

Before an Independent Hearings Panel  
at Christchurch

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*under:* the Resource Management Act 1991

*in the matter of:* Proposed Plan Change 4 to the Christchurch District  
Plan

*and:* **Christchurch International Airport Limited**  
Submitter 101 / Further Submitter 8

Statement of Evidence of Felicity Blackmore

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## **STATEMENT OF EVIDENCE OF FELICITY BLACKMORE**

### **INTRODUCTION**

- 1 My full name is Felicity Jane Blackmore.
- 2 I am the Environment and Planning Manager in the Planning and Sustainability team at Christchurch International Airport Limited (CIAL). I have held this role since March 2018.
- 3 My qualifications include a Bachelor of Science with Honours from the University of Canterbury
- 4 I have been authorised by CIAL to provide evidence in relation to Airbnb's submission (number 101) and further submission (number 8) on proposed Plan Change 4 to the Christchurch District Plan. I am familiar with the content of CIAL's submission and further submission.

### **SCOPE OF EVIDENCE**

- 5 My evidence will deal with the following:
  - 5.1 An overview of CIAL;
  - 5.2 CIAL's position on hosted and unhosted visitor accommodation in residential units; and
  - 5.3 A response to some of the recommendations in the s42A Report.

### **ABOUT CIAL AND CHRISTCHURCH INTERNATIONAL AIRPORT**

- 6 Christchurch International Airport (*the Airport / CIA*) is the largest airport in the South Island and the second-largest in the country. It connects Canterbury and the wider South Island to destinations in New Zealand, Australia, Asia and the Pacific.
- 7 Airports have a strong multiplier effect on the economies they serve. Independent estimates indicate that for every \$1 Christchurch Airport earns, the wider South Island economy earns \$50.<sup>1</sup> In 2017 the Airport was estimated to contribute \$2.6 billion to the GDP of the Canterbury region.<sup>2</sup> Ministry for Business, Innovation and Employment research reports that one international airline passenger into Christchurch generates 12.3 commercial bed nights

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<sup>1</sup> "The shape of Christchurch in 2025, Christchurch International Airport and three economic growth scenarios" BERL, May 2014

<sup>2</sup> BERL. Christchurch International Airport. December 2017.

across New Zealand and 9.9 commercial bed nights into the South Island.<sup>3</sup>

- 8 Just under 7 million travelling passengers per year and their associated meeters and greeters currently pass through the Airport.<sup>4</sup> Combined Airport activities see between 25,000 and 30,000 people visiting the Airport every day. CIA is home to several international Antarctic science programmes and their associated facilities. The Airport is also the primary air freight hub for the South Island, playing a strategic role in New Zealand's international trade as well as the movement of goods domestically. On that basis, the Airport is a significant physical and economic resource in national, regional and local terms.
- 9 CIAL owns the airport terminal and the airfields, and approximately 859 hectares of land, including the property of the Antarctic Centre. CIAL's wider interests (including land leased by CIAL) total some 1052 hectares. 693 hectares of CIAL's landholdings are within the Special Purpose Airport Zone (*SPAZ*). CIAL works closely with many other businesses on the airport campus including passenger airlines, the Airways Corporation, the US Antarctic Program, air cargo operators, warehousing and aviation specialists, rental car companies, retail and food outlets.
- 10 The most recent revision of the Airport Master Plan (2016) identifies expected growth levels to 2040:
  - 10.1 Passenger Movements to grow from 2018 levels of 6.9 Million (5.1 Million Domestic; 1.8 Million International) to 11.7 Million in 2040 (7.6 Million Domestic; 4.1 Million International);
  - 10.2 Passenger Aircraft Movements to grow from 2018 levels of 72,000 movements (61,000 Domestic; 11,000 International) to 111,000 in 2040 (90,000 Domestic; 21,000 International); and
  - 10.3 Cargo Aircraft Movements to grow from 2018 levels of 3,100 movements to 4,200 in 2040. It must be noted that in addition to these cargo specific aircraft movements, the clear majority of air cargo to and from Christchurch is carried in the belly hold of commercial passenger aircraft (see domestic and international movement growth above).
- 11 While we are currently experiencing unusual and unprecedented changes in these patterns due to the global Covid-19 pandemic, all

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<sup>3</sup> International Visitor Survey, Ministry for Business, Innovation and Employment (MBIE) 2018

<sup>4</sup> Total achieve in 2018 calendar year.

projections indicate strongly that pre-covid levels of activity will return.

