

Before the Independent Commissioner  
Appointed by the Selwyn District Council

Under the Resource Management Act 1991

In the matter of a hearing on submissions to the Partially Operative Selwyn  
District Plan Variation 2: Levi Road rezoning

**Foodstuffs (South Island) Properties Limited**

Applicant

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**Statement of Evidence of Tony Douglas Milne**

7 March 2025

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## Introduction

- 1 My name is Tony Douglas Milne.
- 2 I hold a Bachelor of Arts degree from the University of Canterbury and a Bachelor of Landscape Architecture degree from Lincoln University. I am a Fellow and Registered Member of the New Zealand Institute of Landscape Architects (NZILA).
- 3 I am a Landscape Architect and founding Director of RMM Landscape Architects Ltd (RMM) which was established in 2010. The company employs over 36 staff working in studios throughout the country.
- 4 My previous work experience includes a wide range of landscape design and land planning projects throughout New Zealand. Many projects have involved preparing reports and evidence, which address matters of visual impact and landscape effects concerning proposed developments.
- 5 In relation to similar work undertaken within Rolleston I have previously been involved in the landscape planning for the Southern Motorway Stage two, Plan Change 7, the establishment of the Lyttelton Port Company inland port, the continued development of the Westland Dairy site (within the Selwyn lzone), the Proposed Selwyn District Plan (**PSDP**) process regarding the extension of the General Industrial Zone at Rolleston, and rezoning in relation to the site, and recently with the granted resource consent application (RC216016) for the submission site. I have also provided landscape architecture services for several projects within Rolleston including RC216016, Stonebrook, New World, Rolleston Secondary School to name a few.
- 6 Further to the above I was involved in the landscape planning and design of the PAK'nSAVE (**PnS**) and Mitre 10 Mega at Frankton, Queenstown where both were co-located on a site.
- 7 This evidence is provided in support of Foodstuffs (South Island) Properties Limited (**Foodstuffs**) request to rezone 157 Levi Road, Rolleston (the **Site**) from Medium Density Residential Zone (**MRZ**) to Large Format Retail Zone (**LFRZ**) and insert a new Outline Development Plan (**ODP**) replacing DEV-RO1 – Variation 2 to the Partially Operative Selwyn District Plan (**PDP-V2**). My role has been to provide independent expert advice and evidence on landscape and visual matters.
- 8 I am familiar with the location and surrounding environment, having visited numerous times throughout my participation in RC216016, along with my

time living and working in Canterbury. I have also undertaken a site visit in preparation of this Statement of Evidence.

- 9 In preparing this statement of evidence I have considered the following documents:
- (a) The statements of evidence dated 7 March, prepared by:
    - (i) Mr Mark Allan (Planning);
    - (ii) Mr David Compton-Moen (Urban Design);
    - (iii) Mr Bernard Johnston (Architecture);
    - (iv) Ms Rebecca Parish (Foodstuffs);
    - (v) Mr Murray Smith (Mitre 10);
    - (vi) Mr Fraser Colegrave (Economic); and
    - (vii) Mr Andrew Metherell (Transport)
  - (b) the Section 42A Report, and accompanying technical reports, prepared by Mr Craig Friedel dated 28 February 2025;
  - (c) the Partially Operative District Plan (**PODP**) Variation 2 provisions relevant to my area of expertise; and
  - (d) relevant submissions.

#### **Code of Conduct for Expert Witnesses**

- 10 While this is not a hearing before the Environment Court, I confirm that I have read the Code of Conduct for expert witnesses contained in the Environment Court of New Zealand Practice Note 2023 and that I have complied with it when preparing my evidence. Other than when I state I am relying on the advice of another person, this 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 that I express.

#### **Scope of Evidence**

- 11 I have prepared evidence in relation to landscape and visual matters arising from the proposed re-zoning. This includes:
- (a) Summary of principal landscape and visual amenity issues;

- (b) Summary of my landscape and visual assessment (**LVA**) dated 16 February 2024, including a summary of my RFI Response dated 16 August 2024;
  - (c) The proposed rezoning and amendments to the PODP to achieve the relief sought (the **Proposal**);
  - (d) Those submissions in opposition that address matters within scope of my expertise, with particular emphasis on matters where there is a difference of view between myself and the submitter; and
  - (e) Those parts of the Officer Report (s42A Report) that address matters within scope of my expertise, with particular emphasis on matters where there is a difference of view between myself and the Officer Report.
- 12 This evidence is accompanied by a Graphic Attachment (**GA**), that contains maps and aerial images of the Site location, the relevant District Plan planning maps, imagery associated with RC216016, an ODP for the Private Plan Change Request (**PPCR**), photographs of the Site from within the Site, photographs of the Site taken from the surrounding public places, and photographs of trees growing within supermarket carparks throughout Christchurch – projects that RMM have been involved with.
- 13 I also refer to the visual renders that comprise the graphic attachments to the evidence of Mr Compton-Moen.

### **Summary of Principal Landscape and Visual Amenity Issues**

- 14 The key landscape issue of the proposed rezoning relates to potential effects on the amenity of the surrounding environment. This is because a change in land use, that will be achieved through the commercial (LFRZ) rezoning, will result in commercial activity, that is already consented for part of the Site, on the balance of the Site.
- 15 Consideration has been given to the landscape character of the existing environment, including the consented (RC216016) and under construction environment, the proposed zoning rules, the effect on surrounding public roads and the impact on nearby dwellings.
- 16 Currently there are no other MDRZ and LFRZ interfaces in the Partially Operative Selwyn District Plan (**PODP**), so the existing LFRZ provisions do not provide management of these effects. In order to demonstrate this, an ODP has been prepared providing certainty as to the location and scale of built form activity and landscape outcomes on the Site. This goes hand in hand with the proposed zoning rules that were included with the Plan Change

documentation. These are covered thoroughly and adroitly in the evidence of Mr Allan.

