

Title	Planning review of substantive application under the Fast-track Approvals Act 2004 – Ayrburn Screen Hub
Recipient	Expert Panel appointed to consider the Ayrburn Screen Hub
Author	Marcus Langman Planning Consultant
Date	12 December 2025

Executive Summary

1. This report provides planning comment on the application by Waterfall Park Developments Limited (WPDL) to develop the Ayrburn Screen Hub on Ayrburn Farm between Arrowtown and Lakes Hayes. The proposal is for a screen production facility comprised of two film studios, accommodation, and supporting facilities and amenities. The accommodation will provide for on-site film activities, while also providing for visitor accommodation when not required for film production.
2. The substantive application has been prepared by Barker and Associates, with input from a range of topic experts. Rather than replicate an assessment of the application, this report rather provides an independent planning peer review of the application for the purpose of comment to the Expert Panel appointed to consider the application.
3. This report concludes that:
 - a. A further change to conditions under s127 to approved subdivision consent RM240982 is required in relation to planting above the pasture line in the Ayrburn Structure Plan, which has been sought by the applicant in its updated application material dated 18 November 2025;
 - b. Further consents may be required in relation to Chapter 27 Rules 27.7.32.b. and 27.7.32.d.;
 - c. If so, this raises the need for additional assessment of some objectives and policies as they relate to Ayrburn in Chapter 27;
 - d. The proposal constitutes urban development in a rural area, which has not been addressed by the applicant;

- e. This raises the need for additional assessment under the Proposed Queenstown Lakes District Plan (**PDP**), in particular Chapter 4 – Urban Development, and comment is made on those provisions where it differs from the assessment made by the applicant in **Attachment 2**;
- f. Further evaluation is required against identified objectives and policies in **Attachment 2**;
- g. Additional conditions are required in relation to limiting “up-lighting”;
- h. The proposal is not consistent with the Queenstown Lakes Spatial Strategy as a relevant “other matter” to consider under s 104 of the Resource Management Act (**RMA**) s104(1)(c) and the Fast-track Approval Act (**FTAA**) Schedule 5 Clause 17(1)(b);
- i. Consideration should be given to Objectives 2 and 5, and Policies 1 and 6 of the National Policy Statement on Urban Development (**NPS-UD**); and
- j. Further information is required in relation to terrestrial ecological values to determine the presence (or not) of highly mobile fauna or other terrestrial habitats of indigenous fauna, given the scope of earthworks required.

Introduction

- 4. My full name is Marcus Hayden Langman. I hold the degree of Bachelor of Resource Studies from Lincoln University (1998). I am an independent planning consultant engaged by Queenstown Lakes District Council to provide an independent review of the planning application for the Ayrburn Screen Hub.
- 5. I am familiar with the site and its recent planning history. I prepared the section 42A report for Stage 2 of the Proposed Queenstown Lakes District Plan, addressing the request by WPDL for 200 dwellings in a new Ayrburn Zone in 2018. I was subsequently Council’s expert planning witness in the Environment Court in the appeal by WPDL, which sought a modified Ayrburn Zone to enable a retirement village, or as secondary relief, Precinct Zone (as a subzone of the Wakatipu Basin Rural Amenity Zone). I have provided a summary of my experience as **Attachment 1**.

Code of conduct

6. I confirm that my peer review comments have been prepared in accordance with the Environment Court's Code of Conduct for Expert Witnesses as specified in the Environment Court's Practice Note 2023. This peer review is within my area of expertise, except where I state that I rely upon the evidence of other experts. I have not omitted to consider any material facts known to me that might alter or detract from the opinions expressed.
7. Of particular relevance in relation to the preparation of this report, I am aware of my role to assist the Expert Panel as an independent planning expert. As such, the recommendations made in this report are my own, based on my expertise.
8. In preparing this report, I have reviewed the following documents:
 - a. The FTAA;
 - b. The RMA;
 - c. The NPD-UD;
 - d. The Proposed Otago Regional Policy Statement;
 - e. The PDP;
 - f. The Ayrburn Screen Hub substantive application prepared by Barker and Associates (updated 18 November 2025);
 - g. Appendix 6 – The Proposed Draft Consent Conditions (updated 18 November 2025);
 - h. Appendix 7 – Ayrburn Design Report prepared by Winton;
 - i. Appendix 8 – Masterplan Peer Review prepared by SPA;
 - j. Appendix 9 – Architectural Design Report prepared by SA Studio;
 - k. Appendix 10 – Film Expert Report prepared by Dave Gibson
 - l. Appendix 11 – Economic Assessment prepared by Property Economics;
 - m. Appendix 12 – Ecological Assessment prepared by SLR;
 - n. Appendix 13 – Stormwater Management Plan prepared by CKL;
 - o. Appendix 14 – Stormwater and Flood Risk Peer Review prepared by Storm Environmental;
 - p. Appendix 16 – Water and Wastewater Assessment prepared by CKL;
 - q. Appendix 20 – Engineering Assessment prepared by Patersons;
 - r. Appendix 21 – Environmental Management Plan prepared by Enviroscope;

- s. Appendix 22 – Landscape Assessment prepared by Rough, Milne and Mitchell;
 - t. Addendum Landscape Assessment Memo (dated 18 November 2025);
 - u. Appendix 23 – Landscape Maintenance Plan prepared by Rough, Milne and Mitchell;
 - v. Appendix 24 – Landscape Peer Review prepared by Wayfinder;
 - w. Appendix 25 – Geotechnical Investigation Report prepared by GeoSolve;
 - x. Appendix 26 – Noise Assessment prepared by Marshall Day;
 - y. Appendix 30 – Archaeology and Heritage Report prepared by Origin Heritage;
 - z. Appendix 34 – Schedule of Consultation with Māori prepared by Kauati;
 - aa. Appendix 35 – Summary of Iwi Management Plans prepared by Kauati;
 - bb. Appendix 36 – Rules Assessment QLDC – Proposed District Plan prepared by Barker and Associates;
 - cc. Appendix 39 – Planning Provisions Assessment prepared by Barker and Associates (updated 18 November 2025);
 - dd. Appendix 41 – RM240982 s95 and Decision issued by Queenstown Lakes District Council;
 - ee. Appendix 44 – Cultural Impact Assessment prepared by Te Ao Marama Inc (updated 18 November 2025);
 - ff. Draft landscape comments on behalf of QLDC by Bridget Gilbert;
 - gg. The referral application and appendices;
 - hh. Notice of decision on application for referral of the Ayrburn Screen Hub project under the Fast-Track Approvals Act 2024;
 - ii. Minutes 1-5 of the Expert Panel;
 - jj. The Decision on Silverlight Studios – Wanaka under the COVID-19 Recovery (Fast-track Consenting) Act 2020; and
 - kk. Council’s site file for 1 Ayr Avenue.
9. For ease of reviewing, I have followed the general format of the application and made comment on the relevant sections of the substantive application. My comments are set out below.

Specified matters for accepted referral application, written comment content, and response to Panel Minute 5

10. The Minister specified under Section 27(3)(b)(ii) of the Fast-track Approvals Act 2024 that the following information is provided with the substantive application:

- a. A full stormwater report that is peer reviewed, including flood modelling details;*
- b. An independently peer reviewed landscape report;*
- c. An infrastructure assessment, including consideration of whether existing water supply and wastewater pump station infrastructure is adequate to service the development (alongside other consented development in the wider Ayrburn area that is yet to be built), or whether any upgrades would be needed to service the development; and*
- d. Application for all necessary resource consents that would be otherwise be required, and for which approval is sought under the Fast-track Approvals Act 2024, to undertake the Project (including, for example, any consents required in respect of Rule 13.5.3.1 of the Regional Plan: Water for Otago).*

11. The application includes the matters above.

12. In respect of (c), when reviewing the Substantive Application, it was noted that two further consents were required in relation to the impact the proposal has for existing conditions attached to subdivision consent RM240982. This matter was raised with the applicant and addressed in the revised application submitted on 18 November 2025.

13. To assist with understanding the references I now use, the Ayrburn Structure Plan (**ASP**) is set out below.

27.13.22 **Ayrburn Structure Plan**

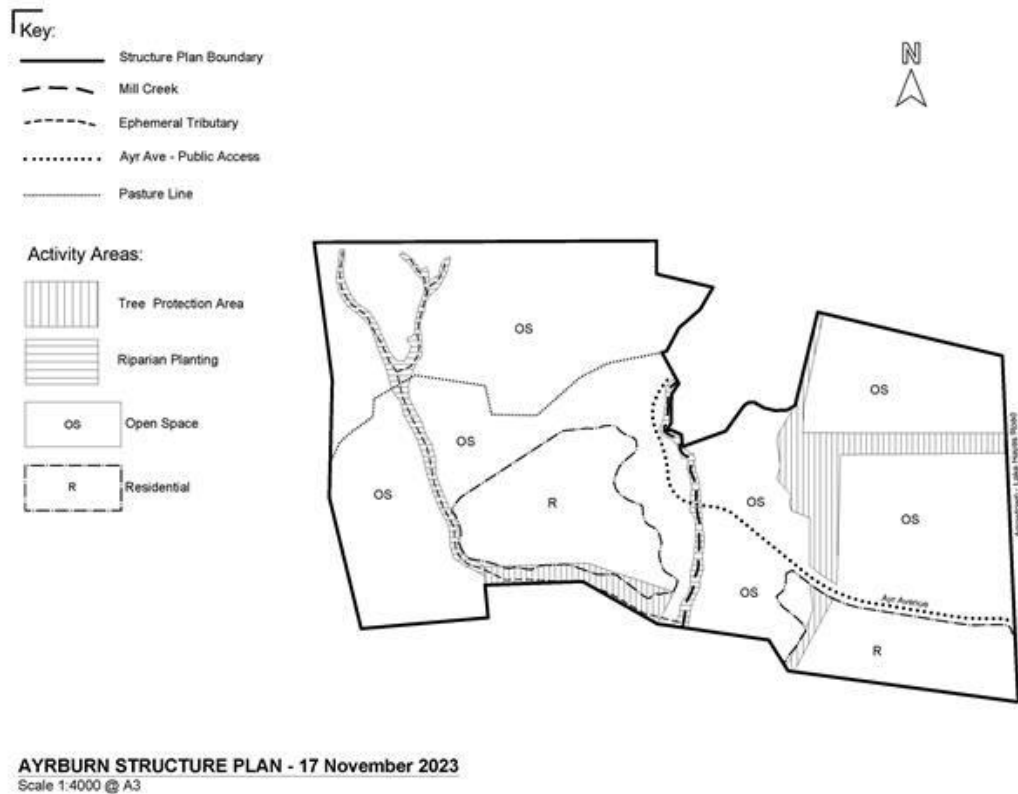


Figure 1. *Ayrburn Structure Plan*

14. Subdivision consent RM240982 was granted on the basis that a condition would be imposed on the consent that would be registered in a consent notice requiring that:

- PDP Rule 27.7.32.2.a – No vegetation other than pasture grass, crops or grapevines shall be planted within any Activity Area OS provided that this control does not apply to planting to maintain or replace trees and landscaping along Ayr Avenue; and
- PDP Rule 27.7.32.2.b – No vegetation other than pasture grass shall be planted within Activity Area OS adjoining the northern boundary of Ayrburn which adjoins the Millbrook Zone (Christine's Hill) above the Pasture Line shown on the Ayrburn Structure Plan
- PDP Rule 27.7.32.2.d – No building shall be located within Activity Area OS.

15. These conditions were proposed by the applicant as part of the application for subdivision consent, and were subsequently imposed as part of condition 15. Specifically, the application for subdivision consent specified that the consent sought complied with the above PDP standards. Condition 15(a) of the subdivision consent provides for an exemption for planting authorised through any resource consent (which relates to Rule 27.7.32.2.a), however Condition 15(b) and 15(d) (which relate to Rule 27.7.32.b. and Rule 27.7.32.d.) do not contain such an exemption.
16. The fast-track proposal for the screen hub includes planting in the ASP's Open Space Activity Area (**OSAA**), as well as above the pasture line, and includes buildings within the OSAA.
17. The applicant has identified that a s127 application is required for the subdivision consent to change condition 15(d) of the granted consent. In addition, I identified that a change is also required to condition 15(b), as planting is proposed above the pasture line. These changes were subsequently sought in the revised application dated 18 November 2025, along with clarification that the reasons for consent include non-compliance with Rule 27.7.32.2.b and 27.7.32.2.d.
18. Following the lodgment of the revised application, the Expert Panel issued Minute 5. It sought answers to the following questions from QLDC:

- (a) First, because it is relevant to the section of the Resource Management Act the consent variation conditions are considered under, can the District Council please advise what stage implementation of the subdivision consent has reached. In particular, while implicit in advice the Panel has received from the applicant, can the District Council please confirm that the survey plan for the subdivision has not yet issued (or otherwise) and, assuming it has not issued, advise when it is anticipated that this will occur;*
- (b) Can the District Council please advise whether it concurs with the applicant's view that these changes are in scope, and if not, its reasons for holding a contrary view;*
- (c) Can the District Council please advise its view as to whether the second 'consequential' consent is in fact required. The reason the applicant gave for consent potentially being required was because the effect of the variations sought would be to breach an additional rule (27.7.32.2) that had not been considered in the original grant of consent. The Panel would not have thought that this was sufficient on its own to require a fresh consent¹, and that, applying the Court of Appeal's decision in*

¹ Noting the confirmation in *Marlborough District Council v Zindia* [2019] NZHC 2765 that resource consents authorise activities, not breaches of rules.

