

**Appendix D** - A copy of the Appellant's submission and further submissions;

# Form 5

## Submission on a Publicly Notified Proposal for Policy Statement or Plan

*Clause 6 of First Schedule, Resource Management Act 1991*

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To: **Queenstown Lakes District Council (“the Council”)**

Name of Submitter: **FII Holdings Limited**

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### Introduction:

1. This is a submission on the proposed **Queenstown Lakes District Plan** (“the Proposed Plan”) notified on 26 August 2015.
2. The submitter could not gain an advantage in trade competition through this submission.
3. The submitter has an interest in the Proposed Plan as a whole, and as such the submission relates to the Proposed Plan in its entirety.
4. The specific provisions of the Proposed Plan that this submission relates to are those referred to in **Annexure A**, including provisions in the following chapters:
  - a. Chapter 3: Strategic Direction;
  - b. Chapter 8: Medium Density Residential;
  - c. Chapter 16: Business Mixed Use;
  - d. Chapter 27: Subdivision & Development;
  - e. Chapter 28: Natural Hazards
  - f. Chapter 36: Noise; and
  - g. Planning Maps.
5. The submitter's property is located at 145 Frankton-Ladies Miles Highway.
6. The Proposed Plan has identified this site and the surrounding properties as being located in the Medium Density Residential Zone, as shown on Planning Map 31a.

## General Reasons for Submission:

### Zone

7. The submitter generally supports the removal of the Rural General zone from the subject site and surrounds, being a zone that is not truly reflective of the environment. The submitter recognises that the Rural General zone has some benefits to the environment that have not been reflected in the proposed Medium Density Residential zone however.
8. The submitter considers that the most appropriate zone for the site and surrounds would be a mixed use zone that provides for residential and lighter industrial/commercial uses. Such a zone would best reflect the existing land uses, and the proximity to Frankton Industrial, State Highway 6 and compliment the nearby commercial land at 5 Mile.
9. The submitter considers that the most appropriate zone would be either the Business Mixed Use zone or Industrial zone.
10. If the Medium Density Residential zone is adopted by the Council, the submitter requests that changes are made to the provisions to provide for more mixed use activity than is currently provided for.

### Air Noise Boundary

11. A small portion of the front of the submitter's site is dissected by the Queenstown Airport Outer Control Boundary (Ldn65). This boundary has resulted in an area of the submitter's land remaining as Rural General. This is an inefficient use of the land resource and serves no resource management purpose.
12. Given the proximity of this area of the site to SH6, there would be acoustic insulation requirements to reduce the noise impacts from the highway. These requirements are sufficient to protect from aircraft noise.
13. The submitter requests that the entire property is rezoned, rather than part of the property.

### Landscape Line

14. Planning Map 31a identifies the boundary of the Outstanding Natural Landscape dissecting the upper third of the submitter's property. There is no justification for the boundary being in this location in the section 32 reports that are applicable.
15. This landscape line appears inconsistent with the topography of the site and does not taken into account the character of the landscape in this area.

16. The submitter requests that the landscape boundary is relocated to closer to the site boundary to the north of the property. This will enable a greater area of the site to be utilised, best reflect the character of the landscape in this location and afford appropriate protection to the landscape at the rear of the submitter's property.
17. Altering the Medium Density Residential and Quail Rise zones as proposed will:
  - a. Promote the sustainable management of natural and physical resources, will be consistent with Part 2 of the Resource Management Act 1991 ("RMA") and ultimately achieve its purpose;
  - b. Enable the social, economic and cultural well-being of the community;
  - c. Meet the reasonably foreseeable needs of future generations; and
  - d. Represent the most appropriate means of exercising the Council's functions, having regard to the efficiency and effectiveness of the provisions relative to other means.
18. The relief sought by the submitter will result in an outcome that aligns with the purpose of the RMA, along with implementing the relevant objectives and policies of the Proposed Plan.

