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Submission on modernising conservation land management

Introduction

As one of the leading environmental Non-Governmental Organisations (eNGOs) in New Zealand, World Wide Fund for Nature New Zealand (WWF) supports science-based, pragmatic solutions that can deliver a future where humanity lives in harmony with nature. WWF appreciates the opportunity to make a submission on modernising conservation land management.

WWF supports streamlining and modernising the conservation system; however, achieving improved conservation outcomes needs to be at the heart of these proposals. It is unclear how conservation will be better supported by these changes. WWF has concerns that the proposals as they currently are framed do not strike the right balance between prioritising conservation outcomes and driving economic growth.

With New Zealand facing a biodiversity crisis and many species at high risk of extinction, substantial investment in nature is essential. The current proposals fail to clearly outline how conservation will be enhanced and instead risk prioritising economic growth over biodiversity protection. The emphasis on streamlining lacks essential environmental safeguards, which could have harmful environmental implications without sufficient oversight.

WWF is concerned that changes may also disadvantage small operators and conservation groups in favor of large commercial interests. Greater flexibility in land exchanges and disposals raises the risk of losing valuable conservation land to commercial development. Additionally, the proposals weaken public participation by reducing notification requirements and engagement opportunities. Shifting decision-making authority to the Minister of Conservation away from Conservation Boards and the New Zealand Conservation Authority (NZCA) also removes essential checks and balances to ensure decisions made are in the environment and the public's best interest.

Changes would mean more Ministerial discretion and removing key checks and balances

WWF acknowledges that improvements to the planning system itself might be warranted to maximise management effectiveness, but it is unclear what the value is of more Ministerial discretion for approving National Conservation Policy Statements (NCPS). The Department was created in the wake of widespread public outcry over cutting down old growth forests on the West Coast. These circumstances led to the Conservation Boards being established to reflect the sentiment

that nature is a public good and should be managed both by the public and elected representatives of the public.

The mandate for Conservation Boards and their role in conservation management planning still exists. The model of Conservation Boards has also allowed us to do fairly well in protecting 33% of the country's land mass and looking after biodiversity. That should be celebrated and built upon rather than diverting more power into the executive, where political leaders may make short-sighted decisions that have long-lasting consequences.

The role of Conservation Boards and the NZCA is to provide oversight and checks and balances to make sure that decisions regarding conservation land are carefully considered. By removing this role, it makes unsustainable decisions more possible. Approvals that used to sit across conservation boards, the Minister and the NZCA would sit solely with the Minister, effectively eliminating a way to hold the Minister to account to uphold protections.

The proposal suggests granting the Minister of Conservation the final decision-making power to establish amenities areas within national parks. Currently, such areas can only be created through a management plan or its amendment, a process that involves public consultation. This change could reduce opportunities for public input in decisions about where commercial activities are permitted on conservation land. Amenities areas should not be granted on PCL if there are alternative areas available. The Minister is also allowed to establish an amenities area in a national park without requiring the recommendation of the NZCA, eliminating important input from conservation experts. It is in WWF's view that the Minister should not be given the power to establish amenities in areas without an open and transparent process where expert and public input can be given.

Conservation and improving biodiversity outcomes needs to be top priority

We are in the midst of a global biodiversity crisis with New Zealand having one of the highest rates of extinction per capita. Biodiversity in Aotearoa New Zealand is unique and essential to our culture, identity, and well-being. As of 2023, 94% of our reptile species, 82% of bird species, 80% of bat species, 76% of freshwater fish species, 22% of marine mammal species and 46% of vascular plant species are either facing extinction or are at risk of being threatened with extinction.¹ The major decline in our indigenous biodiversity is largely the result of the substantial reduction in the extent and quality of natural habitats. Pressures on our environment continue to degrade ecosystems including pressures of land-use change and intensification, pollution, natural resource use, climate change, and invasive species.²

It is critical that conservation outcomes are top priority for conservation land management. Addressing biodiversity loss is a priority internationally, as evident by global commitment to treaties like the Kunming-Montreal Global Biodiversity Framework (GBF), which sets out an ambitious pathway to reach the global vision of a world living in harmony with nature by 2050.³ New Zealand is a party to this treaty and others, each signalling our commitment to protecting nature. It is important for our international reputation that we uphold our commitment and do not backslide on these. In order to prevent further nature loss and improve biodiversity, we have to invest in nature now. Our recent *Nature Positive Aotearoa* report shows that investment in nature needs to increase by approximately 6.5 times the current spend - roughly \$22.5 billion per year – if we are to meet key targets under the Global Biodiversity Framework.⁴ These proposals need to be focused on improving conservation and prioritising biodiversity recovery.

¹ <https://www.stats.govt.nz/indicators/extinction-threat-to-indigenous-species/>

² Ministry for the Environment & Stats NZ (2022). New Zealand's Environmental Reporting Series: Environment Aotearoa 2022. Retrieved from [environment.govt.nz](https://www.environment.govt.nz)

³ <https://www.cbd.int/doc/decisions/cop-15/cop-15-dec-04-en.pdf>

⁴ <https://wwf.org.nz/sites/default/files/2024-11/A%20Nature%20Positive%20Aotearoa.pdf>

Streamlining concessions should not happen at the expense of the environment or seeking expert advice

WWF acknowledges the need to improve the concessions process and broadly supports the proposals' intent. However, there are some concerns about the equity of these proposals, as well as their environmental impacts.

