

BEFORE THE DUNEDIN CITY COUNCIL

IN THE MATTER of the Resource Management
Act 1991

AND

IN THE MATTER of an application to subdivide
land and develop a church at
326 Factory Road, Mosgiel.

EVIDENCE OF MICHAEL WILLIAM MOORE

Dated: 20 October 2015

Introduction

1. My name is Michael William Moore. I hold the degrees of Bachelor of Science from the University of Canterbury, Master of Regional Resource Planning from the University of Otago and the Diploma of Landscape Architecture from Lincoln University. I am a registered member of the New Zealand Institute of Landscape Architects.
2. I have twenty-nine years professional experience and am currently an independent consultant landscape architect based in Dunedin. Prior to this I worked for the Dunedin and Palmerston North City Councils. My work experience includes the preparation of visual and landscape effects assessments, evidence for Council and Environment Court hearings, and site planning and design for development projects. I have also been involved in the preparation of the landscape related provisions of the Dunedin City and Clutha District Plans.
3. I have read the Environment Court's code of conduct for expert witnesses and I agree to comply with it.

Background

4. Glenelg Gospel Trust have applied for resource consent to subdivide a 5 ha property at 326 Factory Road, Mosgiel, and to develop a church building with associated car park. Consent is also sought for a building platform on the balance lot. The site has been used as a poultry farm and is zoned Rural in the Dunedin City District Plan. The proposed church development is a discretionary activity whilst the subdivision and new residential activity is a non-complying activity. **Figure 1** shows the location of the site and the proposed subdivision.
5. Some modifications have been made to the proposed development since receiving the Council Planners report. The most significant of these that are relevant to landscape matters is the deletion of the proposed manse and the relocation of the proposed fencing around the road boundaries of proposed Lot 1 to a more internal location behind plantings.

6. My evidence presents a landscape concept plan for the proposed development and addresses the landscape and visual effects of the project. It is structured as follows:

- Site and area description
- Landscape Values
- The proposed development
- Recommended mitigation measures.
- Statutory Planning Assessment
- Comments on submissions and the Council report
- Conclusion

Site and area description

7. The property is located at the north-eastern end of the Taieri Plain at the intersection of Factory Road and Puddle Alley. The land is flat / very gently rolling with gentle falls to the west, and has previously been used as a poultry farm. There are 3 poultry sheds and a house along with a few smaller sheds and silo's, currently existing on the site. The primary access point is currently off Factory Road at the north-west corner of the site but there are also secondary access ways off Puddle Alley. At the northern end, the property is characterised by mixed mature shelter and amenity plantings with Silver Birch, Poplar and Eucalyptus being dominant species. Along the Puddle Alley boundary at the southern end a poplar shelterbelt is a dominant element and there are also mature trees within the site. A significant drainage ditch runs southward near the Factory Road boundary and continues along the western boundary toward the Owhiro Creek. Currently, overhead power wires cross the site but these will be relocated below ground.

8. The area surrounding is rural in character but in the immediate context to the south-east of Factory Road in particular, relatively densely settled and less open than typical in the Rural zone. The Invermay Agricultural Research Centre and the Duncan Venison buildings are located nearby to the north.

9. **Figures 2 and 3** illustrate the character of the site and area.

Landscape Values

10. The area in question has no landscape values of recognized significance in the Dunedin City District Plan or other statutory documents. Being zoned 'rural' however amenity values generally associated with rural character are relevant. 'Key elements of rural character' mentioned under Objective 6.2.2 and Policy 6.3.5 in the Plan include a predominance of natural over human made features, a high ratio of open space relative to the built environment, significant areas of pasture, crops, forestry or indigenous vegetation, the presence of farmed animals and the absence of urban elements (infrastructure / sealed roads etc).

11. The wider landscape has an attractive rural character, the key contributors to which are the open paddocks, shelter trees and hedgerows. Whilst the area has a considerable number of buildings present (including buildings with an industrial and institutional scale and character) there is significant screening by trees and natural elements dominate. The trees around the boundary of the site contribute to this effect and effectively screen the existing buildings within.

