Ministry for the Environment
Manatū Mō Te Taiao

FTAA–2502-1008: Application received for referral of the project under the Fast-track Approvals Act 2024 – Stage 2 decisions

Project Name: Ayrburn Screen Hub

Date submitted:	12 May 2025	Tracking #: BRF–6106	
Security level:	In-Confidence	MfE priority:	Urgent

	Action sought:	**Response by:**
To Hon Chris Bishop, Minister for Infrastructure	Decision on recommendations	19 May 2025

Actions for Minister's Office staff	**Return** the signed briefing to MfE *FTAreferrals@mfe.govt.nz*. **Approved** the attached notice of decisions letter (if signed).
Number of appendices 5	Appendices: 1. Application documents for Ayrburn Screen Hub (refer File Exchange) 2. Stage 1 Briefing Note and decisions (refer File Exchange) 3. Draft Notice of Decisions (attached to email) 4. Section 18 Report on Treaty settlements and other obligations (refer File Exchange) 5. Comments received from all parties the Minister sought comments from (refer File Exchange)

Ministry for the Environment contacts

Position	Name	Cell phone	1st contact
Principal Author(s)	Oliver Sangster / Joanne Waitoa		
Manager	Stephanie Frame	s 9(2)(a)	✓
General Manager	Ilana Miller	s 9(2)(a)	

Key messages

1. This briefing seeks your decisions on the application from Waterfall Park Developments Limited to refer the Ayrburn Screen Hub project (the project) under the Fast-track Approvals Act 2024 (the Act) to the fast-track approvals process for consideration by a panel.
2. A copy of the application is in Appendix 1. This is the second briefing on this application. The first (Stage 1) briefing (BRF–5884) with your initial decisions annotated is in Appendix 2.
3. The project is to construct and operate a film and television production facility in Arrowtown, Queenstown, including worker accommodation. The applicant noted a previous proposal (retirement village complex) was consented on the same site, but that project is not proceeding. Separately, Proposed Queenstown-Lakes District Plan provisions, including landscape matters, regarding the location (including this site) was a subject of Environment Court appeals.
4. The project will require the proposed approvals: resource consents under the specified Act – Resource Management Act 1991 (RMA)
5. The project will involve activities such as studios, accommodation units, and supporting facilities and amenities. The project also proposes environmental enhancement measures including sediment traps and riparian planting to improve water quality in Lake Hayes.
6. We recommend you **accept** the referral application as the project meets the criteria set out in section 22.
7. We seek your decisions on this recommendation and on the recommendation for direction to the applicant and notification of your decisions.

Assessment against statutory framework

8. The statutory framework for your decision-making is set out in Appendix 4 of the Stage 1 briefing. You must apply this framework when you are deciding whether to accept or decline the referral application and when deciding on any further requirements or directions associated with referral of the project.
9. Before accepting the referral application, you must consider the application (in Appendix 1), the section 18 Treaty settlements report (in Appendix 4), any comments from invited parties (in Appendix 5), and any document or procedural requirements identified under section 16. Following that, you may accept the referral application if you are satisfied that it meets the criteria in section 22 of the Act and if there are no reasons meaning you must decline the referral application. We provide our advice on these matters below.

Section 18 Treaty settlements and other obligations report

10. We have identified the following relevant Māori groups under section 18(2) of the Act:
    a. Te Rūnanga o Ngāi Tahu;
    b. Te Rūnanga o Moeraki;
    c. Kāti Huirapa Rūnaka ki Puketeraki;
    d. Te Rūnanga o Ōtākou;
    e. Hokonui Rūnanga;
    f. Waihōpai Rūnaka, representing Waihōpai;

g. Te Rūnanga o Awarua, Te Rūnanga o Ōraka-Aparima;

h. Aukaha; and

i. Te Ao Marama Incorporated.

11. We have identified the Ngai Tahu Claims Settlement Act 1998 as being relevant to the project area. We have not identified any other obligations such as Mana Whakahono ā Rohe or joint management agreements.

12. Some of the principles and provisions in the Crown acknowledgements and apology of the Ngāi Tahu Treaty settlement apply broadly to a geographic area which includes the project area, however there is no specific redress relevant to the project area. Accordingly, we did not identify any documents that you must give the same or equivalent effect to, or procedural requirements you must comply with, under section 16 of the Act.

13. Four of the Māori groups invited for comment provided responses. Kāti Huirapa Rūnaka ki Puketeraki and Te Ao Marama Incorporated responded that they want to ensure appropriate mitigation of any impacts on the environment and are continuing to engage with the applicant to ensure their cultural values are recognised. Te Rūnanga o Moeraki and Te Rūnanga o Ōtākou advise the applicant is actively engaged with them. All groups currently hold a neutral position on the application and reserve the right to provide further comment if the application is referred to a panel.

14. The Minister for Māori Development and the Minister for Māori Crown Relations: Te Arawhiti was invited to comment on the draft s18 report. They have advised they have no comments or concerns with the application.

15. Under section 18(m) of the Act, we do not consider there are any matters raised in this report which make it more appropriate for the proposed approvals to be authorised under another Act or Acts.

Section 16 Effects of Treaty settlements and other obligations on decision-making

16. We did not identify any documents that you must give the same or equivalent effect to, or procedural requirements you must comply with, under section 16 of the Act.

