Cabinet

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

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

Portfolio **Conservation**

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

1 **noted** that in June 2025, Cabinet agreed to proposals to modernise conservation land management, and directed the Minister of Conservation to amend the purpose statement for the Conservation Act 1987 (the Act) to ensure that the National Conservation Policy Statement (NCPS) and area plans can enable greater economic development on conservation land [CAB-25-MIN-0213.01];

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 Treaty of Waitangi (Treaty) partners 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 **agreed** to preserve the requirement for the customary marine title group to have 40 working days to give or decline permission for a concession application to be considered;

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 s9(2)(f)(iv) [redacted]

5k48qnzt2z 2025-09-30 10:18:03

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.*

5k48qnzt2z 2025-09-30 10:18:03