

Our Ref DOIA 22-132

9 March 2022

[ s 9(2)(a) ]

Canterbury Aoraki Conservation Board

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Dear [ s 9(2)(a) ]

**Response to your official information request**

Thank you for your official information request received on 24 January 2022 and the further clarification received on 10 February 2022.

The information you have requested is detailed below and is contained within the three enclosed appendices. For reference, there are 91 pastoral leases which fall within the scope of your request.

**1. Applications for discretionary activities or actions made in Canterbury since May 2018, including relevant details such as location, description of activity, scale, area involved, and the term of the approval.**

112 consents have been applied for in the Canterbury district since May 2018 – 104 of which were either approved or partially approved. **Appendix A** is sorted by date and sets out the property name, consent type, whether or not conditions are applicable and if any ongoing maintenance applies as a part of the consent. **Appendix B** is the same information but ordered by property name so that you can more easily see where a property might have applied for more than one consent over that period.

8 consent applications were declined over this period. **Appendix C** set outs the details of each.

**2. Whether any adverse effects on inherent values were identified, and if so, how were such effects addressed.**

Toitū Te Whenua Land Information New Zealand (LINZ) is required to consult with the Director-General of Conservation (DGC) every time a discretionary consent is applied for. In each case, the DGC has the opportunity to visit the lease, see the area/s over which consent is being applied for, and discuss the application with the leaseholder and LINZ. They then provide information directly to LINZ on whether inherent values have been identified at that location, whether the proposed activity will have any adverse effects on

the values, and what conditions could be included as part of a consent to ensure that these adverse effects are avoided, remedied, or mitigated. All consents that were either approved in full, part approved/part declined had conditions attached as part of the consent. As part of LINZ's effort to visit properties on a more regular basis, areas, and activities subject to previous consents are inspected where possible to ensure that the consent conditions have been adhered to. LINZ has several conditions that are required and are tailored to each consent given. Some are standard conditions such as that all machinery brought onto the lease is cleaned to ensure that they are weed free. Other conditions such as those for a tracking consent include conditions regarding seeding of exposed ground, water table formation to ensure any water runoff is diverted appropriately. LINZ is happy to provide further examples of these conditions.

**3. *Given that advice is sought from the DGC on each application, what advice was given in each case and whether the DGC's advice was reflected in the decision.***

You confirmed on 10 February 2022 that you no longer require copies of all the DGC advice received for each consent but that you would like an assurance that advice is sought by LINZ and provided by the DGC in each case.

As described above, LINZ is required to obtain advice from the DGC every time a consent application is made. The DGC is provided with an opportunity to visit the lease for each consent but may decline to do so if they feel that they already have a thorough knowledge of the property and the area where the activity is proposed to take place.

Since 2019, LINZ's policy is that all consent application visits are attended by a LINZ staff member. This means that for most consent applications, LINZ and Department of Conservation (DOC) staff have met on site and discussed the details of the consent. It also means that if a DOC staff member shares views during the visit, this is heard first-hand by the LINZ staff member in attendance.

**For all of the consents listed in Appendices A, B and C, DGC advice was received by LINZ.** LINZ then uses this advice when making a recommendation to the Commissioner of Crown Lands (CCL) about whether to grant a particular consent. Where the DGC provides suggested conditions to be included in a consent in order to mitigate any potential adverse effects, LINZ pays particular attention to these and will often include all of the DGC's recommendations.

**4. *Whether the application was approved or not, and any limitations or conditions imposed***

**Appendices A and B** contain this information.

**5. *How discretionary consent compliance is monitored***

LINZ aims to visit every pastoral lease at least once in each two-year period. Where a property has been active in applying for consents, we aim to visit more frequently to

ensure that we have as many opportunities as possible to discuss activities with leaseholders and to answer any questions they might have. As part of these visits, we enquire as to progress with any consented activity (some leaseholders don't act on consents for some time) and check compliance if a consent has been acted upon.

**6. Whether there have been any breaches of discretionary consent approvals identified since May 2018 and if so, what action was taken by the CCL**

A total of seven breaches have been identified for this period. Details of these have been included in the information being released to you under DOIA 22-133.

**7. Details of unconsented activities identified on any pastoral lease in Canterbury**

Details of the seven breaches identified for this period have been included in the information being released to you under DOIA 22-133.

**8. How the CCL responded to such unauthorised activity**

Details of the CCL response to each of the seven breaches identified for this period have been included in the information being released to you under DOIA 22-133.

If you wish to discuss this decision with us, please feel free to contact Gary Walker on [gwalker@linz.govt.nz](mailto:gwalker@linz.govt.nz).

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

Yours sincerely



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