

LANDSCAPE PEER REVIEW

Bayswater Vehicles Ltd

H20210067

Prepared for
Napier City Council
By Development Nous Limited

21 June 2021 – REVISION A

DEVELOPMENT
Nous

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1.0 EXECUTIVE SUMMARY

The following peer review of the Designgroup Stapleton Elliott's (DGSE) Visual and Landscape Effects Assessment (LVA) for Bayswater Vehicles Limited's proposed expansion and redevelopment, has identified potential lasting adverse visual effects resulting from the earthworks proposal for the proposed site expansion.

I am in general agreement regarding the findings of the DGSE LVA in relation to the redevelopment of the architectural built form located in the Commercial Fringe Zone, however I believe the earthworks cut to Mataruahou (Napier Hill), required to enable the proposed workshop building located within the Napier Hill Character Zone, has the potential to cause adverse visual effect to the amenity and character of the existing environment and requires further detailed investigation with regard to mitigation treatments and discussion of the "temporary" nature of its environmental and visual effects.

2.0 BACKGROUND

Napier City Council (NCC) has requested peer review of Designgroup Stapleton Elliott's (DGSE) Visual and Landscape Effects Assessment, April 2021 (LVA).

The LVA is a supporting document of the Bayswater Vehicles Ltd resource consent application RMA190053 which proposes the expansion of the existing Bayswater Vehicles car dealership and associated showrooms, office buildings and workshop located on the corner of Carlyle Street and Faraday Street, Napier, numbers 87, 93, 107 and 115 Carlyle Street and 29 and 31 Faraday Street.

This peer review has been undertaken to provide assistance to Council to determine whether the applicant avoids, remedies or mitigates any actual or potential significant adverse landscape and visual effects that the proposal may have on the immediate and contextual landscape, particularly the significant earthworks proposed as a part of the application.

Mataruahou is the traditional Maori name for the Napier Hill landform that is also known as Bluff Hill and Hospital Hill (representing either end of the landform) and Scinde Island prior to the uplift of surrounding lands in 1931. Mataruahou will be returned to the official name status through the Mana Ahuriri settlement and will be used as the place name throughout this report along with the term "the hill".

To fully understand the application background, I have read the following documentation related to the proposal:

- Designgroup Stapleton Elliott's (DGSE) Visual and Landscape Effects Assessment, April 2021.
- Strategy Bayswater Vehicles Ltd Proposal and Assessment of Environmental Effects Resource Consent Application, 29 March 2019.
- Hudson Associates Assessment of Landscape and Visual Effects for the same site.
- Cheal Cut Slope Design Report, including sections and elevations.
- Jeffrey Goodall proposed Architectural site plans and elevations.
- Napier Landscape Assessment, Isthmus Group et al July 2009

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- Land Management: Native Trees - New Zealand Native Plants for Erosion Control, Hawke's Bay Regional Council 2014

Site Visit

I undertook a site visit was undertaken on 03 June 2021, which included visual assessment of the subject site and contextual visual catchment area, with particular attention given to vantages numbered 1-9 within the DGSE LVA.

This visit included viewing the selection of existing cut faces located around the base of the hill that were highlighted within the DGSE LVA to further understand the baseline argument regarding the precedent for the proposed cut face. This was also helpful in understanding the contextual landscape character and biophysical characteristics of the limestone topography, and the extent to which it can potentially be revegetated in consideration of the best-case scenario for mitigation measures.

I undertook a further visit on the 16 June 2021 to review existing sites that have incorporated geotextile matting and geogrid protection as a mitigation measure to provide revegetation to cut faces and rock fall protection. I believe these sites to be other comparable situations to that of those highlighted by the Bayswater proposal. (Refer Appendix A for imagery and discussion).

It was noted that:

1. The slip that exists from the November 2020 rain event is still as photographed by DGSE at the time of the visual assessment.
2. Development Nous did not go onto the Bayswater site itself, only the public interface to the site.
3. The stairs to May Avenue were closed and inaccessible.
4. Guys Hill Road provided a helpful vantage overlooking the site and subject face of Mataruahou.
5. Site investigation of existing cut faces further review of existing mitigation measures was useful in forming observations of the Bayswater development.

3.0 LANDSCAPE AND VISUAL ASSESSMENT

When undertaking a landscape visual assessment, it is important to first form an understanding of the Physical, Perceptual and Associative values of the subject site and contextual environment. The following distils the DGSE LVA description of these values:

Physical Landscape Attributes (Natural and Human Features):

Physical:

- *Highly expressive of the tectonic processes.*
- *Gentle topography within the plains [commercial fringe] area,*
- *Rising abruptly within the steep hill face [within the Napier Hill Character area].*
- *Slope face provides the backdrop to the commercial area rather than the residential area.*

- *elevation of the hill face is visible from a wider [visual] catchment.*
- *Pockets of existing vegetation woven between built form provide habitat and ecological corridors.*
- *Low value vegetation, limited to climbers and scrub, plays integral role in slope stabilisation.*
- *There are no identified 'Significantly Natural Areas' under the District Plan within the immediate vicinity of the site.*

Human overlay:

- *[The area expresses] mix use fabric, building typologies, form and character.*
- *Fringe Commercial Zone [is] dominated by built form and hardscaping with very little vegetation.*
- *Earthwork modifications around the perimeter of Mataruahou are not uncommon and can be experienced in multiple areas.*

Associative characteristics (relationship between people and place – History Identity and Narratives):

- *The combination of the topography and landcover in this area creates a fabric of the unique landscape.*
- *Influenced by the 1931 earthquake [Napier's development, character, (history, identity and narratives) and town planning]*
- *Fringe Commercial Zone can be summarised as an area dominated by built form and hardscaping with very little vegetation, large-scale signage, cars (sales yards and parking), resulting in a character commercially dominating.*
- *The size and scale of Mataruahou, gives context and setting to the area.*
- *earthwork modifications around the perimeter of Mataruahou are not uncommon and can be experienced in multiple areas.*
- *Higher density residential and commercial properties have been developed on the flat plain of Napier South, with more consistent grid and linear roading networks.*
- *The developments on Mataruahou are of lower density, predominantly residential, with the existing circulation of the roading network being more fluid, working with the contours of the landform.*

Perceptual Characteristics (sensory, aesthetic/ beauty, experiential):

- *generally, the Hawke's Bay region is known for its impressive scenery and remarkable landforms. Its varied landscapes are resultant of the active tectonic forces and provide a fabric of flat plain lands hemmed in by mountain ranges and hills which are bordered by the rugged coastline.*

- *Mataruahou is a helpful visual landmark or point of wayfinding. Whilst not entirely ‘impressive’ or known for aesthetic qualities, it is significant in sheer height and volume as a point of difference from the surrounding flat plains, with cultural and historical associations.*
- *The simple grid and circulation layout of the roads around Napier allows mental maps to create simple routes.*
- *The subject site is on the cusp between two zones which is evident visually by the change of use, density, and scale.*
- *visual coherence is enforced by the built form and character.*
- *The flat landform creates a boundary to the zone change [commercial fringe/ Napier hill residential]*
- *The subject site occupies the toe of the Mataruahou area and is an already developed [modified] area that enables absorption of change due to the sheer scale of the landform.*
- *vegetation is not considered vital as part of the character of this area as it rather serves as a ‘green’ backdrop to the commercial or residential zones with sections of raw cut faces.*
- *This existing vegetation on the slope to the rear of the site is exotic with no real significance other than the function of holding the hill face together. [Albeit that this is characteristic of this long face of Mataruahou, and the small-scale vegetation is consistent with the steep faces.]*

Based on site investigation and review of the application documentation, I have included my understanding of the existing character and values of the subject site and contextual landscape at Appendix B of this document.

