Request to retain an existing exemption from a stock limitation with the transfer of a lease

Each pastoral lease has a limit on the number and class of stock that can be grazed on the land. This limitation is referred to as the ‘stock limitation’. You can find details about this in your lease agreement. The stock limitation reflects the capacity for grazing on the lease without any further development taking place.

If you want to run more stock, or make a change to the balance between the classes of stock you carry on the lease which would result in the limit being exceeded, you will need to apply for an exemption. These can be granted to allow leaseholders to carry numbers and classes of stock that differ from what is specified in the lease.

A stock exemption is personal to a lessee or licensee.Itexpires when that person ceases to hold the lease or licence.

However, when a lease is transferred, the Commissioner of Crown Lands (the Commissioner) may grant a stock exemption to the prospective transferee if the conditions of the stock exemption provide for stock numbers and types equal to, or lower than, the previous holder’s exemption. In these cases, a shorter application form can be used.

If you want to:

* grant or vary an exemption from a stock limitation that provides for stock numbers and types equal to or lower than the current exemption, complete this form. Make sure you attach your completed form to your application to transfer a lease.
* grant or vary an exemption from a stock limitation that provides for stock numbers and types above the current exemption, you will need to complete the [application form](https://www.linz.govt.nz/guidance/crown-property/using-crown-property/leases-and-licences/discretionary-pastoral-activities) to grant or vary a stock limitation.

You must provide enough information to allow the Commissioner to decide on your application. To avoid delays, we recommend providing as much information as possible, and as early 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 of the proposed transferee(s)
* details about the lease or licence
* the proposed stock numbers and classes of stock
* information showing the applicant’s capability to manage the relevant stock
* information showing the land in its current state is capable of sustaining the proposed stock numbers and classes.

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 transfer process under the Land Act 1948 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

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| Click or tap here to enter text. |

The registered lessee or licensee’s name

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| 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

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| Click or tap here to enter text. |

Address

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

Please list any other applications that are being submitted with this form so we can consider them together

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| 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

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|  | Click or tap here to enter text. |

Details of the stock exemption

Transferee details

Transferee(s)’s full name that will be registered against the lease or licence

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| Click or tap here to enter text. |

Their legal status (for example, an individual, organisation, or trust)

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

Their phone number Their email address

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

Explain how the proposed transferee is capable of managing the same or lesser numbers and types of stock that the previous lessee had on the lease (you may wish to point to your answer to the next question).

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| Click or tap here to enter text. |

Will the transferee retain the same farm manager? If not, provide details on the proposed farm manager, their suitability and how they intend to ensure that the existing or lesser stocking arrangement will continue under the new lessors.

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| Click or tap here to enter text. |

Stock exemption specifications

Remember that you must complete the full grant or vary a stock limitation [application form](https://www.linz.govt.nz/guidance/crown-property/using-crown-property/leases-and-licences/discretionary-pastoral-activities) if you want to increase stock numbers and/or types or make significant changes to their management.

If you are seeking the same conditions as the previous exemption, append a copy of the existing exemption to the back of this form.

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| Do you want to retain the same stock numbers and types as set out in the current stock exemption?  If yes, skip the next question. | Click or tap here to enter text. |

Describe any changes to the conditions on the current stock exemption that you are proposing. Include information on block limits, stock types, stock numbers, and seasonal constraints.

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| Click or tap here to enter text. |

Can the land sustain this stock exemption?

Is the land in its current state capable of sustaining the same or lesser numbers and types of stock in the previous exemption? Explain why or why not.

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| Click or tap here to enter text. |

Will you run stock in conjunction with other land outside the lease/licence?

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| 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.

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| 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.

If you have submitted your application together with another application which may impact [inherent values](https://www.linz.govt.nz/resources/guide/inherent-values-framework), 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.

For any transfer, the Commissioner will consider whether the proposed transferee has the necessary skills and expertise to manage the pastoral lease and whether the transfer will allow the purpose of the lease or licence to continue to be met. If your request is granted, you must read your consent terms carefully.

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.

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) 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).

You can also read further on the Crown Pastoral Land Act provisions for [stock limitations](https://www.legislation.govt.nz/act/public/1998/0065/latest/whole.html#DLM427002) and the Land Act provisions for [transfers, subleases, or disposals](https://www.legislation.govt.nz/act/public/1948/0064/latest/DLM252142.html#DLM252142).