The proposed development

12. The proposed development involves subdivision of the property into two lots of 2.39 and 2.61 ha. Lot 1 on the Factory Road, Puddle Alley corner is to be developed as the site for a church building with associated car park, whilst Lot 2 is to be developed as a small rural lot with a 2500m² building platform identified.

Lot 1

13. It is proposed that all the existing buildings are demolished and that this lot be developed for the church as illustrated in **Figures 4(a) – 4(c)**. Access would be off

Puddle Alley and the existing access off Factory Road would be used for service access only. The proposed building is to have a similar scale and character to the building illustrated in Figure 4(c). It will be approximately 27 x 50m with a floor area of approximately 1303 m² and a maximum height of approximately 7.5m. The proposed materials are textured plasterboard, colorsteel and brick. The building will have a relatively simple gabled form and the colour scheme will be subdued, similar to that shown in Figure 3(c). The church building will be located to provide significant separation from its southern and western boundaries.

14. A large paved forecourt will be developed outside the main entry with seating, and a sealed parking area for 160 cars will be provided. Grassed overflow parking areas are available at the southern end of lot 1 and additional sealed parks may be developed in the future as demand dictates. Car park lighting will be provided as required and will be appropriately shielded to minimize light spill beyond the site. The site / landscape development plan is illustrated in **Figure 5**.
15. The development will require the removal of some of the trees within the site but it is intended to substantially retain all the boundary trees with only thinning and tidy-up work proposed and a few trees removed to provide for the new entry. New trees will be planted to reinforce the perimeter screening and to provide for internal amenity. The main species proposed will be selected to integrate with the character of the existing plantings and will include Himalayan Birch (*Betula utilis* var *Jaquemontii*), Alder (*Alnus* sp), Eucalyptus sp, New Zealand Beech (*Nothofagus* sp) and Pittosporum sp. Understorey species will also be planted to enhance the screening and these are likely to include *Astelia* sp, *Psuedopanax* sp, Mapou (*Myrsine australis*), *Coprosma* sp, Pepper tree (*Pseudowintera colorata*), Broadleaf (*Griselinia littoralis*), Flax (*Phormium* sp) and *Rhododendron*. Lower groundcover species will also be planted to enhance site amenity.
16. A 2m high fence was proposed to be erected around the boundaries for security reasons but will now be located more internally to minimize its visual prominence, as indicated in Figure 5. This will have a see through, wire mesh character to minimize its visual impact. No signage other than a small sign on the gate with security information and contact numbers is proposed.

Lot 2

17. Lot 2 is proposed to be developed as a small (2.61 ha) rural site with a 2500 m² building platform located at its northern end. **Figure 6** illustrates a 261 m² single storey dwelling as an indication of the scale of dwelling proposed for this site.

Recommended mitigation measures

18. In order to minimize the effects of the proposed church and house on the rural landscape amenity values of the area the following mitigation measures / conditions are proposed.

Lot 1

- (i) The proposed church building is to be finished in colours that minimize contrast with the surrounding rural landscape. As a guide, the dominant colours of the building are to be darker tones with no more than 30% light reflectivity values.
- (ii) All existing buildings on the site are to be removed
- (iii) The existing boundary plantings are to be managed and enhanced as illustrated in the landscape concept plan (Figure 5) to substantially retain and / or enhance screening of buildings on the site from external viewpoints.
- (iv) All perimeter fencing adjacent to the public roads is to be of light visual density (see-through) such as wire mesh construction and is to be located behind the boundary planting as indicated in Figure 5.
- (v) Car park and building lighting is to be provided to reasonably minimize visual effects from beyond the site whilst adequately providing for the safety of users.

