

**BEFORE THE**

Queenstown Lakes District  
Council

**IN THE MATTER OF**

Resource Management Act  
1991

**AND**

**IN THE MATTER OF**

A variation to Chapter 21  
Rural Zone of the Proposed  
Queenstown Lakes District  
Plan, to introduce Priority  
Area Landscape Schedules  
21.22 and 21.23

**STATEMENT OF EVIDENCE OF EMILY MCDONALD AND ELEANOR LINSCOTT ON  
BEHALF OF THE OTAGO PROVINCE OF FEDERATED FARMERS OF NEW ZEALAND**

Dated 11 September 2023

## Introduction

### Qualifications and Experience

1. My full name is Emily Rose McDonald. I am a planner employed by Federated Farmers New Zealand as a Regional Policy Advisor, based in Christchurch. I hold a Master of Planning (honours) from Lincoln University and am a graduate member of the New Zealand Planning Institute. I have had 6 years of experience as a resource management planner with local authorities and in private practice in New Zealand both in Wanaka and Christchurch.
2. My specific experience relevant to this statement of evidence includes the oversight and preparation of a significant number of resource consent applications for various activities throughout New Zealand and the Otago region. This includes a number of rural and residential consents. This experience has provided me with an understanding of the variable urban design and landscape issues common in the Queenstown Lakes District and the relevant planning framework.
3. Eleanor Linscott is the policy manager for the Southern region of the South Island for Federated Farmers based in Dunedin. She holds a Masters in Biochemistry and a law degree from Otago University.
4. Ms Linscott's experience relevant to this statement of evidence includes preparation and involvement with a number of submissions on behalf of Otago Federated Farmers for local and national government consultation processes. Ms Linscott has also been involved with the farming sector in Otago for the last 20 years with roles in AgResearch and Beef + Lamb NZ.
5. We have been asked to present planning evidence on behalf of Federated Farmers New Zealand ('FFNZ'). Ms Linscott was involved in the preparation of the original submission and further submission. In preparing this statement of evidence we have read:
  - i Federated Farmers original submission and further submission;
  - ii The Council Landscape Schedules Section 32 Report;
  - iii The Proposed District Plan (PDP);
  - iv The Partially Operative Otago Regional Policy Statement and the Proposed Otago Regional Policy Statement;

- v The Councils planner's section 42A report, prepared by Ruth Evans (Consultant Planner) and supplemented by evidence prepared by Bridget Gilbert (Landscape Architect) and Jeremy Head (Landscape Architect);
- vi The submissions received.

### **Key Matters from FFNZ submission**

6. FFNZ's original submission and further submission requested changes and modifications to the Landscape Schedules. These include modifications to recognise the role of farming, clarity in implementation, flexibility for changing farming practices, and addressing deficiencies in the s32 evaluation and consultation process. Overall, the submission expressed concerns about the potential impact of the Landscape Schedules on farming, rural communities, and the ability to adapt to future changes in the agricultural sector.
7. The purpose of this statement of evidence is to summarise key matters from FFNZ's perspective and highlight key areas of disagreement. As a result, we have focussed on these below, then noted other minor matters. The hearing statement also briefly outlines the differences between Federated Farmers submission and QLDC's s42A report prepared by Ms Ruth Evans and supplemented by evidence prepared by Ms Bridget Gilbert and Mr Jeremy Head.

### **Recognition of Farming**

8. FFNZ's submission argued that the Schedules do not adequately recognise the significance of farming in the district's landscapes, which have been shaped by farming activities over generations. The original submission sought that the PA schedules be modified to record greater recognition of farming's past and present role in shaping landscape and rural character, and that ongoing changes to these activities will continually have a significant role in how landscapes and rural character look and are perceived.
9. The s42A report does not address FFNZ's concerns regarding the significance of farming on the districts landscapes and continues to maintain that the PA schedules existing provisions recognise the significance of farming activities within the district.
10. Federated Farmers continues to support its original submission that the importance of farming and how these activities have shaped the district's landscapes needs to be recognised in the

PA schedules. This recognition is not merely a nod to the past but a testament to the ongoing and evolving role of farming in shaping the character and aesthetics of these landscapes. In doing so, FFNZ advocates for a comprehensive and accurate representation of the symbiotic relationship between farming and the district's natural surroundings, fostering a more holistic approach to land-use planning and preservation.

