

**MANUAL OF  
STANDARD OPERATING  
PROCEDURES  
FOR  
TENURE REVIEW  
AND  
DISCRETIONARY ACTIONS  
ON  
PASTORAL LAND**

**QD code: NH/1049**



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## **FOREWORD**

The Crown Pastoral Land Act 1998 introduced a new regime for tenure review and discretionary consents affecting alienated Crown land in the South Island High Country. It provides a significant statutory role for the Minister of Conservation and Director-General of Conservation, in these processes, that was previously absent.

Strategically, this work is very important for the Department. The Crown pastoral leases and occupation licences are the last significant Crown owned terrestrial landholding. They comprise some 2.45 million hectares of tussock grassland and associated plant communities, alpine landforms and geology, and distinct fauna. These mountain ranges, intermontane basins, and downlands are significantly under-represented in New Zealand protected natural area system, and the Crown Pastoral Land Act provides us with a mechanism to address this situation.

Experience has shown that tenure review can result in “win-win” outcomes for both the Crown and Lessees. Managing these relationships well, and developing rapport with Lessees is critical to the task. The Department needs to be seen as a credible, committed, and efficient player in the High Country.

The new discretionary actions process (s.18 of the Act) will involve the Department in identifying inherent values and in suggesting methods that avoid, remedy and mitigate adverse effects. The Department needs to be seen to be operating efficiently and credibly in this process with the Commissioner of Crown Lands.

We still face a number of significant risks with this work. Tenure Review has grown from a localised single Conservancy programme to one that covers all of the South Island. For Tenure Review, we will only have one opportunity on this scale and it is important we use this wisely. In response to this we, in the Southern Region, recognised the opportunity and the need for more formal procedures and consistency that a standard operation procedure (SOP) establishes.

This SOP will help to build staff capacity, organisational commitment and capacity to deliver the significant conservation gains that Parts 1, 2 and 3 of the Act allow. My congratulations to the team for the effort involved in the preparation of this document, and we look forward to its ongoing improvement. I commend it to you for its use.

John Cumberpatch  
RGM (Southern)

## **PREFACE**

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### Welcome

Welcome to the Department of Conservation Procedure Manual for the Crown Pastoral Land Act 1998 (CPLA)

The manual is for your use and guidance and contains a set of standard operating procedures adopted for the Southern Region, and Nelson/Marlborough Conservancy of Central Region, of the Department of Conservation.

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### Writing Method

The procedures in this Manual have been written to comply with the SOP Toolkit procedure QD Code: C/2001.

The procedures generally follow a consistent format, as follows:

- Background (including the purpose of the procedure)
- Process
- Standards/Accountabilities
- Legislation
- Delegation
- Cross References
- Implementation
- Appendices (if required)

This formatting is to help you find in each Section the particular items of information you may require for the action you are taking under the CPLA.

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### Numbering

The pages of the Manual are numbered in a way which facilitates updating and amendment of parts of the text when a review is undertaken.

Each of the four Parts of the Manual is divided into Sections and differentiated by a letter.

The pages of each Section have a unique number (e.g. 2-C-3) derived as follows:

	<b>Part</b>	<b>Section</b>	<b>Next consecutive number within the section</b>
e.g.	2	C	3

**Parts of Manual**            An overview of contents is provided at the start of each Part of the Manual.

The overview also contains an index to the Sections within that part.

Section 1-B shows how the various sections of Parts 2 and 3 of the Manual fit into the tenure review process. The section has supporting appendices of a collective nature.

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**Strategic Risk  
Assessment**

In 1997, the pastoral lease tenure review programme was selected by the Conservation Policy Division as an area of work for which the Department would carry out a strategic risk assessment.

In the results of the assessment, the programme was perceived as an area of high overall inherent risk. Principal risk factors were seen as the importance of the programme to the Department's core business, political interest, and the complexity of the activity.

The Department was regarded as having a good capacity to manage the risk, but with the need for improvement. Major areas of strength were regarded as the definition of purpose, organisational and staff commitment, and organisational capacity.

At the time of the assessment the Crown Pastoral Land Bill was being considered by a Parliamentary select committee.

One of the objectives of the project was to refine and develop a quality system for managing the activities of the Department under the Act. This gave rise to the Manual of standard operating procedures.

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**Origins of the  
Manual**

With the passing of the Act in 1998, the Department's Southern Region recognised the need to integrate the relevant new statutory actions into the operations of the Department. The Region set up a project team to meet that need.

The team comprised :

Herb Familton (Convenor)  
Wayne Devine (Project Manager)  
Mike Clare (Canterbury)  
Tony Perrett (Otago)

The project team received contributions from :

Timothe Mansfield (Head Office)  
Dave Forrester (Canterbury)  
Ken Stewart (Otago)  
Colin Pemberton (Southland)  
David Gullen (Land Information NZ)

*cont'd over*

One of the objectives of the project was to refine and develop a quality system for managing the activities of the Department under the Act. This gave rise to the Manual of standard operating procedures.

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Compliance with  
SOP

All members of staff involved in any action under the CPLA are accountable for undertaking the relevant procedures in this Manual.

All managers are accountable for ensuring that these SOPs are implemented, that staff under their control follow the procedures set out and that delegations are exercised correctly.

General Managers are accountable for ensuring that these procedures are implemented, that staff under their control follow the procedures set out, and for ongoing review and maintenance of the procedures.

More specific accountabilities are specified in each procedure and highlighted by bold type for the acronym of the position responsible.

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Review

The procedures in this Manual will be reviewed by the Southern Regional Office after 1 year from the month of approval.

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## PART 1

### INTRODUCTION - TENURE REVIEW

#### OVERVIEW

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##### Introduction

The Crown Pastoral Land Act (CPLA) 1998 introduced new processes for reviewing the tenure of pastoral leases and occupation licences, replacing those for reviews carried out previously under the Land Act 1948.

It also allowed for the review of certain special leases and unused Crown land, and for inclusion of freehold, conservation areas, and reserves in reviews.

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##### Administration of the Act

The Act is administered by Land Information New Zealand (LINZ)

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##### Powers in Act

Primary decision-making powers for reviews under the Act are held by the Commissioner of Crown Lands (CCL), a statutory position under s.12A Survey Act 1986, filled by an officer of LINZ.

Certain powers of agreement or consent to review of tenure actions are held by the Minister of Conservation.

The CCL is also required to consult with the Director-General of Conservation over certain review of tenure actions.

