

BEFORE THE NAPIER CITY COUNCIL

UNDER The Resource Management Act 1991

AND

IN THE MATTER OF a resource consent application by Bupa Care Services NZ Limited to the Napier City Council for a retirement village complex at 25 and 35 Ulyatt Road, Napier.

**STATEMENT OF EVIDENCE OF PAUL MURPHY
ON BEHALF OF BUPA CARE SERVICES NZ LIMITED
LANDSCAPE
8 August 2018**

Qualifications and experience

1. My name is Paul Murphy. I am a Principal Landscape Architect with wsp-opus in Auckland. I have been practicing as a landscape architect for 18 years. I have a Bachelor of Landscape Architecture from Unitec, Auckland, completed in 1999. I am a registered member of the New Zealand Institute of Landscape Architects.
2. My work has involved the development of landscape design proposals and landscape and visual assessments at a range of scales and across a spectrum of urban, suburban, rural and coastal environments. This includes commercial and residential scale projects including retirement villages and aged care facilities, multi-unit housing projects and residential subdivision and development.
3. As part of this work, I have prepared a number of landscape and visual effects assessments, as well as evidence for council hearings for resource consent.
4. In particular, I have held project roles and undertaken landscape and visual assessments for the development of a number of retirement villages and residential care facilities across the North Island, including:
 - Bupa Care Services NZ Limited (“Bupa”), Riverstone, Palmerston North.
 - Bupa, Wellington.
 - Bupa, Cambridge.
5. I am therefore familiar with the landscape and visual amenity issues associated with such developments.
6. Bupa proposes to develop a retirement village complex at 25 Ulyatt Road, Napier (the “Proposal”). I began working on the project while employed with Shafer Design. I have since relocated to wsp-opus, where I have retained my involvement with the Proposal. All work completed while working with Shafer Design remains relevant.

Code of Conduct for Expert Witnesses

7. I confirm I have read and am familiar with the Environment Court's Code of Conduct Practice Note 2014. I have complied with the Code of Conduct in preparing this evidence and I agree to comply with it while giving oral evidence before the Hearing Commissioner. Except where I state that I am relying on the evidence of another person, this written evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in this evidence.

Scope of evidence

8. My evidence will address the following aspects of the proposal:
- (a) The site context;
 - (b) An explanation of the visual catchment and viewing audiences;
 - (c) An overview of the proposed landscape treatment;
 - (d) An assessment of the landscape amenity and visual effects;
 - (e) A response to the landscape and visual matters raised in submissions; and
 - (f) A response to the officer's report and proposed conditions.
9. I have read and am familiar with the submissions on the Proposal and I have read the officer's report and the proposed conditions.
10. I visited the site and surrounding area on two occasions, in September and November of 2017, during the preparation of the visual assessment. The purpose of these visits was to familiarise myself with the site and its context and understand the potential viewing audience.
11. I also met with Council's Urban Designer, Georgina King, on two occasions to discuss landscape and urban design matters. These Pre-Application meetings assisted in identifying the visual catchment and the viewpoints for the visual assessment. The outcome of the meetings also informed the layout of the site and internal circulation routes through the site as well as planting interfaces with the perimeter boundary, particularly the north and west boundaries which overlook the public footpath in the

stormwater reserve outside of the site. We also discussed the placement of larger trees in the centre of the site for mitigation purposes as well as amenity effects for residents. The discussions identified that the location of the taller buildings in the centre of the site was a good response to addressing the potential effects of an over height buildings.

Executive summary

12. In summary, it is my conclusion that the Proposal responds appropriately to the specific characteristics afforded by the site and its surrounding environment, to achieve a design that provides for more intensive development while largely mitigating or reducing those adverse amenity, landscape and visual effects sometimes associated with development and intensification.

Proposal

13. The Proposal includes 99 single level villas and a centrally located 2 storey Care Home and a 3 storey apartment block. The proposed development steps up from the existing level of 11.25 at the boundary, to a finished floor level of the apartment building of 13.50 at the centre of the site, providing a series of steps over the site.
14. Circulation roads, parking and garaging is located internally on the site, to reduce visibility of these elements from outside the site.
15. Landscaping and mitigation planting will be located around the perimeter and throughout the site in accordance with the Landscape Concept Plan prepared by Shafer Design, attached as Appendix 2A to the application. The north and west boundary planting will complement the planting to be undertaken outside the site in the cross country drain system.

