

Proposed Draft Consent Conditions (QLDC – Land Use)

Under clause 18 Schedule 5 of the FTAA and sections 108 and 108AA of the RMA, this consent is subject to the following conditions:

Definitions

“Council” means Queenstown Lakes District Council;

“EMP” means Environmental Management Plan;

“ESCP” means Erosion and Sediment Control Management Plan;

“FHEMP” means Flood Hazard Emergency Management Plan;

“FTAA” means Fast-track Approvals Act 2024;

“NZS” means New Zealand Standard;

“ONMP” means Operational Noise Management Plan;

“QLDC” means Queenstown Lakes District Council;

“RMA” means Resource Management Act 1991;

“SNZ PAS 4509:2008” means New Zealand Fire Service for Firefighting Water Supplies (Code of Practice 4509:2008);

“SQEP” means Suitably Qualified and Experienced Person.

General Conditions

1. The consent holder must undertake the works in general accordance with the information and plans submitted with the application and formally approved by the Environmental Protection Authority on XX XXXX 2025, comprising the following documents. In the event that any of the provisions of the following documents conflict with the requirements of these conditions of consent, these conditions of consent prevail.
 - a) Application form, Statutory Analysis and Assessment of Environmental Effects prepared by Barker & Associates Ltd titled “Ayrburn Screen Hub” and dated 22 August 2025;
 - b) Architectural Design Report, prepared by SA Studio, dated 27 June 2025;
 - c) Landscape Assessment Report, prepared by RMM Landscape Architects, dated 15 August 2025;
 - d) Ayrburn Screen Hub Design Report, prepared by Winton, dated 03 June 2025;
 - e) Engineering Drawings, prepared by Patersons, dated 18 July 2025;
 - f) Geotechnical Report, prepared by Geosolve, dated 25 June 2025, GeoSolve Ref: 150098.12;
 - g) Assessment of Noise Effects, prepared by Marshall Day Acoustics, dated 07 August 2025;

- h) Draft Environmental Management Plan, prepared by Enviroscope, dated 23 June 2025;
- i) Draft FHEMP, prepared by CKL; and
- j) Draft ONMP, prepared by Marshall Day Acoustics, dated 07 August 2025.

Stamped as approved on date.

- 2. This consent shall not be exercised and no work or activity associated with it may be commenced or continued until the following charges have been paid in full: all charges fixed in accordance with section 36(1) of the RMA and any finalised, additional charges under section 36(3) of the Act.
- 3. The consent holder is liable for costs associated with the monitoring of this resource consent under Section 35 of the RMA.
- 4. All engineering works shall be carried out in accordance with the QLDC's policies and standards, being QLDC's Land Development and Subdivision Code of Practice adopted on 12 May 2025 and subsequent amendments to that document up to the date of issue of this resource consent.

Note: The current standards are available on Council's website via the following link:
<https://www.qldc.govt.nz/>.

Management Plans

- 5. The consent holder must not commence any physical works until certification has been obtained from QLDC for the following management plans and details, as referenced in the corresponding conditions:
 - a) Environmental Management Plan (EMP) – refer Condition 12;
 - b) Erosion and Sediment Control Management Plan (ESCP) – refer Condition 19.
- 6. Each management plan required under Condition 5 shall be:
 - a) prepared by a SQEP;
 - b) prepared in accordance with the GD05 Standard (as applicable);
 - c) submitted in draft to Ngāi Tahu for consultation;
 - d) when submitted to QLDC, accompanied by responses to any feedback from Ngāi Tahu under Condition 6c) that is received within 15 working days of the draft management plan being provided to Ngāi Tahu; and
 - e) submitted to QLDC in electronic form for certification that the management plan meets the objective(s) specified in the plan and gives effect to the relevant consent conditions to which the plan relates.

Note: Ngāi Tahu contact address(es) for the purposes of Condition 6c) are [Ngāi Tahu to supply address(es)]

7. The consent holder may amend a certified management plan to provide updated information or reflect changes in design, construction methods or the management of effects. Any material change must be consistent with the objective(s) of the relevant management plan and the requirements of the relevant conditions of this consent, and must be submitted to QLDC for certification.
8. All works shall be carried out in accordance with the relevant certified management plans(s).

To be completed prior to the commencement of any works on-site

9. Prior to commencing any works on site the consent holder shall provide a letter to the Manager of Resource Management Engineering at QLDC advising who their representative is for the design and execution of the engineering works and construction works required in association with this development and shall confirm that these representatives will be responsible for all aspects of the works covered under Sections 1.7 & 1.8 of QLDC's Land Development and Subdivision Code of Practice 2025, in relation to this development.
10. Prior to commencing ground-disturbing activities, the consent holder shall nominate an Environmental Representative for the works program in accordance with the requirements detailed on pages 9 and 10 of the *Queenstown Lakes District Council's Guidelines for Environmental Management Plans*.
11. At least 7 days prior to commencing excavations, the consent holder shall provide the Manager of Resource Management Engineering at QLDC with the name of a suitably qualified geoprofessional as defined in Section 1.7 of QLDC's Land Development and Subdivision Code of Practice 2025 who is familiar with the Report titled *Geotechnical Report, prepared by Geosolve, dated 25 June 2025, 150098.12*.

Environmental and Construction Management

12. At least 15 working days prior to any works commencing on site, the Consent Holder shall submit the finalised EMP to Council's Monitoring and Enforcement Team for review and acceptance **HOLD POINT 1**. The EMP shall be prepared in general accordance with the draft EMP prepared by Enviroscope referred in Condition 1 for certification by QLDC under Condition 5.
13. Prior to commencing ground disturbing activities, the consent holder shall ensure that all staff (including all sub-contractors) involved in, or supervising, works onsite have attended an Environmental Site Induction in accordance with the requirements detailed on page 8 of the *Queenstown Lakes District Council's Guidelines for Environmental Management Plans*.
14. The person nominated under Condition 11 shall supervise the excavation/earthworks/fill procedures and retaining wall construction and any ground improvement and ensure compliance with the recommendations of the Geotechnical Report referred to in

Condition 11. This geoprofessional shall continually assess the condition of the excavation and shall be responsible for ensuring that temporary retaining is installed wherever necessary to avoid any potential erosion or instability. Should the site conditions be found unsuitable for the proposed excavation/construction methods, then a suitably qualified and experienced engineer shall submit to the Manager of Resource Management Engineering at QLDC new designs/work methodologies for the works prior to further work being undertaken, with the exception of any necessary works required to stabilise the site in the interim.

