

Supplementary Analysis Report: Amending the purpose of the Conservation Act 1987

Purpose	To provide a retrospective analysis of two Cabinet decisions relating to the purpose of the Conservation Act [CAB-25-MIN-0213.01 and CAB-25-MIN-0334.01 refer]
Decision sought	Introduction of the Conservation Amendment Bill
Agency responsible	Department of Conservation
Proposing Ministers	Minister of Conservation
Date finalised	15 April 2026

Description of the option Cabinet (or delegated Ministers) has chosen

Cabinet directed the Minister of Conservation to amend the purpose statement of the Conservation Act 1987 (the **Conservation Act**) to ensure that wider reforms to the conservation land management system enable greater economic development on conservation land [CAB-25-MIN-0213.01].

Cabinet subsequently noted the Minister of Conservation intends to make targeted changes to parts of the Conservation Act that form the existing ‘purpose architecture’ which can then be implemented through the National Conservation Policy Statement (**NCPS**) and area plans [CAB-25-MIN-0334.01].

The proposal comprises three incisive amendments that together will amend the Department of Conservation (**DOC**) functions to include economic development, to the extent it is not inconsistent, with conservation and empower the NCPS and area plans to enable economic development that is not inconsistent with conservation.

Summary: Problem definition and options

What is the policy problem?

Economic activity on public conservation land (**PCL**) is authorised through many pieces of legislation, including the Fast-track Approvals Act 2024 (the **Fast-track Act**), the Crown Minerals Act 1991 (the **Crown Minerals Act**) (for mining), the Conservation Act 1987 (the **Conservation Act**), the Reserves Act 1977 (the **Reserves Act**), the National Parks Act 1980 (the **National Parks Act**) and the Wildlife Act 1953 (the **Wildlife Act**).

The reformed conservation land management system will improve the way DOC approves economic activities under the Conservation Act, Reserves Act, National Parks Act and Wildlife Act (collectively **conservation legislation**). The reforms are intended to enable

economic development while protecting conservation values. In support of this outcome, Cabinet directed the Minister of Conservation to amend the purpose of the Conservation Act.

Public conservation land supports economic activities

Economic activities are widely enabled on PCL under existing regulatory settings. Multiple statutory pathways provide for the use of PCL and in practice most applications are ultimately approved regardless of the approval pathway:

- **Fast Track approvals:** Applications for economically significant activities are not processed through the Conservation Act. The Fast-Track Act provides a pathway for economically significant activities to seek a range of approvals through a single application, including permissions to operate on PCL.
- **Mining applications:** Mining activities on PCL are primarily regulated under the Crown Minerals Act, not the Conservation 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.
- **Concessions:** Most remaining activities on PCL currently require a concession, processed under the relevant conservation legislation. Out of 2,810 concessions considered between January 2025 – October 2025, **only 2% (50) were declined**.

The reformed land management system is intended to enable economic development while protecting conservation values.

Changes in the proposed Conservation Amendment Bill (**CAB**) are intended to generate economic development on PCL by providing certainty and streamlining the concessions process.

In totality, the proposed reform package is expected to enable more economic activity on PCL than the status quo. The reform will facilitate economic development by simplifying the structure of statutory planning documents; enabling more efficient processing of concessions and more proportionate consideration of common, low-impact applications; and providing clearer direction on the compatibility of economically significant activities on PCL.

Through these changes, an initial 20 activities are proposed to either be exempted from needing a concession or will be “pre-approved.” This will remove an estimated 30-40% of applications from the standard concessions processing pipeline. A further 26 moderately sized and economically significant activities are proposed for “pre-assessment.” Pre-assessment will provide clarity on where these activities are likely to be allowed on PCL.

Amending the purpose of the Conservation Act is intended to support the reform and enable more activities on PCL

An incisive, or targeted, amendment to provisions relating to the purpose of the Conservation Act is intended to impact those few applications more likely to be declined under the status quo (only 2% of all applications between January-October 2025), while minimising litigation risk that would come from more extensive changes.

The proposed changes are intended to:

- **ensure the NCPS and area plans are able to deliver more economic development on PCL that is not inconsistent with conservation.** The prioritisation of conservation values in the purpose of the Conservation Act is one factor that

constrains how far the NCPS and area plans could go to enable economic development. If the NCPS or area plans include policies that contradict the broader legislative framework, this would create undesirable uncertainty; and

- **increase the likelihood of concessions being granted** where they otherwise may not have been, but where the activity is not inconsistent with conservation.

The proposed changes are targeted at enabling activities that require a concession under the Conservation Act. In particular, the changes primarily concern economic development activities that are currently impeded by the management planning framework and concessions processes established under the Conservation Act, but which are not inconsistent with the overall purpose of conservation. Such activities are likely to be similar to some of the 2% of concession applications declined last year.