Written comments received

17. Comments were received from six of the parties invited to comment: Otago Regional Council (ORC), Queenstown-Lakes District Council (QLDC), Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Moeraki Incorporated, Te Rūnanga o Ōtākou Incorporated and Te Ao Mārama Inc. The Minister for the Environment also responded with no comments to add. The key points of relevance to your decisions are summarised in Table A.

18. Key points from the comments are:

19. ORC considered the project has potential to have regionally significant benefits

a. QLDC considered the project is contrary to a number of the relevant District Plan and Spatial Plan growth area provisions, but the project supports goals of the Queenstown-Lakes Economic Diversification Plan

b. Measures to improve quality of water entering Lake Hayes (including reduced sedimentation) are a key focus for Māori groups and ORC

20. QLDC recommended an independent peer review of the applicant's landscape report, as QLDC considered that report to be at odds with its previous evidence to the Environment Court regarding to the site that was heard during appeals on the Proposed Queenstown-Lakes District Plan

a. QLDC noted the site is outside QLDC's existing water supply and wastewater scheme boundary, and further Local Government Act 2002 (LGA) processes may be needed to expand that boundary to cover this site if the project proceeds (to address development contributions and rates). We note that this would need to be undertaken separately to any Fast-track Approvals Act 2025 process (or standard RMA process) as LGA processes are not covered by either Act

b. Further assessment of existing three waters infrastructure (particularly water source and wastewater pump station capacity) is needed to determine adequacy to service the project

21. Both QLDC and ORC identify flood risk on the site, which QLDC notes differ from the previous retirement village proposal (due to the location of the development on the site), and recommended further stormwater assessment

a. The Māori groups that responded reserved their position on the merits of the project itself, which are more appropriately considered further through an expert panel process.

Further information provided by applicant, relevant local authorities, relevant administering agencies

22. You did not request any further information from the applicant, relevant local authorities or relevant administering agencies under section 20 of the Act.

Reasons to decline

23. You must decline the application for referral under section 21(3) if:

    a. You are not satisfied the project meets the criteria in section 22; or

    b. You are satisfied that the project involves an ineligible activity; or

    c. You consider you do not have adequate information to inform your referral decision.

24. We do not consider you must decline this application for any of these reasons, as outlined in Table A.

25. You may also decline the application for any other reason under section 21(4). The Act sets out the following matters you may consider when deciding whether to decline an application:

    a. The project would be inconsistent with any of the following:

        i. A Treaty settlement

        ii. The Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019

        iii. The Marine and Coastal Area (Takutai Moana) Act 2011

        iv. A Mana Whakahono ā Rohe

        v. A joint management agreement

    b. It would be more appropriate to deal with the matters that would be authorised by the proposed approvals under another Act or Acts

    c. The project may have significant adverse effects on the environment

    d. The applicant has a poor compliance history under a specified Act that relates to any of the proposed approvals

e. The project area includes land that the Minister for Treaty of Waitangi Negotiations considers necessary for Treaty settlement purposes

f. The project includes an activity that is a prohibited activity under the RMA

g. A substantive application for the project would have 1 or competing applications

h. In relation to any proposed approval of the kind described in section 42(4)(a) (resource consent), there are 1 or more existing resource consents of the kind referred to in section 30(3)(a).

26. We have considered the matters above and this is discussed in Table A, and we do not consider you should decline the referral application for any of these reasons.

Reasons to accept

27. You may accept a referral application if you are satisfied that the whole project meets the criteria in section 22 (s 21(1)(c)).

28. The section 22 criteria you must be satisfied of are:

    a. The project is an infrastructure or development project that would have significant regional or national benefits (section 22(1)(a)); and

    b. Referring the project to the fast-track approvals process:

        i. Would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes (section 22(1)(b)(i)); and

        ii. Is unlikely to materially affect the efficient operation of the fast-track approvals process (section 22(1)(b)(ii)).

29. Our assessment of these matters is summarised in Table A. We consider the project meets the requirements of section 22, as:

    30. It would have significant regional or national economic benefits because the applicant considers it will generate $278 million in economic activity and employ 2037 ‘Full Time Equivalent (FTE) years’ in the Otago region spread across its three-year construction phase (i.e. an average of 640 FTE per year, peaking in year two), and then 370 FTE per year / $48 million per year average economic contribution in Otago through its operation (including by attracting more film and television productions to the region by providing post-production facilities and accommodation). We consider the project would have significant regional benefits, based on the economic analysis provided by the applicant and the statement from Otago Regional Council in response to your invitation to comment. The project may also have national benefits if these new facilities do attract additional film and/or television productions to New Zealand (as the applicant expects).

    a. Referring the project to the fast-track approvals process would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes, because the timeframes associated with the fast-track approvals substantive process are likely to be less than those associated with the standard RMA process (noting the project has non-complying activity status under the relevant district plan, and the limited appeal provisions associated with the fast-track approvals process compared to the standard process)

    b. It is unlikely to materially affect the efficient operation of the fast-track approvals process because the project is relatively simple compared to other project types that could apply (e.g. it is only located on a single private land parcel and only requires RMA resource consents).

