

Wānaka-Upper Clutha Community Board

7 August 2025

Report for Agenda Item | Rīpoata moto e Rāraki take [3]

Department: Planning & Development

Title | Taitara: Licence to Occupy – 250 Riverbank Road (LO250017)

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 Orchard Road Water Bore Limited to maintain an existing and operative bore-fed private water supply as part of a resource consent application to create a new subdivision (RM250211).

Recommendation | Kā Tūtohuka

That the Wānaka-Upper Clutha Community Board:

1. **Note** the contents of this report;
2. **Grant** a Licence to Occupy 250 Riverbank Road road reserve to enable Sargood Developments Limited to formalise an existing and operative bore-fed private water supply pipeline to satisfy Engineering conditions as part of a resource consent application 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;
 - c. All activities are to be undertaken in accordance with the Health and Safety at Work Act 2015;
 - d. Any works within the road reserve to be undertaken to the specification and approval of Council's engineers;
 - e. Any reinstatement works within the road reserve, if required, are to be undertaken in accordance with the Council's Code of Practice and to the specification of Council's engineers;
 - f. 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);

- g. In the event that Council requires access to any Council services in or in close proximity to the agreed location, Council will not be liable for damage to, or reinstatement of the occupation;
 - h. Structures and/or occupation must not compromise roading or services maintenance activities;
 - i. Ongoing maintenance of the structures and/or occupation are to be the responsibility of the Licensee;
 - j. At the completion of the installation, Asbuilts are to be submitted to Engineeringapprovals@qldc.govt.nz in a format compatible with QLDC's GIS system;
 - k. At the time of the road construction, the applicant will need to ensure the depth of service is checked and aligns with the Code of Practice requirements and to the satisfaction of Council's Engineers; 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: Craig Hughes

Title: Team Leader Acceptance,
Development Engineering
15 July 2025

Reviewed by:



Name: Hayden Bed

Title: Manager Development
Engineering & Subdivision
16 July 2025

Approved by:



Name: Dave Wallace

Title: General Manager
Planning and Development
16 July 2025

Context | Horopaki

1. Orchard Road Water Bore Limited (herein referred to as the “the applicant”) have applied to formalise an existing and operative bore-fed private water supply pipeline to continue supply of water for properties neighbouring a resource consent application (RM250211) at 250 Riverbank Road, Wānaka.
2. Sargood Developments Limited is the applicant for a 104 lot subdivision under RM250211. The works to undertake this sub-division require modification to the Orchard Road Water Bore’s water supply line and subsequently results in the assets crossing newly formed and vested roads upon completion of the subdivision.
3. The water supply for RM250211 will be separately serviced by vested (on completion) QLDC water infrastructure.
4. As part of the resource consent application, the applicant has been advised to obtain a LTO road reserve for the existing private water infrastructure that will be crossing under roads that will be vested to Council once built.

Analysis and Advice | Tatāritaka me kā Tohutohu

5. Council’s officers have been consulted who have confirmed support for the proposal subject to the following:
 - Road Corridor Engineer:
 - At the time of road construction, the depth of service will need to be checked and aligned with the Code of Practice requirements; and
 - Asbuilts submitted to Council in a format that is compatible to QLDC’s GIS system.
 - The following special condition has been included due to the above internal stakeholder feedback / discussions:
 - Condition (k) states that the applicant will need to ensure the depth of service is checked and aligns with the Code of Practice requirements and to the satisfaction of Council’s Engineers; and
 - Condition (l) states at the completion of the installation, Asbuilts are to be submitted to Engineeringapprovals@qldc.govt.nz in a format compatible with QLDC’s GIS system.
6. 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).

7. 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 ensure the Orchard Road Water Bore Limited Water Supply can continue to be operational upon completion of the subdivision under RM250211.

Disadvantages:

- The road reserve will be encumbered with private infrastructure.
- If the private infrastructure fails, it could compromise the structural integrity of the road.

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

Advantages:

- The road reserve will not be encumbered with private infrastructure.