- 12 Domestic tourism has recovered strongly following the lockdown, with an approximate 90% recovery in domestic passenger numbers, meaning there has been an approximate 20% increase in the number of kiwis flying domestically than prior to COVID-19.
- 13 International tourists continue to view New Zealand as natural, clean and green and as a consequence of the New Zealand Government response to COVID-19, it is also viewed as safe in terms of trusted public health measures.
- 14 The tourism industry expects that New Zealand will be in high demand as a destination once COVID-19 restrictions are lifted.
- 15 Tourism New Zealand has projected that although there are current uncertainties that will dictate whether recovery takes one year or three, the modelling shows tourist demand will be back at 2019 levels by December 2022, assuming unconstrained supply.

#### **CIAL'S POSITION REGARDING VISITOR ACCOMMODATION**

- 16 Christchurch International Airport is intrinsically connected to the visitor economy in Christchurch and the wider South Island as a gateway for international and domestic tourists and travellers.
- 17 CIAL's core concern with respect to plan change 4 is to ensure that any potential reverse sensitivity effects on the safe and efficient operation of Christchurch International Airport will be avoided. Notwithstanding this, CIAL wishes to emphasise that visitor accommodation is a key part of the Christchurch visitor economy and CIAL supports enablement of a broad range of visitor accommodation types.
- 18 CIAL does not believe it is necessary to constrain choice by differentiating between particular types of visitor accommodation, imposing complicated regulation, or taking an overly directive approach in respect of certain types of guest accommodation in Christchurch. Unnecessary constraint and regulation of this activity will have a negative effect on the district and on the city's prosperity.
- 19 PC4 as notified, and as amended via the s42A Report recommendations, creates a complex regime which is difficult to navigate and which could make activities such as home sharing uneconomical. CIAL is concerned that the outcome of this plan change will be that people will be discouraged from participating in the sharing economy and ultimately accommodation options in Christchurch will decrease. That would be a poor outcome for Christchurch. It would reduce the attractiveness of the district as a destination for visitors and would unnecessarily impede homeowners' and occupiers' ability to access alternative income

sources through listing their properties for short term accommodation.

**Reverse sensitivity**

- 20 In my role I spend a lot of time dealing with proposals for further residential intensification of sensitive activities or new noise sensitive activities within the Noise Contours. It can seem, to those unfamiliar with this issue, that this type of activity does not have a large impact individually. But on an accumulated basis, sensitive development close to the Airport can have serious effects on operations. Allowing sensitive development within the Noise Contours also negatively impacts on the amenity and comfort of occupants.
- 21 It is critical that proper consideration is given to how visitor accommodation activities in residential units are integrated into the Plan's regime for managing sensitive activities.
- 22 The Canterbury Regional Policy Statement (RPS) defines "noise sensitive activities" as follows:
- means*
- **Residential activities other than those in conjunction with rural activities that comply with the rules in the relevant district plan as at 23 August 2008;**
  - *Education activities including pre-school places or premises, but not including flight training, trade training or other industry related training facilities located within the Special Purpose (Airport) Zone in the Christchurch District Plan;*
  - **Travellers' accommodation except that which is designed, constructed and operated to a standard that mitigates the effects of noise on occupants;**
  - *Hospitals, healthcare facilities and any elderly persons housing or complex*
- 23 RPS Policy 6.3.5(4) requires that noise sensitive activities are to be avoided within the 50dBA Ldn airport noise contour unless they are within an existing residentially zoned urban area, residential greenfield area in Kaiapoi, or residential greenfield area identified in Map A of the RPS. RPS Policy 6.3.9(5)(a) further requires that the location and design of rural residential development shall avoid noise sensitive activities occurring within the 50dB Ldn Air Noise Contour.
- 24 This regional policy directive is given effect in various parts of the District Plan, including by Strategic Objective 3.3.12, which in turn is implemented in related objectives and policies throughout other chapters of the Plan.
- 25 There are several zones in which visitor accommodation and the proposed new categories of "hosted visitor accommodation in a residential unit" / "unhosted visitor accommodation in a residential unit" / "visitor accommodation accessory to farming" / "visitor accommodation accessory to a conservation activity or rural tourism activity" may fall within the 50dB Ldn Air Noise Contour and the 50dB Ldn Engine Testing Contour.

