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Feedback on proposals for a National Conservation Policy Statement

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 provide feedback on proposals for a National Conservation Policy Statement (NCPS).

Aotearoa New Zealand's conservation system stands at a pivotal moment. We face a biodiversity crisis that is both unprecedented in scale and is accelerating. The proposed NCPS and associated legislative reforms should be an opportunity to reverse these trends, strengthen protections, and place biodiversity outcomes at the heart of conservation decision-making.

Instead, the plan for the conservation system appears to commercialise public land, put more decision-making powers in the hands of the Conservation Minister, and cut out New Zealanders from the process. Attempting to leverage our last remaining wild places and unique species without investing in their survival is the wrong approach for 'modernising' the conservation system. WWF urges the Government to prioritise legislative reforms that deliver measurable improvements for biodiversity. This means embedding ecological integrity as the primary purpose of the conservation system, aligning with our international commitments, and ensuring sufficient resourcing to halt and reverse biodiversity loss.

In a biodiversity crisis, legislative reforms of the conservation management system should deliver better outcomes for nature - not just make conservation lands easier to commercialise

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 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

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

Te Mana o Te Taiao - Aotearoa New Zealand's national biodiversity strategy under the UN Convention on Biological Diversity - strongly recommended that legislative changes and improvements to the conservation system were needed to address the biodiversity crisis. Instead, this government has prioritised legislative changes to the conservation system that enable commercial interests to profit and benefit from public conservation lands.³ We are disappointed that legislative changes that will actually benefit biodiversity and public conservation lands are not being progressed either as part of the NCPS or, in parallel to this work.

Addressing biodiversity loss is a global priority, as evident by the 196 countries that have adopted the Kunming-Montreal Global Biodiversity Framework (GBF), a framework which sets out a pathway to reach the global vision of a world living in harmony with nature by 2050.⁴ New Zealand adopted the Framework, signalling our commitment to protecting nature and fulfilling our obligations under the Convention on Biological Diversity. New Zealand faces significant reputational risks on the world stage if we do not uphold our commitments and invest in nature now.

Commercialisation of the conservation system must not be a substitute for necessary investments to ensure the survivability of our unique biodiversity

The Parliamentary Commissioner for the Environment's (PCE) submission on New Zealand's Biodiversity Strategy implementation plan emphasised that the current rate of biodiversity decline in New Zealand is outpacing the resources allocated to address it.⁵ The PCE's concerns underscore a critical gap between the scale of the problem and the resources available to tackle it, particularly regarding the protection, restoration, and sustainable management of ecosystems and species.

Nature underpins New Zealand's \$44 billion tourism industry, supports agriculture through ecosystem services such as pollination, soil stability, and freshwater quality, and enhances climate resilience through flood regulation and carbon sequestration.⁶ 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.⁷ The breakeven year, where economic benefits outweigh the total costs is 2035, which is only 10 years away, with the potential to realise \$270 billion in benefits.⁷

The Department of Conservation (DOC) continues to face significant funding challenges due to chronic underfunding and growing cost pressures to the tune of hundreds of millions of dollars. Based on recent severe weather events, it is also expected that DOC will face additional annual cost pressures of at least \$12 million.⁶ The Department already manages a third of the land in Aotearoa with only 0.44% of the Government's budget, with half of its assets fully depreciated, and is required by this Government to cut another 6%.⁸

The International Visitor Levy (IVL) was originally designed to be split 50:50 between tourism infrastructure and conservation. While we acknowledge the increase in the overall IVL amount charged, it is notable and troubling that a smaller proportion of the revenue is now directed to biodiversity efforts.⁹ These financial decisions directly undermine the conservation management system's potential to deliver improved conservation outcomes. Any effort to increase the

³ <https://www.doc.govt.nz/globalassets/documents/conservation/biodiversity/anzbs-2020.pdf>

⁴ <https://www.cbd.int/doc/decisions/cop-15/cop-15-dec-04-en.pdf>

⁵ <https://pce.parliament.nz/media/ldojbeeg/pce-submission-on-new-zealand-s-biodiversity-strategy.pdf>

⁶ <https://environment.govt.nz/assets/publications/Environmental-Reporting/Our-land-2024.pdf>

⁷ <https://wwf.org.nz/sites/default/files/2024-11/A%20Nature%20Positive%20Aotearoa.pdf>

⁸ <https://www.doc.govt.nz/globalassets/documents/getting-involved/consultations/2024/access-charging/cabinet-paper-growing-third-party-revenue-cabinet-committee-minute.pdf>

⁹ <https://www.mbie.govt.nz/immigration-and-tourism/tourism/tourism-funding/international-visitor-conservation-and-tourism-levy/projects-funded-by-the-ivl>

commercialisation of our public conservation assets cannot be at the expense of critical investments to ensure the survivability of nature in those areas.

