



Briefing: Conservation Law Reform - Engagement with PSGEs

To	Minister of Conservation	Date submitted	10 December 2025
Action sought	Note the next engagement steps for upholding Treaty settlement redress in conservation law reform	Priority	Normal
Reference	ADVB-94		
Security Level	In Confidence		
Risk Assessment	Medium Risks to Crown-Māori relations and conservation law reform timeframes	Timeframe	No action required
Attachments	Attachment A – Draft summary of reforms Attachment B – Draft example of a settlement proposal, including standard redress mechanisms		
Contacts			
Name and position			Phone
Peter Galvin, Deputy Director-General Policy			s9(2)(a)
Huia Forbes, Director Treaty Negotiations and Land			s9(2)(a)

Executive summary – Whakarāpopoto ā kaiwhakahaere

1. The purpose of this briefing is to provide context on the engagement programme with Post-Settlement Governance Entities (PSGEs) on upholding their settlement redress through the Conservation Acts (Land Management) Amendment Bill (The Bill).
2. Ongoing engagement has occurred with PSGEs throughout 2025. All groups, including those in current negotiations, have received letters outlining recent Cabinet decisions on upholding redress and next engagement steps. Hui have been prioritised for iwi and PSGEs with complex redress, and not all groups have sought hui with DOC.
3. DOC will write to all PSGEs with analysis of how their settlement will be impacted by the reform and proposals to uphold the intent of their redress. This will form the basis of substantive engagement in early 2026, starting in January and running up to and alongside the select committee process.
 - Proposals for groups with standard redress (Tranche 2) will be sent before the end of 2025.
 - Draft proposals for PSGEs with complex redress (Tranche 1) have been developed based on your decisions in late November (ADVB-45 refers). Some outstanding decisions on complex redress remain, which you received on 8th December 2025. Proposals for Tranche 1 groups will be sent throughout December and completed by the end of January 2026.
 - Ngāi Tahu has received a working proposal for discussion, and will receive an updated proposal before the end of 2025.
 - DOC is working with Te Tari Whakatau to engage with yet-to-settle groups (Tranche 3) as part of their ongoing negotiations. Tranche 3 groups received your November 2025 letter outlining Cabinet decisions, and various hui have been held with these groups.
4. Where possible, DOC and Ministry for the Environment officials are co-hosting hui with PSGEs, enabling more efficient processes and a better understanding of the overall interaction of proposed reform on respective settlements.
5. DOC will provide you with PSGE feedback and final proposals for how complex redress will be translated through law reform prior to the final form of the Bill.

We recommend that you ... (Ngā tohutohu)

		Decision
a)	Note that all PSGEs will receive a tailored proposal, and detailed engagement based on proposals will occur in early 2026.	
b)	Note that proposals for complex redress are dependent on your outstanding decisions from ADVB-45.	

s9(2)(a)

Date: 10/12/2025

Peter Galvin
Deputy Director-General Policy

Date: / /

Hon Tama Potaka
Minister of Conservation

Purpose – Te aronga

1. The purpose of this briefing is to provide context on the programme of engagement with PSGEs to support conservation law reform, including immediate next steps.

Background and context – Te horopaki

Ongoing engagement has been occurring with PSGEs

2. Since November 2024, DOC has been engaging with PSGEs to discuss how the intent of their settlement redress can be upheld in the reformed conservation law framework. This has included:
 - You presented your proposals for amendments to conservation laws at online regional hui when consultation started in November 2024.
 - The Director-General of Conservation sent initial letters sent to all PSGEs in November 2024, setting out the proposed law reform.
 - DOC convened regional in-person hui for all Treaty partners in November and December 2024.
 - You held another round of online regional hui in March 2025 at which you discussed themes emerging from engagement.
 - DOC sent letters to PSGEs in March 2025 setting out proposed principles for engagement to uphold Treaty settlement redress in the reforms.
 - DOC sent PSGEs a preliminary summary in July 2025 of standard redress likely to be affected in the new system.
 - Meetings were held throughout 2025 with all PSGEs who have complex redress arrangements and who wanted hui, as well as groups who wanted to understand the reforms further.
 - DOC sent your letter in November 2025 communicating Cabinet decisions on standard redress and some in-principle decisions on complex redress. The letter invited PSGEs to engage with DOC officials, and informed PSGEs they could expect to receive a tailored proposal before the introduction of the Bill.
3. DOC has reiterated throughout the process that officials are available to meet at any time and that this engagement is priority work for DOC.
4. Various hui have been held to date with some, though not all, groups. Some iwi have told us that their ability to meaningfully engage is limited without substantive proposals, and particularly without more detail on the currently unconfirmed content of the National Conservation Policy Statement (NCPS) and changes relating to section 4. We have acknowledged that these matters remain under your consideration, and that detail will be forthcoming in the new year.

Ongoing engagement is occurring with Ngāi Tahu

5. We have been engaging with Te Rūnanga o Ngāi Tahu (Te Rūnanga) representatives through ongoing hui to support the development of options for upholding their redress

6. s9(2)(h)


7. You recently approved a bespoke proposal for Ngāi Tahu (ADVB-45 refers). A working draft incorporating your feedback and comment from Crown Law was provided to Te Rūnanga on 8th December 2025, and discussed at a hui on 10th December 2025.

Engagement Approach

8. As further policy decisions have been confirmed, we have reshaped the engagement approach with PSGEs.
9. This has been phased as follows:

Phase 1	All parties were informed of Cabinet decisions around standard redress and in-principle decisions on complex redress, and next steps in the process.	Completed early November 2025.
Phase 2	PSGEs will receive their individual proposal regarding how their settlement redress will be affected and how we propose to uphold the intent of their redress in the new system. This will include an update on the reforms and some initial information regarding the NCPS based on your decisions to date.	- Tranche 2: Proposals and reform update to 56 PSGEs by end of 2025. - Tranche 1: Reform update and expected timeframe for their proposal by end of 2025. - Tranche 1: All proposals sent by the end of January 2026.
Phase 3	Detailed engagement will occur based on proposals to build a shared understanding of the impact of the redress, and how it could be translated through the Bill. Groups may propose alternative options to uphold their redress. Further information regarding the NCPS and section 4 changes will be shared when possible (i.e. following Cabinet decisions).	Early 2026 – before and alongside select committee.
Phase 4	DOC will provide you with PSGE feedback and proposals to translate complex redress. We aim to reach agreement with PSGEs within the options you have agreed for initial proposals (ADVB-45 refers), however, this may not be possible with all groups.	Prior to the final form of the Bill – intended mid-April to June 2026.

10. Proposals will be completed for Tranche 2 groups with standard redress before the end of the year. Complex redress (Tranche 1) proposals will also be sent to Ngāi Tahu, Raukawa and Ngāti Rangi prior to the end of the year, to support scheduled hui with these groups.
11. The remaining Tranche 1 proposals (approximately 25) will be sent by the end of January 2026.
12. Draft proposals for PSGEs with complex redress (Tranche 1) have been developed based on your decisions in late November (ADVB-45 refers). Some outstanding decisions on complex redress remain, which you received on 8th December 2025.
13. Each proposal will contain a summary of redress specific to the group, a description of relevant proposed changes, and DOC's analysis of the impact with a proposal for how the redress will operate in the new system. For Tranche 1 PSGEs, proposals will include both standard and complex redress items.

More information on the NCPS and section 4 will be shared in early 2026

14. A general summary of the reforms will also be included with each proposal, covering decisions made to date by Cabinet and by you under delegation from Cabinet. This includes some information on the content of the NCPS based on your decisions to date, but those decisions are subject to Cabinet confirmation early next year. We anticipate being able to share updated information about the content of the NCPS in Phase 3.
15. Regarding section 4, we understand that until further decisions on your preferred approach are confirmed by Cabinet, your preference is that conversations focus on translation of settlement redress. In line with those timeframes, we estimate that we will be able to discuss section 4 in more detail with PSGEs in early 2026, depending on your conversations with other Ministers and/or Cabinet.
16. The summary of reforms does not include information about changes to the purpose of the system and DOC's functions, in line with your office's previous direction for the release of similar material.
17. Attached for your information are a draft of the accompanying summary of the reforms (Attachment A), and an example of a standard redress proposal (Attachment B). These documents are currently being reviewed by Crown Law and will be updated subject to their feedback.

