

Assessment of options for purpose-related changes (subject to further advice from PCO) – 29 April 2026

- You requested further options for making purpose-related changes to the Conservation Act.
- We understand that to avoid a fundamental redesign of conservation system and to enable the gains in the proposed reforms to be realised, your intent is to maintain conservation as the primary purpose of the Act while enabling economic development as far as possible – Options 1A and 1B below do this. For options 1A and 1B we have provided indicative wording related to section 6 and the NCPS purpose provision. Changes to the area plan and concession purpose provisions would be modelled on that. We would test and refine the drafting further in time for inclusion at Cabinet.
- Officials recommend Option 1B as the best option in the time available to clearly signal the emphasis on economic development that does not require a fundamental redesign of conservation system. It provides greater certainty than Option 1A and avoids the ‘not inconsistent with conservation’ language. It makes it clear that decision-makers are to enable use and development to the greatest extent practicable under the relevant Acts.
- For completeness, we have also included Options 2 and 3 which introduce a balancing of economic development against conservation. These options do not meet your policy intent and come with significant risks
s9(2)(h)
These options also clarify that achieving a true balancing of conservation and economic development is not possible within the scope of these reforms.
- s9(2)(f)(iv)
- We would also aim to explore at select committee whether further operative provisions are needed to support these purpose-related changes.

Current wording in the Conservation Act for reference:

Section 6 Functions of Department

The functions of the Department are to administer this Act and the enactments specified in Schedule 1, and, subject to this Act and those enactments and to the directions (if any) of the Minister,—

...

(e) to the extent that the use of any natural or historic resource for recreation or tourism is not inconsistent with its conservation, to foster the use of natural and historic resources for recreation, and to allow their use for tourism:

[illegible]

	s9(2)(h)	Potential wording for options (subject to advice from PCO and may not look exactly like this)	Assessment of option (this column is subject to legal privilege)
Option 1B (recommended) Option 1A but with replacement wording to give a stronger signal in favour of economic development		Section 6 amended (Functions of Department) Replace section 6(e) with: (e) also to recognise the economic opportunities that arise from the use and development of [land and other natural and historic resources managed by the Department], and enable this use and development to the greatest extent practicable under this Act and other enactments New section 13D (National Conservation Policy Statement) (2) The purpose of the NCPS is to— (b) recognise the economic opportunities that arise from the use and development of land vested in the Crown and held under this Act, the National Parks Act 1980, the Reserves Act 1977, and the Wildlife Act 1953 and enable that use and development to the greatest extent practicable under these Acts	s9(2)(h)
Option 2 Amend section 6(e) (the Department’s functions) to add an explicit requirement for DOC to ‘balance’ conservation and development		Section 6 amended (Functions of Department) Replace section 6(e) with: (e) to balance the conservation of any natural resource or historic resource with the use of that resource for recreation as well as development (including tourism).	s9(2)(h)
Option 3 Add a standalone balancing purpose provision to the Conservation Act		New purpose section The purpose of this Act is to balance the conservation of any natural resource or historic resource with the use of that resource for recreation as well as development (including tourism).	s9(2)(h)

	Current drafting in Bill	Potential wording for options (subject to advice from PCO and may not look exactly like this)	Assessment of option (this column is subject to legal privilege)
			s9(2)(h)