

**Before an Independent Hearing  
Commissioner Appointed by  
Christchurch City Council**

**In the Matter**

of the Resource Management Act  
1991

**And**

**In the Matter**

of a resource consent application to  
establish an agricultural equipment  
sales, servicing and training facility at  
33 and 69 School Road, Yaldhurst

**Statement of Evidence of  
James Bentley  
for Landpower Group**

Dated: 16 May 2022

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## INTRODUCTION

### Qualifications and Experience

1. My full name is James Arthur Bentley. I am a Senior Principal Landscape Architect at Boffa Miskell Limited, a national firm of consulting planners, ecologists and landscape architects.
2. I am a registered member (NZ, 2010) of the New Zealand Institute of Landscape Architects (NZILA) as well as an elected chartered member (London, 2002) of the British Landscape Institute (CMLI). I hold a post-graduate diploma (2000) in Landscape Architecture as well as a Bachelor of Arts with Honours Degree in Landscape Architecture (1998) from the Cheltenham and Gloucester College of Higher Education (now the University of Gloucestershire) in the UK. I am also a member of the Resource Management Law Association (RMLA).
3. I have been involved with a wide variety of often complex projects throughout my 20 years in the industry. I have worked on a number of projects dealing specifically with rural and urban amenity matters (including outlook and visual effects) on numerous projects throughout the country, including the Queenstown Country Club, projects for Transpower regarding tower and line replacement, quarries, subdivisions and numerous retirement villages for Summerset and others.
4. I have been involved in a number of primary-production projects (including aquaculture and vineyards) and am currently working with a number of councils assisting them to develop appropriate management mechanisms in their review of their rural chapters of their District and Regional Plans. I am therefore qualified to provide landscape and visual amenity evidence for this project.
5. I have visited the Site and the broader context on 22 December 2021 and on several occasions in early 2022. I am also familiar with the area more generally having worked on other projects nearby and having travelled past the site on SH73 for numerous years.

## CODE OF CONDUCT

6. I confirm that I have read the Code of Conduct for Expert Witnesses 2014 contained in the Environment Court Practice Note and that I agree to comply with it. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise, except where I state that I am relying on the evidence of another person.

## SCOPE OF EVIDENCE

7. My evidence:
- (a) Briefly discusses the Landscape assessment history of the proposal.
  - (b) Briefly describes the contextual setting of the Site.
  - (c) Discusses the changes to the proposal and the level of landscape and visual effects.
  - (d) Responds to recommended conditions outlined within the s42A report.

## LANDSCAPE ASSESSMENT HISTORY

8. Boffa Miskell Limited (BML) was engaged by Landpower to undertake a review of the landscape assessment and landscape plan<sup>1</sup> contained within the AEE of the Application following a peer review by Mr. Jeremy Head, Council's Landscape Architect. Mr Head's peer review concluded that the proposal failed to adequately meet the expectations in the District Plan within the Rural Urban Fringe Zone, where 'moderate to low' adverse landscape and visual were predicted.
9. I, along with my colleague Gabe Ross, reviewed the issues raised by Mr Head in his peer review and then met with Mr Head to fully understand his concerns and to explore potential solutions. In looking at potential solutions we were likewise mindful of the landscape-related concerns raised by submitters. Following that meeting we then revised the landscape plan to address Mr Head's concerns, with the proposed changes then provided to Mr Head for his feedback and confirmation.

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<sup>1</sup> Prepared by DCM Urban.

