

From: [Chair Scott](#)
To: [James Terlesk](#)
Subject: RE: Licence to Occupy 252 Kerrytown Road
Date: Thursday, 14 March 2024 10:27:43 am
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

Dear James

Regarding your communication to me on the Licence to Occupy, it was a suggestion from LINZ that this path was the one I should take.

I did make LINZ aware that my property was sold and I have been trying to address this for six years now so I am looking to expediate the issue.

May I respectfully request that we continue the licence process. We can then transfer, with your discretion, to the new owner. The new owner is insistent that I solve this issue as it is an overhang for him. Can we proceed with the licence and, before its granted, apply for consent to transfer to the new owner?

The consents that you refer to have been applied for and are on hold, due to my inability to solve the issue with you.

The consents are RMA based consents, based on our Water & Land Plan and sub regional plans.

I confirm in the first instance that the consents exist and follow the RMA process.

You will also receive separate advice from Aurora Grant, our Consents Planning Manager, regarding the status of my consents.

Thanks
Peter

From: James Terlesk <JTerlesk@linz.govt.nz>
Sent: Tuesday, March 12, 2024 1:50 PM
To: Chair Scott <Councillor.Scott@ecan.govt.nz>
Subject: RE: Licence to Occupy 252 Kerrytown Road

You don't often get email from jterlesk@linz.govt.nz. [Learn why this is important](#)

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Kia ora Peter

I am still working through your application for a Licence to Occupy and I have a few questions.

1. In your application form you have suggested that having a Licence to Occupy will facilitate full settlement of your property sale. Please note that in the terms for a Licence to Occupy with LINZ, a standard clause is “That the Licensee will not assign, sub-licence, mortgage, charge, grant any lien, or otherwise dispose or part with the possession of the whole or any part of the said Land without the prior written consent of the Licensor.”
2. You state that permission to occupy is “dependant on receiving a Land Use consent and an Farm Environment Plan from the Canterbury Regional Council” Can you please provide an update on whether land use consent has been applied for? LINZ land owner consent would not be granted without RMA land use consent and these applications can occur concurrently.

Considering the two questions above, do you wish to continue with your application or have the purchaser apply for a Licence to Occupy. In either instance we require evidence of application for RMA land use consent to progress.

Ngā mihi,

Jimmy Terlesk (he/him)

Mātanga Ture Kiritaki / Customer Regulatory Specialist – Land and Waterways
Crown Property

E JTerlesk@linz.govt.nz | DDI 04 8311687



Wellington Office, Level 7, Radio New Zealand House, 155 The Terrace
PO Box 5501, Wellington 6145, New Zealand
www.linz.govt.nz | data.linz.govt.nz

From: David Hunter <DHunter@linz.govt.nz>
Sent: Tuesday, January 9, 2024 10:08 AM
To: Chair Scott <Councillor.Scott@ecan.govt.nz>
Cc: James Terlesk <JTerlesk@linz.govt.nz>
Subject: RE: Licence to Occupy 252 Kerrytown Road

Morning Peter,

Thank you for sending this through, it has been received.

Jimmy (cc'd) will be reviewing your application and will let you know if anything further is needed. He is currently on leave and will be returning next week, if you require further detail in the meantime, please let me know.

Kind regards,

David Hunter

Senior Solution Delivery Specialist - Disposal Planning and Delivery

Land and Property Wellington

dhunter@linz.govt.nz | DDI 04 831 1668



Wellington Office, Level 7, Radio New Zealand House, 155 The Terrace
PO Box 5501, Wellington 6145, New Zealand
www.linz.govt.nz | data.linz.govt.nz



From: Chair Scott <Councillor.Scott@ecan.govt.nz>

Sent: Monday, January 8, 2024 5:07 PM

To: David Hunter <DHunter@linz.govt.nz>

Subject: Licence to Occupy 252 Kerrytown Road

David

Thanks for your email in December suggesting a solution for this on going issue that I have.

Please find attached my application for a licence to occupy this piece of land.

As I have indicated previously the property has been sold to Rooney Farms Ltd.

I will advise them that I have placed this licence application to you for a 10 year period in order to progress my issue.

I can not see that they will have a problem with that (?) as I have stated it is my responsibility to gain the 2 consents from The Canterbury Regional Council that are subject to LINZ

Allowing occupation of the land.

I look forward to hearing from you as to next steps.

Regards

Peter Scott

Chair Scott

Chair

Environment Canterbury

Environment Canterbury



0800 266 578

Councillors@ecan.govt.nz

PO Box 345, Christchurch 8140

ecan.govt.nz



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