

Before the Commissioner appointed by
the Selwyn District Council

Under the Resource Management Act 1991

In the matter of

Resource consent application for Foodstuffs (South Island)
Properties Limited to establish and operate a PAK'nSAVE
supermarket and associated access, loading, car parking,
signage, earthworks, and landscaping at 157 Levi Road,
Rolleston (RC216016)

Statement of evidence of Tony Douglas Milne

18 July 2022

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**anderson
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Qualifications and experience

- 1 My full name is Tony Douglas Milne.
- 2 I am a Landscape Architect and founding Director of RMM Landscape Architects Ltd which was established in 2010. The company employs over 30 staff working in offices throughout the country.
- 3 I hold a Bachelor of Arts degree from the University of Canterbury and a Bachelor of Landscape Architecture Lincoln University. I am a Fellow of the New Zealand Institute of Landscape Architects (NZILA).
- 4 My role in relation to Foodstuffs (South Island) Properties Limited's (**Foodstuffs**) application to establish and operate a PAK'nSAVE (**PnS**) supermarket and associated access, loading, car parking, signage, earthworks, and landscaping at 157 Levi Road, Rolleston (**Application and Application Site**) has been to provide advice in relation to the landscape design and landscape effects of the application. I provided a peer review of the Landscape Assessment Report (**LEA**), prepared by my colleague Fraser Miller, to the Assessment of Environment Effects (**AEE**) accompanying the Application, which appears at Appendix F of the AEE.
- 5 While the Application Site, refers to the 7.24 ha of triangular shaped land at 157 Levi Road, my evidence refers to the 4.14 ha that will be developed for the Application as **the Site**.
- 6 My assessment is based upon the proposal description attached to the evidence of Mr Mark Allan as **Appendix 1**. A graphic attachment (**GA**) accompanies this Statement of Evidence and contains material to further illustrate the proposal. It is to be printed in A3 format and to be read in conjunction with this document.
- 7 In preparing this statement of evidence I have considered the following documents:
 - (a) the AEE accompanying the Application;
 - (b) submissions relevant to my area of expertise;
 - (c) the statement of evidence on company matters prepared by Ms Rebecca Parish, the statement of evidence on architectural matters prepared by Mr Matt Mitchell, the statement of evidence on urban design matters prepared by Mr Andrew Burns, and finally, the statement of evidence of traffic matters prepared by Mr Dave Smith;
 - (d) planning provisions relevant to my area of expertise;
 - (e) the section 42A report prepared by Ms Jane Anderson on behalf of Selwyn District Council (**SDC**), and;

- (f) the Peer Review of the LEA, and statement of landscape and visual evidence, prepared by Mr Gabriel Ross on behalf of SDC.
- 8 I visited the Application Site on 15 October 2021 to assist in understanding the extent of the proposed PNS supermarket, the landscape character and values within the receiving environment and assessing the Application's actual and potential landscape and visual effects. I have also driven past the Site on numerous occasions.
- 9 In terms of consultation with stakeholders, I have not met with any of the submitters. However, Ms Parish and Mr Allan have met with Submitter 43 (Harbour Partnership Ltd) to discuss the subdivision plans for their land on the western side of Lincoln-Rolleston Road immediately opposite the site. Following that meeting, I have discussed with Foodstuffs the potential landscape and visual amenity concerns these submitters have with the proposed PnS development. We have since updated our landscape plans to respond in a positive way to these concerns raised by the submitters. These revisions are illustrated in the updated landscape plans in the GA and explained in the later part of my evidence.

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 2014 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:
- (a) the project process and application amendments;
 - (b) the key elements of the existing environment of the Application Site;
 - (c) the key findings of my assessment of effects;
 - (d) matters raised by submitters to the Application;
 - (e) matters raised in the SDC s42A report; and
 - (f) Proposed conditions of consent.

Executive Summary

- 12 The Application Site sits within land zoned 'Living Z' under the operative Selwyn District Plan (**SDP**) and 'General Residential' under the proposed Selwyn District Plan (**PSDP**). Both these zonings primarily provide for a range of housing typologies, including medium density housing, subject to a distinct Outline Development Plan (**ODP**) for the Application Site.
- 13 Despite its residential zoning, and location within the identified Township Boundary, the Application Site currently has a working rural character, with a low degree of rural amenity (from beyond the site boundary), given it is mostly screened by a shelterbelt along its road frontages. While it is acknowledged the existing shelterbelts provide a 'green and rural' outlook for those currently residing to the opposite side of the road, this is not the state of the environment against which to consider landscape effects, given its residential zoning under the SDP and PSDP.
- 14 The scale and nature of the Application will result in a different landscape character to the mixed residential character anticipated for the Application Site under both the SDP and PSDP. However, from a landscape perspective, the resulting character will provide a pleasing level of amenity for a residential environment. Since 1997 I have worked collaboratively with Foodstuffs to ensure high levels of amenity across their commercial developments. In my opinion the landscape outcome resulting from this proposal will be most appropriate in this location.
- 15 The Application has been primarily designed to provide an appropriate level of amenity within a current (and likely to be future intensified) residential area, particularly along its site boundaries. I was involved in the preliminary design phase at the outset of the Application, which considered appropriate building setbacks, landscaped frontages and overall site design approach. It is worth noting, that the landscape design for the proposed supermarket also aligns with the landscape expectations for commercial development within the Business 1 Zone under the SDP.¹ This is important because the relevant rules also focus on pedestrian experience and the quality of edges with streets.
- 16 Considering potential landscape and visual effects to the east of the Application Site, the landscape design includes a 10m wide biodiversity corridor along the site's eastern boundary. Essentially this planting of mixed native species will provide a visually appealing and biodiversity buffer and boundary interface between the Application and rural zoned land to the east. I understand there is an interim recommendation which indicates a residential rezoning of this land (Plan Change 71 (**PC71**)) will be granted. If this land is developed for residential purposes under

¹ Part C – Section 16 – Business Zone Rules – Buildings (clauses 16.10.2.2 to 16.10.3)

PC71 in future, the biodiversity corridor can be readily adapted to provide an appropriate balance between visual mitigation and daylighting.