4.0 STATUTORY AND PLANNING FRAMEWORK

The following is a summary of the statutory and planning framework concerning landscape, visual and amenity matters that the DGSE LVA specifically considers:

Resource Management Act 1991 (RMA):

Sections 6 - Matters of National Importance

- (f) *the protection of historic heritage from inappropriate subdivision, use, and development;*
- (h) *the management of significant risks from natural hazards.*

Section 7- Other Matters:

- (c) *the maintenance and enhancement of amenity values*
- (f) *maintenance and enhancement of the quality of the environment*
- (i) *the effects of climate change*

Napier City Council Operative District Plan:

Under the Napier City Council District Plan (NDP) the site traverses the boundary of two zones, the Fringe Commercial Zone (87, 93, 107 and 115 Carlyle Street) and the Napier Hill Character Zone (31 and 29 Faraday Street).

Previous application RM150135 (2016) NCC have allowed right for Bayswater Vehicle to extend the commercial operation into 31 and 29 Faraday Street. This decision allowed for Bayswater to establish an at grade vehicle parking area with no built development which is as the site currently operates. I am advised that the District Plan provisions for the Napier Hill Character Zone are still relevant to the current application and their applicability are not affected by the previous consents.

A summation of the key objectives as highlighted in the AEE and LVA for both zones as follows:

Chapter 4 - Residential environment:

- *Maintain and enhancement of amenity values and the quality of the environment including dominant natural and physical features, and qualities that contribute to wellbeing. (Retention of privacy and sunlight to houses, ensure view sheds are not negatively impacted by the development, and that the development is compatible in scale to adjoining properties and public access is maintained and enhanced.)*
- *Encourage the retention of vegetation within valleys and on steep faces for visual amenity, stability and ecological purposes. Where removal is unavoidable remedy or mitigate visual effects by requiring repasture or revegetation of land where vegetation is cleared particularly in association with earthworks.*
- *Control/ manage landuse that generates excessive noise, artificial lighting, level of traffic.*
- *Control building height, bulk, scale, visual character and significance of effects that the activity may have on the surrounding environment character and amenity.*
- *Avoid cumulative adverse effects, including to infrastructure.*

Chapter 14 - Commercial environments:

- *Maintain compact and efficient commercial areas and encourage infill and consolidation.*
- *Avoid adverse effects beyond the site boundaries.*
- *Ensure visual effects are avoided, remedied or mitigated.*
- *Ensure earthworks do not adversely affect the natural and physical environment and the amenity of the community, adjoining land uses, historic heritage values and culturally sensitive sites.*
- *Natural character and natural features.*

Napier Landscape Assessment (Isthmus et al 2009):

The Napier Landscape Assessment undertaken by Isthmus (et al) and adopted by the Council identifies Mataruahou as a 'Landmark' determined by its level of legibility in the landscape i.e., its visual prominence as a singular landform in the centre of broad coastal plains. It describes the hill is a highly visible and prominent feature in the landscape from across Hawkes Bay and more locally provides a backdrop to the City. In my opinion the DGSE LVA has not given appropriate consideration to preserving these features.

"Bluff Hill has landmark qualities and is an important anchor of Napier's identity" and is "Napier's most distinctive and enduring landmark feature or emblem."

The Napier Assessment specifies that Mataruahou has *"significant amenity value because of the interplay between urban form, landform and history"* and goes on to say that *"the hill as a whole has a coherent character ('aesthetic coherence') that contrasts with the surrounding flat parts of the city"*. Furthermore, the orientation and topography of the landform define much of the historical layout of Napier.

The Napier Assessment evaluates the hill to have significant amenity value based on the following factors and moderate to high naturalness as tabulated below:

Value	Rating
Physical values including natural biophysical elements, patterns and processes: This includes the underlying natural landforms and vegetation patterns.	Moderate
Human overlay, including land use history, settlement patterns, and structures.	Moderate-high
Perceptual values which include aesthetic values: memorability and naturalness, and Transient Values: occasional presence of wildlife; or its values at certain times of the day or of the year.	Moderate-high
Associative values which include element such as whether the values are shared and recognised, value to Tangata Whenua and historical associations	High

The Napier Landscape Assessment concludes that Mataruahou should be recognised as a 'Significant Amenity Landscape' and that it should be afforded detailed analyses undertaken based on historic significance. I consider that the amenity value and visual prominence of Mataruahou may be undervalued or minimised in the DGSE LVA when compared to the findings of the existing background Napier Landscape Assessment and my own assessment. The potential cumulative effect of allowing the proposed cut face to be undertaken on the subject site may be detrimental to the future preservation of Mataruahou as a cohesive Landmark, particularly if proposed mitigation measures do not prove successful or are not established within a typical growing period (6-12months).

5.0 GENERAL REVIEW OBSERVATIONS

Split Zoning

I agree with the DGSE LVA findings that the section of the proposed redevelopment within the Commercial Fringe Zone is appropriate to the site zoning and statutory framework. The built form is in keeping with the existing bulk, scale, character, and language of the existing land use within the lots zoned commercial and the expectations for development within that zone.

The expansion of commercial scale buildings and landuse into the Napier Hill Character Zone conflicts with the District Plan provisions applicable to the Napier Hill Character Zone. (Objective 4.6 and related policies, reflected in a discretionary activity classification). The workshop building proposed at number 29 and 31 Faraday Street does not comply with City of Napier District Plan conditions: height, height in relation to boundaries, site coverage and landscaped area. These are standards which directly relate to how a development is viewed with the context of its environment.

The workshop elevations and renderings have been well considered in terms of offering a façade that presents a similar character to the existing style and era of buildings on Faraday Street. This has been done through the incorporation of gabled and pitched roof form, weatherboard cladding and building articulation that helps to integrate the building into the residential character and grain. The building has also been set back appropriately from the road boundary interface and allocated street planting and residential style fencing to further soften the built form into the landscape. The building also has the benefit of orientation; the bulk of the workshop will be concealed longitudinally along the toe of the cut cliff face. The scale and proportions of the building are, however, commercial and would result in visual dominance of the local residential streetscape, and this building footprint is only achievable if the extensive earthworks proposed are undertaken.

Existing Vegetation

I believe that the LVA minimises the significance of the role of the existing vegetation on the amenity and natural character of the subject site and contextual landscape. The character of the hill is due to the landform itself (tectonic, cultural, historic) as well as the pockets and bands of vegetation punctuated with residential buildings, perched along the terraces and within valleys (human intervention/ overlay, form, grain, scale and character of the built form). This all provides a cohesive character to the hill “as a whole”.

While existing vegetation may not be particularly ecologically significant it is still a major component of the character of the hill. The vegetation provides separation between the activity/ use at the toe of Mataruahou and the residential zones at its crest. It also provides habitat and appears to provide some stabilisation of the topography. The band of vegetation is visible as a central feature the whole perimeter of the hill.

