

# Section 32 Evaluation Report

## Part 2: Viewshafts

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## Table of acronyms

<b>Abbreviation</b>	<b>Full term</b>
<b>NES</b>	National Environmental Standards
<b>NPS</b>	National Policy Statements
<b>NPS-UD</b>	National Policy Statement for Urban Development
<b>NPS-UD</b>	National Policy Statement for Urban Development 2020
<b>ODP</b>	Operative District Plan
<b>PDP</b>	Proposed District Plan
<b>PNRP</b>	Proposed Natural Resources Plan
<b>RMA</b>	Resource Management Act
<b>RPS</b>	Regional Policy Statement for the Wellington Region 2013
<b>VIEW</b>	Viewshafts
<b>WCC</b>	Wellington City Council

## 1.0 Overview and Purpose

### 1.1 Introduction to the resource management issue/s

This section 32 evaluation report is focussed on the Viewshafts (VIEW) chapter and more particularly the Viewshafts Overlay. The primary purpose of the overlay is to identify and maintain significant views within Wellington City that contribute to its sense of place and identity.

To achieve this outcome, 23 spatially defined views traversing the City Centre and Waterfront Zones are covered by the overlay, with these typically comprising one of the following:

- Views from the City Centre of the harbour, hills, landmarks, and wider setting
- Wide-angle elevated views across the harbour from the Cable Car station viewing platform
- Views of landmark buildings and places within the City Centre

The overlay have a targeted set of provisions to ensure these identified views are not compromised by future development.

## 2.0 Reference to other evaluation reports

This report should also be read in conjunction with the following evaluation reports:

Report	Relationship to this topic
<i>City Centre Zone</i>	Contains provisions to manage the location, bulk and scale of new buildings and structures, or additions and alterations to existing buildings and structures within the zone.
<i>Waterfront Zone</i>	Contains provisions to manage the location, bulk and scale of new buildings and structures, or additions and alterations to existing buildings and structures within the zone.

## 3.0 Strategic Direction

The following objective in the Strategic Direction chapter of the Proposed District Plan (PDP) is relevant to this issue/topic are:

CC-02	<i>Capital City</i>
Wellington City is a well-functioning Capital City where:  6. Values and characteristics that are an important part of the City's identity and sense of place are identified and protected.	

## 4.0 Regulatory and policy direction

In carrying out a s32 analysis, an evaluation is required of how the proposal achieves the purpose and principles contained in Part 2 of the RMA.

Section 5 sets out the purpose of the RMA, which is to promote the sustainable management of natural and physical resources.

Sustainable management ‘means managing the use, development, and protection of natural and physical resources to enable people and communities to provide for their social, economic and cultural wellbeing and for their health and safety, while -

- (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
- (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
- (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment’.

In achieving this purpose, all persons exercising functions and powers under the RMA also need to:

- Recognise and provide for the matters of national importance identified in s6
- Have particular regard to the range of other matters referred to in s7
- Take into account the principles of the Treaty of Waitangi/Te Tiriti o Waitangi in s8.

#### 4.1 Section 6

There are no s6 matters directly related to this topic.

#### 4.2 Section 7

The s7 matters that are relevant to this topic are:

Section	Relevant Matter
Section 7(c)	<p><i>The maintenance and enhancement of amenity values</i></p> <p>Relates to a recognition that these views largely focus on natural features and iconic landmarks that have amenity and aesthetic value enjoyed and appreciated by residents of the city and visitors alike, and that these could potentially be adversely affected by inappropriate development</p>
Section 7(f)	<p><i>Maintenance and enhancement of the quality of the environment</i></p> <p>Relates to a general recognition of the role that significant views play in enhancing urban experience and quality of the environment in the City Centre and Waterfront Zones, and that this can be potentially compromised by inappropriate development</p>

#### 4.3 Section 8

Section 8 requires that in managing the use, development, and protection of natural and physical resources the principles of the Treaty of Waitangi are taken into account. In developing the ‘VIEW’ provisions the Council has worked in partnership with Taranaki Whānui ki te Upoko o te Ika and Ngāti Toa Rangatira to actively protect their relevant interests.

#### 4.4 National Direction

##### 4.4.1 National Policy Statements

There are five National Policy Statements (NPS) currently in force:

- NPS for Electricity Transmission 2008
- New Zealand Coastal Policy Statement 2010
- NPS for Renewable Electricity Generation 2011
- NPS for Freshwater Management 2020
- NPS on Urban Development 2020

The instrument of particular relevance to this topic is outlined below:

NPS	Relevant Provisions
<p><i>NPS for Urban Development 2020 (NPS-UD)</i></p>	<p>The NPS-UD came into force on 20 August 2020 and sets out objectives and policies to ensure that New Zealand’s towns and cities are well-functioning urban environments that meet the changing needs of our diverse communities. It also removes overly restrictive barriers to development to allow growth ‘up’ and ‘out’ in locations that have good access to existing services, public transport networks and infrastructure.</p> <p>Policy 3 directs, amongst other matters, that Tier 1 local authorities such as Wellington City Council ‘enable in city centre zones, building heights and density of urban form to realise as much development capacity as possible, to maximise benefits of intensification’. However, there is the ability for this to be modified under Policy 4 to the extent necessary to accommodate a ‘qualifying matter’ that satisfies the requirements specified in subpart 6.<sup>1</sup></p>

#### 4.4.2 Proposed National Policy Statements

In addition to the five NPSs currently in force there are also two proposed NPSs under development, noting that these are yet to be issued and have no legal effect:

- Proposed NPS for Highly Productive Land
- Proposed NPS for Indigenous Biodiversity

#### 4.4.3 National Environmental Standards

In addition to the NPSs there are nine National Environmental Standards (NES) currently in force:

- NES for Air Quality 2004
- NES for Sources of Human Drinking Water 2007
- NES for Electricity Transmission Activities 2009
- NES for Assessing and Managing Contaminants in Soil to Protect Human Health 2011
- NES for Telecommunication Facilities 2016
- NES for Plantation Forestry 2017
- NES for Freshwater 2020
- NES for Marine Aquaculture 2020
- NES for Storing Tyres Outdoors 2021

There are no NESs of direct relevance to this topic.

#### 4.4.4 National Planning Standards

Part 12 – District Spatial Layers Standard of the National Planning Standards provide for a range of spatial layer options to be applied in district plan, including the following of

<sup>1</sup> Refer, in particular, to clauses 3.32(h) and 3.33 of the NPS-UD; also refer to s6.6.2 – Qualifying Matters in the companion guidance, Understanding and Implementing Intensification Provisions for the NPS-UD, prepared by the Ministry for the Environment

relevance to this topic that has been used to manage important views within the city in the PDP :

Spatial Layer	Description
<i>Overlays</i>	An overlay spatially identifies distinctive values, risks or other factors which require management in a different manner from underlying zone provisions.

#### 4.5 National Guidance Documents

The following national guidance is considered relevant to this topic:

Document	Relevant provisions
<i>Urban Design Protocol 2005</i>	<p>The Urban Design Protocol identifies seven essential design qualities that collectively contribute towards achieving quality urban design:</p> <ul style="list-style-type: none"> <li>• Context – seeing buildings, places and spaces as part of whole towns and cities.</li> <li>• Character – reflecting and enhancing the distinctive character, heritage and identity of our urban environment.</li> <li>• Choice – ensuring diversity and choice for people.</li> <li>• Connections – enhancing how different networks link together for people.</li> <li>• Creativity – encouraging innovative and imaginative solutions.</li> <li>• Custodianship – ensuring design is environmentally sustainable, safe and healthy.</li> <li>• Collaboration – communicating and sharing knowledge across sectors, professions and with communities.</li> </ul> <p>Of particular relevance is the quality of ‘character’ and it’s reference to distinctive character. As viewshafts are views that are very distinctive and provide a strong sense of identity and locality it is important that buildings, places and spaces are designed to enhance rather than obstruct key views.</p>

#### 4.6 Regional Policy and Plans

##### Regional Policy Statement for the Wellington Region 2013 (RPS)

The table below identifies objectives and policies in the RPS of particular relevance to the VIEW chapter.

