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Department of Conservation

By Email: landlegislation@doc.govt.nz

FEEDBACK ON DRAFT NATIONAL CONSERVATION POLICY STATEMENT

Introduction

1. Enclosed is feedback from the Environmental Defence Society (**EDS**) on the Department of Conservation's (**DOC**) draft National Conservation Policy Statement (**NCPS**).
2. This feedback should be read in conjunction with EDS's submission on the Conservation Amendment Bill (**Bill**), dated 13 July 2026.¹
3. EDS's feedback is informed by its extensive policy research on the conservation system, including:²
 - a. Tourism and Landscape Protection report (2020), which investigated how tourism was being managed, its environmental impacts, and opportunities for the tourism industry to positively contribute to landscape protection.
 - b. Caring for the Landscapes of Aotearoa New Zealand report (2021), which built on a range of case studies, a review of international and national best practice, and a legal review to propose a range of reforms to provide more robust landscape protection.
 - c. Conserving Nature report (2021), which undertook a detailed examination of the regulatory framework in place for the conservation system, identifying key issues and problems. The report won the RMLA publication of the year award for its contribution to enhance understanding of conservation issues.
 - d. Review of the Conservation Management Planning System (2023), which focused on identifying reasons for inertia in the planning system and developing proposals to address them.
 - e. Wildlife Report (2023), which highlighted the need for urgent reform of the Wildlife Act 1953.

¹ Environmental Defence Society Inc, Submission on the Conservation Amendment Bill, dated 13 July 2026 (**EDS Submission**).

² All reports are available on EDS's website: <https://eds.org.nz/our-work/policy/projects/conservation-reform-project/>

- f. Restoring Nature: Reform of the conservation management system report (2024), which drew on the insights garnered from over 100 interviews with people regularly engaging in the conservation system; expert ecological and economic advice; advice from Māori advisors; and a review of case-law and international best practice. It set out a comprehensive package of recommendations for a new, modernised, streamlined and fit-for-purpose conservation system.

General comments

4. EDS supports reform of the conservation management system, including concurrent development of the Bill and NCPS. EDS's independent review of the conservation management system sets out the system's problems,³ and mirrors many of the Government's concerns.
5. However, EDS is concerned with the emphasis in conservation law reform on economic development. The Bill and NCPS seek to enable more use and development on public conservation land, with fewer or weaker checks and balances. EDS's submission on the Bill details these concerns.
6. Of primary concern is the so-called economic clauses in the Bill, which prioritise use and development above conservation. EDS's submission on the Bill recommends changes to these provisions.⁴ Reconciling economic and conservation imperatives in favour of the latter is imperative if the conservation system is to continue preserving and protecting the natural and historic resources of the conservation estate for future generations, as it should.
7. **The NCPS should embed this hierarchy of priorities and ensure that economic matters are not inappropriately elevated in conservation decisions; and that economic development is always consistent with conservation imperatives.**

Missing topics

8. The NCPS is an attempt to simplify the existing conservation planning system.⁵ It consolidates the Conservation General Policy Statement (**GPS**) and the General Policy for National Parks (**GPNP**). These policy statements guide the implementation of legislation,⁶ and the management of conservation land and resources.⁷
9. Under the Bill, the purpose of the NCPS is to set policy relating to specified conservation legislation, including the National Parks Act 1980,⁸ and to recognise and enable economic opportunities arising from land, and natural and historic resources, held by DOC.⁹
10. To achieve this, the NCPS may:¹⁰
 - a. Set policies relating to the specified legislation;

³ Ibid, section 3.

⁴ EDS Submission, at paras 28, 32, 33, and 37.

⁵ Conservation Amendment Bill, Proposal Document: Content of the first National Conservation Policy Statement (**Draft NCPS**), at page 6.

⁶ Section 17B(1), Conservation Act 1987; and section 44 National Parks Act 1980.

⁷ Conservation General Policy Statement (**CGPS**), at page 8; and General Policy for National Parks (**GPNP**), at page 9.