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##### Manual Coverage

All parts of this Manual deal primarily with the agreement, consent and consultation actions, together with the collection by the Department of Conservation (DOC) of information required for those actions.

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##### In this part

This part of the Manual covers the following topics:

<b>Section</b>	<b>Topic</b>	<b>See Page</b>
A	Tenure review <b>policies</b>	1-A-1

B	The tenure review <b>process</b> under the Crown Pastoral Land Act 1998.	1-B-1
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## **SECTION 1-A : TENURE REVIEW POLICIES**

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1. Background	1-A-2
2. Summary of Policies	1-A-3
- Operational	
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- Administrative	
- Statutory	
- Process	
3. Reviews Under Part 3	1-A-5
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## SECTION 1-A

### TENURE REVIEW POLICIES

#### 1. Background

- 1.1 The Government adopted a series of policies about the reform of tenure of pastoral Crown land in 1994/95 under the umbrella of the 1994 Policy on Sustainable Land Management in the South Island High Country.
- 1.2 Implementation of some of the tenure reform policies (referred to in 1.1 above) required a legislative vehicle - the Crown Pastoral Land Act - which came into effect on 23 June 1998. This Section of the Manual applies primarily to tenure reviews under Part 2 of the Act.
- 1.3 “Pastoral land” was previously defined as “land suitable or adaptable only for pastoral purposes”.  
[s.51(1)(d) Land Act 1948 - repealed by s.104 CPLA]
- 1.4 Pastoral land could only be held under three tenures:
  - pastoral lease (renewable)
  - pastoral occupation licence
  - unused Crown land

The rights of tenure given to the holders of leases and licences are now set out (respectively) in s.4 and s.12 CPLA. Neither a lease nor a licence gives a right to acquire the fee-simple (freehold) of the land.

- 1.5 Under the CPLA, pastoral land held in a special lease (under the provisions of s.67 Land Act 1948) is “reviewable land” for tenure review purposes and the leases - like pastoral leases and occupation licences - are “reviewable instruments”. “Reviewable leases”, for the purposes of the CPLA, exclude land in a s.67 lease “all of which is conservation area or reserve” or “which has been vested in a State enterprise under the State-Owned Enterprises Act 1986”.  
[c.f. s.2 CPLA and footnotes on Pg 1-A-4 below]

- 1.6 **The purpose of this Section is to summarise all the key policies applicable to tenure review after 23.6.98. These policies are relevant to the Department’s involvement in consultation under the provisions of s.26 CPLA.**



## **2. Summary of Policies**

2.1 The following is a summarised list of key policies (relating to tenure review of pastoral leases) which did not require legislative provisions:

### **2.1.1 Operational -**

- the intention of each negotiated pastoral lease tenure review is to make decisions as to the best use to which the land should be put.
- the Crown should enter negotiations on tenure review with the aim of achieving a clean split between land to be held in full Crown ownership and land for freeholding.
- the Commissioner of Crown Lands (CCL) may contract responsibility for administering land<sup>1</sup> to DOC, local authorities, or a private agent, pending disposal.
- private interests may participate in tenure review by negotiating directly with the CCL, provided that the lessee's existing rights are recognised, and pursuing these private interests is consistent with the objects of tenure review.

### **2.1.2 Fiscal -**

- the fiscal impact of Part 2 CPLA tenure reviews will be accounted for by the level of funds available to meet the costs of reviews and the purchase of leasehold property rights to be held under the Conservation Act and Reserves Act.
- A Part 2 tenure review will be subject to each leasehold property going through a threshold test, which (subject to the merits of the case) determines the decision to invest in a particular review. [The final decision rests with the CCL (s.32 CPLA).]
- Land Information NZ (LINZ) and the Department of Conservation (DOC), as part of each baseline update, have reporting requirements in relation to their respective Votes.
- Part 3 CPLA reviews will be separately funded from Part 2 reviews.

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<sup>1</sup> This would be land to which s.74 or s.94(b) of the CPLA applies.

- There will be separate fiscal arrangements over conservation area, reserve or freehold land included in Part 2 reviews.

### 2.1.3 Administrative

- flexibility of land use, and the opportunities for all interested parties to bring their concerns to the attention of the CCL are important objectives to be achieved in any administrative guidelines.

## 2.2 Statutory

2.2.1 The key policies **in Part 2 of the CPLA**<sup>2</sup> relate to the objects of that Part<sup>3</sup>, as follows:

2.2.2 Statutory objects-

- (a) To -
  - (i) Promote the management of reviewable land<sup>4</sup> in a way that is ecologically sustainable;
  - (ii) Subject to subparagraph (i), enable reviewable land capable of economic use to be freed from the management constraints (direct and indirect resulting from its tenure under reviewable instrument;<sup>5</sup> and
- (b) To enable the protection for the significant inherent values<sup>6</sup> of reviewable land -
  - (i) By the creation of protective mechanisms;<sup>6</sup> or (preferably)
  - (ii) By the restoration of the land concerned to full Crown ownership and control;<sup>6</sup> and
- (c) Subject to paragraphs (a) and (b), to make easier -
  - (i) The securing of public access to and enjoyment of reviewable land; and
  - (ii) The freehold disposal of reviewable land.

[s.24 CPLA]

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<sup>2</sup> A set of overheads to provide the basis of briefings about the full provisions of the CPLA is available from Legal Services Unit, Head Office, Southern Regional Office and the High Country Tenure Review Managers. (HO Word documents: Legal WD4101 and WD4058)

<sup>3</sup> **Note that the objects apply only to “reviewable land”** and not to other lands included, by agreement or consent, in a review under Part 2 of the Act, namely neighbouring:

- freehold land (s.30)
- conservation area and reserve (s.31).  
[“neighbouring” includes adjacent]

<sup>4</sup> The term “reviewable land” means land that is

- held under [one or more] reviewable instrument(s)
- pastoral land for the time being held under a reviewable instrument  
[“Pastoral land” is Crown land for the time being so classified under s.51 Land Act 1948].

<sup>5</sup> The term “reviewable instrument” means a reviewable lease [pastoral lease, or special lease over land which is still held under the Land Act 1948] or a pastoral occupation licence.

[NB Land held under an occupation licence may only be included in a review under Part 2 of the Act with neighbouring pastoral or special lease land - s.28 CPLA].

<sup>6</sup> The meaning of the term can be found in the Act and the Glossary to this Manual and see para. 5 below.

### 2.2.3 Process

The statutory process for tenure reviews is covered in the Act. Section 1-B of this manual sets out the elements in which the Department of Conservation is involved in both Part 2 and Part 3 CPLA reviews.