Te Runanga o Ngati Awa v Bay of Plenty Regional Council [2022] NZCA 598, the correct question is whether the variations to conditions sought materially alter the nature and/or scale of the consented activity. If not, a new consent is not required and the two consent condition variations should be considered under s127;

- (d) *Lastly, if the correct interpretation of the situation is that the variations sought would materially alter the nature and/or scale of the activity, the Expert Panel would have thought that the correct response is for it to consider whether the subdivision the subject of RM240982 should be re-approved including the changes sought: i.e. all aspects of the subdivision would need to be considered afresh and, if appropriate, a new subdivision consent issued. On that reasoning, the variation applications would be subsumed within the consideration of the new consent and would not be granted (or declined) separately. Can the District Council please advise whether it agrees with that analysis, or if not, its reasons for holding a contrary view. Further, if it does agree with that analysis, does the District Council have any comment on aspects of the subdivision other than the two identified variations?*

Question (a)

19. Counsel for the applicant has advised that WPDLC has formally requested s223 Approval and s224(c) Certification in respect of Stage 1 of RM240982 but that these are still being processed. A survey plan for the subdivision has therefore not yet issued. Stage 1 provides for an interim proposed Lot 4000 in the area of the proposed Screen Hub. A copy of the proposed plan is set out below:

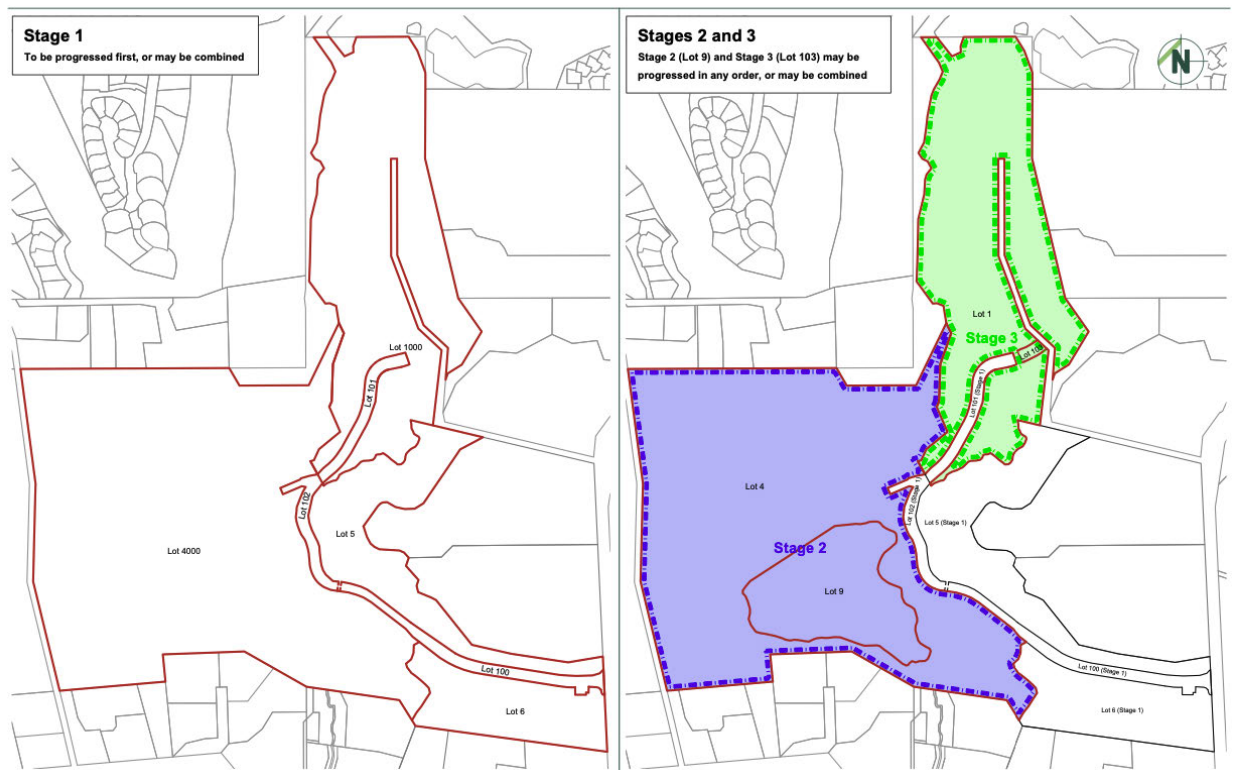


Figure 2. Staging of subdivision consent RM240982

20. In respect of timing I have enquired with the processing officer who has advised that timing is uncertain as to the issue of titles for that stage, and depends on the timing for the applicant fulfilling their conditions. I note that as part of Stage 1, the applicant has not proposed any consent notices that fulfill conditions 15(b) and 15(d) of the approved consent.

Question (b)

21. The Council concurs with the applicant that the changes sought are in scope of the fast-track consent application. This is reinforced by the Minister's direction that all relevant consents be sought as part of the substantive application to undertake the development in his decision on the referral application.

Question (c)

22. The Panel has asked whether a variation can trigger the need for a new consent, or whether the question is ultimately whether the variation(s) materially alter the nature and/or scale of the proposed [subdivision] activity. If the correct question is whether the variation(s) materially alter the nature and/or scale of the proposed subdivision consent, I consider the answer is no. This is because the conditions that require the consent notices prohibiting buildings / planting in the OSAA, are only sought to be amended to the effect that the prohibition does not apply to any building / planting enabled by the Screen Hub consent, when granted. The variation itself does not enable development in the OSAA, it just removes the prohibition beyond the activity described in the Fast-track application.

23. All of the effects arising are from the new development (buildings located within the OSAA and vegetation above the pasture line) are being considered in this application.

24. In respect of what is the correct question to ask, I have sought legal input and I understand that the *Body Corporate*² judgment addresses this issue. The outcome of that judgment is that the application for variation can be taken to embrace all necessary additional consents resulting from the application. This follows from s 127(3) which applies ss 88-121 of the RMA to a variation application "as if the application were for a resource

² *Body Corporate 97010 v Auckland City Council and Ors*, CA64/00

consent” as well as under s 104(5). Accordingly, the fact that a variation application involved activities that required additional consents, did not prevent it from being regarded as a variation.

25. Ultimately it is a question for the Panel, but from a planning point of view I consider that the rule infringements are fundamentally a package which is part of the substantive application, as without the substantive application for the Screen Hub, the changes would not be required to existing conditions of consent. Therefore the change to conditions is tied to the approval of the fast-track consent (where the effects are being considered) rather than the granted subdivision activity.

Question (d)

26. Finally, the Expert Panel has asked whether the full subdivision should be considered afresh, and subsumed with the current application as set out in para 16(d). I have sought legal advice on this issue and understand there is no process in the RMA (or FTAA) that would allow for the full subdivision consent to be considered afresh. A decision has been granted on that consent and it cannot be revisited.
27. The only further issue is noted above, in that if the applicant does not proceed with Stage 2 of the subdivision, which creates Proposed Lot 4 and Proposed Lot 9, then no consent notices will be imposed on the interim title as part of Stage 1. If the Expert Panel forms the view that the amendments are not in scope of the granted subdivision consent, then I agree that a fresh application (only to breach the relevant rules) would be required.
28. Subject to the application for infringement of these rules, which I consider can be bundled with the substantive application, it is my opinion that all relevant consents have been applied for, and if consent is granted, that amendments to the conditions for subdivision RM240982 will be required to implement the fast-track consent.
29. In its invitation for written comment the Expert Panel enquired whether the consents for Silverlight Studios located at Corbridge near Wanaka have lapsed. I confirm that an extension to the lapse date ET210028 was granted on 12 September 2023, and the lapse date is now 14 March 2029.

Site context

30. The substantive application generally provides a suitable and appropriate description of the consents related to the site, however, I would also observe that the site was the subject of recent Environment Court decisions in terms of zoning under the review of the Proposed Queenstown Lakes District Plan. In the same location as the proposed Screen Hub, the appellant sought a retirement village as well as an extension of the Arrowtown Urban Growth Boundary (UGB), however this part of the appeal was abandoned, with a Wakatipu Basin Lifestyle Precinct sub-zone sought instead. The Environment Court considered the appeal, and determined that a modified Wakatipu Basin Rural Amenity Zone was appropriate, subject to a structure plan and planning provisions which imposed a number of limitations to development. Provision for four residential sites was made in the central paddock Residential Activity Area, and a further three sites in the Residential Activity Area fronting onto Ayr Avenue.³
31. In addition to this, I also observe that LCU8 – Speargrass Flat, is currently devoid of urban-style development, and does not include the rural-residential typology of the land to the south of the subject site in LCU12 – Lake Hayes Rural Residential. LCU8 extends from the western end of Speargrass Flat Road, excludes the development at Ayrburn (a majority of which is resort activity and a consented retirement village as part of the Waterfall Park Zone), across Arrowtown-Lake Hayes Road and along Hogans Gully Road. The Waterfall Park Zone is located in LCU23 – Millbrook, which has a different character to LCU8. The proposal for urban development into the WBRAZ is addressed later in this report.

³ *Waterfall Park Developments Limited v Queenstown Lakes District Council* [2023] NZEnvC 207, *Waterfall Park Developments Limited v Queenstown Lakes District Council* [2024] NZEnvC 087, *Waterfall Park Developments Limited v Queenstown Lakes District Council* [2024] NZEnvC 134, *Waterfall Park Developments Limited v Queenstown Lakes District Council* [2024] NZEnvC 299,

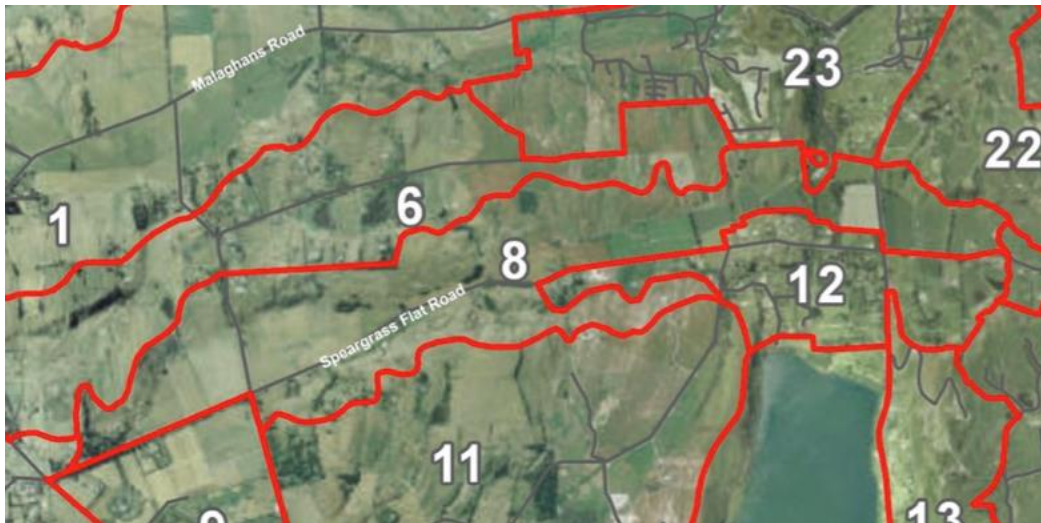


Figure 3. LCU8 – Speargrass Flat (extract from Chapter 24 of PDP)

Proposal

32. The proposal is fully described in section 5.1 of the substantive application. It provides an overview of the various components of the development, which includes:

- a. Filming stages;
- b. Workshops;
- c. Offices and dressing rooms;
- d. A reception area;
- e. 201 accommodation units;
- f. A gym/wellness area and VIP/screening area;
- g. Depot;
- h. Open spaces and comprehensive landscaping;
- i. Associated infrastructure;
- j. Water quality improvement;
- k. Riparian planting; and
- l. Public cycle trail connections.

33. In my opinion, the application material overlooks the urban nature of the development.

‘Urban development’ is defined in the Proposed Queenstown Lakes District Plan as follows:

Means development which is not of a rural character and is differentiated from rural

development by its scale, intensity, visual character and the dominance of built structures. Urban development may also be characterised by a reliance on reticulated services such as water supply, wastewater and stormwater and by its cumulative generation of traffic. For the avoidance of doubt, a resort development in an otherwise rural area does not constitute urban development, nor does the provision of regionally significant infrastructure within rural areas.

