wellington City Council [266.89] submit that the introduction to the Viewshaft chapter should be amended to include an additional paragraph, as follows:

The associated rules apply to sites within the City Centre Zone, Waterfront Zone and the Viewshaft Control Area identified on the District Plan maps, and only to development that impinges on the specific parameters of each view set out in SCHED5.

Assessment

48. I accept in part the submission point of Wellington City Council [266.89] in so far as I agree with the intent and rationale for the change sought by this submission point. Through suggesting a ‘Viewshaft Control Area’ in this submission point (and in subsequent submission points relating to the rule framework), Council was seeking to ensure that properties in Kelburn covered by the Viewshaft Overlay that sit under Viewshafts 13, 14 and 15 in the PDP are subject to the provisions within the Viewshaft Chapter. Here I note that the proposed Viewshaft chapter only explicitly refers to the City Centre Zone (CCZ) and Waterfront Zone (WFZ) and is silent on other zones.

49. The Council was concerned that the lack of reference to other zones presents a gap with regards to properties zoned Medium Density Residential Zone, High Density Residential Zone, Special Purpose Tertiary Education Zone and Special Purpose Wellington Town Belt Zone located under Viewshafts 13, 14 and 15, particularly as these are not currently subject to the Viewshaft rules.
50. The intention of suggesting a 'Viewshaft Control Area' in this submission was to incorporate these properties into an overlay and make them subject to the Viewshaft Chapter rule framework. This would assist in alleviating any concerns regarding the height of buildings in these areas encroaching into the base of Viewshafts 13, 14 and 15, without being subject to the rules and standards in the Viewshaft chapter.
51. However, upon further assessment I do not agree with the proposed solution in this submission point as I consider that a more straightforward solution can be utilised instead of requiring and implementing a 'Viewshaft Control Area' in the PDP. Instead, I consider that the alternative changes I propose in the summary of recommendations below are a more efficient way to execute the intent of this submission as a new overlay or control area is now no longer required because the change sought in this submission can be enabled through:
 - Reference to, and amendments to, the existing Viewshaft Overlay mapping;
 - Updating the Viewshaft Chapter introduction to include more zones to which the chapter and its provisions apply; and
 - Changes recommended in section 6.9 and 7.0 of this report to the extent and termination point of the Viewshaft Overlay Mapping for identified viewshafts.

Summary of recommendations

52. HS3-VIEW-Rec3: That submission points relating to the introduction to the Viewshaft chapter are accepted/rejected as detailed in Appendix B.
53. HS3-VIEW-Rec4: That the Viewshaft Chapter Introduction be amended as follows:

Introduction

The purpose of the Viewshafts Overlay (viewshafts) is to identify and maintain significant views within Wellington City that contribute to its sense of place and identity. To achieve this purpose the Viewshaft Overlay identifies a number of viewshafts that identify where built development is restricted to ensure that the views (i.e. 'focal' elements at the end of the viewshaft and 'context' elements that surround the focal elements) are not compromised by future development.

All of the views covered by the mapped extent of the Viewshaft Overlay are identified in Schedule 5. These views have local significance, providing provide a means of orientating oneself in the City and provide visual relief from the monotony-of continuous built form. Many elements protected by viewshafts are also recognised regionally, nationally or internationally. They are unique to Wellington and offer significant visual amenity to residents and visitors alike.

There are 18 identified viewshafts identified that traverse the following zones-City Centre and Waterfront Zones-:

- City Centre Zone
- Special Purpose Waterfront Zone

- [High Density Residential Zone](#)
- [Medium Density Residential Zone](#)
- [Special Purpose Wellington Town Belt Zone](#)
- [Special Purpose Tertiary Education Zone](#)
- [Open Space Zone.](#)

These ~~The~~ views ~~that these viewshafts protect~~ are experienced from a range of positions, some of which may be in a different zone to their intended focal point.

There are three main types of view~~shaft~~ identified in the District Plan:

1. Views~~shafts~~ from the City Centre ~~towards of~~ the harbour, hills, landmarks, and wider setting;
2. Wide-angle elevated views~~shafts across the harbour~~ from the Cable Car station viewing platform; and
3. Views~~shafts protecting views~~ of landmark buildings and places within the City Centre.

These views~~shafts~~ are spatially characterised as either ‘contained’ views, ~~and~~ ‘vista’ views ~~and ‘panoramic’ views~~. Contained views~~shafts~~ are typically those experienced along a street that is vertically framed by buildings (existing or future ~~permitted~~) located along their edge, terminating at an identified focal point. They are important because they:

1. Recognise the unique relationship between topography and built form;
2. Reinforce the historical connection between the original shoreline and the harbour; and
3. Promote the visual connection between the City Centre and the inner harbour and, in doing so, contribute to wayfinding and an enhanced sense of place by providing continuous views to the inner harbour from the Golden Mile.

Vista ~~viewshafts~~ are more expansive than the contained ~~viewshafts~~. They are typically viewed from elevated positions or from areas that allow a wider viewing angle, and complement the contained ~~viewshafts~~ experienced at street level. Their key features include:

1. Establishing the relationship of the City Centre with its wider landscape and harbour setting; and
2. Reinforcing the City Centre’s identity and sense of place.

Some views~~shafts~~ (whether contained or vista~~views~~) have been identified due to their focus on important landmark buildings or iconic places within the City. These views~~shafts~~ are significant as they provide an understanding of the City Centre environment, promote its history and assist wayfinding.

The Viewshafts Overlay seeks to protect these identified views to ensure that they are not compromised by future development. Views, ~~including the identified associated~~ focal and context elements, that are the subject of this ~~Viewshaft eOverlay~~ are identified in Schedule 5.

The rules in this chapter apply to sites across multiple zones where the Viewshaft Overlay applies as identified in Schedule 5 and on the District Plan maps. The purpose of the rule framework is to regulate development that intrudes on the specific parameters of each viewshaft set out in Schedule 5, but not to prevent changes to the views (focal and context elements) themselves. Any such development will be subject to the provisions of the relevant zone based chapter.

Policies VIEW-P2 and VIEW-P3

Matters raised by submitters

54. Argosy Property [383.70 and 383.71] seek to retain VIEW-P2 (Maintaining Identified values) and VIEW-P3 (Avoiding intrusions into iconic landmark views) as notified.

Assessment

55. I accept the submission points from Argosy Property [383.70 and 383.71] to retain VIEW-P2 and VIEW-P3 as notified.

Summary of recommendations

56. HS3-VIEW-Rec5: That submission points relating to Policies VIEW-P2 and VIEW-P3 are accepted as detailed in Appendix B.
57. HS-VIEW-Rec6: That VIEW-P2 and VIEW-P3 be confirmed as notified.

Rules

Matters raised by submitters

58. Wellington City Council [266.90, 266.91, 266.92 and 266.93] seeks that VIEW-R1 is amended to change the reference to CCZ-S8 to CCZ-S7, and to add a zones column to VIEW-R1. The zones column in VIEW-R1.1 lists the CCZ. It also [266.90 –266.93] seeks that VIEW-R2 is amended to add a zones column. The zones column for VIEW-R2.1 lists CCZ and WFZ, while VIEW-R2.2 lists CCZ, WFZ, and Viewshaft Control Area.
59. Argosy Property [383.72] submit that VIEW-R2 is amended as follows:

...

Matters of discretion are:

1. The matters in VIEW-P2 and VIEW-P3

...

Assessment

60. I accept the submission point of Wellington City Council [266.90] to amend VIEW-R1 to correct the reference to CCZ-S8 in VIEW-R1 to CCZ-S7. The reference to CCZ-S8 is an error and is intended to reference CCZ standard CCZ-S7 which addresses Verandahs. I also consider that it is necessary to clarify through use of an additional column in VIEW-R1 that this rule only applies to CCZ. This is because of all the zones through which the Viewshaft Overlay bisects, the CCZ is the only zone to have a specific verandah standard that applies and thus able to reference VIEW-R1. As such, only CCZ needs to be referenced in the zoning column of VIEW-R1.
61. I accept in part the submission points of Wellington City Council [266.91 – 266.93] that seek to add zone boxes to VIEW-R1 and VIEW-R2 in so far as I agree that zone boxes should be added to the rule framework to provide clarity to which zones the rules apply to. However, upon further consideration with regards to how the viewshaft rule framework should apply to zones outside of the CCZ and WFZ, of which a handful of viewshafts run through, I do not consider it is necessary to create a new 'Viewshaft Control Area' overlay as the submission points suggest.

62. There are a number of properties currently zoned Wellington Town Belt Zone (WTBZ), Special Tertiary Education Zone (TEDZ), MRZ and HRZ within the suburbs of Kelburn, Mount Victoria, Oriental Bay and Roseneath - to which Viewshafts 5, 6, 8, 10 – 12, 14 and 17 intersect. Upon further assessment I consider that a change to the rule framework is required to ensure that the viewshaft rules apply to these properties. This is necessary to ensure that that future developments do not intrude into these viewshafts and unintentionally obscure these viewshafts. Currently VIEW-R1 and VIEW-R2 are not specific to any zone, which could infer that it applies to all zones despite the introduction referring to the CCZ and WFZ. Consequently, an amendment to VIEW-R1 and VIEW-R2 is required to clarify which specific zones these rules apply.
63. For the above reason, I reject the submission point from Wellington City Council [266.93] which proposes a Viewshaft Control Area.
64. I reject the submission point from Argosy Property No. 1 Limited [383.72] as I note that VIEW-P3 relates to 'Iconic and Landmark Views' which include the viewshafts listed under VIEW-R2.2. VIEW-R2.1 (which submission [383.72] relates to) addresses the remainder of the viewshafts that are not classified as 'Iconic and Landmark Views' and which are detailed under VIEW-S1. Hence, it is not appropriate to make VIEW-P3 (Avoiding intrusions into iconic and landmark views) a matter of discretion for VIEW-R2.1 when such views are outside the scope of what can be considered through this Restricted Discretionary rule, noting instead that they are addressed under VIEW-R2.2.
65. The ODP does not differentiate between different categories of views encapsulated in its current list of scheduled viewshafts. Issues and options work undertaken in preparing the PDP recommended that more information be provided within the plan to differentiate the types of view experienced. I note that the PDP clearly recognises and distinguishes in the Viewshaft chapter and associated viewshafts schedule the difference between contained views and vista views. Contained views are typically those experienced along a street that is vertically framed by buildings (existing or future permitted) located along their edge, terminating at an identified focal point. Vista views are more expansive than the contained views. They are typically viewed from elevated positions or from areas that allow a wider viewing angle, and complement the contained views experienced at street level.
66. Additionally, the same assessment work noted that whilst all viewshafts have value, there are several that have greater public significance (i.e. View 1 of the Beehive and Parliament Buildings, and Viewshaft 15 from the Cable Car station focusing on St Gerard's Monastery) (see Issue 5, section 5.3 of the Viewshafts Section 32 Report). Under the ODP all viewshafts are treated the same, regardless of the view, with Restricted Discretionary Activity status applying to any intrusion. In response to the issues and options analysis, the PDP recognises and protects viewshafts that are iconic, have townscape value and promote Wellington as the capital city by applying a higher resource consent threshold (Discretionary under Rule VIEW-R.2.2) to any intrusion.

Summary of recommendations

67. HS3-VIEW-Rec7: That submission points relating to VIEW-R1 and VIEW-R2 are accepted/rejected as detailed in Appendix B.
68. HS3-VIEW-Rec8: That VIEW-R1 be amended as follows:

VIEW-R1		Verandahs within viewshafts
<u>City Centre Zone</u>	1. Activity status: Permitted Where: a. Compliance with Standard <u>CCZ-S7</u> CCZ-S8 is achieved; and b. The verandah does not intrude on into Viewshaft 1 or Viewshaft 4.	
<u>City Centre Zone</u>	2. Activity status: Restricted Discretionary Where: a. Compliance with any of the requirements of <u>VIEW-R1.1</u> cannot be achieved Matters of discretion are: 1. The matters in <u>VIEW-P2</u> and <u>VIEW-P3</u> . Notification status: An application for resource consent under Rule VIEW-R1.2 is precluded from being either publicly or limited notified.	

69. HS3-VIEW-Rec9: That VIEW-R2 be amended as follows:

VIEW-R2		Construction of new buildings and structures, and alterations and additions to existing buildings, within the extent of the a-Viewshaft Overlay
<u>All Zones</u>	1. Activity status: Restricted Discretionary Where: a. Compliance cannot be achieved with <u>VIEW-S1</u> . Matters of discretion are: 1. The matters in <u>VIEW-P2</u> .	
<u>All Zones</u>	2. Activity status: Discretionary Where: a. Development intrudes into any of the following <u>iconic and landmark viewshafts</u> identified in <u>Schedule 5</u> : i. Viewshaft 1 (The Beehive and Parliament Buildings); ii. Viewshaft 2 (The Inner Harbour/Mt Victoria Ridgeline from Parliament Steps); iii. View 4shaft (Whitmore Street);	

		<ul style="list-style-type: none"> iv. Viewshaft 13 (Viewing platform to the north of the Cable Car Station, focusing on Matiu Somes Island and Mokopuna Island); v. Viewshaft 14 (Viewing platform to the north of the Cable Car station focusing on Point Jerningham and Point Halswell); vi. Viewshaft 15 (Viewing platform to the north of the Cable Car station focusing on St Gerard's Monastery); and vii. Viewshaft 18 (The Panoramic view from the Cable Car).
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4.2.1 Section 32AA evaluation

70. In my opinion, based on the analysis above, the amendments to VIEW-R2 are the most appropriate way to achieve the objectives of the plan compared to the notified provisions. In particular, I consider that:
- a. The amendments help to provide a more targeted application of an existing ODP and PDP control to protect views that contribute to the City's identity and sense of place, whilst mitigating impacts upon development capacity where possible.
 - b. The amendments are clearer and more directive as the rules are now clearly linked to the Viewshaft Overlay mapped extent and apply to all zones, as referenced in the left-hand column. Previously, the notified PDP rule framework did not include zones instead it referenced the CCZ and WFZ in the introduction, which implied the rule framework only applied to these sites. Consequently, it was not explicit that rules applied to all properties in the Overlay including those in zones outside of CCZ and WFZ. This change makes it clear to District Plan users that properties within the mapped extent are subject to the Viewshaft qualifying matter and Viewshaft rules and that resource consent is required.
 - c. The amendments to the rule framework are reflective of the actual and intended application of the Viewshafts rule framework in the ODP and PDP to properties not only within the viewshaft itself but also properties that are context elements or that are within the vicinity of the focal element within the frame of the viewshaft also. Concurrently, residentially zoned properties under the viewshafts (but not in the focal areas) are proposed to have the Viewshaft rules applying to them to ensure development does not encroach into the base of these viewshafts, in alignment with the chapter objectives.
 - d. The amendments are consistent with the ODP and PDP objectives and policies. These rule changes help to recognise and maintain views that contribute to the City's identity and sense of place by avoiding intrusions and restricting development that could affect these views in all zones within the mapped extent of the Viewshaft Overlay.
 - e. The amendments provide more targeted effect to the NPS-UD directions, in particular Policy 2 and Policy 3(c)(ii), in terms of enabling greater contribution to development capacity for residentially zoned properties in focal areas. Where the Viewshaft Overlay mapped extent has been retained for properties, this is because development of this property to the maximum

building height or undertaking MDRS on this site, would intrude upon and impact the viewshaft and ability to view the focal elements.

- f. The proposed changes to exclude some properties in the focal areas of viewshafts from the Viewshaft Overlay mapping, and thus the rule framework, is unlikely to result in additional unacceptable adverse effects.

The environmental, economic, social and cultural effects of the recommended amendments to the VIEW-R2, as they vary somewhat from the existing plan Evaluation Report, are below.

<p>Environmental</p>	<ul style="list-style-type: none"> • I note that viewshafts are an existing control under the ODP that have been brought through into the PDP but in a more rationalised, targeted and considered manner. This is because a review of viewshafts was undertaken¹, which recommended some changes to the viewshaft schedule either through combining viewshafts or removing some. As a result, some viewshafts were removed that were either compromised or the risk of these viewshafts being compromised was very minor. The PDP schedule consequently has less viewshafts than the ODP and instead focuses on retaining the most important, non-compromised viewshafts to and from the central city. • The change to remove the Viewshaft Overlay mapping from some properties in focal areas may potentially allow some very minor visual intrusions into the focal areas of some viewshafts compared to the status quo. This is because these properties will be able (depending on associated bulk and location requirements and any other qualifying matters) to build up to the maximum height limits within the zone and capitalise on the extent of development enabled by the Medium Density Residential Standards (MDRS) should they seek to. • Any change is considered to be very minor given how far away the focal areas are from the viewing point location, i.e. Roseneath when viewed from the Cable Car. The viewshafts' focal areas are either important buildings or landmarks or whole suburbs such as St Gerard's Monastery, Point Jerningham, Te Ranga a Hiwi Precinct or Oriental Bay. It is not properties either side of these focal areas, instead they namely frame these focal areas as context elements. • On the other hand, this suggested change to include all properties in all zones within the Viewshaft Overlay ensures that properties within Kelburn do not intrude into
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¹ Issues and Options Report

	Viewshafts 13-15 from the Cable Car, thus mitigating and reducing the environmental impact of any potential intrusion.
Economic	<ul style="list-style-type: none"> • The Viewshaft Overlay mapped extent identifies all the properties that are subject to the Viewshaft chapter rules and the changes to the rule framework to apply the rules to ‘all zones’ identifies that these properties sit within a variety of zones, including the MRZ and HRZ. • A large portion of viewshafts extend along road, which reduces their impact upon intensification and development capacity of properties. However, some properties are affected when the Viewshaft Overlay runs across these properties directly (i.e. properties under the foreground of the cable car viewshafts PDP-VS13-15 in Kelburn) or where the properties are located within the Viewshaft Overlay because they sit within the frame of the viewshaft near focal elements (i.e. properties under the monastery in PDP-VS11, 12 and 15). • These properties have the viewshaft qualifying matters applied to their sites and thus require resource consent for development (and their ability to do a MDRS development is impacted) because any significant development on these sites risks the viewshaft being intruded upon and the focal element potentially blocked. • The change to remove the Viewshaft Overlay mapping from some properties in focal areas will result in viewshafts being removed as a qualifying matter from these properties, and thus the landowners will be able to undertake the level of development permitted under the MDRS (assuming no other overlays apply) and to develop up to the zone’s maximum building height limit. • This, in turn, will increase the development capacity of these sites and the financial return to landowners, with potential for higher density development. It will also make a small positive contribution to increasing development capacity and housing supply through removing the application of this qualifying matter to these sites. • Conversely, the development capacity of a limited number of properties under Viewshafts 13-15 or in the focal areas of Viewshafts 11, 12 and 15 would still be restricted as they would now be subject to VIEW-R2. However, this is off-set somewhat given that some of the land which the Viewshaft Overlay traverses is zoned Wellington Town Belt Zone or Open Space Zone, or is subject to other overlay controls i.e. Character Precincts, Mount Victoria North Townscape Precinct or Oriental Bay Height Precinct, which reduce development capacity already.

	<ul style="list-style-type: none"> I also note that Property Economics in their Qualifying Matters Capacity Assessment (2022)² found that viewshafts have ‘little to no impact on capacity’.
Social	<ul style="list-style-type: none"> The change to remove the Viewshaft Overlay mapping from some properties in focal areas may result in a very minor increase in housing supply in areas that are within walkable distances to the CCZ and key services and amenities, thus enhancing people’s social wellbeing through a very minor increase in development capacity.
Cultural	No cultural effects are identified.

Standards

Matters raised by submitters

71. Argosy Property [383.73] seek that VIEW-S1 (View protection) is amended as follows:

...

Matters of discretion are:

- The matters in VIEW-P2 [and VIEW-P3](#).

72. CentrePort [402.109] submit that VIEW-S1 (View Protection) should be retained as notified.

Assessment

73. I disagree with the submission point of Argosy Property [383.73] and note that the relief sought is the result of an input error that occurred during the course of summarising submissions, VIEW-S1 does not have matters of discretion as it is a standard and not a rule. As expanded further in paragraphs 64-66, VIEW-S1 relates to viewshafts that are not considered to be ‘iconic and landmark views’ (compared to those listed in VIEW-R2.2). In their original submission, the submitter referenced VIEW-S1 as well as VIEW-R2 in their submission point that has been captured in paragraphs 60, 64-66 in section 4.5 of this report relating to Viewshaft chapter rules. By including reference to VIEW-S1 alongside VIEW-R2 in their original submission, I have assumed the submitter is supporting VIEW-S1 in part and that no specific decision on VIEW-S1 was actually sought. As such I consider that it was an input error that their decision sought relating to VIEW-R2 (as detailed in paragraphs 59 and 64-66) was tagged to VIEW-S1 also.

74. Additionally, I note that as the viewshafts listed in VIEW-S1 relate to VIEW-P2, not VIEW-P3, the relief sought by the submitter is irrelevant in the context of this standard.