The changes are not intended to enable activities that are authorised through other regimes, such as mining approvals (dealt with through the Crown Minerals Act) or projects of regional or national significance (dealt with through the Fast-track Act).

Only regulatory options were considered

The scope of options considered is limited to regulatory intervention given the problem concerns the purpose architecture contained in the Conservation Act.

What is the policy objective?

The Government seeks to explicitly allow for greater economic development on PCL by amending the Conservation Act. The amendments are intended to support the broader reform and increase the likelihood of concessions being granted (where they are not inconsistent with conservation). By making it clear that economic development that is not inconsistent with conservation is enabled on PCL, the Government seeks to reduce the exposure of the Crown to potential legal challenge.

On this basis, greater economic development on PCL is the primary objective. Mitigating the risks of legal challenge is a subsidiary objective.

Cabinet sought amendments that could occur within the planned timeframes for the CAB.

What consultation has been undertaken?

No public consultation has been undertaken on this issue. However, the public's perception of the proposed changes can be anticipated based on feedback relating to the balance of conservation and economic development received through public consultation on changes to modernise conservation land management.

Consultation on modernising conservation land management was undertaken between November 2024 to February 2025 with over 5,500 public submissions received. Some respondents (not quantified) felt that the conservation land management system has not kept pace with evolving economic use and opportunities on PCL over time. Others (not quantified) felt that the reforms should be less focused on increased activity on PCL. Between 30-50% of submitters raised concerns about policies that enabled economic development having undesirable effects on conservation values.

Summary: Option 1 – Targeted changes while retaining conservation as the primary purpose

Costs

The proposal may have financial/resourcing implications for DOC as the regulator. Minor costs will be incurred through the operationalisation of the changes. In the short-term, this could include additional time required to process complex concession applications as staff gain familiarity with the changes. More significant costs could be incurred if the Minister's decisions under the new regime are legally challenged.

While the reforms in general are expected to result in faster concessions processing times (and therefore reduced costs for applicants), in the short-term, applicants may experience increased processing times, compared to the status quo, due to uncertainty resulting from the change to the provisions relating to the purpose of the Act. This may have financial implications for applicants who are required to cover the associated costs.

We anticipate that there will be only minor impacts on cultural, recreational, historic and natural values as a result of the changes. Any potential impacts could be mitigated by conditions on individual concessions where appropriate, and any activities will need to demonstrate that they are not inconsistent with the conservation of the resource or land in order to be approved.

Benefits

The primary beneficiaries of the proposed changes are potential concessionaires who may be more likely to be given approval to operate on PCL. We expect this to be a minor shift given:

- only 2% of concessions applications last year were declined under the status quo;
- the scope and nature of activities that will be enabled (we expect the change to benefit a small number of less economically significant activities, with mining and more economically significant activities continuing to be permitted through the Crown Minerals Act or the Fast-Track Act); and
- that conservation will remain the primary purpose of the Conservation Act.

Any new activities will likely generate benefits for the wider regional economy. We expect these benefits to be modest given the parameters described above.

Balance of benefits and costs

We expect the changes to result in a small number of concessions being approved that would have otherwise been declined under current settings (a net gain in economic activity on PCL). The extent of the change is limited because of the small percentage of applications that are currently declined, the availability of other legislative pathways for significant projects (i.e. the Fast Track Act and the Crown Minerals Act) and because conservation remains the primary purpose which activities must be consistent with.

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Implementation

How will the chosen option be implemented, who will implement it, and what are the risks?

The proposed changes will be implemented through the CAB and will come into effect upon commencement. They will be operationalised by DOC staff.

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Operational guidance will need to be developed while the Bill goes through the Parliamentary process. It will be prepared under baseline funding.

Monitoring evaluation and review

Has a plan been developed for monitoring, evaluation and review?

DOC will monitor and review the outcomes of the proposed changes through existing concessions monitoring arrangements. Through these arrangements, DOC monitors the number of concession applications received and processing times. The quality of monitoring will be constrained by limited data availability about the reasons for which concessions are declined.

Limitations and Constraints on Analysis

Cabinet directed the scope of the changes

Cabinet directed changes to the purpose of the Conservation Act with the intent of enabling economic development on PCL. Given this direction, officials were necessarily constrained to considering regulatory options.

There are challenges in quantifying costs and benefits

We have assumed, on the basis of advice provided to Cabinet, that the changes are intended to target activities which are not inconsistent with conservation, but which are impeded under current legislative settings. In the absence of a fulsome understanding of the exact nature of these activities, we have limited ability to comment on whether they would be better enabled on PCL as a result of the proposed changes.

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No consultation has been undertaken

The purpose-related changes were out of scope of the consultation undertaken on the modernising conservation land management proposals. Therefore, we have made assumptions about the public's perception of the changes.

Timeframes and limitations on processes have constrained analysis

Time, scope, and consultation limitations have impacted our ability to conduct in-depth analysis.

