

Feedback on Crown Pastoral Land Strategic Intentions 2024-2029.

Introduction

Herenga ā Nuku Aotearoa the Outdoor Access Commission, is the Crown agent responsible for providing leadership on outdoor access issues. Our role is to advise on and advocate for free, certain, enduring, and practical access to the outdoors. Herenga ā Nuku plays a key role in negotiating, establishing and improving outdoor access for New Zealanders. This includes making people and organisations aware of public access locations and ensuring that access endures over time.

Herenga ā Nuku has a statutory interest in Crown pastoral land. One of the Commissioner of Crown Lands' duties is to support Herenga ā Nuku (as the Walking Access Commission) as far as practicable in meeting its public access objective where that relates to pastoral land (section 24(ia) Land Act 1948). The Commissioner also requires LINZ to seek a summary of the views of Herenga ā Nuku (as the Walking Access Commission), for the purposes of subsection 89(2A) of the Land Act, to consider whether any past requests for public access have been unreasonably refused (LINZ L S 01295).

We are concerned that Herenga ā Nuku was not specifically advised of the consultation on the Strategic Intentions document. We appreciate the extension to 28 March to enable us to provide feedback.

Feedback

1. Strategic Intentions

We note the legislative requirement in section 22C of the Crown Pastoral Land Act 1998 for the LINZ Chief Executive and the Commissioner of Crown land to prepare a document setting out the Crown's pastoral land strategic intentions. Having read the "Strategic Intentions Document 2024-2029", it wasn't immediately clear to us how the Chief Executive and the Commissioner proposed to perform or exercise their relevant statutory functions, duties, and powers in relation to pastoral land; or what the relevant key performance indicators were.

We now take it that the vision and identified priorities in section 3.3, are how the Chief Executive and the Commissioner propose to perform or exercise their relevant statutory functions, duties, and powers in relation to pastoral land, and that the associated Performance Monitoring Framework identifies the key performance indicators.

Recommendation

Herenga ā Nuku recommends that the Strategic Intentions Document references section 22C, Crown Pastoral Land Act 1998, as providing the statutory requirement for the document, and more clearly links the intentions to those specific statutory requirements.

2. Benefits for the public

There are several comments in sections 2 and 3 regarding how New Zealanders value the South Island high country, the need for the Crown Pastoral estate to be managed in a way to deliver multiple benefits including social wellbeing, and to ensure the well-being of all New Zealanders.

On the LINZ website recreation values are recognised as a significant value that should be protected on Crown-owned land

<https://www.linz.govt.nz/our-work/crown-property-management/buying-and-selling-crown-property/protection-values-crown-owned-land>

Unfortunately, there is no mention in the Strategic Intentions Document that recreation (and associated access) is a very significant contributor to an individual's, and society's, well-being.

The pastoral estate is highly valued by members of the public for recreation, and for access to adjoining Public Conservation Land, with the permission of lease or licence holders.

Recommendation

Herenga ā Nuku recommends that acknowledgement be made in the narrative of the Strategic Intentions Document that;

- Recreation values are significant values.
- the Crown pastoral estate is highly valued by members of the public for recreation, and for access to adjoining Public Conservation Land, with the permission of lease or licence holders.
- Outdoor recreation is a major contributor to an individual's, and society's, well-being.

3. Regulatory reform

We note the reference to "Better represent and promote the interests of hunters and fishers" (Figure 2. Government policy commitments), which could be an emerging priority.

Herenga ā Nuku is regularly representing the interest of hunters and fishers through the provision of public access. Unfortunately, there are some pastoral leases where access for hunters and fishers is generally not available, or we believe is unreasonably constrained. We would welcome the opportunity to work with the Commissioner and LINZ to better represent and promote hunter and fisher access on and through the Crown pastoral estate.

Recommendation

Herenga ā Nuku recommends that the Commissioner and LINZ work with Herenga ā Nuku to better promote the interests of hunters and fishers.