- 26 CIAL's main concern with respect to PC4 is to ensure that the proposal is consistent with the objectives and policies in the Canterbury Regional Policy Statement and District Plan strategic objectives related to reverse sensitivity and protection of strategic infrastructure.
- 27 Reverse sensitivity related to airport noise is managed in the District Plan through controls on the density of residential development and other sensitive activities in proximity to the Airport, through the suite of overlapping rules applicable to the 50dB Ldn Air Noise Contour, 55dB Ldn Air Noise Contour, and Air Noise Boundary and 50dB, 55dB and 65dB Ldn Engine Testing Noise Contours (the *Contours*).

**Hosted and unhosted visitor accommodation in residential units**

- 28 Visitor accommodation in existing residential units is not of concern to CIAL as long as this type of land use will not create an increase in residential density under the *Contours*, and provided the residential unit in question is still required to comply with the various relevant rules in the plan in place to manage residential density and development. This means, broadly speaking:
- 28.1 If a new building is constructed for hosted or unhosted visitor accommodation in a residential unit, CIAL seeks that the activity is still subject to the same provisions related to noise insulation and establishment of sensitive activities within the *Contours*;
- 28.2 Under current plan definitions, "visitor accommodation" is only determined to be a sensitive activity if it is designed, constructed and operated in a way that mitigates the effects of noise on occupants. A standard residential unit may not be designed, constructed or operated in such a way – so in that situation CIAL wants to make sure that plan change 4 makes it clear those types of hosted or unhosted visitor accommodation are to be regulated as sensitive activities within the *Contours*.
- 29 CIAL is not otherwise concerned with whether a residential unit is occupied by a household or by short term accommodation guests, nor whether those guests are hosted or unhosted. CIAL's view is that this activity is primarily residential in character.
- 30 I understand that PC4 does not propose to remove or amend existing residential density controls or other requirements such as minimum lot sizes in the relevant residential and rural zones which fall within the *Noise Contours*. CIAL strongly supports this approach.

**Traditional visitor accommodation**

- 31 CIAL's position with regard to traditional visitor accommodation (such as hotels, motels, hostels) is that, provided those activities take place in buildings that are designed, constructed and operated to a standard that mitigates the effects of aircraft noise on occupants, reverse sensitivity effects on the Airport can be avoided.