The options proposed also reflected the limited time available to ensure changes could be progressed through the CAB on existing timeframes.

I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the chosen option.

Responsible Manager signature:

s9(2)(a)

Angela Bell
Manager, Regulatory Systems Policy
15 April 2026

Quality Assurance Statement

Reviewing Agency: Department of Conservation

QA rating: Partially meets

Panel Comment:

The panel has reviewed the Supplementary Analysis Report to make amendment to the purpose provisions of the Conservation Act 1987 and consider that the information and analysis **partially meets** the quality assurance criteria.

The analysis did not assess a full range of regulatory/non-regulatory options, however the Cabinet decision on the regulatory solution constrained what options would be considered.

We also note the proposed changes were not consulted specifically, and the analysis makes assumptions based on related engagement on the wider Conservation Amendment Bill.

The SAR clearly outlined these constraints and provided critical analysis of the preferred option which has a targeted impact and objectives.

Section 1: Diagnosing the policy problem

What is the context behind the policy problem?

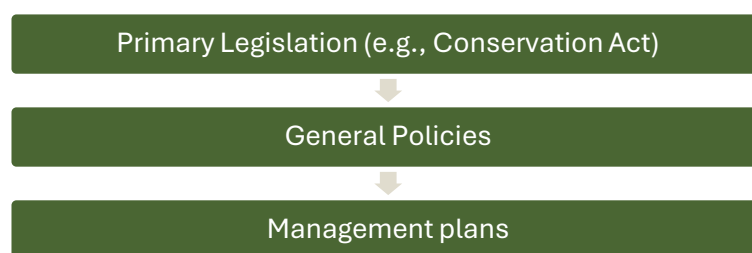
Economic activities on conservation land are regulated by the concessions system

1. The Department of Conservation (**DOC**) manages around one third of New Zealand's land (over 8 million hectares).
2. Activities on public conservation land (**PCL**) contribute to New Zealand's economy. Reforming the conservation land management system presents an opportunity to better enable these activities.
3. Most¹ activities on PCL require authorisation from the Minister of Conservation (**the Minister**) in the form of a concession. The concessions system helps us ensure that:
 - a. activities and other uses of PCL are compatible with the overriding purpose of conservation;²
 - b. the services and facilities provided for visitors on PCL are appropriate and of a suitable standard; and
 - c. activities do not conflict with visitor enjoyment and recreation.
4. Concessions regulate a wide range of activities including grazing, guiding and other tourism businesses, visitor accommodation, energy infrastructure, filming, and research activities.

Activities on PCL must be consistent with a hierarchy of primary legislation, general policies, and management plans

5. The concessions system is administered under a tiered framework that consists of primary legislation, general policies, and management plans.³ Together these instruments set thresholds and determine the matters that the Minister must, and may, take into account when assessing a concession application.

Diagram 1: The conservation system is administered under a tiered framework



Primary legislation

6. Part 3B of the Conservation Act 1987 (the **Conservation Act**) sets out the framework for granting concessions. It establishes both the procedural requirements for a concessions

¹ Exceptions relate to recreational activities without any specific gain/reward; activities carried out by the Minister of Conservation or DOC in exercising functions, duties or powers under any law; activities authorised by conservation legislation; and activities to save or protect life or health, to prevent serious damage to property, or to avoid actual or likely adverse effect on the environment. Some activities are provided for through other legislative regimes, including mining (the Crown Minerals Act 1991) and projects of regional or national significance (the Fast-Track Approvals Act 2024).

² The Conservation Act defines 'conservation' as preserving and protecting natural and historic resources for the purpose of maintaining their intrinsic values, providing for their appreciation and recreational enjoyment by the public, and safeguarding the options of future generations.

³ Where each layer must be consistent with the one above.

process (e.g., when public notification occurs) and the matters the Minister must consider when assessing an application.

7. The Minister must not grant a concession if the proposed activity is inconsistent with the provisions of the Act (section 17U(3)), which includes those provisions which together comprise the purpose of the Conservation Act (see *Box 1*).
8. Section 17U(3) also says a concession cannot be granted if the activity is contrary to the 'purposes for which the land concerned is held'. The 'purposes for which the land concerned is held' is the reason why DOC administers the particular piece land (e.g., because it is ecologically important or has high recreational value). The Conservation Act, National Parks Act 1980 (the **National Parks Act**), Wildlife Act 1953 (the **Wildlife Act**), and Reserves Act 1977 (the **Reserves Act**) set out different land classifications which give the specific purpose for which land is held. For example:
 - a. section 4 of the National Parks Act requires that parks be maintained in a natural state and that the public have right of entry; and
 - b. sections 9, 14, and 14A of the Wildlife Act outline how different protected areas under that Act are to be managed.