34. The proposal provides for a relatively dense arrangement of buildings and intensity of use on the site, which is not found elsewhere in the rural area (noting that in resorts such as Millbrook, The Hills and Waterfall Park, resort development are excluded from the definition of urban development).
35. 62 of the 201 accommodation units contain full kitchens, with the remaining 139 containing tea stations. The activity is also comprised of commercial activity as defined by the PDP, and is not related to rural activity. 226 carparks are proposed, with overflow parking. The proposal relies on reticulated wastewater and water supply. In addition, it should be noted that a similar proposal for Silverlight Studios in Wānaka was found to be urban development (noting that this was consented in the Rural Zone)).⁴ In my opinion, the nature of the activity falls squarely in the definition of urban development, and does not have a rural character (albeit that parts of the site do, such as the areas planted in grapes).
36. The relevance of this is addressed later in this report.
37. I have considered whether consents are required for an infringement of the residential density provisions (Rule 24.5.1.6A). However, the application states clearly that the proposal is for visitor accommodation and/or temporary worker accommodation. Given the temporary nature of the accommodation, I do not consider that it falls within the definition of residential activity, which requires that it includes the use of land and buildings for *permanent* residential accommodation. In any event, consent for residential activity has not been sought.
38. I note that the design report (Appendix 7 – Ayrburn Design Report at Page 31) includes a proposal for uplighting, including walls, trees and other features, and will be done in a way to *minimise* light spill. In relation to Rule 24.5.17 – Glare, the rule states that there shall be *no*

⁴ Decision on Silverlight Studios under the COVID-19 Recovery (Fast-Track Consenting) Act 2020 - <https://www.epa.govt.nz/assets/Uploads/Documents/Fast-track-consenting/Silverlight-Studios/Silverlight-Studios-Decision-8-December-2021.pdf>

upward light spill. As this consent has not been applied for, it is my view that uplighting is avoided (by way of condition), unless otherwise considered as part of a future resource consent.

Assessment of effects

Positive effects

39. I concur with the range of positive effects identified by the applicant. Subject to the anticipated return outlined in the economic assessment being correct, it is my opinion that the proposal will have at least significant regional benefits.

Landscape and visual effects

40. A review of the applicant's landscape report and the subsequent peer review was undertaken by Bridget Gilbert. Ms Gilbert identifies that LCU8 has been determined as providing the "breathing" space between the more intense development through Millbrook Resort Zone and the Waterfall Park Zone, providing for contiguous area of undeveloped rural land through Speargrass Flat. This is supported in the relatively low density and confined development provided for the Residential Activity Area in the Ayburn Structure Plan and supporting PDP provisions. I concur with Ms Gilbert's conclusion on this matter.

41. The proposal outlined in the application is incongruous to the pattern of anticipated development from a spatial planning point of view, albeit that it is subject to substantial mitigation to manage the visual amenity effects of the development. The use of mounding up to a height of 12m is, as far as I am aware, unprecedented in the Wakatipu Basin.

42. Ms Gilbert has correctly identified that the "consented baseline" approach undertaken in the original landscape review is incorrect. Development of buildings, as well as subdivision within the ASPs Residential Activity Area (**RAA**) is at a minimum a restricted discretionary activity. The effects of the "consented baseline" cannot be discounted, and effects should only look at a comparison of the environment as it exists, taking into account consents that have been approved, and decision-makers *may* consider disregarding any adverse effects that are permitted by the plan. This matter has now been addressed in the revised landscape addendum by the applicant.

43. In relation to the character of the development being “urban development” as defined previously in this report, from a landscape perspective Ms Gilbert aligns with my view on the character of the development.
44. Ms Gilbert highlights that the visual simulations should use correct focal length ranges for landscape photography in keeping with standard practice for visual simulations. She also comments on the time taken to establish planting, and that rather than a 10 year timeframe as shown in the RMM Report, that a shorter timeframe of 5 years should be used to understand the adverse effects in relation to landscape.
45. Overall, Ms Gilbert considers that the effects of the proposal are likely to be “moderate-high” with respect to adverse visual amenity effects in the short-term, reducing to moderate-low after 5 years, and low in the long term (10 years and beyond). My observation is that the linkage between the eastern and western parts of LCU8 will be lost, and the proposal will not maintain the landscape values of LCU8. Notwithstanding this, if consent is granted, the retention of “breathing space” where viewed from public places (e.g. Arrowtown-Lake Hayes Road) will become more important in retaining rural amenity, and avoiding “filling the gap” between Millbrook and the Hills Resort Zones and the North Lake Hayes Rural Residential Area.
46. In relation to landform effects, Ms Gilbert notes that the development of the spur utilising cut earthworks to shield the view of the development from the Countryside Trail corresponds to an appreciable landform modification. I also note that the spur sits over an identified alluvial fan (Otago Hazards Register), impacting on the legibility and potential function of the alluvial fan as an outwash feature.
47. Ms Gilbert notes the potential for cumulative effects if a precedent is set for the type of urban development being sought establishes within the Wakatipu Basin. I agree that such a precedent could occur, but only in the context of fast-track proposals. Under the standard RMA consenting process for a non-complying activity, it is my opinion that the proposal would likely be turned down, given the direction in the plan to avoid urban development outside of urban growth boundaries, and inconsistency of the proposal with the objectives and policies of Chapter 24, and the scale of adverse effects. Further, the tests applied under the Fast-track Approval Act 2024 (**FTAA**) specifically direct that a panel may not form a view that an adverse effect meets the threshold of being out of proportion to the projects regional benefits solely on the basis that the adverse impact is inconsistent

with or contrary to a provision of a specified Act or document that the Panel must take into account or consider (FTAA Section 85(4)) – pointing towards a FTAA decision not creating a precedent effect.

48. Ms Gilbert concludes that the adverse effects in relation to landscape effects are moderate to moderate-high (more than minor, but not significant).

Architectural design integration

49. The application does not in my view properly consider that the proposal is urban in nature, given the intensity and scale of buildings, their design, and the intensity of use of the site. I disagree with the Planner's assessment that the accommodation buildings being spatially separated contributes to a low density appearance and supports rural landscape character. In my opinion, the combination of buildings, lighting, sealed surfaces, roading and parking are clearly urban in character and should be recognised as such. Notwithstanding this, it is my view that the proposal will read as a high quality urban development from within the site for visitors to the site and users of the proposed public trails proposed within the site.

Land disturbance effects

Sedimentation

50. The impacts of sedimentation are largely the domain of the Otago Regional Council in relation to effects on waterbodies (including Mill Stream and the Lake Hayes Catchment). I note that earthworks will take place in close proximity to the ephemeral stream at the western end of the site, in particular in the location of the proposed bund/spur. Care will need to be had to ensure that sediment effects are retained on site, with appropriate sediment management on site, and through appropriate sediment control methods. These will largely be addressed through a requirement for approval the Environment Management Plan required by proposed conditions 5 to 11.

Operational effects

Acoustic amenity

51. The applicant has undertaken an acoustic assessment which concludes that the operational activities on the site will comply with the relevant noise standards, as well as recommending a condition to implement an Operational Noise Management Plan. Given this, any instances related to noise matters can be addressed through compliance and enforcement, and consents sought should the permitted noise levels be exceeded. Proposed condition 37 requiring compliance with district plan noise standards is supported. No further comment is required.

Servicing and Infrastructure Capacity Effects

52. These matters are addressed directly by Council's infrastructure team. I note that sufficient water supply is not currently available to the site by way of Council's existing reticulated water supply (and the site is located outside of that supplies' boundaries), and it is not clear whether the required flow rates adequately provide for fire-fighting and the full range of irrigation required by the proposal. The issue of water supply can be addressed by way of condition of consent, along with necessary upgrades. Further evaluation is required in relation to the relevant objectives and policies related to infrastructure as set out in **Attachment 2**. In addition, further evaluation is required against relevant objectives and policies related to transport, which relate to more than just capacity within the network and traffic safety.

Ecosystem and ecology effects

53. The ecological assessment has focused solely on in-stream aquatic ecological values. There has been no evaluation or study regarding potential for terrestrial fauna or highly mobile avifauna values. The likelihood of the site being habitat for lizards is unknown. It is recommended that a more fulsome evaluation of ecological values for the site is sought, prior to considering the grant of consent, so that a better understanding of the ecological values of the site is obtained. This may warrant consideration of additional conditions, such as the relocation of fauna, or construction of faunal habitats as part of the landscaping plan. I note that sites to the west of the Queenstown Trail may provide a proxy for understanding mobile avifauna values, given the presence of a highly modified environment within the site. I also note that the provision of 3.1ha of native revegetation is likely to have significant positive effects.

Cultural, social and economic effects

Cultural values

54. I note that at present, the conditions proposed do not implement the full range of recommended conditions, and involvement in management plans, as sought in the Final Cultural Impact Statement, dated July 2025 (submitted 18 November 2025) by Te Ao Mārama Inc. Confirmation of satisfaction with the proposed conditions is a matter for Kāi Tahu, however I support the recommendations made in the Cultural Impact Assessment and consider that they provide for the relationship of Kāi Tahu with its ancestral land, water, sites and taonga.

Neighbourhood effects

55. In my opinion, the AEE underplays the amenity effects created to the neighbouring properties by the proposal, noting that the adverse effects are likely to be partial or seasonal. The proposal introduces urban development up to the boundary of a number of sites – these are likely to be impacted in terms of:

- a. Visible light at night (e.g. lit rooms within the southern accommodation units)
- b. Noise (albeit that it will be required to comply with noise standards)
- c. Screening of rural outlooks
- d. Loss of rural amenity

56. I disagree that the recessive cladding, varied rooflines, articulated buildings work alongside extensive planting and vineyard rows will work to soften the developments edge and reinforce rural character. In my opinion, there is very little about the proposal which supports any form of rural character, with the exception of the vineyard planting.

57. In relation to construction effects, it is offered that the effects are expected to be short-term and temporary in nature. However, there is no indication of what that means in relation to a timeframe.

Social effects

58. The applicant has focused on positive social effects in its assessment. The proposal may impact on the community's sense of place, and that the value of the rural lifestyle in neighbouring areas is being lost. In addition, a transient workforce may disrupt social

cohesion, leaving the local community feeling like they live in a busy area, rather than one that benefits from a peaceful rural environment.

59. I consider that although minor, this is likely to cause stress and adverse social effects, notwithstanding that the scale of effect is localised.

Economic effects

60. Granting urban development in an otherwise rural area may potentially result in precedent effects, leading to an increase of similar applications for urban development in areas that are zoned for rural use. In my opinion, this would only occur for applications under the FTAA, as under the standard RMA process, it is my opinion that the consent would not be granted due to the directive policies of the PDP which seek to avoid urban development outside of UGBs. Should such a pattern of applications be established, over the longer term, this could result in increased economic costs for servicing and maintaining developments with infrastructure that is not otherwise planned for.

61. In addition, given the location and relatively limited services available at Ayrburn, additional vehicle trips will be required to utilise services outside of the development (likely Arrowtown, and further afield at Shotover and Frankton). Notwithstanding this, it is noted that there are also likely to be added spend in local areas due to the lack of onsite services such as grocery and petrol stations, healthcare services and the like.

Relevant statutory considerations

National Environmental Standards

62. No additional comment is made on National Environmental Standards and I agree that no other consents are required.

National Policy Statement on Urban Development

63. I do not consider the NPS-UD to be relevant to this proposal, as the development is located outside of the “Urban Environment” as defined in the NPS-UD.

National Policy Statement on Indigenous Biodiversity

64. I have previously highlighted that the focus of ecological studies has only been on the value of the waterways, with no reports on mobile fauna or lizard habitat. As such,

without expert advice in this area, it is not possible to determine whether the site has any terrestrial ecological values. I consider that in absence of that information, it is not possible to determine whether the NPSIB is relevant to the proposal.