10. As a result of this iterative process, a series of updated plans and cross sections have been prepared by BML which supersede the initial landscape plan that was originally submitted with the application (refer to the **Updated Landscape Package**). These are:
- Figure 1: Updated Landscape Plan, dated 3 March 2022, rev 2.
  - Figure 2: Plant Palettes, dated 3 March 2022, rev 2.
  - Figures 3 & 4: Low Shrub Planting, dated 3 March 2022, rev 2.
11. In addition to amendments to the landscape plan, it was also necessary to vary several façade design elements to address the building's potential landscape effects. Other drawings concerning the updated site layout and revised building elevations detailing the specific cladding and colours have been prepared by Sheppard & Rout<sup>2</sup> and form part of the Updated Landscape Package.
12. An updated Advice Note/ Technical Review<sup>3</sup>, prepared by Mr. Head and attached as part of the s42A Report, agreed that the amendments presented in the **Updated Landscape Package** have:
- “gone some way to address the concerns raised by Council regarding the first iteration of the Proposal’s adverse effects on rural character and amenity. The changes to the Proposal put forward will enable a more acceptable fit with the rural urban character setting than what was first applied for.”<sup>4</sup>*
13. Mr. Head continued:
- ‘It is concluded that there will still be a level of adverse landscape effects associated with the Proposal. However, these effects will be ‘Low’, reducing over time to ‘Very Low’ after the mitigation planting has established sufficiently to offset the addition of the warehouse building and commercial activity on the site. Such effects are acceptable, given the site context and zoning, and that the Proposal will appear sufficiently ‘different’ from the highly commercial appearance of the farm machinery dealership opposite at Norwood. In this*

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<sup>2</sup> Proposed Site Plan (2546/RC01); Proposed Floor Plan (2546/RC02); Proposed Elevations (2546/RC03); Proposed Section (2546/RC04) and Artists Impressions (2546/RC05) all dated 17 March 2022.

<sup>3</sup> Dated 5 April 2022.

<sup>4</sup> Mr. Head Advice Note, Conclusion – Landscape and Visual Effects, 5 April 2022.

*regard, cumulative effects will also reduce over time as the proposed planting establishes on the application site'.<sup>5</sup>*

14. As a consequence of the level of agreement between Mr. Head and myself, my evidence is brief. I agree with Mr Head's conclusions, the analysis that led to those conclusions and the proposed conditions presented.

## **CONTEXTUAL SETTING OF THE SITE**

15. Landpower seeks land use consent to establish an agricultural equipment sales and service facility at 33 and 69 School Road, Yaldhurst. The proposal also includes provision for showroom, ancillary offices, storage of agricultural equipment and a dedicated driver and technician training facility, which will utilise the balance of the site to be kept as open paddock. The retail component is limited to the display and sale of agricultural machinery and associated parts<sup>6</sup>. Further details of the proposal are contained within the original application and the Section 42A Report.
16. The 5.26-hectare Site<sup>7</sup> is located on a broadly triangular tract of agricultural land on the western extent of the small settlement of Yaldhurst. The Site is contained by School Road and by a private dwelling and a church, with Yaldhurst primary school and residential lifestyle properties further north on the far side of School Road, by land associated with Yaldhurst Wool to the east, by West Coast Road (SH73) to the south, and by Hasketts Road to the west. The Site currently is broadly open, used primarily for grazing horses and supports some small areas of vegetation (primarily shelterbelts) and various small buildings associated with 33 School Road. The western part of the Site contains the house associated with 69 School Road however, the house does not form part of the developed area of the Site. A recently constructed Norwood agricultural supplier's area is located to the immediate south of the Site, beyond SH73.
17. The local Yaldhurst area, including the Site and its immediate surrounds retains a range of agricultural, residential/ lifestyle and commercial activities. A school, a plant nursery, a petrol station, the Norwood agricultural facility and a range of other industrial activities on the southern side of SH73, open

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<sup>5</sup> Mr. Head Advice Note, Conclusion – Landscape and Visual Effects, 5 April 2022.

<sup>6</sup> Section 42A Council Officers Report, dated 4 May 2022.

