

# Sufficient information guide

This guide outlines the approach the Commissioner of Crown Lands and Toitū Te Whenua Land Information New Zealand (LINZ) will adopt when assessing whether an applicant has provided sufficient information under the Crown Pastoral Land Act 1998 (CPLA). This guide only applies to applicants seeking a discretionary pastoral activity, commercial recreation permit or stock limitation exemption over pastoral.

## Providing sufficient information to enable an assessment

The CPLA seeks to maintain or enhance the inherent values across the Crown pastoral estate for present and future generations, while providing for ongoing pastoral farming of pastoral land. Inherent value means a value arising from an **ecological, landscape, cultural, heritage, or scientific** attribute or characteristic of a natural resource or place on the land.

Identifying inherent values is a key part of the consenting process. We need to understand what activity is proposed and assess the effects a proposed activity will have on any inherent values on the land. The application and activity forms are designed to focus on what information will help us understand the proposal. We don't need to know everything to initiate the consent process, but we do need to understand what is intended. Please talk to your Portfolio Manager if you are unsure what information to include.

Whether the information provided is sufficient can only be assessed on a case-by-case basis. Consenting can range from relatively simple, one-off activities, through to major, multi-year programmes of work. This is why we cannot provide a fixed description of what is required.

## Sufficient information

Our assessment will consider the completeness and accuracy of the information included in the application. If the information provided is incomplete or inaccurate, the applicant may be asked to provide more information. We may also seek information from other sources.

Our assessment will also consider the nature and complexity of the application and the particular circumstances relating to the application. This will include assessing whether the information provided is appropriate relative to:

- The scale and significance of the proposed activity
- The potential effects of the proposed activity on inherent values

- Any specific requirements as set out in sections 10 to 12 of the CPLA relating to reasonable alternatives, actions proposed to avoid, remedy or mitigate effects on inherent values.

LINZ may already hold information relevant to the application (i.e. a farm plan or previous consents). We will refer to this information too.

If we are satisfied that we have sufficient information, we will send you a notice of decision. This tells you that the Commissioner has accepted the application.

**Note: The following applies only to discretionary pastoral activities and stock limitation exemption applications**

If the proposed activity will have more than minor adverse effects on inherent values, there is a further criterion to consider: LINZ will consider whether activities are necessary to enable leases/lessees to exercise their rights under a lease or licence (see Schedule 1ABA of the CPLA).

## What if there is insufficient information?

If we don't understand what is proposed, or the information provided is incomplete, we will contact you to discuss the information we think is needed. We may also seek information from other sources. Our preference is to talk to you.

If we have asked for more information, we will also advise you in writing, specifying the further information required and a reasonable timeframe for the information to be provided. Timeframes will vary depending on the complexity, volume or type of information required.

If we can't get sufficient information, the application, permit or exemption may be declined. We expect that declining an application on the grounds of insufficient information is likely to be rare. Applications will only be declined after reasonable attempts to obtain the required information. If an application is declined, we will send a Notice of Decision, which will set out the reasons for the decline.

## What if you disagree with the decision to decline an application?

Any person aggrieved by a decision by the Commissioner (or delegate) may seek a rehearing. You must advise the Commissioner in writing within 21 calendar days after being notified of a decision (there isn't a rehearing application form). You can send your request for a rehearing to your Portfolio Manager.

This guide will apply from 17 November 2022 and will be reviewed periodically. LINZ will continue to work with leaseholders and other agencies to evaluate the effectiveness of our processes.