

Wānaka-Upper Clutha Community Board

7 August 2025

Report for Agenda Item | Rīpoata moto e Rāraki take [1]

Department: Planning & Development

Title | Taitara: Licence to Occupy – 68 Ardmore Street (LO250020)

Purpose of the Report | Te Take mō te Pūroko

The purpose of this report is to consider granting a Licence to Occupy (LTO) Road Reserve to enable the applicant to erect scaffolding to facilitate essential maintenance works on an existing veranda of a building.

Recommendation | Kā Tūtohuka

That the Wānaka-Upper Clutha Community Board:

1. **Note** the contents of this report;
2. **Grant** a Licence to Occupy Ardmore Street road reserve to enable Breen Construction Company to erect scaffolding 500mm wide by 14700mm long outside 68 Ardmore Street, to facilitate essential maintenance works on an existing veranda of a building for three weeks, subject to the following conditions:
 - a. The licence shall remain at Council's pleasure;
 - b. It is the responsibility of the applicant to ensure that all works on the road reserve comply with both the Building Act 2004, and the Resource Management Act 1991. Resource and building consents are to be obtained prior to works commencing, if required;
 - c. Prior to works commencing, a Corridor Access Request must be approved, which includes a Traffic Management Plan;
 - d. All activities are to be undertaken in accordance with the Health and Safety at Work Act 2015;
 - e. Any works within the road reserve are to be undertaken to the specification and approval of Council's engineers;
 - f. All services, including three waters, phone, power, and gas within the road reserve must be identified prior to any works being undertaken on the road reserve. There

shall be no damage to Council infrastructure nor shall access to the road reserve by Council be fettered before, during, or after works are completed. Council reserves the right to charge a reasonable rate for any damage done to infrastructure;

- g. Prior to works commencing, photographic evidence is to be supplied to adam.geekie@qldc.govt.nz of the pre-existing condition of the area to be occupied, and then again once the reinstatement is complete;
- h. The applicant is liable for any damages and/or reinstatement of Council's or any other persons property that may arise from the proposed activity (i.e. reinstatement of footpaths etc). If photographic evidence is not provided, any damage to the area following occupation shall be remedied by the LTO holder;
- i. In the event that Council requires access to any Council services in or in close proximity to the agreed location (including responding to a failure of the main), Council will not be liable for damage to, or reinstatement of the scaffolding;
- j. Structures and/or occupation must not compromise roading or services maintenance activities;
- k. All scaffolding must be appropriately installed and secured by a suitable qualified and experienced professional to ensure the stability in high wind and extreme weather events;
- l. The licence area is not to be used for parking or as a construction material storage or staging area at any time;
- m. Ongoing maintenance of the structures and/or occupation are to be the responsibility of the Licensee;
- n. Pedestrian access is maintained to a safe usable standard for all users;
- o. Minor changes to the LTO timeframes can be at the discretion of and can be endorsed by the Manager of Development Engineering;
- p. The licence holder must communicate with the surrounding businesses to address any concerns raised regarding any impact that occurs during the occupation and term of the licence;
- q. The occupation is not to negatively impact on the nearest pedestrian crossing on Ardmore Street;
- r. Pedestrian management must always be in place; and

3. **Authorise** this report and resolution to be made available to the public as part of the next CE's report to Council.

Prepared by:



Name: Adam Geekie

Title: Licence to Occupy and
Temporary Road Closure
Administrator
29 May 2025


Reviewed by:



Name: Craig Hughes

Title: Team Leader Acceptance,
Development Engineering
3 June 2025

Approved by:



Name: Dave Wallace

Title: General Manager
Planning and Development
4 July 2025

Context | Horopaki

1. Breen Construction Company (herein referred to as the “the applicant”) have applied for a LTO road reserve outside 68 Ardmore Street, Wānaka.
2. The purpose of the occupation is to allow the applicant to erect scaffolding to facilitate essential maintenance works on the existing veranda of the building.
3. The scaffolding will provide necessary edge protection for the applicant to safely carry out the works mentioned above.
4. The scaffolding dimensions are 14.7m long by 0.5m wide with an offset of 150mm from the fascia.
5. This structure will partially occupy the pedestrian footpath, reducing the walkable area to a clearly defined and maintained 1.5m wide pedestrian lane along a length of the proposed occupation.
6. Access to all retail tenancies underneath will remain open and unobstructed throughout the duration of the works. Access will be maintained to Monley Lane during this period.
7. There will be a slight disruption during the erection and dismantling of the scaffolding, which will take a day for the works. During this time, a Traffic Management Plan will be used to safely re-direct any foot traffic.
8. To ensure public safety, the scaffolding will be fully scrimmed and regularly inspected. Appropriate signage and pedestrian management measures will be in place for the duration of the occupation, in line with Queenstown Lakes District Council standards and Health and Safety at Work Act 2015 obligations.

