

## BRF 26-211 Response to Te Rūnanga o Ngāi Tahu on changes to CPLA and Land Act proposals

|                       |   |                           |               |
|-----------------------|---|---------------------------|---------------|
| <b>Ki / To:</b>       | Hon Chris Penk<br>Minister for Land Information | <b>Rā / Date:</b>         | 10 March 2026 |
| <b>Priority Level</b> | Priority: Medium                                | <b>Action required by</b> | 20 March 2026 |

### Purpose

This briefing seeks your agreement to notify Te Rūnanga o Ngāi Tahu of the policy decisions you have made in response to its concerns about the proposed changes to the Crown Pastoral Land Act 1998 (CPLA) and the Land Act 1948.

### Toitū Te Whenua Land Information New Zealand

#### Whakapā/contacts

| Ingoa/Name   | Nama waea/<br>Contact number | Whakapā<br>tuatahi/first contact    |
|--|------------------------------|-------------------------------------|
| <b>Amanda Moran</b><br>Head of Strategy and Policy     | 027 462 8250                 | <input type="checkbox"/>            |
| <b>Hannah O'Donnell</b><br>Leader, Strategy and Policy | 027 302 1856                 | <input checked="" type="checkbox"/> |

#### Ngā kōrero a te Minita/Minister's comments

s 9(2)(f)(iv)

## Tohutohu/Recommendations

| Toitū Te Whenua Land Information New Zealand Recommends that you: |                      |  |                  |
|---|----------------------|--|------------------|
| 1.  | <b>Me mātai/Note</b> | You agreed to make changes to the Crown Pastoral Land Act and Land Act Amendment Bill in response to feedback received from Te Rūnanga o Ngāi Tahu [BRF 26-199 refers] | Noted            |
| 2.  | <b>Hainatia/Sign</b> | The attached letter to the Chair of Te Rūnanga o Ngāi Tahu   | Agree / Disagree |
| 3.  | <b>Āmine/Agree</b>   | That your office contacts Te Rūnanga o Ngāi Tahu to see if the Chair would like to meet to discuss these matters further   | Agree / Disagree |
| 4.  | <b>Me mātai/Note</b> | The attached talking points for any meeting that is arranged   | Noted            |
| 5.  | <b>Me mātai/Note</b> | Following your communications to the Chair of Te Rūnanga, LINZ will advise key contacts at Te Rūnanga of the policy decisions.   | Noted            |



Hannah O'Donnell  
**Leader, Strategy and Policy**  
**Toitū Te Whenua Land Information New Zealand**

Rā/Date: 10 March 2026



Hon Chris Penk  
**Te Minita mō Toitū Te Whenua/**  
**Minister for Land Information**

Rā/Date: 11 MAR 2026

## Background and context

1. On 16 December 2025, you met with Justin Tipa, Kaiwhakahaere (Chair) of Te Rūnanga o Ngāi Tahu (Te Rūnanga) to discuss the concerns Te Rūnanga has with the proposed changes to the Crown Pastoral Land Act 1998 (CPLA).
2. Following this meeting, Toitū Te Whenua Land Information New Zealand (LINZ) provided Te Rūnanga with updated information on the proposed design of the secondary use permit system.
3. On 13 February 2026, Te Rūnanga provided feedback to the Commissioner of Crown Lands (the Commissioner) [BRF 26-199 provides a copy of the letter from Te Rūnanga].

## Further decisions on the secondary use permit system

4. On 4 March 2026, you made further decisions on the proposed new secondary use permit system [BRF 26-199 refers]. You agreed to:
  - remove “native forestry” and “environmental restoration or enhancement activities” from the schedule of specified activities for which secondary use permits may be granted, as these activities are long-term in nature, and including them in this schedule would be inconsistent with the purpose of the schedule
  - make the changes to the secondary use decision-making criteria suggested by Te Rūnanga, as these changes better align the criteria with the purpose and decision-making outcomes of the CPLA.

## Communicating the changes to Te Rūnanga o Ngāi Tahu

5. LINZ recommends that you:
  - send the attached letter to Justin Tipa, Kaiwhakahaere (Chair), Te Rūnanga
  - ask your office to contact Te Rūnanga to see if the Chair would like to meet to discuss these matters further. The attached talking points are intended to support any meeting that is arranged.
6. The attached letter and talking points set out your decisions and clarify aspects of the proposals that relate to Te Rūnanga concerns.
7. Following your communications to the Chair of Te Rūnanga, LINZ will advise key contacts at Te Rūnanga of the policy decisions.

