

In Confidence

Office of the Minister of Conservation

Cabinet Economic Policy Committee

First National Conservation Policy Statement: Policy approvals

Proposal

- 1 This paper seeks agreement to policy proposals for the first National Conservation Policy Statement (NCPS).
- 2 It also seeks agreement for the Department of Conservation (DOC) to publish the attached proposals. The intention is for the proposal document (Attachment 1) to support the Environment Committee's consideration of the Conservation Acts (Land Management and Other Matters) Amendment Bill (the Bill).

Relation to Government priorities

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

Executive summary

- 4 In June, July and September 2025, Cabinet agreed to a suite of changes to reform conservation land management [CAB-25-MIN-0213.01, CAB-25-MIN-0236 and CAB-25-MIN-0334.01 refer]. These changes will drive greater economic activity on conservation land where effects can be managed, while protecting natural and historic resources. Drafting is underway on the Bill to implement these changes.
- 5 The changes introduced through the Bill include making it easier to approve economic activities on conservation land through a streamlined and an updated planning framework consisting of a NCPS and single layer of area plans.
- 6 Cabinet invited me to report back on policies for the NCPS to facilitate economic activity within appropriate constraints [CAB-25-MIN-0213.01 refers].
- 7 I am proposing a suite of tools and policies for the first NCPS including:
 - 7.1 a list of low impact activities that will be pre-approved for a concession or exempt from requiring a concession;
 - 7.2 establishing a clear and enabling zoning framework for appropriate economic activities; and
 - 7.3 simplifying the rules that govern activities on conservation land and removing unnecessary restrictions.
- 8 Targeted consultation with Treaty partners and key stakeholders on policy proposals for the NCPS took place in July and August 2025. There was broad support for the intent to simplify the regulatory system and significant support from some groups to enhance

economic development, while other submitters expressed a range of views about potential impacts on conservation and Treaty partner interests.

- 9 Cabinet agreed in June that the first NCPS would be developed as part of the Bill [CAB-25-MIN-0213.01 refers]. To enable the Bill to progress on desired timeframes, I now propose that the first NCPS will come into effect as soon as possible following the passing of the Bill. The NCPS will be a statutory document that is legally binding: it will be secondary legislation empowered by and made under the Bill after it passes.
- 10 I intend for DOC to publish a proposal document on the NCPS policies, incorporating the decisions in this paper. This is to support the Environment Committee's consideration of the Bill. This will allow Treaty partners, stakeholders and the public to consider the NCPS policies in detail alongside the Select Committee process.
- 11 I am seeking approval for DOC to consult on the proposal document in parallel with the select committee process. To enable the NCPS to progress on desired timeframes, I also seek agreement to direct DOC to start drafting the NCPS. Once I have considered feedback received on the proposal document, I propose to report back to Cabinet on the final policies for the first NCPS.
- 12 The attached proposal document provides detail on the proposed policies for the NCPS.
- 13 I also seek agreement to delegate minor policy decisions for the NCPS in line with the intent of the policy agreed to by Cabinet [CAB-25-MIN-0213.01 refers] to the Minister of Conservation. I also seek approval to make minor changes to the proposal document ahead of publication, in line with the overall policy outlined in this paper.

Background

- 14 Economic activity on conservation land (nearly a third of New Zealand land) is regulated through management plans and national-level policies. These guide decisions on 'concessions', which authorise a range of activities, from small, one-off events, to larger projects involving construction of visitor and tourism infrastructure.
- 15 Existing plans and rules (and related decision-making) constrain economic activities that could have a range of benefits without negatively impacting our conservation objectives.
- 16 The Conservation General Policy and the General Policy for National Parks (the General Policies) have not been substantially amended since they were made in 2005. There are over 100 statutory planning documents under these, around 80% of which are outdated. Many plans restrict economic activities without clear reason. Others overlap and have contradictory rules, making it unclear what can be authorised.
- 17 In June 2025, Cabinet made policy decisions to modernise and simplify the management of conservation land [CAB-25-MIN-0213.01 refers]. These reforms will speed up regulatory decisions, enable biodiversity protection and unlock greater economic activity on conservation land where the risks are manageable.
- 18 The changes agreed by Cabinet include:
 - 18.1 providing certainty by making it easier to approve economic activities on conservation land. Changes include a streamlined and updated planning framework consisting of a NCPS and a single layer of area plans, and government decision-making on regulatory rules (instead of an array of other bodies);

