

# Proposed Draft Consent Conditions (QLDC – Land Use)

[Version 2: 18 November 2025]

[As Commented on and Shown in Track Changes by Panel: 23 January 2026]  
[With Responses by WPDLC, in consultation with QLDC and ORC: 30 January 2026]

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 2026**, 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 dated 22 August 2025, Statutory Analysis and Assessment of Environmental Effects prepared by Barker & Associates Ltd titled “Ayrburn Screen Hub” and dated 18 November 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 and Addendum Landscape Assessment Memo, prepared by RMM Landscape Architects, dated 18 November 2025;
  - d) Ayrburn Screen Hub Design Report, prepared by Winton, dated 03 June 2025;
  - e) Engineering Drawings, prepared by Patersons, dated 18 July 2025;

**Commented [Author1]:** Throughout the document there is a mix of use of Queenstown Lakes District Council, Council, and QLDC throughout the conditions and it becomes confusing as to why the different references are used. Suggestion:  
1.No need for full use of Queenstown Lakes District Council given definitions  
2.Reference to technical documents, standards use QLDC as published name likely to have full name in title  
3.Referring to review by, or to, or an officer of QLDC, use Council  
These have been changed in the document

**Commented [WPDLC2R1]:** Accepted and actioned in 29 January update to s55 Document 26

**Commented [Author3]:** Provide explanation as to who qualifies as a SQEP (i.e. CPEng, or similar with a minimum of \*\* years experience)  
Consider: could the SQEP for the EMP be the same for the ESCP - if not, need to specify in the conditions the qualification of the SQEP for each management plan or condition requirement

**Commented [WPDLC4R3]:** Accepted and actioned in 29 January update to s55 Document 26

**Commented [Author5]:** Would the use of *the following* here and along further be better as *these* has the implication of referring to Condition 1 as opposed to the conditions that follow

**Commented [WPDLC6R5]:** Accepted and actioned in 29 January update to s55 Document 26

**Commented [Author7]:** Where any of the following documents have a revision number, this should also be included to ensure latest version referenced

**Commented [WPDLC8R7]:** Accepted, and can be actioned in a future update to conditions to ensure all final documents are captured.

- 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:
  - (a) all charges fixed in accordance with section 36(1) of the RMA, and
  - (b) any finalised, additional charges under section 36(3) of the RMA.
- 3. The consent holder is liable for costs associated with the monitoring of this consent under section 35 of the RMA.
- 4. All engineering works shall be carried out in accordance with the Council'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 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 Council for the following management plans, as referenced in the corresponding conditions:
  - a) EMP – refer Condition 12;
  - b) ESCP – refer Condition 19;
  - c) Amended management plan(s) – refer Condition 7.
- 6. Each management plan required under Conditions 12 and 19 shall;
  - a) be prepared by a SQEP;
  - b) be prepared in accordance with the GD05 Standard (as applicable);
  - c) be submitted in draft to Ngāi Tahu for consultation and feedback;
  - d) when submitted to Council, be 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) be submitted to Council 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.

**Commented [Author9]:** Condition 16 refers to the ESCP in Condition 1, but there is no reference to the same here in Condition 1

**Commented [WPDL10R9]:** Accepted and actioned in 29 January update to s55 Document 26 (ESCP referenced in Condition 1h)

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**Commented [Author11]:** Given the amount of times this is referenced in the conditions suite it may be beneficial to include in the definitions with an acronym created (i.e. QLDC's LDSCOP)

**Commented [WPDL12R11]:** Accepted and actioned in 29 January update to s55 Document 26, noting "being" replaced with "including" based on QLDC advice that other documents apply.

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**Commented [Author13]:** This might not fit quite right here, but there needs to be added somewhere which includes no work on any changes to the certified management plan can occur until it is certified by Council

**Commented [WPDL14R13]:** Preference to maintain the current approach in the proposed draft conditions as it works well currently with QLDC in practice, in particular to enable responsive action on site

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**Commented [Author15]:** The reference to this needs to be in full or put in the definitions above, and include the date / version to be relied on - GD05, 'Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region GD2016/005 (August 2023, incorporating Amendment 3)'

**Commented [WPDL16R15]:** Accepted and actioned in 29 January update to s55 Document 26, noting the ...

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**Commented [Author17]:** This is unclear as to what ...

**Commented [Author18R17]:** What happens in the ...

**Commented [WPDL19R17]:** Preference is to maintai...

Note: Ngāi Tahu contact address(es) for the purposes of Condition 6c) are Te Ao Mārama Office: office@tami.maori.nz

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 change must be consistent with the objective(s) of the relevant certified management plan and the requirements of the relevant conditions of this consent, and must be submitted to Council 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 Council 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 QLDC's Guidelines for Environmental Management Plans.
11. At least 7 working days prior to commencing excavations, the consent holder shall provide the Manager of Resource Management Engineering at Council 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 certification by Council in accordance with Condition 6 HOLD POINT 1. The finalised EMP shall be prepared in general accordance with the draft EMP prepared by Enviroscope referred in Condition 1h).
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 QLDC's Guidelines for Environmental Management Plans.