- 17 The proposed provisions and the ODP to be associated with the LFRZ are appropriate to ensure RC216016 will be given effect to in its current form and that effects are managed at the MDRZ/LFRZ interfaces. RC216016 currently provides certainty and confidence of an appropriate interface and integration with PC71 (east of the Site), the balance land of the Site, and surrounding residential land, and from a landscape and visual amenity perspective it is important these outcomes are realised with the proposed rezoning.
- 18 Given that the MDRZ does not reflect the existing environment of that portion of the Site subject to RC216016, and that no residential activities can occur on this part of the Site, the proposed rezoning of the Site is considered to be a coherent request which serves to better consolidate urban form in an area with significant residential growth.

### **Summary of my Initial Assessment**

- 19 I have earlier prepared a LVA for the PPCR which was included in the Application<sup>1</sup>. In this section I will provide a brief summary of my assessment.
- 20 The LVA was prepared to assess the potential landscape and visual effects of the proposed rezoning of 157 Levi Road, Rolleston from MRZ to LFRZ.
- 21 The Site forms part of Variation 2 (PDP-V2) of the Partially Operative Selwyn District Plan and is subject to an ODP, which establishes rules and mitigation measures to manage its integration with the surrounding urban environment.
- 22 The key objectives of the LVA were to:
  - (a) Evaluate the existing landscape character and its susceptibility to change;
  - (b) Assess the potential effects of rezoning on visual amenity, landscape values, and urban coherence; and
  - (c) Identify appropriate mitigation strategies to manage potential adverse effects.

### **Site and Context**

#### *Physical and Landscape Characteristics*

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<sup>1</sup> Appendix J1 to the Original Application for a plan change found [here](#).

- 23 The 7.24-hectare Site is located at 157 Levi Road, Rolleston and is currently undergoing change with the consented PnS Rolleston (RC216016) currently under construction while the balance remains vacant. The Site is triangular in shape and is bounded by:
- Levi Road to the north, an arterial road serving residential developments and increasingly providing a key gateway to Rolleston from the SH1 Main South Road / Weedons Road interchange.
  - Lincoln-Rolleston Road to the west, an arterial road connecting to the broader Rolleston commercial network.
  - MRZ - zoned land to the east, identified for future residential growth.
- 24 The landform is flat and has been historically modified, with shelterbelt planting along boundaries previously providing some level of enclosure. However, the Site lacks distinctive landscape features and is experiencing significant transition, including the removal of the shelterbelt enclosing the Site, as Rolleston undergoes urban expansion and as can be seen with the current construction of the PnS Rolleston supermarket.

#### *Receiving Environment*

- 25 The immediate receiving environment currently has a mix of rural and residential elements, including residential properties along both Levis and Lincoln-Rolleston Road. The receiving and anticipated environment will see change from a rural to more urban landscape, driven by zoning shifts and the consented PnS Rolleston development (RC216016). The character of the surrounding environment is shifting from rural to urban, reflecting Rolleston's growth as a major satellite town.
- 26 The key elements of the surrounding environment are:
- North & South: Emerging medium-density residential development as well as Levi Road (classified as an arterial).
  - East: Undeveloped MRZ-zoned land, identified for future residential housing.
  - West: Lincoln-Rolleston Road, a key urban arterial that defines the western edge of the Site.
- 27 Regarding the existing consented environment, the development enabled (and under construction) by RC216016, will result in a large footprint supermarket building, car parking and associated landscape treatment that is 'commercial' in character. This is a different landscape character to the

mixed residential character anticipated for the Site under the PODP. When assessing the effects of the proposed rezoning, the resulting character of RC216016 provides the consented baseline for part of the Site and its surrounds.

#### *Landscape Values*

28 The Site's landscape values have been assessed based on physical, perceptual, and associative characteristics. They are:

(a) Physical Attributes:

- The Site is highly modified, with shelterbelt (which in part has been removed) planting forming the primary vegetative structure.
- There are no significant landforms, waterways, or ecological features.
- The Site's topography is flat, contributing to high visibility from surrounding areas.

(b) Perceptual Attributes:

- The Site currently has low landscape distinctiveness, with now an open and exposed character following the removal of the enclosing shelterbelt. However, this will change as the Site is developed as allowed by RC216061 (see Paragraph 29 following).
- Previously the shelterbelts provided temporary visual containment, but their removal (as allowed by RC216016) aligns with the ongoing urbanisation of the area.
- Future development will introduce a built environment consistent with Rolleston's evolving and expanding urban character.

(c) Associative Attributes:

- There are no identified cultural, historical, or recreational values associated with the Site.
- The Site does not contain any known heritage features or ecological sensitivities.

#### *Foreseeable Landscape Values of the Site*

29 The existing landscape values associated with the Site and its surrounds are set to change. This is because of the existing consented environment i.e., the development enabled and under construction by RC216016, along with the mixed residential character anticipated for the balance of the Site and surrounding areas under MRZ zoning in the PODP.

- 30 As the balance of the Site has an underlying MRZ, it is anticipated that the Site's (beyond the area being developed under RC216016) remaining shelterbelt planting would eventually be removed, and the existing pasture developed into housing, including a range of detached, semi attached and attached built form in accordance with the Site's MRZ.

### **Proposal and Key Changes**

#### *Rezoning from MRZ to LFRZ*

- 31 The proposed rezoning will accommodate the PnS Rolleston supermarket (already consented under RC216016, and currently under construction) and an additional large-format trade retail store.
- 32 Refer to the Application for the proposed zoning rules. In regard to landscape outcomes on the Site, the proposed ODP introduces:
- (a) A 10m-wide landscape buffer along the eastern boundary, ensuring an appropriate transition between LFRZ and MRZ. For the PnS development (RC216016), this has already been planted on Site in accordance with the approved plans;
  - (b) A 5m-wide (minimum) landscape strip along Lincoln-Rolleston Road and 3m-wide (minimum) landscape strip along Levi Road, maintaining streetscape quality; and
  - (c) No fencing within the landscape buffer, ensuring visual permeability and cohesion with the streetscape.