- 18.2 faster processing of concessions through more simplification and standardisation, with classes of concession activities able to be pre-approved or exempt from needing approval;
 - 18.3 removal of barriers to make it easier to transfer concessions (including relevant obligations) between businesses;
 - 18.4 driving innovation for tourism, economy and nature, through settings that enable competitive allocation of scarce concession opportunities, where appropriate;
 - 18.5 more flexible rules for exchanging and disposing of conservation land; and
 - 18.6 enabling DOC to charge for access to conservation land.
- 19 Proposed changes will also give more certainty about how to give effect to Treaty principles in processes relating to management planning, concessions and land exchanges/disposals, which is required by section 4 of the Conservation Act.

The NCPS will enable more effective and efficient use of conservation land

- 20 Existing General Policies guide management of a wide range of conservation functions, but they duplicate legislation, are unclear, and direct DOC's work ineffectively. This creates uncertainty for users.
- 21 This complex approach will be scrapped. Instead, the NCPS will set the fundamental direction for unlocking economic growth and for regulatory efficiency. To meet the objectives of the reform, the NCPS will:
- 21.1 simplify the rules that govern activities on conservation land and reduce the ability for area plans to create unnecessary barriers to appropriate economic activity; and
 - 21.2 introduce new policies to speed up decision making and reduce costs, while creating a more enabling environment for appropriate economic activities.

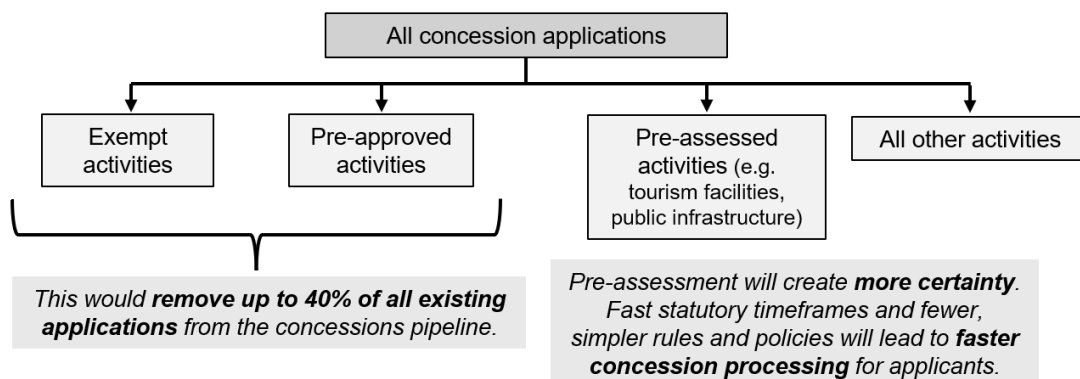
Speeding up concessions processing by pre-approving or exempting activities

- 22 Cabinet has agreed that the NCPS will take the churn out of processing concessions by pre-approving or exempting entire classes of activities. Up to 40% of current concession applications would instead be determined through the proposed set of exempt and pre-approved activities. The proposed list includes guided activities, transportation services, small commercial events, commercial filming and photography, and research and collection.
- 23 In July 2025, DOC carried out targeted consultation on a proposed list of lower impact activities for exemption and pre-approval. There was broad support for pre-approving and exempting activities. Some submitters raised concerns that "low impact" activities may still have cumulative environmental impacts. Iwi noted that the cultural impacts of activities should be fully considered and that these activities should not be undertaken on wāhi tapu.
- 24 Broadly this feedback has been addressed through the terms and conditions to these activities, including that the activities are still subject to any broader limits that are set in an area through bylaws or regulations. The NCPS will also specify exclusion of certain activities in specific locations where there will be a significant adverse impact, including to cultural values.