**Commented [Author20]:** Two things here:

1. Need to clarify what exactly is being submitted for certification
2. What is the process where Council considers they cannot provide certification due to missing information, etc. A process for this needs to be included (NB same process for original certification is also required in condition 6 if that process is introduced there then condition 7 for certification of changes can draw on that for economy)

**Commented [WPDL21R20]:** Accepted and actioned in 29 January update to s55 Document 26

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**Commented [Author24]:** There are too many to note, but throughout conditions thought needs to be given to the use and definition of terms works, development, site, etc., such that the context in which they are referenced refers to the same and is clear what is meant

**Commented [WPDL25R24]:** Accepted in principle and subject to QLDC position/input can be actioned in a

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**Commented [Author26]:** Rev and/or Date of issue?

**Commented [Author27R26]:** Refer also to Condition 13

**Commented [WPDL28R26]:** Accepted and actioned in 29 January update to s55 Document 26

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**Commented [Author29]:** To be consistent with Condition 5 terminology

**Commented [WPDL30R29]:** Accepted and actioned in 29 January update to s55 Document 26

**Commented [Author31]:** Refer to note under Condition 6e) as it is unclear as to what Council is

**Commented [WPDL32R31]:** Accepted in principle and subject to QLDC position/input can be actioned in a

**Deleted:** for certification by QLDC under Condition 5

**Commented [Author33]:** Refer comment Condition 11

**Commented [Author34R33]:** QLDC should be provided proof or be in attendance at the site induction

**Commented [WPDL35R33]:** Accepted in principle and subject to QLDC position/input can be actioned in a

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14. The geoprofessional 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. (a) The 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. (b) 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 Council 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 for environmental management controls which may be undertaken when the EMP has been certified by Council under Condition 12, the consent holder shall obtain 'Engineering Review and Acceptance' from the Council for development works. (i) The 'Engineering Review and Acceptance' application(s) shall include all development items listed in Condition 15(iv)(a) to (h) unless a 'partial' review approach has been approved in writing by the Manager of Resource Management Engineering at Council. (ii) The 'Engineering Review and Acceptance' application(s) shall be submitted to the Manager of Resource Management Engineering at Council for review, prior to acceptance being issued. (iii) At Council's discretion, specific designs may be subject to a Peer Review, organised by the Council at the consent holder's cost. (iv) 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, and shall include detail addressing 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. (i) 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's Water Meter Policy (Appendix J), dated 2017. (ii) 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. (i) The costs of the connection shall be borne by the consent holder.

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- Commented [Author36]: Split into points under condition for ease of reference by monitoring officer and in other conditions and for monitoring purposes In this [...]
- Commented [WPDL37R36]: Accepted and actioned [...]
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- Commented [Author38]: What level of experience / [...]
- Commented [Author39R38]: Will this require an [...]
- Commented [WPDL40R38]: Accepted in principle an [...]
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- Commented [Author43]: Is this 'any', 'development, [...]
- Commented [WPDL44R43]: Accepted in principle an [...]
- Commented [WPDL45]: QLDC have advised that: [...]
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- Commented [WPDL47R46]: Accepted in principle an [...]
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- Commented [Author52]: The way this reads if a [...]
- Commented [WPDL53R52]: Accepted in principle an [...]
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- Commented [Author58]: Discretionary matter which [...]
- Commented [WPDL59R58]: QLDC have advised tha [...]
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- Commented [WPDL61R60]: QLDC have advised tha [...]
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- Commented [Author64]: Is this QLDC's Land [...]
- Commented [WPDL65R64]: QLDC have advised tha [...]
- Commented [Author66]: This is not a design review [...]
- Commented [WPDL67R66]: Accepted in principle an [...]

- 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 Council's standards. (i) 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. (i) 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. 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:
- 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".
  - 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 to be provided in pod wetlands and infiltration ponds, both sized to treat the Water Quality Volume (1/3<sup>rd</sup> of 2yr ARI) for contributing catchments.
  - 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.

**Commented [Author68]:** What sort of consent?

**Commented [WPDL69R68]:** Accepted in principle and subject to QLDC position/input can be actioned in a future update to conditions, noting the background is that the pump station already has resource consent and engineering approval and will service the wider site so this deals with a potential change but if that is not needed means that these consents will not need to be obtained again

**Commented [Author70]:** Is this QLDC's Land Development and Subdivision Code of Practice 2025?

**Commented [WPDL71R70]:** QLDC have advised that:  
- there are some policies that are separate to the CoP.  
- their preference is to leave the wording as is.

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**Commented [Author72]:** Unclear if under this consent or through the approval process in Condition 15

**Commented [WPDL73R72]:** Accepted in principle and subject to QLDC position/input can be actioned in a future update to conditions, noting comments above

**Commented [Author74]:** Do the other details (a) to (h) have to be prepared by a suitably qualified professional per the COP or just stormwater?

**Commented [WPDL75R74]:** Accepted in principle and subject to QLDC position/input can be actioned in a future update to conditions

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**Commented [Author78]:** Approved as part of this consent, already functional, or approved by conditions of another consent?

**Commented [WPDL79R78]:** Accepted and actioned in 29 January update to s55 Document 26

- iii) A copy of the full stormwater model and report outlining the parameters used.
- e) The 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. (i) 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.
- (ii) 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 Design 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.