The vegetation could be replaced with native species that provide more ecological function however, it would be more appropriate to do so through planned and staged succession planting than in one mass removal and revegetation process as proposed by the Bayswater development. As is noted within the HBRC NZ Native Plants for Erosion Control document, highlighted by the LVA, NZ natives are slow at establishing and grow more successfully through progressive planting stages.

"Unfortunately, not many of New Zealand's species can be regarded as efficient colonisers. Generally, our slow growing native vegetation will develop on bare or disturbed sites through a series of stages, or natural succession.

By careful planning and species selection, and by controlling weeds and exotics, which will also colonise bare and disturbed sites, it is possible to imitate this natural succession, and over time establish a permanent native plant cover."

The poses the question, do the mitigation measures proposed require extensive planning, testing, implementation, and maintenance regimes to ensure success to retain a "low" visual effect.

The Cheal report suggests that the geotechnical findings will require further detail investigation and design once site excavation is underway to determine the final design of the earthworks face and this will simultaneously reveal the potential growing surface/ media of the face. This investigation and understanding would be required prior to consent to see what potential there is for successful mitigation revegetation. There are no alternatives should revegetation and stabilisation do not prove successful.

Vegetation Removal

It is a permitted activity to remove vegetation, however council objectives and policies (4.1.6 and 4.7) for the residential environment encourages the retention and enhancement of vegetation within valleys and on steep faces for visual amenity, stability, and ecological purposes and where removal is unavoidable remedy or mitigate visual effects by requiring repasture or revegetation of land where vegetation is cleared particularly in association with earthworks. In this instance vegetation removal directly correlates to the required earthworks requiring resource consent and the objectives and policies must be appropriately considered.

The removal of this extent of vegetation (associated with the earthworks and new building) will have a significant visual impact on the existing character and amenity of the area. As described in the LVA this is seen to be only temporary. However, the ongoing and long-term effect of this removal will be dependent on replacement and enduring sustainability of mitigation. As discussed earlier the revegetation may take a long time to establish, if at all, and planting methodologies need to be further clarified and tested to ensure the amenity value of the existing vegetation is re-established.

"Plants experience an unusual set of selective pressures on cliffs (compared to those of surrounding forest): thin or no soils leading to immediate expression of the physical and chemical properties of the basement rock; sometimes an unstable footing because of crumbling substrates; little buffering by tall vegetation of extremes of air humidity; and, in prehuman New Zealand, no herbivory by large flightless birds." <https://www.nzpcn.org.nz/ecosystems/plant-communities/bare-ground/cliff/>

Earthworks

All documents within the application, including the DGSE LVA, acknowledge that the earthworks proposed are significant and agree that the visual impact of the earthworks without mitigation measure, namely revegetation, would cause high/ adverse visual impact. In that case, the proposal relies heavily on the mitigation measures proposed which include the following:

- Limiting existing vegetation removal

- Benching to the smaller face perpendicular to the May Avenue steps
- The installation of a vegetated geo-modular wall system such as a product like 'Flex MSE' or similar
- Revegetation of the cut face through bench planting, hydroseeding and pit planting of the face of the cut "*Both Flex MSE and the erosion control matting can be planted through either hydroseeding or plunge planting.*"
- Implementation of a management plan

I believe that the DGSE LVA places a lot of reliance on mitigation and the temporary nature of effects without defining what constitutes a temporary time period. The word "temporary" seems to be a very loose term and needs to be further defined. Generally adverse effect on the amenity values will be restricted to the time required to complete earthworks, however, if not managed well the scale and significance of the proposed earthworks has the potential to cause significant adverse effects on the environment. Furthermore, the proposal is to remove a significant volume of earth and modify the face of the hill from a relaxed gradient to an almost vertical face, which may impact on the visual coherence of the natural landform and if during excavation poor quality faces are exposed and more formal structural intervention is required what are the mitigating factors of this change.

The effectiveness of the mitigation measures and time period for implementation, establishment and required maintenance will be the key factor in determining the significance of effects on amenity value and managing the adverse effects on these values.

Mitigation Measures

The DGSE LVA references a benching concept, proposed by the Hudson Associates Assessment of Landscape and Visual Effects for the same development, early in the report but then does not expand upon this referencing again, particularly as it relates to required mitigation measures. The Hudson Associates LVA proposes benching to the top corner of the earthworks cut that is to run perpendicular to the May Avenue steps (under the dwelling at 32 May Ave.) The 3 benches are 750mm wide and 4m high and to hold topsoil will require a retained edge to the face. The design also proposes ladder style climbing structures for climbing species.

Review of the proposal poses the following questions:

- Why does the benching not continue along the whole face of the earthworks area, and go further down the face? More benching would provide additional advantage for the revegetation process to succeed.
- What about potential soil loss over time and plant success and health?
- Is 750mm wide benching wide enough to establish meaningful vegetation? I remain sceptical in absence of supporting information.
- How is the face and benching accessed for maintenance? The concept proposes no access to the benching, and therefore how is the face maintained? If at all? Again, wider benching

would allow for maintenance access along the benches (potential lead wire system for maintenance personnel to attach to for safety).

- How do the benches tie back into the existing face for ease of access, and drainage (lateral overland flow across the bench?)
- Are there examples of the ‘Flex MSE’ walls providing successful vegetation? What if the planting fails and the flex MSE bags are exposed again and the visual effect of this infrastructure – i.e. would the lime face be more appropriate if planting fails than artificial face of bags or geogrid? What colour do the bags come in? Only black? Does this design require a sprayed cover crop to hold the face together? Can the cover crop have native seed in it?
- I am not aware of a management plan having been submitted with the proposal which would provide assurances of enduring sustainability of the mitigation measures.
- Can it be designed with a less extreme slope grade – something more conducive to successful revegetation?
- Vegetation clearing – is this monitored, what is the extent of clearance. If removing wilding pines, the effect may grow beyond the site boundaries due to root zones/ extents that the roots are stabilising the cliff face.
- Does the geotechnical solution have to tie back further than the cut face? What effect does the cut have on the neighbouring site at 33 Faraday Street and the stability of the May Ave steps?
- Where have these mitigation measures been tested before locally and has been successful?

6.0 VISUAL EFFECTS

The DGSE LVA defines the primary viewing audience as:

- *Commercial Zone workers*
- *Residents of the neighbouring dwellings*
- *Customers or clients of the various businesses*
- *Local motorists travelling along Carlyle Street as a thoroughfare to reach the central city of the outskirts of Napier.*

The LVA selected nine viewpoints/ vantages for review, based on “*existing views, viewing frequency, viewer types, and availability of the view from public or private properties.*” I have also investigated these views, as well as the existing cuts highlighted within their report (including those also highlighted in the Hudson and Cheal reports) to determine how these examples compare in terms of scale, form and prominence, their impact on existing character and amenity, and if visual mitigation measures have been implemented and maintained and the success of mitigation measures. Refer to appendix A for site photos and findings.

Observations

I agree that the proposed building development of the Commercial Zoned properties will provide low visual impact given that the proposed buildings are of a form, scale and character compatible with the existing built form and Council provisions. However, the contentious element, and that which the development relies upon, is the earthworks required to provide space for the proposed workshop building. The proposed extensive earthworks will be clearly visible, particularly when viewed from private (static) vantages such as residences at 5, 7a and 7b, 9a, 14, 12, 10 and 16 Guys Hill and 10, 12, 14 & 16 Faraday Street.