Other matters

31. We have identified four issues further to the matters identified above and our analysis of these is in Table A.
    a. ORC identified the need for an additional resource consent that had not been included in the referral application, which the applicant could address in a substantive application if the project is referred to an expert panel
    b. ORC and QLDC considered the project could include an additional bus stop to better integrate with the public transport network
32. ORC noted that the applicant's pre-lodgement consultation with ORC was not adequate from their perspective, and QLDC noted it had not had any consultation by the applicant since the commencement of the Act.
33. We consider that points (a) and (b) can be considered in a substantive application (if referred). Point (c) is from the councils' viewpoints. We noted in our previous briefing [BRF-5884] that the applicant had satisfied the section 11 pre-lodgement consultation requirements including consultation with relevant local authorities.

Conclusions

34. We consider the project meets the section 22 criteria and you could accept the referral application under section 21 of the Act and refer the project to a panel with the specification outlined below.
35. We consider that if you decide to refer the project, you should specify under section 27(3)(b)(ii) of the Act that the following information must be submitted with the substantive application:
    a. a full independently peer reviewed stormwater report, including flood modelling
    b. an independently peer reviewed landscape report (which could be a peer review of the applicant's existing report)
    c. an infrastructure assessment, including a determination on whether existing water supply and wastewater pump station infrastructure has sufficient capacity to service this project, as well as other already consented (but not yet built) in the wider Ayrburn area, or whether any upgrades are needed to achieve this.
36. application for all necessary resource consents that would be required under the RMA.
37. The above information is required for the following reasons:
    a. to ensure natural hazards risk can be appropriately managed through an expert panel process, noting the ORC suggested in its feedback on the referral application that proposed stormwater ponds are located in the existing floodplain
38. QLDC considered the applicant's landscape report was at odds with QLDC's previous landscape evidence provided through earlier Environment Court proceedings on Proposed District Plan provisions in relation to the site
    a. QLDC noted the applicant's referral application information did not determine whether existing water supply and wastewater infrastructure is adequate to service the development and other consented activities in the vicinity. If upgrades are needed for the development to feasibly occur, this is an important consideration for an expert panel.
39. to ensure all necessary approvals for the project that would be required under the RMA are determined holistically as part of a single process under the Fast-track Approvals Act

2024.

Next steps

40. MfE must give notice of your decisions on the referral application, and the reasons for them, to the applicant(s) and anyone invited to comment under section 17 and publish the notice on the Fast-track website.
41. If you decide to refer the project, MfE must also give notice of your decision to:
    a. The panel convener
    b. Any additional iwi authorities or Treaty settlement entities that you consider have an interest in the matter other than those invited to comment under section 17
    c. The Environmental Protection Authority (EPA)
    d. The relevant administering agencies
42. You must also provide all of the information you received that relates to this application to the EPA and the panel convener, including:
    a. The referral application
    b. Any comments received under section 17
    c. The report obtained under section 18
    d. If a report was obtained under section 19, that report.
43. We will undertake this action on your behalf.
44. We have attached a notice of decisions letter to the applicant(s) based on our recommendations (refer Appendix 3). If you agree to refer the application, we will sign the letter, we will provide it to all relevant parties.
45. Our recommendations for your decisions follow.

Recommendations

46. We recommend that you:

a. **Note** section 21(3) of the Fast-track Approvals Act 2024 (FTAA) requires you to decline the referral application from Waterfall Park Developments Limited if you are satisfied that the project involves an ineligible activity, or you consider that you do not have adequate information to inform the decision under this section or if you are not satisfied that the Ayrburn Screen Hub Project (project) meets the referral criteria in section 22 of the FTAA.

47. **Agree** that before making a decision on the application for project referral under section 21(1) of the FTAA you have considered:

i. the application (Appendix 1)

ii. the report obtained under section 18 of the FTAA (Appendix 4)

48. any comments and further information sought and provided within the required timeframe (Appendix 5).

Yes/No

a. **Note** you may also have additional obligations arising under section 7 which requires you to act consistently with Treaty settlements and recognised customary rights. For this application, officials have not identified any additional obligations and this is explained further in the section 18 report.

49. **Agree** the project will meet the referral criteria in section 22 of the FTAA as it is a development project that would have significant regional benefits as it will:

50. deliver significant economic benefits in the Otago region, and may deliver significant economic benefits nationally if the new facilities attracts additional film and television productions to New Zealand that would have otherwise been undertaken elsewhere (filming and/or post-production)

i. address significant environmental issues (being supporting water quality enhancement of Waiwhakaata Lake Hayes)

51. be processed in a more timely and cost-effective way than under normal processes

i. be unlikely to materially affect the efficient operation of the fast-track approvals process

Yes/No

b. **Agree** there is no reason the project must be declined under section 21(3) because:

i. the project meets the criteria in section 22 as explained at recommendation c

ii. the project does not include an ineligible activity as explained in Table A

iii. the application includes sufficient information to inform your decision

Yes/No

52. **Agree** to accept the referral application under section 21(1)(c) and refer all of the project to an expert panel under section 26(2)

Yes/No

53. **Agree** to specify Waterfall Park Developments Limited as the person who is authorised to lodge a substantive application for the project

Yes/No

54. **Agree** to specify under section 27(3)(b)(ii) of the FTAA that the following information must be submitted with the substantive application:

    i. a full stormwater report that is peer reviewed, including flood modelling details

    ii. an independently peer reviewed landscape report

    iii. an infrastructure assessment, including consideration of existing water supply and wastewater pump station infrastructure, and whether any upgrades are needed to service the proposal (as well as the existing consented environment)

    iv. application for all resource consents that would be necessary under the RMA to undertake the project

Yes/No

b. **Note** MfE will provide notice of your decisions (draft attached in Appendix 3) to:

    55. Anyone invited to comment on the application including local authorities and relevant Māori groups

    i. The panel convener

    ii. The EPA

    iii. The following relevant administering agencies:

        1. Ministry for the Environment

Signatures

Ilana Miller
General Manager, Delivery and Operations

Hon Chris Bishop
Minister for Infrastructure

Date:

Table A: Stage 2 analysis

<table>
<tr><td rowspan="2">Project details</td><td>Project Name</td><td>Applicant</td><td>Project Location</td></tr>
<tr><td>Ayrburn Screen Hub</td><td>Waterfall Park Developments Limited
c/- Barker and Associates;
c/- Winton Land Limited
The applicant only seeks approvals required under the RMA, therefore is eligible to apply.</td><td>A 26.25 hectare site, within the wider Ayrburn Farm, on Ayr Avenue (between Arrowtown township and Lake Hayes). Lot 4 DP 540788.

The project is adjacent to, and would be connected with, the applicant's existing Ayburn residential and hospitality precinct currently under development (and partially complete).</td></tr>
<tr><td>Project description</td><td colspan="3">The project is to construct and operate a facility for screen production (film and television).
The project includes 15 buildings (including a studio, workshops, offices, a venue, storage and logistics, and accommodation (approximately 185 units), and ancillary activities (including a spa)), associated infrastructure (parking, three waters, cycle trails connecting to a wider existing network), landscape and ecological planting, and works to improve Lake Hayes water quality through sediment control and riparian planting of an onsite stream that flows into Lake Hayes.
The project is designed primarily for film and television productions, including accommodation for crews. However the facilities would also be available for wider public when not being used for productions (including visitor accommodation and events such as weddings and conferences).</td></tr>
<tr><td rowspan="2">Minister invites comments / requests information</td><td colspan="2">Comments from invited parties</td><td>Further information from applicant, relevant local authorities, relevant administering agencies</td></tr>
<tr><td colspan="2">Local authorities

Otago Regional Council (ORC) considers the project has the potential to deliver significant regional benefits, provided that environmental sustainability is balanced with economic, cultural, and social considerations.

ORC did not consider there to be any reasons why the regional consents required for the project could not be processed within statutory timeframes under the RMA, but was not opposed to this proceeding through the fast-track process.

QLDC noted the project is likely to have "considerable adverse landscape and visual amenity effects", noting the applicant's landscape report is "at odds with" QLDC's previous evidence to the Environment Court, and recommended a peer review of the applicant's landscape report.

Regarding water quality, ORC considered any significant adverse effects can be mitigated, provided a Water Quality Management Plan is prepared, implemented and maintained (but noted the referral application lacked technical detail regarding this and natural hazards relating to flood risk and stormwater management). QLDC also noted this project is more affected by flooding risk than previously considered development at this site (due to the proposed location within the site, and entry/exit routes) and recommended independently peer reviewed stormwater assessment to ensure feasibility and appropriate effects management. We consider natural hazard-related matters can be considered by an expert panel if the project is referred. QLDC

ORC noted the project would require other resource consents that were not identified by the applicant in the referral application (land use consent to construct the sediment trap on a riverbed). We recommend that, should a notice of decision be issued to refer the project, that should include direction to the applicant to apply for all necessary resource consents under the RMA. ORC noted the proposed actions to capture sediment and improve water quality would appear to be a good outcome for the catchment.

ORC and QLDC also suggested it would encourage the project to integrate with the public transport network through construction of a bus stop. QLDC also noted potential traffic issues associated with larger vehicles (for studios/conferences) and vehicle movement/onsite parking design, and lack of clarity whether potential development staging would impact transport access. We note transport and natural hazard-related matters can be considered by an expert panel if the project is referred.

QLDC noted existing RMA processes would provide for affected parties and/or the general public (if affected) to voice their opinions on the proposal's departure from existing strategies and previous decisions regarding the site

The site is outside QLDC's existing infrastructure scheme boundary for water and wastewater, and QLDC stated that further assessment is needed to determine whether there is sufficient capacity to service this project and consented environment (water source or storage / emergency wastewater storage in pump stations).

QLDC noted that Local Government Act process (resolution and special consultative procedure) would need to be followed in</td><td>No further information was sought</td></tr>
</table>

