

Submission in Opposition to the Ayrburn Screen Hub Application (FTAA-2508-1093)

1. Contact Details			
Please ensure that you have authority to comment on the application on behalf of those named on this form.			
Organisation name (if relevant)	n/a		
First name	Jane and Halford		
Last name	Shaw		
Postal address	[REDACTED]		
Home phone / Mobile phone	[REDACTED]	Work phone	n/a
Email (<i>a valid email address enables us to communicate efficiently with you</i>)	[REDACTED]		
2. We will email you draft conditions of consent for your comment			
<input checked="" type="checkbox"/>	I can receive emails and my email address is correct	<input type="checkbox"/>	I cannot receive emails and my postal address is correct

Our Position in Summary

1. We are 'adjacent landowners' to this application and own and live at [REDACTED].
2. We strongly oppose this application:
 - a) The proposal will layer an intensive 24/7 commercial and industrial operation on top of an already intense and increasingly noisy hospitality precinct.
 - b) Ayrburn's relentless push for more intensive activity and 'consent creep'—is unfairly eroding our amenity and way of life.
 - c) A QLDC appointed Hearings Panel has found that residential amenity is being impacted by Ayrburn and the residents are "at or beyond the limit of tolerance". Despite this, the applicant has ignored its neighbours in developing this proposal.
 - d) Noise has not been fully assessed and the Marshall Day assessment needs to be urgently peer reviewed.
 - e) We have already endured 5 years of construction noise. The prospect of another 36 months is intolerable. While construction noise is usually permitted because it is temporary, this cumulative duration makes it a significant, long-term adverse effect.
 - f) The proposal relies on conditions of consent, management plans and unenforceable promises. This coupled with a Council ineffective enforcement system means we cannot be confident that the effects of this proposal could ever be effectively mitigated.
 - g) The proposal is contrary to the District Plan, developed after years of community involvement and participation. It is telling and opportunistic that this proposal is more intense and more intrusive than the several other proposals that have been attempted for this land (eg 3 x Special housing Area applications for residential development and retirement living, and a significant rezoning proposal).
 - h) The application relies on an economic case that has not been independently tested.
 - i) Nor has applicant shown any reason why this infrastructure needs to be located on this site and in fact - locating it so close to sensitive residential areas, are likely to count against its success, as the strict conditions required to protect us are unlikely to be acceptable to an industry accustomed to operating with few constraints.
3. These points are detailed further below:

Background: Our standing and direct experience

Our Home and garden

4. We are the owners of [REDACTED], which we have owned for nearly 10 years. Our property is located in the Wakatipu Basin Lifestyle precinct, which is a subset of the Wakatipu Basin Rural Amenity Zone.
5. Our house is a category 3 listed historic building dating back to 1873. Our section is approximately 2400m² – and Mill Creek and the adjacent reserve is on our eastern boundary.
6. We have a large garden and vegetable garden – and enjoy that all year round. We live outdoors from October until Easter - and if we are not outdoors our windows and doors are open as soon and as often as the weather allows.
7. We chose to move to our property from Lake Hayes Estate because of the quiet serenity of the neighbourhood and to have a haven away from the 2 busy businesses we owned and operated in Arrowtown (Provisions café 2010 -2023) and Frankton (The Boatshed 2012-2020).
8. After years and years of working 60 hour weeks, when we sold Provisions café we were excited about living quietly and enjoying our home and surroundings. This involves gardening, reading, cooking, preserving and generally pottering around our property. We are avid walkers – and we walk from our home on the tracks and cycleways in the surrounding Lake Hayes and Millbrook area regularly.
9. **Attachment A** shows our property in relation to the existing Ayrburn precinct and the proposed Screenhub facilities and the visitor accommodation.

