

28 April 2026

- If Ministers are seeking significantly more economic development on conservation land, it is possible, however it requires a fundamental redesign of the conservation system. Due to the extensive time and resources required, this would not be achievable this term.
- This is because the conservation purpose of the conservation system is deeply embedded.
 - §9(2)(h) [REDACTED]
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- If Ministers are seeking a clearer signal that more economic development on conservation land is intended, then the drafting that is currently in the Bill achieves that purpose.
- This is because:
 - Development will occur on conservation land, even when maintaining conservation as the primary purpose of the Act - under the status quo, only 2% of concessions were declined last year. Potential operators also have access to the Fast-Track Approvals Act and the Crown Minerals Act.
 - The Bill, as drafted, explicitly signals that development can occur on conservation land. The changes will emphasise that recreation and tourism are not the only activities not inconsistent with the Conservation Act's purpose.
- Ministers may wish to explore whether it is possible to provide yet more certainty for development, through further purpose-related changes to the Act, including section 6. Officials have provided an option¹ following the direction of the Cabinet Legislation Committee last week. If Ministers wish, it is possible to adopt this option and test it further at select committee stage.
- We acknowledge there are risks with this option, as there are with almost any legislative change. The select committee process provides an opportunity for any substantive risk to be further fleshed out.

¹ This is the option where we remove the references to development being permitted only “where not inconsistent with conservation” in the Department’s functions, and the new purpose statements for the National Conservation Policy Statement, area plans, and concessions.