3.9 Regional form, design and function	
Section	Relevant matters
Objective 22	<p>A compact well designed and sustainable regional form that has an integrated, safe and responsive transport network and:</p> <p>(a) a viable and vibrant regional central business district in Wellington city</p>

Policy 30 (M)	Maintaining and enhancing the viability and vibrancy of regionally significant centres – district plans  District plans shall include policies, rules and/or methods that enable and manage a range of land use activities that maintain and enhance the viability and vibrancy of the regional central business district in Wellington city.
Policy 54 (R)	Achieving the region's urban design principles – consideration  When considering an application for a notice of requirement, or a change, variation or review of a district or regional plan, for development, particular regard shall be given to achieving the region's urban design principles, including context and character.

*M = policies which must be implemented in accordance with stated methods in the RPS  
R = policies to which particular regard must be had when varying a district plan*

## Regional Plans

There are currently five operative regional plans and one proposed regional plan for the Wellington region:

- Regional Freshwater Plan for the Wellington Region, 1999
- Regional Coastal Plan for the Wellington Region, 2000
- Regional Air Quality Management Plan for the Wellington Region, 2000
- Regional Soil Plan for the Wellington Region, 2000
- Regional Plan for discharges to the land, 1999
- Proposed Natural Resources Plan, appeals version 2021

The proposed Natural Resources Plan (PNRP) replaces the five operative regional plans, with provisions in this plan now largely operative with the exception of those that are subject to appeal.

There are no objectives and policies of particular relevance to the VIEW chapter in the PNRP.

### 4.7 Iwi Management Plan(s)

There are no Iwi Management Plans relevant to this topic.

### 4.8 Relevant plans or strategies

The following plans / strategies are relevant to this topic:

Plan / Strategy	Organisation	Relevant Provisions
<a href="#">Our City Tomorrow – He Mahere Mokowā mo Pōneke - A Spatial Plan for Wellington City 2021</a>	Wellington City Council	The key aim of the Spatial Plan is to provide a clear direction for the city that supports and enables managed growth to meet projected demand. To accommodate anticipated growth in the central city a range of area-wide initiatives are proposed including increases in building height, supplemented by supporting controls to maintain viewshafts and sunlight access in specified areas.

<p><i>Central City Spatial Vision 2020</i></p>	<p>Wellington City Council</p>	<p>The Spatial Vision identifies 5 underlying spatial directions for the central city:</p> <ul style="list-style-type: none"> <li>• Neighbourhoods</li> <li>• Connectors</li> <li>• Greening</li> <li>• Anchors</li> <li>• Areas of Change</li> </ul> <p>Under the neighbourhoods direction neighbourhood units are proposed to be identified based on such features as topography, orientation to harbour and hills and valued character, supported by site-responsive development that reflects quality design outcomes.</p>
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#### 4.9 Other relevant legislation or regulations

There is no other legislation or regulations relevant to this topic.

### 5.0 Resource Management Issues Analysis

#### 5.1 Background

The Operative District Plan (ODP) was approved in July 2000. It contained 27 identified viewshafts and one panoramic view. This was reduced to 23 as a result of a review and further update, deletion and/or amalgamation of the viewshafts and associated provisions as part of District Plan Change 48 (Central Area Review).<sup>2</sup>

In 2016 an internal review of the viewshafts was undertaken, prompted by the need to clarify aspects of certain viewshafts such as inconsistencies with viewshaft descriptions, relevance of viewpoints, and incorrect property references. This was subsequently followed by a more thorough staff assessment in 2017.<sup>3</sup>

Although the 2017 assessment confirmed the adequacy of half the viewshafts, it concluded that:

- Eight viewshaft descriptions required minor adjustment, with subsequent amendments to Appendix 11: Central Area Viewshafts implemented under Clause 20A, Schedule 1 of the RMA (minor amendments)
- A further four viewshafts required more detailed review and assessment due to more significant issues identified

Additionally, the assessment noted that since the last full viewshaft review around 2005-2006, aspects such as site conditions had changed, and concluded that an update of existing viewshafts to align with current conditions could be useful for monitoring purposes, and to ensure they were effectively defined and protected.

To help inform the future review the assessment also suggested the following:

- Clarify 'viewshaft' terminology, including suggested use of the the alternative term 'view corridors'
- Relocate and establish viewpoints from public spaces (where they are presently on private land)

<sup>2</sup> This was made operative in October 2013

<sup>3</sup> Refer WCC Viewshaft Assessment (2017), Staff Assessment of Appendix 11: Central Area Viewshafts

- Consider a better way to establish and define viewpoint location
- Establish clearly defined assessment criteria for resource consents

## 5.2 Evidence Base - Research, Consultation, Information and Analysis undertaken

The Council has reviewed the ODP, commissioned technical advice and assistance from internal and external experts, and utilised this, along with internal workshops and community feedback to assist with setting the plan framework. This work has been used to inform the identification and assessment of the environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions. Key advice includes the following:

Title	Author	Brief synopsis
<i>Viewshaft Assessment – Staff Assessment of Appendix 11: Central Area Viewshafts (2017)</i>	WCC	The report provides a staff assessment of the viewshaft provisions and appendices in Chapters 12 and 13 of the ODP, the objective of which was to serve as a basis to inform the quality of protected viewshafts and implementation of relevant provisions post District Plan Change 48 - Central Area Review.
<i>Wellington District Plan Central Area Viewshafts Assessment and Review – Urban Design (Pt.1) and Planning (Pt.2) Reports (2020)</i>	Urban Perspectives Ltd	<p>The report provides an independent expert review of the conclusions reached in the 2017 Staff Assessment for each viewshaft. In addition it also:</p> <ul style="list-style-type: none"> <li>• Identifies any changes relating to the viewshafts that have occurred in the period since the 2017 assessment</li> <li>• Assesses the value/contribution of each viewshaft to the city in its current state</li> <li>• Assesses the risks of removing individual viewshafts from the District Plan</li> <li>• Makes recommendations for any amendments to the current viewshaft provisions</li> <li>• Provides an urban design and planning evaluation concerning the operation of the current District Plan viewshaft provisions</li> </ul> <p>The Part 2 report also includes the results of a practitioner survey focused on the effectiveness of the ODP provisions and their implementation, along with a review of relevant resource consent decision reports and caselaw.</p>
<i>Preliminary Viewshaft Assessment (2022)</i>	People + Places	<p>The report provides an initial evaluation of three potential additional viewshafts for inclusion in the PDP:</p> <ul style="list-style-type: none"> <li>• The view from the Mt Victoria Tunnel towards Brooklyn</li> <li>• The view from the Victoria University Kelburn Campus back towards the City and surrounding hills</li> <li>• Views of Old St Pauls and environs from the surrounding area and potentially further away if relevant</li> </ul>

<p><i>Assessment of Views for Possible New Viewshafts in the District Plan (2022)</i></p>	<p>Isthmus Group Ltd</p>	<p>The report provides a further evaluation of:</p> <ul style="list-style-type: none"> <li>• Views from the Mt Victoria Tunnel looking towards Kelburn (in particular the Victoria University Kelburn campus)</li> <li>• Views towards the Carillion, including views from Tory Street and the Mt Victoria tunnel</li> </ul>
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*5.2.1 Analysis of Operative District Plan provisions relevant to this topic*

Viewshaft related provisions are currently contained in the Central Area chapter of the ODP, with all of these being of a generic nature with the exception of a specific policy relating to the panoramic view from the Cable Car viewing point and two specific standards centred on view protection. These provisions are further highlighted below.

<b>Topic</b>	<b>Summary of relevant provisions</b>
<p>Viewshafts</p>	<p>The Central Area chapter has 4 generic objectives indirectly relevant to the topic that seek to:</p> <ul style="list-style-type: none"> <li>• Recognise and enhance characteristics, features and areas of the Central Area that contribute positively to the City’s distinctive physical character and sense of place</li> <li>• Encourage the development of new buildings within the Central Area provided any potential adverse effects can be avoided, remedied or mitigated</li> <li>• Ensure new building works maintain and enhance the amenity and safety of the public environment in the Central Area, and the general amenity of any nearby Residential Areas</li> <li>• Ensure that development of the Lambton Harbour Area, and its connections with the remainder of the city’s Central Area, maintains and enhances the unique and special components and elements that make up the waterfront</li> </ul> <p>These objectives are implemented by 4 generic and 1 specific supporting policies that seek to:</p> <ul style="list-style-type: none"> <li>• Promote a strong sense of place and identity within different parts of the Central Area</li> <li>• Manage building mass to ensure that the adverse effects of new building work are able to be avoided, remedied or mitigated on site</li> <li>• Protect, and where possible enhance, identified public view of the harbour, hills and townscape features from within and around the Central Area</li> <li>• Provide for new development which adds to the waterfront character and quality of design within the area and acknowledges relationships between the city and the sea</li> <li>• Protect the panoramic view from the public viewing point at the top of the Cable Car</li> </ul> <p>Associated building and structure standards include:</p> <ul style="list-style-type: none"> <li>• A control on the intrusion of buildings or structures into any of the viewshafts contained in Appendix 11 – Central Area Viewshafts</li> <li>• Exemptions for any building or structure within the coastal marine area, land within the ‘Operational Port Area’ and specified supporting operational port structures/equipment (e.g. cranes, lighting poles)</li> </ul>

Topic	Summary of relevant provisions
	These provisions are supplemented by an appendix (Appendix 11 – Central Area Viewshafts) that identifies and describes a range of viewshafts to which they apply.

