

**BEFORE THE INDEPENDENT COMMISSIONER  
APPOINTED BY SOUTH WAIRARAPA DISTRICT COUNCIL**

**UNDER** of the Resource Management Act 1991 ("**RMA**")

**AND**

**IN THE MATTER** of a resource consent application by Woolworths New Zealand Limited ("**Woolworths**") for a new vehicle access and signage at 134 Main Street, Greytown (associated with the existing FreshChoice supermarket)

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**STATEMENT OF EVIDENCE OF DANIEL SHAO ON BEHALF OF  
WOOLWORTHS NEW ZEALAND LIMITED**

**CORPORATE**

**15 SEPTEMBER 2023**

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## 1. SUMMARY

- 1.1 FreshChoice Greytown is an established supermarket and an integral part of the Greytown community. It provides an essential service and employment for the town and the surrounding settlements and, by being a well-run and successful business, contributes to the vibrancy and success of the town's main street.
- 1.2 Woolworths proposes to construct and operate a new access for customer and service vehicles to the existing supermarket, alongside associated signage and landscaping, at 134 Main Street ("**Site**").
- 1.3 Somewhat unusually for a supermarket within a "main street" town, the existing supermarket sits one row back from Main Street, State Highway 2 and there is no direct access to the store from the main road, or indeed good visibility for customers from the road to the Site. The existing store is also constrained for space with the current loading arrangement presenting challenges in terms of both safe and efficient store and loading operations, and customer amenity.
- 1.4 To remedy these issues, the present application ("**Application**" and "**Proposal**") seeks to provide a new entry-only access for customers and service vehicles from Main Street, together with associated signage. This will:
- (a) improve access and on-site manoeuvring for loading vehicles, and
  - (b) improve awareness of the supermarket and allow customers to access it directly from Main Street.
- 1.5 Many factors have influenced the design of the proposed access and signage, and a number of changes have been made to the earlier application (relodged in April this year) to address concerns raised. We believe the Proposal strikes an appropriate balance between enabling the safe and successful ongoing operation of the supermarket, while respecting its context and managing any adverse effects on the environment.

## 2. INTRODUCTION

- 2.1 My name is Yiqiang (Daniel) Shao. I am a Development Manager at Woolworths and have held this role since June 2022. In this role, I am responsible for the conceptualisation and delivery of new supermarket

developments. This involves identifying new development opportunities and managing the acquisition, design, consenting and construction processes.

- 2.2 I have a Bachelor of Planning (Honours) and a Master of Legal Studies (Distinction) from the University of Auckland, and a Post Graduate Certificate in Business from Massey University. I am a corporate member of Property Council New Zealand and currently sit on its Auckland Regional Committee.
- 2.3 I have worked in planning and property related roles for the past ten years. I have been involved in the planning, design and consenting of retail developments in all major urban centres, many provincial centres, and some smaller town centres across NZ.
- 2.4 I am authorised to give evidence on behalf of Woolworths.
- 2.5 This statement of evidence will provide a brief overview of Woolworths' interest in the Site; key location and design considerations for supermarkets; our reasons for pursuing this application; and our response to the key issues raised by the submitters and in the Council's s42A hearing report ("**Hearing Report**").

### **3. WOOLWORTHS' INTEREST IN THE SITE**

- 3.1 Woolworths is the franchisor of FreshChoice and SuperValue supermarkets. There are currently 70 of these franchised supermarkets nationwide. Within the Wairarapa, there is a small SuperValue in Featherston, and the subject FreshChoice supermarket in Greytown.
- 3.2 FreshChoice Greytown was built by a local developer and opened in June 2012. The supermarket provides an essential service and forms an integral part of Greytown and the surrounding communities.
- 3.3 Woolworths does not own the land the existing supermarket sits on. Woolworths leases the land and, in turn, sub-leases the premises to the local franchisee and operator of the supermarket. This is a common arrangement for our franchised stores.
- 3.4 Woolworths owns the property at 134 Main Street (the Site), which is the subject of the Application.
- 3.5 Woolworths purchased the Site in May 2013, with the view to achieve greater flexibility in site layout, improve access for customers and service vehicles, and improve visibility of the supermarket from Main Street.

- 3.6 Resource consent was sought, and granted, in 2015 to demolish the existing dwelling, create a new two-way access for the supermarket, a pylon sign on the Main Street frontage, and additional car parking. Woolworths surrendered this consent after an application for judicial review of the Council's decision to grant consent on a non-notified basis was lodged. The judicial review application was subsequently withdrawn.
- 3.7 Since that time, the house on the Site has been tenanted for residential purposes.