15. Prior to commencing works on the site (except for earthworks which may be undertaken when the EMP has been certified under Condition 5), the consent holder shall obtain 'Engineering Review and Acceptance' from the QLDC for development works to be undertaken and information requirements specified below. The application shall include all development items listed below unless a 'partial' review approach has been approved in writing by the Manager of Resource Management Engineering at QLDC. The 'Engineering Review and Acceptance' application(s) shall be submitted to the Manager of Resource Management Engineering at QLDC for review, prior to acceptance being issued. At Council's discretion, specific designs may be subject to a Peer Review, organised by the Council at the consent holder's cost. The 'Engineering Review and Acceptance' application(s) shall include copies of all specifications, calculations, design plans and Schedule 1A design certificates as is considered by Council to be both necessary and adequate, in accordance with Condition 4, to detail the following requirements:

- a) The provision of a potable water supply to each serviced building within the development in terms of Council's standards and connection policy, and in general accordance with the report by CKL Limited: titled '*Water and Wastewater Assessment, Ayrburn Screen Hub*', Reference: A20254, dated: 30 June 2025 and the Engineering Drawings Package by Patersons, titled: '*Waterfall Park Developments Ltd' Ayrburn Screen Hub, Consent Drawings*', Reference: P240664, dated: 16 July 2025. This shall include a Council approved isolation valve, pressure reducing valves at the site entrance and approved water meters as needed on the private network (noting existing bulk metres) and as detailed in QLDC Water Meter Policy (Appendix J), dated 2017. The costs of the connection shall be borne by the consent holder.
- b) The provision of a foul sewer connection to each serviced building within the development in terms of Council's standards and connection policy, and in general accordance with the report by CKL Limited: titled '*Water and Wastewater Assessment, Ayrburn Screen Hub*', Reference: A20254, dated: 30 June 2025 and the Engineering Drawings Package by Patersons, titled: '*Waterfall Park Developments Ltd' Ayrburn Screen Hub, Consent Drawings*', Reference: P240664, dated: 18 July 2025. The costs of the connection shall be borne by the consent holder.
- c) If not already covered by separate consent, the provision of a wastewater pump station or multiple pump stations to collect and convey the total development peak wet weather flow in accordance with QLDC standards. The pump station

shall be shown to include suitable emergency storage for the consented development flows.

- d) The provision of a stormwater collection and disposal system which shall provide both primary and secondary protection for future development within the development, in accordance with Council's standards and the report produced by CKL Limited: titled '*Stormwater Management Plan, Ayrburn Screen Hub*', Reference: A20254, dated: 13 August 2025 and the Engineering Drawings Package by Patersons, titled: '*Waterfall Park Developments LTD' Ayrburn Screen Hub, Consent Drawings*', Reference: P240664, dated: 18 July 2025. The proposed stormwater system shall be designed by a suitably qualified professional as defined in Section 1.7 of QLDC's Land Development and Subdivision Code of Practice 2025 and be subject to review by Council prior to implementation. This shall include:
- i) A reticulated primary system to collect and dispose of stormwater from all potential impervious areas proposed as part of this consent to the stormwater management and treatment system consisting of swales and piped network sized to cater for 5% AEP storm event, into approved outfalls discharging to Mill Creek:
 - a. Percolation testing shall be undertaken at the individual bioretention device and infiltration pond locations to confirm soakage. A copy of the test results shall be provided and shall be in general accordance with the "Acceptable Solutions and Verification Methods for New Zealand Building Code Clause: E1 Surface Water".
 - b. The final design and sizing of each bioretention device shall be based on the final design contributing catchment area and bio media infiltration rate to cater for water quality flow rate (10mm/hr). Additional treatment is provided in pod wetlands and infiltration ponds, both sized to treat the Water Quality Volume (1/3rd of 2yr ARI) for contributing catchments.
 - c. A secondary conveyance system consisting of swales and overland flow paths sized to cater for the 1% AEP storm event.
 - ii) A secondary protection system consisting of pod wetlands and the flat area adjacent to Mill Creek to be converted to a shallow dry pond planted with vegetation to cater for the 1% AEP storm event, to treat the Water Quality Volume (16mm) from the internal road catchment and provide secondary treatment after the bioretention devices and for the filming studios 'backlot' paved area and for the wider catchment, as such acting as polishing treatment for the entire catchment.
 - iii) A copy of the full stormwater model and report outlining the parameters used.

- e) Provision of a suitable firefighting water supply storage and hydrants with adequate pressure and flow to service the development and accompanying report from a suitably qualified professional demonstrating compliance with SNZ PAS 4509:2008. Any buildings shall either be fitted with a sprinkler system and/or be designed with an appropriate fire cell size to meet the requirements of SNZ PAS 4509:2008 for the relevant water supply classification prior to the occupation of any buildings.

This shall include hydrant testing carried out during the peak period of an average day to confirm that there are sufficient hydrants with adequate pressure and flow to service the development with a Class FW2 fire risk in accordance with Appendix G of SNZ PAS 4509:2008. Any lesser risk must be approved in writing by Fire & Emergency NZ, Queenstown Office. The testing shall be carried out by a SQEP as defined in section 1.8 of QLDC's Land Development and Subdivision Code of Practice and evidence of the SQEP suitability to undertake or oversee such testing shall be submitted with the hydrant testing results. The results shall be submitted to QLDC and all related costs shall be borne by the consent holder.

- f) The provision of Design Certificates for all engineering works associated with this development submitted by a suitably qualified design professional (for clarification this shall include, but not be limited to, all roads, water, wastewater and stormwater Infrastructure). The certificates shall be in the format of the QLDC's Land Development and Subdivision Code of Practice Schedule 1A Certificate.
- g) The provision of car parking, manoeuvring areas, access and a public bus stop shall be in accordance with the plans prepared by Patersons titled '*Waterfall Park Developments Ltd – Ayrburn Screen Hub, Consent Drawings*', Reference: P240664, dated 18 July 2025. This must include:
- i) Two accessways to be provided from Ayr Avenue to the site, at least 6 meters wide and sealed.
 - ii) The provision of all vehicle manoeuvring for the carparking areas to Council's standards. Provision shall be made for stormwater disposal.
 - iii) The provision of 5 mobility spaces.
 - iv) The provision of the pedestrian accesses.
 - v) The provision of a public bus stop on Arrowtown – Lake Hayes Road.
- h) The provision of a Computed Easement Plan and Easement Instrument showing all necessary easements over adjacent lands required to legally service Lot 4 DP 540788 for where service to the site is reliant on neighbouring lots (this includes, but is not limited to roads, water, wastewater and stormwater).

To be monitored throughout earthworks

16. The earthworks and batter slopes shall be undertaken in accordance with the recommendations of the report by Geosolve (including the provision of necessary cut off drains) titled *"Geotechnical Report for Resource Consent" dated 25 June 2025, Geosolve Ref: 150098.12"*
17. The consent holder shall implement suitable measures to prevent deposition of any debris on surrounding roads by vehicles moving to and from the site. In the event that any material is deposited on any roads, the consent holder shall take immediate action, at the consent holder's expense, to clean the roads. The loading and stockpiling of earth and other materials shall be confined to the subject site.
18. No earthworks, temporary or permanent, are to breach the boundaries of the site (excluding internal boundaries between Lots 1, 2, 3, 4 DP 540788).

