



# Standard for tenure review of Crown pastoral land under Part 2 of the Crown Pastoral Land Act 1998

LINZS45003

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## Terms and definitions

For the purposes of this standard, the following terms and definitions apply.

<b>Term/abbreviation</b>	<b>Definition</b>
CCL	Commissioner of Crown Lands
concession	as defined in s 2 of the CPLA
CPLA	Crown Pastoral Land Act 1998
Crown land	as defined in s 2 of the Land Act 1948
DGC	Director-General of Conservation
DOC	Department of Conservation
holder	as defined in s 2 of the CPLA
inherent value	as defined in s 2 of the CPLA
iwi authority	the authority which represents an iwi and which is recognised by that iwi as having authority to do so (as defined in s 2 of the Resource Management Act 1991)
LINZ	Land Information New Zealand
neighbouring	as defined in s 2 of the CPLA
operator	a person either employed or contracted by LINZ to carry out services in the tenure review process under Part 2 of the CPLA
pastoral land	as defined in s 2 of the CPLA
preliminary proposal	as defined in s 34 of the CPLA
reviewable instrument	as defined in s 2 of the CPLA
reviewable land	as defined in s 2 of the CPLA
significant inherent value	as defined in s 2 of the CPLA
substantive proposal	as defined in s 46 of the CPLA

## Foreword

### Introduction

The preamble to the Crown Pastoral Land Act 1998 (CPLA) states in part that it is:

An Act—

- (a) To establish a system for reviewing the tenure of Crown land held under certain perpetually renewable leases; ...

Tenure review is governed by Part 2 of the CPLA. The objects of that part are set out as follows:

(a) To—

- (i) Promote the management of reviewable land in a way that is ecologically sustainable;
- (ii) Subject to subparagraph (i), enable reviewable land capable of economic use to be freed from the management constraints (direct and indirect) resulting from its tenure under reviewable instrument; and

(b) To enable the protection of the significant inherent values of reviewable land—

- (i) By the creation of protective mechanisms; or (preferably)
- (ii) By the restoration of the land concerned to full Crown ownership and control; and

(c) Subject to paragraphs (a) and (b), to make easier—

- (i) The securing of public access to and enjoyment of reviewable land; and
- (ii) The freehold disposal of reviewable land.

The Commissioner of Crown Lands (CCL) needs complete and up-to-date information on land proposed for tenure review. It is essential that consultation under the CPLA is completed before the CCL makes any decisions in the tenure review process.

## Purpose of standard

The purpose of this standard is to ensure that Crown land held under a reviewable instrument is reviewed in a fair and transparent process that meets the requirements of the legislation.

## Superseded documents

This standard supersedes the following documents.

LINZ 2000, *Pre Tenure Review Assessment: Crown Pastoral Land Standard 6*, Office of the Chief Crown Property Officer, LINZ, Wellington

LINZ 2000, *Commencement of Tenure Review: Crown Pastoral Land Standard 7*, Office of the Chief Crown Property Officer, LINZ, Wellington

LINZ 2000, *Preliminary Proposal for Tenure Review: Crown Pastoral Land Standard 8*, Office of the Chief Crown Property Officer, LINZ, Wellington

LINZ 2000, *Substantive Proposal for Tenure Review: Crown Pastoral Land Standard 9*, Office of the Chief Crown Property Officer, LINZ, Wellington

LINZ 2000, *Implementation of Substantive Proposal for Tenure Review: Part Two Crown Pastoral Land Act: Crown Pastoral Land Standard 10*, Office of the Chief Crown Property Officer, LINZ, Wellington

## References

The following documents are necessary for the application of this standard.

- Crown Pastoral Land Act 1998
- Land Act 1948
- LINZ 2007, *LINZS45000: Standard to determine authority to act and record Crown land*, Property Regulatory Group, LINZ, Wellington

## 1 Scope

- (a) This standard sets out the information and consultation required to carry out a tenure review under Part 2 of the CPLA.
- (b) This standard does not provide requirements for the review of unrenovable occupation licences and unused Crown land under Part 3 of the CPLA.<sup>1</sup>
- (c) This standard does not provide information about identifying marginal strips under Part IVA of the Conservation Act 1987.

## 2 Intended application of standard

This standard is intended to be applied by operators when carrying out a tenure review under Part 2 of the CPLA.

## 3 Records

The operator must ensure that records of every tenure review are kept and are available for audit.