Risk assessment – Aronga tūraru

18. There is a risk that PSGEs will not have the time or capacity to engage in these conversations given the volume of engagement they are participating in, including Resource Management and Local Government reform. To address this risk, we will present a summary of key aspects of conservation law reform, as well as targeted settlement summaries to enable informed conversations. We are also working with the Ministry for the Environment to host combined hui across our respective reforms where possible. As local government reform develops, we anticipate the Department of Internal Affairs will also attend these meetings.
19. As noted above, PSGEs are likely to consider they need more clarity around the details of the NCPS and how it will impact area plans, and more information regarding section 4, before they can fully understand how their redress can function in the new system. We have communicated to PSGEs in meetings, and will reiterate in future communications, that we will share this information as soon as possible when decisions are confirmed.

Treaty principles (section 4) – Ngā mātaḡpono Tiriti (section 4)

20. Giving effect to Treaty principles requires informed decision-making and meaningful engagement with Treaty partners. All of the above sections relate to how the Crown can meet its Treaty obligations throughout the conservation law reform process.

Consultation – Kōrero whakawhiti

21. We have been working with Te Tari Whakatau to engage with groups in negotiations.
22. We have been working with Ministry for the Environment to align our approaches as far as is practicable and to combine engagement where possible. We are also keeping Te Puni Kōkiri updated on our approach.
23. Crown Law is reviewing examples of the proposals and supporting information to be sent to PSGEs.

Financial implications – Te hīraunga pūtea

24. Ongoing engagement with PSGEs will be funded from baseline funding.

Next steps – Ngā tāwhaitanga

25. DOC will send tailored proposals to all Tranche 2 PSGEs before the end of 2025, and to all Tranche 1 by mid-January 2026.

ENDS

Overview of conservation land management reforms

15 December 2025

This document summarises Government decisions to date for the Conservation Acts (Land Management) Amendment Bill.

These decisions were based on advice informed by hui and submissions on two discussion documents consulted on from November 2024 to February 2025:

- *Modernising conservation land management and*
- *Exploring charging for access to some public conservation land.*

The Bill will:

- Streamline the planning framework for conservation land and allow it to better enable economic activity on conservation land,
- Improve how authorisations to carry out activities on conservation land (i.e. concessions) are processed and managed,
- Enable greater flexibility to exchange or sell conservation land,
- Provide clarity on Treaty of Waitangi obligations, and
- Enable DOC to charge international visitors for access to some conservation land.

The Bill is currently being drafted. The Minister of Conservation intends for the Bill to be introduced to Parliament around March 2026.

The Bill as introduced could differ from the descriptions in this document. The Bill is also subject to change through the legislative process following its introduction to Parliament.

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1. Management planning

1.1 Streamlining the planning framework for conservation land

1.1.1 *The current general policies will be replaced with a single instrument*

The National Conservation Policy Statement (NCPS) will replace the current Conservation General Policy and General Policy for National Parks. The NCPS will have the same broad function as the existing general policies: to provide any necessary direction required for the implementation of conservation legislation. Like the current general policies, the NCPS can direct the content of area plans.

The NCPS, including amendments to it, will be approved by the Minister of Conservation. At present, the Minister approves the Conservation General Policy, but the New Zealand Conservation Authority (NZCA) approves the General Policy for National Parks.

1.1.2 *Current planning documents will be replaced with a single layer of area plans*

Area plans will replace conservation management strategies (CMSs), national park management plans (NPMPs), and conservation management plans (CMPs). All conservation land will be covered by area plans, whose coverage will not overlap. Area plans will be subject to the NCPS.

Area plans, including amendments to them, will be approved by the Minister of Conservation. At present, CMSs and NPMPs are approved by the NZCA, and CMPs are approved by conservation boards or the NZCA.

1.2 NCPS

1.2.1 *The NCPS will pre-approve and exempt some activities on conservation land*

The NCPS will be able to designate activities as pre-approved for a concession or exempt from needing a concession where they have minimal or virtually no impact on conservation values. Pre-approved activities can be done after obtaining a permit through a simplified process (e.g., purchasing one online). DOC will keep track of the number and cumulative impacts of pre-approved activities, to inform adjustment of settings if necessary.

DOC sought feedback on the proposed pre-approved and exempt activities from July to August 2025 as part of targeted consultation on the NCPS. The activities were refined following feedback and further analysis. The activities currently being considered for certain types of conservation land are:

<i>Pre-approved activities</i>	<i>Exempt activities</i>
• Guiding (walking, biking, vehicle trips, horse trekking, rock climbing, non-powered boats) • Transport (buses, water taxis, etc) • Drones • Research and collection (limited collection of rocks, soil, non-protected wildlife/flora) • Events (small-scale commercial events) • Filming/photography (small-to-medium scale commercial)	• Research and collection (limited collection of air and water) • Filming/photography – news media • Observational activities for research purposes

The activities being considered for pre-approval or exemption are expected to account for approximately 30 – 40% of current concession applications.

Pre-approved or exempt activities will not apply in specific locations identified in the relevant area plan if:

- The NCPS says that area plans can identify areas where the pre-approvals and exemptions do not apply, and
- The activity would have significant adverse effects on natural, cultural, or historic values at a particular site.

If a pre-approval or exemption does not apply, the activity can only be done after getting a concession through the existing process in Part 3B of the Conservation Act.

1.2.2 Other content being considered for inclusion in the NCPS

In addition to pre-approved and exempt activities the NCPS will continue to include policies that direct implementation of conservation legislation. Other policies being considered for inclusion in the NCPS relate to:

- The content of area plans (see page X for more information),
- The definition of types of visitor zones which would be applied in area plans to zone conservation land based on recreational and tourism values,
- Guidance for concession decisions on where activities are likely to be more appropriate in relation to the land classifications¹ (see section 1.2.3 below), and
- The implementation of other conservation functions moved from the existing general policies as appropriate (see section 1.2.4 below).

1.2.3 Setting policies for activities based on land classification and visitor zones

As part of targeted consultation on the NCPS, DOC sought feedback on using visitor zones to guide concession decisions for some economically significant activities. This was referred to in that consultation as “standardised assessment” of activities.

For some activities that are not exempt or pre-approved, the NCPS could set out whether an activity is likely to be consistent with some of the decision-making criteria for a concession.

- An activity that has a ‘green’ assessment in the NCPS (based on its consistency with the land classification or visitor zone) would signal where activities are more likely to be acceptable.
- An activity that has a ‘red’ assessment in the NCPS would mean the activity is inconsistent with the land classification or visitor zone. Concession applications in these areas would almost certainly be declined.

Area plans will then map areas within their boundaries to the relevant visitor zone based on the description in the NCPS.

The ‘green’ and ‘red’ assessments in the NCPS would only give an indication of where activities are more likely to be acceptable because a definitive answer:

- Depends on the specifics of the activity and/or location, and

¹ The category or status it holds under legislation which relates to the purpose of its protection (e.g. national park, historic reserve, conservation park).

- Requires assessment against a range of other tests beyond the land classification and visitor zone.

The Minister retains the ability to decline activities that are assessed green based on particular circumstances at place, or put in place necessary terms and conditions.

1.2.4 Implementation of other conservation functions

The NCPS is likely to include policies that support the implementation of conservation functions other than concessions. Many of these will be transitioned and consolidated from the existing general policies. Policies that repeat legislative requirements or restate functions without providing more detailed consideration or direction are unlikely to be carried over.