- 25 The list of exempt and pre-approved activities that I propose for the first NCPS is detailed in Appendices 2 and 3 of the attached proposal document, along with terms and conditions for each activity.

Signalling where certain economic activities are likely to be suitable

- 26 The NCPS will also state where certain types of more intensive activities (such as infrastructure development) are likely to be approved or declined based on certain statutory criteria. This will give prospective applicants clear indications about what activities may take place in a given location, to help focus applications on activities which are more likely to be approved.
- 27 It will do this by considering in advance what some of the anticipated effects of the proposed activities are, as well as whether the activity would be consistent with the purpose for which the land is held. This will give certainty to applicants as to where key economic activities are most likely to be approved.
- 28 The first NCPS will partially assess 26 significant activities. These activities include recreation and tourism infrastructure and facilities (for example, visitor amenities and commercial events) and utilities, roading, and public infrastructure (for example, hydroelectricity schemes and roads).
- 29 The result of this will be that all conservation land will be mapped to show where more intensive activities are likely to be approved, taking account of the land classification (e.g. national park, wilderness area) and where key activities have manageable effects on recreation and tourism (mapped via new “visitor zones” in area plans).
- 30 The specifics of each application will still be assessed against requirements in legislation (including effects assessment and setting appropriate terms and conditions for the activity). However, this assessment will be faster and simpler due to wider improvements being made through the Bill (including statutory timeframes, simpler rules and policies to follow, and the significantly lower number of applications requiring assessment). Discretion will remain to decline an application, if necessary, based on the individual assessment of the application.
- 31 In July 2025, DOC consulted on establishing visitor zones in the NCPS. Several submitters acknowledged the potential benefits of visitor zones, particularly for improving efficiency and streamlining decision-making.
- 32 The full list of activities proposed for the first NCPS are detailed in Appendix 4 of the attached proposal document.
- 33 The diagram below provides a simplified overview of how the pre-approved, exempt and partially assessed processes work in practice when applying to do an activity:



Focusing area plans on efficient decision-making

- 34 Currently, the various layers of conservation strategies and plans governing conservation land are long, impenetrable, and establish rules and policies inconsistently, leading to drawn-out and inconsistent decision-making.
- 35 Under the new system, there will be a simple, single layer of area plans across conservation land. Cabinet agreed the purpose of area plans is to implement the NCPS and to set, where necessary, objectives and policies specific to the local context. The NCPS will specify what types of content area plans can and cannot include (subject to decisions where Treaty settlements provide roles for post-settlement governance entities (PSGEs) in preparing or approving plans) [CAB-25-MIN-0213.01 refers].
- 36 Cabinet agreed that area plans can (within the bounds set by the NCPS) set place-based objectives and policies and include concise descriptions of core conservation values of places. Area plans cannot:
- be inconsistent with the legislation or NCPS;
 - include actions or milestones;
 - duplicate the legislation or NCPS;
 - set limits based on the number of concessionaires that can operate within a limit; and
 - affect agreements or contracts between the Crown and landowners (status quo for Conservation Management Strategies).
- 37 Based on the decisions above, I propose that the first NCPS specify that area plans can include the content outlined in pages 7-10 of the attached proposal document.
- 38 These proposals include that an area plan cannot contain unnecessary restrictions on activities. I propose that the NCPS does not provide for area plans to contain localised limits and conditions on activities, and that these are implemented through other tools, such as bylaws or regulations.
- 39 This restriction will not apply in visitor amenities areas. Visitor amenities areas are tools to enhance tourism and economic development, and Cabinet has previously decided a spatial planning approach to development within them is needed [CAB-25-MIN-0213.01 refers]. For this reason, the restrictions in the NCPS on area plan content will not apply to visitor amenities area chapters in area plans.
- 40 Submitters had mixed views on the proposal for simplified area plan content. Some supported the proposal and felt that this would increase efficiency. Other submitters were concerned that area plans may overlook local context. Some Iwi commented that the reduced scope for area plans reduces their ability to influence management of conservation land, thereby impacting on some Treaty settlements.
- 41 My proposed approach to area plan content will focus plans more clearly on information that directs regulatory decisions, while continuing to support place-based values and objectives.

