

BEFORE THE NEW PLYMOUTH DISTRICT COUNCIL
INDEPENDENT HEARINGS COMMISSIONER

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of the resource consent application to develop a commercial building on the corner of Brougham & Powderham Streets, New Plymouth

STATEMENT OF EVIDENCE OF MURALI BHASKAR ON BEHALF OF KD HOLDINGS LIMITED

1.0 INTRODUCTION

1.1 My name is Murali Bhaskar. I am a Registered Architect and a Fellow of the New Zealand Institute of Architects (NZIA). I am a director of Boon Team Architects, and a director of the Team Architects Group (a consortium of nine practices throughout New Zealand).

1.2 I have been involved in the profession of architecture for the past 30 years in New Zealand. Over this time I have undertaken a myriad of project types, including residential, commercial, industrial, civic and cultural, education, tourism and health.

1.3 I am currently a Board member of the New Zealand Registered Architects Board (NZRAB). I have previously served as a Councillor on the NZIA Council. I am a Trustee of the Taranaki Health Foundation, and also the New Plymouth Arts in Public Places Trust. I particularly enjoy projects with a civic and community focus.

1.4 I have been the recipient of several NZIA local awards for excellence in architecture and interior design and have served as jury member on regional architecture awards in Taranaki/Whanganui/Manawatu, Waikato/BOP, Auckland, Wellington and Nelson/Malborough.

1.5 Key commercial projects I have been involved with include:

- Waitara Library and Service Centre, Waitara – 1995;
- Nice Hotel & Bistro and Best suites, New Plymouth– 2000/2012;
- Govett Brewster Art Gallery Design shop, New Plymouth – 2002;
- Arborio restaurant and bar, New Plymouth – 2003;
- Pankawalla restaurant, New Plymouth – 2003;
- Puke Ariki Museum, Library and Information Centre Interior design, New Plymouth – 2003;
- New Plymouth District Council (NPDC) Bus Centre, New Plymouth – 2005;
- Airpresso café, New Plymouth – 2006;
- Ohakune Visitors Centre, Ohakune – 2006;
- Rotorua Energy Events Centre, Rotorua – 2007;
- Dennis King Law, New Plymouth – 2008;
- Montrose Wine Bar, New Plymouth – 2008;
- Todd Energy Aquatics Centre, New Plymouth – 2008;
- WOMAD Site Design, New Plymouth;
- TSB Cancer Support Centre, New Plymouth – 2009;
- Solid Energy Events Centre, Westport – 2009;
- New Plymouth i-Site, Puke Ariki Museum & Library, New Plymouth – 2011;
- Powerco offices, New Plymouth – 2011;
- Caroline Bay Trust Aoraki Centre, Timaru – 2012 ;
- Coaltown Museum, Westport – 2013;
- Novotel Hobson Hotel, New Plymouth – 2015;
- TSB Customer Engagement Centre, New Plymouth – 2018;
- GQ Office design, New Plymouth – 2019;
- Joe's garage, Queenstown – 2019;

- TSB Canterbury Branch, Christchurch – 2020.

1.6 I confirm that I have read, and agree to comply with, the Environment Court’s Code of Conduct for Expert Witnesses (Environment Court of New Zealand Practice Note 2014). This evidence I am presenting is within my area of my expertise, except where I state that I am relying on the evidence of another person. To the best of my knowledge I have not omitted to consider any material facts known to me that might alter or detract from the opinions I express.

2 OUTLINE OF EVIDENCE

2.1 This evidence provides:

- The project description of the site and the proposed activity;
- Design Philosophy - an overview of the process undertaken in designing this project;
- A general description of the proposed development;
- A description of the design process involved;
- A description of the design constraints involved and the solutions proposed;
- Consideration of alternative developments; and
- Comments on the Officer Report and proposed consent conditions.

3.0 PROJECT DESCRIPTION

3.1 This application for resource consent involves demolishing all existing structures, including the relocation of the existing Halamoana sculpture to construct a new six level mixed use development consisting of basement carparking, four levels of premium CBD commercial office space and a three-bedroom apartment on the sixth level. The development encompasses the entire 478m² footprint of the site, and includes dual entries into the building. An entry including a verandah over Brougham Street, and a second entry opening into and connecting to the Huatoki Awa. This entry includes a canopy and an egress stairwell on the East (refer to architectural site plans for details).