Erosion and Sediment Control Plan

19. An ESCP shall be prepared in general accordance with the draft ESCP prepared by Enviroscope referenced in Condition 1 for certification by QLDC under Condition 5.
20. Prior to bulk earthworks operations (and vegetation clearance) for the initial stage or any subsequent new stage of works, the consent holder must install erosion and sediment controls in accordance with the ESCP as well as provide As-built documentation for these controls prepared by a SQEP **HOLD POINT 2**. It is noted that earthworks required to construct environmental management controls are allowed to commence once QLDC has provided notice that **HOLD POINT 1** has been met.
21. The ESCP shall be accessible on site at all times during work under this consent.
22. The consent holder shall establish and implement document version control. QLDC shall be provided with an electronic copy of the most current and complete version of the ESCP at all times.
23. The consent holder shall develop and document a process of periodically reviewing the ESCP as outlined on page 6 of the *Queenstown Lakes District Council's Guidelines for Environmental Management Plans*.
24. The consent holder shall undertake and document weekly and Pre and Post-Rain Event site inspections as detailed on pages 10 and 11 of the *Queenstown Lakes District Council's Guidelines for Environmental Management Plans*.
25. A SQEP shall monitor the site monthly to ensure that the site is complying with its ESCP, identify any new environmental risks arising that could cause an environmental effect and suggest alternative solutions that will result in more effective and efficient management. This must include a specific audit by the SQEP of the effectiveness of the

ESCP. The outcome of these inspections should be included in the Monthly Environmental Report referred to the following condition.

26. The consent holder shall complete and submit exception reporting to QLDC in the form of a Monthly Environmental Report. The Monthly Environmental Report shall be submitted to QLDC's Regulatory Department within five (5) working days of the end of each month.
27. In accordance with page 9 of QLDC's Guidelines for Environmental Management Plans, where any Environmental Incident where the ESCP has failed leading to any adverse environmental effects offsite occurs the consent holder shall:
 - a) report to QLDC details of any Environmental Incident within 12 hours of becoming aware of the incident.
 - b) provide an Environmental Incident Report to QLDC within 10 working days of the incident occurring as per the requirements outlined in Section 3.3.1 of *Queenstown Lakes District Council's Guidelines for Environmental Management Plans*.
28. Environmental records are to be collated onsite and shall be made available to QLDC upon request; immediately if the request is made by a QLDC official onsite and within 24 hours if requested by a QLDC officer offsite. Records and registers to be managed onsite shall be in accordance with the requirements outlined on page 14 of the *Queenstown Lakes District Council's Guidelines for Environmental Management Plans*.
29. Any Discharge (refer definition in the *Queenstown Lakes District Council's Guidelines for Environmental Management Plans*) that leaves the site shall comply with the Water Quality Discharge Criteria outlined on page 19 of the *Guideline*, with the exception of Total Suspended Solids which should be at a concentration of no more than 25mg/L.
30. The consent holder shall engage an independent SQEP (to be approved by QLDC), to assess the compliance of the erosion and sediment control measures against the:
 - a) certified ESCP;
 - b) erosion and sedimentation section of the Guideline, specifically the ESCP principles outlined;
 - c) discharge criteria specified in the water discharge table on page 19 of the Guideline.

The consent holder shall submit the independent review report to QLDC with proposed and completed actions undertaken to address the issues identified during the audit, not more than seven (7) working days following the audit. The audit shall be undertaken within five (5) days of commencement of earthworks, and thereafter at intervals no greater than 1 month or at key stages of the erosion and sediment control programme.

31. Hours of construction, shall be:
- Monday to Saturday (inclusive): 0730 – 1800hrs.
 - Sundays and Public Holidays: No Activity
32. In addition, no heavy vehicles are to enter or exit the site, and no machinery shall start up or operate, earlier than 0730hrs. All construction activity on the site is to cease by 1800hrs.

On completion of earthworks and prior to commencement of the commercial activity

33. On completion of earthworks within the building footprints and prior to the construction of the commercial buildings, the consent holder shall ensure that either:
- a) Specific Engineering Design (SED) of all building foundations are designed and constructed in accordance with the recommendations in Part 10 of the geotechnical report by Geosolve (*Titled "Geotechnical Report for Resource Consent" dated 25 June 2025, Geosolve Ref: 150098.12"*).
 - Or:
 - b) Ground improvements endorsed by a suitably qualified geo-professional can otherwise confirm the presence of 'good ground'. In the event that 'good ground' can be established then standard NZS3604 building foundation solutions may be utilised instead of SED.
34. On completion of the earthworks, and prior to commencement of the commercial activity, the consent holder shall complete the following:
- a) The submission of 'as-built' plans and information required to detail all engineering works completed in relation to or in association with this development at the consent holder's cost. This information shall be formatted in accordance with Council's 'as-built' standards and shall include all roads (including rights of way and access lots), water, wastewater and stormwater reticulation (including private laterals and toby positions).
 - b) The completion and implementation of all reviewed and accepted works detailed in Condition 15, shall be completed and signed off by QLDC.
 - c) Any power supply connections to the commercial buildings shall be underground from existing reticulation and in accordance with any requirements/standards of the network provider's requirements.
 - d) Any telecommunications connections to the commercial buildings shall:
 - (i) be underground from existing reticulation and in accordance with any requirements/standards of the network provider's requirements.
 - Or

- (ii) The consent holder shall demonstrate that telecommunication services can be provided by way of a cellular, satellite or wifi connection and maintained at the sole responsibility of the consent holder until such time as underground services have been provided in accordance with (i) above.
- e) The submission of Completion Certificates from both the contractor and accepted engineer for all infrastructure engineering works completed in relation to or in association with this development (for clarification this shall include all roads, water, wastewater and stormwater Infrastructure). The certificates shall be in the format of the QLDC's Land Development and Subdivision Code of Practice Schedule 1B and 1C Certificate.
- f) All earthworked areas shall be top-soiled and revegetated or otherwise permanently stabilised.
- g) The consent holder shall remedy any damage to all existing public road surfaces and berms that result from work carried out for this consent.

Flood Hazard and Emergency Management Plan

35. Prior to the occupation of any building the Consent Holder shall provide to QLDC a FHEMP in general accordance with the draft FHEMP referred to in Condition 1, for review and acceptance by QLDC within 10 working days. This plan shall outline ongoing procedures for monitoring of stormwater flows during periods of prolonged rainfall and, if required, closing Ayr Avenue. This plan shall be made well known to owners, operators, and staff.

Water and Wastewater

36. A Covenant in Gross (or other alternative legal instrument acceptable to QLDC) shall be registered on the relevant Records of Title detailing the water supply and wastewater monitoring and management requirements for the lot owner(s). All costs, including those relating to the checking of the legal instrument by Council's solicitors (if required) and registration of the document, shall be borne by the consent holder. This legal document shall include provisions to ensure:

- a) the total daily demand and peak flow rates for potable water will be monitored by QLDC at the private supply point located at the boundary of Waterfall Park Development Limited (Lots 1–4 DP 540788), via a magnetic flow meter installed at the consent holder's expense. QLDC's Property and Infrastructure team will notify the consent holder if any exceedance of the modelled peak demand (45 L/s) is recorded.
- b) Wastewater flow rates from the Waterfall Park and Ayrburn pumpstations on Lots 1-4 DP540788 are to be managed to not exceed a peak discharge of 23.4 l/s or daily discharge of 416 kl/d to the receiving Council pipeline. This is to be managed through:

- i. appropriate wastewater storage and synchronised pumping; and
- ii. a minimum of 9 hrs emergency storage of average dry weather flow is to be provided at all pump stations within Lots 1-4 DP540788; and
- iii. wastewater flow rates and daily totalised discharges from all pump stations are to be monitored and recorded on a daily basis. These are to be recorded with records made available to QLDC on a quarterly basis or sent automatically to Council through a SCADA system; and
- iv. the Property and Infrastructure team at QLDC are to be made aware within 24 hours if any exceedance of these discharge flow rates occurs.

