



**FEDERATED  
FARMERS**  
OF NEW ZEALAND

DUNEDIN

Jade Quay, 1 Birch St  
PO Box 5242, Dunedin  
New Zealand

T +64 3 477 7353

F +64 3 479 0470

Submitter 600 / Further Submitter 1132

Proposed Queenstown Lakes District Plan

Strategic Direction, Urban Development and Landscape

Hearing Statement on behalf of Federated Farmers of New Zealand

## **I. INTRODUCTION**

1. My name is David Cooper. I am a Senior Policy Advisor for Federated Farmers of New Zealand. I have represented the needs and interests of our farming members in the Otago Region for the past eight years.
2. Over that time I have gained significant experience in the implementation of the Resource Management Act and its impact on farmers and primary production. This has included preparing submissions and further submissions throughout the South Island and supporting farmers to effectively represent their own interests in resource management planning matters.
3. Our submissions and further submissions have been prepared on behalf of our members in the Queenstown Lakes District.

## **II. GENERAL COMMENTS**

4. Pre – consultation prior to plan notification – Federated Farmers wants to support the work Council has put into consulting with stakeholders prior to the notification of the plan. This prior effort has allowed some key farmers to gain a better understanding of the issues Council is seeking to address through the proposed new planning provisions, and has provided those farmers with the ability to explain their objectives for the new district plan.

5. Impact of Chapters 3, 4 and 6 on farmers - From a farming perspective, the Strategic Direction, Urban Development and Landscape chapters of the Proposed District Plan presents a trade-off for many of the District's farmers. Broadly, these chapters help to define what is appropriate land use for areas of the District. The proposed District Plan overall proposes that farming is appropriate for the majority of the rural area, and we support this. From a rural perspective, these three chapters propose that in order to define what is appropriate for particular areas of the District, it is also necessary to define what is not appropriate for some rural areas. Notwithstanding the concerns we express in our submission, we also support this approach, on balance.
6. In considering what is or is not appropriate Federated Farmers has had to listen carefully to our farmers in the District. As with any contentious issue there is a wide range of opinions. However, overall the feedback from the farmers we have talked to around the proposed new plan has been that they recognise the need to ensure development is reasonable, well thought out and appropriately planned for. Queenstown Lakes farmers recognise they have a vital stewardship role to play, and they recognise this role comes with some responsibilities. As a result Federated Farmers has supported aspects of the plan that we would not generally support in any other District, simply because the proposed provisions are reflective of the specific challenges the District is facing, and the proposed response is considered by Queenstown Lakes farmers as the 'least worst' method for addressing these challenges.
7. Many of these challenges rely on ensuring that the sweeping landscapes which underpin the District as a desirable place to live and visit are not adversely impacted by inappropriate or incompatible development. For their part, Queenstown Lakes farmers largely recognise that in order to preserve the positive values within the District, they will be required to forego some economic opportunities. They will not be able to change land use or otherwise develop in some areas. This is a significant opportunity cost. For many farmers the opportunity to develop their land, particularly for residential purposes, will have been a Plan A, B and C for retirement or to provide for farm succession.

8. On the other hand, these sweeping landscapes do not just maintain themselves; a large proportion of the landscapes that residents and visitors value are farmed. Farming in turn has to be financially viable, particularly as the returns underpinning primary production are largely driven by export markets, where producers do not face the same challenges as those in the Queenstown Lakes District. For farmers, financial viability means being able to farm to District Plan rules that are clear, certain, reasonable and which recognise that farming is a practical activity which requires some planning flexibility and the ability to adapt. Economically sustainable farming also requires that the costs associated are kept to a minimum and unnecessary costs are excluded. The proposed District Plan plays a significant part in meeting that goal.
9. The fundamental point we make throughout our submissions is, as farming is an appropriate activity in the rural area, please ensure this is appropriately recognised through the planning provisions relevant to those zones.
10. Implications of King Salmon – We, and other submitters have also touched upon the potential implications of the Supreme Court’s 2014 New Zealand King Salmon decision. Our view is that a key message from that decision is resource management documents should mean what they say; that the ‘choice of words’, particularly in higher level planning documents, is key. Subsequently it is important for Council to review use of the words ‘avoid’, ‘prevent’ or ‘require’ within the proposed District Plan and ensure that is specifically what is meant. For our part we have made submissions to this effect on specific provisions, but it is also a concern that should carry through to subsequent amendments to the proposed District Plan.
11. Submissions on specific provisions within Chapter 3: Strategic Direction – I appreciate you have all committed a significant amount of time to reading through the submissions and further submissions and the subsequent staff 42A report. For the remainder of this hearing I will explain the general themes behind our submission points on the provisions we believe to be most important.
12. For the broad reasons I have outlined, Federated Farmers largely supports the proposed Strategic Direction chapter. There are some areas where we have sought

minor wording amendments, and I will focus on those provisions here. Overall however, we believe that the strategic direction outlined and the specific Goals, Objectives and Policies proposed achieve the balance Queenstown Lakes farmers are seeking through the proposed provisions.