Removing rules and policies that unnecessarily constrain specific activities

- 42 The NCPS will contain policies for specific activities (e.g. grazing and farming, utilities and public infrastructure, and research and information). These would streamline the

national policies that guide management of specific activities on conservation land. The NCPS will also remove current policies that duplicate existing legislation or regulation or are more appropriate as operational policies [CAB-25-MIN-0213.01 refers].

- 43 Policies have been carried over from the existing General Policies, where appropriate, with minor updates for clarity. The updated policies for the NCPS are provided on pages 10-25 of the attached proposal document.
- 44 This process reduces the number of general policies from around 350 to approximately 70 (the exact number is dependent on drafting).
- 45 The NCPS will continue to provide policies that support the implementation of conservation functions other than concessions (such as recreational hunting policies).

Clarifying the approach to private accommodation on conservation land

- 46 Private accommodation (accommodation that cannot be used by the public) is generally not facilitated on conservation land. Private accommodation is accommodation used for private benefit to the exclusion of the public. This is not the same as “club” accommodation (e.g. hunting lodges or accommodation for university groups) or commercial accommodation ventures (e.g. hotels), which are all provided for on conservation land.
- 47 Private accommodation is usually incompatible with the principles of public access, conservation protection, and the non-exclusive use of public resources. Though there are private benefits, there are little to no wider economic benefits. The current Conservation General Policy does not generally permit new private accommodation on conservation land. My objective is to continue with this approach with certain exceptions.
- 48 Private accommodation structures range from small huts to baches and primary residences, with some forming small communities (e.g. Ocean Beach in Wairarapa and the Ōrongorongo Flats near Wellington). Some have significant associated infrastructure, such as water and power supply, vehicle access, and sewerage systems. Others are basic shelters and may only be used temporarily. Some are on conservation land by accident, historical reasons, or out of necessity due to impractical historical survey boundaries.
- 49 It is difficult to understand the full extent of private accommodation use of structures on conservation land given the provenance and variability of these structures, but we estimate that several hundred exist on conservation land. There are around 300 structures with an existing authorisation, and 160 concession applications in progress.
- 50 The existing policy to generally prohibit private accommodation creates problems, including legacy issues. It requires the phase-out of existing private accommodation with no timeframe and limited exceptions, and with explicit reference to structures being removed/retained by DOC for public use.
- 51 Some structures existed prior to land coming under DOC’s control and some of these structures have authorisations that pre-date conservation legislation. The current policy has presented legal, operational and relationship risks and has been very challenging to implement.
- 52 I propose that the NCPS continues with the general approach to exclude private accommodation on conservation land, but with limited discretion for authorising new private accommodation. I propose that it clarifies that new private accommodation (including modifications to existing accommodation) may be authorised under certain

conditions, including where the structure has or has had a valid authorisation at some stage, and where the structure meets all relevant requirements relating to its use for accommodation purposes (or can meet those standards within a certain timeframe specified in the concession agreement).

- 53 I also propose a more equitable approach to phase-out that will support DOC to be a good land manager and provide more clarity and certainty for the public and tangata whenua.
- 54 The NCPS will phase out private accommodation by requiring a condition to be placed on all private accommodation concessions that demonstrably limits the ongoing use of the structures for private accommodation purposes. I recommend a maximum term of 30 years for private accommodation concessions, with no right of renewal. DOC will work with private accommodation owners during that time on next steps, including, for example, the option to purchase the land as part of a land disposal agreement (which will be simpler to do under the new system).
- 55 My recommended approach will be more consistent with how other concessions are managed, while acknowledging the legacy issues associated with private accommodation.

