

File Ref: A3440476

1 November 2018

DC and RM Gunn  
Lake Taylor Station  
4205 Lake Sumner Road  
Hawarden 7385

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 UNDERTAKE FENCING INVOLVING SOIL DISTURBANCE**

Further to your application dated 10 June 2018 for consent to undertake fencing involving disturbance to the soil in the lease of Lake Taylor Station, the Commissioner of Crown Lands has, in accordance with s18 and pursuant to s16(1)(g) Crown Pastoral Land Act 1998 made the following decision:

**1.a.** To **grant** consent to David and Rosemary Gunn to disturb the soil by forming a track for fencing, and installing a fence around Area B shown as a pink dashed line on the attached plans subject to the following conditions:

- i) Soil disturbance to construct a track for fencing is to be conducted by use of machinery no larger than a 2 tonne bulldozer.
- ii) Soil disturbance and vegetation removal any ongoing maintenance is to be limited to a width of 3 metres.
- iii) No vegetation to be removed except along the 3 metre wide fence corridor.
- iv) Following construction any disturbed ground is to be sown using certified weed free pasture seed using species that are consistent with adjacent land.
- v) The lessee is required to employ a licensed cadastral surveyor to check the proposed fence lines prior to construction of any fencing to ensure fencing is not outside the Pastoral lease boundary including legal roads.
- vi) Written notice is to be provided to the Commissioner of Crown Lands that the activity has occurred within two weeks of the disturbance of soil for fencing.
- vii) All contractors and employees of the Lessee are to be informed of the conditions of this consent prior to commencing any activity.

**1.b.** To **grant** consent to David and Rosemary Gunn to disturb the soil by forming a track for fencing and installing a fence around Area C shown as a red dashed line on the attached plans subject to the following conditions:

- i) Soil disturbance to construct a track for fencing is to be conducted by use of machinery no larger than a 2 tonne bulldozer, and to be hand cut on steeper slopes at risk of erosion.
- ii) Soil disturbance and vegetation removal and any ongoing maintenance is to be limited to a width of 3 metres.
- ii) Do not remove mature patches of kanuka at the eastern end of the site and small shrub-flax areas in the western end of the area.
- iii) Following construction any disturbed ground is to be sown using certified weed free pasture seed using species that are consistent with adjacent land.
- iv) The lessee is required to employ a licensed cadastral surveyor to check the proposed fence lines prior to construction of any fencing to ensure fencing is not outside the Pastoral lease boundary including legal roads.
- v) Written notice is to be provided to the Commissioner of Crown Lands that the activity has occurred within two weeks of the disturbance of soil for fencing.
- vi) All contractors and employees of the Lessee are to be informed of the conditions of this consent prior to commencing any activity.

**1.c.** To **grant** consent to David and Rosemary Gunn to disturb the soil by forming a track for fencing and installing a fence around Area D shown as a purple dashed line on the attached plans subject to the following conditions:

- i) Soil disturbance to construct a track for fencing and to remove wheel ruts is to be conducted by use of a 2 tonne bulldozer and discer.
- ii) Soil disturbance and removal of vegetation is limited to the minimum require to carry out the proposed works
- iii) Soil disturbance may be up to 10 meters in width but any ongoing maintenance is to be limited to a width of 3 metres.
- iv) The lessee is required to employ a licensed cadastral surveyor to check the proposed fence lines prior to construction of any fencing to ensure fencing is not outside the Pastoral lease boundary including legal roads.
- v) Do not cut down any large matagouri plants (stems >10cm diameter).
- vi) Track to be hand cut through the Flax Stream.
- vii) Following construction any disturbed ground is to be sown using certified weed free pasture seed using species that are consistent with adjacent land.
- viii) Written notice is to be provided to the Commissioner of Crown Lands that the activity has occurred within two weeks of the disturbance of soil for fencing.
- ix) All contractors and employees of the Lessee are to be informed of the conditions of this consent prior to commencing any activity.

1.d 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 in accordance with s.16(3)(e) of the CPLA if the activity is completed within the term.

- 1.e Reasons for decision: The Commissioner has determined that the activity has positive benefits for farming that will outweigh any negative affects to inherent values of the land he wishes to protect. The conditions will mitigate any risk to the values that are present.

**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*