² Property Economics, Wellington City Qualifying Matters Capacity Assessment, November 2022
[Wellington City Qualifying Matters Capacity Assessment November 2022](#)

Summary of recommendations

75. HS3-VIEW-Rec10: That submission points relating to VIEW-S1 are accepted/rejected as detailed in Appendix B.
76. HS3-VIEW-Rec11: That VIEW-S1 be retained as notified.

5.0 Schedule 5 – Viewshafts

5.1 General submissions on Schedule 5 - Viewshafts

Matters raised by submitters

77. Wellingtons Character Charitable Trust [233.42] (Supported by Thorndon Residents Association [FS69.97]) seeks that the Viewshafts listed in SCHED5 that are located within the CCZ be retained as notified.
78. Jonathan Marwick [490.30] seeks that Viewshafts originating from the top of the cable car (Viewshafts 13, 14, 15 and 18) are retained as notified.

Assessment

79. I acknowledge and accept the submission point by Wellingtons Character Charitable Trust [233.42], to retain SCHED5 – Viewshafts that are located within the CCZ as notified. I consequentially acknowledge and accept the further submission in response to [233.42] from Thorndon Resident’s Association [FS69.97]. However, I note that above and later in this report I have made recommendations for minor changes to be made to SCHED 5 – Viewshafts and the Viewshaft Overlay Mapping in response to submissions received.
80. I accept and acknowledge the submission point of Jonathan Marwick [490.30], to retain Viewshafts 13, 14, 15 and 18 as notified. However, I note that later in this report I have made recommendations for minor changes to be made to SCHED 5 – Viewshafts and the Viewshaft Overlay Mapping in response to submissions received relating to Viewshafts 13 - 15 and 18.

Summary of recommendations

81. HS3-VIEW-Rec12: No amendments are recommended in response to submissions on the retention of Schedule 5 – Viewshafts.
82. HS3-VIEW-Rec13: That General submission points on Schedule 5 - Viewshafts are accepted as detailed in Appendix B.

5.2 Reinstating Operative District Plan Viewshaft 3

Matters raised by submitters

83. Eldin Family Trust [287.13] submit that Viewshaft 3 from the ODP (ODP-VS3) should be reinstated into the PDP to capture more of the Old Government Buildings. In particular, they seek a viewshaft be added to Schedule 5 from the corner of Bunny Street and Waterloo Quay as provided in the ODP.

Assessment

84. I disagree with the submission point from Eldin Family Trust [287.13] to reinstate viewshaft VS3 from the ODP. This viewshaft resulted from the merger of Viewshaft 1 in the ODP (ODP-VS1) into VS1 – The Beehive in the PDP (PDP-VS1), and was the outcome of a review to reconsider and rationalise the list of ODP viewshafts to be carried through into Schedule 5 of the PDP. Whilst I acknowledge that there is now no longer a viewshaft capturing the Victoria University Law Faculty I consider that re-introducing the ODP VS3 is unnecessary because the focal element is the Beehive and not the Victoria University of Wellington (VUW) Law building. I note that this was addressed in paragraphs 49-53 in the supporting statement of evidence of Ms Deyana Popova and I concur with her conclusion.
85. It is also worth noting that the view of VUW Law building is naturally protected by its location, its positioning across a whole block of the CCZ and the fact it is surrounded by road networks, thereby constraining the ability for other buildings to be built immediately adjacent to it. This, in turn, preserves the view of VUW Law Building along Whitmore Street, Bunny Street, Lambton Quay and Stout Street. Further, the building is protected through its heritage listing in the PDP and is classified as a Historic Reserve under the Reserves Act 1977.
86. I also consider that the PDP-VS1 captures other valued elements including the equally important contributory buildings in the Parliament Precinct, being Parliament House and the Parliamentary Library, and captures a significant area of Te Ahu Mairangi, an important area of Wellington's Town Belt. Because PDP-VS1 captures the key collective focal elements of the Beehive, other contributory buildings in the Parliament Precinct and the context element of Te Ahumairangi, I do not consider that it is necessary to reinstate ODP-VS3.

Summary of recommendations

87. HS3-VIEW-Rec14: That submission points relating to Viewshaft 1 in SCHED5 – Viewshafts be rejected as detailed in Appendix B.
88. HS3-VIEW-Rec15: That Viewshaft 1 in SCHED5 – Viewshafts be confirmed as notified.

5.3 Reinstating Operative District Plan Viewshaft 21

Matters raised by submitters

89. Heritage New Zealand Pouhere Taonga [70.74] (Supported by Onslow Historical Society [FS6.29] and Historic Places Wellington [FS111.64]), Sarah Walker [367.3 and 367.4], Thomas John Broadmore [417.3], Il Casino Apartment Body Corporate [426.5], Harish Ravji [427.1], and Juliet Broadmore [471.2 and 471.3] submit that Viewshaft 21 from the ODP (ODP-VS21) should be reinstated into the PDP.

Assessment

ODP-VS21 Consideration

90. In response to submissions [70.74, 3637.3, 417.3, 426.5, 427.1 and 472.2] and further submissions [FS6.29 and FS111.64], I disagree with reinstating ODP-VS21 in the PDP for the following reasons extensively canvassed in the supporting Section 32 Viewshaft evaluation, the

supporting [Issues and Options Report](#) (2020)³ and Ms Popova's statement of evidence (paragraphs 57-59), of which I concur:

- ODP-VS21 has been significantly diminished through intrusions into the viewshaft from development over the lifespan of the ODP. Intrusions include:
 - The focal element being the 'inner harbour' is obscured by the City Century Hotel (see Figure 1 below).
 - Te Papa, a context element, is also obscured (see Figure 1 below).
 - There have been two other less than minor intrusions into the Viewshaft through 47 – 49 Vivian Street and 106 – 112 Tory Street.
 - The continuing growth and intrusion of Pohutukawa trees in the immediate foreground by the Carillon has contributed to diminishing the view intended to be experienced by ODP-VS21 (see Figure 1 below).
 - A new development currently under construction at 24-36 Haining Street (Haining Street Apartments) technically sits just outside of VS21 viewshaft on the lefthand margin. A nine-storey building has resource consent on this site, framing the edge of this viewshaft.



Figure 1: Showing at ODP-VS21 location point (left) and a closer view of ODP-VS21 (right).

91. Retaining this viewshaft, as it is in the ODP, would have adverse effects on development potential in Te Aro Basin for the following reasons:
- Of the CCZ suburbs, Te Aro has seen the most growth in recent years, with increased intensification over the lifespan of the ODP in the area. Appendix E Central Area Monitoring Report (2019)⁴ analysed 408 consents from October 2013 – June 2019. The data showed that:
 - 54% (218) of consents in the Central Area were in Te Aro - to the south of the central city, 23% (96) of consents in the Central Area were in Wellington Central and a further 11% (45) were in Pipitea (see Figure 2).

³ Urban Perspectives Ltd, Wellington District Plan Central Area Viewshafts Assessment and Review Part One, July 2020 (Final)

⁴ Planning for Growth District Plan Review Central Area Monitoring Report, December 2019

- Nearly half of the height breaches and half of the mass breaches were for consents in Te Aro;

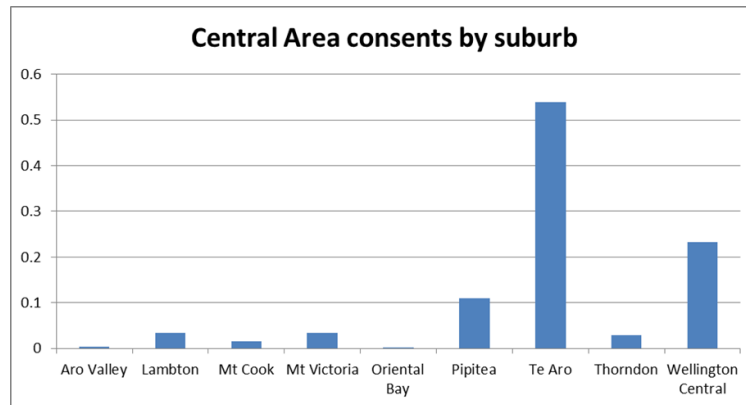


Figure 2: Number of consents in each Central Area suburb (%).

- 81% of consents were not close to the boundary of the Central Area. The western boundary was the boundary experiencing the greatest level of new development with 10% (42) of consents occurring within this zone.
- There were 77 decision reports which noted viewshafts. 22 of these noted more than one viewshaft bringing the total to 100 viewshaft notations.
- Viewshaft ODP-V21 was the most commonly noted viewshaft with 11% of the mentions. ODP-V3 and ODP-V20 were not mentioned in any of the consents reviewed (see Figure 3).

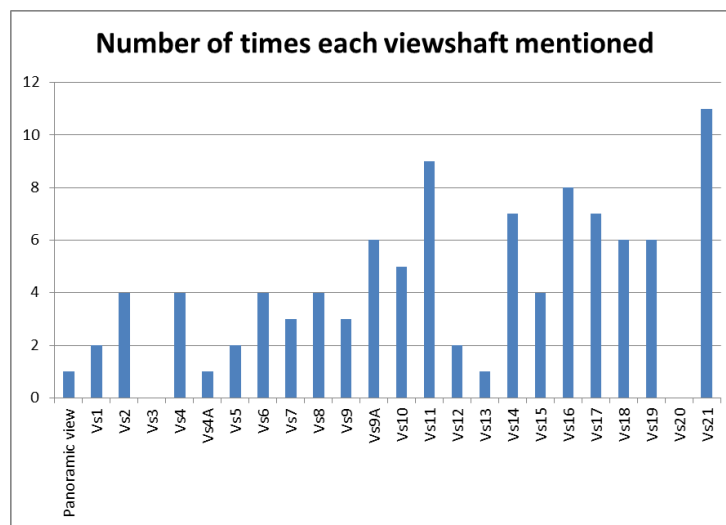


Figure 3: Number of times each viewshaft mentioned in consent decision reports.

92. The Spatial Plan identifies that by 2047 up to 18,000 more people are projected to live in the Central City, necessitating the construction of 7, 900 – 8, 800 dwellings, as well as growth in commercial space.⁵ The Spatial Plan signals growth in Te Aro area being accommodated through an increase in the maximum permitted building height in Te Aro to at least 10 storeys.
93. At a higher level, the NPS-UD directs 'building heights and density of urban form in city centres to realise as much development capacity as possible in order to maximise the benefits of intensification.

⁵ Our City Tomorrow: Spatial Plan for Wellington City

An alternative to ODP-VS21

94. While the current ODP-VS21 viewpoint location has been compromised, further consideration of alternative viewshafts and other areas near this location have been considered as potential alternative options. As identified in the Issues and Options paper⁶ the adjacent area around the Tomb of the Unknown Warrior is a publicly significant location and views from this location are important across towards the Western Hills, namely towards Mount Kaukau.
95. Following receipt of submissions, further assessment was undertaken to understand the following:
- What Te Aro would look like from the Tomb of the Unknown Warrior, should the sections of Te Aro previously covered by ODP-VS21 be built up to the CCZ maximum building height of 42.5m. The intent of this was to understand whether the Western Hills, specifically Mount Kaukau would still be visible from this new viewshaft.
 - What Te Aro would look like from the Tomb of the Unknown Warrior should the sections of Te Aro previously covered by ODP-VS21 be built up to the CCZ maximum building height of 42.5m combined with application CCZ-S6 Minimum – Sunlight Access standard, noting that this would result in a reduction in height in blocks to the immediate north of Pukeahu Park to preserve sunlight access to the park. The intent of this combination was to understand if CCZ-S6 naturally reduced height within this viewshaft thus enabling some form of view from the Tomb of the Unknown Warrior towards the Western Hills, namely Mount Kaukau.
 - What a viewshaft would look like utilising the suggested alternative of raising the viewshaft base to the height of the tallest current intrusion into ODP-VS21, the intent of which was enabling greater height than in the ODP-VS21 while still providing a view of Mount Kaukau.
96. Analysis utilised both 3D granular modelling looking at the shading effects at 10am, 12pm and 2pm at the 21st March and 21st September equinoxes for the different viewshaft modelling scenarios, as well as a 3D GIS viewer, to understand the implications CCZ maximum building heights and CCZ-S6 within ODP-VS21 viewshaft and the alternative viewshaft. Appendix F includes a more comprehensive set of screenshots of this modelling.
97. The 3D GIS viewer modelled the current intrusions into ODP-VS21 from the ODP building heights for the Central Area (see Figure 4 below). This shows the intrusions that in my opinion have compromised ODP-VS21 in its current form as discussed in the report⁷.

⁶ Urban Perspectives Ltd, Wellington District Plan Central Area Viewshafts Assessment and Review Part One, July 2020 (Final)

⁷ [Viewshaft Section 32 Report](#), 2022

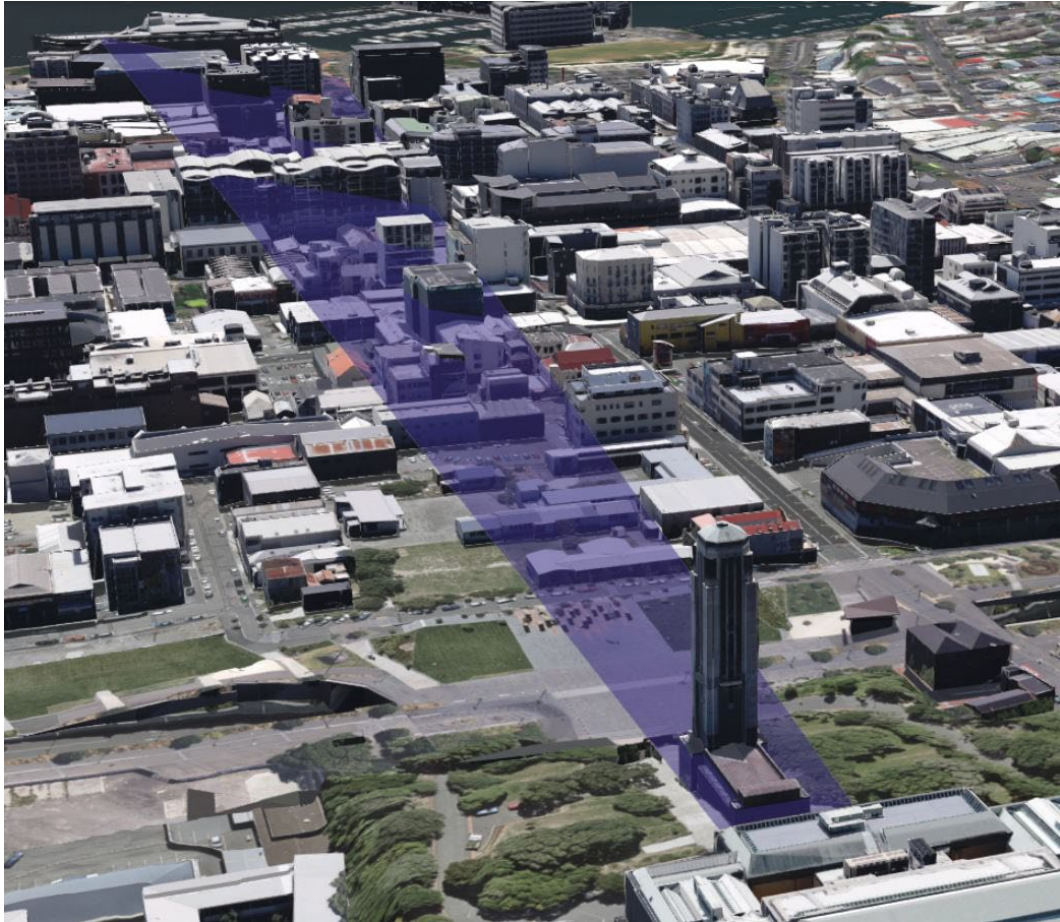


Figure 4: Showing the current intrusions into ODP-VS21 with the ODP height limits.

98. The modelling showing development to the full CCZ height of 42.5m within the viewshaft corridor of ODP-VS21 showed significant shading on Pukeahu Park and the east-west streets of the blocks to the north of the Park at the 21st March and 21st September equinoxes at 10am, 12pm and 2pm (see Figures 5 and 6 and Appendix F). I consider that at these building heights there is not only shading impacts upon Pukeahu Park and nearby streets, but also ODP-VS21 would be significantly impacted as evidenced in the view in Figure 7.

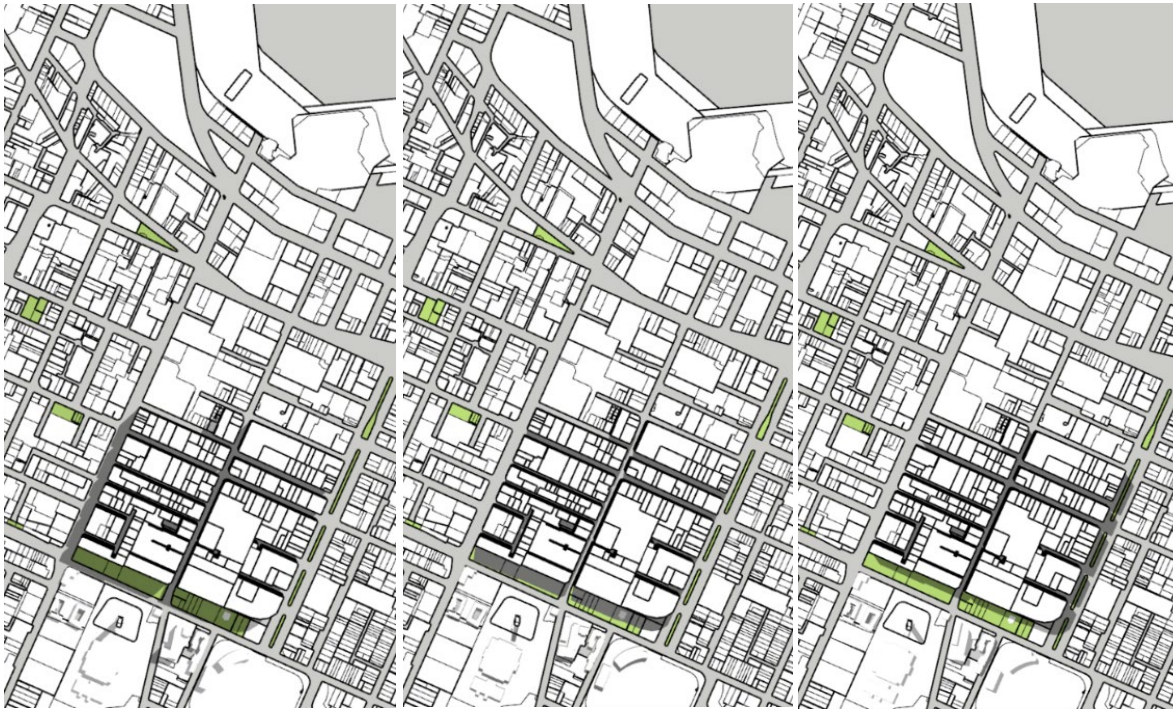


Figure 5: Showing shading impacts on the blocks north of Carillon at 10am (left), 12pm (middle) and 2pm (right) on 21st March equinox at the CCZ maximum building height of 42.5m.

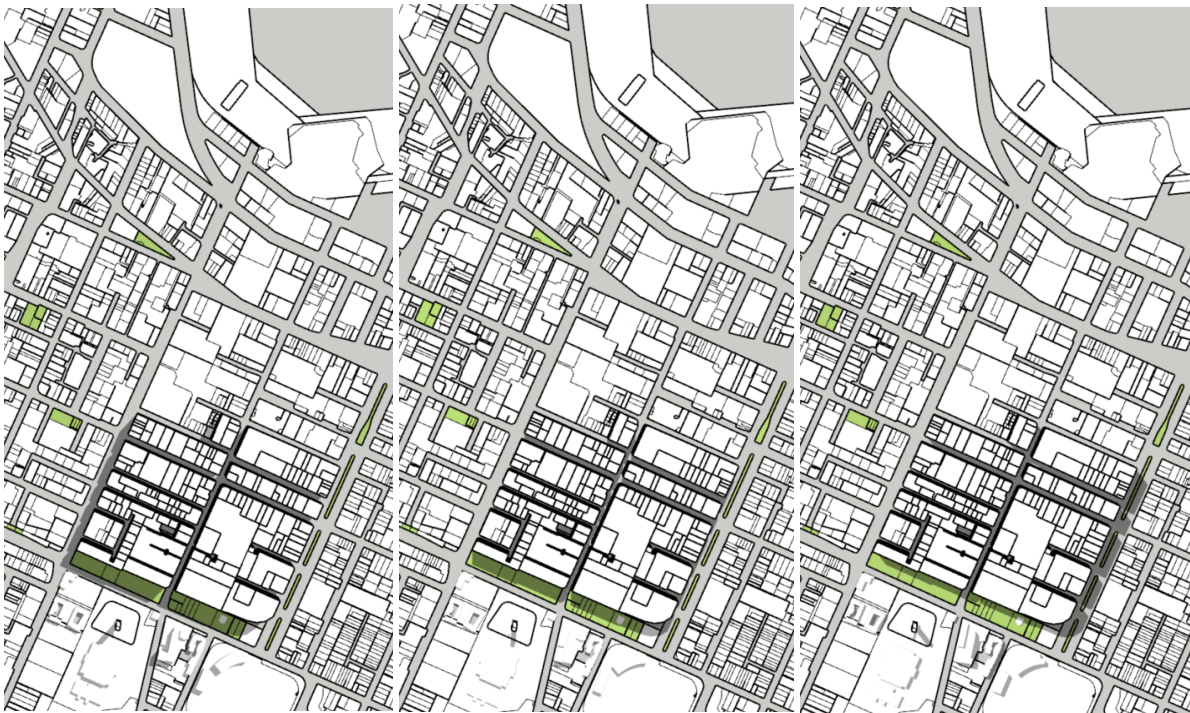


Figure 6: Showing shading impacts on the blocks north of Carillon at 10am (left), 12pm (middle) and 2pm (right) on 21st September equinox at the CCZ maximum building height of 42.5m.