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<sup>1</sup> The requirements for the review of unrenovable occupation licences and unused Crown land under Part 3 of the CPLA are set out in *LINZS45004: Standard for review of unrenovable occupation licences and unused Crown land under Part 3 of the Crown Pastoral Land Act 1998*.



## 4 Invitation or agreement to undertake tenure review

### 4.1 Invitation to be in writing

The operator must ensure that any invitation from, or agreement with, the holder to undertake a tenure review is in writing and includes the following:

- (a) the pastoral lease name and number;
- (b) confirmation from the holder that they:
  - (i) invite the CCL to undertake a tenure review of all the land under the pastoral lease under s 27 of the CPLA, in the case of an invitation,
  - (ii) understand that the CCL is not obliged to undertake a tenure review, but will decide whether to undertake a review after consideration of the matters set out in s 32 of the CPLA, and
  - (iii) understand that the CCL may discontinue the tenure review in accordance with s 33 of the CPLA;
- (c) the full name and signature of each holder or their authorised representative, and a description of their authority to sign;
- (d) the date of signing; and
- (e) contact details, including telephone number, email, and address for service for:
  - (i) the holder,
  - (ii) the person or company authorised to act on the holder's behalf, and
  - (iii) the person to contact to provide access to the property.

### 4.2 Record of invitation or agreement

A full record of any invitation or agreement to undertake tenure review must be kept, including the date the invitation was received.

## 5 Decision to undertake tenure review

### 5.1 General information requirements

The operator must provide the information specified in Appendix A when the CCL is making a decision whether to undertake a tenure review, and update it as necessary during the tenure review process. Refer to paragraph 5.5.

### 5.2 Consultation

- (a) The operator must ensure that the consultation by the CCL with the Director-General of Conservation (DGC) and other parties under s 26 of the CPLA has been completed before the CCL makes a decision whether to undertake a tenure review.
- (b) The requirements for consultation during the tenure review process are set out in Appendix B.
- (c) Appendix C sets out guidelines about the meaning of consultation as it relates to the tenure review process.

### 5.3 Property inspection

If the operator considers that a property inspection is necessary, the inspection must be carried out only as authorised by the CCL.

### 5.4 Land status investigation

The operator must:

- (a) ensure that the land status investigation is current and meets the requirements of *LINZS45000: Standard to determine authority to act and record Crown land*, and
- (b) summarise and report on the land status to the CCL. Refer to Appendix A, Table 3, Field 10.

## 5.5 Report to Commissioner of Crown Lands

The operator must provide a report and recommendation to the CCL when seeking a decision on whether to undertake a tenure review, including:

- (a) the information specified in Appendix A,
- (b) confirmation that financial and other departmental resources are available to undertake the proposed tenure review,
- (c) reporting on the consultation carried out under s 26 of the CPLA (refer to Appendix B and paragraph 5.2),
- (d) details of any previous tenure review applications under the Land Act 1948 or CPLA for the same lease, and
- (e) a request for the CCL to approve consultation in paragraph (c), if the operator's recommendation is to undertake the tenure review.

## 5.6 Notification of decision

### 5.6.1 Advice to holder

When the CCL has decided whether a tenure review will be undertaken, and taken into account the matters set out in s 25 of the CPLA, the operator must advise the holder:

- (a) whether the tenure review will be undertaken, and
- (b) that, if the tenure review proceeds:
  - (i) either party can discontinue the review at any time under s 33 of the CPLA, and
  - (ii) if the holder ceases to be the holder before the tenure review is completed, the tenure review will be discontinued.

### 5.6.2 Advice to agencies

The operator must advise the Department of Conservation (DOC), and any other party authorised by the CCL, of the CCL's decision on whether to undertake a tenure review.

## 6 Inclusion of neighbouring land in tenure review

### 6.1 Request for inclusion

If there is a request for neighbouring land to be included in a tenure review, as provided for in ss 28 to 31 of the CPLA, the operator must obtain the CCL's approval before investigating the matter or consulting on it.<sup>2</sup>

### 6.2 Written agreements

Any written agreements made with the owner or holder of neighbouring land proposed to be included in a tenure review must include a condition that the CCL:

- (a) is under no obligation to include the neighbouring land in the tenure review, and
- (b) may discontinue the tenure review in accordance with s 33 of the CPLA.

