

**Before the Queenstown Lakes District Council**

**In the Matter of**

a hearing on submissions for proposed  
Variation to Chapter 21 Rural Zone of the  
Proposed District Plan to introduce  
Landscape Schedules

**On Behalf Of**

**Devon Dairy Holdings Ltd (as  
successor to Devon Dairy Farms  
Limited) OS29;  
D & B Brent & Hawthenden Ltd OS22  
&OS30;  
Jolly Holdings Ltd OS21;  
J & C Leith OS20;  
Laing Dairy Ltd OS35;  
Grandview Grazing Ltd OS9;  
Lake McKay 2024 Limited Partnership  
OS16; and  
Mata Au Investments Ltd OS17**

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**BRIEF OF EVIDENCE OF DANIEL MICHAEL CURLEY (PLANNER)**

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## **1.0 QUALIFICATIONS AND EXPERIENCE**

- 1.1 My name is Dan Curley. I hold the qualification of Bachelor of Environmental Management from Lincoln University.
- 1.2 I am a director of IP Solutions Ltd, which is a consultancy that offers land development advice, resource management planning and project coordination.
- 1.3 I have 20 years of planning and associated land development experience in the Queenstown Lakes District, with much of this experience in planning specific roles within IP Solutions Ltd, Vivian+Espie Ltd, Paterson Pitts Partners, Civic Corporation Ltd.
- 1.4 Throughout my career, I have been involved in a wide range of planning matters. I have made many appearances in front of hearing panels and I have also provided planning evidence to the Environment Court.

## **2.0 CODE OF CONDUCT**

- 2.1 While this is not an Environment Court hearing, I confirm that I have read the Code of Conduct for Expert Witnesses outlined in the Environment Court's Consolidated Practice Note 2023, and have complied with it in preparing this evidence. I confirm that I have considered 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 the scope of my expertise, except where I state that I am relying on the evidence of another person.

## **3.0 SUMMARY OF EVIDENCE**

- 3.1 This evidence addresses planning matters relevant to the relief sought by a number of Submitters in relation to the Upper Clutha Landscape Schedules Variation.
- 3.2 In summary, my evidence concludes:
  - (a) Landscape Schedules may provide planning practitioners with contextual information regarding identified landscape values, character and capacity, which are useful to the assessment of proposals that are within areas where the PDP specifically contemplates such assessment through the Priority Area framework. This framework includes higher order policy, of which the related schedules are anchored to;

- (b) however, the Variation subject of this evidence raises a question as to the justification, efficiency and effectiveness of extending Schedule descriptions and associated capacity ratings beyond the identified Priority Areas contemplated through the PDP framework and Environment Court Topic 2 decisions, particularly, the case of the PDP, where it already relies on site and development specific landscape assessment to inform resource consent decision-making;
- (c) if proposed schedules are considered by the Commission to offer the most appropriate way to achieve the objectives and related policies of the PDP, the Section 42A amendments provide useful clarification regarding the intended role of the Schedules as high-level landscape guidance and contextual information only;
- (d) However, in my opinion, those amendments themselves further evidence the limited value and role of the Schedules in context within the wider PDP framework which does already address how such landscapes should be assessed. Accordingly, I remain un-convinced of the schedules providing any net value/benefit in terms of PDP administration with respect to assessing suitability of outcomes proposed in specific consenting or plan formation contexts;
- (e) there is limited planning benefit in including urban expansion capacity within the Landscape Schedules;
- (f) Notwithstanding my opinion on the usefulness of the schedules, if they are to be retained, I support the submitter-specific amendments proposed by Mr Espie to improve the various schedules as currently drafted.

#### **4.0 SCOPE OF EVIDENCE**

- 4.1 I am providing evidence in relation to the submissions by **Devon Dairy Holdings Ltd (as successor to Devon Dairy Farms Limited) (OS29); D & B Brent & Hawthenden Ltd (OS22 & OS30); Jolly Holdings Ltd (OS21); J & C Leith (OS20); Laing Dairy Ltd (OS35); Mata Au Investments Ltd (OS17); Lake McKay 2024 Limited Partnership (OS16) and Grandview Grazing Limited (OS9).**
- 4.2 I confirm that I am authorised to give this evidence on behalf of the Submitters listed within 4.1 above.