Disadvantages:

- The applicant will not be able to obtain resource consent in its current proposed form.

9. 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

10. 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.
11. 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.
12. There are no persons, other than the applicants, identified who are adversely affected by or would be significantly interested in this matter.
13. Council officers have been consulted about this application and their comments are contained within this report.

Māori Consultation | Iwi Rūnaka

14. The Council has not consulted Māori as part of this application.

Risk and Mitigations | Kā Raru Tūpono me kā Whakamaurutaka

15. 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.

16. 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

17. The applicant has paid a fee for their application to be processed which includes the preparation of the licence document if successful.

18. 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

19. 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; and
- 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.

20. The recommended option is consistent with the principles set out in the named policies.

21. 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

22. Section 10 of the LGA 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 the proposed subdivision at no risk to the community.

23. 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	Application and Supporting Documentation
---	--

Level 2, Brownston House
21 Brownston Street
Wanaka 9305
Ph: (03) 443 5577
Email: contact@southernland.co.nz

Nisha Dahal
Property and Infrastructure
Queenstown Lakes District Council
By email: Nisha Dahal (QLDC) Nisha.dahal@qldc.govt.nz

27 March 2025

Job Ref: A40138

Dear Nisha,

Riverbank Road Subdivision Development
Lots 6 & 7 DP300773
Licence to Occupy Cover Letter

As part of the proposed subdivision Lots 6 & 7 DP300773 (refer attached Scheme Plan) we request a License to Occupy (LTO) for 3 locations within the proposed new road network to be vested with QLDC. The LTO relates to an existing and operative bore-fed private water supply pipeline that currently supplies potable water to several adjacent dwellings.

The existing pipeline will cross proposed Road 3 in easement Area D, proposed Road 1 in easement Area K, and proposed Road 2 in easement Area T. Refer the attached scheme plan and LTO application supporting documents for locations and associated easement area dimensions.

Enclosed with this letter, please find the LTO application form and all necessary supporting documents. We kindly request your review and approval of this application. Should you require additional information or clarification, please contact the undersigned.

Yours sincerely
Southern Land



Luc Waite
Director
BSurv (hons) MS+SNZ CSNZ



LICENCE TO OCCUPY ROAD RESERVE



APPLICANT // Must be a person **or** legal entity (limited liability company or trust). Full names of all trustees required.

Applicant's full name:

OR:

Company / Trust:

Contact Person / All trustee names:



APPLICANT DETAILS // The **invoices** will be sent to this email address unless requested to be posted

Phone Numbers: Day

Mobile:

Email Address:

Postal Address:

Post code:



CORRESPONDENCE DETAILS // If different than above applicant details – E.g. consultant, agent or architect

Name & Company:

Phone Numbers: Day

Mobile:

Email Address:

Our preferred methods of corresponding with you are by **email** and **phone**.
The **decision** will be sent to the Correspondence Details via **email**.



Hereby request the consent of the Queenstown Lakes District Council to occupy Council land namely:

Name of Road Reserve:

Type of Activity include any RM or BC references (full details to be provided in cover letter):

Start Date:

Duration:

(Upon vesting of development roads)



Queenstown Lakes District Council
Private Bag 50072, Queenstown 9348
Gorge Road, Queenstown 9300

P: 03 441 0499
E: Engineeringapprovals@qldc.govt.nz
www.qldc.govt.nz



INFORMATION REQUIRED TO BE SUBMITTED



Application Form



Location Map showing site of proposal and Council land affected Photographs of



The site (where relevant)



Plans of the proposal (plans must be to scale)



Plans must clearly show measurements concerned with the proposal



Cover Letter advising details of application



Details of Assignment (Transfer) of Licence to Occupy including application reference if applicable

We prefer to receive applications **electronically**

All applications to be lodged to via our Community Portal or engineeringacceptance@qldc.govt.nz

Please ensure documents are scanned at a minimum resolution of 300dpi.

Each document should be no greater than 10MB



PRIVACY INFORMATION

The information you have provided on this form is required so that your application can be processed. The information and application documents will be stored on a public register and may be made available to the public on request or on the Council's websites.