### 5.2.2 Analysis of other District Plan provisions relevant to this topic

Current practice has been considered in respect of this topic, with a review undertaken of the following District Plans.

Plan	Local Authority	Description of approach
Proposed New Plymouth District Plan	New Plymouth District Council	<ul style="list-style-type: none"> <li>• An objective that is focussed on recognising and maintaining viewshafts from public places to significant natural features and landmarks</li> <li>• Three key policies that seek to: <ul style="list-style-type: none"> <li>○ Identify, schedule and map important viewshafts from public places to significant natural features and landmarks</li> <li>○ Maintain their visual amenity by controlling the height of structures within them</li> <li>○ Ensure that any structure that exceeds permitted height limits within a viewshaft is appropriately located and does not create adverse visual effects</li> </ul> </li> <li>• Rules controlling the maximum height of building activities on sites within identified viewshafts, supporting effects standards, and associated matters of discretion relating to any infringements</li> <li>• A dedicated schedule of identified viewshafts</li> </ul>
Auckland Unitary Plan	Auckland Council	<ul style="list-style-type: none"> <li>• Two objectives that are focussed on protecting regionally significant views to Auckland's volcanic cones and managing locally significant views to maintain and enhance the visual character, identity and form of the maunga in the views</li> <li>• Two policies that seek to: <ul style="list-style-type: none"> <li>○ Protect the the visual character, identity and form of regionally significant volcanic cones, together with local views, by imposing height limits that prevent future encroachment into these views</li> <li>○ Avoid new buildings or structures that intrude into scheduled volcanic viewshafts</li> </ul> </li> <li>• Rules controlling maximum height within volcanic viewshafts, viewshaft intrusions and associated matters of discretion and assessment criteria relating to any infringements</li> </ul>

Plan	Local Authority	Description of approach
		<ul style="list-style-type: none"> <li>• A dedicated schedule of identified viewshafts and associated viewshaft landscape value assessment contained in a separate appendix</li> </ul>
Tauranga City Plan	Tauranga City Council	<ul style="list-style-type: none"> <li>• Two objectives that are focussed on identifying and protecting views to and from marae in the city and Mount Maunganui</li> <li>• A policy that seeks to ensure that buildings and structures do not obstruct or impede identified views of the Mount beyond the building height provided for under the Plan</li> <li>• A rule controlling maximum height in, and intrusions into, the Viewshaft Protection Area and associated matters of discretion relating to any infringements</li> <li>• A dedicated schedule of identified viewshafts and associated viewshaft landscape value assessment contained in a separate appendix</li> </ul>

These plans were selected because:

- They have been subject to recent plan reviews that have addressed similar issues relating to this topic; and
- The associated Councils have confronted similar issues relating to this topic.

### *5.2.3 Advice received from Taranaki Whānui and Ngāti Toa Rangatira*

Under Clause 4A of Schedule 1 of the RMA local authorities are required to:

- Provide a copy of any draft policy statement or plan to any iwi authority previously consulted under clause 3 of Schedule 1 prior to notification;
- Allow adequate time and opportunity for those iwi authorities to consider the draft and to supply advice; and
- Have particular regard to any advice received before notifying the plan.

As an extension of this s32(4A) requires evaluation reports prepared in relation to a proposed plan to include a summary of:

- All advice received from iwi authorities concerning the proposal; and
- The response to that advice, including any proposed provisions intended to give effect to the advice.

### *General advice received from Iwi*

The District Plan Review has included significant engagement with our mana whenua partners - Taranaki Whānui ki te Upoko o te Ika and Ngāti Toa Rangatira. This has included over 100 hui and wānanga attended by Council officers over the last 12 months. This has provided a much greater understanding of mana whenua values and aspirations as they relate to the PDP.

The PDP elevates the consideration of mana whenua values in resource management processes, including:

- A new Tangata Whenua chapter which provides context and clarity about who mana whenua are and what environmental outcomes they are seeking.
- A new Sites and Areas of Significance to Māori chapter that provides greater protection for sites and areas of significance than the current District Plan.
- Integrating mana whenua values across the remainder of the plan where relevant.

This is consistent with both the City Goal of ‘Partnership with mana whenua’ in the Spatial Plan; and the recently signed Tākai Here (2022), which is the new partnership agreement between the Council and our mana whenua partners, Rūnanga o Toa Rangatira, Taranaki Whānui ki Te Upoko o Te Ika and Te Rūnanganui o Te Āti Awa.

A full copy of the advice received is attached as an addendum to the complete suite of Section 32 reports as Addendum A – Advice received from Taranaki Whānui and Ngāti Toa Rangatira.

The Draft District Plan versions of the residential chapters were reviewed by mana whenua.

#### *Specific advice received from Iwi*

The following is a summary of the advice received from Taranaki Whānui and Ngāti Toa Rangatira specific to the proposed provisions evaluated within this report:

Topic	Advice Received	Response
Views to culturally significant sites and areas	<ul style="list-style-type: none"> <li>• Taranaki Whānui and Ngāti Toa Rangatira recounted having unfortunate experiences with the viewshafts and their implementation and queried how views to their maunga from certain culturally significant sites and areas could be protected</li> <li>• The inclusion of some associated policies that would support manawhenua were requested like, for example:  <i>Ensure that any structure that exceeds permitted height limits within a viewshaft is appropriately located and does not result in adverse visual effects on the viewshaft, regarding:</i> <ul style="list-style-type: none"> <li>(a) <i>values, interests, or associations of mana whenua; and</i></li> <li>(b) <i>the outcomes of any consultation with Mana Whenua.</i></li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Further targeted work is required to specifically identify and map significant views of interest to manawhenua</li> <li>• Manawhenua interests, to the extent relevant, are served by the suite of viewshaft specific objectives and policies contained in the VIEW chapter and associated Schedule 5 – Viewshafts of the PDP</li> </ul>

#### 5.2.4 Consultation undertaken to date

The following is a summary of the primary consultation undertaken in respect of this topic:

Who	What	When	Relevant Issues Raised
WCC Resource Consent and Urban Design team members + WCC consultants	Viewshafts Issues and Options Survey		<ul style="list-style-type: none"> <li>• General support for retaining all or at least some of the current viewshafts, subject to confirming their values and relevance, with specific viewshafts also identified as being unsuitable for retention</li> <li>• Assessment of viewshaft intrusions currently based on policy guidance/explanation versus clear assessment criteria attached to a policy or rule</li> <li>• Areas of change/improvement identified included: <ul style="list-style-type: none"> <li>○ Greater clarity regarding the purpose of view protection</li> <li>○ Taking a more targeted/ focussed approach to view protection (i.e. determine whether all the current viewshafts should be retained)</li> <li>○ Resolve the current disconnect between view protection and verandah provision</li> <li>○ Remove viewshafts where the viewpoint location is not readily accessible and/or the focal point has been modified</li> <li>○ Apply a stronger focus on focal elements rather than viewshaft 'edges'/frames</li> </ul> </li> </ul>
WCC Resource Consent and Urban Design team members	Central Area Viewshafts Workshops	August 2020	<ul style="list-style-type: none"> <li>• Greater clarity around what constitutes a 'significant intrusion' into a viewshaft</li> <li>• Maintaining a balance between verandahs and viewshafts as verandah provision typically results in an encroachment</li> <li>• Amalgamation and deletion of a number of existing viewshafts due to excessive duplication or compromised views</li> </ul>
WCC Steering Group	Draft Plan Workshop/Briefing	July 2021	<ul style="list-style-type: none"> <li>• No specific issues raised, with feedback generally supportive of the proposed approach to managing viewshafts</li> </ul>

Who	What	When	Relevant Issues Raised
Councillor Working Group	Draft Plan Workshop/ Briefing	July 2021	<ul style="list-style-type: none"> <li>Feedback generally supportive of the proposed approach to managing viewshafts, but investigation of 3 additional potential viewshafts requested: <ul style="list-style-type: none"> <li>The view from the Mt Victoria Tunnel towards Brooklyn</li> <li>The view from the Victoria University Kelburn Campus back towards the City and surrounding hills</li> <li>Views of Old St Pauls and environs</li> </ul> </li> </ul>
General Public	Public engagement on Draft District Plan, including an associated submissions process and programme of roadshow events	November-December 2021	<ul style="list-style-type: none"> <li>Feedback received largely supportive of the proposed approach to managing viewshafts, subject to some minor wording changes to improve clarity</li> <li>Preservation of viewshafts in the area bounded by Bolton Street, Wesley Road, Aurora Terrace and the urban motorway</li> </ul>

A summary of specific feedback on this topic received during consultation on the Draft District Plan is contained in Appendix 1, including how it has been responded to in the PDP. Additional detail concerning the wider consultation undertaken in preparing the PDP is contained in the companion Section 32 Evaluation Overview Report.