Box 1: The purpose of the Conservation Act

The Conservation Act does not have an explicit purpose section. Rather the purpose is implicitly reflected through a range of its provisions. These include the long title, definitions of conservation, preservation and protection (section 2), functions of the Department (section 6), and the purposes for which different categories of land are held. Section 6(e) of the Act sets up the following hierarchy of functions for the Department:

- The management, for conservation purposes, of land and natural and historic resources is the primary function.
- Recreation use is to be fostered where it is not inconsistent with conservation.
- Tourism use is to be allowed where it is not inconsistent with conservation.

These provisions (about the purposes for which different types of land are held) and the overarching Conservation Act provisions provide a complex framework that provides the purpose of the Conservation Act.

General policies and management plans (statutory planning documents)

9. PCL must be managed in accordance with the statements of general policy issued under section 17B of the Conservation Act and section 44 of the National Parks Act (for land held under that Act). These are currently the Conservation General Policy (**CGP**) and the General Policy for National Parks (**GPNP**). These general policies set national direction for how DOC and others fulfil their responsibilities under conservation legislation.
10. Concessions can also only be granted for activities that are consistent with the relevant conservation management strategy (**CMS**), conservation management plan (**CMP**), or national park management plan (**NPMP**) (collectively referred to as '**management plans**'). Management plans provide further guidance on how PCL should be managed at the regional, local, and place-specific scale.

DOC typically approves concession applications

11. DOC typically approves concession applications. Between 1 January 2025 to 31 October 2025 only 2% of assessed concessions were declined (50 out of 2,810 decisions).

12. Analysis of a sample of declined concessions⁴ indicates the reasons why DOC declines concession applications (*Table 1*). Concessions may be declined for more than one reason.

Table 1: Summary of reasons why concessions were declined between March 2025-January 2026

Grounds cited for why concession application declined
Inconsistency with the reason for which the land is held (e.g., the activity would disturb public recreation and enjoyment)
Matters relating to iwi concerns; insufficient iwi consultation; inconsistency with Treaty principles; or significant cultural impacts
Inconsistency with statutory planning documents
Insufficient information provided to assess effects; or inability to demonstrate that effects could be adequately avoided, remedied, or mitigated
Procedural/statutory reasons (e.g., an alternative tender process is underway)
Safety concerns

13. *Table 2* shows DOC's declined concession applications by economic activity type. Most declines were for tourism-related activities, consistent with tourism comprising nearly 30% of all applications DOC receives. This likely reflects the mix of applications DOC receives, rather than a higher decline rate for tourism-related activities.

Table 2: Breakdown of concessions declined by DOC by economic activity

Activity	Number of declined applications
Tourism	21
Boating	1
Commercial drone use	2
Easement for right of way	1
Filming	5
Guiding	2
Tourist accommodation	1
Zipline	1
4WD Guiding	1
Filming (Helicopter)	1
Helicopter Landing	4
Race-event	2
Agriculture & Horticulture	8
Beekeeping	2
Grazing	6
Other	2
Use of existing accommodation	1
Use of existing structure	1
Utilities – Water, Wastewater, Stormwater	1
Discharge treated industrial wastewater	1
Total activities declined	32

14. The figures in *tables 1 and 2* are indicative of the types of activities which are constrained by the current conservation regulatory system. As the data is limited to applications

⁴ Data from all 32 concession applications that were declined between March 2025 – January 2026.

lodged with DOC, it does not represent other potential activities where operators have not applied for a concession.

Significant activities on PCL are regulated under other legislation

15. Several Acts provide for other conservation-related approvals, including:
 - a. **Mining permissions.** Mining permissions are managed under the Crown Minerals Act 1991 (the **Crown Minerals Act**) (except for some ancillary concessions required for access roads etc.). From November 2024 – October 2025, DOC processed 120 applications to access PCL for mining-related activities under the Crown Minerals Act. Of these, 90% were approved; 1.7% were declined; 6.7% were withdrawn; and 1.7% were returned.
 - b. **Authorisations for projects of regional or national significance.** Infrastructure and development projects with significant regional or national benefits can apply under the Fast-track Approvals Act 2024 (**the Fast-track Act**) for concessions and other approvals for conservation land.
 - c. **Wildlife Act authorisations to capture, handle, release, and in some cases to kill, protected wildlife.** The Government is progressing other legislative changes to improve the speed and efficiency of decision-making for wildlife authorisations. The Natural Environment Bill provides an ability for permit authorities to authorise activities that currently require authorisation under the Wildlife Act. DOC is also reviewing the Wildlife Act, to inform its future repeal and replacement (potentially during the next Parliamentary term).

How is the status quo expected to develop?