1.2.5 Process for amending the NCPS

The first NCPS will be made through the Bill. Future amendments to the NCPS will then follow these steps:

1. The Minister may at any time direct the Director-General to prepare amendments to the NCPS.
2. The Director-General prepares draft amendments.
3. The Director-General must provide iwi and the NZCA with the draft, and give them a minimum of 40 working days to review and provide comments. The Director-General may then revise the draft in light of those comments.
4. The Director-General must notify the public of the draft. Iwi, the NZCA, conservation boards and the NZ Fish and Game Council must also be notified. Public notification will be a minimum of 40 working days.
5. After the end of the notification period, the Director-General may revise the draft. The Director-General must also prepare a summary of submissions received during public consultation and an impact analysis report (including impacts on Treaty rights and interests).
6. The Director-General must provide the revised draft, summary of submissions and impact analysis report to the iwi and the NZCA. Iwi and the NZCA will have 30 working days to comment on the revised draft.
7. The Director-General may revise the draft based on written comments from iwi and the NZCA.
8. The Director-General provides the draft to the Minister for approval. The Minister must have regard to the summary of submissions, comments of iwi and the NZCA, and the impact analysis report when approving the draft. The Minister may also request the Director-General to make revisions.

Some amendments to the NCPS may follow a different process compared to the above. See page X for more information.

1.3 Area plans

The purpose of area plans is to implement the NCPS and conservation legislation by setting objectives and policies for the local context. Similar to current CMSs, NPMPs and CMPs, area plans cannot derogate from legislation.

Area plans must also comply with the NCPS. The NCPS is likely to contain policies directing or regulating the content of area plans. Through the NCPS, the Government is considering allowing area plans to include:

- Summaries of values, and the threats and pressures for those values,
- Objectives for local values, and
- Mapping of land within the area plan boundaries to visitor zones (which will be set out in the NCPS).

Area plans will also state whether pre-approved and exempt activities are disallowed anywhere within the area plan's boundaries (see section 1.2.1).

The Government is also considering that, unlike current planning documents, the NCPS will restrict area plans from including limits or conditions on concessions. If specific rules for concessions are required, they may be set out in regulations and/or bylaws, or through the concession process.

1.3.1 Process for amending area plans

Within 12 months of the Bill passing, existing CMSs, CMPs, and NPMPs will be translated by the Director-General into area plans (see section 6.2). This will be a technical exercise based on the existing content of CMSs, CMPs and NPMPs. Where new content is being added to area plans as part of the translation process, there will likely be public consultation during the 12-month period.

In the future, the Minister or Director-General may initiate an amendment of an area plan at any time. These are the steps that will be followed:

1. The Director-General has 80 working days to draft an amendment, including consulting relevant iwi and conservation board(s) on:
 - a. Aspirations for the objectives and policies in the plan before drafting, and
 - b. Draft objectives and policies once drafted.
2. The Director-General must notify the public of the draft. The public notification period lasts for a minimum of 40 working days.
3. After the notification period, the Director-General may revise the draft. They must also prepare a summary of submissions received during public consultation and an impact analysis report (including impacts on Treaty rights and interests). This must be completed within 60 working days.
4. The Director-General must provide the revised draft, summary of submissions and impact analysis report to iwi, conservation boards and the NZCA. They have 40 working days to comment on the revised draft.
5. The Director-General may revise the draft amendment based on written comments from iwi, conservation boards and the NZCA.
6. The Director-General provides the draft to the Minister for approval. The Minister must have regard to the summary of submissions, comments of iwi, conservation boards and the NZCA, and the impact analysis report when approving the draft. The Minister may also request the Director-General to make revisions.

Some amendments to area plans may follow a different process compared to the above. See page X for more information.

Area plans will not have a mandatory review period, unlike some current plans which need to be reviewed within ten years.

1.4 Reserves

The impact of these reforms on reserves will vary based on their management, administration and governance arrangements.

Some reserves have administering bodies appointed under the Reserves Act and some Treaty settlement legislation. There are two broad types of these arrangements:

- Administering bodies can be appointed to **control and manage** a reserve: administering bodies have some decision-making responsibilities and undertake day-to-day administration of the reserve. Administering bodies include local authorities, voluntary organisations, appointed boards, trustees or Māori trust boards.
- Reserve land is **vested** in an administering body: similar to the above, however the administering body has more powers.

In some cases, joint committees can be delegated certain powers and functions for certain reserves by the Minister of Conservation. There are also privately owned reserves.

The table below outlines how these reforms will impact different types of reserves:

<i>Type of reserve</i>	<i>Subject to NCPS</i>	<i>Whether pre-approved and exempt activities can apply</i>	<i>Covered by area plans</i>
Administered by DOC	Yes	Yes	Yes
Control and manage reserves in place due to Treaty settlement redress	Legislation will allow it to apply, but NCPS will say it does not apply	To be determined	No – will remain reserve management plans
All other control and manage reserves	Legislation will allow it to apply, but NCPS will say it does not apply	Yes	No – will remain reserve management plans
Committee with delegated powers/ functions	Legislation will allow it to apply, but NCPS will say it does not apply	Yes	No – will remain reserve management plans
Vested reserves	Legislation will allow it to apply, but NCPS will say it does not apply	Legislation will not allow them to apply	No – will remain reserve management plans
Privately owned	Legislation will allow it to apply, but NCPS will say it does not apply	Legislation will not allow them to apply	No – will remain reserve management plans

1.4.1 Process for amending reserve management plans

The process for developing reserve management plans will be amended so that hearings are not required. Administering bodies will still have the ability to hold hearings.

1.5 Visitor amenities areas

Visitor amenities areas are designated parts of conservation land currently known as “amenities areas” under the National Parks Act. There is no change to their purpose: they will continue to provide for the development and operation of recreational and public amenities and related

services appropriate for the public use and enjoyment of conservation land. Examples of current visitor amenities areas are the Aoraki / Mt Cook amenities area and Ohakune Visitor Centre amenities area.

In addition to national parks, the Bill will enable visitor amenities areas to be established within conservation parks, stewardship areas, recreation reserves, historic reserves, scenic reserves, or government/local purpose reserves. Areas currently classified as amenity areas under the Conservation Act 1987 will be renamed “natural character areas”, to avoid confusion.

There will be a test in law that must be satisfied before a visitor amenities area can be designated. The criteria for this test include:

- The location is already, or is predicted to be, an area of high visitor use,
- The proposed visitor amenities area is in a practical location where it would have the least detrimental effect on conservation and cultural values,
- The proposed size of the visitor amenities area is no larger than reasonably necessary to provide for intended and appropriate facilities and services, and
- Development of the visitor amenities area would not threaten the persistence of the conservation values that underpin the purpose for which the wider conservation land is protected.

These will help ensure conservation values are considered and balanced with the potential economic and recreation benefits of a visitor amenities area.

The process for establishing a visitor amenities area can be initiated by the Minister or Director-General, and includes the following steps:

1. The Director-General will prepare a report on a proposed visitor amenities area and draft a visitor amenities area chapter for inclusion in the relevant area plan.
 - a. During drafting, the Director-General will consult relevant iwi.
 - b. If the proposed area is in a national park, the Director-General must also consult the NZCA.
2. The Director-General publicly notifies the report and draft visitor amenities area chapter. There will be at least 40 working days for consultation.
3. The Director-General may amend the draft visitor amenities area chapter based on feedback.
4. The Director-General presents the draft visitor amenities area chapter to the Minister of Conservation.
5. The Minister of Conservation approves the visitor amenities area chapter or returns it to the Director-General for revision.
6. Once approved, the visitor amenities area is established through a Gazette notice and the visitor amenities area chapter is automatically incorporated into the relevant area plan.

2. Concessions

2.1 Concessions processing

2.1.1 *Statutory timeframes*

The Bill will set statutory timeframes for processing concession applications:

- One-off applications: 10 working days.
- Permits (other than one-off applications): 80 working days.
- Non-notified licences and easements (other than one-off applications): 100 working days.
- Notified licences and easements: 180 working days.

The Minister of Conservation will have grounds to extend the timeframes where required (e.g. if seeking further information), but must provide reasons for the extension to the applicant in writing.

Whether Treaty partner engagement is required will continue to be an operational decision, based on agreements with Treaty partners, available information, and guidance. The Government has also decided on a statutory timeframe of 20 working days for Treaty partner consultation, though the Minister can extend this timeframe.