Lot 2

- (i) The future house (and any accessory buildings) is to be finished in colours that minimize contrast with the surrounding rural landscape. As a guide, the dominant colours of the buildings are to be darker tones with no more than 30% light reflectivity values.
- (ii) The existing boundary plantings are to be managed and enhanced to substantially retain and / or enhance screening of buildings on the site from external viewpoints.
- (iii) All perimeter fencing is to be standard rural post and wire fencing no more than 1.2m high.

Landscape and visual effects assessment

Introductory comments

19. The following assessment distinguishes between landscape effects (i.e. effects on landscape character) and visual effects (i.e. effects on viewer's experience). In discussing the significance of effects I will adopt a four point scale with the terms defined as follows:

Descriptor	Definition
De minimus	Negligible
Minor	Small
Moderate	More than minor but less than significant
Significant	Major / large

Landscape effects

20. The proposed development of a church on this site will result in some earthworks to cater for the building site and carparks but as the site contours are gentle changes to

the existing landform character will be minor. The development will result in the removal of some trees, mainly within the central part of the site, but new plantings will be established that will compensate for this. The perimeter plantings will be retained largely intact other than where the new access way is to be developed and for tree management work to tidy the grounds and enhance amenity. The numerous existing buildings on proposed Lot 1 will be removed to be replaced by one larger building.

21. The effect of these changes will mean that the character of the site internally will change from that of a derelict poultry farm to that of a church campus with a significant area in car parks with a parkland perimeter. From external locations however, given the strong perimeter tree framework, the character of the landscape will not be significantly changed. The 2m high chain link fence and occasional car park lighting has the potential to suggest a non-traditionally rural land use within the site and glimpses through will probably continue to be available from directly adjacent. In this setting however, with the Invermay campus and the Duncan Venison industrial facilities nearby, as well as a swathe of rural residential density housing to the west of the site, I believe that the proposed church will integrate acceptably. The proposed fence location has been changed from that shown in the application documents to a more internal position where the perimeter plantings will largely screen it and lighting will be controlled to minimize spill beyond the site. Overall, it is my assessment that any adverse effects on the rural landscape character will be minor.

22. With regard to Lot 2, a new single storey house on the proposed building platform, finished in recessive colours as proposed, will have minimal impact and will integrate readily with the existing fairly densely settled and well planted rural landscape character.

Visual effects

23. The key viewpoints surrounding the site are Factory Road and Puddle Alley and the houses in the properties adjacent.

Factory Road

24. Figure 2 illustrates a view toward the site from Factory Road. These show that the proposed church building and surrounding car park will be effectively screened by trees around the property boundary as well as vegetation in the adjacent properties. The proposed chain-link fence could suggest a non-traditional use within but will have low visual impact, particularly given its amended location behind the boundary vegetation. Any lighting effect will be minor due to its intermittent nature and due to screening by planting. Adverse visual effects on rural amenity will be minor.

Puddle Alley

25. Figure 3 illustrates a view toward the site from Puddle Alley and as for Factory Road, show that the proposed church building and associated elements will be effectively screened by the existing site perimeter plantings. Whilst glimpses through the vegetation will probably continue to be possible from the section of Puddle Alley directly adjacent, the proposed church campus will not appear significantly out of place given the mixed uses (Invermay and Industrial uses) in the general area. The proposed colour controls on the building will ensure its visual impact is low and the proposed plantings will minimize the awareness of large areas of car parking and effects of occasional lighting. Whilst the chain link fence could suggest a non-traditionally rural use within, its visual impact will be low given its relocated position behind plantings and see through character.

26. The proposed building site on Lot 2 is adjacent to Puddle Alley but will be substantially screened by the existing poplar hedgerow. A house may be glimpsed through the hedgerow but will not appear out of place in this relatively densely settled rural locality. The proposed colour controls will ensure its visual impact is low.