- 4.3 I am familiar with all landholdings and surrounds and have visited all of the sites.
- 4.4 In preparing this evidence I have reviewed the following evidence and reports:
- (a) notified plan variation including the s32 report;
  - (b) relevant chapters of the PDP;
  - (c) the original and further submissions of the Submitters;
  - (d) the Section 42A Report of Emily Clare Frew and associated appendices;
  - (e) the evidence in chief of Bridget Gilbert;
  - (f) Topic 2 Environment Court decisions; and
  - (g) the evidence of Mr Ben Espie (Landscape Expert) for the Submitters.
- 4.5 In preparing this evidence I have relied upon the landscape evidence of Mr Ben Espie in relation to matters concerning landscape character, landscape values and landscape capacity. Where I refer to those matters, I do so from a planning perspective.
- 4.6 My evidence covers the following matters:
- (a) the role and purpose of the Landscape Schedules within the wider planning framework;
  - (b) the efficiency and effectiveness of the Landscape Schedules as a planning mechanism;
  - (c) the use and application of capacity ratings; and
  - (d) planning matters relevant to the relief sought by the Submitters.

## **5.0 PLANNING CONTEXT**

- 5.1 The Upper Clutha Landscape Schedules Variation proposes to introduce one Outstanding Natural Feature Schedule (Mata-au Clutha River) and 12 Rural Character Landscape Schedules into Chapter 21 of the Proposed District Plan (PDP), together with associated mapping and consequential amendments to Strategic Policy 3.3.36 and Preamble 21.23.
- 5.2 The Variation follows the earlier Priority Area Landscape Schedules process arising from the Environment Court's Topic 2 Rural Landscape decisions. Those decisions concluded that the PDP's landscape framework lacked sufficient certainty because it sought to protect landscape values and maintain landscape character and visual amenity values

without identifying what those values were. In response, the Court introduced a strategic framework requiring the identification of Priority Areas within the Upper Clutha Basin Rural Character Landscapes, together with associated descriptions of landscape character, visual amenity values and landscape capacity. The resulting strategic framework directed the identification of specified Priority Areas (noting these were priority based on timing (Decision No, [2021] NZEnvC 124 para 22)) within the Upper Clutha Basin together with their associated landscape character, visual amenity values and landscape capacity. It is my understanding, that the court contemplated that the Council may, over the life of the plan, apply the same exercise to all ONFs, ONLs and RCLs. Whilst not stated, it may be the case that the court also contemplated that the scheduling for non-priority areas would be anchored back to higher order Strategic Objectives and Policies in the Plan.

- 5.3 However, unlike the Priority Area Landscape Schedules Variation, the present Variation which extends beyond the identified Priority Areas does not introduce any new objectives, policies or rules, and so they simply provide additional high level, non-site-specific landscape guidance and contextual information to the existing planning framework.
- 5.4 The Section 42A Report reaffirms this as being the case, recommending amendments to the notified Variation which clarify that the Schedules are intended to provide high-level guidance, represent a point-in-time assessment, and do not remove the need for site-specific assessment through future resource consent and plan change processes.
- 5.5 Against that background, the key issue addressed in my evidence is whether the proposed Landscape Schedules and associated capacity ratings represent an efficient and meaningfully effective planning mechanism within the wider PDP framework, and therefore are most appropriate to achieve objectives of the PDP in terms of s 32 of the Act, and whether the relief sought by the Submitters better achieves the purpose and intended function of the Variation.

## **6.0 Purpose, Role and Effectiveness of The Landscape Schedules**

### Purpose

- 6.1 The purpose of the Variation is to introduce Schedule descriptions and associated capacity ratings for a number of additional Rural Character Landscapes (which are not Priority Areas) within the Upper Clutha Basin in order to provide landscape guidance

and contextual information regarding identified landscape values, character and capacity.

- 6.2 I acknowledge that the Environment Court's Topic 2 decisions were concerned with both ONF/Ls and the treatment of Rural Character Landscapes within the Upper Clutha Basin. As a consequence of timing constraints, those decisions ultimately resulted in a framework directed toward the identification of Priority Areas and the preparation of schedules describing their landscape character, visual amenity values and landscape capacity. In my opinion, the Topic 2 decisions support the identification of landscape values and capacity within areas considered particularly susceptible to development pressure and cumulative landscape change.
- 6.3 The PDP has subsequently given effect to that approach through Strategic Policies 3.3.36 to 3.3.42, which specifically direct the preparation of Schedule 21.23 for identified Priority Areas within the Upper Clutha Rural Character Landscape.
- 6.4 The current Variation extends the same scheduling approach to the balance of the Upper Clutha Basin Rural Character Landscapes, however, while the Environment Court acknowledged that Council could undertake further scheduling such as this over time, in this case, the higher-order strategic objectives and policies have not been correspondingly extended. As discussed in Section 5, the proposed non-Priority Area Schedules therefore operate without the same strategic policy foundation as the Priority Area Schedules.

