

under: the Resource Management Act 1991 (**RMA**)

in the matter of: an appeal under clause 14(1) of Schedule 1 of the RMA
in relation to the proposed Queenstown Lakes District
Plan

between: **Streat Developments Limited**
Appellant

and: **Queenstown Lakes District Council**
Respondent

Affidavit of April Mackenzie in support of an application for waiver

AFFIDAVIT OF APRIL MACKENZIE IN SUPPORT OF AN APPLICATION FOR WAIVER

I, April Lynlee Mackenzie of Lake Hawea, retired, swear:

- 1 I am the chairperson of the Hawea Community Association Incorporated. I commenced this role in October 2018, replacing Mr Paul Cunningham.
- 2 HCA gave notice of its intention to become a party to the following proceedings: ENV-2018-CHC-00086 Streat Developments Limited v Queenstown Lakes District Council.
- 3 HCA has sought a waiver, under section 281 of the RMA, of the requirement in section 274 of the RMA to give notice of its intention to become a party to the appeal within the statutory time periods.
- 4 The grounds for the application for waiver are:
 - 4.1 HCA has represented the residents and ratepayers of Hawea (including Lake Hawea, Hawea Flat, and Johns Creek) since 1989. The Hawea community consists of around 1300 dwellings, about half of which are occupied fulltime.
 - 4.2 HCA's role is to promote the wellbeing and sustainable development of Hawea district; foster values and actions consistent with a cohesive nurturing community; safeguard the interests of residents and ratepayers; represent members in dealing with national and local authorities, companies, and individuals; and improve and beautify the environment of Hawea.
 - 4.3 HCA's committee consists of 11 people, including myself. None of the committee members have any experience in resource management matters.
 - 4.4 HCA has 250 member households that pay an annual membership fee. However, HCA represents the interests of many more residents and ratepayers who do not pay a fee.
 - 4.5 HCA lodged a submission on the proposed Queenstown Lakes District Plan addressing matters relevant to the appeal. It did not participate in the hearing process.
 - 4.6 HCA has only recently become aware of the need to take a more active role in resource management matters, following the announcement of a proposed Special Housing Area located south of Cemetery road, Lake Hawea. It was during discussions with a Council officer in relation to the proposed Special Housing Area that HCA became aware of the potential for this appeal to challenge the urban growth boundary for Lake Hawea.
 - 4.7 On becoming aware of the potential consequences of this appeal, I took steps to prepare and lodge the notice as quickly as possible. This process was delayed somewhat by the fact that I am currently overseas assisting my niece who has recently given birth to her fourth child by c-section.

- 4.8 HCA wishes to become a party to the appeal to ensure the urban growth boundary for Lake Hawea is maintained, something the community thought had been secured through previous processes. Its concerns include the implications of development for the water supply and wastewater system, which struggle to meet current demands.
- 4.9 I am not aware of any prejudice that would be suffered by any party to the appeal if HCA's application for waiver is granted by the Environment Court.

Sworn at Wanaka
On 13 March 2019
before me:

)
)
)

April Lynlee Mackenzie

A Solicitor of the High Court of New Zealand