2.1.2 *Financial contribution for third-party consultation costs*

The Bill will allow the Crown to provide a financial contribution to third parties consulted on concession applications outside public notification (e.g. Treaty partners). This will be funded by a charge on concession applicants.

Details such as who will be eligible to receive the contribution, the contribution amount, and the quantum for the charge on concession applicants will be specified in regulations.

2.1.3 *Other processing changes*

The Bill will also speed up concessions processing by:

- Removing the requirement to hold hearings for publicly notified applications.
- Allowing the Minister to decline applications within 10 working days on specific grounds (e.g. unpaid fees and history of non-compliance, if the application won't meet statutory requirements, or where the Crown has plans for the specific area and declining is necessary to implement those plans), rather than having to go through the whole process.
- Only allowing concession decisions to be reconsidered once, which the applicant must seek within 20 working days of being notified of the decision.

2.2 Management of concessions

2.2.1 *Setting standard concession conditions*

The Bill will enable the Minister to set standard conditions for concessions and publish them (e.g. on DOC's website). Standard conditions may apply to all concessions or specific types of concessions. Standard conditions cannot be altered or negated by other conditions without agreement from the Minister.

Standard conditions published by the Minister will only apply to concessions agreed post-publication. In the rare case that conditions on existing concessions need to be unilaterally varied by the Crown, this must be done through regulations.

2.2.2 Setting standard concession fees

The Bill will also enable activity fees to be set in regulations. This can be in the form of specific dollar amounts, through formulae or other methodologies, and can be tailored to different activities or circumstances (e.g. location- or season-based). The regulations must be reviewed every 3 years, including consultation with affected parties.

However, not all activity fees will be suitable for setting in regulations (e.g. for complex or novel activities). Where activity fees are not set in regulations, there is no change to the requirement to review them every 3 years. The Minister can change the charging method in a concession document as part of an activity fee review, and these changes would apply to all relevant active concessions.

2.2.3 Other contractual management changes

The Bill will also make other improvements for managing concessions by:

- Providing for longer term lengths:
 - Concession terms can be set corresponding to the useful life of fixed assets and structures associated with the concession, if longer than 30 years.
 - Concessions that provide critical infrastructure can be granted for up to 60 years.
- Enabling the Minister to transfer an entire concession (i.e. with liabilities in addition to benefits) in specific conditions, rather than having to treat transfers as a new concession application.

2.3 Competitive allocation of concessions

2.3.1 The Minister will decide whether, and how, to run a contestable process

Currently, concessions are generally allocated on a first-in, first-served basis, though the Minister can choose to run a contestable process for concession opportunities. The Bill will make it easier to run a contestable process to allocate concessions by allowing the Minister to decline applications within 20 working days to run a competitive process. The Minister's decision on whether to run a competitive allocation process and how to run it would be based on whether:

- Supply is limited,
- A market is likely to exist (i.e. demand would exceed supply), and
- The benefits of running a competitive allocation process outweigh the costs.

The Minister would decide who is awarded the concession based on criteria such as:

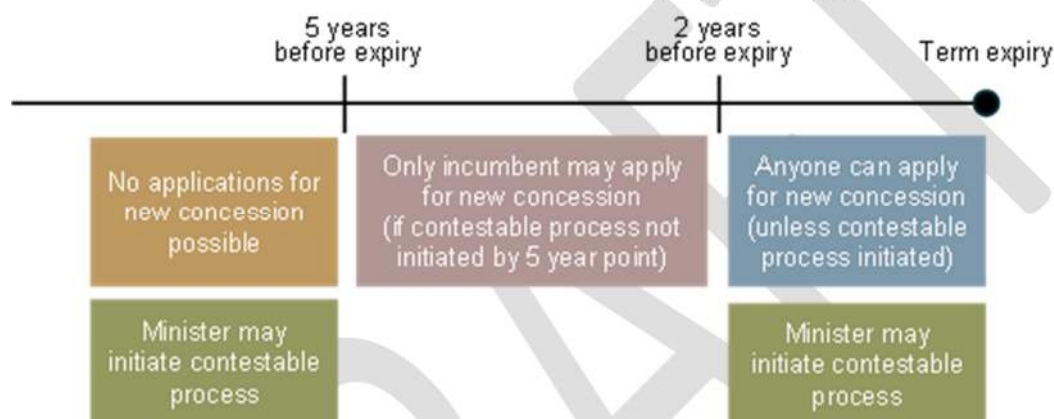
- Performance,
- Returns to conservation,
- Offerings to visitors,
- Benefits to the local area, and
- Recognition of Treaty rights and interests.

The Government also decided that section 4 of the Conservation Act (the requirement to give effect to Treaty principles) will not require the Minister to run a contestable process.

2.3.2 Contestability for leases and licences with significant private capital investment

The Bill will also give concessionaires with significant private capital investment on conservation land (e.g. operators of major tourism concessions) more certainty at the end of their concession term. If the Minister wants to run a contestable process at the end of a term, the Bill will require incumbent operators to be given at least five years' notice. At the five-year point, if the Minister hasn't decided to run a competitive process, the incumbent operators then have a protected window of three years during which only they can apply for a new concession ahead of anyone else.

If an application has not been submitted within those three years (i.e. two years before the end of the concession term), the Minister may run a competitive process or process applications for that concession from anyone.



3. Exchanges and sales of conservation land

The Bill will change the tests and processes for deciding whether to exchange or sell conservation land. Sales of conservation land are referred to as ‘disposals’ in the law.

There has not been a process to assess specific areas for their potential to qualify for exchange or disposal under these new settings. There are safeguards to ensure each proposal for the exchange or disposal of conservation land must be assessed on its merits, including conservation outcomes.

There is currently a high bar for exchanges and disposals of conservation land. Only conservation land of ‘no’ or ‘very low’ value can be exchanged or disposed of. However, land exchanges can enable DOC to receive land with biodiversity values that are under-represented in existing protected areas, increasing conservation value for New Zealand. Disposals can also be enabled for land that is not strategically necessary for overall conservation objectives.

The most precious and high value conservation land (which makes up around 40% of conservation land) will not be eligible for exchange or disposal. This includes land classified as national parks, wilderness areas, ecological areas, sanctuary areas, nature reserves, scientific reserves, marine reserve, wildlife sanctuaries, World Heritage Areas, Ramsar wetlands. Any land that is of international significance is also unable to be exchanged or sold.

There has not been a process to assess the remaining 60% of conservation land to identify specific areas that may qualify for exchange or disposal under these new settings. While these areas are eligible, they are subject to safeguards to ensure each proposal for the exchange or disposal of conservation land must be assessed on its merits, including conservation outcomes.

Where an exchange or disposal would trigger an offer-back or right of first refusal obligation, agreement in writing from the holder of that right or obligation is required before any exchange or disposal can go ahead. Land subject to ongoing Treaty negotiations is also not eligible for exchange or disposal.

Where an administering body for the relevant land has been put in place as a result of a Treaty settlement, that administering body must agree to the exchange or disposal for it to go ahead. Other types of administering bodies will be consulted, but their permission is not required.

The Minister can decide to apply covenants (e.g. to protect conservation values) or an easement (e.g. to protect access) to any outgoing land.

3.1 Land exchanges

3.1.1 *Test and considerations for exchanges*

The Minister can only authorise a land exchange where the land received will have higher conservation values than the land traded away. The assessment (hereafter referred to as ‘net conservation benefit’ will include:

- The conservation values of both parcels of land, as these values are now and as they are likely to be in the foreseeable future,.
- How achievable the benefits are within a reasonable period of time (including those expected from any conservation improvements to the incoming land that the applicant provides money for), .

- How likely it is that these benefits will be achieved, and
- The ratio of money provided by the applicant compared to the financial value of the land they are providing. .

When considering a land exchange, the Minister must also consider:

- Analysis of, and impact on, Treaty rights and interests,
- Impacts on existing concessionaires,
- Whether the land is likely to be subject to future Treaty settlement negotiations,
- Impacts on any affected administering bodies,
- Financial implications for the Crown,
- Legal and financial liabilities, and
- Whether the consequences of the land exchange would be practical to manage on an ongoing basis.

