

Before the panel convener appointed under the
Fast-track Approvals Act 2024

FTAA-2508-1093

Under the Fast-track Approvals Act 2024
In the matter of the Ayrburn Screen Hub Project
By Waterfall Park Developments Limited

**RESPONSE OF QUEENSTOWN LAKES DISTRICT COUNCIL TO MINUTE 1 OF THE
PANEL CONVENER**

AYRBURN SCREEN HUB

9 October 2025



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MAY IT PLEASE THE PANEL CONVENER

1. This memorandum is provided on behalf of Queenstown Lakes District Council (**QLDC**) in response to Minute 1 of the Panel Convener dated 3 October 2025 (**Minute**). Simpson Grierson has been instructed to assist QLDC in respect of the Application.

Minute 1, Schedule 1 - Participant's estimated timeframe

2. QLDC requests that sufficient time is allowed to review and comment on draft conditions under section 70(2) of the FTAA. The appropriate period of time to comment on draft conditions will depend on their complexity and the extent to which matters remain in contention.

Minute 1, (second) Schedule 1 – Matters to consider when preparing for conference Approvals

3. 19 land use resource consent approvals are sought under the QLDC Proposed District Plan (**PDP**) as set out in Section 6.1.1 of the Application. Whether this list captures all consents required under the PDP to enable the proposal has not yet been confirmed.
4. Consent is also sought under section 127 of the RMA to change condition 15(d) of resource consent RM240982.

Complexity

5. **Table 1** below provides consideration of the matters set out in Schedule 1 of the Minute. The content in the first two columns of the table is copied directly from Schedule 1.

Table 1: consideration of complexity

Level of complexity	Specific provision	QLDC comment
(a) Legal Complexity: novel or difficult legal issues	(i) involve untested law or interpretation of statute;	QLDC does not consider that there is any legal complexity relating to untested law or interpretation of statute.
	(ii) involve application for multiple approvals;	Relative to QLDC, resource consent approvals are sought alongside one application to change a condition of consent.
	(iii) interface with two or more statutes; and	Setting aside the FTAA, the RMA is the primary statute for this proposal. The FTAA sets out the interface between the two statutes. Within the RMA framework there are a number of legislative documents which apply to this proposal, including: • Queenstown Lakes Proposed District Plan (PDP) • Operative and proposed Otago Regional Policy Statement.
	(iv) engage constitutional law and public law.	The activities if bundled would have a non-complying activity status under the PDP. Constitutional and public law is not anticipated to apply.
(b) Evidentiary Complexity: stemming from the volume, type, or technical nature of evidence	(i) include challenges like managing expert reports or dealing with conflicting factual or opinion evidence; and	The Applicant has commissioned a number of technical reports. While there has been some consultation with the Applicant following lodgement of the substantive application, QLDC is unable to comment at this time on whether there will be conflicting factual or opinion evidence.
	(ii) often involve technical or scientific analysis	44 appendices were lodged supporting the application, each addressing a specific potential effect of the proposal. The technical assessments relevant to the approvals relevant to QLDC are: 1) Appendix 4 – Record of Title and Interests 2) Appendix 6 – Draft Conditions 3) Appendix 7 – Ayrburn Design Report 4) Appendix 8 Master Plan Peer Review 5) Appendix 9 – Architectural Design Report 6) Appendix 10 – Film Expert Report 7) Appendix 11 – Economic Assessment

		8) Appendix 12 – Ecological Assessment 9) Appendix 13 – Stormwater Management Plan 10) Appendix 14 - Stormwater and Flood Risk Peer Review 11) Appendix 15 - Flood Emergency Hazard Management Plan 12) Appendix 16 - Water and Wastewater Assessment 13) Appendix 20 – Engineering Assessment 14) Appendix 21 – Environmental Management Plan 15) Appendix 22 Landscape Assessment 16) Appendix 23 - Landscape Maintenance Plan 17) Appendix 24 - Landscape Peer Review 18) Appendix 25 - Geotechnical Investigation Report 19) Appendix 26 - Noise Assessment 20) Appendix 27 - Draft Operational Noise Management Plan 21) Appendix 28 - Contamination Assessment 22) Appendix 29 - Transportation Assessment 23) Appendix 30 - Archaeology & Heritage Report 24) Appendix 37 - Rules Assessment QLDC Proposed District Plan 25) Appendix 39 - Planning Provisions Assessment 26) Appendix 41 - RM240982 s95 & Decision 27) Appendix 44 - Draft Cultural Impact Assessment QLDC staff have undertaken an initial review of these documents and discussions will continue with the applicant around aspects where further information, clarification, or peer review is required following agreement on cost recovery.
(c) Factual Complexity: arises from the volume and nature of evidence -	(i) requires careful management of extensive information or reports, including expert opinion in specialised fields; and (ii) necessitates analysis if technical, scientific, or highly specialised subject matter are involved.	Dependent upon more detailed review of the application information and the need for any clarifications, further information or peer reviews. It is not expected that any (external) peer reviews will be required, but that is not a final position.