- 32 However if visitor accommodation does not take place in buildings which meet those acoustic standards, it is by definition a sensitive activity and must be avoided within the Noise Contours.
- Bed and breakfasts and farm stays**
- 33 The current Plan's definition of "guest accommodation" excludes "bed and breakfasts" and "farm stays", which are treated separately. Both of these activities are currently defined by their use of a residential unit.
- 34 I understand that the new rules related to "hosted" and "unhosted" "visitor accommodation in a residential unit" are intended to supersede the rules related to bed and breakfast activities. CIAL's position is that bed and breakfasts are residential in nature and should be regulated as such.
- 35 The 'sub-categories' of the current "farm stay" definition are now proposed to be reflected in separate activity rules in the rural chapter and are not defined with respect to use of a residential unit. These "visitor accommodation accessory to farming" and "visitor accommodation accessory to a conservation activity or rural tourism activity" activities are essentially residential in nature and are therefore sensitive to aircraft noise.
- 36 Even if characterised as "visitor accommodation", many examples of farm stay or bed and breakfast style accommodation would fall within the definition of noise sensitive activities due to the type of building used (noting that the definition of "building" in the Plan includes tents, caravans, shipping containers and such – which are not designed, constructed or operated in a way that mitigates the effects of aircraft noise on occupants – and the types of buildings anticipated for these activities include buildings such as cabins or huts).
- 37 As discussed above, CIAL's fundamental concerns relate to new noise sensitive development within the Contours. Any additions or changes to the rule regime imposed through PC4 should continue to regulate activities that will be sensitive to airport noise appropriately.
- 38 The s42A Report recommends retaining the categories of activity for "visitor accommodation accessory to farming" and "visitor accommodation accessory to a conservation activity". The s42A Report does also recommend drafting that retains the previous regulation of farm stays within the Contours. CIAL's position is that this is a complicated rule regime and that may add to confusion when it comes to applying these rules. But ultimately, provided that the rules carry over existing restrictions on activities such as farm stays within the Contours, CIAL's core concerns are addressed.
- 39 CIAL supports the proposed drafting for rules 17.5.1.1 P22 and 17.6.1.1 P20 in Appendix 2 of the s42A Report which would prevent accommodation accessory to a farming activity in the form of a campground within the Contours. I would like to clarify that CIAL is opposed to any campground being enabled as a permitted activity within the Contours (as explained in CIAL's submission). I note that

the drafting currently proposed is ambiguous, stating that within the Contours "Visitors may not be accommodated in campground consisting of tents or more than three heavy vehicles." I appreciate that CIAL's proposed drafting in its submission did not seek to delete the reference to heavy vehicles but, reading the drafting again, I consider it would better reflect CIAL's position provided in the written part of its submission.

- 40 The drafting preferred by CIAL which I think better reflects the relief sought is (shown bolded and in red):

Visitors may **only not** be accommodated in campgrounds consisting of tents, **caravans** or **no more than three heavy** vehicles

**Rules applicable to Residential New Neighbourhood (RNN), Residential Suburban (RS) and Residential Suburban Density Transition (RSDT) zones**

- 41 Rules 14.4.1.3 RD34 and 14.12.1.3 RD26 operate to require any sensitive activity that exceeds permitted or controlled activity standards within the Contours to also require consent in order to manage potential adverse reverse sensitivity effects on the Airport.
- 42 This is because breach of standards for things like maximum site coverage and minimum lot size can result in higher density development (e.g. a larger house with more bedrooms and therefore more occupants, or more than one residential unit on a single lot), and therefore more people than anticipated in the plan being exposed to suboptimal noise environments (with, then, more risk of reverse sensitivity effects on the Airport). This is a cumulative effects problem – individual developments may not cause issues on their own, but collectively and over time increasing density of sensitive activities within the Contours has the potential to cause serious adverse effects.
- 43 In paragraph 7.22.25 of the s42A Report, Ms McLaughlin comments that these RD34 and RD26 rules are only triggered for larger-scale residential developments. That is not the case.
- 44 I receive a large number of requests for written approval for activities which trigger rules 14.4.1.3 RD34 and 14.12.1.3 RD26. Sometimes these are larger scale developments, but often the applications relate to small scale residential development. For example:
- 44.1 the subdivision of a larger parcel of residential land (in the region of 2000m<sup>2</sup>) into four lots and construction of a residential unit on each lot, with several of the lots being smaller than the minimum net site area specified in the zone rules;
- 44.2 extensions to existing houses to add bedrooms which mean the house exceeds the maximum site coverage requirements;
- 44.3 establishment of minor residential units which exceed the maximum gross floor area requirements;