Clarifying when Crown activities should be exempt from district resource management rules

- 56 Section 4(3) of the Resource Management Act 1991 exempts Crown work or activities from the requirement to comply with district resource management rules where that work or activity takes place on land held or administered by DOC under the Conservation Act; is consistent with a conservation management plan or strategy; and does not have significant adverse effects beyond the area of land.
- 57 Cabinet agreed in June 2025 that the NCPS and area plans can define Crown activities that will be exempt from district resource management rules [CAB-25-MIN-0213.01 refers] where they do not have a significant adverse effect beyond the boundary of conservation land.
- 58 In line with that decision, the proposal document includes a non-exhaustive list of potential activities (see Appendix 5 of the attached proposal document) for this purpose. This list covers a range of commonly exempted activities and will reduce administrative costs for DOC and provide clarity to territorial authorities.

Cost-of-living implications

- 59 There are no immediate cost-of-living implications from this paper.

Financial implications

- 60 There are no immediate financial implications from this paper. Costs associated with the NCPS will be managed within existing departmental appropriations.

Legislative implications

- 61 The Bill is priority Category 3 on the legislative programme. The NCPS will be secondary legislation enabled under the Bill, and made after the Bill is enacted.

Impact analysis

- 62 A quality assurance panel with members from the Department of Conservation and Ministry for the Environment has reviewed the Regulatory Impact Statement (Attachment 2). The panel considers that it partially meets the Quality Assurance criteria.

The panel acknowledges significant improvements on the first version have been made, with better structure, flow, and accessibility, but it still has sections that are not clear and concise. Concerns remain about the robustness and transparency of the analysis, including how options are rated and weighted, limited use of quantitative evidence, and an understrength Monitoring, Review and Evaluation section. The Panel considers the document likely meets the “complete” criteria given the explained scope constraints and Cabinet context, despite some areas where more detail would be desirable. Consultation is well described where it has occurred, but there has been little to no consultation on some proposals.

- 63 The Climate Implications of Policy Assessment (**CIPA**) team has confirmed CIPA requirements do not apply to the proposals set out in this paper.

Population implications

- 64 There are no immediate population implications from this paper.

Treaty implications

- 65 The Bill provides that the changes introduced through the reforms (including the NCPS proposals) stand except where Treaty settlements provide alternative arrangements.
- 66 Engagement with Iwi, including PSGEs, has been ongoing since November 2024 to discuss how to uphold Treaty settlement commitments in the context of the wider reforms. There has been targeted engagement with Treaty partners on the design of the proposals for the NCPS and DOC’s ongoing engagement with Iwi on upholding settlements also includes discussion of the NCPS proposals.
- 67 Some Iwi commented that the reduced scope for area plans reduces their ability to influence management of conservation land, thereby impacting on some Treaty settlements. Engagement with Iwi will include consideration of how to uphold settlements in the new area plan framework.
- 68 Some activities that may in the past have required consultation with Iwi will now be covered by class concessions. Some Iwi noted that the cultural impacts of pre-approved and exempt activities should be fully considered for these activities and that these activities should not be undertaken on wāhi tapu. This feedback has been addressed through the terms and conditions to these activities. The NCPS will also specify where exemptions and pre-approvals will not be applied in certain specific areas where there will be a significant impact, including to cultural values.

Human rights

- 69 The proposals in this paper are consistent with the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993.

Use of external resources

- 70 Two contractors helped develop advice associated with this paper.

Consultation

- 71 Over July and August 2025, we consulted on some policy matters for the NCPS, seeking feedback from a targeted group of Iwi and key stakeholders. Fifty-seven stakeholders and Treaty partners made submissions. 31 were from Iwi or hapū (or Iwi-controlled organisations, such as PSGEs), 13 were statutory organisations, and the rest were recreational, commercial, and conservation organisations.

- 72 The following agencies have been consulted on this paper: Department of Internal Affairs, Land Information New Zealand, MBIE, Ministry for Culture and Heritage, Ministry for the Environment, Ministry for Regulation, Ministry of Housing and Urban Development, Ministry of Justice, Ministry of Transport, MPI, New Zealand Transport Agency, Te Puni Kōkiri, Te Tari Whakatau, Te Waihangā and Treasury. Crown Law, the DPMC and the Parliamentary Counsel Office have been informed.