## 3.1 Reviews Under Part 3

3.1.1 The policies in para. 2.1 above generally do not apply to reviews under Part 3 CPLA.

3.1.2 Part 3 has separate statutory objects, as follows:

- (a) To promote the management of Crown land<sup>7</sup> in a way that is ecologically sustainable; and
- (b) To enable the protection of significant inherent values of Crown land; and
- (c) Subject to paragraphs (a) and (b), to make easier -
  - (i) The securing of public access to and enjoyment of Crown land; and
  - (ii) The freehold disposal of Crown land capable of economic use.

[s.83 CPLA]

## 4. Treaty of Waitangi

4.1 In undertaking a tenure review the CCL must, among other considerations, take into account the principles of the Treaty of Waitangi (s.25 or s.84 CPLA).

4.2 This provision applies only to the CCL.

4.3.1 In certain CPLA actions the Minister of Conservation or DGC must consider s.4 Conservation Act, which requires him/her to give effect to the principles of the Treaty of Waitangi.

4.3.2 These actions are the ones of consultation, consent or agreement relating to conservation areas or reserves.

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<sup>7</sup> Reviews under part 3 of the Act must be undertaken over an “unrenewable occupation licence” and may be undertaken of unused Crown land, either by itself or with the licence (s.86). [The latter does not have to be “pastoral land”.]

- 4.4 If the action to be taken is in the Ngai Tahu takiwa then, in some cases, compliance with the provisions of Ngai Tahu Claims Settlement Act will provide adequately for the exercise of the s.4 responsibility.

## **5. Definitions**

- 5.1 The definition of terms used in the Act is set out in the glossary at the end of the Manual.
- 5.2 An amplification of the phrase “inherent value” is given in Appendix 1 on page 1-A-8.
- 5.3 An amplification of the phrase “significant inherent value” is given in Appendix 2 on page 1-A-10.

## **6. General Accountabilities**

- 6.1 The Director-General of Conservation and the Chief Executive of Land Information NZ have a general responsibility under s.32 State Sector Act 1988 for the efficient, effective, and economical management of their Departments including those activities carried out under the CPLA by their respective agencies.
- 6.2 All Ministers of the Crown and Chief Executives are bound by the provisions of that Act and the Public Finance Act 1989. Performance of duties and expenditure of funds are controlled by those Acts. Under current practice, the functions and work to be performed by a Chief Executive are defined by a purchase agreement entered into between the Chief Executive and his or her Minister. Ability to undertake any functions granted under the CPLA will be limited to the extent to which they are prescribed by the purchase agreement. In particular, the ability to expend funds on a function will be limited and affected by the extent of any appropriation by Parliament of monies for that purpose.
- 6.3 When a Minister or official is given a function under legislation which is administered by another Minister, the former Minister or official must give effect to the policy and intent of the Act under which the function is being performed. At the same time, however, that Minister or official is given the function because of his or her functions under his or her own legislation. Accordingly, other matters which may be relevant to the issue can be considered by that Minister or official.

## **7. Broad Accountabilities in Tenure Review**

- 7.1 Because the Director-General is consulted about whether to put a preliminary or substantive tenure review proposal to a holder the Director-General must also be aware of the matters which the Minister of Conservation must consider before consenting to the inclusion of certain designations in a preliminary or substantive proposal.

- 7.2 The Director-General must consider objects of Parts 2 and 3, and the matters which the CCL must take into consideration. This includes provisions which would be included in the preliminary proposal, matters to be considered before putting a preliminary proposal, and other proposed designations of land, whether any land should be designated as a conservation area or reserve or subject to a protective mechanism under the Conservation Act or the Reserves Act. In considering these proposals the Director-General must also consider the requirements of the Act that he or she administers which relate to conservation areas, reserves or protective mechanisms. This includes identifying values which are important under those Acts as well as looking at the provisions of the CPLA.
- 7.3 The Minister, on being requested to give consent to the inclusion of certain designations in a preliminary proposal, must consider whether he or she is likely to consent to a substantive proposal. In doing so, the Minister must not only be satisfied that lands which are likely to be designated for concessions or exchanges or protective mechanisms are suitable for those purposes but also whether he or she has the financial resources to manage the lands concerned.

## APPENDIX 1 DEFINITION OF INHERENT VALUE

1. The term “inherent value” is defined in the Act as follows, in relation to any land:

**a value arising from -**

- (a) a cultural, ecological, historical, recreational, or scientific attribute or characteristic of a **natural resource** in, on, forming part of, or existing by virtue of the conformation of, the land; or
- (b) a cultural, historical recreational, or scientific attribute or characteristic of a **historic place** on or forming part of the land (s.2 CPLA).

2. A **natural resource** means -

- (a) Plants and animals of all kinds; and
- (b) The air, water, and soil in or on which any plant or animal lives or may live; and
- (c) Landscape and landform; and
- (d) Geological features; and
- (e) Ecosystems

However, only those natural resources with significant value are considered in tenure review.

3. A **historic place** means -

- (a) (i) Any land (including an archaeological site); or
- (ii) Any building or structure (including part of a building or structure); or
- (iii) Any combination of land and a building or structure -

that forms part of the historical and cultural heritage of New Zealand; and

- (b) Includes anything that is in or fixed to any such land.

However, only those historic places with significant value are considered in tenure review.

Note that an “archaeological site” is not defined in the CPLA. It is commonly regarded as meaning any place that -

- (a) was associated with human activity that occurred before 1900; and
- (b) may be able (through investigation by archaeological methods) to provide evidence relating to the history of New Zealand. (c.f. s.2 Historic Places Act 1993).

“Archaeological methods” involve study, usually by excavation.

4. Other terms are assumed to have their normal dictionary meanings, as follows:

a **value** - **qualities** which have worth or utility or desirability.

a **characteristic** - a trait, mark or **quality** which is typical or distinctive.

an **attribute** - a characteristic **quality** ascribed to a thing.

a **quality** - degree of excellence, relative nature or kind of character.

**desirability** - the worthiness of protecting the inherent value in question;

**protection** - keep safe or defend against harm.

## **APPENDIX 2: INTERPRETATION OF SIGNIFICANT INHERENT VALUE**

1. The term **“significant inherent value”** is defined in the Act, as follows, in relation to any land - **“inherent value of such importance, nature quality, or rarity that the land deserves the protection of management under the Reserves Act 1977 or the Conservation Act”** (s.2 CPLA).
2. The term “inherent value” is defined in **Appendix 1** (above).
3. There can be no prescriptive requirement of what constitutes “a significant inherent value”. Guidelines can however be drawn from the general purpose of the Reserves Act (s.3) and the definition of “conservation” in s.2 Conservation Act.
4. The Department has therefore adopted a set of standards by way of setting these guidelines. They can be found in **Section 2-A of this Manual on page 2-A-25** and should be used to assist reporting on a tenure review proposal.