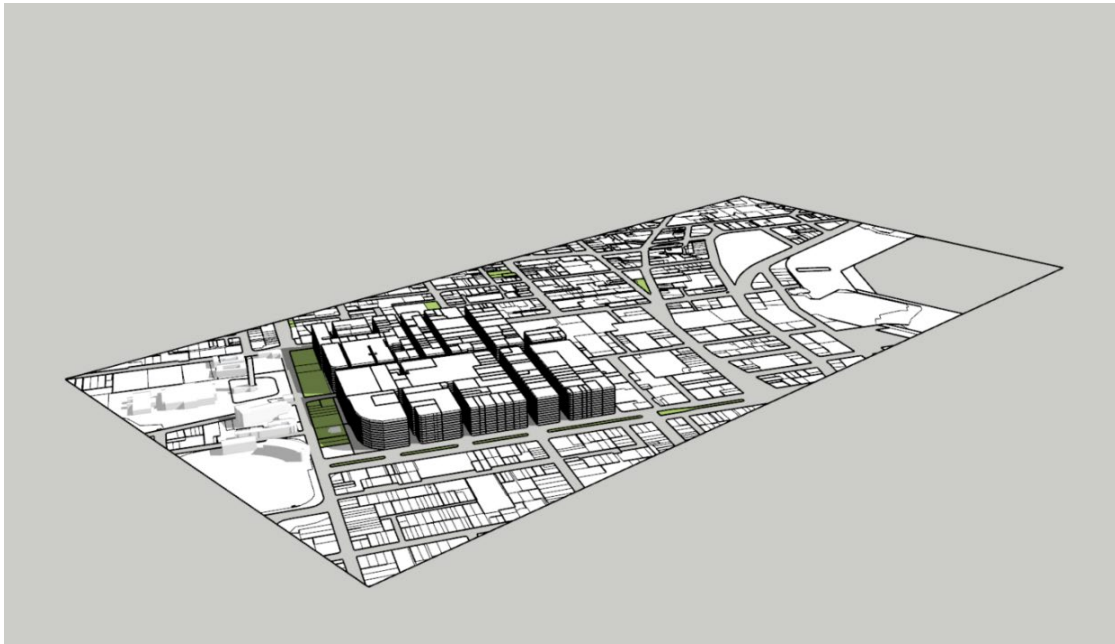
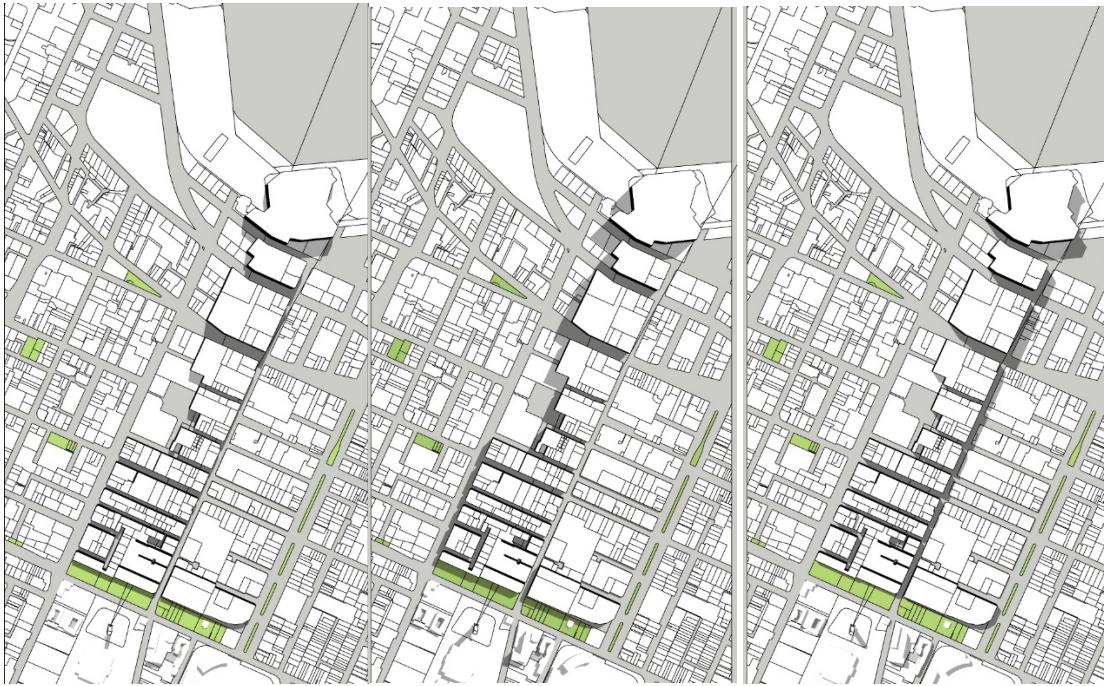
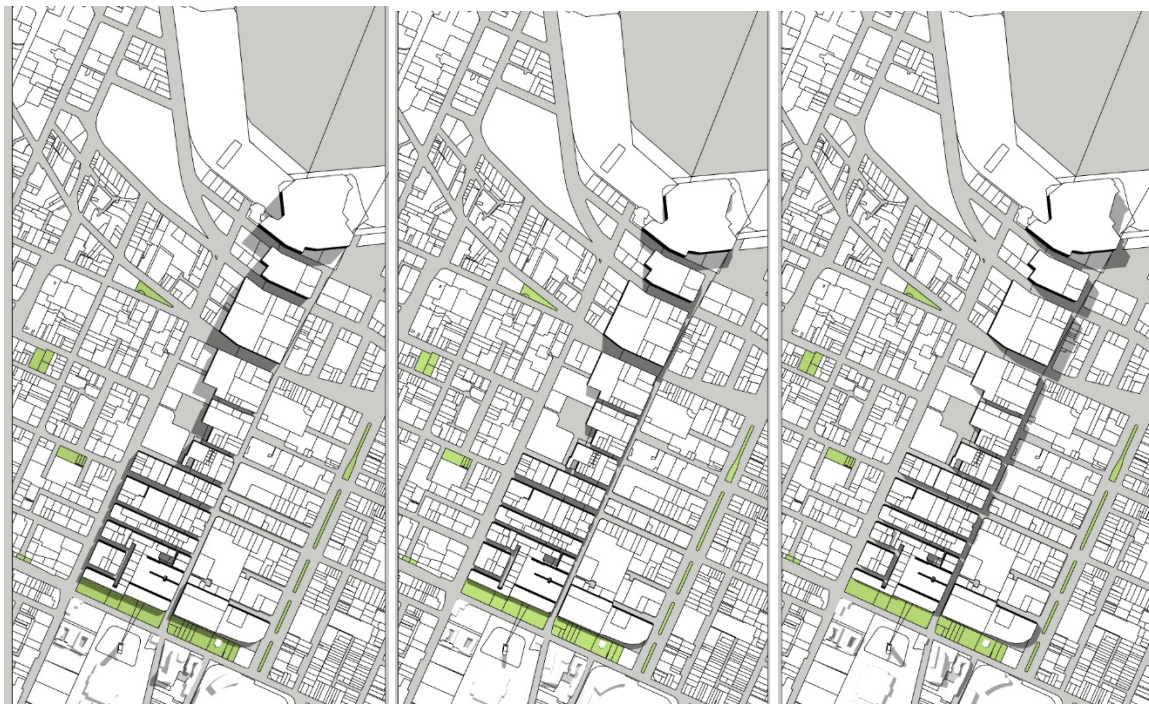


Figure 7: Showing the maximum building height shading impacts of the blocks immediately north of Pukeahu National War Memorial Park within ODP-VS21.

99. The modelling showing development modelled to a reduced stepped height, to comply with sunlight control CCZ-S6 for ODP-VS21, equated in a model that showed:
- 5 storeys for the block immediately adjacent Pukeahu Park to the north;
 - 8 storeys for the subsequent block in front of this; and
 - Then the full height of 42.5m for the remaining blocks to the north near the waterfront.
100. This stepped height still enabled the 70% sunlight provision to Pukeahu Park in alignment with CCZ-S6 (see Figures 8 and 9) which model shading for 21st March and 21st September equinoxes at 10am, 12pm and 2pm. I consider that these stepped heights would assist in still preserving ODP-VS21 viewshaft through the reduction in height. Figures 10 and 11 shows this stepped height in the blocks north of Pukeahu Park to reflect CCZ-S6 height implications. Figure 12 shows the view from the alternative viewing location of the Tomb of the Unknown Warrior with the two different height scenarios, being the CCZ maximum height of 42.5m and one with CCZ-S6.



Figures 8: Showing the shading impacts from blocks to the north which are subject to stepped building heights to meet the requirements of CCZ-S6 within the viewshaft corridor of ODP-VS21 10am (left), 12pm (middle) and 2pm (right) on 21st March equinox.



Figures 9: Showing the shading impacts from blocks to the north which are subject to stepped building heights to meet the requirements of CCZ-S6 within the viewshaft corridor of ODP-VS21 10am (left), 12pm (middle) and 2pm (right) on 21st September equinox.

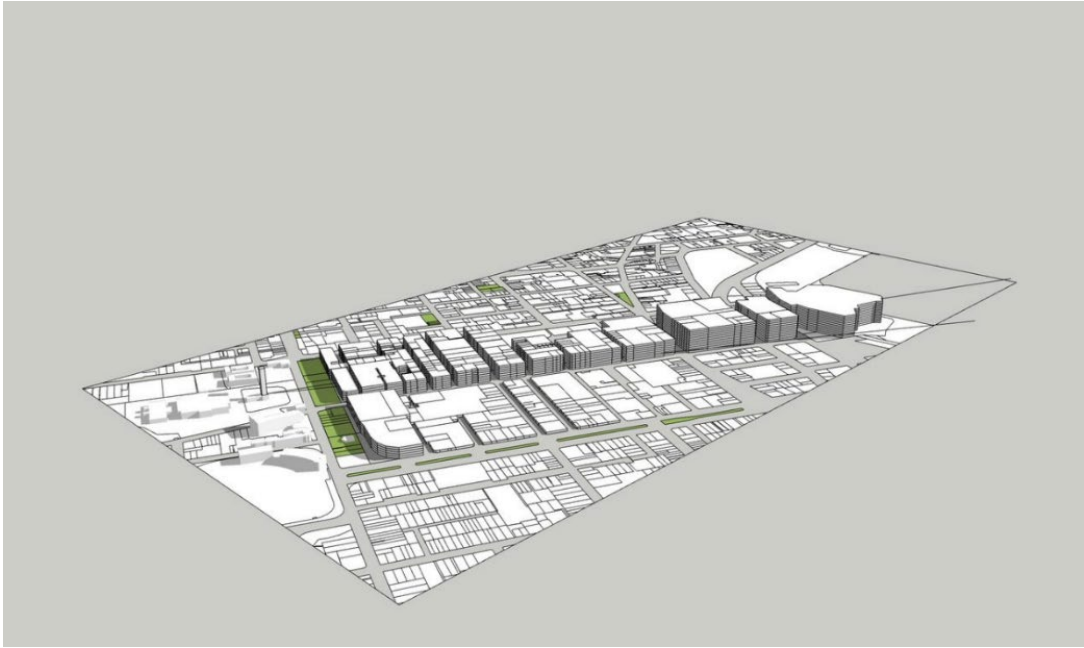


Figure 10: Showing the stepped building heights of the blocks immediately north of Pukeahu National War Memorial Park to meet CCZ-S6 within ODP-VS21 at 10am 21st March equinox.

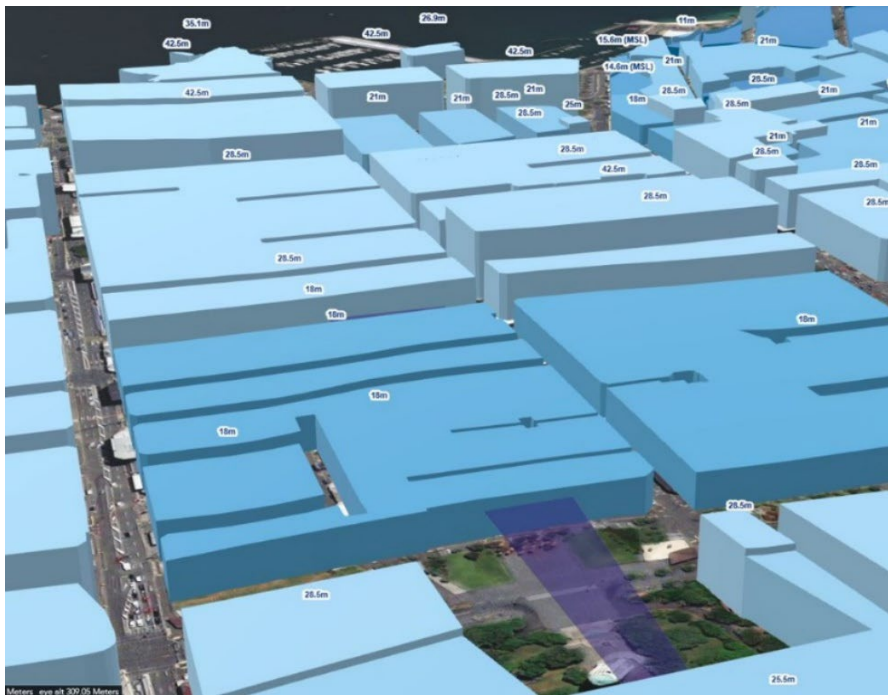


Figure 11: Showing the staggered heights in the blocks to the north of Pukeahu National War Memorial Park to meet CCZ-S6 within ODP-VS21.

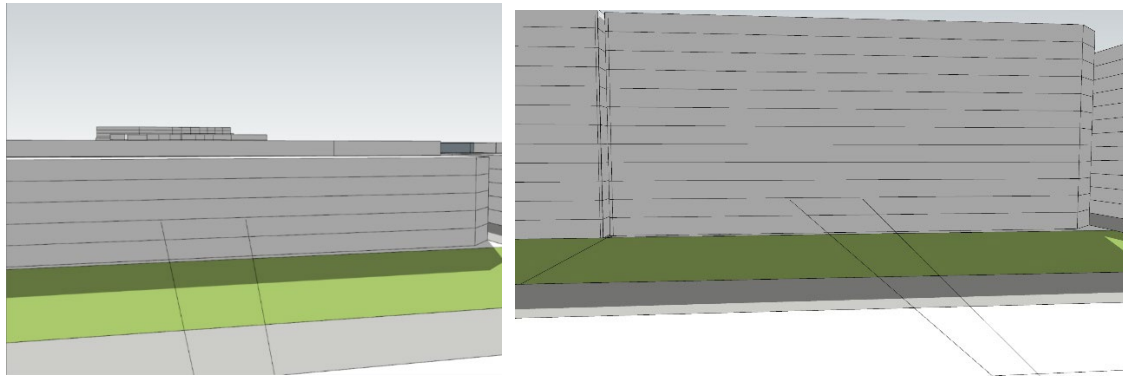


Figure 12: Showing the view from the Tomb of the Unknown Warrior with five storey development to the north to meet compliance with CCZ-S6 versus adjacent development being built to the CCZ maximum height limit if CCZ-S6 did not apply (at 10am 21st March equinox).

101. An alternative viewshaft was modelled as per the recommendation in the Urban Perspectives Assessment and Review Part One Report (2020)⁸ that a possible new viewpoint for VS21 could be from the location point at the Tomb of the Unknown Warrior in front of the Carillon (see Figure 13 below).



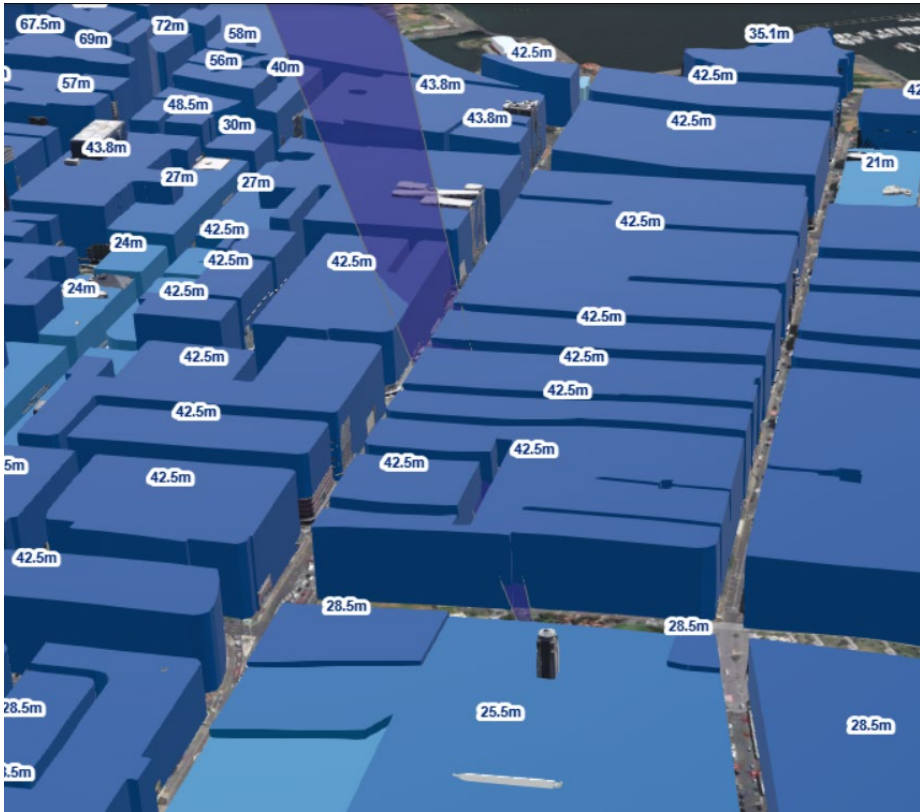
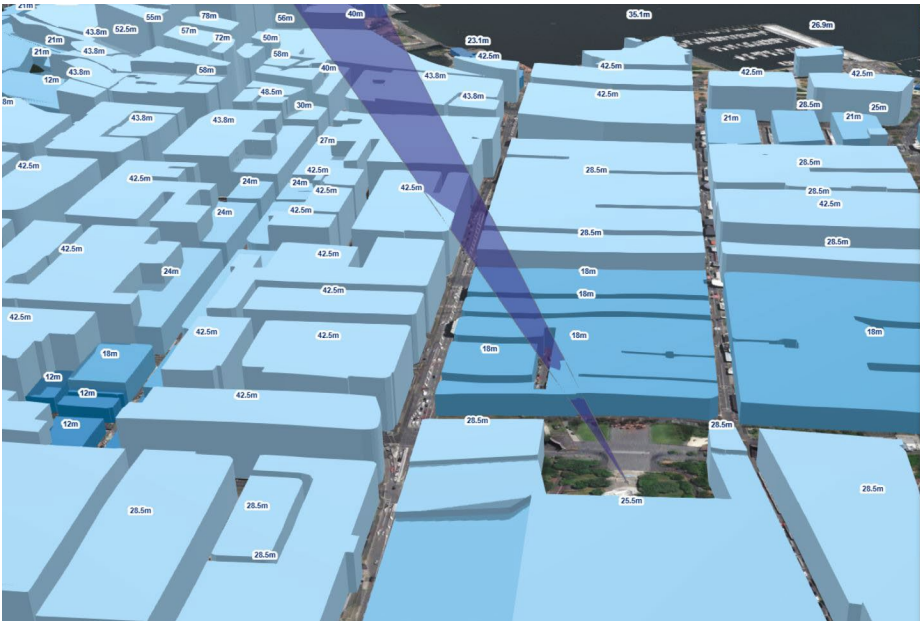
Figure 13: Showing the suggested new viewpoint location for VS21 at the Tomb of the Unknown Warrior⁹.

102. This modelling assessed a viewshaft from the location point of behind the Tomb looking north-west across Pukeahu Park towards the western hills, with Mount Kaukau being the focal element. The modelling assessed two scenarios, one where the maximum building height of 42.5m was realised across the CCZ, and a second where the building heights of the blocks in Te Aro were reduced in order to achieve CCZ-S6 sunlight protection to parks in the vicinity of this alternative viewshaft, namely Pukeahu Park.
103. This modelling showed that the viewshaft was moderately impacted when the blocks were modelled to a height of 42.5m, compared to only a minor impact from the reduced height

⁸ Urban Perspectives Ltd, Wellington District Plan Central Area Viewshafts Assessment and Review Part One, July 2020 (Final)

⁹ Urban Perspectives Ltd, Wellington District Plan Central Area Viewshafts Assessment and Review Part One, July 2020 (Final)

scenario (which showed 5 storeys in blocks immediately adjacent/north of the parks, then 8 storeys and then eventually 42.5m). These scenarios are shown below in Figures 14.



