



# Cabinet Legislation Committee

## Minute of Decision

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### Crown Land Legislation Amendment Bill: Approval for Introduction

**Portfolio**                      **Land Information**

On 26 March 2026, the Cabinet Legislation Committee:

#### Background

- 1        **noted** that the Crown Land Legislation Amendment Bill (the Bill) holds a category 5 priority on the 2026 Legislation Programme (to proceed to select committee before the 2026 election);
- 2        **noted** that the Bill will increase the productive use of Crown land by enabling appropriate new activities on Crown pastoral land, improving consent pathways for existing activities, and enabling land-use proposals that deliver wider public benefits;

#### Policy decisions to give effect to the land reclassification pathway made under delegation

- 3        **noted** that in December 2025, the Cabinet Economic Policy Committee (ECO) authorised the Minister for Land Information (the Minister) to make further policy decisions and issue drafting instructions relating to the design of the reclassification pathway process [ECO-25-MIN-0203];
- 4        **noted** that the Minister has made the following decisions during drafting to give effect to ECO's intent:
  - 4.1      including an overview clarifying that, for decisions under the land-reclassification pathway, decision makers must continue to seek a fair return and support the Crown's relationship with Māori, but are not required to maintain or enhance inherent values or provide for pastoral farming;
  - 4.2      empowering the Commissioner of Crown Lands to decline incomplete, misleading, frivolous, or vexatious applications;
  - 4.3      the criteria the Minister for Land Information must consider when deciding whether the proposed public benefits outweigh negative impacts on inherent values and pastoral farming are: public benefits, Māori interests, effects on land for pastoral farming, effects on inherent values, and any other matters the Minister considers relevant;
  - 4.4      Ministerial decisions made under the new pathway will be non-delegable;

- 4.5 appeal rights for Ministerial decisions will not be included in the legislation;
- 4.6 adopting wording such as “capable of meeting” to clarify the gateway test is a lower threshold;
- 4.7 requiring that all other statutory permissions necessary for the proposed use are secured before reclassification and land disposal proceeds;
- 4.8 enabling the Commissioner of Crown Lands to decide whether to dispose of the land through a preferential or competitive allotment process;
- 4.9 the Commissioner of Crown Lands’ decisions will not be subject to the existing rehearing and appeal processes in the Land Act 1948 where the decision is on a matter that is to be or has been decided by the Minister for Land Information;
- 4.10 empowering the Commissioner of Crown Lands to set terms and carry out ongoing monitoring to ensure the purpose for which the land was reclassified is achieved;
- 4.11 providing for publication of land-removal decisions alongside other Crown Pastoral Land Act 1998 decisions to maintain transparency;
- 4.12 including a mechanism requiring the Minister for Land Information to determine whether an approved removal decision can still be given effect if a proposal fails or land reverts to the Crown, and empowering the Commissioner of Crown Lands to reclassify and re-lease land as pastoral where appropriate;

#### **Delegated technical, minor and consequential amendments**

- 5 **noted** that the Minister has made the following technical decisions to ensure the operability and coherence of the legislation under delegation:
  - 5.1 amending the Crown Pastoral Land Regulations 2023 to set information requirements for secondary use permit applications, preserving alignment with requirements for commercial recreation permit applications;
  - 5.2 enabling the Commissioner of Crown Lands and the Chief Executive of Land Information New Zealand to issue standards and directives for secondary use permits;
  - 5.3 revoking overlapping fees in the Land Information New Zealand (Fees and Charges) Regulations 2023 to avoid duplication;
  - 5.4 enabling the making of regulations prescribing information, assessment matters, and fee settings for secondary use permits;
  - 5.5 clarifying and updating permitted/discretionary activity lists and terminology in schedules to improve readability and reduce unnecessary compliance costs;
  - 5.6 clarifying the treatment of offsetting so that only on-site, integral, contemporaneous mitigation, rehabilitation, or enhancement measures may be considered in decision making;
  - 5.7 setting commencement of the Bill at six months after Royal assent, allowing operational and finance systems to be in place;
  - 5.8 making minor cross-references and terminology alignments between the Crown Pastoral Land Act 1998 amendments and Land Act 1948 modernisation provisions;

### Further policy decisions sought from Cabinet

- 6 **agreed** to include an explicit requirement that the Commissioner of Crown Lands consult the Department of Conservation when considering secondary use permit applications, ensuring alignment with existing commercial recreation permit settings;
- 7 **agreed** that “native plantation forestry” and “environmental restoration or enhancement activities, including carbon/biodiversity programmes involving indigenous vegetation, wetlands, or other activities beneficial to inherent values” not be included in the schedule of secondary use activities a permit may be granted for;
- 8 **agreed** to the following changes to the criteria for secondary use applications with “more than minor adverse effects”:
- 8.1 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,” removing the words “or within the local ecological district or the South Island high country”;
- 8.2 from the criterion, “the activity supports, or does not preclude, the long-term viability of the lease for pastoral farming purposes,” removing the words “or does not preclude”;
- 8.3 removing the criterion, “the activity will result in significant social or economic benefit to the community or the nation”;
- 8.4 removing the reference to anthropogenic hazards;

### Approval and parliamentary process

- 9 **approved** the Crown Land Legislation Amendment Bill [PCO 27121/4.0] for introduction;
- 10 **authorised** the Parliamentary Counsel Office to make minor and technical changes that arise during drafting up until the Bill is introduced;
- 11 **agreed** that the Government propose that the Bill be referred to the Primary Production Committee for consideration.

Sam Moffett  
Committee Secretary

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**Present:**

Hon David Seymour  
Rt Hon Winston Peters  
Hon Paul Goldsmith (Chair)  
Hon Judith Collins KC  
Hon Tama Potaka  
Hon Brooke van Velden  
Hon Casey Costello  
Hon James Meager  
Stuart Smith MP  
Todd Stephenson MP  
Jamie Arbuckle MP

**Officials present from:**

Officials Committee for LEG