Operational Noise

37. All activities on the site must be conducted, and buildings located, designed and used to ensure that noise from the operation of the Screen Hub complies with the following limits, when measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008:

a) Wakatipu Basin Lifestyle Precinct, Waterfall Park Zone, and Millbrook Zone

- i. 0800 to 2000 hours: 50 dB LAeq (15 min)
- ii. 2000 to 0800 hours: 40 dB LAeq (15 min)

Compliance must be achieved at any point within any site.

b) Wakatipu Basin Rural Amenity Zone

- i. 0800 to 2000 hours: 50 dB LAeq (15 min)
- ii. 2000 to 0800 hours: 40 dB LAeq (15 min)
- iii. 75 dB LAFmax

Compliance must be achieved at any point within the notional boundary of a residential unit existing, or consented, prior to 1 January 2025.

Advice Note: The noise limits specified above are consistent with the applicable rules in the Queenstown Lakes Proposed District Plan and would apply irrespective of this consent. They are included here for clarity and ease of reference.

Construction Traffic, Noise and Vibration

38. No construction related vehicles, including contractor and staff vehicles, shall park on any public road, berm, footpath, or road shoulder at any time. All construction vehicle parking shall be contained within the site or on other appropriately authorised private land.

39. Construction noise is to be measured and assessed in accordance with NZS 6803: 1999 *Acoustics - Construction Noise*. The long-term noise limits in that standard applies.

40. The consent holder shall, at least 10 working days prior to the commencement of construction activities authorised by this consent, undertake a letter drop to the owners/occupiers of neighbouring adjacent properties outlining expected work times and duration as well as the contact details for the site management.
41. The construction hours where earthmoving / rock excavation equipment are used are limited to Monday to Saturday 0730 – 1800 hrs. This time restriction applies only to works related to make the Screen Hub operational. Subsequent construction work related to set production activities have no time restraints so long as they comply with the noise limits in Condition 37.
- Advice note: Quiet construction works outside of these hours can still occur so long as they comply with the noise limits in Condition 37. Such works include painting, planting, interior plastering, electrical work, site meetings, toolbox meetings, etc.*
42. Construction vibration is to be measured and assessed in accordance with German Standard DIN 4150-3:1999 *Structural Vibration - Effects of Vibration on Structures*.
43. An Operation Noise Management Plan (ONMP) is to be certified by QLDC at least 10 days prior to the Screen Hub being operational. The ONMP shall be generally in accordance with the draft ONMP prepared by Marshall Day Acoustics as referenced in Condition 1.
44. Prior to commencing construction of any part of the development, a report shall be prepared by a SQEP that confirms noise from mechanical plant will not give rise to cumulative noise levels from the site activities in excess of the noise limits in Condition 37.
45. Prior to commencing construction of any part of the Sound Stage buildings, a report shall be prepared by a SQEP that identifies:
- i. the appropriate level of sound insulation for the Sound Stage building to ensure that cumulative noise from the site due to all typical operational noise sources will comply with Condition 37; and
 - ii. how the specified level of sound insulation will be achieved.

Traffic Monitoring and Intersection Upgrade

46. Within three months of the consent for a film hub being given effect to, the consent holder shall arrange for traffic surveys to be carried out of the right-turn movement out of Ayr Avenue onto Arrowtown - Lake Hayes Road and the left-turn movement into Ayr Avenue from Arrowtown - Lake Hayes Road.
47. To ensure the surveys reflect the normal operating conditions of the intersection, they shall be carried out:
- i) between 7am to 9am, and 4pm to 6pm, over five consecutive weekdays; and
 - ii) during school term-times; and
 - iii) when there are no events being held at Ayrburn or in the immediate area.

48. The morning peak hour traffic flow shall be calculated as the highest combined traffic flow (that is, the sum of the right-turn movement out of Ayr Avenue onto Arrowtown – Lake Hayes Road plus the left-turn movement into Ayr Avenue from Arrowtown - Lake Hayes Road) observed in any contiguous 60-minute period between 7am to 9am on any of the survey days.
49. The evening peak hour traffic flow shall be calculated as the highest combined traffic flow (that is, the sum of the right-turn movement out of Ayr Avenue onto Arrowtown – Lake Hayes Road and the left-turn movement into Ayr Avenue from Arrowtown - Lake Hayes Road) observed in any contiguous 60-minute period between 4pm to 6pm on any of the survey days.
50. If the morning peak hour traffic flow exceeds 287 vehicles, or the evening peak hour traffic flow exceeds 196 vehicles, the consent-holder shall appoint a suitably qualified independent traffic engineer to review all of the data gathered, and to collect any additional data they deem necessary, to advise on whether the warrants for a right-turn bay from Arrowtown - Lake Hayes Road (north) to Speargrass Flat Road are met.
51. The traffic engineer shall provide a written report of their findings within two weeks of the traffic surveys being completed, and the consent-holder shall provide a copy to QLDC as road controlling authority.
52. If the traffic engineer concludes that a right-turn bay is warranted for the vehicle movement from Arrowtown - Lake Hayes Road (north) to Speargrass Flat Road, then within four months of the date of the report, the consent-holder shall submit a detailed design for the right-turn bay to QLDC for approval and shall construct the right-hand turn bay within two months after receiving that approval.
53. Surveys shall be carried out once every 12 months, but shall cease once a right-turn bay is constructed for the vehicle movement from Arrowtown - Lake Hayes Road (north) to Speargrass Flat Road.
54. At any time, but not less than six months after any previous survey, QLDC may request that the consent-holder carries out the surveys and analysis described in Conditions 46-52 above. If surveys are carried out in response to a Council request, the consent holder shall ensure that the traffic engineer's written report is provided to the Council within two weeks of the traffic surveys being completed.

Landscaping

55. The consent holder must not commence any physical works until certification has been obtained from QLDC for the detailed landscaping plan (including design specifications) and final Landscape Maintenance Plan. The final landscaping plan shall meet Part 7 – Landscape, of QLDC's Land Development and Subdivision Code of Practice (dated 2025) and subsequent amendments to that document up to the date of issue of this resource consent.

56. The detailed landscaping plan shall be prepared by a suitably qualified Landscape Architect for certification by the Queenstown Lakes District Council's Parks & Open Spaces Planning Manager.
57. All landscaping shall be carried out in accordance with the detailed landscaping plan certified in accordance with Condition 56.
58. The landscaping shown in the Ayrburn Screen Hub Design Report dated 03 June 2025, including the approved Tree Planting Plan (page 30) and Planting Character Plan (page 26), must be fully implemented by the consent holder within 12 months of the completion of any part of the development. This includes all trees, shrubs, grassed areas, native species, and any existing vegetation identified for retention. All planting shall be maintained and irrigated in accordance with the detailed landscaping plan and draft Landscape Maintenance Plan. Any plant or tree that dies or becomes diseased shall be replaced within 12 months in accordance with the certified landscape plan in Condition 56.
59. All areas of exposed earth shall be re-sown in grass, planted as per the certified landscape plans, or covered in leaf litter within the woodland area within three months of completion of earthworks.

