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Environment Committee
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Submission on the Conservation Amendment Bill

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 the Conservation Amendment Bill. Reform to our conservation legislation should deliver enduring, well-resourced, and effective gains for biodiversity protection across Aotearoa New Zealand.

WWF-New Zealand does not support the Conservation Amendment Bill in its current form. While it contains a number of worthwhile administrative improvements, the Bill fundamentally changes the purpose and operation of New Zealand's conservation system in ways that risk weakening longstanding protections for nature.

The Bill represents the most significant reform to New Zealand's conservation system in decades. It proposes extensive changes to the Conservation Act 1987, including major changes to planning frameworks, concession processes, and decision-making structures. These reforms will have long-term implications for how conservation land is valued, managed, and used into the future.

WWF supports streamlining and modernising the conservation system, recognising long-standing inefficiencies in concession processes and conservation management planning. These shortcomings have been widely acknowledged and are a source of frustration to both the Department of Conservation and those seeking to engage with it; in that context, some of the proposed reforms are constructive. Simplifying concession processes, clarifying decision-making pathways, reducing unnecessary administration burdens for low-risk activities, and introducing more flexible planning tools are all practical improvements. Measures such as pre-approving genuinely low-risk activities and introducing visitor levies at high-use sites could enhance efficiency and provide additional funding for conservation, if implemented transparently and with appropriate safeguards.

However, these administrative improvements are outweighed by a series of much more significant changes that fundamentally alter the purpose and direction of conservation in New Zealand. Improving conservation outcomes must remain the central objective of any reform. Conservation lands and waters belong to the people of Aotearoa, and these areas exist to protect New Zealand's unique and threatened biodiversity, landscapes, ecosystems, and historic places. They provide habitat for threatened species, safeguard ecosystem services, strengthen climate resilience, support recreation and tourism, and embody values held dear by many New Zealanders. This Bill goes beyond targeted improvement. Taken together, the proposed changes move the system away from

a precautionary, protection-focused approach towards a more permissive model that enables greater use, development, and revenue generation on conservation land. WWF is concerned that the Bill, as currently framed, does not strike an appropriate balance between protecting biodiversity and supporting economic activity.

As it is drafted, the Bill fails to clearly outline how it will improve conservation outcomes or reverse New Zealand's worsening biodiversity crisis and falls short of the urgent and transformative action needed to halt and reverse nature loss. Conservation legislation updates must be targeted at delivering measurable improvements in biodiversity outcomes, not just incremental change. Experts have already identified key statutes, including the Marine Mammals Protection Act 1978, the Reserves Act 1977, and the Wildlife Act 1953, as requiring significant and enduring reform to ensure they are fit for purpose and capable of addressing today's conservation challenges. Instead, the Bill introduces provisions that elevate economic development within conservation decision-making, increase opportunities for development on conservation land, weaken public participation, and reduce independent oversight.

We note that the Government has announced it will remove the problematic provisions that would have provided greater flexibility for the disposal and exchange of conservation land. Reform of this scale must be guided by a clear principle that conservation legislation exists to protect and restore nature. Streamlining processes may be desirable, but it must not come at the expense of environmental safeguards, public accountability, or the long-term integrity of New Zealand's conservation estate.

Our submission outlines WWF's key concerns and recommends amendments to ensure conservation remains the overriding purpose of New Zealand's conservation legislation and management framework.

This Bill creates a significant shift in the purpose and direction of conservation management

The proposed amendments to section 6 are the most significant and concerning provisions in the Bill because they fundamentally change the statutory purpose of the Department of Conservation. They signal a shift away from a conservation-first approach towards one in which enabling economic development becomes an explicit departmental function.

The amendment introduces a new function requiring the Department *“to recognise the economic opportunities that arise from the use and development of land and other natural resources and historic resources managed by the Department, and to enable this use and development to the greatest extent practicable under this Act and other enactments:”*

This amendment represents a notable departure from the Department's existing mandate. Economic use and development are already provided for through concessions and established processes that allow appropriate activities where they are consistent with conservation objectives. Although supporting documentation suggests that conservation remains the primary purpose of the Act, explicitly elevating “use and development” to a core departmental function risks placing greater emphasis on economic interests than is appropriate for conservation legislation. We note this was a late-stage addition to the Bill as it was not included in the proposals consulted on in February 2025. Given the potentially significant impact on the Department's core functions, bypassing public input and scrutiny—while undermining transparency and due process—is unacceptable.

