

From: [Ian Burney](#)
To: [Cr Malcolm Lyall](#); [Jocelyn Lewes](#)
Subject: Re: Urgent attention required
Date: Monday, 9 May 2022 2:51:12 pm

Thank you Malcolm. So I have the following for Jocelyn Lewes.

Jocelyn, I am not a planner and not a legal expert but I do know the provided documentation is complex enough to warrant an increase in timescale for members of the community to read, understand and submit on the items specifically raised in the document without going over old ground. Point 9 below states that perfectly but I do not believe provision of the document on Tuesday last week with a deadline of today is allowing the community sufficient time to interpret any implications of proposed changes and comment is unreasonable and should be extended.

This is not about me but giving the community fair opportunity to give feedback as stated in point 9.

Kind regards,

Ian

On Mon, 9 May 2022, 10:47 AM Cr Malcolm Lyall, <CrMalcolm.Lyall@selwyn.govt.nz> wrote:

Good morning Ian

Here are our Group Manager Environmental and Regulatory services comments for your information.

Regards

Malcolm Lyall

Deputy Mayor Selwyn District Council

Begin forwarded message:

From: Tim Harris <tim.harris@selwyn.govt.nz>

Date: 9 May 2022 at 8:39:12 AM NZST

To: Cr Malcolm Lyall <CrMalcolm.Lyall@selwyn.govt.nz>

Subject: RE: Urgent attention required

Morning Malcolm

I have had a look at the minute issued by the Commissioner. It is very clear that he is only seeking views on what he describes as a technical matter. Specifically on how to include some rules into the District Plan around Transport Network Upgrades, tied to the issuing of a completion certificate under s224. It appears there are two main options one that they are included as separate rules or two they are included as a table. These options are appended to the minute. It is clear to me that the Commissioner only wants

comments on this matter and nothing else. I include some excerpts from the minute:

4. The issue which I am addressing in this Minute, and giving the parties the opportunity to provide comment on, relates to the most appropriate way to ensure that the outcomes sought by those amendments are achieved in a manner which is enforceable and enduring. Council officers have provided two alternative methodologies for me to consider. Again the methodologies which have been provided for my consideration are for the purpose of ensuring that the amendments fit into the SDP and are workable and enforceable. The upgrades themselves remain as proposed.

5. The first of those options is to convert the matters in the Applicant's proposed Table 1 – Transport Network Upgrades, into separate rules tied to the issuing of a completion certificate under s224 of the RMA (other than from minor boundary adjustments or creation of a lot for utility purposes).

6. The second alternative provided for my consideration is incorporating those provisions into Table 1 so that, for example, in relation to the Springs Road / Ellesmere Junction Road / Gerald Street traffic signals upgrade, the words "prior to occupation of any households within the ODP area" would be replaced with: No completion certificate shall be issued under section 224 of the Act (other than for a boundary adjustment or creation of an allotment solely for utility purposes) within Outline Development Plan Area 9 in Appendix 37, until such time as the Springs Road / Ellesmere Junction Road / Gerald Street intersection is signalised. The anticipated funding mechanisms would remain.

and

9. These matters have been raised somewhat late in the piece. They are however essentially of a technical nature. In those circumstances I am of the view that it is appropriate that I consider the options, along with the Applicant's proposal. If I am to do so, then it is of course appropriate that the Applicant in particular (given the technical nature of the changes) and any submitter who wishes to address the specific technical changes, be given the opportunity to comment. I wish to make it very clear that what I am seeking to achieve is certainty and enforceability. I also wish to make it very clear that I will not consider any correspondence or Memoranda which seeks to readdress the merits or otherwise of PC69 or any other matters beyond the narrow issue addressed in this Minute

Accordingly I do not see any opportunity for submitters to revisit matters pertaining to educational facilities funding matters or any other substantive matters.

Putting that to one side you are quite right we are not in a position to lobby the Commissioner on the process, outcomes or associated timeframes however if submitters consider themselves unable to meet time frames and then they should email Jocelyn.Lewes@selwyn.govt.nz directly with their concerns.