Why we are Submitting

10. We want to record that it was not our intention, and it is not in our nature, to be objectors (nor complainants) and to spend time on processes such as this. We find it stressful, exhausting and draining. We are acutely aware of the costly and personalised legal action taken against neighbours that spoke out against the other (failed) attempts to develop this land and the enormous personal toll that had.
11. We considered not submitting, however felt we had no choice but to, given:
 - a. how close we are to the proposal and that if it goes ahead we will have Ayrburn and impacts of Ayrburn to our north-east, north and north-west; and
 - b. even before proposal emerged, we were increasingly concerned by the ‘creep’ of the Ayrburn entertainment precinct and its impacts on our amenity and quiet enjoyment of our property.
12. In other words, this proposal adds to the current issues we experience with Ayrburn and takes it to the next level, particularly as what is being proposed for this part of the Ayrburn farm is so significantly out of keeping with what should be allowed to happen next door.

Concern that the film studio is being used as a trojan horse for intensive residential development

13. We think that the film studio is being used as a ‘trojan horse’ to enable an intensive residential development. The commercial and industrial scale of the film studio is incongruous with the established and proposed food services at the Ayrburn precinct and the proposed ‘later living’ residential development. The Applicant provides no real detail about the reasons for this in its application aside from generic comments about supporting creative industries and generating long-term employment. Furthermore, this proposal diverges notably from the Applicant’s documented history of residential development achievements.
14. We therefore view the film studio’s inclusion with considerable scepticism regarding the ultimate, long-term intent for the site.

Engagement with The Applicant

15. Earlier this year we were contacted by George Watts and told about this proposal. We were immediately concerned at its scale and the potential impacts on us. The proposal is massive. One of the first issues that jumped out was the then proposed conference venue located very close to us, and that the economic assessment said that this would operate very intensively. We questioned it being in the proposal, especially as we had just learnt that Ayrburn had obtained a consent for its ‘Haybarn venue’¹ (without our knowledge) and we are already concerned about the impacts of this on us – and whether it will comply with the conditions of consent.
16. George responded that they were already looking at the location of the proposed venue, and recognised the noise concern. We were later advised that it had been removed from the proposal and the building where it was to be located was ‘re-labelled’ to accommodation.
17. While that was good news, we do not think it is correct to represent this as an example of the Applicant responding to the concerns raised in consultation. It was clear to us that this component had not been well thought through, was not integral to the project, and was an easy deletion given the existing Haybarn consent.

What it is like to live close to Ayrburn

18. We enjoy Ayrburn and what it has to offer and appreciate the high quality development and its contribution to the diversity of visitor attractions in the area. The walkway ‘loop’ has opened up a new walking track for the area, and our visitors always want to take a look at Ayrburn.
19. However we firmly believe as a business, you need to respect the environment you are in and the people who are in it. We have not seen this from Ayrburn. Since Ayrburn opened this time around 2 years ago, those of us that live close have been impacted by noise from Ayrburn - including:
 - a. ‘special events’ (like the Bakehouse wedding in April 2025 and the Billys opening in July 2025) - where we have been disrupted by noise well beyond 8pm (when noise is to drop

¹ RMA 230425; Located near Billys restaurant - and subject to extensive conditions of consent regarding noise (refer conditions 5 – 11)

to 40dBA) and at levels where it impacts on our quiet enjoyment of our property in the evenings and when the noise continues, our sleep.

- b. concerts (Snow Machine, Carl Cox, The Jordan Luck Band) – when we certainly know about it -and we are not able to enjoy our outdoors, and even if we shut ourselves inside, the noise is very intense.
20. When we have been disturbed by night-time noise (ie beyond 8pm) we have tried resolve it with the Ayrburn GM - who when he answers his phone or emails, is apologetic, responsive and pleasant.
21. However this is not always the case - and we hate the fact that we are place in a position of needing to complain. In July 2025 we were so frustrated with noise from Ayrburn that we sought the assistance of QLDC's enforcement team and processes. This was very unsatisfactory as is detailed in this example:
 - a. on 3 July 2025, we were hearing loud noise from Billys until late in the night.
 - b. we tried to resolve it directly with the Ayrburn GM but he did not answer (it turns out he was at the party and did not look at his phone until the next day)
 - c. Ayrburn did not answer its telephone despite calling multiple times.
 - d. we called QLDC 'noise control' – as did another neighbour.
 - e. the Council's contractors attended, but they were ineffective, and could not even find the right venue.
 - f. after weeks of chasing a response, QLDC advised that the conditions on Billys requiring closed doors and windows and no amplification outside after 8pm, have been removed by a variation to the consent – and that the Council would only enforce excessive noise at this venue (although the venue is subject to the 40dBA noise control).
22. From this it is clear to us that the QLDC enforcement service is not equipped to enforce compliance with consent conditions or District Plan rules, and have through inaction given Ayrburn 'approval' to operate knowing there are no implications for non-compliance.
23. We have had a similar experience with events. After running several events under temporary non-notified consents, Ayrburn made an application for 7 x 3-day each events. Because of the 'summer window' of events, this would allow Ayrburn to hold a 3 day event on 7 out of 13 weekends from January to March. We submitted on the application and appeared at the consent hearing (QLDC: RM240457).
24. The QLDC Panel decision recorded:
 - a. our experience of the Carl Cox event being "very intense and unbearable" (para 52); and
 - b. that the amenity effects were "more than minor"(para 151).
25. In our view the QLDC Panel struck a pragmatic balance by allowing 4 x 3-day Noise events per year rather than the 7 x 3-day applied for – and while more than we would prefer, we are