In my opinion the ratings of vantages 1-9 should show the level of effect for both the “temporary” effect (earthworks with no mitigation) and the rating for the mitigated effect. If both levels were given this would provide the Council with an idea as to the level of effect with or without mitigation. This would also provide council the level of effects pre-mitigation, as mitigation may take some time to lower the visual impact of the initial earthworks. (Or if the mitigation measures were to fail, or if further geotechnical investigations and excavations were to take place and abandoned due to instability of materials etc.)

It may be true that the proposed earthworks will be partially mitigated by the existing and proposed built form, however the overall extent of cut is 2 ½ - 3 times larger in scale. See below earthworks and built form comparison diagrams.

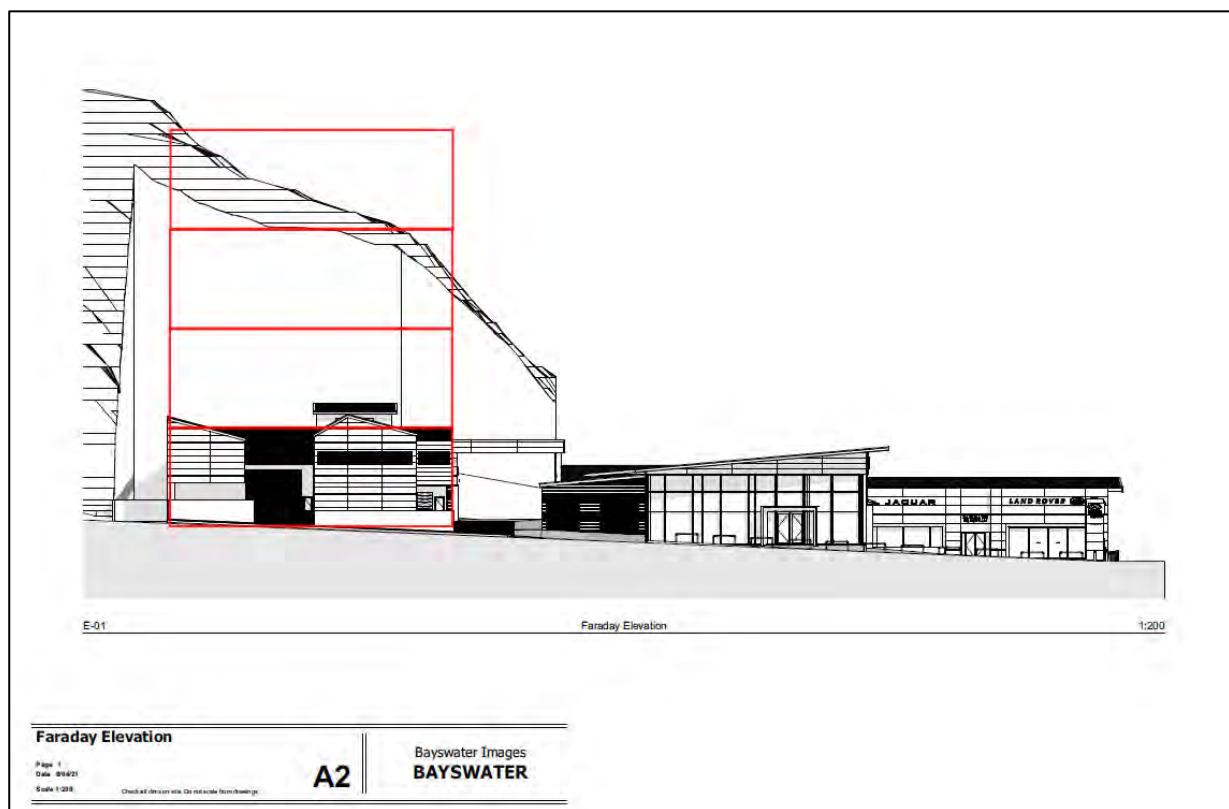


Figure 1 – scale comparison earthworks vs. built form.

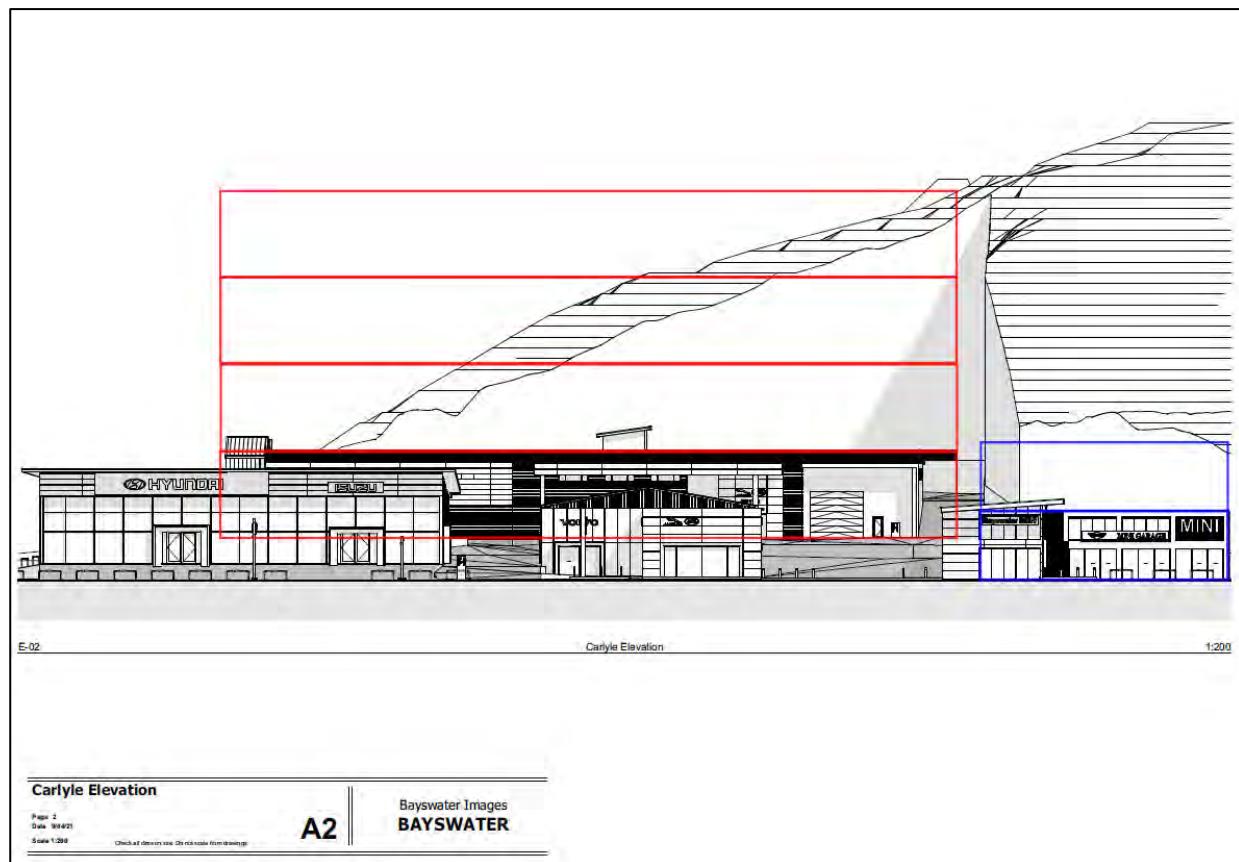


Figure 2 – scale comparison earthworks vs. built form.