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**Commented [Author80]:** What / who qualifies as a suitably qualified professional - Fire, Civil, and / or Hydraulic Engineers (CPEng or equivalent)

**Commented [WPDL81R80]:** See comments on SQEP in Condition 1

**Commented [Author82]:** Is this an information requirement under Condition 15 for Engineering Review / Acceptance or should it be under latter conditions relating to Prior to Occupation of Any Buildings

**Commented [WPDL83R82]:** Accepted in principle and subject to QLDC position/input can be actioned in a future update to conditions

**Commented [Author84]:** His equates to a Third party approval and what happens if that is not forthcoming. Third party approvals are not a valid condition unless proffered on an *Augier* basis. Should that 'approval' also be provided to Council as part of the information requirements

**Commented [WPDL85R84]:** The applicant has offered the condition. If FENZ approval is not given then sufficient hydrants must be provided anyway.

**Commented [Author86]:** Revert here to SQEP is this intended same as person in first part of (e)

**Commented [WPDL87R86]:** To clarify and discuss further

**Commented [Author88]:** Addressed by earlier part of Condition 15 and prior part of this condition. As noted above in condition 15(a) and (b) costs are not a design review matter - should this fall later or there is a risk that this will be missed

**Commented [WPDL89R88]:** Accepted in principle and subject to QLDC position/input can be actioned in a future update to conditions

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**Commented [Author90]:** Is this QLDC's Land Development and Subdivision Code of Practice 2025?

**Commented [WPDL91R90]:** QLDC have advised that:  
- some policies are not included in the Code of Practice and would prefer to keep the wording as is.  
- amendment to Condition 4 inserted to assist

- h) The provision of a Computed Easement Plan and Easement Instrument showing all necessary easements established 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. (a) 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. (b) The loading and stockpiling of earth and other materials shall be confined to the site.
18. No earthworks, temporary or permanent, are to breach the boundaries of the site (excluding internal boundaries between Lots 1, 2, 3, and 4 DP 540788).

**Erosion and Sediment Control Plan**

19. At least 15 working days prior to any works commencing on site, the consent holder shall submit a final ESCP prepared in general accordance with the draft ESCP prepared by Enviroscope referenced in Condition 1(?) to Council's Monitoring and Enforcement Team for certification by Council in accordance with Condition 6.
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 certified ESCP and provide As-built documentation for these controls prepared by a SQEP to the Manager of Resource Management Engineering at Council **HOLD POINT 2**. **NOTE:** It is noted that earthworks required to construct environmental management controls are allowed to commence once Council has provided notice that **HOLD POINT 1** has been met.
21. The certified 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 certified ESCP at all times.
23. The consent holder shall develop and document a process of periodically reviewing the certified ESCP as outlined on page 6 of the QLDC's Guidelines for Environmental Management Plans.

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**Commented [Author92]:** Check that these conditions do not contradict Condition 5 which prevents any physical works on site commencing under certification of the EMP and ESCP has been received

**Commented [Author93R92]:** Also check the order of the conditions flow from inception of a finalised ESCP through Certification (identifying info requirements), installation, as-builts, inspections, reporting, and rectification

**Commented [WPDL94R92]:** Accepted in principle and subject to QLDC position/input can be actioned in a future update to conditions

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**Commented [Author95]:** The draft EMP is referenced in Condition 1(h) but not a draft ESCP

Refer to note under Condition 6e) as it is unclear as to what Council is providing certification for

**Commented [WPDL96R95]:** Intended to be addressed by updates to Condition 1

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**Commented [Author97]:** Is there any need / requirement to provide a staging plan to Council

**Commented [WPDL98R97]:** Yes, staging of earthworks is intended/practiced. However, the issue raised is accepted in principle and subject to QLDC position/input can be actioned in a future update to conditions

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**Commented [Author99]:** Note previous comments re a SQEP and who they should be

**Commented [WPDL100R99]:** See comments on SQEP in Condition 1

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**Commented [Author101]:** This should be included in the ESCP as part of certification requirements - and Council should have the most current and complete version of the ESCP due to the certification process in terms of amendments - refer Conditions 6 & 7 and associated comments

**Commented [Author102R101]:** Condition 22 should follow Condition 23 or be a part (a) of Condition 22

**Commented [WPDL103R101]:** Addressed through a change made in the 23 January 2026 version

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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 QLDS's Guidelines for Environmental Management Plans.

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25. A SQEP shall monitor the site monthly to ensure that the site is complying with the certified 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 certified ESCP. The outcome of these inspections should be included in the Monthly Environmental Report referred to in Condition 26.

**Commented [Author104]:** Note earlier comments re qualifying what constitutes the SQEP

**Commented [WPD105R104]:** See comments on SQEP in Condition 1

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26. The consent holder shall complete and submit exception reporting to Council in the form of a Monthly Environmental Report. The Monthly Environmental Report shall be submitted to Council's Regulatory Department within five (5) working days of the end of each month.

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27. In accordance with page 9 of the QLDC's Guidelines for Environmental Management Plans, where any Environmental Incident where the measure(s) in the certified ESCP have failed leading to any adverse environmental effects offsite occurrence the consent holder shall:

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a) report to Council's Regulatory Department details of any Environmental Incident within 12 hours of becoming aware of the incident.

