

Cabinet Paper Talking Points: Modernising Conservation Land Management: Policy Approvals

To	Minister of Conservation		
Committee	Cabinet		
Date of meeting	30 June 2025		
Reference	25-K-0016	DocCM	To come
Minister lead	Minister of Conservation		
DOC contacts	- Ruth Isaac, Deputy Director-General, Policy and Regulatory Services – s9(2)(a) - Sam Thomas, Director Policy – s9(2)(a)		
Security level	In Confidence		

Purpose – Te aronga

- On 30 June 2025, Cabinet will confirm decisions from the Cabinet Economic Policy Committee (ECO) on 25 June 2025 relating to your paper titled 'Modernising Conservation Land Management: Policy Approvals'.
- This memo provides brief advice and talking points to support your discussion of this paper at Cabinet.

Background and context – Te horopaki

- On 25 June 2025, ECO discussed adding a recommendation to the Cabinet paper. The new recommendation would direct the Minister of Conservation to explore changes to the purpose of the Conservation Act 1987 to explicitly recognise economic development.

New recommendation for Cabinet paper

- The following recommendation can be added to the Cabinet paper as a new standalone recommendation between recommendations 2 and 3:

Direct the Minister of Conservation to review the purpose statement for the Conservation Act to ensure the National Conservation Policy Statement and area plans can enable greater economic development on conservation land.

- We consider this recommendation clearly signals the Government's objective. It provides sufficient latitude for you to decide the exact wording of changes to the Conservation Act's purpose provision during drafting in consultation with other Ministers. We will provide more detailed advice at that stage about drafting options.

Broad approach to purpose change

6. Our initial thinking is that greater emphasis on and provision for economic development could be provided in the purpose of the Conservation Act by stating the purpose is 'protection and preservation of natural and historic resources while enabling recreation, tourism and economic activity to the extent that effects can be managed'.

7. s9(2)(f)(ii)
[Redacted]
[Redacted]

8. For the reasons below, DOC does not recommend a broader shift in the purpose at this time. This would be a very substantial change to the hierarchy of objectives in section 6 of the Conservation Act about how natural and historic resources are managed and used:

6 Functions of Department

The functions of the Department are (...) —

- (a) *to manage for conservation purposes, all land, and all other natural and historic resources, for the time being held under this Act, and all other land and natural and historic resources whose owner agrees with the Minister that they should be managed by the Department:*
- (e) *to the extent that the use of any natural or historic resource for recreation or tourism is not inconsistent with its conservation, to foster the use of natural and historic resources for recreation, and to allow their use for tourism.*

9. A significant amount of policy work would be required to design such a fundamental shift, taking potential implications into account. Such a change would need rigorous and extensive regulatory impact analysis which has not been undertaken. s9(2)(f)(iv)

[Redacted]
[Redacted]
[Redacted]

10. Introducing the notion of balanced objectives (rather than the current hierarchy) will also be highly controversial and would apply to all classifications including national parks – it will imply that conservation outcomes can be traded off for other objectives which means a lower level of protection for future generations and raises questions about what it means to be held as conservation land. Many groups are likely to be very critical of such a change given it fundamentally changes the way conservation land is managed. **Consultation materials also said this was out of scope.** s9(2)(f)(iv)

[Redacted]
[Redacted]

11. Mining and significant projects are already subject to different purpose clauses in other legislation. The Conservation Act purpose statement is for all other approvals on conservation land, of which the economic development-focussed approvals tend to be for tourism, other small businesses and smaller infrastructure projects. Most applications for such activities are already approved.

Mining on conservation land already has a more enabling legislative framework

12. s9(2)(g)(i) Permissions to mine on conservation land (access arrangements) are issued under the Crown Minerals Act 1991 (CMA), not as concessions under the Conservation Act.

13. The purpose of the Conservation Act does not restrict mining in the same way it restricts other concessions. Where the CMA allows mining on conservation land, the objectives of the Conservation Act (for land held under the Conservation Act), the relevant management plan, and the purpose for which the land is held are only considerations – they are not binding.
14. Since 1 January 2025, there have been 19 mining access arrangements processed. Only one was declined, one was returned, and one was withdrawn – the remainder were approved.
15. If the Government's intention is to open more conservation land for mining, changes to the CMA framework, particularly land listed in Schedule 4, would be the most effective way to do so. For example, if the intention is to be able to mine national parks or sanctuary areas, these would need to be removed from Schedule 4 of the CMA. This would be achieved through a different policy process to the changes proposed through the current reform. We note that this was not considered desirable as part of Fast Track by the current Government.
16. Wildlife permissions are also usually required for mining on or even under conservation land. We understand that these permissions can sometimes cause hold-ups for mining projects. These are not issued through the Conservation Act and are outside the scope of this reform. However, there is a separate process underway to reform the Wildlife Act 1953 and any issues can be resolved through that. Moreover, DOC is working to meet target timeframes and clear the backlog of these permissions, and is also reviewing how we assess wildlife impacts and set conditions to ensure proportionality in our approach. Wider reform here will require changes to the Wildlife Act rather than the Conservation Act.

Other significant projects relating to economic development also already have a more enabling legislative framework

17. The Fast-track Approvals Act 2024 provides an authorisation pathway for projects of national or regional significance. Any mining projects that are not dealt with under the fast-track are authorised under the Crown Minerals Act, as described above. It is only for any remaining projects on conservation land that Conservation Act approvals are needed. These tend to relate to major tourism opportunities on conservation land (e.g. ski fields) or other infrastructure.

Next steps – Ngā tāwhaitanga

18. Talking points for Cabinet are provided at Appendix 1. We are available to discuss this memo or provide additional advice ahead of Cabinet on 30 June 2025.

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Appendix 1: Talking points

- Following our discussion at ECO last week, I have added a new recommendation to the paper.
- The recommendation is to direct me to develop a revised purpose for the Conservation Act that is more enabling of economic development on conservation land.
- I will come back to Cabinet with the exact wording prior to the introduction of the Bill. It is important to note that the activities we are talking about enabling further through these changes are generally smaller tourism and energy infrastructure projects.
- This is because:
 - Permissions for projects of national and regional significance now go through the Fast-track Approvals Act and are subject to a development-focused purpose; and
 - Any mining projects on conservation land that do not meet that threshold are authorised through the Crown Minerals Act (CMA) and are subject to a mining-focused purpose.
- Both of these Acts already have more enabling purposes guiding decisions for DOC-related approvals. Barring the excluded areas in Schedule 4, the framework in the CMA is more permissive than the concessions framework under the Conservation Act.
- If we wish to open more conservation land up to mining activity, we would have to change Schedule 4 of the CMA through a separate policy and legislative process.
- That leaves the Wildlife Act and we know we need to replace that Act with a more fit-for-purpose framework. In the meantime, DOC is working on improving its timeliness and clearing the backlog of these applications, and is reviewing how it assesses and sets proportionate conditions under the Wildlife Act. We cannot fix this further by changing the Conservation Act.

Appendix 2: Copy of recommendations

The Minister of Conservation recommends that the Committee:

- 1 note in October 2024, Cabinet approved public consultation on changes to modernise conservation land management and invited the Minister of Conservation to report back with recommended legislative amendments [ECO-24-MIN-0235];

Policy approvals

- 2 agree to the proposals to modernise conservation land management as detailed in this paper and Appendix 1, which will:
 - 2.1 streamline the conservation management planning system by replacing the Conservation General Policy and General Policy for National Parks with a National Conservation Policy Statement (NCPS);
 - 2.2 replace conservation management strategies, national park management plans and conservation management plans with a single layer of areas plans;
 - 2.3 enable the creation of amenities areas to provide for recreational and public amenities and related services on conservation land;
 - 2.4 enable faster processing of concessions, including by specifying classes of activities;
 - 2.5 streamline contractual management of concessions;
 - 2.6 enable competitive allocation of concessions; and
 - 2.7 enable greater exchange and disposal of conservation land.
- 3 **[new recommendation] direct the Minister of Conservation to review the purpose statement for the Conservation Act to ensure the National Conservation Policy Statement and area plans can enable greater economic development on conservation land;**
- 4 direct the Minister of Conservation to report back on:
 - 4.1 policies for the new NCPS which will unlock economic activity within appropriate constraints;
 - 4.2 an appropriate mechanism for a financial contribution to Treaty partners for efficient engagement on statutory processes;
- 5

s9(2)(f)(iv)

 - 5.1 whether there are any situations in which leases and licences with significant private capital investment should be contestable;

Codifying section 4

- 6 agree to add an overall descriptive clause to the Conservation Act following section 4 with signals and signposts to new requirements in various other parts of the legislation;

- 7 note drafting will make clear that complying with these requirements will be sufficient to comply with section 4 (in relation to the relevant processes), subject to advice from Parliamentary Counsel Office;
- 8 agree the legislation will specify what section 4 does not require, such as making concessions contestable;
- 9 note the Minister of Conservation will liaise with the Ministerial Oversight Group for the Treaty principles provisions review on any drafting issues that arise regarding section 4 and Treaty principles;

Treaty settlements and Takutai Moana rights

- 10 note the intent to uphold Treaty settlements through these reforms including redress commitments made by the Crown in Crown offers, Agreements in Principle, initialled and signed Deeds of Settlement, and settlement legislation;
- 11 direct the Minister of Conservation to report back on the following, after engagement with affected groups:
 - 11.1 upholding relevant Treaty settlement commitments; and
 - 11.2 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);

Drafting of legislation

- 12

s9(2)(ba)
- 13 invite the Minister of Conservation to issue drafting instructions to the Parliamentary Counsel Office to give effect to decisions on this paper including appendices;
- 14 authorise the Minister of Conservation to make decisions consistent with this paper on issues that arise during drafting except those in recommendations 3 and 9;
- 15 agree to also include in the Bill, proposals agreed in 2022 but not enacted [ENV-22-MIN-0059] as listed in Appendix 2;

National Conservation Policy Statement

- 16 note the Minister of Conservation will seek policy approvals for the NCPS in September 2025 after targeted consultation;
- 17 delegate the authority to agree policy matters to be consulted on for the first NCPS to the Minister of Conservation, the Attorney-General, Minister for Tourism and Hospitality and the Minister for Resources;

Other policy proposals

- 18 note legislative amendments for the following could also be progressed through this Bill:

- 18.1 enabling charging for access to some conservation land, on which the Minister of Conservation will report to Cabinet in the coming weeks [ECO-24-MIN-0236]; and
- 18.2 supporting afforestation of Crown land [ECO-24-MIN-0246].

Authorised for lodgement

Hon Tama Potaka
Minister of Conservation

Purpose-related excerpt from: Communications pack – Access levy and Modernising Conservation Land Management

Will these changes result in more development on conservation land? How will you protect biodiversity as part of these changes?

- These changes are aimed at unlocking greater economic activity on conservation land where the risks are manageable.
- Old plans and rules have constrained economic activities that could have a range of benefits without negatively impacting our conservation objectives. For example, mountain biking.
- Activities will still be assessed against criteria including the purpose for which the land is held and the effects of the activities.

Aren't you undermining the whole conservation system by changing the purpose of the Conservation Act?

- We already allow a lot of activity across conservation land.
- There are opportunities to increase use of and development on some conservation land, leveraging greater economic and visitor benefits, while still looking after it well.
- We are amending the purpose to make sure that it supports our policy for more enabling settings in the new National Conservation Policy Statement and area plans.

Isn't changing the purpose of the Conservation Act exactly what the government said it wasn't going to do during public consultation? What changed?

- This is about making sure the new planning instruments – namely the National Conservation Policy Statement and area plans – can appropriately set policies and rules which support more economic activities on conservation land.
- The Government's intent is to provide greater certainty that the reforms can deliver what is intended.
- Select committee will provide an opportunity for the public to have their say on this.



Department of
Conservation
Te Papa Atawhai

Briefing: Draft Cabinet paper seeking remaining policy decisions for Conservation Acts (Land Management) Amendment Bill

To	Minister of Conservation	Date submitted	22 August 2025
Action sought	Provide feedback on the draft Cabinet paper	Priority	Very High
Reference	25-B-0349	DocCM	DOC-10430456
Security Level	In Confidence	Timeframe	25 August 2025
Risk Assessment	High To meet your timeframes and introduce a Bill this year, ministerial consultation on the draft Cabinet paper must start by 25 August 2025		
Attachments	Attachment 1: Draft Cabinet paper: Further policy decisions for the Conservation Acts (Land Management) Amendment Bill		

Contacts	
Name and position	Phone
Ewan Delany, Acting Deputy Director-General, Policy and Regulatory Services	s9(2)(a)
Angela Bell, Manager, Regulatory Systems Policy	s9(2)(a)

Purpose – Te aronga

1. This briefing seeks your feedback on a draft Cabinet paper about remaining policy decisions relating to the Conservation Acts (Land Management) Amendment Bill.

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4. Additionally, Cabinet directed you to amend the purpose statement for the Conservation Act 1982 to ensure the NCPS and area plans can enable greater economic development on conservation land.

Draft Cabinet paper

5. We have prepared a draft Cabinet paper for your consideration (Attachment 1). This paper reflects the recent policy decisions you have made on briefings 25-B-0334 and 25-B-0346.

out of scope

Consultation – Kōrero whakawhiti

10. DOC will be carrying out agency consultation on the draft Cabinet paper in parallel to ministerial consultation. This will reduce the time required overall, and allow the Bill to be introduced this year.
11. The approach you have agreed with respect to consultation with Treaty partners will also involve ongoing discussions through, and alongside, the select committee process for the Bill.