Nga mihi nui

Tim Harris | Group Manager Environmental and Regulatory Services |
Te Kaunihera a-Rohe o Waikirikiriri

Email: tim.harris@selwyn.govt.nz | Phone: 03 347 2800 | DDI: 03 347 2850 | Mobile: 027 345 6116

Office Hours: Monday – Friday 8.30am – 5.00pm

From: Cr Malcolm Lyall <CrMalcolm.Lyall@selwyn.govt.nz>
Sent: Sunday, 8 May 2022 8:27 pm
To: Tim Harris <tim.harris@selwyn.govt.nz>
Subject: FW: Urgent attention required

Hi Tim,

Can you address this tomorrow

Cheers

Malcolm

Sent from my Galaxy

----- Original message -----

From: Cr Malcolm Lyall <CrMalcolm.Lyall@selwyn.govt.nz>

Date: 8/05/22 5:46 pm (GMT+12:00)

To: Ian Burney <ian.burney@gmail.com>, Cr Grant Miller
<CrGrant.Miller@selwyn.govt.nz>, Cr Debra Hasson
<CrDebra.Hasson@selwyn.govt.nz>

Cc: Pauline Hayes <lccsecretary@outlook.co.nz>, Kathryn Claridge
<claridges5@xtra.co.nz>

Subject: RE: Urgent attention required

Hi Ian,

As this is an independent planning commissioner,I am not sure as to whether
We can have any influence.

I will refer this to our planning Manager to see if anything can be done.

Kind regards

Malcolm

Sent from my Galaxy

----- Original message -----

From: Ian Burney <ian.burney@gmail.com>

Date: 8/05/22 5:37 pm (GMT+12:00)

To: Cr Grant Miller <CrGrant.Miller@selwyn.govt.nz>, Cr Debra Hasson
<CrDebra.Hasson@selwyn.govt.nz>, Cr Malcolm Lyall
<CrMalcolm.Lyall@selwyn.govt.nz>

Cc: Pauline Hayes <lccsecretary@outlook.co.nz>, Kathryn Claridge
<claridges5@xtra.co.nz>

Subject: Urgent attention required

I have just seen the below post on our facebook page relating to PC69 conditions proposed for schooling and infrastructure which was submitted on Tuesday (and emailed only to those who submitted on the original PC69). This is only giving people up to 5pm this Monday to comment so the commissioner can get it approved without delay by SDC on 12th May. This lack of suitable time for the Lincoln residents (and this should be extended to all Lincoln residents, not just the submitters) to understand the document and put forward their views is despicable especially given the huge impact this development will have on Lincoln as a community. Is there anything you can do, as our local councillors, to push for extension and help communicate this to allow residents appropriate time to read, understand and submit on this before critical decisions affecting our community are made?

From Facebook...

"PC69 important chance for feedback by Monday - tomorrow!!!"

I just want to let the community know that there is an important chance for feedback to the commissioner on some conditions that he proposes in his recommendation on PC69. Unfortunately this opportunity was not apparent in the councils email to submitters, but I'll have a go here!

We have until Monday 5pm - tomorrow!! - to provide feedback on 2 specific areas:

1. Transport infrastructure upgrades are in place before completion certificates are signed off (I interpret this as meaning before the 1st houses are signed off).
2. Sufficient area is provided for schools (though he is not clear if that's both primary and high schools - something we can submit on!)

The commissioner is clear that he is not interested in feedback on other issues, so we need to stick to the areas and issues he discusses in his document.

Feedback can be provided on this document, termed "Minute No.6" on the Council PC69 webpage <https://www.selwyn.govt.nz/.../PC69-Commissioner-Minute...>

The **email address to send your feedback to** is on page 2 of the minute, specifically sent to either Jocelyn.Lewes@selwyn.govt.nz or submissions@selwyn.govt.nz **no later than 5.00pm Monday 9 May 2022.**

Whether you are for, or against, the subdivision you should be interested in this chance for feedback to ensure that if it goes ahead our community gets the infrastructure investment needed within the time frame that it is needed, not a vague promise that we may still be waiting for 10 years later...

The catch is though... the recommendation indicates that the cost of infrastructure investment is split between the developer and significant council investment – i.e. we will pay for key components through our rates. It is only fair that you may want to ask our Councillor's that if they approve the PC69 subdivision, what will the additional cost be to your rates bill. To keep Lincoln as a well-functioning and thriving community what investment will we need to make: what will it cost, what do we get, and when will it be delivered. You can contact the Mayor and Councillor's here <https://www.selwyn.govt.nz/your-council/mayor-And-council>"

Kind regards,

Ian



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