<sup>7</sup> Comprising 69 School Road and all land associated with 33 School Road.

paddocks and housing often demarcated by shelterbelts appears corollary to the description of the underlying Rural zoning, of which the Rural Urban Fringe Zone is part of, specifically Policy 17.2.2.3a (where *'rural character and amenity values vary across the Christchurch District resulting from the combination of natural and physical resources present'*):

#### 17.2.2.3 Policy - Contributing elements to rural character and amenity values

- a. Recognise that rural character and amenity values vary across the Christchurch District resulting from the combination of natural and physical resources present, including the location and extent of established and permitted activities.
- b. Recognise that the elements that characterise an area as rural, from which desired amenity is derived, include the predominance of:
  - i. a landscape dominated by openness and vegetation;
  - ii. significant visual separation between residential buildings on neighbouring properties;
  - iii. where appropriate, buildings integrated into a predominantly natural setting; and
  - iv. natural character elements of waterways, water bodies, indigenous vegetation and natural landforms, including the coastal environment where relevant.
- c. Recognise that rural productive activities in rural areas can produce noise, odour, dust and traffic consistent with a rural working environment, including farming, plantation forestry and quarrying activities, that may be noticeable to residents and visitors in rural areas.

18. The second part of Policy 17.2.2.3bi-iv is also critical to the understanding of rural character in this context. The site location contextually forms part of Yaldhurst village, with an associated diversity of activities and associated built forms. It is contextually therefore at the more developed end of the Rural Urban Fringe Zone landscape spectrum compared with other more predominantly pastoral parts of the zone.

## CHANGES TO THE PROPOSAL AND LEVEL OF LANDSCAPE AND VISUAL EFFECTS

19. Principal changes to the original proposal are outlined within the BML memorandum dated 11 February 2022, which details the areas of agreed changes to be made to the Landscape Plan and architectural elevations (refer to the **Updated Landscape Package**) following a meeting between BML and Council landscape architects.
20. These changes reflected the concerns of several submitters and Council.
21. The Changes or agreements include:

- Agreement reached around the methodology employed, specifically where the 7-point effects scale sits within the RMA framework<sup>8</sup>;
- That effects on rural character could be reduced by:
  - Maintaining a sense of openness, by allowing some views through the Site, however amplifying planting along the State Highway boundary and adjacent to the main building, to provide a ‘layering’ and ‘filtered’ effect of vegetation into the Site.
  - Provide some subtle earth-mounding to some of the planted areas fronting the State Highway (along with earth mounding to the native planting area opposite the School on the Site’s north-western boundary).
  - Extending native planting along all of the School Road boundary, including the frontage to the east of the church.
  - Increased planting within the car park and better definition of key ‘activity areas’ (such as training and demonstration area/ display areas).
  - Reduction in the extent of the State Highway frontage to be used for the outdoor display of agricultural machinery.
  - Removing signage flags and limiting the size of the pylon-signage along the SH73 frontage.
  - Making the main building more recessive, by reducing the backlit translucent cladding and graphics and replacing white elements on the southern façade with a more recessive colouration.

22. These agreed changes are reflected in the material presented to council and I agree with the comments provided by Mr. Head<sup>9</sup> that these changes ought

<sup>8</sup> Boffa Miskell memorandum dated 11 February 2022, page 2:

<u>Less than Minor</u>		<u>Minor</u>	<u>More than Minor</u>			
Very Low	Low	Moderate – Low	Moderate	Moderate-High	High	Very High
					Significant <sup>1</sup>	

<sup>9</sup> Mr. Head Advice Note, Conclusion – Landscape and Visual Effects, 5 April 2022, page 3.

to satisfactorily address the submitters' concerns relating to visual and rural character aspects.

23. The changes are also consistent with the desired outcome of Policy 17.2.2.3, where the proposal:

- Builds on the underlying character, where a range of rural related land uses are apparent, especially within this part of the Rural Urban Fringe Zone.
- Retains a level of openness and vegetation, supported through additional planting to assist with screening and assimilating the built components into the landscape without fully screening the proposal.
- Provides sufficient visual separation between residential buildings on neighbouring properties.
- Ensures the integration of the buildings on the Site, through careful planting and use of recessive colours and materials typical of local vernacular agricultural buildings, and an associated avoidance of lighter colours. Removal of overly commercial elements, such as advertising flags and limited areas for outdoor displaying assist in this regard.
- Enhanced mix of planting throughout the Site, utilising both native and exotic species that are evident in the local area, as well as potentially improving biodiversity.