Next steps – Ngā tāwhaitanga

12. In order to introduce the Bill this year, the Cabinet paper must be discussed at ECO on 10 September, with ECO's decisions confirmed at Cabinet on 15 September.
13. This means that you will need to:
 - circulate a draft Cabinet paper and draft RISs to your ministerial colleagues no later than 25 August 2025; and

- lodge the final Cabinet paper and final RISs no later than 4 September.
14. Should these timeframes not be met, it will not be feasible to introduce the Bill this year.

We recommend that you ... (Ngā tohutohu)

		Decision
a)	Provide feedback on the draft Cabinet paper attached as soon as possible, so it can be circulated for ministerial consultation no later than 25 August.	Feedback provided / No feedback
b)	Note DOC will provide two draft Regulatory Impact Statements to your office by 25 August so they can be circulated with the draft Cabinet paper for ministerial consultation. These will then be finalised in time for lodging on 4 September.	Noted

s9(2)(a)

Date: 22/08/2025

Date: / /

Ewan Delany
Acting Deputy Director-General, Policy
and Regulatory Services

Hon Tama Potaka
Minister of Conservation

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Office of the Minister of Conservation

Cabinet Economic Policy Committee

Further policy decisions for the Conservation Acts (Land Management) Amendment Bill

Proposal

- 1 This paper seeks remaining policy decisions relating to the Conservation Acts (Land Management) Amendment Bill.

Relation to Government priorities

- 2 These proposals support economic growth by unlocking activity on conservation land while protecting biodiversity and nature, and our iconic landscapes.

Executive summary

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out of scope

- 9 Finally, this paper provides an update on decisions I have made about amending the purpose statement of the Conservation Act 1987, as directed by Cabinet.
- 10 Subject to Cabinet approval of the proposals set out in this paper, I intend to seek approval to introduce the Bill before the end of the year. This Bill will also give effect to recent Cabinet decisions to enable charging fees to international visitors at our most popular conservation sites (CAB-25-MIN-0236 refers).

Background

- 11 In June 2025, Cabinet made policy decisions to modernise and simplify the management of conservation land (CAB-25-MIN-0213.01 refers). These reforms will speed up regulatory decisions, enable biodiversity protection and unlock greater economic activity on conservation land where the risks are manageable. In particular, the changes will:
- 11.1 streamline the conservation land management system with fewer and simpler planning instruments;
 - 11.2 speed up the processing of applications to undertake activities on conservation land (concessions) with a modern, risk-based regulatory approach;
 - 11.3 better enable the competitive allocation of concessions;
 - 11.4 provide greater flexibility to exchange and dispose of conservation land; and
 - 11.5 clarify what is required for these amended processes to give effect to section 4 of the Conservation Act, which requires giving effect to Treaty principles in a wide range of conservation processes and decisions.

- 12 At the time, Cabinet invited me to report back on several matters. Cabinet also directed me to amend the purpose statement for the Act to ensure the new National Conservation Policy Statement (NCPS) and area plans can enable greater economic development on conservation land.

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Changing the purpose statement of the Conservation Act 1987

- 51 In June, Cabinet directed me to amend the purpose statement for the Conservation Act to ensure the NCPS and area plans can enable greater economic development on conservation land.
- 52 This change is targeted at tourism and smaller infrastructure projects on conservation land. Mining projects, projects of regional or national significance, and wildlife authorisations are all dealt with under separate legislation that is out of scope of this reform (the Crown Minerals Act 1991, Fast-track Approvals Act 2024, and the Wildlife Act 1953).
- 53 The Conservation Act does not have an explicit purpose statement in a single provision. Rather, the purpose is implicitly reflected through its long title and through specific provisions that combine to create a clear and strong conservation purpose. These include the definition of conservation (section 2), the requirement to give effect to the principles of the Treaty of Waitangi (section 4), the functions of DOC (section 6), and the purposes for which different categories of land are held across a range of conservation legislation.

54 Concession applications are typically approved. Between 1 January 2025 and 30 June 2025, of the 1,395 decisions made on concessions, only 2% were declined. Given that, I do not see a strong case for a fundamental shift away from conservation as the primary purpose of the system. Additionally, any approach that is a significant departure from the current purpose (e.g. a new overarching purpose statement, or balancing of conservation and development outcomes) introduces significant risks without guarantee of effectiveness. The scale of drafting required would also mean it cannot be delivered during the current parliamentary term, which is my desired timeframe for Bill enactment.

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s9(2)(h)

56 Cabinet's intent can be achieved through a more incisive approach s9(2)(h) I will be making targeted changes to parts of the Conservation Act that form the existing 'purpose architecture', while retaining conservation as the primary purpose. For example, this could involve specific purpose provisions for the management planning and concession Parts of the Conservation Act, and explicitly providing that the function of the NCPS and area plans is to make policies providing for the use and development of natural and historic resources on conservation land to the extent that effects can be avoided, remedied or mitigated. This could also include amendments to the provision relating to DOC's functions, which sets out how conservation land can be used. Officials will be working further with the Parliamentary Counsel Office and Crown Law on the specific drafting that will meet Cabinet's intent.

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s9(2)(h) It will also ensure that the reforms can be enacted during this term of Parliament, meaning that the economic benefits of the changes will be realised sooner.

58 I will return to Cabinet Legislation Committee with the specific drafting prior to the Bill's introduction.

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Other matters

- 17 **note** the approach taken by the Minister of Conservation to amend the purposes of the Conservation Act 1987 to ensure the National Conservation Policy Statement and area plans can enable greater economic development on conservation land;

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Authorised for lodgement

Hon Tama Potaka

Minister of Conservation

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OIAD-6462 – Purpose related excerpts from draft Cabinet paper as of 25 August 2025
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Office of the Minister of Conservation

Cabinet Economic Policy Committee

Further policy decisions for the Conservation Acts (Land Management) Amendment Bill

- 9 Finally, this paper provides an update on decisions I have made about amending the purpose statement of the Conservation Act 1987, as directed by Cabinet.

Background

- 11 In June 2025, Cabinet made policy decisions to modernise and simplify the management of conservation land (CAB-25-MIN-0213.01 refers). These reforms will speed up regulatory decisions, enable biodiversity protection and unlock greater economic activity on conservation land where the risks are manageable. In particular, the changes will:
- 11.1 streamline the conservation land management system with fewer and simpler planning instruments;
 - 11.2 speed up the processing of applications to undertake activities on conservation land (concessions) with a modern, risk-based regulatory approach;
 - 11.3 better enable the competitive allocation of concessions;
 - 11.4 provide greater flexibility to exchange and dispose of conservation land; and
 - 11.5 clarify what is required for these amended processes to give effect to section 4 of the Conservation Act, which requires giving effect to Treaty principles in a wide range of conservation processes and decisions.
- 12 At the time, Cabinet invited me to report back on several matters. Cabinet also directed me to amend the purpose statement for the Act to ensure the new National Conservation Policy Statement (NCPS) and area plans can enable greater economic development on conservation land.

Changing the purpose statement of the Conservation Act 1987

- 52 In June, Cabinet directed me to amend the purpose statement for the Conservation Act to ensure the NCPS and area plans can enable greater economic development on conservation land. This will ensure the NCPS and area plans can contain more enabling policies, which in turn will inform concession decisions based on those policies. The new framework for the NCPS and area plans is aimed at supporting faster, clearer and more consistent decisions on concessions, and removing rigidity in existing plans.
- 53 ~~This change is targeted at tourism and smaller infrastructure projects on conservation land.~~ Concession applications are typically approved. Between 1 January 2025 and 30 June 2025, of the 1,395 decisions made on concessions, only 2% were declined. In addition, some key authorisations on conservation land are made outside of the

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concessions framework. Mining projects, projects of regional or national significance, and wildlife authorisations are all dealt with under separate legislation that is out of scope of this reform (the Crown Minerals Act 1991, Fast-track Approvals Act 2024, and the Wildlife Act 1953).

54 ~~The Conservation Act does~~ Given that, I do not ~~have an~~ see a strong case for a fundamental shift away from conservation as the primary purpose of the system, or to add a single, explicit purpose statement in a single provision. Rather to the Conservation Act. At present, the purpose is implicitly reflected through its long title and through specific provisions that combine to create a clear and strong conservation purpose. These include the definition of conservation (section 2), the requirement to give effect to the principles of the Treaty of Waitangi (section 4),¹ the functions of DOC (section 6), and the purposes for which different categories of land are held across a range of conservation legislation.

55 ~~Concession applications are typically approved. Between 1 January 2025 and 30 June 2025, of the 1,395 decisions made on concessions, only 2% were declined. Given that, I do not see a strong case for a fundamental shift away from conservation as the primary purpose of the system.~~ Additionally, any approach that is a significant departure from the current purpose (e.g. a new overarching purpose statement, changing conservation as the primary purpose or balancing ~~of~~ conservation and development outcomes) introduces significant risks without guarantee of effectiveness. The scale of drafting required would also mean it cannot be delivered during the current parliamentary term, which is my desired timeframe for Bill enactment.

56

s9(2)(h)

57 Cabinet's intent can be achieved through a more incisive approach ~~s9(2)(h)~~
~~I will be making targeted changes to parts of the Conservation Act that form the existing 'purpose architecture', while retaining conservation as the primary purpose. For example, this could involve specific purpose provisions for the management planning and~~

¹ Iwi/hapū economic interests are also supported by section 4. The Supreme Court has recognised that section 4 may require a degree of preference for iwi/hapū in relation to concession opportunities over lands where they have mana whenua and that their economic interests are a relevant consideration to this assessment. *Ngāi Tai ki Tāmaki Tribal Trust v Minister of Conservation* [2018] NZSC 122.

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~~concession Parts of the Conservation Act, and explicitly providing that the function of the NCPS and area plans is Subject to make policies providing for the use and development of natural and historic resources on conservation land to the extent that effects can be avoided, remedied or mitigated. This could also include amendments to the provision relating to DOC's functions, which sets out how conservation land can be used. Officials will be working further with advice from the Parliamentary Counsel Office and Crown Law on the specific drafting that will meet to achieve Cabinet's intent. I am making the following changes:~~

57.1 Adding new purpose provisions to Parts 3A (management planning) and 3B (concessions) of the Conservation Act. These would clearly state the NCPS and area plans can include policies that provide for the use and development of conservation land to the extent that effects can be avoided, remedied or mitigated.

57.2 In new empowering provisions for the NCPS and area plans, explicitly stating that one of their functions is to provide additional detail about the relationship between various activities and the purposes for which different types of land are held. This will create a clear link to empowering provisions for concessions.

57.3 In provisions relating to when concessions can be granted, changing the weighting of 'the purposes for which the land concerned is held' to a mandatory consideration, from something that concessions must not be contrary to. Concessions currently cannot be granted if they are inconsistent with the purposes for which land is held. Changing this to a mandatory consideration would make its weighting the same as in the Fast-track Approvals Act and the Crown Minerals Act, but with conservation as the primary purpose rather than development.

58 I am also exploring whether amendments are needed to section 6 relating to DOC's functions, which sets out how conservation land can be used.

5859 s9(2)(h)

It will also ensure that the reforms can be enacted during this term of Parliament, meaning that the economic benefits of the changes will be realised sooner.

5960 I will return to Cabinet Legislation Committee with the specific drafting prior to the Bill's introduction.

Recommendations

The Minister of Conservation recommends that the Committee:

Other matters

19 note the approach taken by the Minister of Conservation to amend the purposes of the Conservation Act 1987 through a range of amendments to ensure the National Conservation Policy Statement and area plans can enable greater economic development on conservation land, and which do not require a new explicit purpose statement for the Conservation Act;

Authorised for lodgement

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Hon Tama Potaka

Minister of Conservation

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Department of
Conservation
Te Papa Atawhai

Briefing: Draft Cabinet paper seeking remaining policy decisions for Conservation Acts (Land Management) Amendment Bill

To	Minister of Conservation	Date submitted	22 August 2025
Action sought	Provide feedback on the draft Cabinet paper	Priority	Very High
Reference	25-B-0349	DocCM	DOC-10430456
Security Level	In Confidence	Timeframe	25 August 2025
Risk Assessment	High To meet your timeframes and introduce a Bill this year, ministerial consultation on the draft Cabinet paper must start by 25 August 2025		
Attachments	Attachment 1: Draft Cabinet paper: Further policy decisions for the Conservation Acts (Land Management) Amendment Bill		

Contacts	
Name and position	Phone
Ewan Delany, Acting Deputy Director-General, Policy and Regulatory Services	s9(2)(a)
Angela Bell, Manager, Regulatory Systems Policy	s9(2)(a)

Purpose – Te aronga

1. This briefing seeks your feedback on a draft Cabinet paper about remaining policy decisions relating to the Conservation Acts (Land Management) Amendment Bill.

Background and context – Te horopaki

2. On 30 June 2025, Cabinet made major policy decisions in relation to the Bill (CAB-25-MIN-0213 refers).

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4. Additionally, Cabinet directed you to amend the purpose statement for the Conservation Act 1982 to ensure the NCPS and area plans can enable greater economic development on conservation land.

Draft Cabinet paper

5. We have prepared a draft Cabinet paper for your consideration (Attachment 1). This paper reflects the recent policy decisions you have made on briefings 25-B-0334 and 25-B-0346.

out of scope

Consultation – Kōrero whakawhiti

10. DOC will be carrying out agency consultation on the draft Cabinet paper in parallel to ministerial consultation. This will reduce the time required overall, and allow the Bill to be introduced this year.
11. The approach you have agreed with respect to consultation with Treaty partners will also involve ongoing discussions through, and alongside, the select committee process for the Bill.

