

FAST-TRACK APPROVALS ACT 2024 (FTAA) – FTAA-2508-1093-- AYRBURN SCREEN HUB

RESPONSE TO MINUTE #1 OF THE PANEL CONVENOR

To: Jane Borthwick, Associate Panel Convenor, via Mel Prescott, Application Lead, Environmental Protection Authority

From: Waterfall Park Developments Limited (the Applicant)

Date: 9 October 2025

Minute #1

- Minute #1 from the panel convenor outlined that a conference will be held on 15th October 2025 to inform decisions regarding the appointment of panel members and the timing of the panel decision.
- The minute also requested persons, including the Applicant, to provide information in a written response to the matters set out in Schedule 1 and 2 prior to the conference. This memorandum is in response to that request.

Schedule 1¹

- Schedule 1 outlines a number of matters to consider when preparing for the conference, and includes a number of questions and prompts. The below table provides the Applicant's response to each of those matters.

Schedule 1 – Matters of Consideration	Response
Approvals [1] The number and range of approvals sought.	[1] The Project requires approvals under the RMA as follows: - QLDC: Land use consents for non-residential buildings, visitor and on-site accommodation, ancillary commercial activities, earthworks, transport and access, stormwater, and breach of design controls and landscaping. - ORC: Water permits and land use consents for sediment and erosion control, discharges to land and water, and an online sediment trap in Mill Creek. A CoC is also sought for two permitted sediment traps.

¹ Referring to the second attachment to Minute 1 of the Panel Convener dated 3 October 2025.

	• s127 RMA: Variation of Condition 15(d) of subdivision consent RM240982 to enable buildings authorised under this FTAA consent to be located within Lot 4. This Project does not propose any other approvals under other Acts, as enabled by the FTAA. Thus, the scope of this Project is relatively constrained, which in turn reduces its complexity.
Complexity [2] The level of complexity will have a bearing on the appropriate frame for decision making and may include: (c) Legal Complexity: novel or difficult legal issues- (i) involve untested law or interpretation of statute; (ii) involve application for multiple approvals; (iii) interface with two or more statutes; and (iv) engage constitutional law and public law. (d) Evidentiary Complexity: stemming from the volume, type, or technical nature of evidence (i) includes challenges like managing expert reports or dealing with conflicting factual or opinion evidence; and (ii) often involve technical or scientific analysis. (e) Factual Complexity: arises from the volume and nature of evidence- (i) requires careful management of extensive information or reports, including expert opinion in specialised fields; and	[2] As outlined under question 1, the complexity is reduced given the nature of the requested approvals. While the Project involves a multi-consent application requiring approvals from both QLDC and ORC, this type of process is not uncommon and does not in itself create novel or unusual complexity. (c) Legal Complexity: The Project does not involve untested law or new interpretation of the RMA. Although approvals are required under both the Queenstown Lakes District Plan and Otago Regional Council, this is routine and well understood. No constitutional or public law issues are engaged. (d) Evidentiary Complexity: The Project does not to involve evidentiary complexity. The key issues are known and clearly identified in the AEE, supported with expert reporting and independent peer reviews. The Applicant is not aware of any conflicting factual or opinion evidence. There is limited technical and scientific analysis involved in this Project. (e) Factual Complexity: The Project is not considered factually complex because while the application is supported by several expert reports it involves a single landholding and one zone under the PDP.

(ii) necessitates analysis of technical, scientific, or highly specialised subject matter are involved.	
Issues [3] In addition to the matters noted in the Minute, describe: (a) the issues that have arisen during pre-lodgement and post-lodgement consultation and engagement. (b) if the application concerns an activity the same or similar to one previously lodged with a consent authority, state how requests for information pursuant to section 92 of the RMA have been addressed in this application. (c) any statutory process that coincides with the 30-working day period (if proposed).⁸	[3] (a) The key issues that have arisen during pre-lodgement and post-lodgement consultation and engagement are summarised below. Engagement has been extensive and iterative, involving QLDC, ORC, mana whenua, government agencies, environmental groups, and screen sector representatives. This process has helped refine the project design and supporting technical assessments, ensuring potential effects are better understood and appropriately addressed. • District plan and landscape context: Through pre-application engagement, QLDC highlighted the site's sensitivity as part of the Wakatipu Basin Rural Amenity Zone (WBRAZ) and its reduced capacity to absorb large-scale development. While the revised design adopts a "landscape-first" approach, including clustered building form and screening, landscape and visual effects remain a key matter of interest and have been the subject of independent peer review and draft conditions. • Water and wastewater servicing: QLDC requested confirmation of the reliability of earlier water and wastewater capacity assessments and signalled that staging or additional conditions (such as water and wastewater monitoring) may be needed to ensure network performance is not compromised. In response, the Applicant commissioned a technical review by Watershed via QLDC, which confirmed the development remains within existing authorised allocations and previously

