

**CONDITIONS OF THE QUEENSTOWN LAKES DISTRICT COUNCIL LANDUSE CONSENT**

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**ABBREVIATIONS**

FTCA            COVID-19 Recovery (Fast-track Consenting) Act 2020

Nominees      Party or parties nominated by SSL

QLDC           Queenstown Lakes District Council

RMA            Resource Management Act 1991

SSL             Silverlight Studios Limited

## **CONDITIONS OF THE QUEENSTOWN LAKES DISTRICT COUNCIL LANDUSE CONSENT**

### **General Conditions**

1. This consent authorises Silverlight Studios Limited (SSL) to undertake construction of accommodation units within the buildings located within the Venice, Paris and New York precincts of the Silverlight Studios site (the Project).
2. Except as modified by the conditions below and subject to the final design and accompanying plans, the works authorised by this consent must be undertaken substantially in accordance with the following information provided in:
  - a. the application document titled “Silverlight Studios – Accomodaton, Fast Track Resource Consent Application” dated 29 October 2021;
  - b. the following appendices to that application document:
    - i) 3 to 5;
    - ii) 10 and 11; and
  - c. appendices 7 to 12 and 15, 17 and 18 that were attached to the application documents for FTC00027; and
  - d. The plans and documents listed in Appendix 1 of this consent.
3. In conditions of this consent “substantially in accordance with” does not include changes in the overall bulk and form of any of the proposed buildings, including their height, location and setback from boundaries, for which an application under section 127 of the RMA would be required. Minor amendments to the design and external appearance of the buildings may be approved upon request to the Queenstown Lakes District Council, (QLDC) providing any amendments demonstrate that:
  - a. The outcome is not materially different than;
  - b. Any adverse effects will be no greater than; and
  - c. No person would be adversely affected beyond
4. Where there is an inconsistency between the documents listed in Condition 2 and the consent conditions, the consent conditions prevail.
5. Unless required otherwise by conditions of this consent, the construction of buildings within the Venice, Paris and New York precincts must be undertaken in accordance with the conditions of the consent granted for FTC000027 including but not limited to all conditions relating to project staging and engineering acceptance, hours of operation, lighting, signage, construction and operational noise, archaeology, transportation and landscaping.
6. All costs associated with this consent, including QLDC monitoring costs fixed in accordance with section 36(1) of the Resource Management Act 1991 (RMA) and any finalised, additional charges under section 36(3) of the RMA must be met by the consent holder.
7. Prior to the occupation of any accommodation units within the Venice, Paris or New York precincts, the consent holder, in consultation with the Queenstown Airport Corporation as manager of the Wanaka Airport, must develop a complaints procedure for responding to any complaints relating to aircraft noise from operations at Wanaka Airport.

~~The buildings within which the accommodation is provided shall be constructed in accordance with the conditions of FTC000027 (including all engineering requirements) and the accommodation shall be provided in general accordance with the application dated XX/XX/XX [date to be inserted] and the development must be undertaken/carried out in accordance with the plans:~~

~~and the application as submitted, with the exception of the amendments required by the following conditions of consent.~~

### **Exercise of Consent**

8. ~~This consent can only shall not be exercised by SSL or a party or parties which SLL nominates (Nominees) in writing by deed to receive the benefit of this consent (and such nomination can include the right for such Nominees to make such further nominations). SLL and the Nominees (if any) must give QLDC 10 working days written notice of any such nominations before the date on which the nominations are to become effective.~~

9. ~~Except for SLL and the Nominees (if any), this consent must not be used by any party (including any landowner) as the permitted baseline for any form of development on the Project site for which a further resource consent is required.~~

~~and no work or activity associated with it may be commenced or continued until the following charges have been paid in full: all charges fixed in accordance with section 36(1) of the Resource Management Act 1991 and any finalised, additional charges under section 36(3) of the Act.~~

~~The consent holder is liable for costs associated with the monitoring of this resource consent under section 35 of the Act.~~