**Commented [WPD1106]:** Accepted and actioned in 29 January update to s55 Document 26, but here and as relevant subsequently as: "Council's Monitoring and Enforcement Team"

b) provide an Environmental Incident Report to Council's Regulatory Department within 10 working days of the incident occurring as per the requirements outlined in Section 3.3.1 of QLDC's Guidelines for Environmental Management Plans.

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28. Environmental records are to be collated onsite and shall be made available to Council upon request; immediately if the request is made by a Council official onsite and within 24 hours if requested by a Council officer offsite. Records and registers to be managed onsite shall be in accordance with the requirements outlined on page 14 of the QLDC's Guidelines for Environmental Management Plans.

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29. Any discharge (refer definition in the QLDC's Guidelines for Environmental Management Plans) that leaves the site shall comply with the Water Quality Discharge Criteria outlined on page 19 of the QLDC's Guidelines for Environmental Management Plans, with the exception of Total Suspended Solids which should be at a concentration of no more than 25mg/L.

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**Deleted:** Queenstown Lakes District Council's

**Deleted:** Guideline

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 QLDC's Guidelines for Environmental Management Plans, specifically the ESCP principles outlined;

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c) discharge criteria specified in the water discharge table on page 19 of the QLDC's Guidelines for Environmental Management Plans,

Deleted: Guideline

The consent holder shall submit the independent review report to the Manager of Resource Management Engineering at Council, 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.

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31. Hours of construction, shall be:

- Monday to Saturday (inclusive): 0730 – 1800hrs.
- Sundays and Public Holidays: No Activity

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Commented [Author107]: Should this be moved under Condition 38 as they are not part of the ESCP and relate to construction traffic and noise

32. 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.

Commented [WPDL108R107]: Accepted and actioned in 29 January update to s55 Document 26 (moved to be Conditions 40A and 40B)

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

Commented [Author109]: Could be put in definitions like other acronyms

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:

Commented [WPDL110R109]: Accepted in principle, although only arises 1-2 times so to confirm is necessary to include in the definitions

a) Specific Engineering Design (SED) of all building foundations are designed in accordance with the recommendations in Part 10 of the geotechnical report by Geosolve refer Condition 1(f) (Titled "Geotechnical Report for Resource Consent" dated 25 June 2025, Geosolve Ref: 150098.12").

Deleted: and constructed

Or:

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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.

Commented [Author113]: Provide definition for the 'commercial activity'

Commented [WPDL114R113]: Accepted in principle and subject to QLDC position/input can be actioned in a future update to conditions

34. On completion of the earthworks, and prior to commencement of the commercial activity, the consent holder, at the cost of the consent holder, shall complete and implement the following:

Commented [Author115]: Submission to whom The Manager of Resource Management Engineering at Council?

Commented [WPDL116R115]: QLDC have advised the Monitoring and Enforcement team receive them (and then they distribute internally as needed)

Commented [WPDL118R117]: Accepted and actioned in 29 January update to s55 Document 26

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. 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).

Deleted: at the consent holder's cost

Commented [Author119]: In what? QLDC's Land Development and Subdivision Code of Practice 2025?

Commented [WPDL120R119]: Yes. There are multiple locations within the CoP that reference as-built requirements, as well as references to external documents for as-built requirements.

Based on QLDC comments no change made to Condition 15b) in 29 January update to s55 Document 26

- b) All reviewed and accepted works detailed in Condition 15, on completion shall be signed off by Council.
- 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 Council a finalised FHEMP in general accordance with the draft FHEMP referred to in Condition 1 (i), for review and acceptance by Council within 10 working days. (a) The finalised FHEMP shall outline ongoing procedures for monitoring of stormwater flows during periods of prolonged rainfall and, if required, closing Ayr Avenue. (b) The certified FHEMP 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 Council) shall be registered on the relevant Records of Title detailing the water supply and wastewater monitoring and management requirements for the lot owner(s). (i) 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. (ii) This legal document shall include provisions to ensure:

- Deleted:** The completion and implementation of a
- Deleted:** , shall be completed and
- Commented [Author123]:** What does this entail / mean
- Commented [WPDL124R123]:** QLDC have advised that:
  - the Consent Holder provides drawings and specifications for construction that first obtain EA under condition 15 and Council inspector(s) subsequently review these physical works against the EA at identified 'hold points' of construction to ensure compliance. For example, the road widenings will have inspection of road to check subgrade/presealing/markings etc and Ayrburn will call Council inspector to view such holdpoints.
  - the intent is to ensure the Consent Holder complies with their EA.
  - preference to leave the wording as it was.
- Deleted:** QLDC
- Commented [Author125]:** Do the requirements / standards have to be provided to Council, or certification from the provider given and passed to Council - applies to Condition 34(d) also
- Commented [WPDL126R125]:** Accepted in principle and subject to QLDC position/input can be actioned in a future update to conditions.
- Commented [Author127]:** Accepted engineer or is it the SQEP under what Condition(s)
- Commented [WPDL128R127]:** Accepted and actioned in 29 January update to s55 Document 26, but here and as relevant subsequently as: "SQEP"
- Commented [Author129]:** Different definition for works required as noted earlier
- Commented [WPDL130R129]:** Accepted in principle and subject to QLDC position/input can be actioned in a future update to conditions
- Commented [Author131]:** Should evidence of the ro ...
- Commented [WPDL132R131]:** Accepted in principle ...
- Deleted:** QLDC
- Commented [Author133]:** This should be another ...
- Commented [Author134R133]:** How soon does the ...
- Commented [Author135R133]:** Should follow simila ...
- Commented [WPDL136R133]:** Accepted in principle ...
- Deleted:** QLDC
- Deleted:** This plan
- Deleted:** This
- Commented [Author137]:** How is this condition gain ...
- Commented [WPDL138R137]:** Refer to QLDC ...
- Deleted:** QLDC
- Commented [Author139]:** When is this supposed to ...
- Commented [WPDL140R139]:** Accepted and actione ...

