



Submission on the Conservation Amendment Bill

Submitter: Civic Trust Auckland

Introduction

1. Civic Trust Auckland (CTA) is a non-profit community group formed in 1968, with interests in both the built and the natural environment. We are a regular submitter to Auckland Council and to central government. We have recently submitted on the Environment (Disestablishment of Ministry for the Environment) Amendment Bill, the Fast-track Approvals Amendment Bill, the Review of Standing Orders 2026, and the Overseas Investment (National Interest Test and Other Matters) Amendment Bill. Auckland includes a significant number of public conservation areas, such as the Aotea Conservation Park, Little Barrier Island, Waitākere Ranges Regional Park and the Hunua Ranges Regional Park, as well as a number of reserves in the Hauraki Gulf Marine Park.

2. The purpose of the Conservation Act is for the government to protect our conservation land in perpetuity. This land has been set aside to benefit all New Zealanders, now and in the future. It comprises our country's most special landscapes, cultural heritage, ecological systems, fauna and flora. It is home to 28,000 endemic species found only in New Zealand, with currently more than 4,000 threatened or at risk of extinction. These include 94% of reptiles, 82% of birds, 80% of bats and 76% of freshwater fish.

3. Some of these places are conservation land as a result of the public's concerted efforts over many generations to protect them, going back to the Tongariro National Park Act 1894, for which Ngāti Tūwharetoa advocated throughout the 1880s and 1890s, resulting in the country's first national park. We are aware that at least 75,000 submissions were made to this bill prior to the extension period being granted, and note the comment of the Environmental Defence Society that, "This extraordinary level of public engagement reflects just how strongly New Zealanders care about the future of our conservation estate."

4. Conservation land also has a role in attracting tourism, providing recreational spaces, and protecting ecosystems and water quality. Introducing visitor amenities areas to provide for the development and operation of recreational and public amenities on conservation land can be positive, as long as this is consistent with conservation values.

5. We acknowledge that streamlining and modernising the management planning framework of the Act could mean positive changes. We sympathise with operators who have had to wait a long time for concessions, but suggest that this signals the need for more staff rather than the need to change legislation. We also do not accept

that because a piece of legislation is 40 years old it is necessarily outdated and no longer working as it should.

6. However, as with our submission on the Fast-track Approvals Amendment Bill, we consider that this Bill would further weaken environmental protections. The changes proposed are contrary to the purpose of the Conservation Act. We do not agree with the Minister of Conservation's view that the Act should strengthen regional prosperity. Neither do we share his view that this Bill is a "once-in-a-lifetime opportunity to reform conservation legislation" unless he is referring to his own opportunity to do so.

7. We support enabling an international visitor's levy for some conservation land areas, as long as the revenue gained would support conservation work, such as that referred to by the Minister, like reinvesting in biodiversity and saving birds.

8. CTA is concerned about certain parts of the proposed legislation and we therefore **strongly oppose** the Conservation Amendment Bill in its current form. We acknowledge that the land exchange and disposal provisions are slated to be removed from the Bill, and we support this. However, we are submitting on the Bill as it currently stands, recognising that the stated removal of provisions could be reversed after the general election.

9. Notwithstanding our support for the slated removal of the disposal clauses, we note the Act in its current form states that "any proceeds from the disposal must be paid into a Crown Bank Account and applied in accordance with new section 15U". Section 15U itself only provides, however, for those proceeds to be applied to the land purchases or expenditure on capital assets under this Act. Given the Minister's reference to reinvesting in biodiversity and saving birds, Section 15U therefore would require expansion to allow those proceeds to be applied to such conservation activities on conservation land.

CTA's objections

10. The Bill does not sufficiently uphold conservation and biodiversity protection, which is the current purpose of the Act. Instead, it proposes to change the purpose of the Act, "to ensure that wider reforms to the conservation land management system enable greater economic development on conservation land." In CTA's view the Act must retain its purpose of conservation, with any other considerations as subordinate to that purpose.

11. Changing the purpose of the Act to enable the envisaged commercial development of conservation land could mean the loss and destruction of the values for which this land was designated as public conservation land. CTA is therefore opposed to this proposed change to the purpose of the Act, being the conservation of New Zealand's natural and historic resources.

12. Currently, conservation land can only be disposed of if it has no or very low conservation values. CTA understands that Bill in its current form proposes to make 60% of public conservation land eligible for sale or exchange, including most conservation park land and scenic reserves. The possibility of this amount of conservation land being able to be disposed of at any time means that these publicly accessible wild places, such as hiking trails and beaches, could be privatised and therefore become shut off to the public, their flora and fauna would no longer be protected, and any future treaty settlement options would be removed with regard to that land.

