

**Wānaka Community Board**  
**31 March 2022****Report for Agenda Item | Rīpoata moto e Rāraki take : 3****Department: Property & Infrastructure****Title | Taitara Licence to Occupy application for 2086 Cardrona Valley Road****PURPOSE OF THE REPORT | TE TAKE MŌ TE PŪRONGO**

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The purpose of this report is to consider granting a Licence to Occupy Road Reserve to enable Cardrona Valley WTP Ltd, to install water reticulation for the Cardrona Valley Water Treatment Plant within the Cardrona Valley Road Reserve.

**RECOMMENDATION | NGĀ TŪTOHUNGA**

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That the Wānaka Community Board;

1. **Notes** the contents of this report;
2. **Grants** a licence to occupy Cardrona Valley road reserve to enable Cardrona Valley WTP Ltd to install water reticulation for the Cardrona Valley Water treatment plant subject to the following conditions:
  - a. The licence shall remain at Council's pleasure.
  - b. The alternative water take shall be maintained and available for use in the event this licence is revoked.
  - c. Building, Resource Consent and Engineering Approvals to be obtained prior to works commencing if required.
  - d. Approval of a Traffic Management Plan (TMP) and Corridor Access Request (CAR) by Council Engineers before work commences.
  - e. All activities are to be undertaken in accordance with Worksafe New Zealand's standards for the work environment.
  - f. Any works within the road reserve to be undertaken to the specification and approval of Council's Engineers.
  - g. As-builts are to be submitted to [Engineeringapprovals@qldc.govt.nz](mailto:Engineeringapprovals@qldc.govt.nz) in a format compatible with QLDC's GIS system.
  - h. All services including three-waters, telecommunications, power and gas within the road reserve must be identified and catered for and no compromise shall be made to Council's infrastructure or access to same.
  - i. Any damage to the road reserve as a result of maintenance works or as a result of the infrastructure being in the road reserve (i.e. failures etc) to be resolved to the satisfaction of Council Engineers at the cost of the applicant.

- j. Ongoing maintenance of the infrastructure are to be the responsibility of the Licensee.
- k. The appropriate ORC permits are obtained for the water take from the Cardrona River, if required.
- l. If any Trees are required to be removed during the installation of the system the appropriate permits are to be obtained.
- m. The applicant consents to a Covenant in Gross being recorded against the title of Section 8 SO 459975 to ensure the recommended terms and conditions of the Licence continue in perpetuity for all future owners of the property. If Section 8 SO 459975 is further subdivided a management company shall be established to undertake managed maintenance of the private asset under the road reserve. All owners of any subdivided lots are required to be part of the management company and an application shall be made to reassign this licence to the management company.

Prepared by:



Brooke Allan  
Subdivision Officer

2/03/2022

Reviewed and Authorised by:



David Wallace  
Manager for Resource  
Management Engineering

16/03/2022

Approved by



Tony Avery  
GM, Planning and Development

16/03/2022

## CONTEXT | HOROPAKI

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- 1 Cardrona Valley WTP Ltd (hereafter referred to as the “the Applicant”) is constructing the Cardrona Valley Water Treatment Plant under RM191367.
- 2 The applicant proposes to install a water reticulation system for the water take from the Cardrona River to the treatment plant. The system will include two water mains (one for raw water and one for treated potable water) and related data and power cabling from Section 8 SO 459975 across the Cardrona Valley Road reserve and the unnamed legal road which joins to Tuohys Gully Road. The proposal also includes valve pit, pump station well, hydrant and control cabinet.
- 3 The resource consent requires an Engineering Acceptance to be submitted for approval which will include the design of all reticulation in relation to the treatment plant and will cover long section and trench profiles to ensure the system meets Council’s code of practice.

## ANALYSIS AND ADVICE | TATĀRITANGA ME NGĀ TOHUTOHU

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- 4 Resource consent has been approved for the water treatment plant which identifies one of the water sources being the Cardrona River which is situated on the southern side of the Cardrona Valley Road. Access to this water source from the treatment plant is not possible without crossing the road reserve.
- 5 The water treatment plant will provide an essential service to the residents of Cardrona Valley and will provide employment opportunities to the community both via the construction of the utility and every day running of the plant once completed.
- 6 Granting an LTO will benefit the community by encouraging further development within the district at no cost to the community.
- 7 Council’s Engineers have been consulted who have confirmed support for the proposal subject to the following:
  - a. As-builts are provided to be uploaded to Councils GIS system;
  - b. Any trees that are required to be removed must go through the required approval process;
  - c. Construction plans including long section & trench profiles are provided.
- 8 Option 1 The Board can grant the Licence to Occupy Road Reserve application subject to the conditions proposed above.

### *Advantages:*

- 9 The applicant can exercise their resource consent as planned
- 10 The community will benefit from additional utility services

*Disadvantages:*

11 No disadvantages identified.

12 Option 2 The Board can decline the Licence to Occupy Road Reserve application.

*Advantages:*

13 No advantages identified.

*Disadvantages:*

14 The applicant will be unable to exercise their resource consent as planned.

15 The water take may not be sufficient to run the plant and an alternative water source found.

16 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 engineers.

## CONSULTATION PROCESS | HĀTEPE MATAPAKI:

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### > SIGNIFICANCE AND ENGAGEMENT | TE WHAKAMAHI I KĀ WHAKAARO HIRAKA

17 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.

18 There are no persons, other than the applicants, identified who are adversely affected by or would be significantly interested in this matter.

19 Council Engineers have been consulted about this application and their comments are contained within this report.

## RISK AND MITIGATIONS | NGĀ RARU TŪPONO ME NGĀ WHAKAMAURUTANGA

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20 This matter relates to the Community & Wellbeing risk category. It is associated with RISK00009 within the QLDC Risk Register. This risk has been assessed as having a High inherent risk rating.

21 This matter relates to this risk because a property right contained in the road reserve does carry risk to Council for any future works. The risk has been mitigated by retaining the licence at Council's pleasure and adding condition that protects Council interests.

## FINANCIAL IMPLICATIONS | NGĀ RITENGA Ā-PŪTEA

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22 The Applicants have paid a fee for their application to be processed which includes the preparation of the licence document if successful.

- 23 Should legal review of the licence be required, Council’s legal costs will be recovered from the applicant.
- 24 Council’s legal costs to have the Licence recorded against the applicant’s title by a Covenant in Gross will be recovered from the applicant.

**COUNCIL EFFECTS AND VIEWS | NGĀ WHAKAAWEAWE ME NGĀ TIROHANGA A TE KAUNIHERA**

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- 25 The following Council policies, strategies and bylaws were considered:
  - a. *Significance and Engagement Policy 2014* – 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.
  - b. *Long Term Plan* – the consideration to grant or otherwise a Licence to Occupy is considered part of the Council’s ‘Regulatory Services’ outlined in the Plan.
- 26 The recommended option is consistent with the principles set out in the named policy/policies.
- 27 This matter is not included in the Ten Year 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-KĀIKA**

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- 28 Section 10 of the Local Government Act 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. The recommended course of action in this report is consistent with these objects by allowing the development of additional utility services to be constructed at no cost to the community.
- 29 The recommended option:
  - Is consistent with the Council's plans and policies; and
  - Would not alter significantly 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 | NGĀ TĀPIRIHANGA**

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A	Cardrona River Intake Layout
B	RM191367 – Resource Consent – available on request