16. Cabinet agreed to reform the management planning and concessions systems because concession processing is too slow; the rules in legislation and statutory plans are too rigid; and there is too much uncertainty for applicants, decision makers, and Te Tiriti o Waitangi / Treaty of Waitangi partners.
17. Through the planned reform, the Government intends to improve how concessions are granted and managed to support local communities and businesses, while preserving conservation outcomes.
18. The planned reform will improve how DOC administers the concessions system by:
 - a. **simplifying the structure of statutory planning documents and removing unnecessary rules and limits** (which concessions must be consistent with) by:
 - i. replacing the CGP and GPNP with a new National Conservation Policy Statement (**NCPS**) with a focus on setting rules, boundaries and guidance for concessions; and
 - ii. replacing the hierarchy of management plans with a single layer of area plans.
 - b. **providing clear, consistent direction on a number of economically significant activities** by:
 - i. specifying classes of lower-impact activities that are exempt from needing a concession, or 'pre-approved' through a streamlined and automated concessions process; and
 - ii. enabling some higher impact activities to be 'pre-assessed' for consistency against types of land classification and visitor zones.

19. Further information about these changes can be found in the respective regulatory impact statements (RIS).⁵

Planned reforms will facilitate economic activity by making the concessions system easier, faster and more certain

20. The changes outlined in paragraph 18 above are intended to stimulate economic development on PCL by making the concessions system easier, faster and more certain for potential applicants (as shown in *diagram 2*).
21. 20 activities will be exempted from needing a concession or will be ‘pre-approved.’ Enabling exemptions and pre-approvals for lower-impact activities is expected to remove an estimated 30-40% of current applications each year from the standard concession processing pipeline. Activities that fall into these categories will be able to get underway without an individualised assessment by DOC.
22. A further 26 moderately sized, economically significant, activities have been proposed for pre-assessment. Where an activity receives a ‘green’ pre-assessment, this will signal to potential applicants that an activity is likely to be consistent with the relevant land classification or visitor zone.⁶ Clear signalling about where these activities are likely to be appropriate could encourage additional applications and support economic development on PCL.

Diagram 2: Intended impacts of proposed legislative change

Planned change	Intended outcome	Intended Impact
Simplifying management planning	Greater clarity for applicants on how concessions will be assessed	More economic development on PCL while preserving important conservation outcomes
Enabling exemptions, pre-approvals and pre-assessments for some activities	Faster processing; more clarity about what activities can occur; more DOC resource for complex applications	

What is the policy problem or opportunity?

Cabinet directed amendments to the purpose of the Conservation Act to better enable economic development on PCL

23. In June 2025, Cabinet directed the Minister of Conservation to amend the purpose statement of the Conservation Act to ensure that the NCPS and area plans enable greater economic development on conservation land [CAB-25-MIN-0213.01].
24. In September 2025, following further advice from officials, the Minister of Conservation reported-back to Cabinet, signalling his preferred approach to the amendments. Cabinet

⁵ Regulatory impact statements for Conservation land management planning; Modernising the concessions framework; Competitive allocation of concessions; Amenities areas; and Enabling more flexibility for land exchanges and disposals are published on the DOC website here [Regulatory Impact Statements: Legislation](#). A forthcoming RIS will provide further information on the changes described in paragraph 18b(ii).

⁶ The NCPS includes “visitor zones” which will be designated based on the intended recreation and tourism outcomes for an area.

noted the Minister intended to amend the provisions comprising the Conservation Act's purpose by making targeted changes to parts of the Conservation Act that form the existing 'purpose architecture' [CAB-25-MIN-0334.01]. The Minister advised that he did not see a strong case for a shift away from conservation as the primary purpose of the system.

25. The package of targeted changes proposed by the Minister of Conservation has subsequently been confirmed on the basis of further advice from officials. The finalised approach (as described in this paper) will be noted by Cabinet as approval to introduce the CAB is sought.
26. An incisive, or targeted amendment to the purpose of the Act is intended to impact those few applications more likely to be declined under the status quo (only 2% of all applications between January-October 2025), while minimising litigation risk that would come from extensive, far-reaching change.
27. The proposed amendments are intended to:
 - a. **ensure the NCPS and area plans are able to deliver more economic development on PCL that is not inconsistent with conservation.** The prioritisation of conservation values in the purpose of the Conservation Act is one factor that constrains how far the NCPS and area plans could go to enable economic development. If the NCPS or area plans include policies that contradict the broader legislative framework, this would create undesirable uncertainty; and
 - b. **increase the likelihood of concessions being granted** where they otherwise may not have been, but where the activity is not inconsistent with conservation.
28. This supplementary analysis addresses both the Cabinet decisions referenced above (paragraphs 23-24).

There is an opportunity to amend the purpose of the Conservation Act to support the streamlining processes provided for in the wider reforms

29. As described in paragraph 5, activities on PCL are regulated in accordance with a tiered system comprising of legislation and statutory planning documents. Because statutory documents must be consistent with primary legislation, the purpose of the Conservation Act limits the extent to which the NCPS and area plans will be able to enable economic development given the overarching conservation purpose of the Act.

