

Rosalind Devlin for QLDC: Summary of Evidence, Stream 18 – Settlements and LDSR rezonings

1. I have assessed and made recommendations on submissions requesting Settlement and Lower Density Suburban Residential rezonings.
2. I recommend a Commercial Precinct be applied over three additional submitter sites in Glenorchy (**John & Toni Glover (3006)**, **Blackthorn Limited (3339)** and **Pounamu Holdings 2014 Ltd (3307)**). I consider that these Commercial Precinct extensions are appropriate in these specific locations for enabling small-scale commercial activities in the underlying Settlement Zone (**SETZ**). These three additional Commercial Precincts will implement the objectives and policies of the underlying zones, are the most appropriate way to achieve the strategic direction of the PDP¹ and are the most appropriate way to achieve the purpose of the RMA.
3. Since filing my rebuttal evidence I have been made aware of the Consent Order on Topic 12 (Natural Hazards)². Policies 28.3.1.2 and 28.3.2.1, referred to in my rebuttal evidence for submission 31019 (Cardrona Village Limited)³, have been deleted. The objectives I relied on have been retained (but renumbered⁴).
4. My recommendation on submission 31019 was based on Mr Bond's expert evidence and my uncertainty over whether the level of increased downstream flooding as a result of the rezoning request, would be significant and/or intolerable. I consider that my recommendation is still supported by Chapter 28 as amended by the consent order:

28.3.1.4 Avoid activities that result in significant risk from natural hazard.

28.3.1.9 Where a natural hazard has been identified, but the natural hazard risk to people and communities is unknown, but potentially significant, apply a precautionary approach.

5. I am not sure whether the rezoning will result in significant risk. As the natural hazard is identified but the risk is unknown, I have applied a precautionary approach. I therefore retain my recommendations on the rezoning request (relief 31019.2 and 31019.3).

1 Strategic Policies 3.2.1.5, 3.3.3, 3.3.9, 3.3.10.

2 Consent Order Topic 12 Natural Hazards 11 June 2020.

3 Rebuttal Evidence of Rosalind Mary Devlin 12 June 2020 at para 5.6 pages 9-10.

4 Chapter 28 Objectives 28.3.1A and 28.3.1B.

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6. I recommend a site (**Southern Ventures Property Limited - 3190**) in Albert Town be partly rezoned to Lower Density Suburban Residential Zone, with the rest of the site remaining as Rural Lifestyle with a Building Restriction Area. I am of the view that the rezoning will enable an efficient and effective use of appropriately located land for low density residential living purposes. Natural and other hazards (landfill) have been addressed and the site can be fully serviced. I consider that the rezoning is consistent with the strategic direction of the PDP⁵, and is the most appropriate way to achieve the purpose of the RMA.
7. For all other requests, I consider that the notified PDP zones are more appropriate. I consider that these requests do not meet the relevant statutory tests and the rezoning assessment principles set out in Mr Barr's Strategic Evidence.
8. The key outstanding matters of disagreement between myself and submitters who have filed evidence are:
- (a) Whether a former riverbed site in Cardrona should be rezoned from Rural to Settlement, and whether a Commercial Precinct is appropriate over land along Soho Street (**31019 Cardrona Village Limited**). In addition to my comments on natural hazards above, I consider that the Commercial Precinct sought would undermine the Cardrona Village Character Guideline, and would be inconsistent with the PDP strategic direction and SETZ provisions⁶;
- (b) Whether the Kingston Flyer railway corridor should be rezoned Settlement with a Commercial Precinct (**3297 Kingston Lifestyle Properties Limited**). The SETZ provides for low-intensity residential living and only anticipates small-scale commercial activities that primarily service a local convenience purpose⁷. I consider that the railway corridor and tourist train activity does not fit well with the SETZ purpose and provisions, and a designation may be more appropriate.

5 Strategic Direction Objective 3.2.2 and Policy 3.2.2.1.

6 Strategic Direction Policy 3.2.1.5, Settlements Objective 20.2.3, Policies 20.2.3.1, 20.2.3.2.

7 Chapter 20: 20.1 Purpose.