



SECTION 32 REPORT Viewshafts

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1 Executive Summary

The District has distinctive views that contribute to a strong sense of locality and identity. These views are enjoyed by many people on a daily basis from various public places. It is important that they are not obstructed by buildings and structures.

The Operative District Plan identifies 19 viewshafts. Some are views of specific features and some are a series of views (panoramas). Rules apply regarding the height of buildings and structures erected within viewshafts.

Over the life of the Operative District Plan there have been some implementation issues. There are no objectives relating directly to viewshafts and the current policy lacks specificity about which viewshafts are protected and why. This generic approach at a strategic level contrasts sharply with a complex rule structure and cluttered planning maps which can create a perception amongst developers that the resource consent process is challenging for sites subject to a viewshaft overlay. The list of viewshafts protected in the Operative District Plan also needs updating to reflect the views that are valued by the community, particularly those of the mountain.

The key resource management issue for viewshafts is that land use or development can intrude on views detracting from the visual amenity and attractiveness of the District. This has the potential to impact on the District's 'sense of place' and distinctive character.

The Proposed District Plan aims to reinforce the New Plymouth city centre as the principal centre in the District and region and that is it a 'go-zone' or is open for business. The current approach conflicts with this aspiration.

To address these issues the following key changes are proposed:

- Introducing a standalone viewshaft section that identifies and recognises important viewshafts to ensure that the New Plymouth District retains a strong sense of place and identity, thus contributing to the social, economic and cultural wellbeing of residents and visitors.
- Introducing a viewshaft specific objective and policies that provide specificity about what viewshafts are protected and why.
- Applying clear rules regarding the maximum height for the erection of structures within viewshafts.
- Adding three viewshafts of the mountain.
- Including an appendix that clearly describes each viewshaft, the point from where it is assessed and the focal element(s) that it focuses on. This appendix includes photographs of each viewshaft, the coloured portion of which indicates where encroachment by new structures could be detrimental.

This will result in clearer provisions and provide greater certainty to developers, hopefully removing the perception that the resource consent process will be challenging for sites subject to a viewshaft overlay. This should assist with increased development in the New Plymouth city centre. In addition, views of the mountain that are important to the community will be protected.

2 Introduction and Purpose

This report contains a summary section 32 evaluation of the objectives, policies and methods relating to viewshafts in the Proposed New Plymouth District Plan. It is important to read this report in conjunction with the section 32 overview report which contains further information and evaluation about the overall approach and direction of the District Plan Review and Proposed District Plan.

Protecting distinctive views from public places that many people enjoy on a daily basis is important because these views provide a strong sense of place and identity.

This report sets out the statutory and policy context for viewshafts, the key resource management issues, specific consultation and approach to evaluation on this topic to decide on the proposed provisions. The report also includes a review of the existing plan provisions and an evaluation of alternative methods to achieve the purpose of the Resource Management Act (RMA) in relation to the viewshafts topic.

3 Statutory and Policy Context

3.1 Resource Management Act 1991

Section 31 of the RMA outlines the functions of territorial authorities. The key function for the Council is the integrated management of the use, development, or protection of land and associated natural and physical resources of the District. "*Natural and physical resources*" includes natural landforms, buildings and structures.

Section 6 of the RMA specifically requires that the Council recognise and provide for matters of national importance. One of the District's most iconic views is the outstanding natural feature/landscape of Mount Taranaki. Others include Paritutu, Nga Motu/Sugar Loaf Islands and Tapuae. With this in mind, Section 6 matters of national importance relevant to the proposed viewshafts provisions are:

(b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development.

(e) the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.

Section 7 of the RMA requires the Council to have particular regard to the following matters:

(c) the maintenance and enhancement of amenity values.

(f) maintenance and enhancement of the quality of the environment.

Section 8 of the RMA requires the Council to take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi). There are no Treaty of Waitangi matters identified in Section 8 that are specifically relevant to the proposed Viewshaft provisions. Tangata whenua, through Nga Kaitiaki, have been consulted as part of the review process and the obligation to make informed decisions based on that consultation is noted.

All of the above matters are relevant for the protection of views from inappropriate subdivision, use and development.

3.2 National Planning Standards 2019

Released in April 2019, the purpose of the National Planning Standards is to improve consistency in plan and policy statement structure, format and content.

The standards were introduced as part of the 2017 amendments to the RMA. Their development is enabled by sections 58B–58J of the RMA. They support implementation of other national direction such as national policy statements and help people to comply with the procedural principles of the RMA.

The standards outline the spatial layers that can be used in a district plan, including zones, overlays, precincts, special controls, development areas and designations. Viewshafts are an overlay, a mechanism that spatially identifies distinctive values, risks or other factors which require management in a different manner from underlying zone provisions. Viewshafts fall under the prescribed heading of Historic and Cultural Values because they are an additional matter that addresses historical and cultural values other than historic heritage, notable trees, and sites and areas of significance to Maori.

3.3 Regional Policy Statement 2010

Under Section 75(3)(c) of the RMA, the District Plan must give effect to the Regional Policy Statement. The Taranaki Regional Policy Statement (RPS) does not explicitly recognise viewshafts as a topic but the need to protect them is inherent in two significant resource management issues:

- 10.3 Maintaining and enhancing amenity values.
- 15.1 Promoting sustainable urban development.

Maintaining and Enhancing Amenity Values

The RPS states that amenity values are those natural or physical qualities or characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attribute. It also states that Taranaki residents place high value on aspects such as attractive development of the built environment. The following provisions are relevant:

- AMY ISS 1: Recognising the positive effects of use and development activities in relation to their maintenance and enhancement of amenity values.
- AMY ISS 2: Avoiding, remedying or mitigating adverse effects that may arise from use and development activities on amenity values.
- AMY Objective 1: To recognise the positive contributions of appropriate use and development in terms of providing for the maintenance and enhancement of amenity values in the Taranaki region, while avoiding, remedying or mitigating the adverse effects of inappropriate use and development on amenity values.
- AMY Policy 1: The adverse effects of resource use and development on rural and urban amenity values will be avoided, remedied or mitigated and any positive effects on amenity values promoted. Any positive effects of appropriate use and development will be fully considered and balanced against adverse effects. Those qualities and characteristics that contribute to amenity values in the Taranaki region include:
 - Safe and pleasant living environment free of nuisance arising from excessive noise, odours and contaminants, and from traffic and other risks to public health and safety.

- Scenic, aesthetic, recreational and educational opportunities provided by parks, reserves, farmland, and other open spaces, rivers, lakes, wetlands and their margins, coastal areas and areas of vegetation.
- A visually pleasing and stimulating environment.
- Efficient, convenient and attractive urban forms.
- Aesthetically pleasing building design, including appropriate landscaping and signs.

The RPS provides the following method which is considered relevant, and which the Council may wish to consider:

- AMY METH 8: Include in district plans and on resource consents, provisions or conditions promoting the maintenance and enhancement of rural and urban amenity values.

Promoting Sustainable Urban Development

The RPS states that urban sustainability is a process of managing urban change to improve the quality of life by delivering better social, environmental and economic outcomes for all people in the present and in the future. It also states that there is a need to create and maintain urban environments that are sustainable, function well, are accessible and provide a safe, healthy and stimulating environment.