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There is an opportunity to amend provisions related to the purpose of the Conservation Act to increase the likelihood of concessions being granted

33. The proposed changes to provisions related to the purpose are intended to enable economic development activities that are impeded by the Conservation Act, but which are not inconsistent with conservation.
34. Such activities are likely to be similar to a portion of the 2% of concession applications declined last year.
35. The changes are not intended to be more enabling of activities that are authorised through other regimes, such as mining approvals (dealt with through the Crown Minerals Act) or projects of regional or national significance (dealt with through the Fast-track Act).

What objectives are sought in relation to the policy problem?

36. The Government seeks to amend the purpose of the Conservation Act to allow for greater economic development on PCL. By making it clear that economic development is enabled on PCL, the Government seeks to reduce the exposure of the Crown to potential legal challenge.
37. On this basis, greater economic development on PCL is the primary objective. Mitigating the risk of legal challenge is a subsidiary objective.

What consultation had been undertaken?

38. Public consultation on changes to modernise conservation land management took place from November 2024 to February 2025.⁷ Over 5,500 submissions were received from the public. Key themes from consultation were collated and summarised.⁸
39. At the point that engagement was undertaken, amendments to the purpose of the Conservation Act were out of scope. No subsequent public consultation has been undertaken.
40. While consultation did not occur on the Conservation Act's purpose, feedback relating to the balance of conservation and economic development may signal public attitudes on the issue.
41. Some respondents, including concessionaires, recreation and commercial stakeholders, (not quantified) felt that the conservation land management system has not kept pace with evolving economic use and opportunities on PCL over time. Others, including individuals, conservation groups and non-government organisations (not quantified), felt that conservation values would be at risk from increased activity on PCL.
42. On particular policies designed to stimulate economic development:
 - a. About a third of submitters disagreed with enabling exempt and pre-approved activities predominantly because of concerns about undesirable effects on conservation values. A third of submitters supported the proposals; a third were neutral or unsure.
 - b. Almost half of submitters disagreed with the proposed process for the NCPS, a lot of which was due to perceived risks of poor outcomes for the environment

⁷ [Help us modernise conservation land management: Have your say](#)

⁸ [Summary of submissions: Modernising conservation land management](#)

and it being more enabling of development. Around a quarter of submitters agreed with the proposed process.

Section 2: Assessing the option chosen to address the policy problem

What scope was the chosen option considered within?

43. Cabinet directed amendments to the purpose of the Conservation Act to allow for greater economic development. This constrained the scope of options considered.
44. Given Cabinet's direction concerned the statutory interpretation of the purpose of the Conservation Act, officials only considered regulatory options.

What options were considered by Cabinet?

45. Cabinet considered the following options:
 - a. **Status quo:** No change to the purpose provisions in the Conservation Act.
 - b. **Option 1 (preferred):** Targeted changes while retaining conservation as the primary purpose.
 - c. **Option 2:** A purpose that balances conservation and economic development outcomes.

Cabinet opted to progress Option 1: A targeted package of amendments to the purpose of the Conservation Act

46. In the context of Cabinet direction to amend the purpose of the Conservation Act, option 1 was preferred by Cabinet and DOC. Both alternative options were discounted:
 - a. The **status quo** was discounted given Cabinet had directed amendments to the purpose of the Conservation Act.
 - b. **Option 2** was discounted as:
 - i. there was not a strong case for a fundamental shift from conservation as the primary purpose of the system given most concessions are already approved (i.e. 89% of all concessions between January-October 2025⁹); and
 - ii. mining and activities with significant regional or national benefits will continue to be considered under the Crown Minerals Act or the Fast Track Act; and
 - iii. such an approach would be a significant departure from the current purpose. Balancing conservation with other outcomes would introduce significant risks without guarantee of effectiveness. It would also raise questions related to the purpose of the Crown holding PCL more generally; and
 - iv. the scale of drafting required would mean it could not be delivered during the current parliamentary term (the intended Bill timeframe).
47. Option 1 was, therefore, the only workable option to achieve Cabinet's intent on current Bill timeframes.
48. In September 2025, Cabinet noted the Minister of Conservation's intention to progress Option 1.

⁹ Of all concessions considered 88.7% were approved; 1.8% were declined; 8.9% were withdrawn

Is Option 1 likely to address the problem, meet the policy objectives, and deliver a positive net benefit?

49. Option 1 includes a package of changes to key parts of the purpose architecture of the Conservation Act. While maintaining conservation as the primary purpose of the Act, the proposed changes will:
- a. Amend section 6, which sets out DOC's functions, to include 'allowing development' in section 6(e) as a function that is subservient to conservation.
 - b. Add new purpose provisions to Parts 3A (management planning) and 3B (concessions) of the Conservation Act. These would clearly state the NCPS and area plans enable the use and development of PCL.
 - c. Include new 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. This ensures the powers of the NCPS are linked to concession decision-making, which requires considering the purposes for which land is held.