24. Based on this, adverse landscape and visual effects are considered to be low, moving to very low as the vegetation matures.

## **RESPONSE TO COUNCIL OFFICER REPORT**

25. I can confirm that I have read the s42 Council Officers Report. I note that Section 42A reporting officer agrees with Mr. Head and myself regarding the level of adverse landscape and visual effects on rural character and that the proposal is consistent with Policy 17.2.2.3<sup>10</sup>.

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<sup>10</sup> Section 42A report, paragraph 86.

26. I have reviewed the proposed conditions included as part of the Report as they relate to landscape (and rural character); namely conditions 20-24 and agree that they are appropriate. I have also reviewed the proposed conditions as they relate to architecture, display and signage, namely conditions 25-28 and I also agree with their intent and direction.

## CONCLUSION

27. The proposed changes to the proposal reduce the adverse level of landscape and visual effects to a 'low' level, which equates on the agreed joint-statement<sup>11</sup> as being 'less than minor'. Rural character, in my view, will be satisfactorily protected, utilising an increase in planting areas and reducing ancillary structures, such as advertising flags. Façade changes to the main building facing SH73 to more recessive colours also assist in this regard.
28. I agree with the conditions put forward by council concerning landscape and visual matters.

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James Bentley

16 May 2022

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<sup>11</sup> Boffa Miskell memorandum dated 11 February 2022 outlining levels of landscape and visual agreement between applicant and council, including where the 7-point scale sits within the RMA 'minor' framework.



## LANDSCAPE PLAN

### FEATURES

- ① HEAVY VEHICLE ENTRANCE
- ② MAIN ENTRANCE
- ③ ENTRANCE TO TRAINING AND DEMONSTRATION AREA
- ④ STAFF CARPARKS
- ⑤ VISITOR CARPARKS
- ⑥ PYLON SIGN



## SOUTH ELEVATION

FROM SH 73 WEST COAST ROAD



1:400 @ A3

## SPECIMEN TREES

### LARGE

-  ENGLISH OAK  
*QUERCUS ROBUR*
-  HOHERIA  
*HOHERIA ANGUSTIFOLIA*
-  SWEET GUM  
*LIQUIDAMBAR STYRACIFLUA*  
'WORPLESDON'
-  TOTARA  
*PODOCARPUS TOTARA*

### MEDIUM

-  KŌWHAI  
*SOPHORA MICROPHYLLA*
-  MANATU / LOWLAND RIBBONWOOD  
*PLAGIANTHUS REGIUS*
-  UPRIGHT ENGLISH OAK  
*QUERCUS ROBUR 'FASTIGIATA'*



## NATIVE SHELTER BELT

- |  |  |
|--|--|
|  AKEAKE<br><i>DODONAEA VISCOSA</i>                    |  KARAMŪ<br><i>COPROSMA ROBUSTA</i>                        |
|  AKIRAKO<br><i>OLEARIA PANICULATA</i>                 |  KŌWHAI<br><i>SOPHORA MICROPHYLLA</i>                     |
|  HARAKEKE<br><i>PHORMIUM TENAX</i>                    |  MANATU / LOWLAND RIBBONWOOD<br><i>PLAGIANTHUS REGIUS</i> |
|  HOROEKE/LANCEWOOD<br><i>PSEUDOPANAX CRASSIFOLIUS</i> |  MOUNTAIN FLAX<br><i>PHORMIUM COOKIANUM</i>               |
|  KĀNUKA<br><i>KUNZEA ERICOIDES</i>                    |  PUAHOU / FIVE FINGER<br><i>PSEUDOPANAX ARBOREUS</i>      |
|  KĀPUKA / BROADLEAF<br><i>GRISELINIA LITTORALIS</i>   |  PUTAPUTAWETA / MARBLELEAF<br><i>CARPODETUS SERRATUS</i>  |