Site context

16. The existing environment is at the confluence of rural and urban land uses, bordered by the infrastructural landscapes of SH50, the stormwater drainage system and public walkway, and the power supply on Ulyatt Road.

17. The contour of the site and immediate surrounds is flat, extending for a considerable distance around the site. The subject site is located in close proximity to the residential environment of Clarence Cox Crescent and Harold Holt Avenue to the north and is at the edge of the Main Residential Zone. It is also in close proximity to Atherfold Crescent to the west, also in the Main Residential Zone.
18. The site is separated from Clarence Cox Crescent in the north, by a stormwater reserve, and from Atherfold Crescent in the west by the same stormwater reserve, the Napier Expressway (SH50) and reserve land on the eastern side of Atherfold Crescent which includes large deciduous trees. In both instances, residential development starts from the adjoining boundary.
19. The land to the east and south is zoned rural and includes a variety of rural land uses on varying sized lots. The landscape is flat across a broad area with intermittent trees, shelter belts and buildings. Overhead power supply and pylons are a noticeable vertical element along the eastern site boundary.

Visual catchment and viewing audience

20. The viewing audience comprises transient views from the road network and fixed views from residential properties. The site has a limited visual catchment due to the flat nature of the surrounding topography and density of built form.

Views from residential properties

21. Residential properties are generally limited to within 500m of the subject site and include Ulyatt Road, Harold Holt Ave, Clarence Cox Crescent and Atherfold Crescent. There are very limited clear views of the Proposal from any of the residential interfaces:
 - (a) Ulyatt Road has a small number of dwellings, 7 in total opposite the subject site, generally located behind boundary planting and/or dwellings set back from the road. Viewpoint 2 of the Visual Assessment (Appendix 2b of the application) is illustrative of the view from Ulyatt Road.

- (b) Views from Harold Holt Ave residences are to the south west and include a large shelter belt and trees along the southern side of the road, restricting clear views of the site. The shelter belt is located outside the subject site and will not be affected by the Proposal.
- (c) Views from Clarence Cox Crescent residences are to the south and screened by 1.8m boundary fences, accessory buildings and planting within the residential properties. The distance to the site is increased by the stormwater reserve which separates the site from the southern boundaries. There may be views from further north on Clarence Cox Crescent from the street when looking south over the existing residences however these would be fleeting or glimpse views only and would not take in the entire Proposal.
- (d) Atherfold Crescent residences look across the street, then a reserve with large trees, and the Napier Hastings Expressway, limiting clear views to the east toward the subject site. Viewpoint 4 of the Visual Assessment is illustrative of the view.

Views for motorists

- 22. Views for motorists on Ulyatt Road (Viewpoints 1 and 2, Appendix 2b of the application) are available travelling north and south where the speed limit is currently 100km/h once past the north-east corner of the site. Views are limited beyond the site by planting and shelter belts along the sides of the road. Viewpoint 1 of the Visual Assessment is illustrative of a south travelling viewer.
- 23. Views for motorists on SH50 (Viewpoints 3 and 5, Appendix 2b of the application) are generally only available in close proximity to the subject site when travelling north and south. The views are limited due to the alignment of the road, the speed travelled and the location of the site parallel to the direction of travel. Views are illustrated by Viewpoints 3 and 5 of the Visual Assessment (Appendix 2b of the application).
- 24. The visual assessment concluded that the viewing audience was limited by the flat contour, the features of the existing landscape including buildings, fencing, trees,

hedges and shelter belts. There are no significant landscape features or views affected by the Proposal.

Landscape treatment

25. Landscaping and mitigation planting will be located around the site perimeter and throughout the centre of the site. Planting includes shrub and tree species which will assist in softening building forms, with effects increasing over time. The Ulyatt Road boundary has a landscape buffer strip consisting of mixed trees and shrubs, illustrated on Sheet 4 of Appendix F of the Visual Assessment (Appendix 2b of the application). Two existing plane trees will be retained as part of the landscape proposal.
26. The proposed landscaping uses large trees and hedge type forms to the Ulyatt Road boundary which provides a landscape typology similar in character to the surrounding rural landscape.
27. The scale of boundary planting and the use of permeable boundary fencing maintains a visual connection to the external environment which in turn maintains a passive surveillance over the footpath through the stormwater reserve surrounding the north and west of the site.
28. Large trees have been located in the centre of the site to assist in mitigating the effects of the larger apartment building and Care Home. As the planting establishes, the height of the trees will reduce the amount of building visible, particularly from the north. The secondary effect of the trees is the provision of shade to public areas of the site, particularly in the summer, which improves the amenity of the space for residents.
29. A path network through the site provides connectivity for residents across the site, with the use of the low speed, low volume roads providing a secondary circulatory network. Seating areas in open spaces provide amenity areas for residents. The public walkway in the stormwater reserve provides access to a wider pedestrian route beyond the site.