#### *Connectivity and Urban Integration*

- 33 The current PODP version of the ODP (*refer Sheet 5 of the GA*) includes two indicative pedestrian/cycle routes, in anticipation of residential development on the contiguous land. These links have been removed in the proposed ODP in recognition of the LFRZ / MRZ interface (*refer Sheet 6 of the GA*), which instead introduces:
- (a) A 3m-wide shared-use path along Levi Road, linking the Site to the Rolleston town centre;
  - (b) An indicative new road connection, extending Broadlands Drive, improving access to future residential and the new regional park; and
  - (c) Nine pedestrian and cycle access points, ensuring strong connectivity across the Site.



### **The Appropriateness of the Rezoning – Proposed Landscape Provisions**

- 34 The PODP provisions relating to the boundary treatment (LFRZ PREC13 REQ6 landscaping – road boundaries, and LRFZ REQ6 landscaping – internal boundaries) have been reviewed and are considered generally appropriate. These provisions primarily relate to planting requirements (species, spacings, height at planting, and mature height).
- 35 Having reviewed the proposed ODP prepared by DCM Urban (*refer Sheet 6 of the GA*), I am comfortable that the explicit landscaping requirements of RC216016, which are proposed to be replicated for the balance of the Site's boundaries, will be enabled.
- 36 Overall, it is considered that the combination of existing and proposed provisions for the LFRZ with a supporting ODP (with landscape requirements), will ensure an appropriate interface with each boundary and an appropriate built form/landscape outcome for the Site. Further to that, the ensuing Resource Consent process<sup>2</sup> provides an appropriate mechanism for the landscape outcomes for the Site to be assessed and specific landscape mitigation to be conditioned.

### **Landscape and Visual Effects Assessment**

- 37 The LVA assessed the potential landscape and visual effects of the proposed Plan Change on the existing landscape character and visual amenity of the Site and its receiving environment.
- 38 In terms of local context, the Site is within a receiving environment that is undergoing considerable change. While part of the Site and its surroundings are rural in character, this is not the state of the environment against which to consider landscape effects. Consideration needs to be given to MRZ zoning for the Site under the PODP, which will enable medium density residential development.
- 39 The following key landscape and visual amenity effects were identified and assessed:

#### *MRZ and LFRZ Comparison*

- 40 In essence, the MRZ enables a range of housing typologies within the zone, including up to 3-storey attached and detached residential units and low-rise apartments. Developments are encouraged to be high-quality and respond positively to the urban neighbourhood character. The type of housing, such

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<sup>2</sup> PODP – LFRZ-R1 Buildings and Structures, CMUZ-MAT3 Urban Design (h) and 3.

as the ratio of 2 or 3-bedroom units, amount of private/ communal green space and/ or whether off-street parking is provided, is often influenced by market demand. Residential activities generally relate to the coming and going of unit owners/ tenants and occasional visitors.

- 41 In contrast to the above, the LFRZ, and specifically with the proposed amendments to the Site, enables large floor buildings and/or yards, typically associated with trade retail and trade supplier activities. Buildings are large-scale and mitigated by boundary setbacks and landscaped road frontages. The evidence of Mr Johnstone describes this in detail.
- 42 When considering the potential outcome of the MRZ, a permitted baseline development could result in residential built forms closer to the boundaries and covering a larger proportion of the perimeter of the Site. It is accepted that a MRZ could result in a more diverse range of façade treatments, colours, and materiality and therefore of 'visual appeal and interest'. However, it would be likely the overall bulk and mass of built form enabled by the MRZ could read as greater than that enabled by the proposed LFRZ on the Site.
- 43 Further to this, a permitted baseline scenario would have a range of landscape treatments given it would likely be developed by multiple individual developers and landowners, while the proposed LFRZ presents an opportunity for comprehensive landscape treatment, and high level of maintenance, along the road frontages of the Site. From a landscape and visual amenity perspective, it is considered a LFRZ provides a greater level of certainty for the Site. Not only that, but a comprehensive landscape treatment provides the opportunity for, and certainty of a robust and consistent landscape outcome of a scale that is appropriate for this approach into and out of Rolleston.
- 44 To further explain this, the Site could be developed by multiple developers, such as Wolfbrook, Williams Corporation and Kāinga Ora, that often develop large tracts of land for townhouse developments, and each of these, have their own design signature, in terms of façade treatments, parking arrangements and landscaping. Some of these developments are attractive, particularly where communal open green spaces are visible from the street. However, often the green open space will be internalised within a medium density residential development.
- 45 While a LFRZ presents a major change from MRZ, future development in accordance with the proposed ODP and proposed zoning rules, provides a high level of certainty when compared to MRZ. It is acknowledged that the greatest change will be a change in bulk and location and style of buildings

on the south-eastern corner of the Site. Future built form will be potentially larger, taller, and commercial in character compared to the permitted outcome under MRZ. This change in character will also represent a continuation of the commercial character enabled by RC226061 and at the same time achieving appropriate landscape outcomes.

- 46 Given that the MRZ does not reflect the existing environment of that portion of the Site subject to RC216016, and that no residential activities can occur on this part of the Site, the proposed rezoning of the Site is considered to be a coherent request which serves to better consolidate urban form in an area with significant residential growth.
- 47 Further to this, a request that aligns with the relevant policies (Policy 1 and 6) of the NPS-UD. In general, the NPS-UD seeks a variety of sites for businesses, good accessibility between housing and jobs, and states that providing increased and varied densities of housing and urban form is not of itself an adverse effect. A LFRZ in this location, within an evolving urban fabric and adjacent to a busy arterial, is an appropriate outcome and would contribute to a well-functioning urban environment.

