

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)

Summary Statement of Tony Douglas Milne

2 August 2022

Applicant's solicitors:

Alex Booker
Anderson Lloyd
Level 3, 70 Gloucester Street, Christchurch 8013
PO Box 13831, Christchurch 8140
DX Box WX10009 Christchurch
p + 64 3 335 1231 | f + 64 27 656 2647
e alex.booker@al.nz

**anderson
lloyd.**

Summary of evidence

- 1 My name is Tony Milne.
- 2 I prepared a statement of evidence dated 18th July 2022 in relation to landscape and visual amenity matters. My qualifications and experience are set out in that statement of evidence.
- 3 I repeat the confirmation given in that statement that I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment Court.
- 4 Regarding my EIC, I would like to draw the Commissioners attention to a spelling mistake in the second sentence of paragraph 64. The word '*combustion*' should be replaced with '*composition*'.
- 5 My role in relation to the Application has been to provide advice in relation to the landscape design and potential landscape and visual effects. 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. I have prepared a statement of evidence (**EIC**) and accompanying graphic attachment dated 18 July 2022.
- 6 I have also communicated with Mr Ross, Selwyn District Council's consulting landscape architect, to discuss any outstanding landscape matters arising from the application. It would appear that the amended landscape plan and additional information supplied with, and covered by my EIC, goes a long way to addressing any residual concerns of Mr Ross.
- 7 Mr Ross has raised a couple of further questions, which I will address below. Further to that, and picking up on Mr Ross's suggestions, please find attached as **Appendix A** an updated landscape plan and table of tree species showing their growth rates and expected heights at maturity. The table is not new information, rather a collation of information contained in my EIC and graphic attachment to that, for ease of reference for the Commissioner.
- 8 Following my discussion with Mr Ross, two minor amendments have been made to the landscape plan and these are:
 - a. Three trees have been added to the northern edge of the stormwater attenuation basin at the southeast end of the car park: and
 - b. A planting bed has been added to the proposed supermarket building frontage to the east side of the 'click and collect' canopy. This mirrors the planting bed to the west.

Summary

- 9 The final layout and design of the site is a result of a multidisciplinary and iterative design approach, which considered overall site design including building appearance and orientation, appropriate building setbacks from road and internal boundaries, internal and interface (frontage) landscape treatment, vehicle, cycle, and pedestrian movement. In my opinion the resulting overall site design and landscape outcome resulting from this Application will sit comfortably and is compatible with its surrounds in this location at an intersection of increasingly 'busy'¹ roads.
- 10 Despite its residential zoning, 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 along with the Medium Density Residential Standards (MDRS) introduced by the RMA-EHS which are soon to apply to the Application Site.
- 11 Regarding a future potential MDRS outcome, a reasonable (non-fanciful) alternative residential scenario has been prepared for the Application Site and is appended to my EIC². I believe this presents a realistic comparison of effects and such an outcome will convey a different amenity. In my opinion the landscape outcome afforded by the Application potentially provides a greater level of amenity, than a potential outcome enabled by the MDRS along the interface of the Application Site.
- 12 In terms of landscape effects, 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. 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. From a landscape perspective, the resulting character will provide a pleasing level of amenity for a residential environment.
- 13 While the magnitude of the visual change arising from the proposed development is significant, particularly for people commuting along Levi and Lincoln-Rolleston

¹ Refer Traffic Evidence of Mr Smith

² EIC – Graphic Attachment Pages 28-30

Roads, and people living in neighbouring properties the site, this does not necessarily equate to the same level of adverse visual effect.

