Application for consent to clear drains

You need written consent to clear drains (except where it is a permitted pastoral activity[[1]](#footnote-2)) on a Crown pastoral lease.

A drain is an artificial and constructed waterway or subsurface drainage structure that starts and drains water from predominantly flat land. ‘Draining’ means causing water to be drawn off land gradually or completely, where this is not part of ongoing maintenance of previously consented drainage works. If you want to crop, cultivate, drain, or plough, you will need to complete the [discretionary pastoral activity application form](https://www.linz.govt.nz/guidance/crown-property/using-crown-property/leases-and-licences/discretionary-pastoral-activities) to crop, cultivate, drain, or plough.

To apply for consent to clear drains, complete this form.

You must provide enough information to allow the Commissioner of Crown Lands (the Commissioner) to decide on your application. To avoid delays, we recommend providing as much information as possible. We will contact you if more information is required, or if we need to seek information from other sources. If we cannot get sufficient information, your application may be declined.

At a minimum, please check you have provided:

* your details
* details about the property
* details about your proposed activity
* details about your proposed activity’s location, including a map
* a description of any potential effects of the proposed activity on inherent values (see the [Inherent values framework](https://www.linz.govt.nz/resources/guide/inherent-values-framework))

The Commissioner may consider other matters they consider relevant to the application.

As part of processing your application, your form and supporting information may be shared with other parties. More information on this process can be found at the back of this form.

If you have any questions about what is required, email your Portfolio Manager or [pastoral@linz.govt.nz](mailto:pastoral@linz.govt.nz)

Please send your completed form and any supporting information to your Portfolio Manager. If you do not know who your Portfolio Manager is, send it to [pastoral@linz.govt.nz](mailto:pastoral@linz.govt.nz)

You can also send it by post to:

Pastoral team

Toitū Te Whenua Land Information New Zealand

Private Bag 4721

Christchurch 8140

Further information on the consenting process can be found at the back of this form. We recommend you read this section carefully before submitting your application.

Your details

Your full name

|  |
| --- |
| Click or tap here to enter text. |

The registered lessee or licensee’s name

|  |
| --- |
| Click or tap here to enter text. |

Your relationship to the lease or licence, for example, ‘lessee’ or ‘farm manager’

|  |
| --- |
| Click or tap here to enter text. |

Your phone number Your email address

|  |  |
| --- | --- |
| Click or tap here to enter text. | Click or tap here to enter text. |

Property details

Name of the lease or licence

|  |
| --- |
| Click or tap here to enter text. |

Address

|  |
| --- |
| Click or tap here to enter text. |

Other applications that have been submitted with this form

|  |
| --- |
| Click or tap here to enter text. |

Authorisation

By signing this form, you confirm that:

* you have the authority to make this application,
* you acknowledge that this application may be shared, and
* this application is accurate and complete to the best of your knowledge.

Signature Date

|  |  |
| --- | --- |
|  | Click or tap here to enter text. |

Details of the proposed activity

Describe the activity or activities you are proposing. Include detailed information on site preparations such as levelling or spraying and the method(s) you will use for the drain clearing, stabilising, or maintenance that you’re proposing.

Note any third-party involvement and detail your post-activity management plan describing how you will manage the area after the activity. If you have a farm plan relevant to your proposal, you may wish to attach relevant sections to the back of this form to support your application.

|  |
| --- |
| Click or tap here to enter text. |

Activity specifications

|  |  |
| --- | --- |
| How you will minimise and contain the mobilisation of sediment, and / or bank disturbance? | Click or tap here to enter text. |
| How will you minimise any damage to riparian vegetation when undertaking the works? | Click or tap here to enter text. |

Current nature of the waterways or drains

|  |  |
| --- | --- |
| Range of width of watercourse(s) | Click or tap here to enter text. |
| Approximate maximum depth of water | Click or tap here to enter text. |
| Bed material (e.g., rocky, sandy, silty) | Click or tap here to enter text. |
| Flows (estimates of minimum and maximum, litres/second or cubic metres/second) | Click or tap here to enter text. |
| Water colour/clarity | Click or tap here to enter text. |
| Bank material (e.g., weathered rock, clay) | Click or tap here to enter text. |
| Bank vegetation | Click or tap here to enter text. |
| Stability of stream banks (obvious signs of erosion) | Click or tap here to enter text. |
| Fish and invertebrate life (inc. native species) | Click or tap here to enter text. |
| Bank slope (e.g.,1 metre vertically: 2 metres horizontally) | Click or tap here to enter text. |
| Catchment characteristics (e.g., steep, forested catchment, easy pastoral catchment) | Click or tap here to enter text. |
| What is the catchment area upstream of the proposed location for the works, if known? | Click or tap here to enter text. |

Will there be associated works?

If yes, explain those works. For example, construction of a bridge or culvert. Note any associated applications you have submitted.

|  |
| --- |
| Click or tap here to enter text. |

Do you want to maintain your drains on an ongoing basis?