3.1.2 *Process for exchanges*

Any land exchange proposal will go through the following process:

1. The Director-General drafts a report on proposed land exchange, covering whether the net conservation benefit test is met and assessment of other considerations.
2. The Director-General must then seek comments from relevant Treaty partners and administering bodies of reserves (if applicable), and give them a minimum of 30 working days to provide comments.
3. The Director-General may revise the report based on comments received from relevant Treaty partners and administering bodies.
4. The Director-General provides the report to the Minister, along with an analysis of Treaty rights and interests.
5. The Minister of Conservation must then consult with the Ministers for Treaty of Waitangi Negotiations and Minister for Māori Development.
6. Following consultation, the Minister of Conservation makes decisions on the exchange, with regard to the Director-General's report (including Treaty analysis), mandatory considerations, net conservation benefit test, and consultation with other Ministers.

3.2 Land disposals

3.2.1 *Test and considerations for disposals*

The Minister can only authorise a land disposal where:

- Values on the land are not considered essential for indigenous biodiversity,
- Conservation values present are represented in other protected areas in the region,
- There are no rare or distinctive species or ecosystems, and
- The Director-General has recommended disposal.

When considering land disposal, the Director-General and the Minister must also consider:

- Analysis of, and impact on, Treaty rights and interests,
- How the land contributes to conserving indigenous biodiversity,
- How well represented the conservation values are on conservation land,
- The significance of ecosystem services provided by the outgoing land,

- The cultural, historic, archaeological, geological, biological, and scientific significance of the land,
- How the land contributes to natural linkages and functioning of places,
- Provision of public access,
- Recreational value of the land,
- National significance of the land,
- Financial implications for the Crown,
- Impacts on existing concessionaires,
- Whether the land is likely to be subject to future Treaty settlement negotiations, and
- Impacts on administering bodies.

3.2.2 *Process for disposals*

Proposals to dispose land will have to go through the following process:

1. The Director-General drafts a report on proposed land exchange, covering recommendation on whether the test for disposal is met and assessment of other considerations.
2. The Director-General must then seek comments from relevant Treaty partners and (if applicable) administering bodies of reserves, and provides them a minimum of 30 working days for comments.
3. The Director-General must then publicly notify the proposed disposal, and provide a minimum of 30 working days to comment.
4. The Director-General may revise the report based on comments received from public consultation, Treaty partners, and any relevant administering bodies.
5. The Director-General provides the report to the Minister, along with an analysis of Treaty rights and interests and analysis of public consultation feedback.
6. The Minister of Conservation must then consult with the Ministers for Treaty of Waitangi Negotiations and Minister for Māori Development.
7. The Minister of Conservation makes decisions on the disposal, with regard to the Director-General's report (including Treaty analysis), mandatory considerations, disposals test, and consultation with other Ministers.

The proceeds from disposal of conservation land will be directed to DOC, to cover:

- Costs of preparing the land for disposal (e.g. assessments, conveyancing) in the first instance, and
- Further land purchases or capital expenditure on conservation land from any remaining proceeds.

4. Providing clarity around section 4

To clarify what section 4 requires, the Bill will set out identified procedural steps for management planning, concessions, and land exchange/sale processes. These steps will apply unless Treaty settlements provide different arrangements for the relevant processes.

The procedural steps being added by the Bill include:

- Seeking comment from iwi prior to public notification of the **NCPS**, and on the revised draft which will be accompanied by a summary of submissions and impact analysis.
- Consulting iwi prior to drafting an **area plan**, seeking comment on the draft prior to public notification, and seeking comment on the revised draft which will be accompanied by a summary of submissions and impact analysis.
- Giving Treaty partners 20 working days to provide views on a **concession** application when consulted, with discretion for the Minister to increase this time period.
- Seeking comment from Treaty partners on any **land exchange or disposal proposals**.

The Minister of Conservation is also considering the best mechanism and approach to providing further clarity about section 4, and how it applies to decisions beyond procedural steps.

5. International visitor access charge

Currently, DOC does not have the legislative tools to charge international visitors for access to areas, or for experiences such as short walks and day hikes.

The Bill will enable DOC to charge international visitors for access to some conservation land which is highly popular with these visitors. This will be in the form of a levy at the point of entry into an area, path, road or track.

Enabling a levy on access and on the use of paths and tracks would expand DOC's toolkit to cost recover and raise revenue for conservation activities at highly visited sites.

As well as raising additional revenue, this would ensure that international visitors are contributing financially to experiences they are undertaking, improving equity between different visitor groups.

International visitor access charges will be investigated at four sites to begin with:

1. Aoraki / Mount Cook,
2. Piopiotahi / Milford Sound,
3. Mautohe / Cathedral Cove, and
4. Tongariro Alpine Crossing.

Revenue will be ringfenced for the purpose of maintaining and enhancing the visitor experience on conservation land, and will be spent at the place it was generated as a first priority.

6. Next steps

The Bill is currently being drafted following Government decisions to change conservation legislation. The Minister of Conservation intends for the Bill to be introduced to Parliament around March 2026.

6.1 *The Minister intends to introduce the Bill to Parliament in 2026*

The Bill will be accompanied by a parliamentary paper outlining the proposed content of the first NCPS. This means the select committee can receive and consider public submissions on both the Bill and the proposals for the first NCPS at the same time. The content of the parliamentary paper will be informed by submissions from targeted consultation on the NCPS, which took place from July to August 2025.

6.2 *Translation of current planning documents to area plans after legislation passes*

After the Bill is passed, there will be a 12-month process for translating conservation management strategies, conservation management plans and national park management plans into area plans. This will involve combining content from existing plans to create the new single layer of area plans, and making them consistent with the new legislation and NCPS.

Plans will be translated by the Director-General of Conservation. As part of the translation process, DOC will consult on whether exempt and pre-approved activities should be disapplied in any area plans. This consultation is likely to take place within the first three months of the translation process.

Appendix: NCPS and area plan amendment processes

Process	Step 1: Initiation	Step 2: Drafting	Step 3: Targeted consultation	Step 4: Public notification	Step 5: Revision	Step 6: Review	Step 7: Revision (optional)	Step 8: Approval
NCPS amendment process	Minister initiates amendment and instructs Director-General (DG) to draft changes.	DG prepares draft policy or policies.	DG provides draft to iwi and NZCA for their review and comment. DG may revise draft based on comments from iwi and New Zealand Conservation Authority (NZCA). <u>Duration</u> 2 months (minimum) to provide comment.	DG notifies public of draft and seeks written comments. DG also notifies iwi, NZCA, conservation boards and NZ Fish and Game Council. If applicable, the Minister notifies customary marine title (CMT) holders of any class concessions that impact their CMT area. <u>Duration</u> 2 months (minimum) to provide comment.	DG prepares: - Revised draft NCPS, - Summary of submissions, Impact analysis report (including impacts on Treaty rights and interests).	DG provides revised draft, summary of submissions and impact analysis report to iwi and NZCA. <u>Duration</u> 1.5 months to provide comment.	DG may revise draft based on written comments from iwi and NZCA.	Minister approves changes to NCPS, having regard to: - Summary of submissions, - Impact analysis report, and - Any written comments from iwi and NZCA.
Class concession process: adding or modifying	Minister initiates amendment and instructs DG to draft changes.	DG prepares draft class concession for inclusion in NCPS. DG also prepares any relevant disapplication (if changes relate to exempt or pre-approved activities) for inclusion in area plans.	Not applicable	DG notifies public of draft changes to NCPS (and area plans if applicable) and seeks written comments. If applicable, the Minister notifies CMT holders of any class concessions that impact their CMT area. <u>Duration</u> 1 month to provide comment. 2 months for CMT holders (where applicable).	DG prepares: - Revised draft changes to NCPS (and area plans if applicable), - Summary of submissions, - Impact analysis report (including impacts on Treaty rights and interests).	Not applicable	Not applicable	Minister approves changes to NCPS (and area plans if applicable), having regard to: - Summary of submissions, - Impact analysis report.
Class concession process: revoking	Minister or DG can temporarily remove an activity from exempt or pre-approved list with immediate effect, for up to 3 months. Public is notified. Minister can then either: - Revoke class from NCPS and notify public, or - Amend NCPS or area plan.	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable

Process	Step 1: Initiation	Step 2: Drafting	Step 3: Targeted consultation	Step 4: Public notification	Step 5: Revision	Step 6: Review	Step 7: Revision (optional)	Step 8: Approval
Area plan amendment process	Minister or DG initiates amendment process.	DG consults relevant iwi and conservation board(s) on aspirations for plan before drafting. DG then drafts area plan. DG then consults iwi and conservation board(s) on draft objectives and policies. <u>Duration</u> 4 months for standard process. 2 months for truncated process.	Not applicable	DG notifies public of draft and seeks written comments. <u>Duration</u> 2 months (minimum) for standard process. 1 month (minimum) for truncated process.	DG prepares: - Revised draft area plan, - Summary of submissions, - Impact analysis report (including impacts on Treaty rights and interests). <u>Duration</u> 3 months for standard process. 1 month for truncated process.	DG provides revised draft, summary of submissions and impact analysis report to iwi, conservation board(s) and NZCA. <u>Duration</u> 2 months to provide comment for standard process. 1 month to provide comment for truncated process.	DG may revise draft based on written comments from iwi, conservation board(s) and NZCA.	Minister approves changes to area plan, having regard to: - Summary of submissions, - Impact analysis report, and - Any written comments from iwi, conservation board(s) and NZCA.
Minor or technical changes to NCPS and area plans	Minister or DG initiates amendment process.	DG prepares draft changes.	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable	Minister approves changes.

Draft template table – settlement redress relevant to Conservation Acts (Land Management) Amendment Bill (CALM) proposals – December 2025

Note that the contents of this table will be modified based on the requirements of specific settlements

#	Source	Description of commitment	Description of relevant CALM decisions	DOC's initial proposal based on potential impact on redress
1.				

#	Source	Description of commitment	Description of relevant CALM decisions	DOC's initial proposal based on potential impact on redress
2.	Settlement act, Deed of Settlement Documents, Conservation Covenant (in DOS Documents)	Overlay classifications and area plans - The overlay classifications set out in Part XXX of your Settlement Act includes requirements for the New Zealand Conservation Authority (NZCA) and conservation boards to have particular regard to the statement of values and the set of protection principles, and to consult the Governance Entity when considering or approving a conservation management strategy (CMS), conservation management plan (CMP) or national park management plan (NPMP). - Overlay classifications also require the NZCA to give Governance Entities an opportunity to make submissions on any significant concerns they have about a draft CMS, before approval. - The overlay classification must be noted in CMS, CMP and NPMP. - The Director-General of Conservation (DG) may initiate amendment of CMS, CMP or NPMP to incorporate objectives relating to the protection principles.	- A single National Conservation Policy Statement (NCPS) will replace the Conservation General Policy and General Policy for National Parks. - A single layer of area plans will replace CMPs, CMSs, and NPMPs. The purpose of a CMP is to implement a CMS and establish detailed objectives, and the purpose of a CMS is to implement general policies and establish objectives. - Existing CMPs will either become a standalone area plan or a chapter within an area plan covering a wider area. The purpose of area plans in the Conservation Act will be to implement the NCPS and conservation legislation by setting objectives and policies for the local context. Approval process for area plans - The Minister will approve generic area plans (i.e. where there isn't a specific role for other parties in approval). Currently, CMSs and NPMPs are approved by NZCA, and CMPs are approved by conservation boards or the NZCA. Conservation boards and the NZCA will have roles in providing comment on area plans. - The DG will draft generic area plans (i.e. where there isn't a specific role for Governance Entities in drafting). The DG must consult iwi and conservation boards during drafting both before and after public notification. - The Minister must have regard to the summary of submissions, impact analysis report and any written comments from iwi, the NZCA and relevant conservation boards when approving the plan. - There are set timeframes for key steps in the process so that amendments to area plans can be completed within 12 months. Content of area plans - Area plans will not be able to contain some content that current management plans contain. The Conservation Act will state that area plans cannot set actions, milestones or activity limits based on the number of concessionaires. - Area plans must comply with the NCPS. The NCPS will be able to set policies that regulate the content of area plans. The first NCPS is likely to outline how values and objectives are described in area plans. It is also likely to constrain the policies area plans can contain more than the current general policies do. - Area plans will likely continue to divide areas into “places” with common values and objectives (as per existing plans). Translation of area plans	Approval process for area plans <u>Analysis</u> - The obligation for the NZCA and conservation boards to have particular regard to the statement of values and protection principles when considering statutory planning documents in an overlay classification area would be impacted by their change in roles in the system. <u>Initial proposal</u> - Replace references to existing statutory planning documents (i.e. CMS, CMP and NPMP) with area plan. - Replace references to the NZCA and conservation boards to the Minister and the DG as relevant. This will require the Minister and DG to have particular regard to the overlay classification (i.e. the statement of values and protection principles created by the overlay classification) when preparing and approving an area plan. Content of area plans <u>Analysis</u> - Under the proposed reforms, the content of area plans will be regulated both by Conservation Act and the NCPS (which is consistent with the existing ability of the Conservation General Policy to regulate the content of CMSs and CMPs). - The NCPS will be secondary legislation, subject to primary legislation including Treaty settlement Acts. Therefore, the NCPS will not constrain area plans from noting overlay classifications. <u>Initial proposal</u> - No change to the requirement to note overlay classifications in statutory plans is proposed.

#	Source	Description of commitment	Description of relevant CALM decisions	DOC's initial proposal based on potential impact on redress
			- After the Bill is passed, there will be a 12-month process for translating CMSs, CMPs and NPMPs into area plans. This will involve combining content from existing plans to create the new single layer of area plans, and making them consistent with the new legislation and NCPS. - Plans will be translated by the DG. As part of the translation process, DOC will consult on whether exempt and pre-approved activities should be disappplied in any area plans. This consultation is likely to take place within the first three months of the translation process.	
3.		Overlay classifications and concessions - Overlay classifications also require the DG to take actions in relation to the protection principles. Your settlement includes requirements for the DG to: - Provide Department of Conservation staff, contractors, conservation board members, concessionaires and the public with information about the iwi values. - Review conditions for new concessions.	Concession classes - The reforms will enable class concessions (pre-approved or exempt activities) through the NCPS. - Class concessions will be used to: - Exempt some activities (that currently require a concession) from requiring a concession. This includes activities where the cumulative effects are low, and conditions can be standardised. Activities requiring an interest in land cannot be designated as exempt. - Permit some activities in advance, meaning a concession can be obtained easily after paying a fee and agreeing to certain pre-set conditions. This would be for activities that are low risk, but where there is a need to actively monitor cumulative effects and where fees should be collected. Activities requiring an interest in land cannot be pre-approved.	Concession classes <i>Analysis</i> - The introduction of class concessions means that there are likely to be fewer individual concession applications that will trigger the concession-related actions for the DG in overlay classifications. - Other actions required by the DG in overlay classifications (for example, those with an operational focus) remain unaffected. - The NCPS will enable area plans to disapply class concessions in specific places in limited circumstances. Criteria for this will be set in the Conservation Act. Disapplication is possible if the Minister considers there are significant adverse effects on natural, cultural, or historic values present at a specific site. For example, the Minister could determine that a significant adverse effect on cultural values could arise based on views received from the Governance Entity when approving or developing an area plan. <i>Initial proposal</i> - No proposed change for overlay classifications (in relation to concessions).
4.	Common redress source: settlement act, deed of recognition, conservation protocol, relationship agreements	Deeds of Recognition - The Deeds of Recognition recognise XXlwiXX's special association with specific sites and requires the Minister and the DG to consult and have regard to the views of the Governance Entity in relation to specific activities. Activities which require consultation include: - Preparing a CMS, or a CMP, under the Conservation Act 1987 or the Reserves Act 1977; or preparing a NPMP under the National Parks Act 1980. - Preparing a non-statutory plan, strategy, programme, or survey in relation to a statutory area that is not a river for any of the following purposes: (a) to identify and protect wildlife or indigenous plants: (b) to eradicate pests, weeds, or introduced species: (c) to assess current and future visitor activities: (d) to identify the appropriate number and type of concessions. - Preparing a non-statutory plan, strategy, or programme to protect and manage a statutory area that is a river. - Locating or constructing structures, signs, or tracks.	- As discussed above, a single layer of area plans will replace existing statutory planning documents. - Area plans will be prepared by the DG and approved by the Minister. - The NZCA and conservation boards will no longer approve area plans but would be responsible for reviewing area plans prior to the Minister considering them.	<i>Analysis</i> - Deeds of Recognition link to changes to statutory planning documents (CMS, CMP and NPMP). - The Minister and the DG will still be required to consult and have particular regard to the view of the Governance Entity when preparing area plans. - Other aspects of Deeds of Recognition (for example those with an operational focus) remain unchanged. <i>Initial proposal</i> - Replace existing references to CMS, CMP, and NPMP with references to area plans.