⁸ Listed in new Section 13A(2), inserted by section 15 Conservation Amendment Bill.

⁹ New section 13D(2), inserted by section 15 Conservation Amendment Bill.

¹⁰ New section 13D(3), inserted by section 15 Conservation Amendment Bill.

- b. Specify content which must be included in management planning documents;
- c. Provide additional information on the consistency of activities with the purpose for which land or areas are held; and
- d. Classify activities as exempt or pre-approved.

11. In its attempt to simplify existing conservation policy, the NCPS:

- a. Strips away key topics covered in the CGPS and GPNP, such as direction on public participation, natural hazards, and public enjoyment of public conservation land.¹¹
- b. Does not include climate change related policies. EDS has recommended that the reformed conservation management system needs to respond to climate change pressures.¹² Failure to incorporate climate change policies in the NCPS misses an important opportunity to ensure long term planning for climate change impacts across the conservation estate.
- c. Pushes detail on key conservation values and how to manage them to area plans.¹³ For example, the CGPS and GPNP include policy on the conservation of natural resources,¹⁴ and the preservation of indigenous species, habitats, ecosystems, and natural features.^{15 16} These policies explain why those conservation values are important, and direct how the conservation management system should conserve or protect them.

12. By excluding the above details, the NCPS misses an opportunity to provide policies relating to specified Acts and their purposes.

Area plans (Policies 5 – 20)

13. The Bill replaces existing management strategies and plans with new area plans.¹⁷ Area plans are intended to “provide regional-level and local-level policy” relating to specified Acts such as the Conservation Act and the National Parks Act, and to recognise the economic opportunities of land held by DOC.¹⁸ Area plans may:¹⁹

- a. Set objectives and policies relating to the specified Acts;
- b. Provide information and context about the area as it relates to those Acts; and
- c. Set out matters to be considered by decision makers under those Acts.

14. Policies 5 to 20 of the NCPS direct the content of area plans and associated visitor zones.

¹¹ Compared with Policies 3, 8, and 9 Conservation General Policy Statement (**CGPS**); and Policies 3, 7, and 8 General Policy for National Parks (**GPNP**).

¹² See EDS NCPS Proposal Feedback, at page 10; and EDS Submission, at paras 94 to 97.

¹³ Policies 10 and 17, draft NCPS.

¹⁴ Policy 4, CGPS.

¹⁵ Policy 4, GPNP.

¹⁶ Note that other topics lacking in detail include historical and cultural heritage values (compare Policy 5 CGPS and Policy 5 GPNP with Policies 11 and 18 of the draft NCPS).

¹⁷ New section 13H, inserted by section 15, Conservation Amendment Bill.

¹⁸ New section 13H(2), inserted by section 15 Conservation Amendment Bill.

¹⁹ New section 13H(3), inserted by section 15 Conservation Amendment Bill.

15. EDS submits:

- a. Policy 5 (oppose): Area plans should be able to include content not specified in the NCPS, for example, if an area's bespoke values or management response necessitates it. Some flexibility should be enabled. This should extend to the ability to set place-based limits to manage cumulative effects. Regulations and by-laws require separate processes and cannot therefore always be relied upon as measures for managing cumulative impacts on conservation values. When required, area plans should be able to set limits without the need for these secondary processes.
- b. Policies 10 – 13 (support): Mandatory identification of conservation values within an area is a good thing and should be retained.
- c. Policy 14 (support in part): The ability to identify values from outside the area is supported. However, there should be a corresponding policy that enables objectives in area plans to address integration, otherwise these identified values risk playing no role in the management of an area. Objectives should aim for maximum integration across places and, more broadly, across area plans. Ecosystems and the mobile wildlife that inhabit them are not static and do not survive in isolation. Objectives should not lose sight of wider ecological integrity.
- d. Policy 15 (oppose in part): The identification of threats and pressures facing conservation values within an area should be mandatory, not discretionary, as they inform the area's objectives.
- e. Policy 17 (oppose in part): Area plans must set objectives to provide for the protection and preservation of natural resources which is good, but these resources should not be qualified by "significant". Neither the Conservation Act nor the Bill limit conservation values to those that are "significant". That is a resource management construct²⁰ and should not be applied in the conservation system. Area plans should set objectives for all indigenous species, habitats and ecosystems.
- f. Policies 17 – 19 (support in part): The requirement to set objectives about area plan values is broad. EDS recommends that further guidance be provided in area plans about what 'success' looks like so that DOC can measure progress against objectives. This should include monitoring and reporting. This feedback loop will help ensure that intervention is triggered if the objectives are not being achieved. This may require, for example, a more protective 'visitor zone' status being applied to an area.
- g. Policy 19 (oppose): It is unknown when a recreational objective would ever be applied, because all area plans must include visitor zones for all land within its boundary, and recreational objectives can only be applied when visitor zones do not apply.