- SUD ISS 1: Promoting sustainable urban development in the Taranaki region.
- SUD Objective 1: To promote sustainable urban development in the Taranaki region.
- SUD Policy 1: To promote sustainable development in urban areas by:
 - a) encouraging high quality urban design, including the maintenance and enhancement of amenity values.
 - b) promoting choices in housing, work place and recreation opportunities.
 - c) promoting energy efficiency in urban forms, site layout and building design.
 - d) providing for regionally significant infrastructure.
 - e) integrating the maintenance, upgrading or provision of infrastructure with land use.
 - f) integrating transport networks, connections and modes to enable the sustainable and efficient movement of people, goods and services, encouraging travel choice and low-impact forms of travel including opportunities for walking, cycling and public transport.
 - g) promoting the maintenance, enhancement or protection of land, air and water resources within urban areas or affected by urban activities.
 - h) protecting indigenous biodiversity and historic heritage.
 - i) avoiding or mitigating natural and other hazards.

Methods of implementation outlined in the RPS that the District Plan may wish to consider include:

- SUD METH 5 Include in district plans or resource consents, provisions or conditions that address sustainable urban development issues including among others:
 - a) Objectives, policies, methods, rules and performance standards controlling land use, development and subdivision.
 - b) Building and development controls or criteria.

- c) Esplanade reserves or strips or access strips.
- d) Designation or other provision for public works.
- SUD METH 11 Generally promote good planning, building design and urban design that give effect to the New Zealand Urban Design Protocol (2005) including the strategic integration of local, regional and national infrastructure and land use.

3.4 Iwi Environmental Management Plans

For the purposes of the District Plan Review, Iwi Environmental Management Plans must be taken into account under section 74(2A) of the RMA. The iwi within the District and the status of their plans are as follows:

- Taranaki Iwi – lodged with Council.
- Maniapoto Iwi – draft, not lodged with Council.
- Ngāti Mutunga Iwi – draft, not lodged with Council.
- Te Ātiawa Iwi – draft, being finalised following submissions, not lodged with Council.

3.4.1 Taranaki Iwi

Taranaki Iwi's plan is called "Taiao, Taiora Iwi Environmental Management Plan" and was published in 2018. Taiao, Taiora is a document for Taranaki Iwi to guide and inform decision making by the Iwi. It is structured into five sections, reflecting the interrelated natural systems. Taiao, Taiora sets out issues, objectives and policies. While none directly mention Viewshafts, the section on Papatuanuku (the land) includes the following issue and objectives:

Issue 9.

Poorly designed subdivision and development can lead to unsustainable and inefficient land use, destruction of wāhi tapu and other important sites ...

Objective 1.

The mouri of Papatuanuku in the Taranaki Iwi rohe will be protected, cared for and restored.

Objective 5.

The whenua will be cared for by Taranaki Iwi and others for mutual, reciprocal benefit for the whole community. Taranaki Iwi are seen as leaders in sustainable living and sustainable land management on our whenua.

Taiao, Taiora clearly states that the Taranaki Iwi will not support any action or activities that will result in the degradation of the mouri of Papatuanuku, and any subdivision and development that adversely impacts the important cultural values associated with landscapes of importance to Taranaki Iwi (hapū, marae/pā). Focal elements within viewshafts such as Mount Taranaki, Nga Motu/Sugar Loaf Islands and the Kaitake Ranges are natural resources which have value to tangata whenua for ceremonial purposes and as cultural reference points.

3.4.2 Maniapoto Iwi

Maniapoto Iwi's plan is called "Ko Tā Maniapoto Mahere Taiao." It identifies 14 sections that focus on resource management: Air; Climate Change; Fresh Water; Wetlands; Fisheries; Coastal and Marine Environment; Land; Natural Heritage and Biodiversity;

Natural Hazards; Energy, Transport, Water Services, Telecommunication, Social Infrastructure; Mining and Quarrying, Oil, Gas, Minerals; Solid and Hazardous Waste; Biosecurity – Pests, Control Agents and GMO's; and Tourism and Recreation.

The Natural Heritage and Biodiversity section states that the relationship between wāhi tapu, significant sites and other sites of occupation, such as marae and papakāinga, is maintained through physical pathways and through a visual connection (i.e. line of sight, viewshafts and sightlines). Any obstructions to pathways or viewshafts impacts on the relationship Maniapoto has with landscapes and Maniapoto identity, culture and spiritual and physical wellbeing. As a result an objective is to protect and enhance significant cultural, spiritual, natural and ecological landscapes and to protect and enhance Maniapoto relationships and associations with these features.

3.4.3 Ngāti Mutunga Iwi

Ngāti Mutunga's Iwi Environmental Management Plan identifies six sections that focus on resource management: Air and Atmosphere; Whenua Ngahere/Bushland; Te Puna Waiora/Freshwater; Whenua Mānia/Plains; Takutai/Coast; and Cultural Landscapes and Wāhi Tapu. The Whenua Mānia/Plains section under the heading of Natural and Amenity Values specifically refers to ensuring that views of sites of importance to Ngāti Mutunga are not obstructed by development. The overriding objectives support the development of communities in a way which makes the landscapes we live in pleasant for everyone and seek recognition of Ngāti Mutunga values and history in landscapes to promote community understanding of Ngāti Mutunga and its history. The Takutai/Coast section under the heading of Structures in the Coastal Marine Area also acknowledges that structures may obstruct view of or from the coast. The objective seeks to maintain the natural appearance of the coastal area and operation of coastal processes by minimising the erection of structures.

3.4.4 Te Ātiawa

Te Ātiawa's plan is called "Tai Whenua, Tai Tangata, Tai Ao – Te Ātiawa Iwi Environmental Management Plan." Primarily it is an environmental and resource planning document to reaffirm Te Ātiawa's role as kaitiaki. Secondary to this, it is a guide to assist central government agencies, regional council and district councils to understand the issues of significance to Te Ātiawa and manage their resource consent processes, policies, plan development, reviews and changes to incorporate Te Ātiawa values and interests. It is structured into five parts with part five outlining the issues, objectives and policies. Eight domains are focused on – guardianship, inland and coastal whenua, freshwater, coastal and marine environment, air and atmosphere, flora and fauna, heritage, and Taranaki Maunga. The following provisions under the coastal and marine domain and the Taranaki Maunga domain are of relevance to viewshafts:

Coastal and Marine Environment

Issue TTOT5: Inappropriate land use and development within the coastal space can generate adverse effects on Te Ātiawa values.

Objective TTOT5.1: Discontinue the inappropriate land use and developments within the coastal space that affects Te Ātiawa cultural and environmental values.

Policy TTOT5.1: Require that regional and district council acknowledge and provide for the interests of Te Ātiawa in coastal land development activities, including but not limited to:

- a) The protection of coastal headlands and skylines.
- b) The protection of coastal indigenous biodiversity, including remnant forest and endemic species.
- c) The protection of mahinga kai values.
- d) The protection of wāhi tapu/wāhi taonga, urupā and sites of significance to Māori.
- e) The protection of viewshafts to significant natural features and landmarks.
- f) Access to coastal areas for customary use.
- g) Te Ātiawa aspirations for coastal areas, including the establishment of matāitai and taiāpure.
- h) Avoid sedimentation and contamination of coastal waters.
- i) Avoid increased pressure on existing water resources and community infrastructure.

Taranaki Maunga

Issue TTRT1: The lack of acknowledgement and provision for the relationship of Te Ātiawa with Taranaki Maunga can affect Te Ātiawa values, and the health and wellbeing of our people.

Objective TTRT1.1: Work with DoC and our whanaunga iwi of Taranaki to protect the cultural and spiritual relationship between Te Ātiawa and Taranaki Maunga.

Policy TTRT1.9: Require protection of the view shaft from marae, pā, urupā and other sites of significance to Māori to Taranaki Maunga.

3.5 Other Legislation and Policy Documents

Other legislation and regulations that are relevant to viewshafts and have been considered in preparing the Proposed District Plan, are summarised below.

