

**BEFORE THE COMMISSIONERS APPOINTED ON BEHALF OF
CENTRAL OTAGO DISTRICT COUNCIL**

Under	The Resource Management Act 1991 (the Act)
In the Matter	an application for subdivision and consents and boundary adjustment RC250259
Between	AO MARAMA LIMITED Applicant
And	CENTRAL OTAGO DISTRICT COUNCIL Local Authority

STATEMENT OF EVIDENCE OF MIKE MOORE

DATED 4 SEPTEMBER 2026



GALLAWAY COOK ALLAN LAWYERS

Bridget Irving/Hannah Perkin

bridget.irving@gallowaycookallan.co.nz

hannah.perkin@gallowaycookallan.co.nz

PO Box 143

Dunedin 9054

Ph: (03) 477 7312

Fax: (03) 477 5564

STATEMENT OF EVIDENCE OF MIKE MOORE

Introduction

1. My name is Michael William Moore. I am a landscape architect based in Dunedin.
2. I have a Bachelor of Science degree (BSc) in Geography from University of Canterbury, a Post Graduate Diploma in Landscape Architecture (DipLA) from Lincoln University, and a Master of Regional Resource Planning (MRRP) from University of Otago. I am a registered member of the New Zealand Institute of Landscape Architects (NZILA).
3. Early in my career I was employed as staff landscape architect for Palmerston North and Dunedin City Councils. I have operated my own consultancy since 1994.
4. My work involves both landscape design and planning and has a particular emphasis on landscape assessment. I have prepared numerous natural character and / or landscape assessments on plan changes and on projects of various scales and character around New Zealand, including dwellings, subdivisions, port expansions, industrial zones, wind farms, cycle trails, mines, riverbank and coastal protection structures, and hydro-electric developments. I have also been involved in natural character and landscape assessment work for Councils to assist with the development of District and Regional planning provisions, in particular, Dunedin, Clutha, Waitaki and Gore District Plans, as well as a coastal natural character and landscape assessment study for the Otago Regional Council.

Code of conduct for expert witnesses

5. I confirm I have read the Code of Conduct for expert witnesses contained in the Environment Court of New Zealand Practice Note 2023 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

6. My evidence addresses the landscape effects of the proposed subdivision and is structured as follows:
 - (a) Background
 - (b) Landscape effects assessment summary
 - (c) Response to matters raised by submitters
 - (d) Response to matters raised in the CODC Section 42A planning report.
 - (e) Conclusion.

Background

7. I was commissioned by the applicant to prepare a landscape effects assessment, and my report dated 10 March 2025 was included with the application documentation. My assessment follows the concepts and principles outlined in the New Zealand Institute of Landscape Architects (NZILA) Landscape Assessment Guidelines¹. It has been informed by site visits on 13 February and 6 March 2025.

¹ Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines, Tuia Pito Ora New Zealand Institute of Landscape Architects, July 2022.

Landscape effects assessment summary

8. My assessment is outlined in full in my report which forms part of the application documentation and will not be repeated here. I note that there is one correction needed in the graphic supporting material.
Appendix 1 includes a corrected Figure 1, amending the viewpoint location of Figure 6.
9. The following is a brief summary of the key points of my assessment:
10. The site is located on low hill country to the western side of the Earnsclough flats. It comprises moderate – steep hill slopes of schist geology with numerous rocky outcrops, and ranges in altitude from approximately 160 – 350m. The property is located on the top and southeastern side of a low hill block which is bounded by faults to the west and southeast, and which has a broad SW – NE aligned ridge. It forms part of the dryland hill country that defines the Earnsclough flats to the west. This hill country has low levels of land use intensification and domestication, and has an open, relatively natural rural character.
11. The Central Otago District Plan (CODP) identifies the site as being within a Significant Amenity Landscape (SAL) noted in Section 2.3.1 as ‘Cairnmuir Range’ with the higher land above and behind (to the southwest) identified as Outstanding Natural Landscape (ONL). The plan is silent on the particular landscape values underpinning the identification of SAL’s.
12. In my assessment the key landscape values of relevance in this area are related to the natural character of the foothills and the role of this in providing a natural landscape context for the more domesticated and intensively developed lowlands. The important factors underpinning this natural character include the legibility of the natural landform, the significant influence of the rocky outcrops, the naturalness of the vegetation patterns (reflecting topography), the presence of indigenous

vegetation in places, and the minimal impact of earthworks, structures and other human derived elements.