13. We are particularly supportive of the intent captured within Goal 3.2.1, which seeks to *Develop a prosperous, resilient and equitable economy*, and more specifically with Objective 3.2.1.4, which seeks to *Recognise the potential for rural areas to diversify their land use beyond the strong productive value of farming, provided a sensitive approach is taken to rural amenity, landscape character, healthy ecosystems, and Ngai Tahu values, rights and interests.*
14. As I outlined in the introduction to this submission, Federated Farmers supports an approach that appropriately considers these factors, and weighs these against the positive aspects resulting from land use flexibility in the rural areas. Diversification of land use in rural areas works towards Goal 3.2.1, as a diverse and broad economy is not as subject to volatility, and opens up a broader range of options to those in the District for employment.
15. We have sought amendments to the wording of Objective 3.2.1.4 to more positively value the positive aspects of the ability for rural areas to diversify. While Federated Farmers agrees that, overall, a reasonably sensitive approach is required, we think the 'default setting' of the district plan should be to provide for this diversity as long as it does not adversely impact the factors outlined. In other words, we are seeking that the overall intention is to provide for this diversity and then outline where the limits are. As a consequence we have sought changes to the wording of the objective to better reflect the positive aspects of providing for diverse land use in the rural areas, and then considering these positive aspects in balance with any potential adverse impacts on rural amenity, landscape character, healthy ecosystems, and Ngai Tahu values, rights and interests.
16. We also support Goal 3.2.2 which seeks to provide for *The strategic and integrated management of urban growth*. This goal, and the subsequent policies, recognise that

urban growth has to occur in a planned and logical manner. Some farmers face huge opportunity costs through increased limitations on their ability to change land use from rural to urban on their properties as a result of the proposed zones, and these costs are significant. However, farmers also face potential concerns in respect to urban development in the rural area, and the potential for reverse sensitivity issues. Further, urban sprawl or poorly defined urban development will place additional costs on council and ratepayers, it impacts the values within the rural area, and can result in reverse sensitivity issues and adversely impact primary production. Therefore we support the overall intention behind this goal and consider it is reflected in the subsequent policies.

17. Objective 3.2.4.2 seeks to *Protect areas with significant Nature Conservation Values*. As we outline in the introduction to our submission, and again very briefly today, Federated Farmers has concerns with the way the word 'protect' may be implemented in the District Plan. We also underline the way this objective interacts with the overall approach signalled for the rural areas, and suggest this objective should be reworded to allow areas with significant Nature Conservation Values to be appropriately managed. In our view this rewording better recognises that in some instances protection may indeed be what is required, in other instances it is management of that land in a way that protects or enhances the positive values, rather than the protection of the areas themselves, which is what will lead to the optimal outcome.
18. We have similar concerns in respect to Policy 3.2.4.2.1. As we outline in our submission, Federated Farmers supports Council defining areas significant indigenous vegetation and significant habitats of indigenous fauna. Farmers and other resource users benefit where these areas are appropriately defined and reasonable rules, policies and objectives are developed. Again our concern is specifically with the use of the word 'protect' in this policy. We have sought rewording of the policy to provide for management of that land in a way that protects or enhances the positive values rather than a policy that is worded in a manner than gives the intention that these areas will be simply fenced off and left to their own devices. Again, this may be

an appropriate response in some areas, in others it may not. We seek some flexibility to allow for this case by case assessment by amending the word 'protect'.