## SECTION 1-B

### THE REVIEW PROCESSES UNDER THE CROWN PASTORAL LAND ACT

#### 1. Background

1.1 There are two types of review provided for under the CPLA:

- tenure review of pastoral leases (which may include unused Crown land, pastoral occupation licences, freehold and conservation areas or reserves).
- review of unrenovable occupation licences and/or unused Crown land.

Each type of review has its own sub-process.

1.2 The Commissioner of Crown Lands (CCL) is responsible for the administration of the review process. The general process is set out in the Act. The CCL may also adopt standards relevant to the overall process.

1.3 The **purpose of this procedure** is to set out the elements of the general process in which DOC is involved and show how the procedures in Parts 2 and 3 of this Manual integrate into the general process.

#### 2. Process Integration

2.1 The table below shows how the procedures in this Manual integrate into the general review process.

Phase	Title	Actions	Proc. Ref.
1	Entering into tenure review	<ul style="list-style-type: none"><li>• Tenure review policies</li><li>• Submitting views (in consultation) on actions the CCL proposes to take.</li><li>• Agreement to inclusion of conservation area or reserve.</li><li>• Integrating the marginal strip process.</li></ul>	1-A 2-G 2-E 3-A
2	Investigation and reporting	<ul style="list-style-type: none"><li>• Reporting on conservation resources in a tenure review under Part 2.</li></ul>	2-A

<b>Phase</b>	<b>Title</b>	<b>Actions</b>	<b>Proc. Ref.</b>
		<ul style="list-style-type: none"><li>• Assessing future management costs</li><li>• Reporting on conservation resources under Part 3.</li><li>• Integrating marginal strip process.</li></ul>	2-B 3-E 3-A

<b>Phase</b>	<b>Title</b>	<b>Actions</b>	<b>Proc. Ref.</b>
3	Preliminary proposal	<ul style="list-style-type: none"> <li>• Submitting views (consultation) on actions the CCL proposes to take.</li> <li>• Consenting to a concession</li> <li>• Consenting to a protective mechanism</li> <li>• Consenting to designation of any conservation area or reserve by way of exchange.</li> <li>• Integrating the marginal strip process.</li> <li>• Appointing a marginal strip manager.</li> <li>• Funding for acquisitions of freehold land.</li> <li>• Designating special lease and grazing permit areas.</li> </ul>	<p>2-G</p> <p>2-C</p> <p>2-D</p> <p>2-F</p> <p>3-A</p> <p>3-B</p> <p>3-D</p> <p>3-F</p>
4	Substantive proposal	<ul style="list-style-type: none"> <li>• As for phase 3 except 3-A and 3-D</li> <li>• Using management agreements</li> </ul>	3-C
5	Implementation	<ul style="list-style-type: none"> <li>• Dealing with notification from the CCL of tenure review implementation.</li> <li>• Handing over responsibilities to Area Managers.</li> <li>• Appointing a marginal strip manager.</li> </ul>	<p>2-H</p> <p>2-I</p> <p>3-B</p>

### **3. Sub-Processes**

3.1 Each procedure has its own detailed sub-process which is set out in table form within the procedure concerned.

### **4. Statutory Process**

4.1 The overall statutory process for tenure review under Part 2 CPLA, including statutory actions in which DOC is involved, is shown in Appendix 1 to this Section of the Manual.

### **5. Legislation**

5.1 Details are provided in the individual procedures and in Appendix 1.



## **6. Delegations**

- 6.1 Details are provided in the individual procedures and in General Appendix 4 at the back of this Manual.