accepting of concerts ‘every now and again’. Ayrburn however has appealed the decision and is seeking 7 x 3-day events and the appeal will be heard by the Environment Court in March 2026.

26. We are deeply disappointed at this, and note the additional stress that this is putting on our neighbourhood on top of this Fast-track application.
27. While we are sure the Applicant will argue the Event consent and appeal is irrelevant², in our view this background and approach speaks volumes about the Applicant’s attitude to operating respectfully alongside its neighbours – and is one of the many reasons we are fearful for what the future looks like if this proposal goes ahead.

Our specific concerns about the proposal

Amenity Effects (noise)

28. The noise ‘maps’ in the application show how much noise the Screenhub would make if in an area where it did not have to think about neighbours. This shows it can be very noisy at times – and that for it not to have adverse noise impacts very strict operational controls will be required.
29. Obviously all noise from this proposal will be well in excess of the nil impact on us if the site was developed as permitted under the Structure Plan that was included in the District Plan after years of litigation (eg 3-4 rural-residential houses). The effects of a 201-unit hotel and Screenhub are massively and unacceptably beyond this baseline and will change the noise profile of the site dramatically and will have the effect of permanently raising the ambient noise level for the site.
30. The loudest noise modelled is from back-lot noise production. Marshall Day’s own assessment acknowledges that "*back-lot noise production would be unacceptable if the worst case scenario occurs without implementing measures described in the ONMP.*" Marshall Day relies on the "Ayrburn Design Report" to describe how the activities and therefore the model inputs, yet this report, provides no description of how the production spaces will actually be used.
31. If consent is granted (which we oppose) conditions of consent must address this failure. Rather than enabling all back-lot activities and limiting certain ones, conditions should strictly prohibit all back-lot activities except for those that are explicitly defined, fully modelled, and proven to comply with appropriate noise limits (i.e., enabling only as an exception). This prohibitive approach is essential to protect our amenity from unquantified, unacceptable noise.
32. The noise assessment by Marshall Day makes fails to assess noise from the intensive use of 201 accommodation units and associated 24/7 activity. They seem not to have assessed the noise from the hotel lobby and drop-off/pick-up area, which will concentrate noise from vehicles, doors, and people at all hours. They have failed to mention the accommodation operation in the draft Noise Management Plan - as if they were not aware of that aspect of the proposal when it was drafted?

² Consent is sought for a 5-year term - so will end about the same time this proposal is being constructed/ commissioned.

33. We note that The Applicant and its noise consultant Marshall Day/Mr Ellerton has not proposed any of the conditions considered necessary for the hotel operation under consent RMA180584 – imposed following a rigorous hearing process. We urge the Panel to review that decision and the conditions imposed (refer: conditions 53-59 that imposes design controls, controls speakers prohibits outside amplification after 8pm and required windows and doors to be closed).
34. We have noted that the noise condition proposed does not have a Lmax control in the Wakatipu Lifestyle Precinct - the very area needing protection from sudden noise and events that would cause sleep disturbance. Condition 53 in RMA180584 has such a condition and specifies noise measurement positions (R9 & 12) being relevant to us. This condition is repeated in condition 67 of RMA220926 for the retirement village. If such a noise condition was required for a retirement and hotel operation surely it is required for a film studio that might blow things up and engage in activity that is otherwise suited for an industrial zone?
35. Our submission is that these are material omissions which brings into question the applicant's noise assessment and the credibility of the whole report.