- 17 A feature of the site design is the open space in the northwest corner of the site. The landscape approach for this space ensures a high level of amenity, opposite a prominent intersection at the south-eastern approach to Rolleston town centre.
- 18 Overall, it is expected that the comprehensive and well-maintained landscaping at the Application Site's interfaces will achieve a level of amenity appropriate for its setting. I consider the amenity will be at least commensurate with, but quite likely higher than a residential development, anticipated under its current or imminent medium density zoning. Even if it was a single developer, but quite likely multiple developers, medium density residential provisions seek to maximise yield, with only minimum landscaping requirements. Furthermore, a very real outcome under this scenario is a future landscape maintained to varying levels by individual owners/ tenants.
- 19 While the magnitude of the visual change arising from the proposed development is significant, particularly for people commuting along Levi and Lincoln-Rolleston Roads, and people living in neighbouring properties the site, this does not necessarily equate to the same level of adverse visual effect. It is considered the level of adverse visual effect can be satisfactorily mitigated by the generous building setbacks, 'minimised' retail signage/ branding, architectural articulation of built form, and a high-quality landscape strategy along site boundaries and internally within the site.
- 20 Regarding landscape matters, I believe the Commissioner can take a great deal of heart that SDC's landscape architect, Mr Gabriel Ross and myself are on the 'same page'. Mr Ross agrees with the overall level of effects being Low to Moderate and overtime reducing to the lower end of the effects scale. This is dependent on the recommendations offered by SDC's planner as consent conditions are adopted. I generally concur with these, and the landscape plan submitted with my evidence has been updated accordingly. These updates are outlined in the body of my evidence.
- 21 I also agree with Mr Ross, that the proposed supermarket presents a comprehensive and maintained landscape design, that in many respects will be superior to the assortment of medium density residential development that could be developed on the Site. Compared to a permitted residential development scenario where landscape treatments and quality of landscape maintenance can be dependent on multiple individual developers and landowners, the proposed PnS development provides a level of certainty that is not only known but has longevity.

The Project Process and Application Amendments

- 22 Since the lodgement of the Application and in part as a response to submissions and SDC officer recommendations, several amendments have been made to the landscape proposal plan.
- 23 These include the following:
- (a) Updates to the montages illustrating the growth rates of the tree planting in the eastern boundary strip to show five-year growth cycles (5, 10, 15 and 20-years). The additional montages demonstrate the earliest mitigation benefits and gradual improvement of mitigation overtime.
 - (b) Limiting the height of the tallest trees in the eastern boundary strip to 8m for Option B if the adjacent land is developed for residential use under PC71. Option A in relation to the adjacent land retaining a rural zoning excludes a height restriction. Rationalising the stormwater function of the northwest green space. The overland flow basin has been reduced to an overland flow swale.
 - (c) Including a mix of native and exotic trees in the northwest green space to improve biodiversity.
 - (d) Providing a pedestrian pathway connection into the PnS supermarket from Levi Road and Lincoln-Rolleston Road intersection via a meandering gravel path, 1.5m wide, connection through the northwest green space. This will be lit at night with 1m high light bollards.
 - (e) Footpath thresholds on Lincoln-Rolleston Road at the ends of the arbor structures, to enhance the pedestrian connection and arrival experience. A third footpath threshold has been included at the intersection of Levi Road and Lincoln-Rolleston Road, where the meandering gravel path meets the footpath.
 - (f) An additional arbour structure (with climbers) above the southern pedestrian pathway connection to the PnS supermarket from Lincoln-Rolleston Road to provide increased visual screening, while maintaining a strong pedestrian connection.
 - (g) Reduced height of the pylon signs, from 8m to 6m high, within the landscape road frontages of both Levi Road and Lincoln-Rolleston Road to reduce their visual prominence.
 - (h) The introduction of faster growing *Pittosporum eugenioides* (Tarata) as a key specimen tree in the eastern boundary 10m wide strip planting, to achieve earlier visual screening.
 - (i) Replacing the evergreen Mountain Beech trees in the car parking areas with evergreen Mexican Alder trees, which are a hardy and robust exotic tree more likely to establish in exposed site conditions.

- (j) Replacing the informal native planting in the Lincoln-Rolleston Road landscape frontage with formal specimen tree planting to provide a high-level amenity visual filtering and align with the tree avenue shown in the Rolleston Structure Plan.
 - (k) Change the specimen tree species in both the Levi Road and Lincoln-Rolleston Road frontages to deciduous tree species at a spacing of 5m.
 - (l) Providing taller shrub planting, up to 0.6m high, on the northern side of the building frontage, to provide further visual screening.
 - (m) Including a visual representative of an alternative outcome the Application Site as comparison between the proposed PnS development and a potential medium density residential development.
- 24 *Refer to pages 15 & 16 in the GA for the amended Application Site landscape plan, sections, and montages, which illustrate the above changes and improvements.*

The Existing Environment

- 25 The existing (receiving) environment is defined as that area surrounding the Application Site that may be affected by the proposed activity, although the visibility of the Application may extend beyond this. Sheet 3 of the Graphic Attachment shows the application site and its immediate surrounds.
- 26 A detailed description of the surrounding landscape and Application Site was contained within the LVA appended to the Application. This is summarised below.
- 27 The Application Site, of 7.24 ha, is triangular shaped and is surrounded by shelterbelts some 5 to 6m high. It has a frontage with Levi Road and Lincoln Rolleston Road. The proposed area that will be developed for the Application is approximately 4.14 ha, which is approximately 57% of the Application Site.
- 28 Views into the Site are currently obscured by an evergreen Leyland cypress shelterbelt that is approximately 5 to 6 metres in height and restricted to 'skinny' views through vehicle entry points from both Levi Road and Lincoln Rolleston Road. An existing dwelling and ancillary buildings occupy the northern part of the Application Site.
- 29 While the Application Site has an existing rural working landscape character it is zoned Living Z under the SDP. This is an area zoned for urban growth.
- 30 The surrounding built form of development includes low density single-storey residential typologies to the north and north-west of the Application Site within the Living 1 & 1B zones and within the Living Z zone. The land to the east is zoned Inner Plains and immediately adjacent to the Application Site is an established horse training facility. Beyond this, existing development is commensurate with the

underlying zoning, where there are fewer buildings, and these are widely dispersed, typical of a rural environment.