	relation to the site due to the proposal's impacts on development contributions and rates. We note this procedure is out of scope of approvals process through the Fast-track Approvals Act 2024, but could occur as a result of (or alongside) this process by the council. QLDC suggested existing conifer hedging onsite should be removed and replaced with non-wilding or native species. This could be considered by an expert panel if the project is referred. QLDC noted positive effects associated with public access (new trails connecting to existing reserve, which would require construction in accordance with QLDC specifications and a public access easement registered, which could be considered by an expert consenting panel if referred). QLDC considered the project contrary to district plan provisions relating to landscape character, visual amenity and urban development outside growth boundaries, and that the project supports some aspects of the Queenstown Spatial Plan, but overall not consistent with that plan's growth area provisions. QLDC considered housing aspects of the project are for temporary worker/visitor accommodation, and do not address Queenstown's wider permanent/affordable housing supply challenges. QLDC noted a dedicated screen hub for the district would be a significant step towards achieving the goals of QLDC's Economic Diversification Plan. Film Queenstown Lakes (part of QLDC) sees the development of dedicated film/screen infrastructure as a key opportunity to unlock the local industry's further potential and economic value, supporting many of the points in the applicant's Film Expert Report. Film Queenstown Lakes suggested mechanisms be put to prioritise booking the facility for industry use over non-film related visitor use (to maximise its availability for the film industry) – we consider this would be a functional business matter that an expert panel may or may not consider if the project is referred. Two elected members of QLDC provided their personal views of the proposal – these are attached to the QLDC feedback. ORC stated it does not believe that sufficient consultation was undertaken prior to the referral application being made, stating "whilst Council appreciates the opportunity to visit the site, one site visit should not be considered full consultation in accordance with section 11 of the Act. In ORC's opinion the referral application would have benefited from further consultation prior to being lodged". Additionally, QLDC noted the applicant did not consult the council since commencement of the Act, and that its opinion was that no consultation had been undertaken with the relevant authority under section 11(1)(a) of the Act. Our initial assessment of the application [BRF-5884] determined the application as complete, as it provided a record of consultation that the applicant had undertaken including with ORC and QLDC, and information about how that informed the project, as required under section 13(4)(k) of the FTAA. ORC will have further opportunity to comment on a substantive application for this project to inform an expert panel process, should it be referred. *Ministers* Minister for the Environment replied with no comments. *Māori Groups* Kāti Huirapa Rūnaka ki Puketeraki identified cultural values associated with the Waiwhakaata (Lake Hayes) catchment, and its expectation that the applicant will balance gains from the proposed development with actions to uphold the mana and mauri of Waiwhakaata and its surrounding environment. The group noted an engagement agreement is being entering into between the applicant, Kāti Huirapa Rūnaka ki Puketeraki and other Kāi Tahu Rūnaka (including discussion principles). Kāti Huirapa Rūnaka ki Puketeraki did not express a view in support or opposition to the application being referred to the Fast-track Approvals process for decision-making, and reserved its position on the project for potential future comment on a substantive application should it be lodged. Te Ao Mārama Inc. provided comments on behalf of Ngāi Tahu ki Murihiku, which includes Te Rūnanga o Awarua, Hokonui Rūnanga, Te Rūnanga O Oraka Aparima and Waihōpai Rūnanga (all of whom were invited to comment on the application). This	

	feedback outlined key principles of the Ngāi Tahu Claims Settlement Act 1998. The applicant has engaged with Te Ao Mārama Inc. regarding the project, and engagement is ongoing. A neutral position was given on the request for referral application, reserving the right to comment further if it is referred to the fast-track process. *Administering agencies* No comments received *Owners of Māori land in the project area* N/A *Other persons or groups* No comments received	
The Minister must decline an application if the Minister is satisfied that the project involves an ineligible activity [section 21(3)(b)]	Based on the information in the application, we consider the project is eligible for referral because: • it would not occur on identified Māori land, Māori customary land or a Māori reservation as confirmed by the relevant record of title • it would not occur in a customary marine title area or protected customary rights area as it is not in the coastal marine area and has not appeared in our check of agreed CMT etc • it is not an aquaculture activity or activity that is incompatible with aquaculture activities that would occur in an aquaculture settlement area and for which the applicant is not authorised to apply for a coastal permit because it will not occur in the marine and coastal area • it would not require an access arrangement which cannot be granted under the Crown Minerals Act (including s61(1A)) because it is on private land owned by the applicant • it would not be prevented by section 165J, M, Q, ZC or ZDB of the RMA because it will not occur in the marine and coastal area • it would not occur on Schedule 4 land as confirmed by the record of title • it would not occur on a national reserve as confirmed by the record of title • it would not occur on a reserve held under the Reserves Act 1977 that is managed by or vested in someone other than the Crown or a local authority as confirmed by the record of title • it is not a prohibited activity or decommissioning activity under the EEZA, 15B or 15C of the RMA, because the project does not include any of the activities those legislative provisions relate to • it is not for the purpose of an offshore renewable energy project because the project does not involve that type of activity No comments raised by parties invited to comment have indicated that the project would be ineligible for referral
The Minister must decline an application if the Minister considers they do not have adequate information to inform the decision [section 21(3)(c)]	We do not consider you have inadequate information to inform your referral decision.
Relevant considerations and procedural requirements in Treaty settlement, Mana Whakahono ā Rohe, joint management agreement, or the Marine and Coast Area (Takutai Moana) Act 2011 or the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 [section 16]	N/A

Section 22 assessment criteria	
The project is an infrastructure or development project that would have significant regional or national benefits [section 22(1)(a)]	The Minister may consider any of the following matters, or any other matters the Minister considers relevant. *Assess the factors that are relevant to the application. How is the factor relevant and is it being met by the project?* *Will increase the supply of housing, address housing needs, or contribute to a well-functioning urban environment [s22(2)(a)(iii)]* The project includes approximately 185 worker accommodation units. The applicant identified limited accommodation in Queenstown is a limiting factor for the expansion of many industries in the area, including in evidence from film sector representatives. The applicant considers the accommodation units are a crucial aspect of its screen hub business model, noting film crews require accommodation and otherwise rely on visitor accommodation in Queenstown. The project is adjacent to the 'Ayrburn Hospitality Precinct", which the applicant notes provides residents nearby access to the amenities provided in that precinct. QLDC noted that the project does not address Queenstown-Lakes District's needs for more permanent and affordable housing, as it only provides temporary accommodation for workers and visitors, which is likely to be vacant for considerable periods, and that the development is outside areas identified for urban growth in the Spatial Plan. QLDC considered this could be addressed by requiring the development provide an affordable housing contribution. We note the project is not a development for the purpose of permanent housing. *Will deliver significant economic benefits [s22(2)(a)(iv)]* The application provides an assessment of regional economic impact assessment by consultancy Property Economics (note – that report does not include any wider impacts at the national level). This report identifies: • Construction phase: $278 million over three years (net present value), including an average of 640 full time jobs annually (totalling 2,037 'job years'). That factors direct, indirect and induced employment (i.e. not just construction jobs working on the project directly). • Operational phase: modelled over 10 years as $485 million (net present value), including 370 full time jobs annually. The regional economic contribution is expected to be higher per year (on average) during the construction phase than the ongoing operational phase, and highest during year 2 of construction. No feedback has been received from comments that would dispute this assessment.