**Relief sought:**

19. The submitter seeks the following relief:
  - a. The rezoning of the site and wider area to Business Mixed Use zone or Industrial zone; or
  - b. Amending the Medium Density Residential zone provisions (and related provisions) as set out in **Annexure A**; and
  - c. Any other additional or consequential relief to the Proposed Plan, including but not limited to, the maps, issues, objectives, policies, rules, discretions, assessment criteria and explanations that will fully give effect to the matters raised in the submission.
20. The suggested revisions do not limit the generality of the reasons for the submission.
21. The submitter wishes to be heard in support of its submission.
22. If others make similar submissions, the submitter will consider presenting a joint case at any hearing.



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Brett Giddens  
(Signed on behalf of FII Holdings Limited)

23 October 2015

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Date

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## Form 6

### Further Submission in support of, or in opposition to, Submission(s) on the Proposed District Plan

*Clause 8 of First Schedule, Resource Management Act 1991*

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To: **Queenstown Lakes District Council (“the Council”)**

Name of Submitter: **FII Holdings Limited (“FII”)**

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#### Introduction:

1. This is a further submission on submissions made to the proposed **Queenstown Lakes District Plan** (“the Proposed Plan”). Submissions on the Proposed Plan were notified on 3 December 2015.
2. The further submitter is a person who has an interest in the proposal that is greater than the interest the general public has. FII owns land that is impacted on by a number of requests from submitters. FII is concerned in particular about the potential for the relief sought to have an adverse impact on the use and development of FII’s land.
3. Those submissions this further submission relates to, the particular part of the submissions supported or opposed, along with the reason for the support or opposition and the relief sought, is set out in **Annexure [A]**.
4. FII wishes to be heard in support of its further submission.
5. If others make similar submissions, FII will consider presenting a joint case at any hearing.



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**Brett Giddens**  
(Signed on behalf of FII Holdings Limited)

**18 December 2015**  
Date

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## Annexure A

Submission #	Part of Submission Supported or Opposed	Reason	Relief Sought
717: The Jandel Trust	Support submission	The submitter supports mixed use zoning of the land. FII supports this relief.	Allow relief sought
140: Ian & Dorothy Williamson	Oppose submission	The submitter opposes the rezoning of the land to low/medium density residential on traffic grounds. FII opposes this relief; there are no traffic grounds that would prevent an alternative zoning of the land.	Disallow relief sought
177: Universal Developments Ltd	Oppose/support the submission in part	<p>The submitter supports the medium density residential zone on the land. FII does not consider that this zone is the most appropriate zone for the land and generally opposes this relief.</p> <p>The submitter supports the removal of the rural general zone from the land. FII supports this providing an appropriate zone is place on the land that provides for a mixed use environment, not solely residential.</p> <p>The submitter disagrees with the 80m setback from new or altered residential and other noise sensitive activities from the State Highway. FII supports the submitter and considers that 80m is excessive considering current day acoustic insulation requirements.</p>	Allow/disallow relief sought
501: Woodlot Properties Ltd	Oppose the submission in part	The submitter requests the amendment of the ONL boundary on Ferry Hill which includes the boundary running through a portion of the FII land. FII opposes the ONL boundary in this location as not being appropriate given the zoning and landscape characteristics.	Disallow relief sought

<p><b>751:</b> Hansen Family Partnership</p>	<p>Support the submission</p>	<p>The submitter supports the medium density zoning with amendments. The submitter also considers parts of its properties are suitable for non-residential uses; FII supports this position on the basis that the land along Frankton Highway-Ladies Miles, including the FII land, is zoned for mixed use activities.</p> <p>The submitter also highlights reverse sensitivity issues for existing non-residential land uses. FII supports this concern and believes that an alternative zone to Medium Density Residential would be the most appropriate method to address such issues.</p>	<p>Allow relief sought and update zonings along Frankton Highway-Ladies Miles to reflect mixed use activities</p>
<p><b>8:</b> Stephen Spence</p>	<p>Oppose submission</p>	<p>The submitter requests that the rural zoning of the land be retained. FII opposes this relief on the basis of the land not being suitable for rural activities and alternative zonings being more appropriate, as detailed in the FII submission.</p>	<p>Disallow relief sought</p>