- 31 To the southwest of the Application Site the land currently displays a rural residential landscape character that is changing. This area bounded by Lincoln-Rolleston Road, Goulds Road and Selwyn Road has, is being, and can be expected to be developed for residential purposes as anticipated by the Urban Growth Overlay in the PSDP, which I understand gives effect to the Greenfield Priority Areas and Future Development Areas identified on Map A of the Regional Policy Statement. Under the PSDP, the Site's zoning is identified as General Residential, and the land to the east as General Rural. The land northeast of the Site is subject to PC71, and should this be approved by SDC, it can be expected to be developed for residential use.

The Application and Assessment of Effects

- 32 The Application is described in full in the LEA, with changes to it outlined in paragraph 23 above. As described in the LEA the likely landscape and visual effects of the Application relate to the scale of the building and car park proposed and associated potential effects of changes to visual amenity and outlook. This is also the general tenor of the submissions received.
- 33 Mr Ross has also considered these, and as noted earlier we (Mr Ross and me) agree that these potential effects can be effectively mitigated and managed through the landscape approach for the proposal.
- 34 Within the LEA, the potential landscape and visual effects relating to the proposed PnS supermarket were extensively canvassed and I do not see any need to repeat these here. However, in summary these included:
- (a) Landscape character effects on the SDC planning framework.
 - (b) Amenity effects and high-quality pedestrian experience of the road frontage, car parking and stormwater overflow areas.
 - (c) Amenity effects of the biodiversity buffer planting along the eastern boundary and consideration of PC71.

Landscape Character Effects on the SDC Planning Framework

- 35 The key objectives and policies relating to landscape matters under both SDP and PSDP include those pertaining to residential character and amenity. Notwithstanding this, as a supermarket development is not provided for as a permitted activity within Rolleston's residential zoning, the matters of discretion for a commercial development in the Business 1 Zone of the SDP have also been considered.

The Selwyn District Plan

- 36 Under the SDP, the Application Site is zoned Living Z, and is subject to a structure plan called Rolleston ODP Area 4 (**SDP-ODP**). *This is shown on page 8 in the GA.* The ODP is to ensure good standards of urban design and connectivity with the surrounding environment are achieved. The Living Z zone provides for a range of site sizes and living options, including provisions for lower density standalone housing and semi-detached or attached medium density housing types.
- 37 It is noted that the Living Z zoning surrounds the Application site to the southwest, and there is an area to the northeast, however the land immediately north of the site is zoned Living 1 and 1B, which provides for low density housing.
- 38 The relevant planning provisions for the Living Z zoning relate to residential character and amenity through good design outcomes. Most of these refer to urban design matters that are covered in Mr Andrew Burns' (urban design) evidence.
- 39 Landscape matters in relation to residential character and amenity include landscape treatment of street frontages, pedestrian amenity, and buffering between alternate zonings to avoid reverse sensitivity. These issues are covered in subsequent sections of my evidence.

The Proposed Selwyn District Plan

- 40 Under the PSDP, the site is zoned General Residential, to provide areas for higher density of residential development than elsewhere in the Selwyn District. Like the Living Z zone in the SDP, General Residential provides for a range of housing typologies, including semi-detached and attached housing types. Given the zone is expansive, many areas are identified as development areas, where an ODP has been prepared to guide future land use and development. The site is identified in the Rolleston 1 Development Area (**PSDP-ODP**). *This is shown on page 8 in the GA.*
- 41 The residential area north of the site, which is zoned Living 1 and 1B under the SDP, has been incorporated into the wider General Residential zone under the PSDP. In other words, the Application Site and the surrounding residential area will all have the same zoning and could be developed under the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (RMA-EHS), which enables high density, three-story residential development as a permitted activity. I understand the rules of the RMA-EHS will have legal effect for existing residential zoned areas when SDC notifies its plan on or before 20 August 2022.

Plan Change 71

- 42 From information on the Council website, my understanding is that PC71 is seeking the rezoning of approximately 53 hectares of rural land to residential land to develop approximately 660 residential lots. A large portion of the PC71 land is located immediately east of the Application Site. It is noted that PC71, shown on the map on the Council website, also takes in the Application Site insofar as it proposes amendments to the ODP-Area 4. I understand an interim decision has been released which rezones part of PC71 to residential, affecting that land along the eastern boundary of the proposed supermarket and providing connections into the Application Site.
- 43 A new primary road link in the form of an extension of Broadlands Drive will cross the southern part of the ODP Area 4 to connect up with the Plan Change 71 site providing direct east-west access to the proposed District Park.

Assessment against the ODP for the Site

- 44 The ODP for the Application Site, under both the SDP and PSDP, is almost identical except the SDP-ODP graphically shows the location and scale of future medium density housing and the scale of a neighbourhood park. As noted in paragraph 43 above the updated ODP provides a future connection with the PC71 site.

Allotment Density Transition vs Landscape Buffer and Interface Treatment

- 45 The ODP is seeking an allotment density transition between the rural and residential land through a band of low-density allotments with a minimum lot size exceeding 1,000m² along the site's eastern boundary. This would likely give rise to built form within allotments approximately twice the size of standard allotment sizes of 500m², and the spaces between the built form would either provide visual relief in the form of openness or vegetation (greenery). This is the case in recently completed residential development in Christchurch (Prestons North) where 1,000m²+ allotments have also been used for density transition between the standard residential areas and the neighbouring golf course, and similarly, both the rural land and golf course are on the northeast side of the larger allotments. Based on a review of aerial photography, the houses have a larger footprint than standard residential development, are taller being two storeys, and they are generally setback approximately 20 to 25m from the northeast boundary.
- 46 In comparison, the nearest part of the proposed supermarket building, which is 37.2m long, is setback 18m from the boundary, and this is 7.4m high, sloping upwards to 12.3m at the apex of the building some 44m further west into the site. In other words, the height of the supermarket building is similar in height to a two-storey house where it is nearest to the boundary. Unlike the ODP, the Application

also includes a 10m wide landscape buffer, which would be planted with a mix of indigenous trees, shrubs, and groundcovers. Note: two planting density options are proposed (Options A & B), which are dependent on whether the eastern land remains in a rural zoning or becomes a residential zoning under PC71. This is illustrated in the landscape plan, sections, and montages in the GA (*Refer to pages 15-16 & 21-24*).