Regional policy statement and district plans

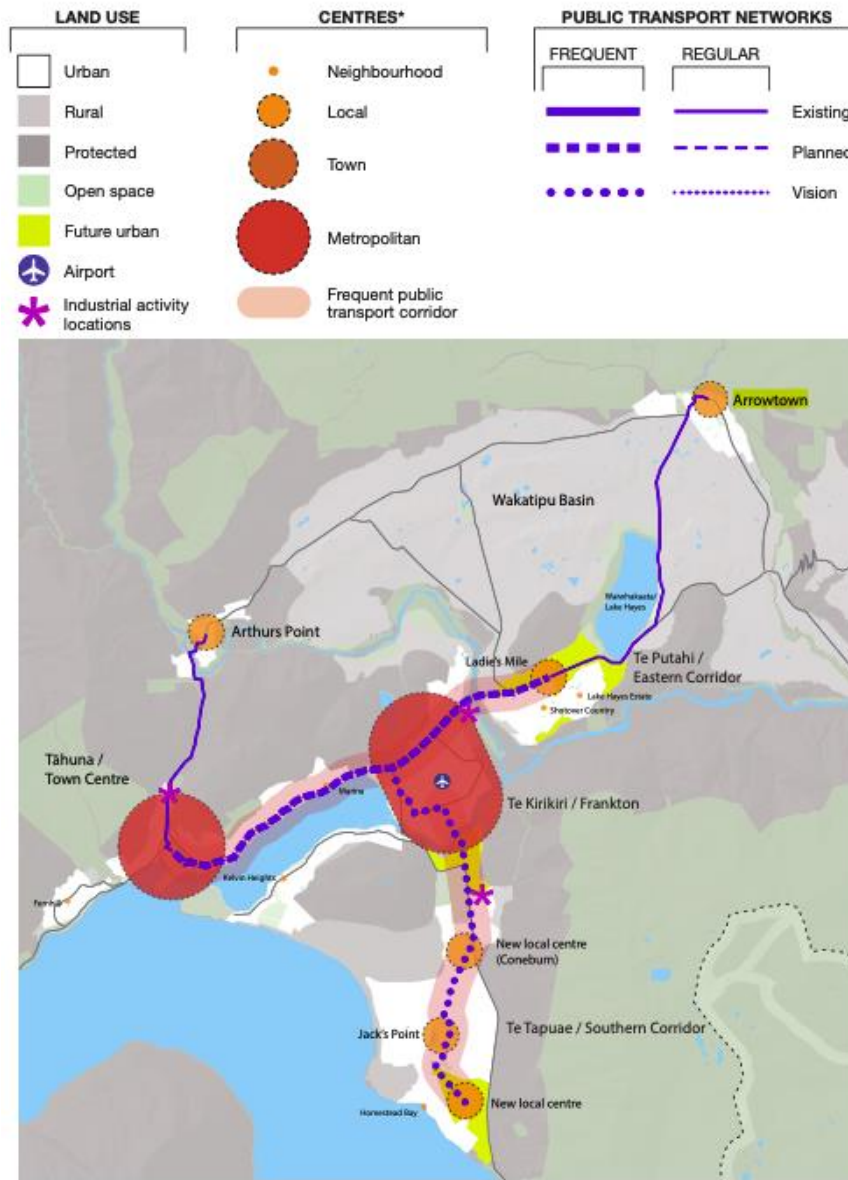
65. Given that my position is that the proposal meets the definition of urban development, I disagree with the assessment made in Appendix 39 as it relates to the proposal. I have attached a table that outlines where my disagreement relates to the applicant's assessment as **Attachment 2**. Importantly, this means that the applicant has not assessed the relevant provisions of Chapter 4 of the PDP as it relates to Urban Development. In addition, given that additional consents are required in relation to the granted subdivision consent, and assessment is also required against the relevant objectives and policies of Chapter 27. The assessment also highlights a number of objectives and policies in the PDP that have not been assessed by the applicant, but are relevant to the application, and identifies a number of policies and objectives that have been assessed by the applicant, but are not relevant to the proposal.

Other Plans – Queenstown Lakes Spatial Plan

66. Evaluation of an application requires consideration of any other matter relevant and reasonably necessary to determine an application, and the applicant has provided an assessment against the Queenstown Lakes Spatial Plan. I consider that the evaluation of the proposal against the Queenstown Lakes Spatial Plan (as a relevant "other matter" under RMA s104(1)(c) and FTAA Schedule 5 Clause 17(1)(b)) is insufficient, this is partly due to my opinion that the proposal constitutes "urban development" as defined by the PDP. The spatial elements of the Wakatipu Basin are set out in the Queenstown Lakes Spatial Strategy.⁵ These are set out in the diagram below.

⁵ https://www.qldc.govt.nz/media/hsdjlrv3/the-spatial-plan_a4-booklet_jul21-final-web-for-desktop.pdf at Page 59

MAP 7: WAKATIPU – SPATIAL ELEMENTS



67. The spatial plan sets out where urban development is to be located and targeted. It does not include the subject site in that area. The spatial plan states at Page 59:

Further urban development elsewhere in the Wakatipu Basin is avoided to retain the highly valued natural landscape and rural character.

68. In conjunction with this, it states that in relation to rural areas:⁶

⁶ Ibid at page 52

The consolidated approach to growth aims to preserve the character and values of the rural areas of the Queenstown Lakes. Enabling further growth beyond what is already provided for in the District Plan is not consistent with the consolidated approach to growth promoted by the spatial plan.

69. Given this, I consider the proposal for the Ayrburn Screen Hub to be contrary to the Queenstown Lakes Spatial Plan.

Conclusion

70. Having considered the substantive application and supporting material, my planning comments conclude that:

- a. Further consents are required in relation to Chapter 27 Rules 27.7.32.b. and 27.7.32.d.;
- b. This raises the need for additional assessment of the objectives and policies as they relate to Ayrburn in Chapter 27;
- c. A further change to conditions under s127 to approved subdivision consent RM240982 is required in relation to planting above the pasture line in the Ayrburn Structure Plan, which has been sought by the applicant in its updated application material dated 18 November 2025;
- d. The proposal constitutes urban development in a rural area, which has not been addressed by the applicant;
- e. This raises the need for additional assessment under the PDP, in particular Chapter 4 – Urban Development, and the Council has commented on those provisions where it differs from the assessment made by the applicant in **Attachment 2**;
- f. Further evaluation is required against identified objectives and policies in **Attachment 2**;
- g. Additional conditions are required in relation to limiting “up-lighting”;
- h. The proposal is not consistent with the Queenstown Lakes Spatial Strategy as a relevant “other matter” to consider under RMA s 104(1)(c) and FTAA Schedule 5 Clause 17(1)(b);

- i. Consideration should be given to Objectives 2 and 5, and Policies 1 and 6 of the National Policy Statement on Urban Development (**NPS-UD**); and
- j. Further information is required in relation to terrestrial ecological values to determine the presence (or not) of highly mobile fauna or other terrestrial habitats of indigenous fauna, given the scope of earthworks required.

Peer Reviewer Name: Marcus Langman

Planning Consultant

Date: 17 December 2025

Summary of experience

1. I have 24 years' experience in planning, of which 23 have been in New Zealand. For the last eleven years I have been a sole practitioner, working for a range of private developers, local authorities and non-governmental organisations on consenting and policy matters in the Canterbury, Otago, Waikato, Northland and Auckland regions.
2. I am currently the lead author for a number of proposed chapters for the district plan review process for Waitaki District Council, and led the development of the Residential and Subdivision chapters for Waimakariri District Council through to notification. I have also been engaged jointly with Perspective Planning Limited to review Stage 1 of the Kaikōura District Plan.
3. I was Otago Regional Council's section 42A reporting officer for the Energy Infrastructure and Transport chapters on the proposed Otago Regional Policy Statement. I was engaged by QLDC to participate as an expert planning witness on Natural Hazards chapter for the Otago Regional Policy Statement appeals, and have been retained to provide Natural Hazards planning advice to QLDC. I am currently engaged by QLDC to provide expert planning evidence as part of a Stage 3 appeal in relation to zoning in the Gibbston Character Zone.
4. I have appeared as an expert planning witness on a range of plan changes to the operative Selwyn District Plan, jointly on behalf of both CCC and Canterbury Regional Council (CRC) as submitters. I have assisted Queenstown Lakes District Council (QLDC) with rezoning requests in the Wakatipu Basin as part of the district plan review. I was the section 42A reporting officer on those matters, and further assisted QLDC as an expert in the Environment Court on a number of the related rezoning request appeals.
5. I assisted the Hearing Panel as part of the Our Space 2018-2048: Greater Christchurch Settlement Pattern Update Whakahāngai O Te Hōrapa Nohoanga process, which constituted the future development strategy (FDS) for Greater Christchurch prepared under the National Policy Statement on Urban Development Capacity (NPS-UDC).
6. I was contracted as the Principal Planning Advisor to the Independent Hearings Panel for the Christchurch Replacement District Plan, between 2016 and 2018, and assisted the Panel with procedural matters, drafting and review. I have been engaged by a number

- of district councils on subdivision and rural residential plan change matters, as both reporting officer and planning expert. I have also served as an independent planning commissioner on resource consent matters for the Kaikōura District Council.
7. Prior to becoming a consultant, I was a contracted Senior Advisor for the Canterbury Earthquake Recovery Authority, and Principal Planner and Team Leader – Policy at Environment Canterbury. I led the review of the Canterbury Regional Policy Statement (CRPS) from 2008 until the CRPS was made operative in January 2013, as well as Chapter 6 of the CRPS that was included with the Land Use Recovery Plan (LURP), having re-written the residential component of Proposed Change 1 for inclusion in the LURP to respond to the Canterbury Earthquakes. I was also the project manager for, and provided planning input into, the Canterbury Regional Landscape Study Review 2010 (prepared by Boffa Miskell).
 8. I also have experience preparing a number of district plan changes for the Auckland City District Plan, and presenting evidence as a planning witness at numerous plan change and resource consent hearings in Auckland on behalf of the former Auckland Regional Council.
 9. I have appeared in the Environment Court as an expert planning witness, including appeals on the proposed Queenstown Lakes District Plan as an expert witness for QLDC, the Partially Operative Otago Regional Policy Statement 2019 on behalf of the Environmental Defence Society and the Royal Forest and Bird Protection Society in relation to Port-related Activities, and the Auckland Regional Council on the Rodney District Plan.

Attachment 2

Points of difference regarding the evaluation of objectives and policies of the Queenstown Lakes District Plan

Provision	Detail	Applicant Assessment	Council comment
SO 3.2.1.8	<p>Diversification of land use in rural areas beyond traditional activities, including farming, provided that:</p> <ul style="list-style-type: none"> a. the landscape values of Outstanding Natural Features and Outstanding Natural Landscapes are protected; b. the landscape character of Rural Character Landscapes is maintained and their visual amenity values are maintained or enhanced; and c. significant nature conservation values and Ngāi Tahu values, interests and customary resources, are maintained. 	<p>As discussed above, the proposal will result in the diversification of land use in rural areas beyond traditional activities</p> <p>The proposal is not located within any Outstanding Natural Feature and Outstanding Natural Landscape areas. A Landscape Assessment ('LA') prepared by RMM is attached as Appendix 22 and confirms that the Project results in a low level of landscape effects and is considered acceptable due to the retention of key landform features, the continuation of rural land use elements (such as vineyard planting), and the integration of built form within an already modified and evolving rural environment.</p> <p>Accordingly, the Project is considered to diversify rural land use without compromising the landscape character of Rural Character Landscapes, while avoiding any Outstanding Natural Features and Outstanding Natural Landscapes.</p> <p>Engagement with Ngāi Tahu regarding values, interests and customary resources is ongoing.</p> <p>The proposal is considered to achieve this objective..</p>	<p>For the purpose of the PDP, the Wakatipu Basin Rural Amenity Zone is not a 'Rural Character Landscape' (while an amenity zone, it has a separate framework from Rural Character Landscapes that are zoned Rural Zone), however the proposal does meet this objective by providing a use beyond traditional activities including farming.</p>

Provision	Detail	Applicant Assessment	Council comment
SO 3.2.1.9	Community needs are met by the efficient and effective operation, maintenance, upgrade and development of infrastructure in the District.	N/A (Not Assessed)	This has not been assessed by the applicant, however it is noted that reticulated water supply is not currently available to the site. This can be addressed by way of conditions on the consent.

Provision	Detail	Applicant Assessment	Council comment
SO 3.2.2	Urban growth is managed in a strategic and integrated manner	N/A	<p>This has not been assessed by the applicant.</p> <p>The application should be viewed as urban development in a rural zone and outside of the PDP's urban growth boundaries. As such, the proposal is not considered to manage urban growth in a strategic manner.</p> <p>Notwithstanding this, it does continue a similar typology to the existing development at Waterfall Park (albeit that is a resort zone, and therefore the enabled Waterfall Park development is excluded from the definition of "urban development" in the PDP).</p>
SO 3.2.2.1	<p>Urban development occurs in a logical manner so as to:</p> <ul style="list-style-type: none"> a. promote a compact, well designed and integrated urban form; b. build on historical urban settlement patterns; c. achieve a built environment that provides desirable, healthy and safe places to live, work and play; d. minimise the natural hazard risk, taking into account the predicted effects of climate change; 	N/A	<p>This has not been assessed by the applicant.</p> <p>The proposal does promote a compact and well design urban form, that will be subject to substantial mitigation, given that it is occurring in a rural zone. It does not reflect or build on historic settlement patterns in the area, given that other development with an urban character in the area has been confined to the resort zones. Natural hazard risk has been minimized, although it is noted that the site is located on an alluvial fan in the Natural Hazards Register, and this does not appear to have been addressed in the application.</p> <p>The proposal does not protect the District's rural landscape from sporadic and sprawling urban</p>

Provision	Detail	Applicant Assessment	Council comment
	<ul style="list-style-type: none"> e. protect the District's rural landscapes from sporadic and sprawling urban development; f. ensure a mix of housing opportunities including access to housing that is more affordable for residents to live in; g. contain a high quality network of open spaces and community facilities; and h. be integrated with existing, and proposed infrastructure and appropriately manage effects on that infrastructure. 		<p>development, rather it results in urban development in an otherwise rural area. From a visual amenity perspective, this will be mitigated over time as planting establishes in combination with the large-scale bulk earthworks on the site.</p> <p>Provisions for accommodation on the site for film employees may provide some degree of access to housing that is affordable, while potentially relieving pressure on short term rental accommodation elsewhere in the district, if, for example, a studio was constructed elsewhere in the district without supporting accommodation. The proposal also includes a high-quality network of public access trails to be provided for within the site.</p> <p>While the proposal can be served with most infrastructure, at this point in time water supply is not able to be provided from Council's reticulated infrastructure, and no upgrades to the network are funded through the LTP. Further work is required for water supply modelling and agreements for funding of water supply infrastructure.</p>