19. Federated Farmers is fully supportive of Policy 3.2.4.2.2, which provides that, *Where adverse effects on nature conservation values cannot be avoided, remedied or mitigated, Council will consider environmental compensation as an alternative.* This policy provides for flexibility within clearly defined environmental responsibilities that we are seeking from the plan. As we have outlined in our submission we think this policy is to a significant extent influenced by use of the word 'protect' in related objectives and policies, underlining our view use of this word needs to be reconsidered.
20. We are supportive of the intent motivating Policy 3.2.4.3.1 *That development does not adversely affect the survival chances of rare, endangered, or vulnerable species of indigenous plant or animal communities.* However, from a practical farming perspective a degree of significance is required. An example we have used is where a farmer clears an area of pasture which has a small example of a species, and she or he may not be aware of the presence of that species, and the impact may not be significant as it may be an isolated example, not a community. Subsequently the farmer may not have undermined the survival of that species to any significant extent. Yet such an act may be considered to be contrary to the policy under the proposed wording. We seek amendments to this policy to ensure that there is a distinction between an act that is not intentional and has no impact on the survival of that species on one hand, and an intentional act or an unintentional act which adversely affects the survival chances of rare, endangered, or vulnerable species of indigenous plant or animal communities in a direct sense or in a cumulative sense if the impact is significant.
21. In respect to Objective 3.2.4.4, which attempts to avoid exotic vegetation with the potential to spread and naturalise, we again support the overall intent but oppose the specific wording of the related Policy 3.2.4.4.1. This policy seeks *That the planting of exotic vegetation with the potential to spread and naturalise is banned.* Exotic vegetation includes plants that some farmers use for shelter belts, including wilding

pinus. Farmers fully recognise the impact that the spread of these exotic species may have on the District, including on other farmers. However, as we outline in respect to the rules associated with wilding pines specifically, in the near term we favour more controls on use of exotic species rather than an outright ban on their use, and we seek amendment to the wording of Policy 3.2.4.4.1 to ensure that exotic vegetation with the potential to spread and naturalise is appropriately managed with associated risks reduced rather than being banned outright.

22. The wording of Policy 3.2.4.7.1 indicates that the intention of Objective 3.2.4.7, which seeks to *Facilitate public access to the natural environment*, relates to providing public access to the natural environment in the event of subdivision or development. This is subtly different to an Objective which seeks to provide public access to the natural environment overall, including rural primary production land which are working environments with hazards and risks to those seeking access, and which subsequently require a more careful approach to providing access. Subsequently we recommend Objective 3.2.4.7 is reworded to note this relates to subdivision or development.
23. We largely support the intention of Goal 3.2.5, which aims to ensure that the District's distinctive landscapes are protected from inappropriate development, and the subsequent objectives and policies for this goal. In particular we support Objective 3.2.5.5 which seeks to *Recognise that agricultural land use is fundamental to the character of our landscapes*, and the policies that result, Policy 3.2.5.5.1 which seeks to *Give preference to farming activity in rural areas except where it conflicts with significant nature conservation values*, and Policy 3.2.5.5.2, which recognises *that the retention of the character of rural areas is often dependent on the ongoing viability of farming and that evolving forms of agricultural land use which may change the landscape are anticipated*.
24. In Federated Farmers view, for the reasons I have outlined at the start of this hearing, it is critical that Objective 3.2.5.5 and the subsequent policies are adopted as proposed, and fully recognised throughout the chapters relevant to the Rural areas through the District Plan. Policies 3.2.5.5.1 and 3.2.5.5.2 meet our expectations that

part and parcel of defining what is appropriate in the rural zone is allowing for that activity to continue unhindered, unless there is a good reason to place restrictions on that activity. These policies recognise that farming is important to the retention of rural amenity and that rural landscapes will be subject to some changes simply because the farming activities that underpin those environments are constantly changing and require some regulatory flexibility.

25. Federated Farmers also supports Policy 3.2.5.4.2 which seeks to *Provide for rural living opportunities in appropriate locations*. This acts to an extent to counteract the range of restrictions that are placed on rural residential activities, and is necessary to provide for living on-farm, including for farm succession purposes or to house workers and family, practices which should be allowed to occur as these do not undermine rural amenity or create reverse sensitivity issues.
26. Submissions on specific provisions within Chapter 4: Urban Development – the only specific provision we have submitted on in respect to the Urban Development chapter is proposed Policy 4.2.3.7, which proposes that *The edges of Urban Growth Boundaries are managed to provide a sensitive transition to rural areas*. We appreciate that the District Plan should provide for reasonable, logical and well thought out development. Poorly defined urban development places additional costs on council and ratepayers, impacts on rural amenity and primary production values, and can result in reverse sensitivity issues for farmers. Therefore Federated Farmers supports the proposed policy and the overall planning approach for development within the urban chapter. We do however underline a point we have made earlier, that some farmers, particularly those located close to urban areas or in preferred areas for residential development will be shouldering significant opportunity costs in respect to the restrictions on development.
27. Submissions on specific provisions within Chapter 6: Landscape – The Landscape chapter of the proposed District Plan has the potential to be the chapter which impacts some farmers the most, depending on the policies and rules that are put in place in relation to rural landscapes. Therefore, in considering the Landscape chapter, Federated Farmers has viewed the proposed provisions in line with the general intent



for the Rural zones of the District as explained through the Strategic Direction chapter; in short that the rules and provisions associated with Rural landscapes will recognise that these are working rural landscapes.

