



TŪWHARETOA
MĀORI TRUST BOARD

Submission on:
Conservation Amendment Bill

July 2026

INTRODUCTION

- 1 This submission is made by the Tūwharetoa Māori Trust Board (**Trust Board**) on the Conservation Amendment Bill (the **Bill**).
- 2 The Trust Board was established pursuant to the Māori Land Amendment Act 1924 and Māori Land Claims Adjustment Act 1926. The Trust Board later became a Māori Trust Board under the Māori Trust Boards Act 1955.
- 3 The Trust Board has unique conservation arrangements that interact with conservation legislation, namely the management arrangements for Taupō Waters and Te Ture Whaimana in respect of the Waikato River. The tribal taonga of Ngāti Tūwharetoa also include Te Kāhui Maunga (Tongariro National Park), which is yet to be the subject of Treaty of Waitangi settlement, and a range of other conservation interests within our rohe.
- 4 In February 2025 the Trust Board provided feedback on the Department of Conservation Discussion Documents, *‘Exploring charging for access to some public conservation land’* and *‘Modernising conservation land management’* raising, among other matters, concerns:
 - a. that the proposals prioritised financial outcomes over ecological protection and cultural protection;
 - b. that those Discussion Documents did not appear to be informed by the independent Options Development Group recommendations;
 - c. over a risk to section 4 of the Conservation Act;
 - d. regarding impacts of the proposals on the long-term protection and management of Tongariro National Park (including in light of its status as an area for which Treaty of Waitangi settlement is yet to occur) and other conservation areas in the Ngāti Tūwharetoa rohe.
- 5 The Bill is therefore **extremely disappointing** to the Trust Board, in that it has failed to adequately address, and indeed in places it has exacerbated, the concerns raised by us.
- 6 While the Trust Board agrees with the need for conservation reform, the Bill avoids the critical issues for reform, including the preservationist foundations of conservation law which have historically prevented meaningful opportunities for rightful return of whenua to iwi and hapū through settlement, or genuine te Tiriti partnership where whenua is retained in Department of Conservation (**DOC**) or joint DOC and iwi/hapū ownership.
- 7 The Bill’s failure to address these matters while also advancing changes that prioritise financial outcomes for the conservation portfolio, further exacerbates, rather than addresses, flaws in conservation law. The Bill entrenches existing pressures, complicates conservation planning frameworks, weakens Treaty settlement protections and diminishes the role of local communities and place-based decision-making.
- 8 In ignoring these systemic issues entirely, the Bill is drafted from a fundamentally flawed premise.
- 9 The Trust Board is therefore **strongly opposed** to the Bill in its current form. We seek that it is **abandoned**, and conservation reform discussions are recommenced, guided by iwi and hapū, including the Trust Board and Ngāti Tūwharetoa.
- 10 The Trust Board is a member of Pou Taiao to the National Iwi Chairs Forum. It has read, and adopts, that submission in respect of the detail of the Bill. This submission outlines the critical issues for the Trust Board and Ngāti Tūwharetoa.
- 11 We **seek to be heard** in respect of this submission.

NGĀTI TŪWHARETOA

Ko Tongariro te Maunga	Tongariro is the Sacred Mountain
Ko Taupō te Moana	Taupō is the Lake
Ko Tūwharetoa te Iwi	Tūwharetoa is the Tribe
Ko te Heuheu te Tangata	Te Heuheu is the Man