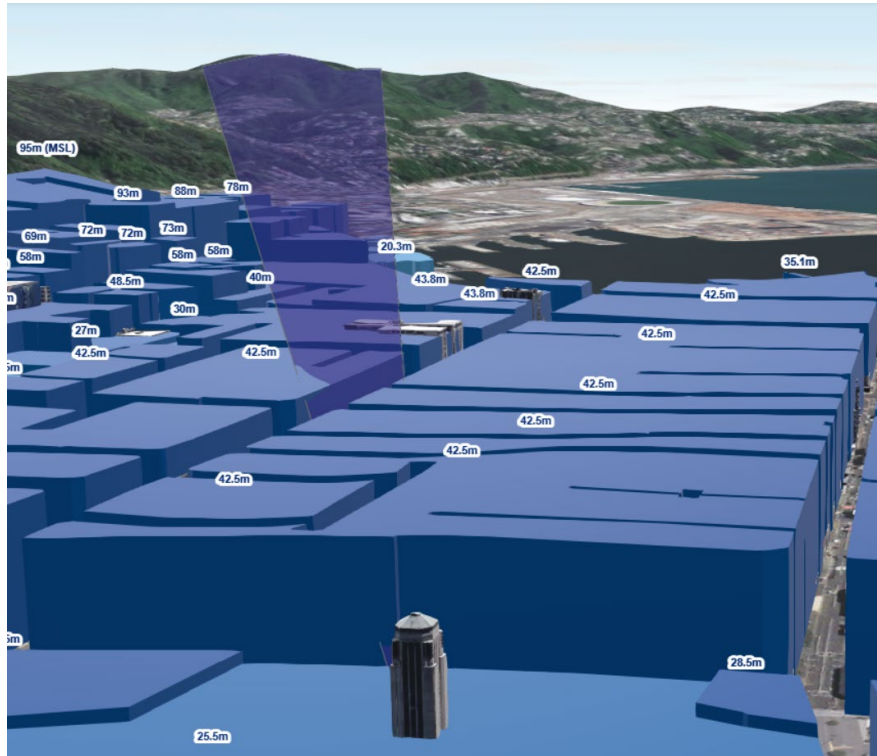


Figure 14: Showing the impacts from development (intrusions into the alternative viewshaft and shading impacts) from two different height scenarios – the first where CCZ-S6 is met and the second where CCZ-S6 does not apply and development is built to 42.5m (also shown in third picture).

104. Having considered the modelling outputs for the current ODP-VS21, ODP-VS21 with heights reduced for CCZ-S6 and for the alternative viewshaft, I consider that there is benefit of including a viewshaft across Te Aro akin to ODP-VS21 but with amended margins and base information to raise the viewshaft frame up above the Century City Hotel with the focal element being the skyline of the western hills.
105. I agree with Dr Zamani in paragraphs 45-46 of his evidence that the western hills is the only focal point of ODP-VS21 that can be retained and that the western hills and their skyline would be visible and thus protected from this location.
106. Whilst I consider that ODP-VS21 is compromised in its current form, I agree with Dr Zamani's evidence point in paragraphs 43 and 44, that there is benefit of retaining the viewshaft from the Pukeahu Park area to the western hills given the significance of the park and its daily use by visitors to Wellington, workers and residents and its cultural importance both locally and nationally. However, I consider that it is more valuable to only retain a viewshaft frame that is not compromised by existing development.
107. As such, I concur with Dr Zamani's conclusion in paragraph 44 of his evidence that the viewshaft would need to be set above buildings currently compromising ODP-VS21, with the most significant being the Century City Hotel building (at a height of approximately 11 stories). I also concur with paragraph 44 of Dr Zamani's evidence, where he notes that the base of this viewshaft would need to be changed to the upper limits of Century City Hotel at the CCZ maximum building height of 42.5m measured from the ground level at the Century City Hotel site. The Century City Hotel building, the tallest existing building in ODP-VS21 viewshaft frame, can be seen in Figure 15 below, as well as other buildings which have exceeded ODP-VS21.



Figure 15: Showing existing development which has intruded into ODP-VS21.

108. In my opinion, this would provide a sufficient compromise between enabling ODP-VS21 viewshaft albeit in a different form, whilst still enabling a greater level of height and development capacity than currently afforded by the ODP-VS21 margins and frame (and ODP maximum height limit for the Central Area). I agree with Dr Zamani in paragraph 44 of his report, where he notes that setting the viewshaft at this proposed new base, will protect the western hills and skyline, and these focal elements would be visible from the viewing location of the Tomb of the Unknown Warrior.
109. However, I acknowledge that by retaining a viewshaft from this location there will be some impact on development capacity for a limited number of sites. This will vary depending on distance between the site and the location point proximity to the altered location point of the Tomb of the Unknown Warrior.
110. I consider that it is more appropriate to have the amended viewshaft to be from in front of the Carillon at the Tomb of the Unknown Warrior because, as detailed in the Urban Perspectives Assessment and Review Part One Report¹⁰, the continuing growth of the Pohutukawa trees in the immediate foreground block the views from ODP-VS1 location point. I agree with the report that the current viewpoint location has been compromised, and the adjacent area around at the rear (south end) of the Tomb of the Unknown Warrior is a publicly significant location and views from this location are important. This also provides a more practical solution than ODP-VS21, being only one viewshaft instead of the current two. See Figure 16 for the approximate suggested viewing location.

¹⁰ Urban Perspectives Ltd, Wellington District Plan Central Area Viewshafts Assessment and Review Part One, July 2020 (Final)



Figure 16: Showing ODP-VS21 from the Tomb of the Unknown Warrior. Note at the time of the site visit the tomb was covered ahead of Anzac Day 2023.

111. This would allow development up to the maximum building height limit in some blocks, enabling greater development capacity. However, a survey assessment and further analysis would be needed to provide the specific base, margins and description detail needed to include the new viewshaft in SCHED 5 and the Viewshaft Overlay mapping.

5.4 Viewshaft from Jessie Street to the Carillon

112. I disagree with the submission points raised by Sarah Walker [367.3-367.4] that ‘the view of the Carillon from Jessie Street makes Te Aro feel part of the city’ because there is only one public location (an area at 14 Jessie Street and the service lane east of Prefab café) from which the Carillon can be viewed from Jessie Street.
113. I consider that new development within the current height limits at the site south of Vivian Street across from this service lane will block the view in due course. As such there will be no remaining views from Jessie Street that warrant a new viewshaft being added to Schedule 5.

5.5 Concerns regarding the property values of building owners on Tory Street

114. In response to Thomas John Broadmore [417.3], Il Casino Apartment Body Corporate [426.5] and Harish Ravjis’ [427.1] submission points which note, amongst other things, that this decision not to include ODP-VS21 would have a direct impact on owner’s property values, I note that the purpose of the Viewshafts overlay¹¹ is as follows:

¹¹ Wellington City Proposed District Plan, [Viewshaft Chapter](#) Introduction

The purpose of the Viewshafts Overlay is to identify and maintain significant views within Wellington City that contribute to its sense of place and identity. All the views covered by the overlay have local significance, providing a means of orientating oneself in the City and visual relief from the monotony of continuous built form. Many views are also recognised regionally, nationally or internationally. They are unique to Wellington and offer significant visual amenity to residents and visitors alike.

115. However, I note that some minor amendments have been recommended to introduction text under section 7.0 of this report.
116. Whilst I understand the submitters' concerns raised, based on this I consider that the clear intent of viewshafts is not to protect private interests (i.e. development potential), but rather public interest with respect to the benefits to the City in general. This is reinforced in Ms Popova's evidence in paragraph 66 in which Ms Popova notes that viewshafts have never been intended to protect private views or manage residential amenity (e.g. sunlight access) and/or property values, of which I concur with her position. I also note that no supporting evidence, including valuation advice, has been supplied by these submitters.
117. I also consider it is inappropriate to change the extent of a viewshaft or bring back an Operative viewshaft in response to the request of three landowners. Viewshafts are not intended to protect private views or manage residential amenity. They are located from fixed points that are publicly accessible and are for the benefit of all users – city residents, pedestrians, visitors, workers etc. By definition, viewshafts are intended to maintain significant city views from a fixed point that is publicly accessible.
118. Regardless, as per paragraphs 104-111 above, I consider that there is merit in including an additional viewshaft with similar margins to ODP-VS21 but with a raised base above the City Century Hotel at a height of approximately 42.5m being the maximum building height for the CCZ. This means more development capacity is provided under this amended viewshaft addition than ODP-VS21, because the base is set higher and some blocks should still be able to build up to the maximum building height in the CCZ, thus allowing greater development capacity for landowners whilst preserving views from the Pukeahu Park.

Summary of recommendations

119. HS3-VIEW-Rec16: That submission points relating to reinstating ODP-VS21 are accepted in part/rejected as detailed in Appendix B.
120. HS3-VIEW-Rec17: That SCHED5 – Viewshafts be amended to include an additional viewshaft from the rear end (south eastern) of the Tomb of the Unknown Warrior with a base height set above the Century City Hotel at the CCZ at maximum building height of 42.5m measured from the ground level at the Century City Hotel site. The amended viewshaft is expected to have roughly the same left and right margins as the ODP-VS21 with the focal element being the skyline of the Western Hills as approximately shown below in Figure 17. A further assessment is needed to identify the location point, margins and base detail for this viewshaft for it to then be included in SCHED 5. Figure 18 shows the approximate viewing location for the new viewshaft behind the Tomb of the Unknown Warrior.



Figure 17: Showing the approximate location of the recommended amended PDP viewpoint location for the amended ODP-VS21 to be reinstated¹².



Figure 18: Showing an approximate location point for the recommended additional viewshaft from the Tomb of the Unknown Warrior¹³.

¹² Note: A better photograph will be required to capture the amended viewshaft location for inclusion in SCHED 5, as at the time of the site visit the Tomb of the Unknown Warrior was covered in preparation for Anzac Day 2023.

¹³ Note: A map will be required to capture the amended viewshaft location point and left and right margins for the recommended additional viewshaft to SCHED 5, from the Tomb of the Unknown Warrior, and its Viewshaft Overlay mapped extent. A survey will be required to decide upon these location, margins and base description details.

Section 32AA evaluation

121. In my opinion, based on the above analysis, the addition to SCHED 5 and to the Viewshaft Overlay mapping to include a new viewshaft from the Tomb of the Unknown Warrior (an amended version of ODP-VS21) is the most appropriate way to achieve the objectives of the Viewshaft Chapter relative to the notified provisions. In particular, I consider that:

- a. The amendments give better effect to the NPS-UD directions, in particular Policies 2, 3 and 4, in terms of providing a balance between enabling development capacity in the CCZ whilst controlling building height and density to the extent necessary to protect and accommodate viewshafts as a qualifying matter in Te Aro. This has been achieved by enabling a viewshaft from this location point and maintaining a view of the skyline of the western hills, while enabling greater height and intensification than ODP-VS21 through setting the base of the viewshaft to be higher than ODP-VS21 above the tallest building currently compromising ODP-VS21 (thus enabling CCZ maximum building heights for some blocks).
- b. The proposed new viewshaft protects an important viewshaft from a locally and nationally important site of cultural importance.
- c. The amendment seeks to provide a balance between protecting an important viewshaft and enabling greater intensification.
- d. The additional viewshaft is consistent with the existing (ODP) and PDP plan objectives and policies as it:
 - Provides protection to identified public views of the western hills and townscape features from within the CCZ;
 - Assists in enhancing the amenity of the public environment;
 - Recognises and maintains views that contribute to the City's identity and sense of place, and that support an understanding of the City's topography and urban form.
 - Recognises and maintains a view from a public place that is of regional and national significance.
 - Assists to maintain a sense of openness and appreciation of the wider context of the nationally significant Pukeahu National War Memorial Park

122. The environmental, economic, social and cultural effects of the recommended additional viewshaft to SCHED 5 and changes to the Viewshaft Overlay mapping are below.

- Environmental
- The change to add a new viewshaft from the Tomb of the Unknown Warrior as an amended version of ODP-VS21 will result protection and maintenance of the view from Pukeahu Park to the skyline of the western hills.
 - As noted in paragraph 59 Ms Popova's evidence, the CCZ sunlight protection control that applies to Pukeahu Park will result in reduced height to achieve this standard, thus also mitigating shading impacts on the park and adjacent streets.
 - Inclusion of this viewshaft helps to mitigate and reduce the environmental impact of any potential development intrusion into this view from the

National War Memorial.

Economic

- The addition of the viewshaft will result in the Viewshaft Overlay mapping being added to some properties along the viewshaft corridor, which will result in a viewshaft qualifying matter being placed on these properties. I note that this is not a new outcome, these constraints already apply due to the ODP-VS21 viewshaft. In my opinion, the constraints are in fact less than the ODP due to the higher base point of the new viewshaft, thus enabling greater development capacity within the Viewshaft than currently under ODP-VS21. The difference is then the lost development potential that the PDP would give these sites, should there be no viewshaft at all in this area. This is mitigated to a degree due to the constraints placed on these blocks anyway by CCZ-S6 as shown and discussed in paragraphs 100-104.
- In addition, it will result in some properties closest to Pukeahu Park and the foreground of the viewshaft being reduced to potentially five stories, thus meaning they cannot achieve the maximum building height or the minimum building height of 6 storeys in the CCZ.
- Further modelling would be needed to understand how many properties this would be depending on the final surveyed new viewshaft margins and base details and the development required to be below the base of this new viewshaft.
- This will reduce the development capacity of these sites and financial return for landowners with high density development being reduced to medium density development in some sites. This will have a minor impact on development capacity. However, I note that the further away from the location point the higher developers will be able to build on their sites so the number of floors, and in turn development capacity and profitability will increase the further from the viewing location. As mentioned above, I note that as modelled and discussed in paragraphs 100-104, development capacity is already impacted by CCZ-S6.
- I note that Property Economics in their Qualifying Matters Capacity Assessment (2022)¹⁴ found that viewshafts have 'little to no impact on capacity'.
- On the other hand, it is important to note that the additional viewshaft may have the same or less impact because the properties may still be subject to other controls i.e. CCZ-S6 Sunlight Control, which reduces development capacity already.
- The impact of the new viewshaft will be less than that of ODP-VS21 in its

¹⁴ Property Economics, Wellington City Qualifying Matters Capacity Assessment, November 2022
[Wellington City Qualifying Matters Capacity Assessment November 2022](#)

current form in terms of impact on intensification and development capacity because the viewshaft is set at a much higher base of approximately 42.5m, allowing some buildings to develop to the maximum height limit in the CCZ (which is considerably higher than the ODP maximum height of 27m). The base of the recommended additional viewshaft, is set at the height limit for the CCZ (42.5m), so I consider that there is no additional resource consent implications as any buildings infringing into this viewshaft would require resource consent for a height breach and for development in general in any event.

- I also note that any impacts in terms of lost height for potential development will be mitigated somewhat by this high viewshaft base of 42.5m, whilst noting that CCZ-S6 will have a larger impact on heights and development capacity for the first few blocks north of the Tomb of the Unknown Warrior. This new base height is considerably more enabling than the existing ODP-VS21 viewshaft base which currently applies in this area.
- It also means because of the focal element being the skyline of the Western Hills and the base so high, it will not impact on any development in the inner harbour, on wharves or on the Western Hills, like other PDP viewshafts may do.
- The change to add a new viewshaft to SCHED 5 and the Viewshaft Overlay mapping and thus including some properties in the viewshaft may result in a very minor decrease in housing supply in this part of Te Aro, which is within walkable distances to key services and amenities, thus potentially reducing people's social wellbeing through a very minor decrease in development capacity. However, it will still allow development up to 42.5m in some areas, and more capacity than currently available under the ODP both generally and with regards to what is enabled under ODP-VS21. This very minor impact is supported by Property Economics who in their Qualifying Matters Capacity Assessment (2022)¹⁵ found that viewshafts have 'little to no impact on capacity' as identified in Table 1 of their report.
- I consider that any minor impact is offset by the sufficient housing development potential enabled under the PDP. I note that the WCC PDP is estimated to facilitate approximately 50,000 dwellings, more than sufficient to meet the requirement of 35,928 new homes¹⁶.
- Changes to include this additional viewshaft will help to preserve a viewshaft to important landmarks, helping to preserve an iconic and

Social

¹⁵ Property Economics, Wellington City Qualifying Matters Capacity Assessment, November 2022
[Wellington City Qualifying Matters Capacity Assessment November 2022](#)

¹⁶ [Statement Of Evidence Of Philip Mark Osborne](#) On Behalf Of The Wellington City Council, Hearing Stream 1, Section 4.2, 20 January 2023

landmark view for wayfinding and aesthetic benefits to those that live, work or visit Wellington.

- Cultural
- As Ms Popova notes in her evidence at paragraph 59 the Tomb of the Unknown Warrior is a publicly significant location and public views from this location are important, given the significance of both the National War Memorial and Pukeahu Park. I consider that this viewshaft enhances the status of this well-visited site (by residents and tourists) as it will maintain key views from this site across Te Aro and provides a means of wayfinding for those visiting the site.

5.6 Amending Proposed District Plan Viewshaft 1

Matters raised by submitters

123. Eldin Family Trust [287.9 – 287.10 (supported by Thorndon Residents’ Association Inc [FS69.3]) seeks that the description of Viewshaft 1 (The Beehive) be amended to include reference to Te Ahumairangi.

VS1 The Beehive
<p>A view of the Beehive <u>against the backdrop of Te Ahumairangi Hill</u> from a major thoroughfare for commuters. This is one of two significant viewshafts (the other being VS4) which, when combined, promote the image of Wellington as a capital city in views from key points within the northern end of the City Centre Zone</p> <p>The Beehive and Parliament Buildings are two of the emblems of New Zealand’s capital and key landmarks in the Wellington townscape. <u>They are internationally recognised symbols of New Zealand.</u> 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>

Assessment

124. I accept in part the submission points of Eldin Family Trust [287.9 and 287.10] as I consider that the first addition ‘Against the backdrop of Te Ahumairangi Hill’ is consistent with the description used under Viewshaft 4, which relates to the same elements as Viewshaft 1.
125. However, I disagree that the second addition ‘They are internationally recognised symbols of New Zealand’ is necessary. The description already notes that the ‘Beehive and Parliament Buildings are two of the emblems of New Zealand’s capital and key landmarks in the Wellington townscape’, hence already addressing the national and local significance of these contributory elements. The Viewshaft chapter introduction also speaks to the national importance of viewshafts, of which PDP-VS1 falls under this umbrella.

Summary of recommendations

126. HS3-VIEW-Rec18: That submission points relating to Viewshaft 1 in SCHED5 – Viewshafts are accepted in part as detailed in Appendix B.

127. HS3-VIEW-Rec19: That the description in Viewshaft 1 in SCHED5 – Viewshafts be amended as follows:

VS1 The Beehive

A view of the Beehive **against the backdrop of Te Ahumairangi Hill** from a major thoroughfare for commuters. This is one of two significant viewshafts (the other being VS4) which, when combined, promote the image of Wellington as a capital city in views from key points within the northern end of the City Centre Zone.

The Beehive and Parliament Buildings are two 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.

5.7 Amending Proposed District Plan Viewshaft 3

Matters raised by submitters

128. Argosy Property [383.130] seek that the left margin of PDP Viewshaft 3 (PDP-VS3) be amended to remove the extent to which it encroaches into 7 Waterloo Quay.

Assessment

129. I disagree with the submission point from Argosy Property [383.130] as the extent of PDP-VS3 has not changed from the ODP to the PDP. I note that the review of the ODP Viewshaft provisions and appendix to chapter 13 undertaken as part of the PDP process, including the Issues and Options report analysis, did not establish the need for any changes to the margins of this viewshaft.
130. I consider that any changes to the left margin would have implications for other sites within the viewshaft, noting that the PWC Building in Site 10, which lies on the edge of the viewshaft was successfully designed and developed without any intrusion into the left margin of the viewshaft. I note that this was addressed in paragraphs 85-87 in the statement of evidence of Ms Popova and I concur with their conclusion. Ms Popova also considers that changing this margin would narrow the extent of the viewshaft frame and reduce visibility of the focal areas of inner harbour and Oriental Bay. I concur with Ms Popova in this respect.
131. As also raised in Ms Popova’s evidence in paragraph 87, I also note that there are several protected Notable Trees along the southern edge of 7 Waterloo Quay that are partly within the extent of the viewshaft, with these having the effect of reducing the development potential within the parts of the site protected by PDP-VS3 in any event anyhow.
132. In addition to disagreeing with the changes for the above reason, I also consider that it is inappropriate to change the extent of the viewshaft in response to one landowners request as this risks undermining the integrity of the viewshaft and could have an unintended and unjustifiable precedence effect.

