

Conservation Amendment Bill 2026: Big changes to New Zealand's 40-year-old conservation laws

On 7 May 2026, the Government introduced the Conservation Amendment Bill 2026 (the Bill).

This Bill proposes significant changes to the way public conservation land is managed in New Zealand under the Conservation Act 1987 (the Act).

Key aspects at a glance

While the definition of 'conservation' is not proposed to be changed, a new statutory function is proposed to sit alongside that, being to *recognise 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*. Under the Conservation Act currently there is no real opportunity to consider and weigh the economic benefits that might accrue from decisions/activities. This is a significant change.

The Bill seeks to simplify and speed up conservation decision-making and reduce the current fragmentation in conservation planning. It does this by consolidating:

- the existing Conservation General Policy and the General Policy for National Parks into a single National Conservation Policy Statement (NCPS); and
- the current hierarchy of conservation management strategies, conservation management plans, and national park management plans into a single layer of non-overlapping 'area plans'.

The section 4 requirement to give effect to the principles of the Treaty of Waitangi is not proposed to be changed, but a new clause 4A is inserted that specifies the steps, processes, and other activities that section 4 requires the Crown to undertake before making land management decisions.

For concession holders — including tourism and recreation operators — the Bill signals a shift toward a more standardised and nationally directed framework that will affect how approvals are obtained, renewed and managed over time.

In short, the Bill:

Streamlines the national planning framework by:

- **creating a new NCPS:** this will sit at the top of the conservation planning hierarchy and provide binding national direction, including specifying the content for inclusion in lower order planning instruments (including the new 'area plans'), and classifying activities as pre-approved or exempt. Exempt activities will not require concessions, while pre-approved activities will be eligible for pre-approved concessions; and
- **introducing 'area plans':** consolidating the current various lower order management plans and strategies into a single layer. These area plans must be consistent with the NCPS and cover all land, coastal and marine areas of New Zealand managed by the Department (without overlapping).

Streamlines the concession application process by:

- introducing statutory time frames for concession applications;
- allowing the setting of standardised conditions;
- enabling the Minister to decline applications earlier in the application process;
- providing provision that certain applications be made in a standard form;
- broadening the Minister's current discretionary power to initiate an allocation process for concessions;
- in relation to public notification, removing a submitter's right to a hearing – whether there is an opportunity to be heard is at the Minister's discretion; and
- simplifying the current 'reconsideration' process including by allowing reconsiderations only

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once, and only based on information existing when the original decision was made.

Simplifies the ongoing management of concessions, including by:

- widening the circumstances for when leases may be granted for up to 60 years (beyond the standard permitted maximum of 30 years), to also include whether the useful life of fixed assets or structures associated with the licence is longer than 30 years or if the concession provides critical infrastructure. No changes have been made as to the permitted durations for other forms of concessions; and
- making it easier to transfer an entire concession to a new operator.

The Bill provides a more enabling pathway for the land exchange and disposal of crown-owned conservation land, enables a new category of land known as 'visitor amenity areas' on certain conservation land, and introduces international visitor access charges for access to some conservation land.

While there are significant changes, several core aspects of the Act are largely retained by the Bill, including:

- the Act's core definition of 'conservation' is retained in its current form;
- for New Zealanders access to conservation land, remains free;
- land with the highest conservation value, including National Parks, nature reserves and wilderness areas remain ineligible for exchange and / or disposal;
- the existing framework as to the forms of available concessions (i.e., lease, licence, permits and easements) are unchanged. Additionally, the core features of these concessions remain largely unchanged.

Streamlining the Act's management planning framework

A key substantive change is the introduction of the NCPS and the associated replacement of the lower order planning hierarchy with a single layer of non-overlapping 'area plans'.

To support this, the Bill provides a process for the making and amending of these documents, including by the setting of various statutory time frames as to the different stages of their development. For area plans for example the entire process is required to be completed in 270 working days (however no material consequence if this time is exceeded). Each statutory document has a prescribed process providing for consultation with iwi authorities, establishing advisory roles for the New Zealand Conservation Authority and conservation boards, and requiring approval by the Minister.

Centralising power and decision making

The Bill expands and clarifies ministerial and regulatory powers through the national control of conservation policy via the NCPS and the regulation of activity classes, exemptions and timeframes.

At the same time, it constrains the ability of region-specific planning instruments, such as area plans, to override national direction. For concession holders operating across multiple regions, this may reduce variation in how similar activities are assessed in different locations.

The Bill removes and waters down key functions of the New Zealand Conservation Authority including removing the Authority's function of approving conservation management strategies and plans. Instead the Authority's role will be limited to providing comments on the NCPS and draft area plans. The functions of Conservation Boards are similarly reduced.