If yes, explain the ongoing programme.

|  |
| --- |
| Click or tap here to enter text. |

Site details

Describe the site(s) where you propose to clear, stabilise, or maintain drains. Include information on the land (for example contour, aspect, and altitude), vegetation and ground cover, and any waterway crossings at the site(s).

|  |
| --- |
| Click or tap here to enter text. |

Include a map with your application that shows where you want to clear, stabilise, or maintain drains in relation to:

* roads and tracks
* lease/licence boundaries
* neighbouring properties
* watercourses
* wetlands
* existing structures and buildings
* historic sites
* inherent values
* identified sites of cultural significance
* other relevant features of the surrounding environment

Your map can be a detailed sketch, plan, topographic map, or aerial photograph. You can request a topographic map from your Portfolio Manager or [pastoral@linz.govt.nz](mailto:pastoral@linz.govt.nz).

Do you need any resource consents or permits?

Describe any resources consents or permits you need to undertake the activity. Note whether you have already obtained these consents or permits or explain your plan or the process required to obtain them.

|  |
| --- |
| Click or tap here to enter text. |

Is the activity necessary?

Explain why this activity is [necessary](https://www.legislation.govt.nz/act/public/1998/0065/latest/whole.html#LMS787295). Things we will consider include whether it is needed to:

* enable pastoral farming under the lease or licence,
* continue a regular cycle to maintain existing pasture created by oversowing, top-dressing, or cultivation,
* provide access to land that’s being oversown or top-dressed for livestock grazing,
* use, maintain, or replace consented existing infrastructure or buildings,
* help you meet your obligations under any other law,
* ensure the ongoing financial viability of the pastoral farming enterprise, or
* address an exceptional circumstance.

|  |
| --- |
| Click or tap here to enter text. |

Inherent values

*See further information on inherent values at the back of this form.*

Describe the inherent values that are likely to be affected by the proposed activity. How important are these values?

|  |
| --- |
| Click or tap here to enter text. |

What effects could the proposed activity have?

Describe any adverse effects (including any cross-boundary effects) the proposed activity may have on the site’s inherent values. Explain the projected level of impact of these effects on these values.

|  |
| --- |
| Click or tap here to enter text. |

Describe any adverse cross-boundary effects the proposed activity may have on neighbouring persons or land.

|  |
| --- |
| Click or tap here to enter text. |

How will you mitigate these adverse effects?

Describe what you will do to help prevent, remedy, or reduce any adverse effects of the activity described above. Include safeguards and contingency plans where relevant. Once these actions have been taken, what will the remaining effects be?

|  |
| --- |
| Click or tap here to enter text. |

Have you considered alternatives to the activity?

Describe the alternative activities you’ve considered that would have less impact on inherent values. Explain why you have not pursued these alternatives.

|  |
| --- |
| Click or tap here to enter text. |

Is there any other relevant information that we should consider with your application?

For example, any further context for the activity that you would like to share.

|  |
| --- |
| Click or tap here to enter text. |

Further information

We will process your application as quickly as possible. The time it takes will be affected by how much information you have provided, the complexity of the proposed activity, and the values at the site the activity is proposed for.

The Commissioner must consult with the Director-General of Conservation and iwi with interests in the area before deciding on your application. This is to identify any inherent values at the site and their relative importance. It may include a site visit. Please advise us if there is sensitive information in your application that you would like withheld from these parties under the Official Information Act 1982 or Privacy Act 2020.

If your request is granted, you must read your consent terms carefully. The Commissioner may require you to undertake maintenance if your application is approved. The Commissioner may monitor whether the conditions set out in your permit are complied with.

If you do not provide sufficient information to be able to assess your application, your application may be declined and a Notice of Decision will be sent which explains the reason(s) for that decision. If the Commissioner declines to accept your application and you do not agree with the Commissioner’s decision, you may request a rehearing. To request a rehearing, you must advise the Commissioner in writing within 21 calendar days. You can send your request for a rehearing to your Portfolio Manager.

Natural resources and inherent values

This form asks you about the natural resources of the land, and the inherent values of those resources. [Inherent values](https://www.linz.govt.nz/resources/guide/inherent-values-framework) are a natural resource’s ecological, landscape, cultural, heritage, or scientific values. Natural resources include any:

* plants and animals
* air, water, or soil in which plants or animals may live
* landscape and landforms
* geological features
* ecosystems

Other things to be aware of when making this application

A summary of most decisions made by the Commissioner will be published on the Toitū Te Whenua Land Information New Zealand website. Please advise us if there is sensitive information in your application that you would like withheld from publication under the Official Information Act 1982 or Privacy Act 2020.

The Commissioner must consider Crown Pastoral Land Act 1998 [outcomes](https://www.legislation.govt.nz/act/public/1998/0065/latest/whole.html#DLM426989) and [criteria](https://www.legislation.govt.nz/act/public/1998/0065/latest/whole.html#DLM426995) when making a decision. You may wish to reference these in your application.

Key documents

We have created guides to [help you navigate changes to the Crown Pastoral Land Act 1998](https://www.linz.govt.nz/guidance/crown-property/using-crown-property/leases-and-licences/discretionary-pastoral-activities/helping-you-navigate-changes-cpla).

You can apply for permission for other activities by completing the correct [application form](https://www.linz.govt.nz/guidance/crown-property/using-crown-property/leases-and-licences/discretionary-pastoral-activities).

1. You do not need consent to maintain existing drains, water races, or culverts. [↑](#footnote-ref-2)