### **Lapsing**

10. ~~In accordance with Clause 37(7) of Schedule 6 of the COVID-19 Recovery (Fast-track Consenting) Act 2020 (FTCA) this consent will lapse 2 years after the date of the commencement of this consent unless it is given effect to prior to that date.~~

~~This consent shall lapse unless given effect to within ten years from the date of consent.~~

### **General Requirements**

11. ~~Upon commencement of this consent the consent holder must provide written notice to the QLDC's Manager of Resource Management Engineering advising who their representative is (the Engineer for the Development) for the design and execution of the engineering and construction works authorised by this consent and confirming that the representative will be responsible for all aspects of the works authorised by this consent. Should the appointed representative change during the exercise of this consent the consent holder must promptly provide written notice to the QLDC's Manager of Resource Management Engineering accordingly. The representative must meet the requirements of Sections 1.7 and 1.8 of the QLDC's Land Development and Subdivision Code of Practice.~~

12. ~~At least 15 working days prior to commencement of the construction of accommodation units within the Venice, Paris or New York precincts, the consent holder must arrange and conduct a pre-commencement meeting that:~~

- a. ~~Is located on the site;~~
- b. ~~Includes an invitation submitted no later than five working days prior to the meeting to QLDC representatives;~~
- c. ~~Includes consent holder representatives; and~~
- d. ~~Includes representation from the lead contractor(s) with overall responsibility for the authorised works.~~

### **Accommodation Unit Ownership and Occupation**

~~No accommodation unit shall be occupied for a continuous period of more than 90 nights except where the occupants are engaged in film or television productions or film school activities in which case the length of stay shall not be limited.~~

13. The accommodation units shall be held in one ownership and shall not be subdivided into individual units or otherwise made available for individual ownership or occupancy (e.g. individual leasehold).

14. The accommodation units within buildings located in the Venice, Paris or New York precincts must only be made available to people employed in construction and use of the FTC000027 Project site for:
  - a. film or television productions and ancillary support activities; and
  - b. educational and training activities ancillary to Condition 14(a) activities.

### **Building Conditions**

15. ~~The provision of accommodation units development may must be staged phased in accordance with the staging phasing set out in Condition 53 of the land use consent for the application and FTC000027 including the flexibility in terms of the order of phased development of the precincts. Specifically phases of the accommodation units may be combined or overlap and may be completed in any order that the consent holder sees fit provided all relevant conditions of consent (including conditions of FTC000027) are complied with.~~
16. Notwithstanding Condition 15, the order of providing accommodation units within the Venice, Paris or New York precincts may be combined or overlap provided all relevant conditions of consent (including conditions of FTC000027) are complied with.
17. The consent holder must install solar electricity generation panels (photovoltaics) that are capable of generating at least 1.1 MW of electricity on the Sound Stage buildings Alpha to Echo authorised under land use consent FTC000027.
18. Prior to the provision of accommodation units in any buildings within the Venice, Paris or New York precincts final site plans and floor plans shall must be submitted to Council QLDC's Manager of Resource Management Engineering and shall that show the position and extents of the accommodation units within the each precinct and each building (noting that FTC000027 provides some flexibility in terms of final precinct layout and building design) and the number and configuration of apartments units within each precinct and building.
19. On the completion of works for each stage of providing accommodation units within the Venice, Paris or New York precincts the consent holder must, where relevant to the stage being completed, complete and submit to the QLDC the following:
  - a. 'As-built' plans and information required to detail all engineering works completed in relation to the relevant accommodation unit stage. This information must be formatted in accordance with QLDC's 'as-built' standards and must include all roads, water, wastewater and stormwater reticulation;
  - b. Completion Certificates from the personnel appointed pursuant to Condition 11 and the site contractor(s) for all engineering works completed in relation to or in association with the relevant accommodation unit stage. The certificates must be in the format of a Producer Statement, or the QLDC's Land Development and Subdivision Code of Practice Schedule 1B and 1C Certificate.