Lighting

60. Any external lighting shall not create light spill more than 3 lux (horizontal and vertical) of light to any other site, measured at any point within the boundary of the other site.
61. All exterior lighting fixed to buildings shall be fixed no higher than 3m above finished ground level and be:
- a) Low intensity, indirect light sources; and
 - b) Incandescent, halogen or other white light, not sodium vapour or other light.

External Appearance

62. Building materials and colours shall be in accordance with the materials and colours approved in the Architectural Design Report under Condition 1 of this consent. Any amendments shall be provided by the consent holder to the Monitoring Planner of the QLDC for certification prior to being used on the building.

Accidental Discovery Protocol

63. If the consent holder discovers koiwi tangata (human skeletal remains), waahi taoka (resources of importance), waahi tapu (places or features of special significance) or other Maori artefact material, the consent holder shall without delay:
- a) notify Council, Tangata whenua and Heritage New Zealand Pouhere Taonga and in the case of skeletal remains, the New Zealand Police;

- b) stop work within the immediate vicinity of the discovery to allow a site inspection by Heritage New Zealand Pouhere Taonga and the appropriate runanga and their advisors, who shall determine whether the discovery is likely to be extensive, if a thorough site investigation is required, and whether an Archaeological Authority is required.

64. Any koiwi tangata discovered shall be handled and removed by tribal elders responsible for the tikanga (custom) appropriate to its removal or preservation. Site work shall recommence following consultation with Council, New Zealand Pouhere Taonga, Tangata whenua, and in the case of skeletal remains, the New Zealand Police, provided that any relevant statutory permissions have been obtained.

Unexpected Contamination Protocol

65. If the consent holder discovers unexpected contaminated material, buried waste, or hazardous substances during earthworks within the development site, all works in the immediate vicinity must stop immediately. The consent holder must notify QLDC and the Otago Regional Council and engage a suitably qualified contaminated land specialist to assess the material.

Complaints Register

66. The consent holder must maintain a record of any complaints received in relation to the exercise of this consent. The register must include, but not be limited to:

- a) the date, time, location and nature of the complaint;
- b) the name, phone number, and address of the complainant, unless the complainant elects not to supply this information;
- c) action taken by Consent Holder to remedy the situation and any policies or methods put in place to avoid or mitigate the problem occurring again.

A record of the complaints must be submitted to the QLDC at any time upon request.

Phased Implementation

67. This consent may be implemented in phases provided that:

- a) Phase 1: contains one of the two studios and associated workshop and workroom spaces, and includes the ephemeral stream riparian planting, the in-line sediment trap, and the public trail connections;
- b) Phase 2: Once 100 accommodation units have been constructed, the next stage of development must include the second studio along with its associated workshop and workroom spaces. For the avoidance of doubt, the second stage of the studio development may also be undertaken before 100 accommodation units have been constructed.

Use of Accommodation units

68. A proportion of the accommodation units must remain available for booking by person(s) associated with studio activities, in accordance with the Table below:

- **Column A** sets out future time periods, measured from and including the current day.
- **Column B** specifies the minimum percentage of accommodation units that must be available for booking by person(s) associated with studio activities during that time period.

Column A – Period of time	Column B – Percentage of Accommodation Units
395 days	90%
365 days	80%
270 days	60%
180 days	40%
90 days	30%
45 days	15%

Note: The table operates on a sliding scale. For time periods falling between those listed, the required availability is adjusted proportionally. For example, if a booking is requested for 380 days from today, the minimum required availability would fall between 80% (for 365 days) and 90% (for 395 days) and would be rounded to 85%.

Advice Note: *This condition ensures that a portion of the accommodation remains available for people associated with studio activities when booking in advance. The further ahead the booking is made, the greater the proportion of units that must be available for studio-related use, up to 90% for bookings 395 days in advance.*

69. To ensure compliance with Condition 68, the consent holder shall ensure maintenance of a record of all bookings in the form of a register containing details of when the film studio is in use and the number of rooms occupied by a film production at that time. The register shall also include any complaints with regards to availability of accommodation rooms for film production crews. Details of all bookings for at least the preceding 5 years shall be continually maintained. This register shall be made available for inspection by the Council at all times.

Bus Stop

70. The consent holder shall provide engineering plans illustrating the location of a public transport bus stop for certification by the Resource Management Engineering (or nominee) at QLDC as required by Condition 15(h). The bus stop shall be located on Arrowtown-Lake Hayes Road as per sheet 371 on the Engineering Drawings.

Public Access

71. Trails marked "A" and "C" on the *Ayrburn Screen Hub Design Report*, Public Trails Plan (Page 24) referenced in Condition 1 shall be constructed at NZCT/QLDC Grade 2 Standard. It is noted that the trail link between the Countryside Trail and Ayrburn Trail (Trail B) is already constructed.
72. Prior to the commencement of commercial operations, public access easements shall be registered in favour of the Queenstown Trails Trust or Queenstown Lakes District Council to enable the ongoing retention in perpetuity of the public trails shown on the *Ayrburn Screen Hub Design Report* (Public Trails Plan, Page 24) referenced in Condition 1.
73. The consent holder shall enter into a maintenance agreement under s207A of the Local Government Act 2002 Amendment Act (LGA) as per clause 7.4.11.2 of the QLDC LDSCoP 2020, with the QLDC Parks and Reserves Department, with the obligation being upon the consent holder to fulfil the requirements detailed in (a) below. The maintenance period shall be three (3) years from the date of the maintenance agreement.
- a) On completion of construction, asbuilts for the public trails (and grassed areas if any), which are to be subject to the easements referred to in Condition 72, shall be provided as per QLDC's Land Development and Subdivision Code of Practice 2025. The consent holder shall maintain the trails marked "A", "B" and "C" on the Public Trails Plan contained in the Ayrburn Design Report during the maintenance period.
74. Following the completion of the relocation of the Countryside Trail marked "C" on the Public Trails Plan contained in the *Ayrburn Design Report* (Page 25), the consent holder shall undertake rehabilitation works to reinstate the trail's former alignment area to a natural condition. The rehabilitation shall include:
- a) reinstatement of the natural landform contours to match the surrounding topography;
- b) regrassing of all disturbed areas using a seed mix appropriate to the local environment, to promote rapid revegetation and minimise erosion;
- c) completion of the rehabilitation works within three (3) months of the trail relocation;
- d) maintenance of the reinstated area for a period of 12 months following completion, to ensure successful establishment of vegetation.

