

# Crown land legislative review – change process

## Part 1: System improvements to Crown Pastoral Land Act (CPLA) and Land Act

Potential scope for changes to the CPLA and Land Act (see slide on reverse for more details).

### CPLA and Land Act Review

There are efficiencies to be gained through amendments to the CPLA and Land Act.

LINZ is working with other agencies on a related workstream regarding the afforestation of Crown-owned land.

This slide highlights the relationship between the two workstreams.

**There is an opportunity to advance improvements to the Crown Estate Management System alongside changes to enable afforestation on Crown Land**

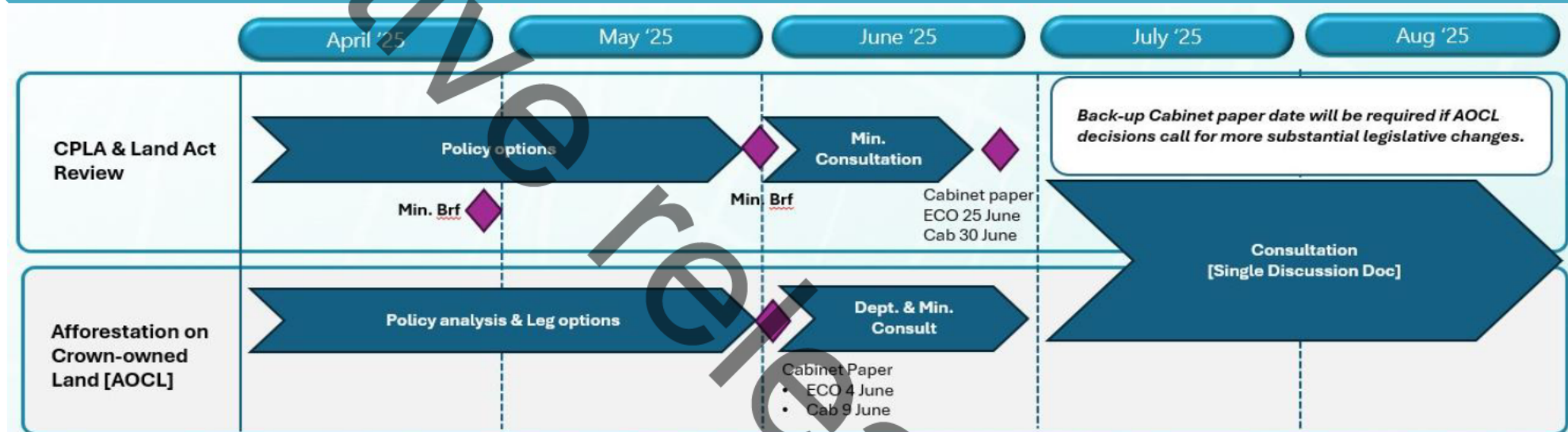
s 9(2)(f)(iv)  
 s 9(2)(f)(iv)  
 s 9(2)(f)(iv)

You can seek Cabinet's agreement to additional policy changes to the CPLA and Land Act s 9(2)(f)(iv)

These workstreams could converge with a single discussion document on LINZ related matters for public consultation in June/July.

Targeted approach	Targeted + priority fundamental areas	Fundamental review
Specific changes to improve the efficiency and effectiveness of the system	Wider changes to the system to meet the Government's objectives and priorities	Comprehensive review of the Acts including system outcomes
Focused on changes that relate to enabling secondary land use on Crown-owned land including afforestation, and leaseholder participation in the Emissions Trading Scheme. Taking the opportunity to make additional complementary changes to the CPLA and Land Acts such as allowing other new secondary uses.	Widening the scope to include other areas that have been identified for reform in both the CPLA and the Land Act, such as the review of Crown revenue structures from Crown pastoral land; the interface between the CPLA and the Resource Management Act 1991; and changes to the Land Act regarding easements, marginal strips, and public notification processes under the Act.	A significant review of the CPLA and Land Acts which looks to make major changes to the legislation to update and modernise it. In scope would be examining fundamental changes to the purpose and objectives of the Acts and reviewing each section at a first principles level.

Timeline below relates to delivery of targeted and targeted + options | Longer timeframe required for fundamental review



## Part 2: Afforestation on Crown Land

Agencies will work to develop the high-level policy until June when Ministerial decisions are sought.

Each agency will then work to make changes to legislation to implement the policy decision. You will need to amend the CPLA and Land Act.