### **Transportation**

20. The Travel Management Plan required under Conditions 127 and 128 of the land use consent for FTC000027 must be updated prior to the occupation of any accommodation units within the Venice, Paris or New York precincts to take into account the transportation needs of people to be accommodated in those units, including personnel undertaking the activities listed in Condition 14.
21. The consent holder must provide on-site bicycle storage and electric vehicle charging facilities (including charging facilities for at least 50 electric bicycles).

### **Noise and Accommodation Unit Sound Insulation**

22. Prior to uplifting building consent for accommodation units within buildings located in the Venice, Paris or New York precincts, the consent holder must engage a suitably qualified and experienced person to prepare a report that specifies:
  - a. The appropriate level of sound insulation for each building containing accommodation units, including in relation to aircraft noise from operations at Wanaka Airport that the accommodation units achieve an Indoor Design Sound Level of 40dB Ldn within any critical listening environment (as defined in the QLDC District Plan); and
  - b. How the specified level of sound insulation will be achieved.
23. The report required under Condition 22 must be submitted to the QLDC for certification within 5 working days of its receipt by the consent holder.
24. Any measures required to achieve the specified level of sound insulation shall be at the cost of the consent holder.
25. No large-scale on-site social functions, including those that may have amplified music and the consumption of alcohol, are to be undertaken within the light and dark pink areas shown on the plan labelled SI – RC - 09 and titled “Proposed Mitigation Measures for the Roberts Property, prepared by Anne Steven, Registered Landscape Architect, Wanaka, October 2021 that is included as Appendix 2 to the land use consent for FTC000027.
26. Prior to uplifting building consent for accommodation units within buildings located in the Venice, Paris or New York precincts the consent holder must engage a suitably qualified and experienced practitioner to review and amend Noise Management Plan (NMP) required under Condition 143 of the land use consent for FTC000027 to address and appropriately mitigate any potential adverse noise effects that might arise from large-scale on-site social functions, including those that may have amplified music and the consumption of alcohol.
27. The amended NMP must thereafter be resubmitted to the QLDC for certification in conformance with conditions 30 and 31 of the land use consent for FTC000027.

~~Prior to uplifting building consent for any phase of the accommodation, a report shall be prepared and submitted to Council by a suitably qualified person that identifies any noise producing or noise sensitive buildings covered by the building consent application and any such building nearby. The report shall identify:~~

- ~~• The appropriate level of sound insulation for each building; and~~
- ~~• How the specified level of sound insulation will be achieved.~~
- ~~• How mechanical plant shall be specified and mitigated to ensure that cumulative noise from the site due to all fixed/permanent noise sources will comply with the applicable District Plan noise standards.~~

### **Review**

28. The QLDC may review any or all conditions of this consent by giving notice of its intention to do so in accordance with section 128 of the RMA, at:
  - a. monthly intervals following the date of commencement of construction of accommodation units within buildings located in the Venice, Paris or New York precincts;
  - b. annually once construction of accommodation units within buildings located in the Venice, Paris or New York precincts are completed; and
  - c. any time to deal with any unforeseen adverse effects on the environment (including adverse effects arising from the use of accommodation units within buildings located in the Venice, Paris or New York precincts), which may arise from the exercise of this consent, and which it is appropriate to deal with at a later date.

**Advice Notes:**

1. *This development triggers a requirement for Development Contributions. For further information, please contact the DCN Officer at the QLDC.*

Advice Notes

- ~~1. This development triggers a requirement for Development Contributions, please see the attached information sheet for more details on when a development contribution is triggered and when it is payable. For further information, please contact the DCN Officer at Council.~~
- ~~2. The construction of buildings and the wider development must be undertaken in accordance with the conditions of FTC000027 including but not limited to all conditions relating to engineering matters, lighting, signage, noise and landscaping.~~

## **Appendix 1: Plans and documents to be complied with**

### **Overall Location and Site Layout Plan**

- a. 'Existing Overall Site & Location Plan' ref: SI-RC-01 prepared by Tilt Architecture and dated 30/06/21
- b. 'Proposed Site Layout Plan' ref: SI-RC-03 prepared by Tilt Architecture and dated 30/06/21