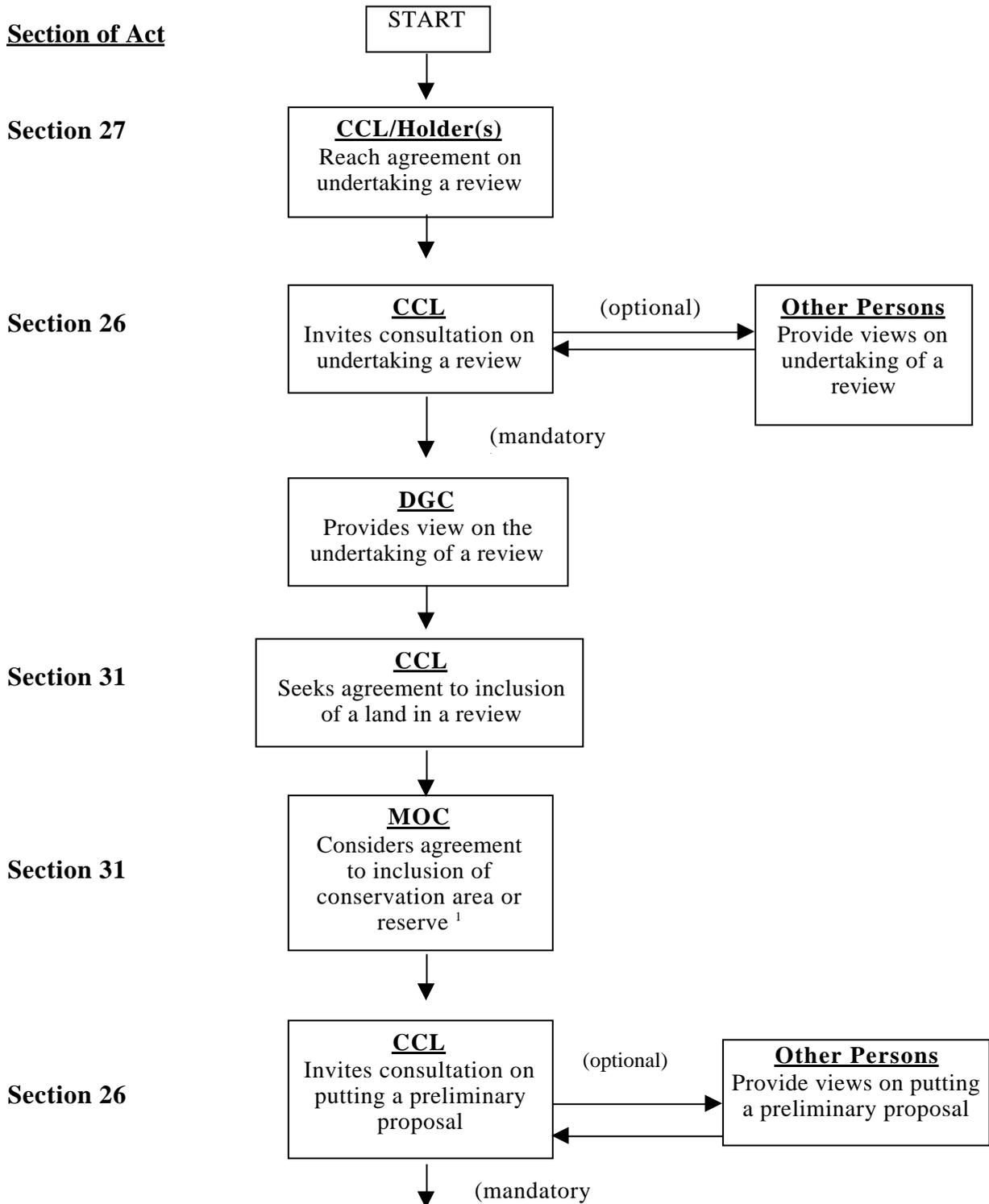
## **7. Implementation**

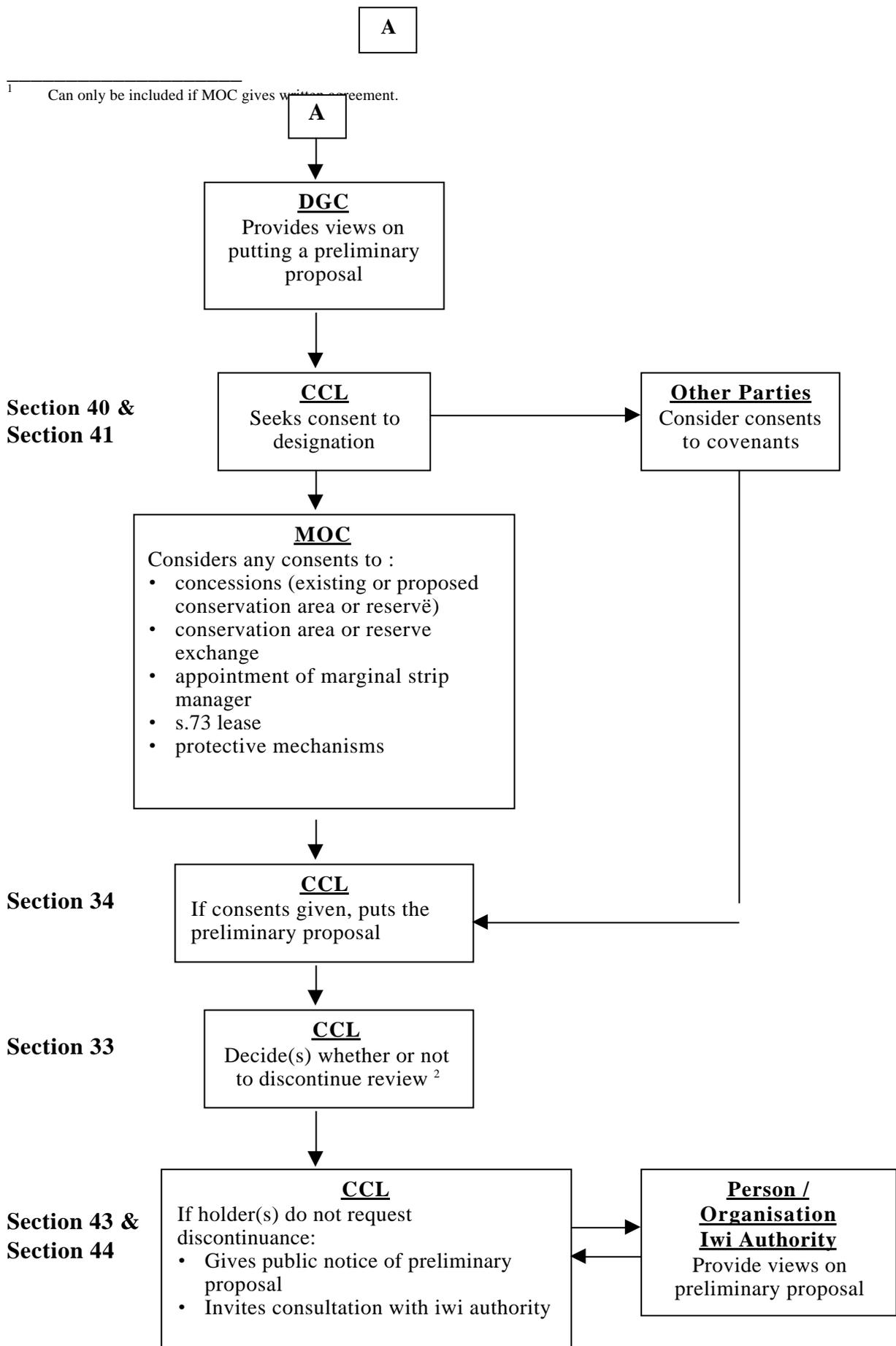
- 7.1 As a guide, to assist High Country Tenure Review Managers and Community Relations Managers, a **checklist** is provided in Appendix 2 to this Section of the Manual of the actions and standards in which HCTRM in particular is involved.