#### *Landscape Character Effects*

- 48 From a landscape character perspective, LFRZ for the PnS Rolleston half of the Site is essentially recognising the consented outcomes that will be delivered under RC216016. These were demonstrated to be, and ultimately deemed, appropriate for this location through the grant of consent.
- 49 Regarding the appropriateness of LFRZ on the southern portion of the Site, co-location within the receiving environment, and with the proposed LFRZ provisions, will enable a coordinated and complementary built form and landscape character outcome across the Site. LFRZ will, in my opinion, provide certainty in terms of landscape and amenity outcome for the Site. It will enable commercial development in a cohesive manner.
- 50 In relation to landscape character effects, the potential for adverse effects is **low** and at most **low – moderate**. The reason for this is threefold as per the following:
- (a) In terms of local context, the Site is within a receiving environment that is undergoing considerable change including that given effect to by RC216016;
  - (b) Given the consented PnS Rolleston, and the size and shape of the balance of the Site, there is only space for one additional LFR building, as evident by the ODP; and

- (c) Appropriate interfaces between MRZ and the LFRZ are achievable, as evidenced by the PnS Rolleston resource consent conditions. The residual area of the Site will be subject to proposed rezoning rules that in part have been melded by these conditions of consent.

#### *Visual Effects*

- 51 In this location, landscape values experienced visually include an existing, albeit diminishing rural outlook (views over a rural landscape), the legibility and visual coherence of the landscape as well as the built form and landscape outcomes of RC216016, which provides a consented (and constructed) visual baseline.
- 52 Similar to landscape character effects as described in [48] above from a visual amenity perspective, a LFRZ for the PnS Rolleston half of the Site is essentially giving effect to the consented outcomes that would be delivered under RC216016.

#### Visibility

- 53 Overall, in present time, visibility of the Site will be mostly experienced by people traveling along Levi and Lincoln-Rolleston Roads immediately adjacent to the Site, and people living in the low-density residential area on Levi Road north of the Site. Albeit the living areas in these residences are oriented north away from the Site. The Site will also be visible from the neighbouring property to the east, that is now MRZ under the PODP.
- 54 While the visibility from the residences in the lifestyle properties west of the Site is mostly obscured by vegetation patterns, including roadside shelterbelt planting, it is anticipated that much of this vegetation will be removed as these properties are developed to a finer grain of residential development in accordance with its underlying MRZ. Over time these properties will be most affected by the PPCR as they will have a northern outlook across Lincoln-Rolleston Road to the Site.

#### Visual Effects on Surrounding Roads

- 55 From Levi Road the PPCR **will not result in any change** in visual effects, that were deemed acceptable, from the consented baseline of RC216016. That is because views from Levi Road will be towards the consented PnS Rolleston in the foreground, and additional development enabled by the PPCR will be beyond (and obscured by) this.
- 56 Similarly, at the northern end of Lincoln-Rolleston Road, on the opposite side of the road to the area of the Site subject to RC216016, the PPCR **will not**

**result in any change** in visual effects, that were deemed acceptable, from the consented baseline of RC216016.

- 57 However, views towards the balance of the Site from Lincoln-Rolleston Road, while 'rural' (and very limited) in outlook at the minute, are anticipated to change as a result of its MRZ and rezoning to the east of the Site to MRZ. Consequently, it is anticipated that a considerable amount of the existing vegetation will be removed to make way for more intensive urban development. This is already starting to occur.
- 58 The additional building enabled by the PPCR will be more prominent for people traveling southeast on Lincoln-Rolleston Road as the building will be within their peripheral vision, whereas heading northwest, the building will be more at right angles and therefore to the edge of one's peripheral view.
- 59 The proposed landscape treatment along the Site's interface with Lincoln-Rolleston Road, which is a continuation of that contained within RC216016 and as shown on the proposed ODP, will provide visual interest and amenity, along with appropriate softening of built form enabled by the PPCR.
- 60 The visual effects from Lincoln-Rolleston Road are assessed as being at most **low - moderate**, depending on the frequency of traffic coming and going from access points into the Site. The continuation of the road frontage landscape interface (as described at 32(b) above) is considered an appropriate treatment to mitigate potential visual amenity effects from this road.
- 61 From the roundabout at the intersection of Lowes Road, Masfield Drive, Lincoln-Rolleston Road and Levi Road the PPCR **will not result in any change** in visual effects, that were deemed acceptable, from the consented baseline of RC216016. That is because views from this location will be towards the consented PnS Rolleston in the foreground, and additional development enabled by the PPCR will be beyond, and obscured by, this.

#### Visual Effects on Existing and Foreseeable Neighbouring Properties

- 62 Essentially the visual effects from existing and foreseeable residential properties fronting Lincoln-Rolleston Road and Levi Road have largely been covered previously under 'Visual Effects on Surrounding Roads'.
- 63 From Levi Road the existing residences in neighbouring properties on the northern side of Levi Road are generally oriented north away from the Site, with their garages and driveways facing the consented PnS Rolleston development. The PPCR **will not result in any change** in visual effects, that were deemed acceptable, from the consented baseline of RC216016. That

is because views from these properties will be towards the consented PnS Rolleston in the foreground, and additional development enabled by the PPCR will be beyond this.