When a discussion document is developed for consultation on the CPLA and Land Act changes, policy decisions on other changes to the CPLA and Land Act (depending on the scope above) will be included.

There are consultation requirements in the CPLA:

- Relevant iwi and representatives of lessees and licensees of pastoral land are consulted.
- A notice is published on the department's website and the public is invited to submit written submissions.

# Scope Options: Changes to Crown Pastoral Land Act 1998 (CPLA) and Land Act 1948

➔ LINZ is proposing improvements that could be made to both the CPLA and the Land Act that will also see efficiencies in other LINZ-administered land outside of the Crown pastoral estate. The scope options below set out minor changes that could be achieved through a targeted approach through to changes that could be achieved through a fundamental review. Although the purpose of the Land Act is to provide the powers and functions of the Crown as a landowner, it has not had a substantive review since being enacted in 1948. A fundamental review would require significant time and resource

➔ For the Crown pastoral estate, there are significant interdependencies with the cross-agency afforestation on Crown-owned land work. Legislative change is required to enable afforestation (and other secondary land uses) on the Crown pastoral estate.

§ 9(2)(f)(iv) [redacted] For example, § 9(2)(f)(iv) [redacted] [redacted]

	Targeted approach Specific changes to improve the efficiency and effectiveness of the system	Targeted + priority fundamental areas Wider changes to the system to meet the Government's objectives and priorities	Fundamental review Comprehensive review of the Acts including system outcomes
<b>Scope of what can be explored</b>	<ul style="list-style-type: none"> <li>Enabling secondary land uses on the Crown pastoral estate, including afforestation.</li> <li>Improvements to enable efficiencies in administration of LINZ-owned land.</li> <li>Legislative and consequential operational changes.</li> <li>Enable leaseholder participation in the ETS (or similar regime) – § 9(2)(f)(iv) [redacted]</li> </ul>	<p>All of the proposals in "Targeted Approach" plus:</p> <ul style="list-style-type: none"> <li>A limited review of some of the Commissioner's powers and duties.</li> <li>Improving system coherence.</li> </ul>	<ul style="list-style-type: none"> <li>This review would consider the purpose and scope of the CPLA – § 9(2)(f)(iv) [redacted].</li> <li>First principles review of the Land Act 1948.</li> <li>Possibility that both CPLA and Land Act could be combined into a single piece of legislation (similar to what occurred in New South Wales).</li> </ul>
<b>CPLA improvements</b>	<ul style="list-style-type: none"> <li>Review classification of permitted and discretionary activities in the CPLA Schedules.</li> <li>Changes to the rental regime to enable the Crown to receive a fair return from activities such as afforestation and other secondary uses (but not a wider review of the rental regime).</li> <li>Review the application process and Commissioner of Crown Lands' decision-making framework for secondary uses.</li> </ul>	<p>All of the proposals in "Targeted Approach" plus:</p> <ul style="list-style-type: none"> <li>Review Crown revenue structures from Crown pastoral land.</li> <li>Review of some sections in the CPLA that consider the scope and purpose.</li> <li>Assessment of the interface between the CPLA and the Resource Management Act 1991 to enable efficiencies for Crown pastoral lessees.</li> </ul>	<ul style="list-style-type: none"> <li>§ 9(2)(f)(iv) [redacted]</li> <li>A more in-depth examination of the CPLA and the Resource Management Act 1991 to find ways to reduce overlap.</li> <li>Wider review of the rental regime for Crown pastoral lessees (Part 1A of the CPLA).</li> </ul>
<b>Land Act improvements</b>	<ul style="list-style-type: none"> <li>Minor changes to some formal Land Act provisions to achieve more efficiency (following further analysis of issues). Could include consolidating sections 68 and 68A into single provision (communal grazing) or section 67 (disposal of land).</li> <li>Modernising outdated language and terminology where appropriate.</li> </ul>	<p>All of the proposals in "Targeted Approach" plus:</p> <ul style="list-style-type: none"> <li>More substantive reviews and changes to sections of the Land Act that relate to easements, marginal strips, subdivision requirements, amalgamation with adjoining titles, camping on Crown Land, public notification processes (following further analysis of issues).</li> </ul>	<p>Significant review and rewrite of the Land Act 1948 – possibly introducing a completely updated new Land Act (or consolidating the CPLA and LA into a single new piece of legislation).</p>

Smaller changes  
Shorter timeframes

Significant changes  
Longer timeframes