Cross country drain

30. The proposal to landscape within the cross country drain stormwater reserve area adjoining the western and northern boundaries of the subject site provides an opportunity to integrate the sites. I have viewed the proposal prepared by Hawkes Bay Regional Council, in particular Page 8 of the document titled Cross Country Drain Enhancement, February 2018. I am of the opinion that the design of the two sites can be more fully addressed at Detailed Design stage to ensure the outcomes proposed by HBRC can be worked toward within the budget. It should be noted that visual connectivity should be maintained between the Bupa site and the public walkway to maintain passive surveillance.

Assessment of Effects

31. Potential effects are the change in use from open rural land to a residential type development and the over height elements of the apartment, 4.9m maximum, and Care Home, 1.4m maximum, buildings.

Change in use

32. The site is currently vacant and has an open character due to the current activity. The Proposal will introduce new elements into the landscape which will change the site from a rural land use to a more residential land use. This change in use is acceptable given the context within which the site is located, with two residential interfaces, to the north and west. A similar interface is found on Waterworth Avenue to the east of the subject site. The Proposal will form a logical and contiguous extension of the existing urban areas which will partially frame and visually connect the site to these existing areas.

Scale/ height

33. The scale of the Proposal is largely in keeping with the character of the surrounding residential areas, being single level dwellings backing on to open rural land. Larger

- buildings are located to the centre of the site, which are similar in scale to a complying rural building (15.0m¹), and have a greater degree of architectural finish and detailing.
34. The over height portion of the two storey care home is largely the upper extent of the 12° pitched roof to the ridgeline, illustrated on Sheet P17 of Jerram Tocker Barron (JTB) drawings submitted for Resource Consent.
 35. The over height portion of the three storey apartment building is the third floor and 12° pitched roof, illustrated on Sheet P17 of JTB drawings submitted for Resource Consent.
 36. The effects of the over height buildings are reduced by the buildings being located in the centre of the site. The apartment wing is located away from the closest viewers on Ulyatt Road. The villas are located between the viewers and the over height buildings which provides a foreground to reduce the perceived scale of the building. The 2 storey Care Home wing is also located between the closest viewers on Ulyatt Road and the 3 storey apartment wing which provides a further step in the built form. The stepping of the site from the boundary also assists in reducing the difference in height, as illustrated in JTB drawings Sheet P11. There is no clear view of the entire over height building.
 37. Effects of the built form will be further reduced as the landscape planting establishes and trees grow. A series of sketches indicated the approximate 5-year post planting size to illustrate this, attached as Appendix F of the Visual Assessment (Appendix 2b of the application).

Effects on viewpoints

38. Five viewpoints were selected following site visits and establishing the viewing catchment, which are shown in the photomontages in Appendix E of the Landscape and Visual Assessment (Appendix 2b of the application). I describe the viewpoints and the effects if the Proposal on each of them below.

¹ City of Napier District Plan-Main Rural Zone Activity Table – Permitted activities 34.3

Viewpoint 1

39. Viewpoint 1, from the corner of Ulyatt Road, Harold Holt Drive and Bill Hercock Street, is representative of what a motorist heading south would experience and is indicative of a fixed view from residential dwellings in this area. For motorists the view will be short duration and constantly changing as they move past the site. The site is peripheral to the direction of travel and will largely comprise the boundary planting and views of the outermost row of villas, similar in character to the residential neighbourhood they have experienced in arriving at the site. Fixed views from residential dwellings are to the south and likely to be experienced by a small number of residents. The view is framed by existing vegetation and the overhead power services. The foreground will include the cross country drain landscaping and an existing plane tree on the site which is to be retained. The present view does not see much beyond the subject site due to the flat contour. The view will comprise the outermost row of single level villas, presenting a character similar to Bill Hercock Street. The 3 storey apartment building in the centre of the site will be partially visible over the roof structures of the villas. Montage 1 illustrates an indicative view from Ulyatt Road travelling south. The visual effect level is considered to be low as there is a small viewing audience and the effects will be softened by the proposed landscaping.