27. Any adverse visual effects on rural amenity from Puddle Alley will be minor.

Residential property at 324 Factory Road

28. Proposed Lot 1 is directly adjacent to the house at 324 Factory Road to the east. The proposed church building is to be located approximately 40m from the boundary and the development will also result in the removal of an unused poultry shed. There is a well-established planted buffer already existing at 324 Factory Road and existing and proposed trees on the subject site also help to screen. In my assessment any adverse visual effects on amenity values at this site will be minor. I note that A Young and S Carruthers, who reside at 324 Factory Road have submitted in support of the application, albeit with some (non visual / landscape) concerns.

Residential property at 144 Puddle Alley

29. The house at 144 Puddle Alley is located approximately 110m from the boundary of the site and is slightly elevated relative to it. The existing boundary plantings, augmented with additional plantings, will ensure that any visibility of the proposed church buildings and car parks is minimal. The proposal will also result in the demolition of a number of smaller existing buildings, and the proposed subdued colour scheme for the church will also assist to ensure minimal visual impacts. When services are held, there could be visual effects associated with occasional lighting and arising from an unusual number of vehicles moving in and out of the site which will reinforce awareness that the property is a church campus rather than used for a more traditional rural activity. In this setting, with Invermay and an industrial site nearby, this is not considered particularly significant.

30. There could also be some potential visibility of a new house on Lot 2 from this property but any visual effects associated with this are considered minor due to screening by boundary trees and the location of Lot 2 out of the likely main northward focus of views from 144 Puddle Alley. It is also considered that another house will integrate readily with the existing landscape character in this locality.

31. Overall, visual effects on this property are assessed as minor. I note that the residents at 144 Puddle Alley have submitted in support of the proposal.

Other residential viewpoints

32. A house on Lot 2 is likely to have some visibility from houses at 95 and 108 Puddle Alley. Any adverse visual amenity effects on these properties are assessed as minor given the considerable viewing distances (approximately 250m and 230m respectively) and the screening / contextual impact of the adjacent trees. Additionally, it is my assessment that an additional house in this area will integrate readily, given the existing character of the landscape.

33. I note that submissions were received from the residents at both 95 and 108 Puddle Alley. K Meehan (95 Puddle Alley) made a neutral submission and did not raise any concerns relating to visual amenity. A Reeve (108 Puddle Alley) submitted in support of the application.

Statutory planning assessment

Operative Dunedin City District Plan

34. The site is not within a landscape management area and the relevant District Plan assessment matters are found in the Rural and Subdivision sections of the plan (Sections 6.7 and 18.6.1). I have commented on those that address landscape matters individually in my report. In essence however, the relevant matters can be summarized as follows:

- (i) The effects, including cumulative effects, on rural character amenity values including the effects of the bulk and location of buildings and the impacts on openness and significant views.
- (ii) The extent to which the proposed development is sympathetic to the forms, character and scale of the landscape and to which adverse effects are avoided or mitigated.
- (iii) The effects on the amenity of neighbouring properties.

The effects on rural character amenity values

35. Churches per se are not incompatible with rural character and the proposed additional house on an undersized rural lot will integrate comfortably with the existing small lot rural environment. The proposed church building will have something of an institutional character given its scale and the fairly substantial car park associated. This will change the character of the site internally but given the existing boundary plantings which will be strengthened by additional planting, effects on wider rural amenity values will be minimal. Where glimpses of the church are gained through the perimeter plantings or when car park lighting or traffic entering or exiting the site highlights its presence, it will not appear inappropriate in this setting in which rural character is already modified by the Invermay Agricultural Research Centre campus and the Duncan Venison industrial buildings nearby. Amenity values generally will be enhanced by the removal of a number of dilapidated buildings and replaced by new buildings and because existing plantings around the church site will be managed and developed to enhance their appearance and their screening function. Given the already strongly planted boundaries of the site and the presence of many buildings existing on it already effects on the open amenity of the rural area will be minimal. Overall, built impact will be fairly similar to that existing presently

Compatibility with the forms, scale and character of the landscape and the ability to avoid or mitigate adverse effects

36. The proposed church development is anomalous to some extent in this setting in terms of its character and usage, although not significantly so, given the mixed use character in the vicinity and more generically in that churches are found in rural areas. It is larger than the existing sheds and house on the site but larger scale buildings are not restricted in the Rural zone by the District Plan. The building will be effectively screened and landscape character and visual effects will be minor. A house on the building platform proposed for lot 2 will have an existing well planted context and the indicative design shown would integrate acceptably with existing rural character in terms of its scale and proposed colour controls.