#### Role

- 6.5 The Variation subject of this evidence does not introduce any new objectives, policies or rules. Instead, as confirmed within the section 42a report and associated changes to the preamble, it is intended the Schedules proposed will operate as a source of landscape guidance and contextual information only.
- 6.6 I acknowledge that identifying and describing landscape values (at the level of detail provided) may offer high-level contextual information for future planning processes, especially for non-experts who are not familiar with District Planning assessment considerations. However, given the requirement for site-specific assessment (by appropriately qualified experts), the extent of what benefit is provided by such high level

schedules (deemed by the schedule itself to not be fit for the purpose of site specific assessment) is less clear.

6.7 The Section 42A Report recommends amendments to the preamble, which clarify that the Schedules:

- provide high-level guidance only;
- represent a point-in-time assessment;
- do not replace the PDP objectives, policies or rules; and
- do not remove the need for site-specific assessment.

6.8 Correctly, the preamble recognises that future resource consent applications and plan change proposals must continue to be assessed on their individual merits having regard to the relevant planning framework (which already exists for Non Priority Areas) and the site-specific evidence available at the time.

6.9 In my opinion, those amendments themselves evidence the limited value and role of the Schedules in context within the wider PDP framework. Accordingly, as a practitioner, I remain un-convinced of the schedules providing any net value/benefit in terms of PDP administration with respect to assessing suitability of outcomes proposed in specific consenting contexts.

### Effectiveness

6.10 As discussed, quite distinct from the Priority Area Schedules, the proposed non-Priority Area Schedules are not expressly supported by the higher-order strategic objectives and policies introduced by the Environment Court to implement the Priority Area framework. What I consider to be a significant point, when assessing the need for current Variation, is that the existing PDP already provides a framework for the assessment of subdivision, use and development within non-Priority Rural Character Landscapes through its objectives, policies and landscape assessment methodology, with landscape character, visual amenity values and landscape capacity to be identified through site- and proposal-specific landscape assessment.

6.11 Accordingly, while I acknowledge that the proposed Schedules may provide useful high-level contextual information, the existing PDP framework already provides a comprehensive basis for identifying and assessing landscape effects within non-Priority Rural Character Landscapes. Given the acknowledged high-level role of the Schedules,

together with the absence of any clear strategic direction within the PDP supporting their extension beyond the identified Priority Areas, I consider it appropriate to question both the necessity of the proposed Variation and the extent to which it will achieve any meaningful improvement in planning efficiency or effectiveness.

#### Higher Order Policy Direction

- 6.12 I consider it relevant that the notified Proposed Otago Regional Policy Statement (2021) originally removed references to section 7 amenity landscapes. However, following mediation and appeals, including by QLDC, provisions relating to Highly Valued Landscapes (HVLs) were reinstated within Chapter NFL.
- 6.13 The resulting policy framework directs that the values of identified HVLs are to be maintained or enhanced. While the Proposed RPS contemplates that HVLs may be identified in district plans, it does not require their identification. Where they are identified, territorial authorities are required to implement the associated methods in NFL-M1, including collaboration with Kāi Tahu in relation to their identification.
- 6.14 Importantly, the implementation methods for HVLs differ from those applying to Outstanding Natural Features and Landscapes (ONFLs). The Proposed RPS expressly directs territorial authorities, in areas likely to experience development or growth pressure, to include statements describing the capacity of ONFLs to accommodate use and development while protecting their outstanding values. No equivalent direction is provided for HVLs or Rural Character Landscapes.
- 6.15 In my opinion, this distinction is significant. Where the Proposed RPS intends district plans to include landscape capacity statements or similar scheduling, it does so expressly. The absence of equivalent direction for HVLs or Rural Character Landscapes indicates there is no higher-order policy basis requiring or supporting the extension of landscape schedules and associated capacity ratings to non-Priority Rural Character Landscapes.