### 6.3 Application to Commissioner of Crown Lands

When seeking a decision on whether to include neighbouring land in a tenure review, the operator must provide a report to the CCL that includes:

- (a) the information specified in paragraph 5.5, relating to the neighbouring land that is proposed to be included in the tenure review,
- (b) copies of all written agreements required by the CPLA, and
- (c) advice of what additional clearances, if any, are required for the neighbouring land.

### 6.4 Advice of decision

The operator must advise the holder, and the parties previously consulted on the tenure review, of the CCL's decision on whether to include the neighbouring land.

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<sup>2</sup> The CCL may decide to include neighbouring land at any stage of the tenure review process.

## 7 Review requirements

### 7.1 Information gathering

#### 7.1.1 Discussions with holder

- (a) Any discussions with the holder must be carried out only in accordance with the instructions of the CCL.
- (b) The operator must keep a full record of any discussion with the holder, and provide this record to the CCL if required.

#### 7.1.2 Property inspection

The operator must arrange with the holder for a property inspection if required by any party authorised by the CCL.

#### 7.1.3 Reports

If the CCL decides to undertake a tenure review, the operator must obtain information on the reviewable land, including:

- (a) reports on:
  - (i) the inherent values of the land and assessment of their significance,
  - (ii) the cultural values to iwi of the land,
  - (iii) the fish and game resources of the land,
- (b) recommendations for the proposal from the parties providing the reports specified in (a) above;
- (c) information on the current use of the land;
- (d) an assessment of:
  - (i) the known potential economic uses of the land,
  - (ii) the impact of those potential land uses on the inherent values, including natural resources such as soil and water, and
  - (iii) the likelihood of those potential land uses to promote the management of the land in a way that is ecologically sustainable; and
- (e) any other information from a party authorised by the CCL.

## 7.2 Information analysis

- (a) The operator must analyse the information gathered to ensure that it meets the requirements of the CCL for the purposes of the review.
- (b) If the analysis indicates that information is missing, the operator must:
  - (i) report to the CCL, identifying what information is missing and who must provide it, and
  - (ii) obtain the agreement of the CCL before obtaining the information.

## 8 Preliminary proposal

### 8.1 Draft preliminary proposal for consultation

The operator must prepare a draft preliminary proposal, and obtain the CCL's approval to consult on that proposal, before any consultation is carried out under s 26 of the CPLA. The draft preliminary proposal for consultation must:

- (a) set out the issues involved in the review in a way that facilitates consultation, including:
  - (i) an explanation of how the proposed designations meet the objects of Part 2 of the CPLA,
  - (ii) plans of the proposed designations for the land in the tenure review,
  - (iii) identification of options available for designating the land and the basis for those options, and
  - (iv) information on significant inherent values that would be protected as a result of any designation; and
- (b) be as complete as possible given the information available.

### 8.2 Consultation

- (a) The operator must ensure that consultation by the CCL with the DGC and other parties under s 26 of the CPLA has been completed before the CCL decides whether to put the preliminary proposal to the holder under s 34(1) of the CPLA.
- (b) The requirements for consultation during the tenure review process are set out in Appendix B.
- (c) Guidelines about the meaning of consultation as it relates to the tenure review process are set out in Appendix C.

### 8.3 Approval from Commissioner of Crown Lands

When seeking approval from the CCL to put the preliminary proposal to the holder, the operator must provide the CCL with the information specified in Table 1 below.

**Table 1: Information that must accompany preliminary proposal**

<b>Information required</b>
1. the preliminary proposal
2. a notice that meets the requirements of s 34(3) of the CPLA
3. a report on the preliminary proposal, including: <ul style="list-style-type: none"> <li>(a) the information required by Appendix A, in its most up-to-date form, along with a comment on any updates to that information,</li> <li>(b) a description of the proposed designations under s 35 of the CPLA, including the significant inherent values that will be protected as a result of the designation,</li> <li>(c) a plan of the proposed designations,</li> <li>(d) a statement about how the designations relate to the matters to be taken into account by the CCL under s 25 of the CPLA,</li> <li>(e) a statement about how the preliminary proposal meets the objects of Part 2 of the CPLA,</li> <li>(f) confirmation that financial and other departmental resources are available to put the preliminary proposal to the holder,</li> <li>(g) a statement identifying any provisions in the preliminary proposal that are specific to the tenure review,</li> <li>(h) a summary of the DGC's recommendations, from consultation under s 26 of the CPLA,</li> <li>(i) a summary of any recommendations from other parties, from consultation under s 26 of the CPLA,</li> <li>(j) information on any proposed concessions provided by the DGC under s 39 of the CPLA,</li> <li>(k) a copy of the notification to the DGC of a proposed disposition under Part IVA of the Conservation Act 1987, and</li> <li>(l) any other relevant information.</li> </ul>
4. a report on the financial negotiation and supporting information, including the relevant valuation
5. a copy of the report on consultation under Appendix B.2.3
6. a copy of any provisional consents obtained from the Minister of Conservation under s 41 of the CPLA
7. a copy of any other written consents that are required by the CPLA for proposed designations