The proposed changes may lead to a minor shift toward economic development on public conservation land

50. Amending provisions related to the purpose of the Conservation Act may generate some additional economic development by enabling activities on PCL which are not inconsistent with conservation, but currently impeded. This might include tourism or infrastructure projects, but the exact nature of activities enabled through the changes is unclear. The changes will not be of particular benefit to activities of regional or national significance which can access the permitting regime provided for in the Fast-Track Act.

Changes to section 6(e) will elevate the visibility of economic development

51. Section 6(e) of the Conservation Act establishes DOC's functions (see *Box 1*). These functions inform concessions decisions to the extent that they form part of the context and purpose of the Conservation Act.
52. Under the status quo, DOC manages the land and resources it administers for conservation purposes. Where the use of land or resources is not inconsistent with conservation, DOC fosters recreation and allows tourism. While the Act explicitly references tourism and recreation, other uses of DOC land and resources (including economic development) can be considered where these are not inconsistent with conservation.
53. The proposed change would add 'allowing development' as a subsidiary function of DOC. While this is unlikely to materially change the matters considered in concession decisions, it will emphasise that recreation and tourism are not the only activities not inconsistent with the Conservation Act's purpose.
54. The extent to which this shift enables new economic activities to occur will be constrained by the continued primacy of conservation in the Conservation Act, in that the activities that enabled must not be inconsistent with conservation. This aligns with the intent of the changes.

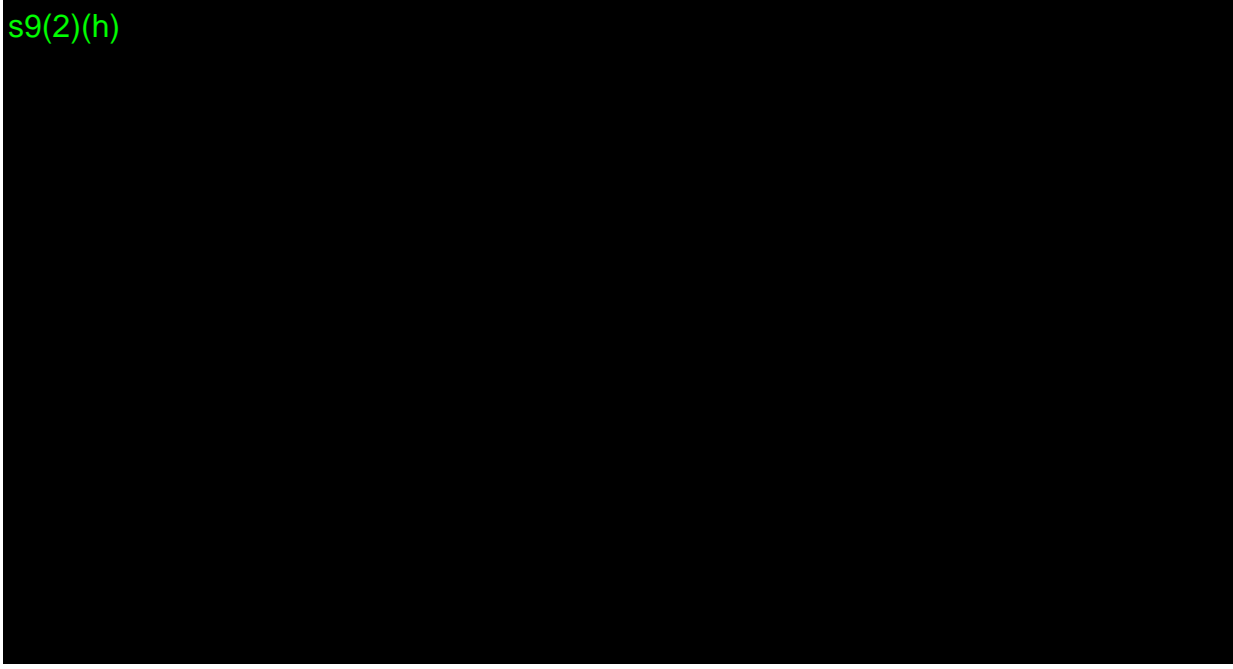
The proposed changes may generate a minor increase in economic development on conservation land

55. As described in paragraphs 33-35 above, the proposed changes are targeted at enabling economic development that is otherwise impeded by the Conservation Act, in its current

form, as long as that development is not inconsistent with the current Act's conservation purpose. We expect that there are few activities that fall into this scope.