- 14 It is considered the level of adverse visual effect can be satisfactorily managed and 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.
- 15 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. In my opinion, the Application has not been designed to standout or dominate its surroundings.
- 16 The landscape design for the proposed supermarket also aligns with the landscape expectations for commercial development within the Business 1 Zone under the SDP.³ Regarding the Application, and considering the submissions, this is important because the relevant rules also focus on pedestrian experience and the quality of edges with streets.
- 17 Following submitters concerns regarding outlook across Lincoln-Rolleston Road, I have reconsidered the landscape treatment for this road frontage. This has been modified as described⁴ in my EIC and shown on the landscape graphics package attached to my EIC. In my view this provides a greater level of visual amenity and therefore satisfies the submitters primary concerns relating to landscape matters along this interface.
- 18 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.
- 19 If this land is developed for residential purposes under PC71 in future, there is an alternative design for biodiversity corridor that provides an appropriate balance between visual mitigation and daylighting. This alternative design has been prepared in discussion with the future developers of this land immediate to the east (and subject to PC71). I note Mr Ross generally agrees that the proposed landscape treatment for this interface is appropriate.
- 20 To reiterate, in my opinion several intentional 'design moves' helpfully settle the Application into its future residential environment. These include a relatively

³ Part C – Section 16 – Business Zone Rules – Buildings (clauses 16.10.2.2 to 16.10.3)

⁴ EIC Page 16, Paragraphs 92 – 95

extensive building setback from adjacent roads in association with a comprehensive landscape design within the car park surrounding the building.

- 21 Overall, it is expected that the comprehensive and well-maintained landscaping throughout and 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.

Matters raised in evidence of Mr Ross - SDC

- 22 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 in essentially in agreement. Mr Ross agrees with the overall level of effects being Low to Moderate and overtime reducing to the lower end of the effects scale.
- 23 I do note Mr Ross's position 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 EIC has been updated accordingly. These updates were outlined in the body of my EIC. As outlined above, Mr Ross and I have had further discussion which has resulted in two additional minor changes to the landscape plan (*refer Appendix A*).
- 24 Mr Ross has requested consideration be given to four additional trees in the southeast area of the proposed car park, it is my understanding that for operational reasons this cannot be achieved. However, I am confident that the additional trees to the end of this carpark satisfactorily achieves a similar outcome.
- 25 In regard to ensuring the long-term success and stated outcomes of the landscaping proposed for the Application, particularly trees that are shown within paved areas, structural soil is the recommended medium to the bottom of and surrounding the tree pits. Essentially, structural soil is a two-part load-bearing soil system that meet tree requirements for deep root growth. It is my experience that this provides a suitable medium for tree growth within areas of hardstand.
- 26 In response to soil volume recommendations Mr Ross made in his peer review of Landscape and Visual Effects Assessment, dated 17 March 2022, I generally agree that these minimum soil volume guidelines⁵ could be contained within the proposed conditions of consent. My only modification to this would be to set the minimum volume for large trees at 40m³ rather than 50m³. I have spoken to Mr Allan regarding this and understand they will be included in an updated set of conditions.

⁵ Peer Review of landscape & Visual Effects Assessment for Selwyn District Council, 17.03.2022, page 11.

- 27 I also agree with Mr Ross, that the Application presents a comprehensive and maintained landscape design, that in many respects will be superior to the assortment of future medium density residential development that could be developed on the Site.
- 28 Compared to a permitted, or an anticipated (MDRS – RMA EHS) residential development scenario where landscape treatments and quality of landscape maintenance can be dependent on multiple individual developers and landowners, the Application provides a level of certainty that is not only known but has longevity.
- 29 Overall, I believe Mr Ross has provided some very useful and considered comments, which have been adopted, regarding landscape and visual outcomes. In my opinion this further strengthens the landscape outcome for the Application Site. Therefore, I am confident that there is general agreement between us (Mr Ross and myself) 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.

Conclusion

- 30 In terms of local context, the Application Site is within a receiving environment that is undergoing considerable change. While the Application Site and its surrounding 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 along with potential for residential development to the east.
- 31 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.
- 32 In my opinion, any potential adverse effects on amenity and outlook of the Application are appropriately mitigated. It is considered that the Application 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.
- 33 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. From a landscape and visual effects perspective I consider the Application to be compatible within the context of its existing and future surrounds.

Tony Douglas Milne

Dated this 2nd day of August 2022

Appendix A – Graphic Attachment