- 44.4 developments of new residential units which are then immediately subject to a further application to convert the structures to a boarding house or other more intensive use.
- 45 There is real, constant, pressure for development of higher density sensitive activities in residential areas within the Contours. I see this daily as I receive the written approval requests to consider. On average, I get 1 to 2 requests for written approval triggered by rules 14.4.1.3 RD34 and 14.12.1.3 RD26 every week.
- 46 It is critical for CIAL to be made aware of these developments so that it can advise the Council on the extent to which adverse reverse sensitivity effects could be created and so that it can participate in consenting processes.
- 47 According to PC4 as drafted, it appears that new buildings could be constructed for "visitor accommodation within a residential unit" and they would not trigger a requirement to consider reverse sensitivity effects even if the units in question were going to breach relevant built form standards or activity standards in the zone rules.
- 48 CIAL seeks that the proposed new categories of hosted/unhosted visitor accommodation in a residential unit are added to the list in rules 14.4.1.3 RD34 and 14.12.1.3 RD26, alongside the other sensitive activities listed.
- 49 CIAL's concern is that a new building or multi-unit development could be consented for use for unhosted or hosted visitor accommodation in a residential unit, and then over time that new development could end up housing permanent residential activities. PC4 as currently drafted would not allow for the consideration of reverse sensitivity issues within the Contours in this situation. This is a loophole that I am confident developers would seek to exploit. If this were to happen, it would enable inappropriate development of sensitive activities within the Contours.
- CIAL's relief***
- 50 In order to avoid creating this loophole, the new categories of "hosted visitor accommodation in a residential unit" and "unhosted visitor accommodation in a residential unit" need to be listed alongside the other sensitive activities in rules 14.4.1.3 RD34 and 14.12.1.3 RD26. Or, another way to achieve this result would be to add these new activity categories into the definition of "residential activity" (currently they are expressly excluded from that definition), as "residential activity" is listed in rules 14.4.1.3 RD34 and 14.12.1.3 RD26.
- 51 In paragraph 7.22.25 the Council reporting officer has recommended that CIAL's relief is rejected. I do not think the reporting officer has understood this loophole, nor appreciated the implications it raises.

### **Insulation**

- 52 A further, related, issue raised in the s42A Report is that activities triggering rules 14.4.1.3 RD34 and 14.12.1.3 RD26 are subject to acoustic insulation requirements.
- 53 The matters for discretion for activities captured by rules 14.4.1.3 RD34 and 14.12.1.3 RD26 include the extent to which appropriate indoor noise insulation is provided in line with Appendix 14.16.4.
- 54 The Council reporting officer has commented that another reason why she has recommended not adding “hosted / unhosted visitor accommodation in a residential unit” is that she does not think the requirement for acoustic insulation should be triggered for these activities.
- 55 However, in the area between the 50dB and 55dB contours, most modern homes will meet the required noise reductions without needing to do anything special above and beyond a standard façade and construction. So this is not an onerous standard to meet.
- 56 The requirement in Appendix 14.16.4 is necessary for long-term residential activities, and it is in place not only to protect Airport operations but also to protect occupants from adverse effects. It is equally important for short term visitor accommodation in a residential unit as it is for a more ‘standard’ residential activity.
- 57 Ms McLaughlin comments that the NZ Standard on Airport Noise Management and Land Use Planning does not require noise insulation at 50dB Ldn. However, the District Plan itself does (see Appendix 14.16.4) and there was extensive acoustic evidence during the replacement District Plan process in 2016 which supported that Appendix and the associated rules which trigger its consideration.

### **References to noise contours**

- 58 Finally, there is a further drafting matter that I would like to address. Where rules proposed in PC4 reference the Contours, they have been drafted to refer to the “50, 55 and 65dB Ldn Air Noise Contour or 50, 55, and 65dB Ldn Engine Testing Noise Contour”. . for example:

c. Within the 50, 55 or 65 dB Ldn Air Noise Contour or the 50, 55, 60 or 65 dB Ldn Engine Testing Contour or any more restrictive air noise or engine testing contours:

- 59 First, it is important to note that the 65dB Ldn Air Noise Contour is a contour used to manage CIAL operational compliance with noise limits. The aircraft operational noise contour closest to the runways used to regulate reverse sensitivity is referred to as the Air Noise Boundary (this is defined in the Plan) – it is a composite contour - and so the reference to a 65dB Ldn Air Noise Contour with respect to rules managing reverse sensitivity is incorrect.