Giving effect to the principles of the Treaty of Waitangi

Clause 4A summarises the prescribed steps, also detailed throughout the Bill, for what is intended to implement the requirement to give effect to the principles of the Treaty of Waitangi, effectively attempting to codify what is in, and what is out;

- **the development and / or amendments to the NCPS:** advance consultation and subsequent written comments are to be invited from iwi authorities and are to be considered at various stages of the development of the NCPS, along with the preparation of an impact analysis report

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that includes an assessment of the potential impact on the rights and interests of Māori;

- **the development and / or amendments to area plans:** during this process initial consultation with relevant iwi authorities must be undertaken, an opportunity must be provided for written comments and an impact analysis report prepared that includes an assessment of the potential impact of the area plan on the rights and interests of Māori in relation to area plans;
- **concessions:** if the Minister invites written comments on an application for a concession from Māori groups with relevant interests, the Minister must give 20 working days to respond; and
- **the exchange and / or disposal of land:** an opportunity must be provided for written comments from Māori groups with relevant interests, along with the preparation of a land disposal / exchange report, that considers if the outgoing land is likely to be subject to future Treaty settlement negotiations,

Also relevant, but only included in clause 14ZG, is the statement that section 4 does not require the Minister to initiate a competitive allocation process for a concession opportunity, which appears directed at changing the implications of the Supreme Court decision *Ngāi Tai ki Tāmaki Tribal Trust v Minister of Conservation [2018] NZSC 122* regarding allocation of commercial opportunities on public conservation land and waters, vis a vis the principles of the Treaty of Waitangi.

Increased flexibility for conservation land exchange and disposal

The Bill loosens existing constraints on exchanging and disposing of Crown-owned conservation land, notwithstanding that the highest value conservation land as set out in new Schedule 5, remains ineligible for both exchange and disposal (the Bill's explanatory note indicating this equates to approximately 40% of New Zealand's total conservation land).

Specifically, the Bill provides that:

- land exchanges will be only possible where the land received is considered (by the Minister) to

have higher conservation values than the conservation land traded away (but not necessarily on a like for like basis); and

- land disposals will only be possible where the land is not important for the conservation of threatened species or ecosystems, the habitat provided is not one of the best examples of its type, and the Director-General of Conservation has recommended it.

The relevant processes under the Bill include a range of other considerations and specific requirements, including those as detailing above related to section 4.

International visitor access charges

The Bill also introduces a new framework to enable international visitor access charges at specified conservation sites. For tourism operators, this may have indirect operational implications depending on how and where access charging is implemented through future regulations.

Areas may be subject to levies only if:

- the benefits of a levy outweigh the operational costs of administering the levy; and
- if the area has high international visitor numbers or high costs for visitor infrastructure and facilities.

Key details — including locations, rates, class or classes of international visitors required to pay and implementation mechanisms — are expressly deferred to regulations. However, the framework establishes that access charging will be regulated nationally rather than applied for on an ad-hoc basis.

Visitor Amenity Areas

This is a new category of land, its purpose being to provide the public with recreational and public amenities and related services to further the use and enjoyment of land help under the Act.

A non-exclusive list of these amenities / services are contained in the Bill, and generally speaking are things such as toilets, visitor centres, accommodation, car parks, restaurants / cafes, tour operator services and associated infrastructure.

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In practice - what the Bill means for existing and prospective concession holders

While the Bill has largely retained the existing framework as to the forms of available concessions (i.e., lease, licence, permits and easements), as well retaining many of the current core features of these concessions, it has proposed significant changes that should streamline the processes relating to the applications for, and the ongoing management of these, concessions.

For existing and prospective concession holders, the Bill may have practical consequences depending on the nature of the activity.

For example:

- **Low-impact, routine activities** (such as guided walking tours, standardised vehicle access, or maintenance of existing infrastructure) may, once regulations are developed, be capable of relying on 'exempt' or 'pre-approved' activity classes, reducing the need for individual concession applications.
- **Standard concession activities** may be assessed against nationally prescribed standards and conditions, rather than being negotiated separately for each location, potentially improving certainty and consistency across regions.
- **Processing timeframes** for concession applications may become more predictable where regulations prescribe decision-making deadlines.

These changes move several elements of the approval process into express statutory frameworks, potentially reducing reliance on informal or ad-hoc administrative processes. Discretion is not removed, but it is exercised within clearer national parameters

At the same time, activities that fall outside predefined categories — for example, proposals involving new infrastructure, expanded footprints, or more intensive use — may face tighter scrutiny against national standards and will continue to require bespoke assessment and robust supporting evidence.

Importantly, many of the operational details that will be most relevant to concession holders — including the scope of exempt activities, standard conditions, processing timeframes and access charging settings — are expressly deferred to future regulations and instruments.

What happens next?

The Bill's first reading is set down for 12 May 2026, following which it will then be referred to select committee for consideration. There is expected to be an opportunity for public submissions as part of this Select Committee process – timing still to be determined.

Want to know more?

If you have any questions as to how the above impacts you or are considering preparing a submission on the Bill, please contact our Queenstown **Environment and planning team** [Maree Baker-Galloway](#), [Conor Meredith](#) and [Hannah Zydenbos](#).