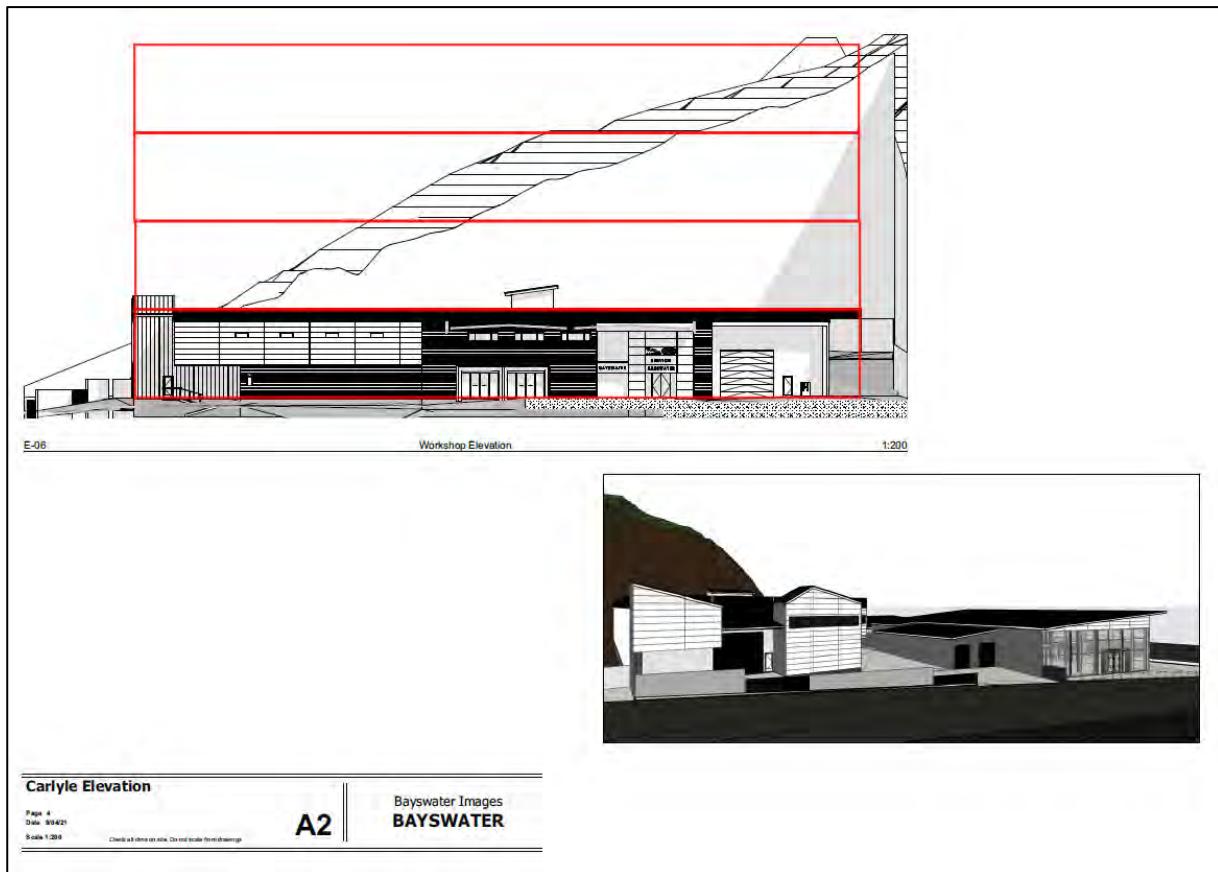


Figure 3 – scale comparison earthworks vs. built form.

The LVA also considers that “the change in slope face is not unexpected or dissimilar to the nature of the Mataruahou slope”. I disagree with this finding given the proposed earthworks imposes an unnatural cut, with an almost vertical sheer face and cut terraced benching. The LVA goes on to state that the area can visually absorb the proposed earthworks through mitigation. However, it is the existing vegetation on the face of the hill that creates the visual absorption, removal of the vegetation decreases visual absorption capacity creating a higher visual effect, hence the need for better clarification around mitigation measures, methods and duration of the temporary effect.

Furthermore, most of the earthworks cut is not being undertaken within the commercial zone, it is being undertaken within the Napier Hill Character Zone which recognises that the character of Mataruahou and the visual and spiritual significance of the hill should be maintained and enhanced. Cuts are present within the residential areas along the hills face but are either smaller in scale or are existing faces that are undeveloped and express the geological landform such as Bluff Hill near the port and the Hospital Hill end near Hyderabad Road and Battery Road intersections.

The visual assessment concludes that “*while there will be a temporary effect until the vegetation establishes, this will be short-lived and not considered a negative impact. Overall, it is considered that the effects on the surrounding environment will be neutral, with visual effects from these key vantage points being low.*”

DNL suggests that the temporary visual effect will be **very-high**, and if mitigation measures and maintenance procedures are implemented and undertaken successfully the visual effect will reduce to **low-moderate**.

7.0 VISUAL ABSORPTION CAPACITY

Development Nous understands ‘Visual absorption capacity’ (VAC) as the capability an area, or landscape, has for absorbing change without significantly modifying its existing positive visual qualities.

Most new development introduces artificial lines, patterns, textures, and colours into the landscape. These are likely to contrast with soft organic/ natural patterns or areas of little modification. Consequently, a highly modified landscape will usually have a higher capacity for visually absorbing further development than a natural landscape.

An area of high VAC means that the area has a high capacity for absorbing change. Elements which contribute to VAC include:

- vegetation distribution within the viewshed
- existing houses, buildings and structures
- and visual clutter generated by contrasting and competing elements within the surrounding area.

Observations

The LVA rightly identifies the Commercial Zone has a high level of visual absorption capacity due to existing large-scale building, and visual clutter such as car sales yards, signage etc and “*provides an opportunity for a development that is consistent with these visual principles and cohesive streetscape*”.

Again, the LVA uses the existing cuts around the perimeter of the hill as a level of comparison for visual impact, and allowance for eventual mitigation measures to lessen impact. However, DNL believes that the existing vegetation on the face of the hill is the character that creates the high level of absorption capacity. Removal of the vegetation decreases visual absorption capacity creating a higher visual effect. The vegetated face forms a major character of the Napier Hill Character Zone and the high amenity value. The smaller scale cut faces allowable for residential scale-built form, and mitigated by the corelating residential building itself, is fitting in this zone. That scale and extent of cut face proposed is out of scale and character for the area.

8.0 RECOMMENDATIONS/ NEED FOR FURTHER INFORMATION.

The following are general questions and recommendations that may help better define the lasting visual effect that the proposal might have on the existing landscape:

1. Further definition of the word ‘temporary’ is required. This term is ambiguous particularly when related to planting as the main form of mitigation for the following reasons:
 - a. How long will the species take to establish?
 - b. What are the species proposed? Have these been successful in this type of environment before? If so, provide examples and the timeframes taken to achieve required outcomes.