New Zealand's natural environment is unique and fundamental to our culture, identity, and wellbeing. It is why people come from all over the world to visit New Zealand. Nature and

conservation-related tourism are worth around \$3.4 billion annually to our economy.¹ Conservation law in New Zealand has historically been grounded in the protection of our natural and historic resources, with use permitted only where it does not undermine conservation values. By placing use and development alongside conservation as core objectives, the Bill introduces a significant policy shift that reframes the conservation estate as an economic resource.

While it is reasonable to recognise that public conservation lands and waters can support economic activity, this must not come at the expense of their primary purpose of protecting New Zealand's wild places, species and ecosystems. This concern is particularly elevated given New Zealand's ongoing biodiversity crisis. A significant proportion of our native species are currently at risk of extinction, with New Zealand having one of the highest rates of extinction per capita.

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.² Pressures on our environment continue to degrade ecosystems, including land-use change and intensification, pollution, natural resource use, climate change, and invasive species.³ The conservation estate plays a critical role in addressing these pressures and providing safe habitats for our biodiversity.

At a time when biodiversity loss is accelerating, conservation legislation reform should be strengthening protections, not weakening them. Addressing biodiversity loss is also an international priority, reflected in global commitments such as the Kunming–Montreal Global Biodiversity Framework (GBF), which includes a target to effectively conserve at least 30% of land and water areas through well-managed, connected, and fair conservation systems.⁴ As a signatory, New Zealand must ensure its domestic legislation aligns with and strengthens these commitments, as it is a risk for our international reputation to backslide on these.

Substantial and sustained investment in nature is also urgently needed. WWF's *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.⁵ Reforms should therefore be clearly focused on strengthening conservation outcomes and accelerating biodiversity recovery.

To ensure that conservation remains the primary purpose of this conservation legislation, we recommend the following change:

- Remove clause 6 of the Bill in its entirety to ensure conservation remains the primary objective and to avoid unnecessary ambiguity.

This Bill opens land for development, while reducing safeguards and compounding risks

The Bill creates a substantially more development-focused framework for managing conservation land. Although several of the proposed amendments have merit, safeguards and clear environmental bottom lines remain essential. Collectively, the reforms increase the likelihood of expanded use, particularly in areas already under pressure. While individual activities may be

¹ <https://www.doc.govt.nz/news/media-releases/2025-media-releases/otago-tourism-school---public-lecture/>

² <https://www.stats.govt.nz/indicators/extinction-threat-to-indigenous-species/>

³ Ministry for the Environment & Stats NZ (2022). New Zealand's Environmental Reporting Series: Environment Aotearoa 2022. Retrieved from environment.govt.nz

⁴ <https://www.cbd.int/gbf/targets/3>

⁵ <https://www.wwf.org.nz/sites/default/files/2024-11/A%20Nature%20Positive%20Aotearoa.pdf>

appropriately assessed, the cumulative effects of multiple developments are inherently harder to manage and are likely to be underestimated.

A key risk is the reduced scrutiny for pre-approved and exempt activities through the National Conservation Policy Statement. Some activities may proceed without a detailed, case-by-case environmental assessment, which may be appropriate for genuinely low-impact activities. But there are risks that the scope of such classifications could include activities with more substantial effects, be incompatible with certain locations, or involve multiple activities with cumulative effects. This change, in combination with the new functions of the Department, means it is much more likely that development would be permitted or exempt without appropriate consideration of conservation values.

The introduction of Visitor Amenities Areas also illustrates the shift toward more development on public conservation land. These areas allow for infrastructure such as accommodation, transport services and commercial facilities, and can override broader protection planning. While intended to support visitor experiences, they also create the potential for localised degradation of conservation values, increased disturbance to ecosystems, and greater pressure from visitation.

