



# Conservation Amendment Act 2010

Public Act 2010 No 14  
Date of assent 19 April 2010  
Commencement see section 2

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### The Parliament of New Zealand enacts as follows:

- 1 Title**  
This Act is the Conservation Amendment Act 2010.
- 2 Commencement**  
This Act comes into force on the day after the date on which it receives the Royal assent.

**3 Principal Act amended**

This Act amends the Conservation Act 1987.

**4 Applications for leases, licences, etc**

Section 17R is amended by adding the following subsection as subsection (2):

- “(2) However, a person must not apply to the Minister for a concession if—
- “(a) the Minister has exercised a power under section 17ZG(2)(a) to initiate a process that relates to such an application for a concession; and
  - “(b) the application would be inconsistent with the process.”

**5 Process for complete application**

- (1) Section 17T is amended by inserting the following subsection after subsection (1):

“(1A) However, the Minister must not consider an application made in breach of section 17R(2).”

- (2) Section 17T(4) and (5) are repealed and the following subsections substituted:

“(4) Before granting a lease, or a licence with a term (including all renewals) exceeding 10 years, in respect of a conservation area, the Minister must give public notice of the intention to do so.

“(5) Before granting a licence with a term (including all renewals) not exceeding 10 years, or a permit or easement, in respect of a conservation area, the Minister may give public notice of the intention to do so if, having regard to the effects of the licence, permit, or easement, he or she considers it appropriate to give the notice.

“(6) Subsections (4) and (5) do not apply to the grant of a lease or licence resulting from the exercise of a right of renewal, or a right to a new lease or licence, that is contained in a lease or licence.

“(7) Section 49 applies to a public notice given under subsection (4) or (5).”

**6 Term of concession**

Section 17Z(2) is amended by omitting “5” and substituting “10”.

**7 Transitional provision for application for licence with term not exceeding 10 years or permit**

- (1) This section applies to an application made under Part 3B of the principal Act, before the commencement of this Act, for—
  - (a) a licence with a term (including all renewals) not exceeding 10 years; or
  - (b) a permit.
- (2) The application must be dealt with—
  - (a) as if this Act had not been enacted if, before the commencement of this Act, the Minister publicly notified his or her intention to grant the licence or permit;
  - (b) in accordance with the principal Act as amended by this Act in all other cases.

**8 Transitional provision for application for concession if process initiated**

- (1) This section applies if, before the commencement of this Act, the Minister exercised a power under section 17ZG(2)(a) to initiate a process that relates to any application for a concession.
  - (2) The principal Act, as amended by this Act, applies to the process, and any application for a concession to which the process relates, which is made or proposed to be made on or after the commencement of this Act, must be dealt with accordingly.
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**Legislative history**

30 March 2010	Divided from Regulatory Improvement Bill (Bill 298–2) by committee of the whole House, third reading
19 April 2010	Royal assent

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This Act is administered by the Department of Conservation.

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