3.5.1 Urban Design Protocol 2005

In December 2011, the Council passed a resolution to become a signatory to the Urban Design Protocol. Becoming a signatory is voluntary. The design of people's homes, business places and recreational areas influences their quality of life. In 2005, based on the need for guidance regarding urban environment management the Ministry for the Environment, in collaboration with a range of local government and industry experts, developed the Urban Design Protocol to assist development to consider best practice design in the urban environment.

Urban design is the art of making a great place to live, work and play. It involves the appearance of the public realm and also the function and feel of urban spaces and buildings. Urban design focuses on the interactions between buildings and public spaces including streets. It considers elements such as sustainable design, 'active' edges, accessibility, streetscapes and the mix of building uses.

The Urban Design Protocol identifies seven essential design qualities that together create quality urban design:

- Context – seeing buildings, places and spaces as part of whole towns and cities.
- Character – reflecting and enhancing the distinctive character, heritage and identity of our urban environment.
- Choice – ensuring diversity and choice for people.
- Connections – enhancing how different networks link together for people.
- Creativity – encouraging innovative and imaginative solutions.
- Custodianship – ensuring design is environmentally sustainable, safe and healthy.
- Collaboration – communicating and sharing knowledge across sectors, professions and with communities.

The need to protect viewshafts plays an important role in all of the design qualities listed above. However, the key one is 'Character' and it's reference to distinctive character. Viewshafts are views that are very distinctive and provide a strong sense of locality. They are enjoyed by many people on a daily basis from various public places. It is important that when designing buildings, places and spaces they are designed to enhance a view rather than obstruct it.

3.6 Local Policies, Plans and Strategies

3.6.1 New Plymouth District Strategic Framework

The vision for the New Plymouth Strategic Framework is Building a Lifestyle Capital (He Whakatutu Haupu Rawa Hei Ahua Noho). The community outcomes this will achieve are: Putting people first (Aroha kit e Tangata), Caring for our place (Manaaki whenua, manaaki tangata, haere whakamua) and Supporting a prosperous community (Awhi mai, Wahi atu, tatou katoa).

3.6.2 The New Plymouth District Blueprint

The New Plymouth District Blueprint first adopted in June 2015, is a 30-year spatial plan that provides eight key directions for Council. The following key directions are relevant to Viewshafts:

- Central City – Champion a thriving central city for all.
- Destination – Become a world class destination.

3.6.3 Heritage Strategy 2012

The Heritage Strategy was developed following community feedback and submissions on many of the Council's heritage activities and assets over the life of the District Plan. It was considered beneficial to guide the management of Council's heritage activities and assets and to provide an overarching framework to inform other Council plans.

The Heritage Strategy identified many actions relating to the District Plan. The majority of these actions were to be considered as part of the District Plan Review. The action relating to viewshafts is stated below:

- Undertake a review to identify new viewshafts throughout the District which have significant views including both urban and rural landscapes to ensure that the visual amenity of these views is recognised and preserved. Some specific views to consider include:
 - Views to Mount Taranaki including the view to the mountain across the racecourse from Rogan Street.

- Views from the coast to Mount Taranaki including the view from the Waiwhakaiho River/Te Rewa Rewa bridge to the mountain.
- Extending the Liardet Street viewshaft to include the vantage point to the Pukekura gates.
- Views associated with waahi tapu sites.
- Views of pa sites including views of pa sites from roads, views from pa sites, and views between pa sites.

These actions were taken into consideration as part of the District Plan Review, with the majority included in the Proposed District Plan. However it should be noted that the last two actions relating to views associated with waahi tapu and pa sites have not proceeded to the Proposed District Plan. The reason for this is information and resource constraints.

3.6.4 Central Area Urban Design Framework 2013

As part of becoming a signatory to the Urban Design Protocol, the Council implemented an action plan outlining urban design initiatives it will take. One of the key actions was the formulation of a Central Area Urban Design Framework. It is a 30-year shared vision for New Plymouth's central area that drew on public feedback gathered from the Central Area Site Survey in 2012 and 2013 on what residents like and what they wanted improved in the city's central area.

The vision is that "The central area will provide a vibrant, efficient and accessible public living room and business hub for the people of New Plymouth District." The framework has five themes:

- Strengthen the sense of place.
- Create attractive central living.
- Allow freedom of movement.
- Generate lively public life.
- Foster a viable market.

As part of the "strengthen the sense of place" actions, the framework identifies the need to review the District Plan viewshafts and look for opportunities to address views to Mount Taranaki.

3.7 Other Documents

In addition to the above documents, the following background documents have been considered and informed in reviewing the District Plan and evaluating provisions:

- New Plymouth Transitional Plans – contained a form of viewshafts but they were known as "special height restrictions."
- Viewshaft assessment sheets used for various viewshafts in the Operative District Plan.

4 Context, Research and Trends

4.1 Operative District Plan Approach

4.1.1 Context

Views within the New Plymouth District provide visitors, residents and tangata whenua with a sense of place and their scenic amenity and heritage value contribute much to the character of the area.

Distinctive views in New Plymouth are a combination of both outstanding features and landscapes (such as Mount Taranaki and Nga Motu/Sugar Loaf Islands) as well as other prominent landforms and man-made structures (such as the Wind Wand). Individually and collectively, they provide a character that is unique, recognisable and iconic to the District and region. Protection of views to these areas from further obstruction through land use and development is seen as an important component of the Operative District Plan to ensuring the character of the District is maintained.

There are 19 viewshafts protected in the Operative District Plan that have been identified and assessed using the following set of landscape and amenity values:

- Interrelationship – cohesion, unity, scale between elements.
- Landmark – highly singular elements/focus, disjointed landscape.
- Topography – random/high containment, slow sloping.
- Vegetation – corridors, diversity, monoculture, nodes.
- Degree of Modification – complexity, diversity, discontinuity, corridor/paths, high/low modification.
- Endemic Association – strong feeling of locality, character and place reflected in views.

4.1.2 Plan Changes

Plan Change PLC09/00012 – Marsland Hill Viewshaft

This Plan Change amended provisions in the District Plan that relate to the Marsland Hill viewshaft. The plan change involved adding an overlay diagram to planning maps C24b, C25b, D24 and D25 and the map enlargement section to illustrate the extent of the Marsland Hill viewshaft, altering the maximum heights in Rule OL71 for Marsland Hill and adding clarification to reason 5.2 in the District Plan which explains the purpose of urban viewshafts.

This plan change became operative on 16 March 2011.

Plan Change PLC12/00036 – Realignment of the Oakura Urban Viewshaft and Coastal Policy Area Overlays along Messenger Terrace

This Plan Change ensured that public views and natural character values in Oakura continued to be protected following the proposed road stopping on the seaward side of Messenger Terrace, by realigning the Oakura Urban Viewshaft and Coastal Policy Area Overlays accordingly.

This plan change became operative on 30 June 2014.

4.1.3 Operative District Plan Provisions

The 'Management Strategy' of the Operative District Plan contains the framework to manage activities and amenity values in viewshafts in the District. The relevant Issues, Objectives and Policies are detailed below:

Issue 5: Adverse effects of activities on the pleasant and coherent nature of the urban environment.

Objective 5: To maintain and enhance the character and coherence of the urban areas of the New Plymouth District.

Policy 5.2: Buildings and structures should not detract from or reduce the visual amenity of the urban viewshafts.

Issue 5 is important as it recognises that while the different areas in the urban environment, including residential, business, industrial and open space, have an individual character associated with amenity values, the areas as a whole also have a level of amenity associated with them. It recognises that urban amenity is characterised by elements that contribute to the coherence of the urban environment; that is, those elements that tie the different areas together (such as streetscape, vegetation and landscaping) or provide a focus (such as urban viewshafts and entrance corridors) or recreational or aesthetic opportunity.