- c. Without proper qualification around the temporary establishment period relied upon by the DGSE it is difficult to quantify the nature and extent of the effects.
 - d. Should the planting not establish within a certain period have any alternative mitigation measures been considered?
2. What is the potential cumulative effect of allowing earthworks of this extent/ scale? Will this set a precedent for further degradation of Mataruahou?
 3. Further identification/ definition of the extent of vegetation removal should be determined. i.e.
 - a. How is this controlled and monitored.
 - b. How much more vegetation clearing is required beyond the site boundary i.e. the wilding pines may have an expansive root system and once partial faces are exposed they may require further clearing to mitigate hazard - what is the extent of clearance?
 - c. How much of the vegetation is currently holding up the cliff face beyond the boundary/ or beyond the proposed extent of cut?
 - d. The above should be included within any maintenance/ management plan.
 4. The Cheal Report suggests that further investigation is required to determine the detail design of the face once earthworks is underway. This identifies a somewhat fluid approach to finalising the cut. This poses the questions:
 - a. Is there potential for the exposed face to be unstable and require structural bracing?
 - b. What is the design of this face if required i.e. concreted and anchored? Geogrid? Geotextile? Can this still be vegetated?
 - c. Is further investigation and understanding required prior to consent to see what potential there is for growing anything on the final cut face?
 - d. How successful is planting into limestone?
 - e. What is the potential for failure and the level of visual effect?
 5. Provide reasoning why the benching is only proposed in one area. Why not the whole face? This would potentially allow more quality vegetation to establish upon the benching and allow for better soil retention and growing media and also allow more access to the face for maintenance purposes.
 6. Provide existing examples of the Flex MSE product has been used successfully to revegetate a face similar in scale to the proposed to satisfy the following questions:
 - a. What is the largest scale face that the Flex MSE product been used on?
 - b. Was the vegetation in this instance successful?
 - c. Was this EPA application as visually prominent?
 - d. Are there local examples?

- e. What colour does this product come in and what is the visual effect if the planting fails and the product permanently in view?
 - f. Does this product rely on a sacrificial cover crop for success? (Rhizomic species to form a carpet for batter stabilisation and plant succession).
7. Has the suggested Management Plan been provided? Who is monitoring this and how is this enforced? How are the face and benches maintained?

9.0 CONCLUSION

After review of the Designgroup Stapleton Elliott's (DGSE) Visual and Landscape Effects Assessment (LVA) for Bayswater Vehicles Limited's proposed expansion and redevelopment, Development Nous Limited (DNL has identified potential lasting adverse visual effects resulting from the earthworks proposal for the proposed site expansion. The word potential is used here because DNL believes that there is not enough evidence that the suggested mitigation measures to lessen the immediate high visual impact of the proposed earthworks will be successful and that the initial earthworks cut relies on these mitigation measures to not provide adverse effects on the amenity and character of the receiving environment.

Development Nous is in general agreement regarding the findings of the visual assessment in relation to the redevelopment of the architectural built form located in the Commercial Fringe Zoning. The buildings proposed are consistent with the form, scale, bulk, grain and character of the commercial environment and furthermore comply with council provisions for the zone.

The portion of proposed built form within the Napier Hill Character Zone, while presenting a façade that tries to conform to the character of the residential environment, is the scale of a commercial building and would impose commercial scale built form adjacent residential scale properties. The workshop building proposed at number 29 and 31 Faraday Street does not comply with height, height in relation to boundaries, site coverage and landscaped area: the City of Napier District Plan conditions applicable to the Napier Hill Character Zone. Furthermore, to allow a building of this scale to work in this space a significant earthwork's intervention is required where it otherwise may not for a traditional residential scale building. It is considered that the reliance on dressed up built form attempts to shift emphasis away from the commercial use of the residential zone. If a residential scale building were proposed on these lots, it would not require such a large footprint and concurrent earthworks proposal.

All documents within the application acknowledge that the earthworks proposed are significant and agree that the visual impact of the earthworks without mitigation measure, namely revegetation, would cause high/adverse visual impact. In that case, the proposal relies heavily on mitigation measure proposed.

DNL suggests that the temporary visual effect will be **very-high**, and if mitigation measures and maintenance procedures are implemented and undertaken successfully the visual effect will reduce to **low-moderate**. Therefore, the effectiveness of the mitigation measures will be the key factor in determining the significance of effects on amenity value and managing the adverse effects on the receiving landscape.

APPENDIX A

Landscape Visual Assessment and Findings

Development Nous Ltd - Landscape Visual Assessment Imagery for Bayswater Vehicle Landscape Peer Review



Figure 1 – View from approximately 51 Wellesley Rd Opposite Napier Heath Centre – 700m from the site (not visible in this image). Extent of vegetated band across the face of Mataruahou clear in image providing example of contextual character and amenity of Napier.



Figure 2 – view from approximately 15 Wellesley Rd – 370m from the site. (Vantage 9 of the DGSE LVA) Wilding pine next to May Avenue visible in this vantage. Repco Building and Owen Street Honda blocking view of Bayswater Buildings. Extent of vegetated band across the face of Mataruahou clear in image. Guys Hill Road dwellings and May Ave clearly visible providing example of residential grain and character of Napier Hill Character Zone.



Figure 3 – view from approximately no. 2 Faraday Street (Southern end towards Jull Street) – 80m from the site. (Vantage 8 of the DGSE LVA) Earthworks will be clearly visible from this vantage. The New buildings will be seen also at glimpses through existing built form within Commercial Zone. Bulk of the forecourt and buildings blocked from view by the Carlyle Corner Store and Thirsty Liquor. Extent of vegetated band clear in image behind the commercial zoning. The transition from Commercial to Napier Hill Character Zone is visible through the change of building scale, grain, form and character starting on Faraday Street. The Residential dwellings interspersed between the vegetation is a defining character of Matarauahou.



Figure 4 – view from approximately 4 Jull Street – 170m from the site. Earthworks will be clearly visible from this vantage as the cut will reach the dwellings on May Ave visible on the crest above the site. View of the new buildings in the Commercial Zone is obscured by the Carlyle Corner Store and Faraday Street and the buildings in the foreground on Thackeray Street. The transition from Commercial to Napier Hill Character Zone is visible through the change of building scale, grain, form and character starting on Faraday Street. The Residential dwellings interspersed between the vegetation is a defining character of Mataruahou.



Figure 5 – view from approximately 11 Hyderabad Road (Pacific Coast Hwy) – 720m from the site. Site not visible.



Figure 6 - Panoramic of hill face (from approximately 11 Hyderabad Road) - highlighted in Hudson LVA because a 15m high bench was cut into this face. It is unclear from this image how much of the face was removed when the bench was cut. It however does not seem to materially similar to the large cut of the project site, more of a shave of the face.



Figure 7 – view of hill face at approximately 7 Hyderabad Road - highlighted in Hudson LVA Stating that the “30m backdrop to Smith & Smith appears to have been excavated with the result being a few open faces of exposed earth and extensive re-establishment of vegetation.” Here the vegetation is from spill over from the more relaxed grades at the top of the cut and canopy cover from trees and vegetation grown from the toe of the hill. The face of this cut also looks as though it is undercutting near the top and may be unstable. Council would better know the background of any earthworks undertaken in this location.



Figure 8 – View from approximately 201/199 Carlyle Street – 400m from the site. Earthworks will not be visible from this location. Some vegetation will be affected such as the wilding pines that may have to be removed as a hazard anyway which are visible.



Figure 9 – View from Municipal Reserve Carlyle Street – 390m from the site. Earthworks will be visible from this location – vegetation removal will be visible from this location.



Figure 10 - View from 135 Carlyle Street – 95m from the site. The site becomes visible from this location when travelling towards town whether from static or transient view.