#### **4. THE APPLICATION**

- 4.1 Woolworths originally lodged an application for consent in June 2022 for a scaled down version of the 2015 proposal with entry-only access and fewer car parks within the Site.
- 4.2 In recognition of the Site's heritage context, Woolworths has, from the outset elected to design the scheme with genuine consideration of the Copper Beech Tree ("**Beech Tree**") located on the Site, as well as the local context of the Site and the supermarket.
- 4.3 Following lodgement, Woolworths liaised with Council experts and consultants in respect of the various aspects of the proposal, notably heritage and traffic effects. In response to the technical advice and various discussions with Waka Kotahi and the Council, Woolworths made the decision to revise the application and resubmit it and request full public notification.
- 4.4 The Application includes:
- (a) construction of a new vehicle crossing for use by service and customer vehicles for entry only manoeuvres from Main Street;
  - (b) a separate pedestrian path along the southern boundary of the Site;
  - (c) reconfiguration of the loading area to suit the new access arrangement, with a new canopy above the loading area;
  - (d) new pylon sign on the Main Street frontage;
  - (e) one new customer car park in the existing Supermarket carpark;
  - (f) retention of the existing Beech Tree; and

(g) associated landscaping.

4.5 The Application was publicly notified in April 2023, and included the following changes (from the June 2022 version):

(a) retention of the existing low stone wall between the Beech Tree and the footpath (rather than replacement),

(b) significant reduction of the height (from 5.4m to 3.6m) and size of the proposed sign, and revisions to the design and construction of the sign to be more sympathetic with its surrounds,

(c) reduction of the width of the vehicle crossing (from 9.0m to 8.3m),

(d) removal of the parking (three spaces) previously proposed within the Site,

(e) amendments to the design of the crossing to maintain continuity of the footpath and pedestrian priority, and

(f) restricted right-turn entry for large trucks from Main Street.

4.6 The Application has been designed with careful consideration to the heritage values of the Historic Heritage Precinct. In particular, the Application has sought to minimise the width of the proposed vehicle access and has ensured that the existing Beech Tree and the low stone wall on the Site will be retained. The Application also retains significant areas for landscape planting. These factors have shaped the Application in its current form.

## **5. KEY CONSIDERATIONS FOR SUPERMARKET LOCATION AND DESIGN**

5.1 Supermarkets rely on convenient access and parking, and a high level of visibility and are typically located on arterial routes for ease of access.

5.2 The location of supermarkets is also influenced by the availability of suitably zoned land. These are typically restricted to commercial zoned land in or on the fringe of town centres. This means that the immediate environment surrounding a supermarket is often intensively developed, complex, and busy with high pedestrian and vehicle movements.

5.3 In these settings, consideration of safe and efficient traffic and pedestrian movements both on-site and off-site for customers and service vehicles, is an essential part of any supermarket design. High quality design and good

customer usability are also key features for Woolworths and its team to consider when developing or redeveloping supermarkets. Arriving at a particular design involves a very thoughtful balancing of a range of factors including the functional and operational requirements of the supermarket, health and safety considerations for our teams, customers and communities, customer convenience, land ownership considerations, physical and environmental constraints, and planning restrictions and overlays.

- 5.4 In the case of Greytown, the Site was not available when the existing FreshChoice was developed, which meant that direct access onto Main Street was not possible at the time. The existing supermarket layout was the best that could be achieved but is far from ideal in many respects – particularly because there is no direct access or visibility from the Main Street to the store. I note that, by contrast, the two nearest supermarkets - SuperValue Featherston and New World Carterton – both have direct access from State Highway 2.
- 5.5 The absence of the Site from the original scheme also resulted in a sub-optimal loading arrangement that currently requires trucks to enter the customer car park, undertake complex manoeuvres before reversing into an undersized loading dock. This poses health and safety risks for customers and users of the carpark and is also undesirable from a customer convenience and amenity perspective.
- 5.6 Creating a new access that connects the supermarket to the Main Street addresses these issues. We consider the current proposal strikes an appropriate balance between ensuring the safe and functional operation of the supermarket, while respecting the Site's context and managing adverse effects on the environment.

## **6. RETENTION OF THE TREE**

- 6.1 Our decision to retain the Beech Tree on the Site has strongly influenced the current design.
- 6.2 We have sought the arboricultural input of Mr Peers which confirms that the works required to construct the crossing and driveway can be carried out in a manner that protects and maintains the health and vitality of the Beech Tree. Changes we have made to the proposal, including reducing the width of the crossing, replacing car parking with landscaping, and retaining the low stone wall, provide a greater level of comfort in this regard.

- 6.3 As Ms Clark notes in the Hearing Report the tree is not scheduled under the District Plan. The Hearing Report refers to the certificate of compliance, granted by Council which confirms there is no level of protection for the tree in the Council's Plan. Obtaining the certificate of compliance does not imply an intention to remove the tree. The present application clearly provides for the retention of the tree. Mr Peers has recommended a range of conditions, which we have proposed in the draft condition set attached to Ms Panther Knight's evidence.