Viewshafts are an Overlay in the Operative District Plan, meaning the viewshaft rules apply over and above those height restrictions for the underlying Environment Areas. In summary the rules work as follows:

- The erection of buildings and structures (excluding temporary structures) is a permitted activity subject to various height limits.
- Some viewshafts contain up to three sections. Controlling the height of buildings and structures located within the first section of a viewshaft (that is, the section closest to the viewing point) aims to ensure that the public view is maintained. The majority of the viewshafts do not need the height of buildings and structures controlled in other, more distant, sections of these viewshafts because height restrictions for the underlying environment areas are already restrictive enough to ensure that buildings and structures do not detract from or reduce their visual amenity. However, due to the topography and the pattern of the underlying environment areas of the District, several of the viewshafts do require controls in the more distant sections of the viewshafts to ensure that public views are maintained.
- Where the activity does not meet the relevant conditions for a permitted activity, the activity is treated as a Restricted Discretionary activity. Matters over which discretion is restricted are:
 - The extent of intrusion of the additional height into the viewshaft and the elements of the view affected.
 - The extent to which the core of the view is impinged upon by the additional height of the building or structure.
 - Whether the building or structure results in the removal of existing intrusions or increases the quality of the view.
 - Whether the additional height of the building or structure will frame the view.
 - The proximity of the building or structure to the inside edge of the viewshaft.

The Operative District Plan generally provides for most activities as Permitted Activities, although where the activity does not meet relevant conditions for a Permitted Activity, the activity is treated as a Restricted Discretionary or a Discretionary Activity.

There are 19 viewshafts identified on the Operative District Planning Maps. These are:

New Plymouth

- Belt Road.
- Brougham Street.
- Cameron Street.
- Carrington Street.
- Churchill Heights.
- Cutfield Road.
- Egmont Street.
- Eliot Street.
- Gover Street.
- Liardet Street.
- Marsland Hill.
- St Aubyn Street/Molesworth Street.
- Mount Moturoa.
- Queen Street.
- Victoria Road.

Ōākura

- Dixon Street.
- Lower Wairau Road.
- Messenger Terrace.
- Pitcairn Street.

Line drawings of these views and their full extents (splays) are also mapped in section 3 of the planning maps. Some viewshafts contain up to three sections each with various corresponding height restrictions (see rules).

4.2 State of the Environment

In order to understand the Viewshaft resource management issues that are facing the District, a scoping exercise was undertaken which involved gathering different layers of information. As a starting point information was gathered from Council records (including resource consents and monitoring data) and included discussions and meetings between Council planners. These discussions helped understand the general effectiveness and efficiency of the current Viewshaft provisions in the Operative District Plan and gave an indication as to what changes, if any, would need to be made.

Viewshafts are still considered a useful way to maintain and enhance the character and coherence of the District's urban areas. New Plymouth and Oakura are coastal communities with a strong sense of place and in particular have a strong orientation to the sea. With continued development, landscape context can be easily lost or

subsumed. The reasons for having viewshafts are even more relevant today as development continues to place pressure on natural landscapes, particularly in urban areas. The New Plymouth District is unique within New Zealand in its proximity to both mountain and sea. Viewshafts are a useful mechanism that maintains important visual connections with the District's distinctive setting.

In the past 10 years (2008-2017) there have been 17 land use resource consents granted for applications within eight viewshafts. Three were for proposals affecting two viewshafts whereas all others affected only one viewshaft. There has been only one subdivision resource consent granted. The most common viewshaft affected is Cameron Street (six applications – four in section three and two in section two), followed by Carrington Street (four applications – three in section two and one in section one) and Messenger Terrace (three applications – no sections apply). Of the 17 land use resource consents granted, six were for the erection of new buildings, four were for extensions to existing buildings and seven were for the erection of structures other than buildings. Two land use resource consent applications have been declined that affected viewshafts. These were the Dawson Developments and The Waterfront Hotel. In the former, the viewshaft was not a significant issue whereas in the latter, the viewshafts were a significant issue. In respect to The Waterfront Hotel, the Independent Commissioner considered that "The introduction of a structure of greater height than that permitted by the district plan is likely to have an adverse effect in that it will be out of character to the existing urban fabric and is likely to lead to other applications."

It is possible that this decision, in conjunction with conflicting planning provisions, has created uncertainty amongst developers about how high they can build. The issues relating to Viewshafts can be summarised as:

- The objectives and policies are generic and lack specificity but the rules and associated planning maps are too complex.
- Clarification is required regarding where the view is assessed from, what is being assessed and whether trees form part of the view or not.
- The schedule of viewshafts needs updating.

In order to understand the issues further and how this could be addressed in the Proposed District Plan, the Council commissioned landscape advice from consultants Richard Bain and Melanie Sparks of Bluemarble, New Plymouth. The New Plymouth District Council District Plan Review – Urban Viewshafts 2017 report is attached as Appendix 1.

4.2.1 Conflicting Planning Provisions

There are no objectives in the Operative District Plan relating directly to viewshafts and the current policy lacks specificity about what viewshafts are protected and why. This generic approach at a strategic level contrasts sharply with a complex rule structure and cluttered planning maps. The rule structure is too complex because the reader must compare the viewshaft overlay rules against the relevant environment rules to determine the applicable height limit. The planning maps that show the extents of viewshafts are cluttered making it difficult to decipher information, particularly in the New Plymouth city centre. This can deter developers from considering certain sites. The Council wants to reinforce in the Proposed District Plan that the New Plymouth city centre is the principal centre in the District and region and that it is a "go-zone" or is open for business. The current approach conflicts with this.

4.2.2 Clarification Needed for Certain Matters

The current viewshaft maps imply that the viewpoint location is the origin of the splay. However, this limits the assessment to a very precise location that is not always appropriate. It could be made clearer where the viewshaft assessment point is by:

- Applying a 10m radius from the viewshaft origin shown on the planning map. This enables an assessment to consider the position of each user group. The photographs are taken from only one of these positions and are splayed to allow for several viewing positions.
- Considering panoramas as a series of views from anywhere within the hilltop.

Confusion has been experienced by plan users in the past as to whether the rules apply from, to, or to and from a viewshaft. Clarifying where the assessment point is located also clarifies that the rules apply towards the view only. They do not apply from the view itself or to and from the view.

Improvements could be made to provide greater context to the importance of the view being protected by:

- Including photographs of each viewshaft into the Proposed District Plan.
- Clearly indicating the core part of the view and the focal elements within each viewshaft.
- Indicating where new buildings and structures in the view should be precluded.
- Including accompanying text for each viewshaft, e.g. viewshaft name, description, assessment point and focal element(s).

Clarity is needed regarding whether trees form part of a view or not. To pretend or imagine that a tree is not there is problematic when assessing the impacts on a view. It is also inappropriate to prevent landowners from planting trees within viewshafts. Most of the viewshafts are unlikely to have the core parts of their views affected by trees so they should be considered part of the existing environment.

4.2.3 Viewshafts Schedule Need Updating

There are no viewshafts in the Operative District Plan the focus on Mount Taranaki. The following viewshafts should be protected:

- Airport Drive – there are specific views of Mount Taranaki when leaving New Plymouth Airport, Airport Drive is considered an important road for visual amenity.
- Racecourse – there are specific views of Mount Taranaki across Pukekura Raceway when leaving New Plymouth along Coronation Avenue.
- Te Rewa Rewa Bridge – this is an iconic image of Mount Taranaki framed by the Te Rewa Rewa Bridge, it is currently one of the most photographed views in the District.