### **Venice Plans**

- a. 'Proposed Site Plan' ref: VE-RC-01 prepared by Tilt Architecture and dated 29/06/21
- b. 'Proposed Ground Floor Plan' ref: VE-RC-02 Revision A prepared by Tilt Architecture and dated 13/07/21
- c. 'Proposed First Floor Plan' ref: VE-RC-03 Revision A prepared by Tilt Architecture and dated 13/07/21
- d. 'Proposed Second Floor Plan' ref: VE-RC-04 Revision A prepared by Tilt Architecture and dated 13/07/21
- e. 'Proposed Sections' ref: VE-RC-05 Revision A prepared by Tilt Architecture and dated 29/06/21
- f. 'Proposed Exterior Elevations' ref: VE-RC-06 prepared by Tilt Architecture and dated 29/06/21  
'Proposed Exterior Perspectives' ref: VE-RC-07 prepared by Tilt Architecture and dated 29/06/21
- g. 'Proposed Typical Facade Elevations' ref: VE-RC-08 prepared by Tilt Architecture and dated 29/06/21
- h. 'Indicative Venice Facade References' ref: VE-RC-09 prepared by Tilt Architecture and dated 29/06/21
- i. 'Indicative Colours and Materials References' ref: VE-RC-10 prepared by Tilt Architecture and dated 29/06/21
- j. 'Proposed Schedules' ref: VE-RC-11 Revision A prepared by Tilt Architecture and dated 13/07/21

### **Paris Plans**

- a. 'Proposed Site Plan' ref: PA-RC-01 prepared by Tilt Architecture and dated 29/06/21
- b. 'Proposed Ground Floor Plan - West' ref: PA-RC-02 Revision A prepared by Tilt Architecture and dated 07/07/21
- c. 'Proposed Ground Floor Plan - East' ref: PA-RC-03 Revision A prepared by Tilt Architecture and dated 07/07/21
- d. 'Proposed First Floor Plan - West' ref: PA-RC-04 Revision A prepared by Tilt Architecture and dated 29/06/21
- e. 'Proposed First Floor Plan - East' ref: PA-RC-05 Revision A prepared by Tilt Architecture and dated 30/06/21
- f. 'Proposed Second Floor Plan - West' ref: PA-RC-06 Revision A prepared by Tilt Architecture and dated 30/06/21
- g. 'Proposed Second Floor Plan - East' ref: PA-RC-07 Revision A prepared by Tilt Architecture and dated 30/06/21
- h. 'Proposed Sections' ref: PA-RC-08 Revision A prepared by Tilt Architecture and dated 29/06/21
- i. 'Proposed Exterior Elevations' ref: PA-RC-09 prepared by Tilt Architecture and

dated 29/06/21

- j. 'Proposed Exterior Perspectives - From SW' ref: PA-RC-10 prepared by Tilt Architecture and dated 29/06/21
- k. 'Proposed Exterior Perspectives - From NW' ref: PA-RC-11 prepared by Tilt Architecture and dated 29/06/21
- l. 'Proposed Typical Facade Elevation' ref: PA-RC-12 prepared by Tilt Architecture and dated 29/06/21
- m. 'Indicative Paris Facade References' ref: PA-RC-13 prepared by Tilt Architecture and dated 29/06/21
- n. 'Indicative Colours and Materials References' ref: PA-RC-14 prepared by Tilt Architecture and dated 29/06/21
- o. 'Proposed Schedules' ref: PA-RC-15 Revision A prepared by Tilt Architecture and dated 29/06/21