	assessed capacity parameters. Proposed consent conditions require detailed engineering review and acceptance of water and wastewater infrastructure before works commence, along with ongoing monitoring and reporting obligations. Discussions with QLDC have been ongoing. Wastewater has been resolved and engagement is focussed now on water supply engineering solutions, depending on the timing of future connections. • Stormwater and natural hazards: Both QLDC and ORC sought confirmation that flooding and stormwater can be safely managed. This has resulted in peer-reviewed flood and stormwater modelling, the inclusion of a Flood Emergency Management Plan, and enhanced sediment and water quality controls. • Transport and access: QLDC and ORC raised the need to integrate the development with the wider network, including provision for public transport and safe access for heavy vehicles. The project responded by removing the conference facility (reducing parking and event-related traffic) and identifying a bus stop location in consultation with ORC and QLDC. Draft conditions now address intersection performance and ongoing traffic monitoring. • Cultural values and iwi involvement: Mana whenua engagement led to integration of cultural values into design and management. Measures include cultural monitoring of earthworks, riparian and ecological planting to support mahinga kai, predator control, and iwi access to real-time water quality data. Te
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	Ao Mārama Inc has provided a draft Cultural Impact Assessment (CIA), which was accepted by Kāi Tahu the purposes of lodging the substantive application. The CIA will continue to inform the Environmental Management Plan and conditions as the project progresses. • Conditions and management frameworks: Comprehensive draft consent conditions and supporting management plans have been prepared and lodged alongside the application. These have been developed collaboratively with QLDC, ORC, and Kāi Tahu (represented by Te Ao Mārama Inc and Aukaha) through pre-application engagement and subsequently refined to address technical and cultural feedback. (b) The present application is a new activity type and has not previously been lodged with the consent authority in this form. Accordingly, there have been no section 92 requests for further information on a same or similar activity that required response or incorporation into this application. The wider site (Ayrburn Farm and Waterfall Park, beyond the subject land) has a history of resource consents, including approvals for a Waterfall Park tourism resort (accommodation and conference facilities), retirement, residential, and a range of hospitality activities. Those consents are materially different in scale and function from the current film production hub proposal. (c) The fast-track application is not proposed to run alongside other statutory approval processes. However, a separate controlled activity application has been lodged with ORC for a water take via bore to support water supply capacity if required. This controlled activity application is a routine matter, is subject to a 10-working-day processing timeframe,
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	and is not expected to coincide with the fast-track 30-working-day process.
Mātauranga and tikanga [5] Iwi authorities and Treaty settlement entities are invited to discuss: (a) advise whether tikanga is relevant to the application, how the panel might receive assistance on those matters, and the time required for this to occur; (b) seek guidance on any requirement to protect sensitive information.	
Panel membership [4] Consider: (a) the knowledge, skills and expertise required to decide the application under clause 7(1) of Schedule 3⁹. (b) whether there are factors that warrant the appointment of more than four panel members, such as: (i) the circumstances unique to a particular district or region; or (ii) the number of applications that have to be considered in that particular district or region; or (iii) the nature and scale of the application under consideration; or (iv) matters unique to any relevant iwi participation legislation; or	[4] (a) Recognising the nature of the application, it is considered that the following panel members would be beneficial: • Chair – A skilled RMA legal practitioner, with extensive chair experience to ensure the process runs smoothly, and legal matters can be appropriately addressed given the relative infancy of the FTAA. • An experienced planner, able to weigh the zoning context and receiving environment against the Project’s significant benefits and to provide input into conditions and management plans. • An experienced landscape architect, to provide expertise in assessing the scale of built form relative to the zoning context and expectations of the Wakatipu Basin Rural Amenity Zone, as well as the effects on rural character and amenity. (b) The Applicant does not consider that there are any factors that warrant more than four panel members.
Procedural requirements [6] Consider and prepare to indicate: (a) willingness to engage directly with the panel as necessary to advance progress of the application efficiently (briefings, meetings, conferencing).	[6] (a) The applicant is willing to fully engage with the panel directly in order to advance the application efficiently, whether through briefings, meetings, conferencing or written statements.