Some of the proposed changes present the risk of unfairly excluding small operators and community groups. For example, the Minister initiating a competitive allocation process and the ability to return applications in favor of a competitive process (e.g. tendering) might push out small businesses and conservation-focused organizations in favour of well-funded commercial interests. Requiring applicants to submit additional information within 10 days might further disadvantage smaller operators who lack administrative resources to service within those timeframes.

There is also a lack of environmental safeguards as the proposal mainly focuses on efficiency and cost recovery but does not mention environmental impact assessments or how changes will protect conservation values. Speeding up approvals without strengthening environmental oversight could lead to more damaging concessions. Without stronger safeguards, it risks prioritising commercial interests over environmental protection. Increased concession activity in an area could also present environmental challenges and how to manage these situations is not covered in the discussion document. WWF supports Conservation Boards continuing to provide advice on concessions.

More flexibility for exchanges and disposals open up possibilities of more commercial activity on conservation land

The proposals aim to make it easier for land exchanges and disposals to occur, which presents a risk for Public Conservation Land (PCL) with conservation value being exchanged or disposed of to meet economic priorities. The discussion document claims that adjusting settings would support government priorities while providing a “net conservation benefit” and safeguarding vulnerable biodiversity.⁵ The term “net conservation benefit” is not defined in the document and, if not carefully designed, may end up as an offsetting scheme whereby one part of the conservation estate is enhanced to compensate for damage to another. Great care needs to be taken to develop a net conservation benefit approach, including that the approach would need to be underpinned by detailed assessments of conservation values by conservancy experts. We do not have confidence at this stage that creating more flexibility for PCL to be accessed for development and commercial activity will provide a net conservation benefit.

What is even more alarming is the attempt to align the Conservation Act 1987 with the Fast-track Approvals Bill, which has extremely high and widespread opposition from New Zealanders. The current setting restrictions on land exchange and disposal were developed to further prevent biodiversity loss and protect our taonga species. Strong protection of PCL is required in order to properly address the dual crises of biodiversity loss and climate change and it is critical that there are strict criteria for when land can be exchanged or disposed of. Since there is no conservation-focused criteria proposed, we recommend keeping the current criteria that only land of “no or low conservation value” can be exchanged.

The proposal seeks to restrict disposals to situations where “land is surplus to conservation needs”. WWF finds this phrasing extremely problematic. There is not a clear way to define or measure what a “surplus” to conservation needs is. Perverse outcomes could happen if things are defined this way, such as areas of “surplus” PCL being disposed of only to have their conservation value lost. This could result in a net loss of conservation value and biodiversity in the long run. WWF does not think the

⁵ Discussion Document 9.1

changes proposed to land disposal and exchange are fit-for-purpose and opposes broadening the scope of these mechanisms outside of stewardship land.

Limits the ability for the public to be involved in conservation land management

What is troubling is that these proposals appear to limit the public's ability to engage with conservation land management. Conservation land is a public resource that everyone should benefit from and have a say in how it is managed. WWF believes that some of the proposals aimed at streamlining regulation may weaken Treaty partner engagement and lead to less rigorous and comprehensive public engagement, thereby limiting community involvement in conservation decisions.

WWF is concerned about how the changes to the concessions process will impact Treaty partners. The proposal suggests giving 20 working days for Treaty partner response to concession applications, which could undermine the ability of under-resourced and lower capacity iwi and hapū to respond. While WWF agrees with the intent that ongoing engagement will help improve understanding of iwi interests and reduce the need for extensive responses on individual applications, reducing engagement in the short term could marginalize iwi/Māori voices in conservation decisions.

The proposal also reduces public notification requirements when it comes to concessions. Notifying the public only when DOC intends to approve an application, limits public scrutiny of controversial proposals. Other changes to notification requirements that are being considered include eliminating newspaper notifications or reduced frequency of public processes for concessions where the proposal is for ongoing similar use. Despite some of these notification processes generating little public input and interest, it is still important that the public is given the opportunity to do so. WWF opposes any additional relaxation of the public notice requirements for concessions, including for longer term concessions.

Conclusion

WWF supports modernising conservation land management but emphasises that conservation and biodiversity recovery must remain the top priority. New Zealand is in the middle of a biodiversity crisis, with high extinction risks for many species, and there is a need for significant investment in nature to meet international commitments like the Global Biodiversity Framework.

The proposals do not clearly demonstrate how conservation will be strengthened and instead risks prioritising economic growth over biodiversity protection. While changes to streamline the system are broadly supported, WWF is concerned that competitive allocation processes could favor large commercial interests over small operators and conservation groups. The focus on efficiency lacks environmental safeguards, potentially leading to damaging concessions without adequate oversight.

Increasing flexibility for land exchanges and disposals could lead to important conservation land being lost for commercial development. The proposals also limit public participation in conservation decisions by reducing notification requirements and engagement opportunities. The shift of greater decision-making power to the Minister reduces input by conservation experts and the wider public, removing key checks and balances.

WWF urges that these proposals be revised to ensure conservation remains the primary goal, with stronger safeguards against biodiversity loss and continued public and Treaty partner involvement in decision-making.