

**BEFORE THE HEARINGS PANEL**

**FOR THE QUEENSTOWN LAKES PROPOSED DISTRICT PLAN**

**IN THE MATTER**

of the Resource Management Act

**AND**

**IN THE MATTER**

of an Application to strike out a further  
Submission to Stage 2 of the Proposed  
District Plan

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**RESPONSE TO APPLICATION TO STRIKE OUT SUBMISSION**

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**Dated: 24 August 2018**

**Lodged by:**

Millbrook Owner-Members Committee

PO Box 2591 Wakatipu 9349

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To:                   **The Hearings Panel**

1. This response is to an application (the **Application**) lodged on behalf of R & M Donaldson to strike out the further submission lodged by Millbrook Owner-Members Committee (the **Committee**) in relation to the submission by Millbrook Country Club Limited referred to in the Application and annexed as Appendix 3 to the Application.
2. In relation to the grounds stated in Paragraphs 4(a) to (e) of the Application and relied on by the Applicant to seek to strike out the Committee's submission, the Committee responds as follows, using the same numbering:

4a and b: No comment required.

4c: The allegation that no part of the areas noted as A, B or C was identified as the Donaldson's land is trite. Area B as identified on the plan in the MCCL submission is clearly part of the Donaldson's land.

It is a matter of semantics as to how the submission described the boundary changes it sought to introduce. It could have identified the proposed amendment by simply drawing a line around the subject property, but in any event the method of description does not change the purpose of the Committee's submission which is to extend the boundary of Area B to the north as described.

The assertion by the Applicant that the omitted parts of the Millbrook submission did not address the matter of rezoning is refuted. Firstly, in the paragraph preceding the Table in the Millbrook submission:

**This submission addresses the re-zoning of land to the west and south of the Millbrook Resort Zone that has been included in the Wakatipu Basin Lifestyle Precinct (WLBP).**

The Table then identifies the affected land (including the Applicant's land) and proposes changes to the zoning of that land.

Paragraph 4 of the subject Millbrook then states:

**In relation to A, B and C:**

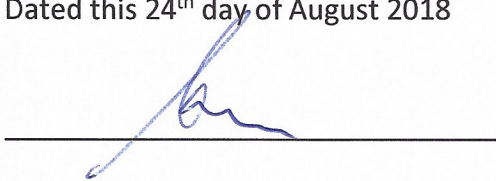
**Should the proposed zoning structure not be adopted, those parcels should continue to be zoned Rural General with the discretionary design-led regime for development as provided for in the operative district plan**

4d: The Committee is not "seeking relief" in relation to the submission of David Shepherd but simply incorporating the quoted wording from that part of that submission in the Committee's own submission.

4e: The Committee's submission does not require any form of waiver. It meets the requirements for a further submission in that it both supports and opposes (in part in each case) the Millbrook Submission insofar as it relates to the preferred zoning of the Applicant's land under the proposed District Scheme and states reasons for that opposition.

For the above reasons the Committee requests that the Applicant's Application to Strike Out the Committee's submission be dismissed.

Dated this 24<sup>th</sup> day of August 2018

A handwritten signature in blue ink is written over a solid horizontal line. The signature is cursive and appears to be the name of the Chairman.

Chairman, Millbrook Owner-Members Committee