#### Conclusion

- 6.16 In my opinion, while the Variation extends the landscape scheduling approach beyond the Priority Areas identified through the Environment Court's Topic 2 framework, the existing PDP already provides policy direction and a methodology for assessing landscape character, visual amenity values and landscape capacity within non-Priority

Rural Character Landscapes. Given the acknowledged high-level role of the proposed Schedules, their continued reliance on proposal-specific assessment, and the absence of corresponding higher-order strategic policy, I consider the additional planning efficiency and effectiveness achieved by the proposed non-Priority Area Schedules to be negligible.

6.17 Accordingly, I consider future planning decisions can and should continue to be guided principally by existing objectives, policies and assessment matters of the PDP, together with proposal-specific landscape assessment undertaken in accordance with Strategic Policy 3.3.45 and having regard to the receiving environment.

## **7.0 CAPACITY RATINGS**

7.1 The Variation introduces capacity ratings for a range of activities within the Schedule areas. I acknowledge that landscape capacity is a recognised landscape planning concept, and so perhaps when appropriately detailed, capacity ratings could assist in describing the relationship between identified landscape values and future development opportunities.

7.2 However, the capacity ratings proposed are broad and generalised. Being applied across extensive landscape areas (often encompassing a multitude of landscape types), the schedules are simply not capable of accounting for the specific characteristics of individual sites (which will also inevitably evolve post the ratification of schedules), proposal specifics or receiving environments.

7.3 In any case, if included within the Proposed District Plan, it becomes particularly important that capacity ratings are informed by an accurate understanding of the existing receiving environment, and are not diluted in available detail, simply as a result of limited resourcing at the time of drafting. Even at a high level, detail should include the extent of existing land use activities, landscape modification, productive land use, infrastructure and development patterns identifiable/present within the relevant Schedule areas.

7.4 In this regard, I agree with the evidence of Mr Espie that a number of the proposed Schedule descriptions would benefit from greater recognition of existing productive activities, landscape modification and associated infrastructure that are clearly prevalent throughout the respective landscapes. Such amendments will assist in ensuring that the

character and capacity of the landscape is understood within the context of the environment that presently exists throughout parts of each schedule.

7.5 A separate issue arises in relation to urban expansion capacity ratings. Urban expansion is generally (and thoroughly) addressed by way of strategic/spatial planning and plan change processes which involve a broad range of considerations extending beyond landscape matters alone, including infrastructure, servicing, transport, urban form and strategic growth planning. If applied for by way of resource consent, Chapters 3, 6 and 21 of the District Plan already provide an appropriate and robust framework for assessing suitability of any proposal. In my opinion, there is limited planning benefit in including urban expansion capacity ratings within the Landscape Schedules and I do not consider such ratings are necessary, effective, or efficient in achieving the PDP objectives.

7.6 I consider that, if capacity ratings are retained for the non-priority areas, they should be applied carefully and, in a manner, consistent with their intended role as high-level landscape guidance for assessing potential landscape effects associated with future development proposals. In my opinion, the schedules can remain both 'high level', but still provide an adequate level of detail, particularly where that detail provides context as to how the landscapes are functioning (and what may in fact future land use and/or subdivision outcomes). I therefore support the amendments proposed by Mr Espie where they assist in providing a more complete and accurate understanding of the existing environment and associated landscape character within each respective schedule.

## **8.0 SUBMITTER SPECIFIC CONSIDERATIONS**

### **8.1 Devon Dairy Holdings Ltd (OS29)**

8.1.1 Devon Dairy Holdings Ltd operates a substantial farming enterprise across a number of properties within the Upper Clutha Basin. This is a particularly significant land holding, and operation, both in size, production and enterprise.

8.1.2 As discussed by Mr Espie, elements of that landholding are subject to several Landscape Schedules proposed through the Variation, namely:

(a) Schedule 21.22.25 – Mata-au Clutha River;

(b) Schedule 21.23.13 – Kane Road and Luggate-Tarras Highway;

- (c) Schedule 21.23.14 – Hāwea Moraine; and
- (d) Schedule 21.23.15 – Hāwea Basin.

8.1.3 In my opinion, the planning relevance of the relief sought by Devon Dairy Holdings Ltd relates primarily to ensuring that the Schedule descriptions appropriately recognise the extent of productive farming activity, agricultural modification and associated infrastructure that forms part of the receiving environment, and no doubt, will require to evolve, intensify or diversify to remain environmentally and economically sustainable.