Next steps – Ngā tāwhaitanga

12. In order to introduce the Bill this year, the Cabinet paper must be discussed at ECO on 10 September, with ECO's decisions confirmed at Cabinet on 15 September.
13. This means that you will need to:
 - circulate a draft Cabinet paper and draft RISs to your ministerial colleagues no later than 25 August 2025; and

- lodge the final Cabinet paper and final RISs no later than 4 September.
14. Should these timeframes not be met, it will not be feasible to introduce the Bill this year.

We recommend that you ... (Ngā tohutohu)

		Decision
a)	Provide feedback on the draft Cabinet paper attached as soon as possible, so it can be circulated for ministerial consultation no later than 25 August.	Feedback provided / No feedback
b)	Note DOC will provide two draft Regulatory Impact Statements to your office by 25 August so they can be circulated with the draft Cabinet paper for ministerial consultation. These will then be finalised in time for lodging on 4 September.	Noted

s9(2)(a)

Date: 22/08/2025

Date: / /

Ewan Delany
Acting Deputy Director-General, Policy
and Regulatory Services

Hon Tama Potaka
Minister of Conservation

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Office of the Minister of Conservation

Cabinet Economic Policy Committee

Further policy decisions for the Conservation Acts (Land Management) Amendment Bill

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- 9 Finally, this paper provides an update on decisions I have made about amending the purpose statement of the Conservation Act 1987, as directed by Cabinet.

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Background

- 11 In June 2025, Cabinet made policy decisions to modernise and simplify the management of conservation land (CAB-25-MIN-0213.01 refers). These reforms will speed up regulatory decisions, enable biodiversity protection and unlock greater economic activity on conservation land where the risks are manageable. In particular, the changes will:
- 11.1 streamline the conservation land management system with fewer and simpler planning instruments;
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 - 11.3 better enable the competitive allocation of concessions;
 - 11.4 provide greater flexibility to exchange and dispose of conservation land; and
 - 11.5 clarify what is required for these amended processes to give effect to section 4 of the Conservation Act, which requires giving effect to Treaty principles in a wide range of conservation processes and decisions.

- 12 At the time, Cabinet invited me to report back on several matters. Cabinet also directed me to amend the purpose statement for the Act to ensure the new National Conservation Policy Statement (NCPS) and area plans can enable greater economic development on conservation land.

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Changing the purpose statement of the Conservation Act 1987

- 51 In June, Cabinet directed me to amend the purpose statement for the Conservation Act to ensure the NCPS and area plans can enable greater economic development on conservation land.
- 52 This change is targeted at tourism and smaller infrastructure projects on conservation land. Mining projects, projects of regional or national significance, and wildlife authorisations are all dealt with under separate legislation that is out of scope of this reform (the Crown Minerals Act 1991, Fast-track Approvals Act 2024, and the Wildlife Act 1953).
- 53 The Conservation Act does not have an explicit purpose statement in a single provision. Rather, the purpose is implicitly reflected through its long title and through specific provisions that combine to create a clear and strong conservation purpose. These include the definition of conservation (section 2), the requirement to give effect to the principles of the Treaty of Waitangi (section 4), the functions of DOC (section 6), and the purposes for which different categories of land are held across a range of conservation legislation.

54 Concession applications are typically approved. Between 1 January 2025 and 30 June 2025, of the 1,395 decisions made on concessions, only 2% were declined. Given that, I do not see a strong case for a fundamental shift away from conservation as the primary purpose of the system. Additionally, any approach that is a significant departure from the current purpose (e.g. a new overarching purpose statement, or balancing of conservation and development outcomes) introduces significant risks without guarantee of effectiveness. The scale of drafting required would also mean it cannot be delivered during the current parliamentary term, which is my desired timeframe for Bill enactment.

55

s9(2)(h)

56 Cabinet's intent can be achieved through a more incisive approach s9(2)(h) I will be making targeted changes to parts of the Conservation Act that form the existing 'purpose architecture', while retaining conservation as the primary purpose. For example, this could involve specific purpose provisions for the management planning and concession Parts of the Conservation Act, and explicitly providing that the function of the NCPS and area plans is to make policies providing for the use and development of natural and historic resources on conservation land to the extent that effects can be avoided, remedied or mitigated. This could also include amendments to the provision relating to DOC's functions, which sets out how conservation land can be used. Officials will be working further with the Parliamentary Counsel Office and Crown Law on the specific drafting that will meet Cabinet's intent.

57

s9(2)(h)

58 I will return to Cabinet Legislation Committee with the specific drafting prior to the Bill's introduction.

out of scope

out of scope

Released under the Official Information Act 1982

out of scope

Released under the Official Information Act 1982

out of scope

Released under the Official Information Act 1982

out of scope

Released under the Official Information Act 1982

Other matters

- 17 **note** the approach taken by the Minister of Conservation to amend the purposes of the Conservation Act 1987 to ensure the National Conservation Policy Statement and area plans can enable greater economic development on conservation land;

out of scope

Authorised for lodgement

Hon Tama Potaka

Minister of Conservation

Released under the Official Information Act 1982

OIAD6462 – Purpose related excerpts from draft Cabinet paper as of 16 September

I N C O N F I D E N C E

In Confidence

Office of the Minister of Conservation

Cabinet Economic Policy Committee

Further policy decisions for the Conservation Acts (Land Management) Amendment Bill

Executive summary

- 8 Finally, this paper provides an update on decisions I have made about amending the purpose statement of the Conservation Act 1987, as directed by Cabinet. I am making incisive changes to the legislation, namely section 6 (the functions of the Department of Conservation), and Parts 3A and 3B to ensure that the National Conservation Policy Statement (NCPS) and area plans can contain more enabling policies, which can then be given effect in concession decisions.

Background

- 9 In June 2025, Cabinet made policy decisions to modernise and simplify the management of conservation land (CAB-25-MIN-0213.01 refers). These reforms will speed up regulatory decisions, enable biodiversity protection and unlock greater economic activity on conservation land where the risks are manageable.
- 10 At the time, Cabinet invited me to report back on several matters. Cabinet also directed me to amend the purpose statement for the Conservation Act to ensure the NCPS and area plans can enable greater economic development on conservation land.

Changing the purpose statement of the Conservation Act 1987

- 40 In June, Cabinet directed me to amend the purpose statement for the Conservation Act to ensure the NCPS and area plans can enable greater economic development on conservation land, by supporting faster, clearer and more consistent decisions on concessions, and removing rigidity in existing plans.
- 41 At present, there is no single purpose section in the Act. Instead, the purpose is implicitly reflected through its long title and through specific provisions that combine to create a clear and strong conservation purpose.
- 42 I do not see a strong case for a fundamental shift away from conservation as the primary purpose of the system. Concession applications are typically approved: between 1 January 2025 and 30 June 2025, of the 1,395 decisions made, only 2% were declined. In addition, some key authorisations on conservation land are made outside of the concessions framework, for example mining projects, projects of regional or national significance, and wildlife authorisations are all dealt with under separate legislation that is out of scope of this reform.¹ However, the current legislation does not provide any ability for the DepartmentDOC to consider the economic value or potential ~~of~~ returns to the ~~Conservation~~ conservation estate.

¹ Other than Conservation Act concessions ancillary to mining operations, for example for access roads.

I N C O N F I D E N C E

[illegible]

45.1 ~~Amendments to Amending~~ section 6, which sets out DOC's functions, ~~to include~~
sustainable development to the extent it is not inconsistent with conservation; and

46 The new empowering provisions for the NCPS and area plans will explicitly state that one of their functions is to provide additional detail about the relationship between various activities and the purposes for which different types of land are held. This ensures the powers of the NCPS and area plans are linked to concession decision-making, which requires considering the purposes for which land is held (see next paragraph).

47 Currently, concessions cannot be granted if they are inconsistent with “the purposes for which the land concerned is held”. I am changing this to a mandatory consideration, aligning with the approach taken in the Fast-track Approvals Act and the Crown Minerals Act. This provides a degree of discretion for decision-makers.

Commented [A1]: Suggest not seeking agreement/proposing changes for agreement - we don't have a RIS ready

Commented [A2]: We think it's important to add this because otherwise it's not clear that this change would be "incisive" – could be interpreted as being much more significant

IN CONFIDENCE

Recommendations

The Minister of Conservation recommends that the Committee:

Other matters

- 14 **note** the approach taken by the Minister of Conservation to amend the purpose of the Conservation Act 1987 ~~through a range of targeted changes, which to~~ ensure the National Conservation Policy Statement and area plans can enable greater economic development on conservation land, ~~and which do not require a new explicit purpose statement, including the following changes:~~
- 1.1 ~~agree to amend~~ **amending** section 6 of the Conservation Act ~~to~~ (which sets out DOC's functions) to include sustainable development; ~~to the extent it is not inconsistent with conservation; and~~
- 1.2 ~~agree to add~~ **adding** new purpose provisions to Parts 3A (management planning) and 3B (concessions) of the Conservation Act to state the NCPS and area plans can include policies for the use and development of conservation land;.

Commented [A3]: Changed to noting rec - we don't have a RIS ready on this. MOC was also directed to make the change without being told to report back so Cabinet agreement not technically needed

Commented [A4]: We think it's important to add this because otherwise it's not clear that this change would be "incisive" – could be interpreted as being much more significant

Authorised for lodgement

Hon Tama Potaka
Minister of Conservation

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...ences with significant private capital investment
agree incumbent operators for major tourism concessions involving significant private capital investment will have a protected window from 2 to 5 years before expiry of the current concession to apply for a new concession; ✓
other matters

note the approach taken by the Minister of Conservation to amend the purpose of the Conservation Act 1987 to ensure the National Conservation Policy Statement and area plans can enable greater economic development on conservation land, including the following changes:

- 14.1 amending section 6 of the Conservation Act (which sets out DOC's functions) to include sustainable development to the extent it is not inconsistent with conservation; and ✓
- 14.2 adding new purpose provisions to Parts 3A (management planning) and 3B (concessions) of the Conservation Act to state the NCPS and area plans can include policies for the use and development of conservation land; ✓

ting of legislation

invite the Minister of Conservation to issue drafting instructions to the Parliamentary Counsel Office to give effect to the above decisions through the Bill; and

authorise the Minister of Conservation to make decisions consistent with this paper on issues that arise during drafting.

orised for lodgement

ama Potaka
er of Conservation

OIAD-6462 – Purpose related excerpts from draft Cabinet paper as of 18 September 2025
IN CONFIDENCE

In Confidence

Office of the Minister of Conservation

Cabinet Economic Policy Committee

Further policy decisions for the Conservation Acts (Land Management) Amendment Bill

Executive summary

- 8 Finally, this paper provides an update on decisions I have made about amending the purpose statement of the Conservation Act 1987, as directed by Cabinet. I am making incisive changes to the legislation, namely section 6 (the functions of the Department of Conservation), and Parts 3A and 3B to ensure that the National Conservation Policy Statement (NCPS) and area plans can contain more enabling policies, which can then be given effect in concession decisions.

Background

- 9 In June 2025, Cabinet made policy decisions to modernise and simplify the management of conservation land (CAB-25-MIN-0213.01 refers). These reforms will speed up regulatory decisions, enable biodiversity protection and unlock greater economic activity on conservation land where the risks are manageable.
- 10 At the time, Cabinet invited me to report back on several matters. Cabinet also directed me to amend the purpose statement for the Conservation Act to ensure the NCPS and area plans can enable greater economic development on conservation land.

Changing the purpose statement of the Conservation Act 1987

- 40 In June, Cabinet directed me to amend the purpose statement for the Conservation Act to ensure the NCPS and area plans can enable greater economic development on conservation land, by supporting faster, clearer and more consistent decisions on concessions, and removing rigidity in existing plans.
- 41 At present, there is no single purpose section in the Act. Instead, the purpose is implicitly reflected through its long title and through specific provisions that combine to create a clear and strong conservation purpose.
- 42 I do not see a strong case for a fundamental shift away from conservation as the primary purpose of the system. Concession applications are typically approved: between 1 January 2025 and 30 June 2025, of the 1,395 decisions made, only 2% were declined. In addition, some key authorisations on conservation land are made outside of the concessions framework, for example mining projects, projects of regional or national significance, and wildlife authorisations are all dealt with under separate legislation that is out of scope of this reform.¹ However, the current legislation does not provide any ability for DOC to consider economic value or potential returns to the conservation estate.

¹ Other than Conservation Act concessions ancillary to mining operations, for example for access roads.

43 Any approach that is a significant departure from the current purpose (e.g. a new overarching purpose statement, changing conservation as the primary purpose or balancing conservation and development outcomes) introduces significant risks without guarantee of effectiveness. The scale of drafting required would also mean it cannot be delivered during the current parliamentary term, which is my timeframe for Bill enactment.

44 [REDACTED]

45 Cabinet's intent can be achieved through a more incisive approach. I will be making targeted changes to parts of the Conservation Act that form the existing 'purpose architecture' which can then be implemented through the NCPS and area plans. Subject to further advice from the Parliamentary Counsel Office and Crown Law on specific drafting to achieve Cabinet's intent to encourage economic development, my changes include:

- 45.1 Amending section 6, which sets out DOC's functions, to include sustainable development to the extent it is not inconsistent with conservation; and
- 45.2 Adding new purpose provisions to Parts 3A (management planning) and 3B (concessions) of the Conservation Act. These would clearly state the NCPS and area plans can include policies for the use and development of conservation land.