- 60 Second, as CIAL noted in its submission, the Contours overlap. So it is not necessary to list out all of the contours in the rules, it is enough to say "within the 50dB Ldn Air Noise Contour or 50dB Ldn Engine Testing Contour" and that covers all the land within that area, including land falling within the smaller 55dB Ldn Air Noise Contour or Air Noise Boundary (and the same principle applies to the respective Engine Testing Contours).

**Specific Purpose (Golf Resort) Zone**

- 61 There are both resort hotel units and residential units in the Specific Purpose (Golf Resort) Zone. PC4 (and the current proposal to omit the Specific Purpose (Golf Resort) Zone from regulation via PC4) has two implications for those activities in this zone:
- 61.1 If residential units in this zone are used for short-term visitor accommodation then they will be exempt from the rules put forward in PC4. There does not appear to be any reason for that differential treatment;
- 61.2 The Council's rationale for introducing PC4 is to regulate short-term use of a residential unit, based on the proposition that an activity is residential in character after occupancy extends for more than 28 days in a row. That does not accord with the way that duration of stay is treated in the Specific Purpose (Golf Resort) Zone. Again, CIAL would like to see consistent treatment of this type of activity across the district.

**No rational connection between exemptions in the Specific Purpose (Golf Resort) Zone and contour remodelling**

- 62 The s32 report states at paragraph 2.5.3 that: "*The proposed Plan Change does not include changes to the provisions related to visitor accommodation in the Specific Purpose (Golf Resort) Zone. These will be subject to the outcome of a review of the airport noise contours and can be reassessed in light of that review and the outcomes of this Plan Change.*"
- 63 The s42A Report makes similar remarks at paragraph 7.21.10: "*...it is unclear whether the recent remodelling of the airport noise contours will lead to any change in their location, as the remodelling results have not yet been disclosed. It would be inappropriate for Council to recommend amendments to the numbers or proportions or residential units or hotel bedrooms at Clearwater without knowing the results of this remodelling.*" The modelling work alluded to has not been completed. CIAL itself is not aware of the location of the Contours that might come out of this remodelling exercise.
- 64 It is not clear to me why the Council thinks that this noise contour remodelling exercise will make a difference to its approach to the management of short term visitor accommodation in the Specific Purpose (Golf Resort) Zone. This is not raised as an issue in relation to any other zone in the district.
- 65 That justification for the decision to omit the Specific Purpose (Golf Resort) Zone from the plan change is confusing and seems to be disconnected to the purpose behind PC4. From my understanding,

the Council's reasons for proposing the rules in PC4 are not related to aircraft noise matters at all. In all other zones the Council's proposed rules apply to properties both within and outside of the Contours.

66 There are rules which relate to how many residential units and resort hotel units are allowed within the Contours. But the numbers of units themselves are not relevant to this Plan Change – it is the nature of the activities which is the key issue, and consistency of treatment of these types of residential and visitor accommodation activities across the district.

67 I do not therefore understand why the Council has suggested that the rules related to visitor accommodation in the Specific Purpose (Golf Resort) Zone are connected to a review of the 50dB Ldn Air Noise Contour. There is no connection between these two things:

67.1 There is a process for reviewing the Air Noise Contour in the RPS. That is connected to a review of Chapter 6 RPS and is to be initiated by the Canterbury Regional Council. The rules in the Specific Purpose (Golf Resort) Zone are not dependent on a review of the Air Noise Contour;

68 There is no basis for waiting until a review of the Contour to determine how visitor accommodation in the Specific Purpose (Golf Resort) Zone should be treated. Work done to review the Air Noise Contour will not contain special consideration of the Clearwater resort and the location of the Contours will be relevant only to the permitted numbers and location of residential units and resort hotel units within the Contours.