FEES INFORMATION

An initial fee for processing this application will be charged at the time of lodgement in accordance with QLDC's fee schedule. This initial fee must accompany your application for processing to commence. If the initial fee is insufficient to cover the actual and reasonable costs of work undertaken on the application you will be required to pay any additional amount and will be invoiced monthly as work on the application continues. Please note that if the Applicant has outstanding fees owing to Council in respect of other applications, Council may choose to apply the initial fee to any outstanding balances in which case the initial fee for processing this application may be deemed not to have been paid.

Invoiced sums are payable by the 20th of the month after the work was undertaken. If unpaid, the processing of an application, provision of a service, or performance of a function will be suspended until the sum is paid. You may also be required to make an additional payment, or bring the account up to date, prior to milestones such as notification, setting a hearing date or releasing the decision. In particular, all charges related to processing of an application are payable **prior to issuing of the approval**. Payment is due on the 20th of the month or **prior to the issue date – whichever is earlier**.

LIABILITY FOR PAYMENT – Please note that by signing and lodging this application form you are acknowledging that the details in the invoicing section are responsible for payment of invoices and in addition will be liable to pay all costs and expenses of debt recovery and/or legal costs incurred by QLDC related to the enforcement of any debt.



PAYMENT // The initial fee must be paid

I confirm payment by:

☐

Bank transfer to account **02 0948 0002000 000** reference **LTO** (If paying from overseas swiftcode – BKNZNZ22)

☐

Invoice for initial fee requested and payment to follow

Reference

Initial Fee Required:

Fees as per Resource Consent & Engineering Fees & Other Charges

Date of Payment

APPLICATION & DECLARATION

The Council relies on the information contained in this application being complete and accurate. The Applicant must take all reasonable steps to ensure that it is complete and accurate and accepts responsibility for information in this application being so.

☐

If lodging this application as **the Applicant**:

I/we hereby represent and warrant that I am/we are aware of all of my/our obligations arising under this application including, in particular but without limitation, my/our obligation to pay all fees and administrative charges (including debt recovery and legal expenses) payable under this application as referred to the Fees Information section.

OR:

☐

If lodging this application as **agent of the Applicant**:

I/we hereby represent and warrant that I am/we are authorised to act as agent of the Applicant in respect of the completion and lodging of this application and that the Applicant/Agent whose details are in the invoicing section is aware of all of his/ her/its obligations arising under this application including, in particular but without limitation, his/her/ its obligation to pay all fees and administrative charges (including debt recovery and legal expenses) payable under this application as referred to the Fees Information section.

Signed (by or as authorised agent of the Applicant) **

Full name of person lodging this form

Firm/Company

Dated

***If this form is being completed on-line you will not be able, or required, to sign this form and the on-line lodgement will be treated as confirmation of your acknowledgement and acceptance of the above responsibilities and liabilities and that you have made the above representations, warranties and certification.*



Schedule of Easements in Gross			
Purpose	Shown	Burdened land	Grantee
Right of Way (pedestrian & cycle)	A	Lot 99	QLDC
Right of Way (pedestrian & cycle)	B, X & Y	Lot 73	QLDC
Right to convey water	J	Lot 21	Orchard Road Water Bore (2008) Limited
Right to convey water	L	Lot 81	Orchard Road Water Bore (2008) Limited
Right to convey water	M	Lot 83	Orchard Road Water Bore (2008) Limited
Right to convey water	N	Lot 84	Orchard Road Water Bore (2008) Limited
Right to convey water	O	Lot 85	Orchard Road Water Bore (2008) Limited
Right to convey water	P	Lot 86	Orchard Road Water Bore (2008) Limited
Right to convey water	Q	Lot 87	Orchard Road Water Bore (2008) Limited
Right to convey water	R	Lot 73	Orchard Road Water Bore (2008) Limited
Right to convey water	S	Lot 105	Orchard Road Water Bore (2008) Limited
Right to convey water	U	Lot 42	Orchard Road Water Bore (2008) Limited
Right to convey water	X	Lot 73	Orchard Road Water Bore (2008) Limited
Right to convey water	Z	Lot 21	Orchard Road Water Bore (2008) Limited