### 5.3 Summary of Relevant Resource Management Issues

Based on the research, analysis and consultation outlined above the following key issues have been identified:

Issue	Comment	Response
Issue 1: Location and structure of viewshaft provisions	<p>Viewshaft provisions are currently contained within the Central Area chapter of the ODP, with a companion schedule and description of identified viewshafts located in Appendix 11.</p> <p>The National Planning Standards now require values-based matters such as viewshafts to be located in a specific topic based plan chapter under 'Part 2 - District-Wide Matters'.</p> <p>This need for greater specificity is further reinforced by the division of the former central area into 4 discrete, functionally defined zones (i.e. City Centre, Waterfront, Port,</p>	<ul style="list-style-type: none"> <li>Include a specific Viewshafts chapter in the PDP, supplemented by a detailed schedule of identified viewshafts</li> <li>Identify scheduled viewshafts as an 'overlay' spatial layer on the relevant planning maps</li> </ul>

	Stadium) and associated precincts (e.g. Te Nakau).	
Issue 2: Clarifying types of viewshafts	Currently the ODP does not distinguish between the different category of view encapsulated in the present list of scheduled viewshafts, <sup>4</sup> with related issues and options work undertaken in preparing the PDP recommending that more information be provided within the plan to differentiate the types of view experienced.	<ul style="list-style-type: none"> <li>Clearly recognise and distinguish in the Viewshafts chapter and associated viewshafts schedule the difference between the following categories of view experienced: <ul style="list-style-type: none"> <li>Contained views</li> <li>Vista views</li> </ul> </li> </ul>
Issue 3: Relevant objectives and policies	<p>With the exception of the public view from viewing point at the top of the Cable Car, the ODP currently lacks clear and specific policy direction relating to the protection of important views in the city centre .</p> <p>The Central Area chapter includes an existing policy to 'protect and where possible enhance' views of the harbour, hills and townscape features from within and around the Central Area'. This wording is generic with no clear reference/link to the viewshafts included in Appendix 11 – Central Area Viewshafts.</p>	<ul style="list-style-type: none"> <li>Include a specific policy framework in the Viewshafts chapter of the PDP comprising: <ul style="list-style-type: none"> <li>Objectives that recognise and maintain views to key city landmarks along with those that contribute to the city's identity, sense of place, and support an understanding of the topography and urban form</li> <li>Supporting policies relating to the identification and maintenance of important views and protection of landmark views</li> </ul> </li> </ul>
Issue 4: Verandah intrusions	<p>Existing rules capture verandah intrusions, with a review of resource consents and survey of practitioners indicating that they have a negligible impact on viewshafts.</p> <p>It is inefficient to require resource consent for every verandah that results in a minor intrusion into a viewshaft, particularly when verandahs are required on many streets in the City Centre under existing and proposed rules.</p>	<ul style="list-style-type: none"> <li>Include an exemption in the PDP for verandah intrusions in the City Centre zone</li> </ul>
Issue 5: Recognition of iconic and landmark views	<p>All viewshafts are treated the same, regardless of the view, with Restricted Discretionary Activity status applying to any intrusions.</p> <p>Assessment work undertaken as part of preparing the PDP<sup>5</sup> indicates that</p>	<ul style="list-style-type: none"> <li>Recognise and protect viewshafts that are iconic, have townscape value and promote Wellington as the capital city by applying a higher resource</li> </ul>

<sup>4</sup> Spatially, these views fall into two categories - 'contained' views and 'vista' views. Contained views generally comprise views that run along street corridors and are vertically framed by buildings (existing or future permitted) at the end of the street. By contrast vista views are more extensive in nature and are typically appreciated from elevated viewpoints or from areas that allow a wider viewing angle.

<sup>5</sup> Refer Urban Perspectives Ltd (2020), Wellington District Plan Central Area Viewshafts Assessment and Review – Urban Design (Pt.1)

	<p>while all viewshafts have value, there are several that have greater public significance as they either:</p> <ul style="list-style-type: none"> <li>• Protect the relationship of the collective urban form to the wider landscape setting at a 'macro level' as experienced from one of the most popular viewing 'platforms' in the city; or</li> <li>• Promote the status of Wellington as New Zealand's capital city and, in this sense, they have significance beyond the city.</li> </ul>	consent threshold (Discretionary) to any intrusion
Issue 6: Some viewshafts have become compromised over time	<p>Currently 27 viewshafts are identified in the ODP.</p> <p>The 2020 assessment of these viewshafts<sup>6</sup> concluded that a small number are either:</p> <ul style="list-style-type: none"> <li>• Compromised by development over time or not readily accessible</li> <li>• At very low risk of being compromised, with continued protection hard to justify.</li> </ul>	<ul style="list-style-type: none"> <li>• Reduce the total number of scheduled viewshafts in the PDP from 27 to 23, with this a result of: <ul style="list-style-type: none"> <li>○ Removing existing viewshafts VS9, VS13 and VS21 due to their accessibility or diminished quality of the view experienced</li> <li>○ Combining viewshafts VS 1 and VS3 (relating to the Beehive) due to similarity in the nature of the view experienced</li> </ul> </li> </ul>

## 6.0 Evaluation of the Proposal

This section of the report evaluates the objectives of the proposal to determine whether they are the most appropriate means to achieve the purpose of the RMA, as well as the associated policies, rules and standards relative to these objectives. It also assesses the level of detail required for the purposes of this evaluation, including the nature and extent to which the benefits and costs of the proposal have been quantified.

### 6.1 Scale and Significance

Section 32(1)(c) of the RMA requires that this report contain a level of detail that corresponds with the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of the proposal.

The level of detail undertaken for this evaluation has been determined by assessing the scale and significance of the environmental, economic, social and cultural effects anticipated through introducing and implementing the proposed provisions (i.e. objectives, policies and rules) relative to a series of key criteria.

Based on this the scale and significance of anticipated effects associated with this proposal are identified below:

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<sup>6</sup> Ibid

Criteria	Scale/Significance			Comment
	Low	Medium	High	
Basis for change		✓		<ul style="list-style-type: none"> <li>The proposal forms part of the full review of the ODP required under the RMA, the purpose of which is to ensure that resource management issues affecting the city are appropriately addressed</li> <li>While the NPS-UD requires WCC to 'enable as much development capacity as possible' within the City Centre Zone the associated intensification enabled also need to be considered within the context of making provision for amenity values (such as important views) that afford wider public benefit</li> </ul>
Addresses a resource management issue	✓			<ul style="list-style-type: none"> <li>The proposal is largely centred on issues relating to maintaining and enhancing the quality and amenity of the city centre, and addresses these by: <ul style="list-style-type: none"> <li>Enabling anticipated levels of intensification while ensuring significant views are retained</li> <li>Protecting views to iconic landmarks and features</li> <li>Recognising the unique relationship between topography and built form</li> </ul> </li> </ul>
Degree of shift from the status quo		✓		<ul style="list-style-type: none"> <li>The proposal represents a moderate departure from the ODP, with the most noticeable change being the introduction of a specific Viewshafts chapter to align with the National Planning Standards, along with the inclusion of targeted provisions</li> <li>The majority of the current viewshafts will continue to be identified, although the overall number has been reduced from 27 to 23 due to two being combined and three deleted</li> </ul>
Who and how many will be affected/ geographical scale of effect/s	✓			<ul style="list-style-type: none"> <li>The geographical scale of effects is primarily limited to the proposed City Centre, Waterfront, Port and Stadium zones</li> </ul>
Degree of impact on or interest from iwi/ Māori	✓			<ul style="list-style-type: none"> <li>Although the identification of specific viewshafts of cultural significance to Taranaki Whānui and Ngāti Toa Rangatira has not occurred as part of preparing the PDP, their interests are more broadly recognised and provided for in the schedule of identified viewshafts</li> </ul>