- 64 As described previously, currently there are no residences in neighbouring properties on Lincoln-Rolleston Road (an arterial road) opposite the Site that have prominent views into the Site. These are mostly concealed from view by vegetation that follow the boundaries and fence lines of the rural lifestyle properties. However, there are currently sites under construction for residential development and for foreseeable residential properties developed immediately opposite the Site, as per its underlying residential zoning, these may experience potential adverse visual effects from the PPCR over the balance of the Site.
- 65 Nevertheless, while future residences forming part of a finer grain of residential development opposite the Site would have a northwest outlook in the direction of the Site, it is likely they will be developed with a range of frontage boundary treatment including fencing and planting to provide acoustic protection from the arterial road and privacy for outdoor living areas. It is also important to remember that these properties are located within an area that is rapidly changing. Change that includes widespread MRZ, an emerging PnS and arterial roads that are being upgraded and improved. As a result of this existing, and previous rural outlook cannot be assumed or assured, this is very much an environment undergoing change.
- 66 Views of the PPCR on the balance land of the Site, from future residences to the south along Lincoln-Rolleston Road, will be filtered and softened by the proposed road interface landscape treatment. Views of the additional building enabled by the PPCR would be further filtered by the rows of car park tree planting as required as part of the landscape requirements of the proposed zoning.
- 67 The visual effects of the PPCR on these properties are assessed as being at most **low - moderate** (no more than minor).
- 68 The property immediately to the east and adjacent to the Site is MRZ which is now operative enabling this land to be developed for residential purposes. The proposed landscaping and interface treatment along the balance of the Site's eastern boundary, is a continuation of that provided for in RC216016 (refer to Sheets 6, 15 and 16 of the GA).
- 69 Overall, the visual effects from LFRZ-enabled development of the Site on the MRZ land to the east are assessed as being **low** in relation to the buffering that will eventually be provided by the proposed interface treatment, which is

consistent with that previously deemed appropriate by the grant of RC216016.

#### Summary of Visual Effects

- 70 In relation to visual effects, consideration has been given to public and private views. From both public and private viewpoints, the roadside and internal boundary landscape treatment (*Refer ODP Sheet 6 of the GA*) is considered appropriate to mitigate adverse visual effects, as this will provide a continuation of the consented baseline commercial character while softening, filtering, and buffering views of development.
- 71 The significance of any visual effect is influenced by the visibility, comparable consented and permitted activities, distance, duration of the view, the scale, nature and duration of the proposal, its overall visual prominence, the context in which it is seen, and the size of the viewing audience.
- 72 From a visual effects perspective, whether the proposed rezoning is considered appropriate is determined by the visual effects LFRZ-enabled activity may have on the receiving environment. And whether the landscape values attributed to this setting are retained or whether, if adversely affected, effects can be satisfactorily avoided, remedied, or mitigated.
- 73 While the balance of the Site currently provides a rural character and amenity, a key consideration is the potential adverse visual effects of the PPCR in comparison with what might be developed under the Site's MRZ. Both development types have amenity, however residential development generally has higher amenity, than commercial development.
- 74 When considering the potential outcome of the MRZ, a permitted baseline development could result in residential built forms closer to the boundaries and covering a larger proportion of the perimeter of the Site. It is accepted that a MRZ could result in a more diverse range of façade treatments, colours, and materiality and therefore of 'visual appeal and interest'. However, it would be likely the overall bulk and mass of built form enabled by the MRZ could read as greater than that of the proposed LFRZ on the Site.
- 75 When one considers visual effects, consideration needs to be given to the receptor (viewer) and their perception and preference. While a change in a view can be marked, it does not necessarily equate to an adverse effect.
- 76 Both public and private views are considered to be either avoided or resulting in **low** and at most **low – moderate** adverse effects because of the proposed LFRZ as requested.

## Compliance with Statutory Provisions

- 77 From a landscape and visual amenity perspective the proposed rezoning aligns with key planning documents including the National Policy Statement on Urban Development 2020 (**NPS-UD**) and the PODP, and in particular Strategic Objective – Sensational Selwyn SD-DI-O1.
- 78 Regarding the NPS-UD, specifically the aspects of Policies 1 and 6, and as demonstrated by RC216016, the PPCR will provide good accessibility through well considered pedestrian and transport integration (*refer ODP, Sheet 6 of the GA*). In regard to amenity values LFRZ on the remainder of the Site may detract from the amenity values experienced by some immediate neighbours. However, the proposed landscape interfaces will have amenity values that are appreciated by other people living in the vicinity and those that will regularly pass by the consented PnS Rolleston development and future development enabled by the PPCR for the southern part of the Site.
- 79 Regarding Sensational Selwyn SD-DI-O1, along with associated objectives and policies the LVA identified the key landscape issue of the proposed rezoning as relating to potential effects on the anticipated character of the surrounding environment. This is because a change in land use that will be enabled through the commercial (LFRZ) rezoning will result in commercial activity, that is already consented for part of the Site, on the balance of the Site. And this will be different to that of the evolving surrounding residential zoned land.
- 80 Character arises from a particular combination of natural and physical features in the landscape. Attractiveness and pleasantness relate to sensory experience and interpretation. It is important to appreciate that a change in landscape character does not necessarily mean a loss of amenity.
- 81 In general, the landscape character of the overall Site will be commercial, comprising two large-scale buildings surrounded by hardstand carparking and landscaping. Essentially, the source from which amenity is derived will change, however the degree of amenity will remain. LFRZ represents an extension of the consented character over the balance of the Site. Obviously, this represents a change from the character anticipated by the MRZ for this part of the Site.
- 82 From a landscape and visual outcome perspective, the PPCR seeks to utilise the operative CMUZ and LFRZ provisions and include an OPD and specific precinct-based provisions, to ensure that the co-location of a trade retailer and trade supplier activity with the consented PnS supermarket can be effectively integrated into a developing residential neighbourhood.



