

File Ref: A3440060

1 November 2018

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By Email: [s 9(2)(a)]

Dear David and Rosemary

NOTICE OF DECISION OF COMMISSIONER OF CROWN LANDS – LAKE TAYLOR PASTORAL LEASE – APPLICATION FOR CONSENT TO DISCRETIONARY ACTION – TO TOP DRESS AND OVER SOW

Further to your application dated 10 June 2018 for consent to undertake, top-dressing and oversowing on Area C in the lease of Lake Taylor Station, the Commissioner of Crown Lands has, in accordance with s18 and pursuant to s16(1)(c) and (d) Crown Pastoral Land Act 1998, made the following decision:

1(a) To **grant** consent to David and Rosemary Gunn to topdress and sow seed on Area C shown shaded in yellow on the attached plans subject to the following conditions:

- i) Ensure no fertiliser or seed are applied to the adjacent Sisters Stream.
- ii) Exclude the areas of flax to the west and the manuka stand to the east (shown outlined in brown on the attached plans).
- iii) Topdressing to be undertaken at 250kg sulphur super per hectare for initial application and then 150kg sulphur super per hectare very 2 years.
- iv) Only certified weed-free seed shall be used consisting of white and red clover, subterranean clover and cocksfoot.
- v) No seed or fertiliser to be applied within 50 metres of Old House Gully stream and 10 metres of any wetland.
- vi) Application to take place on calm days to minimise fertiliser and seed drifting onto adjoining areas.
- vii) Application operations to be undertaken by an experienced and appropriately qualified operator.
- viii) Written notice is to be provided to the Commissioner of Crown Lands that the activity has occurred within two weeks of the topdressing or sowing of seed.

1.(b) Term of Consent

Consent to undertake the initial activity shall remain valid for a term of 5 (five) years from the date of this decision with a right to carry out an ongoing maintenance programme of oversowing and topdressing in accordance with s.16(3)(b) & (c) of the CPLA if the activity is completed within the term.

1.(c) Reasons for decision: The Commissioner has determined that the activity has positive benefits for farming that will outweigh the minimal negative effects to inherent values of the land he wishes to protect. The conditions are considered appropriate to mitigate any risk to the inherent values.

Permission under other enactments still needed

Please note that under s.17 of the Crown Pastoral Land Act 1998 (CPLA) the above consent of the Commissioner does not authorise the activity to be undertaken without the required permission under any other enactment.

Right of rehearing

Under the provisions of section 17 of the Land Act 1948, the applicant has the right to apply for a rehearing of the Commissioner's decision. Section 17 provides that:

***s.17 Application for rehearing** - (1) Any person aggrieved by any decision of the Board or any determination of an administrative nature by the Board may, within 21 days after being notified of that decision or determination, apply to the Board for a rehearing, and the Board may, at any time within 1 month after receiving the application, grant a rehearing of the case if it thinks that justice requires it, and on the rehearing may reverse, alter, modify, or confirm the previous decision or determination in the same case:*

If you wish to apply for a rehearing, then an application must be submitted to this office within 21 days of receipt of this letter. The application should clearly state the grounds on which an application for a rehearing is made.

Yours faithfully



Jaimee Grant
Portfolio Manager

Discretionary Actions Aerial and Topographical Location Consent Plans

Released under the Official Information Act 1982