	Queenstown Lakes District	Wider Otago (beyond Queenstown Lakes)	**Total Otago Regional economic contribution from project**
Construction phase (total across 3 years)	$229.4m	$48.8m	**$278m**
	1803 FTE years (direct, indirect and induced)	234 FTE years	**2037 FTE years**
Operation (modelled across 10 years, 2027-2036)	$398m ($40m/year average)	$87.5 m (average $8.7m/year)	**$485m ($48m/year average)**
	370 FTE per year (including 130 onsite)		

For comparison, Otago's total overall regional GDP for the year to March 2024 was $18.6 billion (source: Infometrics), and Otago was estimated to have 157,900 people employed[1]. Based on these latest figures, average annual economic benefits over the 3 year construction phase would equate to 0.5% of total Otago regional GDP (year to March 2024), peaking at 0.91% of regional GDP during year two of construction ($169 million that year).

The bulk of the regional economic benefits for Otago are expected to accrue within the Queenstown Lakes District specifically, with a smaller proportion of these benefits expected across other districts within the Otago region (averaging around $16m/year over the construction period, and $8.7m/year during operation), as summarised in the table above.

ORC stated "we believe this project has the potential to deliver significant regional benefits, provided that environmental sustainability is balanced with economic, cultural, and social considerations."

The application notes that, while major productions have been filmed in Otago, and this area is the third largest production hub in the country, the industry's current contribution does not reflect its opportunity to the region (quantified at an additional $35m per annum). The application identifies the lack of production and post-production facilities in the region as the main reason for this, which this proposed development is attempting to realise. The applicant provides evidence from screen sector (film and television) representatives, which suggest that the project would have regional benefits by enabling production to continue in Otago after on-location filming has concluded, noting for example "historically large film productions have come to the Queenstown Lakes region to film on location and have then returned to a studio base in Auckland, Wellington or back overseas to continue filming. This is due to the lack of facilities in the region."

The application also suggests the project will have national benefits enhancing New Zealand's film and television industry capabilities. The applicant's package of support letters from film industry representatives suggests "the Hub can be expected to result in more screen productions happening in New Zealand". The number of new productions likely to be completed in New Zealand is not quantified, with the applicant's evidence pointing to a recent example of a production which spent three weeks filming in the area but then competing production in Australia (noting that entire productions could be complete in Queenstown with the addition of this facility).

Based on the above, we consider the project's economic benefits will be significant at the regional level, albeit mostly felt within one district and peaking during year 2 of construction. The project may also be significant at the national level if the new facility does end up attracting new productions to New Zealand that would otherwise been produced elsewhere (both filming and post-production).

[1] Source: Ministry for Business, Innovation and Employment, *Labour Market Statistics Snapshot, December 2024* www.mbie.govt.nz/dmsdocument/30344-labour-market-statistics-snapshot-december-2024