8.1.4 I agree with Mr Espie's evidence that greater recognition of these characteristics will assist in providing a more complete and accurate understanding of the landscape character of the relevant Schedule areas, while continuing to recognise the landscape values identified by the Variation.

8.1.5 I also acknowledge Mr Espie's commentary regarding the historical planning context for the Hāwea Flats, including the earlier Environment Court observations that parts of the area were considered the most obvious example of a "third-tier" rural landscape. While the Proposed District Plan has adopted a different landscape framework, and more recent decisions such as Environment Courts Sticky Forest case, confirms that not all rural land necessarily falls within a Rural Character Landscape, I consider this history provides useful context and if retained, reinforces the need for the Landscape Schedules to accurately reflect the varying landscape characteristics, levels of modification and landscape capacity that exist across the Upper Clutha Basin.

8.1.6 For these reasons, I support the amendments proposed by Mr Espie on behalf of Devon Dairy Holdings Ltd.

## **8.2 Stephen and Deborah Brent & Hawthenden Limited (OS22 & OS30)**

8.2.1 These submissions raise concerns regarding both the appropriateness of the Studholme Road Schedule (21.23.7) and the inclusion of the Hawthenden properties within that Schedule area. The submission seeks removal of the properties from the Schedule or, alternatively, removal of the Schedule itself.

8.2.2 I note that Mr Espie similarly questions the appropriateness of the Studholme Road Schedule. In particular, he considers the area to be an isolated remnant of Rural Zone land that is disconnected from any broader Rural Character Landscape and of a scale

that is more appropriately assessed through site-specific landscape assessment rather than a landscape schedule.

8.2.3 In my opinion, these matters are relevant to the broader issues discussed in Section 6 of my evidence concerning the purpose, efficiency and effectiveness of extending Schedule descriptions and capacity ratings beyond the Priority Areas specifically identified within the PDP framework.

8.2.4 If the Schedule is retained, I agree with Mr Espie's evidence that amendments to the Schedule description would assist in more accurately recognising the differing land use patterns and development context present within the Schedule area, including the presence of established rural living properties; the subordinate nature of the identified 'fan' landform relative to the wider Mt Alpha Outstanding Natural Landscape; and the influence of adjoining urban and lifestyle development.

8.2.5 I also agree with Mr Espie's concerns regarding the capacity ratings applied within the Schedule. In my opinion, there is an inherent inconsistency in attributing some capacity for urban expansion while simultaneously attributing extremely limited or no capacity for rural living development. I am unable to identify a clear landscape-based justification for that distinction. Rather, the distinction appears to be driven by a desire to avoid rural living development prejudicing future urban expansion opportunities. While that may be a legitimate strategic planning consideration such avoidance is not directed by any higher order objective or policy of the plan, nor, in my opinion, is it a landscape capacity consideration. As such, this strategy sits uncomfortably within the Landscape Schedule.

8.2.6 For these reasons, I support the relief sought by the Hawthenden Trust and the amendments proposed by Mr Espie.

### **8.3 Jolly Holdings Ltd (OS21)**

8.3.1 Jolly Holdings Ltd's submission relates to land within the Hāwea Basin Schedule (21.23.15) and raises concerns regarding aspects of the Schedule description and associated capacity ratings, particularly in relation to mineral extraction activities and rural living.

8.3.2 I note that the Schedule already recognises the presence of an existing mineral extraction operation within the Schedule area. Mr Espie's evidence identifies that the operation is well screened and integrated into the landscape and considers that

expansion of existing extraction activities may warrant a different capacity assessment to entirely new extraction activities elsewhere within the Schedule area. This will ensure that new mineral extraction activities are distinct from the expansion of existing activities.

8.3.3 In my opinion, these matters reinforce the importance of ensuring that Schedule descriptions and associated capacity ratings are informed by an accurate understanding of the existing receiving environment, including established land use activities and the degree of landscape modification present within the area.

8.3.4 I also agree with Mr Espie's evidence that broad capacity ratings applied across extensive Schedule areas may not always adequately reflect differing characteristics and development opportunities within particular parts of a landscape. Where appropriate, more nuanced capacity assessments may better reflect the existing environment while continuing to recognise identified landscape values.