4. Vision

The vision reflects one of the outcomes under the purpose of the Crown Pastoral Land Act 1998 (CPLA) (section 1A). This is, to provide for the administration of pastoral land in a way that seeks to achieve the maintaining or enhancing of inherent values across the Crown pastoral estate for present and future generations, while providing for ongoing pastoral farming of pastoral land. There is of course an inherent tension between maintaining or enhancing inherent values while providing for ongoing pastoral farming.

The vision embodied in the 'plan' (section 3.3) goes further than the Act.

The vision is for the Crown pastoral estate to be actively managed to enhance its inherent values and support productive and sustainable pastoral farming. We are cautious about how inherent values will be enhanced while productive and sustainable pastoral farming is being supported. We are also cautious about the extent to which active management of the Crown pastoral estate should necessarily be supporting productive and sustainable farming.

Recommendation

Herenga ā Nuku recommends that the vision embodied in the Strategic Intentions Document be revisited to ensure it is in accord with the Crown Pastoral Land Act 1998.

5. Priorities

The priorities proposed seem appropriate for improving the administration of pastoral land. We are however cautious about the use of the term 'partnerships', particularly in connection to the legal relationship between a lessor (in this case the Crown, through the Commissioner) and a lessee/licensee (in this case the holder of a pastoral lease or licence). We believe the term 'relationships' would be a more accurate one.

Recommendation

Herenga ā Nuku recommends that the priorities embodied in the Strategic Intentions Document be retained, but that the term 'partnerships' be replaced by the term 'relationships'.

6. Stakeholders

We are concerned that the LINZ Chief Executive and the Commissioner have not recorded Herenga ā Nuku Aotearoa the Outdoor Access Commission as a key partner (Appendix 3).

As identified earlier, one of the Commissioner of Crown Lands' statutory duties is to support Herenga ā Nuku (as the Walking Access Commission) as far as practicable in meeting its public access objective where that relates to pastoral land (section 24(ia) Land Act 1948).

The Commissioner also requires LINZ to seek a summary of the views of Herenga ā Nuku (as the Walking Access Commission), and others, for the purposes of subsection 89(2A) of the Land Act, to consider whether any past requests for public access have been unreasonably refused (LINZ L S 01295).

We therefore believe that we are a key stakeholder that can contribute to informed decision making in the active management of the Crown pastoral estate.

Recommendation

Herenga ā Nuku recommends that it (Herenga ā Nuku Aotearoa the Outdoor Access Commission) be recognised as a key stakeholder and be included in the appropriate appendix (currently Appendix 3).

Conclusions

Herenga ā Nuku recommends that;

1. The Strategic Intentions Document references the Crown Pastoral Land Act 1998 as providing the statutory requirement for the document, and more clearly links the intentions to those statutory requirements.
2. Acknowledgement be made in the narrative of the Strategic Intentions Document to the effect that;
 - Recreation values are significant values.
 - the Crown pastoral estate is highly valued by members of the public for recreation, and for access to adjoining Public Conservation Land, with the permission of lease or licence holders.

- Outdoor recreation is a major contributor to an individual's, and society's, well-being.
- 3. The Commissioner and LINZ work with Herenga ā Nuku to better promote the interests of hunters and fishers.
- 4. The vision embodied in the Strategic Intentions Document be revisited to ensure it is in accord with the Crown Pastoral Land Act 1998.
- 5. The priorities embodied in the Strategic Intentions Document be retained, but that the term 'partnerships' be replaced by the term 'relationships'.
- 6. Herenga ā Nuku Aotearoa the Outdoor Access Commission be recognised as a key stakeholder and be included in the appropriate appendix (currently Appendix 3).

Thank you again for the extension of time to enable us to provide feedback on the Strategic Intentions Document. We would welcome further discussion on our recommendations.



Ric Cullinane
Te Tumuaki – Chief Executive
Herenga ā Nuku the Outdoor Access Commission