- a) The total daily demand and peak flow rates for potable water will be monitored by Council 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. Council’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 DP\_540788 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 DP\_540788; 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 Council on a quarterly basis or sent automatically to Council through a SCADA system; and
  - iv. the Property and Infrastructure team at Council are to be made aware within 24 hours if any exceedance of these discharge flow rates occurs.

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**Commented [Author141]:** Check this ties in with Condition 15(a) and vice versa so there is no conflict / contradiction  
Should any further information be required under Condition 15(a)

**Commented [WPDL142R141]:** Conditions 15 and 36 address different aspects of water and wastewater provision, but depending on any changes to Condition 15 in response to comments further edits to Condition 36 can be addressed in a future revision

**Commented [Author143]:** Check this ties in with Condition 15(b) and (c) and vice versa so there is no conflict / contradiction  
Should any further information be required under Condition 15(b) or (c)

**Commented [WPDL144R143]:** As above

**Commented [Author145]:** To whom within Council

**Commented [WPDL146R145]:** Accepted and actioned in 29 January update to s55 Document 26

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### 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 as at the date of issue of this consent 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 finalised Operation Noise Management Plan (ONMP) is to be certified by Council at least 10 days prior to the Screen Hub being operational. The finalise ONMP shall be generally in accordance with the draft ONMP prepared by Marshall Day Acoustics as referenced in Condition 1(i).

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.

**Commented [Author147]:** Is this advice note correct – would the DP rule apply irrespective of the consent?

**Commented [WPDL148R147]:** Accepted and actioned in 29 January update to s55 Document 26

**Commented [Author149]:** Conditions 31 and 32 would be better placed under here as opposed to under the ESCP

**Commented [WPDL150R149]:** Accepted and actioned in 29 January update to s55 Document 26

**Commented [Author151]:** Would be better to define the exact properties to be served letter drop for certainty for both consent holder, neighbours and Council - condition unclear as to scope required  
The Panel has identified adjacent properties when it circulated the application for comment

**Commented [WPDL152R151]:** Accepted but to be actioned – proposed Attachment 1 to be added

**Commented [Author153]:** Again Conditions 31 and 32 relevant here and should be moved to this part of the conditions suite

**Commented [WPDL154R153]:** Accepted and actioned. Refer to changes made in s55 Document 26. Condition changes have been made.

**Commented [Author155]:** This is in conflict with Conditions 31 and 32

**Commented [WPDL156R155]:** As above

**Commented [Author157]:** There should be a requirement for vibration to comply with a standard; a measure / standard reference is not compliance condition

**Commented [WPDL158R157]:** Accepted and actioned in 29 January update to s55 Document 26.

**Deleted:** QLDC

**Commented [Author159]:** Should be under Condition 37 as relates to operational not construction noise

**Commented [Author160R159]:** ONMP could be in ...

**Commented [Author161R159]:** Who is certifying the ...

**Commented [Author162R159]:** How soon does the ...

**Commented [Author163R159]:** Should follow similar ...

**Commented [Author164R159]:** Should be condition ...

**Commented [WPDL165R159]:** Accepted and actioned ...

**Commented [Author166]:** This appears to refer to ...

**Commented [Author167R166]:** Is the SQEP an ...

**Commented [Author168R166]:** What 'site activities' ...

**Commented [Author169R166]:** Mitigation measures ...

**Commented [WPDL170R166]:** Accepted and actioned ...

**Commented [Author171]:** Ditto above for Condition ...

**Commented [Author172R171]:** Ditto re Condition 44 ...

**Commented [WPDL173R171]:** Accepted and actioned ...

**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. The results of which shall be provided to Council's [insert whom within Council] within 7 working days of the survey being conducted.

**Commented [Author174]:** This consent? What is the trigger (i.e. notification to Council of all conditions complete and first film or similar)

**Commented [WPDL175R174]:** Accepted and actioned in 29 January update to s55 Document 26 - Conditions 46-54 have been deleted in Document 26 version.

47. To ensure the surveys reflect the normal operating conditions of the intersection, they shall be carried out:

**Commented [Author176]:** Conditions 47 to 49 could be (a) to (c) of Condition 46.

**Commented [WPDL177R176]:** Accepted and actioned in 29 January update to s55 Document 26 - Conditions 46-54 have been deleted in Document 26 version.

- 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 14 working days of the traffic surveys being completed, and the consent holder shall provide a copy to Council's [inert whom within Council] as road controlling authority.

