

PC4 HEARING POINTS DAVID LAWRY FS1

My original Further Submission indicated that CIAL's affirmation that they could not gain an advantage in Trade competition was misleading. I sought as a remedy that their entire submission be rejected.

I have outlined what I have labeled the régime indicating to you the Commissioners how over years of piecemeal Plan changes and District Plan changes that extreme land planning competitive advantages and pollution enabling CCC policies have come into effect. Indicating how freedom to have unmitigated at source engine testing has brought the previously Nelson based ATR maintenance business to CIAL.

I have indicated that a lack of CCC Governance level failure to address conflict of interest risks between the owners and CIAL prevails.

I have then directly identified the same processes at play in the PC4 process. I have identified misleading evidence, conclusive examples that CIAL can control CCC planning inputs directly into PC4 even to the point the chain of documented evidence can be sought to be altered and has been by Mr. Bayliss. CCC Governance oversight in this example alone has been shown to be missing in action, as it has been for many years.

CIAL intentionally uses a dishonest request for the need for protection from disruption to its operations. CCC has enabled this dishonesty to the competitive advantage of its company. In PC4 further activities currently exempt from this perverse régime are being sought to be eliminated Heritage, Farm Stay, Clear water (Golf Resort) Zone.

PC 4 and PC5 should have been combined from the start. CIAL, seeks even more definition changes and activity removals that will disadvantage the community living under the contours in that plan change. PC5 is indefinitely adjourned. I suspect, as I pointed out that the alleged purpose, being advertised "to promote development into the Central Business District" was like closing the gate after the

fox had escaped. The PC84 enabling of CIAL development to the point that development could significantly disadvantage the CBD recovery before CCC would take any action being the evidence of this comment. CIAL has, and continues, to take full advantage of that perverse CCC deal.

I submit CIAL conclusively do seek a trade competition advantage from PC4. Specifically, they seek to reduce accommodation supply for all under the contours, i.e. close to the Airport and to enhance their own ability to generate revenue from creating accommodation supply in Trade Training and AirBnB type accommodation in the Special Airport Zone. There is an obvious conclusion from Ms Appleyard representing AirbnB in PC4

CIALs submissions should be totally rejected accordingly.

I have tabled additional legal submissions for consideration.

Support More Permissive Short Term Accommodation Option.

I support any submitter advocating for a more permissible short term accommodation régime. It is sad that maybe the one pearl of wisdom from the debunked CCC economic evidence is that prior to Covid, the market was already finding its own equilibrium and declining. The activity presenting virtually no issues at all, due partly to the miniscule number of the total Christchurch housing stock engaged in the activity. Virtually no amenity specific complaints arose.

My support includes Ms Appleyard with her AirBnB hat on. Maybe we could have conferenced and allowed Farm Stay to remain unchanged, totally exempted from reverse sensitivity rules, if her assertion at point 5 of her Legal submission discussed below is truthful.

Farm Stay has only one activity standard it allows ten persons **not the four** that Ms Appleyard asserts. These ten people can be accommodated for a tariff for Farm associated activity, conservation associated activity and rural tourism.

Due to the total exemption as part of the NZS 6805:1992 even in its CIAL led watered down application, requiring a balancing of airport and local farmer needs, it was drawn into the noise reverse sensitivity and intentionally excluded.

At point 5 of her Legal submission on behalf of CIAL she states: “To be clear, CIAL does not seek to **change the rules** proposed to introduce planning rules which are stricter than those currently in place.”

Tricky, **not changing the rules** but changing the definition of farms stays so the rules capture this activity into the reverse sensitivity regime. An intended change from the current total exemption for ten people is reduced to 4 and after CIAL indicated that tents caravans and vehicles were to be enabled, hence no rebuttal from submitters, but now following the help from CCC contractor Mr. Bayliss seeks to remove those activities also on behalf of CIAL.

I submit a much stricter outcome for the community of persons living under the contours.

The Bayliss led late changes set out in 7.11.i ii and iii of his Rebuttal are procedurally flawed and must be rejected. As must be his attempt to change Blackmore’s enabling of tents caravans etc. in Farm Stays this late change totally removed any ability for rebuttal and if Ms Blackmore is not to be called to be questioned by the Commissioners on this and other matters of accuracy in her submission must also be rejected.

The PC4 documentary history must be returned to what it was before his unauthorized changes 7.11 iii.

Farm Stay exemption should be retained unchanged.

Air Noise Contours

CIAL are required by ECAN to provide them with a re-evaluation of these contours by the end of this month. Weeks away, not years, as Mr Bayliss asserts.

ECAN has set aside a budget to peer review what CIAL arrive at.

There is evidence that CIAL actually carried out a review of the contours in 2018/19. Contained in the Greater Christchurch Partnership documentation in a CIAL submission 39 point 2 they state, Noise contours are currently being remodeled as required by Policy 6.3.11 (3) of the CRPS. They will be supplied to

Greater Christchurch Partnership in 2019. We are being played with by CIAL who have replied that they do not hold a **final report** on such modeling. We are seeking any documentation re this re-evaluation final report or other.

Mr McKenzie submitter S89 will address the contours issue in more depth. I support his comments.

There is no doubt that CCC enforcement action is being taken pursuant to the current inaccurate contours.

There is also no doubt that CCC routinely provide CIAL with all resource consent applications including those originating from exempted existing residential zones. In Ms Blackmore's evidence for CIAL she confirms this and that she deals to them. This means routinely opposing, delaying and requiring alterations incurring additional cost.

Existing residential zones are totally exempted from reverse sensitivity routinely disclosing these resource consent applications to CIAL is a blatant breach of privacy enabling CIAL bullying. It may also be a significant contributor to why CCC is unable to achieve its statutory required resource consenting time lines.

All this is being done pursuant to grossly inaccurate contours.

PC4 should be placed on hold so as to be informed by accurate contour data, a far more efficient and effective RMA outcome.

Nil Noise Mitigation

CIAL carries out no at source mitigation at all relating to on wing engine testing.

CCC, the industrial noise statutory enforcer, refuses to determine that this activity is industrial noise. It creates the worst at night and early morning noise pollution in Canterbury. Yet CCC & CIAL seek to influence you that they need protection from curfew complaints arising from benign activities such as Farm Stay at 50 and 55 dBA Ldn. air nose and engine testing contours.

CIAL, a property management and development company, with a small and quickly dying aviation component, relies on land planning and noise enabling policy to drive its revenue.

The sole reason it does this is because of the ownership connection to CCC who has provided what are unique and perverse enabling policies to the detriment of the entire cities residential development.

As CIAL control the entire noise complaints process most of which are derived from there engine testing, there is absolutely no risk at all of their operations being impeded by curfew.

CONTEXT

In case anyone has forgotten we are living in a major housing and pandemic crisis. CCC is currently months behind in residential consenting. Yet they seek to have implemented a new resource consenting work load, one aimed at reducing accommodation supply, offering only weak amenity evidence as a justification. This Plan change seeks to reduce flexibility, add to complexity, and remove avenues for persons to improve their social economic cultural and overall well-being. It is totally in contravention of Government SOE direction and the NPS- UD 2020.

The sad thing is this sort of behaviour reduces confidence in the institutions that should drive our democracy and stability. Already the general public is just ignoring Council and will I submit in larger numbers continued to do so. If PC4 and PC5 are seen as the Council's priority in these times then that outcome is entirely understandable.

Are there any questions?

I wish you well in your deliberations

D.M. LAWRY