Viewpoint 2

40. Viewpoint 2, from outside 32 Ulyatt Road, is representative of a fixed view which may be experienced from residential properties on Ulyatt Road. The number of properties is 7 and the views vary, with some sites completely removed from the street environment by existing screen planting or their location behind existing dwellings, back from the road. The view is also representative of what a motorist may experience as they travel past the site, peripheral to the direction of their travel. Visual effects from Ulyatt Road (Viewpoints 2, Appendix 2b of the application) will be limited by the short duration of view, the peripheral location of the view and for motorists the view will be short duration and constantly changing as they move past the site, experiencing the boundary planting and the outermost row of single level villas, similar in character to the residential area where they are headed. For residents, the view is variously affected by the vegetation and other dwellings. There is currently little view beyond the site, caused by existing vegetation and houses around the site. Montage 2

illustrates an indicative view from Ulyatt Road travelling north and from outside 32 Ulyatt Road. The visual effect level is considered to be low due to the small viewing audience and the proposed mitigation planting.

Viewpoint 3

41. Viewpoint 3 (Appendix 2b of the application) is representative of the view experienced by motorists heading north on SH50 toward the city centre. The west of the highway is lined by residential dwellings and vegetation, as is the east, north of the subject site. The proposal will introduce a similar character of dwellings and vegetation, further enhanced by the planting within the cross country drain reserve. The development will be experienced over a short distance and subsequently experienced for a short period of time, peripheral to the direction of travel. The proposed development is set back from the road and the boundary planting assists in minimising potential effects. The stepping of built forms again assists in reducing the potential effects of the 3 storey apartment wing. The two storey Care Home will be screened by the 3 storey building. The visual effect level is considered to be low as there is no significant loss of view beyond the site and the short duration of the view.

Viewpoint 4

42. Viewpoint 4 is representative of a fixed view that residential dwellings may experience from Atherfold Crescent (Appendix 2b of the application). Views will be limited by the separation distance to the Proposal and the existing elements within the view, including large trees within the stormwater reserve and SH50. The difference in level also restricts views toward the Proposal, with the raised level of the highway forming a visual barrier to most of the site. Dwellings on Atherfold Crescent are set back beyond the reserve and the road and have very limited views of the site. The addition of planting within the cross country drain reserve and the subject site will further mitigate the limited views from Atherfold Crescent. The visual effect level is considered to be low give the existing elements between the viewer and the site which limit views of the Proposal.

Viewpoint 5

43. Viewpoint 5 (Appendix 2b of the application) is representative of the view experienced by motorists heading south on SH50. Views of the Proposal will be experienced over a short distance and subsequently experienced for a short period of time, peripheral to the direction of travel. Motorists will only experience the site as they come immediately alongside the site, due to the enclosure created by fencing, buildings and vegetation in the approach to the site. The proposed development is set back from the road and the boundary planting assists in minimising potential effects. The stepping of built forms again assists in reducing the potential effects of the 3 storey apartment wing. The two storey Care Home will be screened by the 3 storey building. The visual effect level is considered to be low due to the limited view of the site and the short duration of view.

Amended levels

44. As a result of further dialogue with Napier City Council, the minimum finished floor levels are required to be set at RL12.2m. An amended plan has been prepared illustrating the new FFL of the proposed buildings, which is attached to the evidence of Marc Barron. The new minimum FFL level has resulted in an increase of between 0.1m and 0.7m on the floor levels of a number of the villas, predominantly around the periphery of the site, from the scheme which was lodged for resource consent. The floor level of 13.50 for the central apartment building and Care Home wing has not been altered.
45. I have reviewed the potential effects of the increased floor level from each of the viewpoints and I am of the opinion that the increase is not likely to create any increased level in effect on the viewing catchment. Of the 7 villas bordering Ulyatt Road, 4 of the villas will increase in height, with the increase being between 0.15m and 0.6m. The outcome of the raising will be a small loss of the sky seen above the ridgeline, which I consider an insignificant effect in the overall view. The villas remain compliant with the bulk and location rules including maximum height and height in relation to boundary. The nature of the views from Ulyatt Road are largely from moving vehicles which will make any small increase in height difficult to discern. The number of fixed views on

Ulyatt Road is very small and separated from the site by existing vegetation and the proposed boundary landscape treatment which will make the increase in height difficult to distinguish. The increase in height will provide additional screening of the centrally located over height buildings, further reducing their visibility.