Traffic impacts

36. The traffic generation, and impacts on Speargrass Flat Road, will be way above the traffic for 3-4 residential houses. While we accept that the majority of vehicles will travel on Arrowtown-Lake Hayes Road (as is shown on the modelling) Speargrass Flat Road is the preferred route for many (and the 'rat-run' for locals) especially to avoid the intersection at Lake Hayes and the state highway and Ladies Mile.
37. We have noticed the traffic getting busier and busier since Ayrburn opened - and this project will exacerbate that.
38. We see that there is a proposal for upgrading the turn to Speargrass Flat Road, should traffic monitoring required it. We would prefer that does not happen as that will encourage more traffic to use what once was a quiet country road. We know we cannot stop traffic using a road in the Council network, but it is essential that this application does not have the unintended consequence of making this the preferred route for traffic both related and unrelated to this proposal.

Lighting effects

39. We also see that the proposal says that lighting will meet the rules in the district plan. Again we do not think that is the test. We would like to know how the lighting will compare to the lighting that will be emitted from the permitted 3-4 houses.
40. We do not think it is right that The Applicant gets to put up a proposal that is so fundamentally out of keeping with the District Plan rules and settings – and then seeks to rely on the District Plan standards when it suits to do so.

Landscape and Vineyard planting

41. We are aware that the zoning and rules for the site were set after a very long and expensive court case – and defer to the expertise of our neighbours who were involved in that and who I understand will be providing a thorough and well informed assessment.
42. We note that one of the key landscape mitigations is landscape planting. Whatever planting is relied upon needs to be secured through conditions, in particular to ensure that the proposal cannot ‘grow’ or creep again. This applies in particular to the vineyard planting which needs to be secured by an enduring covenant so that if the proposal gets granted consent, it cannot ‘creep’ any further to the west.

Prolonged Construction

43. We have already had 5 years of construction noise next door –and the prospect of 36 more months of noise (ie 3 more years) is awful. We understand that construction noise is usually allowed because it is temporary. We ask you to look past this, as sometimes the sound of diggers and earthmoving equipment is so prevalent that it sounds like we have a quarry or landfill close by. We know that it has been endless for other neighbours who are closer.

Cumulative effects

44. We have set out the effects we currently experience from Ayrburn and ask that the Expert Panel takes these into consideration. We ask that it also takes into account the several unimplemented consents and requires that the noise modelling in particular assesses all potential noise sources at once.
45. Further when assessing cumulative effects, we do not think that the Panel can assume compliance with conditions. Past performance suggests breaches will occur and/or Ayrburn will seek to loosen the consents³.
46. We ask the Panel – with the assistance of a robust independent peer review- to consider the cumulative impact of noise on the receiving environment. Marshall Day’s Noise Assessment sets out the existing ambient noise environment but makes no mention of existing potentially noisy activities of which it is well aware⁴, and does not assess the impact of layering this proposal on top.
47. We also note that the noise monitor (logger) was placed on the furthestmost boundary from the existing Ayrburn Precinct, where the majority noise generating activities are located. We would ask the Panel and its peer reviewers to consider whether this may have had an effect on ambient noise measured.

Claimed benefits

³ Without notice to us, Ayrburn has applied for, and the Council has granted, a variation to the Bakehouse & Billys consent to remove conditions regarding outdoor amplification and other such conditions that would protect us.

⁴ Marshall Day is the noise consultant on all Ayrburn applications we have looked at.