<b>Criteria</b>	<b>Scale/Significance</b>			<b>Comment</b>
	<b>Low</b>	<b>Medium</b>	<b>High</b>	
Timing and duration of effect/s	✓			<ul style="list-style-type: none"> <li>Although the impact of the proposal will be ongoing from the time it takes effect, the nature of associated effects is likely to be intermittent given the limited number of development proposals historically affected by viewshaft provisions</li> </ul>
Type of effect/s	✓			<ul style="list-style-type: none"> <li>The proposal is solely centred around managing effects relating to the intrusion of buildings and verandahs into specific viewshafts identified in the PDP</li> </ul>
Degree of risk and uncertainty	✓			<ul style="list-style-type: none"> <li>Engagement on the Draft District Plan attracted a relatively small number of submissions (8), with feedback received largely supportive of the proposed approach to managing viewshafts</li> </ul>

Overall, the scale and significance of the proposed provisions are considered to be low for the following reasons:

- They do not materially concern any s6 RMA matters.
- The proposed provisions will assist the Council in achieving its obligations under s7 (c) and (f) of the RMA by managing development that could compromise the amenity/aesthetic values and the quality of urban experience afforded by identified views.
- They have been introduced to comply with the National Planning Standards and to improve their effectiveness relative to the resource management issues identified.
- They will give effect to the RPS by recognising and managing activities that may have an adverse impact on the vibrancy and aesthetic values of the City Centre zone.
- They provide clear direction on the outcomes sought in relation to managing and protecting identified viewshafts and therefore greater certainty to landowners, developers, and plan users.
- They present a low level risk due to their limited geographic scale and application to a similar range of viewshafts to those currently identified in the ODP.

Consequently, a high level evaluation of these provisions has been identified as appropriate for the purposes of this report.

## 6.2 Quantification of Benefits and Costs

Section 32(2)(b) requires that, where practicable, the benefits and costs of a proposal are to be quantified.

Based on the assessment of the scale and significance of the proposed provisions in section 6.1, specific quantification of the benefits and costs in this report is considered neither necessary, beneficial nor practicable in relation to this topic. Instead, this report identifies more generally where any additional costs or cost may lie.

## 7.0 Overview of Proposal

The proposed provisions relevant to this topic are set out in detail in the ePlan and should be referenced in conjunction with this evaluation report.

In summary, the proposed provisions include:

- Two objectives directed towards recognising and maintaining views:
  - That contribute to the city's identity and sense of place, and that support an understanding of its topography and urban form
  - From public places to key landmarks
- Three policies that seek to:
  - Identify and maintain important city views
  - Restrict development that could affect these views
  - Avoid intrusions into identified iconic and landmark views
- A rule framework that manages building and structure activities as follows:
  - Building and structure activities
    - Permits the projection of verandahs within identified views in Schedule 5 - Viewshafts subject to compliance with specified effects standards
    - Restricts the construction, alteration or addition of buildings and structures within identified views in Schedule 5 - Viewshafts
- A complementary effects standard that restricts the intrusion of buildings or structures into any view identified in Schedule 5 – Viewshafts
- An accompanying schedule (Schedule 5 – Viewshafts) that identifies and describes the range of viewshafts subject to the proposed provisions
- A specific overlay that spatially displays the viewshafts on the planning maps

## 8.0 Qualifying Matters

### Urban non-residential zones

For the purposes of preparing this evaluation report Council is required, under section 77N of the RMA, to satisfy the following in relation to applying a less permissive approach than that required under Policies 3(a)-(c) of the NPS-UD in an area to accommodate any of the qualifying matters:

- (a) To demonstrate why –
  - (i) it considers that any area proposed is subject to a qualifying matter; and
  - (ii) the qualifying matter is incompatible with the level of development provided for in the other intensification policies; and
- (b) Assess the impact that limiting development capacity, building height, or density (as relevant) will have on the provision of development capacity; and
- (c) Assess the costs and broader impacts of imposing those limits.

### Application of 77K and 77Q

Under section 77K and 77Q of the RMA, the Council may undertake a descriptive approach to the justification of qualifying matters where those qualifying matters are included in the operative district plan 'an existing qualifying matter'.

The Council's operative district plan contains viewshafts and are subject to section 77Q.

The following commentary is required by section 77K and 77Q:

(a) *identify by location (for example, by mapping) where an existing qualifying matter applies:*

- All viewshafts have been modelled as part of this District Plan review and consequently included in the Proposed District Plan maps.
- As part of the District Plan review the existing viewshafts included in the Operative District Plan were reviewed with amendments made and the list of final viewshafts for incorporation into the Proposed District Plan made. These were modelled in a 3D viewer as part of qualifying matter analysis for the City Centre Zone.
- All viewshafts are contained within the City Centre Zone and Special Purpose Waterfront Zone. Some of the viewshafts end in the Residential Zones.
- Viewshafts are identified in the Proposed District Plan ePlan maps under 'Historical and Cultural Values Overlays' as seen below in figure one.
- As part of the District Plan review, no new viewshaft was added. All viewshafts are views carried over from the Operative District Plan.

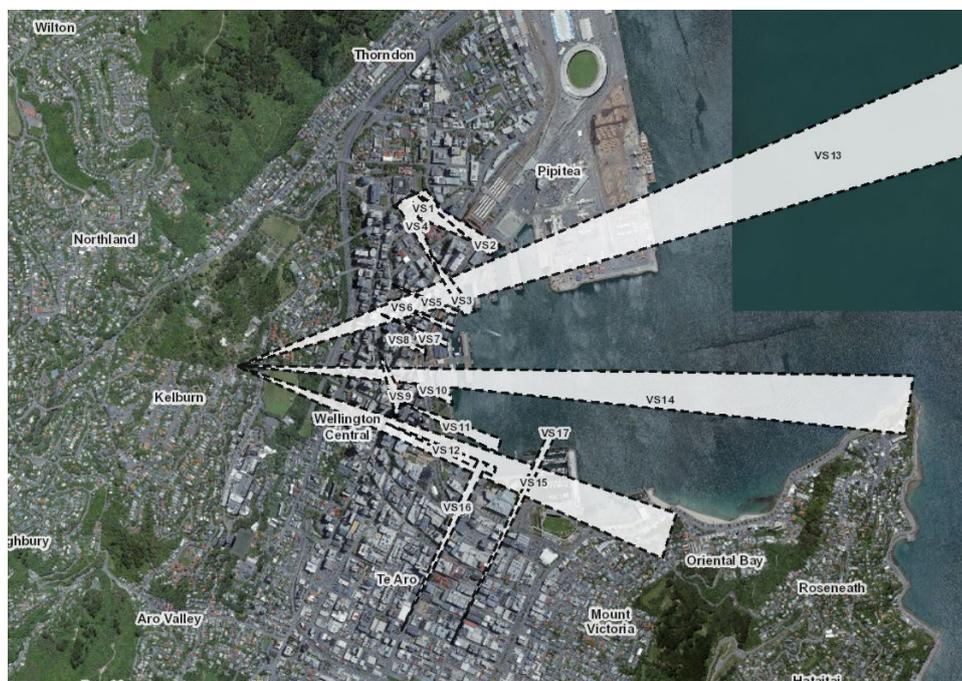


Figure one: Viewshafts mapped within the Proposed District Plan ePlan.

(b) *specify the alternative density standards proposed for those areas identified under paragraph (a):*

- Alternative height and density standards are not specified in the PDP to manage viewshafts.
- Alternatively, viewshafts must not be intruded into which has the effect of limiting building height within focal elements. This is assessed case by case as part of the resource consent process.

(c) *identify in the report prepared under [section 32](#) why the territorial authority considers that 1 or more existing qualifying matters apply to those areas identified under paragraph (a):*

- Because viewshafts are contained in the operative district plan.
- Further to this the council is undertaking an assessment (detailed below) to quantify the costs and impacts, both on development capacity and more broadly of including viewshafts to satisfy the requirements of the RMA.