## 8.4 Legal clearance

Before a preliminary proposal is put to the holder, the operator must obtain written legal clearance that the preliminary proposal documentation:

- (a) complies with all legal requirements, and
- (b) reflects the decision of the CCL to put the preliminary proposal under s 34 of the CPLA.

## 8.5 Put to holder before public notice and consultation with iwi

Before any public notice is published, or consultation with an iwi authority is carried out, the operator must ensure that the preliminary proposal has been put to the holder.

## 9 Public notice and iwi consultation

### 9.1 Content of public notice

When preparing and publishing a notice under s 43 of the CPLA, the operator must ensure that notice also includes details of any proposed concessions.

### 9.2 Provision of notice

The operator must ensure that the following parties receive a copy of the public notice and the preliminary proposal:

- (a) the parties consulted under s 26 of the CPLA, and
- (b) the iwi authority, when consulting with them under s 44 of the CPLA.

### 9.3 Report to Minister of Conservation

- (a) The operator must provide the summary and statements required by s 45 of the CPLA to the CCL for approval to provide to the Minister of Conservation.
- (b) The summary and statements in (a) must be prepared separately from and before any consultation is carried out on whether to put the substantive proposal to the holder.

## 10 Substantive proposal

### 10.1 Consultation

- (a) The operator must ensure that the consultation by the CCL with the DGC and other parties under s 26 of the CPLA, and with the iwi authority under s 44 of the CPLA, has been completed before the CCL makes a decision whether to put the substantive proposal to the holder.
- (b) The requirements for consultation during the tenure review process are set out in Appendix B.
- (c) Guidelines about the meaning of consultation as it relates to the tenure review process are set out in Appendix C.
- (d) The operator must ensure that all parties consulted are provided with all relevant information including a copy of:
  - (i) the preliminary proposal,
  - (ii) all matters raised by the iwi authority under s 44 of the CPLA, and
  - (iii) all written submissions made by the public on the preliminary proposal under s 43 of the CPLA.

### 10.2 Report to Commissioner of Crown Lands

When seeking approval from the CCL to put the substantive proposal to the holder, the operator must provide the CCL with the information specified in Table 2 below.

**Table 2: Information that must accompany substantive proposal**

<b>Information required</b>
1. the proposed substantive proposal
2. a notice that meets the requirements of s 46(4) of the CPLA
3. a report on the substantive proposal, including: <ul style="list-style-type: none"><li>(a) the information required by Appendix A, in its most up-to-date form, along with a comment on any updates to that information,</li><li>(b) a description of the proposed designations under s 35 of the CPLA, including the significant inherent values that will be protected as a result of the designation,</li><li>(c) a plan of the proposed designations,</li><li>(d) a statement about how the designations relate to the matters to be taken into account by the CCL under s 84 of the CPLA,</li><li>(e) a statement about how the substantive proposal meets the objects of Part 2 of the CPLA,</li><li>(f) confirmation that all uncompleted actions identified in the preliminary proposal have been resolved,</li><li>(g) confirmation that financial and departmental resources are available to put the substantive proposal to the holder and implement it,</li><li>(h) a statement identifying any provisions in the substantive proposal that are specific to the tenure review,</li><li>(i) a summary of the DGC's recommendations, from consultation under s 26 of the CPLA,</li><li>(j) a summary of any recommendations from other parties, from consultation under s 26 of the CPLA, and</li><li>(k) any other relevant information.</li></ul>
4. a report on the financial negotiation and supporting information, including the relevant valuation
5. a copy of the report on consultation under Appendix B.2.3
6. evidence that all matters raised by the iwi authority consulted under s 44 of the CPLA were considered during the consultation on putting the substantive proposal to the holder
7. evidence that all written submissions raised by the public under s 43 of the CPLA were considered during the consultation on putting the substantive proposal to the holder
8. evidence that s 45 of the CPLA has been complied with

<b>Information required</b>
9. a copy of any consents obtained from the Minister of Conservation under s 48 of the CPLA
10. a copy of any other written consents that are required by the CPLA

## 10.3 Legal clearance

Before the substantive proposal is put to the holder, the operator must obtain written legal clearance that the substantive proposal documentation:

- (a) complies with all legal requirements, and
- (b) reflects the decision of the CCL to put the proposal to the holder under s 46 of the CPLA.