- 83 It is considered this CMUZ/LRFZ policy framework, particularly in relation to integrated land use, bulk and location and the MRZ boundary interface is appropriate. The addition of proposed Policy LFRZ-P4 appropriately recognises the locational context of PREC13.
- 84 Further to that the PPCR provisions incorporate appropriate changes to the LFRZ activity-based rules and requirements that acknowledge that PREC13 is within an establishing residential neighbourhood. The reliance on an ODP over precinct specific rules or requirements for detailing the landscape mitigation requirement is appropriate.
- 85 Paragraphs [40] – [47] outline the differences in anticipated outcomes under a MRZ and LFRZ zoning for the Site, and I will not repeat here. In summary, a LFRZ with future development in accordance with the proposed ODP and PREC13 specific provisions, provides a high level of certainty, and this will be maintained. It is considered this appropriately takes into account the anticipated character of the immediate receiving environment and satisfies SD-DI-O1 along with the NPS-UD Policy 1 in terms of a *‘well-functioning urban environment’*.

### **Conclusion**

- 86 In terms of the future residential environment, the PPCR will result in a different landscape character to the mixed residential character primarily anticipated for the Site under the PODP. The proposed PREC13 specific provisions including an ODP, will mean that views from the surrounding environment will in time be afforded an appropriate level of amenity. The activities enabled on the Site, being the PnS Rolleston and a future large-format trade retail store, will maintain appropriate levels of amenity within the Site and at the interface with residential zones.
- 87 Potential adverse effects on amenity and outlook onto the LFRZ can be appropriately mitigated. This is demonstrated by RC216016. It is considered that future development enabled by the proposed rezoning is appropriate for this Site within the context of its residential setting, with landscape and visual effects considered to be low to moderate in magnitude. I am confident these effects will decrease to the low end of the scale in time as the landscape outcome as required by the proposed provisions matures and further urban growth and intensification occurs in the wider setting.

### **Matters raised by Submitters**

- 88 Some submissions are opposed to the PPCR. A range of reasons are given for their opposition, some of which relate to my area of expertise.

89 The approach I have adopted in this statement of evidence is to identify topics across the submissions in opposition where I disagree with the submission, to explain my reasons for disagreement and in some cases to clarify matters that have been mis-understood.

90 The topics I address include:

- (a) Traffic and Amenity Effects;
- (b) Visual and Landscape Effects;
- (c) Loss of Residential Character and Liveability; and
- (d) Environmental and Cultural Considerations.

#### *Traffic and Amenity Effects*

91 A number of submitters<sup>3</sup> opposed the rezoning due to concerns about increased traffic congestion, particularly around Levi Road and surrounding residential areas. Several noted that the existing roading network is already under pressure, and additional retail development would exacerbate congestion, reducing the amenity value of the area for residents. I defer to the evidence of Mr Andrew Metherell in response to this.

92 In regard to potential visual amenity effects arising from the PPCR, one needs to consider that the MRZ will also result in an increase in traffic and therefore the visibility of vehicles. How one responds to this is very subjective, depending on the perspective you have on vehicles and traffic. Quite simply, I know people who like traffic and the 'busyness' it may represent, while others don't.

#### *Visual and Landscape Effects*

93 Some submissions<sup>4</sup> in opposition raised concerns about the visual impact of large-format retail buildings, signage, and infrastructure, suggesting that the proposed Mitre10 would not blend well with the surrounding residential character. Following this some submissions<sup>5</sup> specifically opposed large signage on Lincoln Rolleston Road.

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<sup>3</sup> Submitters # 3 – 5, 14, 15, 21 and 24

<sup>4</sup> Submitters # 3 – 5, 14, 15, 21 and 24

<sup>5</sup> Submitters # 3 – 5, 14, 15, 21 and 24

- 94 It is considered these matters have been adequately covered in the LVA<sup>6</sup>, the RFI Memo<sup>7</sup> and within the body of this evidence. The new ODP and amended PODP provisions provide a well-considered and effective approach for rezoning the site to LRFZ from MRZ. This will ensure an appropriate interface with each boundary and an appropriate built form/landscape outcome for the Site.
- 95 Further to that, regarding built form and landscape outcomes on the Site, comfort can also be taken from the specific zone provisions that would make any new building/structure or any addition or modification to a building/structure on the Site a Restricted Discretionary Activity (**RDIS**) and subject to CMUZ- MAT3 - Urban Design. Any Resource Consent application under this rule will need to address landscaping<sup>8</sup>, in terms of mitigation of adverse visual amenity effects of the development on adjoining residential zoned sites, to satisfy the matters of discretion, irrespective of compliance with any other landscape rule. Therefore, in my opinion the ensuing Resource Consent process provides an appropriate mechanism for the landscape outcomes for the Site to be assessed.

#### *Loss of Residential Character and Liveability*

- 96 The shift from a MRZ to a LFRZ was seen by some submitters<sup>9</sup> as inconsistent with the character of the area. They argued that allowing large-scale retail in a predominantly residential area would set a precedent for further commercial encroachment. From an economic perspective Mr Fraser Colegrave provides evidence in respect to a precedent for further commercial encroachment.
- 97 From a landscape and visual perspective, it is considered consistency of character matters have been adequately covered in the LVA<sup>10</sup>, the RFI Memo<sup>11</sup> and within the body of this evidence.
- 98 The proposed rezoning and development under the LFRZ are aligned with the consented outcomes for part of the Site (RC216016), ensuring

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<sup>6</sup> Landscape and Visual Assessment – Pages 19 – 25, Prepared by Rough Milne Mitchell Landscape Architects Ltd, dated 14 February 2024

<sup>7</sup> RFI Technical Note, Prepared by Rough Milne Mitchell Landscape Architects Ltd, dated 16 August 2024

<sup>8</sup> CMUZ-MAT 3(1)(h)

<sup>9</sup> Submitter # 5

<sup>10</sup> Landscape and Visual Assessment – Pages 19 – 25, Prepared by Rough Milne Mitchell Landscape Architects Ltd, dated 14 February 2024

<sup>11</sup> RFI Technical Note, Prepared by Rough Milne Mitchell Landscape Architects Ltd, dated 16 August 2024

consistency in the overall landscape character. The LFRZ provisions will provide certainty for future development, allowing for cohesive commercial built forms in the southern part of the Site. The landscape character is expected to shift towards a more urban commercial character, but this change will not significantly diminish the surrounding amenity, as the area is already undergoing urbanisation and a change to existing character.