37. The screening provided by the existing boundary plantings is key to the acceptability of the proposed development in my assessment. A landscape development concept plan has been prepared to promote maintenance and enhancement of the landscape buffer and screening around the site, and a condition requiring appropriate management of the planting is recommended.

Effects on the amenity of neighbouring properties

38. The proposed church building is well set back from the property boundaries and there is a well-established planted buffer. Of the submitters who live in the neighbourhood, most were supportive or did not raise visual amenity concerns.

Proposed 2GP

39. As outlined in the Council Planner's report Objective 16.2.3 and Policy 16.2.3.8 (Rural Zones Section) are relevant to the landscape and visual effects of the application and are now required to be considered also.

Objective 16.2.3 reads as follows

The rural character values and amenity of the rural zones are maintained or enhanced, elements of which include:

- a. a predominance of natural features over human made features;*
- b. a high ratio of open space, low levels of artificial light, and a low density of buildings and structures;*
- c. buildings that are rural in nature, scale and design, such as barns and sheds;*
- d. a low density of residential activity, which is associated with rural activities;*
- e. a high proportion of land containing farmed animals, pasture, crops, and forestry;*
- f. significant areas of indigenous vegetation and habitats for indigenous fauna;*
and

- g. other elements as described in the character descriptions of each rural zone located in Appendix A7.*

Policy 16.2.3.8 is as follows:

Only allow subdivision activities where the subdivision is designed to ensure any associated future land use and development will maintain or enhance the rural character and visual amenity of the rural zones.

40. As already discussed, it is my opinion that the rural landscape in this area has characteristics that will ensure that the proposed (well screened) development will integrate acceptably into its setting. These are the relatively high built density and the mix of uses including small rural lots, industrial activities and the Invermay campus. The high level of screening by existing and proposed vegetation will provide effective mitigation of any adverse visual effects.

Comment on submissions and the Council reports

Submissions

41. A number of submitters have expressed concern about the effects on amenity of the proposed chain mesh fence and car park lighting. The applicant has made changes to the fence location to ensure that it is behind plantings and that its visual impact is minimized. When lit at night, there will be awareness of the church and car park's presence but this will be mitigated by the boundary planting. It is proposed to reinforce this planting with additional trees as well as understory species which will provide effective screening. It is my opinion that given the mixed use character of the area some awareness of the presence of the church and associated parking area will not give rise to significant adverse effects.
42. Craig Werner has submitted in opposition to the application on the basis of effects on landscape character and amenity, and District Plan integrity and G Turnbull and D Turnbull are concerned about the effects on rural character. The RMA process

provides for non-complying activity applications to be considered on their merits. As discussed, it is my assessment that the landscape and visual effects of the proposal will integrate acceptably given the particular characteristics of both the site and the wider area.

Council Landscape Architect's report

43. Barry Knox believes that the proposed development will have an adverse impact on rural character that will be more than minor. Whilst he accepts that it would have only a moderate adverse effect for most of the time, he considers that the proposed parking and traffic movements would at times be of such a scale as give rise to more significant effects. Mr Knox accepts that church activity can form part of rural character but as I understand his report, has difficulty with the scale of the activity proposed.

44. It is my opinion that the reinforced planted buffer will effectively mitigate the visual effects of the proposed parking area and of parked cars on the site. I also believe that throughout the day and week, use of the site will be spasmodic, and that this reduces the significance of the character impacts of cars entering and leaving the site. More widely, and as already discussed, I believe that the rural character in this area is already influenced by the presence of the Invermay campus and that the church facilities and associated vehicular activity will integrate acceptably in this setting. It remains my assessment that effects on rural character and amenity will be minor.