13. To minimise adverse effects of the proposed subdivision on open rural character and other landscape values, the proposed building platforms have been sited to be as visually recessive as practicable from public viewpoints, and a suite of mitigation conditions are proposed. These include restrictions on building height and colours, requirements for driveways and fencing to maintain a low impact rural character, requirements for earthworks to be minimised and to integrate with surrounding natural landforms, and controls over lighting and planting.
14. In terms of the landscape effects of the proposed development, I consider that the proposed QEII covenant over most of the property and the management of the land to enhance its natural values will result in positive landscape effects. These will accrue progressively as weedy species and pest animals are controlled and as indigenous vegetation recovers. The proposed 7 dwellings with associated earthworks and additional tracking will have some adverse effects on natural landscape values but considering the mitigation measures proposed to ensure appropriate integration with the landscape character and low visual impact, I assess these as low (minor) in degree.
15. It is my overall assessment that the development will result in landscape effects that are adverse / low (minor) initially but that these effects will transition to positive as the effects of management under the QEII covenant become increasingly evident over time. I estimate that the timeframe involved in this transition will be in the order of 10 years or more. I consider that the proposed development is consistent with the CODP objectives and policies relating to landscape.

Response to matters raised in submissions

McIntosh Orchard Limited (MOL)

16. MOL are concerned that the application does not provide design controls for any buildings. Concern is also expressed about the effects of visible built form (domestication) from Hawley Road on 'an otherwise sparsely developed landscape' and expectations for SAL's.
17. I consider that the mitigation measures proposed for this development will effectively control any adverse effects. Relatively contained building platforms have been identified on Lots 2 – 8 aimed at maximising integration with the landscape and minimising visual prominence of built form and associated development. The proposed conditions control all the aspects with potential to have significant impacts, including building height and colour, associated site development, lighting and planting. As well, there is a requirement to remove and control wilding trees on the properties more widely. I consider that this mitigation package is at the appropriate level of detail at the resource consent stage. It allows for a realistic and acceptable level of design freedom for future purchasers of the proposed lots whilst protecting the landscape.
18. Regarding MOL's concern about the visual effects of additional built form on the SAL seen from Hawley Road, I confirm the assessment from this area outlined in my report. Development on only two of the proposed building sites will be visible (Lots 7 and 8) and will be seen at low altitude with a landform backdrop. Along with the rocky settings of the building platforms, the proposed mitigation conditions will ensure that visual impact of built form is low. I consider that the proposed building sites will provide for development that will integrate well with the landscape values.

Panmure Orchards Ltd (POL)

19. POL's submission is that the proposed development will cause unacceptable adverse effects on the landscape and visual amenity of the wider area (particularly within a SAL). The submitter contends that building platform locations and design controls are missing from the application. It is also expressed that siting of Lots 2 – 4 appears to be driven by subdivision yield rather than landscape logic, that the

application pushes dealing with landscape effects to building consent stage, and that there will be light pollution of a rural dark sky environment.

20. In response, the proposed development identifies relatively contained building platforms on all the lots proposed to have dwellings and includes a suite of design controls to guide acceptable development on the sites. As discussed above in relation to the MOL submission it does not leave dealing with landscape effects to the building consent stage but provides for a level of control to appropriately protect the landscape values.
21. I can confirm that the siting of Lots 2 – 4 (and within these, the proposed building platforms) has been driven strongly by the objective to acceptably integrate buildings with the landscape. These sites nestle into rocky settings and avoid prominent high points. The subdued, hummocky, rocky terrain of the top of the hill block provides good scope for successfully integrating modestly scaled built form, as proposed.
22. I consider that the visibility of lights at night, particularly on proposed lots 2 – 4 is a potential adverse effect on natural landscape values that should be managed. The proposed development includes an outdoor lighting condition to address this. Building platform siting in relation to surrounding rocky terrain and the proposed maximum building height condition also assists to mitigate.

Roberts Family Fruit Ltd (RFFL)

23. RFTL are concerned that the character of the SAL will be materially altered by dwellings constructed on hillsides and skylines, domestic and exterior lighting visible at night and reflective glare from windows and solar panels.
24. As discussed above in relation to the MOL and POL submissions, I consider that the proposed development appropriately incorporates measures to mitigate the adverse effects of buildings and lighting. It is

possible that there could be some glare effects but if so, these would be for very limited duration. Whilst the landscape has important attributes of naturalness, it is still part of a wider rural / farmed environment where buildings are not entirely unexpected or inappropriate.

Response to matters raised in the CODC Section 42A planning report

25. My interpretation of Mr Anderson's report is that he considers:

- (a) Overall adverse effects on views and visual amenity as perceived by the public will be acceptable and no more than minor. Subject to checking visibility with height poles in place, effects on submitters are also unlikely to be more than minor.
- (b) Adverse effects on landscape character will be acceptable and no more than minor.
- (c) Landscape character effects are distinct from rural amenity effects (including noise, dust and lighting), and particularly rural amenity effects on neighbours.
- (d) Adverse effects on rural amenity of the neighbours will go beyond an acceptable level and will be more than minor. This is because the proposal is inconsistent with the anticipated zone character in that the scale of the proposed lots:
 - (i) falls short of zone standards,
 - (ii) will not provide for the rural activities anticipated,
 - (iii) will result in a transformation toward domestication, and
 - (iv) will introduce a pattern of development untypical of an SAL.