- 99 Having considerable experience in projects within Rolleston over the last 25 years, I acknowledge the considerable greenfield residential growth at Rolleston. As I understand from the evidence of Mr Colegrave that the business supply capacity has not kept pace with the residential supply. In this context, the proposal is proportionate in scale and direction of urban growth provided in the PODP. From a spatial planning and locational perspective, a LFRZ is considered appropriate for the Site.

#### *Environmental and Cultural Considerations*

- 100 The submission on behalf of Ngāi Tahu generally supports the rezoning but emphasises the importance of mitigating environmental effects, particularly stormwater management, protection of water quality, and respect for cultural landscapes. The submission encourages low-impact urban design approaches to minimize adverse effects.
- 101 It is considered that the proposed rezoning and development under the LFRZ is aligned with the consented outcomes for part of the Site (RC216016). RC216016 involves on site stormwater management, the introduction of a 10m wide biodiversity strip (planted with native species) and a palette of predominantly native shrub and ground cover species that will enhance the biodiversity value of the Site, when compared to the previous pasture monoculture.
- 102 Therefore, future development enabled by the PPCR will include these landscape elements and the interests of this submitter will be satisfied.

#### **Matters raised by the Officer Report**

- 103 I have read the Officer Report prepared by Mr C. Friedel (Consultant Planner) and the supporting expert Urban Design and Landscape Evidence prepared by Mr Lonink (Consultant Urban Designer) and Mr Ross (Consultant Landscape Architect) respectively.
- 104 The Officer Report supports the PPCR, albeit with modifications as set out at Section 9 and included in Appendix One to the Officer Report. A range of reasons are given for their recommendation, some of which relate to my area

of expertise. In regard to landscape and visual amenity matters the Officer Report relies on and accepts<sup>12</sup> the evidence statement of Mr Ross.

105 Mr Ross's evidence statement records his agreement with the conclusions that I reached in regard to landscape and visual amenity outcomes of the PPCR, as set out in my LVA report. The Officer Report records this at [7.7].

106 However, Mr. Ross sets out eight recommendations that he considers are required to ensure that Variation 2 and the future commercial activities enabled by the rezoning are appropriately integrated into the surrounding environment and to ensure that any related adverse visual and amenity effects can be effectively managed. The Officer report adopts these at [7.8]. I note Mr Lonink makes four recommendations in response to urban design matters and these are also adopted by the Officer Report, recorded at [7.12].

107 Mr Compton-Moen addresses the matters raised by Mr Lonink and I defer to his expertise here. Further to that, regarding Mr Lonink's recommendation for a full CPTED assessment (including a lighting plan) to be submitted for approval as part of any future resource consent process. This is already a matter of discretion (CMUZ-MAT3 1(e) that a future Resource Consent application will need to address, and Council could request if not.

108 I have reviewed the recommendations of Mr Ross, and while it is my opinion a number of these contain more detail than is required for a rezoning and are typical of conditions of consent, I understand the client generally accepts the majority of these, with the exception of the *one tree per three car park space and the mid Site connection recommendations*, should the Commissioner want to impose them. It is worth remembering that in regard to landscape outcomes the PPCR provisions already include appropriate matters of discretion as part of the consenting pathway to establish the LFRZ on the Site.

109 I respond to the following recommendations and the matters they raise.

*The 5m landscape strip along the Lincoln Rolleston Road boundary, including specimen trees at a minimum 5m spacing needs to be established, which shall include a return along the northern edge of the future proposed Primary Road connection off Broadlands Drive.*

110 This aligns in part with the requirements of RC216016 and therefore considered an appropriate landscape interface outcome. However, in a practical sense this will not be able to be achieved for the entire length of the

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<sup>12</sup> Section 42A Officer Report – Page 18

Site interface with Lincoln – Rolleston Road. This additional requirement also conflicts with the Officers Report suggested change to the PREC13 ODP to require that *'The Lincoln Rolleston Road landscape treatment is to be designed and installed generally consistent with the consented landscape plan for the proposed supermarket development (RC216016)'*<sup>13</sup>. The ODP has been designed to include the essential landscape elements of RC216016, and this change is considered unnecessary

- 111 As per RC216016 (refer Sheet 17 of the GA) there is a proposed park on the Site adjacent to the intersection of Lincoln - Rolleston and Levi Roads. This provides a different landscape outcome to the 5m wide strip along the balance of the Site interface with Lincoln-Rolleston Road. Therefore, in reality, this recommendation as worded, will not work and furthermore the exact alignment of the future primary road connection is unknown. In that regard, it is my opinion such detail is best left to the matters of discretion and future detailed design.

*Require one tree per five parking spaces within the parking area and add maximum spacings of one tree per three spaces and tree species of medium or high grade heights.*

- 112 The requirement for tree planting within carpark areas of one tree per five carparks is accepted and aligns with standard practice. However, from a landscape outcome, as well as a practical, perspective the requirement for tree species located within parking areas at one tree every three parking bays is onerous and not necessary. This is also inconsistent with RC226061.
- 113 It is my experience that flexibility needs to be retained through site design (for example to address the location of trolley bays and location of internal paths) to achieve an optimal outcome. One needs to view this through a realistic lens, and in my opinion the requirement for one tree per five carparks gives appropriate certainty regarding the role future tree planting on the Site will play in amenity outcomes.