	Will address significant environmental issues [s22(2)(a)(ix)] The project is expected to contribute to water quality improvements over time in Lake Hayes. Cleaning up Lake Hayes is a priority for ORC, with the setup of Wai Whakaata Strategy Group. Riparian planting, sediment traps, and stormwater and management initiatives are part of this project to contribute to that effort, due to its proximity to the lake and the upper catchment. The applicant quotes an ORC Lake Hayes' Planning document from 1995, which states "the conservation of the Lake Hayes resource is of regional and national importance both economically, recreationally and for its intrinsic and scenic values". ORC stated "the long-term goal for Lake Hayes is an improvement in water quality, this project has the potential to reduce the sediment (and phosphorus) load into the lake." *Is consistent with local or regional planning documents, including spatial strategies [s22(2)(a)(x)]* The applicant considers the project is consistent with the *Otago Regional Plan* (prepared under the RMA), insofar as it includes aspects to protect and enhance the quality of water entering Lake Hayes. ORC noted its *Regional Policy Statement* provides a framework for achieving long-term environmental sustainability by integrating the protection, restoration, enhancement, use, and development of Otago's natural and physical resources, and also seeks to provide mana whenua and communities with opportunities to carry out activities that support their economic, cultural, and social needs, while recognizing that a thriving and healthy environment is essential to sustaining well-being. We consider the project can be considered broadly consistent with the *Otago Regional Policy Statement* on that basis. On the other hand, the applicant's assessment against the proposed *Queenstown Lakes District Plan* (PDP) identifies that the project is a non-complying activity. The applicant notes "whilst the PDP is not fully operative, this is now the dominant planning document in terms of this application." The zoning for this particular site was the subject of an appeal by the applicant to the Environment Court against PDP provisions, which considered landscape character and amenity values within the Wakatipu Basin. That appeal resulted in some modifications to the proposed Wakatipu Basin Rural Amenity Zone for this site (*Waterfall Park Developments Ltd v Queenstown Lakes District Council [2024] NZEnvC 134)*. The PDP states "non-complying activities are those which are not anticipated in the Plan". QLDC considered the project is "likely to be contrary to a number of key objectives and policies" of the PDP, in relation to landscape character and visual amenity of the Wakatipu Basin and avoid urban development outside of the urban growth boundaries. ORC noted the PDP includes a provision that would "require a water quality management plan to be prepared and implemented that ensures development contributes to the improvement of water quality in the Lake Hayes catchment" including particular measures. These are matters that can be appropriately considered through an expert panel process, should the application be referred. QLDC identified a number of outcomes of the *Queenstown Lakes Spatial Plan* that the project supports (noting economic diversification, active travel options (including trail connections), and improved water quality), but also noted that the site is not part of a future development area, and overall not consistent with the growth areas outlined in the Spatial Plan, The applicant and QLDC considered the project is supports the objectives of the *QLDC Economic Diversification Plan*. That document was prepared in response to Queenstown Lakes District being known as the least economically diverse district New Zealand, relying heavily on tourism and population growth, and the resilience risks that carries (as demonstrated by the impact of border closures during COVID-19 on tourism in the area). The material provided by the applicant included a statement from QLDC "*we can express our enthusiasm for a fit-for-purpose screen hub from an economic development standpoint. Supporting the film industry and growing its value in the district is a project identified in our Economic Diversification Plan".* This sentiment was reiterated by Film Queenstown Lakes in QLDC's response to your invitation to comment.
Referring the project to the fast-track approvals process [section 22(1)(b)	*Would facilitate the project, including by enabling it to be processed in a more timely and cost-effective way than under normal processes [s22(1)(b)(i)]* The applicant notes that, if approval was sought under the RMA, the project would "*require both a plan change and a resource consent …. necessitating a two-stage process*", and that recent experience is that such proposals can take 3-5 years or longer to reach a final outcome. A fast-track approvals process would certainly conclude faster than a plan change process.. If resource consent for the project were to be applied for, the project may be publicly notified by Queenstown Lakes District Council (QLDC) under the standard RMA process (subject to the relevant statutory provisions for notification under the RMA (which would be more likely for the project as a non-complying activity relative to a different activity class). For comparison, in June 2024 the applicant separately lodged a non-complying resource consent application with QLDC, to hold temporary events at the adjacent Ayrburn Precinct. That application was then publicly notified by QLDC in September 2024 (https://www.qldc.govt.nz/media/dcke10fj/application-as-notified-part-1.pdf). As at March 2024, a hearing remains in progress for that application, with decision still pending [QLDC reference number RM240247], and the subsequent potential for appeal exists (noting there were 10 submitters). While we cannot determine this would also occur for the Ayrburn Screen Hub project (should it follow the standard RMA process), this does provide some comparison of what could occur given the project is in the same overall environment (adjacent location) and has the same activity status. The combined fast-track approvals process would likely have benefit from a cost-effectiveness point of view in that resource consents would be required from both the regional and district councils, and combining this through a single expert panel process may reduce overall consenting cost for the project. The applicant identified the fast-track approvals process as including limited comments (rather than full public notification) and no appeals as reasons to anticipate a more timely and cost-effective process. Whether actual time and cost is less would depend on unknown factors including how many submitters and appeals (if any) were sought via a standard process. However, we are satisfied that provisions of the fast-track approvals process would enable this project to be processed in a more timely and cost-effective way than under normal processes, in that the fast-track approvals process excludes those aspects. *Is unlikely to materially affect the efficient operation of the fast-track approvals process [s22(1)(b)(ii)* We do not expect that referring this project will materially affect the efficient operation of the fast-track approvals process. The project only requires RMA-equivalent consents, and no other approvals under other legislation. The project will likely be relatively straightforward for an expert panel to consider, only requiring evidence and panel expertise from an RMA consenting resource perspective, compared with other larger scale projects that seek multiple types of approvals. There are 15 other listed projects in the Otago region, which may also lodge substantive fast-track approval applications. Eight of those are in the Queenstown area (comprising a mix of housing, accommodation, skifield and golf projects). We do not anticipate any conflict between any of these proposals in terms of efficient operation of the fast-track approvals process, other than the more general challenge of managing multiple applications through the process that may be lodged at similar times (which is not a project-specific challenge).
Reasons to decline	
Minister <u>must</u> decline [section 21(3)]	**Minister may decline [section 21(4) and 21(5)(a-h)]**