16. EDS submits that the NCPS should also include policies relating to area plans that:

- a. Guide how cumulative effects of activities are to be assessed and addressed within an area.

²⁰ Resource Management Act 1991, section 6(c).

- b. Guide how the various values and objectives might be weighed against one another, or against the overall purpose of area plans, where conflicts arise. Specifically, directing that conservation imperatives take precedence over other outcomes.
- c. Direct how area plans are intended to interact with new regional spatial plans to be introduced under the Resource Management Act replacement laws.

Exempt and pre-approved activities and standardised pre-assessment (Policies 21 – 25)

17. The Bill amends the concessions system by introducing categories of exempt and pre-approved activities.²¹ The NCPS may classify activities into these categories.²² Policies 21 to 25 of the NCPS address these activities.

18. EDS submits:

- a. Policies 21 - 24 (support): Exempting and pre-approving limited activities is supported as a means of redirecting Departmental effort away from low impact activities to more high value conservation work. EDS supports the initial list of activities and their conditions of use which appropriately restrict scale and duration and require adherence to relevant bylaws and regulations where applicable. The standard conditions also impose obligations to ensure that the activity does not interfere with others' enjoyment of the public conservation land. This is supported.
- b. Policy 25 (support): The ability to disapply exempt or pre-approved activities in certain areas depending on the conservation values contained within that area provides positive flexibility. Even activities with low or minor impacts may need careful oversight in certain areas because of the sensitivity of conservation values. This ability to opt some areas out from exempt or pre-approved activities is particularly important given that the Minister can classify activities as exempted or pre-approved even if not every instance of an exempt or pre-approved activity will be consistent with the purpose for which land is held.²³ Area plans should be afforded the flexibility to disapply exempt or pre-approved activities (rather than this being within the sole purview of the NCPS). Circumstances when it would be appropriate to do so include when the activity is not consistent with the values and objectives for an area within a plan, including on a cumulative basis.

19. Additionally, the Bill does not provide sufficient ringfencing around exempt and pre-approved activities to ensure that cumulative effects or geographical requirements are accounted for.²⁴ EDS sought changes to the Bill in its submission to address these deficiencies.²⁵ If these changes are not accepted, then the NCPS will need to fill the gap. EDS suggests this should be addressed by additional policies directing decision-makers on how best to account for cumulative effects.

20. Monitoring of exempt and pre-approved activities will also be critical and should be guided by the NCPS. This will help ensure that significant adverse effects are identified early, and changes instituted in response, for example a pause in, or removal of, a pre-approved activity.

²¹ New sub-part 3B, introduced by Section 23, Conservation Amendment Bill.

²² New section 13E, introduced by section 15, Conservation Amendment Bill.

²³ New section 13E(2), inserted by Section 15, Conservation Amendment Bill.

²⁴ EDS Submission, at paras 99 and 100.

²⁵ EDS Submission, at pars 98 to 101.