Summary of recommendations

133. HS3-VIEW-Rec20: That submission points relating to Viewshaft 3 in SCHED5 – Viewshafts are rejected as detailed in Appendix B.
134. HS3-VIEW-Rec21: That Viewshaft 3 in SCHED5 – Viewshafts be confirmed as notified.

5.8 Amending Proposed District Plan Viewshaft 4

Matters raised by submitters

135. Eldin Family Trust [287.11 – 287.12] seeks that the description of Viewshaft 4 (The Beehive and the Cenotaph – Whitmore Street) be amended to include reference to Te Ahumairangi.

VS4 The Beehive and The Cenotaph – Whitmore Street

VS4 is one of two viewshafts (the other being VS1) focused on the Beehive from the south and east as set against the backdrop of Te Ahumairangi Hill. Along with the Beehive this viewshaft includes the Cenotaph as an additional focal element. Both of these viewshafts are individually and collectively significant and promote the image of Wellington as NZ's 'seat of government' and capital city in views from key points. Additionally, as the Beehive and Cenotaph are important physical reminders of Wellington's rich history the views to and from them, as provided by VS4, contribute to the city's sense of place. *The Beehive is an internationally recognised symbol of New Zealand. The backdrop of Te Ahumairangi Hill adds striking contrast and visual interest.*

Assessment

136. I disagree with the submission points raised by the Eldin Family Trust [287.11,287.12]. Firstly, I do not consider that it is necessary to include the statement 'The beehive is an internationally recognised symbol of New Zealand' because the description already notes that this viewshaft and VS1 are intended to 'promote the image of Wellington as NZ's 'seat of government' and 'capital city', and that 'the Beehive and Cenotaph are physical reminders of Wellington's rich history'. Consequently, I am of the view that the significance of the Beehive is sufficiently addressed in the description.
137. Secondly, I do not consider that it is appropriate nor necessary to include that the 'The backdrop of Te Ahumairangi Hill adds striking contrast and visual interest', for the following reasons:
- Te Ahumairangi Hill is already referenced at the start of the description where it is noted that 'VS4 is one of two viewshafts (the other being VS1) focused on the Beehive from the south and east as set against the backdrop of Te Ahumairangi Hill'. I therefore consider that further reference to Te Ahumairangi Hill would be unnecessary duplication, particularly as the original reference accurately captures the relationship between the Beehive (focal element) and Te Ahumairangi (focal element).
 - The words 'striking contrast and visual interest' represent different approach to language used in the descriptions for viewshafts in SCHED5. I consider this terminology to be quite subjective, and not in accordance with language used in SCHED 5.

Summary of recommendations

138. HS3-VIEW-Rec22: That submission points relating to Viewshaft 4 in SCHED5 – Viewshafts are

rejected as detailed in Appendix B.

139. HS3-VIEW-Rec23: That Viewshaft 4 in SCHED5 – Viewshafts be confirmed as notified.

5.9 Amending Proposed District Plan Viewshaft 8 (PDP-VS8)

Matters raised by submitters

140. Wellington City Council [266.7] (Supported by Wellington’s Character Charitable Trust [FS82.297] and Historic Places Wellington Inc [FS111.65], opposed by Panorama Property Limited [FS11.1]) submit that the margins of Viewshaft 8 should be extended in the mapping to be an even fan (i.e. removing the cut-out for the Intercontinental Hotel) over Jervis Quay and Queens Wharf to the waters edge.

Assessment

141. I accept in part the submission point from Wellington City Council [266.7]. I agree with the submission point, in that the Viewshaft Overlay Mapping should show an even fan because the viewshaft continues above and behind the podium and doesn’t end there. However, it is also my view that:
- Upon further consideration of the viewshaft schedule description, the photo included within the detail in Schedule 5 for PDP-VS8 and the PDP Viewshaft Overlay mapping for PDP-VS8 a discrepancy between the schedule description and viewshaft mapping overlay was found. Ms Popova’s evidence in paragraphs 70-77 identifies these discrepancies and errors in the Viewshaft Overlay, that is that the Viewshaft Overlay mapping:
 - Does not incorporate the remainder of the viewshaft area behind the podium, hence does not apply across the whole of the focal area of the Old Harbour Board Office Building as it should be. Nor does the mapping reflect that the viewshaft continues above the podium of the Intercontinental.
 - Does not accurately represent the right hand margin details in SCHED 5 as the overlay is stepped away from the Intercontinental but as shown in SCHED 5 in the description and photo, it should be mapped to be hugging the intercontinental building. As per paragraph 71 of Ms Popova’s evidence, in order to match its description, the right margin needs to move inwards in a straight line guided by the north-east corner of the Intercontinental Hotel octagon tower. It is noted that the Viewshaft Overlay only applies to the part of the view above the podium. I note that this is difficult to reflect in 2D mapping.
 - Does not include the other focal areas being the Inner Harbour and Oriental Bay, instead the Viewshaft Overlay mapping shows the viewshaft on the maps ending at the Old Harbour Board Office Building focal area only.
 - As per section 6.0 (Minor and Inconsequential Amendments) of this report, some corrections are recommended to respond to errors identified, to ensure the Viewshaft Overlay mapped extent and schedule information aligns, and that these are accurate and consistent. In paragraph 74 of Ms Popova’s evidence, Ms Popova notes that these changes are important and necessary, to facilitate interpretation by aligning the graphic and verbal information of the Viewshaft Overlay, which I concur with.

Summary of recommendations

142. HS3-VIEW-Rec24: That submission points relating to Viewshaft 8 in SCHED5 – Viewshafts are accepted as detailed in Appendix B.
143. HS3-VIEW-Rec25: That Viewshaft 8 in SCHED5 – Viewshafts be amended as per the Figures 19 and 20 below, including amending the end point to align with the frame shown in the correlating image in SCHED5 for PDP-VS8, to extend to the northern road edge of Oriental Parade:



Figure 19: The proposed mapping overlay amendment to PDP Viewshaft 8.



Figure 20: Full view of the proposed amendment to PDP Viewshaft 8.

5.10 Amending Proposed District Plan Viewshaft 9 (PDP-VS9)

Matters raised by submitters

144. Argosy Property [383.131] seeks that the margins of Viewshaft 9 be amended to remove the extent to which it encroaches into the site at 360 Lambton Quay.

Assessment

145. I disagree with the submission point of Argosy Property [383.131] for the following reasons:
- I acknowledge that a further review of SCHED 5-Viewshafts and the Mapping Overlay has identified some minor and technical amendments as discussed in section 7.0 and that as a result of the review of the Viewshaft Schedule, Council purposely amended the viewing location for the ODP-VS9A (now PDP-VS9) to more clearly bring the focal areas into the viewshaft frame. However, it was never a consequential intention that the right margin of PDP-VS9 would change from ODP-VS9A. Instead, the intent was to move the viewing location forward and change the lefthand margin, whilst keeping the same focal elements, context elements, base and right margin.
 - I consider that any changes to the righthand margin to exclude 360 Lambton Quay would have implications on the narrowness of the frame of the viewshaft as it would mean other sites closer to the viewing location would also not be incorporated as a result of removing 360 Lambton Quay and that less of the AON Centre (one of the two focal elements) would be visible. Removing 360 Lambton Quay would also impact the extent of the frame, and the visibility and extent of inclusion of both context elements and focal elements. Regardless, I acknowledge that this site has recently been redeveloped and is also subject to a heritage listing in the PDP.
 - In addition to disagreeing with the changes for the above reason, I also consider that it is inappropriate to change the extent of the viewshaft in response to one submitter's request as this risks undermining the integrity of the viewshaft and could have an unintended and unjustifiable precedence effect.
 - I note that 360 Lambton Quay has always been located in this viewshaft since its inception and that its physical extent is the same as that the ODP.

Summary of recommendations

146. HS3-VIEW-Rec26: That submission points relating to Viewshaft 9 in SCHED5 – Viewshafts are rejected as detailed in Appendix B.
147. HS3-VIEW-Rec27: That Viewshaft 9 in SCHED5 – Viewshafts be confirmed as notified, subject to changes identified and addressed in section 7.0 - 'Minor and Inconsequential Technical Amendments' of this report.

5.11 Amending Proposed District Plan Viewshaft Overlay Mapping

Matters raised by submitters

148. Wellington City Council [266.37, opposed by Panorama Property limited [FS11.31]] seeks that the ePlan add a new, specific mapping layer, the "Viewshaft Control Area", that extends an overlay covering TEDZ, MRZ, and HRZ properties located Viewshafts 13 – 15.
149. David Wamsley [229.1 and 229.2] seeks that Council amend the margins of PDP-VS14 to remove PDP-VS14 from covering the property at 1 Carlton Gore Road.

Assessment

150. In response to the submission point from Wellington City Council [266.37], I disagree with this submission point and the inclusion of a 'Viewshaft Control Area' as an overlay for the reasons outlined in Paragraphs 48-51 of this report.

151. I agree with the submission points from David Wamsley [229.1 and 229.2] as receipt of this submission has led to further consideration of the extent of SCHED 5 – Viewshafts Overlay mapping, specifically in terms of where the mapped extent of the viewshafts should terminate. The PDP-VS14 overlay extent over 1 Carlton Gore Road is shown below (see Figure 21).



Figure 21: Showing PDP-VS14 termination point as notified1.

152. I consider that the SCHED5- Viewshafts details for each view, along with the associated viewshafts images, clarify the extent of the viewshafts in terms of the frames shown and the detail around its context. Additionally, and most importantly, they outline the respective focal elements that each viewshafts extends to and incorporates.
153. Ms Popova’s evidence in paragraphs 95 and 96, notes that there has been no change to the viewshaft’s description detail for Vs14 relative to the same viewshaft in the ODP. Conversely, the Vs14 viewshaft overlay as drawn in the in the ODP (Vs15 Appendix 11) is the same as the viewshaft overlay shown in the PDP for PDP-VS14, thus 1 Carlton Gore Road has always been included within the viewshaft’s overlay. I concur with this.
154. A Ms Popova details in her evidence in paragraphs 95 and 96, the ODP does not have viewshafts mapped in the ePlan, and that under the ODP the applicant and resource consent planner have to check if the property sits within a viewshaft by using the Central Area Viewshaft Appendix 11 (Central Area Appendices) map and description for each viewshaft in this appendix. As further detailed by Ms Popova in the pre-mentioned paragraphs, due to changes in mapping functions and the National Planning Standards introducing ‘Overlay’ tools, the PDP approach to how viewshafts are mapped and consequently how the viewshaft rules are tagged to a property has changed. The PDP overlay mapping allows a higher level of accuracy in establishing the level of potential intrusion into a viewshaft compared to that under the ODP/Appendix 11.
155. I agree with Ms Popova’s commentary that the changed approach in mapping under the PDP, although not changing the characteristics of the viewshafts, makes the location of properties within a viewshaft overlay much more clear and easier to read, thereby facilitating the process

of interpretation

156. I also note that the further assessment and mapping work in response to submission points [229.1 and 229.2] was informed by relevant Environment Court case law, particularly Waterfront Watch Incorporated and Michael Peter Cecil Gibson vs Wellington City Council and Wellington City Council – Build Wellington and Wellington Civic Trust [2018] supported by the associated High Court Case Waterfront Watch Limited vs Wellington City Council [2018]. This case reinforced that:

- The ODP provisions sought to deter intrusions into viewshafts, not the focal elements themselves. In particular, the High Court concluded that ODP-VS11 protects the view of Frank Kitts Park from Willeston Street, not what is in Frank Kitts Park. It also found that changes could be made to the focal element of Frank Kitts Park.
- The purpose of the viewshaft is to preserve the focal and context elements of the view from a specified place. From Willeston Street, the importance of the viewshaft is to ensure that the view of Frank Kitts Park and the St Gerard’s Monastery is retained.
- The proposal sought to develop the Park itself, but did not intrude or impinge on the identified focal elements in the viewshaft, that is, the Frank Kitts Park and St Gerard’s Monastery. The Court concluded that if the layout or detail in the Park were to change over time the observer in Willeston Street would continue to enjoy a view of the park and the monastery.

157. Based on this case law review, I have reviewed:

- The focal elements of each viewshaft and the associated PDP Viewshaft Overlay mapping to understand if the PDP mapping showed the full extent of the viewshafts mapped, particularly whether all the focal elements were included in the viewshaft overlay for each viewshaft.
- The implications of having the viewshaft overlay mapping extend over properties outside of the CCZ and WFZ and the consequential impact on development potential this might have on these sites (i.e. as per the example of 1 Carleton Gore Road). This was considered for:
 - Sites that have alternative zonings under the Viewshaft Overlays (i.e. under the Cable Car), which sit under the cone of the viewshaft or could impact it; and
 - Sites within the viewshafts but that are near focal elements or are considered focal elements and how these two examples are treated by mapping of the Viewshaft Overlay and subsequently associated application of rules.
- What the risk was of not including properties within the viewshafts in terms of risk that the viewshafts are built out and/or the view and ability to see focal elements is obscured and/or compromised.

158. My review concluded that:

- Properties that are located under viewshafts (i.e. Viewshafts 13, 14 and 15 of the Cable Car), and that present a risk of intruding into their base need to be subject to the Viewshaft Overlay control in the PDP mapping and thus the Viewshaft Chapter provisions. This is because properties that are within the Viewshaft Overlay are subject to the Viewshaft Chapter rule framework and resource consent requirements.
- For properties near or in focal elements an assessment is needed to determine the risk of removing the Viewshaft Overlay mapping control from these properties in terms of impact on the viewshaft and ability to view focal elements. This is because future development of

these properties could impact the viewshaft and the ability to see the respective focal elements, if these properties are not subject to the Viewshaft Overlay and thus Viewshaft Chapter rules.

159. Consequently, based on the above re-assessment and rationale, I consider that the risk of PDP-VS14 being built out by properties in Roseneath, including 1 Carleton Gore Road, and thus blocking the focal elements of Point Jerningham and Point Halswell is low because the properties in Roseneath are a context element and are located above Point Jerningham.
160. As a result of the risk assessment of PDP-VS14, I agree that the extent of the Viewshaft Overlay mapping for PDP-VS14 should be amended to be clipped back to the roads edge at Carlton Gore Road and Oriental Parade. This would mean that Roseneath continues as a context element, but that properties near the focal elements will be exempted from the Viewshaft Chapter provisions, thus enabling them to achieve their anticipated development capacity as of right.
161. In alignment with the commentary in Ms Popova’s evidence in paragraph 99, I consider that properties in Roseneath in PDP-VS14 building to 11m maximum height limit allowed under the Medium Density Residential Zone chapter would not have any significant effects on Views from the Cable Car to the identified focal and context elements within Viewshaft 14. This is due to the significant distance between these properties and the Cable Car viewing location and because the focal elements are larger landforms and not singular buildings (i.e. not St Gerard’s Monastery), being Point Jerningham and Point Halswell. So in my opinion, development up to 11m on a handful of properties is not likely have an impact on these focal elements. Consequently, the risk of amending the extent of PDP-VS14 to no longer cover these Roseneath properties in terms of any changes to the wider focal and context elements of PDP-VS14 is low compared to the cost of having PDP-VS14 extended over the impacted properties, thus limiting their development capacity.
162. As the properties in Roseneath are in the focal area but are context and not focal elements, I consider that any development in this area would likely have only minor impacts on the view due to the existing building height and mass controls in this area, as well as the substantial distance from the beginning (viewing platform) of PDP-VS14.

Summary of recommendations

163. HS3-VIEW-Rec28: That submission point relating to Viewshaft 14 in SCHED5 – Viewshafts is accepted as detailed in Appendix B.
164. HS3-VIEW-Rec29: That the Viewshaft Overlay mapping is amended for PDP-VS14 as per Figure 22 as follows:





Figure 22: Showing the changes to extent of PDP-VS14 back to Oriental Parade.

Section 32AA evaluation

165. In my opinion, based on the above analysis, the amendments to the Viewshaft Overlay mapping are the most appropriate way to achieve the objectives of the Viewshaft Chapter relative to the notified provisions. In particular, I consider that:

- The amendments give better effect to the NPS-UD directions, in particular Policies 2, 3 and 4, in terms of providing a balance between enabling development capacity in the inner suburbs whilst controlling building height and density to the extent necessary to protect and accommodate viewshafts as a qualifying matter in these areas. This has been achieved by assessing the risk of reducing or extending the extents of viewshafts and where possible removing viewshafts from properties where the risk is considered to be low.
- The amendments better give effect to protecting the viewshafts as described in SCHED 5 – Viewshafts of the PDP, particularly in terms of fully reflecting their focal elements and extents.
- The amendments provide more clarity to the plan user and property owners about the mapped extent of the Viewshaft Overlay and thus application of rules. In this case, being that the Overlay and thus rules no longer apply to these sites in Roseneath.
- The amendments are not inconsistent with the ODP and PDP objectives and policies in that I consider even with moving the termination point of PDP-VS14 the viewshaft will still be maintained because development is restricted by the bulk and location controls of the MRZ and there is no development enabled at the base of Roseneath, thus still protecting the two focal elements being Point Jerningham and Point Halswell.

166. The environmental, economic, social and cultural effects of the recommended to the extent of the Viewshaft Overlay mapping are below.

- Environmental
- The change to remove the Viewshaft Overlay mapping from some properties in focal areas may potentially result in some very minor consequential visual intrusions into some areas of the viewshafts. This is because these properties, without being subject to viewshafts as a qualifying matter, will be able to (depending on other qualifying matters) build up to the maximum height limits within the zone and utilise the MDRS three household unit development as of right, should they seek to.
 - It is important to note that any development will still be subject to the bulk and location requirements within their respective zone.

- Any effect is considered to be very minor given how far away the focal areas are from the viewing point location, (i.e. Roseneath when viewed from the Cable Car). All SCHED 5 viewshafts' focal areas are either important buildings or landmarks or whole suburbs such as St Gerard's Monastery, Point Jerningham, Te Ranga a Hiwi Precinct or Oriental Bay. It is not properties either side of these focal areas, instead they namely frame these focal areas as context elements.
- On the other hand, suggested changes to extend the Viewshaft Overlay mapping over more properties to protect the viewshaft helps to mitigate and reduce the environmental impact of any potential viewshaft intrusion.

Economic

- The change to remove the Viewshaft Overlay mapping from some properties in focal areas will result in viewshafts being removed as a qualifying matter from these properties, and thus the landowners will be able to undertake the MDRS three by three development as of right (assuming no other overlays apply) and will be able to develop up to the zone's maximum building height limit.
- This will increase the development capacity of these sites and return for landowners, with potential for medium or high density development. It will also make a small positive contribution to increasing development capacity and housing supply through removing the qualifying matter application to these sites.
- On the other hand some changes to remove the overlay may not have any further benefit because the property may still be subject to other overlay controls i.e. Character Precincts, Mount Victoria North Townscape Precinct or Oriental Bay Height Precinct, which reduce development capacity already.
- I note that Property Economics in their Qualifying Matters Capacity Assessment (2022)¹⁷ found that viewshafts have 'little to no impact on capacity'.

Social

- The change to remove the Viewshaft Overlay mapping from some properties in focal areas may result in a very minor increase in housing supply in areas that are within walkable distances to the CCZ and key services and amenities, thus enhancing people's social wellbeing through a very minor increase in development capacity.
- Changes to the Viewshaft Overlay Mapping will help to preserve viewshafts to important landmarks and monuments, helping to preserve important views for wayfinding and aesthetic benefits to those that live,

¹⁷ Property Economics, Wellington City Qualifying Matters Capacity Assessment, November 2022

work or visit Wellington.

- Cultural
- No cultural effects are identified.

5.12 Recommended additional viewshafts to Schedule 5 – Viewshafts

Matters raised by submitters

167. Historic Places Wellington seeks that new viewshafts that would provide enhanced protection of views to the following should be created:
- The Carillon at Pukeahu National War Memorial Park [182.52 and 182.52];
 - Old St Pauls Church [182.53, supported by a further submission from Thorndon Residents' Association Inc [FS69.107]];
 - Oriental Bay from the top of Parliament Steps [182.54] and the top of the cable car [182.55].
168. Kāinga Ora [391.769] seeks that a new viewshaft that manages significant public views to St Gerard's Monastery and Mt Victoria is created. It is worth noting that the relief sought here was submitted in conjunction with Kāinga Ora's submission on Character Precincts where they seek to remove all Character Precincts seeking the removal of all Character Precincts, including the Oriental Bay Height Precinct. The intention of the submission point was to ensure protection of Mount Victoria and St Gerard's Monastery in the absence of these precincts.
169. Claire Bibby [329.1, 329.6] submits that a new Viewshaft from the survey marker at 395 Middleton Road towards the Rail Tunnel Entrance should be created.