4.0 THE DESIGN PHILOSOPHY

- 4.1 The site sits right in the heart of New Plymouth's central business district and, therefore, has the capacity to enhance the way people use the city in their day to day lives.
- 4.2 The design concept focusses on transparency and connection, activating adjacent edges through considered design, form, materiality and texture. A focus on technology and environmental sustainability has been at the core of the design philosophy from the outset; that has driven the proposed design response - and the connection and acknowledgement to the Huatoki Awa in the design response/philosophy is extremely important, not just to this project but in the wider context of New Plymouth.
- 4.3 The building is intended to acknowledge the surroundings and the future plans to open up the Huatoki as part of the wider revitalisation of the CBD.
- 4.4 The design is modern and contemporary in style, and and seeks to transform the existing carpark site into a mixed-use development that will showcase a high sustainable design value in New Plymouth.
- 4.5 A complete glass façade provides connectivity to the adjoining surrounds and streets, stimulating vibrant activity in the CBD by providing direct connection between the building users and the pedestrian activity in the area.

5.0 DESCRIPTION OF SITE AND ACTIVITY

- 5.1 The subject site is on the corner of Brougham Street and Powderham Streets in the CBD of New Plymouth. There is a mix of commercial, retail and hospitality developments to the North, South and East of the site. Adjoining commercial developments to the North, East and West include four commercial accommodation facilities in close proximity. Residential properties adjoin the southern side of the development site. Our design solution has been influenced by the nature of these

adjoining properties i.e. aesthetic of the façade (in particular the façade adjacent to the Huatoki Awa).

5.2 The site is comprised of four lots that align from North to South. The North-South site dimension is approximately 29 metres, and the East-West site dimension approximately 16 metres. The site is contoured with the land dropping away from the southwest corner of the site with an RL of 12.14 metres (at footpath edge), to northwest corner with an RL of 9.64 metres. It has an overall change in level of approximately 2.5 metres. There is a protected Willow Myrtle (*Agonis flexuosa*) in the adjacent site to the West, with its root structure intrinsically tied to the subject site. These existing land features posed a range of design challenges that are discussed further in my evidence.

6.0 DESIGN PROCESS

6.1 I was approached by the applicant Mr Kevin Doody, director of KD Holdings Limited in 2019 to undertake the design for a proposed commercial development on Brougham Street. I viewed this project as an exciting opportunity for New Plymouth City, especially due to the prominent CBD location and the opportunities to positively engage with the wider context of the surrounding Huatoki area.

6.2 My role has been to develop the brief with the applicant, including constantly reviewing and adapting the preliminary designs to overcome the many challenges the site and its surrounding context posed. These challenges included;

- a) Size of the site;
- b) Existing site contours;
- c) Protected tree;
- d) Proximity to the Huatoki Awa;
- e) Amenity values of the environment generally;
- f) Proximity to arterial roads.

6.3 These are covered in more detail in below paragraphs of my evidence.

- 6.4 Over several months of consultation and discussions the design solution was developed based on the brief and site constraints. The result is a proposed five level commercial building with basement level parking and a sixth level single three-bedroom penthouse apartment. We have reviewed commercial tenancy numbers, configurations and sizes based on economic and marketing viability which Mr Doody's evidence covers in more detail.
- 6.5 With that concept in hand, we took the opportunity to meet and meaningfully engage with the various potentially affected neighbours, including NPDC (Planning and Landscape representatives) and Ngāti Te Whiti. Mr Twigley's evidence covers that process in more detail.
- 6.6 As a result of this process, various design iterations were undertaken to respond to some specific concerns; including the softening of the top floor and layout, and façade design response to the historical context of the site.
- 6.7 In summary, through the extensive design and consultation process we have arrived at an optimum design solution that responds to the brief, site, context, scale and operational efficiency.

7.0 DESIGN CONSTRAINTS AND SOLUTIONS

7.1 Size of the site

The site footprint is relatively small in the context of a commercial development space, posing a challenge to provide vertical circulation, egress escape, building services core functions and pedestrian and vehicular access.

7.2 Existing site contours

The site has an overall change in level of approximately 2.5 metres with a further level change of an additional approximate 3m to the adjacent Eastern site, posing challenges for site access, developing connections and foundation design.

7.3 Protected tree

The protected Willow Myrtle has a large drip line and significant root structure within the site footprint. This puts severe restraint on the planning of building levels in proximity to the tree, and the final ground level adopted for the site, as the drip line and the existing root structure permeates a large portion around the Eastern portion of the site. Throughout the design process we have worked closely with Bruce MacDonald, Arborist, to determine not only the tree's existing condition and root structure physiology, but also the tree's predicted future lifespan moving forward. Mr MacDonald's evidence discusses these matters further.