*(d) describe in general terms for a typical site in those areas identified under paragraph (a) the level of development that would be prevented by accommodating the qualifying matter, in comparison with the level of development that would have been permitted by the MDRS and policy 3:*

- This will be quantified by the report detailed below as a site specific analysis is required

***NOTE: At date of publication the Council is awaiting a detailed assessment that meets and goes beyond the requirements of 77K and 77Q of the RMA to demonstrate the net effect of each qualifying matter on the provision of development capacity, including those new scheduled items that are not currently scheduled in the operative district plan.***

***This report will be published approximately August 2022 and made publicly available to support this section 32 report.***

## 9.0 Evaluation of Proposed Objective/s

### 9.1 Introduction

Section 32(1)(a) of the RMA requires that the evaluation report examine the extent to which the objectives of the proposal are the most appropriate way to promote the sustainable management of natural and physical resources.

An examination of the proposed objectives along with reasonable alternatives is included below, with the relative extent of their appropriateness based on an assessment against the following criteria:

1. Relevance (i.e. Is the objective related to addressing resource management issues and will it achieve one or more aspects of the purpose and principles of the RMA?)
2. Usefulness (i.e. Will the objective guide decision-making? Does it meet sound principles for writing objectives (i.e. does it clearly state the anticipated outcome?)
3. Reasonableness (i.e. What is the extent of the regulatory impact imposed on individuals, businesses or the wider community? Is it consistent with identified tangata whenua and community outcomes?)
4. Achievability (i.e. Can the objective be achieved with tools and resources available, or likely to be available, to the Council?)

### 9.2 Evaluation of Objectives VIEW-O1 and VIEW-O2

While not specifically required under s32, it is appropriate to also consider alternative objectives to those currently included in the PDP so as to ensure that the proposed objectives are the most appropriate to achieve the purpose of the RMA.

For the purposes of this evaluation, the Council has considered two suites of potential objectives:

1. The proposed objectives
2. The current most relevant objectives - the status quo

**Proposed objectives:**

Viewshafts

VIEW-O1 – Purpose

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, are recognised and maintained.

VIEW-O2 – Iconic and Landmark Views

Views from public places to key City landmarks are recognised and maintained due to their regional, national and/or international significance.

General intent:

- To articulate the intended purpose of the VIEW chapter and associated provisions
- To recognise and maintain views from public places to key city landmarks

Other potential objectives

Status quo – Four generically relevant objectives in the ODP:

12.2.3 To recognise and enhance those characteristics, features and areas of the Central Area that contribute positively to the City’s distinctive physical character and sense of place.

12.2.5 Encourage the development of new buildings within the Central Area provided that any potential adverse effects can be avoided, remedied or mitigated.

12.2.6 To ensure that new building works maintain and enhance the amenity and safety of the public environment in the Central Area, and the general amenity of any nearby Residential Areas.

12.2.8 To ensure that the development of the Lambton Harbour Area, and its connections with the remainder of the city’s Central Area, maintains and enhances the unique and special components and elements that make up the waterfront.

	Preferred objectives	Status quo
<b>Relevance:</b>		
Addresses a relevant resource management issue	<p>The preferred objectives directly address a two clear issues:</p> <ul style="list-style-type: none"> <li>• They seek to recognise and maintain views that contribute to the city’s identity, sense of place, and support an understanding of the its topography and urban form</li> <li>• They seek to recognise and maintain iconic views that have regional, national and/or international significance</li> </ul>	<p>Although generically touching on the issue of character and sense of place the objectives lack clarity and direction concerning the outcomes sought. There is also a lack of recognition regarding variation in the type of view experienced (i.e. landmarks such as Parliament, natural features such as the harbour).</p>

Assists the Council to undertake its functions under s31 RMA	The proposed objectives will assist the Council to undertake its functions under s31 of the RMA, particularly the integrated management of resources through recognising and maintaining views to key city landmarks along with those that contribute to the city's identity, sense of place, and support an understanding of the its topography and urban form.	Although the objectives provide some generic direction to assist Council to undertake its integrated management function under s31 of the RMA, they lack sufficient clarity regarding the outcomes anticipated in relation to managing significant views to and from the city centre, including the waterfront.
Gives effect to higher level documents	<p>The proposed objectives give effect to the purpose and principles of the RMA, particularly ss7(c) and (f), and reflect relevant directions in the National Planning Standards.</p> <p>They also give indirect effect to higher level documents, particularly Objective 22 and associated Policies 30 and 54 of the RPS, and Our City Tomorrow: A Spatial Plan for Wellington City.</p>	Although the objectives give generic effect to ss7(c) and (f) of the RMA they are less aligned with the RPS, Our City Tomorrow: A Spatial Plan for Wellington City and relevant directions in the National Planning Standards.
<i>Usefulness:</i>		
Guides decision-making	<p>In conjunction with the proposed policies the proposed objectives will effectively guide decisions on resource consent applications as they provide clear direction regarding the purpose of the VIEW provisions and the corresponding visual outcomes anticipated.</p> <p>These are further supported by accompanying rules and an effects standard that clearly identify building activities that have the potential to impact scheduled viewshafts and how they will be treated.</p>	In conjunction with the policies the objectives in the ODP guide decisions on resource consent applications but provide less clarity and direction regarding the purpose of the VIEW provisions and the corresponding visual outcomes anticipated.
Meets best practice for objectives	Identifying the purpose of the VIEW provisions and associated visual outcomes aligns with current best practice and the intent underlying the National Planning Standards.	Although similar objectives were common in a number of 'first generation' district plans, these have generally been replaced in subsequent plan reviews or specific plan changes with clearer and more instructive policy direction/guidance.

<b>Reasonableness:</b>		
Will not impose unjustifiably high costs on the community/parts of the community	Although the proposal represents a moderate departure from the ODP it is unlikely that significant additional compliance costs will be incurred by landowners/developers to achieve the outcomes sought as the proposed provisions apply to a relatively limited geographic area (i.e. discrete parts of the City Centre and Waterfront zones) and a similar, but reduced, range of views.	The existing objectives do not appear to have resulted in significant compliance costs being incurred by landowners/developers.
Acceptable level of uncertainty and risk	There is a high level of certainty around the proposal and its effects as the proposed objectives provide greater clarity of intent regarding the visual outcomes sought.	There is a lesser degree of certainty around the existing objectives given their generic nature and lack of clear direction as to the visual outcomes anticipated.
<b>Achievability:</b>		
Consistent with identified tāngata whenua and community outcomes	No specific community outcomes have been identified. Although there are currently no Taranaki Whānui/Ngāti Toa Rangatira specific outcomes reflected in the proposed objectives their interests are broadly recognised and provided for.	No specific tāngata whenua or community outcomes have been identified.
Realistically able to be achieved within the Council's powers, skills and resources	The objectives are realistically able to be achieved within the Council's powers, skills and resources, with any additional skills or resources required able to be sourced either in-house or on a contract basis.	The status quo objectives are currently being implemented within the Council's powers, skills and resources.
<b>Summary</b>		
<p>Proposed Objectives VIEW-O1 and VIEW-O2 provide clear direction regarding the intent of the proposed VIEW provisions and the outcomes sought regarding views to and from iconic landmarks and key natural features in the city.</p> <p>The above analysis indicates that the preferred objectives are the most appropriate way to achieve the purpose of the Act and the Council's functions under s31 RMA, give the greatest effect to the higher-level planning instruments, as well as providing greater certainty for decision-makers and Plan users. They are also unlikely to result in significant additional administrative or compliance costs being incurred.</p>		

## **10.0 Evaluation of Reasonably Practicable Options and Associated Provisions**

### **10.1 Introduction**

Under s32(1)(b) of the RMA, reasonably practicable options to achieve the objective/s associated with this proposal need to be identified and examined. This section of the report evaluates the proposed policies and rules, as they relate to the associated objectives.

Along with the proposed provisions, the Council has also identified through the research, consultation, information gathering and analysis undertaken in relation to this topic two reasonably practicable alternative options to achieve the objectives.

The technical and consultation input used to inform this process is outlined in section 5 of this report.

### **10.2 Evaluation method**

For each potential approach an evaluation has been undertaken relating to the costs, benefits and the certainty and sufficiency of information (as informed by section 5 of this report) in order to determine the effectiveness and efficiency of the approach, and whether it is the most appropriate way to achieve the relevant objectives.

Where practicable, benefits and costs have been quantified. Additionally, any obvious opportunities for economic growth and employment arising from the proposed provisions have also been identified and assessed.

This evaluation is contained in the following sections.

