

**BEFORE THE SELWYN DISTRICT COUNCIL**

**IN THE MATTER OF** the Resource Management Act 1991

**AND**

**IN THE MATTER OF** Proposed Plan Change 69 being a request by Rolleston Industrial Developments Limited for rezoning of approximately 190 hectares of rural land to mainly residential land together with a small commercial zone, generally located on the south side of the Lincoln township, to the east and west of Springs Road, and to the north of Collins Road

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**MINUTE NO 5 OF COMMISSIONER DAVID CALDWELL  
REGARDING SCOPE AND CLOSING OF THE HEARING  
Dated 1 February 2022**

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1. I received the Applicant's Closing Submissions and related documents on 15 December 2021.
2. I have considered the Applicant's Closing Submissions and related documents. I am satisfied that I now have sufficient information upon which to base my recommendation and to close the hearing.
3. I have also been considering scope issues. As discussed with Ms Appleyard towards the conclusion of the hearing days, there have been numerous changes to the proposal through the hearing process. A number of submitters commented on the difficulty in "keeping up".
4. The provisions of a proposed plan, or here plan change, cannot be altered except within the scope of the submissions on those provisions or by a variation notified in accordance with Schedule 1.<sup>1</sup>
5. In discussions with Mr Phillips and Ms Appleyard at the hearing, I queried the addition of Table 1 which relates to transport network upgrades and funding. Those discussions were principally around the issue of whether there was a conflation of Local Government Act and Resource Management Act issues. I note the table refers to anticipated funding mechanisms and does not purport to be determinative of those matters.
6. I have considered whether I need further information from the Applicant in relation to scope for the various changes. I do not consider that is necessary. I am generally satisfied that the changes proposed in relation to the provision of new educational facilities, and the changes in relation to water bodies and freshwater ecosystems, respond to issues raised in submissions.
7. I have carefully considered the remainder of the changes proposed or accepted by the Applicant, including those relating to infrastructure and funding. Again, at this stage I am largely satisfied they are within scope. I do not consider that I need or would benefit from any further submissions or information on that issue. I also consider that I have sufficient information to commence my deliberations.
8. I therefore advise that the hearing will close at **5.00pm Friday 4 February 2022**, unless I issue a further Minute otherwise. The deferred closing date is out of an abundance of caution in case there are any issues or concerns arising from this Minute.
9. If there are any such issues or concerns, then they must be raised, in writing, through Grace Hadfield/Emma Robertson ([submissions@selwyn.govt.nz](mailto:submissions@selwyn.govt.nz)) and Jocelyn Lewes ([Jocelyn.Lewes@selwyn.govt.nz](mailto:Jocelyn.Lewes@selwyn.govt.nz)) no later than **5.00pm Thursday 3 February 2022**.



**David Caldwell**  
Hearing Commissioner

Dated: 1 February 2022

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<sup>1</sup> *Environmental Defence Society Inc v Otorohanga District Council* [2014] NZ EnvC 70