To strengthen safeguards while maintaining appropriate flexibility, we recommend the following changes:

- Amend new section 13E (clause 15) on pre-approved and exempt activities to ensure conservation values must be maintained or enhanced; and
- amend new Part 3D (clause 23) to strengthen safeguards for Visitor Amenities Areas, such as requiring an independent ecological assessment.

This Bill increases the scope for land exchanges and disposals, weakening conservation protections

The Minister of Conservation has indicated that, in response to public concern, the provisions relating to land exchange and disposal will be removed from the Bill. WWF would welcome this change as these provisions create more flexibility to exchange and dispose of conservation land, which undermines the protection currently provided to these areas. Enabling up to 60% of our public conservation land to be exchanged or disposed of is irresponsible, as many of these places provide habitat for biodiversity, hold deep cultural meaning, and are vital to communities and tangata whenua. Protecting sufficiently large and representative areas of land is crucial to maintaining ecological function, cultural significance, and long-term environmental health.

The Bill, in its current form, does not provide sufficiently robust or fit-for-purpose criteria for land exchange and disposal. While there may be legitimate cases where certain low-value conservation lands could be released, there is already an existing process to allow for this.

The Bill's requirement for a "net conservation benefit" is inherently subjective and allows for trade-offs between very different types of ecological and historic values. Land exchanges may not be equivalent in ecological function or biodiversity significance, risking the loss of specific conservation values in favour of more generalised or quantifiable gains. The legislation also allows for unlike-for-like exchanges, meaning that land with distinct or rare features could be traded for land with entirely different attributes, so long as the overall assessment favours the exchange. This risks highly localised or unique habitats being irreversibly destroyed or degraded without genuine replacement, particularly where assessments rely on future improvements or financial contributions that may not materialise within meaningful ecological timeframes.

The provisions enabling land disposal further lowers the threshold for removing land from conservation status by focusing on whether areas are "critical" for threatened species or not among

the “best” examples of their type. This approach overlooks the interconnected nature of ecosystems and the broader importance of less prominent areas in supporting biodiversity, habitat connectivity, and resilience.

These provisions also risk the gradual erosion of the conservation estate, particularly where pressures for development or land use change are high. Once land is exchanged or disposed of, it could permanently lose its conservation status, and even though covenants or easements may be applied, these mechanisms do not provide the same level of long-term protection, enforceability, or public oversight. Combined with the broad discretion granted to the Minister, these provisions raise concerns about the consistency and transparency of environmental decision-making, leaving it vulnerable to short-term pressures, rather than being firmly grounded in long-term environmental stewardship.

Acknowledging the Minister’s announcement, we recommend that the Committee remove the provisions relating to land exchange and disposal, as there is already an existing process to exchange or dispose of land with no or low biodiversity or conservation value.

Increased Ministerial discretion and reduced public engagement in conservation decision-making

Governance and decision-making arrangements are significantly altered by the Bill, resulting in a clear centralisation of power in the hands of the Minister. This includes decisions relating to concessions, land exchanges and disposals, policy setting, and planning approvals. At the same time, the roles of the New Zealand Conservation Authority (NZCA) and Conservation Boards are reduced, with their functions shifting largely to advisory roles.

In WWF’s view, this reduction in independent oversight is concerning. Conservation Boards and the NZCA play an important role in providing checks and balances, ensuring that decisions about public conservation land are carefully considered and informed by a range of perspectives, including ecological expertise and public input. Increasing reliance on Ministerial discretion raises the risk that decisions may be influenced by short-term political considerations rather than long-term environmental stewardship, while also reducing accountability.

The Bill also weakens transparency and public participation. Public conservation land and waters are a shared national resource, and their management should reflect community values and interests. However, the proposed changes significantly narrow the circumstances in which concession applications must be publicly notified. Mandatory notification is limited to leases and longer-term licences, while most other applications are subject only to Ministerial discretion. This creates a risk that many activities with potentially significant environmental effects may proceed without public awareness or scrutiny.

Further exemptions from notification, such as for renewals or extensions of existing concessions, grazing licences, or applications the Minister considers “unlikely to grant,” reduce opportunities for oversight. Environmental impacts often occur cumulatively over time, and this proposal may allow intensifying uses of public conservation land to be renewed without the safeguard of public input. Public participation is further constrained by the removal of any automatic right for submitters to be heard, even though hearings provide an important opportunity to test evidence, clarify concerns, and ensure decision-makers are fully informed.