Volunteered Consent Conditions – Kai Tahu / Friends of Lake Hayes

Performance of stormwater devices

75. The following conditions shall be read in conjunction with the 'Ayrburn Screen Hub – Stormwater Overview Plan' at page 16 of the Ayrburn Design Report referenced in Condition 1.
76. Sediment build up in the tertiary treatment pond and smaller ponds identified as 'D' & 'E' on the Stormwater Overview Plan shall be monitored as follows:
- a) Within two months of installation being completed, the tertiary treatment pond and smaller ponds as identified as 'D' & 'E' on the Stormwater Overview Plan shall be surveyed, using a licenced surveyor, and an as-built plan created, and a record kept by the consent holder and lodged with the Council. This plan shall show as-built levels at the invert or base of all devices. A survey reading shall be taken every 2m².
 - b) The ponds shall be monitored yearly to ensure that sediment levels are <250mm above the surveyed as-built levels. A record shall be kept by the consent holder and made available to Friends of Lake Hayes Society Incorporated, Kāi Tahu and the Council. If there is a positive height variance of >250mm the pond shall be reinstated to the surveyed as-built level. After the first 3 years of yearly monitoring, if the ponds are <150mm above design levels, the period may be extended to 3 yearly monitoring.
77. Planting within stormwater infrastructure and riparian areas shall be monitored and maintained to ensure that any stormwater-related plantings and riparian plantings survive and carry out their treatment function. Disease or plant losses in excess of 5% must be replaced. Replacement planting shall be carried out in the planting season following their loss. The replacement plants shall be of the same species, grade and size as per the approved landscape drawings.
78. Monitoring and removal of sediment from the In-line Sediment Trap identified on the Stormwater Overview Plan shall be implemented as follows:
- a) After completion but before commissioning, the In-line Sediment Trap identified on the Stormwater Overview Plan shall be surveyed, using a licenced surveyor, and an as-built plan created, and a record kept by the consent holder and lodged with the QLDC. A reading showing as built levels shall be taken every 2m².
 - b) The In-line Sediment Trap shown on the Stormwater Overview Plan shall be cleaned by the removal of sediment to asbuilt survey levels within the first 24 months of its operation to establish the sediment load captured. A report, including photographs and volumes captured, shall be created and made available to Friends of Lake Hayes Society Incorporated, Kāi Tahu and QLDC.
 - c) The In-line Sediment Trap shown on the Stormwater Overview Plan shall be monitored for water depth 3 monthly. A record shall be kept by the consent holder and made

available to Friends of Lake Hayes Society Incorporated, Kāi Tahu and QLDC. Should the water depth become an average of <400mm deep in the middle of the pond, the pond shall be cleared by removal of sediment to asbuilt levels.

79. The use of fertiliser containing nitrogen or phosphorous shall be prohibited within the Site apart from the initial establishment of hydroseed grass areas and the initial establishment of plants. Organic fertiliser such as compost, manure or seaweed shall be permitted. For plant establishment, fertiliser shall be limited to 1 x 10g slow-release tablet placed below the base of the rootball.

Water Quality Monitoring

80. Before the commencement of construction, the consent holder shall install and commission telemetry dataloggers that measure and record turbidity in Nephelometric Turbidity units (NTU) at regular intervals. These shall be located at the upstream and downstream boundary of the consent holder's land. Live data information from the data loggers shall be made available to Kai Tahu, Friends of Lake Hayes Society Incorporated and QLDC. These devices shall be maintained by the consent holder for the life of the consent.

Mahinga Kai (preserving traditional food resources)

81. Watercress shall be left to grow freely in Mill Creek and never have any herbicide, pesticide or other chemicals / contaminants applied.

Ecological Planting

82. The consent holder shall plant a minimum of 3.1ha of regenerative native planting including riparian planting as shown on pages 26-29 of the Ayrburn Design Report referenced in Condition 1.
83. All areas of regenerative planting shall be fenced to exclude stock and be maintained to achieve a closed canopy. Plant losses in excess of 10% shall be replaced with specimens true to the sizes and spacings specified, in the following planting season.
84. Predator trapping shall be undertaken in the areas of regenerative native planting for the life of the consent.
85. In any new areas of riparian planting, to ensure the mauri and wairua of the catchment are enhanced, planting patterns shall be natural as what would be expected to occur in nature. No exotic species shall be permitted to be planted within a 10m setback from the water. For visible bank stabilisation, only natural materials shall be used such as local stone.
86. Any new areas of planting along the edge of Mill Creek shall be positioned to overhang the creek to provide refuge for native Taonga such as Koura (freshwater crayfish) Koaro

(galaxid) and Tuna (eel), and provide nesting grounds for Papango (scaup), Kawau (shag), Pukeko (swamp hen) and putangitangi (paradise Shelduck).

Lapse of Consent

87. In accordance with clause 87(2)(b) and clause 26 Schedule 5 FTAA, this consent shall lapse six (6) years after the date it commences unless the consent is given effect to within that six-year period.

DRAFT

Proposed Draft Consent Conditions (ORC – Water Permit)

Under clause 18 Schedule 5 of the FTAA and sections 108 and 108AA of the RMA, this consent is subject to the following conditions:

1. The temporary diversion of Mill Creek for the purpose of installing and maintaining the online sediment trap must be carried out in accordance with the plans and all information submitted with the application, detailed below, and referenced as consent number FTAA-242-1008:
 - a) Application form, Statutory Analysis and Assessment of Environmental Effects prepared by Barker & Associates titled “Ayrburn Screen Hub” and dated 22 August 2025;
 - b) Draft Environmental Management Plan, prepared by Enviroscope, dated 23 May 2025;
 - c) Engineering Drawings, prepared by Patersons, dated 16 July 2025; and
 - d) Ecological Assessment, prepared by SLR Consulting New Zealand titled, dated 25 July 2025;

If there are any inconsistencies between the above information and the conditions of this consent, the conditions of this consent prevail.

2. For the avoidance of any doubt:
 - a) **Temporary diversions** refer to any diversion occurring for a period while instream works occur, initially to create the online sediment trap and then to maintain the online sediment trap on an ongoing basis;
 - b) **Online sediment trap** refers to the sediment trap to be installed within the bed of Mill Creek.
3. These consent conditions must be exercised in conjunction with the Otago Regional Council Land Use Consent Conditions below.

Diversion

4. When diverting water into the new diversion channel, sediment discharges associated with the works must not cause a conspicuous change. For the purposes of this condition, a “conspicuous change” will be deemed to occur if:
 - a. turbidity in downstream samples exceeds the more stringent of:
 - i. 40% increase relative to concurrent upstream samples; or
 - ii. 150 NTU;
 - b. there is conspicuous oil or grease films, scums, foams, or floatable or suspended material beyond 50 metres from the construction site.
5. Diversions of Mill Creek must not be undertaken until the diversion channel has been fully excavated and constructed. The diverted water must not come into contact with any exposed or disturbed ground prior to its discharge back into the creek.
6. The consent holder must ensure that no fish become stranded, and fish passage is not impeded as a result of the diversions.