46. I consider the effects of raising of the floor levels relative to the footpath within the stormwater reserve are positive, through the provision of a clear line of site over the path which improves passive surveillance.
47. The montages have not been altered to illustrate the small change in height. The landscape and mitigation proposal will remain the same as that originally designed and part of the resource consent package. The Landscape Concept Plan has been amended to include the altered levels and is attached as Appendix A to my evidence.

Conclusion

48. Overall, the scale of the Proposal is similar to the residential density around the site. Where the larger centrally located buildings are greater in height, the effects have been reduced by the stepping in building scale and the form of the building being architecturally addressed to break up the external form. The use of residential type materials and features further assists in fitting the Proposal into the existing environment. In my opinion, there will be no adverse effects on the amenity of nearby residential properties and the Proposal will have no adverse impact on the existing landscape character of the area.

Submissions

49. I have read all of the submissions received and identified one which raised issues relevant to landscape effects.
50. The submission from M & A Turner at 22 Ulyatt Road notes “*negative impact on rural outlook*” and “*permanent loss of views as a direct consequence of the multi-story towers.*” 22 Ulyatt Road is set back from Ulyatt Road on a rear lot and views of the subject site and the Proposal from the property are obstructed by existing buildings and vegetation. While the Proposal is easily viewed on exiting the property on to Ulyatt

Road, this would be a short duration exposure. In addition, the existing view from the property towards the site includes the lawn growing area across to SH50 and the residential area beyond which does not in my opinion currently constitute a rural outlook. The current view to the north toward Harold Holt Drive is residential and would be similar to that which could be experienced were a clear view to the subject site available. The rural outlook to the south and east would remain the same.

Council Officer's report

51. I have read the officers report and concur with the findings of the report in relation to landscape and visual matters.

Conditions

52. I have read the proposed conditions attached to the evidence of Mr Greg Knell and I am in agreement with those.

Conclusion

53. In conclusion, it is my opinion that the potential adverse effects of the proposal have been appropriately mitigated. Where the building is over height, the effects have been offset by locating the infringements centrally on the site and not in close proximity to the viewing audience. The effects are further reduced through the use of the well-articulated building forms, including the use of residential type material palettes, variety in colour, wide eaves and low-pitched roofs. The stepping of buildings up toward the centre of the site also assists in reducing the potential effects of the over height part of the building. The location of large growing trees around the apartment building and care home will also contribute to reducing effects, with effects reducing over time as the planting establishes. The boundary landscape treatment provides a soft edge which will help integrate the development into the landscape.
54. The location on the edge of two residential areas and adjoining the infrastructure land uses of the SH50 and the cross country drain allows the site to be located in a rural zone without having any adverse effects on the amenity of nearby residential properties and without any adverse effect on the rural character.

Paul Murphy

Date: 8 August 2018

KEY

- Existing Plane Trees to remain
- Street Tree
- Medium Sized Garden Amenity
- Medium Sized Garden Amenity
- Medium Sized Garden Amenity
- Accent Focal Tree - Seating Area
- West Boundary Tree
- Eastern Boundary Tree
- Lawn Tree
- Boundary Fastigate Tree
- Walkway Tree
- Small Fruit Tree/Shrub
- Small Feature Tree/Shrub - Property Entrance
- Courtyard Tree
- Raised vegetable gardens
- Road surface variation at crossing points
- Pedestrian footpaths - (Concrete paved 1400mm wide)
- Indicative patio to villas
- Hedge for screening
- Low maintenance amenity shrub planting
- Low level amenity planting
- Lawn
- Bench seats
- 1.8m high pool fence to Boundary
- Screening and climber for patio area
- 1 Refer to Indicative sections

- All planted areas are indicative only.
 - To be fully scheduled at the Detailed Design stage.
 - Refer to accompanying indicative Plant Imagery for suggested plant species.
 - Layout as per JTB drawings P1-P17, Rev RC1



Villa FFL Amended - 3 August 2018