48. Property Economics' Economic Assessment calculates the total regional economic activity from the operation of the proposal, based on 'assumed' inputs from the Applicant and Dave Gibson (a local film expert who has put up some scenarios, but with no detailed analysis of market demand) about occupancy rates and film productions.
49. The results, presented in Table 3 of the report,⁵ establish that the majority of the economic benefits of this application are from the studio, not the accommodation. Of the purported \$462m in economic activity that is generated to the region over a 10-year period to 2036 (in NPV), \$445.5 of that is from the studio and \$32.1 is from accommodation. The benefits of the proposal only accrue if the film studio is built; not the other way around.
50. The application is advanced on the basis that the accommodation supports the film studio:
- a. The AEE states that the accommodation is expected to support the efficient operation of the screen hub and reduce the indirect effects on local housing and accommodation markets.⁶ In other words, the proposal is neutral from a housing supply perspective because it supplies jobs and provides accommodation at the same time.
 - b. Mr Dave Gibson's film report explains that the screen hub's accommodation offering solves an accommodation problem for productions looking to shoot in Queenstown.
51. Despite the above:
- a. The conditions do not link the construction of the accommodation to the completion of the film studio. There is no obligation for the Applicant to build the studio—the source of the claimed benefits—before profiting from the accommodation.
 - b. Condition 68 - which requires the Applicant to retain accommodation units for booking by person(s) associated with studio activities - does not deal with the situation where the film studio is not built. This condition is ineffectual where the Applicant builds the accommodation units but not the film studios. Plainly there will be no bookings for the film studios if they are not built and the accommodation units can be offered to the public.
52. We ask the Panel to prohibit the accommodation units being built and used before the film studio.

Lapse date

53. The Applicant has asked for a lapse date of 6 years. We ask the Panel to consider whether this lapse date is appropriate. Even by the Applicant's own statements, an extended lapse period is unnecessary:⁷

Winton can in no way be considered a 'land banker'. Winton buys land, obtains the required rezoning and/or resource consents, and develops as quickly as is reasonably possible. Winton has the team, the experience and the financial capability to commence the Ayrburn Film Hub as soon as consents are granted and to complete the development in a timely fashion.

⁵ Appendix 11: Economic Assessment Property Economics, Table 3, page 15.

⁶ AEE, page 93 at section 11.3.3.

⁷ Appendix 3: Winton Statement of Intent.

54. The AEE makes no mention of why a lapse period of 6 years is sought.
55. We reiterate our concern that The Applicant will develop the accommodation units, give effect to the consent, and forgo the film studios. We ask for conditions that prevent this from eventuating.

The Need for Hard, Binary Conditions

56. If this proposal is approved (which we do not think it should be) the conditions will need a very significant upgrade from what is lodged with the application.
57. Experience has shown from other Ayrburn consents⁸ that hard controls are needed. Vague assurances in this application documentation (e.g., "try to keep roller doors closed") are woefully inadequate.
58. Further, based on our experience, there is clear evidence that this community will not be protected by hopes, promises and best endeavours in a multitude of management plans. Conditions must be strict, unambiguous, and binary (e.g., activity is either happening or not; work must stop at 6pm). This allows for immediate enforcement without complex acoustic measurement.
59. The burden of compliance must not rest on the neighbourhood.

Economic justification

60. We understand that the justification for stepping outside the District Plan is a claim to regional benefits and the establishment of film infrastructure. We request that the panel peer reviews the material submitted by the Applicant and tests this critically.
61. If visitor accommodation is required for the economic performance of the Ayrburn precinct– then this should not become this community's problem. The Developer proceeded with its capital investment in Ayrburn knowing the zoning and knowing the neighbourhood. It is to be noted that there is appropriately zoned land available in the Waterfall Park zone for accommodation, which would be made available if the retirement village sales do not support it proceeding. To date (15th December 2025) Ayrburn has sold only 6 of the 43 retirement units.

62. Conclusion

63. This proposal is in the wrong location, and its effects will be significant.
64. We have no confidence that conditions can mitigate these effects, as past conditions have proven to be unenforceable promises that place an unacceptable burden on residents.
65. We respectfully request that the Panel decline the application.

⁸ Hotel (RMA180584) Retirement Village (RMA220926), Bakehouse & Billys and 12 temporary events (RMA211193, varied several times), 7 temporary noise events (RMA240457), Haybarn Venue (RMA230425)

Attachments:

Attachment A: photo showing property's proximity to the proposal and the various noise sources.

ATTACHMENT A



Approximate distance from boundary to boundary of 156m