- 12 Ngāti Tūwharetoa hold mana whenua, kaitiakitanga and rangatiratanga over the Central North Island including the Lake Taupō Catchment and part of the Upper Waikato, Whanganui, Rangitikei, and Rangitaiki Catchments.
- 13 Ngāti Tūwharetoa are the descendants of Ngatoroirangi and other tūpuna who have occupied the Taupō Region continuously since the arrival of the Te Arawa waka. Ngāti Tūwharetoa are linked by whakapapa to our lands and our taonga. This connection establishes our mana whenua, kaitiakitanga and rangatiratanga, including our right to establish and maintain a meaningful and sustainable relationship between whānau, hapū, marae and our taonga tuku iho.
- 14 As kaitiaki, Ngāti Tūwharetoa have an intrinsic duty to ensure the mauri and the physical and spiritual health of the environment (inclusive of our whenua and water resources) in our rohe is maintained, protected, and enhanced.
- 15 For Ngāti Tūwharetoa, our rohe of the Central North Island forms part of our ancestor Papatūānuku. The universe and atmosphere above and around us are Ranginui. The geographical pinnacle of Papatūānuku, within our rohe, is our maunga (mountains) including our esteemed ancestor, Tongariro. To the north of Tongariro lies our inland seas, Taupō-nui-a-Tia and Rotoaira. Our mauri flows from our maunga through our ancestral awa (surface and underground streams and rivers) to our moana and to the hinterlands via the Waikato, Whanganui and Rangitaiki. They link us directly with our neighbouring iwi.
- 16 Ngāti Tūwharetoa assert our intergenerational custodial and customary right of tino rangatiratanga over the taonga in our rohe.

MANAGEMENT ARRANGEMENT FOR TAUPŌ WATERS

1992 and 2007 Deeds

- 17 By deeds with the Crown dated 28 August 1992 and 10 September 2007 the Trust Board is the legal owner of the bed, water column and air space of Lake Taupō, the Waihora, Waiāhā, Whanganui, Whareroa, Kuratau, Poutu, Waimarino, Tauranga-Taupō, Tongariro, Waipēhi, Waitotaka, Hinemaiaia and Waitahanui Rivers (**Taupō Waters**), and the Waikato River to Te Toka a Tia, inclusive of the Huka Falls.
- 18 The Trust Board's relationship to Taupō Waters is unique. The Trust Board holds legal title as trustee and acts as kaitiaki for Taupō Waters. These fiduciary responsibilities over Taupō Waters to present and future generations underpin all our activities and aspirations.

Relationship with Conservation Legislation

- 19 Pursuant to the 1992 and 2007 Deeds, Taupō Waters is management as if it were a reserve for recreation purposes under section 17 of the Reserves Act 1977 in partnership between the Crown and the Board through a management board known as Taupo-nui-a-Tia Management Board.¹

¹ 2007 Deed, clause 1.7.2.

- 20 The Taupō-nui-a-Tia Management Board has developed the Taupō Waters Management Plan as part of its role as an administrative body under the Reserves Act 1977.

Comment on the Bill

- 21 In providing feedback on the Discussion Document in February 2025, we noted that:
- a. The Trust Board’s Taupō Waters conservation arrangements must be afforded due respect and recognition, to ensure they are not inadvertently undermined.
 - b. We are opposed to permitting classes of activities as exempt and/or permitted in advance without safety valves that require localised processes to address cumulative, or unintended, effects.
- 22 The Bill has ignored this feedback. Instead, the Bill centralises influence through the Minister for Conservation, DOC processes, the National Conservation Policy Statement, area plans and standardised settings. It streamlines Crown decision-making while reducing our influence over our taonga to stakeholders. That is unacceptable.
- 23 Simultaneously, the Bill dilutes the Crown’s Treaty obligations under section 4 of the Conservation Act, proposing a new section 4A specifying the steps that must be undertaken by the Crown as required by section 4 of the Act. Fundamentally, the specificity in clause 4A narrows and limits the nature of the Crown’s Treaty obligations under the Act, limiting room for discretion and a broader application in context.
- 24 The Trust Board’s view is that new section 4A fundamentally diminishes the roles, responsibilities and rights of iwi and hapū to actively participate as a partner with the Crown, including in the long-term management of Taupō Waters.