8.3.5 For these reasons, I support the amendments proposed by Mr Espie on behalf of Jolly Holdings Ltd.

#### **8.4 J & C Leith (OS20) and Laing Dairy Ltd (OS35)**

8.4.1 The submissions of J & C Leith and Laing Dairy Ltd relate to land within Hāwea Basin Schedule 21.23.15 and raise concerns regarding aspects of the Schedule descriptions and associated capacity ratings.

8.4.2 I note that Mr Espie's evidence identifies that the Hāwea Basin comprises a large and varied landscape area containing differing levels of visibility, modification, productive land use and development opportunity. In his opinion, a single capacity rating applied across the entirety of the Schedule area does not adequately reflect those differing characteristics.

8.4.3 I also note Mr Espie's evidence regarding the Hāwea Flats more generally, including reference to historical Environment Court findings which recognised that parts of the extensive Hāwea Flats that are not readily visible from broader public viewpoints may be capable of accommodating a greater degree of development than many other rural landscapes within the District. While those findings were made in a different planning context, they nevertheless illustrate that the Hāwea Flats are not a homogeneous landscape and contain areas with materially different visibility characteristics and abilities to absorb change.

8.4.4 In my opinion, these matters reinforce the importance of ensuring that Schedule descriptions and associated capacity ratings are informed by an accurate understanding of the existing environment and the differing landscape characteristics that may exist across extensive Schedule areas. A single capacity rating applied across the entirety of the Hāwea Basin risks obscuring important distinctions between more visually prominent parts of the Basin and those areas which have limited public visibility and a greater ability to absorb change.

8.4.5 I consider Mr Espie's evidence raises legitimate questions regarding whether all parts of the Hāwea Basin exhibit the same landscape characteristics and sensitivities that underpin the Schedule descriptions and capacity ratings. In particular, I agree that the existence of areas with materially different visibility and development capacity warrants careful consideration when determining the appropriateness of the Schedule provisions.

8.4.6 I therefore agree with Mr Espie's evidence that a more nuanced approach to capacity assessment may be appropriate where materially different landscape characteristics are present. Such an approach would provide more meaningful guidance regarding landscape capacity while continuing to recognise the identified values of the Hāwea Basin.

8.4.7 For these reasons, I support the amendments proposed by Mr Espie on behalf of J & C Leith and Laing Dairy Ltd.

## **8.5 Mata Au Investments Ltd (OS17)**

8.5.1 Mata Au Investments Ltd's submission relates to Mata-au Clutha River Schedule 21.22.25 and raises concerns regarding aspects of the Schedule description and the extent to which it accurately reflects the existing environment.

8.5.2 I note that Mr Espie's evidence identifies a number of existing characteristics within the Submitter's landholding that warrants greater recognition, including the presence of private but highly observable tracks, wilding pine/invasive weed infestation, modified escarpment landforms and areas of intensive agricultural modification associated with farming.

8.5.3 In my opinion, these matters are consistent with the broader issues discussed throughout my evidence. While the purpose of the Schedules is to identify and describe landscape values, it is equally important that they provide an accurate (whilst still high

level) description of the existing environment, including the extent of existing land use activities and landscape modification where very evident.

8.5.4 I agree with Mr Espie's evidence that amendments recognising these characteristics would assist in providing a more complete understanding of the Schedule area while continuing to recognise the values associated with the Mata-au Clutha River corridor. I note that Mr Espie does not consider changes to the capacity ratings are necessary.

8.5.5 For these reasons, I support the amendments proposed by Mr Espie on behalf of Mata Au Investments Ltd.

## **8.6 Grandview Grazing Limited (OS9)**

8.6.1 Grandview Grazing Ltd's submission relates to Schedule 21.23.13 Kane Road and Luggate-Tarras Highway and raises concerns regarding aspects of the Schedule descriptions and associated capacity ratings, particularly in relation to productive farming activities, mineral extraction and rural living opportunities.

8.6.2 I note that Mr Espie's evidence identifies the Schedule area as a large and productive farming landscape characterised by extensive outwash terraces, intensive agricultural activities, farm infrastructure, shelterbelts, irrigation infrastructure and a number of established farm and homestead activity nodes. He considers that these characteristics should be more fully recognised within the Schedule descriptions.

8.6.3 In my opinion, these matters reinforce the importance of ensuring that Schedule descriptions and associated capacity ratings are informed by an accurate understanding of the existing receiving environment, including productive land use, landscape modification and established rural infrastructure. Ultimately, an increased level of detail, reflecting what is evident will improve the usefulness of the schedules. Such matters are directly relevant to the broader issues discussed in Section 7 of my evidence.