Assessment

A new viewshaft back towards the Carillon

170. I do not agree with Historic Places Wellington [182.51-182.52], particularly the argument that the view back towards the Carillon should be protected and therefore ODP-VS21 should be included. I note that ODP VS 21 is not intended to protect the suggested view, instead it protects the reverse of this view; that from the Carillon towards the Inner Harbour and Western Hills as outlined in the viewshaft description. As detailed in Ms Popova's evidence in paragraph 59 which I concur with, ODP VS21 protects the view from the Carillon and not to the Carillon. I also note that the submitter does not provide the point of origin of the viewshaft so it is unclear whether the relief sought relates to a view from Pukeahu Park to the Carillon, or from further away. Regardless, neither location, or a viewshaft back towards the Carillon is supported.
171. I consider that the submission point is unclear because clarity is not provided on what is meant by 'enhanced' protected viewshaft. Because 'enhanced' is not defined it is not clear the parameters or quality of viewshaft anticipated by the submitter through this wording.
172. In particular, I do not consider that there is a need to protect the view from Pukeahu Park to

the Carillon given that they are interconnected and adjacent to each other, with the high likelihood that any development aside from that related to their function (i.e. landscaping, memorials) would occur in this overall area.

173. As identified in Ms Popova’s evidence in paragraph 28 which I concur with, I consider that there is no risk of losing or compromising existing views between Pukeahu Park and the Carillon as these views are protected by the Open Space zoning where any new building on the park would be significantly restricted in terms of bulk and form restrictions as per the rules and standards in the OSZ.
174. I am also of the view that there are sufficient alternative controls applicable within this areas (i.e. heritage building item 40, the area is within Puke Ahu – Ngā Tapuae o Kāhui Maunga SASM, open space zoning of Pukeahu Park and protection of Carillon in the TEDZ) to protect it and prevent any development of significance occurring between Pukeahu and the Carillon.
175. I consider that the visibility of the Carillon from Tory Street is limited in terms of a long-range view. There is a limited time that the Carillon is in view, and when visible it is most commonly obscured by other buildings blocking parts of it. In my opinion it is not until you go past the large-format retail area in upper Tory Street that you see the Carillon in full. This is shown in photos from a site visit undertaken in March 2023 seen in Figure 23.



Figure 23: Showing sequential views heading south along Tory Street towards the Carillon March 2023.

New viewshafts focusing on Oriental Bay

176. I disagree with the submission point from Historic Places Wellington [182.54] regarding the creation of a new Oriental Bay viewshaft as I note that PDP-VS2 (an existing Viewshaft from the top of the Parliament steps across to Oriental Bay) already protects this view, with Oriental Bay being one of the focal elements. Consequently, I do not consider an additional viewshaft is warranted as it would create both unnecessary duplication and administrative confusion.
177. I am also unconvinced of the need to expand the existing viewshaft to capture more of Oriental Bay, noting that even if the location of the viewshaft were to be shifted from the top of the steps to the end of the steps the visibility of Oriental Bay would not be enhanced due to the foreground buildings and vegetation. Instead, I consider that the viewshaft as notified in the PDP already sufficiently provides the view protection sought by Historic Places Wellington. I

also note that it is not clear on what the submitter means by ‘enhanced’ protection. ‘Enhanced’ is not defined and as such it is not clear the parameters or quality of viewshaft anticipated by the submitter through this wording.

178. Further, I disagree with the submission point from Historic Places Wellington [182.55] regarding the view of Oriental Bay from the cable car as Viewshafts 13, 14, 15 and 18 already satisfy the relief sought. In particular, I note Oriental Bay is a context element in Viewshaft 15 and also features in Viewshaft 18 Panoramic View as part of the ‘continuum elements’. For this and further reasons relating to the creation of unnecessary duplication and administrative confusion I am of the opinion that the additional viewshaft sought is unwarranted.

A new viewshaft in Tawa

179. I disagree with the submission points from Claire Bibby [329.1, 329.6]. Whilst I acknowledge the submitter’s desire for a new Viewshaft from the Survey Marker used for the construction of the Tawa tunnel¹⁸, I note that Viewshafts have been historically limited to the Central Area in the ODP (now the CCZ and WFZ in the PDP). 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 ODP has continued to protect identified important central city views to key elements and townscape features for identification, sense of place and wayfinding purposes, with this now extended into the PDP.
180. Additional to this it is also important to note that the focal areas of the identified viewshafts are confined to inner suburbs or the western hills (i.e. waterfront, Oriental Bay, Mount Victoria, St Gerard’s Monastery) and not any outer suburbs.
181. I note that the viewshaft sought by the submitter appears to both intersect and have its starting location point on private land. This is also addressed in paragraph 49 of Ms Popova’s evidence. The key purpose of the viewshafts is to protect views from publicly accessible locations that are easy to locate, provide public benefit and contribute to identity and a sense of place for the City. This is an approach that has been consistently applied to all viewshafts considered for inclusion in the PDP. An example of this approach is VS9 of the ODP where, given difficulties of access due to its location, it was not included in the PDP. I also note that it is not clear if the submitter has engaged with the private land owners of which the proposed viewshaft has its starting point in and which the proposed viewshaft intersects through.
182. In my view adding a viewshaft from Tawa would not align with the methodology adopted to date nor the intended purpose of viewshafts as a means to enhance way finding in the city centre and to identify and protect views to key monuments or views into and out of Central Wellington and the inner suburbs.
183. As noted in Ms Popova’s evidence in paragraph 48, the suggested viewshaft falls outside of the City Centre and is associated with a focal element of which the heritage value and wider public significance has yet been established or tested. I consider that an assessment is needed to understand the public benefits of including this viewshaft in terms of identity and sense of place for the City and also wayfinding.
184. If this suggested viewshaft was to be included it could have a precedence effect across other outer suburbs, with wider protection of different unlisted viewshafts potentially sought. This, in turn, would create tension with the intensification direction in Policies 2 and 3 of the NPS-UD and MDRS requirements in Schedule 3A of the RMA.

¹⁸ Note: The aspect of the submitter’s submission point seeking to add the railway survey mark in Glenside is addressed in the separate [Hearing Stream 3 Historic Heritage S42A report](#).

185. Relating to pressures to enable intensification whilst balancing this with protecting important amenity outcomes like viewshafts, Council has taken a very careful, considered and assessment based approach in determining whether existing viewshafts should be retained or not, and any new viewshafts included in the PDP. For existing viewshafts the Urban Perspective issues and options report¹⁹ assessed each existing viewshaft in the ODP on a 'risk' basis which focused on the risk that the viewshaft would be intruded upon or built out if it was removed altogether or its mapped extent altered from the ODP. In my view there's an even harder threshold to meet to warrant inclusion of any new viewshaft in the PDP due to directives from the NPS-UD in Policy 2 and 3 to enable greater development capacity.
186. I also consider it would be inappropriate to include this viewshaft without any supporting evidence, community consultation or S32AA report. None of which have been undertaken or provided by the submitter in their submission. This is particularly the case as the viewshaft has been suggested to cover land in the Glenside West and Upper Stebbings Development Area.
187. Glenside West and the Upper Stebbings area is an identified development area (DEV 3) in the PDP, which has been identified for urban development since the 1970s²⁰. A master planning process has been undertaken based on the vision and principals identified in the Upper Stebbings and Glenside West Concept Masterplan 2120²⁰. The provisions in this Development Area and the layout of the Development Plan are based on this Concept Masterplan, which was circulated with the community in 2020 for feedback. The feedback gained from this process helped to inform the Development Plan and objectives, policies and rules included in this chapter. Extensive earthworks modelling, landscape, ecological and transport studies, as well as a cultural values and local history report were produced and taken into account in this process.
188. This development area has undertaken extensive public engagement and master planning, and this viewshaft would potentially impact the development capacity anticipated in these areas and the master planning work undertaken to date. However, I note as per the mapped viewshaft in Figure 24 below that the viewshaft appears to bisect areas labelled as 'unbuilt areas (open space, cut & fill batters)', rather than areas allocated for Medium Density Residential development. If this viewshaft was to be included in SCHED 5 it could limit development capacity in this pre-mentioned area, thus potentially undermining the Concept Masterplan work, its outputs and the community engagement undertaken by the Council to date for this development area. See Figure 24 for the mapped proposed viewshaft and its intersection through Glenside West and Upper Stebbings Development Area.

¹⁹ Urban Perspectives Wellington District Plan Central Area Viewshafts Assessment and Review Part One Report, July 2020 (Final)

²⁰ WCC Proposed District Plan Development Area – [Upper Stebbings and Glenside West chapter](#)

²¹ WCC [Upper Stebbings and Glenside West Concept Masterplan Summary](#), October 2020

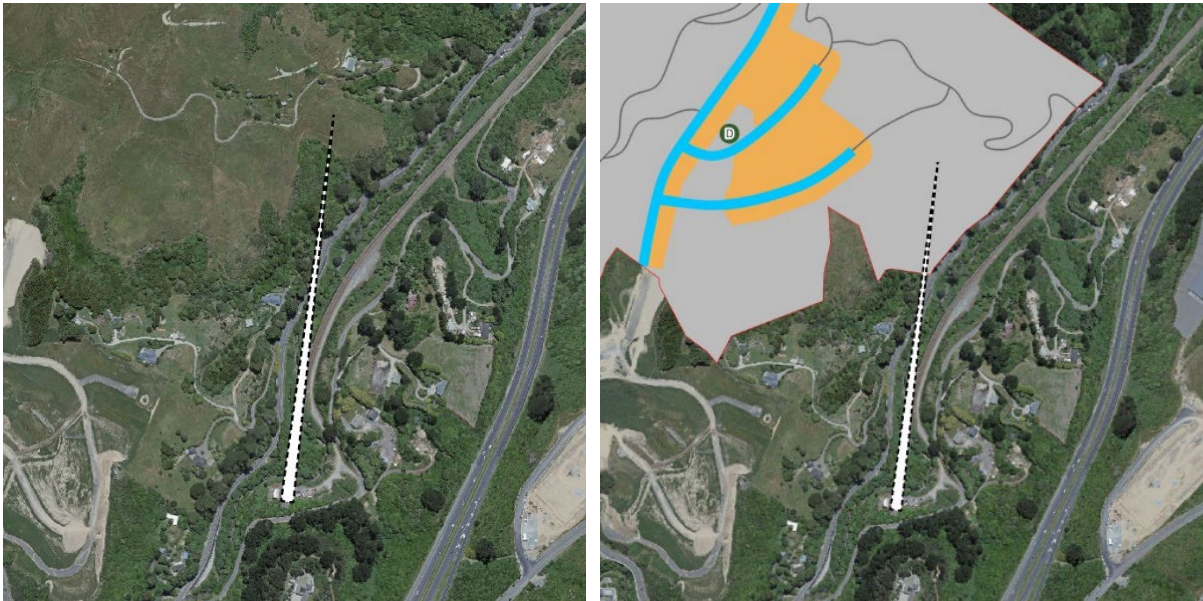


Figure 24: Showing the mapped proposed viewshaft and the Glenside West and Upper Stebbings Development Area.

A new viewshaft focused on St Gerard's Monastery and Mount Victoria

189. I disagree with the submission point from Kāinga Ora [391.769], noting that a clear recommendation has been made²² to retain the MRZ-PREC03 Oriental Bay Height Precinct, not to remove it as inferred in this submission.
190. Mount Victoria and St Gerard's monastery are already protected by Viewshafts 11, 12 and 15 in particular, but overall Oriental Bay, St Gerard's Monastery and Mt Victoria feature as focal and/or as context elements in 8 of the 18 PDP Viewshafts. In my view, the key public views to these landmark elements in Wellington's townscape are already comprehensively captured by the Schedule 5 viewshafts.
191. Further to this I note that they are also comprehensively captured by the Mount Victoria North Townscape Precinct controls and Oriental Bay Height Precinct which Council's experts have proposed be retained²³. Although the 38m high Dorchester Apartments on Oriental Parade is the tallest building in the stretch of Oriental Parade below St Gerard's Monastery, height limits within this viewshaft and below St Gerard's Monastery are set at a maximum of 25.6m.
192. I consider that the height limits that regulate the Oriental Bay Height Precinct, Mount Victoria Townscape Precincts, Viewshafts 11, 12 and 15 and the Residential Design Guide are sufficient to protect the view of St Gerard's Monastery and Mount Victoria. The height limits for Oriental Bay have been long established and are carried over from the ODP. Likewise, the Residential Design Guide in the PDP has carried over much of the design guidance in the ODP version, noting that the Residential Design Guide provisions have also been successfully applied for many years. As I am of the view that there have been no significant changes in the current approach and methods to managing the townscape and amenity values of this area, I consider the methods in the PDP are appropriate and will provide a sufficient and effective means of managing the effects of any new development within the Oriental Bay and Mount Victoria area.

A new viewshaft focused on Old St Pauls Church

193. I disagree with the submission point of Historic Places Wellington [182.53] regarding an Old

²² WCC Hearing Stream 2 S42A Part 3 Residential Report, paragraphs 74-77

²³ WCC Hearing Stream 2 S42A Part 3 Residential Report, paragraphs 74-77

St Pauls Church related viewshaft as I consider that it is both an unnecessary response to protect the church and is no longer feasible due to diminished opportunities to protect views of it.

194. As part of the review of the ODP Viewshaft schedule an independent assessment was undertaken to determine whether any further views in the central area and inner suburbs warranted protection through the Viewshaft Overlay and associated provisions. This assessment focused on a handful of potential viewshafts, one of which was Old St Paul's Church. The associated report is attached as Appendix D²⁴.
195. The assessment concluded that a viewshaft would be inappropriate in this location as it would be obscured by adjacent tall buildings, trees and other heritage buildings and that the primary views of the church are those within the immediate vicinity of the church. Based on this, and for the further reason that there are already significant protective measures applying to the church including a heritage listing, sunlight protection controls in CCZ-S6, the Old St Pauls Adjoining site specific building height in CCZ-S2, and that it is within the extent of the Pipitea Pā SASM, I am of the opinion that a new viewshaft is not warranted.
196. I also note that the submitters have not provided evidence as to why Old St Pauls Church requires enhanced protection through a viewshaft, nor have they provided a meaning of the word 'enhanced'. 'Enhanced' is not defined and as such it is not clear the parameters or quality of viewshaft anticipated by the submitter through this wording.

Summary of recommendations

197. HS3-VIEW-Rec30: No changes are proposed to SCHED5 – Viewshafts as a result of submissions relating to potential new viewshafts.
198. HS3-VIEW-Rec31: That submission points relating to additions to SCHED5 – Viewshafts are rejected as detailed in Appendix B.

6.0 Minor and inconsequential amendments

199. Pursuant to Schedule 1, clause 16 (2) of the RMA, a local authority may make an amendment, without using the process in this schedule, to its proposed plan to alter any information, where such an alteration is of minor effect, or may correct any minor errors.
200. HS3-VIEW-Rec32: The following minor and inconsequential amendments relevant to this report are identified below and will be corrected:

Amendments to Viewshaft Chapter

- a. Addition to reinstate ODP definition of 'Continuum Elements' as follows:

means those components that traverse views (usually horizontally) and break up the view into discrete segments such as but not limited to horizons, water lines, edges to housing area, and ridgelines.

- b. Addition to reinstate ODP definition of 'Focal Element' as follows:

means, in relation to a viewshaft, one of a number of components that are the primary

²⁴ Jane Black, People and Places Viewshaft Assessment, 2022

purpose for the view. Focal elements are the outstanding element that a view focuses on.

- c. Addition to reinstate ODP definition of 'Context Elements' as follows:

means, in relation to a Viewshaft, the components that surround focal elements and provide the setting for those elements. They provide the overall context for the view.

- d. Addition of a 'Panoramic View' definition as follows:

An expansive wide-angled distant view providing a complete view of an area. Viewshafts associated with panoramic views are open (i.e. they are not defined by a based or margins).

- e. Correction to the definition of 'Viewshafts' as follows:

means a view down an identified viewing corridor (shaft) from a fixed point that is publicly accessible to identified focal elements and context elements. Viewshafts are defined by vertical margins and a base which demarcate the extent of the protected view. There are three types of viewshafts that viewshafts protect:

- Contained viewshafts run along street corridors and are vertically framed on either side by physical margins - a building or other structure (existing or future permitted).
- Vista views are distant views seen obtained from elevated viewpoints or from areas that allow a wider viewing angle than contained views.
- Panoramic views.

- f. Addition of a 'View' definition as follows:

Means the focal and context elements protected by a Viewshaft.

- g. Addition of a 'Termination Point' definition as follows:

The end of the mapped extent of any viewshaft as depicted in the Viewshaft Overlay.

- h. Correction to VIEW-R1.1.a to change reference from CCZ-S8 to CCZ-S7 as intended.

- i. Correction to VIEW-S1 to change reference from CCZ-S8 to CCZ-S7 as intended.

- j. Correction to change references to 'View/s' to 'Viewshaft/s' as identified in Appendix A.

- k. Correction to 'Other relevant District Plan provisions' as follows:

It is important to note that in addition to the provisions in this chapter, a number of other Part 2: District-Wide matters chapters and Part 3: Area-Specific chapters also contain provisions that may be relevant, ~~for activities in underlying Zone chapters, including:~~

- ~~• **City Centre Zone** — the City Centre Zone contains objectives, policies, rules and standards to manage the location, bulk and scale of new buildings and structures, or additions and alterations to existing buildings and structures.~~
- ~~• **Waterfront Zone** — the Waterfront Zone contains objectives, policies, rules and standards to manage the location, bulk and scale of new buildings and structures, or additions and alterations to existing buildings and structures. A zero height limit applies in the Waterfront Zone.~~

Resource consent may therefore be required under rules in this chapter as well as other chapters. Unless specifically stated in a rule or in this chapter, resource consent is required under each relevant rule. The steps to determine the status of an activity are set out in the General Approach chapter.

- l. Correction to Policy VIEW-P1 wording as follows:

Identification of important viewshafts

Identify and maintain important viewshafts to the harbour, hills and iconic and landmark features from public places within and around the City Centre.

m. Correction to Policy VIEW-P2:

Maintaining identified viewshafts

Maintain viewshafts that reinforce the City’s identity and sense of place by restricting development that could affect these viewshafts, having regard to:

1. Whether the development will positively frame the viewshaft horizontally or vertically;
2. The extent to which the relationship between context and focal elements will be maintained;
3. Whether the development will ~~disrupt intrude on~~ the viewshaft, vertically or horizontally, and ~~the extent of this intrusion whether this is of a minor nature~~;
4. ~~Whether the development will encroach on one or more of on the view’s focal elements and whether this is of a minor nature~~; and

The extent to which the development will remove existing intrusions or increase the quality of the viewshaft, particularly in relation to focal elements.

n. Correction to Policy VIEW-P3:

Avoiding intrusions into on iconic and landmark viewshafts

Avoid intrusions ~~on into~~ identified iconic and landmark viewshafts, unless it can be demonstrated that:

1. The development will result in the removal of an existing viewshaft intrusion or increase the quality of the view experienced; or
2. The viewshaft intrusion is of a minor nature and will not detract from the overall appreciation of the view; or

In the case of verandahs, the viewshaft intrusion will either be screened by another verandah or building element in the foreground or be contained within the outline of a building (that is not a context or focal element) in the background.

o. Correction to VIEW-S1 as follows:

VIEW-S1	Viewshaft Protection
<p>1. No building or structure shall intrude on any of the following viewshafts identified in Schedule 5:</p> <ol style="list-style-type: none"> a. Viewshaft 3 (North Queens Wharf and Inner Town Belt – Whitmore Street); b. Viewshaft 5 (Waring Taylor Street); c. Viewshaft 6 (Johnston Street); d. Viewshaft 7 (Brandon Street); e. Viewshaft 8 (Panama Street); f. Viewshaft 9 (Lambton Quay/Grey Street); g. Viewshaft 10 (Hunter Street); h. Viewshaft 11 (Willeston Street); i. Viewshaft 12 (Chews Lane/Harris Street); j. Viewshaft 16 (Taranaki Street); and k. Viewshaft 17 (Tory Street). <p>This standard does not apply to:</p> <ol style="list-style-type: none"> a. Verandahs that comply with CCZ-S87 and do not intrude into Viewshaft S1 or Viewshaft S4; 	<p>Assessment criteria where the standard is infringed:</p> <ol style="list-style-type: none"> 1. Extent of intrusion; 2. Verandah dimension; 3. Scale; 4. Location; and 5. Design.

<ul style="list-style-type: none"> b. Any building or structure within the coastal marine area; c. Land within the 'Commercial Port' area of the Port Zone; and d. Cranes, elevators and similar cargo or passenger handling equipment and lighting poles. <p>Note: Vegetation intruding into a viewshaft will be disregarded when assessing applications, particularly where pruning or the deciduous nature of the vegetation can act to restore the quality of the viewshaft.</p>	
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Amendments SCHED5 and Viewshaft Overlay Mapping:

- p. Edits to Viewshaft Mapping Overlay as follows:
 - i. Addition of a note at beginning of SCHED5 as follows:

Note: In order to accurately survey sites with regards to viewshafts identified in Schedule 5, surveyors will need to look at the base, left margin and right margin descriptions.