Council Planner's report

45. In paragraphs 37 - 41 of his report, Mr Sycamore discusses the effects of the proposal in relation to bulk and location of buildings. I agree with his observation (para 39) that *'the surrounding undersized rural properties are typically of a similar dimension to the subject site, that is, properties more aligned to the size of the Rural Residential zone'*. I also agree that in terms of bulk, the existing and proposed is comparable (para 40). With the manse now removed from the application, the proposal is for one dwelling only (as existing) and a church facility. I agree that the

proposed development alters the character of the built form on the site (from a house and numerous sheds to a house and associated rural sheds and a large church building) but note that visibility of the church building and associated car park will be very low given the reinforced planted buffer.

46. In paragraphs 42 – 50 Mr Sycamore addresses amenity values and visual impact relying to a large degree on the report of Barry Knox. I note that he ascribes concerns to Mr Knox (e.g. regarding the effects of the boundary fencing (para 46), 8m high lighting and the noise of gospel singing (para 49) that do not appear in Mr Knox's report. This aside, Mr Sycamore's concerns regarding the perception of bulk arising from the boundary fencing have been taken note of by the applicant and it is now proposed to ensure that fencing is more recessively located.

47. In paragraph 98, discussing residential units and cumulative effect, Mr Sycamore states that he considers *'the effect of subdividing and creating a further residential unit and church on the site will result in only minor adverse cumulative effects within either the site or the wider area.'* Whilst noting that the application is now for just one residential unit and a church, I agree with his assessment. He goes on however, to express concern about the scale of the church and car park and the 'fortified appearance' of the fencing. With regard to this I believe it is relevant to note that the visibility of the church building, car park and fencing will be low and effectively mitigated by planting.

48. In Section 6 of his report and in commenting on Objective 4.2.1 and Policy 4.3.1, Mr Sycamore accepts that the subdivision and residential activities will 'comfortably blend into the receiving environment' but that the church activity will result in adverse effects on amenity. I agree with his conclusion regarding the residential activity but with regard to the church, believe that he has paid insufficient regard to the planted buffer which will effectively screen it, and to the mixed use character of the receiving environment.

49. In discussing Objective 6.2.2 and Policy 6.3.5, Mr Sycamore states that *'the site and surrounds do not exhibit the majority of [rural character] elements listed under this policy and any further subdivision will further exacerbate any disconnect between the*

site and the objective and policy’. This statement would appear to contradict his comments on Objective 4.2.1 and Policy 4.3.1 discussed above. In my opinion, the higher than usual built density and mixed use character of the area provides a setting within which the proposed development can fit comfortably and without significant adverse effects on existing character and amenity values.

Conclusion

50. The subject site is within the rural outskirts of Mosgiel, approximately 2km from the edge of the urban area to the north-east. The area has a mixed use character with areas of relatively high built density to the west of the site, areas of more open rural land, and the presence of the Invermay agricultural research complex and a meat processing facility nearby. Whilst it has rural character amenity values there are no landscape values of particular significance.
51. The proposed development involves subdividing the approximately 5 ha site into two roughly equal sized lots and developing lot 1 for a church and lot 2 as a small rural site with a building platform. To protect rural amenity values mitigation measures pertaining to both proposed lots are proposed.
52. In my assessment, the effects of the proposed church on the landscape character and visual amenity of the area will be minor due to the effective screening provided by existing perimeter plantings in particular and because of the existing mixed use character of the wider setting. It is proposed to protect and enhance the screening function of this planting. A house on Lot 2 will integrate readily in this context but mitigation measures are also proposed for this to minimize the visual impact of built form.
53. It is my conclusion that whilst there will be some cumulative adverse effect on rural character, this will be minor, and the proposed development is generally compatible with the landscape / visual relevant provisions of the Dunedin City District Plan.

Mike Moore
Landscape Architect