There are some viewshafts that are no longer needed:

- Carrington Street – vegetation has reduced the openness of the viewshaft, it is limited in value due to the small area of sea now visible.
- Eliot Street – the tall Perry Dines/Education House building reduces the openness of this viewshaft, it is limited in value due to the small area of sea now visible and the sea views at the end of this viewshaft are a low risk of loss due to land ownership (Council reserve).

- Lower Wairau Road – the sea views at the end of this viewshaft are a low risk of loss due to land ownership (Council reserve).
- Pitcairn Street – this view can be covered in the Messenger Terrace viewshaft if it is extended to be in line with the eastern end of Pitcairn Street.

Three other pieces of research carried out as part of the District Plan Review have direct relevance to the Viewshafts topic – Building Heights in the New Plymouth City Centre, Building Heights at Port Taranaki and the Airport Drive entrance corridor. Please see the Commercial and Mixed Use Zones s32 report, the Special Purpose Zones (Airport Zone, Hospital Zone and Port Zone) s32 report and the Entrance Corridors s32 report for information on these pieces of research.

4.3 Effectiveness of the Operative District Plan Approach

The key implementation issues that are being experienced with the Operative District Plan approach to managing viewshafts are:

Issue	Comment	Response
Issue 1: The objectives and policies are too generic.	There are no objectives relating directly to viewshafts and the current policy lacks specificity about what viewshafts are protected and why.	Inclusion of a separate Viewshafts section. Review of objectives and policies.
Issue 2: The complex rule structure and cluttered planning maps can create a perception amongst developers that the resource consent process will be challenging.	The rule structure is too complex because the reader must compare the viewshaft overlay rules against the relevant environment rules. In addition, the planning maps that show the extents of viewshafts are cluttered making it difficult to decipher information, particularly in the New Plymouth city centre. This can deter developers from considering certain sites.	Reviewed rules. Review of how viewshafts are displayed on the planning maps.
Issue 3: There is uncertainty regarding how to implement the rules.	It is unclear: <ul style="list-style-type: none"> • Where each viewshaft is assessed from and who is benefiting from each view. • What focal points in each view are being protected. • Whether trees form part of the view or not. • Whether the rules apply from, to, or to and from a viewshaft. 	Greater clarity outlined in Plan.
Issue 4: The list of viewshafts needs updating.	The list of viewshafts needs updating to reflect the views that the community values.	Assessment of viewshafts and update of schedule.

Issue	Comment	Response
	Currently there are no viewshafts of the mountain.	
Issue 5: Views that are important to tangata whenua are not identified and the assessment criteria does not take into account tangata whenua values.	Views of cultural significance to tangata whenua are not identified. The assessment criteria does not take into account the reduction or loss of cultural values affecting the relationship of tangata whenua with their taonga.	Assessment of viewshafts. Review assessment criteria.

4.4 Effectiveness of Other Methods

Issue 5 within the Operative District Plan covers many issues – streetscape, vegetation, landscaping, urban viewshafts and entrance corridors. Those other methods of implementation that relate specifically to viewshafts are:

- 5.2 (d) Enhancement planting by the Council where Council land is located within urban viewshafts.
- 5.2 (e) Formulation of design guides to encourage consideration of the impacts of development within urban viewshafts on public views.

The Council carries out enhancement planting but it is unclear whether this is located with urban viewshafts or not. No design guides have been developed in respect to urban viewshafts. In this regard, the effectiveness of the other methods listed in the Operative District Plan is not successful.

4.5 Other Relevant Research/Documents

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

- Auckland Unitary Plan.
- Wellington City District Plan (Plan Change 48).

These plans were selected because they have been subject to recent reviews or plan changes that have addressed the importance of maintaining views which provide urban coherence and amenity values.

5 Consultation

5.1 General Consultation

Extensive consultation has been undertaken as part of this District Plan Review process with key stakeholders and the local community. Refer to the Overview s32 report for details on the methods that were used to carry out that consultation. Feedback from consultation relevant to the Viewshafts topic is summarised below.

5.1.1 Draft District Plan 2016

Only four comments were received to the Draft District Plan regarding Viewshafts.

Port Taranaki supported the protection of viewshafts, in particular the view to Nga Motu/Sugar Loaf Islands. However, they advised that they would be severely impacted if viewshafts and height extended over or increased towards Port land and adjoining Industrial D land. Currently the height limits for the Mount Moturoa viewshaft extend over Port land on the seaward side of Centennial Drive where the height limit is 25m. This may limit the use of this area for a silo or storage tank which would be an expected activity for a port facility.

Heritage New Zealand Pouhere Taonga sought minor changes to VS-P3 to include references to location and bulk and to historic heritage.

Powerco Limited sought a change to VS-P4 to include consideration of the need to undertake work having regarding to the nature of the activity proposed.

Federated Farmers commented that the Viewshafts section seemed to be primarily focused on urban areas but that they did not want to see normal farm buildings restricted because they are an expected part of the rural landscape and generally add to rather than detract from rural amenity. Federated Farmers also commented that specific or significant views should be referenced in the overarching objective.

5.1.2 Draft Digital District Plan 2018

Only four comments were received to the Draft Digital District Plan regarding Viewshafts.

Powerco sought an exception to VS-P3 and VS-R1 if a proposed structure has a functional, operational, technical or locational need. They stated that, in most cases, network utility structures cannot comply with the height restrictions within the viewshaft rules due to functional, operational, technical and locational needs. Network utilities may be required to locate within viewshafts for unavoidable locational requirements.

Federated Farmers stated that they supported the identification of viewshafts of interest. They noted that all of these were urban so had no further comment, other than to register an interest in VS-P2 (recognising viewshafts that have cultural significance to tangata whenua) which could potentially affect farmers although no specific rules are attached.

A private individual sought the addition of three new viewshafts:

1. Fort Niger – south towards Mount Taranaki, north-west towards CBD/Moturoa, north-east towards Fitzroy/beaches, south-east up Te Henui River Valley.
2. Te Henui Cemetery from New Zealand Wars Monuments, at centre of cemetery, up Te Henui River Valley.
3. Pukekura Park – from teahouse towards Mount Taranaki.

Bland & Jackson Surveyors Ltd suggested that, given the variable topography, it might be more effective to set the maximum height as a RL (reduced level; equating elevations of survey points with reference to a common assumed datum) based on the

distance from the origin of the view. They also noted that the viewshaft descriptions and illustrations are very helpful but suggested it would be useful to have a 'snip' of the District Plan map in that locality showing the full extent of the viewshaft and the sections within them. A suggestion was also made to include a viewshaft over the industrial area between Egmont Road and Henwood Road towards the mountain. This area contains controls to protect the view of the mountain from the entrance to New Plymouth, i.e. the Bell Block Bypass, specifically the RL ground levels but this has created problems for the development of the area so a viewshaft controlling the height of buildings via a RL is considered more appropriate.

The comments outlined above have been taken into account when compiling the Proposed District Plan. Activities concerning network utilities are dealt with through a dedicated chapter in the Proposed District Plan. Considerable re-working of the Mount Moturoa viewshaft has been done in line with the proposed Special Purpose Zone (Port Zone). The Council is proposing to protect those views that are considered to be under threat from development and, in general, does not consider it appropriate to place a restriction mechanism over public land given it is unlikely to be developed. Using a RL is likely to add further complexity when the Council is seeking to simplify the viewshaft provisions. The Council considers it has identified the most critical views of the mountain within the urban environment.