7.4 Proximity to the Huatoki Awa

The site sits adjacent to the Huatoki. We saw this as an opportunity to connect the building design to the awa. The awa is given prominence in the design by making a key point of entry to the building from the East. This acknowledges the importance of the awa to Mana Whenua.

7.5 Proximity to arterial roads

The site is situated on a busy CBD corner of a main one-way street running West East through New Plymouth (Powderham Street). Access for vehicles and pedestrians is difficult and this is further exacerbated by the fall in existing ground level from Powderham Street towards the sea.

8.0 OTHER DESIGN SOLUTIONS TO MITIGATE SITE CONSTRAINTS

8.1 The complete glazed façade provides direct connectivity to the adjoining streets and the awa to the East, stimulating vibrant activity in the CBD by creating direct visual connections between people working in the building and people walking past on the street, and down the proposed future walkway development. Connections through the buildings core open directly onto the Eastern side of the façade, creating active edges to both facades of the building, and creating a direct link to the awa and the proposed Huatoki public space developments to come.

8.2 Whilst the building covers the entire footprint of the site, the complete glazed façade (ie. with no breaks between floors/walls etc), gives the building a lightness in feel - and reduces the perception of the proposed height by creating a seamless façade face. The upper level

apartment is clad in timber to directly link it to the timber structural elements below, and pronounced vertical elements in the apartment façade further reduces the visual impact by drawing the eye line up and out over the building, as opposed to a capping that stops the eye.

- 8.3 Passive surveillance to the area is also greatly improved, through the transparency of the proposed façade creating visual links between inside and outside; and the mixed-use nature of the development means that the building will be occupied, and therefore operational, 24 hrs a day.
- 8.4 Guided by the Ngāti Te Whiti hapu and Mātauranga Māori (Māori knowledge), along with the Te Aranga Design principles (see **Appendix 1**), the Brougham Street development has design features underpinned by cultural context.
- 8.5 The design responds to the close proximity of significant cultural sites within the Ngāti Te Whiti rohe. It seeks to extend the presence of mana whenua and activate a connection to the neighbouring awa.
- 8.6 On the ground floor, the entry and shared foyer space has taken inspiration from Hīnaki (eel net) and the shape of the historical estuary of the Huatoki.
- 8.7 The design response forms a wide-open accessible entry from the building's Eastern façade to the adjoining Huatoki Awa. An opportunity to explore a cultural narrative within the building fabric is proposed in the concept through;
- Fritting to the glazing with a cultural reference that also assists with heat gain;
 - Utilising timber and cultural patterning/narrative on the stair well to represent the Titoki tree that was once abundant but still growing on the banks of the Huatoki;
 - Patterning on the ground floor shared space extending to the outside of the building connecting it to the land and representing Hīnaki; and
 - Representation of Mauri stone and a water feature from the awa at the Eastern boundary of the building.

8.8 Quality urban design reduces the environmental impacts of our towns and cities through environmentally sustainable and responsive design solutions.

8.9 The proposal has been designed with key environmental sustainability frameworks at its core, which includes reducing energy and emissions, water efficiency and conservation, management and operations, materials and waste and addressing building user comfort, health and wellbeing.

9.0 CONSIDERATION OF ALTERNATIVE DEVELOPMENTS

9.1 A permitted baseline commercial development was reviewed during the design process, however economic viability ruled out this alternative (also discussed in the evidence of others).

9.2 That baseline development also tested the effects of shading from a permitted development in comparison to the shading from the proposed development (refer to the shadow study graphics attached as Appendix 1 in Mr Murphy's evidence).

9.3 A commercial development in which the same total net floor area as the current submitted solution was applied to a development that maintained the protected Willow Myrtle tree (*Agonis flexuosa*) (refer to concept drawing attached as **Appendix 2**).

9.4 Complexity in structural design, construction costs and general constructability meant that this alternative was also deemed unviable.

10.0 SECTION 42A REPORT

10.1 Based on Mr Bain's comments in his specialist report in Appendix B (2) – Peer Review of Landscape & Visual Impact Assessment, Richard Bain, Bluemarble, Landscape Architects, 2nd February 2021, I wish to address:

10.2 Glazing Design and Visual permeability of our proposal;

- 10.3 The exterior glass enhances transparency, adding to the openness and lightness of the building - whilst providing a welcoming presence. Lightness is not only about weight of a building, it is also about appearance.
- 10.4 In our design we have sought to keep the building light both physically (timber construction) and aesthetically.
- 10.5 The glass will not be heavily tinted and will, therefore, appear transparent and permeable. Glass buildings are akin to a form in the background because, unlike a solid building, a person's gaze does not stay static to the façade; it penetrates through it.
- 10.6 With the use of a full glass façade, we are trying to create a transparent exterior in which the materials have almost disappeared. Every floor/level is clearly defined, yet it will read as a whole.
- 10.7 The appearance is not something new, and many cities boast buildings with full glass facades where the visual presence of materials has decreased. To illustrate my point, some examples are included in **Appendix 3**.
- 10.8 Glass buildings can occur light and transparent, or solid and monumental, depending on the transparency.
- 10.9 In the case of the NPDC building that Mr Bain has drawn a comparison with, I believe that the Council building is an example of a 'solid and monumental' tinted glass building – heavy monumentalism in style.
- 10.10 In contrast, our proposal is for a light (non-tinted glass) and transparent building that seeks to look outwards, connect and blend with its surroundings.
- 10.11 We believe it possesses a quality of lightness due to its glass façade, with the visual appearance of the structure decreased through the use of glass.

10.12 Additionally, detailing of the timber design structure and the floor plates will go some way to achieving the delicacy and lightness of the form.

10.13 The clear expression of structure and function can be demonstrated through the separation of major structural elements from the glass façade.

10.14 The lightweight structure and the transparency will also provide a welcome contrast to the mass of other buildings around the site.

10.15 Furthermore, the use of glass will have health promoting benefits. Natural light is healthy, and it is proven in many studies that people working in natural light are more productive, and stay more positive, due to the mental and visual stimulation they receive.

10.16 The recommended conditions of consent will also require the design team to submit further detail regarding glazing type, finishes and materiality – see for example proposed consent condition 2. i.

10.17 In order to endeavour to hit the NABERSNZ 5 star target we will carefully consider solar gain and heat loss and impact on energy. We will consider a shading coefficient of between 0.3 to 0.4. through which we believe we can achieve a VLT (Visible Light Transmission) of between 50-60%. Furthermore the North/East/West elevations will also be reliant on fritted glass and back painted (or insulated) spandrel sections to achieve the required solar gain.

11.0 PROPOSED CONDITIONS OF CONSENT

11.1 I have reviewed the proposed conditions of consent in regards to the NABERSNZ, condition 34 of the officer's section 42A report (now condition 33 following the Officer's Addendum dated 5 February 2021) within the context of my expertise, and consider that the following changes need to be made, for the following reasons;

11.2 The sustainability strategy of the concept design has been developed around a theme of mitigating and responding to climate change, both by reducing carbon emissions in the construction and operation of the building - as well as designing for change of the Taranaki climate.

11.3 This design strategy includes exploring the opportunity for the following energy efficiency and low carbon initiatives:

- The use of a timber structure to significantly reduce embodied carbon emissions associated with the construction;
- Potable water efficiency and conservation will be considered in the development through the use of low flow fittings and fixtures, and a rainwater harvesting system to provide flushing water. The landscaping design will also incorporate planting and vegetation that requires minimal irrigation;
- Electric systems that avoid the on-site combustion of fossil fuels;
- Enhanced thermal insulation above building code minimums;
- Solar control low-e double glazing;
- Energy efficient heating systems using heatpump technology;
- Automatically controlled operable windows to reduce ventilation and cooling energy;
- Heat recovery ventilation systems;
- BMS (Building Management System) to efficiently control building services and energy sub-meters to monitor energy consumption in use; and
- Roof mounted solar PV (Photovoltaic) array.

11.4 In the consent application we stated that the building is targeting the 'NABERSNZ 5 Star Ready' building certification, which includes a number of the above aspects.

11.5 Due to the project only being in the preliminary/concept design phase, the full details and cost implications of achieving this certification are still unknown; and it is not yet possible to commit to achieving a NABERSNZ 5 Star Ready certification (although it is a goal as noted).

11.6 Additionally, this certification can only be issued once the building is fully tenanted and operational - and then monitored to assess whether it achieves the standard required.

11.7 Based on all of the above I recommend that condition 34 (now 33) in the Hearings Report be deleted.

11.8 An addition could be made, however, to condition 2 to provide details of the energy efficiency and low carbon initiatives incorporated in the detailed design.

12.0 CONCLUSION

12.1 Through rigorous collaborative design and development, I believe we have created a stimulating design that efficiently optimizes a challenging, high profile site.

12.2 The design integrates well within its surrounding urban environment and is respectful to its neighbours, whilst making a positive statement about the city, district and region.

12.3 The project also ensures that the voice of Ngāti Te Whiti as Mana Whenua and kaitiaki of the area is acknowledged and reflected in the design.

Murali Bhaskar
Architect Director,
Boon Team Architects Ltd
10 February 2020