Provision	Detail	Applicant Assessment	Council comment
SO 3.2.3	A quality built environment taking into account individual communities	N/A	<p>This has not been assessed by the applicant.</p> <p>The proposal provides for a high-quality urban development between the urban character of the Waterfall Park Zone and the existing rural residential development at North Lake Hayes on Speargrass Flat Road. Mitigation is proposed between the rural residential sites, but it is likely that noise, traffic and lighting will result in a loss of rural amenity to the local community.</p>
SO 3.2.5.8	<p>Within the Wakatipu Basin Rural Amenity Zone:</p> <ol style="list-style-type: none"> the landscape character and visual amenity values of the Basin and of its Landscape Character Units, as identified in Schedule 24.8 are maintained or enhanced; and the landscape capacity of each Landscape Character Unit and of the Basin as a whole is not exceeded. 	<p>This objective is addressed in the Landscape Assessment (Appendix 22, page 24-25), which concludes that the existing vineyard and established vegetation will function as a landscape buffer, while the contained nature of the built area will allow it to integrate quickly into the surrounding environment. Overall, the proposal's effects on the values identified for maintenance and enhancement within Landscape Character Unit 8 (LCU8) are assessed as being very low to low.</p> <p>Based on the findings of the Landscape Assessment (Attachment 22), the proposal is considered to achieve this objective.</p>	<p>The landscape peer review by Bridget Gilbert concludes that the proposal will result in moderate-moderate to high landscape character effects, and low visual amenity effects over the long term. Given the effects, it can be concluded that the landscape character and visual amenity values of LCU 8 will not be maintained.</p> <p>In terms of landscape capacity, it is noted that the Residential Activity Area, where most of the development is located, has a moderate capacity for development, while the Open Space Activity Area has been identified as having a low capacity for development. Given that the existing planning framework only provides for approximately 4 rural living sites within the Residential Activity Area, it is considered that the landscape capacity for LCU8 is exceeded.</p>

Provision	Detail	Applicant Assessment	Council comment
SO 3.3.15	Apply provisions that enable urban development within the UGBs and avoid urban development outside of the UGBs.	N/A	<p>This has not been assessed by the applicant.</p> <p>The proposal is considered to be urban development for the reasons set out in this report, and is not consistent with this objective which seeks to avoid urban development outside of the UGBs.</p>
SO 3.3.27	Seek opportunities to provide public access to the natural environment at the time of plan change, subdivision or development. (relevant to SO 3.2.4, 3.2.4.5)	N/A	<p>This has not been assessed by the applicant.</p> <p>The proposal provides for public access and is considered consistent with this objective.</p>
Objective 4.2.1	Urban Growth Boundaries used as a tool to manage the growth of urban areas within distinct and defensible urban edges	N/A	<p>This has not been assessed by the applicant.</p> <p>The proposal results in urban development outside of the urban growth boundary and as such, results in development that does not have a distinct and defensible urban edge.</p>
Policy 4.2.1.2	Focus urban development primarily on land within and adjacent to the existing larger urban areas and, to a lesser extent, within and adjacent to smaller urban areas, towns and rural settlements.	N/A	<p>This has not been assessed by the applicant.</p> <p>The proposal for urban development is not located within or adjacent to a larger urban area, although it is located adjacent to a resort zone which does have an urban character. The site is located away from the nearest urban area of Arrowtown.</p>

Provision	Detail	Applicant Assessment	Council comment
Policy 4.2.1.3	Ensure that urban development is contained within the defined Urban Growth Boundaries, and that aside from urban development within existing towns and rural settlements, urban development is avoided outside of those boundaries.	N/A	<p>This has not been assessed by the applicant.</p> <p>The proposal results in development that is not contained within the defined Urban Growth Boundary, and is in an otherwise rural area, and will not be avoided outside of the UGB. The proposal is inconsistent with this policy.</p>
Objective 4.2.2 B	Urban development within Urban Growth Boundaries that maintains and enhances the environment and rural amenity and protects Outstanding Natural Landscapes and Outstanding Natural Features, and areas supporting significant indigenous flora and fauna.	N/A	<p>This has not been assessed by the applicant.</p> <p>The proposal (incorporating urban development outside of Urban Growth Boundaries) will result in adverse effects on landscape character, and short-term effects on visual amenity, and will not maintain or enhance rural amenity. The proposal is inconsistent with this policy.</p> <p>There remains a gap in terms of any assessment on terrestrial ecology (including highly mobile fauna), as such, effects on these are unknown, although significant indigenous mitigation planting is noted and likely to lead to some positive effects in the longer term.</p>

Provision	Detail	Applicant Assessment	Council comment
Policy 4.2.2.1	<p>Integrate urban development with existing or proposed infrastructure so that:</p> <ul style="list-style-type: none"> a. Urban development is serviced by infrastructure of sufficient capacity; and b. reverse sensitivity effects of activities on regionally significant infrastructure are minimised; and c. in the case of the National Grid, reverse sensitivity effects avoided to the extent reasonably possible and the operation, maintenance, upgrading and development of the National Grid is not compromised. 	N/A	<p>This has not been assessed by the applicant.</p> <p>The proposal can be served by most infrastructure, with the exception of potable water (which is also to be used for firefighting and irrigation). This can be managed by way of conditions if the proposal is approved. There are no other adverse effects anticipated on regionally significant infrastructure or the National Grid.</p>
Policy 4.2.2.3	<p>Enable an increased density of well-designed residential development in close proximity to town centres, public transport routes, community and education facilities, while ensuring development is consistent with any structure plan for the area and responds to the character of its site, the street, open space and surrounding area.</p>	N/A	<p>This has not been assessed by the applicant.</p> <p>The proposal is located on a public transport route and approximately 3.2 kilometres from the centre of Arrowtown. The proposal will not be consistent with the ASP for the area and does not respond to the character of the existing site or development to the south. It does however, continue the more intensive development out from the Waterfall Park Zone onto the rural flats, and will complement the development to the north.</p>

Provision	Detail	Applicant Assessment	Council comment
Policy 4.2.2.4	Encourage urban development that enhances connections to public recreation facilities, reserves, open space and active transport networks.	N/A	<p>This has not been assessed by the applicant.</p> <p>The proposal includes active transport networks into the site and through to the Ayrburn development in the form of walking and cycling tracks. No additional public open space is proposed apart from these accessways.</p>
Policy 4.2.2.5	Require larger scale development to be comprehensively designed with an integrated and sustainable approach to infrastructure, buildings, street, trail and open space design.	N/A	<p>This has not been assessed by the applicant.</p> <p>The proposal is comprehensively designed and seeks to improve water quality and the environment through rehabilitation of waterways and provision for native replanting, as well as the provision of trails.</p>
Policy 4.2.2.10	Ensure lighting standards for urban development avoid unnecessary adverse effects on views of the night sky.	N/A	<p>This has not been assessed by the applicant.</p> <p>The existing Ayrburn Design Report includes uplighting in the design plan, which is inconsistent with the management of adverse effects on the night sky. This can be managed by way of consent conditions.</p>
Policy 4.2.2.20 [Wakatipu Basin specific]	Rural land outside of the Urban Growth Boundaries is not used for urban development until a change to the Plan amends the urban Growth boundary and zones additional land for urban development purposes.	N/A	<p>This has not been assessed by the applicant.</p> <p>No plan change is proposed to enable the development, and the proposal is inconsistent with this policy.</p>

Provision	Detail	Applicant Assessment	Council comment
Policy 6.3.2.2	Ensure that the location and direction of lights does not cause excessive glare and avoids unnecessary degradation of views of the night sky and of landscape character, including of the sense of remoteness where it is an important part of that character.	All lighting will be specified to meet the QLDC Southern Light standards to ensure there is no excessive glare. The proposal is considered to achieve this policy.	The applicant has assessed this policy, however it does not apply as the WBRAZ is not listed in 6.3.2 which sets out the PDP rural zones that 6.3.2.1 to 6.3.2.8 apply to.
Policy 6.3.2.8	Encourage any landscaping to be ecologically viable and consistent with the established character of the area.	A comprehensive landscaping plan is attached within the Ayrburn Design Report at Appendix 7. As detailed in Section 5.1.5 of the AEE, the planting is intended to assist with mitigation of the proposed buildings in the landscape. In addition, the planting will enhance the overall ecological values of the site by providing enhancement of freshwater ecology associated with Mill Creek and increasing native plant diversity and habitat. Landscaping is therefore considered to be ecologically viable and consistent with the established character of the area. The proposal is considered to achieve this policy.	The applicant has assessed this policy, however it does not apply as the WBRAZ is not listed in 6.3.2 which sets out the PDP rural zones that 6.3.2.1 to 6.3.2.8 apply to.

Provision	Detail	Applicant Assessment	Council comment
Policy 6.3.4.1	Recognise that subdivision and development is unsuitable in many locations in Rural Character Landscapes and successful applications will need to be, on balance, consistent with the objectives and policies of the Plan.	<p>The Landscape Assessment (Appendix 22, page 24-24), concludes that adverse effects of the proposed development will be mitigated by a range of measures, including retention of existing structural planting and the vineyard to the west of the site, revegetation of the drainage swale, and maturing of newly developed landscaping. It is further considered that the contained nature of the built area will allow the development to integrate into the surrounding environment. Overall, the proposal's effects on the values identified for maintenance and enhancement within LCU8 are assessed as being very low to low. Based on the findings of the Landscape Assessment it is considered that the proposed development is consistent with the objectives and policies in the Plan.</p> <p>The proposal is considered to be consistent with this policy.</p>	The applicant has assessed this policy, however it does not apply because Policy 6.3.1.4 applies to 'Rural Character Landscapes' (RCL) only. The WBRAZ is not a RCL for the purposes of the PDP – the RCL forms part of the PDP Rural Zone only.

Provision	Detail	Applicant Assessment	Council comment
Policy 6.3.4.4	Have particular regard to the potential adverse effects on landscape character and visual amenity values where further subdivision and development would constitute sprawl along roads .	<p>Based on the Landscape Assessment attached at Appendix 22 (page 19), the proposed development will have limited visibility from Arrowtown–Lake Hayes Road (ALHR) and Hogans Gully Road. This is due to the Project being located behind existing exotic trees on the property, which are to be retained. These established trees, along with the landscaped foreground, form a layered visual buffer that significantly reduces the development’s prominence from these roads.</p> <p>The location of the development and the proposed and existing screening will ensure that the proposal will not contribute to any perception of sprawl along ALHR or Hogans Gully Road. From these vantage points, the built elements will be largely absorbed into the existing pattern of vegetation and landform.</p> <p>As a result, the landscape character and visual amenity values of the area will be maintained, and the potential adverse effects associated with linear, road-frontage sprawl will be avoided.</p> <p>The proposal is considered to achieve this policy.</p>	The applicant has assessed this policy, however it does not apply because Policy 6.3.4.4 applies to ‘Rural Character Landscapes’ (RCL) only. The WBRAZ is not a RCL for the purposes of the PDP – the RCL forms part of the PDP Rural Zone only.
Policy 6.3.4.5	Ensure incremental changes from subdivision and development do not degrade landscape character, or important views as a result of activities associated with mitigation of the visual effects of proposed development such as screen planting, mounding and earthworks.	<p>The Landscape Assessment (Appendix 22) concludes that the proposal will result in a very low to low–moderate level of adverse effects on the existing visual amenity and landscape character within the identified visual catchment, and when experienced from viewpoints 5 – 9 that these will be low-moderate to moderate.</p> <p>The proposed development will not be highly visible from public places and will not form the foreground to any views from public roads towards any ONF or ONL.</p> <p>The proposal is considered to achieve these policies.</p>	The applicant has assessed this policy, however it does not apply because Policy 6.3.4.5 applies to ‘Rural Character Landscapes’ (RCL) only. The WBRAZ is not a RCL for the purposes of the PDP – the RCL forms part of the PDP Rural Zone only.