### **New York Plans**

- a. 'Proposed Site Plan North' ref: NY-RC-01 prepared by Tilt Architecture and dated 29/06/21
- b. 'Proposed Site Plan South' ref: NY-RC-02 prepared by Tilt Architecture and dated 29/06/21
- c. 'Proposed Basement Floor Plan North' ref: NY-RC-03 prepared by Tilt Architecture and dated 29/06/21
- d. 'Proposed Ground Floor Plan North' ref: NY-RC-04 Revision A prepared by Tilt Architecture and dated 29/06/21
- e. 'Proposed Ground Floor Plan South' ref: NY-RC-05 Revision A prepared by Tilt Architecture and dated 29/06/21
- f. 'Proposed First Floor Plan North' ref: NY-RC-06 Revision A prepared by Tilt Architecture and dated 29/06/21
- g. 'Proposed First Floor Plan South' ref: NY-RC-07 Revision A prepared by Tilt Architecture and dated 29/06/21
- h. 'Proposed Second Floor Plan North' ref: NY-RC-08 Revision A prepared by Tilt Architecture and dated 29/06/21
- i. 'Proposed Second Floor Plan South' ref: NY-RC-09 Revision A prepared by Tilt Architecture and dated 29/06/21
- j. 'Proposed Sections' ref: NY-RC-10 Revision A prepared by Tilt Architecture and dated 29/06/21
- k. 'Proposed Exterior Elevations' ref: NY-RC-11 prepared by Tilt Architecture and dated 29/06/21
- l. 'Proposed Exterior Perspectives' ref: NY-RC-12 prepared by Tilt Architecture and dated 29/06/21
- m. 'Proposed Typical Facade Elevation' ref: NY-RC-13 prepared by Tilt Architecture and dated 29/06/21
- n. 'Indicative New York Facade References' ref: NY-RC-14 prepared by Tilt Architecture and dated 29/06/21
- o. 'Indicative Colours and Materials References' ref: NY-RC-15 prepared by Tilt Architecture and dated 29/06/21
- p. 'Proposed Schedules' ref: NY-RC-16 Revision A prepared by Tilt Architecture

and dated 29/06/21

~~stamped as approved on [insert date] 2021~~

## CONDITIONS OF THE OTAGO REGIONAL COUNCIL LANDUSE AND DISCHARGE PERMIT

### Consent to Undertake Residential Earthworks

Consent is granted to:

Name: Silverlight Studios Ltd

Address: 707 Wanaka - Luggate Highway

To undertake: The use of land and the associated discharge of sediment into water or onto or into land where it may enter water, for earthworks for residential development.

For the purpose of: Undertaking construction of accommodation units within the buildings located within the Venice, Paris and New York precincts of the Silverlight Studios site.

For a duration of 15 years with an expiry date of 4 February 2037.

Location of consent activity: Approximately 1.145km north of the intersection of State Highway 6 and Ballantyne Road

Legal description of the consent location: Section 67 Block IV Lower Wanaka Survey District on Record of Title OT14C/457

### General Conditions

#### Approved plans

1. Except as modified by the conditions below and subject to the final design and accompanying plans, the works authorised by this consent must be undertaken substantially in accordance with the following information provided in:
  - a. the application document titled "Silverlight Studios – Accomodaton, Fast Track Resource Consent Application" dated 29 October 2021;
  - b. the following appendices to that application document:
    - iii) 3 to 5;
    - iv) 10 and 11; and
  - c. appendices 7 to 12 and 15, 17 and 18 that were attached to the application documents for FTC00027; and
  - d. The plans and documents listed in Appendix 1 of this consent..
2. Where there is an inconsistency between the documents listed in Condition 1 and these consent conditions, the consent conditions prevail.

#### Consent Lapse

3. Pursuant to Schedule 6 Clause 37(7) of the COVID-19 Recovery (Fast-track Consenting) Act 2020 this consent shall lapse 2 years after the date of commencement unless given effect to prior to this date.

#### Erosion and Sediment Control

**Advice Note:** *Conditions relating to erosion and sediment control are contained in the land use consent for FTC000027. Those conditions have not been duplicated in these consent conditions. The Erosion and Sediment Control Plan (ESCP) required under FTC000027 is to be certified by the Otago Reginal Council (ORC) and the Queenstown Lakes District Council.*

**Review**

4. The ORC may review any or all conditions of this consent by giving notice of its intention to do so in accordance with section 128 of the RMA; at monthly intervals following the date of commencement of construction of accommodation units within buildings located in the Venice, Paris or New York precincts; to deal with any unforeseen adverse effects on the environment which may arise from the exercise of this consent and which it is appropriate to deal with at a later date.