- 47 While the buffer planting will have a different character and amenity to the ODP density transition, it is more appropriate for buffering a large-scale commercial building. At maturity, the tree species within the landscape buffer – ribbonwood, mountain beech, kowhai, and cabbage trees - will reach heights between 8.0m (Residential – Option B) and 12m (Rural – Option A). This will provide mitigation screening of the building, while also creating positive landscape effects by introducing an ecological corridor along the sites interface with rural zoned land. It is noted that there is potential to connect this green corridor with the northeast-southwest green corridor shown on the Rolleston Structure Plan. *Refer to page 4 of the GA.*
- 48 In addition to the density transition buffer, a combination of appropriate fencing, landscaping, and building setbacks is also sought under the ODP for the Application Site. It is understood that the interface treatments are required to avoid reverse sensitivity issues arising from the residences on the rural land, rather than to provide rural outlook.
- 49 As noted above, two options (A & B) are proposed for the eastern boundary interface for the supermarket development dependent on whether the eastern land remains rural or becomes residential under PC71. Both options include a 600mm high retaining wall on the boundary. Option A has a 2.0m high acoustic timber fence on top of the retaining wall (total height of 2.6m), whereas Option B is shorter acoustic timber fence, 2.0m high, with the retaining wall setback immediately behind the fence. Option B also includes a second acoustic fence, 2.5m high, setback 6.0m from the eastern boundary, and nestled within the eastern strip tree planting. Both options will provide an appropriate interface between the differing zonings ensuring compatibility between activities, such as issues with lighting and noise attenuation on site (based on the evidence of Mr Kitto and Mr Hay). *Refer to pages 15-16 & 21-24 of the GA.* It is noted that the fence/ retaining wall will be mostly screened by the existing shelterbelt within the neighbouring rural property, which will maintain a rural interface, albeit this shelterbelt is outside the Application Site.
- 50 If PC71 was to be granted by Council, the proposed Option B buffer landscaping and interface treatment along the eastern boundary is considered appropriate because it provides appropriate visual screening of the supermarket building and adequate separation and buffering between the commercial and residential

activities, while also avoiding adverse shading effects on the foreseeable residential properties to the east. This is because the tallest trees (mountain beech and ribbonwood) are upright columnar species, rather than wider canopy species (like totara) which can cause broader shading effects. In addition, the tree arrangement has been carefully considered, so that: (1) it straddles the acoustic fence; (2) it is setback from the boundary fence, (3) it has an open layout enabling sunlight to pass between the trees while still providing suitable visual screening.

- 51 The shrub planting for Option B will be limited to tree species no taller than/or maintained at 7-8m species no taller than 2.0m to avoid additional shading of the land to the east. Both Option A & B landscaping buffer and boundary interfaces are illustrated in montages on *pages 21-24 in the GA*. Based on plant growth rates (taken from the Southern Woods nursery website and following communications with nursery suppliers), we would expect the earliest mitigation benefits after five years growth (from time of planting), reasonable mitigation after 10 years growth, and full mitigation once the tallest trees rise above the height of the supermarket building taken into consideration the perspective of the view. This will occur between the 10- and 15-year growth cycles as shown in the montages in the GA.

Medium Density Housing vs Supermarket Building

- 52 The ODP is seeking medium density housing in the northeast corner of the loop road, which is in approximately the same location as the supermarket building. The Living Z zoning allows for terraced housing, which usually takes the form of a large, modulated building, with a height of up to 8m under the SDP residential framework rules. This is slightly taller than most of the exterior walls of the proposed supermarket building, and 4.3m below the apex of the supermarket roof. However, while the supermarket building is significantly larger in scale, the ODP does anticipate larger semi attached and attached residential buildings in this part of the site. It is noted that these larger residential buildings may also be developed to three-storeys (11m high max) in accordance with the imminent RMA-EHS which will apply to the Application Site. This height is only 1m below the apex of the supermarket roof.
- 53 A reasonable (non-fanciful) alternative residential scenario under the Medium Density Residential Standards (**MDRS**) introduced by the RMA-EHS, has been prepared for the Application Site. *This is attached as Sheet 28 of the GA*. While this is only a possible permitted outcome under the MDRS, it provides a realistic comparison of effects.
- 54 It is my understanding that SDC is required to notify its variation incorporating MDRS into the Proposed Selwyn District Plan by 22 August 2022, and the MDRS will have immediate legal effect. Mr Allan has advised me that given the timing of this hearing in relation to SDC notifying its MDRS variation, it is a fair assumption

to apply the MDRS to a permitted residential development that could realistically occur on the Application Site. This can be used to compare the effects of permitted MDRS bulk, scale, shading, site coverage and the like with that of the Application.

- 55 The RMA-EHS legislates the built form² and landscape³ provisions for the MDRS. MDRS will result in a far greater density of built form on the Application Site than that currently represented by this Application. The outcome (which demonstrates a built coverage of 55%) presented by the non-fanciful residential scenario that has been prepared, certainly conveys this.
- 56 Such an outcome will convey a different amenity. In my opinion the landscape outcome afforded by the PnS proposal provides a greater level of amenity, than a potential outcome enabled by the MDRS along the interface of the Application Site.
- 57 The alternative residential MDRS outcome will result in far greater bulk and height of built form immediately along the Application Site boundaries. Not only does this present an outlook effect for those residing opposite or adjacent to the Application Site, but there will also be greater shading effects arising than the PnS proposal. Both Mr Burns and Mr Mitchell in their respective briefs of evidence discuss this further.