5.2 Consultation with Iwi Authorities

The Council has worked with a group called Ngā Kaitiaki made up of mandated representatives from iwi and hapū throughout the District. Ngā Kaitiaki was formed specifically to provide feedback as part of the District Plan Review. Their suggestions in relation to the Viewshafts chapter of the Draft District Plan are summarised in the bullet points below:

- Amend VS-P1 (identifying urban viewshafts) to accommodate non-urban viewshafts because important rural viewshafts exist for many rural marae and other important places to tangata whenua.
- Amend VS-P2 (identifying important viewshafts that have cultural significance to tangata whenua) to include pa.
- Amend V3-P3 (maintaining viewshafts by controlling the height of buildings and structures) to include vegetation.
- Include stronger wording in VS-P4 (stating the matters an activity must have regarding to if it will impact on a viewshaft) to protect cultural viewshafts.
- Add a new policy similar to VS-P5 (support enhancement planting on Council land locate within viewshafts) about providing interpretive material identifying significant cultural elements of viewshafts.

Views of cultural significance to tangata whenua have not been identified in the Proposed District Plan due to time constraints. As a result of not being able to identify these, the objective and policies have been modified so there is no reference to views of cultural significance to tangata whenua in the Proposed District Plan. In addition, there are no related assessment criteria. However, the Council welcomes the identification of views of cultural significance to tangata whenua in the future and is open to including these in the District Plan and altering provisions where appropriate, pending the outcomes of any relevant study.

6 Key Resource Management Issues

The key resource management issue for viewshafts is that land use or development can intrude on views detracting from the visual amenity and attractiveness of the District. This has the potential to impact on the District's 'sense of place' and distinctive character.

7 Proposed District Plan Provisions (Objectives, Policies and Methods/Rules)

The proposed provisions are set out in the Viewshafts section of the Proposed District Plan. These provisions should be referred to in conjunction with this evaluation report. The proposed provisions are summarised below.

7.1 Strategic Objectives

The applicability/relevance of all the proposed Strategic Objectives will need to be considered for all development proposals requiring resource consent under the Proposed District Plan. Of particular relevance to Viewshafts are the following proposed Strategic Objectives:

HC-1: The district's heritage and cultural values contribute to the district's sense of place and identity, and are recognised and protected.

HC-2: The cultural, spiritual and/or historical values associated with historic heritage and sites and areas of significance to Māori are protected.

UFD-19: Urban environments are livable, connected, accessible, safe and well-designed spaces for the community to live, work and play, which:

- 1. integrate and enhance natural features and topography into the design of development to minimise environmental impacts;*
- 2. recognise the local context and character of an area;*
- 3. reduce opportunities for crime and perceptions of crime through design solutions;*
- 4. create ease of movement in communities through connected transport networks, a range of transport modes and reduced reliance on private motorised vehicles;*
- 5. incorporate matauranga Māori principles by involving tangata whenua in the design, construction and development of the built environment;*
- 6. use low impact design solutions and/or healthy, accessible, energy efficient buildings; and*
- 7. are adequately serviced by utilising and/or upgrading existing infrastructure or with new infrastructure.*

7.1.1 Overall Framework

In general, the approach used in the Operative District Plan is the same as that used in the Proposed District Plan. Viewshafts are still identified and the height of structures within them is regulated, but more detail has been added in an appendix about each viewshaft and the rules that apply to them have been simplified.

In total 18 viewshafts are proposed for inclusion in the Proposed District Plan. Of those 18, 15 are carried over from the Operative District Plan and three are new. Four viewshafts have been removed. The viewshafts contain a total of 32 sections, which relate to varying height limit parameters applicable to certain parts of the view in order to ensure land use and development does not impact on the important vistas. Of these 32 sections, only 18 have height limits that are more stringent than that of the underlying zone height limit.

The rules that apply to viewshafts have been refined. The permitted height limit is no longer determined by comparing two different numerical height limits in the viewshaft overlays and the underlying environment area, whichever is the lesser. The viewshaft overlays now simply state what height limit has to be met – either that listed in the viewshaft overlays or that in the underlying height management area or zone. Many of the height limits listed in the viewshaft overlays are the same as the height limits for the underlying height management area or zone, meaning there is no additional burden on landowners.

The exception to this approach is section 2 of the Papawhero/Mount Moturoa viewshaft. The “whichever is the lesser” comparison has been retained because section 2 covers three zones with varying height limits. Some of the height limits within these zones are appropriate but some are not so the ability to look at each application in respect to the zone it is within needs to be retained. The three zones and their height limits are:

- General Industrial Zone – 15m (structure), 12m (building).
- General Residential Zone – 8m (structure and building).
- Special Purpose Zone (Port Zone, Port Industry Area) – 12m (building).

7.2 Objectives and Policies

In summary, the proposed provisions comprise:

- The identification and mapping of 18 viewshafts (twelve primarily of the sea, three of the mountain and three of panoramas).
- Maintaining viewshafts by controlling the height of structures within viewshafts.
- Ensuring that structures proposing to exceed the permitted height limit within viewshafts do not result in inappropriate adverse visual effects on viewshafts.
- Supporting enhancement planting on Council land that is located within viewshafts to improve the overall amenity of viewshafts.

7.3 Rules

7.3.1 Allowing as a permitted activity:

- Building activities on sites within an identified viewshaft.
- The erection of structures on sites within identified viewshafts, subject to standards for maximum height.

7.3.2 Managing as a restricted discretionary activity:

- Any activity within identified viewshafts not meeting permitted activity standards.

7.4 Schedule

Included is an appendix describing each viewshaft (SCHED5 - Schedule of Viewshafts), the point from where it is assessed, the focal element(s) that it focuses on, and photographs with coloured portions to show where encroachment by new structures could be detrimental.

The table below summarises the changes to scheduled viewshafts in terms of those that have been retained and/or amended, added and deleted.

RETAIN AND/OR AMEND	Belt Road – remove sections 1 and 2, just have one section with a height limit the same as the underlying zone
	Brougham Street – no change
	Cameron Street – retain three sections, first section has a specified height limit but sections 2 and 3 have a height limit the same as the underlying height management area or zone
	Churchill Heights – remove sections 1 and 2, just have one section with a height limit the same as the underlying zone
	Cutfield Road – remove sections 1 and 2, just have one section with a height limit the same as the underlying zone
	Dixon Street – retain one section; narrow the extent to only include houses on seaward side of Messenger Terrace
	Egmont Street – no change
	Gover Street – retain three sections, first section has a specified height limit but sections 2 and 3 have a height limit the same as the underlying height management area or zone
	Liardet Street – no change
	Messenger Terrace – no change
	Molesworth Street – no change
	Papawhero/Mount Moturoa – retain three sections, first section has a specified height limit, section 2 is the lesser of a specified height limit or that of the underlying zone, section 3 is the height limit for the underlying zone; change extent of section 1 to be above the level of the reserve immediately adjacent to the site, change the extent of section 2 to include tank farm area to the north
	Pukaka/Marsland Hill – retain four sections but renumber them, first two sections have a specified height limit, last two sections have a height limit the same as the underlying height management area or zone
	Queen Street – no change
	Victoria Street – retain two sections, first section has a specified height limit but section 2 has a height limit the same as the underlying height management area or zone
ADD	Airport Drive – 2 sections, both have a specified height limit
	Racecourse – 3 sections, first two section have a specified height limit but section 3 has a height limit the same as the underlying zone
	Te Rewa Rewa Bridge – 2 sections, first section has a specified height limit but section 2 has a height limit the same as the underlying zone
DELETE	Carrington Street
	Eliot Street
	Lower Wairau Road
	Pitcairn Street

7.5 Planning Maps

Each viewshaft is identified on the planning maps, along with any applicable sections within each viewshaft. The electronic nature of the Proposed District Plan means that individual viewshafts can be turned on and off on the planning maps. At present, all viewshafts are shown on the planning maps. This makes the planning maps very cluttered, particularly in the New Plymouth city centre.