26. I accept that a distinction can be made between 'visual amenity' (which focusses on perceptual factors) and 'landscape character' (which

describes a landscape's distinctive combination of physical, associative and perceptual attributes). Where I have difficulty is in understanding the distinction Mr Anderson is making between 'visual amenity' and 'rural amenity'. Te Tangi a te Manu discusses *'hybrid terms such as 'visual amenity', 'rural amenity', and 'natural amenity' as 'shorthand for landscape values that contribute to amenity values'*². Possibly the distinction relies on consideration of non-visual aspects such as noise when assessing 'rural amenity'.

27. Regarding visual amenity effects, Mr Anderson appears to accept that the effect of the development on the submitters is minor. He states:

'Submitters 3 and 7 would potentially be affected by views of lots 5-8 however these would be at low elevations and contained within the topography with building platforms of just 250m2 and height limits of 5m. In the case of submission 5, these concerns relate to Lots 2-4 given their location within close proximity to the northern boundary. Having visited the site, in my opinion the building platforms in this vicinity would be unlikely to be visible from the north, other than at a considerable distance as for the most part they are set back from the ridgeline, and are screened by topography. Future buildings on these platforms will also be subject to height limits of 4m on building platforms of just 150m2, which will further mitigate visual effects. Views from the south would also be distant'.

28. Based on views from the roads adjacent, views back to the viewpoints from the property, and desktop analysis I have considered the visual effects from each of the properties of the submitters discussed and agree with Mr Andersons conclusions above. My assessment of the effects from each property as follows:

² TTatM para 5.58

The MOL property

29. The MOL property is located on the southern side of Hawley Road adjacent to McIntosh Road and over 1km from the nearest potentially visible building site (Lot 8). The dwelling at 115 McIntosh Road is further removed still and views toward the Lot 5 – 8 cluster are screened by vegetation. Considering the viewing distance and the proposed mitigation measures, I consider that adverse visual effects on the landscape values from this property will be very low (less than minor) at worst. The part of the proposed subdivision site most prominent from this property is the steep south facing slopes to the northwest of Hawley Road. These will remain essentially in their current state except that weedy species will continue to be controlled and the land will be managed to enhance regeneration of indigenous biodiversity.

The POL property

The POL property is to the north of the site and development on the building platforms on Lots 2 – 4 will be visible from parts of the POL property near the boundary. The POL property in this area, however, is of a similar landscape character to the site i.e. dryland hummocky plateau top and visibility of 4m high dwellings will be limited by rock outcrops and variation in the topography. There will be no visibility from lower viewpoints further from the boundary or from any existing dwelling. Where visible, visual prominence of the proposed buildings will be mitigated by the proposed design controls.

The RFFL property

30. RFFL own the land between Hawley Road and the site near its eastern end. There is currently no dwelling on this land. The nearest proposed building platform (Lot 8) is approximately 880m distant. Considering the viewing distance and the proposed mitigation measures, I consider that adverse visual effects on the landscape values from this property will be very low (less than minor) at worst. The part of the proposed subdivision site most prominent from this property is the steep south

facing slopes adjacent to the north. These will remain essentially in their current state except that weedy species will continue to be controlled and the land will be managed to enhance regeneration of indigenous biodiversity.

31. My assessment of the visual effects of the development from the submitters properties does not support Mr Anderson's position that adverse effects on rural amenity of the neighbours will go beyond an acceptable level and will be more than minor. More broadly, given the separation of the proposed building sites on Lots 5 – 8 from the MOL and RFFL properties it is hard to see that other amenity factors such as noise, dust, or lighting could be an issue. The building sites on Lots 2 – 4 are close to the POL property boundary but this part of the POL property appears to have low levels of usage.
32. My review of Mr Anderson's report leads me to the view that his key issues are to do with inconsistency with zone standards in terms of lot size and therefore lack of provision for rural activities and the anticipated character of the Rural Resource Area (RRA) and SAL's.
33. In response, I note that the subdivision could have been configured to comply with CODP RRA average and minimum allotment size standards as outlined in Rule 4.7.4 iii. That approach has not been pursued because managing the bulk of the property for natural values enhancement is most appropriately done in a unified manner in one large allotment. Whilst an alternative subdivision layout that complies with Rule could have resulted in exactly the same building sites and locations it would have been less suitable for managing for the conservation outcomes sought.
34. The CODP provides for enhancement of environmental quality as an objective of the RRA, alongside providing for rural production activities³. In this case, the applicant has determined that a subdivision layout with

³ See Objective 4.3.1 and 4.4.3

one very large lot and a few lots smaller than the minimum standard provides for, is the best way to achieve this.

