

## **COPY OF LETTER FORWARDED TO PASTORAL LESSEES IN 1999**

Dear Lessee,

### **CONSENT TO MINOR ACTIVITIES - CROWN PASTORAL LAND ACT 1998**

Land Information New Zealand has granted consent to undertake a range of activities specified below, this means that you do not need to seek our consent to undertake the following activities:

1. All earthworks, tree planting, tree felling, sowing of seed or topdressing being carried out within the area enclosed by fence around the homestead located on the lease (the curtilage area).
2. Activities involving use of hand held shovel or spade comprising:
  - Clearance of vehicle or stock tracks
  - Digging in posts, anchors, piles or supports
  - Clearing drains or water tables
  - Laying electric fence cables under gates
  - Burying dead animals
  - Clearing humps or filling hollows along fence lines
  - Digging rabbit warrens
  - Digging long drops
  - Wild flood irrigation
3. Maintenance of drains, irrigation races, stock water races less than 1 m wide by 1 m deep.
4. Laying of water pipes underground using ripper and mounted cable layer.
5. Laying power cables or telephone cables underground from main source of supply to existing buildings on leasehold land for farm related activities.
6. Digging of offal pits, dead stock holes or domestic rubbish holes.
7. Driving posts or poles.
8. Felling exotic wilding trees.
9. Laying gravel in gateways and on tracks.
10. Removing tree stumps.

Crown Property Management  
Christchurch Office  
Torrens House  
195 Hereford Street  
Private Bag 4721  
DX WP20033  
Christchurch  
New Zealand

## **Terms of consent**

This consent is granted to the lessee of pastoral lease XXXXX and will remain valid for the term of this lease and of any subsequent renewal.

This consent is granted subject to the condition that when undertaking the minor activities specified above, lessees ensure that they comply with all relevant requirements of the appropriate District Plan in relation to historic structures and notable trees.

## **Our consideration**

In making this decision LINZ consulted with the Director-General of Conservation and took into account:

- (a) the desirability of protecting inherent values of the land (other than the attributes and characteristics of a recreational value only), and in particular the inherent values of indigenous plants and animals, and natural ecosystems and landscapes; and
- (b) the desirability of making it easier to use the land concerned for farming purposes.

LINZ believes that in weighing up matters, our consent to the minor activities is necessary for the farming purpose of the pastoral lease.

## **Emergency response to adverse events**

The consent to minor activities in this letter does not extend to any actions the lessee may take in an emergency when responding to an 'adverse event' such as fire or flood.

In those circumstances it is reasonable to expect the lessee to take reasonable and appropriate action to minimise or avoid the effect of the adverse event although it might entail an activity for which consent is required from LINZ.

If, in responding to the adverse event, the lessee has to do something which requires LINZ consent, the lessee must subsequently make a request for consent, as for any other matter covered by the Crown Pastoral Land Act 1998.

That request will be considered in the same way as any other consent, although the request will be given priority because it involves an adverse event and because LINZ recognises the need to for the lessee to be clear whether their action in response to the adverse event has been consented to.

## **Right to apply for a rehearing**

Please note that under the provisions of Section 17, Land Act 1948 the lessee has the right to apply for a rehearing of a decision made by LINZ to the Commissioner of Crown Lands. Section 17 provides that:

*17. Application for rehearing – (1) Any person aggrieved by any decision of the Commissioner or any determination of an administrative nature by the Commissioner may, within 21 days after being notified of that decision or determination, apply to the Commissioner for a rehearing, and the Commissioner may at any time within one month after receiving the application, grant a rehearing of the case if he/she thinks that justice requires it, and on the rehearing may reverse, alter, modify, or confirm the previous decision or determination in the same case.*

If a lessee wishes to apply for a rehearing then an application must be submitted to the Commissioner of Crown Lands, Land Information New Zealand, P O Box 5501 Wellington within 21 days of receipt of this letter. The application should state the grounds on which an application for a rehearing is made.

Yours faithfully

Copy of Leaseholder Communication