Neighbourhood Park vs Northwest Open Space

- 58 The ODP diagram shows a neighbourhood park in proximity to the medium density housing, which is centrally located within the site, setback from Levi and Lincoln-Rolleston Roads.
- 59 The Application includes a triangular open space area, located in the northwest corner of the site. This area is a green space providing visual amenity while also providing an important stormwater overflow swale function along its eastern side. Essentially it will provide open space and greenery like a neighbourhood park, but within a more prominent location than the ODP neighbourhood park.
- 60 This is because it is located immediately adjacent to the intersection of Levi and Lincoln-Rolleston Roads, which are main primary roads within the wider Rolleston roading network, and therefore the proposed open space will be more prominent and have a wider visual audience. The triangular-shaped space, landscaped with trees, earth mounding, and swathes of tussock planting, will provide a high level of street scene amenity. A meandering gravel path, which will be lit at night by

² MDRS - Building coverage (minimum): 50% of net site area

³ MDRS - Landscaped area (minimum): 20% of the developed site with grass or plants

interspersed 1m high light bollards, will provide a pedestrian connection between the footpath intersection and proposed supermarket building.

Access

- 61 The ODP for the site includes a loop road with access restricted to two connection points on Lincoln-Rolleston Road. Access is discouraged onto Levi Road as this will eventually become a main arterial road. The proposed development includes three interspersed access points along Levi Road, which will change its landscape character on its southern side.
- 62 As discussed previously, a new primary road link in the form of an extension of Broadlands Drive is shown to cross the southern part of the ODP Area 4 to provide a connection with the PC71 site providing direct east-west access to the proposed District Park. The proposed development recognises this connect and does not preclude it.

Amenity Effects and High-Quality Pedestrian Experience of the Road Frontage, Car Parking and Stormwater Overflow Areas

- 63 The landscape design for the proposed PnS supermarket mitigates the effects on the character, coherence, amenity, and outlook of the locale that may arise from the Application, and ensures it integrates with the evolving receiving environment. Several landscape initiatives are proposed. These initiatives have been developed with reference to the receiving environment but also the 'matters of discretion' for commercial development within the Business 1 Zone under the SDP, particularly the following clause:

16.10.2.6 *The extent to which the design and location of landscaping will contribute to a high-quality pedestrian experience by mitigating any adverse visual effects of development and defining the edges of streets and other space accessible to the public.*

Defining the edges of streets and public space

- 64 The edges of the Application with Levi Road and Lincoln-Rolleston Roads are defined by landscape strips along the site's road boundaries, and a northwest open space in the northwest corner of the site.
- 65 The Levi Road frontage comprises a formal landscape configuration of specimen trees, clipped hedging, and low planting. The line of interspersed specimen trees will provide a balance between providing visual screening of the supermarket building and skinny views into the immediate car park area. The clipped hedge in front of the line of specimen trees will provide visual screening of the car park area, while also providing strong framework to the groundcover planting along the edge

of the footpath and the mixed shrub planting behind the hedge, underneath the specimen trees. Overall, this layered planting composition provides visual depth and interest and will, therefore, provide a high level of amenity from the street, immediately opposite the existing low-density residential development on the other side of the road.

- 66 The landscape treatment on Lincoln-Rolleston Road has been changed in response to comments by Mr Ross, Ms Wolfer and Submitter 43/44. The original planting composition, comprising an informal arrangement of native trees and tussock grass planting, has been replaced with deciduous specimen trees, at 5m spacings, underplanted with mixed shrub planting. This is a similar planting composition to the Levi Road frontage, except it includes more mixed shrub planting, under the specimen trees, and excludes a clipped hedge. This revised planting combination will also provide a high level of amenity, while maintaining skinny views to the supermarket development, and is aligned with the avenue tree planting shown on the Rolleston Structure Plan. *Refer to page 4 of the GA.*
- 67 The northwest open space comprises groups of trees, earth mounding and swathes of tussock planting, providing continuity with the Lincoln-Rolleston Road landscape treatment. The tree planting and mounding defines an area of open grass in the wider part of the northwest open space. At the narrower end, the main pedestrian pathway and arbor provides a direct connection between the street and entrance to the supermarket building. At the street end, the pathway widens to create a small gathering space with a seat adjacent to the footpath. The open space provides an area of greenery, open space, and spaciousness, opposite the junction of Levi and Lincoln-Rolleston Roads, providing a high level of streetscene amenity.

Extent to which landscaping contributes to a high-quality pedestrian experience

- 68 The landscape design for the carpark and accessways linking the supermarket to the surrounding streets, provides a high-quality pedestrian experience.
- 69 There are five main pedestrian routes that provide direct and logical pedestrian access between the supermarket building and the street, while also functioning as collectors that channel pedestrian movements from the car parking areas to the closest respective pedestrian route. Levi Road has three interspersed pedestrian routes extending to the street, while Lincoln-Rolleston Road has two routes that provide this role. The pedestrian arbor route, which has a generous 3.5m wide path with a kerb upstand, is centrally located within the main carpark, and will be logically identified as the primary pedestrian collector route, providing direct access to the supermarket building entrance from the northwest open space area.
- 70 All pedestrian routes are considered important within the proposed supermarket development as they need to be wide enough for accessibility, mobility, and trolley

design. The pedestrian routes through the carpark are reinforced with appropriate landscaping, that maintain visibility while also safeguarding pedestrians from vehicular movements.

- 71 Given the trees in the carpark will be planted within structural soil (rather than a typical tree pit), enabling greater root development under the surrounding paving, this will assist in the development of larger, healthier tree canopies, which in turn will provide a high level of amenity for pedestrians through shade, cover, and scale.
- 72 The seating in the northwest open space will provide pedestrians with opportunities to sit, pause, relax and possibly have a cameo creme as part of their shopping experience. Similarly, the staff will have their own landscaped area, or break out space to the south of the supermarket building, which also includes seating.
- 73 The greater shared path network between Rolleston Drive and Levi Road will be integrated in the Application by providing a designated shared path, on the southern side of Levi Road, for pedestrians and cyclists, which ties into the main entrance to the Application on the Levi Road.