**Commented [Author178]:** This could be (a) of Condition 50

**Commented [WPDL179R178]:** Accepted and actioned in 29 January update to s55 Document 26 - Conditions 46-54 have been deleted in Document 26 version.

**Deleted:** two weeks

**Deleted:** QLDC

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 Council's [inert whom within Council] for approval and shall construct the right-hand turn bay within two months after receiving that approval.

**Commented [Author180]:** Discretionary approval rather than certification? - what if approval not forthcoming

**Commented [Author181R180]:** Are 'As built' plans required as asset will become Council's

53. Surveys shall be carried out once every 12 months following the survey undertaken under Condition 46, but shall cease once a right-turn bay is constructed for the vehicle movement from Arrowtown - Lake Hayes Road (north) to Speargrass Flat Road under Condition 52.

**Commented [WPDL182R180]:** Accepted and actioned in 29 January update to s55 Document 26 - Conditions 46-54 have been deleted in Document 26 version.

**Deleted:** QLDC

54. At any time, but not less than six months after any previous survey, Council 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 14 working days of the traffic surveys being completed.

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**Commented [Author183]:** These conditions should go under Condition 49

**Commented [Author184R183]:** Check Condition references based on prior comments

**Commented [WPDL185R183]:** Accepted and actioned in 29 January update to s55 Document 26 - Conditions 46-54 have been deleted in Document 26 version.

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**Landscaping**

55. The consent holder must not commence any physical works until certification has been obtained from Council 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 consent and address Conditions 58 and 59.

56. The detailed landscaping plan and final Landscape Maintenance Plan shall be prepared by a suitably qualified Landscape Architect for certification by the Council's Parks & Open Spaces Planning Manager.

**Commented [Author186]:** Condition 56 could be (a) of Condition 55

**Commented [Author187R186]:** Should also be amended to reflect the variance to the maintenance / replacement condition imposed by Conditions 77 and 81 to 86

**Commented [WPDL188R186]:** Accepted and actioned in 29 January update to s55 Document 26.

**Deleted:** Queenstown Lakes District

**Commented [WPDL189]:** Accepted and actioned in 29 January update to s55 Document 26

57. All landscaping, planting and its maintenance shall be carried out in accordance with the detailed landscaping plan and final Landscape Maintenance Plan certified in accordance with Condition 56. Any plant or tree that dies or becomes diseased shall be replaced within 12 months in accordance with the certified detailed landscaping plan.

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.

**Commented [WPDL191R190]:** Accepted and actioned in 29 January update to s55 Document 26

**Deleted:** All planting shall be maintained

**Deleted:** 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.

**Deleted:** landscape

**Deleted:** plans

59. All areas of exposed earth shall be re-sown in grass, planted as per the certified detailed landscaping plan, 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(b) 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.

**Commented [Author192]:** This requires a certification process to be clear for any amendment similar to Conditions 5, 6, 7, and 8

### 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:

**Commented [WPDL193R192]:** Accepted in principle and subject to QLDC position/input can be actioned in a future update to conditions.

- 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.

**Commented [Author194]:** Align these conditions with Condition 21 of the Regional ORC Land Use Draft Conditions so they are the same and do not create a conflict

**Commented [WPDL195R194]:** Accepted in principle and subject to iwi and QLDC position/input can be actioned in a future update to conditions, noting that in discussion with QLDC an option could be to adopt the ORC equivalent (Condition 21).

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. (a) The consent holder must notify Council and the Otago Regional Council and engage a SQEP in contaminated land to assess the material.

**Deleted:** QLDC

**Commented [Author196]:** More action is required in terms of reporting DSI and this may require a SMP, etc., depending on level of contamination. Site works should not commence to the DSI is undertaken.

**Commented [WPDL197R196]:** Accepted and actioned in 29 January update to s55 Document 26 - Refer to advice note under this condition in s55 Document 26

**Deleted:** suitably qualified

**Deleted:** specialist

### 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 Council at any time upon request.

**Deleted:** QLDC

**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. **Advice Note:** 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 date (Booking Date) the booking is made to the date (Commencement Date) of the period during which the accommodation is required.
- **Column B** specifies the minimum percentage of accommodation units that must be available on the Booking Date for booking by person(s) associated with studio activities, for accommodation commencing on the Commencement Date.

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%

on a  
time

**Note:** The Table operates sliding scale. For periods falling between

those listed, the required availability is adjusted proportionally. For example, if a booking is requested for a Commencement Date 380 days after the Booking Date, the minimum required availability would fall between 80% (for 365 days) and 90% (for 395 days) and would be calculated (rounded if necessary) at 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

**Commented [Author198]:** Acknowledging the applicant's previous advice that this condition is going to change, this condition should be located straight under the general conditions –

What phase is the earthworks and services re water, etc., and easements and ROT encumbrances

Is there a plan that could be referenced

**Commented [WPDL199R198]:** Accepted and actioned in 29 January update to s55 Document 26.

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. (a) The register shall also include any complaints with regards to availability of accommodation rooms for film production crews. (b) Details of all bookings for at least the preceding 5 years shall be continually maintained. (c) 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 Council as required by Condition 15(g). 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(d) shall be constructed at NZCT/QLDC Grade 2 Standard. Advice Note: 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 by the consent holder in favour of the Queenstown Trails Trust or 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(d). (a) The consent holder shall provide Council's [insert whom within Council] with a copy of the Record(s) of Title showing the registered encumbrance.