8 Approach to Evaluation

Section 32(1)(a) 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 this proposal.

The section of the RMA requires that:

- New proposals must be examined for their appropriateness in achieving the purpose of the RMA.
- The benefits and costs, and risks of new policies and rules on the community, the economy and the environment need to be clearly identified and assessed.
- All advice received from iwi authorities and the response to the advice needs to be summarised.
- The analysis must be documented, so stakeholders and decision-makers can understand the rationale for policy choices.

8.1 Evaluation of Scale and Significance

	Minor	Low	Medium	High
Degree of change from the Operative Plan	✓			
Effects on matters of national importance		✓		
Scale of effects – geographically (local, district wide, regional, national).		✓		
Scale of effects on people (how many will be affected – single landowners, multiple landowners, neighbourhoods, the public generally, future generations?).		✓		
Scale of effects on those with specific interests, e.g. Tangata Whenua	✓			
Degree of policy risk – does it involve effects that have been considered implicitly or explicitly by higher order documents? Does it involve effects addressed by other standards/commonly accepted best practice?	✓			
Likelihood of increased costs or restrictions on individuals, communities or businesses.		✓		

8.2 Explanation Summary

In summary:

- The degree of change from the Operative District Plan is low. The majority of the current viewshafts will continue to be identified. Four have been deleted and three have been added. There has been some refining of the rules that apply to viewshafts and the addition of a detailed appendix to help with interpretation.
- The proposal relates to two section 6 matters of national importance (b – the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development; c – the protection of areas of significant vegetation and significant habitats of indigenous fauna) and two section 7 other matters (c – the maintenance and enhancement of amenity values; f – maintenance and enhancement of the quality of the environment).
- The proposal does not relate to a specific key direction in the Blueprint. However, viewshafts are inherent in two particular key directions. The Central City key direction is of particular relevance given the protection of views in this area will help to deliver a diversity of speciality retail, entertainment, cultural and social experiences. The Destination key direction is also of relevance given the protection of views will help make the District a unique and special place to live and visit.
- The geographical scale of effects for viewshafts is generally limited to the New Plymouth city centre and properties on its fringe where most of the viewshafts are located.
- The scale of effects on people is low. The majority of buildings and land affected by the proposed changes are owned by private landowners who may raise concerns with the restrictions on their private property rights. However, these restrictions will only come into effect if the landowners are proposing activities that trigger rules in the District Plan. In the majority of instances, the restrictions will have little effect on the day to day operation and function of businesses and residences. Many of the viewshafts have not changed and landowners are already familiar with the concept. In addition, any landowner within a viewshaft that is proposing an addition or alteration to an existing building or proposing a new building within the City Centre Zone will require a resource consent regardless of whether they have a viewshaft identified on their property or not. From a public good perspective, future generations will benefit greater from the protection of viewshafts.
- The identification of viewshafts with cultural significance to tangata whenua has not occurred as part of the District Plan Review so the impact on special interest groups has been marked as minor in the table. However, any future study identifying viewshafts with cultural significance will increase the impact on tangata whenua, especially maintaining their relationship with their ancestral lands, water, sites, waahi tapu, and other taonga, as per section 6(e) of the RMA; and
- The identification procedures and proposed provisions (which are discussed in detail below) are in accordance with commonly accepted best practice, and consistent with approaches in other second-generation District Plans that have been produced around New Zealand.

Overall, it is considered that the scale and significance of the proposal is low. The level of detail in this report corresponds with the scale and significance of the environmental, economic and cultural effects that are anticipated from the implementation of the viewshaft provisions.

9 Evaluation of Objectives

Existing Objective(s)	Appropriateness to existing objectives
<p>Objective 5: To maintain and enhance the character and coherence of the urban areas of the New Plymouth District.</p>	<p>The objective is generally consistent with the Council’s position and the statutory and policy context. However, this objective is currently very generic and attempts to cover the many elements that tie urban areas together (such as streetscape, vegetation and landscaping) or provide a focus (viewshafts and entrance corridors) or recreational or aesthetic opportunity. Areas of open space such as parks, playgrounds, pathways, reserves and sports grounds contribute to the amenity of the urban environment. These will be dealt with primarily through the Open Space and Recreation Zones.</p> <p>Therefore, the current objective is not considered the most appropriate in addressing the Viewshafts issues identified and achieving the purpose of the RMA. New objectives are proposed as detailed below.</p>

Proposed Objective(s)	Appropriateness to achieve the purpose of the Act
<p>VIEWWS-O1: Viewshafts from public places to Mount Taranaki, the sea, Nga Motu/Sugar Loaf Islands and significant landmarks that provide a strong sense of place and identity are recognised and maintained.</p>	<p>The purpose of the RMA is to promote the sustainable management of natural and physical resources by managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural well-being.</p> <p>The proposed objective addresses a resource management issue – viewshafts are resources which need to be protected from inappropriate development that can detract from the visual amenity and attractiveness of the District. Section 6(b) of the RMA requires the Council to recognise and provide for the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development. Section 7(c) of the RMA requires the Council to have particular regard to the maintenance and enhancement of amenity values. VIEWWS-O1 aligns with these sections because it recognises and protects viewshafts that provide a strong sense of place and identify and specifically describes what types of viewshafts are considered important, i.e. views from public places to Mount Taranaki, the sea, Nga Motu/Sugar Loaf Islands and significant landmarks.</p> <p>It is important that decision makers are aware that viewshafts are identified and protected and that they are not obstructed by new structures. This will help to ensure that the New</p>

Proposed Objective(s)	Appropriateness to achieve the purpose of the Act
	<p>Plymouth District retains a strong sense of place and identity, thus contributing to the social, economic and cultural well-being of residents and visitors.</p> <p>The structural changes made as part of the framework of the Proposed District Plan mean topics such as viewshafts are to be managed through separate sections to address development proposals that may impact on the amenity of these areas. This provides plan users and decision makers with certainty as to what outcomes are expected or considered appropriate under the District Plan provisions.</p> <p>The proposed objective implements key directions in the Blueprint. They are appropriate and reasonable as they provide a clear direction for decision making when assessing proposals affecting viewshafts. The objectives are considered reasonable and achievable as they are consistent with other districts and focus on the particular issues in the District.</p> <p>Outlining the need to protect important viewshafts in the District as above is the preferred option as it achieves the purpose of the RMA to promote sustainable management of our natural and physical resources. It also assists with community identity and enhances the amenity of the District for residents and visitors.</p>

Evaluation of Alternative Options	Appropriateness to achieve the purpose of the Act
Retain the status quo	<p>This option will have the following consequences:</p> <ul style="list-style-type: none"> • The viewshafts that are currently in the Operative District Plan will continue to be regulated meaning that they should not be obstructed by buildings and structures. However, views of the mountain that the community value will not be regulated. In turn, the District could lose views that are very distinctive and provide a strong sense of locality. • Decision makers will be hindered when assessing resource consent applications because the objectives and policies will continue to be generic and lack specificity but the rules and associated planning maps will continue to be too complex. • The current provisions may continue to deter developers from considering certain sites particularly in the New Plymouth city centre because of their complexity. Readers will still have to compare viewshaft height limits as well as those of the underlying Environment Area as well as trying to read cluttered planning maps to establish which viewshafts apply.