7. Temporary diversions for the construction and maintenance of the online sediment trap shall only occur during periods of low flow, and shall be limited to the period between 1 January to 30 March¹ each year, provided that no instream works shall be undertaken when flows in Mill Creek are less than 230 litres per second², as measured at the Fish Trap flow monitoring site approximately 1.5 km downstream of the online sediment trap.
8. For any diversion:
 - a) a suitably qualified freshwater ecologist is to be present for the dewatering of any waterway;
 - b) the dammed stretch of the waterway must be fished for aquatic fauna prior to dewatering being completed;
 - c) any species caught should be relocated to an appropriate nearby habitat and be recorded in the NZ Freshwater Fish Database;
 - d) any fish removed during the operation must be returned immediately back into the water upstream of the works; and
 - e) the activity must be undertaken in accordance with the fish recovery protocol provided in: Ministry for the Environment 2021. *National works in waterways guideline Appendix 5: Fauna capture, relocation and salvage.*
9. If pumping is required, pumping must be at a rate at which the creek level at the time of the proposed works is maintained. The pumping cannot lower the water level in the upstream reach. All pumping equipment is to have a 2 – 5 mm fish screen attached.
10. On completion of the works the diversion must cease. The temporary diversion channel may be kept for the purpose of diverting water to perform maintenance on the sediment traps but must be re-grassed for stability.

Performance monitoring

11. Within 5 working days of the completion of the temporary diversion of Mill Creek for the purpose of installing and maintaining the online sediment trap, all machinery, equipment, construction materials, surplus material, debris, rubbish and other material related to the temporary diversion of Mill Creek must be removed from the site.
12. Any disturbance of the riverbank or riverbed is able to be rehabilitated to a degree at least equivalent to that prior to the works commencing. The consent holder must submit to the Otago Regional Council photographic evidence of the completed works and rehabilitation undertaken in accordance with this condition within 20 working days of the completion of the construction activity.

¹ **Advice Note 1:** This restriction is intended to avoid adverse effects on the spawning habitats of kōaro and brown trout.

² **Advice Note 2:** The 230 L/s flow threshold ensures that instream works are carried out during low and stable flow conditions, which helps to minimise sediment mobilisation and protect downstream aquatic habitats.

Lapse of Consent

13. In accordance with clause 87(2)(b) and clause 26 Schedule 5 Fast-track Approvals Act 2024, this consent shall lapse six (6) years after the date it commences unless the consent is given effect to within that six-year period.

Review

14. Otago Regional Council may, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the consent holder of its intention to review the conditions of this consent within 3 months of each anniversary of the commencement of this consent for the purpose of:
 - a) determining whether the conditions of this consent are adequate to deal with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage; or
 - b) ensuring the conditions of this consent are consistent with any National Environmental Standards.

Notes to the consent holder:

1. *Under the Heritage New Zealand Pouhere Taonga Act 2014 an archaeological site is defined as any place in New Zealand that was associated with human activity that occurred before 1900 and provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand (see Section 6). For pre-contact Maori sites this evidence may be in the form of Taonga (artefacts) such as toki (adzes) or flake tools as well as bones, shells, charcoal, stones etc. In later sites of European/Chinese origin, artefacts such as bottle glass, crockery etc. may be found, or evidence of old foundations, wells, drains or similar structures. Pre-1900 buildings are also considered archaeological sites. Burials/koiwi tangata may be found from any historic period. Archaeological sites are legally protected under Sections 42(1) & (2) of the Heritage New Zealand Pouhere Taonga Act 2014. It is an offence under Section 87 of the Heritage New Zealand Pouhere Taonga Act 2014 to modify or destroy an archaeological site without an Authority from Heritage New Zealand Pouhere Taonga irrespective of whether the works are permitted, or a consent has been issued under the Resource Management Act 1993 or Building Act 1991.*
2. *Section 126 of the Resource Management Act 1991 provides that Otago Regional Council may cancel this consent by written notice served on the consent holder if the consent has been exercised in the past but has not been exercised during the preceding five years.*
3. *If you require a replacement consent upon the expiry date of this consent, any new application should be lodged at least 6 months prior to the expiry date of this consent. Applying at least 6 months before the expiry date may enable you to continue to exercise this consent under section 124 of the Resource Management Act 1991 until a decision is made on the replacement application (and any appeals are determined).*
4. *The consent holder will be required to pay Otago Regional Council an administration and monitoring charge to recover the actual and reasonable costs incurred to ensure ongoing compliance with the conditions attached to this consent, collected in accordance with Section 36 of the Resource Management Act 1991.*

Appendix 6 – Proposed Draft Consent Conditions (ORC – Land Use)

1. The in-stream works (installation and maintenance of the online sediment trap) must be carried out in accordance with the plans and all information submitted with the application, detailed below, and referenced as consent number FTAA-242-1008:
 - a) Application form, Statutory Analysis and Assessment of Environmental Effects prepared by Barker & Associates titled “Ayrburn Screen Hub” and dated 21 August 2025;
 - b) Draft Environmental Management Plan, prepared by Enviroscope, dated 23 May 2025;
 - c) Engineering Drawings, prepared by Patersons, dated 16 July 2025; and
 - d) Ecological Assessment, prepared by SLR Consulting New Zealand titled, dated 25 July 2025.

If there are any inconsistencies between the above information and the conditions of this consent, the conditions of this consent prevail.

2. The activities authorised by this consent must only be exercised in conjunction with the Water Permit Conditions above.
3. All works authorised by this consent within or adjoining Mill Creek must only be in the locations illustrated in the Engineering Drawings, prepared by Patersons Land Professionals, titled ‘Waterfall Park Developments Ltd Ayrburn Screen Hub, Consent Drawings’, and dated 16 July 2025.
4. No works within or adjoining Mill Creek shall be undertaken during the period 1 April to 30 September inclusive.

Management Plan

5. At least 15 working days prior to the commencement of the activity, the consent holder shall submit a finalised Environmental Management Plan (EMP) for review and acceptance by the Otago Regional Council (ORC). The EMP shall be based on the draft EMP prepared by Enviroscope dated 23 May 2025 and submitted as part of the application.
6. Each management plan required under Condition 5 shall be:
 - a) prepared by a SQEP;
 - b) prepared in accordance with the GD05 Standard (as applicable);
 - c) submitted in draft to Ngāi Tahu for consultation;
 - d) when submitted to ORC, accompanied by responses to any feedback from Ngāi Tahu under Condition 6c) that is received within 15 working days of the draft management plan being provided to Ngāi Tahu; and
 - e) submitted to ORC in electronic form for certification that the management plan meets the objective(s) specified in the plan and gives effect to the relevant consent conditions to which the plan relates.

Note: Ngāi Tahu contact address(es) for the purposes of Condition 6c) are [Ngāi Tahu to supply address(es)]

7. The consent holder must submit an updated EMP to the ORC when:
 - a. any significant changes have been made to the construction methodology since the original plan was accepted; or
 - b. There has been an Environmental Incident and investigations have found that the management measures are inadequate.
8. Any updated versions of the EMP must be submitted to the ORC for review and acceptance. Works implementing the updated EMP must not commence until it has been accepted, and all works must be undertaken in accordance with the most current EMP accepted by ORC at all times.
9. The consent holder must establish and implement document version control and ensure that the ORC is provided with an electronic copy of the most current and complete version of the EMP at all times.
10. All earthworks must be carried out in accordance with the Erosion and Sediment Control Guidelines for Land Disturbing Activities in the Auckland Region 2016 (Auckland Council Guideline Document GD2016/005).
11. Prior to commencement of activity, all required erosion and sediment control measures on the subject site must be constructed in accordance with the information contained and approved in the EMP specified in Condition 5.