*Require that a landscape management plan is submitted for SDC's approval at the time any future resource consents are sought, which covers security, maintenance, and pest and weed control within the proposed north eastern 10-metre-wide biodiversity strip.*

- 114 I am familiar with the requirement of landscape management (or maintenance) plans for proposed developments and it is my experience these would typically be required at the Resource Consent application stage,

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<sup>13</sup> Officer Report – Appendix 1 Page 73.

in accordance with zone / general rules and associated matters of discretion. The requirement for a LMP would typically be a condition of consent, as it is with RC216016. Therefore, while not a planning expert and I defer to Mr Allan in this case, it seems to me that the requirement for a LMP at this stage only serves to clutter the District Plan. More importantly, I am of the opinion the landscape outcome sought through a LMP can be achieved satisfactorily at the Resource Consent stage.

*Provide a future pedestrian and cycle connection to the MRZ to the north-east and the related eastern connection illustrated on the development area DEV-RO12 ODP.*

- 115 It is my understanding that given the constraints associated with operations of the site described by Ms Parish and Mr Smith, and the noise concerns described by Mr Hay, this recommendation is not accepted.
- 116 From my reading of Mr Ross's evidence, it is my understanding that this is being requested for both connectivity and CPTED reasons. I note also that both Mr Compton-Moen [54] and Mr Metherell [83 and 84] address this in their evidence. Having assisted in the site planning of supermarket sites for approximately 20 years I understand the operational issues relating to 'uncontrolled' pedestrian and cyclist movement through a Site such as this. The consented PnS development includes loading areas on the northern side of the building, allowing truck movements to be physically separate from publicly accessible areas. The same applies for a future trade retailer on the Site. This is addressed in the evidence of Mr Smith and Mr Johnston.
- 117 In terms of connectivity, while a connection as suggested by Mr Ross (which is in line with both Mr Lonink's and Mr Carr's recommendations too) may be desirous in an ideal situation, the reality is that from a safety perspective it would not be appropriate to have a pedestrian/cycle link through the middle of the Site where conflicts with delivery vehicles/service areas would occur.
- 118 Further to that and as pointed out by Mr Compton – Moen, while the 'block' length (of the Site) is longer than would usually be designed...*'the block shape does not create any longer walking distances to key destinations being the town centre (via Levi Road), bus stops on Masfield Drive (No.5 Rolleston Express) or the Rolleston to Lincoln Shared Path (on Lincoln-Rolleston Road)*<sup>14</sup>. I am of the opinion that the connection through the middle of the site is not necessary, and instead the proposed alternative provision at the south end of the Site on the Future Primary Road will be acceptable.

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<sup>14</sup> Urban Design Evidence of Mr Compton-Moen [55 a]

- 119 Regarding CPTED matters in relation to this recommended connection, I suggest the four overlapping CPTED principles as set out in [43 – 46] of Mr Compton-Moen’s evidence come into play. Giving these further considerations I cannot see how this connection will result in an overall better CPTED outcome for the Site.

*Additional denser planting comprising shrubs and trees to at least 3m in height is required along the Lincoln Rolleston Road boundary adjacent to the outdoor storage areas that will need to be return along the north side of the potential future eastern road connection.*

- 120 It is my understanding that Mr. Ross considers that this higher density planting is required to effectively screen the potential adverse visual effects arising from the built form that would be enabled by the PPCR. While screening of outdoor storage areas is an appropriate amenity outcome, in my opinion denser planting to achieve at least 3m in height is not desirable in this situation. Such planting has the potential for entrapment and provides opportunity for cover for those with less than desirable intent.
- 121 Therefore, a more appropriate outcome would be to achieve a mix of taller trees and lower shrub planting that can provide a better visual amenity outcome adjacent to storage areas. Once again, I believe this is appropriately covered by CMUZ MAT3 1. (h) and this recommended change to PREC13 is not required.

## **Conclusion**

- 122 Given that the MRZ does not reflect the existing environment of that portion of the Site subject to RC216016, and that no residential activities can occur on this part of the Site, the proposed rezoning of the Site is considered to be a coherent request which serves to better consolidate urban form in an area with significant residential growth. At the same time achieving appropriate landscape outcomes.
- 123 Considering the need for business land for large format retail within Rolleston and Mitre 10’s strong desire to locate on this site given it meets the location requirements for its operations, the PPCR and LFRZ for the Site provides for this appropriately. Therefore, from a landscape and visual amenity perspective, can the potential adverse effects arising from this, when compared to a MRZ outcome on the Site, be adequately managed so they are acceptable. In my opinion, the answer is yes.
- 124 A LFRZ in this location will form part of the urban fabric of a rapidly growing and changing town, will not appear visually detached and integrates with the



arterial road network and the main approaches to Rolleston from both the east and south.

- 125 In terms of the future residential environment, the LFRZ request will result in a different landscape character to the mixed residential character primarily anticipated for the Site under the PODP. The proposed PREC13 specific provisions including an ODP, will mean that views from the surrounding environment will in time be afforded an appropriate level of amenity.
- 126 It is considered that the proposed ODP appropriately locates future built form within the Site, and in conjunction with the associated landscape interfaces will appropriately integrate future development into the evolving surrounding residential setting.
- 127 In my opinion, any potential adverse effects on amenity and outlook onto the LFRZ can be appropriately mitigated. This is demonstrated by RC216016. It is considered that future development enabled by the proposed rezoning is appropriate for this Site within the context of its residential setting, with landscape and visual effects considered to be low - moderate in magnitude. I am confident these effects will decrease to the low end of the scale in time as the landscape outcome as required by the proposed provisions matures and further urban growth and intensification occurs in the wider setting.
- 128 Thank you for the opportunity to present my evidence.

Tony Douglas Milne