## 10.4 Putting the substantive proposal to the holder

The operator must ensure that the substantive proposal has been put to the holder and the date the holder received it has been recorded.

## 10.5 Acceptance

### 10.5.1 Conditions must be met

The operator must advise the CCL where the conditions and timeframe for acceptance of the substantive proposal by the holder, specified in s 60 of the CPLA, are not met.

### 10.5.2 Timeframe

The operator must provide the CCL with the draft notice of acceptance of the proposal, specified in s 61 of the CPLA, as soon as possible after receiving written acceptance of the proposal by the holder.

### 10.5.3 Registration

The operator must advise the CCL that the written notice of acceptance of the proposal has been registered under s 61(2) of the CPLA.

## 10.6 Implementation

The operator must ensure that all actions required to implement the substantive proposal, in terms of the CPLA and under the terms and conditions of the substantive proposal, are completed.

## Appendix A: General information requirements

The operator must provide the information specified in Table 3 when the CCL is making a decision whether to undertake a tenure review, and update it as necessary during the tenure review process.

**Table 3: General information required for tenure review**

<b>Field number and description</b>	<b>Information required</b>
1. Details of the land	<p>The information in this field must be provided for each type of land under review.</p> <ul style="list-style-type: none"> <li>(a) name of property</li> <li>(b) location</li> <li>(c) legal description</li> <li>(d) area of property</li> <li>(e) name of holder</li> <li>(f) type of tenure</li> <li>(g) term of lease</li> <li>(h) annual rent</li> <li>(i) rental value</li> <li>(j) date of next rent review</li> <li>(k) computer interest register identifier and registered lease number</li> <li>(l) registered interests. List each current registered interest in the land, encumbrance and memorial on the lease and summarise their effects.</li> <li>(m) unregistered interests. List each current unregistered encumbrance or interest in the land, and summarise its effects.</li> <li>(n) recreation permits under the Land Act 1948.</li> </ul>
2. Details of the holder	<p>Contact details, ie name, telephone, email, and address for service for the:</p> <ul style="list-style-type: none"> <li>(a) holder,</li> <li>(b) person or company authorised to act on the holder's behalf, and</li> <li>(c) person to contact for access to the property.</li> </ul>

<b>Field number and description</b>	<b>Information required</b>
3. File search	<p>(a) Record:</p> <ul style="list-style-type: none"> <li>(i) file and database references,</li> <li>(ii) folio numbers, and</li> <li>(iii) date of relevant folios.</li> </ul> <p>(b) Identify any:</p> <ul style="list-style-type: none"> <li>(i) folios relating to uncompleted actions,</li> <li>(ii) agreements with other parties,</li> <li>(iii) surrender agreements,</li> <li>(iv) current discretionary action consents</li> <li>(v) authorised or unauthorised occupations,</li> <li>(vi) Land Valuation Tribunal action,</li> <li>(vii) other matter that may relate to an uncompleted action, potential liability, or any other matter that may affect the ability of the CCL to undertake a tenure review.</li> </ul>
4. Summary of lease document	<p>(a) Terms of lease. Include commencement date and limits on the number of stock. Note any difference between registered computer register and lease file records. List and summarise the terms of any variations and renewals of the lease, noting whether they are registered or not.</p> <p>(b) Area adjustments. List any discrepancies in the area recorded in the lease arising from registered or unregistered area adjustments.</p>
5. Compliance with conditions	Summarise any known breaches of the terms and conditions of the lease agreement.
6. Information on the administration of the lease	Provide any information on the administration of the lease that may affect the conduct of the tenure review process, including the status of any rent review process that has commenced during the tenure review.