The Minister <u>must</u> decline a referral application if: *The application may not be accepted under subsection 1 (meets referral criteria)* The application meets the referral criteria *The Minister is satisfied the project involves an ineligible activity* No ineligible activities are identified *The Minister considers that they do not have adequate information to inform the decision under this section* We do not consider that you must decline on this basis. You have discretion to seek further information. We do not consider that you must decline the application under this section.	*The Minister <u>may</u> decline a referral application for any other reason, whether or not it meets the criteria in section 22.* *Reasons to decline a referral application under subsection 4 include, without limitation:* *The project would be inconsistent with a Treaty settlement, Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, Marine and Coastal Area (Takutai Moana) Act 2011, a Mana Whakahono ā Rohe, or a joint management agreement* We do not consider the project would be inconsistent with any of these matters *It would be more appropriate to deal with the matters that would be authorised by the proposed approvals under another Act or Acts* ORC saw no reason why the project could not be processed through the standard RMA consent process within statutory timeframes (regarding regional consents under the RMA), but had no objection to it proceeding as a fast-track application. QLDC noted that the project is "contrary to a number of Council Strategies and recent Court Decisions that currently provide the residents of the Queenstown Lakes District a level of certainty of the development they can anticipate in their community. Under the existing RMA processes Council would consider who may be potentially affected parties and if parties, or the general public were identified as affected they would have the ability to voice their opinions on such a departure from these strategies and decisions which may be better facilitated through an RMA consent process or Plan Change." *The project may have significant adverse effects on the environment* The project is adjacent to the existing Ayrburn development (same developer) which includes residential and hospitality precincts. The site was previously consented for a retirement village by the applicant (which will not proceed). QLDC considered the project will likely have considerable adverse landscape and visual amenity effects". The project may also have noise impacts on surrounding land uses (including considering the receiving environment context including the adjacent Ayrburn Precinct). We consider these matters can be appropriately considered and conditions required through an expert panel process should the application be referred The applicant noted ORC's planning manager provided templated conditions to the applicant in respect of consents required in respect to discharge/water quality, and the applicant states it "will incorporate the relevant ORC conditions at the substantive application stage of the Fast-track Approvals process". This can also be managed through an expert panel process. ORC stated "As long as a Water Quality Management Plan is prepared, implemented, and maintained to ensure enduring environmental sustainability, we believe significant adverse effects on the receiving environment can be mitigated". ORC noted the application lacks significant detail of mitigation methods, making a conclusion on significant adverse effects on the environment difficult, but that it has potential to capture sediment during development and reduce sediment load into Lake Hayes should mitigation works be adequately designed, constructed and maintained. We consider these matters can be appropriately considered and conditions required through an expert panel process should the application be referred. Regarding natural hazards, the ORC noted the referral application lacks technical information regarding stormwater management and flood modelling. ORC stated "for the final application I would expect to see a full stormwater report with modelling details and output" to ensure potential adverse effects regarding natural hazards can be appropriately managed. These are technical matters that can be appropriately addressed through an expert panel process, should the application be referred. *The applicant(s) has a poor compliance history under a specified Act that relates to any of the proposed approvals* The applicant's ultimate holding company, Winton Land Limited, is an authorised person for the Sunfield listed project under the FTAA (which has since had its substantive application accepted for completeness). The Ministry for the Environment's report to the Fast-track Advisory Group on that listed project application (that was lodged in May 2024) noted that *"the applicant notes in 15 years of operation [Winton Land Limited] and their subsidiary entities have been the subject of compliance action twice, one prosecution for discharging sediment and one live proceeding for clearing land without consent which the applicant is contesting".* https://environment.govt.nz/assets/what-government-is-doing/Fast-track-listed/Sunfield/FTA160-Sunfield-Sch-2A-MfE-assessment-form-Stage-1_Redacted.pdf ORC reviewed compliance history of the applicant, and four other companies also owned by the same parent company as the applicant (Winton Group Holdings Limited). No enforcement was identified against the applicant company, but ORC identified for one of the other companies a prosecution (2019) and abatement notice (2021). QLDC is not aware of any compliance history with previous resource consents. *The project area includes land that the Minister for Treaty of Waitangi Negotiations considers necessary for Treaty settlement purposes* The project is on private land that the applicant owns. The site does not include any land which could be used for Treaty settlement purposes. *The project includes an activity that is a prohibited activity under the Resource Management Act 1991*

	The applicant's assessment of the project against the proposed Queenstown Lakes District Plan (QLDP) and Otago Regional Plan (ORP) identifies rules that would trigger the project as non-complying activity under the proposed QLDP, and discretionary under the ORP. It does not identify any prohibited activity. ORC and QLDC identified no prohibited activities under the RMA. *A substantive application for the project would have one or more competing applications.* The project is on private land, which the applicant owns. We do not consider there would be any competing applications in relation to this site, as such projects would require the applicant's approval to proceed as landowner. ORC stated "there are no competing applications to undertake works in Mill Creek and its tributaries at this location." QLDC did not consider there to be any competing applications, but noted two resource consent applications in a similar location are currently underway. One of these includes subdivision of land on the same site, which if granted would result in some of the proposed Screen Hub buildings being constructed over future lot boundaries. The applicant included correspondence from QLDC as part of pre-lodgement consultation (Appendix 19) which noted "it was also encouraging to hear that this proposed screen hub is intended to complement, rather than compete with, existing facilities like Screentime's Remarkable Studios and the impending virtual production facility in the Research & Innovation Hub" (Appendix 19). *In relation to any proposed approval of the kind described in section 42(4)(a) (resource consents), there are one or more existing resource consents of the kind referred to in section 30(3)(a* We are not aware of any existing resource consents to which section 124C applies on the site. Section 165ZI of the RMA does not apply to this site as the project is not in the common marine and coastal area. ORC stated "There are no such consents to undertake works in Mill Creek and its tributaries at this location", and QLDC is not aware of any either *Any other matter* We have not identified any other reason that the Minister may decline the application We do not recommend you decline the application.