35. Given this situation I consider that Mr Anderson's report which characterises the development as not providing for anticipated rural activities and as resulting in a transformation toward domestication, is unfair. It is relevant too, that RRA (including SAL) provisions in the CODP anticipate subdivision that could result in built density significantly greater than the 7 building platforms proposed on this 209.657ha property.

Conclusion

36. The COPD rules and standards are tools to facilitate appropriate environmental management, not ends in themselves. In this case, I consider that the proposed development will have actual effects on landscape values that are no more than adverse / low (minor) in the short term and as indigenous vegetation recovers in the long term, overall effects that will be positive. As outlined in my report I consider that the proposed development is consistent with the Plan objectives and policies relating to landscape.

Mike Moore

Registered NZILA Landscape Architect

Appendix 1: Corrected Figure 1

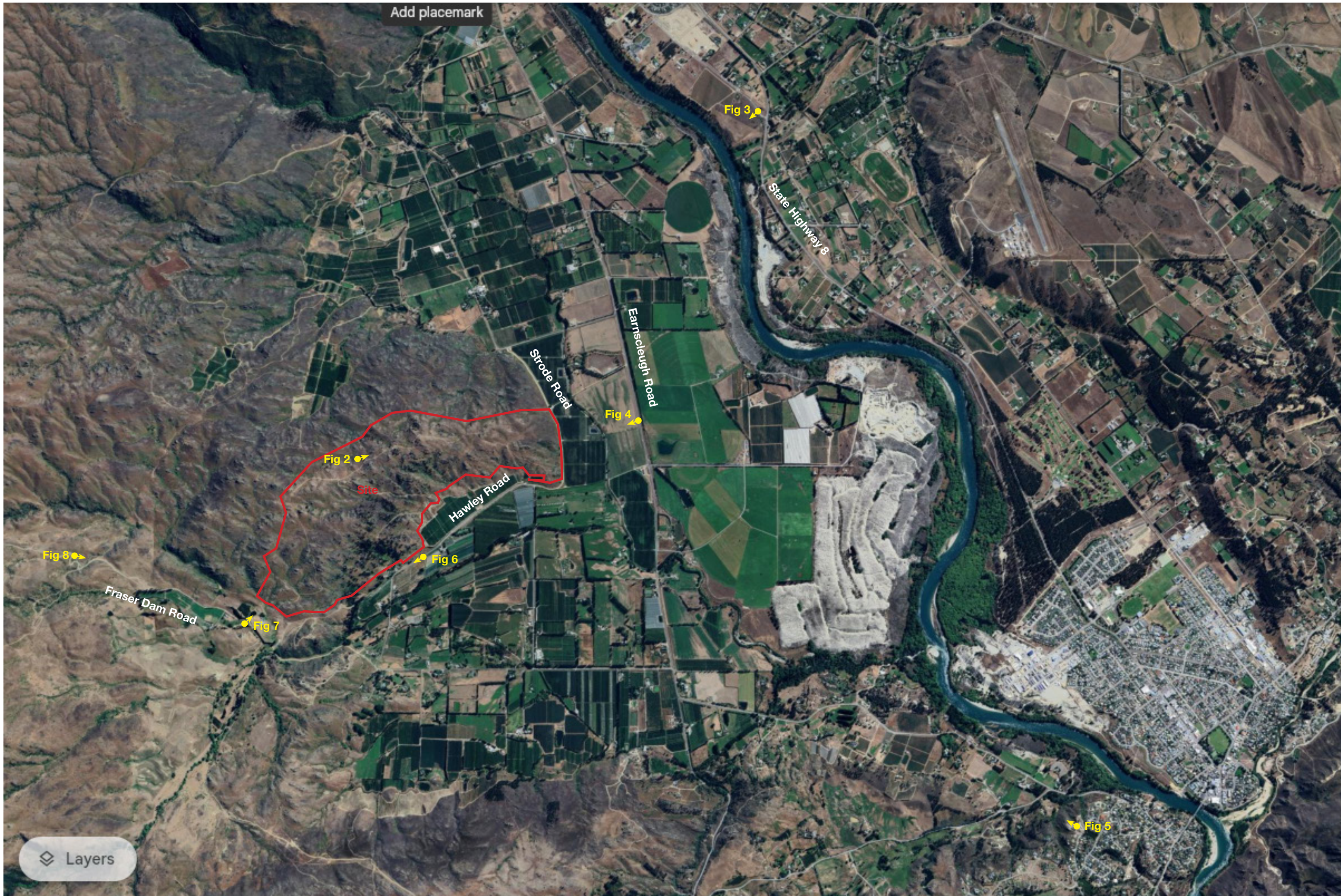


Figure 1: Site and Photo-points Location Plan