28. We are therefore very supportive of the Values section of Landscape chapter, which recognises the critical roles farming and pastoral land contribute to the positive landscape values in the District, captured particularly well in the following paragraph:

*The open character of productive farmland is a key element of the landscape character which can be vulnerable to degradation from subdivision, development and non-farming activities. The prevalence of large farms and landholdings contributes to the open space and rural working character of the landscape. The predominance of open space over housing and related domestic elements is a strong determinant of the character of the District's rural landscapes.*

29. This intent is further and appropriately captured in Objective 3.2.5.5 which aims to *Recognise that agricultural land use is fundamental to the character of our landscapes*, in Policy 3.2.5.5.1, which seeks to *Give preference to farming activity in rural areas except where it conflicts with significant nature conservation values*, and in Policy 3.2.5.5.2 which seeks to *Recognise that the retention of the character of rural areas is often dependent on the ongoing viability of farming and that evolving forms of agricultural land use which may change the landscape are anticipated*. Subsequently Federated Farmers strongly recommends that the Values section to the Landscape Chapter, Objective 3.2.5.5 and Policies 3.2.5.5.1 and 3.2.5.5.2 are adopted as proposed.

30. Federated Farmers also supports the subsequent focus within the Landscapes Chapter on defining and focusing on inappropriate development, in conjunction with the recognition that farming is an appropriate activity in the rural areas, for example through Objective 6.3.1, Objective 6.3.2. and Objective 6.3.5.

31. We further support Objective 6.3.3, which seeks to *Protect, maintain or enhance the district's Outstanding Natural Features*, and Objective 6.3.4, which seeks to *Protect,*

*maintain or enhance the District's Outstanding Natural Landscapes (ONL).* We have two critical reasons for supporting these Objectives. The first is that Federated Farmers recognises the importance of identifying and defining the District's Outstanding Natural Features and Outstanding Natural Landscapes. This clarity is important for both the public, and the subsequent certainty in conjunction with the more enabling approach to the Rural area in general is important for the viability of farming in the rural zones. This is particularly important in respect to Outstanding Natural Landscapes which are relatively more prevalent on farming land.

32. The second critical reason we support the Objectives associated with Outstanding Natural Features and Outstanding Natural Landscapes is because the wording for each Objective provides scope for Council to decide whether protection, maintenance or enhancement of Outstanding Natural Features and Outstanding Natural Landscapes is appropriate, on a case by case basis. Federated Farmers would not be supportive of these Objectives if they did not include the word maintain. For the reasons outlined earlier, we are opposed to the use of the word 'protect' as the sole requirement given the potential implications for both plan users and Council, and we consider that the word maintain better provides for good environmental stewardship and management.
33. Federated Farmers particularly supports Policy 6.3.4.2, which seeks to *Recognise that large parts of the District's Outstanding Natural Landscapes include working farms and accept that viable farming involves activities which may modify the landscape, providing the quality and character of the Outstanding Natural Landscape is not adversely affected.* Again, we consider that this offers appropriate recognition that these landscapes are underpinned by, rather than adversely impacted by standard farming operations.
34. Despite our support for these provisions, Federated Farmers wants to acknowledge that those farmers with Outstanding Natural Features or Outstanding Natural Landscapes situated on their properties face significant restrictions on their farming operations. Therefore, while the Objectives and subsequent policies within this Chapter, allowing for some minor amendments, represent the best approach to

regulating for the maintenance of these values, they will significantly impact those farming operations and farming families, foregoing the ability to use farmland for the public benefit. Federated Farmers is keenly interested in ensuring this is sufficiently recognised in the implementation of the plan and through other measures outside of the District Planning process, including through rates relief for those farmers impacted.

35. Finally, we support Policy 6.3.7.2, which seeks to *Avoid indigenous vegetation clearance where it would significantly degrade the visual character and qualities of the District's distinctive landscapes*. We do have concerns with the proposed definition for indigenous vegetation and subsequent rules, as we address specifically in respect to those matters. However, we agree with the reference to significance within the policy, and we consider that when balanced against the more enabling provisions relating to farming in the rural area more generally, this policy is reasonably balanced in respect to what is a contentious issue for farmers in the District.
36. Thank you for the opportunity to present to this hearing. I want to reiterate again our support for the extensive pre-consultation process undertaken prior to notification of the proposed District Plan and the commitment from staff to open engagement on the matters proposed.

David Cooper BCom (Economics), MA (Politics)  
Senior Policy Advisor  
Federated Farmers of New Zealand