Streamlining the conservation management system must have regard for our unique environments and biodiversity

WWF recognises that some aspects of the current statutory system are fragmented, slow, and deliver variable outcomes across regions. Standardising values, enabling visitor-zoning, improving concessions processes and having a more consistent layer of area plans could deliver clearer decision-making and reduced duplication. However, caution needs to be exercised to ensure any efficiency measures aren't at the expense of ecological protection.

WWF acknowledges the need to improve aspects of the conservation management system and broadly supports the proposal's intent to streamline and improve efficiency. The development of a single layer of area plans with objectives and values established for certain areas, and no statutory timeframe for updating them, may enable more responsive planning. Improvements to concessions processing, if properly resourced and accompanied with environmental assessments, could provide efficiency without compromising ecological integrity.

Nevertheless, in reality, each place will have unique circumstances and values that need to be reflected in area plans. Efforts to standardise values and establish visitor zones can be an opportunity to support more consistent and streamlined decision-making, but there still needs to be consideration of place-based context. Therefore, the values identified by area plans should not be solely limited to those outlined by the NCPS.

The proposal to have activities that are considered "low impact" be "pre-approved" or "exempt" from a concession may be appropriate for some places, but not necessarily for all. For example, using small water taxis in most areas would be considered low impact, but not between Maunganui Bluff and Whanganu where the last remaining Māui dolphins are. As well, an activity that is pre-approved may lead to an increase in the prevalence of that activity. There needs to be clear ecological goals and environmental bottom lines for area plans to support the monitoring of effects, including cumulative impacts.

All efficiency gains must be conditional on strengthened environmental safeguards to prevent prioritisation of short-term economic gains over long-term ecological integrity. Streamlining that reduces independent scrutiny, disregards place-based considerations and opens the door for a potential overflow of commercial activity risks faster decisions but worse ecological outcomes. The NCPS should therefore include minimum environmental standards and mandatory risk-assessment triggers for high-value areas to ensure plans are reviewed against ecological indicators.

Limiting public input and engagement via Conservation Boards undermines the legitimacy and effectiveness of conservation management

The proposals aim to shift approval and oversight functions away from the New Zealand Conservation Board Authority (NZCA) and Conservation Boards and give them to the Minister of Conservation. Under the proposals, the NZCA will lose its approval function for the General Policy for National Parks as this policy, along with the Conservation General Policy, would be replaced by the NCPS, with approval function sitting with the Minister. NZCA will also lose its approval function for Conservation Management Strategies and National Park Management Plans as these would be replaced by area plans. Conservation Management Plans would be replaced by area plans approved by the Minister rather than Conservation Boards. Under this proposal, functions of the NZCA and Conservation Boards are now only advisory in nature with no oversight of conservation management planning activities.

Public Conservation Land (PCL) comprises roughly one-third of Aotearoa's land area and is a shared legacy for all New Zealanders, both now and in the future. It is land that belongs to all of us without condition. The public's expectation of this remains as strong today as it was when the Conservation Act was established. We are concerned that the proposed legislative changes to the conservation management system will erode the public's ability to engage with conservation land management. Public and stakeholder involvement in nature conservation have been a defining feature of New Zealand's statutory framework for conservation since 1987, and viewed as a key mechanism for achieving conservation outcomes.

Some of the proposals aimed at 'modernising' the system, such as changes to the role of the NZCA and Conservation Boards, are likely to dilute the important voices of the public and key stakeholders. The DOC was created in the wake of widespread public outcry over cutting down old growth forests on the West Coast. These circumstances underscored the value of local environmental knowledge and expertise, and public and stakeholder collaboration, to help find durable solutions to complex environmental socio-economic problems. Conservation boards were seen as a way to help diffuse contentious management decisions by giving stakeholders and iwi/Māori an active role, alongside elected representatives, in decisions affecting the conservation estate. We agree with the PCE's comments in their submission on *Modernising Conservation Land Management*, "the proposals suggest that all conservation decisions would be left to political discretion. Given that DOC manages an estate of immense size and importance on behalf of current and future generations, it is wise to limit the powers of a Minister, who is by nature a temporary officeholder subject to the political pressures of the moment."¹⁰

Pushing these proposals forward without addressing these concerns makes clear that this Government's priority is to use public conservation land primarily as a resource for economic recovery, and the best way to do that is to cut out a long-standing principle of collaborative stakeholder engagement. Conservation Boards provide local representation, reflect diverse perspectives, enhance accountability and safeguard long-term interests in the wake of political or economic pressures. Preserving these attributes in conservation management planning is even more important now amidst a twin crises of climate change and biodiversity loss.