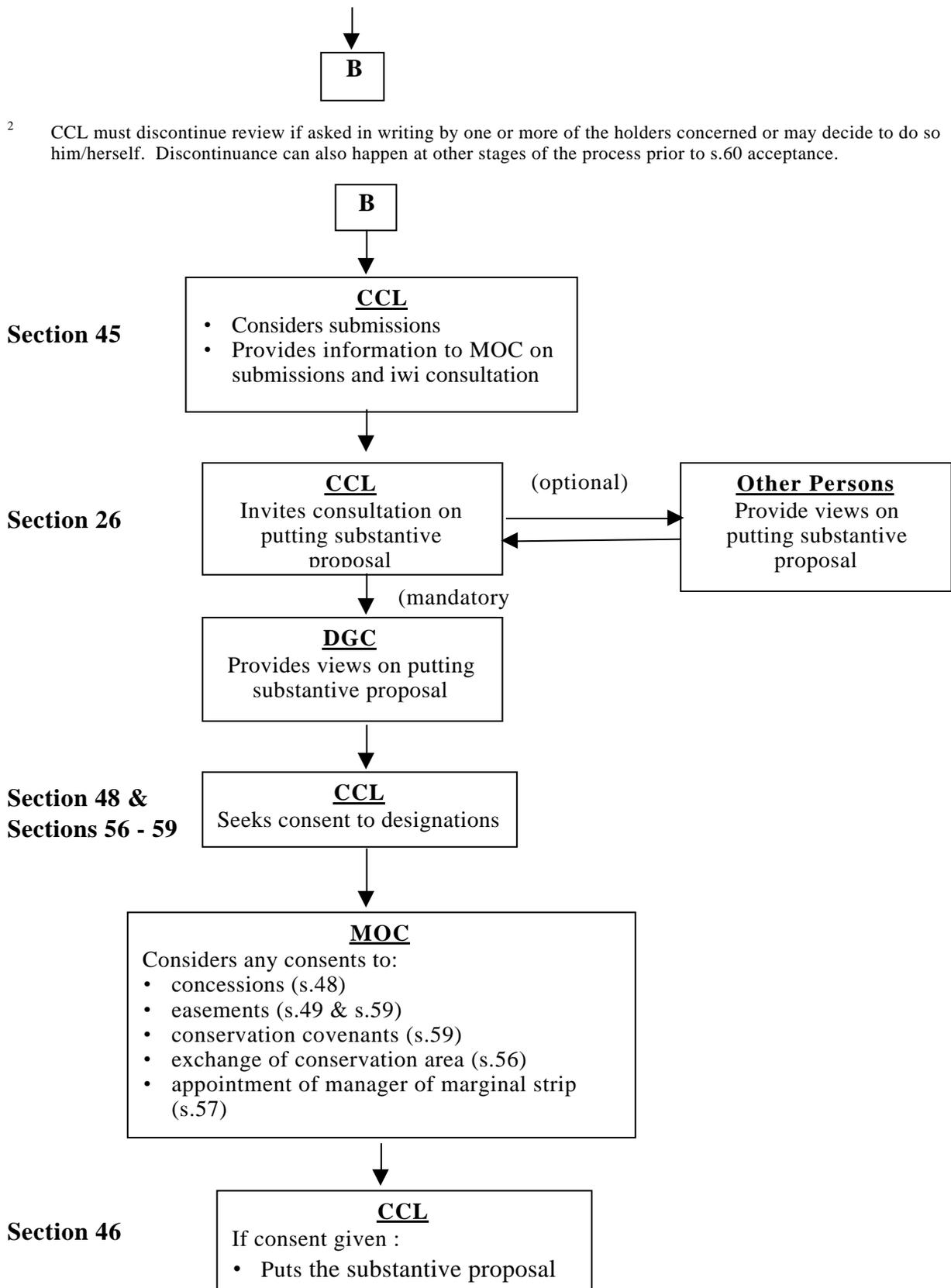
**Appendix 1**

**The Statutory Process of Tenure Review Under Part 2 CPLA**

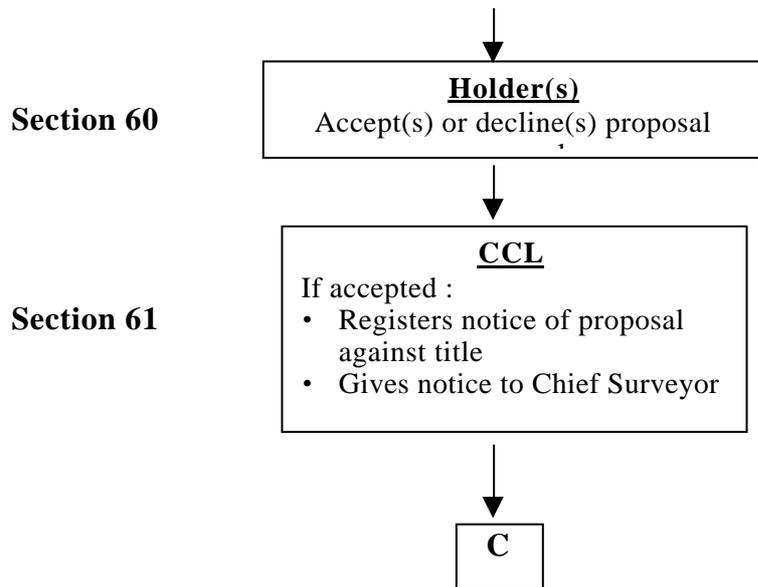
This diagram illustrates the actions of the parties to a tenure review under part 2 CPLA and provides an overview of the entire statutory process. Within the process shown a number of non-statutory steps are taken by the CCL and DOC. These are reflected in the more detailed process tables in Parts 2 and 3 of this Manual and/or in Land Information New Zealand standards.