46 The new empowering provisions for the NCPS and area plans will explicitly state that one of their functions is to provide additional detail about the relationship between various activities and the purposes for which different types of land are held. This ensures the powers of the NCPS and area plans are linked to concession decision-making, which requires considering the purposes for which land is held (see next paragraph).

47 Currently, concessions cannot be granted if they are inconsistent with "the purposes for which the land concerned is held". I am changing this to a mandatory consideration, aligning with the approach taken in the Fast-track Approvals Act and the Crown Minerals Act. This provides a degree of discretion for decision-makers.

48 I will return to Cabinet Legislation Committee with specific drafting prior to the Bill's introduction.

Other matters

14 **note** the approach taken by the Minister of Conservation to amend the purpose of the Conservation Act 1987 to ensure the National Conservation Policy Statement and area plans can enable greater economic development on conservation land, including the following changes:

- 1.1 amending section 6 of the Conservation Act (which sets out DOC's functions) to include sustainable development (to the extent it is not inconsistent with conservation); and
- 1.2 adding new purpose provisions to Parts 3A (management planning) and 3B (concessions) of the Conservation Act to state the NCPS and area plans can include policies for the use and development of conservation land;

Commented [GG1]: MOC also underlined this but we assume adding the brackets is the only change he wanted

Drafting of legislation

- 2 **invite** the Minister of Conservation to issue drafting instructions to the Parliamentary Counsel Office to give effect to the above decisions through the Bill; and
- 3 **authorise** the Minister of Conservation to make decisions consistent with this paper on issues that arise during drafting.

Authorised for lodgement

Hon Tama Potaka
Minister of Conservation

IN CONFIDENCE

In Confidence

Office of the Minister of Conservation

Cabinet Business Committee

Further policy decisions for the Conservation Acts (Land Management) Amendment Bill

Executive summary

- 8 Finally, this paper provides an update on decisions I have made about amending the purpose statement of the Conservation Act 1987, as directed by Cabinet. I am making incisive changes to the legislation, namely section 6 (the functions of the Department of Conservation), and Parts 3A and 3B to ensure that the National Conservation Policy Statement (NCPS) and area plans can contain more enabling policies, which can then be given effect in concession decisions.

Background

- 9 In June 2025, Cabinet made policy decisions to modernise and simplify the management of conservation land (CAB-25-MIN-0213.01 refers). These reforms will speed up regulatory decisions, enable biodiversity protection and unlock greater economic activity on conservation land where the risks are manageable.
- 10 At the time, Cabinet invited me to report back on several matters. Cabinet also directed me to amend the purpose statement for the Conservation Act to ensure the NCPS and area plans can enable greater economic development on conservation land.

Changing the purpose statement of the Conservation Act 1987

- 44 In June, Cabinet directed me to amend the purpose statement for the Conservation Act to ensure the NCPS and area plans can enable greater economic development on conservation land, by supporting faster, clearer and more consistent decisions on concessions, and removing rigidity in existing plans.
- 45 At present, there is no single purpose section in the Act. Instead, the purpose is implicitly reflected through its long title and through specific provisions that combine to create a clear and strong conservation purpose.
- 46 I do not see a strong case for a fundamental shift away from conservation as the primary purpose of the system. Concession applications are typically approved: between 1 January 2025 and 30 June 2025, of the 1,395 decisions made, only 2% were declined. In addition, some key authorisations on conservation land are made outside of the concessions framework, for example mining projects, projects of regional or national significance, and wildlife authorisations are all dealt with under separate legislation that is out of scope of this reform.¹ However, the current legislation does not provide any ability for DOC to consider economic value or potential returns to the conservation estate.

¹ Other than Conservation Act concessions ancillary to mining operations, for example for access roads.

IN CONFIDENCE

IN CONFIDENCE

47 Any approach that is a significant departure from the current purpose (e.g. a new
overarching purpose statement, changing conservation as the primary purpose or balancing
conservation and development outcomes) introduces significant risks without guarantee of
effectiveness. The scale of drafting required would also mean it cannot be delivered during
the current parliamentary term, which is my timeframe for Bill enactment.

48

s9(2)(h)

49 Cabinet's intent can be achieved through a more incisive approach. I will be making
targeted changes to parts of the Conservation Act that form the existing 'purpose
architecture' which can then be implemented through the NCPS and area plans. Subject to
further advice from the Parliamentary Counsel Office and Crown Law on specific drafting
to achieve Cabinet's intent to encourage economic development, my changes include:

49.1 Amending section 6, which sets out DOC's functions, to include sustainable
economic development to the extent it is not inconsistent with conservation; and

49.2 Adding new purpose provisions to Parts 3A (management planning) and 3B
(concessions) of the Conservation Act. These would clearly state the NCPS and
area plans can include policies for the use and development of conservation land.

50 The new empowering provisions for the NCPS and area plans will explicitly state that one
of their functions is to provide additional detail about the relationship between various
activities and the purposes for which different types of land are held. This ensures the
powers of the NCPS and area plans are linked to concession decision-making, which
requires considering the purposes for which land is held (see next paragraph).

51 Currently, concessions cannot be granted if they are inconsistent with "the purposes for
which the land concerned is held". I am changing this to a mandatory consideration,
aligning with the approach taken in the Fast-track Approvals Act and the Crown Minerals
Act. This provides a degree of discretion for decision-makers.

52 I will return to Cabinet Legislation Committee with specific drafting prior to the Bill's
introduction.

Recommendations

Other matters

14 **note** the approach taken by the Minister of Conservation to amend the purpose of the
Conservation Act 1987 to ensure the National Conservation Policy Statement and area

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plans can enable greater economic development on conservation land, including the following changes:

- 1.1 amending section 6 of the Conservation Act (which sets out DOC's functions) to include sustainable economic development ~~(to the extent it is not inconsistent with conservation)~~; and
- 1.2 adding new purpose provisions to Parts 3A (management planning) and 3B (concessions) of the Conservation Act to state the NCPS and area plans can include policies for the use and development of conservation land;

Authorised for lodgement

Hon Tama Potaka
Minister of Conservation

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Released under the Official Information Act 1982

OIAD6462 – Purpose related excerpts from draft Cabinet paper as of 25 September

IN CONFIDENCE

In Confidence

Office of the Minister of Conservation

Cabinet Business Committee

Further policy decisions for the Conservation Acts (Land Management) Amendment Bill

Executive summary

8 Finally, this paper provides an update on decisions I have made about amending the purpose statement of the Conservation Act 1987, as directed by Cabinet. I am making incisive changes to the legislation, namely section 6 (the functions of the Department of Conservation), and Parts 3A and 3B to ensure that the National Conservation Policy Statement (NCPS) and area plans can contain more enabling policies, which can then be given effect in concession decisions.

Background

9 In June 2025, Cabinet made policy decisions to modernise and simplify the management of conservation land (CAB-25-MIN-0213.01 refers). These reforms will speed up regulatory decisions, enable biodiversity protection and unlock greater economic activity on conservation land where the risks are manageable.

10 At the time, Cabinet invited me to report back on several matters. Cabinet also directed me to amend the purpose statement for the Conservation Act to ensure the NCPS and area plans can enable greater economic development on conservation land.

Changing the purpose statement of the Conservation Act 1987

45 In June, Cabinet directed me to amend the purpose statement for the Conservation Act to ensure the NCPS and area plans can enable greater economic development on conservation land, by supporting faster, clearer and more consistent decisions on concessions, and removing rigidity in existing plans.

46 At present, there is no single purpose section in the Act. Instead, the purpose is implicitly reflected through its long title and through specific provisions that combine to create a clear and strong conservation purpose.

47 I do not see a strong case for a fundamental shift away from conservation as the primary purpose of the system. Concession applications are typically approved: between 1 January 2025 and 30 June 2025, of the 1,395 ~~decisions~~ applications made, only 2% were declined. In addition, some key authorisations on conservation land are made outside of the concessions framework, for example mining projects, projects of regional or national significance, and wildlife authorisations are all dealt with under separate legislation that is out of scope of this reform.¹ However, the current legislation does not provide any ability for DOC to consider economic value or potential returns to the conservation estate.

¹ Other than Conservation Act concessions ancillary to mining operations, for example for access roads.

IN CONFIDENCE

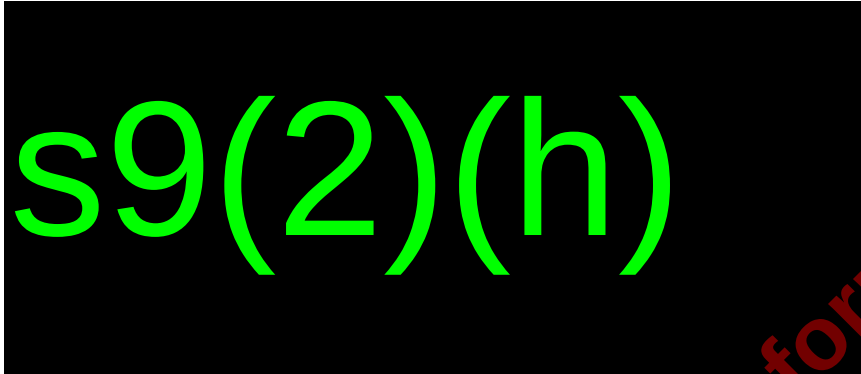
Commented [GG1]: @Amel a Smith came back to look at this wording given we're now using a similar stat in the consultation payment/contribution section - is this change correct?

Commented [AS1R2]: yeah that change fits - they're called applications on the website where the data came from.

IN CONFIDENCE

48 Any approach that is a significant departure from the current purpose (e.g. a new overarching purpose statement, changing conservation as the primary purpose or balancing conservation and development outcomes) introduces significant risks without guarantee of effectiveness. The scale of drafting required would also mean it cannot be delivered during the current parliamentary term, which is my timeframe for Bill enactment.

49



50 Cabinet's intent can be achieved through a more incisive approach. I will be making targeted changes to parts of the Conservation Act that form the existing 'purpose architecture' which can then be implemented through the NCPS and area plans. Subject to further advice from the Parliamentary Counsel Office and Crown Law on specific drafting to achieve Cabinet's intent to encourage economic development, my changes include:

50.1 Amending section 6, which sets out DOC's functions, to include sustainable economic development, ~~to the extent it is not inconsistent with conservation; and~~

50.2 Adding new purpose provisions to Parts 3A (management planning) and 3B (concessions) of the Conservation Act. These would clearly state the NCPS and area plans can include policies for the use and development of conservation land.

~~51~~50.3 The new empowering provisions for the NCPS and area plans will explicitly state that one of their functions is to provide additional detail about the relationship between various activities and the purposes for which different types of land are held. This ensures the powers of the NCPS and area plans are linked to concession decision-making, which requires considering the purposes for which land is held (see next paragraph).

~~52~~50.4 Currently, concessions cannot be granted if they are inconsistent with "the purposes for which the land concerned is held". I am changing this to a mandatory consideration, aligning with the approach taken in the Fast-track Approvals Act and the Crown Minerals Act. This provides a degree of discretion for decision-makers.

~~53~~51 I will return to Cabinet Legislation Committee with specific drafting prior to the Bill's introduction.

Other matters

14 note the approach taken by the Minister of Conservation to amend the purpose of the Conservation Act 1987 to ensure the National Conservation Policy Statement and area plans can enable greater economic development on conservation land, including the following changes:

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Commented [GG2]: @Amel & Smith at some point in our versions we lost the indenting of this para and the next para. Wanna bring it back? Not essential given the way we've phrased them is slightly different (with all the other changes along the way)

Commented [AS2R2]: Both those paras lost it so I have reinstated the bullets.

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OIAD6462 – Purpose related excerpts from draft Cabinet paper as of 25 September

IN CONFIDENCE

- 1.1 amending section 6 of the Conservation Act (which sets out DOC's functions) to include sustainable economic development ~~(to the extent it is not inconsistent with conservation)~~; and
- 1.2 adding new purpose provisions to Parts 3A (management planning) and 3B (concessions) of the Conservation Act to state the NCPS and area plans can include policies for the use and development of conservation land;

Authorised for lodgement

Hon Tama Potaka
Minister of Conservation

IN CONFIDENCE

OIAD-6462 – Purpose related excerpts from draft Cabinet paper as of 3 September 2025

IN C O N F I D E N C E

In Confidence

Office of the Minister of Conservation

Cabinet Economic Policy Committee

Further policy decisions for the Conservation Acts (Land Management) Amendment Bill

8 Finally, this paper provides an update on decisions I have made about amending the purpose statement of the Conservation Act 1987, as directed by Cabinet. I am making incisive changes to ensure the National Conservation Policy Statement (NCPS) and area plans can contain more enabling policies, which can then be given effect in concession decisions.

9 ~~Subject to Cabinet approval of the proposals set out in this paper, I intend to seek approval to introduce the Bill before the end of the year. This Bill will also give effect to recent Cabinet decisions to enable charging fees to international visitors at our most popular conservation sites (CAB-25-MIN-0236 refers).~~

Background

109 In June 2025, Cabinet made policy decisions to modernise and simplify the management of conservation land (CAB-25-MIN-0213.01 refers). These reforms will speed up regulatory decisions, enable biodiversity protection and unlock greater economic activity on conservation land where the risks are manageable. ~~In particular, the changes will:~~

10.1 ~~streamline the conservation land management system with fewer and simpler planning instruments;~~

10.2 ~~speed up the processing of applications to undertake activities on conservation land (concessions) with a modern, risk-based regulatory approach;~~

10.3 ~~better enable the competitive allocation of concessions;~~

10.4 ~~provide greater flexibility to exchange and dispose of conservation land; and~~

10.5 ~~clarify what is required for these amended processes to give effect to section 4 of the Conservation Act, which requires giving effect to Treaty principles in a wide range of conservation processes and decisions.~~

110 At the time, Cabinet invited me to report back on several matters. Cabinet also directed me to amend the purpose statement for the Conservation Act to ensure the new National Conservation Policy Statement (NCPS) and area plans can enable greater economic development on conservation land.