### **10.3 Provisions to achieve Objectives VIEW-O1 and VIEW-O2**

For the purpose of this evaluation, the Council has considered the following potential options:

1. The proposed provisions
2. The status quo
3. Non-regulatory methods

<b>Objectives:</b>			
<p><u>Viewshafts</u></p> <p>VIEW-O1 – Purpose 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, are recognised and maintained.</p> <p>VIEW-O2 – Iconic and Landmark Views Views from public places to key City landmarks are recognised and maintained due to their regional, national and/or international significance.</p>			
<b>Option 1: Proposed approach to provisions (recommended)</b>	<b>Costs</b>	<b>Benefits</b>	<b>Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions</b>
<p><b><u>Policies:</u></b></p> <p>Three policies are proposed that seek to:</p> <ul style="list-style-type: none"> <li>Identify and maintain important city views</li> <li>Restrict development that could affect these views</li> <li>Avoid intrusions into identified iconic and landmark views</li> </ul> <p><b><u>Rules/Standards:</u></b></p> <p>A framework of rules and standards that:</p> <ul style="list-style-type: none"> <li>Permits the projection of verandahs within identified views in Schedule 5 - Viewshafts subject to compliance with specified effects standards</li> <li>Restricts the construction, alteration or addition of buildings and structures within identified views in Schedule 5 - Viewshafts</li> <li>Includes a supporting effects standard that restricts the intrusion of buildings or structures into any view identified in Schedule 5 – Viewshafts</li> </ul> <p><b><u>Schedule:</u></b></p> <ul style="list-style-type: none"> <li>An accompanying schedule (Schedule 5 – Viewshafts) that identifies and describes the range of viewshafts subject to the proposed provisions</li> </ul> <p><b><u>Overlay:</u></b></p>	<p><b><i>Environmental</i></b></p> <ul style="list-style-type: none"> <li>Only scheduled public views are protected, with the potential for other unrecognised but publically valued views to be lost/compromised.</li> </ul> <p><b><i>Economic</i></b></p> <ul style="list-style-type: none"> <li>Potential impact on property values or the development potential of sites located within viewshafts.</li> <li>Administrative and compliance costs associated with building activities that intrude into identified iconic and landmark views or fail to satisfy the associated effects standard.</li> </ul> <p><b><i>Social</i></b></p> <ul style="list-style-type: none"> <li>Impact of anticipated development in the city centre on any additional views valued by the community that are currently unrecognised.</li> </ul> <p><b><i>Cultural</i></b></p> <ul style="list-style-type: none"> <li>Impact of anticipated development in the city centre on views of cultural significance to Taranaki Whānui and Ngāti Toa Rangatira as no specific viewshafts currently proposed for inclusion in Schedule 5 – Viewshafts.</li> </ul>	<p><b><i>Environmental</i></b></p> <ul style="list-style-type: none"> <li>Gives due regard to the matters in ss7(c) and (f) of the RMA and reflects relevant directions in the National Planning Standards.</li> <li>Aligns with the broad policy intent articulated in policies 30 and 54 of the RPS through: <ul style="list-style-type: none"> <li>Managing land use activities to maintain and enhance the vibrancy of the central business district</li> <li>Reinforcing the regional urban design principles centred on recognition of context and character</li> </ul> </li> <li>Complements proposed intensification related directions in Our City Tomorrow: A Spatial Plan for Wellington City.</li> <li>Provides a clear policy framework to inform the outcomes sought for building activities within identified viewshafts, and for Council to determine the appropriateness of any intrusions.</li> <li>Distinguishes the nature of the view experienced within a viewshaft based on its relative importance (e.g. iconic/landmark views)</li> <li>Provides greater clarity and certainty regarding the nature and extent of the views to be protected, including contained and vista views.</li> <li>Provides an appropriate level of control over built form and scale of development relative to the purpose and nature of the view.</li> </ul> <p><b><i>Economic</i></b></p> <ul style="list-style-type: none"> <li>Revised and refined range of protected views reduces the administrative and compliance costs associated with building activities within poorly defined or compromised viewshafts.</li> <li>Provides clarity and certainty concerning the nature of building activities anticipated within identified viewshafts and how these will be considered and assessed.</li> <li>Potential reduction in administrative and compliance costs associated with construction of verandahs within identified viewshafts.</li> </ul> <p><b><i>Social</i></b></p> <ul style="list-style-type: none"> <li>Recognition and maintenance of important views contributes to the sense of place and amenity experienced within the city.</li> <li>Builds on a spatial and rules based approach that landowners, developers and the community are already familiar with.</li> </ul>	<p>It is considered that there is certain and sufficient information on which to base the proposed provisions as:</p> <ul style="list-style-type: none"> <li>The provisions are broadly based on those in the ODP and is an approach which is already well understood</li> <li>Feedback on the draft provisions generally supported the proposed approach and no fundamental issues were raised</li> </ul>

<ul style="list-style-type: none"> <li>An overlay that spatially displays the viewshafts on the planning maps</li> </ul>		<ul style="list-style-type: none"> <li>Provides greater clarity and certainty to the community regarding the outcomes and likely nature and level of development anticipated.</li> <li>Offers a simple and clear plan structure that will be easier for people to understand and apply.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>Although no direct benefits have been identified, there is likely to be an indirect benefit to Taranaki Whānui/Ngāti Toa Rangatira derived from the range of views recognised and protected by the proposed provisions and associated schedule.</li> </ul>	
<p><b>Effectiveness and efficiency</b></p>	<p><b>Effectiveness</b></p> <p>It is considered that the provisions will effectively achieve the proposed objectives because:</p> <ul style="list-style-type: none"> <li>They align with and support the intended purpose of the VIEW chapter</li> <li>The policy framework provides clear direction regarding the recognition, maintenance and protection of important views to the harbour, hills and iconic and landmark features from public places within and around the city centre</li> <li>The rule framework and associated effects standard reflects the outcomes anticipated within identified viewshafts by controlling the scale of development that can be built as of right</li> </ul>		<p><b>Efficiency</b></p> <p>It is considered that the proposed approach is the most efficient means of achieving the relevant objectives.</p> <p>The approach is efficient in terms of the level of certainty provided to landowners, developers and plan users generally. It is also efficient from the point of view of broadly enabling building activities such as verandahs and the construction of new buildings and structures, and alterations and additions to existing buildings within a viewshaft subject to non-intrusion into the associated view.</p> <p>Overall, the costs of complying with the provisions are considered minor compared to the benefits of this proposal.</p>
<p><b>Overall evaluation</b></p>	<p>Overall this approach is the most appropriate means of achieving the proposed objectives as it provides an appropriate balance between enabling opportunities for growth and development to occur in the city centre while ensuring that significant views to and from the city centre, including the waterfront, are suitably managed and maintained. It also gives due regard to the matters in ss7(c) and (f) of the RMA, broadly aligns with relevant policy directives in the RPS, reflects relevant directions in the National Planning Standards and aligns with contemporary resource management practice.</p> <p>Additionally, the benefits of the approach outweigh the costs, there are considerable efficiencies to be gained from adopting the proposed provisions and there is sufficient information on which to act.</p>		
<p><b>Option 2: Status Quo</b></p>	<p><b>Costs</b></p>	<p><b>Benefits</b></p>	<p><b>Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions</b></p>
<p><b>Policies:</b></p> <p>Five policies that seek to:</p> <ul style="list-style-type: none"> <li>Promote a strong sense of place and identity within different parts of the Central Area</li> <li>Manage building mass to ensure that the adverse effects of new building work are able to be avoided, remedied or mitigated on site</li> <li>Protect, and where possible enhance, identified public view of the harbour, hills and townscape features from within and around the Central Area</li> <li>Provide for new development which adds to the waterfront character and quality of design within the area and</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>Only scheduled public views are protected, with the potential for other unrecognised but publically valued views to be lost/compromised.</li> <li>Fails to reflect relevant directions in the National Planning Standards.</li> <li>Less effectively aligns with the broad policy intent articulated in policies 30 and 54 of the RPS.</li> <li>Less effectively supports the outcomes sought in the proposed objectives.</li> <li>Lacks a clear policy framework within which to effectively consider the effects of building activities on identified views.</li> <li>Inadequately recognises and distinguishes the nature of the view experienced within a viewshaft based on its relative importance (e.g. iconic/landmark views).</li> <li>Issues identified with the current ODP provisions would not be addressed and may be exacerbated.</li> <li>Reliance on the use of an appendix to spatially delineate viewshafts where targeted rules apply lacks</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>Although less directive the provisions still continue to give due regard to the matters in ss7(c) and (f) of the RMA.</li> <li>Affords a similar level of control over built form and the scale of development relative to the proposed provisions.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>Relatively cost effective to implement as limited drafting required and landowners, developers and the community already have an awareness or degree of familiarity with the provisions.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>Recognition and maintenance of important views contributes to the sense of place and amenity experienced within the city.</li> <li>Offers a degree of familiarity and certainty to the community regarding the likely level of development anticipated within identified viewshafts.</li> </ul>	<p>It is considered that there is certain and sufficient information on which to base the proposed policies and methods as the existing provisions and associated implications/issues are well documented and understood.</p> <p>A key risk of acting on the status quo provisions is that the current policy framework lacks detail and clear direction on the the purpose of the VIEW chapter and associated provisions, key outcomes sought in relation to important views within the city and matters to inform the determination of compatible/incompatible building activities within identified viewshafts.</p>

