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Environment Canterbury submission on the Crown Pastoral Land regulations and standards

The Canterbury Regional Council (Environment Canterbury) thanks Toitū Te Whenua Land Information New Zealand (LINZ) for the opportunity to comment on the proposed regulations and standards to better manage Crown Pastoral Land.

Much of New Zealand's Crown pastoral land is within the Canterbury region. The Government's desire to deliver improved Crown pastoral land outcomes aligns with expectations held by Environment Canterbury and the community to improve environmental outcomes in the high country. The management of the high country has critical impacts on a whole range of values ki uta ki tai. Council support any mechanisms that will enable efficient and effective implementation of the changes to the administration of Crown pastoral land that will ultimately improve environmental outcomes.

Given the impacts of management on pastoral land and overlap of responsibilities and legislative frameworks, especially the Resource Management Act 1991, we welcome the opportunity to continue to build an effective working relationship with LINZ and other agencies for mutually beneficial outcomes.

In developing the proposed regulations and standards, Environment Canterbury recommend that LINZ consider:


- the potential duplications with Resource Management Act 1991 (RMA) processes undertaken by regional and district councils, and how the interaction between the Crown Pastoral Land regulations and any other regulatory requirements, could be efficiently managed in order to ensure that leaseholders are not having to duplicate effort, and decisions made are consistent. Any regulations and guidance should also complement agency alignment already in place, such as decisions about consents and land use in the Mackenzie Basin.
- clearer direction on the policy intent of the regulations to enable the Commissioner to make clear and consistent decisions and achieve the intended outcomes. For example, the policy change and intent provided by Te Mana o te Wai as expressed in the National Environmental Standards for Freshwater Management, would enable a more aligned policy/decision making framework leading to improved environmental outcomes. Section 10(4)(c) of the Crown Pastoral Reform Act 2022 currently provides for consideration of such national policy direction in the Commissioner's decision making.

- including directive and hierarchical “matters” that need to be taken into account (or even better, given effect to) when making decisions would be useful in achieving the intent of the regulation as it provides the Commissioner (and all those operating under the regulation) clear direction on what the regulation is intended to achieve. These could include water quality impacts, catchment context, water yield and retention.
- providing clear guidance on the processes that will be followed during the processing of any consent application. For example, timeframes, when/if there will be requests for further information and how further information will be assessed.
- how the applicant information is verified, and the process and resources for confirming the information (who is responsible for resourcing and carrying out the assessment). The high country and pastoral landscapes often contain specialised ecosystems requiring specifically informed assessment.
- the impacts of receiving environments and the criteria or circumstances in which LINZ should partner and work with Environment Canterbury to understand potential impacts and management, for example, where there are downstream impacts to sensitive receiving environments, LINZ should liaise with Environment Canterbury on consents for cultivation, track maintenance, and above Relative Stock Units applications.
- establishing a process for seeking advice from Council staff and other regulatory agencies, including points of contacts and timeframes to ensure that opportunities to share information and collaborate are not compromised.
- LINZ’s ability to resource the enforcement and infringement provisions of the regulations. Ensuring adequate tools and resources are in place to assess and support compliance is critical to help protect the environment and ensure appropriate enforcement action can be taken when required.
- LINZ funding to support implementation projects on Crown Land to improve environmental outcomes where there are significant natural areas, nationally or regionally significant areas, spawning sites, wāhi tapu, taonga etc.

Recognising that all of the pastoral leases in the Canterbury region are within the takiwā of Ngāi Tahu, it is essential that the standards and regulations are implemented utilising processes, including decision making processes, that enable Ngāi Tahu to practice kaitiakitanga, protect their interests and access mahinga kai. This involvement will need to be resourced. Environment Canterbury has developed consent processes under the RMA which recognise Ngāi Tahu as specialist advisors, and resource this involvement through Rūnanga Advisory Services accordingly. Involvement of Rūnanga, to the extent they wish to be involved, in monitoring is also important.

Collaboration and information sharing are critical to understanding different types of land use and impacts, and management issues, and the options to achieve outcomes. We look forward to meeting with LINZ to look for opportunities for consistent and effective implementation of land management and to discuss the matters raised above further.

Yours sincerely

A handwritten signature in blue ink, reading "Jenny Hughey". The signature is written in a cursive, flowing style with a large initial 'J' and 'H'.

Jenny Hughey

Chair