Amendment sought

- 25 We seek that the Bill is **abandoned**, and conservation reform discussions are recommenced, guided by iwi and hapū, including the Trust Board and Ngāti Tūwharetoa.
- 26 In this regard, we seek direct discussions on a bespoke legislative approach to the management of Taupō Waters, and that only section 4 is retained in any future conservation legislation.

WAIKATO RIVER ARRANGEMENTS

Waikato River Deed and Upper Waikato River Act

- 27 The Trust Board is also a party to the Waikato River Deed with the Crown dated 31 May 2010 (**Upper Waikato River Deed**). The Crown and the Trust Board agreed to enter into the Waikato River Deed in recognition of “the interests of Ngāti Tūwharetoa in the Waikato River and its catchment and in Taupō Waters and to provide for the participation of Ngāti Tūwharetoa in the co-governance and co-management arrangements in respect of the Waikato River”.²
- 28 The Waikato River Deed was given legal effect through the Ngāti Tūwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010 (**Upper Waikato River Act**). The overarching purpose of the Upper Waikato River Act is to restore and protect the health and wellbeing of the Waikato River for present and future generations.³
- 29 Te Ture Whaimana o Te Awa o Waikato – the Vision and Strategy for the Waikato and Waipā Rivers (Te Ture Whaimana) is a product of the settlement agreements between the Crown,

² Upper Waikato River Deed 31 May 2010, clause 8.

³ Upper Waikato River Act, section 3.

Ngāti Tūwharetoa and other Waikato and Waipā River Iwi. It is a statutory instrument,⁴ and the primary direction setting document for the Waikato and Waipā Rivers and activities within their catchments affecting the Waikato and Waipā Rivers.⁵

Relationship with Conservation Legislation

- 30 Taking Te Ture Whaimana as an example of the relationship of the Upper Waikato River Act and conservation legislation, it is a statement of general policy under the Conservation Act 1987, National Parks Act 1980, Reserves Act 1977, Wild Animal Control Act 1977, Wildlife Act 1953 (to the extent to which the content of Te Ture Whaimana relates to the carrying out of functions or the exercise of powers for the Waikato River and activities in its catchment that affect the Waikato River).⁶
- 31 The following plans must not derogate from Te Ture Whaimana:⁷
- a. a conservation management strategy or a conservation management plan made under the Acts referred to in paragraph 30 above;
 - b. a freshwater fisheries management;
 - c. a sports fish management plan.
- 32 There is also a general duty to “have particular regard to” Te Ture Whaimana whenever a person is carrying out functions or exercising powers under the Conservation Act 1987, National Parks Act 1980, Reserves Act 1977, Wild Animal Control Act 1977, Wildlife Act 1953 (among other legislation) that relate to the Waikato River or activities in the catchment that affect the Waikato River.⁸

Comment on the Bill

- 33 Te Ture Whaimana is deeply embedded in conservation frameworks. Changing those frameworks without the Waikato River Settlements (of all Waikato and Waipā River Iwi) as a foundational driver, puts the integrity of the settlements at risk.
- 34 The Bill fails to provide for Te Ture Whaimana, both procedurally and substantively.
- 35 The Bill also amends the Waikato River Settlement Legislation without our agreement, or that of our fellow Waikato and Waipā River Iwi. That is **strongly opposed**. While the amendments are characterised as “consequential or minor”, that interpretation fails to appreciate two critical matters:
- a. The Conservation Amendment Bill proposes to fundamentally change the conservation legislation settings under which settlements were negotiated, meaning a “consequential or minor” amendment is not, in fact, consequential or minor – work must be done to understand the settlement implications to properly provide Treaty settlement equivalency to those matters.
 - b. Our settlement legislation must only be amended with our agreement. Unilateral amendment by the Crown undermines the full and final nature of the Upper Waikato (and all Waikato and Waipā) River Settlement(s), and is inconsistent with the Crown’s obligations to act as an honourable Treaty partner.

