



Cabinet

Minute of Decision

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Conservation Acts (Land Management) Amendment Bill: Further Policy Decisions

Portfolio **Conservation**

On 29 September 2025, following reference from the Cabinet Business Committee, Cabinet:

- 1 **9(2)(f)(iv)** [REDACTED]
- 2 **noted** that in June 2025, Cabinet invited the Minister of Conservation to report back on:
 - 2.1 policies for the new NCPS which will unlock economic activity within appropriate constraints;
 - 2.2 an appropriate mechanism for a financial contribution to **9(2)(f)(iv)** [REDACTED] for efficient engagement on statutory processes;
 - 2.3 a standard approach to commercial terms for leases and licences to smooth transitions between operators, manage Crown risks, and protect private property;
 - 2.4 whether there are any situations in which leases and licences with significant private capital investment should be contestable; and
 - 2.5 after engagement with affected groups, upholding relevant Treaty settlement commitments and arrangements to uphold rights under the Marine and Coastal Area (Takutai Moana) Act 2011 and the Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019, in consultation with the Minister for Treaty of Waitangi Negotiations;

[CAB-25-MIN-0213.01]

Upholding Treaty settlements

- 3 **agreed** to uphold redress relating to deeds of recognition, overlay classifications, decision-making frameworks, cultural materials, and consultation on exchanges and disposals as described in the paper under CBC-25-SUB-0049;

- 4 **agreed** in principle to carry across to the new system:
 - 4.1 co-approval and/or co-development roles for post-settlement governance entities (PSGEs) directly provided through Treaty settlements in relation to statutory planning documents; and
 - 4.2 the substantive effect of legal weightings provided through settlement redress;
- 5 **agreed** that the Conservation Acts (Land Management) Amendment Bill (the Bill) will include temporary arrangements preserving redress commitments to enable further engagement on about 45 more complex commitments prior to enactment;
- 6 **authorised** the Minister of Conservation to make final decisions, in consultation with the Minister for Māori Development, to replace drafting relating to temporary arrangements for complex redress;
- 7 **noted** that the Minister of Conservation will consult the Minister for Treaty of Waitangi Negotiations on outcomes of talks with groups in negotiation before making decisions;

Upholding Takutai Moana rights

- 8 **agreed** to uphold the requirement for a customary marine title planning document to be considered by replacing references to conservation management strategies with area plans;
- 9 **9(2)(f)(iv)** [Redacted]
- 10 **agreed** that the Bill include temporary arrangements in relation to the Ngā Hapū o Ngāti Porou arrangements to enable engagement with Ngā Hapū o Ngāti Porou before enactment;
- 11 **authorised** the Minister of Conservation to make final decisions, in consultation with the Minister for Treaty of Waitangi Negotiations, to replace drafting relating to temporary arrangements for the Ngā Hapū o Ngāti Porou arrangements;

A mechanism for financial contributions

- 12 **agreed** to enable disbursing funds collected from concession applicants to help meet costs of statutory consultation on those applications;

Contestability of leases and licences with significant private capital investment

- 13 **agreed** that incumbent operators for major tourism concessions involving significant private capital investment will have a protected window from two to five years before expiry of the current concession to apply for a new concession;

Other matters

- 14 **9(2)(f)(iv)** [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]

Drafting of legislation

- 15 **invited** the Minister of Conservation to issue drafting instructions to the Parliamentary Counsel Office to give effect to the above decisions through the Bill;
- 16 **authorised** the Minister of Conservation to make decisions consistent with the policy direction outlined above on issues that arise during drafting.

Diana Hawker
for Secretary of the Cabinet

Secretary's Note: This minute replaces CBC-25-MIN-0049. Cabinet agreed to amend paragraph 14.2.

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