<p>acknowledges relationships between the city and the sea</p> <ul style="list-style-type: none"> <li>Protect the panoramic view from the public viewing point at the top of the Cable Car</li> </ul> <p><b>Rules/Standards:</b></p> <ul style="list-style-type: none"> <li>Permits the construction, alteration or addition of buildings and structures subject to compliance with specified effects standards</li> <li>Includes a supporting effects standard that generally restricts the intrusion of buildings or structures into any of the viewshafts contained in Appendix 11 – Central Area Viewshafts, with the exception of the coastal marine area, land within the ‘Operational Port Area’ and specified supporting operational port structures/equipment (e.g. cranes, lighting poles)</li> </ul> <p><b>Appendix:</b></p> <ul style="list-style-type: none"> <li>An accompanying appendix (Appendix 11 – Central Area Viewshafts) that identifies and describes the range of viewshafts subject to the provisions</li> </ul>	<p>sufficient clarity and certainty to offer an effective approach to managing these views, particularly as they are not specifically identified as a spatial layer in the ePlan.</p> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>Potential impact on property values or the development potential of sites located within viewshafts.</li> <li>Administrative and compliance costs associated with building activities, including verandahs, that intrude into identified viewshafts.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>Impact of anticipated development in the city centre on any additional views valued by the community that are currently unrecognised.</li> <li>More difficult to understand and apply given the relatively complex and less integrative structure and construction of provisions.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>Impact of anticipated development in the city centre on views of cultural significance to Taranaki Whānui and Ngāti Toa Rangatira as no specific viewshafts currently included in Appendix 11 – Central Area Viewshafts.</li> </ul>	<p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>Although no direct benefits have been identified, there is likely to be an indirect benefit to Taranaki Whānui/Ngāti Toa Rangatira derived from the range of views recognised and protected by the current provisions and associated appendix.</li> </ul>	
<p><b>Effectiveness and efficiency</b></p>	<p><b>Effectiveness</b></p> <p>The current policy framework is less effective as it is somewhat ambiguous and lacks clear direction, particularly in relation to the outcomes sought in relation to important views within the city. Consequently, it is more open to interpretation and could inadvertently compromise the intent underlying the proposed objectives.</p>		<p><b>Efficiency</b></p> <p>The status quo is efficient from the perspective that it reflects a similar level of permissiveness relative to the proposed provisions. Regardless, overall it is considered that the status quo, relative to the proposed provisions, is not an efficient method of meeting the proposed objectives given the relative costs versus benefits outlined above.</p>
<p><b>Overall evaluation</b></p>	<p>This approach is not an appropriate means to achieve the proposed objectives as the current policies are somewhat ambiguous regarding the purpose of the VIEW chapter and associated provisions and the key outcomes sought in relation to important views within the city. Consequently, they lend themselves to more open interpretation and are less likely relative to the proposed provisions to constructively assist the Council in determining the appropriateness of building activities that could undermine the intent of the proposed objectives. The approach also ineffectively aligns with relevant directions in the National Planning Standards and would be less effective in delivering on the relevant objective and policies in the RPS.</p>		
<p><b>Option 3: Non-regulatory approach</b></p>	<p><b>Costs</b></p>	<p><b>Benefits</b></p>	<p><b>Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions</b></p>
<ul style="list-style-type: none"> <li>Increase the level of public awareness of important views in the city and their associated value</li> <li>Important views spatially identified and voluntarily</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>High likelihood that publically valued views within the city will be lost/compromised over time, particularly given the level of intensification enabled in the city centre in the PDP.</li> </ul>	<p><b>Environmental</b></p> <ul style="list-style-type: none"> <li>May result in the protection of some important city views depending on the nature and level of non-regulatory support provided.</li> </ul> <p><b>Economic</b></p>	<p>It is considered that there is insufficient information concerning the manner in which this approach might be implemented or the nature of any unanticipated consequences that might result.</p>

protected by private landowners, supported by non-regulatory incentives and assistance	<ul style="list-style-type: none"> <li>• Fails to give adequate regard to the matters in ss7(c) and (f) of the RMA and to reflect relevant directions in the National Planning Standards.</li> <li>• Misaligns with the broad policy intent articulated in policies 30 and 54 of the RPS and proposed intensification related directions in Our City Tomorrow: A Spatial Plan for Wellington City.</li> <li>• Fails to effectively reinforce and support the outcomes sought in the proposed objectives.</li> <li>• Lacks a clear policy framework to inform the outcomes sought for building activities within identified viewshafts, and for Council to determine the appropriateness of any intrusions.</li> <li>• Fails to provide an appropriate level of control over built form and the scale of development relative to the purpose and nature of the view.</li> <li>• Issues relating to the recognition and protection of identified views within the city would not be addressed and are highly likely to be exacerbated.</li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>• Administrative costs associated with developing, implementing and funding a non-regulatory assistance programme.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• Impact of anticipated development in the city centre on unprotected views valued by the community.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• Impact of anticipated development in the city centre on views of cultural significance to Taranaki Whānui and Ngāti Toa Rangatira.</li> </ul>	<ul style="list-style-type: none"> <li>• No compliance costs associated with building activities that intrude into identified views.</li> <li>• Limited impact on property values or the development potential of sites located within identified views.</li> </ul> <p><b>Social</b></p> <ul style="list-style-type: none"> <li>• Recognition and identification of important public views within the city.</li> </ul> <p><b>Cultural</b></p> <ul style="list-style-type: none"> <li>• No direct or indirect benefits have been identified.</li> </ul>	A key risk of acting on this approach is a clear lack of an evidential base that suggests and supports the need to diverge from the proposed policy direction.
<b><u>Effectiveness and efficiency</u></b>	<p><b>Effectiveness</b></p> <p>This approach is likely to be of limited effectiveness in achieving the outcomes articulated in the proposed objectives and runs the risk of undermining their intent in the absence of regulatory measures that offer an appropriate level of control over built form and the scale of development within identified viewshafts.</p>	<p><b>Efficiency</b></p> <p>This approach offers an efficient means by which the latent development potential of land within identified viewshafts could be optimised. Regardless, overall it is considered that this approach, relative to the proposed provisions, is not an efficient method of meeting the proposed objectives given the relative costs versus benefits outlined above.</p>	
<b><u>Overall evaluation</u></b>	This option is not considered an appropriate means to achieve the proposed objectives as it would act to undermine the proposed purpose and associated visual outcomes sought.. The approach also fails to give adequate regard to the matters in ss7(c) and (f) of the RMA and to reflect relevant directions in the National Planning Standards and misaligns with the broad policy intent articulated in policies 30 and 54 of the RPS and proposed intensification related directions in Our City Tomorrow: A Spatial Plan for Wellington City.		

## 11.0 Conclusion

This evaluation has been undertaken in accordance with section 32 of the RMA in order to identify the need, benefits and costs and the appropriateness of the proposal having regard to its effectiveness and efficiency relative to other means in achieving the purpose of the RMA. The evaluation demonstrates that this proposal is the most appropriate option as:

- It gives due regard to the matters in ss7(c) and (f) of the RMA
- It broadly aligns with the intent of relevant policies in the RPS
- It aligns with relevant directions in the National Planning Standards and proposed intensification related directions in Our City Tomorrow: A Spatial Plan for Wellington City
- The objectives and policies provide certainty and clear direction regarding the purpose and outcomes sought in relation to important views within the city, supported by a framework of rules and an associated effects standard that align with the scale of development anticipated relative to the purpose and nature of the view

## Appendix 1: Feedback on Draft District Plan 2021