

**BEFORE THE HEARINGS PANEL
FOR THE QUEENSTOWN LAKES PROPOSED DISTRICT PLAN**

IN THE MATTER of the Resource Management Act 1991
AND
IN THE MATTER of a further submission to Stage 2 of the
Proposed District Plan
BY **MILLBROOK OWNER-MEMBERS
COMMITTEE**

**REPLY SUBMISSIONS IN SUPPORT OF AN APPLICATION TO STRIKE OUT
SUBMISSION**

Dated: 29 August 2018

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LAWYERS | NOTARY PUBLIC

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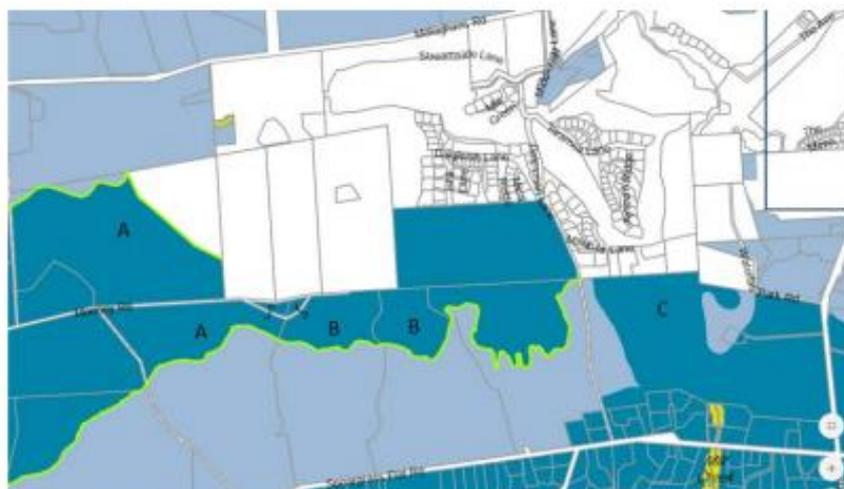
MAY IT PLEASE THE PANEL:

Introduction

1. These submissions are on behalf of R & M Donaldson (“**Donaldsons**”) in reply to the submissions filed by the Millbrook Owner-Members Committee (“**Millbrook Owners**”) in response to the Donaldsons’ application to strike out the Millbrook Owners’ submission.

Identification of the Donaldson land in the Millbrook Country Club Limited (“**MCCL**”) Submission

2. The Millbrook Owners’ submissions assert, in relation to the submission filed by MCCL that was omitted from the Queenstown Lakes District Council’s summary of submissions, that “Area B as identified on the plan in the MCCL submission is clearly part of the Donaldson land”.
3. With respect this is a baseless assertion. The table contained in the omitted part of the MCCL submission identifies both the legal descriptions and the owners of the land referred to as Areas A, B and C. Neither the legal description of the Donaldsons’ land nor the Donaldsons as owners are referred to.
4. Secondly, the map contained in the MCCL submission clearly excludes the Donaldsons’ land from Areas A, B and C. The two parcels to the south west of the Donaldsons’ land are shown as being Area B, with Area A further to the west and Area C to the south east of the Donaldsons’ land.



5. The Millbrook Owners’ submissions appear to suggest that Area B encompasses not just the specific lots on which an identifier is shown but also the adjacent land also notified as Wakatipu Basin Lifestyle Precinct. This with respect is a misreading of the map. While the Donaldsons’ land shares the same zoning (and therefore appears as the same colour on the map) as Areas A, B and C, the MCCL

submission only intended to include the specific lots or parts of the lots on which an identifier is shown.

6. If the Millbrook Owners' logic was applied then all the lots south of Speargrass Flat Road as shown on the map could be seen as being part of Area C. Clearly this is not the case.

Conclusion

7. On the basis of the above it is maintained the Millbrook Owners have no scope to rely on the omitted parts of the MCCL submission in seeking a rezoning of the Donaldsons' property.
8. As such it is submitted the Millbrook Owners' submission be struck out.



G M Todd/B B Gresson
Counsel for R & M Donaldson