

# Enabling significant changes in land use: Problem definition and summary of interests in Crown pastoral land

15 October 2025

Problem definition and objectives	Key questions to be worked through
<ul style="list-style-type: none"> <li>The overall objective is to enable best use of Crown land.</li> <li>The Crown pastoral estate can only be used in ways that are consistent with the core purpose of the CPLA – maintaining or enhancing inherent values of the land and protecting the ongoing viability of pastoral farming.</li> <li>To enable other uses, such as pursuing new economic opportunities, housing development or other uses that have significant benefits for New Zealand, the land first needs to be removed from the Crown pastoral estate (e.g. reclassified and re-leased under the Land Act, transferred to another government entity, or sold).</li> <li>The current legislation has provisions for land to be removed from the Crown pastoral estate, but the current pathway is unclear and the outcome uncertain.</li> <li>As part of the CPLA review, we have an opportunity to create a clearer pathway for removing land from the Crown pastoral estate.</li> </ul>	<ul style="list-style-type: none"> <li>What is the desired degree of control over who purchases the land (if it is ultimately offered for sale)?</li> <li>How interests in the land will be taken into account / given effect to through the process.</li> <li>How to manage the risk that the benefits that motivated the Crown to agree to dispose of the land are not achieved.</li> </ul>

Interests in Crown pastoral land	How are these interests given effect to now?	Considerations for a clearer legislative pathway
<p><b>Legal entitlements</b></p> <ul style="list-style-type: none"> <li>Crown pastoral leaseholders perpetual rights of renewal</li> <li>Iwi RFR entitlements</li> <li>Marginal strip provisions</li> <li>Easements (e.g. for telecommunications facilities and to convey electricity or water)</li> <li>Paper roads</li> </ul>	<p>Leaseholders have perpetual rights of renewal and exclusive possession for grazing.</p> <p>Settlement legislation requires that iwi be given RFR in the case of a lease of 50 years or more or sale of the land (the Crown must either offer the lease or sale proposal to the iwi or seek the iwi's agreement to waive its RFR right, typically in exchange for financial value).</p> <p>Some areas of pastoral leases are subject to easements held by third parties.</p>	<p>The process would only commence with leaseholder agreement (there will not be provision for compulsory acquisition).</p> <p>No changes will be made to RFR entitlements set in Treaty settlement legislation.</p> <p>Consent from easement holders will be sought if required and this may involve payment for varying easement terms.</p>

Interests in Crown pastoral land	How are these interests given effect to now?	Considerations for a clearer legislative pathway
<p><b>Users of the land</b></p> <ul style="list-style-type: none"> <li>• Commercial recreation permit holders</li> <li>• Recreational users</li> </ul>	<p>Some third parties hold commercial recreation permits to use Crown pastoral land for a limited time period.</p> <p>Recreational users may have access to the land with the permission of leaseholders (where marginal strips or paper roads do not provide this adequate access). The Commissioner has a duty to support the Walking Access Commission in negotiating any public access to pastoral land (s24, Land Act).</p>	<p>Existing commercial recreation permits may need to be varied in agreement with the permit holder and this may involve payment for loss of value.</p> <p>Removing land from the Crown pastoral estate will impact recreational users. Consultation requirements should be built into the new pathway to ensure their interests can be considered by the Crown before making disposal decisions.</p> <p>Public access easements could be created during the disposal so that public access not only continues but has a legal basis for the access. Public consultation built into the process could inform on this.</p>
<p><b>Wider interests</b></p> <ul style="list-style-type: none"> <li>• Neighbouring land holders</li> <li>• Conservation interests</li> <li>• Public interest in maintaining the inherent values of the South Island high country</li> <li>• Public interest in a 'fair return' to the Crown</li> <li>• Māori interests in relation to their ancestral lands, water, mahinga kai, wāhi tapu (provided for in s5 of the CPLA, and separate to iwi RFR rights)</li> <li>• Local authorities as consenting bodies under the RMA</li> </ul>	<p>The CPLA currently protects wider interests in the South Island high country through its core purpose of maintaining or enhancing inherent values, which include conservation values.</p> <p>CPLA supports the Crown in its relationships with Māori under the Treaty (ss1A &amp; 4) and requires the Crown to recognise Māori interests in the land and consult certain iwi (s5).</p>	<p>Significant changes of land use away from pastoral farming that are not consistent with maintaining inherent values will be of wide concern.</p> <p>Consultation requirements with specific interest groups and the public should be built into the process.</p> <p>The clarified legislative pathway should include criteria that recognise wider interests in inherent values that the Crown must take into account before making disposal decisions.</p> <p>Proposals will still need to separately seek any necessary resource consents from local authorities under the RMA.</p> <p>Recognising the public interest in a fair return to the Crown will require either competitive allocation (to secure the best value proposal) or market-based valuation to establish a return to the Crown.</p>