Communications

- 73 I am not planning announcements on these decisions until the Bill is introduced. Decisions will be shared with PSGEs as part of ongoing engagement on how to uphold settlements in the new area plan framework.

Proactive release

- 74 I intend to proactively release this paper as soon as possible after decisions have been taken. Redactions will be applied as appropriate under the Official Information Act 1982.

Recommendations

The Minister of Conservation recommends that the Committee:

- 1 note on 30 June 2025, Cabinet approved changes to modernise conservation land management and invited the Minister of Conservation to report back on policies for the National Conservation Policy Statement (NCPS) which will unlock economic activity within appropriate constraints [CAB-25-MIN-0213];

Policies for the NCPS

- 2 note that Cabinet agreed in June 2025 that the NCPS will describe “exempt” and “pre-approved” activities to enable faster processing of concessions [CAB-MIN-0213.01 refers];
- 3 agree that the NCPS includes the list of exempt and pre-approved activities (along with the terms and conditions for each activity) detailed in the attached proposal document (Attachment 1);
- 4 agree that the NCPS requires the mapping of “visitor zones” detailed in the attached proposal document, to describe recreational and tourism values;
- 5 agree that the NCPS includes guidance about where the set of activities in the attached proposal document are likely to be consistent with visitor zones and statutory land classifications;
- 6 note that Cabinet agreed in June 2025 that the NCPS will specify what content an area plan can include [CAB-MIN-0213.01 refers] to support faster and more consistent interpretation of area plans during concession decisions;
- 7 agree that the NCPS will specify that area plans can include the content listed in the attached proposal document;
- 8 agree that the NCPS will specify that area plans cannot include area-specific policies, including limit-setting policies or concession conditions;
- 9 note that the limitation in recommendation 8 above would not apply to area plan provisions for visitor amenities areas to enable those plans to take a spatial planning approach to development within that zone [CAB-MIN-0213.01 refers];

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- 10 agree that the NCPS maintains limited discretion for authorising new private accommodation and clarifies that existing private accommodation may be authorised under certain conditions, including where the structure has or has had a valid authorisation at some stage, and where the structure meets all relevant requirements relating to its use for accommodation purposes (or can meet those standards within a certain timeframe specified in the concession agreement);
- 11 agree that the NCPS requires a condition to be placed on all private accommodation concessions that demonstrably limits the ongoing use of the structures for private accommodation purposes and that this includes a maximum term of 30 years, with no right of renewal;
- 12 note that Cabinet agreed in June 2025 that the NCPS and area plans can define Crown activities that will be exempt from district resource management rules [CAB-25-MIN-0213.01 refers] where they do not have a significant adverse effect beyond the boundary of conservation land;
- 13 agree that the activities listed in Appendix 5 of the proposal document can be exempt from district resource management rules, where conditions of the exemption are met;
- 14 agree to the other policies to guide management of specific activities as detailed in the attached proposal document.

Preparing the NCPS

- 15 note that drafting for the Conservation Acts (Land Management and Other Matters) Amendment Bill (the Bill) is underway based on Cabinet's June, July and September 2025 decisions;
- 16 note that the NCPS will be secondary legislation empowered by the Bill, and will be made after the Bill is enacted;
- 17 agree that the Department of Conservation will publish the attached NCPS proposal document to support the Environment Committee's consideration of the Bill;
- 18 invite the Minister of Conservation to direct DOC to commence consultation on the NCPS proposal document, and to draft the first NCPS;
- 19 invite the Minister of Conservation to report back to Cabinet on the final policies for the NCPS and draft NCPS;
- 20 agree to delegate minor policy decisions for the NCPS proposals in line with the intent of the policy agreed to by Cabinet [CAB-25-MIN-0213.01 refers] to the Minister of Conservation;
- 21 agree that the Minister of Conservation may make minor changes to the NCPS proposal document ahead of publication, in line with the overall policy outlined in this paper.

Authorised for lodgement

Hon Tama Potaka

Minister of Conservation

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