Changing the purpose statement of the Conservation Act 1987

40 In June, Cabinet directed me to amend the purpose statement for the Conservation Act to ensure the NCPS and area plans can enable greater economic development on conservation

IN C O N F I D E N C E

land. This will ensure the NCPS and area plans can contain more enabling policies, which in turn will inform concession decisions based on those policies. The new framework for the NCPS and area plans is aimed at, by supporting faster, clearer and more consistent decisions on concessions, and removing rigidity in existing plans.

41 At present, there is no single purpose section in the Act. Instead, the purpose is implicitly reflected through its long title and through specific provisions that combine to create a clear and strong conservation purpose.

4142 I do not see a strong case for a fundamental shift away from conservation as the primary purpose of the system. Concession applications are typically approved. Between: between 1 January 2025 and 30 June 2025, of the 1,395 decisions made on concessions, only 2% were declined. In addition, some key authorisations on conservation land are made outside of the concessions framework. Mining projects,¹ projects of regional or national significance, and wildlife authorisations are all dealt with under separate legislation that is out of scope of this reform (the Crown Minerals Act 1991, Fast track Approvals Act 2024, and the Wildlife Act 1953).

42 Given that, I do not see a strong case for a fundamental shift away from conservation as the primary purpose of the system, or to add a single, explicit purpose statement to the Conservation Act. At present, the purpose is implicitly reflected through its long title and through specific provisions that combine to create a clear and strong conservation purpose. These include the definition of conservation (section 2), the requirement to give effect to the principles of the Treaty of Waitangi (section 4),² the functions of DOC (section 6), and the purposes for which different categories of land are held across a range of conservation legislation.

43 Additionally, any Any approach that is a significant departure from the current purpose (e.g. a new overarching purpose statement, changing conservation as the primary purpose or balancing conservation and development outcomes) introduces significant risks without guarantee of effectiveness. The scale of drafting required would also mean it cannot be delivered during the current parliamentary term, which is my ~~desired~~ timeframe for Bill enactment.

44

s9(2)(h)

¹ Other than Conservation Act concessions ancillary to mining operations, for example for access roads.

² Iwi/hapū economic interests are also supported by section 4. The Supreme Court has recognised that section 4 may require a degree of preference for iwi/hapū in relation to concession opportunities over lands where they have mana whenua and that their economic interests are a relevant consideration to this assessment. *Ngāi Tai ki Tāmaki Tribal Trust v Minister of Conservation* [2018] NZSC 122.

s9(2)(h)

- 45 Cabinet's intent can be achieved through a more incisive approach ~~s9(2)(h)~~
I will be making targeted changes to parts of the Conservation Act that form the existing 'purpose architecture', ~~while retaining conservation as the primary purpose, to ensure the intended benefits of the changes can be realised.~~ Subject to further advice from the Parliamentary Counsel Office and Crown Law on specific drafting to achieve Cabinet's intent, I am making the following changes:
- 45.1 Adding new purpose provisions to Parts 3A (management planning) and 3B (concessions) of the Conservation Act. These would clearly state the NCPS and area plans can include policies ~~that provide for the use and development of conservation land to the extent that effects can be avoided, remedied or mitigated.~~
- 45.2 In new empowering provisions for the NCPS and area plans, explicitly stating that one of their functions is to provide additional detail about the relationship between various activities and the purposes for which different types of land are held. ~~This will create a clear link to empowering provisions for concessions. This ensures the powers of the NCPS and area plans are linked to concession decision-making, which requires considering the purposes for which land is held (see next paragraph).~~
- 45.3 ~~In provisions relating to when~~ Currently, concessions can be granted, changing the weighting of 'the purposes for which the land concerned is held' to a mandatory consideration, ~~from something that concessions must not be contrary to. Concessions currently cannot be granted if they are inconsistent with "the purposes for which the land concerned is held. Changing". I am changing this to a mandatory consideration would make its weighting, aligning with the same as approach taken in the Fast-track Approvals Act and the Crown Minerals Act, but with conservation as the primary purpose rather than development. This provides a degree of discretion for decision-makers.~~
- 46 I am also exploring ~~whether amendments are needed changes~~ to section 6 ~~relating to DOC's functions, which sets out how conservation land can be used~~ DOC's functions.
- 47 My approach will ~~s9(2)(h)~~ ~~without making fundamental shifts that would introduce uncertainty for the Crown, Treaty partners and businesses. It will also ensure that the reforms can be enacted during this term of Parliament, meaning that the economic benefits of the changes will be realised sooner.~~
- 4847 I will return to Cabinet Legislation Committee with ~~the~~ specific drafting prior to ~~the Bill's~~ introduction.

Recommendations

The Minister of Conservation recommends that the Committee:

Other matters

- 13 **note** the approach taken by the Minister of Conservation to amend the ~~purposes~~purpose of the Conservation Act 1987 through a range of ~~amendments to~~targeted changes, which ensure the National Conservation Policy Statement and area plans can enable greater economic development on conservation land, and which do not require a new explicit purpose statement ~~for the Conservation Act;~~

Authorised for lodgement

Hon Tama Potaka

Minister of Conservation

OIAD-6462 – Purpose related excerpts from draft Cabinet paper as of 4 September 2025

IN C O N F I D E N C E

In Confidence

Office of the Minister of Conservation

Cabinet Economic Policy Committee

Further policy decisions for the Conservation Acts (Land Management) Amendment Bill

Executive summary

- 8 Finally, this paper provides an update on decisions I have made about amending the purpose statement of the Conservation Act 1987, as directed by Cabinet. I am making incisive changes to ensure the National Conservation Policy Statement (NCPS) and area plans can contain more enabling policies, which can then be given effect in concession decisions.

Background

- 9 In June 2025, Cabinet made policy decisions to modernise and simplify the management of conservation land (CAB-25-MIN-0213.01 refers). These reforms will speed up regulatory decisions, enable biodiversity protection and unlock greater economic activity on conservation land where the risks are manageable.
- 10 At the time, Cabinet invited me to report back on several matters. Cabinet also directed me to amend the purpose statement for the Conservation Act to ensure the NCPS and area plans can enable greater economic development on conservation land.

Changing the purpose statement of the Conservation Act 1987

- 40 In June, Cabinet directed me to amend the purpose statement for the Conservation Act to ensure the NCPS and area plans can enable greater economic development on conservation land, by supporting faster, clearer and more consistent decisions on concessions, and removing rigidity in existing plans.
- 41 At present, there is no single purpose section in the Act. Instead, the purpose is implicitly reflected through its long title and through specific provisions that combine to create a clear and strong conservation purpose.
- 42 I do not see a strong case for a fundamental shift away from conservation as the primary purpose of the system. Concession applications are typically approved: between 1 January 2025 and 30 June 2025, of the 1,395 decisions made, only 2% were declined. In addition, some key authorisations on conservation land are made outside of the concessions framework. Mining projects,¹ projects of regional or national significance, and wildlife authorisations are all dealt with under separate legislation that is out of scope of this reform.
- 43 Any approach that is a significant departure from the current purpose (e.g. a new overarching purpose statement, changing conservation as the primary purpose or balancing

¹ Other than Conservation Act concessions ancillary to mining operations, for example for access roads.

IN C O N F I D E N C E

conservation and development outcomes) introduces significant risks without guarantee of effectiveness. The scale of drafting required would also mean it cannot be delivered during the current parliamentary term, which is my timeframe for Bill enactment.

44

s9(2)(h)

45 Cabinet's intent can be achieved through a more incisive approach. I will be making targeted changes to parts of the Conservation Act that form the existing 'purpose architecture' to ensure the intended benefits of the changes can be realised. Subject to further advice from the Parliamentary Counsel Office and Crown Law on specific drafting to achieve Cabinet's intent, I am making the following changes:

- 45.1 Adding new purpose provisions to Parts 3A (management planning) and 3B (concessions) of the Conservation Act. These would clearly state the NCPS and area plans can include policies for the use and development of conservation land.
- 45.2 In new empowering provisions for the NCPS and area plans, explicitly stating that one of their functions is to provide additional detail about the relationship between various activities and the purposes for which different types of land are held. This ensures the powers of the NCPS and area plans are linked to concession decision-making, which requires considering the purposes for which land is held (see next paragraph).
- 45.3 Currently, concessions cannot be granted if they are inconsistent with "the purposes for which the land concerned is held". I am changing this to a mandatory consideration, aligning with the approach taken in the Fast-track Approvals Act and the Crown Minerals Act. This provides a degree of discretion for decision-makers.

46 I am also exploring changes to section 6, which sets out DOC's functions. My changes will amend and clarify the Conservation Act to clearly enable economic development on conservation land.

47 I will return to Cabinet Legislation Committee with specific drafting prior to introduction.

Recommendations

The Minister of Conservation recommends that the Committee:

Other matters

- 13 **note** the approach taken by the Minister of Conservation to amend the purpose of the Conservation Act 1987 through a range of targeted changes, which ensure the National

Conservation Policy Statement and area plans can enable greater economic development on conservation land, and which do not require a new explicit purpose statement;

Authorised for lodgement

Hon Tama Potaka
Minister of Conservation

DRAFT
Released under the Official Information Act 1982

Purpose-related excerpt

Departmental Disclosure Statement

Proposals

Changes to purpose provisions of the Conservation Act

The Bill amends several purpose-related provisions in the Conservation Act to enable more economic development on public conservation land, while protecting conservation values. It includes a package of targeted changes that are intended to:

- Support streamlined processes provided for in the Bill by explicitly acknowledging that economic development is an acceptable activity on conservation land (where it is not inconsistent with conservation).
- Increase the likelihood of concessions being granted where they otherwise may not have but where they are still not inconsistent with conservation.

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Purpose -excerpts

Appendix B: Delegated decisions made by the Minister of Conservation

<i>Purpose</i>
1. Retain “consistency with the purpose for which the land is held” as a threshold for concession decisions. s9(2)(h) 2. Amend section 6 of the Act (which sets out the functions of the Department of Conservation) to include development. 3. Add new purpose provisions to Parts 3A (management planning) and 3B (concessions) of the Act to state the National Conservation Policy Statement (NCPS) and area plans enable the use and development of conservation land. 4. Include empowering provisions for the NCPS that explicitly state that one of its functions is to provide additional information on how consistent an activity is with the purposes for which land is held or managed.

PURPOSE-RELATED EXCERPTS 14 APRIL 2026
IN CONFIDENCE

[In Confidence]

Office of the Minister of Conservation

Cabinet Legislation Committee

Conservation Amendment Bill: Approval for Introduction

I am seeking Cabinet's approval on final policy matters

- 1 Today, I am seeking decisions on a small number of policy matters that have arisen through the drafting process and require Cabinet approval. I seek Cabinet's confirmation of the approach taken to these issues in the Bill ahead of introduction. These are outlined in Appendix A, with the more significant changes also described below.
- 2 During the drafting process, I have made decisions consistent with Cabinet's delegations [CAB-25-MIN-0213.01 and CAB-25-MIN-0334.01 refer]. These are outlined in Appendix B for your information.

Changes to the purpose of the Conservation Act

- 3 In September 2025, Cabinet noted my plans (pending further advice on drafting from the Parliamentary Counsel Office and Crown Law) to make incisive changes to parts of the Conservation Act that form the existing 'purpose architecture'¹ [CAB-25-MIN-0334.01]. My intention was to enable economic development, targeting those few concessions applications likely to be declined under the status quo, while retaining conservation as the primary purpose of the Act.
- 4 Pursuing an incisive amendment to the purpose architecture of the Act (rather than a more extensive change) will s9(2)(h) and disruption to business certainty.
- 5 Under the status quo, most applications to use conservation land are approved. Last year DOC processed around 2,800 concession applications and 120 mining applications under the Crown Minerals Act 1991 (CMA).² Of those considered, only 2% of concessions applications and mining approvals were declined.³ Regionally and nationally significant projects can now be approved via the Fast-track Approvals Act 2024.
- 6 My reform package will make it easier for economic development to take place on conservation land with targeted improvements to the purpose architecture of the Act.

¹ The Conservation Act does not include a single purpose statement. The 'purpose architecture' refers to the provisions within the Conservation Act which collectively form the purpose of Act, including the statutory functions of DOC.

² For concessions decisions data is taken from January 2025 – October 2025; for mining permissions data is taken from November 2024 – October 2025.

³ Around 90% were approved and 7-9% withdrawn.

IN CONFIDENCE

It will do this by simplifying the structure of statutory planning documents, exempting and pre-approving certain activities, removing unnecessary rules and limits, and providing clear, consistent direction on a number of economically significant activities. The NCPS will also be able to provide additional information on how consistent an activity is with the purposes for which different types of conservation land are held, to guide concession decisions and supplement the high-level statements in primary legislation.