Provision	Detail	Applicant Assessment	Council comment
Policy 6.3.4.8	<p>Avoid adverse effects on visual amenity from subdivision, use and development that:</p> <ul style="list-style-type: none"> a. is highly visible from public places and other places which are frequented by members of the public generally (except any trail as defined in this Plan); or b. forms the foreground for an Outstanding Natural Feature or Outstanding Natural Landscape when viewed from public roads 	<p>The Landscape Assessment (Appendix 22) concludes that the proposal will result in a very low to low-moderate level of adverse effects on the existing visual amenity and landscape character within the identified visual catchment, and when experienced from viewpoints 5 – 9 that these will be low-moderate to moderate.</p> <p>The proposed development will not be highly visible from public places and will not form the foreground to any views from public roads towards any ONF or ONL.</p> <p>The proposal is considered to achieve these policies.</p>	<p>The applicant has assessed this policy, however it does not apply because Policy 6.3.4.8 applies to 'Rural Character Landscapes' (RCL) only. The WBRAZ is not a RCL for the purposes of the PDP – the RCL forms part of the PDP Rural Zone only.</p>
Policy 6.3.4.9	<p>In the Wakatipu Basin, avoid planting and screening, particularly along roads and boundaries that would degrade openness where such openness is an important part of its landscape character.</p>	<p>The Landscape Assessment (Appendix 22) notes the project involves native margin planting to 'wrap around' the proposed development and border the riparian areas and amenity planting in areas in closer to buildings, infrastructure and private spaces. The native margin planting will, in effect, provide the backdrop to the built form of the proposed development and will clothe the proposed earth mounding and will also provide an ecological benefit. This planting will not be along roads and boundaries. Overall, it is considered that planting will not degrade openness to the extent that is part of the landscape character of the site and locality.</p>	<p>The applicant has assessed this policy, however it does not apply because Policy 6.3.4.9 applies to 'Rural Character Landscapes' (RCL) only. The WBRAZ is not a RCL for the purposes of the PDP – the RCL forms part of the PDP Rural Zone only.</p>

Provision	Detail	Applicant Assessment	Council comment
Policy 6.3.4.11	Encourage development to utilise shared accesses and infrastructure, and to locate within the parts of the site where it will minimise disruption to natural landforms and to rural character.	Existing infrastructure will be utilised where possible including the existing access to the site from Ayr Avenue. The development is predominantly located within a part of the site that is identified in Chapter 24 of the PDP as having moderate capability to absorb additional development and where it will minimise disruption to natural landforms and natural character. The proposal is considered to be consistent with this policy.	The applicant has assessed this policy, however it does not apply because Policy 6.3.4.11 applies to 'Rural Character Landscapes' (RCL) only. The WBRAZ is not a RCL for the purposes of the PDP – the RCL forms part of the PDP Rural Zone only.
Objective 24.2.1	Landscape character and visual amenity values in the Wakatipu Basin are maintained or enhanced.	As detailed in the Landscape Assessment (Appendix 22 Page 25): "Overall, it has separately been established that parts of the Site have the potential to absorb development whilst maintaining the environmental characteristics and visual amenity values of the LCU. It is considered the proposed Screen Hub facility will satisfactorily maintain landscape character and visual amenity values." Based on the conclusions of the Landscape Assessment it is considered that the landscape character and visual amenity values in the Wakatipu Basin are maintained, and that this Project is consistent with this policy.	The landscape peer review by Bridget Gilbert concludes that the proposal will result in moderate-moderate to high landscape character effects, and low visual amenity effects over the long term. Given the effects, it can be concluded that the landscape character and visual amenity values of LCU 8 will not be maintained.

Provision	Detail	Applicant Assessment	Council comment
Policy 24.2.1.2	<p>Subdivision or residential development in all areas outside of the Precinct that are identified in Schedule 24.8 to have Very Low, Low or Moderate-Low capacity must be of a scale, nature and design that:</p> <ol style="list-style-type: none"> is not inconsistent with any of the policies that serve to assist to achieve objective 24.2.1; and ensures that the landscape character and visual amenity values identified for each relevant Landscape Character Unit in Schedule 24.8 and the landscape character of the Wakatipu Basin as a whole are maintained or enhanced by ensuring that the landscape capacity is not exceeded. 	<p>The development is predominantly located within a part of the site that is identified in Chapter 24 of the PDP as having moderate capability to absorb additional development. While a portion of the proposal will be located within an areas identified as having low capacity, the Landscape Assessment provided in Appendix 22 concludes:</p> <p>“Rural character and amenity values will remain high and therefore the impact of the proposal on the values identified to be maintained and enhanced within LCU8 are considered to be very low - low.”</p> <p>The Addendum Landscape Assessment Memo concludes that:</p> <p><i>“...adverse effects arising from the proposal on landscape and visual amenity values as experienced in viewpoints 5 – 9 will range from low to moderate”</i></p> <p>The proposal is considered to achieve this policy.</p>	<p>The landscape peer review by Bridget Gilbert concludes that the proposal will result in moderate-moderate to high landscape character effects, and low visual amenity effects over the long term. Given the effects, it can be concluded that the landscape character and visual amenity values of LCU 8 will not be maintained.</p> <p>In addition, development is proposed in the Open Space Activity Area in the Ayrburn Structure Plan, which LCU8 records as having a landscape capacity of “low”. The adverse visual amenity effects of buildings within the area identified as low are likely to be mitigated over time by the development. However Ms Gilbert has identified that effects on landscape character are likely to be moderate-moderate to high. As such, the landscape character and visual amenity values will not be maintained or enhanced.</p>

Provision	Detail	Applicant Assessment	Council comment
Policy 24.2.1.3	<p>Subdivision or residential development in all areas of the Wakatipu Basin Rural Amenity Zone outside of the Precinct that are identified in Schedule 24.8 to have Moderate capacity must be of a scale, nature and design that:</p> <ul style="list-style-type: none"> a. is not inconsistent with any of the policies that serve to assist to achieve objective 24.2.1; and b. ensures that the landscape character and visual amenity values of each relevant LCU as identified in Schedule 24.8 is maintained or enhanced by ensuring that landscape capacity is not exceeded 	<p>As detailed in Section 9.1.1 of the AEE and in the Landscape Assessment provided in Appendix 22, this proposal is considered to maintain the landscape character and visual amenity values identified in LCU 8.</p> <p>The proposal is considered to achieve this policy.</p>	<p>The landscape capacity within the Residential Activity Area of the Ayrburn Structure Plan is moderate (refer LCU8 schedule). The proposal exceeds the anticipated level of development, by providing for intensive rural development where only rural living is anticipated. As noted in the assessment by Ms Gilbert, the proposal will have adverse impacts in terms of landscape character, and some adverse effects in terms of visual amenity. As such, the proposal will exceed the landscape capacity of the site where identified as “moderate”, and will not serve to maintain or enhance the landscape character and visual amenity of the site.</p>
Policy 24.2.1.4	<p>Within those areas identified as having a landscape capacity rating of Moderate, do not allow any new residential development and subdivision for residential activity that is not located and designed so as to:</p> <ul style="list-style-type: none"> a. avoid sprawl along roads; b. maintain a defensible edge to and not encroach into any area identified as having Moderate-low, Low or Very Low landscape capacity rating; c. minimise incremental 	N/A	<p>This has not been assessed by the applicant.</p> <p>The proposal does not provide a defensible long-term boundary for development, and encroaches onto areas identified with a low landscape capacity rating. Incremental changes to landforms and vegetation patterns are integral to the mitigation required to enable the development, and will impact on views from the Countryside Trail. Over time, these views are likely to change from a rural pastoral outlook, to a planted hillside (alongside the planted vineyards). The presence of the vineyards will provide for openness on the western portion of the site, and indicate a rural production use.</p>

Provision	Detail	Applicant Assessment	Council comment
	<p>changes to landform and vegetation patterns associated with mitigation such as screen planting and earthworks which adversely affect important views of the landform and vegetation character identified for the relevant Landscape Character Units in Schedule 24.8; and</p> <p>d. not degrade openness when viewed from public places if that is identified in Schedule 24.8 as an important part of the landscape character of the relevant area, including as a result of any planting or screening along roads or boundaries.</p>		Overall, the proposal is not consistent with this policy.
Policy 24.2.1.6	Ensure subdivision and development is designed (including accessways, services, utilities and building platforms) to minimise inappropriate modification to the natural landform.	<p>The proposal has been comprehensively designed to utilise existing infrastructure where possible and to minimise the effect on the natural landform. Any effects which result from modification to the natural landform are proposed to be managed through a comprehensive suite of conditions attached at Appendix 6.</p> <p>The proposal is considered to achieve this policy.</p>	Significant earthworks are required, and Ms Gilbert notes that the addition of the spur as part of the necessary visual mitigation of the development will have adverse effects on landscape character. The proposal is not consistent with this policy.

Provision	Detail	Applicant Assessment	Council comment
Policy 24.2.1.10	Provide for farming, commercial, community, recreation, tourism related and other nonresidential activities that rely on the rural land resource, subject to maintaining or enhancing landscape character and visual amenity values.	The proposal provides for commercial activity, recreation and tourism related activities that rely on the rural land resource of the site as provided for by this policy. The proposal is considered to achieve this policy.	There is no justification in the application on why the proposal relies on the rural land resource.
Policy 24.2.1.16	Manage lighting so that it does not cause adverse glare to other properties, roads or public places , or degrade views of the night sky.	All lighting will be specified to meet the QLDC Southern Light standards to ensure there is no excessive glare. The proposal is considered to achieve this policy.	The Ayrburn Design Report includes a proposal for uplighting, which is inconsistent with the QLDC Southern Light Strategy. This is relevant because the applicant has stated that all lighting will meet the QLDC Southern Light Standards, as well as noting compliance with Rule 24.5.17 which requires no upward light spill. This can be managed by way of conditions on consent.
Objective 24.2.2	Non-residential activities maintain or enhance amenity values.	Based on the Landscape Assessment attached as Appendix 22, the Screen Hub is considered to maintain amenity values through various mitigation measures including the maintenance of existing vegetation, the location of the development within an enclosed area and the comprehensive landscaping proposed as detailed in the Ayrburn Design Report (Appendix 7, page 15 and 26–30). As addressed in more detail in terms of Policy 24.2.2.1, noise and traffic from activities will be managed to maintain amenity values of adjoining residential properties. The proposal is considered to achieve this objective.	As previously noted, landscape character and visual amenity will be impacted. In addition, there will be localized effects in terms of the density of development, increased traffic, noise, light, and a reduction in rural amenity. On the positive side, there will be an increase in indigenous planting on the site, and screening of development through planting. Overall, however, the effects of the proposal is not considered to maintain or enhance amenity values, with particular localized effects on neighbouring properties.

Provision	Detail	Applicant Assessment	Council comment
Policy 24.2.2.1	Ensure traffic, noise and the scale and intensity of non-residential activities do not have an adverse impact on landscape character and amenity values, or affect the safe and efficient operation of the roading and trail network or access to public places.	The effects of the Project relating to noise, traffic, and the scale and intensity of the development have been considered in Section 9 of the AEE. In particular, the Transport Assessment (Appendix 29) confirms that the site will operate safely and efficiently from a traffic perspective and the Noise Assessment (Appendix 26) confirms that the Screen Hub can be operated in compliance with the District Plan noise rules, when taking into account the proposed mitigation measures.	The level of development is considered to be urban development, and will have an impact on the landscape character and amenity values of the rural zoned land. In relation to traffic safety, it is recommended that the interestsection of Speargrass Flat Road/Hogans Gully Road and Arrowtown Lake/Hayes Road is upgraded, and additional conditions are recommended.
Policy 24.2.2.3	Ensure non-residential activities other than farming , with the potential for nuisance effects from dust, visual, noise or odour effects, are located a sufficient distance from formed roads , neighbouring properties, waterbodies and any residential activity .	<p>The Landscape Assessment (Appendix 22) confirms that landscape character and amenity values can be maintained by this proposal.</p> <p>Dust and odour effects will be further mitigated by the EMP controls (Appendix 21) and the noise effects will be managed by the Draft Operational Noise Management Plan (Appendix 27).</p> <p>In this regard, the proposal is considered to be consistent with these policies.</p>	Nuisance effects are likely to arise during construction, however these are temporary and can be mitigated by appropriate conditions.
Policy 24.2.2.2	Ensure the effects generated by non-residential activities (e.g. traffic, noise, hours of operation) are compatible with surrounding uses.	N/A	<p>This has not been assessed by the applicant.</p> <p>The proposal will result in high traffic generation, noise from the activities at the screen hub, light, and urban development in a rural area. However, the applicant has indicated that the proposal will comply with the noise and light standards in the plan for Rural zones. There is likely to be adverse effects on neighbouring property owners where either rural living or</p>

Provision	Detail	Applicant Assessment	Council comment
			rural uses were anticipated. Mitigation planting will contribute to compatibility with the rural living development to the south.
Policy 24.2.4.4	Provide adequate firefighting water and emergency vehicle access to ensure an efficient and effective emergency response.	As detailed in Section 9.6.2 of the AEE the Screen Hub, is serviced by a 315 millimetre outside diameter polyethylene trunk main, which connects to a bulk supply from the ALHR corridor. This trunk main provides potable, firefighting and irrigation water to the broader Waterfall Park area. Adequate firefighting water supply, is therefore provided for the development. This proposal is considered to achieve this policy.	At present, there is no existing capacity for water supply on the site. This can be mitigated by conditions of consent requiring appropriate supply of reticulated water (and funding for any necessary upgrades), or alternative water sources.
Policy 27.3.25.4	Require a Water Quality Management Plan be prepared and implemented that ensures development contributes to the improvement of water quality in the Lake Hayes catchment by: <ul style="list-style-type: none"> a. revegetating, rehabilitating, and protecting the Water Quality Conservation Areas mapped within the Structure Plan area, and their margins; and b. preventing any stock access to the water bodies and Water Quality Conservation Areas. 	This policy is not considered to be relevant to this proposal as it is located in Chapter 27 of the Proposed District Plan which specifically relates to subdivision and the resultant development, whereas the Project does not involve subdivision. Notwithstanding this, it is listed in this table as a result of feedback received by Otago Regional Council in the Referral application (FTAA 2502-1008). When taking into account the sediment control measures detailed in the Stormwater Management Plan attached at Appendix 13, the substantially positive outcomes identified in the Ecological Assessment (refer Appendix 12) and the feedback provided from FOLH, it is considered that the proposal will result in significant benefits to Lake Hayes. While not considered to be applicable, the proposal is considered to achieve this policy.	Agree with applicant that this provision is not relevant to the proposal, as it relates to Wharehuanui Hills East Structure Plan.