### **Regulatory Burden and Costs on Farmers**

11. The submission expressed concern about increased regulatory burdens on farmers, which could affect farming operations, economic viability, and the well-being of rural communities and the whole district.
12. The s42A report noted that submitters raised concern that the PA schedules will result in increased regulatory burden for farmers. Ms Evan considered that the intention behind the requirement to include PA schedules was to reduce costs associated with inconsistency of landscape assessments, and the resulting risk of challenges to those assessments. We do not agree with this assessment due to the regulatory drag that the proposed PA schedules would impose on everyday farming. Council needs to recognise that this is unproductive for both the farmer and the Council.
13. As our submission did not include any recommendations or changes and just noted that this may be creating a regulatory burden for farmers, Federated Farmers continues to support its original submission and asks Council to consider the implications of the PA schedules on farmers.

### **Implementation Clarity**

14. The original submission contended that the method of implementing the PA schedules appears unclear, particularly how plan users are expected to utilise the information contained in them.
15. The s42A report acknowledged that there were a number of submissions seeking clarity as to how the PA schedules apply and recommended the below addition to the schedule preambles guiding how the PA schedules are used.

#### **Application of the schedules**

*The PA schedules have been prepared to reflect that the PA mapping extends beyond the Rural Zone. The application of the PA schedules is as follows:*

- Other than the Ski-Area Sub Zone (see below), the PA schedules apply (as relevant) to any proposal requiring resource consent in the Rural Zone, including the Rural Industrial Sub Zone.
- The PA schedules apply (as relevant) to any activity in the Ski-Area Sub Zone that is not provided for by that sub-zone.
- The PA schedules do not directly apply to proposals in other zones, but may inform landscape assessments for proposals involving any land within a PA.

16. While this partially addresses Federated Farmers submission we have some concerns that the PA schedules may still appear unclear to plan users. Federated Farmers requests some further consideration from Council to ensure that the implementation of the PA schedules is user friendly.

### **Flexibility for Farming Practices**

17. Federated Farmers submission highlighted that static landscape values may hinder future technological advancements and changes in farming practices that improve efficiency and sustainability. Rural community resilience to climate change requires flexibility in approach and not being locked into a too restrictive regime that does not include a long-term vision for a sustainable future, where farms produce our food, fibre and feed.
18. While the s42A report does not explicitly address FFNZ's concerns regarding the lack of flexibility in the PA schedules it does note that the PA schedules can be reviewed as part of a future plan change to address carbon farming if appropriate. Federated Farmers continues to have concerns that locking a description of a landscape with a rigid set of values is short-sighted as these do not reflect the rural community and the views of people who live in rural areas. Locking the descriptions and values in will require periodic reviews and updates of the landscape descriptions and associated values through plan changes fairly to ensure that the planning framework remains responsive to the dynamic nature of the rural community.
19. Therefore, Federated Farmers continues to support its original submission that asked for the schedules to be modified to recognise that farming practices and the landscape and rural character implications of farming practices evolve over time and should not be locked into a particular regime at one point in time. FFNZ maintains that the PA schedules need to be updated to allow sufficiently for flexibility and the future opportunities for proactive change and technology improvements that change the way people farm and improve lifestyles.

## **Heritage and Mana Whenua Values**

20. FFNZ's submission questioned whether the inclusion of heritage and mana whenua values in the PA schedules, suggesting that such features should be addressed in the relevant chapters of the plan. Submissions also raised the relationship between PA schedules and the established approach to mana whenua values and Wāhi Tūpuna in Chapter 39 of the PDP. The purpose of PA schedules is to provide guidance for proposals in the Rural Zone and similar areas with unspecified activities. It is questioned whether it's appropriate to assess landscape areas beyond identified Wāhi Tūpuna regions using the PA schedules, as that is not their intended function.
21. The planning officers s42A report notes that when an application falls within both the Rural Zone and a PA area, regardless of Chapter 39's applicability, the schedules offer high-level statements about mana whenua values. However, the presence of these values in the schedules doesn't automatically trigger a requirement to consult with mana whenua. It's important to note that there's often overlap between mapped Wāhi Tūpuna regions, and both Chapter 21 and Chapter 39 provisions may apply simultaneously.
22. Federated Farmers continues to support its original submission with respect to the inclusion of heritage and mana whenua values in the PA schedules as these values are already provided for in relevant chapters of the PDP and these in unnecessary duplication. The unnecessary duplication of these values in planning regulations can present needless costs and delays in having to obtain resource consents for everyday farming activities and should be avoided.