Analysis and Advice | Tatāritaka me kā Tohutohu

9. Council’s Temporary Use of Public Space for Construction Purposes Policy considers such applications and states that:
 - QLDC has a statutory duty to ensure the safe and efficient operation of the road network and outlines the requirements to have a LTO Road Reserve. The Policy states that a Licence is required for the use of a road, footpath or any other public space as a platform for offices, sheds, jumbo bins, mini skips and containers, any structure such as a hoarding or gantry and for any activity that will affect regular pedestrian and/or vehicle traffic flows;
 - The works require an approved Traffic Management Plan before any work commences;
 - The applicant is liable for any damages and/or reinstatement of Council’s or any other person’s property that may arise from the proposed activity (i.e. reinstatement of footpaths, road markings etc) and a bond may be taken for that purpose; and

- No work shall be carried out on an arterial road and the developer must make good any work in progress during certain times of the year such as Christmas and Easter holidays. Ardmore Street is deemed to be an arterial road; however, works are not to be undertaken during peak periods.

10. Council's officers have been consulted who have confirmed support for the proposal subject to the following;

- Road Corridor Engineer:
 - The proposed occupation must not negatively impact the nearest pedestrian crossing on Ardmore Street; and
 - Pedestrian management must always be in place.
- The following special conditions have been included due to the above internal stakeholder feedback/discussions:
 - Condition (q) states the nearest pedestrian crossing must not be negatively impacted by the occupation; and
 - Condition (r) states there must always be pedestrian management in place.

11. This report identifies and assesses the following reasonably practicable options for assessing the matter as required by section 77 of the Local Government Act 2002 (LGA).

12. Option 1 The Wānaka-Upper Clutha Community Board (WUCCB) grant the LTO Road Reserve application subject to the conditions proposed above.

Advantages:

- The applicant will be able to undertake the essential maintenance works needed on the existing veranda of the building.
- The proposed works can be undertaken in a safe and efficient manner.

Disadvantages:

- The road reserve will be encumbered with private infrastructure.
- There will be a reduction in usable footpath adjacent to the occupation.

13. Option 2 The WUCCB decline the LTO Road Reserve application.

Advantages:

- The road reserve will not be encumbered with private infrastructure.
- There will be no reduction in usable footpath outside 68 Ardmore Street.

Disadvantages:

- The applicant will need to find an alternative solution to undertake the essential maintenance works.
- The essential maintenance may not be able to be undertaken in a safe and efficient manner.

14. This report recommends **Option 1** for addressing the matter as the works can be undertaken and completed under terms and conditions deemed appropriate by Council's officers.

Consultation Process | Hātepe Matapaki

Significance and Engagement | Te Whakamahi I kā Whakaaro Hiraka

15. This matter is of medium significance, as determined by reference to the Council's Significance and Engagement Policy as it relates to Council's roading network which is identified as a significant asset.
16. The level of significance determines the level of compliance necessary with the decision making requirements in sections [76-78 of the LGA](#). A higher level of compliance must be achieved for a significant decision.
17. Adjacent businesses to the proposed occupation are identified as having an interest in this proposed occupation. The scaffold configuration, and the requirement for the applicant to communicate with surrounding businesses to address any concerns, is likely to address any issues or concerns they may have.
18. Council officers have been consulted about this application and their comments are contained within this report.

Māori Consultation | Iwi Rūnaka

19. The Council has not consulted with Māori regarding this application.

Risk and Mitigations | Kā Raru Tūpono me kā Whakamaurutaka

20. This matter relates to the Community & Wellbeing risk category. It is associated with RISK10021 Ineffective operations and maintenance of property or infrastructure assets within the QLDC Risk Register. This risk has been assessed as having a very high residual risk rating.
21. The approval of the recommended option will support the Council by allowing us to implement additional controls for this risk. This shall be achieved by the conditions imposed by the LTO.