<b>Field number and description</b>	<b>Information required</b>
7. Economic uses	<p>(a) State existing type of operation, eg breeding, finishing, or store.</p> <p>(b) Briefly describe stocking or grazing system, especially on areas where inherent values are likely to be high.</p> <p>(c) State current carrying capacity of the whole enterprise; stock units, and production. Apportion between the pastoral lease, occupation licence, and freehold land, if applicable.</p> <p>(d) Comment on potential for other economic uses.</p>
8. Government programmes and studies	List any current and historic government programmes or studies that apply to the land. Examples include soil and water conservation plans, and rabbit and land management plans.
9. Public access and recreation uses	Identify any current uses or informal arrangements for public access and recreation uses.
10. Land status	Report on the land status, in accordance with <i>LINZS45000: Standard to determine authority to act and record Crown land</i> .
11. Review of topographic and cadastral data	<p>Identify such features as:</p> <p>(a) telecommunications facilities,</p> <p>(b) historic places,</p> <p>(c) discrepancies between fenced and legal boundaries, and</p> <p>(d) formed and unformed legal roads and any deviations.</p>
12. Neighbouring Crown and conservation land	Identify all neighbouring Crown and conservation land.
13. Uncompleted actions or potential liabilities	List all statutory, legal, contractual, or administrative actions by the CCL, lessee, or any other party, identified as uncompleted from the file search and land status investigation, and any other matters that could affect the ability of the CCL to complete a review.

## Appendix B: Requirements to fulfil consultation under sections 26(3)(b) and (c) of the Crown Pastoral Land Act 1998

### B.1 Statutory framework

When deciding on the method of consultation, whom to consult, and the timing of the consultation, the CCL is obliged to meet the requirements of the CPLA.

### B.2 Consultation

#### B.2.1 Before consultation

Before beginning consultation on putting a preliminary proposal and substantive proposal to the holder, as required by s 26(3)(b) and (c) of the CPLA, the operator must provide to the CCL:

- (a) a list of those parties who should be consulted,
- (b) what each party will be consulted on, and
- (c) copies of the information to be released to the parties to be consulted.

#### B.2.2 During consultation

During consultation, the operator must:

- (a) ensure that each person has the proper authority to represent the party being consulted;
- (b) provide relevant information about the tenure review to the parties being consulted and:
  - (i) advise them of what stage the tenure review process is at, eg 'preliminary proposal', or 'substantive proposal',
  - (ii) advise them of what they are being consulted on,
  - (iii) request their input, and
  - (iv) advise that all matters raised that are able to be considered under the CPLA will be taken into account by the CCL, who may wish to consult further under the CPLA;
- (c) provide the parties being consulted with reasonable time to respond; and
- (d) keep a full record of all responses, including who they are from and when they were made.

### **B.2.3 After consultation**

After consultation, the operator must:

- (a) analyse the responses, including:
  - (i) determining if each response can be considered under the CPLA, and provide reasons,
  - (ii) evaluating each response that can be considered under the CPLA against the objects of Part 2 of that Act; and
- (b) report to the CCL on the outcome of the consultation, providing copies of all written submissions and reports of other responses received during the consultation.

## Appendix C: Guide to consultation

### C.1 General

- (a) When consulting during the tenure review process as required by s 26 of the CPLA, consultation must be undertaken properly and recorded. The records of consultation provide evidence that the proper process was followed.
- (b) Proper consultation is important for robust results. From the viewpoint of the CCL, correct consultation makes decision-making easier, and establishes good practice.
- (c) There are many comments in case law about what constitutes good consultation. The operator should be familiar with the latest case law in this area.

### C.2 Consultation methods

Consultation may be carried out by:

- (a) inviting written submissions, and
- (b) holding discussions with the DGC or other persons to be consulted and hearing what they have to say.

### C.3 How to consult properly

To consult properly, the operator should:

- (a) keep an open mind on the outcome. This means that the proposal must be consulted on before it is finalised, the operator should be prepared to alter the proposal, and the result should not be nor appear to be determined prior to the consultation;
- (b) ensure that parties to be consulted have all the relevant information. This means that the information provided should be at the correct level of detail for those being consulted, enabling them to make an informed response;
- (d) provide those being consulted with adequate time to respond. The time given and any extensions provided should be recorded;
- (e) seek the opinion of all persons consulted;
- (f) provide feedback to all participants in the consultation, both during the consultation process and after the decision has been made;
- (g) keep full and accurate records of the consultation. The records of meetings should show:
  - (i) who was present and their interest,
  - (ii) the time and location of the meeting,
  - (iii) the issues raised and any responses,
  - (iv) which options were considered,
  - (v) any areas of consensus,

- (vi) what actions are outstanding, and
- (vii) summary notes of the meeting which should:
  - (A) be confirmed as accurate by all participants, and
  - (B) provide someone who was not present at any of the discussions with a full understanding of what was discussed.