## **Landscape Capacity Assessment**

23. FFNZ's submission considered that the landscape capacity assessment lacked a clear rating scale, making it inappropriate to label some areas as having "No capacity" for certain activities. It was recommended that the lowest rating of "no capacity" be amended to use terminology such as "extremely low capacity" or "very little capacity" with the capacity rating scales confirmed within the landscape schedules.
24. The s42A report noted that "many submitters" opposed the inclusion of "no capacity" due to concerns that the conclusions in the schedule are too definitive, and there are instances where landscapes can accommodate development through design. Other submissions noted the

potential impact on property rights, inefficient resource use, and restrictions on consent applications.

25. Supporters of the 'no capacity' rating submitted that the rating scale with only four categories it should be retained for specific activities. The s42A report highlighted that the primary function of the PA schedules is to offer guidance for recognizing and evaluating landscape values and capacity. The PA schedules do not equate an avoidance policy, and no changes to rules are being introduced through the variation.
26. Our submission noted that the capacity ratings can become outdated which the s42A report agreed with and discussed how the PA schedules already acknowledging potential changes over time. Some submissions the Council received on the PA schedules relate to the clarity of language in the rating scale, and the inclusion of this scale in the preambles of the schedules is recommended.
27. Ultimately, after considering various perspectives and expert recommendations, the decision was made by the planning officer to retain the 'no capacity' rating in the PA schedules, but with additional capacity ratings and explanations in the preambles to clarify the PA schedules role and limitations.
28. Federated Farmers supports the recommendation of the s42A report to expand the landscape capacity ratings by introducing a 'very limited capacity' rating for a number of activities.

### **The s32 Evaluation and Consultation**

29. FFNZ's submission stated that the s32 evaluation is deficient and that public consultation did not adequately cover certain aspects of the schedules, such as landscape capacity. In addition to FFNZ's submission a number of submitters raised concerns about the insufficient public engagement and consultation regarding the variation, emphasising the need for proper community input.
30. The s42A report stated that feedback was sought on landscape values during April 2022 engagement, but there was no opportunity to consider landscape capacity ratings. The consultation process included engagement with iwi, online consultation for feedback on values associated with 29 PAs, letters to landowners, and advertising through various channels. Overall, a total of 196 responses were received and used to inform the PA schedules.

31. The Council didn't specifically engage on the capacity component of PA schedules. The notification stage and further submissions provided a chance for public feedback on the schedules, including capacity ratings, which have been evaluated by Council's landscape architects.
32. Some submissions criticised the s32 evaluation's methodology and suggested reconsideration, stating that the Council shouldn't solely rely on Environment Court decisions. The lack of evaluation for implementation options and the broad nature of the methodology. The s42A report acknowledges the challenge of preparing schedules but overall agrees with the s32 report that there are no other reasonably practicable alternatives considering the given directives.
33. As our submission did not include any recommendations or changes and was just noting that inadequate public engagement and consultation had been undertaken, Federated Farmers continues to support its original submission.

#### **Intensive Agriculture Definition**

34. FFNZ is concerned about the inclusion of 'Intensive Agriculture' in 'Factory Farming's' definition contained in Chapter 2 of the Proposed District Plan. Factory Farming encompasses various aspects such as the use of land and buildings for commercial livestock production with alternative feed sources, animal boarding, and mushroom farming. FFNZ has concerns about the terminology and implications of 'Intensive Agriculture' in relation to 'Factory Farming.'
35. Intensive Agriculture is farming that is not dependent on the fertility of the soils on that it is located and that may depend on the importation of energy or materials on to the site to sustain its viability. While Factory Farming is predominantly (but not restricted to) farming carried out under building cover. FFNZ considers that is appropriate for 'Intensive Agriculture' to be provided with a distinct and separate definition within the Proposed District Plan. This separation ensures that there is no ambiguity as the distinctions between 'Intensive Agriculture' and 'Factory Farming' are appropriately delineated.
36. This underscores the critical need for comprehensive and accurate representation in land-use planning. This ensures the preservation of the district's unique landscapes and rural character, thereby safeguarding the integrity of the local environment.



## **Conclusion**

37. Federated Farmers thanks the Hearing Panel for the opportunity to present this statement of evidence.