Evaluation of Alternative Options	Appropriateness to achieve the purpose of the Act
	<ul style="list-style-type: none"> • Council will not adequately meet its obligations under section 7 of the RMA, including maintaining and enhancing amenity values through the protection of viewshafts.
<p>Summary</p> <p>The preferred objectives will achieve the purpose of the RMA as they are clear statements of intent that recognise the values of viewshafts, in turn contributing to the maintenance and enhancement of amenity values. They provide certainty as to the outcomes that are appropriate under the District Plan provisions and are aligned with best-practice throughout New Zealand.</p>	

10 Evaluation of Options to Achieve the Objectives

Options to achieve the District Plan objectives relating to (insert topic)	Benefits	Costs	Efficiency and Effectiveness	Risks of acting/not acting
<p>Option A: Proposed approach</p> <p>This option is recommended.</p> <ul style="list-style-type: none"> • Objectives and policies in one Viewshafts section for the identification, recognition and protection of viewshafts. • Apply clear rules regarding the maximum height for the erection of structures within viewshafts. 	<ul style="list-style-type: none"> • The community is already familiar with the concept of viewshafts and that rules apply. This option seeks to refine the current option by simplifying and clarifying the rules, providing more information about each viewshaft and improving how viewshafts are displayed on the planning maps. • Viewshaft specific provisions will provide strong direction on what views are being protected and why. This 	<ul style="list-style-type: none"> • The addition of more viewshafts means more landowners will be subject to height restrictions on their properties. Some may perceive this as an additional economic burden because they may trigger a resource consent process and/or require specialist architectural design input. • Potential impact on property values or development potential of sites within viewshafts, which could affect the 	<ul style="list-style-type: none"> • The Council will be meeting its obligations under the RMA. • This approach is effective and efficient as it identifies viewshafts in areas of the District where, with continued development, landscape context could be easily lost or subsumed. It allows structures to be built subject to standards for maximum height, but requires resource consent for those not meeting these standards. Decision-makers can make 	<ul style="list-style-type: none"> • The evaluation under section 32 must consider the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions in the proposal. It is considered that the provisions proposed have been fully researched and carefully evaluated and the information is sufficient to support the proposed change.

Options to achieve the District Plan objectives relating to (insert topic)	Benefits	Costs	Efficiency and Effectiveness	Risks of acting/not acting
<ul style="list-style-type: none"> • Include an appendix clearly describing each viewshaft, the point from where it is assessed and the focal element(s) that it focuses on. • Display viewshafts on the planning maps in a user friendly manner. 	<p>should result in better environmental outcomes.</p> <ul style="list-style-type: none"> • The rules and planning maps will be clarified and simplified. More information will also be provided about each viewshaft which will be of benefit to plan users in decision making. 	<p>future re-sale of these sites.</p>	<p>informed decisions based on clearer provisions. The approach addresses current issues and achieves the proposed objective by providing a balance between management of adverse effects on viewshafts and enabling structures of an appropriate height to be erected within them.</p>	
<p>Option B: Status quo regulatory approach</p> <p>This option is not recommended.</p> <ul style="list-style-type: none"> • One overall objective for streetscape, vegetation, landscaping, viewshafts and entrance corridors, and one policy for viewshafts. • Apply complex rules regarding the maximum height for the erection of buildings and structures within viewshafts. 	<ul style="list-style-type: none"> • The community is already familiar with the concept of viewshafts and that rules apply. 	<ul style="list-style-type: none"> • There will be no specific objective relating to viewshafts and the existing generic policy will remain, meaning there is a lack of strong direction on what views are being protected and why. This may result in adverse environmental outcomes. • The rules will continue to be complex and the planning maps will continue to be cluttered. This may deter developers from considering certain sites, particularly in the New 	<ul style="list-style-type: none"> • The Council will be meeting its obligations under the RMA, although not as well as it could be. • Provisions will continue to exist but there will be no objectives and policies to provide greater direction to decision-makers. Viewshafts will continue to be identified but new viewshafts of importance to the community, such as those of the mountain, will not be identified. Therefore this option is 	<ul style="list-style-type: none"> • The evaluation under section 32 must consider the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions in the proposal. It is considered that there is certain and sufficient information about the provisions in this approach because they have been in place since the Operative District Plan came into effect in 2005.

Options to achieve the District Plan objectives relating to (insert topic)	Benefits	Costs	Efficiency and Effectiveness	Risks of acting/not acting
<ul style="list-style-type: none"> • Display viewshafts on the planning maps in a cluttered manner. 		<p>Plymouth city centre. This does not align with the “go-zone” approach in the Proposed District Plan, potentially impacting on economic revitalisation.</p>	<p>not considered to be as efficient or effective as the preferred option to achieve the objective.</p>	
<p>Option C: Methods outside the District Plan</p> <p>This option is not recommended.</p> <p>Rely on non-regulatory methods. Increase public recognition and understanding of the District's viewshafts and associated values, and rely on private landowners to manage and protect viewshafts. Encourage the use of non-regulatory incentives and assistance to facilitate the protection of viewshafts.</p>	<ul style="list-style-type: none"> • Landowners will not be subject to rules meaning they will have increased economic opportunities and flexibility. • Public awareness of the importance of protecting viewshafts is increased through education programmes. 	<ul style="list-style-type: none"> • No regulatory control places the onus on private landowners to protect viewshafts for the public good, which could result in adverse environmental outcomes. It is a challenging concept to grasp that, for example, the erection of a tall building hundreds of metres away from the coast could impact drastically on the view of the coast from a public place. A loss of important views is likely. 	<ul style="list-style-type: none"> • The Council will not be meeting its obligations under the RMA. • The location and type of objectives and policies within the District Plan will need to be evaluated given no regulatory methods will apply. It will not be clear to people what viewshafts have value. Changing from a regulatory to a non-regulatory system is likely to cause confusion. Therefore this option is not considered to be as efficient or effective as the preferred option to achieve this objective. 	<ul style="list-style-type: none"> • The evaluation under section 32 must consider the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions in the proposal. It is considered that there is certain and sufficient information about the provisions in this approach because Council has experience of dealing with only non-regulatory methods for other items in the District Plan. The effectiveness of non-regulatory methods is questionable, e.g. heritage character areas (Council has regularly been lobbied over the years by individuals and

Options to achieve the District Plan objectives relating to (insert topic)	Benefits	Costs	Efficiency and Effectiveness	Risks of acting/not acting
				community groups seeking regulation; monitoring has shown that substantial loss of heritage fabric has occurred).
<p>Quantification Section 32(2)(b) requires that if practicable the benefits and costs of a proposal are quantified.</p> <p>Given the assessment of the scale and significance of the proposed changes above it is considered that quantifying costs and benefits would add significant time and cost to the s32 evaluation processes. The evaluation in this report identifies where there may be additional cost(s), however the exact quantification of the benefits and costs discussed was not considered necessary, beneficial or practicable.</p>				
<p>Summary The above table has demonstrated that Option A (Proposed Approach) is the most appropriate method for managing viewshafts.</p>				

11 Summary

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:

- The objective and policies provide direction and certainty to plan users on the outcomes expected for viewshafts.
- The revised viewshafts are based on the Urban Viewshafts report attached in Appendix 1, and include an additional three viewshafts of the mountain which are of importance to the community.
- Permitted activity rules allow for the erection of buildings and structures subject to standards for maximum height that are considered to be appropriate within identified viewshafts.
- Activities that do not meet the permitted standards are appropriately managed through the resource consent process.
- Other methods outside the District Plan that are effective in practice to achieve the proposed objective will continue to be used alongside the regulatory approach.

Overall, it is considered that the set of preferred provisions is the most appropriate given that the benefits outweigh the costs, and there are considerable efficiencies to be gained from adopting the preferred provisions. The risks of acting are also clearly identifiable and limited in their extent.

12 Appendices

Appendix 1: New Plymouth District Council District Plan Review – Urban Viewshafts
2017