-  THICK-LEAVED MIKIMIKI  
*COPROSMA CRASSIFOLIA*
-  TI KŌUKA / CABBAGE TREE  
*CORDYLINA AUSTRALIS*
-  TOTARA  
*PODOCARPUS TOTARA*

## LOW SHRUB PLANTING

- |  |   |   |
|--|---|---|
|  BIDIBID<br><i>ACAENA NOVAE-ZELANDIAE</i>             |  NZ DAPHNE<br><i>PIMELEA PROSTRATA</i>                 |  TUTUTU<br><i>DIANELLA NIGRA</i> |
|  KĀPUKA / BROADLEAF<br><i>GRISELINIA LITTORALIS</i>   |  PRICKLY MINGIMINGI<br><i>LEPTOCOPHYLLA JUNIPERINA</i> |   |
|  MAKAKA/COMMON BROOM<br><i>CARMICHAELIA AUSTRALIS</i> |  PROSTRATE KŌWHAI<br><i>SOPHORA PROSTRATA</i>          |   |
|  MIKOIKOI / NZ IRIS<br><i>LIBERTIA IXIODOES</i>       |  SHRUB POHUEHUE<br><i>MUEHLENBECKIA ASTONII</i>        |   |
|  MINGIMINGI<br><i>COPROSMA PROPINQUA</i>              |  SILVER TUSOCK<br><i>POA CITA</i>                      |   |
|  MOUNTAIN FLAX<br><i>PHORMIUM COOKIANUM</i>           |  TAUHINU/COTTONWOOD<br><i>OZOTHAMNUS LEPTOPHYLLUS</i>  |   |

# LOW SHRUB PLANT SCHEDULE

Common Name	Botanical Name	Mature Height (m)	Spacing (m)	Percentage By Indicative Section (%)		
				A	B	C
<b>Low Grass</b>				30	10	15
Silver tussock	Poa Cita	0.7	0.8			
<b>Medium Flax</b>				0	10	15
Mountain flax	Phormium cookianum	1.5	1			
<b>Low Bushy Shrub</b>				30	20	40
Prickly mingimingi	Leptecophylla juniperina	1.5	1			
Prostrate Kōwhai	Sophora prostrata	2	1			
Tauhinu/cottonwood	Ozothamnus leptophyllus	2	1.5			
<b>Tall Bushy Shrub</b>				40	30	30
Kāpuka	Griselinia littoralis	6	2.5			
Makaka/common broom	Carmichaelia australis	2.5	1			
Mingimingi	Coprosma propinqua	4	2			
Shrub pohuehue	Muehlenbeckia astonii	2	1			
<b>Low Pedestrian Edge Feature</b>				0	30	0
Bidibid	Acaena novae-zelandiae	0.1	0.6			
Mikoikoi/NZ iris	Libertia ixiodoes	0.3	0.5			
NZ daphne	Pimelea prostrata	0.1	0.7			
Tututu	Dianella nigra	0.5	0.5			

**NOTES:**

Low shrub planting areas to be cultivated to remove existing vegetation prior to planting. Low shrub planting areas to be installed with 100mm aged bark mulch and spade cut edge with final shapes set to allow mower access around beds.

Low shrub planting to be installed during cooler season April-September and maintained as necessary to ensure minimum 85% survival rate.