Financial Implications | Kā Riteka ā-Pūtea

22. The applicant has paid a fee for their application to be processed which includes the preparation of the licence document if successful.
23. Should a legal review of the licence be required, Council's legal costs will be recovered from the applicant.

Council Effects and Views | Kā Whakaaweawe me kā Tirohaka a te Kaunihera

24. The following Council policies, strategies and bylaws were considered:
- Significance and Engagement Policy 2024 – providing clarity on Council's decision-making processes and assessing the extent to which individuals, organisations, groups and sectors in the community are affected by the Council's decisions;
 - 2024-34 Long Term Plan – the consideration to grant or otherwise a LTO is considered part of the Council's 'Regulatory Services' outlined in the Plan; and
 - Temporary Use of Public Space for Construction Purposes Policy (Adopted 2003) – the policy addresses use of public space for temporary construction purposes.
25. The recommended option is consistent with the principles set out in the named policies.
26. This matter is not included in the Long Term Plan/Annual Plan as the cost of the licence will be met by the applicant.

Local Government Act 2002 Purpose Provisions | Te Whakatureture 2002 o te Kāwanataka ā-Kiaka

27. Section 10 of the LGA 2002 states the purpose of local government is (a) to enable democratic local decision-making and action by, and on behalf of communities; and (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future. Adopting the recommendation will help meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of

regulatory functions in a way that is most cost-effective for households and businesses by allowing them to complete essential maintenance works at no risk to the community.

28. The recommended option:

- Is consistent with the Council's plans and policies; and
- Would not significantly alter the intended level of service provision for any significant activity undertaken by or on behalf of the Council or transfer the ownership or control of a strategic asset to or from the Council.

Attachments | Kā Tāpirihaka

A	Cover Letter
B	Plans & Photographs



THE BREEN CONSTRUCTION COMPANY LTD
Telephone (03) 440 0190 | Fax (03) 448 9314
56 Russell Street, P O Box 97, | Alexandra 9340

REF: 26434

**68 Ardmore Street
Wanaka
9305**

Date: 15/05/2025

Subject: LTO Application Cover Letter

To whom it may concern

I am writing to formally apply for a License to Occupy for a section of the footpath outside 68 Ardmore Street, Wanaka, for a period of approximately 2–3 weeks.

The purpose of this occupation is to erect scaffold to facilitate essential maintenance works on the existing veranda of the building.

The scaffold will provide necessary edge protection for our team to safely carry out the works above.

This structure will partially occupy the pedestrian footpath, reducing the walkable area to a clearly defined and maintained 1.5m-wide pedestrian lane along a length of approximately 14.5m. Access to all retail tenancies underneath will remain open and unobstructed throughout the duration of the works. Access will be maintained to Monley Lane during this period.

There will be slight disruption during the erection and dismantle of the scaffold which will take a day for the works. During this time a TMP will be used to safely re-direct any foot traffic.

To ensure public safety, the scaffold will be fully scrimmed and regularly inspected. Appropriate signage and pedestrian management measures will be in place for the duration of the occupation, in line with QLDC standards and Health & Safety at Work Act obligations.