Amenity effects of the biodiversity buffer planting along the eastern boundary and consideration of PC71

- 74 The existing residence on the adjoining rural property to the east of the site is aligned with the southern part of the supermarket building and is some 80m away. However, from aerial photography, the living areas appear to be oriented north away from the site. Nevertheless, there is a swimming pool on the western side where potential views of the Application are possible. In addition to this, potential views are available from the harness racing track that, at its nearest point, is 100m away from the proposed supermarket building within the site.
- 75 The residence and its curtilage are surrounded by a hedge (Photinia 'Red Robin') clipped at a level above eyelevel, which will likely provide screening of the Application from the swimming pool area in the western part of the curtilage area. There is also shelterbelt planting along the rural property's western boundary that provides screening of the site.
- 76 While this property currently has a rural zoning under both the SDP and PSDP, approximately 53 hectares, immediately adjacent to the site is subject to PC71, which if approved would enable it to be developed for residential purposes. Therefore, while the future use of the land to the east is unknown, the proposed landscaping and interface treatment along the site's eastern boundary provides for both a rural and residential scenario as illustrated in Option A & B sections and montages in the GA (refer to pages 16, & 21-24).

- 77 Option B provides a balance between providing visual screening of the supermarket building, while avoiding shading effects in the evenings as illustrated in the shadow diagrams prepared by McCoy Wixon (*refer to RC12 & 13 in the architectural plans*). Note the shade diagrams are based on the maturity height of the three tallest tree species (mountain beach, ribbonwood, and kowhai) as well as the inserted 2.5m high acoustic fence (Option A) and 2.0m high boundary fence (Option B).
- 78 The supermarket façade facing the existing rural property will have no PnS signage or yellow branding. It will simply appear as a large grey building of which, only the upper portion of the roof will be visible protruding above the indigenous planting band, when the planting reaches maturity.
- 79 Overall, the visual effects on the rural neighbouring property to the east of the site are assessed as being low in relation to the position and orientation of existing features within the property and the buffering that will eventually be provided by the indigenous planting band. Regarding this boundary, I reach a similar conclusion about visual effects on future residential development where I am of the opinion that potential adverse visual effects will be no more than low-moderate.

Matters raised by submitters

- 80 Of the 49 submissions received, 21 raised landscape matters. All these submissions oppose the Application. I note Mr Ross in his evidence for Council, states the principal concerns (in relation to landscape matters) of the submissions relate to rural amenity, lack of planting, landscape and visual effects and visual dominance of the main building. Mr Ross then helpfully addresses these and makes recommendations to the landscape design, and I generally concur with his overall comments, and I respond to his recommendations in the later part of my evidence, under Matters Raised by SDC staff report.
- 81 Further to that I wish to make specific comment on landscape matters raised by the submitters including:
- (a) Loss of (future) residential character and amenity
 - (b) Loss of views to the Port Hills from Levi Road
 - (c) Loss of possible future connections to green spaces
 - (d) In appropriate landscaping along the Lincoln-Rolleston Road frontage

Loss of (future) residential character and (current) rural amenity

- 82 All the 21 submissions relating to landscape matters raised concerns about loss of landscape character and amenity values. Some of these submissions were also

in relation to increased noise and traffic effects, which is covered in the evidence of Mr Rob Hay and Mr Dave Smith respectively.

- 83 Submission No's. 7, 24 and 28 (in a duplicated statement) asserted that in general PnS supermarkets are designed to stand out and dominate a location, rather than blend into the landscape. While this partly refers to the qualities of building design, which is covered in the urban design evidence of Mr Andrew Burns, regarding landscape integration, given its size the proposed supermarket building will 'stand out' to a certain extent.
- 84 However, several intentional 'design moves' helpfully settle the proposed PnS development into its future residential environment. These include a relatively extensive building setback from adjacent roads in association with a comprehensive landscape design within the car park surrounding the building. Extensive tree planting along road frontages and interspersed throughout the carpark, will visually soften, and assist in integrating the building within the future urban fabric of the setting. Further to that the mix of planting colour within the landscape design will also assist this landscape integration as the PnS building is mostly grey in colour, except for its restricted PnS yellow signage.
- 85 The Application is not designed to standout and dominate its surroundings, but rather it is designed to provide an appropriate balance between integrating into its current and foreseeable residential surroundings, while also providing enough retail branding to operate as a supermarket.

Loss of views to the Port Hills from Levi Road

- 86 Submission No. 6 raised concerns about the loss of views to the Port Hills from Levi Road, and that these views would be compromised by the bold yellow branding and signage of the proposed PnS supermarket.
- 87 Views of the Port Hills from Levi Road are currently restricted to the northern end of Levi Road, approximately 16 km away from the site. If the shelterbelt currently surrounding the site was removed, potential views of the Port Hills would be obscured by other shelterbelt planting and development in neighbouring properties, including the rural property immediately east of the site. In addition, if the site was developed under its residential zoning and ODP, and indeed the Medium Density Residential Standards introduced by the RMA-EHS, then this would also continue to screen views of the Port Hills.

Loss of possible future connections to green spaces

- 88 Submission No. 45 raised concerns about residents on Levi Road not having future access to green spaces (parks & reserves), or walkways to the northern end of

Levi Road, that might have been provided for if the site was developed for residential purposes.

- 89 If the site was developed in accordance with the general framework shown in the ODP, under both the SDP and PSDP, then this would include a reserve, described under the SDP-ODP as a neighbourhood park, which is to provide passive recreation opportunities, and where appropriate stormwater collection, treatment, and disposal. The ODP shows that the scale and location of the reserve is small (approximately 1,350m²) and setback into the residential development area. It does not show any greenway connections to the reserve, particularly from Levi Road. The SDP-ODP also shows the reserve adjacent to medium density housing.
- 90 Incidentally, the Application includes a greenspace incorporating a shallow overland flow swale in the northwest corner of the site. While this is not a Council reserve, or neighbourhood park, it does provide similar landscape qualities and amenity for the local community, such as open space, tree planting, and site furniture.
- 91 However, unlike the reserve shown in the ODP, which is setback into the development area, the proposed green space has road frontages, and specifically provides a green connection with Levi Road. While its primary purpose is for stormwater management, it should be noted that this is also one of the roles for the reserve under the SDP-ODP, however the green space is much larger (approximately 2,900m²) and given its location is more prominent within the surrounding environment.
- 92 In terms of provision for a walkway to the northern end of Levi Road, a 3m wide mixed-use cycleway is proposed by SDC on the southern side of Levi Road, (outside of the site), which will extend from Rolleston Drive to the northern end of Levi Road. The three access points within the Application will be integrated with the proposed cycleway. Further to this, I understand that SDC are proposing a District Park along Levi Road to the east of the Application Site which was included on the Rolleston Structure Plan. The shared path that is being provided by the Applicant will presumably ultimately connect with this future large recreation setting.
- 93 Therefore, taken overall, the Application will provide more green space, and improved connections to green space and future cycleways than what might be anticipated if the site was developed under its residential zoning and ODP.