Provision	Detail	Applicant Assessment	Council comment
Policy 27.3.27.1	Enable subdivision which is consistent with the Ayrburn Structure Plan located in Section 27.13.	The proposed change to Conditions 15(b) and 15(d) of RM240982 is to ensure that the consent notice reflects buildings and planting that would be enabled by approval of the Ayrburn Screen Hub. It does not involve a change to the boundaries or other aspects of the subdivision, and in this regard the proposed change is not contrary to this policy.	The proposal involves a change in conditions to provide for buildings in the Open Space Activity Area and indigenous vegetation and mitigation planting above the pasture line in the Ayrburn Structure Plan. The proposal is not consistent with these elements of the structure plan, and is not consistent with the density of development anticipated by the Residential Activity Area. The proposal is not consistent with this policy.
Policy 27.3.27.2	Protect the open space values of Christine's Hill and Ayrburn, including when viewed from the Countryside Trail where it is a public place, and the rural values of the paddocks adjoining Arrowtown-Lake Hayes Road.	As detailed in the Landscape Assessment (Appendix 22), the proposal protects the values of the OS Area. The significant majority of the OS area is retained, landform and vegetative screening is proposed and open space values protected as experienced from both within the Site and from those areas beyond the Site where views are afforded. The Project is also considered to maintain the open space and rural values anticipated for this zone, protect views to Christine's Hill, strengthen the landscape character of the Ayrburn area, and largely remain visually contained within the site.	There will be temporary effects in terms of visual amenity as a result of development occurring on the site, and the open space values will be affected by the extension of the spur and mitigation planting. However these effects will lessen over time as planting becomes established.
Policy 27.3.27.3	Avoid buildings within Activity Area OS, as identified on the Ayrburn Structure Plan , and provide for the consistent and integrated management of Activity Area OS.	While the change to Condition 15(d) of RM240982 would not achieve that part of Policy 27.3.27.3 seeking to avoid buildings within Activity Area OS, based on the Landscape Assessment (Appendix 22) the proposal is not considered to be inconsistent with the outcomes sought by these policies.	The proposal is inconsistent with this policy.
Policy 27.3.27.8	Ensure indigenous riparian vegetation along the banks of Mill Creek and the Ephemeral Tributary within Ayrburn as shown on the Ayrburn Structure Plan.	N/A	This has not been assessed by the applicant. Riparian planting is proposed as shown in the Ayrburn Design Report.

Provision	Detail	Applicant Assessment	Council comment
Policy 27.3.27.9	Prevent commercial stock farming and application of fertiliser containing nitrogen or phosphorous.	N/A	<p>This has not been assessed by the applicant.</p> <p>No commercial stock farming is proposed, however the Landscape Maintenance Plan does require application of fertilizer to establish planting. Any adverse effect is likely to be temporary during the period of establishment.</p>
Policy 27.3.27.10	Avoid adverse effects on developed properties caused by flood hazard.	N/A	<p>This has not been assessed by the applicant.</p> <p>However, the applicant has indicated that all flood water management will occur within the site.</p>
Policy 28.3.1.1	<p>When determining the significance of the natural hazard risk the following matters shall be considered:</p> <ul style="list-style-type: none"> a. The likelihood of the hazard event including multiple and cascading events; b. After taking account of existing and proposed risk reduction measures, the potential consequences including: <ul style="list-style-type: none"> i. Whether buildings and structures, critical services and lifeline utilities would be functionally compromised in a hazard event; ii. The risk to human life or 	N/A	<p>This has not been assessed by the applicant.</p> <p>The site contains flood hazard, liquefaction hazard, as well as being located on an Alluvial Fan in the Natural Hazards Register. The substantive application indicates that risks from these can be adequately managed; refer to Appendix 25 Geotechnical Investigation Report by GeoSolve, and Appendix 13 Stormwater Management Plan by CKL.</p> <p>Notwithstanding this, an evaluation against this policy should be undertaken by the applicant.</p>

Provision	Detail	Applicant Assessment	Council comment
	<p>safety;</p> <p>iii. The scale of potential adverse effects;</p> <p>iv. The displacement of risk.</p> <p>c. People's and communities' tolerance of the natural hazard risk.</p>		

Provision	Detail	Applicant Assessment	Council comment
Policy 28.3.1.2	<p>When assessing tolerance of risk the following matters shall be considered:</p> <ul style="list-style-type: none"> a. the nature and scale of the activity; b. existing lawfully established land use or zoning; c. the actual and potential adverse effects of the natural hazard on people and communities; d. those people's and communities' awareness or experience of the risk, including any investigations, initiatives or natural hazard risk engagement that have been undertaken; e. the consequence of and response to past natural events; f. the effectiveness and implementation of responses, adoptions or mitigation measures. 	N/A	<p>This has not been assessed by the applicant.</p> <p>Refer above.</p> <p>An evaluation against this policy should be undertaken by the applicant.</p>

Provision	Detail	Applicant Assessment	Council comment
Policy 28.3.1.3	<p>Ensure all proposals to subdivide or develop land that is subject to natural hazard risk include an assessment that is commensurate with the level of natural hazard risk including where relevant:</p> <ul style="list-style-type: none"> a. the likelihood of the natural hazard event occurring over no less than a 100 year period; b. the type and scale of the natural hazard and the effects of a natural hazard on the subject land, and proposed activity or development; c. the effects of multiple and cascading hazards; d. the effects of climate change on the likelihood and scale of the natural hazard; e. the potential for the activity to exacerbate the natural hazard risk both within and beyond the subject land; f. the location, design and construction of building and structures to mitigate the 	N/A	<p>This has not been assessed by the applicant.</p> <p>These matters are addressed in Appendix 25 Geotechnical Investigation Report by GeoSolve, and Appendix 13 Stormwater Management Plan by CKL, as well as Appendix 15 which is a Flood Emergency Hazard Management Plan.</p> <p>The proposal is considered consistent with this policy.</p>

Provision	Detail	Applicant Assessment	Council comment
	<p>effects of natural hazards, such as the raising of floor levels, or relocation of buildings and structures;</p> <p>g. management techniques that avoid or manage natural hazard risk to a tolerable level, including with respect to ingress and egress of both residents and emergency services during a natural hazard event.</p>		
Policy 28.3.1.4	Avoid activities that result in significant risk from natural hazard.	N/A	<p>This has not been assessed by the applicant.</p> <p>However, taking into account the reports supplied by the applicant, it is unlikely that the proposal will result in significant risk from natural hazards.</p>

Provision	Detail	Applicant Assessment	Council comment
Policy 28.3.1.6	<p>Not preclude subdivision and development of land subject to natural hazards which do not:</p> <ul style="list-style-type: none"> a. accelerate or worsen the natural hazard risk to an intolerable level; b. expose vulnerable activities to intolerable natural hazard risk; c. create an intolerable risk to human life; d. increase the natural hazard risk to other properties to an intolerable level; e. require additional works and costs including remedial and maintenance works, that would be borne by the public. 	N/A	<p>This has not been assessed by the applicant.</p> <p>An evaluation against this policy should be undertaken by the applicant.</p>
Policy 28.3.1.7	<p>Except as provided for in Policy 28.3.1.6, restrict activities where the natural hazard risk is intolerable to people and the community (Policy 28.3.1.2).</p>	N/A	<p>This has not been assessed by the applicant.</p> <p>An evaluation against this policy should be undertaken by the applicant.</p>

Provision	Detail	Applicant Assessment	Council comment
Policy 28.3.1.8	<p>Ensure assets and infrastructure are constructed and located to avoid or mitigate:</p> <ul style="list-style-type: none"> a. the potential for natural hazard risk to human life to be exacerbated; and b. the potential risk of damage to property and infrastructural networks from natural hazards to the extent practicable, including consideration of the functional needs of regionally significant infrastructure. 	N/A	<p>This has not been assessed by the applicant.</p> <p>An evaluation against this policy should be undertaken by the applicant.</p>
Policy 28.3.1.9	Where a natural hazard has been identified, but the natural hazard risk to people and communities is unknown, but potentially significant, apply a precautionary approach.	N/A	<p>This has not been assessed by the applicant.</p> <p>An evaluation against this policy should be undertaken by the applicant.</p>
Policy 28.3.1.11	Promote the use of natural features, buffers and appropriate risk management approaches in preference to hard engineering solutions in mitigating natural hazard risk.	N/A	<p>This has not been assessed by the applicant.</p> <p>An evaluation against this policy should be undertaken by the applicant.</p>
Policy 28.3.2.2	When considering resource consent applications or plan changes, the Council will have regard to the natural hazards database.	N/A	<p>This has not been assessed by the applicant.</p> <p>However, the Natural Hazards Database has been addressed by the applicant and the relevant natural hazards identified.</p>

Provision	Detail	Applicant Assessment	Council comment
Policy 28.3.2.4	Increase the community awareness of the potential risk of natural hazards, and the necessary emergency responses to natural hazard events.	N/A	<p>This has not been assessed by the applicant.</p> <p>However, it is noted that a Flood Emergency Hazard Management Plan has been prepared by the applicant to address flood risk.</p>
Objective 29.2.1	<p>An integrated, safe, and efficient transport network that:</p> <ul style="list-style-type: none"> a. provides for all transport modes and the transportation of freight; b. provides for future growth needs and facilitates continued economic development; c. reduces dependency on private motor vehicles and promotes the use of shared, public, and active transport; d. contributes towards addressing the effects on climate change; e. reduces the dominance and congestion of vehicles, particularly in the Town Centre zones; and f. Enables the significant benefits arising from public walking and cycling trails. 	<p>As detailed in the AEE, based on Carriageway's Transport Assessment attached as Appendix 29, it is considered that vehicle movements will be able to be accommodated within the capacity of the surrounding road network.</p> <p>The proposal is considered to achieve this objective.</p>	<p>A more fulsome evaluation of this policy should be undertaken by the applicant.</p>

Provision	Detail	Applicant Assessment	Council comment
Policy 29.2.1.1	<p>Require that transport networks including active transport networks, are well-connected and specifically designed to:</p> <ul style="list-style-type: none"> a. enable an efficient public transport system; b. reduce travel distances and improve safety and convenience through discouraging single connection streets; and c. provide safe, attractive, and practical walking and cycling routes between and within residential areas, public facilities and amenities, and employment centres, and to existing and planned public transport. 	N/A	<p>This has not been assessed by the applicant.</p> <p>An evaluation against this policy should be undertaken by the applicant.</p>
Policy 29.2.1.5	<p>Enable and encourage the provision of electric vehicle (EV) charging points/parking spaces within non-accessory parking, within roads where appropriate, as part of Park and Ride, and in association with accessory parking related to High Traffic Generating Activities.</p>	N/A	<p>This has not been assessed by the applicant.</p> <p>An evaluation against this policy should be undertaken by the applicant, given that the proposal is a high traffic generator.</p>

Provision	Detail	Applicant Assessment	Council comment
Policy 29.2.1.8	Acknowledge the benefits of drop-off and pickup areas for shared transport, public transport and active transport, where appropriately located.	N/A	<p>This has not been assessed by the applicant.</p> <p>An evaluation against this policy should be undertaken by the applicant.</p>
Objective 29.2.3	Roads that facilitate continued growth, are safe and efficient for all users and modes of transport and are compatible with the level of amenity anticipated in the adjoining zones.	N/A	<p>This has not been assessed by the applicant.</p> <p>An evaluation against this policy should be undertaken by the applicant.</p>
Policy 29.2.3.1	<p>Establish design standards for roads and accesses, including those in Table 3.2 of the QLDC Land Development and Subdivision Code of Practice (2018), and require adherence to those standards unless it can be demonstrated that the effects of the proposed design on:</p> <ul style="list-style-type: none"> a. the active and public transport networks and the efficiency and safety of the roading network are no more than minor; and b. amenity values, urban design, landscape values are appropriately mitigated. 	N/A	<p>This has not been assessed by the applicant.</p> <p>An evaluation against this policy should be undertaken by the applicant. It is noted that the proposal will result in accesses, which includes private ways as defined in the PDP.</p>

Attachment 3

Environment Court Decisions related to Ayrburn Farm

Title	Memorandum regarding development proposal for Ayrburn Farm
Recipient	Alyson Hutton Manager – Planning Policy
Author	Marcus Langman Planning Consultant
Date	26 March 2025

Proposal as sought by WPDL

The Ayrburn Screen Hub is a proposed film production facility sought by Waterfall Park Developments Limited (WPDL) located at Ayr Avenue, Ayrburn, within the Queenstown-Lakes District, through a fast-track consent process. The development aims to establish a film and television studio complex with associated infrastructure and amenities.