- ii. Amend PDP-VS1 as follows:
 - Move the location point to the north-eastern corner of Featherston Street and Bunny Street and amend the margins to align with the description of the margins in SCHED5.
 - Commence the left margin at new location and extend it to the south side of the main façade of Beehive.
 - Commence the right margin at new location but retain the same termination point.
 - Correct PDP-VS1 context elements as follows:

Context Elements	Te Ahumairangi Hill/ Ahumairangi Ridge (Tinakori Hill)
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- iii. Amend PDP-VS2 as follows:
 - Move the termination point to the Eastern side of Glasgow wharf (see Figure 25).

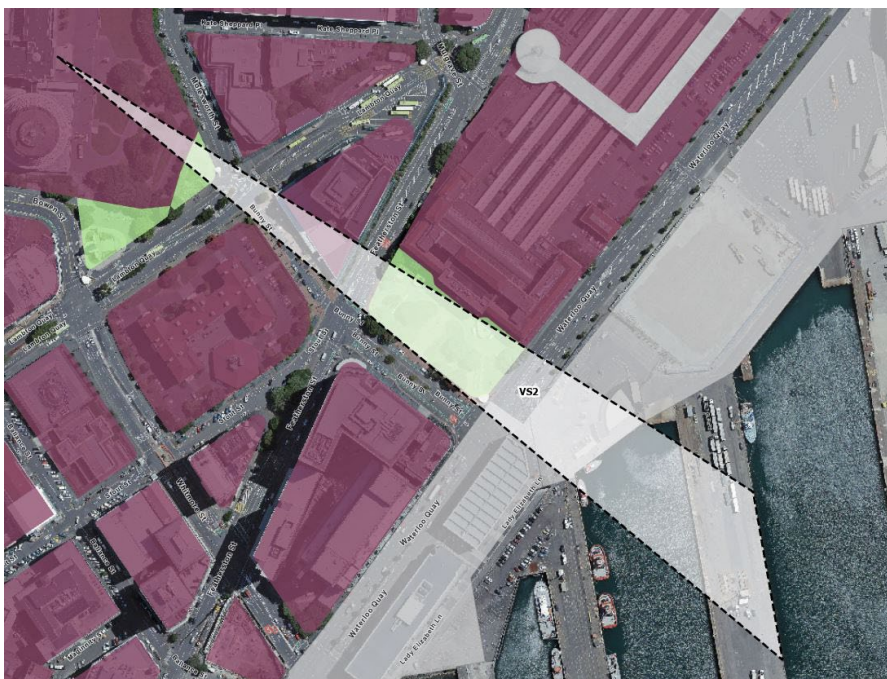
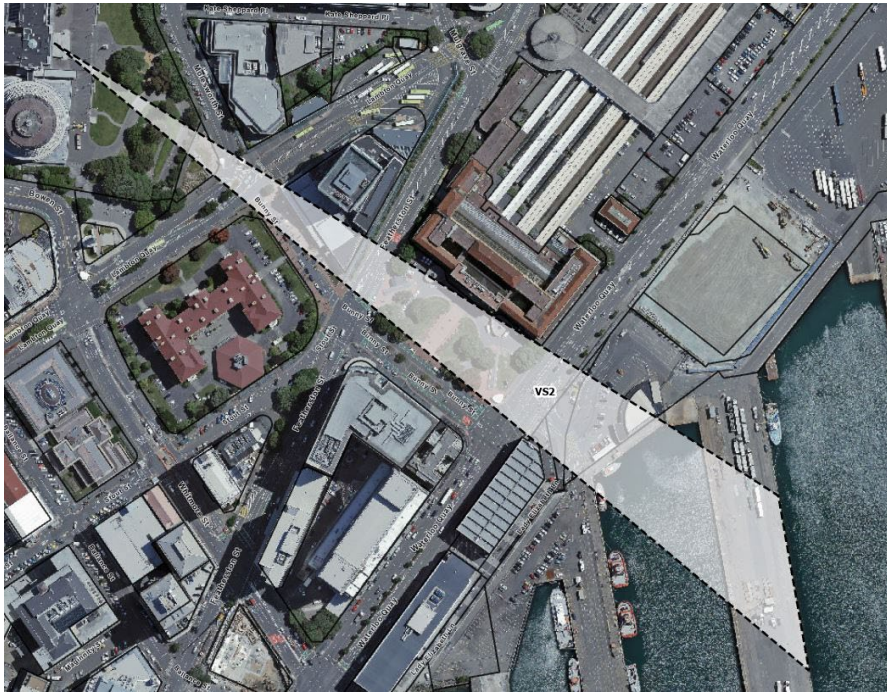


Figure 25: Showing the extension of the Viewshaft Overlay mapping to Glasgow Wharf for PDP-VS2.

- iv. Correct PDP-VS3 as follows:
 - Move the termination point so that it extends to the northern road edge of Oriental Parade (see Figure 26).

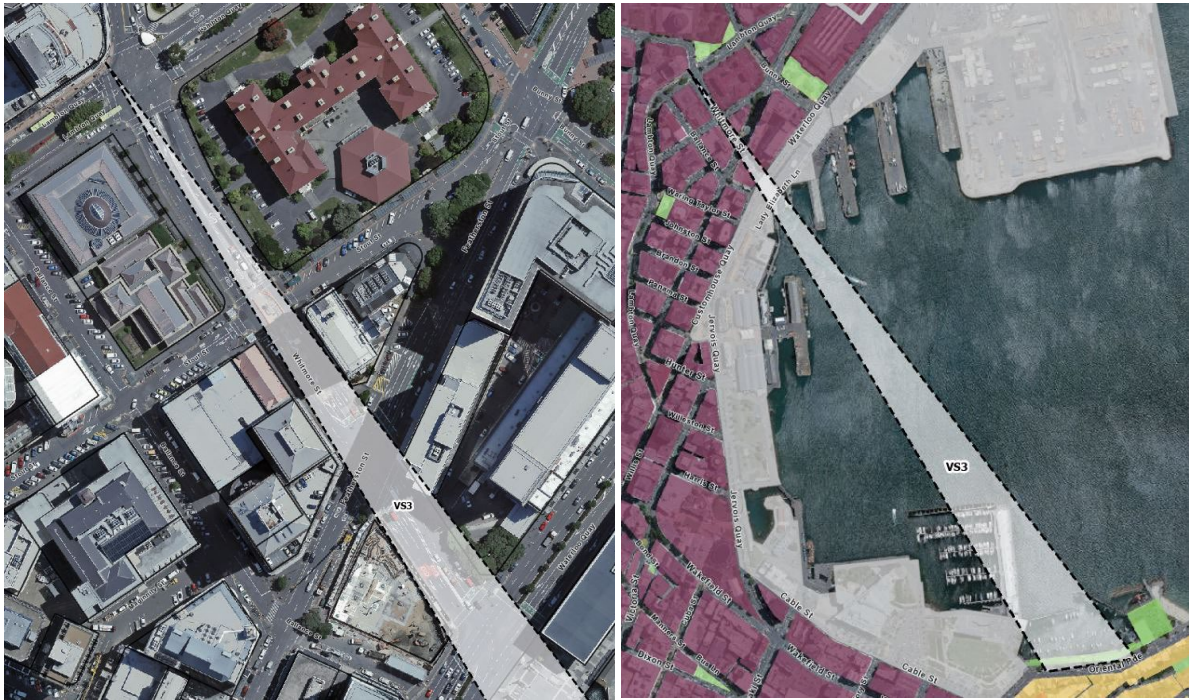


Figure 26: Showing the extension of the Viewshaft Overlay mapping to Oriental Parade for PDP-VS3.

- v. Correct the PDP-VS4 description as follows:

...

Additionally, as the Beehive and Cenotaph are important physical reminders of Wellington's rich history the views ~~to and~~ from them, as provided by VS4, contribute to the city's sense of place.

- vi. Amend PDP-VS5 as follows:
- Retain the same frame for PDP-VS5 as set out in SCHED5 but include a corrected, updated photo of this viewshaft to reflect the current context, noting that the current photo in PDP-VS5 currently shows temporary construction buildings and material impeding into the majority of the viewshaft. This is misrepresentative of the viewshaft and the viewshaft is now a lot less cluttered than the view currently shown in PDP-VS5 SCHED5. Figure 27 shows PDP-VS5 in its current state, this is indicative only and a professional picture is required.



Figure 27: Showing PDP-VS5 in its current state.

vii. Correct PDP-VS6 as follows:

- Move the termination point so that it extends to the northern road edge of Oriental Parade (see Figure 28).



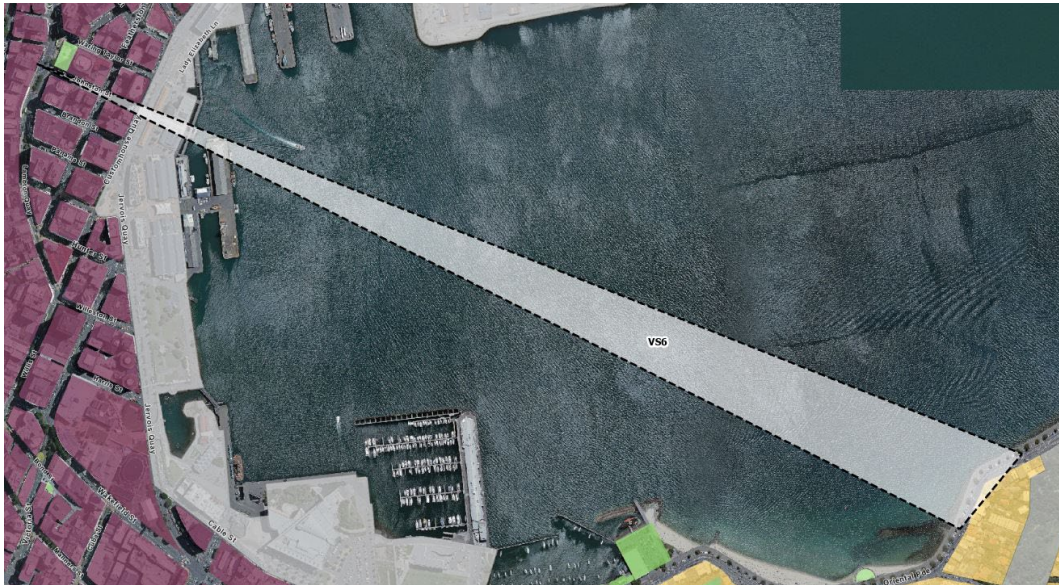


Figure 28: Showing the extension of the Viewshaft Overlay mapping to Oriental Parade for PDP-VS6.

viii. Correct PDP-VS8 as follows:

- A change needs to be made to the Viewshaft Overlay to align with the viewshaft description detail in SCHED 5. Amend PDP-VS8 to align with the frame shown in the correlating picture in SCHED5 for PDP-VS8, with the right margin of the PDP-VS8 overlay mapping running along the edge of the Intercontinental building and not just its podium. Additionally, the right margin needs to be moved inwards in a straight line guided by the north-east corner of the Intercontinental Hotel octagon tower.
- Correct description of right margin as follows:

North-east corner of the Intercontinental Hotel, following the outline of the hotel tower and the lower podium, 163 Featherston Street (Lot 1 DP 91187)

Note: The right margin of this viewshaft is not a single vertical line as it follows the stepped building profile created by the hotel tower and lower podium.

- Correct the base description to match the outline of the viewshaft frame as per SCHED 5 as follows:

Ground level 2.2m at Jervois Quay adjacent to former Harbour Board Offices and stepped to 12m ~~over~~ following the height of the Intercontinental Hotel podium

ix. Amend PDP-VS9 as follows:

- Correct the mapped extent of PDP-VS9 to reflect the detail in SCHED 5 – Viewshafts for PDP-VS9 including margins and viewshaft location, as the current mapping incorrectly represents ODP VS9A schedule details.
- Correct PDP-VS9 to move the location point to the footpath outside 318 Lambton Quay and amend the margins to align with SCHED5.
- Correct the PDP-VS9 left margin on the map to align with the frame of the viewshaft as shown in SCHED5.
- Correct the PDP-VS9 description in SCHED 5 to align with the frame of the viewshafts as shown in SCHED5 as follows:

North-east corner Interface of the North-east corner of MLC building and north-west corner of the Old BNZ Centre (Old Bank Arcade) at 233-237 Lambton Quay (Lot 1 DP 85253)

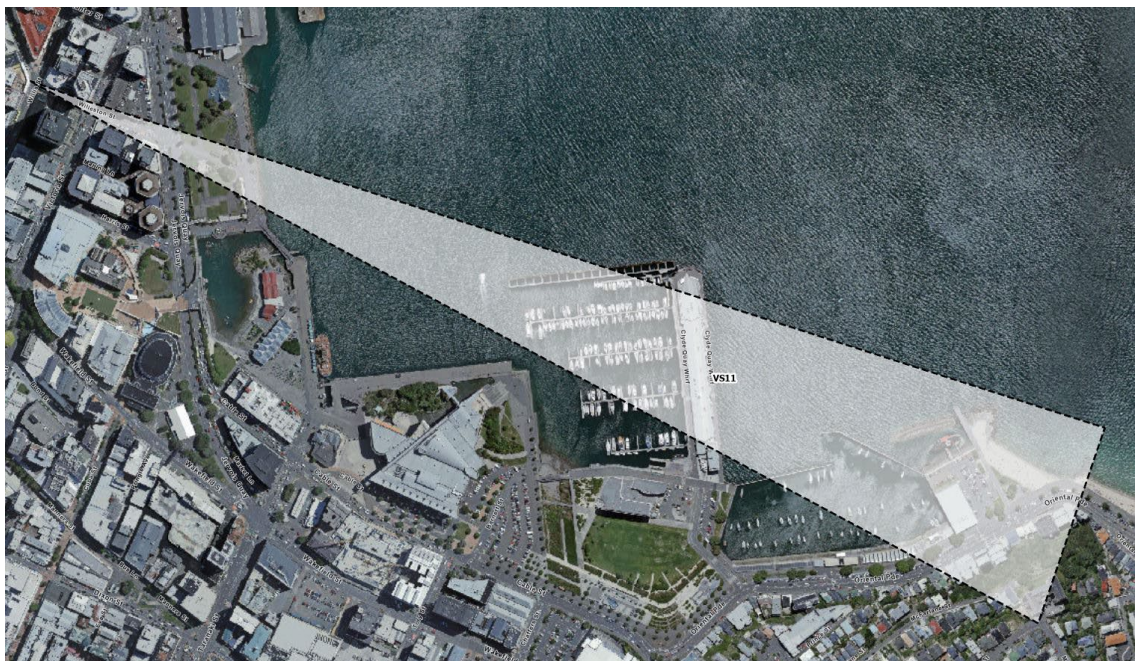
- x. Amend PDP-VS10 as follows:
- Correct the location point of PDP-VS10 and consequentially widen the left margin to align with the Harbour Tower and narrow the right margin to align with Ricoh House (see Figure 29).
 - Move the termination point so that it extends to the northern road edge of Oriental Parade (see Figure 29).





Figure 29: Showing the extension of the Viewshaft Overlay mapping to Oriental Parade for PDP-VS10.

- xi. Amend PDP-VS11 as follows:
- Amend the extent to include St Gerard’s Monastery (see Figure 30).
 - Correct the left margin to intersect at the southern corner of 22 Willeston Street and the right margin to intersect at the north eastern corner of the tower element of 5 Willeston Street (see Figure 30).



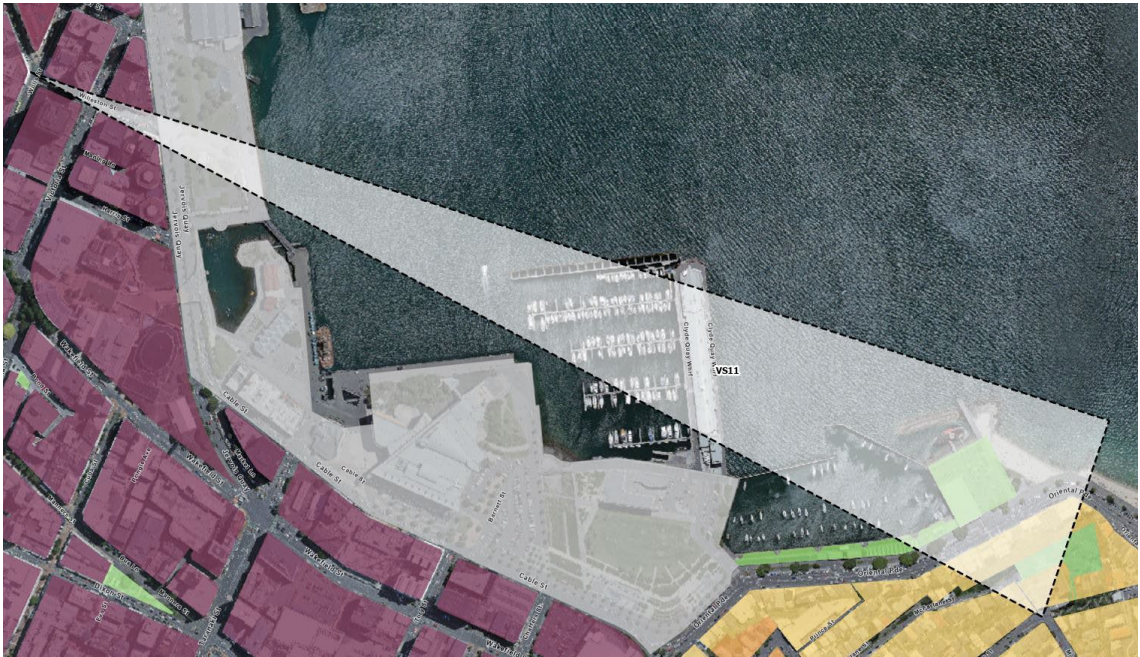


Figure 30: Showing the extension of the Viewshaft Overlay mapping to St Gerard's Monastery for PDP-VS11 to align with SCHED5 and correction of the left margin.

- xii. Amend PDP-VS12 as follows:
- Correct the left margin to align with the location described in SCHED5 – Viewshafts (see Figure 31).
 - Amend the extent to include St Gerard's Monastery (see Figure 31).



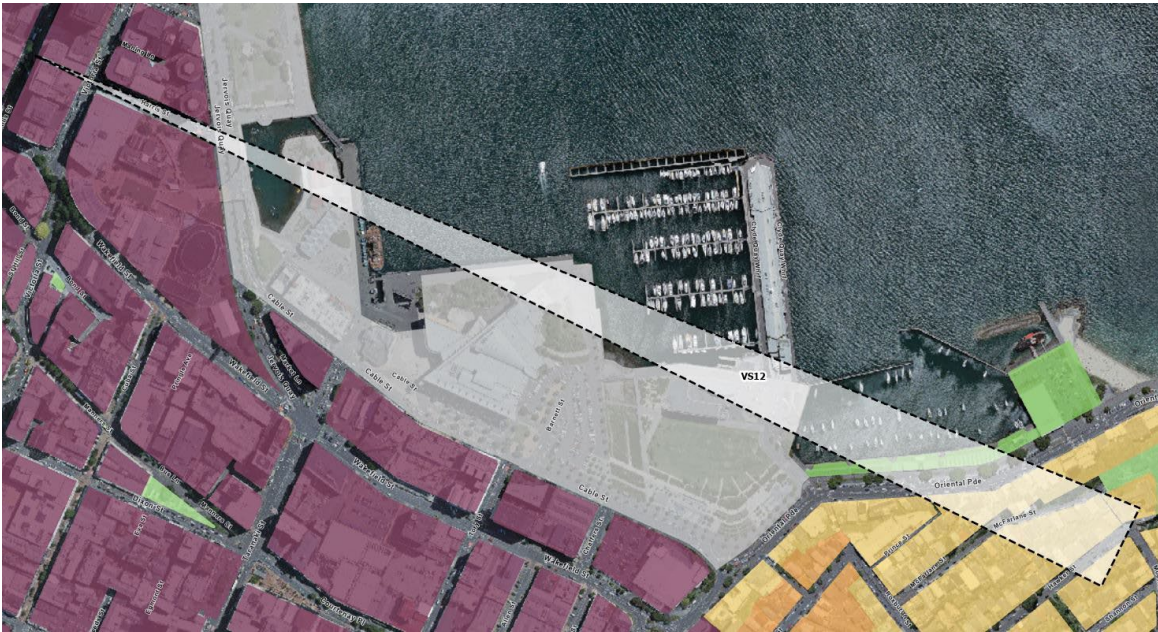


Figure 31: Showing the extension of Viewshaft Overlay mapping to St Gerard's Monastery for PDP-VS12 to align with SCHED5.

- xiii. Correct PDP-VS13 to widen the left margin to include the rocks to the north of Mokopuna Island and the right margin to include the rocks to the south of Matiu Somes Island (as per the description in SCHED5), see Figure 32.