***The situation at Clearwater***

69 There is a long history to the development of residential and visitor accommodation activities within the Contours in the Specific Purpose (Golf Resort) Zone at Clearwater.

70 The Specific Purpose (Golf Resort) Zone at Clearwater contains residential units, which could be used for short-term visitor accommodation. It also contains more traditional visitor accommodation in the form of a hotel.

71 As well as this, Clearwater contains a development of large residential-style units that are termed 'resort hotel' units. Despite this presentation, CIAL has been concerned for several years that the resort hotel units are in reality being used as residential units. The website advertising these units for sale directly references their potential use "for owner accommodation" and they are designed and presented as homes.<sup>5</sup> Regardless, relevantly to PC4, the units are also advertised as being a good proposition for use as short term

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<http://www.cqa.co.nz/boathouses/#:~:text=The%20Boathouses%20are%20a%20limited,lake%20to%20Clearwater's%208th%20hole.>

visitor accommodation. This land use is therefore directly relevant to the activity which the Council is trying to regulate through PC4.

- 72 In developing PC4, the Council has determined that 28 days of occupancy in a row represents a point at which people begin to “develop community ties” and where an activity becomes residential in nature. CIAL agrees that longer-term occupancy is residential in nature. This aligns with our experience with the development of “resort hotel” units at Clearwater.
- 73 Currently, “resort hotels” at Clearwater are allowed to be occupied by the owner for three months in total per calendar year. This standard is in place to ensure that they are used genuinely as “resort hotels” and not as purely residential units. If the Council now considers that 28 days is the more appropriate threshold between use of a unit in a way that is residential in nature, then that threshold should be applied in Clearwater as well. CIAL’s view is that if these units are being genuinely used as resort hotels, this should not be a controversial proposition.
- 74 At 7.21.9 the s42A Report suggests that CIAL has been contradictory. That is not the case:
- 74.1 CIAL is pointing out that, first, there are residential units in the Specific Purpose (Golf Resort) Zone and there is no reason why they should be exempt from rules relating to use of those units for visitor accommodation;
- 74.2 Second, it is clear that the resort hotel units are being sold as available for owner occupancy for a time period that the Council has classified as indicative of a residential activity, and they are clearly being promoted as able to be used for short term visitor accommodation. CIAL is pointing out, therefore, that this land use appears to meet the definition of “short term visitor accommodation in a residential unit” which the Council has proposed. If the activity does meet that definition, it should be subject to the same rules that the Council seeks to apply across the district;
- 74.3 There is a threshold set in the Specific Purpose (Golf Resort) Zone at Clearwater for the length of owner-occupancy of “resort hotel” units which was set to distinguish them from “residential activities”. The Council has now determined that this threshold is 28 days. It would therefore be appropriate to update the threshold in the Specific Purpose (Golf Resort) Zone to match that threshold.
- 75 Also at 7.21.9 the s42A Report comments that amending the length of stay standards for “resort hotel” units as sought by CIAL might be contrary to lease agreements. This is not an RMA issue.
- 76 If the Council develops rules and regulations for visitor accommodation in residential units, including a length of stay after which the accommodation is considered to have the characteristics of a residential activity, then these rules should logically be applied

equally across all zones. In fact, those rules would be particularly relevant to the Specific Purpose (Golf Resort) Zone.

- 77 If the Council decides to impose rules specific to short term accommodation in a residential unit then those rules should apply consistently throughout the district. The relevance of the PC4 rules to the Air Noise Contour is discussed in the rest of my evidence, and relates to the fact that residential activities are noise sensitive activities, requiring regulation as such if they are used for short term accommodation as well as if they are used for a more 'traditional' permanent household.

Dated: 7 May 2021

Felicity Jane Blackmore