Issues

6. The following issues have been identified during the referral application, pre-lodgement and limited post lodgement consultation and engagement with the Applicant:¹

(a) **Water Supply:**

- (i) Insufficient evidence that the existing QLDC water network, source, and treatment systems can accommodate the Screen Hub's demand;
- (ii) Initial indications suggest the current network is unlikely to support the proposed use without upgrades;
- (iii) Updated water modelling by Council's modellers is required to confirm capacity and identify necessary upgrades;

(b) **Wastewater:**

- (i) Updated wastewater modelling is required to confirm available capacity within the QLDC network;
- (ii) Current network assessments and data have not been provided for review;

[For water supply and wastewater, it is observed that the Applicant has expressed a different view on capacity in their Response filed on 9 October, prior to this memorandum being finalised.]

(c) **Stormwater and Flooding:**

- (i) Confirmation is required on downstream network capacity and long-term maintenance responsibilities, particularly for any privately owned infrastructure;

¹ QLDC may identify further issues through the process.

- (d) **Stormwater and Flooding:**
 - (i) No fundamental issues have been identified, however QLDC expect detailed confirmation of downstream capacity and long-term maintenance responsibilities;
- (e) **Transportation:**
 - (i) Roading intersection upgrade is necessary to nearby Arrowtown - Lake Hayes Road/Speargrass Flats Road junction;
 - (ii) Details of the provision of bus stop shelters along Arrowtown–Lake Hayes Road as part of public transport infrastructure;
- (f) **Landscape:**
 - (i) The Application Site is located within the “Ayrburn Structure Plan” which was recently included in the PDP following an Environment Court decision. The effects of the proposal on landscape character and visual amenity values in the context of what is anticipated by a very recently endorsed set of PDP provisions by the Court, will be subject to QLDC’s written comment. It is acknowledged the Applicant has provided a landscape peer review assessment with its Application, as required by the Referral Decision.

Panel membership

7. QLDC considers the following skills and areas of expertise would be beneficial for inclusion on the Panel:
- (a) Infrastructure or civil engineering expertise or experience; and
 - (b) Planning; including experience in condition drafting, to ensure that any approval is accompanied by conditions that are both monitorable and enforceable.

Procedural requirements

- 8.** This question in the Schedule to the Minute relates to the process after the Panel commences. QLDC is willing to engage directly with the Panel as necessary. QLDC does not currently expect that any expert conferencing or mediation will be required.
- 9.** QLDC is also willing to discuss specific matters with the Applicant in more detail and intends to continue ongoing discussions with the Applicant and other relevant parties if required. For completeness it is important to QLDC that it is able to recover the costs of doing this, where it falls outside what QLDC can reasonably recover from the EPA under the cost recovery clauses of the Fast-track Approvals Act 2024 so that there is no burden on rate payers.
- 10.** Therefore for any work / engagement / feedback that occurs prior to the formal commencement of the Panel, QLDC would be looking to finalise an agreement with the Applicant on cost recovery. The applicant has been working closely with QLDC to reach an agreement on cost recovery to enable further engagement with the Applicant to narrow issues, including further detailed review of application documents and to collaborate on draft conditions.
- 11.** It is not expected that any (external) peer reviews will be required, but that is not a final position. If they are required, QLDC would seek to engage them

as soon as possible (i.e. in advance of receiving section 53 invitation to give written comment), subject to the Applicant's agreement on cost recovery

Dated: 9 October 2025

A handwritten signature in black ink, appearing to read 'S J Scott', with a stylized flourish at the end.

S J Scott
Counsel for Queenstown Lakes District Council