Inappropriate landscaping along the Lincoln-Rolleston Road frontage

- 94 Submission No's. 7, 24 and 28 (in a duplicated statement) raised concerns that the cabbage trees and tussock planting along the Lincoln-Rolleston Road frontage will not beautify the area, or buffer increased noise.

- 95 I acknowledge their concerns and concur regarding buffering increased noise. This was never the intention of the cabbage trees. These species were chosen to provide a greater level of biodiversity across the site, and while I accept 'beauty is in the eye of the beholder' I consider cabbage trees to be attractive and sculptural within the landscape.
- 96 However, following further consideration of these submitters concerns the landscape treatment for the Lincoln-Rolleston Road frontage has been modified. The frontage planting now includes a row of deciduous specimen trees (*Platanus* 'Autumn Glory'), shown at 5m spacings, enabling the canopies to merge in time. The limbed up specimen trees will be underplanted with low shrub planting.
- 97 In my view, this option provides a greater level of visual amenity and therefore will appeal to more people. These frontage trees will provide seasonal 'mased' visual screening, and 'filtered' visual screening when the trees are not in leaf, and seasonal interest through changing leaf colour. I consider this revised approach satisfies these submitters concerns.

Matters raised by SDC staff report

- 98 I have read the SDC report prepared by Ms Jane Anderson (Consultant Planner for SDC) in particular, paragraphs 80 to 91, which are relevant to landscape matters. Most of these refer to the peer review of my landscape effects assessment (**LEA**), and evidence prepared by Mr Gabriel Ross (Consultant Landscape Architect for SDC), which I have also read.
- 99 In general, Mr Ross agrees with the findings in the LEA, that the proposed landscape treatment will '*contribute positively to the landscape amenity values of the development*', providing the recommended changes and conditions in the peer review are adopted. I note in Mr Ross's evidence, that he has landed at an effects rating that is slightly higher than Mr Fraser Miller did in his original LEA.
- 100 If the recommended changes and conditions are accepted, then Mr Ross would assess the Application as having *Low to Moderate* landscape and visual effects, and he believes these effects will decrease to the lower end of the effects scale in the longer term after the planting has matured. He has indicated this would be 15+ years. This aligns with the LEA, which assesses the effects as being *Low or Low to Moderate*.
- 101 Overall, I believe Mr Ross has provided some very useful and considered comments regarding landscape and visual outcomes. I have taken these on board and I have either accepted the refinements recommended by Mr Ross, or I have made changes to the landscape plan that address the concerns of Mr Ross. In my opinion this further strengthens the landscape outcome for the Application Site. Therefore, I am confident that with Mr Ross' concerns satisfied, there will be

agreement between us that the landscape and visual effects of the Application will be appropriately managed, with resulting adverse effects being no more than *Low or Low to Moderate*. The recommendations and my response to these include the following:

Additional specimen trees along Lincoln-Rolleston Road to be aligned and placed to support the creation of an avenue, with the anticipated street tree planting shown on the Rolleston Structure Plan.

- 102 In line with Mr Ross's recommendations, we have updated the Lincoln-Rolleston Road landscape treatment to include a formal arrangement of deciduous (exotic) specimen trees. These will be planted at 5m spacings, so that at maturity the edges of the canopies merge slightly and provide a higher level of visual screening, as illustrated in the montages in the GA. This pattern of tree planting will support the creation of an avenue, with the anticipated street tree planting the road berm, shown in the Rolleston Structure Plan.

An additional 8 – 10 specimen trees should be added to the southwest corner of the car park consistent with the layout established at the northwest part of the car park.

- 103 It is understood that Mr Ross is seeking this tree planting to provide additional visual screening in this part of the Site. Whilst additional specimen trees are not proposed within the car park layout to the southwest, I am proposing more specimen trees along the road frontage of Lincoln-Rolleston Road which will provide visual screening in this part of the Site.

- 104 In addition to this, a second arbor structure with climbers is proposed over the secondary pedestrian linkage from the road to the supermarket building. This addition is coherent with the car park layout to the northwest and avoids introducing tree pits along this pathway, which would compromise the space available for walking with supermarket trolleys and general accessibility. In my opinion this is a better solution that provides visual screening while maintaining a strong pedestrian connection to the road.

Tree species choice shall include consideration of interest (e.g. deciduous or similar) vertical form and canopy for shade over pedestrian pathways.

- 105 The landscape plan has been updated to include deciduous specimen trees along the road frontages of Levi Road and Lincoln-Rolleston Road, as recommended by Mr Ross. These include *Platanus 'Autumn Glory'*, which will be limbed up, so that pedestrians can walk underneath them, while also providing seasonal interest, shade, and together, with the understory planting, provide an attractive road frontage landscape treatment.

The Mountain Beech should be replaced with a species better suited to Rolleston climatic conditions.

- 106 While I do not necessarily agree with Mr Ross on this, I am happy to accept his botanical knowledge. The Mountain Beech within the car parking area have been replaced with Mexican Alder. These are evergreen trees that have been successful in other retail developments in Christchurch and are considered appropriate to the climatic conditions of Rolleston. The Mountain Beech within the eastern biodiversity strip will be retained because this part of the Site will be sheltered by the eastern boundary fence and the supermarket building. The Mountain Beech will be planted in large tree pits, backfilled with an optimal growing medium, and connected to the supermarket irrigation system, to ensure they establish into healthy trees.

Provide faster growing tree species in the biodiversity strip along the eastern boundary of the site, that will provide a degree of screening within 2 to 5 years.