56. We cannot quantify the impacts of the proposed change, but we expect them to be minor, given that DOC approves most concession applications (only 2% of concessions applications were declined between 1 January to 30 June 2025).¹⁰
57. A limited review of declined concessions¹¹ suggests the proposed changes may have affected the outcome of some concession decisions. That said, many applications were declined on grounds that the changes would not address (e.g., the concessionaire did not provide adequate information; or there were safety-related considerations).
58. Concessions data indicates that impacted opportunities may include certain tourism or agricultural activities. However, our data is limited to applications received by DOC, which means that other opportunities on PCL may not have been captured if current settings deterred some potential operators from applying.

s9(2)(h)



The proposed changes may have Treaty Settlement implications

62. The proposed changes will have an impact on Treaty Settlements that refer to the purpose of the Conservation Act. Given the continued primacy of conservation, we do not expect this to have a material impact on these Treaty Settlements.

¹⁰ We cannot quantify any informal discussions with regional offices or proposals never lodged due to a perception that they would not be approved.

¹¹ Data from all 32 concession applications that were declined between March 2025 – January 2026.

What are the marginal costs and benefits of the chosen option?

Affected groups	Comment	Impact	Evidence Certainty
Additional costs of the chosen option compared to taking no action			
DOC	Short-term, minor increase in resourcing needed to support complex applications which require a consideration of the purpose changes. Processing time would return to the status quo over time as staff gain familiarity with how to analyse activities against the amended purpose. Impact mitigated by operational guidance that will support implementation.	Low-Medium	Low
	Potential increase in concession applications received by DOC.	Low-Medium	Low
s9(2)(h)			
Concessionaires	Potential slight increase in concession processing time for complex applications that rely on the consideration of the new provisions related to the purpose. Costs associated with processing will be recovered from the applicant. As above, processing time (and, therefore, the associated costs) would return to the status quo over time as staff gain familiarity with the amendments.	Low	Low
Treaty partners	Cultural values may be diminished due to greater ability to approve economic development on PCL.	Low	Low-Medium

	Impact will be mitigated by continued primacy of conservation.		
Public	Recreational, historic and natural values may be diminished due to greater ability to approve economic development on PCL. Impact will be mitigated by continued primacy of conservation.	Low	Medium
Environment	Increased economic activity may put increased pressure on the natural environment. Impacts will be mitigated by continued primacy of conservation.	Low	Medium
Total monetised costs	s9(2)(h)		Low
Non-monetised costs	Low		Low
Additional benefits of the chosen option compared to taking no action			
DOC	Potential revenue gain through activity fees charged on new activities.	Low	Medium
Concessionaires	Greater probability of approval to operate on PCL. Impact assumes, as described in body, that only a small number of activities that are likely to be impacted.	Low	Medium
Treaty partners	Greater probability of approval to operate on PCL. Cultural values may be enhanced though operation.	Low	Medium
Regional economies	Minor increase in regional economy stimulated by new activities permitted on PCL. Impact highly dependent on nature of the activity and that only a small number of activities that are likely to be impacted.	Low	Medium
Public	Potential for greater provision of infrastructure on PCL. Impact highly dependent on nature of the activity and that only a small number of activities that are likely to be impacted.	Low	Medium

Total monetised benefits	None calculated	
Non-monetised benefits	Low	Medium

Section 3: Delivering the chosen option

How will the proposal be implemented?

63. The changes will be implemented through the CAB and will come into effect upon commencement. They will be operationalised by DOC staff.
64. Operational guidance will likely be required to give effect to the proposals and to reduce the risk of inconsistent decision-making. Subject to drafting, this includes operational guidance regarding how to give effect to DOC's new economic development function.
65. Uncertainty about the changes' intent will limit the effectiveness of operational guidance at mitigating litigation risks.
66. Operational guidance will need to be developed as the Bill goes through the Parliamentary process. Additional guidance will be developed within existing baseline funding.
67. While operational guidance will be useful, the first concessions decisions made with reference to the new provisions related to the Act's purpose may take longer as the relevant DOC staff build familiarity. This may be offset by the additional DOC resource freed up by wider changes to streamline the concessions system.
68. The proposed changes will be communicated to stakeholders and Treaty partners alongside broader changes to the Conservation Act.
69. s9(2)(h)

How will the proposal be monitored, evaluated, and reviewed?

70. DOC will be responsible for monitoring, evaluating and reviewing any changes.
71. A key outcome measure will be the extent to which the proposal enables greater development on PCL. DOC already monitors application volumes and processing times, and these will continue to serve as metrics for assessing the efficiency of the new system.
72. The information emerging from monitoring will be included in DOCs usual accountability reporting (e.g. annual report) and will be used to inform any future policy development or legislative change to further improve the concessions framework. The figures are also posted online.¹²
73. The quality of monitoring data will be constrained by gaps in recording the reasons for concession declines. There are multiple reasons for declines that are unrelated to the purpose of the Conservation Act (e.g., incomplete applications), and these are likely to persist regardless of the changes.

¹² [Permissions data: Permissions](https://www.doc.govt.nz/get-involved/apply-for-permits/permissions-data/): <https://www.doc.govt.nz/get-involved/apply-for-permits/permissions-data/>