

BEFORE THE QUEENSTOWN LAKES DISTRICT COUNCIL

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

ON BEHALF OF Various submitters

SUMMARY EVIDENCE OF DAN CURLEY (PLANNER)

3rd September 2026

1.0 Introduction

1. My name is Dan Curley. My qualifications and experience are set out in my Evidence in Chief (**EIC**). My EIC also sets out the submitters of which my evidence relates.
2. I have reviewed the evidence presented since filing my Evidence in Chief (EIC), participated in expert conferencing, and reviewed the resulting Joint Witness Statement (JWS) and the rebuttal evidence of Ms Emily Frew.
3. My principal conclusions remain unchanged. I do not consider the proposed Landscape Schedules and associated capacity ratings for the non-Priority Area Rural Character Landscapes (RCLs) to be sufficiently warranted, necessary or effective to justify their inclusion in the Proposed District Plan (PDP) as a most appropriate way to achieve objectives.
4. I acknowledge that the Schedules may have some utility as high-level contextual information. The question is whether that utility justifies variation of the PDP when the existing PDP already provides a robust framework for assessing landscape character and visual amenity effects in non-Priority RCL Areas. The experts did not agree that the Schedules would result in a more efficient or effective framework.
5. For matters of landscape character, landscape values and landscape capacity as landscape concepts, I rely on the evidence of Mr Espie. My evidence is directed to the planning framework, plan administration, and my practical experience of how that framework is applied through resource consent processes.

2.0 Strategic and Policy Support

6. A significant point arising from conferencing is that the experts agreed that, unlike the Priority Area (PA) Schedules, there is no direction in the strategic objectives and

policies of the PDP to schedule non-PA areas, nor any direction requiring those Schedules to be used for proposal-specific assessment.

7. The strategic policies already direct that, outside PAs, landscape character and visual amenity values are identified through the Landscape Assessment Methodology in Strategic Policies (SPs) 3.3.45 and 3.3.46.
8. Ms Frew relies in part on Assessment Matter 21.21.2.1.a, which assists implementation of SP 3.3.33 and SP 3.3.45 and requires Council to **have regard** (my emphasis) to the landscape character and visual amenity values identified in Schedule 21.23, where relevant. I accept that this provides a mechanism for Council to have regard to a Schedule if it is included in the PDP. I do not consider it amounts to a formal higher-order policy direction requiring the non-PA Schedules or giving them the same policy foundation as the PA Schedules.

3.0 Existing Landscape Assessment Methodology

9. In my opinion, the existing planning methodology is already sufficiently robust. SP 3.3.33 requires landscape character, visual amenity values and related landscape capacity to be identified for RCLs, while SP 3.3.45 sets the Landscape Assessment Methodology. For RCLs, that methodology requires the relevant landscape character area and wider context to be defined, values identified, and effects on those values and related landscape capacity assessed. In my experience in recent consenting proposals, there is not commonly a significant divergence in landscape assessment methodology or disputes around the same.
10. The issue is therefore not whether landscape capacity should be assessed. It plainly should. The distinction is between assessing the effects of an actual proposal on related landscape capacity in its site and receiving-environment context, and predetermining broad capacity ratings across an entire Schedule Area for a range of hypothetical activities.
11. That distinction was expressly recorded in the JWS. Mr Edgar, Ms Shepherd and I considered that the higher-order provisions direct an assessment of the effect of a proposal on related landscape capacity, rather than requiring a capacity-rating exercise for the full range of activities across a whole non-PA area.
12. Once an application is lodged, a site and proposal-specific assessment remains necessary. From a planning perspective, I therefore remain unconvinced that the Schedules materially improve that process.

4.0 Higher Order RPS Direction

13. I have considered Ms Frew's reliance on the Otago Regional Policy Statement (RPS) provisions concerning Highly Valued Landscapes (HVLs). I do not accept that all RCLs identified by QLDC should, by virtue of that classification alone, be treated as HVLs under the RPS.
14. As set out in my EIC, the RPS expressly provides for capacity statements for Outstanding Natural Features and Landscapes (ONFLs) in specified circumstances, but contains no equivalent direction for HVLs or RCLs. I therefore remain unpersuaded that the RPS provides the higher-order policy justification for this non-PA scheduling exercise that Council suggests.