## **7. SIGNAGE**

- 7.1 The original application included a 5.4m tall by 2.2m wide pylon sign. It had a more conventional appearance (even though an 800mm high stone wall was proposed for its base) and contained various other logos (Lotto, NZ Post and Kiwibank) in addition to the supermarket logo and opening hours. It was to be internally illuminated on both sides.
- 7.2 The revised Application significantly reduces the height and size of the sign (to 3.6m by 1.8m), reduces clutter by only showing the supermarket logo and opening hours, and has a much more sympathetic design with painted timber construction and design features such as skirting and cornices in a contrasting colour. The sign will be externally lit on the south face only to minimise light pollution.
- 7.3 Good signage on Main Street is important. Considerable care has gone into the design of the proposed sign to achieve its purpose of providing easy wayfinding for supermarket customers, while responding to the look and feel of the Main Street. We believe the proposed signage is modest in scale, appropriate in its design and will integrate well with the surrounding built form.
- 7.4 We have also now proposed a condition around the hours of illumination of the sign, to coincide with the hours of store operation (7am – 9pm).

## **8. HEARING REPORT**

- 8.1 I have reviewed the Hearing Report prepared by Ms Clark. I was surprised that the Hearing Report does not assess the effects of the Application, but rather records the submitter points in opposition, (the assessment of the Beech Tree is an example of this).

- 8.2 Key themes in the submissions opposing the application include traffic and pedestrian safety, impact (of the crossing and the sign) on the character/heritage values of Main Street, and retention of the Copper Beech. Almost half of the submissions in opposition comment on the loss of the Beech Tree. As set out in the AEE and evidence, the Application proposes to retain the tree.
- 8.3 Matters relating to traffic effects and pedestrian safety, as well as heritage concerns, are addressed in the application documents and in the evidence of Mr Hills, Mr Knott and Ms Panther Knight.

#### **Retention of the Beech Tree**

- 8.4 The Hearing Report assessment section at paragraph 75 questions whether "the real intention is to retain the tree or not". That seems to be the focus of Ms Clark's commentary on the tree. As stated above in my evidence, it is the intention of Woolworths to preserve and retain the Beech Tree. Furthermore, Woolworths sought the expertise of Mr Peers to address the concerns of the community and to proactively ensure that the Application did not adversely affect the Beech Tree. Woolworths proactively engaged in the planning process to ensure the tree's safety and its survival, despite the tree not being protected. As Ms Panther Knight notes, best practice would be to assess the effects in relation to the Beech Tree through assessment of the construction methodology. The evidence of Mr Peers confirms a full suite of conditions to achieve this outcome.

#### **Consultation**

- 8.5 The Hearing Report suggests at paragraph 107 that Woolworths has failed to undertake any consultation with the community. Woolworths has been very alive to the concerns of the community including following the 2022 lodgement. Woolworths sought expert advice, and re-lodged the Application to address many of the community concerns that were relayed to both the Council and in the media. We also asked for the Application to be publicly notified.
- 8.6 At paragraph 110, Ms Clark assumes that no prior consideration was given to alternatives. That is clearly not the case, given the range of changes proposed to the current application before re-lodgement. Woolworths heard the concern of the community and made considerable effort to achieve a balance with the re-lodgement of the Application.



- 8.7 Furthermore, Woolworths has engaged in extensive consultation with Council and Waka Kotahi, both before and after lodgement, as noted in the AEE. Waka Kotahi presented an alternative proposal which serviced vehicle exit only from the Site. Woolworths considered this proposal carefully and concluded that the entry arrangement for both service and customer vehicles was appropriate, given the strong expert consultation and advice received.
- 8.8 Woolworths have held a series of meetings with Waka Kotahi (who is also a submitter on the application) throughout the application process, including after receiving their submission. While efforts were made to try and narrow issues between the parties, it became apparent through our engagement that Waka Kotahi would not support any form of customer access from Main Road.
- 8.9 As noted above, this customer access is a critical aspect of our Application. I am confident, based on the technical advice we have received, and as set out in the evidence of Woolworths' experts, that the effects of our proposal on the State Highway, are appropriately avoided, remedied or mitigated.

## **9. CONCLUSION**

- 9.1 Woolworths takes extremely seriously the management of customer, supplier and public safety, and acknowledges and is very proud of our place in Greytown. We are grateful for our ability to service the local community. We provide an essential service to the Greytown community and are invested in continuing this service, in a safe and efficient manner.
- 9.2 Considerable effort and care has gone into the design of the proposal, and a number of amendments have been incorporated to address the actual and potential effects of the proposed access and signage. I consider the current proposal strikes an appropriate balance between enabling the safe and functional operation of the supermarket, while respecting the local Greytown context and managing any adverse effects on the environment.

**Daniel Shao**  
15 September 2023