- 107 The tree planting within the 10m wide biodiversity strip on the eastern boundary has been supplemented with faster growing Lemonwood (Tarata) trees. These trees, depending on the grade size, will reach a growing height of 3m in 5 years. They are fast growing indigenous trees, with a reasonable size canopy suitable for providing efficient visual screening.
- 108 The montages in the GA demonstrate the growing height of the eastern tree planting (including the lemonwood) based on conservative growing rates at five-, ten-, fifteen-, and twenty-year periods. The earliest mitigation benefits are achieved at 5 years, when the tree planting is above the height of the (acoustic) boundary fence, and after 10 years the mitigation starts to provide effective visual screening that improves year on year and revising full mitigation in 15 years.
- 109 Whilst the trees could be grown-on to a larger grade size (such as PB95), ready by the time of planting, this will not necessarily provide earlier mitigation benefits, given larger trees can sometimes take more time to establish than smaller grade trees. It is best to plant the trees at conventional, readily available sizes.

Provide further information to determine the height that the tree planting needs to be maintained, to provide effective visual screening of the supermarket building without unduly shading the neighbouring land.

- 110 There is balancing act between providing effective visual screening while avoiding overshadowing the adjacent land to the east, which is particularly relevant if PC71 is approved, and the neighbouring land is developed for residential use. This is not an issue if the land retains its rural zoning.

- 111 Further information is provided in the montages of the eastern interface, for both the rural land and PC71 scenarios, by way of illustrating the mitigation benefits over four, five-year periods. While reasonable mitigation is achieved after 10-years growth (from the time of planting) the tree planting provides the best visual screening when the height of the tree planting exceeds the height of the supermarket building, which is 7.4m high along its eastern frontage. The trees reach this threshold between the 10 and 15-years periods. At fifteen years, the tallest trees will stand 7m high, and will be starting to fill-out, and provide efficient screening.
- 112 Should the neighbouring land be developed for residential purposes, then the tallest trees should be maintained at a height between 7 and 8 metres.
- 113 On the contrary, if the land remains rural then the tree planting should be allowed to establish to its natural mature height, which is shown in the 20-year montage. Whilst Mountain Beech can reach a height of 20m, this is more likely to occur within a bush setting where the interior trees within a contiguous area of bush will grow taller than the trees on the edge of the bush, where they are more exposed. The conditions of the tree planting along the eastern boundary, will provide a sheltered space for trees to establish, however once the trees reach a reasonable height, it they will be subjected to edge vegetation effects, which will restrict further growth potential.

Increase the indigenous tree planting in the northwest stormwater treatment/ green space, to enhance biodiversity.

- 114 A mix of exotic (deciduous) and indigenous tree planting is proposed within the green space. The indigenous trees will include ribbonwood, and kowhai species, which are reasonably fast growing. The mix of tree planting will maintain visual amenity, while increasing biodiversity.

Reduce the height of the freestanding PnS pylon signs and introduce additional trees along Lincoln-Rolleston Road.

- 115 The height of the pylon signs on both Levi Road and Lincoln-Rolleston Road have been reduced from 8m to 6m, and as already covered in my evidence, additional tree planting is proposed on Lincoln-Rolleston Road, albeit a gap in tree planting is retained either side of the pylon signs, so they are visible, and provide necessary retail identity, without being visually dominant within the street scene.
- 116 It is noted that the existing shelterbelt surrounding the Site, is of a similar height (5 to 6m high), and the new pylon sign height will not exceed the height of the amenity streetlights on Levi Road, which are approximately 8m high.

Other Matters

- 117 Mr Ross comments in his evidence, that 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, and while a diverse range of façade treatments, colours and materiality would be likely the overall bulk and mass of the medium density could read as greater than the Application. I concur with these comments and refer to the prepared visual for the alternative residential outcome in the GA, which demonstrates the increased bulk and massing of built form that could be enabled by a medium density residential development in comparison with the Application.
- 118 Further to this, Mr Ross adds that a permitted baseline scenario would have a range of landscape treatments given it would likely be developed by multiple individual developers and landowners, and the PnS development presents a comprehensive landscape treatment, and high level of maintenance, along the road frontages of the Site. The Application, therefore, provides a greater level of certainty. I agree with this comment, 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 if the land is developed in accordance with the ODP then the green space will likely be internalised within the medium density residential development. I agree, the Application does provide a high level of certainty, and this will be maintained in perpetuity.

Proposed consent conditions

- 119 A set of proposed consent conditions have been provided by the Council's Landscape Architect regarding landscape components of the Application. I generally agree with the conditions proposed, except for Condition 5 (a) that seeks additional tree planting in the southwest part of the car park.
- 120 I believe the updated road frontage landscaping will alleviate concerns about a lack of visual screening in this part of the Site, and the additional arbor structure and climbers is a better option than tree planting along the pedestrian pathway, as it maintains a sufficient width for people pushing supermarket trolleys or commuting by bicycle. Several the proposed conditions have been incorporated in the updated landscape plan as described in my evidence and therefore are no longer relevant.

Conclusion

- 121 In terms of local context, the Site is within a receiving environment that is undergoing considerable change. While the Application Site and its surrounds are rural in character, this is not the state of the environment against which to consider landscape effects, given its residential zoning under the SDP and PSDP, which will enable medium density residential standards as a result of the RMA-EHS.
- 122 In terms of the future residential environment, the Application will result in a different landscape character to the mixed residential character primarily anticipated for the Application Site under the district plans. The comprehensive landscaping proposed will characterise the site and aided by the site layout and building architecture will ensure that views from the surrounding environment will in time be afforded an appropriate level of amenity. It is considered that the proposed supermarket building is appropriately located within the Site, and the design and appearance of the building and associated landscaping of the development ensures that the Application is compatible within its context. Overall, the Application has been designed to appropriately integrate into the evolving surrounding residential setting.
- 123 Regarding the proposed conditions of consent contained within Councils s42A report pertaining to landscape, the updated landscape plan, sections, and montages, have either addressed the conditions directly, or addressed the concerns of Mr Ross, that have prompted the conditions. Furthermore, I am confident they will contribute to an appropriate landscape and amenity outcome for the Site.
- 124 In my opinion, any potential adverse effects on amenity and outlook of the proposed development are appropriately mitigated. It is considered that the proposed development 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 proposed landscape matures and further urban growth and intensification occurs in the wider setting.

Tony Douglas Milne

Dated this 18th day of July 2022.