Key elements of the proposal include:

- Film production facilities - the central feature of the project is a large film studio (7,200m² footprint) with associated workshops, offices, and other production-related facilities. It will offer two stages, production workshops, and areas for set building, props, and costume design. This facility has been designed to meet growing demand for film production space in the region, with flexible spaces for different types of productions.
- Accommodation for film crews - the proposal includes 185 accommodation units, primarily for film crews, but which will also be available for general visitor accommodation during non-production times. The accommodation will be clustered around the film facilities to support extended production stays.
- Ancillary facilities - the development includes various support amenities:
 - Reception area and administration offices
 - Spa and wellness centre with amenities like saunas, a yoga room, and a gym
 - Function venue for events, including meetings, weddings, and public functions
 - Ayrburn Depot for logistical support, staff rooms, and storage
- Landscape and ecological enhancement - the proposal includes landscape planting and ecological improvements to mitigate environmental impacts. Key measures include:
 - Riparian planting along Mill Creek to improve water quality and ecosystem health
 - Sediment traps in Mill Creek to reduce phosphorus and sediment flowing into Lake Hayes
 - Sustainable stormwater management, including rain gardens and wetlands

- Transport and infrastructure - the development includes improvements to local transport infrastructure, with two vehicle crossings off Ayr Avenue and sufficient parking for 226 spaces. There will also be improvements to public access, including cycling and pedestrian connections linking to surrounding trails.
- Phased construction - the construction of the development is planned in phases over 60 months, with the first phase focusing on earthworks, the construction of the first film studio, and 68 accommodation units, followed by subsequent phases that will complete the film facilities, accommodation, and other amenities.

Overall, the consent is for a non-complying activity under the Partially Operative Proposed District Plan (PDP), with discretionary consent required under Otago Regional Plan:Water, for works associated with Mill Creek and in relation to earthworks.

Description of area and appeals on the district plan

Ayrburn Farm is a 42.9 ha parcel of land located at 343 Arrowtown Lake Hayes Road, between Arrowtown and Lake Hayes, and was subject to submissions and an appeal as part of Stage 2 of the Queenstown Lakes District Plan review. It is noted that the application area is limited to Lot 4 DP540788, which is a smaller area of approximately 32.4 ha. The site is adjacent to various zones, including the Waterfall Park Zone (WPZ) and the Millbrook Resort Zone.

The land is characterised by a mix of flat terraces and rising land towards the Christine's Hill to the west. The site includes eastern and central terraces, separated by Mill Creek, which flows through the site from north to south. The land rises as it moves towards the western boundary, where Christine's Hill is located. These features make the land visually prominent in the landscape, especially in terms of views from Speargrass Flat Road, Hogans Gully Road, and the Queenstown Trail.

Mill Creek is a key feature of the site, contributing to both the ecological and visual values of the area. The creek is an important watercourse that feeds into Lake Hayes and is noted for its riparian vegetation. The site has been the subject of riparian restoration efforts as part of the broader Waterfall Park development. This environmental focus was key to WPDLC development proposal, which includes ensuring water quality and ecological enhancement, particularly given low water quality in Lake Hayes.

The majority of the land was initially zoned Wakatipu Basin Rural Amenity Zone (WBRAZ), with a minimum site size of 80ha. Various zoning options were sought by the appellant, including the possibility of an Ayrburn Zone, incorporating a retirement village, or an Ayrburn Lifestyle Precinct subzone, providing for large lot residential development. The principle issues in contention by Queenstown Lakes District Council were that both proposals constituted urban development outside of areas providing for urban development within the Urban Growth Boundary (UGB). The district plan includes a strong direction to avoid urban development outside of the UGB.

In the Court's decisions, the land's landscape character and visual amenity were major considerations, with the site being deemed to have a "Low" landscape capacity for development, particularly in relation to LCU 8 - Speargrass Flat, which forms part of the land. The site's location within the Wakatipu Basin and the surrounding natural landscape make it sensitive to development that could alter its rural character.

The Ayrburn Domain, which forms part of the wider site, contains heritage buildings, including the Ayrburn Homestead and an historic woolshed. These structures are integral to the site's

character and are recognised as important from both a heritage and landscape perspective, and have recently been converted to a significant food and wine venue. These buildings contribute to the site being an attractive entry point to the Waterfall Park development.

After careful consideration and testing of evidence, the Court determined that the site was not suitable for a retirement village development, nor the Precinct. This conclusion was based on the site's landscape characteristics and its ecological constraints, including the visual impact such a development would have on the surrounding area. Consequently, WPDL abandoned the Ayrburn Zone proposal for a retirement village in its closing submissions, acknowledging that the site was more suitable for rural living development in line with the broader aims of the WBRAZ.

Following the abandonment of the retirement village concept, WPDL focused on pursuing a Modified WBRAZ zoning for Ayrburn Farm, which would allow for limited rural residential development while preserving the landscape and ecological values of the site. A structure plan was proposed for the subdivision and development of Ayrburn Farm, which included guidelines for respecting heritage features, protecting landscape values, enhancing water quality, and minimising environmental impact. The Court, in its decisions, supported this approach, directing that the land be developed in a way that aligns with the surrounding natural environment, ensures water quality, and integrates heritage elements, while recognising capacity for development in terms of landscape for the site.

The Modified WBRAZ zoning, including specific development controls and a structure plan, were seen by the Court as the most appropriate way forward for the zoning of Ayrburn Farm, providing for rural living while safeguarding the area's environmental values, including protection of water quality in Mill Creek which feeds into Lake Hayes.

Court Decisions

The following provides a summary of decisions issued by the Environment Court (excluding decisions on costs, which were awarded to QLDC and one of the s274 parties to the appeal). The discussion notes issues of relevance to the application site, however a fuller evaluation of the matters affecting the site are provided in the Court decisions.

[2023] NZEnvC 207 (Interim Decision)

In this decision, the Court declined WPDL's request to extend the Arrowtown UGB. The proposal sought to include part of the site in the urban growth boundary for future development. However, the Court found that extending the UGB would contradict the PDP, particularly policies aimed at managing urban growth in a strategic, integrated way, and accepted the Council's evidence on this matter.¹

In relation to Ayrburn Farm and Landscape Character Unit (LCU) 8 - Speargrass Flat, this was the most contentious part of the decision, as it involved determining the most appropriate zoning for approximately 42.9 ha of the site. The Court focused significantly on the landscape and visual amenity values of the area, particularly in relation to LCU 8: Speargrass Flat, where the site is located.

¹ At [30] NZEnvC207

LCU 8 - Speargrass Flat is a landscape character unit (LCU) identified in the PDP as part of the Wakatipu Basin. It was rated with a “Low “ landscape capacity for additional development, meaning it has limited ability to absorb new development without significantly affecting its visual amenity and landscape character values. The key characteristics of this area include a sense of openness and spaciousness, and the unobstructed rural views from Speargrass Flat Road to the surrounding hillsides and escarpment. The Court emphasised the importance of maintaining these landscape values, particularly the open outlooks and the spatial openness in views from areas like the Queenstown Trail and Arrowtown-Lake Hayes Road.²

The Court recognise that while some development could occur, any proposed changes would need to be carefully managed to maintain visual amenity and landscape character values. Specifically, the eastern portion of LCU 8, which includes parts of the site, was highlighted for its sensitive visual aspects, as it offers views from important public areas, such as the Countryside Trail and Arrowtown Lake Hayes Road. The Court was particularly concerned about the integration of buildings with the landform and the protection of natural features. It noted that development in this area should blend with the landscape, maintain openness, and respect the area's rural setting.

The Court also referenced the landscape values outlined for LCU 8, which include maintaining views of the hillslopes, escarpments, and the open space in the valley. These aspects were considered essential to preserving the rural character of the area. The presence of Mill Creek, which flows through the site, added to the landscape sensitivity, as it contributes to both the ecological values of the area and its visual amenity.

The Court initially considered a modified precinct or urban zoning for parts of the Ayrburn Farm but ultimately concluded that this would not be appropriate given the area's landscape values. The Court emphasised that development under Wakatipu Basin Rural Amenity Zone (WBRAZ) would better protect the landscape, as this zone was intended to maintain or enhance the landscape character and visual amenity values of the basin. However, the Court acknowledged the potential for modifications to the WBRAZ to allow for limited rural living development. It considered that there was “moderate” capacity within an approximately 3.8 ha part of the site, which was subsequently identified for residential development in the centre of the site³, and for an approximately 2.75ha part of the site fronting onto Arrowtown Lake Hayes Road.⁴ At an average minimum of 1ha, with a minimum of 6000m², the a total of 5 rural residential sites would be provided for.

The Court reserved its ultimate determination on the matter, but directed the parties to consider an unmodified WBRAZ, or modified WBRAZ as described in its decision.⁵

[2024] NZEnvC 87 (Second Decision)

In this decision, the Court confirmed that Modified WBRAZ was the most appropriate zoning for the part of the site known as Ayrburn Farm. WPDL proposed a modified version of WBRAZ that included a structure plan for the subdivision and development of the site. The proposal included specific controls on subdivision to be incorporated through consent notices, related to permissible planting, tree protection, buildings in the open space area, wastewater discharge, fertiliser usage, commercial livestock and vehicle access.

² Ibid at [119]-[120]

³ Ibid at [116]

⁴ Ibid at [125]-[126]

⁵ Ibid at [135]-[139]

The Court issued directions to refine and adjust several policies within the PDP related to the zoning of Ayrburn Farm. It focused on provisions that would protect the open space values of the area while allowing for rural living. In particular, the Court considered the wording of Objective 27.3.25 and Policy 27.3.25.2⁶, as well as new Policy 27.3.25.11⁷, which was introduced to replace the previously proposed provision on open space management.

Directions were made for supplementary submissions on the final wording of the policies and objectives. The Court highlighted that the Modified WBRAZ would likely be confirmed as the most appropriate zoning.

[2024] NZEnvC 134 (Third Decision)

This decision marked the final confirmation of the Modified WBRAZ zoning for Ayrburn Farm. The Court considered all the submissions, including those from QLDC and the s274 parties, and concluded that the Modified WBRAZ was the most suitable zoning option. This decision came after WPDLC had proposed specific modifications to the zoning that included a structure plan with clear rules for development, including provisions for landscape protection, ecological enhancement, and water quality improvement. The structure plan included limitation of development to residential areas within the structure plan, with requirements for Open Space on the balance of the land.

The Court instructed QLDC to provide a full set of updated provisions, including any maps, to reflect the Modified WBRAZ zoning outcome. These provisions were to be submitted for the Court's approval. The decision included specific provisions to guide the development and subdivision of Ayrburn Farm, which aimed to balance limited rural living with environmental and landscape maintenance and enhancement.

The Court also addressed the final wording of Objective 27.3.25 and Policy 27.3.25.11. These policies provided the framework for rural living, ensuring that development would occur in a way that maintained or enhanced the landscape, ecological, and water quality values of the area.

Comment on application

The proposal included as part of the fast track application is at odds with the evidence of QLDC through the appeals, in relation to the landscape absorption capability of the site that was presented in evidence and confirmed by the Court, and in relation to provision of urban-type development. In particular, the structure plan identified areas within the overall site that could be developed, while maintaining rural character in the balance of the site. The application includes identification of the structure plan areas for low density rural development, as well as open space areas, in the context of the proposed development.

It is noted that the application does not recognise that the rules in the district plan only provide for one residential unit per net site area with a minimum of 6000m² and minimum average of 1ha (Rule 24.5.1.6A). In total, 185 accommodation units will be provided and used by staff, which, when not being used, will be utilised as visitor accommodation.

Visitor accommodation is a defined term in the PDP:

⁶ [2024] NZEnv87 at [32]-[39]

⁷ Ibid at [43]

Means the use of land or buildings to provide accommodation for paying guests where the length of stay for any guest is less than 90 nights; and

Includes camping grounds, motor parks, hotels, motels, backpackers' accommodation, bunkhouses, tourist houses, lodges, timeshares and managed apartments; and

Includes services or facilities that are directly associated with, and ancillary to, the visitor accommodation, such as food preparation, dining and sanitary facilities, conference, bar, recreational facilities and others of a similar nature if such facilities are associated with the visitor accommodation activity. The primary role of these facilities is to service the overnight guests of the accommodation however they can be used by persons not staying overnight on the site.

Includes onsite staff accommodation.

Excludes Residential Visitor Accommodation and Homestays.

Given that the main use of the units is as a residential unit (with a secondary use as visitor accommodation), this should be included as a reason for consent under Rule 24.5.1.6A as a non-complying activity.

It is noted that the proposal is likely to be largely inconsistent with the plan framework for the WBRAZ, and those specific provisions that apply to Ayrburn, given the level of development proposed and the similarities to the development scenarios proposed as part of the appeals.

There are no Ayrburn specific objectives or policies in Chapter 24, and as such, the proposal will need to demonstrate and be assessed against the general provisions of the WBRAZ as required by Clause 5(2) and (3) of Schedule 5 of the Fast Track Approvals Act 2024 . That includes Objectives 24.2.1, 24.2.2, and 24.2.4, and their associated policies. It is noted that the application does not include any assessment against those provisions at present. In addition, it is recommended that careful consideration is given to the findings of the Court in relation to landscape capacity, given the differentiation between the findings of the Court, and the landscape assessment provided by Rough and Milne supporting the application.