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 Council's 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, as built 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* to Council's Parks and Reserves Department. 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) referenced in Condition

**Commented [Author200]:** Check that this reference is consistent for all conditions or remove

**Commented [Author201R200]:** This appears to be addressed by condition 15(g) and is a repeat as Condition 15 requires all plans, specifications to be provided for review and approval.

**Commented [Author202R200]:** The last sentence could be moved to 15(g)(v)

**Commented [WPDL203R200]:** Accepted and actioned in 29 January update to s55 Document 26 - Refer to Condition 15g of s55 Document 26

**Deleted:** QLDC

**Deleted:** h

**Commented [Author204]:** Where in a Council document / Code is this standard referenced

Also when are the other trails to be constructed?

**Commented [WPDL205R204]:** Accepted and actioned in 29 January update to s55 Document 26 - Refer to Conditions 73 and 74 of s55 Document 26

**Deleted:** It is noted that

**Deleted:** t

**Deleted:** Queenstown Lakes District

**Commented [Author206]:** What is this document - define - should it be the 2025 version?

**Commented [WPDL207R206]:** Accepted and actioned in 29 January update to s55 Document 26 - Refer to new definition introduced in Document 26

**Deleted:** QLDC

1(d), 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.

#### 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(d).

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 2m<sup>2</sup>.
- 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 shall be surveyed, using a licenced surveyor, and an as-built plan created, and a record kept by

**Commented [Author208]:** Would be better as a footnote or advice note to reference in Condition 76 to plan

**Commented [WPDL209R208]:** Accepted and actioned in 29 January update to s55 Document 26 - Refer to note included ahead of Condition 76 in Document 26

**Commented [Author210]:** This condition applies over the entire site then it should be included or referenced to somewhere within Condition 55 to 59 so it forms part of the certified detailed Landscape Plan and maintenance planting plan

**Commented [WPDL211R210]:** Accepted in principle and subject to QLDC position/input can be actioned in a future update to conditions.

**Commented [Author212]:** This should be identified on the plans and specifications required under Condition 15

**Commented [WPDL213R212]:** Preference to leave as proposed because it is a Monitoring and Enforcement condition and not a design and certification matter addressed in Condition 15.

**Deleted:** identified on the Stormwater Overview Plan

the consent holder and lodged with the Council. A reading showing as-built levels shall be taken every 2m<sup>2</sup>.

**Deleted:** QLDC

b) The In-line Sediment Trap shall be cleaned by the removal of sediment to as-built 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 provided to Friends of Lake Hayes Society Incorporated, Kāi Tahu (via Te Ao Marama) and Council.

**Deleted:** shown on the Stormwater Overview Plan

**Deleted:** made available

**Deleted:** QLDC

c) The In-line Sediment Trap shall be monitored for water depth 3 monthly. A record shall be kept by the consent holder and provided to Friends of Lake Hayes Society Incorporated, Kāi Tahu and Council. 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 as-built levels.

**Deleted:** shown on the Stormwater Overview Plan

**Deleted:** made available

**Deleted:** QLDC

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.

**Commented [Author214]:** This condition applies over the entire site then it should be included or referenced to somewhere within Condition 55 to 59 so it forms part of the certified detailed Landscape Plan and maintenance planting plan

**Commented [WPDL215R214]:** Accepted in principle and subject to QLDC position/input can be actioned in a future update to conditions.

**Deleted:** S

#### 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. (a) Live data information from the data loggers shall be made available to Kai Tahu, Friends of Lake Hayes Society Incorporated and Council. (b) These devices shall be maintained by the consent holder for the life of the consent.

**Deleted:** QLDC

#### 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.

**Commented [Author216]:** This condition should be included or referenced to somewhere within Condition 55 to 59 so they form part of the certified detailed Landscape Plan and maintenance planting plan

**Commented [WPDL217R216]:** Accepted and actioned in 29 January update to s55 Document 26 - Refer Condition 55h. in Document 26.

#### 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(d).

**Commented [Author218]:** These conditions should be included or referenced to somewhere within Condition 55 to 59 so they form part of the certified detailed Landscape Plan and maintenance planting plan

**Commented [WPDL219R218]:** Accepted and actioned in 29 January update to s55 Document 26 - Refer Condition 55c.-g. in Document 26.

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).

**Review**

**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.

**Commented [Author220]:** Inclusion of a review condition or advice note similar to Condition 23 of the Regional ORC Land Use Draft Conditions

**Commented [WPDL221R220]:** Accepted in principle, subject to clarifying the scope and matters to be subject to review.

## Proposed Draft Consent Conditions (ORC – Water Permit)

[Version 2: 18 November 2025]

[As Commented on and Shown in Track Changes by Panel: 19 January 2026]

[With Responses by WPD, in consultation with QLDC and ORC: 30 January 2026]

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 dated 22 August 2025, Statutory Analysis and Assessment of Environmental Effects prepared by Barker & Associates titled “Ayrburn Screen Hub” and dated 18 November 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 following conditions of this consent, the following 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.