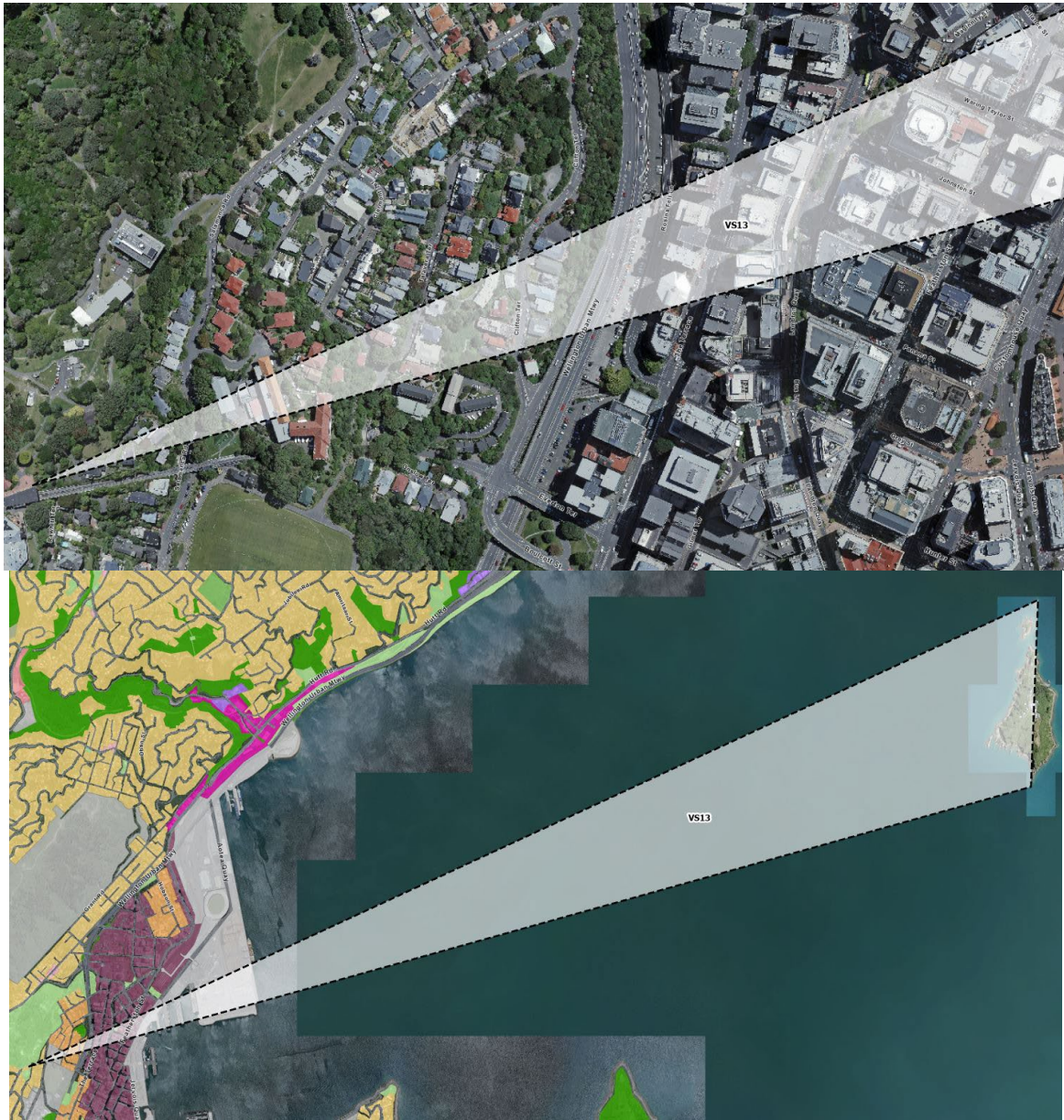


Figure 32: Showing the amended left and right margins of PDP-VS13 to align with SCHED5.

- xiv. Amend PDP-VS14 as follows:
- Correct PDP-VS14 to widen the left margin to intersect with the Point Jerningham lighthouse (as per the description in SCHED5), see Figure 33.
 - Correct the mapped extent of PDP-VS14, namely the right margin to align with SCHED 5 – Viewshafts (see Figure 33).
 - Amend the mapped extent of PDP-VS14 to draw it back to the north road edge of Oriental Parade and across to Point Jerningham Lighthouse (see Figure 33).



Figure 33: Showing the amended left and right margins and retraction of PDP-VS14 to align with SCHED5 and decisions made in paragraph 163 of this report.

- xv. Correct PDP-VS15 to narrow the right margin to intersect with the south-west corner of 2 Oriental Terrace (as per the description in SCHED5), see Figure 34.

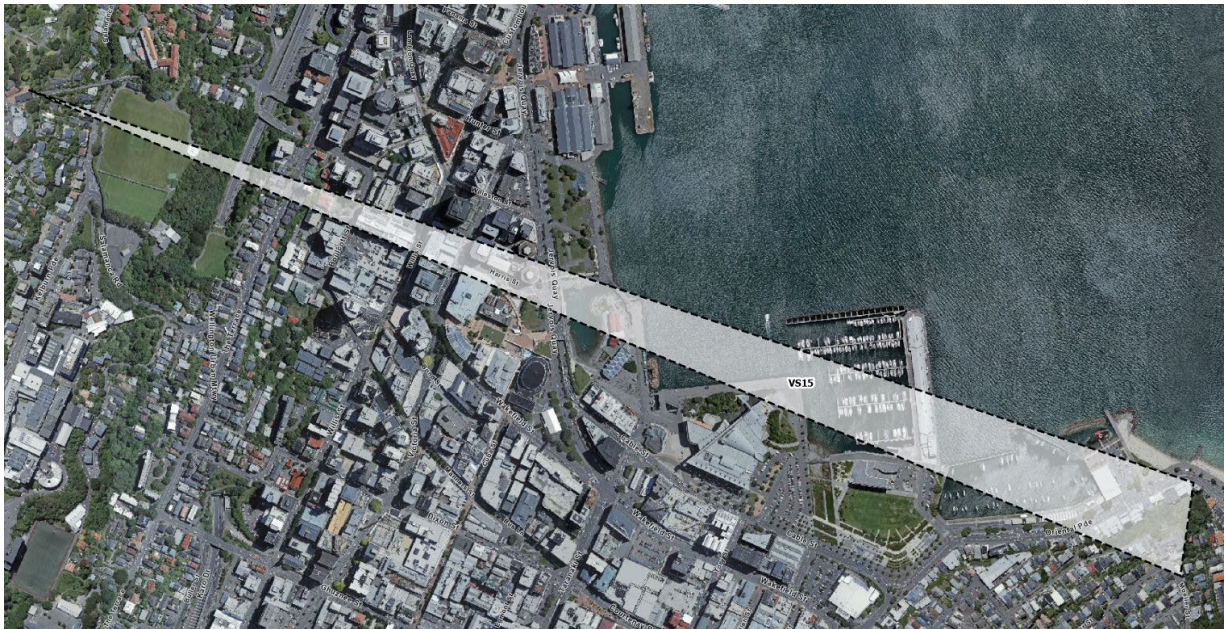




Figure 34: Showing the amended right margin and extent of PDP-VS15 to align with SCHED5.

xvi. Amend PDP-VS18 as follows:

- Amend description of PDP-VS18 location as follows:

Televiewer, to the Viewing platform to the north of the Cable Car station, popular because of its accessibility from Wellington’s business district via the Cable Car and its panoramic views

Height of ground: 120.7m

Eye level: 1.5m

Viewpoint: 122.2m above mean sea level

- Amend focal elements as follows:

St Gerard’s Monastery, Point Jerningham and Point Halswell, Matiu Somes Island and distant hills

- Amend continuum elements as follows:

Distant hills (Remutaka and Orongorongo Ranges), Eastbourne harbour edge, Mt Victoria, ~~and~~ the Town Belt and Oriental Bay

201. The recommended amendments are set out in **Appendix A**.

7.0 Conclusion

202. Submissions have been received in support of, and in opposition to the Viewshaft Chapter and Schedule 5 – Viewshafts of the PDP addressed in this S42a report.

203. Having considered all the submissions and reviewed all relevant statutory and non-statutory documents, I recommend that the plan should be amended as set out in Appendix A of this report.

204. For the reasons set out in the Section 32AA evaluation included throughout this report, I consider that the proposed objectives and provisions, with the recommended amendments, will be the most appropriate means to:

- a. Achieve the purpose of the Resource Management Act 1991 where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed objectives, and
- b. Achieve the relevant objectives of the plan, in respect to the proposed provisions.

8.0 Recommendations

205. I recommend that:

- a. The District Plan is amended in accordance with the changes recommended in Appendix A of this report; and
- b. The Independent Hearing Panel accept, accept in part, or reject submissions (and associated further submissions) as outlined in Appendix B of this report.

9.0 Collated recommendations

HS3-VIEW-Rec1: No amendments are recommended in response to submission points on the retention of the Viewshaft Chapter.

HS3-VIEW-Rec2: That General submission points on Viewshaft Chapter are accepted as detailed in Appendix B.

HS3-VIEW-Rec3: That submission points relating to the introduction to the Viewshaft chapter are accepted/rejected as detailed in Appendix B.

HS3-VIEW-Rec4: That the Viewshaft Chapter Introduction be amended as follows:

Introduction

The purpose of the Viewshafts Overlay (viewshafts) is to identify and maintain significant views within Wellington City that contribute to its sense of place and identity. To achieve this purpose the Viewshaft Overlay identifies a number of viewshafts that identify where built development is restricted to ensure that the views (i.e. 'focal' elements at the end of the viewshaft and 'context' elements that surround the focal elements) are not compromised by future development.

All of the views covered by the mapped extent of the Viewshaft Overlay are identified in Schedule 5. These views have local significance, providing provide a means of orientating oneself in the City and provide visual relief from the monotony of continuous built form. Many elements protected by viewshafts are also recognised regionally, nationally or internationally. They are unique to Wellington and offer significant visual amenity to residents and visitors alike.

~~There are 18 identified viewshafts identified that~~ traverse the following zones ~~City Centre and Waterfront Zones:~~

- City Centre Zone
- Special Purpose Waterfront Zone
- High Density Residential Zone
- Medium Density Residential Zone
- Special Purpose Wellington Town Belt Zone
- Special Purpose Tertiary Education Zone
- Open Space Zone.

~~These~~ The views that these viewshafts protect are experienced from a range of positions, some of which may be in a different zone to their intended focal point.

There are three main types of viewshaft identified in the District Plan:

4. Views hafts from the City Centre towards of the harbour, hills, landmarks, and wider setting;
5. Wide-angle elevated views hafts across the harbour from the Cable Car station viewing platform; and
6. Views hafts protecting views of landmark buildings and places within the City Centre.

These views hafts are spatially characterised as either 'contained' views, and 'vista' views and 'panoramic' views. Contained viewshafts are typically those experienced along a

street that is vertically framed by buildings (existing or future **permitted**) located along their edge, terminating at an identified focal point. They are important because they:

4. Recognise the unique relationship between topography and built form;
5. Reinforce the historical connection between the original shoreline and the harbour; and
6. Promote the visual connection between the City Centre and the inner harbour and, in doing so, contribute to wayfinding and an enhanced sense of place by providing continuous views to the inner harbour from the Golden Mile.

Vista **viewshafts** are more expansive than the contained **viewshafts**. They are typically viewed from elevated positions or from areas that allow a wider viewing angle, and complement the contained **viewshafts** experienced at street level. Their key features include:

3. Establishing the relationship of the City Centre with its wider landscape and harbour setting; and
4. Reinforcing the City Centre’s identity and sense of place.

Some **viewshafts** (whether contained or vista **views**) have been identified due to their focus on important landmark buildings or iconic places within the City. These **viewshafts** are significant as they provide an understanding of the City Centre environment, promote its history and assist wayfinding.

The Viewshafts Overlay seeks to protect these identified views to ensure that they are not compromised by future development. Views, **including the identified associated** focal and context elements, that are the subject of this **Viewshaft eOverlay** are identified in Schedule 5.

The rules in this chapter apply to sites across multiple zones where the Viewshaft Overlay applies as identified in Schedule 5 and on the District Plan maps. The purpose of the rule framework is to regulate development that intrudes on the specific parameters of each viewshaft set out in Schedule 5, but not to prevent changes to the views (focal and context elements) themselves. Any such development will be subject to the provisions of the relevant zone based chapter.

HS3-VIEW-Rec5: That submission points relating to Policies VIEW-P2 and VIEW-P3 are accepted as detailed in Appendix B.

HS-VIEW-Rec6: That VIEW-P2 and VIEW-P3 be confirmed as notified.

HS3-VIEW-Rec7: That submission points relating to VIEW-R1 and VIEW-R2 are accepted/rejected as detailed in Appendix B.

HS3-VIEW-Rec8: That VIEW-R1 be amended as follows:

VIEW-R1	Verandahs within viewshafts
<u>City Centre Zone</u>	<p>2. Activity status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> a. Compliance with Standard CCZ-S7 CCZ-S8 is achieved; and b. The verandah does not intrude on into Viewshaft 1 or Viewshaft 4.

<u>City Centre Zone</u>	<p>3. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance with any of the requirements of VIEW-R1.1 cannot be achieved</p> <p>Matters of discretion are:</p> <p>2. The matters in VIEW-P2 and VIEW-P3.</p> <p>Notification status: An application for resource consent under Rule VIEW-R1.2 is precluded from being either publicly or limited notified.</p>
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HS3-VIEW-Rec9: That VIEW-R2 be amended as follows:

VIEW-R2	Construction of new buildings and structures, and alterations and additions to existing buildings, within the extent of the a-Viewshaft Overlay
<u>All Zones</u>	<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance cannot be achieved with VIEW-S1.</p> <p>Matters of discretion are:</p> <p>1. The matters in VIEW-P2.</p>
<u>All Zones</u>	<p>3. Activity status: Discretionary</p> <p>Where:</p> <p>a. Development intrudes into any of the following iconic and landmark viewshafts identified in Schedule 5:</p> <ol style="list-style-type: none"> i. Viewshaft 1 (The Beehive and Parliament Buildings); ii. Viewshaft 2 (The Inner Harbour/Mt Victoria Ridgeline from Parliament Steps); iii. Viewshaft 4 (Whitmore Street); iv. Viewshaft 13 (Viewing platform to the north of the Cable Car Station, focusing on Mātiu Somes Island and Mōkōpuna Island); v. Viewshaft 14 (Viewing platform to the north of the Cable Car station focusing on Point Jerningham and Point Halswell); vi. Viewshaft 15 (Viewing platform to the north of the Cable Car station focusing on St Gerard's Monastery); and vii. Viewshaft 18 (The Panoramic view from the Cable Car).

HS3-VIEW-Rec10: That submission points relating to VIEW-S1 are accepted/rejected as detailed in Appendix B.

HS3-VIEW-Rec11: That VIEW-S1 be retained as notified.

HS3-VIEW-Rec12: No amendments are recommended in response to submissions on the retention of Schedule 5 – Viewshafts.

HS3-VIEW-Rec13: That General submission points on Schedule 5 - Viewshafts are accepted as detailed in Appendix B.

HS3-VIEW-Rec14: That submission points relating to Viewshaft 1 in SCHED5 – Viewshafts be rejected as detailed in Appendix B.

HS3-VIEW-Rec15: That Viewshaft 1 in SCHED5 – Viewshafts be confirmed as notified.

HS3-VIEW-Rec16: That submission points relating to reinstating ODP-VS21 are accepted in part/rejected as detailed in Appendix B.

HS3-VIEW-Rec17: That SCHED5 – Viewshafts be amended to include an additional viewshaft from the rear end (south eastern) of the Tomb of the Unknown Warrior with a base height set above the Century City Hotel at the CCZ at maximum building height of 42.5m measured from the ground level at the Century City Hotel site. The amended viewshaft is expected to have roughly the same left and right margins as the ODP-VS21 with the focal element being the skyline of the Western Hills as approximately shown below in Figure 17. A further assessment is needed to identify the location point, margins and base detail for this viewshaft for it to then be included in SCHED 5. Figure 18 shows the approximate viewing location for the new viewshaft behind the Tomb of the Unknown Warrior.

HS3-VIEW-Rec18: That submission points relating to Viewshaft 1 in SCHED5 – Viewshafts are accepted in part as detailed in Appendix B.

HS3-VIEW-Rec19: That the description in Viewshaft 1 in SCHED5 – Viewshafts be amended as follows:

VS1 The Beehive

A view of the Beehive [against the backdrop of Te Ahumairangi Hill](#) from a major thoroughfare for commuters. This is one of two significant viewshafts (the other being VS4) which, when combined, promote the image of Wellington as a capital city in views from key points within the northern end of the City Centre Zone.

The Beehive and Parliament Buildings are two 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.

HS3-VIEW-Rec20: That submission points relating to Viewshaft 3 in SCHED5 – Viewshafts are rejected as detailed in Appendix B.

HS3-VIEW-Rec21: That Viewshaft 3 in SCHED5 – Viewshafts be confirmed as notified.

HS3-VIEW-Rec22: That submission points relating to Viewshaft 4 in SCHED5 – Viewshafts are rejected as detailed in Appendix B.

HS3-VIEW-Rec23: That Viewshaft 4 in SCHED5 – Viewshafts be confirmed as notified.

HS3-VIEW-Rec24: That submission points relating to Viewshaft 8 in SCHED5 – Viewshafts are accepted as detailed in Appendix B.

HS3-VIEW-Rec25: That Viewshaft 8 in SCHED5 – Viewshafts be amended as per Figures 19 and 20, including amending the end point to align with the frame shown in the correlating image in SCHED5 for PDP-VS8, to extend to the northern road edge of Oriental Parade:



Figure 19: The proposed mapping overlay amendment to PDP Viewshaft 8.

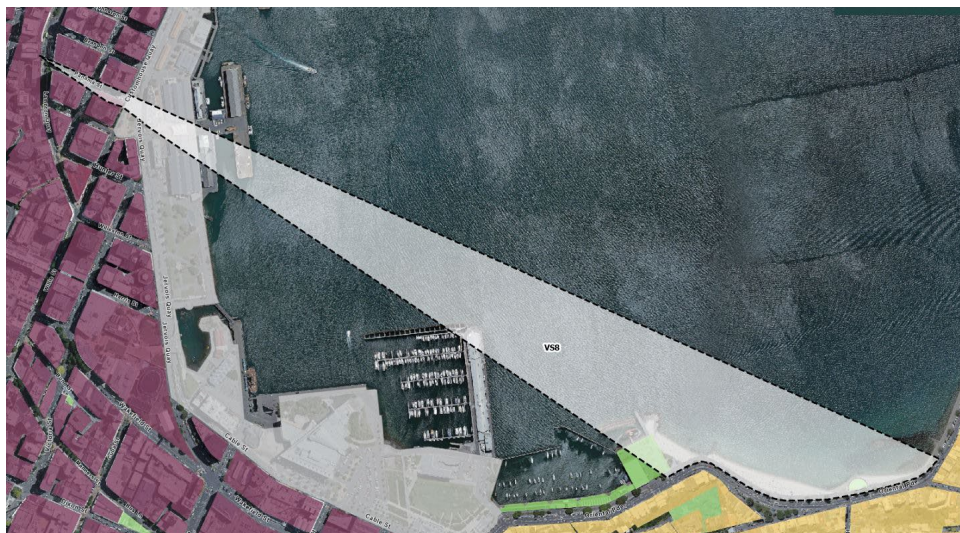


Figure 20: Full view of the proposed amendment to PDP Viewshaft 8.

HS3-VIEW-Rec26: That submission points relating to Viewshaft 9 in SCHED5 – Viewshafts are rejected as detailed in Appendix B.

HS3-VIEW-Rec27: That Viewshaft 9 in SCHED5 – Viewshafts be confirmed as notified, subject to changes identified and addressed in section 7.0 - ‘Minor and Inconsequential Technical Amendments’ of this report.

HS3-VIEW-Rec28: That submission point relating to Viewshaft 14 in SCHED5 – Viewshafts is accepted as detailed in Appendix B.

HS3-VIEW-Rec29: That the Viewshaft Overlay mapping is amended for PDP-VS14 as per Figure 22:



Figure 22: Showing the changes to extent of PDP-VS14 back to Oriental Parade.

HS3-VIEW-Rec30: No changes are proposed to SCHED5 – Viewshafts as a result of submissions relating to potential new viewshafts.

HS3-VIEW-Rec31: That submission points relating to additions to SCHED5 – Viewshafts are rejected as detailed in Appendix B.

HS3-VIEW-Rec32: Minor and inconsequential amendments relevant to this report will be corrected as set out in section 6.0 and Appendix A.

Appendices

Appendix A: Recommended Amendments to the Viewshaft Chapter and Schedule 5 - Viewshaft

Where I recommend changes in response to submissions, these are shown as follows:

- Text recommended to be added to the PDP is underlined.
- Text recommended to be deleted from the PDP is ~~struck through~~.

Appendix B: Recommended Responses to Submissions and Further Submissions on Viewshaft Chapter and Schedule 5 - Viewshafts

The recommended responses to the submissions made on this topic are presented in Table 1 below.

Table 1: Recommended responses to submissions and further submissions

Appendix C: Viewshafts Issue and Options Report

Appendix D: Jane Black Viewshaft Assessment

**Appendix E: Planning for Growth District Plan Review Central
Area Monitoring Report 2019**

**Appendix F: ODP-VS21 and Alternative Viewshaft Modelling
2023**