Memorandum of Easements			
Purpose	Shown	Burdened land	Benefited Land
Right of way	A	Lot 99 hereon	Lot 100 hereon
Right to convey water	J	Lot 21	Lots 8 & 9 DP 700337
Right to convey water	L	Lot 81	Lots 8 & 9 DP 700339
Right to convey water	M	Lot 83	Lots 8 & 9 DP 700340
Right to convey water	N	Lot 84	Lots 8 & 9 DP 700341
Right to convey water	O	Lot 85	Lots 8 & 9 DP 700342
Right to convey water	P	Lot 86	Lots 8 & 9 DP 700343
Right to convey water	Q	Lot 87	Lots 8 & 9 DP 700344
Right to convey water	R	Lot 73	Lots 8 & 9 DP 700345
Right to convey water	S	Lot 105	Lots 8 & 9 DP 700346
Right to convey water	U	Lot 42	Lots 8 & 9 DP 700348
Right to convey water	X	Lot 73	Lots 8 & 9 DP 700348
Right to convey water	Z	Lot 22	Lots 8 & 9 DP 700348

Schedule of Existing Easements			
Purpose	Shown	Burdened land	Document
Right to convey water	C	Lot 27 hereon	EI 12421760.3
Right to convey water	E	Lot 26 hereon	
Right to convey water	F	Lot 25 hereon	
Right to convey water	G	Lot 24 hereon	
Right to convey water	H	Lot 23 hereon	
Right to convey water	I	Lot 22 hereon	
Right to convey water	V	Lot 24 hereon	

Vesting Summary	
Lot 902	To vest in the QLDC as local purpose reserve (access & stormwater)
Lots 904, 905, 906	To vest in the QLDC as local purpose reserve (access)
Lot 903	To vest in the QLDC as local purpose reserve (wastewater)
Lot 900 & 901	To vest in the QLDC as road

Schedule of Existing Easements to be Surrendered			
Purpose	Shown	Burdened land	Document
Right to Convey Water	Part of X on DP 300773	Lot 6 DP300773	EI 12421760.3
Right to Drain Sewage	AA on Stage 1	Lot 1000 Stage 1	
Right to Convey Electricity	BB on Stage 1	Lot 1000 Stage 1	
Right of Way & Right to Convey Telecommunications	CC on Stage 1	Lot 1000 Stage 1	



Notes:

- Areas shown D, K & T subject to licence to occupy
- Existing Easements shown in green, new Easements shown in orange
- Boundary data sourced from DP 300773
- Abuttal data sourced from LINZ XML
- Absolute positional accuracy = +/- 0.03m
- The within Lot is subject to existing Land Covenants 12433493.1, 12921239.19, 13005302.7 & Consent Notice 5037521.3. These need to be checked as to how they affect proposed designs
- Levels in terms of NZVD16 (not mean sea level or DVD 1958). Height covenants should be checked and data translated if data is required in another datum
- Boundaries are indicative only and subject to final Land Transfer survey



COPYRIGHT©

This Drawing and parts thereof are copyright to Southern Land Ltd. and shall not be reused, copied or reproduced without the written permission of Southern Land Ltd.

Notes

Warning

This Plan has been prepared for the purpose of a resource consent application only. It is not a precise survey plan. As areas and dimensions are likely to vary upon survey it should not be attached to sale & purchase agreements without an appropriate condition to cover such variations.

Any person using Southern Land drawings and other data accepts the risk of:

- using the drawings and other data in electronic form without requesting and checking them for accuracy against the original hard copy versions or with Southern Land directly;
- ensuring the information is the most recent issue.