Standardised pre-assessment (Policy 26)

21. The NCPS introduces standardised assessments for certain activities under policy 26.
22. Standardisation presents opportunities and risks, depending on how it is applied. Increased certainty of outcomes is a positive. However, the desire for predictability of use of the conservation estate must be set against the importance of contextualisation and discretion, especially when it comes to a changing environment.

23. Policy 26 and associated Appendix 4 are sparingly drafted. The policy simply states:

“26 activities will be pre-assessed for their consistency with land classifications and visitor zones as set out in Appendix 4.”

24. Appendix 4 lists those activities,²⁶ before assessing them against land classifications²⁷ and visitor zones with a ‘tick’.²⁸ The assessments indicate whether the activities are considered to be consistent with the relevant classification or zone, and therefore likely to occur in that area.

25. The NCPS says standardised assessments are intended to:²⁹

“create more consistency in how concessions are evaluated, provide more transparency about where activities are anticipated to occur, and streamline some aspects of the concessions process.”

26. Pre-assessed activities will still need to go through the standard concessions process. However, for those activities which are assessed to be “appropriate” for certain classifications or zones, the case for approving these activities will be “strengthened”.³⁰ Activities are appropriate when they are consistent with the purposes for which different classes of land are held.³¹

27. EDS is concerned that:

- a. Standardised pre-assessment of activities shifts the onus from applicants needing to demonstrate why an activity is appropriate, to DOC needing to demonstrate why an activity would be inappropriate in that specific situation.
- b. Although the activities will still need to be assessed against area-based values and objectives, there is no requirement that they be declined if they are inconsistent with those values and objectives (i.e. they can still proceed).
- c. The approach effectively sets up a ‘balancing’ exercise where the activity, which the NCPS says is appropriate in certain land classifications and visitor zones, is weighted against the area-based values and objectives.
- d. The starting position of the activity being appropriate for the location minimises the assessment of it against area-based values and objectives to a discussion about permit conditions.

²⁶ Appendix 4, Table 5, draft NCPS.

²⁷ Appendix 4, Table 6, draft NCPS.

²⁸ Appendix 4, Table 7, draft NCPS.

²⁹ Draft NCPS, at page 7.

³⁰ Ibid.

³¹ Ibid.

- e. The presumption (actual or implicit) in favour of permitting does not provide for a proper consideration of cumulative effects. Assessment against the area-based values and objectives should consider more than just whether the activity is appropriate and examine whether the effects of all the activities in that area are consistent with the values and objectives.
- f. The pre-assessment approach could result in important context being missed. For example, the exact same activity can have significantly different effects depending on the biophysical and social conditions in which it is occurring and the effects of an activity might be uncertain in a new location even if it has been done many times before elsewhere.

28. EDS submits the NCPS should:

- a. Include additional policies outlining the purpose and objectives of standardised pre-assessments, including by clarifying that pre-assessed activities must still go through the standard application process.
- b. Provide guidance on how decision-makers can assess context and cumulative effects, even where activities have been pre-assessed as appropriate.
- c. Make it clear that if an application for an activity is not consistent with the values and objectives of its area, it must be declined. In other words, the values and objectives of area plans operative as bottom-lines or limits.

Conclusion

- 29. Though EDS supports conservation reform, the NCPS as drafted requires significant attention. EDS submits that the NCPS should be re-notified after the Conservation Amendment Bill has been enacted.
- 30. EDS reiterates its concerns over the emphasis on economic purposes within the draft NCPS and the Conservation Amendment Bill. The Government has responded to feedback by saying it will remove the exchange and disposal provisions and redraft the economic clauses. This will significantly impact the tone and content of the Bill, and in turn, the NCPS. The NCPS needs to be re-notified after the Bill has been enacted, to appropriately capture these changes.
- 31. A re-notified NCPS should feature significant amendment, as outlined in the above submissions. This should include increased detail on missing policies, amendments to the required content of area plans, strengthening of exempt and pre-approved activities, and greater guidance for the purpose and application of standardised pre-assessments.