## Tāpiritanga/Attachments

| Document number | Name of attachment   |
|-----------------|--|
| 1.              | Draft letter to Justin Tipa, Kaiwhakahaere (Chair), Te Rūnanga o Ngāi Tahu |
| 2.              | Talking points based on the letter to Justin Tipa                          |

# Hon Chris Penk

Minister for Building and Construction  
Minister for Land Information  
Minister for Small Business and Manufacturing  
Minister for Veterans  
Associate Minister of Defence  
Associate Minister for Emergency Management and Recovery  
Associate Minister of Immigration



Justin Tipa  
Kaiwhakahaere  
Te Rūnanga o Ngāi Tahu

By email: [Justin.Tipa@ngaitahu.iwi.nz](mailto:Justin.Tipa@ngaitahu.iwi.nz)

Tēnā koe Justin

Thank you for meeting with me on 16 December 2025 to discuss Te Rūnanga o Ngāi Tahu concerns about the proposed changes to the Crown Pastoral Land Act 1998 (CPLA), including the development of a new secondary use permit system. I appreciated the opportunity to hear your views directly.

Following our meeting, Toitū Te Whenua Land Information New Zealand (LINZ) provided Te Rūnanga with updated information on the proposed system design. The Commissioner of Crown Lands also received your Chief Executive Officer's letter of 13 February 2026 outlining your feedback.

Thank you for the time and care that went into this feedback. My officials have worked through it with me, and it has informed my decisions on the content of the draft Bill.

I am writing to outline my recent decisions, clarify aspects of the proposals that relate to Te Rūnanga concerns, and note the next steps.

## **Secondary uses enabling land use change**

Te Rūnanga expressed concern that the new secondary use system might result in land use changes and privatisation of Crown pastoral land in a way that undermines the intent of Treaty settlements, including the Right of First Refusal.

Only pastoral lessees will be able to apply for secondary use permits. Permits will be limited to the remaining term of the lease, but the Commissioner will have discretion to issue new permits for activities that last longer than this.

## **Section 5 of the Crown Pastoral Land Act**

Te Rūnanga emphasised the importance of early, genuine, and effective engagement under section 5 of the CPLA.

LINZ advises me that it is standard practice to consult Te Rūnanga on every application for a commercial recreation permit or a discretionary pastoral activity, and that LINZ will apply this same practice to secondary use permit applications.

In addition, you will be aware that any decision to reclassify and remove land from the Crown pastoral estate for a specified land use will be subject to section 5. Any land to be disposed of from the Crown pastoral estate under this provision will also be subject to a Right of First Refusal.

### **Proposed list of generally permissible secondary use activities**

Te Rūnanga raised concerns about the proposed list of permissible secondary uses. Te Rūnanga is concerned that it is unclear why exotic forestry and infrastructure were removed from the list of permissible secondary uses, leading Te Rūnanga to assume these activities may still be considered since they are not listed as prohibited.

It is correct that an activity that is not specifically listed as prohibited may be considered, even if it is not in the list of permissible activities.

The list of permissible activities is a way of signalling that certain activities of a shorter duration are more likely to be acceptable. To reinforce this signal, I have decided that the list of permissible uses will not include other land uses that by their nature would be permanent, such as native carbon forestry and environmental restoration or enhancement activities.

The list of permissible activities also matters for consultation. If a secondary use activity is not on that list, it must go through a specific statutory consultation process with the relevant iwi before the Commissioner makes a decision.

### **Decision-making criteria**

Te Rūnanga raised concerns about the statutory criteria the Commissioner must apply when assessing secondary use applications where effects on inherent values or pastoral farming will be more than minor. I have made several changes to these criteria.

From the criterion, 'the activity supports long-term maintenance or enhancement of inherent values when the lease is considered as a whole, or within the local Ecological District, or the South Island High Country,' I am removing the words 'or within the local Ecological District or the South Island High Country.' This focuses the assessment on whether an activity supports inherent values across the lease.

From the criterion, 'the activity supports, or does not preclude, the long-term viability of the lease for pastoral farming purposes,' I am removing the words 'or does not preclude.' This aligns the criterion more clearly with the purpose of a secondary use permit to support ongoing pastoral farming of the lease.

For the same reason, I am removing the criterion relating to significant social or economic benefits at a community or national scale. Such activities are unlikely to be compatible with pastoral farming remaining the primary land use.

These changes make the criteria clearer, more workable, and better aligned with the purpose and outcomes of the CPLA.

### **Next steps**

Having made these decisions, my intention, subject to Cabinet's final agreement, is to introduce draft legislation to Parliament within the next month. I expect select committee consideration to begin shortly after introduction and continue through the middle part of the year. This will provide Te Rūnanga with an opportunity to review the proposals in detail and make a formal submission, which I will consider carefully.

Thank you again for your engagement and constructive feedback. I value our ongoing relationship and the opportunity to continue working closely with you and Te Rūnanga. My office will contact Te Rūnanga to see if you would like to meet to discuss these matters further.

Nāku noa, nā



Hon Chris Penk  
Minister for Land Information

11 MAR 2026