To restore public engagement and checks and balances, we recommend the following changes:

- Amend sections 6B and 6M (clauses 7 and 9) to strengthen roles for the NZCA and Conservation Boards in land planning and management decisions;
- amend section 14R to require public notification to cover all proposals with more than minor impacts; and

- amend section 14S and 16D to restore the right to a hearing for submitters, especially for significant or contested proposals.

Māori leadership should be strengthened in our conservation system

Upholding Treaty obligations and Takutai Moana rights are a must, but clarification of section 4 has both potential benefits and risks. Specifying steps and processes could improve clarity, consistency, and implementation of Treaty obligations. However, there is a significant risk that classifying these requirements narrows the currently broad and powerful duty to “give effect to” Treaty principles, turning it into a procedural checklist rather than a central obligation. This could limit flexibility, weaken the role of courts and iwi in shaping how the Treaty is applied, and reduce the strength of protections for Māori rights and interests.

Regarding concessions, the Minister “may” invite written comments from Māori groups, rather than being required to do so, and responses are generally constrained to 20 working days unless Treaty settlement provisions specify a longer timeframe. This approach risks marginalising iwi and hapū, particularly those with limited capacity to respond within short timeframes, and shifts control over engagement processes to the Minister. Māori knowledge systems, values, and practices prioritise the interconnectedness of people and nature, supporting sustainable resource use and long-term ecosystem health. Incorporating Māori perspectives into conservation leads to more holistic and effective environmental outcomes, grounded in stewardship, biodiversity protection, and respect for future generations.

At its core, effective conservation depends on enduring partnerships and shared stewardship. Ensuring that Treaty partners have meaningful opportunities to contribute to decision-making is not simply a procedural requirement, but fundamental to achieving conservation outcomes that are durable, equitable, and reflective of Aotearoa New Zealand’s unique legal, cultural, and environmental context. Any reforms should therefore strengthen, rather than diminish, the role of Treaty partners in shaping the future management of conservation lands, waters and resources.

To strengthen Māori leadership in our conservation system, we recommend the following change:

- Amend section 4A (clause 5) to move beyond procedural consultation requirements to support genuine partnership with iwi and hapū, including early engagement, Māori leadership, and meaningful influence in conservation planning and decision-making; and
- amend section 14T to strengthen Māori engagement, making it mandatory, earlier, longer, and properly resourced.

Conclusion

WWF agrees that Aotearoa New Zealand’s conservation planning and management requires modernisation, and we support efforts to improve administrative processes, increase clarity, and enable more effective management of conservation land. New Zealand is in the midst of a biodiversity crisis, and while we think some of the proposals in the Bill are useful, there are more important and time-critical interventions required to halt and reverse nature loss in Aotearoa.

The Conservation Amendment Bill does nothing to address this crisis and instead takes our conservation policy in the wrong direction. The scale and direction of these proposed reforms represent a fundamental shift in the purpose, governance, and operation of conservation management in New Zealand.

As currently drafted, the Bill risks weakening the core principle that conservation land exists first and foremost to protect and restore nature. Provisions that elevate economic use and development, expand development opportunities while reducing safeguards, increase flexibility for land disposal,

and centralise decision-making authority collectively create a more permissive system that may undermine long-term environmental outcomes.

Reform of this magnitude must be grounded in a clear and unwavering commitment to protecting biodiversity, maintaining ecological integrity, and upholding the public interest. Streamlining processes and enabling appropriate use of conservation land are worthwhile goals, but they must be supported by strong environmental bottom lines, robust oversight, meaningful public participation, and genuine partnership with tangata whenua.

WWF urges the Committee to withdraw and substantially rewrite this Bill to restore conservation as the overriding purpose of the legislation, strengthen environmental safeguards, maintain independent oversight and provide for transparent, accountable decision-making. This will ensure public conservation land and waters continue to be managed first and foremost for the protection and restoration of nature. WWF requests the opportunity to speak to the Select Committee on this submission.