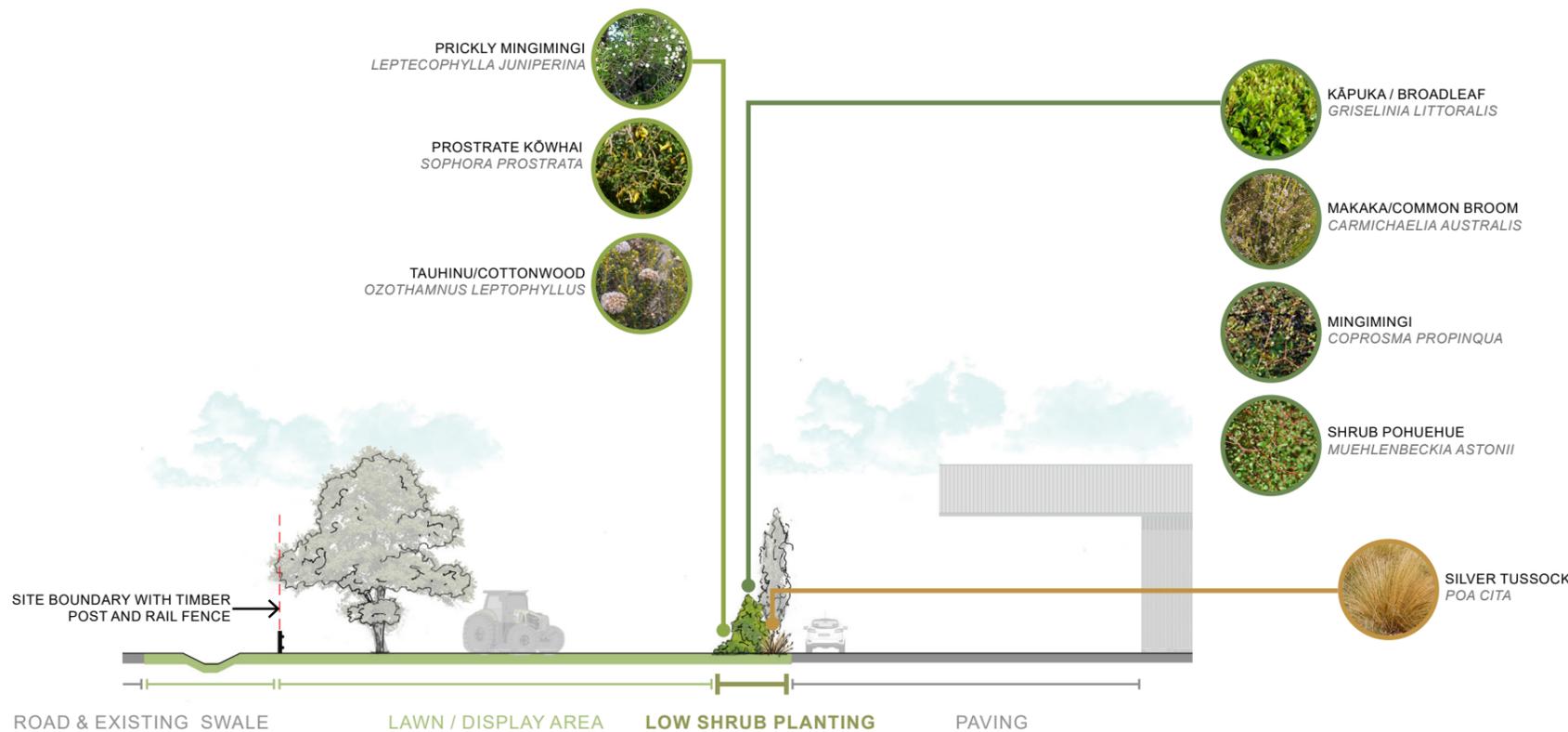
Irrigation to be installed for planting around parking areas and along south edge of building. Other plantings to receive supplementary irrigation until establishment.

Future plant pruning to be restricted to remove dead or diseased material, or removal of low branches to ensure safe visibility for pedestrian and traffic movement areas.

Final plant numbers, species compositions and layouts to be confirmed at detailed design stage by Landscape Architect.