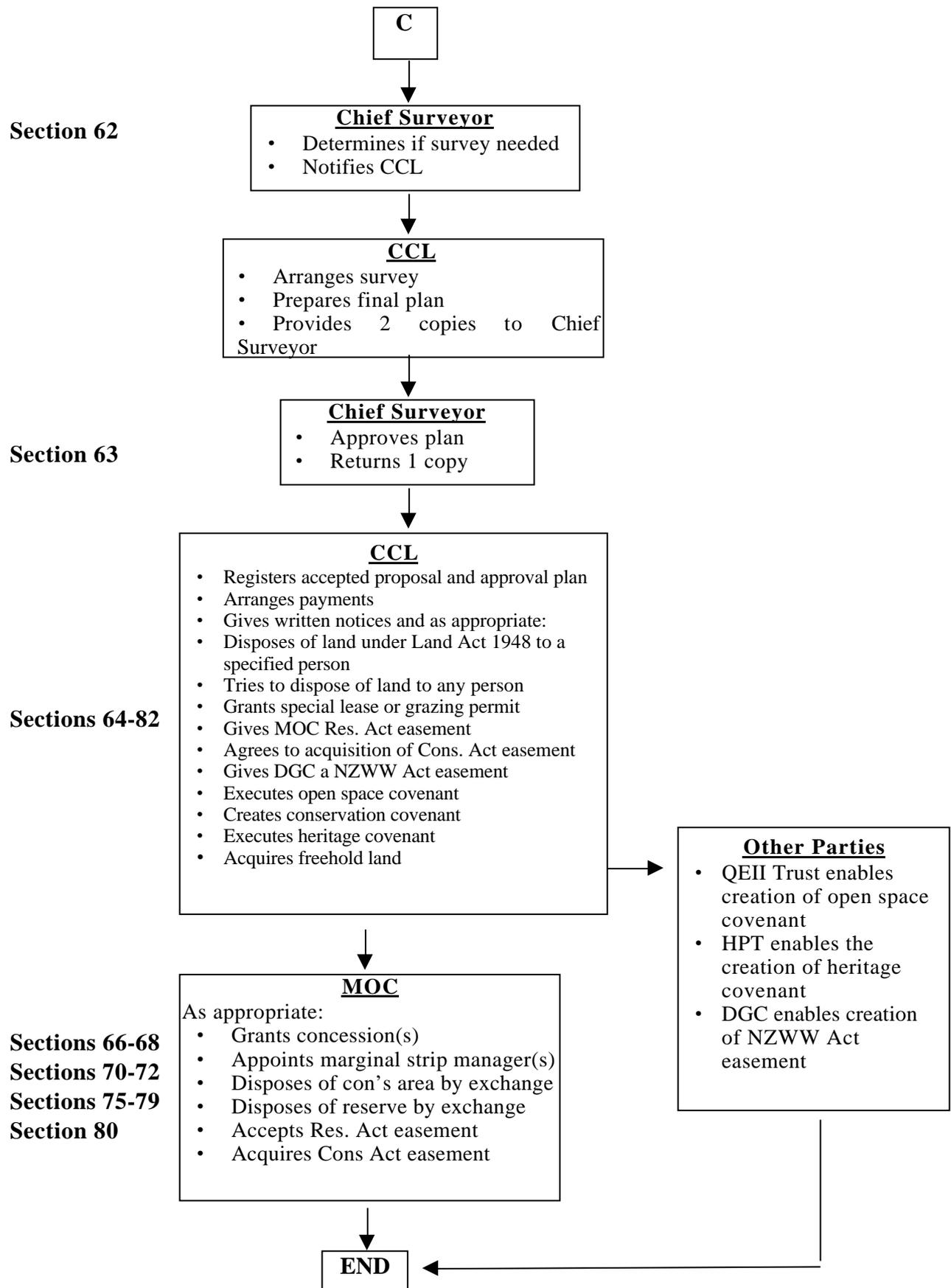






<sup>2</sup> CCL must discontinue review if asked in writing by one or more of the holders concerned or may decide to do so him/herself. Discontinuance can also happen at other stages of the process prior to s.60 acceptance.





- Note that:
1. The CCL may (or at the request of the holder(s) shall) discontinue a review at any stage of the process before the holder(s) acceptance of the substantive proposal (s.33 and s.60(5) CPLA).
  2. The CCL cannot include a conservation area or reserve in a tenure review without the agreement of the DGC and cannot include certain designations (in a proposal to be put) without the prior consent of the MOC.

## Appendix 2

### Process Checklist

The table below sets out a checklist of actions and standards by which the HCTRM and CRMs are bound in the review process under the procedures in this Manual. A square box indicates a particular responsibility of the CRM.

Phase	Title	Actions/Checklist
1	<b>Entering into tenure review.</b>	<p><b>Tenure review policies -</b></p> <ul style="list-style-type: none"> <li>• operational*</li> <li>• fiscal</li> <li>• Treaty of Waitangi</li> <li>• administrative*</li> <li>• objects</li> <li>• accountabilities</li> </ul> <p><b>Submitting views -</b></p> <ul style="list-style-type: none"> <li>• Proposal to undertake a review</li> <li>• Matters that can be taken into account</li> <li>• Inclusion of other land (including marginal strips)*</li> <li>• Urgent threats to significant inherent values</li> <li>• Others kept informed</li> <li>• Early warning meeting</li> <li>• Meeting with lessee/licensee</li> <li>• Business planning for participation</li> </ul> <p><b>Agreement to Inclusion of Conservation Area or Reserve* -</b></p> <ul style="list-style-type: none"> <li>• Status check</li> <li>• Recommendation to delegatee (including existing marginal strips) s.4 Conservation Act</li> <li>• Limitation on exchanges/concessions/marginal strip management</li> <li>• Involvement of reserve administering body</li> <li>• “Deemed conservation areas” recorded</li> <li>• Fiscal arrangements (freehold, DOC areas &amp; Pt3 review – see 1-B-10)</li> <li>• Others kept informed</li> </ul>
2	<b>Investigation and reporting</b>	<p><b>Reporting -</b></p> <ul style="list-style-type: none"> <li>• Land to be covered (e.g. freehold, marginal strip, etc.*)</li> <li>• Annual work programme (business planning)</li> <li>• Co-ordination of contributions</li> <li>• Draft report/format</li> <li>• Submitted to Agent</li> <li>• Consideration of report by conservation board</li> </ul> <p><b>Future management costs -</b></p> <ul style="list-style-type: none"> <li>• Draft report sent to AM</li> <li>• Draft Proposals reviewed</li> <li>• Conservancy consultation</li> <li>• Recording in data base</li> </ul>

3	Preliminary proposal	<p><b>Submitting views -</b></p> <ul style="list-style-type: none"> <li>• Devising preliminary proposal</li> <li>• Documentation of proposal</li> <li>• Putting a preliminary proposal*</li> <li>• Matters that can be taken into account</li> <li>• Likelihood of consents</li> <li>• Designating special lease and grazing permit areas</li> </ul>
		<ul style="list-style-type: none"> <li>• Need to exclude strips from grazing permit areas</li> <li>• Agent supported in negotiation/meeting lessee*</li> <li>• Purpose of areas to be protected</li> <li>• Fiscal arrangements (freehold &amp; Pt3 reviews – see 1-B-10)</li> <li>• Written views submitted</li> <li>• Qualified comments</li> <li>• Others kept informed</li> </ul> <p><b>Consenting to concession(s)* -</b></p> <ul style="list-style-type: none"> <li>• Concession specialists</li> <li>• Information requirement</li> <li>• Limitations to consent power</li> <li>• Grazing guidelines</li> <li>• Terms and conditions</li> <li>o Recommendation to delegatee</li> <li>• Decision/information conveyed</li> <li>• Others kept informed</li> <li>• Ngai Tahu right of first refusal</li> </ul> <p><b>Consenting to protective mechanism(s) -</b></p> <ul style="list-style-type: none"> <li>• Other bodies</li> <li>• Likelihood of consent at substantive proposal</li> <li>• Objects/purpose/type</li> <li>• Terms and conditions</li> <li>• Efficiency and effectiveness</li> <li>• Guidelines - access/protection</li> <li>o Recommendation to delegatee</li> <li>• Decision conveyed</li> <li>• Others kept informed</li> </ul> <p><b>Consenting to conservation area/reserve exchange(s)* -</b></p> <ul style="list-style-type: none"> <li>• Land properly included</li> <li>• Designations - all land/exchange areas shown</li> <li>• Public benefit</li> <li>• s.5 Reserves Act impediments</li> <li>• Notice given to Ngai Tahu/s.4 Conservation Act</li> <li>• Administering body view</li> <li>• Fiscal arrangements (DOC areas)</li> <li>o Recommendation to delegatee</li> <li>• Decision conveyed</li> <li>• Others kept informed</li> </ul>