Figure 11 - view from 148 Carlyle Street – 150m from site – (Vantage 7B of the DGSE LVA) vegetation removal and earthworks will be visible.



Figure 12 – Panoramic view from 10 Faraday Street – 10m from site – view of workshop and at grade car park. Workshop open to view of residential buildings. Proposed workshop building conceals this activity. Existing relaxed grade cliff face visible from this view.



Figure 13 - View from 10 Faraday Street – 10m from site – closer view of workshop and at grade car park.



Figure 14 – View of 10 Faraday Street from edge Bayswater site – more modern buildings for multi-unit apartments within the Napier Hill Character Zone. Architecture reminiscent of the scale and form of the commercial area.



Figure 15 - View from 12 Faraday Street – at grad car park (Vantage 3 of the DGSE LVA)



Figure 16 - View of 12 and 14 Faraday Street – showing residential character adjacent the subject site.



Figure 17 - View from 16 Faraday Street – existing form and style of the workshop/ garage building at Bayswater Vehicles and adjacent at grad car parking area – very different to the form, height and scale of the proposed workshop building.



Figure 18 - View down Faraday Street at approximately fronting 20/ 22 Faraday Street (Vantage 4 of the DGSE LVA) – view of the proposed site is obscured by the retaining of 33 Faraday Street – roof line of the new workshop could be visible from this vantage.



Figure 19 - View of retaining treatment and character of 33 Faraday Street.



Figure 20 - View from 18 Guys Hill Road where the earthworks will start to become visible from the public realm.



Figure 21 - View from 14 Guys Hill Road car park – site and earthworks will be clearly visible from dwelling.



Figure 22 - View from near 11a within road corridor – above 11 Guys Hill Road - earthworks will be clearly visible from the dwelling.



Figure 23 - View on road above 9a and 9c Guys Hill Road (Vantage 7B of the DGSE LVA) - earthworks will be clearly visible from the dwelling.



Figure 24 - 7A Guys Hill Road - earthworks will be clearly visible from the dwelling.



Figure 25 - 5 Guys Hill Road – earthworks will be clearly visible from the dwelling.



Figure 26 - View from 86 Carlyle Street of site – obscured view of earthworks due to existing buildings – wilding pines will likely be removed due to earthworks. Façade of new building will be visible on the left of Burger Wisconsin.



Figure 27 - View from 73 Carlyle Street of site – obscured view of earthworks due to existing buildings – wilding pines will likely be removed due to earthworks.



Figure 28 - View from 104 Carlyle Street of site – obscured view of earthworks due to existing buildings – wilding pines will likely be removed due to earthworks.

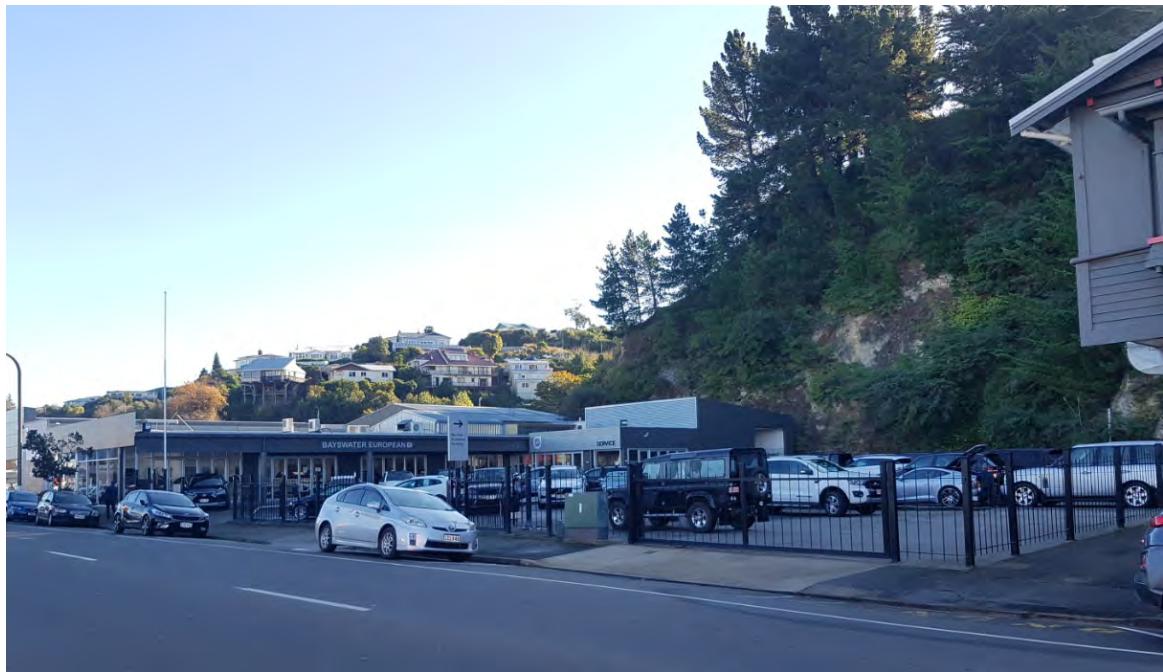


Figure 29 - View from 110 Carlyle Street of site – smaller wilding pines on bottom of slope will be the base of the earthworks cut as well as smaller cut to visible face for new building to be located in foreground of yard. Large pines will likely be removed due to instability. Scale of proposed building will obscure half the height of the cut on this face.

Existing faces

The following is a review of the state of the existing faces along the perimeter of Mataruahou.



Figure 30 - Hawkes Bay Toyota 49 Carlyle Street – Shows vegetation on the gentler grade at the top with climbers spilling over the edge of the almost vertical cut face. Viewing audience like that of the project site as on same street.



Figure 31 - 108 and 108A Shakespeare Road – Cut terraces showing sporadic revegetation. Again, cut faces remain sparsely covered. Limited viewing audience. Limited viewing audience mainly transient vehicle and static views from neighbouring dwellings.



Figure 32 - 114-118 Shakespeare Road – Cut face showing sporadic revegetation. Again, cut faces remain sparsely covered, mainly gaining cover from vines and climbers spilling over the top from softer gradients. Also visible are pigeonholes. Limited viewing audience mainly transient vehicle and static views from neighbouring dwellings.



Figure 33 - 157-165 Shakespeare Road – older weathered face – almost vertical cuts show no vegetation – white in colouring. Limited viewing audience mainly transient vehicle and static views from neighbouring dwellings.



Figure 34 - 45 Seapoint Road and 8 Battery Road – Example given in LVA - Vertical cut unvegetated – clearly visible down the end of perpendicular Battery Road (photo taken at head of road near 8 Battery Road/Breakwater Road Entry 100m from cut face). Larger viewing audience due to proximity to coastal motorways and more intersecting streets. Mainly transient vehicle and static views from neighbouring dwellings.



Figure 35 - 108 Battery Road – Example given in LVA – unvegetated vertical cut face – vegetation spilling down the batter from the top terrace. Larger viewing audience due to proximity to coastal motorways and more intersecting streets. Mainly transient vehicle and static views from neighbouring dwellings.



Figure 36 – example given in Cheal report – 78 Burns Road visible cut on left of image, vegetation patchy on vertical cut face. Slip face shown centre image above garage at 50 Burns Road. Larger viewing audience due to proximity to coastal motorways and more intersecting streets. Mainly transient vehicle and static views from neighbouring dwellings.