- 7 The proposed targeted amendments to the purpose provisions will increase the likelihood that some of the 2% of concessions declined last year are approved. They are intended to signal that economic development is an acceptable activity on conservation land (where not inconsistent with conservation).
- 8 When I last reported to Cabinet, I proposed a package of four incisive changes directed at the purpose of the Conservation Act [CAB-25-MIN-0334.01]. I intend to progress three of these changes that together will amend DOC's functions to include economic development; and empower the NCPS and area plans to enable economic development. A detailed summary of these changes is set out in Appendix B.
- 9 I have opted not to change the threshold that must be met in concessions decisions. This means the purpose for which land is held will continue to operate as a threshold (as it does now), rather than a mandatory relevant consideration (as suggested when I last reported to Cabinet). The economic development outcomes enabled by the broader package will not be materially impacted by retaining the threshold currently in the Conservation Act. s9(2)(h)

Impact analysis

- 10 Regulatory impact statements have been prepared in accordance with the necessary requirements and were submitted when Cabinet approved the policies relating to the Bill [CAB-25-MIN-0213.01, CAB-25-MIN-0236 and CAB-25-MIN-0334.01 refer].
- 11 In June 2025, Cabinet directed me to look at potential changes to the purpose of the Conservation Act. The ensuing changes required a supplementary analysis report (SAR) (Appendix C).
- 12 A panel comprising officials from the Department of Conservation have reviewed the SAR: *Amending the purpose of the Conservation Act 1987*. The assessors consider that the information and analysis summarised in the SAR partially meets the quality assurance criteria. The panel considered that the analysis did not assess a full range of options, however the Cabinet decision on the regulatory solution constrained what options would be considered. The panel also noted the proposed changes were not consulted specifically, and the analysis makes assumptions based on related engagement on the wider [Conservation Amendment Bill]. The panel felt the SAR clearly outlined these constraints and provided critical analysis of the preferred option which has a targeted impact and objectives.

Recommendations

- 13 I recommend that Cabinet:
- 1 **note** the policy decisions I have made during drafting, consistent with Cabinet's delegations which are outlined in Appendix B;
 - 2 **note** that no change to the threshold that must be met in concession decisions (relating to the purpose for which the land is held) has been made, s9(2)(h);
 - 3 **agree** that Parliamentary Counsel Office can continue to make minor changes to the Bill to settle technical matters in line with Cabinet's policy decisions and incorporate feedback from PCO quality assurance processes up until the Bill is introduced;

Authorised for lodgement

Hon Tama Potaka

Minister of Conservation

Purpose-related excerpts

Appendix B: Delegated decisions made by the Minister of Conservation

<i>Purpose</i>
1. Retain “consistency with the purpose for which the land is held” as a threshold for concession decisions. s9(2)(h) 2. Amend section 6 of the Act (which sets out the functions of the Department of Conservation) to include development. 3. Add new purpose provisions to Parts 3A (management planning) and 3B (concessions) of the Act to state the National Conservation Policy Statement (NCPS) and area plans enable the use and development of conservation land. 4. Include empowering provisions for the NCPS that explicitly state that one of its functions is to provide additional information on how consistent an activity is with the purposes for which land is held or managed.

Purpose-related excerpts

Appendix B: Delegated decisions made by the Minister of Conservation

Purpose
1. Retain “consistency with the purpose for which the land is held” as a threshold for concession decisions. s9(2)(h) 2. Amend section 6 of the Act (which sets out the functions of the Department of Conservation) to include development. 3. Add new purpose provisions to Parts 3A (management planning) and 3B (concessions) of the Act to state the National Conservation Policy Statement (NCPS) and area plans enable the use and development of conservation land. 4. Include empowering provisions for the NCPS that explicitly state that one of its functions is to provide additional information on how consistent an activity is with the purposes for which land is held or managed.

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Cabinet Paper Talking Points: Conservation Amendment Bill: Approval for Introduction (Cabinet)

To	Minister of Conservation		
Committee	Cabinet		
Date of meeting	28 April 2026		
Reference	26-K-0011	DocCM	DOC-10859435
Minister lead	Minister of Conservation		
DOC contact/s	Bryan Dunne, Deputy Director-General, Policy: s9(2)(a) Sam Thomas, Director Policy: s9(2)(a)		
Security level	In Confidence		

Purpose – Te aronga

1. On 28 April 2026, Cabinet is due to confirm decisions from the Cabinet Legislation Committee discussion on 23 April 2026 regarding the Conservation Amendment Bill.
2. This memo provides advice and talking points to support your discussion of the purpose-related changes to the Conservation Act 1987 at Cabinet.

Background and context – Te horopaki

3. On 23 April 2026, Cabinet Legislation Committee discussed the introduction of your Conservation Amendment Bill to Parliament.
4. The Bill included drafting related to Cabinet's request in June 2025 to amend the purpose statement of the Conservation Act to enable greater economic development on conservation land [CAB-25-MIN-0213.01].
5. You have now requested advice on further options for those purpose-related changes to the Conservation Act.

We identified three new options to amend the purpose-related provisions of the Conservation Act

6. We identified the following three feasible new options to amend the purpose-related provisions of the Conservation Act. Appendix 1 outlines those options. However, we have not worked with the Parliamentary Counsel Office (PCO) on drafting details, and the final wording will be subject to their advice.
 - a. **Option 1:** Remove reference to 'where not inconsistent with conservation' from section 6(e) of the Conservation Act (the Department's functions) and the new purpose statements for the National Conservation Policy Statement, area plans and concessions.
 - b. **Option 2:** Remove references to 'where not inconsistent with conservation' per option 1 and amend section 6(e) to explicitly require DOC to 'balance' conservation and economic development.

- c. **Option 3:** Add a standalone balancing purpose clause to the Conservation Act.
7. It is important to note that, because the primary purpose of conservation is entrenched throughout the Conservation Act and other conservation legislation, s9(2)(g)(i)

We considered and discounted more fundamental changes to the system

8. The option that makes the biggest shift towards economic development with s9(2)(h) involves designing a whole new purpose architecture for the conservation system.
9. Redesigning the purpose architecture would require a fundamental review of all the Acts under which DOC holds land¹ and other Acts listed in Schedule 1 of the Conservation Act. These Acts would require amendment because the Conservation Act is an “umbrella Act” that influences decision-making across all DOC-administered legislation. As such, it would no longer fit the scope of the current Amendment Bill.
10. The policy work required to deliver this option would be significant and require significantly longer timeframes than is currently provided for. It would effectively be a whole new reform proposal and would require consideration of the purpose of having a conservation system.
11. s9(2)(f)(iv)

Appendix 2 assesses the three feasible options

12. Appendix 2 assesses the three feasible options against the two criteria described in Table 1.

Table 1: Assessment criteria	
Criterion	Description
s9(2)(h)	
Effectiveness at enabling	This criterion assesses the effectiveness of the proposed option at enabling economic development.

¹ The Conservation Act 1987, Reserves Act 1977, National Parks Act 1980 and the Wildlife Act 1953 [26-K-0011] – Conservation Amendment Bill: Approval for Introduction

economic development	s9(2)(h) [REDACTED] [REDACTED] [REDACTED]
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13. s9(2)(h) [REDACTED]
[REDACTED]
[REDACTED] This reflects the fact that the Conservation Act's provisions (and the provisions in the other main Acts conservation land is held under²) are directed at the functions of conserving, protecting and preserving conservation values. These provisions are spread throughout the Conservation Act and other Acts that land is held under.

14. Table 2 below summarises our overall assessment of the options. Option 1 most closely aligns with the changes you discussed with officials on 23 April. We have also developed further options for completeness. See Appendix 2 for more detail.

Table 2: Summary of options assessment	
Option	Overall assessment
Option 1	This option creates the least uncertainty and, therefore, gives highest possible confidence to decision-makers s9(2)(h) [REDACTED]. However, it is least effective at signalling a shift toward enabling more development.
Option 2	This option is more likely to create a shift toward development compared to option 1 by explicitly signalling the intended relationship between conservation and development to decision-makers and the Courts. Compared to option 1, this option creates more uncertainty for decision-makers and applicants s9(2)(h) [REDACTED].
Option 3	Compared to options 1 and 2, this option sends a stronger signal that Parliament intends to shift the balance of economic development and conservation. s9(2)(h) [REDACTED] [REDACTED] This is the most significant amendment and so gives rise to the highest risk of unanticipated consequences.

Next steps – Nga tawhaitanga

15. Talking points for Cabinet are provided at Appendix 3. We are available to discuss this memo or provide additional advice ahead of Cabinet on 28 April 2025.
16. We recommend that you seek delegation from Cabinet to resolve the exact drafting of whichever option is agreed in consultation with PCO and Crown Law.

ENDS

² The National Parks Act 1980, Reserves Act 1977, and Wildlife Act 1953.
[26-K-0011] – Conservation Amendment Bill: Approval for Introduction

Appendix 1: Potential wording for options (subject to advice from PCO and may not look exactly like this)

	Current Conservation Act	Potential wording for options (subject to advice from PCO and may not look exactly like this)
Option 1 Remove reference to 'where not inconsistent with conservation' from section 6(e) (the Department's functions) and the new purpose provisions for the National Conservation Policy Statement, area plans, and concessions	Section 6 Functions of Department The functions of the Department are to administer this Act and the enactments specified in Schedule 1, and, subject to this Act and those enactments and to the directions (if any) of the Minister, — (e) to the extent that the use of any natural or historic resource for recreation or tourism is not inconsistent with its conservation, to foster the use of natural and historic resources for recreation, and to allow their use for tourism:	Section 6 amended (Functions of Department) Replace section 6(e) with: (e) in relation to the use of any natural resource or historic resource for recreation or development (including tourism), to— (i) foster its use for recreation; and (ii) allow for its development. <i>Note that including wording around cultural and regional development will increase the uncertainty about how the drafting will be interpreted. This is because 'cultural' and 'regional' development are undefined and have unclear meaning. It also is already covered by reference to development more broadly.</i>
	No equivalent drafting.	<i>Amendments to this section made to align with the amendment to section 6(e) above.</i>
	No equivalent drafting.	<i>Amendments to this section made to align with the amendment to section 6(e) above.</i>
	No equivalent drafting.	<i>Amendments to this section made to align with the amendment to section 6(e) above.</i>

	Current Conservation Act	Potential wording for options (subject to advice from PCO and may not look exactly like this)
Option 2 Option 1 changes and also amend section 6(e) (the Department's functions) to add an explicit requirement for DOC to 'balance' conservation and development	Section 6 Functions of Department The functions of the Department are to administer this Act and the enactments specified in Schedule 1, and, subject to this Act and those enactments and to the directions (if any) of the Minister,— (e) to the extent that the use of any natural or historic resource for recreation or tourism is not inconsistent with its conservation, to foster the use of natural and historic resources for recreation, and to allow their use for tourism:	Section 6 amended (Functions of Department) Replace section 6(e) with: (e) to balance the conservation of any natural resource or historic resource with the use of that resource for recreation as well as development (including tourism).
Option 3 Add a standalone balancing purpose clause to the Conservation Act	No equivalent drafting.	New purpose section The purpose of this Act is to balance the conservation of any natural resource or historic resource with the use of that resource for recreation as well as development (including tourism).

s9(2)(h)

Released under the Official Information Act 1982

Appendix 2: Options for purpose-related changes

Criteria	Option 1 Remove reference to 'where not inconsistent with conservation' from section 6(e) (the Department's functions) and the new purpose provisions for the National Conservation Policy Statement, area plans, and concessions	Option 2 Option 1 and also amend section 6(e) (the Department's functions) to add an explicit requirement for DOC to 'balance' conservation and development	Option 3 Add a standalone balancing purpose clause to the Conservation Act
s9(2)(h)			
Effectiveness at enabling economic development	Smallest increase in effectiveness This option is unlikely to materially impact the development enabled on conservation land compared to current drafting. The change would send a signal to decision-makers and the Courts that more development should be provided for. However, the impact would be smaller than the other options [REDACTED]	Slightly larger increase in effectiveness This will create a bigger shift towards enabling economic development than option 1 alone because it gives a steer to decision-makers and the Courts about the intended relationship between conservation and development. However, like the other options, the shift would still likely be small [REDACTED]	Largest increase in effectiveness Of the three options, this change would most explicitly signal an intention to enable development on conservation land. Any greater impact would require designing a new legislative regime through a different Bill. However, like the other options, the effect that this signalling would have on decision-making would still be limited. [REDACTED]
s9(2)(h)			

Appendix 3: Talking points

- I identified three potential new options to amend the purpose-related provisions of the Conservation Act to enable more development on conservation land:
 - **Option 1** removes references to development being permitted only “where not inconsistent with conservation” across the Bill’s purpose provisions. This includes the Department’s functions, and the purpose statements for the National Conservation Policy Statement, area plans, and concessions.
 - **Option 2** goes further. It makes the same changes as Option 1 but also amends the Department’s functions to require DOC to explicitly require DOC to balance conservation and development.
 - **Option 3** introduces a new, standalone purpose clause into the Conservation Act that explicitly balances conservation and development.
- Overall, there is a clear trade-off: the stronger the signal in the Act in favour of development, s9(2)(h) [REDACTED]
- s9(2)(h) [REDACTED]
 - [REDACTED]
 - [REDACTED]
- [REDACTED]

s9(2)(h)

- I also considered, and rejected, a more fundamental redesign of the conservation system's purpose architecture. This would require repealing or amending much of the conservation statute book, starting effectively from scratch. That scale of reform is not feasible within this Bill and would need to be considered in a future parliamentary term.
- I seek your delegated authority to draft my preferred option subject to further advice from officials including the Crown Law Office and the Parliamentary Counsel Office.