(b) the timing of expert conferencing or wānanga; (c) the referral of two or more participants or topics to mediation; (d) the requirement for any form of hearing process including: (i) disputed facts or opinions; (ii) proposed conditions; or (iii) legal issues.	(b) The Applicant anticipates that the timing of expert conferencing wānanga would follow the receipt of comments, the Applicants response and any further information request. (c) The Applicant does not anticipate the need for participants or topics to be referred to mediation. (d) The Applicant does not anticipate the requirement for the hearing process. However, the Applicant remains open to adopting mediation or hearing processes should the panel consider additional steps are required to ensure an efficient and effective assessment.
Anything else? [7] Is there any other information needed to decide time frames or panel composition?	[7] The Applicant considers that no other information is needed to decide time frames or panel composition.

Schedule 2²

4. Schedule 2 outlines the respective timeframes for the various tasks under the FTAA. Notwithstanding the intent of the Act to ensure the efficient processing of large-scale projects of significant benefit, it is recognised that timeframes need to be considered in the context of the specifics. Therefore, the Applicant is open to the extending of timeframes to allow for effective decision making.
5. The Applicant therefore puts forward the following change to the timeframes outlined within the FTAA.

Schedule 2: Participants' estimated timeframe^{3 4}

Task	Working days	Date
Panel commencement	N/A	22 nd October 2025 (nominal) (10WD from anticipated Convenor's conference)

² Schedule 1 of Minute 1 of the Panel Convenor

³ Note 1: a draft decision to decline is not included in this timeframe. If the statutory timeframe it is insufficient for applicant to respond, the applicant will need to apply to suspend the application under s 64 FTAA. Consideration should also be given to the timing of ss 70 and 72 steps.

⁴ Note 2: the order of ss 69, 70 and 72 steps may differ case-by-case. On a decision to approve, sequencing s 72 before s 70 is simplest, albeit requiring more time than running ss 72 and 70 steps in parallel.

Invite comment from relevant parties	10 W/D later	6 th November 2025
Comments close (ss 53 & 54)	20 W/D later	4 th December 2025
Comments close for applicants (s 55)	5 W/D later	11 th December 2025
Any other procedural steps, evaluation and decision writing	20 W/D (say) ⁵	30 th January 2026
Draft decision is to approve		
Draft decision and conditions to Ministers (s 72)	3 W/D (say)	4 th February 2026
Response from Ministers. (s 72)	10 W/D later ⁶	19 th February 2026
Applicant response to Ministers comments (if any)	4 W/D later	25 th February 2026
Draft conditions and decision to participants (s 70(1))	3 W/D (say)	2 nd March 2026
Participant comments on draft conditions (s70(2))	3 W/D later	5 th March 2026

⁵ 1 W/D for period from 20th December 2025 to 10th January 2026 (per RMA definition) and 0 W/D for Auckland Anniversary Day 26th January 2026.

⁶ 0 W/D for Waitangi Day 6th February 2026.

Applicant response to participants on conditions (s 70(4))	5 W/D later	12 th March 2026
If not agreed, procedural step in relation to draft conditions.	6 W/D (say)	20 th March 2026
Evaluate and finalise decision	6 W/D later (say)	30 th March 2026 (approx.)
Decision release	2 W/D later (say)	1 st April 2026

Conference Attendees

6. It is proposed that the following attendees will be present at the conferencing on 15th October 2025 on behalf of the Applicant:
- Warwick Goldsmith (Legal Counsel);
 - Lauren Christie (General Manager – Queenstown, Waterfall Park Development Limited);
 - George Watts (Senior Design Manager, Waterfall Park Development Limited);
 - Karl Cook (Planner, Director, Barker & Associates);
 - Simone Williams (Planner, Associate, Barker & Associates)
7. We trust this meets the requirements of Minute #1.