Performance Monitoring

12. The consent holder must notify the ORC in writing of the commencement date no less than 10 working days prior to the commencement of works. The prestart notification must include the following information:
 - a) The start date of works.
 - b) Photographs of the area/s where work is to be undertaken - Photographs must be in colour and no smaller than 200 x 150 millimetres in size and be in JPEG form.
 - c) Name and contact details of their Environmental Representative for the works.
13. Prior to commencement of the works the consent holder must ensure that all personnel working on the site are made aware of, and have access at all times to:
 - a) the contents of this document;
 - b) the final EMP as required by Condition 5.

Copies of these documents must be present on-site at all times while the work authorised by this consent is being undertaken

14. The consent holder must, while exercising this consent, ensure the following:
 - a) an Environmental Representative must observe the sediment removal activity;

- b) the instream works must not cause a permanent reduction in fish passage/ migration;
 - c) a suitably qualified freshwater ecologist is to be present for the dewatering of Mill Creek;
 - d) the dammed stretch of the waterway must be fished for aquatic fauna prior to dewatering being completed;
 - e) any species caught must be relocated to an appropriate nearby habitat and be recorded in the NZ Freshwater Fish Database;
 - f) any fish removed during the operation must be returned immediately back into the water upstream of the works; and
 - g) the activity must be undertaken in accordance with the fish recovery protocol provided in: Ministry for the Environment 2021. *National works in waterways guideline Appendix 5: Fauna capture, relocation and salvage.*
15. The consent holder must notify the ORC in writing no more than 20 working days after the completion of each sediment extraction event and provide:
- a) a record of the volume of sediment removed from the ponds; and
 - b) photographs of each pond before, during and after sediment extraction (looking upstream and downstream of the location of each pond and including date and location of photographs). Photographs must be in colour and be no smaller than 200 x 150 millimetres in size and be in JPEG form.
16. The consent holder must maintain a record of any complaints received in relation to the exercise of this consent. The register must include, but not be limited to:
- a) the date, time, location and nature of the complaint;
 - b) the name, phone number, and address of the complainant, unless the complainant elects not to supply this information; and
 - c) action taken by the consent holder to remedy the situation and any policies or methods put in place to avoid or mitigate the problem occurring again.

A record of the complaints must be submitted to the Otago Regional Council Monitoring and Enforcement Team Leader (or nominee) by 1 October each year and made available for inspection at other times upon request.

General

17. The consent holder must while exercising this consent ensure:
- a) bed disturbance be limited to the extent necessary to carry out the works within the wet bed of the watercourse, and no material must be removed from within or under the banks of the watercourse;
 - b) at completion the works must not result in any decrease of the upstream and downstream cross-sectional area of the stream bed, as the stream bed exists prior to commencement of the works authorised by this consent; and

- c) at the completion of each sediment extraction event authorised by this consent, the consent holder must ensure that all plant, equipment, chemicals, fencing, signage, debris, rubbish and any other material brought on site is removed from the site within 5 working days. The site must be tidied to a degree at least equivalent to that prior to the works commencing;
18. The consent holder must ensure that any sediment extraction event authorised by this consent does not cause any flooding, erosion, scouring, land instability or property damage of any other person's property.
19. When undertaking works within the bed of Mill Creek the consent holder must:
- a) ensure that sediment losses to natural water are avoided where practicable and that silt control measures are in place;
 - b) ensure that all machinery operates from the banks of the watercourse as far as reasonably practicable and only enter the bed of the watercourse for the extent necessary to carry out required works and use one corridor for entering and exiting;
 - c) ensure that fuel storage tanks and machinery stored in the construction area are maintained at all times to prevent leakage of oil and other contaminants into the creek. No refuelling of machinery must occur within the river. In the event of contamination, the consent holder must undertake remedial action and notify the ORC within 48 hours;
 - d) ensure that disturbance of riparian vegetation is restricted to the minimum necessary.
20. The consent holder must take all reasonable precautions to minimise the spread of pest plants and aquatic weeds. In particular, the consent holder must:
- a) water blast all machinery to remove any visible dirt and/or vegetation prior to being brought on-site to reduce the potential for pest species being introduced to the bed of the watercourse. Machinery and equipment that has worked in watercourses must, prior to entering the site, also be cleaned with suitable chemicals or agents to kill didymo;
 - b) to avoid the spread of the *Didymosphenia geminata* or any other pest plant, not use machinery in the berm or bed of Mill Creek that has been used in any area where the pest plant(s) are known to be present in the previous 20 working days, unless the machinery has been thoroughly cleansed with a decontamination solution (for information on decontamination contact Otago Regional Council's Biosecurity Team);
 - c) remove any vegetation caught on the machinery at the completion of works.
21. In the event that an unidentified archaeological site is located during works, the following will apply:
- a) work must cease immediately at that place and within 20 metres around that place;
 - b) all machinery must be shut down, the area must be secured, and the Heritage New Zealand Pouhere Taonga Regional Archaeologist and the Otago Regional Council must be notified;
 - c) if the site is of Maori origin, the consent holder must also notify the appropriate iwi groups or kaitiaki representative of the discovery and ensure site access to enable appropriate cultural

procedures and tikanga to be undertaken, as long as all statutory requirements under legislation are met (Heritage New Zealand Pouhere Taonga Act 2014, Protected Objects Act 1975);

- d) if human remains (koiwi tangata) are uncovered the consent holder must advise the Heritage New Zealand Pouhere Taonga Regional Archaeologist, NZ Police, the Otago Regional Council and the appropriate iwi groups or kaitiaki representative and the above process under (c) will apply. Remains are not to be disturbed or moved until such time as iwi and Heritage New Zealand Pouhere Taonga have responded;
 - e) works affecting the archaeological site and any human remains (koiwi tangata) must not resume until Heritage New Zealand Pouhere Taonga gives written approval for work to continue. Further assessment by an archaeologist may be required; and
 - f) where iwi so request, any information recorded as the result of the find such as a description of location and content, must be provided for their records.
22. In accordance with clause 87(2)(b) and clause 26 Schedule 5 Fast-track Approvals Act 2024, this consent shall lapse six (6) years after the date it commences unless the consent is given effect to within that six-year period.

Review

23. The Otago Regional Council may, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the consent holder of its intention to review the conditions of this consent during the period of three months either side of the date of granting of this consent each year, or within two months of any enforcement action taken by the Otago Regional Council in relation to the exercise of this consent, for the purpose of:
- a) determining whether the conditions of this consent are adequate to deal with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage, or which becomes evident after the date of commencement of the consent;
 - b) ensuring the conditions of this consent are consistent with any National Environmental Standards, relevant regional plans, and/or the Otago Regional Policy Statement; or
 - c) reviewing the frequency of monitoring or reporting required under this consent.

Notes to the Consent Holder

- 1) *Section 126 of the Resource Management Act 1991 provides that Otago Regional Council may cancel this consent by written notice served on the consent holder if the consent has been exercised in the past but has not been exercised during the preceding five years.*
- 2) *If you require a replacement consent upon the expiry date of this consent, any new application should be lodged at least 6 months prior to the expiry date of this consent. Applying at least 6 months before the expiry date may enable you to continue to exercise this consent under section 124 of the Resource Management Act 1991 until a decision is made on the replacement application (and any appeals are determined).*