13. Under the Bill, the Minister of Conservation would only be restricted from disposing of conservation land if the land is considered important for threatened species or ecosystems or it is one of the best examples of that habitat type in its ecological district. The Bill extends the categories of land that could be disposed of or exchanged, including many areas with high conservation values. This loss of land would be irreversible and result in land being sold to mining companies or for other destructive and extractive industrial activities, land which could be the habitat of at-risk species, such as the kākā, the kākāriki, and the northern blue penguin. For this reason, CTA objects to changing the rules about disposal of conservation land.

14. CTA is concerned about the replacement of Section 6(e) (which provides for uses of conservation land for recreational and tourist uses to the extent they are not inconsistent with its conservation) with new sections 6(e) and 6(ea) as follows:

6(e) *“to foster the use of land and other natural resources and historic resources managed by the Department for recreation to the extent consistent with their conservation,”* and

6(ea) *“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 requirement would clearly enable greater economic development on public conservation land, but CTA views the phrasing “to the greatest extent practicable” as ambiguous and potentially a serious threat to conservation. Furthermore, DOC was entrusted with public conservation land for the public, which should in CTA’s opinion mean public use and not economic development. This amendment would change the core functions of DOC. Conservation values should remain the priority, instead of the requirement to balance conservation with economic opportunities. The comment by Mr Foster MP: “that if we can actually get some value out of those areas then people can invest with confidence” perhaps sums up the government’s focus on wanting to make significant money out of public conservation land.

15. For the same reason, CTA objects to the proposed section 13D about the purpose of the new National Conservation Policy Statement (NCPS), in particular 13D(2)(b), which states the purpose of the NCPS as being 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 those Acts.”*

16. The Bill proposes reducing the scrutiny required for certain commercial activities on public conservation land, enabling more development in specific areas, and shifting key decision-making powers to the Minister of Conservation. CTA would prefer the statutory authority of the New Zealand Conservation Authority and Conservation Boards’ politically independent voice and influence retained.

17. Obligations to iwi are being “clarified,” with extensive changes to Te Tiriti provisions and rewriting of past Treaty settlements, which have not been negotiated, and reducing the Crown’s Tiriti o Waitangi commitments and obligations. We endorse the concern of Māori that the Bill could weaken protections for land, wāhi tapu sites, and taonga species if commercial activities become easier to approve, and also that consultation with iwi and hapū may become limited, along with consultation with the general public.

18. The first new conservation policy would be enabled to be developed completely without public consultation. Overall, consultation is being limited, with no requirement

to hold hearings. It is CTA's view that the best results for any matter under discussion are the outcome of robust, inclusive and extensive consultation with all affected parties, not the least of which should be the interests of the public that the government represents.

19. We note that the Department of Conservation has stated that aside from owning land, they have very few levers to protect the species that live on that land and the ecosystems that support them, and that the disposal of conservation land means there would no longer be any statutory obligations on the landowner to manage that land for conservation purposes.

20. There is no mention in the Bill of New Zealand's three UNESCO World Heritage Areas:

- Te Wāhipounamu
- Tongariro National Park
- New Zealand's sub-Antarctic islands.

These very special places clearly need the highest protection a government is able to bestow on them. Those places on New Zealand's tentative list of potential world heritage sites should also be mentioned. CTA has supported in our submissions to Auckland Council a future UNESCO World Heritage bid for the Tūpuna Maunga volcanic cones of Auckland.

21. CTA objects to the removal of the mandatory public notification requirements and automatic hearing rights for grazing licence applications, allocating these decisions to the Minister's discretion instead. This would mean that locals and ecologists would no longer be able to scrutinise land usage in sensitive areas, putting the local biodiversity at risk.

22. There is no application in the Bill of the precautionary approach. This approach should be used to safeguard the most precious parts of our environment from serious or irreversible environmental damage, even when the extent of the possible damage is unknown.

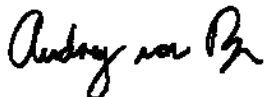
We wish to make the following recommendations:

That the government:

- rejects the Conservation Amendment Bill in its proposed form, particularly the introduction of those economic imperatives to be balanced with conservation objectives;
- undertakes further policy work, with meaningful public input, in order to develop more appropriate conservation law.

Date of submission: 13 July, 2026

Signature:



Audrey van Ryn
Secretary, Civic Trust Auckland