If you prefer Option 1:

- Having weighed these issues, I consider that option 1 most effectively supports economic development s9(2)(h) This option provides the most confidence to decision-makers and potential applicants.

If you prefer Option 2:

- Having weighed these issues, I consider that option 2 strikes the best balance between explicitly signalling our intended relationship between conservation and development s9(2)(h)
- It provides a good middle-ground compared to option 3. Option 3 s9(2)(h) without delivering a meaningful increase in development outcomes. Existing conservation purpose indicators would be difficult to displace without much broader legislative change.

If you prefer Option 3:

- Option 3 gives the clearest signal that economic development can occur on conservation land. It explicitly signals our intended relationship between conservation and development.



Cabinet Paper Talking Points: Conservation Amendment Bill: Approval for Introduction (Cabinet)

To	Minister of Conservation		
Committee	Cabinet		
Date of meeting	28 April 2026		
Reference	26-K-0011	DocCM	DOC-10859435
Minister lead	Minister of Conservation		
DOC contact/s	Bryan Dunne, Deputy Director-General, Policy: s9(2)(a) Sam Thomas, Director Policy: s9(2)(a)		
Security level	In Confidence		

Purpose – Te aronga

1. On 28 April 2026, Cabinet is due to confirm decisions from the Cabinet Legislation Committee discussion on 23 April 2026 regarding the Conservation Amendment Bill.
2. This memo provides advice and talking points to support your discussion of the purpose-related changes to the Conservation Act 1987 at Cabinet.

Background and context – Te horopaki

3. On 23 April 2026, Cabinet Legislation Committee discussed the introduction of your Conservation Amendment Bill to Parliament.
4. The Bill included drafting related to Cabinet's request in June 2025 to amend the purpose statement of the Conservation Act to enable greater economic development on conservation land [CAB-25-MIN-0213.01].
5. You have now requested advice on further options for those purpose-related changes to the Conservation Act.

We identified two new options to amend the purpose-related provisions of the Conservation Act

6. We identified the following two feasible new options to amend the purpose-related provisions of the Conservation Act. Appendix 1 outlines those options. However, we have not worked with the Parliamentary Counsel Office (PCO) on drafting details, and the final wording will be subject to their advice.
 - a. **Option 1:** Remove reference to 'where not inconsistent with conservation' from section 6(e) of the Conservation Act (the Department's functions) and the new purpose statements for the National Conservation Policy Statement, area plans and concessions.
 - b. **Option 2:** Remove references to 'where not inconsistent with conservation' per option 1 and amend section 6(e) to explicitly require DOC to 'balance' conservation and economic development.

7. It is important to note that, because the primary purpose of conservation is entrenched throughout the Conservation Act, conservation will remain as the primary purpose of the system, absent even more fundamental change.

We considered and discounted more fundamental changes to the system

8. The option that makes the biggest shift towards economic development with the s9(2)(h) involves designing a whole new purpose architecture for the conservation system.
9. Redesigning the purpose architecture would require a fundamental review of all the Acts under which DOC holds land¹ and other Acts listed in Schedule 1 of the Conservation Act. These Acts would require amendment because the Conservation Act is an “umbrella Act” that influences decision-making across all DOC-administered legislation. As such, it would no longer fit the scope of the current Amendment Bill.
10. The policy work required to deliver this option would be significant and require significantly longer timeframes than is currently provided for. It would effectively be a whole new reform proposal and would require consideration of the purpose of having a conservation system.
11. s9(2)(h)

Appendix 2 assesses the two feasible options

12. Appendix 2 assesses the two feasible options against the two criteria described in Table 1.

Table 1: Assessment criteria	
Criterion	Description
s9(2)(h)	
Effectiveness at enabling economic development	This criterion assesses the effectiveness of the proposed option at enabling economic development. s9(2)(h)

¹ The Conservation Act 1987, Reserves Act 1977, National Parks Act 1980 and the Wildlife Act 1953 [26-K-0011] – Conservation Amendment Bill: Approval for Introduction

13. [REDACTED] This reflects the fact that the Conservation Act's provisions (and the provisions in the other main Acts conservation land is held under²) are directed at the functions of conserving, protecting and preserving conservation values. These provisions are spread throughout the Conservation Act and other Acts that land is held under.
14. Table 2 below summarises our overall assessment of the options. Option 1 most closely aligns with the changes you discussed with officials on 23 April. We have also developed further options for completeness. See Appendix 2 for more detail.

Table 2: Summary of options assessment	
Option	Overall assessment
Option 1	This option creates the least uncertainty and, therefore, gives highest possible confidence to decision-makers [REDACTED] However, it is least effective at signalling a shift toward enabling more development.
Option 2	This option is more likely to create a shift toward development compared to option 1 by explicitly signalling the intended relationship between conservation and development to decision-makers and the Courts. Compared to option 1, this option creates more uncertainty for decision-makers and applicants [REDACTED]

Next steps – Ngā tāwhaitanga

15. Talking points for Cabinet are provided at Appendix 3. We are available to discuss this memo or provide additional advice ahead of Cabinet on 28 April 2025.
16. We recommend that you seek delegation from Cabinet to resolve the exact drafting of whichever option is agreed in consultation with PCO and Crown Law.

ENDS

Appendix 1: Potential wording for options (subject to advice from PCO and may not look exactly like this)

	Current Conservation Act	Potential wording for options (subject to advice from PCO and may not look exactly like this)
Option 1 Remove reference to 'where not inconsistent with conservation' from section 6(e) (the Department's functions) and the new purpose provisions for the National Conservation Policy Statement, area plans, and concessions	Section 6 Functions of Department The functions of the Department are to administer this Act and the enactments specified in Schedule 1, and, subject to this Act and those enactments and to the directions (if any) of the Minister, — (e) to the extent that the use of any natural or historic resource for recreation or tourism is not inconsistent with its conservation, to foster the use of natural and historic resources for recreation, and to allow their use for tourism:	Section 6 amended (Functions of Department) Replace section 6(e) with: (e) in relation to the use of any natural resource or historic resource for recreation or development (including tourism), to— (i) foster its use for recreation; and (ii) allow for its development. <i>Note that including wording around cultural and regional development will increase the uncertainty about how the drafting will be interpreted. This is because 'cultural' and 'regional' development are undefined and have unclear meaning. It also is already covered by reference to development more broadly.</i>
	No equivalent drafting.	<i>Amendments to this section made to align with the amendment to section 6(e) above.</i>
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	No equivalent drafting.	<i>Amendments to this section made to align with the amendment to section 6(e) above.</i>

	Current Conservation Act		Potential wording for options (subject to advice from PCO and may not look exactly like this)
Option 2 Option 1 changes and also amend section 6(e) (the Department's functions) to add an explicit requirement for DOC to 'balance' conservation and development	Section 6 Functions of Department The functions of the Department are to administer this Act and the enactments specified in Schedule 1, and, subject to this Act and those enactments and to the directions (if any) of the Minister,— (e) to the extent that the use of any natural or historic resource for recreation or tourism is not inconsistent with its conservation, to foster the use of natural and historic resources for recreation, and to allow their use for tourism:	s9(2)(h)	Section 6 amended (Functions of Department) Replace section 6(e) with: (e) to balance the conservation of any natural resource or historic resource with the use of that resource for recreation as well as development (including tourism).

Released under the Official Information Act 1982

Appendix 2: Options for purpose-related changes

Criteria	Option 1 Remove reference to 'where not inconsistent with conservation' from section 6(e) (the Department's functions) and the new purpose provisions for the National Conservation Policy Statement, area plans, and concessions	Option 2 Option 1 and also amend section 6(e) (the Department's functions) to add an explicit requirement for DOC to 'balance' conservation and development
s9(2)(h)		
Effectiveness at enabling economic development	Smallest increase in effectiveness This option is unlikely to materially impact the development enabled on conservation land compared to current drafting. The change would send a signal to decision-makers and the Courts that more development should be provided for. However, the impact would be smaller than the other options s9(2)(h)	Slightly larger increase in effectiveness This will create a bigger shift towards enabling economic development than option 1 alone because it gives a steer to decision-makers and the Courts about the intended relationship between conservation and development. However, like option 1, the shift would still likely be small s9(2)(h)
s9(2)(h)		

Appendix 3: Talking points

- I identified two potential new options to amend the purpose-related provisions of the Conservation Act to enable more development on conservation land:
 - **Option 1** removes references to development being permitted only “where not inconsistent with conservation” across the Bill’s purpose provisions. This includes the Department’s functions, and the purpose statements for the National Conservation Policy Statement, area plans, and concessions.
 - **Option 2** goes further. It makes the same changes as Option 1 but also amends the Department’s functions to require DOC to explicitly require DOC to balance conservation and development.
- Overall, there is a clear trade-off: the stronger the signal in the Act in favour of development, s9(2)(h) [REDACTED]
- s9(2)(h) [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]

- s9(2)(h)
[REDACTED]
[REDACTED]
- I also considered, and rejected, a more fundamental redesign of the conservation system's purpose architecture. This would require repealing or amending much of the conservation statute book, starting effectively from scratch. That scale of reform is not feasible within this Bill and would need to be considered in a future parliamentary term.
- I seek your delegated authority to draft my preferred option subject to further advice from officials including the Crown Law Office and the Parliamentary Counsel Office.

If you prefer Option 1:

- Having weighed these issues, I consider that option 1 most effectively supports economic development s9(2)(h)
[REDACTED] This option provides the most confidence to decision-makers and potential applicants.

If you prefer Option 2:

- Having weighed these issues, I consider that option 2 strikes the best balance between explicitly signalling our intended relationship between conservation and development s9(2)(h)
[REDACTED]
- It provides a good middle. Existing conservation purpose indicators would be difficult to displace without much broader legislative change.

Talking Points on Conservation Amendment Bill

- Following the discussion at Cabinet on Tuesday, I have worked with Ministers Potaka and Jones to agree alternative wording for section 6(e) of the Bill – which sets out the functions of the Department of Conservation - to better reflect the Government's intention for greater economic development of Public Conservation Land s9(2)(h)
- This wording would be mimicked in section 13D – the purpose of the National Conservation Policy Statement (NCPS) and throughout the Bill as required.

PROPOSED DRAFTING TO BE TABLED AT LEG

Section 6 amended (Functions of Department)

Replace section 6(e) with:

(e) also to recognise the economic opportunities that arise from the use and development of [land and other natural and historic resources managed by the Department], and enable this use and development to the greatest extent practicable under this Act and other enactments

New section 13D (National Conservation Policy Statement)

(2) The purpose of the NCPS is to—

(b) recognise the economic opportunities that arise from the use and development of land vested in the Crown and held under this Act, the National Parks Act 1980, the Reserves Act 1977, and the Wildlife Act 1953 and enable that use and development to the greatest extent practicable under these Acts

- This drafting goes as far as possible to create a clear and certain signal in favour of economic development s9(2)(h)
- It clearly and strongly signals in the direction of economic development. It gives statutory legitimacy to a range of economic development activities broader than tourism and provides a stronger hook in the Act to support policies in the NCPS that are more enabling of economic development.
- I seek delegated authority for PCO to refine the wording and make consequential amendments to ensure consistency throughout the Bill, as a result of this change.

Full set of Recommendations to be tabled (provided to the Cabinet Office)

- 1 s9(2)(ba)
- 2 note that the Bill will streamline the conservation land management framework, better enable appropriate use of conservation land, and support more effective administration of conservation land;
- 3 approve additional proposals for the Bill as set out in the paper and Appendix A under the submission CAB-26-SUB-0141;
- 4 note the policy decisions made during drafting, consistent with Cabinet's earlier delegations, which are set out in Appendix B to the submission under CAB-26-SUB-0141;
- 5 note that no change to the threshold that must be met in concession decisions (relating to the purpose for which the land is held) has been made, s9(2)(h)
- 6 agree to amend the Bill to clarify earlier policy decisions around enabling greater economic development on conservation land, to recognise the economic opportunities that arise from the use and development of land and other natural and historic resources managed by the Department, and enable this use and development to the greatest extent practicable under this Act and other enactments, in new sections 6(e) and 13D of the Bill, and related purpose statements as appropriate;
- 7 authorise the Minister of Conservation, with advice from PCO, to approve the final wording used in the Bill to give effect to the decision in paragraph 6 above;
- 8 agreed that Cabinet will receive a summary of the public submissions made on the Bill at select committee;
- 9 authorise the Parliamentary Counsel Office to continue to make minor and technical changes to the Bill, in line with Cabinet policy decisions, up until the Bill is introduced;
- 10 approve the Conservation Amendment Bill [PCO 28229/17.0] for introduction, subject to final drafting to give effect to the above decisions;
- 11 agree that the Bill be introduced as soon as possible;
- 12 agree that the Government propose that the Bill be referred to the Environment Committee for consideration.

BACKPOCKET POINTS

The proposed reforms will enable more economic development

- Cabinet agreed in September last year, that the intention of the proposed reform is to further enable economic development on conservation land, while retaining conservation as the primary purpose of the Conservation Act [CAB-25-MIN-0334.01].
- This will be achieved through incisive changes to the functions of the Department of Conservation and Parts 3A and 3B to ensure the National Conservation Policy Statement (NCPS) and area plans can contain more enabling policies, and those flow through into concession decisions.
- The revised drafting achieves this intention. Moreover the reforms implement changes within the current restrictions of Conservation legislation to enable development by:
 - Allowing for easier land exchange and disposal – so low value conservation land can be removed from the Conservation estate and used for its best use.
 - Reforming the complicated planning system and greenlighting certain activities
 - Promoting more activities on conservation land by providing exemptions and pre-approvals
 - Putting the acid on DOC by creating statutory timeframes for processing applications
 - Removing unnecessary rules will encourage operators who are currently hesitant to apply for concessions.