Figure 37 – 138 and 140 Battery Road – earthworks undertaken for new dwellings. Half the hill face removed to allow dwellings to be built into the cliff face. Half the face remains untouched and existing vegetation retained.



Figure 38 - View of 138 and 140 Battery Road from 3 Coronation Street. 160m away from cut. Example that cut face is visible from a distance. Vegetated band visible around the perimeter of Matarauhou and is a strong amenity value and character of Napier.



*Figure 39 - View of 138 and 140 Battery Road from 25 Coronation Street – 370m from cut face.
The above series of images DNL believe is a good example of a similar scale face and built form comparison; the cut made for these dwellings is mitigated by the built form – if however, the whole face of the cliff above the dwelling were removed the visual effect would be much more significant. It is also example of the significant character that the band of vegetation that wraps around the hill provides. If the proposed earthworks (27m high) we transposed onto this face it would essentially remove a large portion of this face right up to the top terrace of houses, which would be highly visible from within the contextual landscape.*

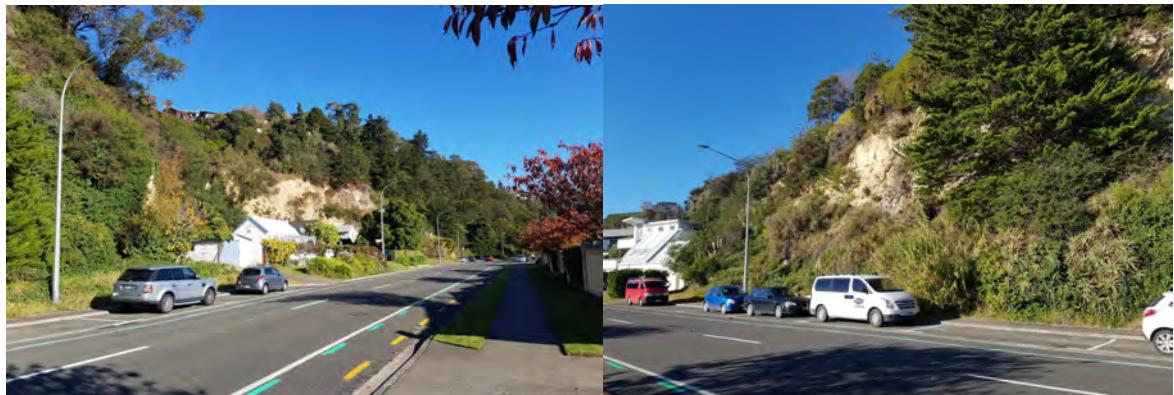


Figure 40 – exposed face near 160 Battery Road – vertical faces devoid of vegetation, the more relaxed grades near the crest of the hill are vegetated. Vegetated band clearly visible between toe of the hill and crest.



Figure 41 – 170 Battery Road – Rock mesh is visible behind the dwellings here – the vertical cliff face is shows limited vegetation cover.



Figure 42 – 160 Battery Road – Rock fall mesh is visible behind the dwelling on the steeper face of Mataruahou. Visual impact is mitigated here largely by the built form and existing vegetation on the face of the hill being maintained.



Figure 43 – 55-59 Battery Road has geotextile and geogrid (rock fall mesh) on the face behind the apartment block and from what can be seen vegetation has not taken on the face leaving the geotextiles exposed. This is a potential risk for the earthworks face proposed on the Bayswater site. The slope grade above the roof line of the dwellings relaxes to allow vegetation to spill over the top of the vertical face. Vegetated band visible.



Figure 44 – 78 Battery Road has geotextile and geogrid (rock fall mesh) on the face behind the apartment block and from what can be seen vegetation has not taken on the face leaving the geotextiles exposed. This is a potential risk for the earthworks face proposed on the Bayswater site. Visual impact is largely mitigated at 78 (and 55-59 in fig. 42) Battery Road due to the height and scale of the built form. As above the slope grade above the roof line of the dwellings relaxes to allow vegetation to spill over the top of the vertical face. Vegetated band visible.



Figure 45 – Amner Place/ Milton Road - The Cheal report notes that Amner Place is a comparison of the type cut design that is a comparison to what has been proposed. Amner place has been quarried in the past leaving relatively steep cut slopes. This face it is now showing signs of slips and rock fall mesh has been draped down from the top slop in an attempt to mitigate this.



Figure 46 – 11 Goldsmith Road – current earthworks batter stabilisation being undertaken within residential property



Figure 47 – Caruna Bay – existing cliff faces behind workshops – vegetation sparse on vertical faces but growing on more relaxed face above built form.



Figure 48 – Hospital Hill cliff face on the corner Battery Road and Hyderabad Road (driveway entry to 210 Battery Road visible) – weathered limestone cliff face with sparse vegetation



Figure 49 - view of 210 Battery Road – Cut face required concrete stabilisation and anchors.

APPENDIX B

Brief Landscape Character Assessment

Through peer review and investigation of the subject site and contextual landscape Development Nous Ltd understands the existing character of the Bayswater Vehicles site and contextual landscape values as follows:

- Physical (the physical environment – its collective natural and built components and processes):
 - Expressive of tectonic and geological processes; in agreement with the Napier Landscape Assessment, DNL sees the hill as a significant landmark due to its physical, associative and perceptual character and values and visual prominence of landform as a whole within the coastal plains.
 - Geological processes - Exposed faces are a combination of both human and natural expression of positive and negative effects i.e. The bluff area by the port is an example of a relatively untouched the slip face (resultant of a 1930 slip and the 1931 earthquake) and Hospital Hill end (western end) the face above the roadway at 210 Battery Road shows concreted and anchored face as erosion protection.
 - Topographical character – slips, exposed weathered faces. The landform provides valleys and gullies that provide protection from elements juxtaposition from elevated, terraces and crests, concurrent with exposure/ isolation, light/ shadow, isolation/ exposure etc.
 - Human / cultural overlay – characterful domestic scale-built form of different eras, style and grain, visible in Napier Hill Character zoning juxtaposed against commercial style and scale development within the Commercial zoning. (Landuse Patterns)
 - Strong presence of vegetation - provides mixed ecological and habitat values. Pockets and bands of vegetation expresses natural and human intervention and natural processes, ecological and habitat value. The vegetated band seen along the perimeter of the hill provides separation between plains and the residential lined ridges.
 - Road layout expresses the topography and adds to the physical, associative, and perceptual values. (Landuse Patterns)
- Associative (the meanings and values we associate with places):
 - Historical evolution of the hill – built form character, populations changes, era of housing character.
 - Significance as a vantage – Panoramic views of Hawke Bay and of Hawkes Bay, lookouts, scenic walks etc Views to and from are memorable, landmark, wayfinding, watch the weather and the ocean – romanticism, storytelling.
 - Cultural overlay and stories – Iwi significance, history, and storytelling.
- Perceptual (how we perceive and experience places).
 - Geological processes – slips, exposed weathered faces, protection from elements in valleys/gullies.

-
- Light and shadow – physical and perceptual interplay, hold/ cold, sun/shadow, dry/damp, seasonal variation - Northern and southern faces are different. (Landuse Patterns)
 - Topography - Steep/ flat, winding roads, vehicular travel difficult in some locations, one-way streets – traveling/ driving experiential and memorability.
 - Cross over with associative values as listed above.