⁴ Given legislative effect through the Waikato and Waipā River Settlement Legislation: see also Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 and Ngā Wai o Maniapoto (Waipā River) Act 2012.

⁵ The obligation to give effect to Te Ture Whaimana is the strongest direction that Parliament has given in relation to any RMA planning document.

⁶ Upper Waikato River Act, section 17.

⁷ Upper Waikato River Act, section 17(7) and (10).

⁸ Upper Waikato River Act, section 18.

Amendment sought

- 36 We seek that the Bill is **abandoned**, and conservation reform discussions are recommenced, guided by iwi and hapū, including the Trust Board and Ngāti Tūwharetoa.
- 37 In this regard, we seek direct discussions, together with our fellow Waikato and Waipā River Iwi, on a bespoke legislative approach to the Waikato and Waipā River Settlement arrangements.

LAND EXCHANGE AND DISPOSAL

- 38 The Trust Board **strongly opposes** the Bill proposals enabling land exchange and disposal to parties other than hapū and iwi.
- 39 The Conservation Minister's 25 June 2026 announcement⁹ seemingly back-tracking on these provisions is cold comfort. To the extent the Minister has acknowledged that the country's understanding of the Bill "differed to his intention",¹⁰ we have no clarity on that intention.
- 40 The ability to exchange or dispose of conservation land raises significant concerns about the loss of lands that hold deep ancestral and spiritual significance. Conservation lands are not just about conservation management, but also about the cultural landscapes that define iwi and hapū identities. These areas contain wāhi tapu, sites of historical and spiritual significance, and native ecosystems that we have been part of for centuries. Removing these lands from the conservation estate could sever the relationship between iwi and hapū and our whenua.
- 41 We are deeply concerned by the prioritisation of financial outcomes over ecological and cultural protection, and that this will lead to the permanent loss of lands that should instead be restored and protected under the principles of rangatiratanga and kaitiakitanga.
- 42 The most alarming impact of the proposals is the hypocrisy of the Crown having actively prevented such land from being returned through settlements under the guise of its conservation value to New Zealand, only for this Government to now announce Bill provisions enabling the private disposal and exchange of conservation land for economic gain.

Amendment sought

- 43 We seek that the Bill is **abandoned**, and conservation reform discussions are recommenced, guided by iwi and hapū, including the Trust Board and Ngāti Tūwharetoa.
- 44 If land is surplus to requirements that should trigger a return to iwi and hapū for nil or low value consideration.

TONGARIRO NATIONAL PARK

- 45 In providing feedback on the Discussion Document in February 2025, we noted that a specific response for Tongariro National Park was required, endorsing and echoing the feedback of Ngāti Hikairo at that time regarding concern over a shift of narrative from protection to commercialisation.
- 46 We noted the commercialisation proposals:
- were inconsistent with the Park's foundational principles, which are grounded in the protection of its natural resources and its deep spiritual and cultural connection to iwi, specifically Ngāti Hikairo and Ngāti Tūwharetoa;

⁹ <https://www.beehive.govt.nz/release/government-acts-conservation-bill-concerns>

¹⁰ A comment reportedly made by Minister Potaka to the Environmental Defence Society conference on 25 June 2026.

- b. undermined the original intent behind the formation of the National Park, and the expectations of iwi;
 - c. risked diminishing the value of the park, including as a dual World Heritage area, recognising both its natural and cultural significance.
- 47 Together with proposed s 4A and the dilution of iwi influence in Crown decision-making, the Bill's commercialisation proposals have the potential to significantly undermine future settlements.

Amendment sought

- 48 We seek that the Bill is **abandoned**, and conservation reform discussions are recommenced, guided by iwi and hapū, including the Trust Board and Ngāti Tūwharetoa.

CONTACT

- 49 Please direct all communications to the Trust Board in relation to this submission to Peter Shepherd, Natural Resources Manager at peter@tuwharetoa.co.nz.