Public involvement and local knowledge is essential to the stewardship of PCL. Public engagement enhances the quality and durability of conservation decisions, and removing or weakening these avenues risks poorer ecological and social outcomes. Limiting community involvement in conservation decisions also reduces public scrutiny and accountability measures in PCL management. By diverting more power into the executive, we could lose oversight and important checks and balances that guarantee decisions regarding conservation land are carefully considered in the public's best interest and for future generations.

The use of select committee engagement as the sole means of public input into the NCPS is an inadequate substitute for the robust and participatory processes that conservation planning has historically relied upon. The public has a legitimate and long-standing stake in how conservation land is managed. Select committee processes are an important part of democratic review but are not a substitute for the iterative, participatory engagement that conservation planning requires on the ground. Effective conservation planning requires early and ongoing engagement with communities, hapū/iwi, scientists, recreational users, businesses, and tangata whenua, not a single parliamentary consultation window.

¹⁰https://pce.parliament.nz/media/rlojwcr/submission-on-modernising-conservation-land-management_discussion-document.pdf

It is important to protect the integrity of the National Parks Act and other conservation designations

Policies on exchange and disposal of conservation land are still in development, but WWF is concerned that land exchange and disposal policies could result in more widespread disposals of public conservation land. We also have concerns that these policies may lead to changes to the purpose of the National Parks Act 1980. Any such move would be highly contentious, as the Act provides essential protections for some of our most treasured places.

If the NCPS or associated reforms enable the reclassification or disposal of protected land for commercial benefit, this will represent a direct threat to the integrity of New Zealand's conservation framework. This will also likely erode public trust and damage our international reputation as a leader in conservation. The NCPS must therefore explicitly safeguard the statutory purposes of the National Parks Act and other protection designations rather than create mechanisms that could be used to erode them. Such erosion could result in a loss of biodiversity or public access to conservation land.

The proposed NCPS needs to better recognise Māori Interests in conservation land

The NCPS proposals mark a concerning departure from the Supreme Court's interpretation of the Crown's obligations under the Treaty of Waitangi, specifically the principle of active protection via contestable concessions applications as outlined in *Ngāi Tai ki Tāmaki Tribal Trust v Minister of Conservation [2018] NZSC 122*.¹¹ The Court's judgement clarified important Crown obligations under the Treaty of Waitangi and emphasised meaningful engagement in conservation contexts.

Many iwi see conservation land as Māori land—land that was wrongfully taken, much of it never returned. Conservation land is also central to the spiritual, cultural, and economic aspirations of many iwi. As articulated in the *Options Development Group Report*, for conservation efforts to succeed, Māori must be full and equal partners in the governance, planning, and management of these lands.¹² Long-standing Crown-centric administration of conservation policy has failed to give full effect to Te Tiriti principles, and the report recommended a suite of reforms to embed Treaty obligations into policy and practice, including stronger roles for iwi/hapū in governance, planning, and operational delivery.

It is hard to know what is envisioned in this respect, given the lack of detail, but WWF is concerned that instead of embracing the Court's guidance to embed active protection of Māori rights and interests, the Government may choose to re-interpret this principle—effectively diluting its application in a conservation land management context. WWF would also like to caution against any departure from Section 4 of the Conservation Act 1987, which dictates this Act to be interpreted and administered as to give effect to the principles of the Treaty of Waitangi.¹³

The NCPS must not sidestep these issues. Conservation is only possible through a system that fully honours Te Tiriti o Waitangi, respects iwi and hapū relationships with land, and enables Māori aspirations. As currently proposed, the NCPS risks perpetuating a Crown-centric model that continues to marginalise Māori voices. This is deeply disappointing and raises serious questions about the Government's commitment to the Treaty and to upholding mana whenua rights in conservation. WWF believes that conservation is only possible through ensuring both the Treaty and iwi/Māori rights and interests are upheld.

¹¹ <https://www.courtsofnz.govt.nz/assets/cases/2018/2018-NZSC-122.pdf>

¹² <https://www.doc.govt.nz/globalassets/documents/our-work/options-development-group/options-development-group-report-march-2022.pdf>

¹³ <https://www.legislation.govt.nz/act/public/1987/0065/latest/DLM104078.html>

Conclusion

WWF supports reform of the conservation system, but it cannot prioritise commercial use and administrative convenience over environmental protection and Treaty justice. The biodiversity crisis demands urgent, ambitious, and well-resourced action in order to protect the natural heritage that defines Aotearoa New Zealand. As currently drafted, the proposal risks enabling weaker protections, diminished public and iwi involvement, and further strain on an already underfunded conservation system. WWF New Zealand urges the Government to reorient the NCPS towards a nature-positive future, one that places biodiversity protection at its core, recognises and honours Māori rights and relationships with conservation land, maintains robust public oversight, and meets our international commitments.