5.0 Capacity Ratings, Terminology and Practical Application

15. I remain concerned about the practical influence of broadly expressed capacity ratings and terms such as “modest”, “modestly-scaled” and “existing rural character”. I rely on Mr Espie on the landscape merits of those expressions. My concern is how they operate when translated into plan administration and consenting decisions.
16. I have significant day-to-day experience using the District Plan in resource consent processes and dealing with how Council planners and landscape experts interpret its provisions. In my experience, high-level capacity descriptions can be given a more determinative meaning than the Preamble intends.
17. In one consent matter within an existing PA, the farm buildings capacity rating identified some capacity for “modestly-scaled” buildings. Council’s processing team treated that wording as meaning there was no capacity for buildings it considered larger than modest. During expert conferencing for this Variation, Ms Gilbert confirmed that this is not how such a rating should be interpreted: larger buildings had not been rated, rather than having been assessed as having no capacity. My concern is that the more restrictive interpretation had nevertheless occurred in an actual consent process.
18. In that same matter, the proposed farm buildings were also treated as less appropriate because their scale did not reflect the scale of buildings already established within the PA. From a planning perspective, I do not consider the suitability of a genuine farm building should be determined by whether buildings of the same scale happen already to exist within the wider landscape. Its farming purpose, the relevant plan provisions and the effects of the particular proposal are the proper focus. To the extent that this involves an assessment of landscape character or effects, I rely on Mr Espie.
19. This practical experience reinforces my concern that capacity ratings and subjective expressions can operate as quasi-rules or thresholds, even though they are intended

only as high-level guidance. In my recent experience with consent hearings (involving schedules and non-scheduled areas) I have not seen an improved efficiency outcome as a result of landscape schedules (in terms of overall processing cost and timing outcomes).

6.0 Landscapes Change Over Time

20. It is my understanding that landscapes are not static. They are living environments that evolve through farming practices, vegetation change, infrastructure, subdivision and development. I rely on Mr Espie in relation to the landscape implications of that change.
21. From a planning perspective, that creates an inherent limitation with point-in-time Schedules. The JWS records agreement that their utility may decline as landscapes change unless they are periodically reviewed and updated. If they are not kept current, the descriptions and capacity ratings can become less relevant and, more concerningly, may provide a misleading starting point for a later proposal-specific assessment. That reinforces my preference for the existing methodology, which requires assessment of the landscape and receiving environment that actually exists when a proposal is considered. In this way, with declining utility overtime, I do not agree that the schedules will be an efficient and effective mechanisms to achieve objectives.

7.0 Spatial Plan References

22. I continue to see no useful planning purpose in using the Queenstown Lakes Spatial Plan 2021 to inform landscape capacity ratings. The Spatial Plan is a non-statutory strategic growth document. Identification of land for potential future urban development does not, of itself, establish that the land has greater or lesser landscape capacity to absorb urban development.
23. To the extent that this is a question of landscape capacity, I rely on Mr Espie. From a planning perspective, I consider the capacity rating should be founded on landscape assessment rather than influenced by an earlier strategic growth-planning outcome.

8.0 Position if the Schedules are Retained

24. If the Panel nevertheless determines that the non-Priority Area Schedules should be retained, I support refinements that improve their clarity and accuracy.
25. In particular, I support Ms Frew's proposed amendments to the definitions of urban expansion and farm scale quarries, which appropriately link those terms back to the Chapter 2 definitions.

26. I also continue to support the Schedule-specific amendments advanced by Mr Espie, including those refined through expert conferencing. I rely on Mr Espie, as the landscape expert, as to the accuracy of the landscape descriptions, values and capacity assessments.

9.0 Conclusion

27. My overall planning opinion remains unchanged. The PDP already provides a comprehensive, proposal-specific methodology for assessing landscape character, visual amenity values and related landscape capacity within non-PA RCLs.
27. The proposed Schedules may provide contextual information and a common starting point, but they do not remove the need for site-specific assessment and there remains no direct strategic policy requirement for their preparation. In this way they do not create a greater level of efficiency, nor from what I have seen to date, an increase in assessment consistency, compared to outcomes directed by the existing landscape assessment methodology applicable to RCL's.
28. In my opinion, that limited benefit does not outweigh the risk that broad capacity ratings, point-in-time descriptions and subjective terminology will be given greater weight than intended, adding complexity or misdirecting future consent assessments.
29. For those reasons, I remain of the view that the non-PA Landscape Schedules and associated capacity ratings are not warranted. If retained, they should be treated cautiously as high-level guidance only, with future proposals determined principally through the PDP provisions and a site- and proposal-specific landscape assessment.

Dan Curley

3rd September 2026