**Commented [Author222]:** As per comments on condition 1 of QLDC

**Commented [WPD1223R222]:** Accepted, and can be actioned in a future update to conditions.

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 March<sup>1</sup> each year, provided that no instream works shall be undertaken when flows in Mill Creek are less than 230 litres per second<sup>2</sup>, 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 shall 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

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

<sup>2</sup> 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.

**Commented [Author224]:** Some form of notice / trigger is required to inform ORC of completion such that this 5wd requirement can be monitored

**Commented [WPDL225R224]:** WPDL understand through consultation with ORC that it may have a different preference. WPDL is comfortable with ORC's preference.

**Deleted:** is able to

accordance with this condition within 20 working days of the completion of the construction activity.

#### 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*

**Commented [Author226]:** Construction activity reference unclear as other terms used in all other places - is it the installation of the online sediment trap and / or the diversion

**Commented [WPDL227R226]:** WPDL understand through consultation with ORC that it may have a different preference. WPDL is comfortable with ORC's preference.

*compliance with the conditions attached to this consent, collected in accordance with Section 36 of the Resource Management Act 1991.*

DRAFT

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

[Version 2: 18 November 2025]

[As Commented on and Shown in Track Changes by Panel: 19 January 2026]

[With Responses by WPD, in consultation with QLDC and ORC: 30 January 2026]

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 dated 22 August 2025, Statutory Analysis and Assessment of Environmental Effects prepared by Barker & Associates titled “Ayrburn Screen Hub” and dated 18 November 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 following conditions of this consent, the following 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 referenced in Condition 1(b).
6. The ECMP 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

**Commented [Author228]:** The comments applying to QLDC’s certification processes and the EMP and condition wording are relevant here also for Conditions 5 to 9

How will the consent holder address a potential issue where the QLDC’s and ORC’s EMPs are not aligned - relevant to the QLDC’s land use consent also

**Commented [Author229R228]:** The information requirements for the ECMP should include many of the conditions in the consent. That would provide in addition to the requirements of Condition 6 valid matters for ORC to certify the ECMP in respect of

**Commented [WPD1230R228]:** WPD understand through consultation with ORC that it may have a different preference. WPD is comfortable with ORC’s preference.

**Commented [Author231]:** Certification and processes are required, including for amendment - avoid need for third party approval

**Commented [WPD1232R231]:** WPD understand through consultation with ORC that it may have a different preference. WPD is comfortable with ORC’s preference. Changed “review and acceptance” to “certification” in Document 26

**Deleted:** and submitted as part of the application

**Deleted:** Each management plan

- 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 Te Ao Mārama Office: office@tami.maori.nz

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 certified 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

**Commented [Author233]:** How will the consent holder address a potential issue where the QLDC's ESCP is not aligned to this condition and Condition 11 - relevant to the QLDC's land use consent also in terms of the need for a certified ESCP

**Commented [WPDL234R233]:** WPDL understand through consultation with ORC that it may have a different preference. WPDL is comfortable with ORC's preference.

**Commented [Author235]:** in-stream or specify - consistent use of works, operations, etc., as per QLDC consent is also relevant for this consent

**Commented [WPDL236R235]:** Accepted and actioned in 29 January update to s55 Document 26

**Commented [Author237]:** What document is being referred to or the conditions of this consent

**Commented [WPDL238R237]:** Accepted and actioned in 29 January update to s55 Document 26

**Deleted:** final

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 permeant 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 ORC Monitoring and Enforcement Team Leader (or nominee) by 1 October each year and made available for inspection at other times upon request.

**Commented [Author239]:** Check that all parts of this condition are relevant to the installation and maintenance of the trap and if so they need some refinement otherwise there is confusion with the same conditions in Condition 8 for the diversion consent

**Commented [WPDL240R239]:** These have been checked and are all considered necessary.

**Deleted:** Otago Regional Council

#### 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:
- ensure that sediment losses to natural water are avoided where practicable and that silt control measures are in place;
  - 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;
  - 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;
  - 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:
- 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;
  - 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 [ORC's Biosecurity Team](#));
  - 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:
- work must cease immediately at that place and within 20 metres around that place;
  - 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;

**Commented [Author241]:** This should form information in the ECMP

**Commented [WPDL242R241]:** Clarification from Author/Panel and discussion with ORC required to confirm the issue and an appropriate response

**Deleted:** Otago Regional Council's

**Commented [Author243]:** Comments on accidental archaeological discovery apply across all three consents - the approach / conditions should be consistent

**Commented [WPDL244R243]:** Accepted in principle and subject to QLDC and ORC position/input can be actioned in a future update to conditions.

- 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 Ngāi Tahu (through Te Ao Mārama Office: [office@tami.maori.nz](mailto:office@tami.maori.nz)) 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 ORC 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

**Commented [Author245]:** Is it intended that the maintenance of the trap requires reconsenting every 6 years

**Commented [WPDL246R245]:** Separate condition relating to consent expiry added - see Condition 22A in 23 January and 29 January updates to Condition (s55 Document 26)

**Deleted:** Otago Regional Council

*Management Act 1991 until a decision is made on the replacement application (and any appeals are determined).*

DRAFT