

SUMMARY OF EVIDENCE – BLAIR DEVLIN – THE MILSTEAD TRUST (OS82)

- 1.1 My name is Blair Jeffrey Devlin. My planning experience and statement with regard to the Environment Court Code of Conduct is as per the brief of evidence I prepared and submitted to QLDC on 8 September 2023.
- 1.2 Following the receipt of the Milstead Trust submission, a number of changes to the notified provisions were made in the s42A report and S42A landscape schedules. My evidence (which I take as read) then proposed some further changes to the S42A version of the Preamble and Schedules.
- 1.3 Council's rebuttal evidence then provided further amendments, which were the subject of expert conferencing. I attended expert conferencing and signed the planning and landscape joint witness statement dated 6 October 2023. This joint witness statement amended the scale for capacity ratings. In my evidence I preferred the capacity rating scale in the evidence of Mr Espie. The revised scale as per the JWS is preferable as it removes the 'no landscape capacity' rating, which was problematic due to 'no' being treated like an 'avoid' policy.
- 1.4 The JWS version of the Pre-Ambles has addressed many of the concerns raised in the Milstead Trust submission. Schedule 21.22.6 for the Slope Hill ONF is also the subject of a JWS between Ms Smetham and Ms Gilbert.
- 1.5 One matter raised in paragraphs 50-53 of my evidence that did not make the JWS agenda and was not addressed in the JWS is in relation to farm houses – these currently fall outside the definition of 'farm building' in Chapter 2 of the PDP, and are excluded from the definition of 'rural living' in Chapter 3. They would therefore not have a landscape capacity rating, and in accordance with the final sentence of the JWS Pre-ambles, would be subject to an assessment applying the principles set out in 3.3.43, 3.3.45 and 3.3.46.
- 1.6 Many land holdings such as that by Milstead Trust are large and steep, and do require farming management while not being large enough to be stand-alone economic farming. Milstead Trust own a 7.2 hectare parcel of land that is predominantly ONF – this is too large to be considered a rural residential or rural lifestyle sized property and requires farming management. While there are a range of activities like farm houses that do not get given a specific capacity rating, there is a tension apparent that the Panel will have to resolve, because the values of the ONF have in fact been enhanced by traditional farming activities and practises over the last 100 or so years. Making reasonable provision for farm houses will in fact help maintain and enhance the values of the ONF/L.
- 1.7 I am happy to answer any questions

19 October 2023