8.6.4 I agree with Mr Espie's evidence that capacity ratings should appropriately distinguish between different forms of development and recognise the varying characteristics that exist across extensive landscape areas. In particular, he identifies circumstances where a more nuanced approach to landscape capacity assessment may be appropriate, particularly where areas are less visually exposed and already exhibit a high degree of productive land use, landscape modification and associated rural infrastructure. In my opinion, such an approach is more consistent with ensuring that capacity ratings

accurately reflect the characteristics of the existing environment while continuing to recognise identified landscape values.

8.6.5 For these reasons, I support the amendments proposed by Mr Espie on behalf of Grandview Grazing Ltd.

## **8.7 Lake McKay 2024 Limited Partnership (OS16)**

8.7.1 The Lake McKay 2024 Limited Partnership submission relates to Schedule 21.23.10 Northern End of Criffel / Pisa Range Foothills and raises concerns regarding the extent to which the Schedule accurately reflects the existing and consented environment, including approved building platforms, established and consented activities, visibility characteristics and associated capacity ratings.

8.7.2 I note that Mr Espie's evidence identifies a number of existing and consented activities within the Schedule area that are either not recognised or are insufficiently recognised within the Schedule descriptions. In particular, he notes the existence of approved building platforms established through resource consents RM210912 (as varied) and RM230996 together with the presence of other consented activities and development opportunities within the Schedule area.

8.7.3 In my opinion, these matters are directly relevant to the broader issues discussed in Section 7 of my evidence. Schedule descriptions and associated capacity ratings should be informed by an accurate understanding of the receiving environment, including not only existing development but also the extent of approved and consented development that forms part of the anticipated future environment.

8.7.4 I also agree with Mr Espie's evidence that the Schedule area contains extensive elevated terrace land that is largely hidden from public view and exhibits different visibility characteristics to the more prominent escarpment areas visible from State Highway 6. In my opinion, these differing landscape characteristics support a more nuanced approach to capacity assessment than the application of a uniform capacity rating across the entirety of the Schedule area.

8.7.5 I further agree that the Schedule descriptions relating to important views and landscape character should appropriately recognise the influence of existing and consented development. Failure to do so risks overstating the degree of naturalness and

understating the extent of modification that forms part of the existing and anticipated receiving environment.

8.7.6 For these reasons, I support the relief sought by Lake McKay 2024 Limited Partnership and the amendments proposed by Mr Espie.

## **9.0 CONCLUSION**

9.1 I acknowledge that the Landscape Schedules may provide contextual information regarding identified landscape values, character and capacity. However, as a planning practitioner, the Variation subject of this evidence raises a question as to the justification, efficiency and effectiveness of extending Schedule descriptions and associated capacity ratings beyond the identified Priority Areas.

9.2 While the purpose of the Variation is to extend schedules to identified non-Priority Area Rural Character Landscapes, I have not identified any higher-order strategic policy that necessitates or supports this approach. Nor, in this instance, have I identified any proposed higher-order policy to which the use of the Schedules can be meaningfully anchored to. Accordingly, the Variation raises a legitimate planning question as to the additional planning efficiency and effectiveness achieved by extending scheduling to non-Priority Area landscapes.

9.3 I consider the practical influence of the proposed non-Priority Area Schedules is limited by their role as high-level contextual guidance and the continued requirement for proposal-specific assessment. Future planning decisions should continue to be guided principally by the relevant objectives, policies and assessment matters of the PDP, together with site-specific assessment of the proposal and receiving environment.

9.4 I consider that if ratified, practitioners should lean on capacity ratings applicable to the non-Priority Areas very cautiously, and only where they provide any meaningful landscape guidance relevant to a site-specific proposal.

9.5 I also consider that if Schedules are deemed necessary (for the non-Priority Areas), Schedule descriptions and associated capacity ratings can remain high-level, whilst being improved to provide a fuller, more accurate description of the existing receiving environment, including but not limited to productive land use, landscape modification and established infrastructure, which will itself provide context for what activities are likely to influence how landscapes may evolve in time.

9.6 Accordingly, while I remain unconvinced that the proposed non-Priority Area Schedules provide sufficient planning efficiency or effectiveness to justify their inclusion, if they are retained, I support the relief sought by the submitters, as refined through the evidence of Mr Espie.