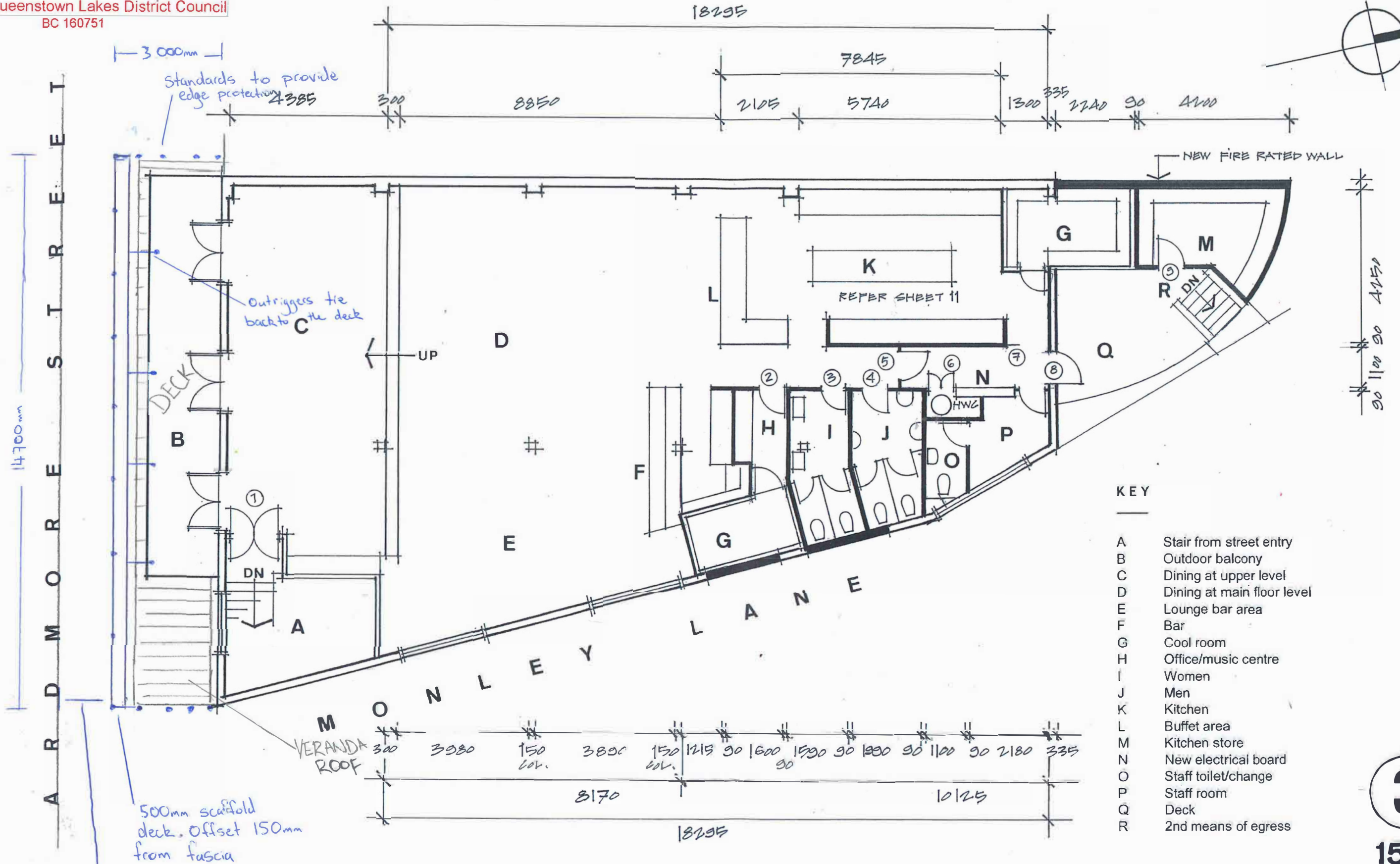
Please find attached the completed License to Occupy application form, a traffic/pedestrian management plan, and supporting site layout drawings for your review.

Should you require any further information or clarification, I would be happy to provide it. Thank you for your consideration of this application.

Yours sincerely,
Samuel Pendreigh
Project Manager
M: 021 243 0516
E: sam.pendreigh@breen.co.nz
The Breen Construction Company Ltd

APPROVED

Queenstown Lakes District Council
BC 160751



KEY

- A Stair from street entry
- B Outdoor balcony
- C Dining at upper level
- D Dining at main floor level
- E Lounge bar area
- F Bar
- G Cool room
- H Office/music centre
- I Women
- J Men
- K Kitchen
- L Buffet area
- M Kitchen store
- N New electrical board
- O Staff toilet/change
- P Staff room
- Q Deck
- R 2nd means of egress

3

1522

AMENDMENTS

1500mm pathway maintained between edge of scaffold & the curbs

CONTACT DETAILS

TEL (3) 684 7981
EMAIL admin@davidmcbride.co.nz
PO BOX 732 TIMARU 7940 NEW ZEALAND

STATUS

CONCEPT/DRAFT/FINAL

DATE OF ISSUE

18
20/05/2016

PROJECT

PROPOSED RESTAURANT
68 ARDMORE ST
WANAKA

DESCRIPTION

PROPOSED FLOOR PLAN
DIMENSIONED
SCALE 1:100 @ A3 SIZE