#	Source	Description of commitment	Description of relevant CALM decisions	DOC's initial proposal based on potential impact on redress
		Some Deeds of Recognition also require the Crown to inform the Governance Entity of all concession applications to the relevant area.		
5.	Deed of Settlement, Conservation Protocol, Relationship Agreement	Statutory authorisations Your settlement includes provisions that require consultation with the Governance Entity on statutory authorisations, including concession applications, within defined circumstances. Provisions in your settlement requiring consultation on statutory authorisations include: <u>Engagement/consultation principles</u> • DOC will provide sufficient notice, information and time for the effective participation of the Governance Entity. • DOC will approach the engagement with an open mind and genuinely consider the suggestions, views or concerns of the Governance Entity. • DOC will use reasonable endeavours to identify a mutually acceptable solution, and if requested, meet with the Governance Entity to discuss possible options for resolution of the relevant matter and seek a consensus on a preferred option. If consensus is not reached within a reasonable timeframe, DOC may exercise its decision making powers in relation to any of the matters that are the subject of the consultation. • DOC will report back to the Governance Entity on any decisions that is made and where the decision is contrary to the Governance Entity's comments and / or submissions, set out the factors taken into account when making the decision. <u>Agreed categories of statutory authorisations requiring engagement/consultation</u> • DOC will work with the Governance Entity to identify categories of concessions that may impact on the cultural, historic or historical values of the iwi. These may be reviewed on a continuing basis. • In relation to concession applications within these categories, the Minister will consult with the Governance Entity regarding any applications or renewals within the Protocol Area and seek the input of the Governance Entity by: ○ Providing for the Governance Entity to indicate within 10 working days whether applications have any impacts on cultural, spiritual and historic values of the iwi. ○ If the Governance Entity indicates that an application has any such impacts, allowing a reasonable specified timeframe (of at least a further 10 working days) for comment. OR: ○ Notifying the Governance Entity of the time frames for providing the advice on impacts on the cultural, spiritual and historic values of xxxlwixxx. ○ Encouraging communication between the applicant of the statutory authorisation and the Governance Entity prior to	Concession classes • As discussed above, the reforms will enable exempt and pre-approved activities in the NCPS. All other concessions • For all remaining concessions, clear timeframes for some steps of the concessions process will be set, including timeframes for Treaty partners to respond when consulted on concession applications. • Where Treaty partner consultation is required a default timeframe of 20 working days applies, or any longer timeframe specified by the Minister.	Concession classes <u>Analysis</u> • The introduction of class concessions means there are likely to be fewer individual concession applications that will trigger the engagement requirements on statutory authorisations related to the Governance Entity area of interest. • Activities that still require individual decisions (those not eligible for class concessions) would continue to require consultation as outlined in your settlement. • The NCPS will enable area plans to disapply class concessions in specific places in limited circumstances. Disapplication is possible if the Minister considers there are significant adverse effects on natural, cultural, or historic values present at a specific site. For example, the Minister could determine that a significant adverse effect on cultural values could arise based on views received from the Governance Entity when approving or developing an area plan. <u>Initial proposal</u> No proposed change to statutory authorisations in relation to class concessions. Statutory timeframes for all other concessions <u>Analysis</u> • The establishment of a default consultation timeframe of 20 working days does not limit the Minister's ability to set a longer consultation period where considered necessary. <u>Initial proposal</u> • Where decision-making frameworks or statutory authorisations redress include specified timeframes for response that are greater than the proposed 20 working day default, these will be retained.

#	Source	Description of commitment	Description of relevant CALM decisions	DOC's initial proposal based on potential impact on redress
		issuing authorisations to carry out activities on land managed by the Department within the xxxlwixxx Agreement Area - When a concession is publicly notified, DOC will at the same time provide separate written notification to the Governance Entity. - DOC will also advise the concessionaire of the tikanga and values of the iwi, and encourage communication between the concessionaire and the Governance Entity if appropriate.		
6.	Settlement Act, Conservation Protocol, Relationship Agreement	Cultural materials - Your settlement includes provisions that relate to authorisation of lwi or hapū members to access, collect or use cultural materials within your Area of Interest / the Protocol Area / a specific site. - It also includes requirements for consultation with the Governance Entity when there are competing and/or third-party requests for cultural materials.	Concession classes - As discussed above, the reforms will enable class concessions (i.e. the designation of pre-approved or exempt activities) through the new NCPS. Activities being considered to designate as pre-approved or exempt for the first NCPS include: - Pre-approved activities: collection of rocks, soil, non-protected wildlife and flora for cultural purposes. - Exempt activities: collection of air and water for cultural purposes. - The Bill will clarify that where the new system is more permissive than existing cultural redress, the more permissive system takes precedence.	Cultural materials <u>Analysis</u> - The introduction of class concessions means some activities relating to the collection or use of cultural materials may be pre-approved or exempt from needing authorisation. - Governance Entities will have input into setting concession classes through a requirement for the Director-General to consult with iwi when amending the NCPS. Area plans will also be able to disapply class concessions where statutory criteria are met. <u>Initial proposal</u> - No change proposed to cultural materials.
7.	Settlement Act, Conservation Protocol, Relationship Agreement	Minerals fossicking right A member who has written authorisation from the Governance Entity may, by hand, search for any sand, shingle, or other natural material in any part of a riverbed that is, or is bounded on either side by, conservation land in a relevant fossicking area; and remove the material from that part of the riverbed.	- As discussed above, the reforms will enable exempt and pre-approved activities in the NCPS. - The Bill will clarify that where the new system is more permissive than existing cultural redress, the more permissive system takes precedence.	Minerals fossicking right <u>Analysis</u> - The introduction of class concessions means some activities relating to minerals fossicking may be pre-approved or exempt from needing authorisation. - Governance Entities will have input into setting concession classes through a requirement for the Director-General to consult with iwi when amending the NCPS. Area plans will also be able to disapply class concessions where statutory criteria are met. <u>Initial proposal</u> No change proposed to minerals fossicking redress.
8.	Conservation protocol, settlement legislation, deed of settlement attachments	Statutory Land Management - Your settlement outlines specific requirements for how DOC manages conservation land. - These include that DOC will engage with the Governance Entity before it proposes or if a third party (such as a local authority who manages conservation land) notifies DOC that it intends to propose: - Disposing of conservation land. - Establishing any new, or reclassifying any existing Conservation Land. - Any vesting or management appointments under the Reserves Act 1977.	Land exchange or disposal - To enable more flexibility to exchange and dispose of conservation land, there will be changes to the relevant tests. The tests are expected to result in more land being eligible for exchange/disposal than only that identified to be of “no, or very low” conservation value. - Additionally, changes to statutory land management will require: - DOC to consult Treaty partners (including PSGEs) on any exchange or disposal process ahead of public notification and provide at least 30 working days for comment,	Land exchange or disposal <u>Analysis</u> - The Director-General will be required to seek feedback from relevant Treaty partners on all land exchange and disposal proposals. This would include all relevant Governance Entities, irrespective of whether there is an existing commitment to do so. <u>Initial proposal</u> - No change is proposed to statutory land management requirements. Visitor amenities areas