There are fast pathways for economic projects to get approval to operate on conservation land

- Economic activities already occur on conservation land, and major economic activities have fast pathways for authorisation. The pathway they take depends on their nature and scale:
 - **The Fast-track Approvals Act 2024** provides a pathway for economically significant activities to seek a range of approvals through a single application.
 - Mining is primarily regulated under the **Crown Minerals Act 1991** rather than the Conservation Act. DOC typically approves the mining applications it processes under that Act.
 - From November 2024 – October 2025, DOC processed 120 applications under the Crown Minerals Act to access PCL for mining-related activities. Of these, 90% were approved; 1.7% were declined; 6.7% were withdrawn; and 1.7% were returned
 - Most remaining activities on conservation land need a concession. The **concessions process is set out in the Conservation Act**, but it is referred to and used under other conservation legislation (e.g. the National Parks Act and Reserves Act).

A rebalancing of conservation and economic development could be achieved through further reform but will take significant time and resources

- For the purposes of this reform package, the Minister of Conservation has considered and discounted options that look to insert balancing provisions into the current Conservation Act. s9(2)(h)
[REDACTED]
[REDACTED]
[REDACTED]
 - [REDACTED]
[REDACTED]
 - [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
- If Ministers are seeking significantly more economic development on conservation land, it is possible, however it requires a fundamental redesign of the conservation system. Due to the extensive time and resources required, this would not be achievable this term. s9(2)(h)
[REDACTED]
[REDACTED]
- This is because the conservation purpose of the conservation system is deeply embedded through all conservation legislation.
- s9(2)(h)
[REDACTED]
[REDACTED]
 - [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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s9(2)(h)

Revised drafting

Section 6 amended (Functions of Department)

Replace section 6(e) with:

(e) also to recognise the economic opportunities that arise from the use and development of [land and other natural and historic resources managed by the Department], and enable this use and development to the greatest extent practicable under this Act and other enactments

New section 13D (National Conservation Policy Statement)

(2) The purpose of the NCPS is to—

- (b) recognise the economic opportunities that arise from the use and development of land vested in the Crown and held under this Act, the National Parks Act 1980, the Reserves Act 1977, and the Wildlife Act 1953 and enable that use and development to the greatest extent practicable under these Acts

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Purpose-related excerpts

Key messages for external audiences

Key messages for any audience (for web materials etc)

Overview

- To **better support businesses and enable greater economic growth on conservation land**, we are:
 - Changing the law to more explicitly allow for development on conservation land, while ensuring conservation remains the Act's primary purpose.
 - Streamlining the planning framework, replacing existing documents with a National Conservation Policy Statement (NCPS) and area plans to provide clearer and simpler planning rules.
 - Updating the purpose provisions of the Conservation Act to clarify how the NCPS and area plans enable development.
 - Making it easier to competitively allocate and transfer concessions among businesses..

Providing for development on conservation land

- The Conservation Act will be amended to more explicitly allow for development on conservation land, while ensuring conservation remains the Act's primary purpose.
- The Act will be amended to specify that DOC can 'allow for' the use of natural or historic resources for development, if doing so is not inconsistent with conservation. DOC's primary function will continue to be to manage these resources for conservation purposes.
- We are also adding new provisions to state the NCPS and area plans enable the use and development of conservation land.
- These targeted changes strike the balance between protecting conservation values and supporting productive, well managed use of conservation land.
- Standardising these conditions, as well as concessions pricing, will reduce churn in concessions processes, increase transparency in how land is managed and ensure fairness for concessionaires.

Tailored messages

Key messages for concessionaires and business operators

- The reforms will make it clear that economic development can occur on conservation land and will be enabled through decisions under the new planning system.

Key messages for environmental organisations and those interested in environmental protections

Targeted changes to the purpose-related provisions of the Conservation Act

Purpose-related excerpts

- The Bill amends several purpose-related provisions of the Conservation Act to clarify that DOC may 'allow for' the use of natural or historic resources for development, where doing so is not inconsistent with conservation.
- The changes are incisive and targeted at those activities which are not inconsistent with conservation, but which may currently be declined under the status quo. Under the status quo only 2% of all applications were declined between January-October 2025.
- Statutory safeguards will continue to apply. Those applying for a concession will continue to have to demonstrate that their proposed activity is not inconsistent with the purpose for which the land is held, the Conservation Act (or the relevant Act listed in Schedule 1 of the Conservation Act), the National Conservation Policy Statement, and any relevant area plan. Proposals that do not meet these requirements will be declined.
- DOC's primary function will continue to be to manage conservation land for conservation purposes.
- The targeted changes to the purpose-related provisions of the Conservation Act strike the balance between protecting conservation values and supporting reasonable and well-managed use of conservation land.
- This will help deliver the intended benefits for businesses and local economies, while protecting the conservation values at place.

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Reactive Questions and Answers
Modernising conservation land management

[Not for release on website]

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General reactive Q&A

1. What is the impact of these changes on recreational and public access?
 - DOC will continue to foster the use of natural or historic resources for recreation, where doing so is consistent with conservation. There will be no change to these provisions in the Conservation Act.

Reactive Q&A by proposal area

Changes to the purpose of the Conservation Act

2. Aren't you undermining the whole conservation system by changing the purpose-related provisions in the Conservation Act?
 - The Government is making targeted changes to support greater development on conservation land, while protecting our special places and species.
 - The changes are incisive and targeted at those activities which are not inconsistent with conservation, but which may currently be declined under the status quo. Under the status quo, only 2% of all applications were declined between January-October 2025.
 - The Conservation Act will be amended to specify that DOC can 'allow for' the use of natural or historic resources for development, if doing so is not inconsistent with conservation.
 - We are also adding new provisions to state the NCPS, and area plans enable the use and development of conservation land.
 - DOC's primary function will continue to be to manage these resources for conservation purposes.
 - Statutory safeguards will continue to apply. Those applying for a concession will continue to have to demonstrate that their proposed activity is not inconsistent with the purpose for which the land is held, the Conservation Act (or the relevant Act listed in Schedule 1 of the Conservation Act), the NCPS, and any relevant area plan. Proposals that do not meet these requirements will be declined.

3. The Government didn't consult on changing the purpose-related provisions of the Conservation Act. What changed?

- The reform has always been about making sure the new planning instruments – the National Conservation Policy Statement and area plans – make it more straightforward and efficient for people to do things, especially conducting their business, on conservation land.
- Through the policy process, the Government has decided to amend the purpose-related provisions of the Conservation Act to support this suite of changes and ensure the law enables greater development on conservation land.
- Select Committee will provide an opportunity for the public to have their say on this.

4. The Conservation Act doesn't have a single purpose provision so how can you change it?

- There is no single purpose section in the Conservation Act. Instead, the purpose is implicitly reflected through its long title and through specific provisions that combine to create a clear and strong conservation purpose.
- The Conservation Act will be amended to specify that DOC can 'allow for' the use of natural or historic resources for economic development, if doing so is not inconsistent with conservation. We are also adding new provisions to state the NCPS, and area plans enable the use and development of conservation land.
- These targeted changes will amend some of the purpose-related provisions in the Conservation Act. They strike the balance between protecting conservation values and supporting productive, well managed use of conservation land.

5. Does this mean more mining on conservation land?

- Mining on conservation land is primarily managed under the Crown Minerals Act and Fast-track Approvals Act and there are no changes proposed to these Acts. The list of high value conservation land that can only be subject to the very lowest impact mining activities is not changing.
- Last year DOC processed around 120 mining applications under the Crown Minerals Act. Of those considered, only 2% of mining approvals were declined.

6. Will changing the purpose of the Conservation Act have negative impacts on the environment?

- The targeted changes to the purpose-related provisions of the Conservation Act strike the balance between protecting conservation values and supporting productive, well managed use of conservation land.
- DOC's primary function will continue to be to manage land, and natural and historic resources for conservation purposes.
- Anyone that applies for a concession to undertake activities on conservation land will continue to have to demonstrate that the activity is not inconsistent with the purpose for which the land is held, the NCPS and any relevant area plans.

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Revised messaging – purpose of the Conservation Amendment Bill

Key messages for external audiences

Purpose-related changes

- The Conservation Act will be amended to more explicitly recognise and enable development on conservation land, while ensuring conservation remains the Act's primary purpose.
- The Act will be amended to include the concept of recognising economic opportunities and enabling associated use and development to the greatest extent practicable under the Act. DOC's primary function will continue to be to manage conservation land for conservation purposes.
- We are also adding new provisions to state that the new National Conservation Policy Statement (NCPS), area plans, and concessions enable the use and development of conservation land.
- These targeted changes strike the balance between protecting conservation values and supporting productive, well managed use of conservation land.

Competitive allocation

- Greater flexibility will be provided to allocate concessions through a competitive process, rather than relying on a first-come-first-served basis.
- This will improve fairness, drive the most economically efficient use of conservation land, and encourage greater innovation.

Other changes

- The reforms will also make it faster and easier to get concessions by simplifying the structure of statutory planning documents and removing unnecessary rules.
- The changes will enable the new NCPS to exempt or pre-approve specific activities, meaning business won't need a concession for some activities, or will be able to get one online immediately.

Key messages for ENGOs

- The Bill amends several purpose-related provisions of the Conservation Act to include the concept of recognising economic opportunities and enabling associated use and development to the greatest extent practicable under the Act.
- The changes are incisive and targeted at those activities that are consistent with the Act's framework, but which may currently be declined under the status quo. Under the status quo only 2% of all applications were declined between January-October 2025.
- Statutory safeguards will continue to apply. Those applying for a concession will continue to have to demonstrate that their proposed activity is not inconsistent with the purpose for which the land is held, the Conservation Act (or the relevant Act listed in Schedule 1 of the Conservation Act), the National Conservation Policy Statement, and any relevant area plan. Proposals that do not meet these requirements will be declined.

- DOC's primary function will continue to be to manage conservation land for conservation purposes.
- The targeted changes to the purpose-related provisions of the Conservation Act strike the balance between protecting conservation values and supporting reasonable and well-managed use of conservation land.
- This will help deliver the intended benefits for businesses and local economies, while protecting the conservation values at place.

Key messages for concessionaires and business operators

- The reforms will make it clear that economic development can occur on conservation land and will be enabled through decisions under the new planning system.
- Targeted changes to the purpose of the Act will provide the certainty needed to ensure the new system delivers the full benefits expected for businesses and local economies, while protecting conservation values at each place.
- The changes will send a strong signal that a development focus should be taken where there is discretion within the statutory tests to lawfully approve activities or require them to operate with conditions that better enable economic development while still ensuring conservation objectives are achieved.

Reactive Q&As

1. Aren't you undermining the whole conservation system by changing the purpose-related provisions in the Conservation Act?

- No.
- The changes are incisive and targeted at those activities that are consistent with the Act's framework, but which may currently be declined under the status quo. It's worth noting that, even now, only around 2 percent of applications were declined between January and October 2025.
- Statutory safeguards will continue to apply. Those applying for a concession will continue to have to demonstrate that their proposed activity is not inconsistent with the purpose for which the land is held, the Conservation Act (or the relevant Act listed in Schedule 1 of the Conservation Act), the National Conservation Policy Statement, and any relevant area plan. Proposals that do not meet these requirements will be declined.
- DOC's primary function will continue to be to manage conservation land for conservation purposes.

2. The Conservation Act doesn't have a single purpose provision so how can you change it?

- There is no single purpose section in the Conservation Act. Instead, the purpose is implicitly reflected through its long title and through specific provisions that combine to create a clear and strong conservation purpose.
- The Bill makes changes at several points in the Conservation Act to include the concept of recognising economic opportunities and enabling associated use and development to the greatest extent practicable under the Act.
- The areas where this is included are:
 - section 6 of the Conservation Act – which sets out the functions of the Department of Conservation
 - the purpose of the National Conservation Policy Statement and area plans (new sections 13D and 13H)
 - the purpose of concessions (new section 14)

3. Does this mean more mining on conservation land?

- These changes won't change the main approvals required for mining projects. Permissions for mining projects are not granted under conservation legislation, they are granted under the Crown Minerals Act and Fast-track Approvals Act. There are no changes proposed to those Acts.
- The proposed changes are primarily targeted at the concessions system. Mining projects may need concessions for activities linked to mining operations that aren't covered by the permissions under other Acts, for example for access roads or ancillary structures. The purpose changes would affect those concession applications in the same way as any other concession applications.

4. What is the impact of these changes on recreational and public access?

- DOC will foster the use of land and natural or historic resources for recreation, where doing so is consistent with conservation. This is the same recreation function as the one currently set out in the Act and the changes are intended merely to improve clarity and readability.
- Access charges will only apply to international visitors, in a limited number of locations, with New Zealanders continuing to have free access to public conservation land across the motu.
- The net conservation benefit assessment for land exchanges includes the consideration of recreation values and public access. Similarly, recreation values and public access

must also be considered as part of the Minister's decision to dispose of any land. The Minister can also apply covenants (e.g. to protect conservation values) or an easement (e.g. to protect access) to any outgoing land.

- The Conservation Act will continue to allow for the public to have input on the regulatory settings for conservation. There will be an opportunity for the public to make submissions on the NCPS, and area plans when they are being made or amended. These submissions inform the Minister's decisions, including through the impact analysis report.

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