CAD and Production by



Level 2 Brownston House, 21 Brownston St, Wanaka
Ph: (03) 443 5577, Email: contact@southernland.co.nz
www.southernland.co.nz



APPLICANT

Sargood Developments Ltd

COMPRISED IN

3817

TERRITORIAL AUTHORITY

QLDC

LAND DISTRICT

Otago

TOTAL AREA

9.1512ha

DATE

08/01/2025

Drawing Title

Staging & Scheme Plan
Stage 2, 3, 4 & 5
Lots 1-105 and 900-906
Being a Proposed Subdivision of
Lots 6 & 7 DP 300773

Prepared for

Resource Consent

Plan Revisions

REV.	DESCRIPTION	DATE
A	For Information	07/11/2024
B	Easement Updates	20/12/2024
C	Boundaries and Easement tables updated	08/01/2025
D	Lot Boundaries Updated	18/03/2025

SCALE

1:1750 @ A3

DATUM & LEVEL

Lindis Peak 2000

LEVEL IN TERMS OF NZVD2016
ORIGIN: BOLT 1 DP 535926 RL=325.03m

DRAWING REFERENCE

A40138

SHEET

S8

REVISION

C

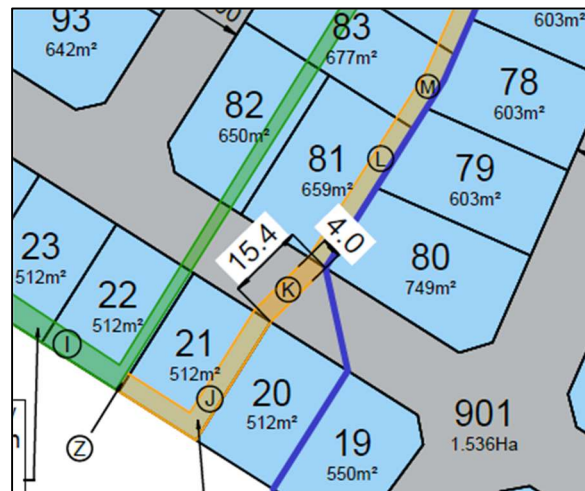
SURVEYED	DRAWN	CHECKED	APPROVED	DATE
CS	CJ	LW	LW	08/01/2025

Proposed Subdivision of Lot 6 DP300773 and Lot 7 DP300773

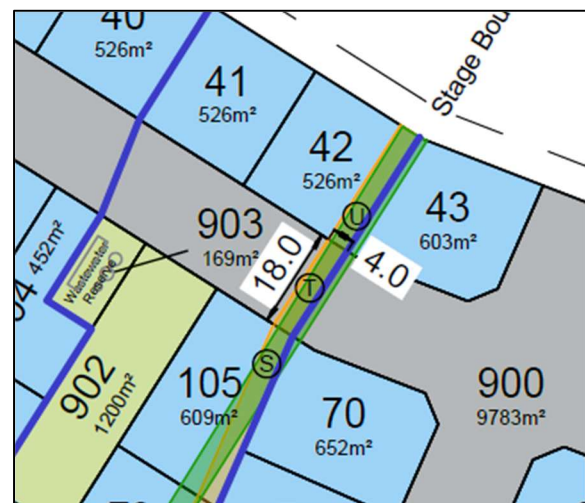
Dimensions of areas as referred to in License To Occupy application form



Area D on proposed Road 3



Area K on proposed Road 1



Area T on proposed Road 2

Orchard Road Water Bore (2008) Limited
52 Hunter Crescent
Wanaka 9305

7th July 2025

Queenstown Lakes District Council
Private Bag 50072
Queenstown 9348

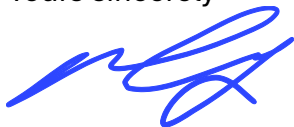
Re: LO250017

To whom it may concern

I act for Orchard Road Water Bore (2008) Limited. Orchard Road Water Bore (2008) Limited permits Sargood Developments Limited to lodge an application on our behalf through it's agent Southern Land Limited for the above License To Occupy.

Please address all correspondence relating to this application to Sargood Developments Limited c/- Southern Land Limited.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'ML', is written over the closing 'Yours sincerely'.

Matt Laming