#	Source	Description of commitment	Description of relevant CALM decisions	DOC's initial proposal based on potential impact on redress
		Before vesting or making an appointment to control and manage a reserve within the XXlwiXX area of interest, the Department will discuss with the Governance Entity whether it wishes to be given an opportunity to be considered for such a vesting or appointment subject to agreed conditions (if any).	irrespective of whether there is a settlement commitment to do so. - For disposals, this must occur prior to public notification. Proposals to exchange land will not be publicly notified. - The Minister to consider the impact on Treaty rights and interests before approving any exchange or disposal. Visitor amenities areas - Visitor amenities areas are a land classification with a similar purpose to amenities areas under the National Parks Act. The Bill will enable visitor amenities areas to be established within national parks, conservation parks, stewardship areas, recreation reserves, historic reserves, scenic reserves, or government/local purpose reserves. - The Minister can decide to establish a visitor amenities area where: - The location is already, or is predicted to be, an area of high visitor use, - The proposed visitor amenity area is in a practical location where it would have the least detrimental effect on conservation and cultural values, - The proposed size of the amenities area is no larger than reasonably necessary to provide for intended and appropriate facilities and services, and - Development of the visitor amenity area would not threaten the persistence of the conservation values that underpin the purpose for which the wider conservation land is protected. - The process for establishing a visitor amenities area can be initiated by the Minister or Director-General. - The Director-General will prepare a report on a proposed visitor amenity area and drafts a visitor amenity area chapter. During drafting, the Director-General must seek feedback from the relevant iwi. This occurs prior to public consultation on the proposal.	<u>Analysis</u> - The Director-General will be required to seek feedback from relevant iwi before a proposal is publicly notified and may rev. This would include all relevant Governance Entities, irrespective of whether there is an existing commitment to do so. <u>Initial proposal</u> - No change is proposed to statutory land management requirements. Other statutory land management - We do not anticipate the proposed reforms will impact on other statutory land management settlement redress (e.g. vesting or control and manage appointments).
9.	Conservation protocol, settlement legislation, deed of settlement attachments	Right of First Refusal - Your settlement includes right of first refusal (RFR) over certain conservation land, in the event that it is no longer required as part of the conservation estate. - Under your settlement, RFRs also apply to the granting or transfer of a lease on relevant conservation land if the lease is or could be (e.g. through a right of renewal or extension), for X years or longer. - Outgoing land in an exchange is deemed a disposal for conservation purposes and is exempt from the RFR. The RFR transfers to the new land obtained by the Crown.	- As above, to enable more flexibility to exchange and dispose of conservation land, there will be changes to the relevant tests. The tests are expected to result in more land being eligible for exchange/disposal than only that identified to be of “no, or very low” conservation value. - DOC to consult Treaty partners (including PSGEs) on any exchange or disposal process ahead of public notification and provide at least 30 working days for comment, irrespective of whether there is a settlement commitment to do so. - For disposals, this must occur prior to public notification. Proposals to exchange land will not be publicly notified.	<u>Analysis</u> - The proposed changes will strengthen consultation requirements for the Department to engage with Treaty partners on all relevant disposals and exchanges, including those not subject to Treaty settlement RFR. - Increasing the scope of land eligible for disposal may result in more opportunities for the Governance Entity to exercise the RFR - Increasing the scope of land eligible for exchange may also result in more exchanges which do not trigger the RFR due to being exchanged for conservation purposes. The RFR would apply to any land obtained by the Crown through such an exchange. <u>Initial proposal</u> - No change to the RFR and relevant exemptions is proposed.

#	Source	Description of commitment	Description of relevant CALM decisions	DOC's initial proposal based on potential impact on redress
			The Minister to consider the impact on Treaty rights and interests before approving any exchange or disposal.	
10.	Deed of Settlement	Notification of conservation board vacancies DOC will advise the Governance Entity in the event that any vacancies occur on boards or committees within the Protocol Area where the Minister or DOC is responsible for making appointments, and where public nominations are sought.	- As above, a single layer of area plans will replace existing statutory planning documents. - In general, area plans will be prepared by the DG and approved by the Minister. The NZCA and conservation boards will no longer approve area plans but would be responsible for reviewing area plans prior to the Minister considering them.	<i>Analysis</i> - The process for nominating and appointing conservation board members, including nominations provided for through a Treaty settlement, is unaffected by the proposals. DOC can continue to advise Governance Entity of any conservation board vacancies within the Protocol Area <i>Initial proposal</i> - No change is proposed
11.	Deed of Settlement Documents	Management Planning The protocol / Relationship Agreement requires that the Department will provide opportunities for the Governance Entity to input into any relevant CMS or Management Plan reviews within the Protocol Area / Area of Interest.	Preparation and review of area plans - A single layer of area plans will replace existing statutory planning documents. - Area plans will be prepared by the DG and approved by the Minister. The NZCA and relevant conservation boards will have an advisory role. - The Director-General must: - Consult iwi on their aspirations for the plan before drafting - Consult iwi on draft area plan objectives and policies - Provide iwi a revised draft, impact analysis report, and summary of submissions following public consultation on the initial draft. - The Minister must have regard to the summary of submissions, impact analysis report and any written comments from iwi, the NZCA and relevant conservation board(s) when approving the plan.	Preparation and review of area plans <i>Analysis</i> - The process for preparing and reviewing area plans provides opportunities for iwi throughout the preparation of an area plan. <i>Initial proposal</i> - Replace existing references to CMS, CMP, and NPMP with references to area plans.
12.		Noting of protocols/relationship agreement in planning documents Your settlement directs that the existence and terms of the Protocol is to be noted in statutory planning documents (CMP, CMS, NPMP).	- The NCPS will be able to regulate the content of area plans, similar to how the general policies do at present. - The NCPS will be secondary legislation, and therefore subject to primary legislation.	<i>Analysis</i> - Current references to existing statutory planning documents will not align with area plans. <i>Initial proposal</i> - Replace existing references to CMSs, CMPs, and NPMPs with references to area plans to require the existence and terms of the Protocol / relationship agreement to be noted in area plans.
13.	Settlement act, Deed of Settlement Documents	Nohoanga entitlements The Settlement Act notes Nohoanga entitlements which permits members of xxlwixx, on a temporary and non-	The proposed changes to the exchange and disposal tests are expected to result in more land being eligible for exchange or disposal.	<i>Analysis</i>

#	Source	Description of commitment	Description of relevant CALM decisions	DOC's initial proposal based on potential impact on redress
		commercial basis, to occupy specified land close to a waterway and to have access to the waterway for lawful fishing and lawful gathering of other natural resources in the vicinity of the entitlement land. • The Crown must ensure that the Governance Entity continues to have access to the entitlement land in the case that land adjacent to the entitlement land is transferred or reclassified. • The Nohoanga Entitlement is for a period of XX years from the Settlement Date, to be renewed at the expiry of its term at the option of the Governance Entity for further terms of XX years each.	• DOC will be required to consult Treaty partners (including Governance Entities) on any exchange or disposal process ahead of public notification, irrespective of whether there is a settlement commitment to do so. • The Minister must consider the impact on Treaty partner rights and interests before approving any exchange or disposal. • The Minister may apply an encumbrance on the land being exchanged or disposed of (e.g. an easement or covenant).	• The proposed changes to the exchange and disposal tests are expected to result in more land being eligible for exchange or disposal. • The proposed changes will strengthen consultation requirements for DOC to engage with Treaty partners on all relevant disposals and exchanges. • The consultation process will provide a chance to understand if any existing access rights to Nohoanga entitlement land may be affected by a disposal or exchange. • The Minister may decline an exchange or disposal proposal or apply an easement to the land being exchanged or disposed of to ensure continued access to entitlement land. <u>Initial proposal</u> • No change to the nohoanga entitlements is proposed. The Crown will continue to ensure continued access to the entitlement land.