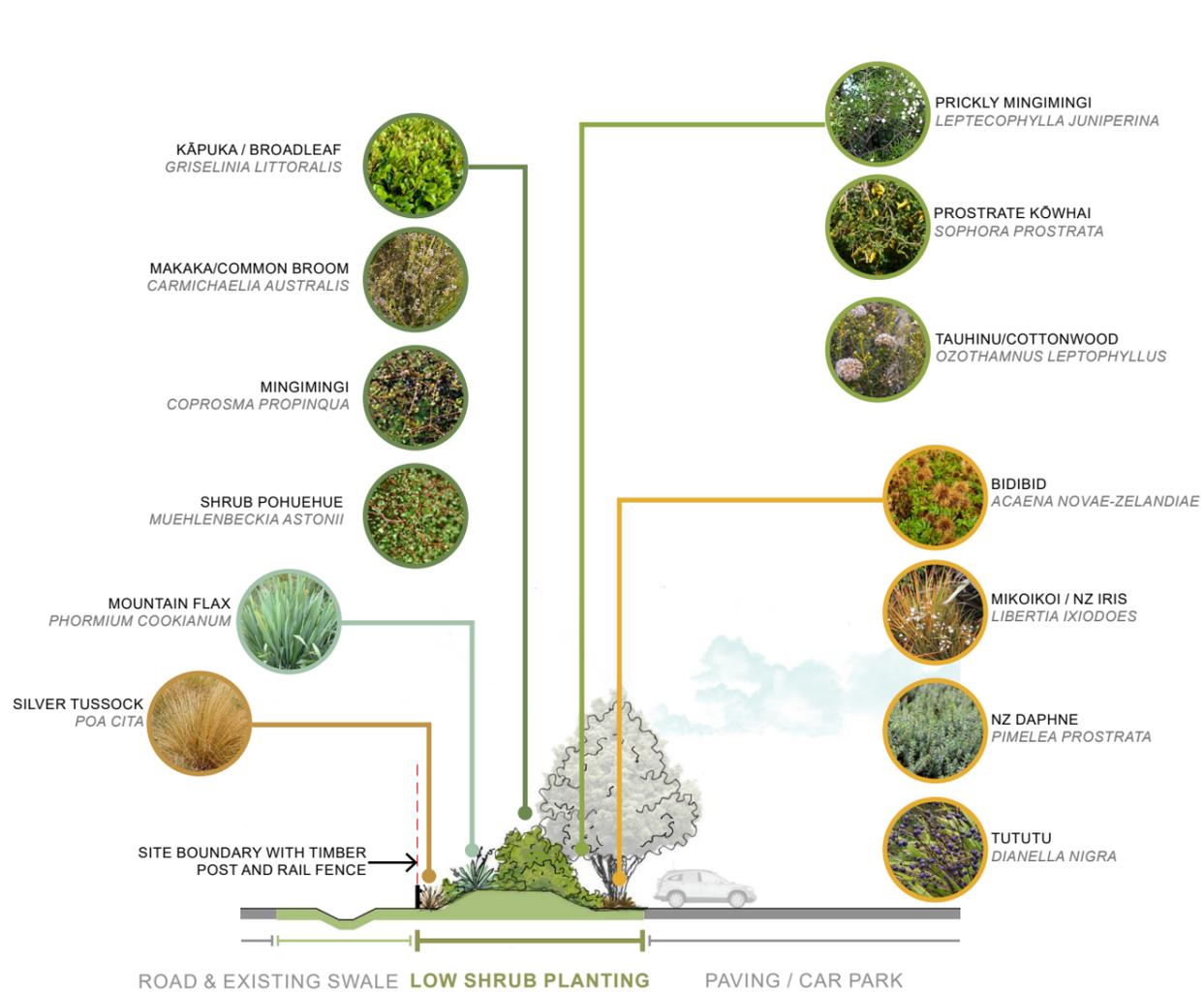
## INDICATIVE SECTION SHOWING TYPICAL PLANTING ARRANGEMENTS

### SECTION A: WAREHOUSE TO SH 73 WEST COAST ROAD



# INDICATIVE SECTIONS SHOWING TYPICAL PLANTING ARRANGEMENTS

## SECTION B: CAR PARK TO SH 73 WEST COAST ROAD



## SECTION C: TRAINING AND DEMONSTRATION AREA TO SH 73 WEST COAST ROAD