3	<b>Preliminary proposal (cont'd)</b>	<p><b>Marginal strips integration -</b></p> <ul style="list-style-type: none"> <li>• CRM instructed on Pt IVA Conservation Act action(s)</li> <li>o Statutory deadlines met/action completed</li> <li>• Briefing reporting officers</li> <li>• Others kept informed</li> </ul>
		<p><b>Marginal strips - consent to appointing manager(s)* -</b></p> <ul style="list-style-type: none"> <li>• Likelihood of consent at substantive stage</li> <li>• Terms and conditions of proposed agreement</li> <li>• Information requirements</li> <li>• Suitability of proposed manager</li> <li>• Creation of strips sufficiently advanced</li> <li>o Recommendation to delegatee</li> <li>• Decision conveyed</li> <li>• Others kept informed</li> </ul> <p><b>Funding for acquisition of freehold* -</b></p> <ul style="list-style-type: none"> <li>• Subject to funding</li> <li>• Type of interest/responsibility</li> <li>• Sum to be applied for determined/land reported on</li> <li>• Fund standards</li> <li>• CRM briefed to seek funding</li> <li>o Action taken</li> <li>• Decision conveyed</li> <li>• Agreement reached before preliminary proposal put</li> <li>• Others kept informed</li> </ul>
4	<b>Substantive proposal</b>	<p><b>Submitting views -</b></p> <ul style="list-style-type: none"> <li>• Devising substantive proposal</li> <li>• Documentation of proposal</li> <li>• Putting a substantive proposal*</li> <li>• Likelihood of consents</li> <li>• Loss or benefit in changes from preliminary proposal</li> <li>• Iwi and public submissions</li> <li>• Deemed conservation area(s).*</li> <li>• Written views submitted</li> <li>• Qualified comments</li> <li>o Completion of s.7 Conservation Act action *</li> <li>• Designating special lease and grazing permit areas</li> <li>• Others kept informed</li> </ul>

4	<b>Substantive proposal (cont'd)</b>	<p><b>Consenting to concession(s)* -</b></p> <ul style="list-style-type: none"> <li>• Loss or benefit in changes from preliminary proposal/statutory/ validity of changes</li> <li>• Iwi and public submissions</li> <li>• Additional information supplied</li> <li>• (If freehold to Crown) Concession document drawn up</li> <li>o Recommendation to delegatee</li> <li>• Decision conveyed</li> <li>• Others kept informed</li> </ul>
		<p><b>Consenting to protective mechanism(s) -</b></p> <ul style="list-style-type: none"> <li>• Consent required?</li> <li>• Loss or benefit in changes from preliminary proposal</li> <li>• Iwi and public submissions</li> <li>• Draft document</li> <li>o Recommendation to delegatee</li> <li>• Decision conveyed</li> <li>• Others kept informed</li> </ul> <p><b>Consenting to conservation area/reserve exchange(s)* -</b></p> <ul style="list-style-type: none"> <li>• Loss or benefit in terms of changes from preliminary proposal</li> <li>o Reserve administering body resolution</li> <li>• CRM briefed on s.7 Conservation Act action(s)</li> <li>o Action taken by CRM</li> <li>• Iwi and public submissions</li> <li>o Recommendation to delegatee</li> <li>• Decision conveyed</li> <li>• Others kept informed</li> <li>• s.4 Conservation Act</li> </ul> <p><b>Marginal strip integration</b>                  (Action must have been completed in Phase 3)</p> <p><b>Marginal strip – Consent to appointing manager(s)* -</b></p> <ul style="list-style-type: none"> <li>• Loss or benefit in changes from preliminary proposal</li> <li>• Iwi and public submissions</li> <li>o Recommendation to delegatee</li> <li>• Decision conveyed</li> <li>• Other kept informed</li> </ul> <p><b>Transfer of freehold acquired* -</b></p> <ul style="list-style-type: none"> <li>o Transfer from LINZ</li> <li>o Payment</li> </ul>

4	<b>Substantive proposal (cont'd)</b>	<p><b>Management agreement(s)* -</b></p> <ul style="list-style-type: none"> <li>• Need for earlier possession?</li> <li>• Terms and conditions</li> <li>• Financial provision</li> <li>• Liaison with CCL/Agent</li> <li>o Recommendation to delegatee</li> <li>• Decision conveyed</li> <li>• Agreement in principle negotiated</li> <li>• CRM briefed to implement</li> <li>o Implementation by CRM</li> <li>• Notification and recording</li> <li>• Possession</li> </ul>
		<p><b>Exchange of conservation area or reserve –</b></p> <ul style="list-style-type: none"> <li>o Financial adjustment following acceptance</li> <li>o Transfer to LINZ</li> </ul>
5	<b>Implementation</b>	<p><b>Notification from CCL -</b></p> <ul style="list-style-type: none"> <li>• Consistent with registered plan/accepted proposal</li> <li>• Conservancy solicitor briefed</li> <li>• CRM briefed on any action over special lease and grazing permit areas</li> <li>o Action taken by CRM</li> <li>• Action monitored</li> <li>• Others kept informed</li> <li>o Notice to Ngai Tahu of reserve/conservation area exchange</li> </ul> <p><b>Handing over to Area Managers -</b></p> <ul style="list-style-type: none"> <li>• Copy of substantive proposal/approved plan sent</li> <li>• Internal notification new conservation areas/reserves</li> <li>• Data base change</li> <li>• Internal notification/recording/data base change – conveyancing completed (freehold/exchanges)</li> <li>• Internal notification/recording/data base change</li> <li>• Familiarisation inspection/introduction</li> <li>• Management agreements terminated.</li> </ul> <p><b>Appointing manager marginal strip* -</b></p> <ul style="list-style-type: none"> <li>• CRM briefed to have agreement executed/recorded</li> <li>o Action taken by CRM</li> </ul>

\* These actions are only carried out for reviews under Part 2 CPLA.